City of Solana Beach Local Coastal Plan

Adopted:

February 27th, 2013

As Amended, November 2018

City of Solana Beach

Local Coastal Program (LCP) Land Use Plan (LUP) Amendments

Amendment	Date	Scope	Status
#1	June 2014	Clean Up Amendment	Approved by CCC in April 2014
#2	May 2017	Public Recreation Impact Fee	Approved by CCC in May 2017

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CHAPTER 1—INTRODUCTION

A. Description of the City of Solana Beach

The City of Solana Beach (City) incorporated in 1986. The City lies entirely within the State designated Coastal Zone. As such, the Local Coastal Program (LCP) Land Use Plan (LUP) covers the entirety of the City. The purpose of the LCP is to locally implement the State's goals for the coastal zone which are to:

(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
(b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
(c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
(d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
(e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The City encompasses 3.42 square miles of land and has approximately 1.7 miles of coastline. The seaside community of Solana Beach is located along the northern coast of San Diego County and is approximately a 30 minute drive from downtown San Diego. The City's main access routes include Interstate-5 (I-5), Pacific Coast Highway/Highway 101, Lomas Santa Fe Drive, and Via de la Valle. The Pacific Ocean is to the west of the City; the San Elijo Lagoon and the City of Encinitas are located to the north, and the San Dieguito Lagoon and the Cities of Del Mar and San Diego are located to the south. The unincorporated community of Rancho Santa Fe is located to the east. The San Diego Association of Governments (SANDAG) estimates the population of Solana Beach was 13,783 in 2010.

Solana Beach is located along the western edge of the coastal plain of the Peninsular Ranges Geomorphic Province. The coastal plain consists of numerous marine and nonmarine terraces dissected by stream valleys. The coastal plain in Solana Beach is dissected by the San Elijo Lagoon on the northern end of Solana Beach and the Del Mar Estuary/San Dieguito River along the southern edge of Solana Beach. Elevations in the City range from sea level to several hundred feet above sea level in the eastern portion of the City.

The City's topography rises from sea level at the beach and steps up generally from west to east. Sweeping panoramic views of the ocean and the beach are available at each public access point at the top of 50 to 75 foot high bluffs. The face of the sandstone bluffs form a nearly vertical first "step" up along the entire western border of the City.

CHAPTER 1—INTRODUCTION

For many years, the City of Solana Beach has recognized the problematic issue of managing a developed and actively eroding shoreline. The shoreline includes 1.7 miles of narrow beach, backed with 75+ foot high seacliffs that are developed with single family homes and condominiums. Seacliff erosion is a natural process occurring throughout San Diego County. In the last several decades, erosion has accelerated by the lack of sand replenishment due to the damming of, and mining in, coastal rivers that formerly carried to the ocean much greater amounts of sediment than are currently being delivered. The current approximate rate of erosion averages 0.4 feet per year. However, depending on multiple factors, such as wave action, winter storms, potential sea level rise predictions, and upper bluff irrigation runoff, erosion rates vary. Seacliff erosion is a threat to public recreational use of the beach and to the homes atop the bluffs. These are two of the primary reasons why shoreline protection and management is, and has been, a critical issue in Solana Beach.

Solana Beach is located within the southern half of the Oceanside Littoral Cell. It does not have any major river, stream, or cliff resources that continually provide sufficient sand supply to maintain a wide beach. Thus, in the absence of a long-term beach nourishment and retention program, the City's beaches will continue to experience a net loss of sand. The reach of shoreline from southern Oceanside to northern Del Mar is dependent on longshore transport of sand from the north and south. Longshore sand transport is driven by waves breaking at an angle to the shoreline. Transport is generally southward in winter and northward in summer. Sand also moves onshore and offshore seasonally and in big storm events, substantial amounts of sand may be lost offshore.

Shoreline protection along the coast is common in Solana Beach. Shoreline protective devices include Seawalls, revetments, shotcrete walls/cave infills, notch and dripline infills and mid and upper bluff retention systems. More than 50 percent of the Solana Beach coastline is protected by some type of bluff retention device.

Past actions have substantially slowed the proactive stabilization of the bluffs prior to the significant collapses which in many instances resulted in the need for full-height coastal bluff stabilization. Given proper land use management, bluff retention devices are not inevitable along the entire shoreline of Solana Beach. The City is studying the possibility of installing an artificial reef or headlands to retain sand. The device would be designed to create no adverse effects and could enhance surfing and other recreational opportunities and may lead to improved environmental quality of the beach and shoreline. The LCP provides a mechanism and the encouragement for beach nourishment and sand retention. Beach nourishment is the environmentally preferred means to preclude the inevitability of bluff retention devices along the City's entire shoreline. The unique geology of the coastal area in Solana Beach, regional sand depletion, impacts of inland and coastal development, and the blockage of upland sand sources have all caused the loss of the beach area over time and accelerated the erosion process along the coastal bluffs. It has become clear over time that some improvements including bluff homes, city infrastructure, public facilities, city-owned and non-city-owned utilities were constructed too close to the Bluff Edge. These interrelated factors have impaired recreational

opportunities and pose potential threats to safety, and to publicly and privately owned buildings infrastructure and property in Solana Beach.

In addition to the beach bluff formations that exist along the entire western border of the City, the inland areas of Solana Beach offer many public amenities and coastal viewpoints. Pedestrian access is provided to the San Elijo Lagoon County Park and Ecological Reserve, San Dieguito County Park, and the Del Mar Fairgrounds which all border the City. The Lomas Santa Fe Executive Golf Course is a public course that is located in the north eastern quadrant of the City.

The City's award winning Coastal Rail Trail and three pedestrian bridges (Rosa Street, Transit Station and Cliff Street bridges) that cross over the train tracks adjacent to Highway 101 form an elegant linear park, exercise trail and art walk that provides connectivity to the City's commercial district, the beach and the regional bikeway and pedestrian coastal corridor.

The City also maintains three public beach access stairways located at the western terminus of Solana Vista Drive, near the western terminus of Dahlia Drive and the western terminus of Del Mar Shores Terrace and one public ramp access at the terminus of Plaza Drive at Fletcher Cove Park. Public parking is conveniently located at the Transit Station and in 10 public City maintained parking lots within one block of the beach at various locations along South Sierra Avenue and Plaza Street.

The City's town center is located two blocks from Fletcher Cove Park and beach at the intersection of Lomas Santa Fe and Cedros Avenue which is accessible by train and bus services. The Solana Beach Transit Station is located at this intersection and is within a one quarter mile walking distance to the Fletcher Cove Park, the Fletcher Cove Community Center and accessible facilities. A regional bus stop is also located one block east of the Fletcher Cove City park entrance on Plaza Street.

La Colonia Park is the City's largest park and community center, which is accessible and located at the intersection of Hernandez Street and Valley Avenue. The Solana Beach Heritage Museum is located in La Colonia Park. It is housed in the oldest home in Solana Beach, first known as the Molly Glen Ranch House, and now known as the Stevens House. The Susan C. Steven's house was noted on an 1892 plat map, and was moved in 1988 to La Colonia Park from its original location overlooking today's fairgrounds.

Fletcher Cove Park and beach is located at the western terminus of Plaza Street. It provides the City's only beach access vehicle ramp. This wide notch in the bluff is the only opening in the entire bluff face along the City's coastline. It was created in 1924 by artificial erosion of the sandstone bluff using hydraulic blasting with a fire hose. Colonel

Ed Fletcher, the town's founder, created the very large "notch" in the coastal bluff to provide beach access to the surrounding land which he owned and subdivided for sale. Fletcher Cove Park now spans that notched area.

Panoramic views of the coast, river valleys and lagoons surround Solana Beach. Coastal views are found at the north and south gateways to the city on Highway 101, and from the train corridor at the same locations. Panoramic views of the Del Mar Fairgrounds, the San Dieguito River Valley and the Pacific Ocean can be seen at various points along Solana Circle east and west. Traveling inland, additional views of the San Dieguito River Valley and the San Elijo Lagoon can be seen from the various points which are discussed further in Chapter 6.

B. Local Coastal Planning History

Efforts to complete a LCP in conformance with the California Coastal Act for Solana Beach have been ongoing since 2000. The Solana Beach LCP/LUP represents a collaborative planning effort initiated by the City and developed over the course of many years with the participation of various interests, including local environmental groups and property owners. With the shared goal of identifying long-term solutions to many of the unique coastal issues found within the City, and the involvement of the various interests participating in the development of this LCP/LUP, the City is committed to achieving a balance of interests, rights and needs in compliance with Coastal Act requirements.

The LCP/LUP is intended to provide a long-term comprehensive land use planning and policy blueprint for the utilization, management and preservation of coastal resources within the City. The planning and development of the City's LCP/LUP involved an Ad-Hoc Council Committee, City Staff as well as a citizen's committee whose members included a representative of CalBeach Advocates, consultants, a former California Coastal Commissioner, the Surfrider Foundation, local policymakers, attorneys, and other local residents. This stakeholders met over the course of five years (from 2004-2009) and provided recommendations and input to the City for its consideration in the drafting of the LCP/LUP. The stakeholders were actively involved in assisting the City with responding to the California Coastal Commission's (CCC's) comments on earlier drafts of the LCP/LUP (including the 2006, 2007, 2008 and 2009 LUPs). The City incorporated a substantial number of their comments and suggestions and much of their work is embodied in this LUP. Moreover, a number of public hearings were held by the City to review drafts of this LCP/LUP and to solicit and receive public input.

The City's LCP consists of (1) a LUP and (2) a Local Implementation Plan (LIP) (i.e., zoning ordinances and maps which together meet the Coastal Act requirements and implement its provisions and policies within the City.

The City has experienced public controversy and litigation in its attempts to balance the needs of the local and sometimes competing interests since its incorporation in 1986. This LCP/LUP draft is the fifth such draft and is the culmination of many years of discussion and debate. This LUP reflects a balance between various interests and is intended to bring certainty to the development process, protect the environment and comply with the requirements of the California Coastal Act of 1976. The essence of the City's LCP/LUP is embodied in its policies and implementation strategies that together create a long-term comprehensive LUP and shoreline management strategy.

The LCP/LUP provides benefits for the community including:

LCP/LUP Benefits:

- Promotion of a sandy beach for recreational and shoreline protective benefits;
- Promotion of sand retention devices, including submerged multi-purpose reefs, designed to provide retention, recreation and habitat benefits;
- Improved maintenance of existing and new bluff retention devices (e.g., seawalls, engineered infills, upper bluff devices) to minimize their scope, maximize the preservation of natural beach and bluff, for aesthetics and safety;
- Mitigation for the adverse impacts of bluff retention devices on the beach through payment of fees incident to permit approvals with the funds to be used for beach restoration and related beach, surfing, recreation and similar projects.
- Recognition of the importance of a wide sand beach, natural bluffs, surf breaks, and other recreational resources for residents, visitors and businesses;
- Controls to prevent new development in geologicially unstable areas; and,
- Restrictions so that no new bluff retention devices are allowed on the beach unless all other reasonably feasible options for protecting bluff top principal structures are deemed infeasible, and when allowed, that they are as small as possible, and aesthetically managed and maintained to minimize their impacts.
- Potential for improved public safety.
- Streamlined permit approval process for bluff retention devices that meet certain reasonable pre-approved criteria;
- Recognition of private property rights including the right to protect and maintain existing blufftop homes. Tools to align applicable provisions of the City's land development policies and regulations and municipal code with the current requirements of state law through the adoption of the LCP;
- Increased local control as the City will be authorized to approve projects in the coastal zone, in a streamlined manner, without a need for CCC hearing;
- Protection of City facilities and infrastructure over time;
- Provisions to encourage visitor serving commercial uses;
- Provisions to protect coastal access, public views, and enhance public parking near the beach;
- Protect environmentally sensitive habitat;

- Protect biological and archaeological resources;
- Framework for long term planning to address coastal erosion; and,
- Potential increase in tax revenues resulting from establishment and maintenance of a wide sandy beach with an expected increase in tourism and visitor spending resulting in more Transient Occupancy Taxes (TOT), sales taxes, increased property values, and increases in the local share of property taxes.

C. The California Coastal Act

In October 1972, the United States Congress passed Title 16 U.S.C. 1451-1464, which established a federal coastal zone management policy and created a federal coastal zone. By that legislation, the Congress declared a national interest in the effective management, beneficial use, protection and development of the coastal zone in order to balance the nation's natural, environmental and aesthetic resource needs with commercial-economic growth. The Congress found and declared that it was a national policy "to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone giving full consideration to ecological, cultural, historic, and aesthetic values as well as to the need for economic development (16 U.S.C. 1452b)". As a result of that federal enactment, coastal states were provided a policy and source of funding for the implementation of federal goals.

The California Coastal Zone Conservation Act of 1972 (Proposition 20) was a temporary measure passed by the voters of the state as a ballot initiative. It set up temporary regional coastal commissions with permit authority and a directive to prepare a comprehensive coastal plan. The coastal commissions under Proposition 20 lacked the authority to implement the Coastal Plan but were required to submit the Plan to the legislature for "adoption and implementation."

The California Coastal Act of 1976 is the enacting law approved by the State Legislature. The Coastal Act established a different set of policies, a different boundary line, and different permitting procedures than Proposition 20. Further, it provides for the transfer of permitting authority, with certain limitations reserved for the State to local governments through adoption and certification of an LCP by the CCC.

The LCP is a comprehensive long-term planning blueprint prepared by the City as required by the California Coastal Act (Coastal Act) of 1976. The Coastal Act is intended to ensure that coastal areas of California are developed in a manner responsive to public objectives. The Coastal Act establishes these public objectives as policies, which must be incorporated into a LCP.

An LCP is defined as "a local government's land use plans, zoning ordinances, zoning district maps, and within sensitive coastal resources areas, other implementing actions

which when taken together meet the requirements of and implement the provisions and policies of [the Coastal Act] at the local level" (PRC Section 30108.6). The LUP is defined as "the relevant portion of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and where necessary, a listing of implementing actions" (PRC Section 30108.5).

The LCP zoning ordinance, district maps and other implementing actions are required to conform with, and be adequate to carry out the LCP/LUP. After certification of the LCP, (including the LUP and the LIP), the review authority for new development within the City of Solana Beach, including most state and federal government proposals, transfers from the CCC to the City with some exceptions in certain geographic areas. The CCC retains original permit jurisdiction submerged lands, tidelands, and public trust lands (PRC Section 30519). In authorizing CDPs after LCP certification, the City must make the finding that the development conforms to the certified LCP. Any amendments to the certified LCP will require review and approval by the CCC prior to becoming effective. In addition, certain types of development and development within certain geographic areas approved by the City after certification of the LCP are appealable to the CCC (PRC Section 30603) and include:

(1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.

(2) Developments approved by the local government not included in paragraph (1) that are located on tidelands, submerged lands, and public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.

(3) Developments approved by the local government not included with paragraph (1) or (2) that are located in a sensitive coastal resource area.

(4) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500).

(5) Any development which constitutes a major public works project or a major energy facility.

The grounds for an appeal of an approval of a permit are limited to an allegation that the development does not conform to the standards set forth in the certified LCP or the public access policies of the Coastal Act. In addition, the grounds for an appeal of a denial of a permit for a major public works project or major energy facility referenced in number five above are limited to an allegation that the development conforms to the standards set forth in the certified LCP and the public access policies of the Coastal Act.

D. General Goals and Objectives

As a citywide policy and planning document, the Solana Beach LCP/LUP includes long-term goals that promote the beneficial use of lands in the City and the beach and shoreline for residents and visitors alike.

If there is a provision of the LCP that conflicts with a provision of the General Plan, or any other City-adopted plan, resolution, or ordinance not included in the LCP, and it is not possible for the development to comply with both the LCP and such other plan, resolution or ordinance, the LCP shall take precedence and the development shall not be approved unless it complies with the LCP provision.

In addition, a goal of the LCP is to promote the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

The following standards shall be applied by the City to achieve the goals and objectives of the Coastal Act in applying the policies of this LUP:

(1) The policies of Chapter 3 of the Coastal Act (PRC Sections 30200 – 30263) shall be the guiding policies of the LUP.

(2) Where conflicts occur between the policies contained in the LUP and those contained in any element of the City's General Plan, zoning or any other ordinance, the policies of the LUP shall take precedence.

(3) Prior to approval of any CDP, the City shall make the finding that the development conforms to the policies and requirements contained in the LUP.

Severability Clause:
If any policy, chapter, section, subsection, paragraph, sentence, clause, phrase or other portion of the LUP is for any reason held to be invalid or unenforceable by a court, such decision shall not affect the validity of the remaining portions of the LUP.

CHAPTER 2—PUBLIC ACCESS AND RECREATION

A. Introduction

The City of Solana Beach offers a variety of visitor serving and recreation facilities, including public beach areas, parks, commercial areas, and golf courses. These facilities are addressing both local and regional needs, as do other facilities adjacent to Solana Beach including San Elijo Lagoon to the north, San Dieguito County Park to the east, and the Del Mar Fairgrounds and San Dieguito Lagoon to the south. Much of the San Dieguito Lagoon lies within the San Dieguito River Valley Regional Open Space Park (San Dieguito River Park).

Visitor serving and recreation facilities in Solana Beach include beach and bluff areas, such as Fletcher Cove and Tide Park, as well as the full 1.7 mile stretch of public beach. Other public parks include La Colonia Park and the Holmwood Canyon Ecological Preserve overlooking San Elijo Lagoon. A number of public school sites, such as Skyline Elementary, Solana Vista Elementary and Earl Warren Junior High also provide active recreational facilities. Local golf courses include the Lomas Santa Fe Executive Golf Course (public) and the Lomas Santa Fe Country Club Golf Course (private). As part of the North County Transit District (NCTD) railroad grade separation project, a Coastal Rail Trail has been constructed west of the railroad tracks adjacent to Highway 101. The Coastal Rail Trail includes: (1) a multi-use pathway and separate jogging path; (2) pedestrian/bicycle bridges over the grade-separated rail line; (3) interpretive signing and public art; (4) low-glare lighting; (5) drought resistant landscaping; (6) bus stops; and (7) Transit Station access to railway service providers including Amtrak and Metrolink. The Transit Station provides an accessible route of travel that is within one quarter mile to Fletcher Cove Park, overlooking the beach and Pacific Ocean. There are accessible public restrooms at Fletcher Cove Park, a basketball court, picnic area and also accessible public parking at the park.

The City has a system of public parks and recreational facilities that encompass a range of activities for people of all ages, physical conditions, and incomes. Some of the lands are environmentally sensitive and are unimproved natural areas, such as Holmwood Canyon Ecological Preserve, while other open space recreation (OSR) lands provide active recreation opportunities, such as Lomas Santa Fe Executive Golf Course and Fletcher Cove. These facilities offer golf, tennis, swimming, surfing, basketball, jogging/hiking, and multi-purpose playing fields. The San Dieguito Boys and Girls Club on Lomas Santa Fe Drive provides swimming and basketball facilities, while the Santa Fe Christian School offers recreational sports fields and a gymnasium.

The peak season for the recreational use of the Solana Beach shoreline by residents and visitors occurs between Memorial Day and Labor Day each year. Recreational facilities in the area include beach areas such as Fletcher Cove and Tide Park in the northern part of the City. The 1.7 mile stretch of shoreline also provides recreational space for running, walking, beach combing, sunbathing and a variety of other recreational activities. The entire coast of Solana Beach is also used for surfing and some of the favorite spots include Table Tops (north of Tide Park), Pill Box (immediately north of Fletcher Cove),

Cherry Hill (south of Fletcher Cove), Rock Pile (Del Mar Shores Beach), and Secrets (south of the Del Mar Shores private access stairs).

Coastal public access in Solana Beach is provided primarily by Highway 101/Pacific Coast Highway, I-5, the NCTD/Amtrak rail line and Transit Station, and Lomas Santa Fe Drive. Public transit service to Solana Beach is provided by the NCTD by bus, commuter train (the Coaster), and by Amtrak. Bicycle and pedestrian routes including the California Coastal Trail, along Highway 101 also offer access to the Solana Beach shoreline. Additional public pedestrian access to the beach is provided as noted in Chapter 1.

The shoreline in Solana Beach, as well as the rest of the San Diego County coastline is actively eroding due to a deficit in the sediment budget. Well-documented sediment budgets have been prepared by SANDAG and the California Coastal Sediment Management Master Plan that show that beaches throughout San Diego County are eroding. Sandy coastal sediment is not delivered to the shoreline in the amounts historically yielded from watersheds due to flood control activities and urbanization. As such, the volume of sand within the active zone of sand movement and deposition, termed the “littoral cell,” is progressively decreasing and beaches are narrowing. Narrower beaches do not provide shoreline protection that wider beaches do. The result has been chronic bluff failure conditions throughout north San Diego County, increasing property damage and hazards to public safety, and a response in the form of construction of shore protection devices. This condition of narrowing beaches has also reduced the recreational opportunities available to beach-goers throughout the San Diego region, and decreased the productivity of certain biological habitats dependent on sand.

In 1993, SANDAG adopted the Regional Shoreline Preservation Strategy (SPS) representing a long-term vision for restoring the region’s public beaches. Solana Beach has been a steadfast supporter and key stakeholder in helping to implement this strategy. The SPS proposes a long term extensive beach building and maintenance program for the critical shoreline erosion areas in the region and includes sand nourishment, sand retention structures, protective structures, and policies and regulations regarding the use of the shoreline and development. Many of the LUP policies are designed to be consistent with, and assist in implementing the SPS. The SPS establishes regional objectives, policies, and recommendations for implementing a coordinated list of solutions for each of the region’s problem shoreline areas. The strategy’s main objectives are to manage the region’s shoreline to enhance environmental quality, recreation, and property protection; develop and carry out a cost-effective combination of shoreline management tactics that will have a positive impact on the region’s economy. SANDAG is also working on a voter initiative (Quality of Life) to develop a program to fund the shoreline management strategy within the region, which equitably allocates costs throughout the region, and among local, state, and federal sources; and, obtain commitments to implement the SPS.

In the City of Solana Beach there are eight vertical access points (Exhibit 2-1) that provide access to the beach below. No additional access points are planned. Four of these vertical access points are public and four are private. Public access points exist at Tide Park,

Fletcher Cove, SeaScape Sur, and adjacent to Del Mar Shores Terrace. These public access points are located from 1,000 to 2,000 feet of one another and other public access points, such as Cardiff State Beach in Encinitas. Private access points exist at Solana Palisades, Seascape Shores, Seascape I, and at the Del Mar Beach Club. In addition, there is a public view overlook at the border of the Cities of Solana Beach and Del Mar.

Each of the eight coastal access-ways consist of stairs or a ramp. Various public and private access stairs have been undermined at times by wave attack and storm damage. The City repairs and maintains the public access points as part of an ongoing operations and maintenance program. No unauthorized or uncontrolled access-ways exist within the City.

In Solana Beach, due to the narrow beaches, lateral beach access is limited during high tides, Pedestrian access on the California Coastal Trail is replaced by the Coastal Rail Trail along Pacific Coast Highway/Highway 101 as shown in Exhibit 2-1 during high tides.

Nearby lateral beach access is also available immediately north of the City at Cardiff State Beach in Encinitas and from the south within the City of Del Mar near the mouth of the San Dieguito Lagoon. Due to the narrow beaches in the City, lateral beach access is often discontinuous even at low tide along the shoreline. Lateral access along the top of the bluff is not available due to the presence of private property, fragile bluffs and steep bluff faces. Public access to the top of the bluff, providing views of the ocean, are provided in three locations in the City including the overlook at Ocean Street/Pacific Avenue and at the Surfsong and Las Brisas residential developments located south of Fletcher Cove. In addition, a new public view corridor and seating area was created in 2009 at the western terminus of Ocean Street adjacent to the intersection of West Circle Drive/Pacific Avenue and Ocean Street.

The San Elijo Lagoon County Park Ecological Reserve is approximately 1,000 acre nature reserve on the northern border of the City. It is collectively owned and managed by the State of California (managed by the California Department of Fish and Game), the County of San Diego (managed by the County Department of Parks & Recreation), and the San Elijo Lagoon Conservancy. The California Department of Fish and Game (CDFG) generally owns lands in the San Elijo Lagoon west of I-5 and the County of San Diego generally owns lands east of I-5, with the San Elijo Lagoon Conservancy owning smaller areas west of I-5.

The San Elijo Lagoon is a coastal wetland with significant biological and ecological resources. The San Elijo Lagoon Restoration Project (SELRP) is an effort to restore the lagoon functions and ecological values. The SELRP aims to enhance the tidal prism of the lagoon by proposing modifications to known “choke points” such as Highway 101, the NCTD railroad, and the I-5 freeway. The approximate target construction start date of the SELRP is the year 2015. The overarching goal of the SELRP is to protect, restore, and maintain, the San Elijo Lagoon ecosystem and hydrology adjacent uplands to perpetuate native flora and fauna characteristics of southern California.

The City's San Elijo Lagoon access points provide public coastal access and recreation opportunities in the City, and are as important to coastal access as shoreline access-ways. San Elijo Lagoon trailhead access points are shown on Exhibit 2-1. There are seven public San Elijo Lagoon trailheads in the City. The four west of I-5 are located at the terminus of Rios Avenue, the terminus North Solana Hills Drive, on Holmwood Land, and at the terminus of Canyon Drive, where it meets Ridgeline Place. East of I-5, there are public access points to the Lagoon at Santa Inez, Santa Carina, and Santa Helena and North Solana Hills Drive (Exhibit 2-1.)

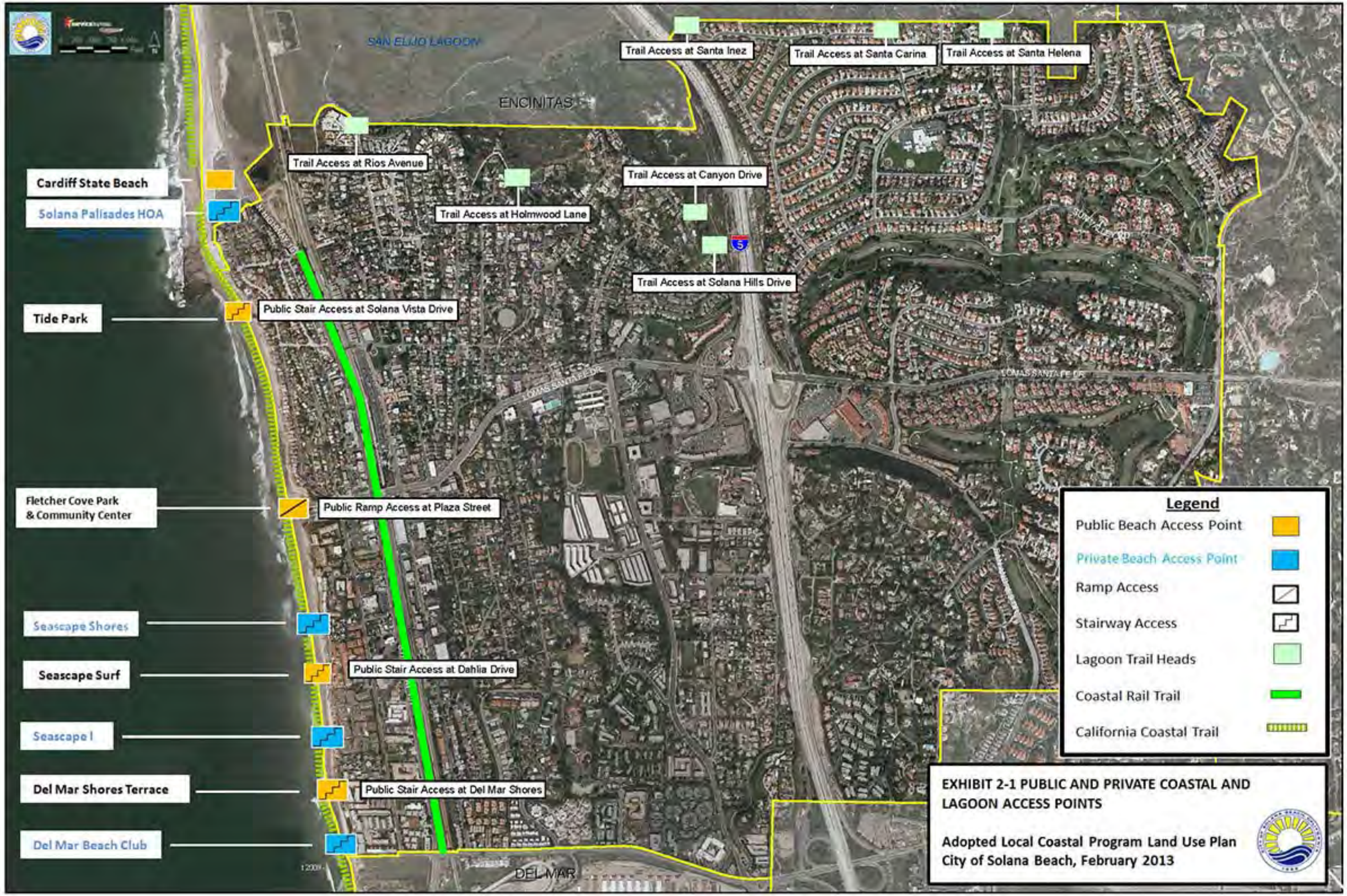
Public parking for beach users is available at numerous parking lots and in on-street locations between Highway 101 and the shoreline. Over 2,060 City-maintained parking spaces currently exist as shown in Table 2-1. Exhibit 2-2 provides a map with the location of all public parking spaces available for beach users from Cedros Avenue west to the Pacific Ocean.

In general, adequate parking is available to serve existing coastal access and recreation uses. The LUP contains a provision that existing public parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided. As feasible, new non-visitor serving office or commercial development should provide public parking for beach access during weekends and holidays.

New development must not adversely impact the availability of public access and recreation in Solana Beach, unless authorized by law and adequately mitigated. These opportunities include not only the physical availability of access and recreation areas, but also the ability of the public to reach and utilize the beach and lagoon trails. Support facilities such as parking lots, restrooms, picnic areas, and the provision of transit opportunities also contribute to ensuring maximum coastal access, and should be provided and maintained.

EXISTING PUBLIC PARKING AVAILABLE FOR BEACH USERS
PUBLIC PARKING LOTS AND SPACES
TABLE 2-1

Lot #	Description	Spaces
1	Transit Station	319
2	Plaza Street North	24
3	Plaza Street South	23
4	Fletcher Cove	33
5	Distillery	82
6	423 South Sierra Avenue	37
7	535 South Sierra Avenue	31
8	City Hall	66
9	Del Mar Shores North	20
10	Del Mar Shores South	21
11	740 South Sierra Avenue	20
	SUB TOTAL	676
	ON STREET PARKING SPACES	1,384
	TOTAL AVAILABLE PUBLIC PARKING SPACES	**2,060**


SAN ELIJO LAGOON
ENCINITAS
DEL MAR
Trail Access at Santa Inez
Trail Access at Santa Carina
Trail Access at Santa Helena
Trail Access at Rios Avenue
Trail Access at Holmwood Lane
Trail Access at Canyon Drive
Trail Access at Solana Hills Drive
Cardiff State Beach
Solana Palisades HOA
Tide Park
Public Stair Access at Solana Vista Drive
Fletcher Cove Park & Community Center
Public Ramp Access at Plaza Street
Seascape Shores
Seascape Surf
Public Stair Access at Dahlia Drive
Seascape I
Del Mar Shores Terrace
Public Stair Access at Del Mar Shores
Del Mar Beach Club
Legend
Public Beach Access Point
Private Beach Access Point
Ramp Access
Stairway Access
Lagoon Trail Heads
Coastal Rail Trail
California Coastal Trail
EXHIBIT 2-1 PUBLIC AND PRIVATE COASTAL AND LAGOON ACCESS POINTS
Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

Public Parking Lots

1.	Transit Parking (106 North Cedros Ave)	= 319
2.	Plaza Street North Parking Lot (116 North Highway 101)	= 24
3.	Plaza Street South Parking Lot (116 North Highway 101)	= 23
4.	Fletcher Cove Parking Lot (101 South Sierra Avenue)	= 33
5.	Distillery Parking Lot (140 South Sierra Avenue)	= 82
6.	423 South Sierra Avenue	= 37
7.	535 South Sierra	= 31
8.	City Hall Parking Lot (635 South Highway 101)	= 66
9.	Del Mar Shores North (721 South Sierra Avenue)	= 20
10.	Del Mar Shores South (733 South Sierra Avenue)	= 21
11.	740 South Sierra Avenue	= 20
Total		= 676

ON STREET PARKING

All public streets from Cedros Avenue, West to the ocean

= 1384

Grand Total (Includes Parking Lots and On-Street Parking)

= 2060

Legend

Lot # Parking Lot Boundary

- City Operated Lot, Beach Parking
- City Operated Lot, Business Public Parking
- Transit Station Parking, NCTD Operated

EXHIBIT 2-2 PUBLIC PARKING INVENTORY

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

CHAPTER 2—PUBLIC ACCESS AND RECREATION

1. Coastal Act Provisions

A broad policy goal of California's Coastal Management Program is to maximize the provision of coastal access and recreation consistent with the protection of public rights, private property rights, and coastal resources as required by the California Constitution and provided in Section 30210 of the Coastal Act. Several additional policies contained in the Coastal Act, which are herein incorporated into the LUP, work together to meet this objective. The Coastal Act requires that development not interfere with the public right of access to the sea (Section 30211); provides for public access in new development projects with limited exceptions (Section 30212); encourages the provision of lower cost visitor and recreational facilities (Section 30213); addresses the need to regulate the time, place, and manner of public access (30214); specifies the need to protect ocean front land suitable for recreational use (Section 30221); gives priority to the use of land suitable for visitor serving recreational facilities over certain other uses (Section 30222); requires the protection of upland areas to support coastal recreation, where feasible (Section 30223); and encourages recreational boating use of coastal waters (Section 30224).

2. Land Use Plan Provisions

The intent and overarching goal of the policies listed below is to ensure that the LCP/LUP provides for the protection, provision, and enhancement of coastal public access and recreation of opportunities in the City of Solana Beach consistent with goals, objectives, and policies of the California Coastal Act.

The policies contained in the LCP/LUP are intended to carry out the goals and objectives reflected in the policies of the Coastal Act. These policies can be broadly summarized as follows:

Improving existing public access opportunities by supporting proposals to enhance access-ways;

Providing objectives, standards, and designated sites for locating visitor serving recreational facilities and commercial uses such as hotels and motels;

Development of an enhanced signage program to better identify public access and use opportunities;

Identifying and seeking removal of any unauthorized physical development, including signs and fences on the beach, which inhibit public use of public beach areas and state tidelands, as well as those that physically encroach into state tidelands;

Protecting existing and improving future parking availability near the shoreline and trail access-ways throughout the City;

Coordinating with the CCC to implement public recreation impact mitigation measures by coordinating with other public agencies and private associations to ensure that access is not impeded;

Promoting use of the Coastal Rail Trail and California Coastal Trail in the City.

CHAPTER 2—PUBLIC ACCESS AND RECREATION

The shoreline, parklands, beaches and trails located within the City provide a range of recreational opportunities in natural settings which include hiking, bicycling, educational study, picnicking, and coastal access. These recreational opportunities are to be protected, and where feasible, expanded or enhanced.

Any new development in the City must be sited and designed to minimize impacts to public access and recreation along the shoreline and trails. Public land, including rights of way, easements, and dedications, are to be utilized for public recreation or access purposes, where appropriate and consistent with the LCP, public safety, and the protection of Environmentally Sensitive Habitat Areas (ESHA).

The City should actively pursue the transfer to the City, or other appropriate agency, outstanding offers to dedicate public easements provided in the context of previously-approved CDPs where such public easements would improve coastal access.

Recreation and access opportunities at existing public beaches and parks are protected, and where feasible, enhanced as an important coastal resource. Public beaches and parks maintain no parking fees, and maximize hours of use to the extent feasible, in order to provide public access and recreation opportunities. Limitations on time of use or increases in parking fees, which affect the intensity of use, shall be subject to a CDP.

The coastal bluffs in Solana Beach represent a significant physical barrier to providing additional public access to the shoreline. Continued maintenance and improvement of the eight existing public access points are needed to ensure that safe access and recreational opportunities continue to be provided in the City. Maintaining multiple public access points to the coast are necessary to provide sufficient access to meet demand and to avoid over-utilization of any one access point. It is the goal of the City to promote, enhance and maintain safe public access to the beach while minimizing the physical and visual impact to bluffs from private access trails and stairways.

Maintaining as much continuous lateral access as possible for the public at sea level is important so that those using the beach can safely move back and forth along the shoreline. Lateral access along bluff tops is currently limited north and south of the Fletcher Cove Community Center due to the existence of private development. Adjacent to, and south of Fletcher Cove, public access easements exist allowing public access across Las Brisas Condominiums and portions of Surfsong Condominiums. The bluffs are owned by the City of Solana Beach, State of California or private parties.

Under these circumstances, maintaining safe lateral sea level beach access along the City shoreline is important. Bluff retention devices prevent sudden episodic deposits of sandstone and sand on the beach (some of which have resulted in injury or death in San Diego County). However, some bluff retention devices may encroach onto public beach areas that would have been otherwise available for lateral access and recreation.

This LUP is a planning and policy document and as such does not include an evaluation or analysis of the various sea level rise (SLR) scenarios and possible local implications.

However, future SLR guidance has been established by the California State Coastal Conservancy (CSCC), U.S. Army Corps of Engineers (USACE), and the State of California. Since establishment of this guidance, projects funded by these entities will be required to incorporate sea-level rise projections in their planning and engineering studies. Future predictions of SLR scenarios including *California State Coastal Conservancy Memo (CSCC 2009#), State of California Executive Order S-13-08 (State of California 2008), California Coastal Commission (2001,* USACE Engineering Circular No. 1165-211 (2009) suggest a planning criteria ranging from 16 inches to 55 inches by the year 2100. The extreme variation in the future SLR scenarios and predictions is attributable to different greenhouse gas emission scenarios. For instance, the Intergovernmental Panel on Climate Change (IPCC) defines six future scenarios of world population and economy that predict different levels of greenhouse gas emissions and therefore SLR. Most of the agencies that have issued guidance stress that no scenario can be considered more likely than others given the uncertainty that is associated with limitations to current scientific knowledge. Changes to sea level could move the Mean High Tide Line (MHTL) landward, further narrowing the available lateral beach access. Conversely, sand replenishment activities could move the MHTL seaward, expanding lateral beach access and preventing or delaying the need for additional bluff retention devices.

The City of Solana Beach Shoreline and Coastal Bluff Management Strategies Master Environmental Impact Report (MEIR) states in Section 6.0:

"Subsequent projects would have significant long-term impacts to recreation and lateral public access from the construction of seawalls and seacave notch fills and aesthetics from the construction of seawalls. Mitigation measures were developed for aesthetics under this alternative, which, if implemented, would reduce impacts to less than significant levels. Continuous sand replenishment – similar or identical to what is proposed in connection with Alternative 3 - the sand replenishment and retention alternative – would be the only feasible mitigation to reduce impacts to recreation and lateral public access to less than significant levels."

However, conditions to change over time, and future projects must be evaluated individually to determine the appropriate and feasible mitigation for shoreline protection projects based on any changed physical or regulatory conditions.

Sand Mitigation Fees, as outlined herein, could help to mitigate any sand effect. These fees will be used by the City to help pay for sand replenishment and retention programs. Lateral access will be improved by sustained implementation of long-term beach sand replenishment and sand retention programs to increase beach width.

Historically, the City shoreline consisted of a sandy beach, bounded by the ocean and coastal bluffs that was wider than it is today. Maintenance and expansion of the existing beach width will help to establish a safe distance for the public from unstable bluffs. Bluff retention devices may limit sudden episodic deposits of bluff sand from falling on the beach and close seacaves, which is one method for preventing the public from entering

into seacaves and other hazardous areas along the bluff face. At the same time, bluff retention devices will have a narrowing effect on beach width because they inhibit passive erosion. However, even without bluff retention devices, due to erosion trends within the Oceanside littoral Cell and upland development activities, there is an inadequate supply of sand in the Oceanside Littoral Cell sufficient to maintain wide beach areas throughout the year. There will eventually be a loss of lateral access along the beach absent significant local and regional sand replenishment and retention efforts.

According to the SANDAG SPS, the sand retention strategies are recognized as one of a number of tactics that can be used to complement the placement of sand on the region's beaches. Sand retention has the potential to increase the cost effectiveness of beach replenishment activities, and may help to reduce the potential environmental effects of beach filling by protecting sensitive resources such as reefs and lagoons from sedimentation.

B. Coastal Act Policies

The Coastal Act provides the following policy guidance for achieving its objectives related to shoreline access:

Section 30210:
Access; recreational opportunities; posting: In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse (Amended by Ch. 1075, Stats 1978).

Section 30211:
Development not to interfere with access: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization; including, but not limited to, the use of dry sand, and rocky coastal beaches to the first line of terrestrial vegetation.

The following subsections address vertical access, lateral access, and parking access in Solana Beach.

The Coastal Act provides the following policy guidance for achieving its objectives related to visitor serving and recreation facilities, including water-oriented recreational activities.

Section 30212:
(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) Adequate access exists nearby, or,

(3) Agriculture would be adversely affected. Dedicated access-way shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access-way.

(b) For purposes of this section, "new development" does not include:

(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than ten percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.

(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach. As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Section 30212.5:

Public facilities; distribution: Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30213:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. The Commission shall not:

(1) Require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor serving facility located on either public or private lands; or

(2) Establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30214:

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and re-pass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

Section 30220:

Protection of certain water-oriented activities: Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221:

Oceanfront land suitable for recreational use shall be protected for recreational use and development, unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222:
The use of private lands suitable for visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agricultural or coastal-dependent industry.

Section 30223:
Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30224:
Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Section 30252:
The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

C. Land Use Plan Policies

1. Parklands, Trails and Bikeways

The Solana Beach Transit Station provides a centralized location for those arriving in the city by bus or rail. The shoreline, lodging, entertainment, and shopping opportunities are within walking distance from the Transit Station within the Highway 101 road and rail corridor. Major retail and entertainment opportunities are also available on Lomas Santa Fe Drive on both the west and east sides of its intersection with the I-5 freeway and to the south along Via de la Valle near I-5. Access from the Transit Station is one quarter mile walking distance to the majority of these visitor serving land uses.

Within Solana Beach there are numerous visitor serving commercial facilities including hotels/motels, short-term condominium rentals, restaurants, music venues, and specialty/artisan retail shops, particularly along Highway 101 and in the Cedros Design District. Additional hotels/motels, entertainment attractions, restaurants and related

enterprises serving the needs of coastal visitors are located in the adjacent cities of Del Mar and San Diego to the south and Encinitas to the north.

There are existing timeshare facilities in the southern portion of the City. In December 2007, the City prohibited further timeshare units in Solana Beach, as codified in Solana Beach Municipal Code (SBMC) Chapter 17.12. The timeshare ban also extended to Condominium and Fractional Ownership hotels.

Policy 2.1: Acknowledge the public interest in eliminating nuisances that affect public and private property and public recreational areas. For example, bluff retention devices are permitted, and must be adequately maintained and kept in good repair.

Policy 2.2: Maintain a safe, wide sandy beach to the extent feasible to increase the general quality of life for the citizens and visitors of Solana Beach. A safe, wide sandy beach enhances recreational opportunities such as surfing, sunbathing, fishing, walking, volleyball, and other such activities. This has beneficial economic impacts to the City, its residents, and businesses by resulting in increased business income, sales taxes, transient occupancy taxes, and public and private property values.

Policy 2.3: The shoreline, parklands, beaches and trails located within the City provide coastal access and a wide range of recreational opportunities in natural settings which include hiking, bird watching, walking, bicycling, educational study and picnicking. These recreational opportunities should be protected, and where feasible, expanded or enhanced as resources of regional, state and national importance.

Policy 2.4: The City shall assure that the recreational needs resulting from any proposed development will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition at three acres per 1000 population, and/or development plans with the provision of onsite recreational facilities to serve new development.

Policy 2.5: Public prescriptive rights may exist in certain areas along the shoreline and trails within the City. Development shall not interfere with the public's right of access to the sea where acquired through historic use or legislative authorization. These rights will be protected through public acquisition measures or through permit conditions for new development, which incorporate measures to provide or protect access where prescriptive rights exist.

Policy 2.6: Public access-ways and trails are considered resource dependent uses, and may be located within or adjacent to in ESHA where sited to minimize impacts to ESHA. Where determined to be desirable (by consideration of supporting evidence), limited or controlled methods of access and/or mitigation including but not limited to, signage, placement of boardwalks, and limited fencing designed to eliminate or minimize impacts to ESHA shall be utilized. Access-ways to, and along the shoreline shall be sited, designed, and managed to avoid and/or protect marine mammal hauling grounds, seabird nesting and roosting sites, sensitive rocky points and intertidal areas, and coastal dunes.

Policy 2.7: New development shall be sited and designed to avoid impacts to public access and recreation along the shoreline and trails. If there is no feasible alternative that can eliminate or avoid all access impacts, then the feasible alternative that would result in the least significant adverse impact shall be required. Some impacts may be mitigated through the dedication of an access or trail easement where the project site encompasses an LCP mapped access or trail alignment, where the City, County, State, or other public agency has identified a trail used by the public, or where prescriptive rights exist. Mitigation measures required for impacts to public access and recreational opportunities shall be implemented prior to, or concurrent with construction of the approved development.

Policy 2.8: Mitigation shall not substitute for implementation of a feasible project alternative that would avoid impacts to public access.

Policy 2.9: Public recreational facilities throughout the City, including parking areas or facilities, shall be distributed, as feasible, to prevent overcrowding and to protect ESHA.

Policy 2.10: Public access and recreational planning efforts shall be coordinated with the State Department of Parks and Recreation, San Elijo Lagoon Conservancy, San Dieguito River Park Authority, Cities of Encinitas, Del Mar, San Diego, and the County of San Diego.

Policy 2.11: Volunteers and conservation or public work programs should be utilized where feasible to assist in the development, maintenance, and operation of public access-ways and recreational facilities.

Policy 2.12: Public land, including rights of way, easements, dedications, may be utilized for public recreation or access purposes, where appropriate and consistent with public safety and the protection of ESHA.

Policy 2.13: For any new development adjacent to, or within 100 feet of a public park, beach, trail, or recreation area, notice of proposed developments shall be provided, as applicable, to County of San Diego and the California Department of Parks and Recreation for their review with regard to potential impacts to public access, recreation, environmentally sensitive habitat and any other sensitive environmental resources.

Policy 2.14: Open space easements and dedications should be utilized, where warranted, to facilitate the objectives of the City's recreational and/or public access program.

Policy 2.15: The City should coordinate with County, State Parks and nonprofit land trusts or organizations to ensure that private land donations and/or public access dedications are accepted and managed for their intended use.

Policy 2.16: Entrance roads, parking facilities, and other necessary support facilities for parks, beaches, trails and other shoreline or coastal recreation areas shall be sited and

designed to minimize adverse impacts to ESHA and other sensitive environmental and visual resources.

Policy 2.17: Recreation and access opportunities at existing public beaches and parks shall be protected, and where feasible, enhanced as an important coastal resource. Public beaches and parks should maintain lower-cost parking fees (if any), and maximize hours of use to the extent feasible, in order to maximize public access and recreation opportunities. Limitations on time of use or increases in use fees or parking fees, which affect the intensity of use, will require a Coastal Development Permit.

Policy 2.18: The City should coordinate with the California Department of Parks and Recreation, the San Elijo Lagoon Conservancy, Caltrans, and the County of San Diego to provide a comprehensive signage program to identify public parks, trails and access-ways.

Policy 2.19: Temporary events shall minimize impacts to public access, recreation, and coastal resources. A Coastal Development Permit shall be required for temporary events that meet all of the following criteria: (1) held between Memorial Day and Labor Day; (2) occupy any portion of a public sandy beach area; and (3) involve a charge for general public admission where no fee is currently charged for use of the same area. A coastal development permit shall also be required for temporary events that do not meet all of these criteria, but have the potential to result in significant adverse impacts to public access and/or coastal resources.

Policy 2.20: New public beach facilities shall be limited to only those structures which provide or enhance public recreation activities. No development, other than bluff retention devices permitted pursuant to the LUP, may be permitted on sandy public beach areas, except that lifeguard stations, public beach access stairs, trash, and recycling receptacles. Accessible improvements may be permitted when sited and designed to minimize adverse impacts to public access, visual resources, ESHA, and marine resources. Any permitted structures shall be the alternative with the least impact on coastal resources and recreation, the minimum size necessary, and shall provide any necessary mitigation. In general, concessions should be confined to non-sandy areas.

Policy 2.21: The limited development of visitor serving commercial recreational facilities designed to serve beach or park users may be permitted on non-sand, non-parking space areas of public beaches, or beach parks. Developments designed or sized to serve a larger market than park users shall be prohibited in public beaches and parks.

Policy 2.22: Advertising signs and banners shall be prohibited in public beaches and beach parks.

Policy 2.23: The extension of public transit facilities and services, including shuttle programs, to maximize public access and recreation opportunities, shall be encouraged.

Policy 2.24: New development shall provide off-street parking sufficient to serve the approved use in order to minimize impacts to public street parking available for coastal access and recreation.

Policy 2.25: Adequate parking should be provided to serve coastal access and recreation uses. Existing parking areas serving recreational uses may not be displaced unless a comparable replacement area is provided.

Policy 2.26: The implementation of restrictions on public parking, which would impede or restrict public access to beaches, trails or parklands, (including, but not limited to, the posting of "no parking" signs, red curbing, physical barriers, imposition of maximum parking time periods, and preferential parking programs) shall be prohibited except where such restrictions are needed to protect a documented threat to public safety and where no other feasible alternative exists to provide public safety. Where feasible, an equivalent number of public parking spaces should be provided nearby as mitigation for impacts to coastal access and recreation.

Policy 2.27: Gates, guardhouses, barriers or other structures designed to regulate or restrict access shall not be permitted within private street easements where they have the potential to limit, deter, or prevent public access to the shoreline, inland trails, or parklands where there is substantial evidence that prescriptive rights exist.

Policy 2.28: Parking facilities for new development of general office or commercial use, which may cumulatively impact public access and recreation, should be designed where feasible to serve not only the development during ordinary working hours, but also public beach parking during weekends and holidays, in conjunction with public transit or shuttle buses serving beach recreational areas.

Policy 2.29: A program to utilize existing parking facilities for office and commercial development located near beaches for public access parking during periods of normal beach use when such development is not open for business shall be developed. As feasible, new non-visitor serving office or commercial development may be required to provide public parking for beach access during weekends and holidays.

Policy 2.30: Landscaping and any other barriers or obstructions placed by private landowners shall not be allowed within existing public road rights-of-way where such areas would otherwise be available for public parking.

Policy 2.31: Priority shall be given to the development of visitor serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation. On land planned for visitor serving commercial and/or recreational facilities, priority shall be given to such uses over private residential or general commercial development. New visitor serving uses may not displace existing low-cost visitor serving uses unless an equivalent replacement is provided.

Policy 2.32: Retention of existing, lower cost visitor serving and recreation facilities, including overnight accommodations, shall be encouraged and lower cost overnight accommodations shall be protected. If removal or conversion of existing lower or moderate cost overnight accommodations is proposed in the City, the inventory shall be replaced with units that are of comparable cost with the existing units to be removed or converted. The City shall proactively work with existing hotel/motel operators and offer incentives to maintain and renovate existing properties.

If replacement of the lower or moderate cost units is not proposed (either on-site or elsewhere in the City), then the new development shall be required to pay, as a condition of approval for a coastal development permit, a mitigation payment to provide significant funding for the establishment of lower cost overnight visitor accommodations within Solana Beach, preferably, or within North San Diego County consistent with Policy 5.8 of the Land Use Plan, for each of the low or moderate units removed/converted on a 1:1 basis. However, the mitigation payment may be adjusted, reduced, or waived if, after one year of non-operation of an existing hotel, it has been determined by the City that development of lower or moderate cost overnight accommodations at the site is financially infeasible, and provided that the City applies and receives approval for a site-specific LCP Amendment for the project in addition to any other required permits.

The City shall maintain an accounting of the number of existing motel and hotel rooms and room rates. When referring to overnight accommodations, lower cost shall be defined by a certain percentage of the statewide average room rate as calculated by the Smith Travel Research website (www.visitcalifornia.com) or other comparable or similar website or study such as www.Calif.AAA.com. A suitable methodology would base the percentage on market conditions in San Diego County for the months of July and August and include the average cost of motels/hotels within five (5) miles of the coast that charge less than the statewide average. High cost would be room rates that are 20% higher than the statewide average, and moderate cost room rates would be between high and low cost. The range of affordability of new and/or replacement hotel/motel development shall be determined as part of the coastal development permit process and monitored as part of the City's inventory of overnight accommodations.

New lower cost visitor and recreation facilities, including overnight accommodations, shall be encouraged. New hotel/motel development within the City should, where feasible, provide a range of rooms and room prices in order to serve all income ranges. Priority shall be given to developments that include public recreational opportunities. New or expanded facilities shall be sited and designed to avoid impacts to ESHA and visual resources.

Policy 2.33: Coastal recreational and visitor serving uses and opportunities, especially lower and moderate cost opportunities, shall be protected, encouraged, and where feasible, provided by both public and private means. Removal or conversion of existing lower cost opportunities, including overnight accommodations, shall be discouraged unless the use will be replaced with another use offering comparable visitor serving or recreational opportunities.

Policy 2.34: Priority shall be given to the development of visitor serving commercial and/or recreational uses that complement public recreation areas or supply recreational opportunities not currently available in public parks or beaches. Visitor serving commercial and/or recreational uses may be located near public park and recreation areas only if the scale and intensity of the visitor serving commercial recreational uses is compatible with the character of the nearby parkland and all applicable provisions of the LCP.

Policy 2.35: The use of private or public grants or other local, State and Federal funding sources may be utilized to help finance the construction and maintenance of new access-ways.

Policy 2.36 Shared parking: In all zones, parking facilities may be shared by multiple uses whose activities are not normally conducted during the same hours, or when hours of peak use vary. The applicant shall have the burden of proof for a reduction in the total number of required off-street parking spaces for shared parking arrangements. Shared parking may be permitted pursuant to a conditional use permit issued by the director of community development or concurrently with another application reviewed by the city council subject to the following minimum conditions:

(a) A sufficient number of spaces (both shared and separate) are provided to meet the greater parking demand of the participating uses.

(b) Satisfactory evidence, as deemed by the hearing authority, has been submitted by the parties operating the shared parking facility, demonstrating that substantial conflict will not exist in the principal hours or periods of peak demand for the uses for which the shared parking is proposed.

(c) Shared parking facilities shall not be located further than 600 feet from any structure or use served, unless it can be shown that increased distances are feasible through use alternative transportation modes such as shuttle services.

(d) A written agreement, covenant, deed restriction or other document as determined necessary by the hearing authority shall be executed by all parties to assure the continued availability of the shared parking spaces for the life of the proposed development or use.

Policy 2.37: The City shall not close, abandon, or render unusable by the public any existing access-ways which the City owns, operates, maintains, or is otherwise responsible for without first obtaining a CDP unless it is determined to be necessary on a temporary basis for public safety. Any access-ways which the City or any other managing agency or organization determines cannot be maintained or operated in a condition suitable for public use shall be offered to another public agency or qualified private association that agrees to open and maintain the access-way for public use.

Policy 2.38: Apply City parking regulations to new projects and redevelopment projects to ensure that the parking demands generated by new development are provided on-site as follows:

Land Use	Number of Spaces Required
Residential Uses	
Single-family dwellings (conventional)	2 parking spaces.
Two-family dwellings, multiple-family dwellings and mobile homes*	
Studios	1 space per unit.
One bedroom	1.5 spaces per unit.
Two or more bedrooms	2 spaces per unit.
Additional guest parking	1 uncovered space for each 4 units.
*(For rental apartments - a minimum of 50 percent of required parking spaces shall be covered)	
Mobile home parks	2 covered spaces per unit within an enclosed garage which may be tandem, and 1 uncovered guest space for each 4 units.
Group residential	1 space for each resident in accordance with total permitted occupancy plus 1 guest space for each 4 residents of permitted occupancy.
Accessory living units	0 space in addition to those required for primary residence.
Caretaker units	1 space in addition to those required for primary use.
Residential day care	2 spaces in addition to those required for primary residence.
Residential care facilities	. 1 parking space per employee and one parking space for every 7 beds, unless the director of community development determines that additional parking spaces are required.
Civic/Institutional Uses	
Religious and civic assembly facilities.** This requirement may be modified pursuant to Policy 2.36, Shared parking	1 space for each 4 fixed seats, or 1 space for each 35 s.f. of non-fixed seating area in the principal sanctuary or auditorium, whichever is greater. 18 inches of bench shall be considered a fixed seat.
**(Parking for accessory uses shall be as required for each use separately)	
Libraries, cultural exhibits, museums	1 space for each 300 s.f. of gfa.
Hospitals	1.75 spaces for each patient bed, or as determined by conditional use permit.

Convalescent facilities, sanitariums, nursing homes	1 space for each 4 beds in accordance with the resident capacity of the facility.
Educational institutions, schools	
Nursery/preschool	1 space for each staff member, plus 1 space for each 10 children.
Elementary/junior high	2 spaces for each classroom.
High school	7 spaces for each classroom.
Community college/ university	10 spaces for each classroom.
Office Uses	
Office, general	
Less than 2,000 s.f.	1 space for each 200 s.f. of gfa.
2,001 to 7,500 s.f.	1 space for each 225 s.f. of gfa.
7,501 to 40,000 s.f.	1 space for each 250 s.f. of gfa.
40,001 and greater	1 space for each 300 s.f. of gfa.
Offices, medical and dental	1 space for each 200 s.f. for first 2,000 s.f., plus 1 space for each additional 175 s.f. over 2,000 s.f.
Offices, real estate sales	Same as General Commercial
Banks, savings and loans, financial	Same as General Office, plus 1 lane for each drive-up window and/or automatic teller machine with 6 vehicles per lane.
Commercial, General (Retail trade, neighborhood commercial, personal and household services, business services)	
All multi-tenant commercial centers and all freestanding general commercial uses not listed below	
Less than 25,000 s.f.	1 space for each 200 s.f. of gfa.
25,001 to 250,000 s.f.	1 space for each 225 s.f. of gfa.
250,001 and greater	1 space for each 250 s.f. of gfa.
Building supply/ furniture/appliance stores	1 space for each 250 s.f. of gfa. of sales floor area, plus 1 space for each 800 s.f. of gfa. of warehouse storage area.
Retail nursery/garden shop	1 space for each 250 s.f. of indoor display area, plus 1 space for each 800 s.f. of outdoor display area.
Art/dance studio	1 space per employee, plus 1 space per two students at maximum capacity.
Barber shop/beauty parlor	1 space per 200 s.f. of gfa.

Business/professional/ trade schools	1 space per employee, plus 1 space per 2 students at maximum capacity.
Mortuaries and funeral homes	1 space for each 4 fixed seats, or 1 space for each 35 s.f. for non-fixed seating area in the principal sanctuary, whichever is greater.
Automotive Sales and Service	
Carwash - full service	1 space per every 3 employees on the maximum shift, plus 400 s.f. of operations parking area for each 20 ft. of conveyer length.
Carwash - self service	2 spaces per stall, plus 2-space queuing lane in front of each stall.
Oil change, lube and tune shops	1 space per service bay, plus 1 space for each employee, plus 2-space queuing lane for each bay.
Vehicle repair/garage	1 space for each 400 s.f. of gfa.
Vehicle sales	1 space for each 400 s.f. of gfa. for showroom and office, plus 1 space for each 2,000 s.f. of outdoor display area, plus 1 space for each 500 s.f. of gfa. for vehicle repair.
Service stations	1 space for each pump island, plus 1 space for each service bay, plus 1 space for each 250 s.f. of convenience store sales area.
Multi-tenant auto-related facilities	1 space for each 200 .s.f. of gfa., plus 1 space for each employee.
Commercial Recreation and Large Assembly	
Restaurants, cafes, bars, night clubs and other eating and drinking establishments	1 space per 100 s.f. of gfa. (gfa. excludes outdoor seating/eating area approved by the City Council), exempting from parking standards up to four incidental tables and 16 chairs for all retail food establishments and restaurants approved by the City Council. This exemption shall also apply to (a) outdoor tables and chairs proposed in the public right-of-way, and does not apply to (b) uses facing an adjacent residential zone, unless specifically permitted by the City Council as part of a discretionary public hearing permit.
Restaurants with drive-in/ drive-thru facilities	1 space for each 50 s.f. of gfa., plus 1 lane for each drive-up window with stacking space for 6 vehicles before the menu board.
Bowling alley	3 spaces per lane, plus parking required for incidental uses (i.e., pro shop, coffee shop, etc.).
Driving range	1 space per tee, plus parking required for incidental uses.

Golf course	6 spaces per hole, plus parking required for incidental uses (i.e., pro shop, bar, banquet room).
Miniature golf course	3 spaces per hole, plus parking required for incidental uses (i.e., game room, food service, etc.).
Tennis/racquetball courts	3 spaces per court, plus parking required for incidental uses.
Amusement parks, video arcades, skating rinks	1 space per 200 s.f. of area within enclosed structures, plus 1 space per 3 persons at maximum capacity (may be adjusted at project review).
Health clubs and other indoor participant sports facilities	1 space for each 200 s.f. of gfa.
Hotels and motels	1 space for each guest unit, plus parking requirements for associated commercial uses, plus 1 space for each 50 s.f. of gfa. of main assembly room, plus 1 space for each employee at maximum shift.
Theaters, conference/ meeting facilities, convention halls, auditoriums	1 space for each 4 fixed seats, or 1 space for each 35 s.f. of non-fixed seating area in the principal auditorium or conference space, whichever is greater.
Kiosks	0 spaces for kiosks of 80 s.f. Or less in area and located on private property, no more than 1 per parcel, which does not reduce any existing required parking when approved by the City Council.
Industrial Uses	
Manufacturing and warehousing, general	
Less than 3,000 s.f.	1 space for each 250 s.f. of gfa.
3,001 to 5,000 s.f.	1 space for each 500 s.f. of gfa.
5,001 to 10,000 s.f.	1 space for each 750 s.f. of gfa.
10,0001 to 50,000 s.f.	1 space for each 1,000 s.f. of gfa.
50,001 and greater	1 space for each 1,250 s.f. of gfa.
Mini-warehouse/personal storage (minimum aisle width of 24 feet required between buildings)	1 space for each 300 s.f. of gfa. used for office or maintenance purposes, plus 2 spaces for caretaker's unit, if applicable.
Special Uses	
Recycling centers, service yards	1 space for each 300 s.f. of gross building area, plus 1 space for every 1,000 s.f. of gross yard area.
Outdoor markets, swap meets	1 space for each 200 s.f. of gross sales area, plus 1 space per vendor space.

NOTE: A calculated parking requirement resulting in a fractional space shall be rounded up to the nearest whole space.

Policy 2.39: Apply the following parking standards within the Special Commercial Overlay. All premises shall be provided with a minimum of permanently maintained off-street spaces in a parking lot or parking garage, as follows:

(1) Residential units:

(a) Studio units: 1.0 parking space per unit.

(b) Units containing one bedroom: 1.5 parking spaces per unit.

(c) Units containing two or more bedrooms: 2.0 parking spaces per unit.

(2) General commercial, neighborhood commercial, household services, personal services and tourist oriented services:

(a) North Cedros Avenue district: One off-street parking space for each 450 square feet of gross floor area.

(b) South Cedros Avenue district: One off-street parking space for each 312 or 298 square feet of gross floor area depending on its inclusion within a mixed use or non-mixed use project, respectively. Projects with mixed use components shall include deed restrictions to ensure adequate parking is maintained due to reduced mixed use parking standards.

(c) Stevens Avenue district: One off-street parking space for each 300 square feet of gross floor area.

(3) Business and professional offices, medical and dental offices, banks, financial institutions, and business services: One off-street parking space for each 300 square feet of gross floor area.

(4) Commercial recreation:

(a) Nightclubs: One off-street parking space for each 100 square feet of gross floor area.

(b) Hotels and motels: One off-street parking space for each guest unit, plus one space for each employee on shift.

(c) Theaters: One off-street parking space per four seats, plus five spaces for employees.

(d) Restaurants/cafes: In the South Cedros Avenue district, one off-street parking space for each 143 or 133 square feet of gross floor area, depending on its inclusion within a mixed use or non-mixed use project, respectively (gfa excludes outdoor seating, eating area approved by the City Council). Projects with mixed use components shall include deed restrictions to ensure adequate parking is maintained due to reduced mixed use parking standards. In the North Cedros Avenue district and the Stevens Avenue district, standard

restaurant/cafe parking space requirements shall apply (gfa excludes outdoor seating, eating area approved by the City Council).

(5) Manufacturing:

(a) Manufacturing and incidental office use areas: One off-street parking space per 400 square feet of gross floor area.

(b) Warehouse use areas: One off-street parking space per 1,000 square feet of gross floor area.

No parking shall be permitted in a required front yard.

No rooftop parking shall be allowed in the South Cedros Avenue District. (Ord. 346 § 3, 2006; Ord. 185 § 2, 1993)

Offsite employee parking within 600 feet of the site/property line secured by a 30 year parking agreement satisfactory to the Community Development Director may be considered as equivalent policy to meet parking requirements listed above.

Policy 2.40: The parking requirements for land uses within the Highway 101 Specific Plan area shall be the same as those listed above except for the "Plaza District: of the Specific Plan area. Parking for the Plaza District shall be as noted in the table below:

Highway 101 Specific Plan Plaza District Parking Requirements		
Land Use:	Parking Rates:	
	Non-Mixed Use:	Mixed Use:
Retail/Office:	1 space per 298.51 s.f.	1 space per 312.50 s.f.
Restaurant:	1 space per 133.33 s.f.	1 space per 142.86 s.f. *
Hotel:	0.75 spaces per room	0.75 spaces per room
Residential Multi-Family:	1.25 spaces per dwelling unit	1.25 spaces per dwelling unit

* For restaurant uses in the Plaza District gfa. excludes outdoor seating/eating area approved by the City Council.

In Plaza District the standards are reduced to allow shared parking based on the interaction between the various land uses.

Policy 2.41: Protect and promote existing parking for public coastal access. Off-street parking shall be provided for all new development in accordance with the ordinances contained in the LCP to assure there is adequate public access to coastal resources. A modification in the required parking standards through the variance process shall not be approved unless the City makes findings based on a current, site-specific study that the provision of fewer parking spaces will not result in adverse impacts to public access.

Policy 2.42: Use a portion of Transient Occupancy Tax ("TOT") revenues to help support and promote area businesses and sand replenishment/retention programs that will benefit both residents and visitors.

Policy 2.43: Pursue joint use arrangements with public and/or private schools to more efficiently utilize existing recreational facilities and provide additional recreational opportunities for residents and visitors to the City.

Policy 2.44: Seek to acquire additional sites to expand and enhance the City park and recreational system should additional sites become available under favorable circumstances in the future.

Policy 2.45: Encourage donations of land, property, equipment, and money to improve the existing park land system and recreational facilities.

Policy 2.46: Pursue all avenues of funding for recreational land and facilities, such as the Federal Land and Water Conservation Fund matching grants, State Parks Bond, Open Space Bond Act, and Park Land Bond Act funds.

Policy 2.47: Cooperate in implementing the San Dieguito River Valley Regional Open Space Park and its Coast to Crest trail originating at the mouth of the San Dieguito River to ensure that the objectives associated with the establishment of this important regional park are met.

Policy 2.48: Collect and use in-lieu park fees generated by new residential development.

Policy 2.49: Existing bikeway corridors along roads and highways should be upgraded, as feasible, to reduce, minimize or eliminate any potential hazards between motor vehicles and bicycles, consistent with sensitive environmental resource and visual resource protection policies. Improvements to any roadway containing a bikeway should not adversely affect the provision of bicycle use, to the extent feasible.

Policy 2.50: The City shall encourage proposals to install bike racks, lockers, or other devices for securing bicycles in convenient locations at parks, parking lots throughout the City, trailheads and other staging areas. Funding should be supported and provided where available.

Policy 2.51: The appropriate agency or organization to accept and develop trail dedication offers resulting from City issued CDPs shall be determined through coordination, where applicable, with the State Department of Parks and Recreation, the San Elijo Lagoon Conservancy, the County of San Diego, and nonprofit land trusts or associations.

Policy 2.52: Trail areas that have been degraded through overuse or lack of maintenance should be restored by such techniques as re-vegetation with native, non-invasive, salt-tolerant, drought tolerant, and fire resistant plants. Provision of support facilities such as parking, trash receptacles, restrooms, picnic areas shall also be

encouraged. In ESHA a limited recovery period during which public access should be controlled may be necessary. Any limitation on access shall be for the minimum period necessary, shall be evaluated periodically to determine the need for continued limited use and shall require a Coastal Development Permit.

2. California Coastal Rail Trail and California Coastal Trail

Policy 2.53: The Coastal Rail Trail and the California Coastal Trail identified in Exhibit 2-1 is defined as a continuous trail system traversing the length of the state's coastline and designed and sited as a continuous lateral trail traversing the length of the City and connecting with contiguous trail links in Encinitas and Del Mar.

Policy 2.54: Safe and accessible bikeways and support facilities should be provided, where feasible, along the Coastal Rail Trail in the City.

Policy 2.55: The Coastal Rail Trail shall be promoted for its encouragement of the following objectives:

- Provide a continuous walking, biking and hiking trail as close to the ocean as possible;
- Provide maximum access for a variety of non-motorized uses by utilizing alternative trail segments where feasible;
- Maximize connections to existing and proposed local trail systems;
- Ensure that all segments of the trail have vertical access connections at reasonable intervals;
- Maximize ocean views and scenic coastal vistas; and,
- Provide an educational experience where feasible through interpretive facilities.

3. Coastal Access

Policy 2.56: Maintain and, to the extent feasible, improve existing public vertical access points and provide any new public vertical access and new public vista points as determined necessary and feasible based on demand, safety, availability, and the cost to acquire, and maintain. Monitoring, maintenance and repair of existing public access points will be conducted by the City on an as needed basis.

Policy 2.57: Provide increased opportunities for disabled persons to access the shoreline where practical. Generally, this should include enhancement of disabled parking at existing accessible locations.

Policy 2.58: Erosion of the bluffs should be minimized by constructing and maintaining additional barriers to discourage any access to bluff faces and on private developments including condominium projects (with enforcement on private lands to be self-policing) by the use of barriers such as low fences or railings which should be sensitively designed to

discourage foot traffic onto the bluff face without obscuring views and vistas. In addition, no new private walking paths shall be permitted on the coastal bluff face.

Policy 2.59: Ensure that public access-ways meet consistent design standards Citywide.

Policy 2.60: No new private beach stairways shall be constructed, and private beach stairways shall be phased out at the end of the economic life of the stairways. Existing permitted or private beach stairways constructed prior to the Coastal Act may be maintained in good condition with a CDP where required, but shall not be expanded in size or function. Routine repair and maintenance shall not include the replacement of the stairway or any significant portion of greater than 50% of the stairway cumulatively over time from the date of LUP certification.

Policy 2.60.5: Upon application for a coastal development permit for the replacement of a private beach stairway or replacement of greater than 50% thereof, private beach accessways shall be converted to public accessways where feasible and where public access can reasonably be provided. The condition to convert the private stairway to a public stairway shall only be applied where all or a portion of the stairway utilizes public land, private land subject to a public access deed restriction or private land subject to a public access easement.

Policy 2.61: To the extent feasible, provide continuous safe public lateral access along the beach.

Policy 2.62: Encourage the removal of existing impediments to public lateral access along the beach.

Policy 2.63: Minimize the placement of bluff retention devices seaward of the bluff drip line to help maintain public lateral access along the beach.

Policy 2.64: The City should work with local surfing clubs to identify, inventory, and design an ongoing monitoring program documenting changes to the City's important and valued surfing and wave-riding areas, including (north to south): (1) Table Tops Reef offshore at the foot of Ocean Avenue, accessed from South Cardiff State Beach and Tide Park public access; (2) Tide Park beach break; (3) Fletcher Cove or "Pillbox;" (4) Seascape Sur or "Cherry Hill," with access from the Del Mar Shores Terrace public stairs; and (5) Rockpile with access from the Del Mar Shores Terrace stairway.

Policy 2.65: Recognize that recreational demands for a safe, sandy beach, for surfing, and for other beach related recreational activities are very high and projected to continue to increase.

Policy 2.66: Manage the location and planning of publicly owned bluff property development and public works to maintain and, when feasible, enhance access to the coast and support coastal-dependent uses, while maintaining environmental quality.

Policy 2.67: Consistent with the policies below, maximum public access from the nearest public roadway to the shoreline and along the shoreline shall be provided in new development. Exceptions may occur only where (1) it is inconsistent with public safety or the protection of fragile coastal resources; or where (2) adequate access exists nearby. Lateral access is defined as an access-way that provides for public access and use along the shoreline. Vertical access is defined as an access-way which extends to the shoreline, or perpendicular to the shoreline in order to provide access from the first public road to the shoreline.

Policy 2.68: Facilities to complement public access to, and along the shoreline should be provided where feasible and appropriate. This may include parking areas, restroom facilities, picnic tables, or other such improvements. No facilities or amenities, including, but not limited to those referenced above, may be required as a prerequisite to the approval of any lateral or vertical access-ways offers to dedicate or as a precondition to the approval or construction of said access-ways.

Policy 2.69: New development along the Highway 101/Pacific Coast Highway may be required to construct a public sidewalk with a minimum width of five feet between the approved development and Pacific Coast Highway, where feasible and desired by the City.

Policy 2.70: For any project where the LCP requires an offer to dedicate an easement for a trail or for public beach access, a grant of easement may be recorded instead of an offer to dedicate an easement, if a government agency or private association is willing to accept the grant of easement and is willing to operate and maintain the trail or public beach access-ways.

Policy 2.71: For all offers to dedicate an easement that are required as conditions of CDPs approved by the City, the City has the authority to approve a private association that seeks to accept the offer. Any government agency may accept an offer to dedicate an easement if the agency is willing to operate and maintain the easement. The City may approve any private association that submits a management plan that indicates that the association will open, operate, and maintain the easement in accordance with terms of the recorded offer to dedicate the easement.

Policy 2.72: Dedicated access-ways should not be required to be opened to public use until a public agency or private association agrees to accept the responsibility for maintenance and operation of the access-ways. New offers to dedicate public access should include an interim deed restriction that (1) states that the terms and conditions of the permit do not authorize any interference with prescriptive rights in the areas subject to the easement prior to acceptance of the offer and (2) prohibits any development or obstruction in the access-ways prior to acceptance of the offer of dedication.

Policy 2.73: Public access-ways and trails to the shoreline and public parklands shall be a permitted use in all land use and zoning designations. Where there is a future offer to dedicate, easement, or deed restriction for lateral, vertical or trail access or related

support facilities e.g. parking, the City shall encourage the construction of necessary access improvements to allow the access-ways to be opened and operated for its intended public use.

Policy 2.74: Offers to dedicate public access may be accepted for the express purpose of opening, operating, and maintaining the access-ways for public use. Unless there are unusual circumstances, the access-ways shall be opened within five years of acceptance. If the access-way is not opened within this period, and if another public agency or qualified private association expressly requests ownership of the easement in order to open it to the public, the easement holder shall transfer the easement to that entity within six months of the written request. A CDP that includes an offer to dedicate public access as a term or condition shall require the recorded offer to dedicate to include the requirement that the easement holder may transfer the easement to another public agency or private association that requests such transfer, if the easement holder has not opened the access-ways to the public within five years of accepting the offer.

Policy 2.75: Public agencies and private associations which may be appropriate to accept offers of dedication include, but should not be limited to, the State Coastal Conservancy, the State Department of Parks and Recreation, the State Lands Commission, the County, the City, and non-governmental organizations.

Policy 2.76: Efforts to ensure that all existing shoreline and inland trail offers to dedicate easements are accepted prior to their expiration date shall be coordinated with other public agencies as appropriate.

CHAPTER 3—MARINE AND LAND RESOURCES

A. Introduction

The City of Solana Beach is located on the northern coast of San Diego County, between the cities of Encinitas (to the north), Del Mar and San Diego (to the south). Solana Beach includes a stretch of approximately 1.7 miles of shoreline. Land use categories consist of primarily residential and recreational/open space uses and also include commercial, industrial, and public institution.

The City of Solana Beach is almost entirely built-out, with only a few vacant parcels and pockets of native and/or naturalized vegetation remaining. There are two main north-south roadway corridors (Pacific Coast Highway/ Highway 101 and Interstate 5 [I-5] and two main east-west corridors (Lomas Santa Fe Drive through the central portion of the City and Via de la Valle at its southern boundary). A rail line traverses the western portion of the City, paralleling Coast Highway 101, stretching between San Diego to the south and Los Angeles to the north. The main business district is located near Coast Highway 101, with newer commercial developments occurring closer to I-5. The Lomas Santa Fe Executive Golf Course and surrounding residential development occupies much of the City east of I-5. The largest areas of native vegetation communities occur in the northern portion of the City, in and adjacent to the San Elijo Lagoon Ecological Reserve, as well as on canyon slopes within the golf course and adjacent to San Andres Drive (Exhibits 3-1 through 3-5). The areas of native vegetation mapped along the lagoon are part of a larger mosaic of native habitats extending into the City of Encinitas. The City supports several small, isolated pockets of undeveloped land, typically along canyon slopes that are surrounded by single-family residences.

The main public beach access is at Fletcher Cove, located centrally along the City's coastline. The entire coastline is developed, with single and multi-family residences occurring along the coastal bluff, broken only by the beach and ramp access at Fletcher Cove, which provides access for lifeguard trucks and emergency vehicles.

Marine and Aquatic Vegetation Communities

The 1.7-mile Solana Beach coastline extends from the top of the coastal bluffs to the intertidal zone. Lands seaward of the MHTL are not within the City limits or jurisdiction of the City. The subtidal zone offshore of Solana Beach is characterized by a soft-bottom (sand) substrate with several rocky intertidal and low relief reef hard-bottom areas. The hard-bottom rocky intertidal community is characterized by simple green algae (Chaetomorpha, Enteromorpha, and Ulva). In more permanent substrates in the intertidal zone, simple green algae species, coralline algae (Corallina spp.), and surfgrass (Phyllospadix) occur. The subtidal reefs support a variety of coral species and fish species, described below. Farther offshore, giant kelp (Macrocystis pyrifera) and feather boa kelp (Egregia menziesii) forests occur.

The following is summarized from the biological resources report prepared for the City in June 2008 by Helix Environmental Planning (Helix). Additional field work was conducted in April 2009 to further refine mapping of chaparral communities, largely in, and adjacent

to, the San Elijo Lagoon Ecological Reserve. Mapping was conducted primarily on foot, although a combination of aerial interpretation and use of Multi-Habitat Conservation Plan (MHCP) mapping was relied upon in areas where access was not possible. Additional information prepared by Helix in 2009 on habitats and associated species of the City area available is on file with the City.

Twelve sensitive vegetation communities occur within the City: southern coastal salt marsh, freshwater marsh, southern willow scrub, mule fat scrub, open water/estuarine, beach, southern coastal bluff scrub, southern maritime chaparral, Diegan coastal sage scrub, southern mixed chaparral, coastal sage-chaparral scrub, and non-native grassland (Helix 2009).

Five sensitive plant species were observed during the field surveys: wart-stemmed ceanothus, San Diego marsh-elder (*Iva hayesiana*), south-western spiny rush (*Juncus acutus ssp. leopoldii*), Nuttall's scrub oak, and San Diego viguiera (*Viguiera laciniata*) (Helix 2009).

Four sensitive animal species were observed or detected during field surveys in and/or adjacent to the San Elijo Lagoon: yellow-breasted chat (*Icteria virens*), coastal California gnatcatcher (*Polioptila californica californica*), southern mule deer (*Odocoileus hemionus fuliginata*), and western bluebird (*Sialia mexicana*).

Each of these environmentally sensitive areas and species can be impacted by upland development, particularly that which occurs on hillsides and slopes. Such development may affect natural topography and scenic qualities, coastal sage/chaparral and grassland habitat, existing watersheds, soil erosion conditions, land slide potential, and other natural conditions (Helix 2009).

Terrestrial Vegetation Communities – A Citywide biological resources inventory was prepared in 2008 and updated in April 2009. The City's terrestrial vegetation communities are shown in Exhibits 3-1 through 3-5. Following provides a summary of vegetation acreages by type.

Southern Coastal Salt Marsh – Southern coastal salt marsh is a highly productive community composed of herbaceous, salt-tolerant hydrophytes that form a dense cover of up to one meter tall. This plant community is found along sheltered inland margins of bays, lagoons, and estuaries where the hydric soils are subjected to regular tidal inundation by salt water (Holland 1986).

Southern coastal salt marsh occupies approximately 4.88 acres within the City and is found in the San Elijo Lagoon Ecological Reserve. Typical species observed include pickleweed (*Salicornia bigelovii* and *S. virginica*), alkali-heath (*Frankenia salina*), southwestern spiny rush (*Juncus acutus* ssp. l*eopoldii*), and fleshy jaumea (*Jaumea carnosa*).

Freshwater Marsh – Freshwater marsh is dominated by perennial, emergent monocots that reach a height of 12 to 15 ft, often forming completely closed canopies. This vegetation type occurs along the coast and in coastal valleys near river mouths and around the margins of lakes and springs. These areas are permanently flooded by freshwater yet lack a significant current (Holland 1986).

Freshwater marsh was mapped adjacent to the railroad tracks in the San Elijo Lagoon Ecological Reserve, as well as along an urban drainage in the central portion of the City, northeast of the intersection of Stevens Avenue and Genevieve Street. Characteristic species observed include cattail (*Typha* sp.), California bulrush (*Scirpus californicus*), cocklebur (*Xanthium strumarium*), and marsh fleabane (*Pluchea odorata*). Approximately 0.20 acre of freshwater marsh was mapped within the City.

Southern Willow Scrub (including disturbed) – Southern willow scrub consists of dense, broadleaved, winter-deciduous stands of trees dominated by shrubby willows (*Salix* sp.) in association with mule fat (*Baccharis salicifolia*), along with scattered emergent cottonwood (*Populus fremontii*) and western sycamores (*Platanus racemosa*). This vegetation community occurs on loose, sandy, or fine gravelly alluvium deposited near stream channels during flood flows. Frequent flooding maintains this early seral community, preventing succession to a riparian woodland or forest (Holland 1986).

This habitat occurs as a small stand of trees and shrubs in the San Elijo Lagoon Ecological Reserve just northeast of Rios Avenue as well as east of I-5, and as a portion of a riparian corridor in the canyon north of Santa Victoria Drive, also in the San Elijo Lagoon Ecological Reserve. It also occurs along an urban drainage near Stevens Avenue, another urban drainage in the southeastern corner of the City, and as an isolated stand west of a self-storage facility. Typical species observed include arroyo willow (*Salix lasiolepis*), red willow (*S. laevigata*), and mugwort (*Artemisia douglasiana*). Disturbed areas of this habitat support a high percentage of non-native plants such as curly dock (*Rumex crispus*) and pampas grass (*Cortaderia selloana*). Approximately 1.98 acres of southern willow scrub were mapped within the City.

Mule Fat Scrub – Mule fat scrub is a depauperate, riparian scrub community dominated by mule fat and interspersed with small willows. This vegetation community occurs along intermittent stream channels with a fairly coarse substrate and moderate depth to the water table. This early seral community is maintained by frequent flooding, the absence of which would lead to a cottonwood or sycamore dominated riparian woodland or forest (Holland 1986).

This habitat was mapped adjacent to both southern willow scrub and southern coastal salt marsh in the San Elijo Lagoon Ecological Reserve. Characteristic species present included mule fat, western ragweed (*Ambrosia psilostachya*), and horseweed (*Conyza* sp.). Approximately 0.34 acre of mule fat scrub was mapped within the City.

EXHIBIT 3-1 CITYWIDE BIOLOGICAL RESOURCES

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

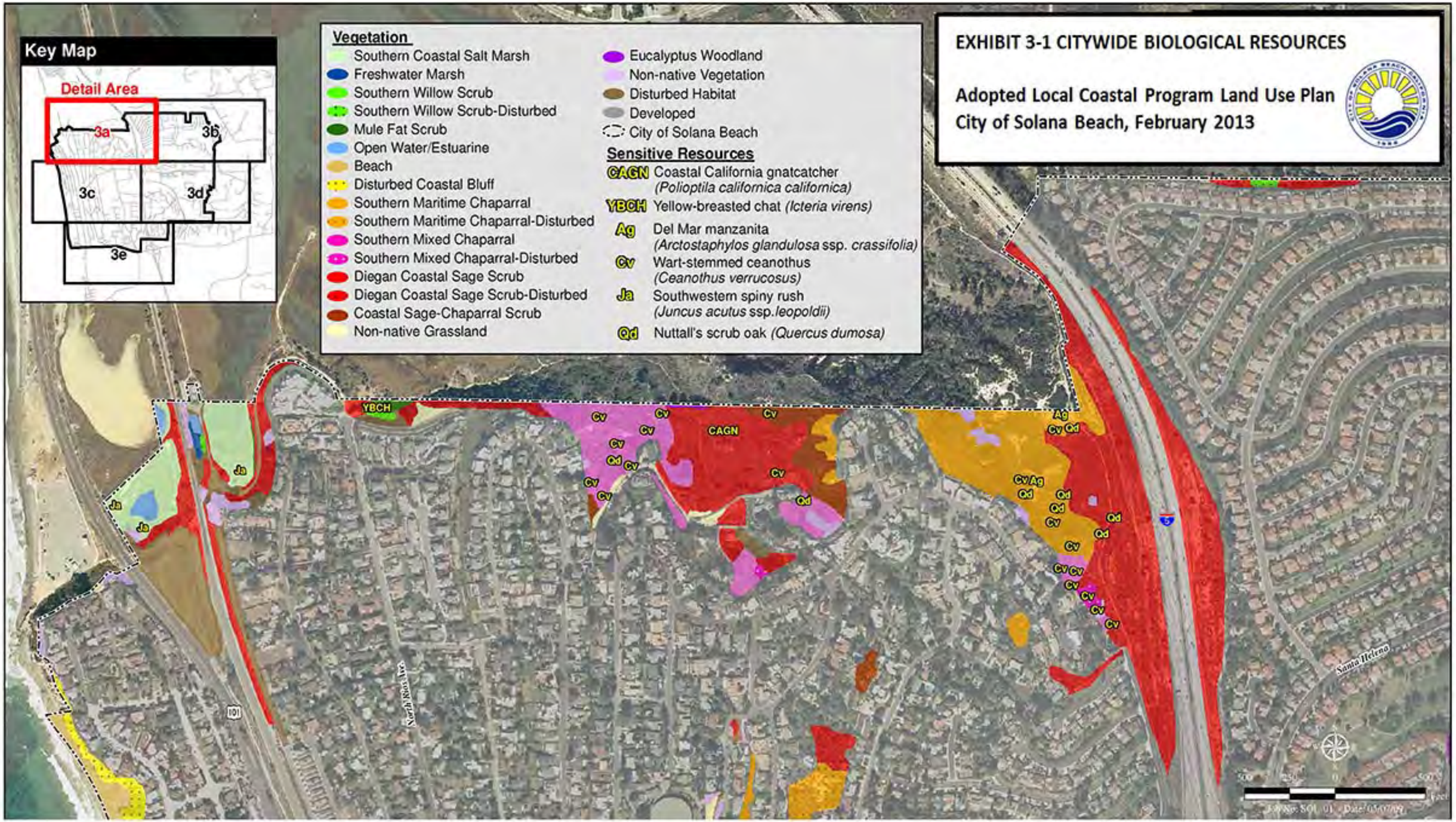
Key Map

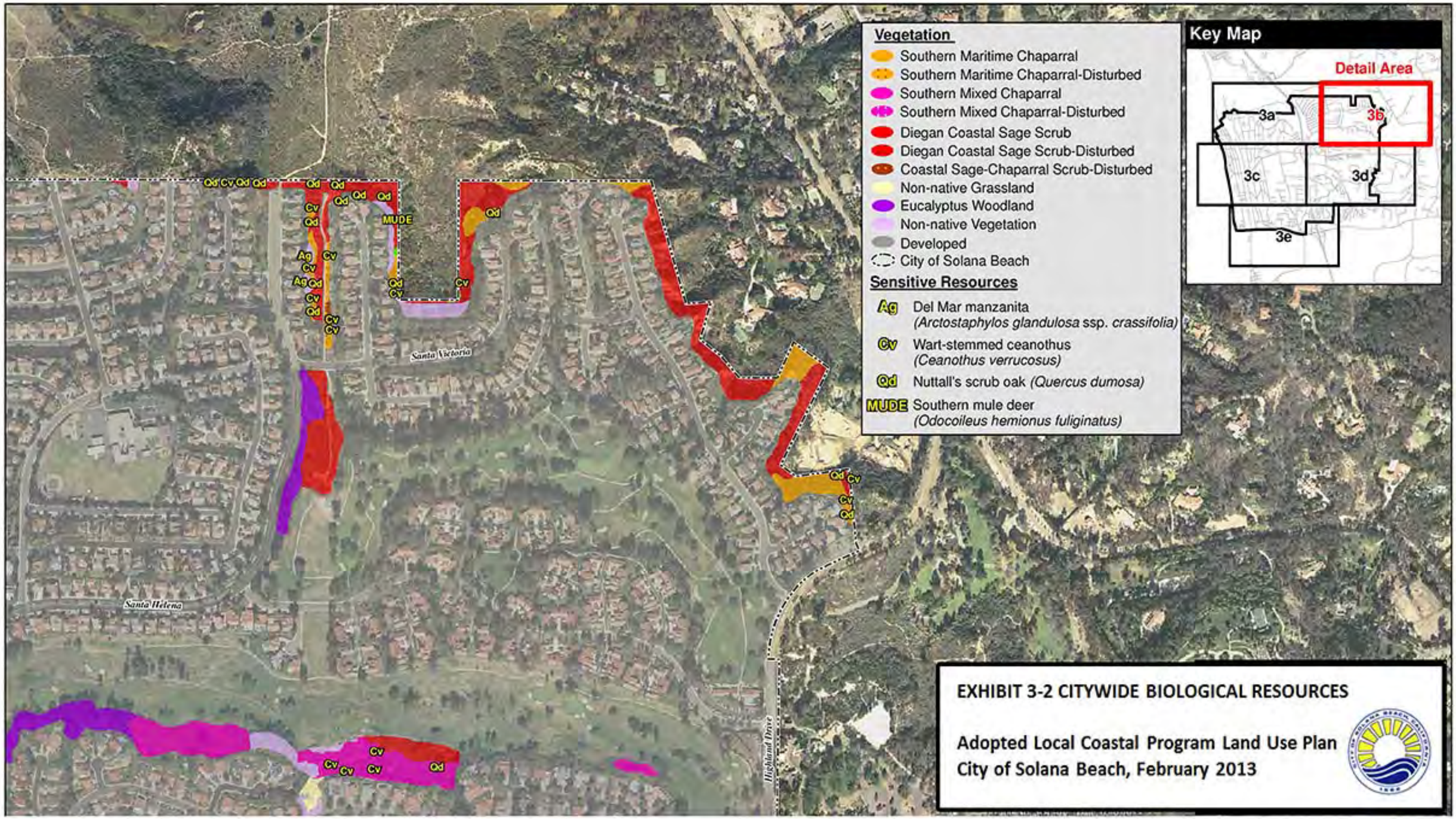
Vegetation

- Southern Coastal Salt Marsh
- Freshwater Marsh
- Southern Willow Scrub
- Southern Willow Scrub-Disturbed
- Mule Fat Scrub
- Open Water/Estuarine
- Beach
- Disturbed Coastal Bluff
- Southern Maritime Chaparral
- Southern Maritime Chaparral-Disturbed
- Southern Mixed Chaparral
- Southern Mixed Chaparral-Disturbed
- Diegan Coastal Sage Scrub
- Diegan Coastal Sage Scrub-Disturbed
- Coastal Sage-Chaparral Scrub
- Non-native Grassland
- Eucalyptus Woodland
- Non-native Vegetation
- Disturbed Habitat
- Developed
- City of Solana Beach

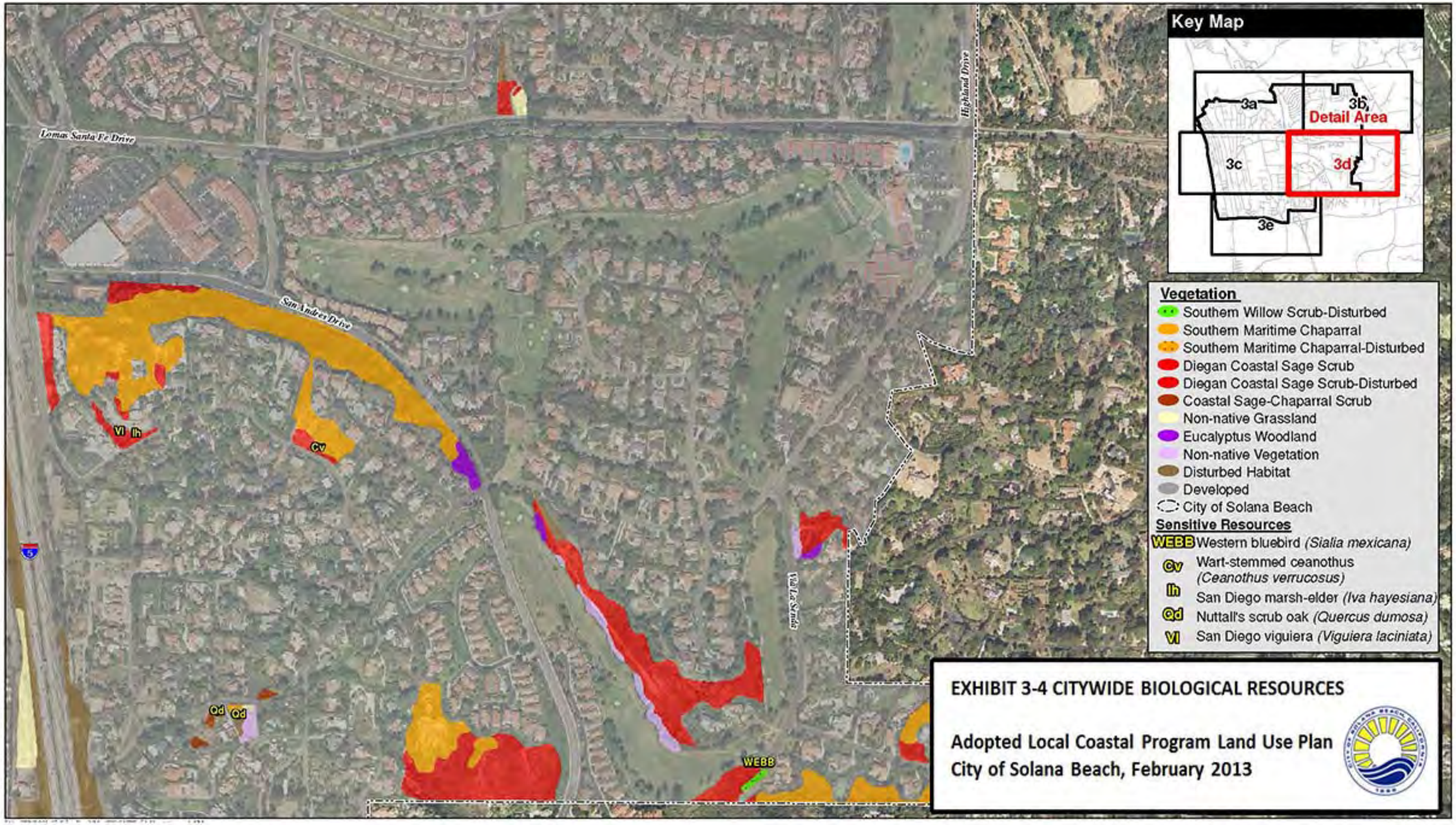
Sensitive Resources

- **CAGN** Coastal California gnatcatcher *(Polioptila californica californica)*
- **YBCH** Yellow-breasted chat *(Icteria virens)*
- **Ag** Del Mar manzanita *(Arctostaphylos glandulosa* ssp. *crassifolia)*
- **Cv** Wart-stemmed ceanothus *(Ceanothus verrucosus)*
- **Ja** Southwestern spiny rush *(Juncus acutus* ssp.*leopoldii)*
- **Qd** Nuttall's scrub oak *(Quercus dumosa)*




Vegetation
Southern Maritime Chaparral
Southern Maritime Chaparral-Disturbed
Southern Mixed Chaparral
Southern Mixed Chaparral-Disturbed
Diegan Coastal Sage Scrub
Diegan Coastal Sage Scrub-Disturbed
Coastal Sage-Chaparral Scrub-Disturbed
Non-native Grassland
Eucalyptus Woodland
Non-native Vegetation
Developed
City of Solana Beach
Sensitive Resources
Ag Del Mar manzanita (Arctostaphylos glandulosa ssp. crassifolia)
Cv Wart-stemmed ceanothus (Ceanothus verrucosus)
Qd Nuttall's scrub oak (Quercus dumosa)
MUDE Southern mule deer (Odocoileus hemionus fuliginatus)
Key Map
Detail Area
3a
3b
3c
3d
3e
Santa Victoria
Santa Helena
Highland Drive
MUDE
Qd
Cv
Ag
EXHIBIT 3-2 CITYWIDE BIOLOGICAL RESOURCES
Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013


Key Map
3a
Detail Area
3b
3c
3d
3e
Vegetation
Freshwater Marsh
Southern Willow Scrub
Beach
Disturbed Coastal Bluff
Southern Maritime Chaparral
Southern Maritime Chaparral-Disturbed
Diegan Coastal Sage Scrub
Diegan Coastal Sage Scrub-Disturbed
Non-native Grassland
Eucalyptus Woodland
Non-native Vegetation
Disturbed Habitat
Developed
City of Solana Beach
Sensitive Resources
Ja Southwestern spiny rush
(Juncus acutus ssp. leopoldii)
EXHIBIT 3-3 CITYWIDE BIOLOGICAL RESOURCES
Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013
Lomas Santa Fe Drive
North Cedros Ave
South Cedros Ave
Stevens Ave
101
5
Ja
Ja


Key Map
3a
3b
Detail Area
3c
3d
3e
Vegetation
Southern Willow Scrub-Disturbed
Southern Maritime Chaparral
Southern Maritime Chaparral-Disturbed
Diegan Coastal Sage Scrub
Diegan Coastal Sage Scrub-Disturbed
Coastal Sage-Chaparral Scrub
Non-native Grassland
Eucalyptus Woodland
Non-native Vegetation
Disturbed Habitat
Developed
City of Solana Beach
Sensitive Resources
WEBB Western bluebird (Sialia mexicana)
Cv Wart-stemmed ceanothus (Ceanothus verrucosus)
Ih San Diego marsh-elder (Iva hayesiana)
Qd Nuttall's scrub oak (Quercus dumosa)
Vl San Diego viguiera (Viguiera laciniata)
Lomas Santa Fe Drive
San Andres Drive
Highland Drive
Via La Siesta
Vl
Ih
Cv
Qd
Qd
WEBB
5
EXHIBIT 3-4 CITYWIDE BIOLOGICAL RESOURCES
Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013


Key Map
3a
3b
3c
Detail Area
3d
3e
Vegetation
Beach
Southern Coastal Bluff Scrub
Disturbed Coastal Bluff
Diegan Coastal Sage Scrub
Diegan Coastal Sage Scrub-Disturbed
Non-native Grassland
Eucalyptus Woodland
Non-native Vegetation
Disturbed Habitat
Developed
City of Solana Beach
Sensitive Resources
Qd Nuttall's scrub oak (Quercus dumosa)
Raptor Nest
101
5
Qd
Stevens Ave.
Via De La Valle
EXHIBIT 3-5 CITYWIDE BIOLOGICAL RESOURCES
Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

Open Water/Estuarine – Open water/estuarine habitat occurs offshore of the City and includes three small areas adjacent to marsh habitat in the San Elijo Lagoon, comprising approximately 0.72 acre. As the name suggests, no plants are present and the areas are subject to freshwater and saltwater input resulting in brackish conditions.

Beach – The beach community refers to the expanse of sandy substrate between mean tide and the furthest inland reach of waves. The beach is characterized by a maritime climate, high exposure to salt spray and sand blast, and a shifting sandy substrate with low water-holding capacity and low organic matter content. Beach steepness, height, and width are affected by wave height, tidal range, sand grain size and supply.

This habitat occurs as a flat, narrow band of unvegetated sands along the City's shoreline adjacent to the Pacific Ocean. High and medium tides regularly inundate this entire zone. The City's beaches are highly trafficked by beachgoers in addition to the occasional lifeguard truck. Approximately 20 acres of beach occur within the City.

Southern Coastal Bluff Scrub/Disturbed Coastal Bluff – Southern coastal bluff scrub is a low scrub habitat forming continuous or more scattered mats. Most plants are woody and/or succulent. Dwarf shrubs, herbaceous perennials, and annuals are represented, with the majority of growth and flowering occurring from late winter through spring. This vegetation community is exposed to nearly constant winds with high salt content and the soil is usually rocky and poorly developed.

This habitat occurs along a narrow band of eroded bluff near Stevens Avenue and Via de la Valle, as well as along the majority of the steep beach-front coastal bluff, comprising approximately 7.8 acres. The 7.6 acres of beach-front bluff is highly disturbed and largely supports non-native species such as crystalline iceplant (*Mesembryanthemum crystallinum*), Perez's marsh-rosemary (*Limonium perezii*), and sea rocket (*Cakile maritima*), with the occasional California encelia (*Encelia californica*), coast prickly-pear (*Opuntia littoralis*), and sun cup (*Camissonia* sp.). Large areas of bluff are unvegetated and severely eroding. Areas near Stevens Avenue (0.02 acre) support lemonadeberry (*Rhus integrifolia*), California encelia, chalk dudleya (*Dudleya pulverulenta*), crystalline iceplant, coast paintbrush (*Castilleja affinis*), and coast morning-glory (*Calystegia macrostegia*).

Southern Maritime Chaparral (including disturbed) – Southern maritime chaparral is restricted to the weathered sands within the coastal fog belt in San Diego County from La Jolla to Carlsbad, with some scattered patches to the south; Point Loma, Spooner's Mesa, and Peñasquitos Canyon. This low, fairly open chaparral is dominated by wart-stemmed ceanothus (*Ceanothus verrucosus*) and thick-leaved Eastwood's manzanita (*Arctostaphylos glandulosa*). Additional species include mission manzanita (*Xylococcus bicolor*), chamise (*Adenostoma fasciculatum*), Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*), scrub oak (*Quercus dumosa*), and summer holly (*Comarostaphylis diversifolia* ssp. *diversifolia*). Similar to other chaparral communities, fire is necessary for the reproduction of many of the constituent species that generally resprout from underground root crowns (Conrad 1987). The distribution of this community

coincides with some of the most developed areas in San Diego County. Species observed within this vegetation community include chamise, wart-stemmed ceanothus, Nuttall's scrub oak (*Quercus dumosa*), Del Mar Manzanita, bush-rue (*Cneoridium dumosum*), mission manzanita, black sage (*Salvia mellifera*), and small-flowered soap-plant (*Chlorogalum parviflorum*). Disturbed areas support relatively higher coverage by non-native grasses and forbs. This habitat occurs on certain canyon slopes in the San Elijo Lagoon Ecological Reserve, and on undeveloped slopes along San Andres Drive, as well as in a few small, isolated stands throughout the City. Not all stands were accessible, and aerial interpretation was relied upon for portions of the mapping effort. Approximately 36.0 acres of southern maritime chaparral were mapped within the City.

Diegan Coastal Sage Scrub (including disturbed) – Coastal sage scrub is one of two major shrub types that occur in southern California, occupying xeric sites characterized by shallow soils (the other is chaparral). Four distinct coastal sage scrub geographical associations (northern, central, venturan, and diegan) are recognized along the California coast. Coastal sage scrub is dominated by subshrubs with leaves that abscise during drought and are replaced by a lesser amount of smaller leaves. This adaptation of drought evasion allows these species to better withstand the prolonged drought period in the summer and fall in areas of low precipitation.

This habitat has a scattered distribution within the City, occurring on numerous hillsides as remnant patches in an otherwise developed landscape, in addition to covering various canyon slopes in the San Elijo Lagoon Ecological Reserve. Characteristic species include California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), laurel sumac (*Malosma laurina*), black sage, and lemonadeberry. Disturbed areas of this habitat have sparser shrub coverage and a high percentage of non-native grasses (such as bromes or oats) and/or forbs (such as filaree [*Erodium* spp.]). This habitat type covers approximately 73.7 acres within the City. Not all areas were accessible and aerial interpretation was relied upon for portions of the mapping effort.

Coastal Sage-Chaparral Scrub – Coastal sage-chaparral scrub is a mixture of sclerophyllous chaparral shrubs and drought-deciduous sage scrub species regarded as an ecotone (transition) between the two vegetation communities. This singular community contains floristic elements of both communities, including California sagebrush, California buckwheat, laurel sumac, chamise, scrub oak (*Quercus* sp.), and ceanothus (*Ceanothus* sp.).

This vegetation community covers approximately 3.3 acres within the City and is found on slopes in the San Elijo Lagoon Ecological Reserve as well as in a few scattered locations surrounded by development. Typical species observed include chamise, Nuttall's scrub oak, California sagebrush, black sage, lemonadeberry, and California buckwheat. Four sensitive animal species were observed or detected during field surveys: yellow-breasted chat (*Icteria virens*), coastal California gnatcatcher (*Polioptila californica californica*), southern mule deer (*Odocoileus hemionus fuliginata*), and western bluebird (*Sialia mexicana*).

Southern Mixed Chaparral – Southern mixed chaparral is composed of broad-leaved sclerophyllous shrubs that can reach six to ten feet in height and form dense often nearly impenetrable stands with poorly developed under stories. In this mixed chaparral, the shrubs are generally tall and deep rooted, with a well developed soil litter layer, high canopy coverage, low light levels within the canopy, and lower soil temperatures (Keeley and Keeley 1988). This vegetation community occurs on dry, rocky, often steep north-facing slopes with little soil. As conditions become more mesic, broad-leaved sclerophyllous shrubs that resprout from underground root crowns become dominant. Depending upon relative proximity to the coast, southern mixed chaparral is dominated by chamise, mission manzanita, wart-stemmed ceanothus, Ramona lilac (*Ceanothus tomentosus*), white-stem wild-lilac (*Ceanothus leucodermis*), manzanita (*Arctostaphylos* sp.), and scrub oak.

Dominant species observed in this habitat include chamise, mission manzanita, and wart-stemmed ceanothus. This habitat type covers approximately 13.7 acres within the City, and is found on certain canyon slopes in the San Elijo Lagoon Ecological Reserve located in the City of Encinitas, as well as on undeveloped slopes in the Lomas Santa Fe Executive Golf Course.

Non-native Grassland – Non-native grassland is a dense to sparse cover of annual grasses, often associated with numerous species of showy-flowered native annual forbs. This association occurs on gradual slopes with deep, fine-textured, usually clay soils. Characteristic species include oats (*Avena* sp.), red brome (*Bromus rubens*), ripgut (*B. diandrus*), ryegrass (*Lolium* sp.), and mustard (*Brassica* sp.). Most of the annual introduced species that comprise the majority of species and biomass within non-native grassland originated from the Mediterranean region, an area with a long history of agriculture and a climate similar to California. These two factors, in addition to intensive grazing and agricultural practices in conjunction with severe droughts, contributed to the successful invasion and establishment of these species and the replacement of native grasslands with an annual-dominated non-native grassland (Jackson 1985).

The City supports several small patches of non-native grassland, occurring in a widely scattered distribution. Most areas were mapped in the southwestern quadrant of the City, along portions of I-5, as well as in a few isolated locales. Typical species observed include ripgut grass, oats, and Mediterranean schismus (*Schismus barbatus*), with lesser coverage by barley (*Hordeum* sp.), mustard, wild radish (*Raphanus sativus*), and cheeseweed (*Malva parviflora*). Approximately 7.6 acres of non-native grassland were mapped within the City.

Eucalyptus Woodland – Eucalyptus woodland is dominated by eucalyptus (*Eucalyptus* sp.), an introduced species that has often been planted purposely for wind blocking, ornamental, and hardwood production purposes. Most groves are monotypic, with the most common species being either the blue gum (*Eucalyptus gunnii*) or red gum (*E. camaldulensis* ssp. *obtusa)*. The understory within well-established groves is usually very sparse due to the closed canopy and allelopathic nature of the abundant leaf and bark litter. If sufficient moisture is available, this species become naturalized and is able to

reproduce and expand its range. The sparse understory offers only limited wildlife habitat; however, these woodlands provide excellent nesting sites for a variety of raptors.

Eucalyptus woodland consists of scattered, naturalized stands of eucalyptus with an herbaceous understory typically dominated by ripgut grass. This habitat is found in several locations within the Lomas Santa Fe Executive Golf Course, as well as two narrow, linear stands east and west of Stevens Avenue, and as three small stands in the southern portion of the City near Spindrift Road and Peppertree Lane. Many of the stands are adjacent to native habitat, such as chaparral or coastal sage scrub. Approximately 6.4 acres of this habitat type were mapped within the City.

Non-native Vegetation – Non-native vegetation areas include exotic tree and groundcover species that are naturalized or were purposefully planted for landscaping or another utilitarian purpose and are now no longer maintained. This habitat type covers small areas of the City and typically consists of one or several of the following species: myoporum (*Myoporum laetum*), sea-fig (*Carpobrotus chilensis*), Brazilian pepper tree (*Schinus terebinthifolius*), and cyclops acacia (*Acacia cyclops*). Approximately 15.0 acres of non-native vegetation were mapped within the City.

Disturbed Habitat - Disturbed habitat includes unvegetated or sparsely vegetated areas, particularly where the soil has been heavily compacted by prior development or where agricultural lands have been abandoned. Disturbed habitat is generally dominated by non-native weedy species that adapt to frequent disturbance or consists of dirt trails and roads.

Disturbed habitat consists of dirt roads, portions of the slopes adjacent to the railroad, graded pads left idle, as well as cleared and graded side slopes along I-5. Certain slopes along I-5 were under construction at the time of the field surveys and will likely be revegetated. Approximately 19.4 acres of disturbed habitat were mapped within the City.

Developed – Lands classified as developed are clearly altered, tended, and maintained, and include areas with permanent structures where land is kept cleared or landscaped and irrigated. Developed lands account for approximately 1,981 acres, or 90 percent of the City. These lands include paved roadways, parking lots, residences, commercial buildings, plant nurseries, schools, landscaped slopes, maintained yards, golf courses, mowed/maintained parks, and the railroad.

1. Coastal Act Provisions

A chief objective of the Coastal Act is the preservation, protection, and enhancement of coastal resources, including land and marine habitats, and water quality. The rarest and most ecologically important habitats are protected from development. The Coastal Act provides a definition of “environmentally sensitive area”: “Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments” (Section 30107.5).

Section 30240 requires the protection of ESHA against any significant disruption of habitat values. No development, with the exception of uses dependent on the resources, is allowed within any ESHA. This policy further requires that development adjacent to ESHA be sited and designed to prevent impacts that would significantly degrade ESHA and to be compatible with the continuance of the habitat areas. Finally, development adjacent to parks and recreation areas must be sited and designed to prevent impacts.

In addition to the protection of ESHA, streams and associated riparian habitat are also protected in order to maintain the biological productivity and quality of coastal waters. Section 30231 requires that natural vegetation buffer areas that protect riparian habitats be maintained, and that the alteration of natural streams be minimized. Section 30236 limits channelizations, dams, or other substantial alterations of rivers and streams to only three purposes: necessary water supply; protection of existing structures where there is no feasible alternative; or improvement of fish and wildlife habitat. Such projects must also incorporate the best mitigation measures feasible.

Marine resources are protected to sustain the biological productivity of coastal waters and to maintain healthy populations of all species of marine organisms. Section 30230 requires that marine resources be maintained, enhanced, and where feasible restored. Uses of the marine environment must provide for the biological productivity of coastal waters and that will maintain healthy populations of marine organisms. Section 30233 provides that the diking, filling, or dredging of open coastal waters, wetlands, or estuaries may only be permitted where there is no less environmentally damaging alternative, where feasible mitigation measures have been provided to minimize adverse environmental effects, and restricted to a limited number of allowable uses.

Finally, the Coastal Act requires that the biological productivity and quality of coastal waters be protected. Section 30231 requires managing waste water discharges, controlling runoff, protecting groundwater and surface water, encouraging waste water reclamation, and protecting streams, in order to maintain and enhance water quality.

2. Land Use Plan Provisions

The LUP contains policies that protect the ESHA of the City. The LUP ESHA Maps (Exhibits 3-6 through 3-10) show the areas that are designated ESHA. The ESHA Maps will be reviewed and updated periodically to reflect up to date information and necessary revisions shall be made as an amendment to the LUP. As explained in more detail below, even if an area is not designated on the ESHA Map as ESHA, it will be treated as ESHA if a site-specific study at the time of the proposed development shows that it is ESHA.

Areas of ESHA were identified based on direct coordination with CCC staff (by Helix pers. comm. 2009 a-b) as well as researching ESHA designations in other areas of southern California (City of Malibu 2002). A total of 89.9 acres of ESHA were mapped within the City (Exhibits 3-6 through 3-10). They include lands in the San Elijo Lagoon Ecological Reserve and contiguous areas supporting either functionally intact native vegetation communities or presence of rare species, as well as relatively large areas of southern

maritime chaparral and coastal sage scrub communities near and along San Andres Drive.

A few areas of native habitat within the City cannot be definitively identified as ESHA without further site-specific study and as such were identified as “Areas of Potential ESHA” (Exhibits 3-6 through 3-10). These include small, discontinuous areas of southern maritime chaparral habitat and any adjacent coastal sage scrub, and total 4.6 acres (Table 3-3). A final determination of ESHA would be made for these areas on the basis of site-specific study prior to the approval of any development.

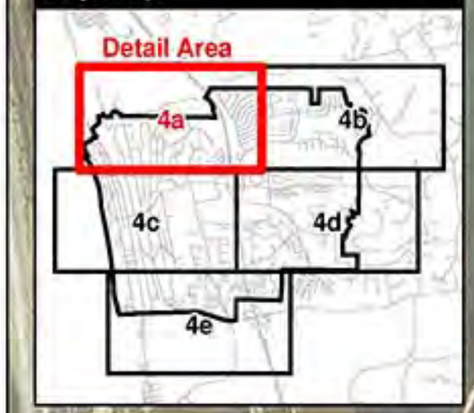
The following areas were not identified as ESHA: Wetlands occurring outside of the San Elijo Lagoon Ecological Reserve, beaches and coastal bluffs, isolated areas of coastal sage scrub and southern mixed chaparral, and cut slopes along I-5. Wetlands occurring outside of the Reserve are both small and isolated, or they occur along a channelized stream, and in both cases have low habitat value. The beaches are very narrow, subject to daily inundation, with no native beach or dune habitat, are completely devoid of vegetation, and are constantly shifting due to daily high tides and storm waves. Coastal bluffs in the City are highly erosive and degraded, supporting little vegetation, most of which is non-native or ornamental landscaping. Seawalls and other shoreline protective devices have been constructed along more than half of the City’s coastal bluff face, and the bluff tops are developed with residential land uses, public facilities and other infrastructure.

Isolated areas of coastal sage scrub are often disturbed by adjacent development and do not support sensitive species or contribute to a wildlife corridor. Southern mixed chaparral is an abundant vegetation community in southern California, and isolated areas of this habitat occurring on the southern slopes of the golf course were not considered rare or especially valuable in terms of an ESHA designation. However, the mixed chaparral supports regionally rare species (Nuttall’s scrub oak and wart-stemmed ceanothus), and as such, when looked at on a case-by-case basis, even isolated patches could be considered ESHA. Cut-slopes along I-5 were not considered ESHA as they are highly disturbed, supporting only sparse coastal sage scrub species intermixed with non-native grasses, and are constantly exposed to visual and noise disturbances from the adjacent interstate, resulting in low habitat value.

EXHIBIT 3-6 ENVIRONMENTALLY SENSITIVE HABITAT MAP

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

Key Map

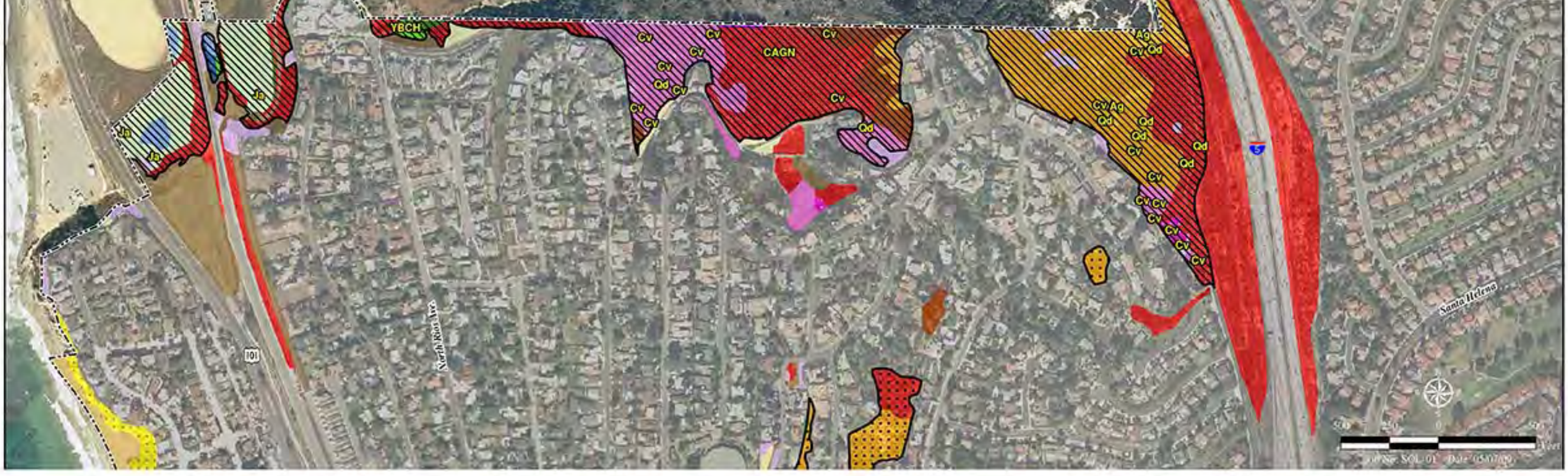


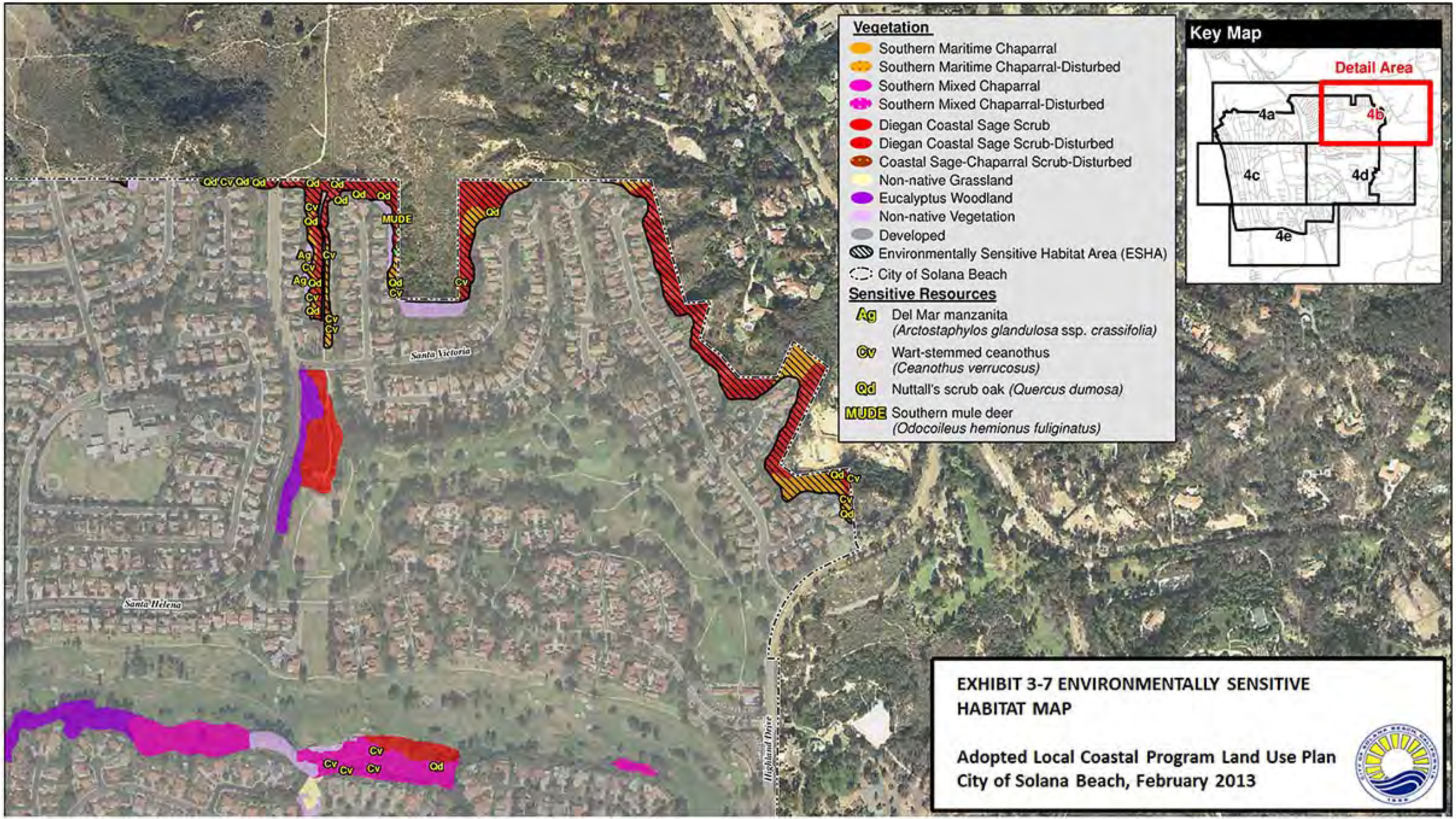
Vegetation

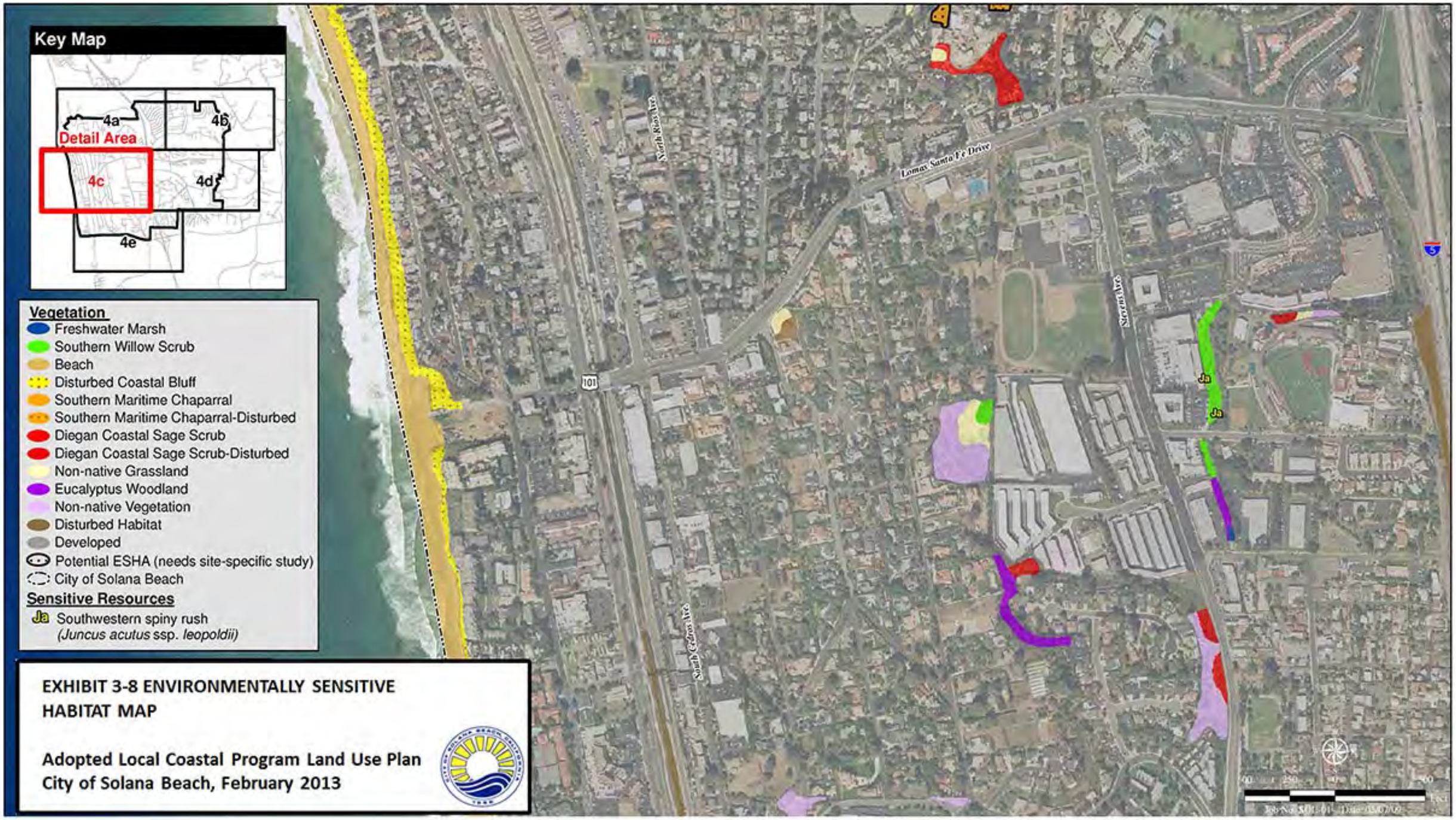
- Southern Coastal Salt Marsh
- Freshwater Marsh
- Southern Willow Scrub
- Southern Willow Scrub-Disturbed
- Mule Fat Scrub
- Open Water/Estuarine
- Beach
- Disturbed Coastal Bluff
- Southern Maritime Chaparral
- Southern Maritime Chaparral-Disturbed
- Southern Mixed Chaparral
- Southern Mixed Chaparral-Disturbed
- Diegan Coastal Sage Scrub
- Diegan Coastal Sage Scrub-Disturbed
- Coastal Sage-Chaparral Scrub
- Non-native Grassland
- Eucalyptus Woodland
- Non-native Vegetation
- Disturbed Habitat
- Developed
- City of Solana Beach
- Environmentally Sensitive Habitat Area (ESHA)
- Potential ESHA (needs site-specific study)

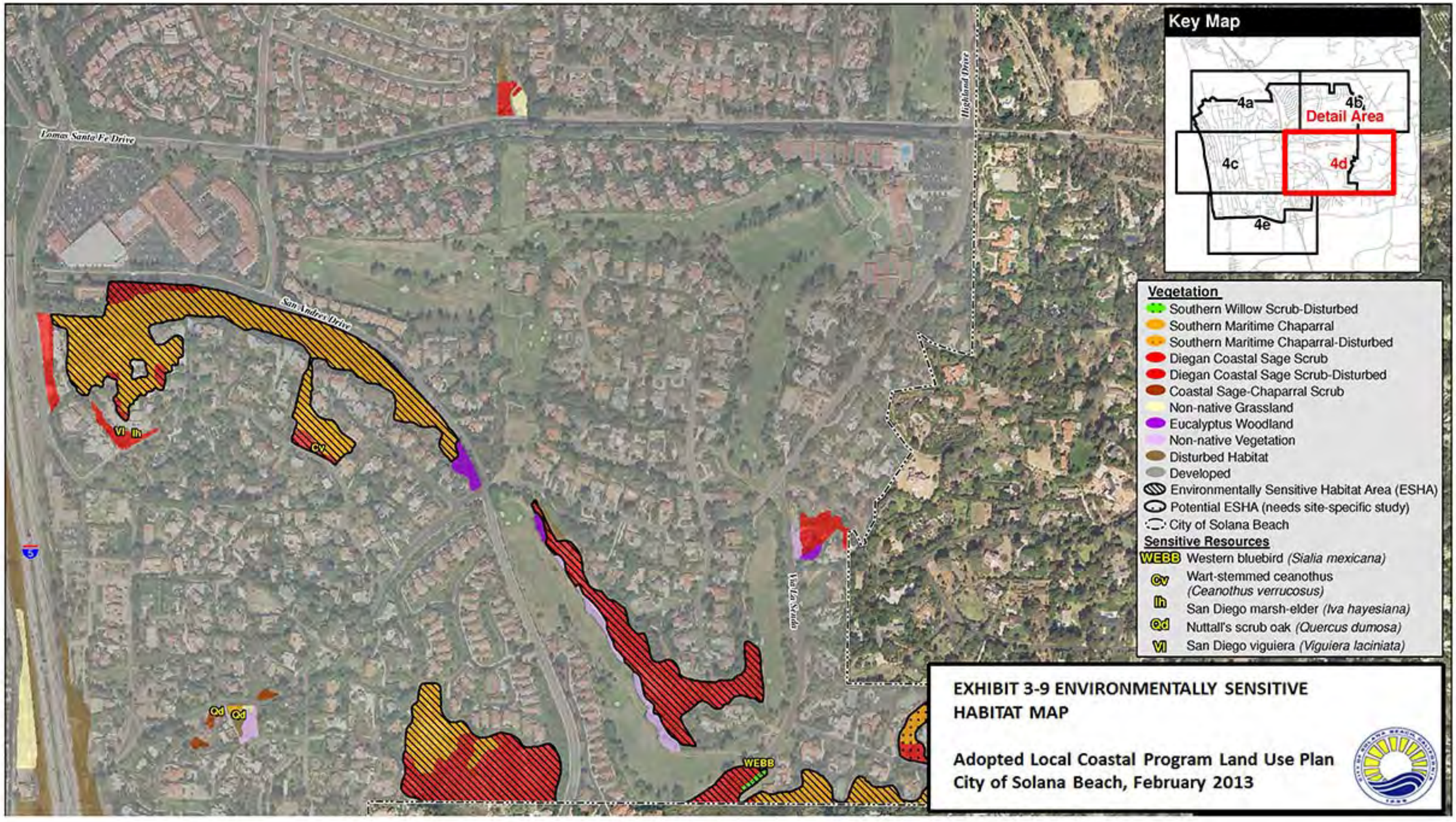
Sensitive Resources

- **CAGN** Coastal California gnatcatcher *(Polioptila californica californica)*
- **YBCH** Yellow-breasted chat *(Icteria virens)*
- **Ag** Del Mar manzanita *(Arctostaphylos glandulosa* ssp. *crassifolia)*
- **Cv** Wart-stemmed ceanothus *(Ceanothus verrucosus)*
- **Ja** Southwestern spiny rush *(Juncus acutus* ssp.*leopoldii)*
- **Qd** Nuttall's scrub oak *(Quercus dumosa)*




Vegetation
Southern Maritime Chaparral
Southern Maritime Chaparral-Disturbed
Southern Mixed Chaparral
Southern Mixed Chaparral-Disturbed
Diegan Coastal Sage Scrub
Diegan Coastal Sage Scrub-Disturbed
Coastal Sage-Chaparral Scrub-Disturbed
Non-native Grassland
Eucalyptus Woodland
Non-native Vegetation
Developed
Environmentally Sensitive Habitat Area (ESHA)
City of Solana Beach
Sensitive Resources
Ag Del Mar manzanita (Arctostaphylos glandulosa ssp. crassifolia)
Cv Wart-stemmed ceanothus (Ceanothus verrucosus)
Qd Nuttall's scrub oak (Quercus dumosa)
MUDE Southern mule deer (Odocoileus hemionus fuliginatus)
Key Map
Detail Area
4a
4b
4c
4d
4e
Santa Victoria
Santa Helena
Highland Drive
EXHIBIT 3-7 ENVIRONMENTALLY SENSITIVE HABITAT MAP
Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013


Key Map
4a
4b
Detail Area
4c
4d
4e
Vegetation
Freshwater Marsh
Southern Willow Scrub
Beach
Disturbed Coastal Bluff
Southern Maritime Chaparral
Southern Maritime Chaparral-Disturbed
Diegan Coastal Sage Scrub
Diegan Coastal Sage Scrub-Disturbed
Non-native Grassland
Eucalyptus Woodland
Non-native Vegetation
Disturbed Habitat
Developed
Potential ESHA (needs site-specific study)
City of Solana Beach
Sensitive Resources
Ja Southwestern spiny rush
(Juncus acutus ssp. leopoldii)
North Rios Ave
Lomas Santa Fe Drive
Nardo Ave
South Cedros Ave
101
5
Ja
Ja
EXHIBIT 3-8 ENVIRONMENTALLY SENSITIVE HABITAT MAP
Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013


Key Map
4a
4b
Detail Area
4c
4d
4e
Vegetation
Southern Willow Scrub-Disturbed
Southern Maritime Chaparral
Southern Maritime Chaparral-Disturbed
Diegan Coastal Sage Scrub
Diegan Coastal Sage Scrub-Disturbed
Coastal Sage-Chaparral Scrub
Non-native Grassland
Eucalyptus Woodland
Non-native Vegetation
Disturbed Habitat
Developed
Environmentally Sensitive Habitat Area (ESHA)
Potential ESHA (needs site-specific study)
City of Solana Beach
Sensitive Resources
WEBB Western bluebird (Sialia mexicana)
Cv Wart-stemmed ceanothus (Ceanothus verrucosus)
Ih San Diego marsh-elder (Iva hayesiana)
Qd Nuttall's scrub oak (Quercus dumosa)
Vl San Diego viguiera (Viguiera laciniata)
Lomas Santa Fe Drive
San Andres Drive
Highland Drive
Via La Siesta
Vl
Ih
Cv
Qd
Qd
WEBB
EXHIBIT 3-9 ENVIRONMENTALLY SENSITIVE HABITAT MAP
Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

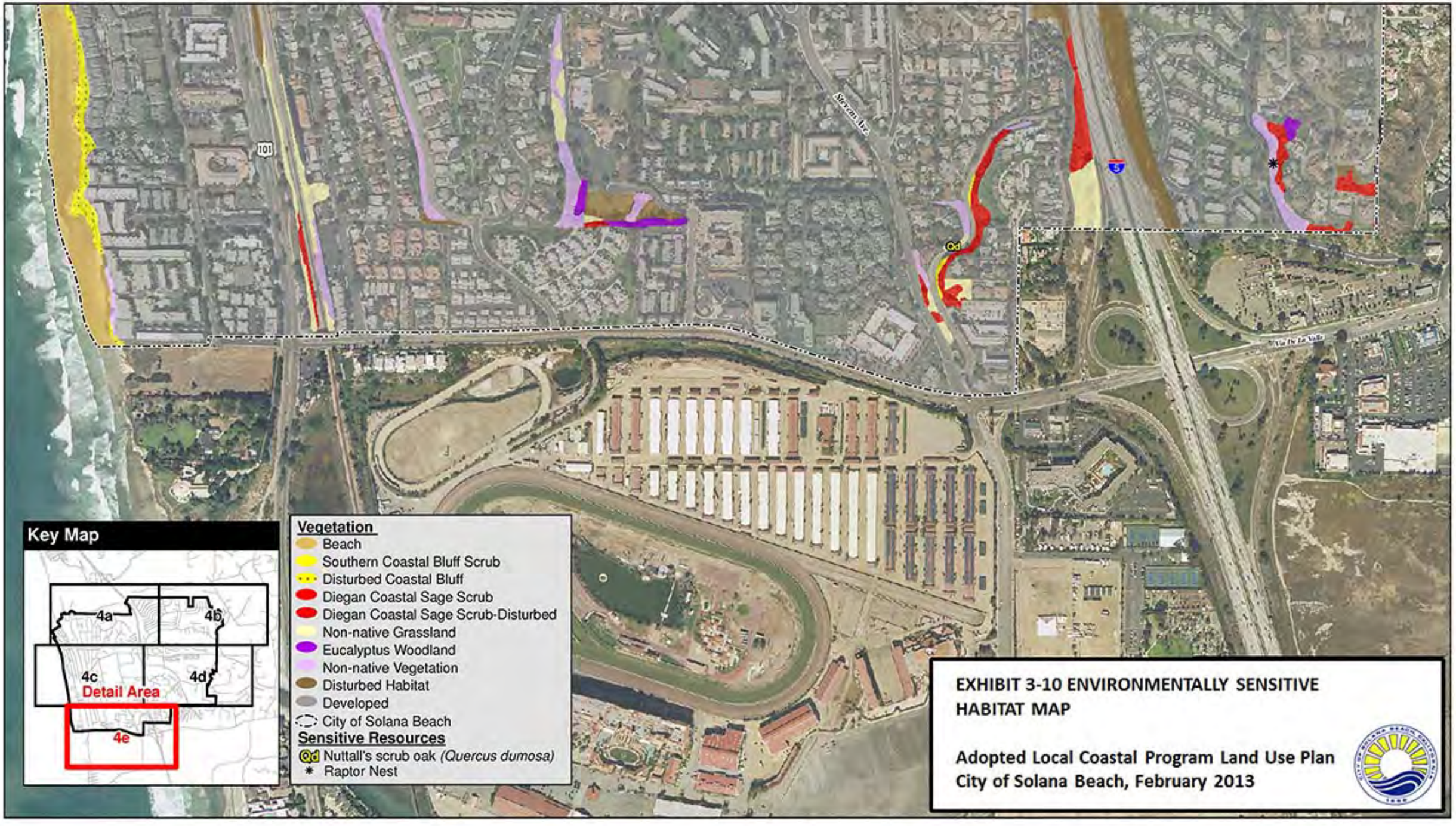


EXHIBIT 3-10 ENVIRONMENTALLY SENSITIVE HABITAT MAP

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

Table 3-1
EXISTING VEGETATION COMMUNITIES IN THE CITY

HABITAT TYPE	AREA*
Habitat Group A**	
Southern coastal salt marsh (52120)†	4.88
Freshwater marsh (including disturbed; 52400)	0.20
Southern willow scrub (including disturbed; 63320)	1.98
Mule fat scrub (63310)	0.34
Open water/Estuarine (13130)	0.72
Group A Subtotal	**8.12**
Habitat Group B	
Beach (13400)	20.0
Southern coastal bluff scrub/disturbed coastal bluff (31200)	7.8
Southern maritime chaparral (including disturbed; 37C30)	36.0
Group B Subtotal	**63.8**
Habitat Group C	
Diegan coastal sage scrub (including disturbed; 32500)	73.7
Coastal sage-chaparral scrub (including disturbed; 37G00)	3.3
Group C Subtotal	**77.0**
Habitat Group D	
Southern mixed chaparral (including disturbed; 37120)	13.7
Habitat Group E	
Non-native grassland (42200)	7.6
Habitat Group F	
Eucalyptus woodland (79100)	6.4
Non-native vegetation (11000)	15.0
Disturbed habitat (11300)	19.4
Developed (12000)	1,981.0
Group F Subtotal	**2,021.8**
TOTAL	**2,192.1**

*Area presented in acre(s) rounded to the nearest hundredth for wetland habitats and to the nearest tenth for upland habitats; thus, totals reflect rounding.

**Habitat Groups refer to the MHCP Habitat Classification System. Numerical codes are from Holland (1986) and/or Oberbauer (2008).

Table 3-2
ENVIRONMENTALLY SENSITIVE HABITAT AREAS

HABITAT TYPE	AREA*
Southern coastal salt marsh (52120)†	4.88
Freshwater marsh (including disturbed; 52400)	0.16
Southern willow scrub (including disturbed; 63320)	0.58
Mule fat scrub (63310)	0.34
Open water/Estuarine (13130)	0.72
Southern maritime chaparral (including disturbed; 37C30)	32.6
Diegan coastal sage scrub (including disturbed; 32500)	40.1
Coastal sage-chaparral scrub (including disturbed; 37G00)	2.6
Southern mixed chaparral (including disturbed; 37120)	7.0
Eucalyptus woodland (79100)‡	0.1
Non-native vegetation (11000)‡	0.6
Disturbed habitat (11300)‡	0.3
TOTAL	**89.9**

*Area presented in acre(s) rounded to the nearest hundredth for wetland habitats and to the nearest tenth for upland habitats; thus, totals reflect rounding.

*Numerical codes are from Holland (1986) and/or Oberbauer (2008).

*Small acreages of eucalyptus woodland, non-native vegetation, and disturbed habitat were grouped with ESHA because of their location within the San Elijo Lagoon Ecological Reserve, and because they are surrounded by native vegetation communities.

Table 3-3
POTENTIAL AREAS OF ESHA

HABITAT TYPE	AREA*
Southern maritime chaparral (including disturbed; 37C30)	3.3
Diegan coastal sage scrub (including disturbed; 32500)	1.3
TOTAL	**4.6**

*Area presented in acre(s) rounded to the nearest tenth; thus, totals reflect rounding.

*Numerical codes are from Holland (1986) and/or Oberbauer (2008).

The LUP policies establish that the presence of ESHA not already designated on the ESHA map shall be determined on the basis of site-specific study prior to the approval of any development. Such determinations shall be reviewed by the City Council. Regardless of the mapped ESHA designation of any particular area, habitat area found to meet the definition of ESHA shall be accorded all protection provided for ESHA by the LUP. ESHA shall be protected against significant disruption of habitat values and only resource dependent uses may be permitted within ESHA. If the application of the ESHA policies would result in taking private property for public use, without the payment of just compensation, then a use that is not resource dependent will be permitted in accordance with the policies in this chapter of the LUP. The LUP sets forth the process and parameters for approval of such a use.

The LUP establishes policies calling for the protection of areas adjacent to ESHA through the provision of buffers. Native vegetation buffer areas must be provided around ESHA that are adequate to prevent impacts that would significantly degrade these areas. Development, excluding required fuel modification activities in accordance with the County Fire and Fuel Hazard Management Plan, shall not be permitted within required buffer areas. The LUP policies require that new development be sited and constructed to avoid impacts, including fuel modification, which could significantly degrade ESHA. Graded and other disturbed areas in or adjacent to ESHA must be landscaped or revegetated with native, tolerant, salt-tolerant, non-invasive drought and fire resistant plants at the completion of grading. If new development removes or adversely impacts native vegetation, measures to restore disturbed or degraded habitat on the project site shall be included as mitigation. Fencing should be limited, in or adjacent to ESHA, and should be sited and designed to allow wildlife to pass through except where needed to mitigate fire risk. The LUP requires exterior lighting to be of low intensity and shielded to minimize impacts on wildlife.

The LUP policies require that new development minimize the removal of natural vegetation. The policies acknowledge that vegetation is sometimes required by the Fire Marshal to be removed, thinned or otherwise modified in order to minimize the risk of hazard for properties located in the WUI. A memorandum of understanding (MOU) between the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), California Department of Forestry, the San Diego Fire Chief's Association and the Fire District's Association of San Diego County establishes guidelines and a cooperative mechanism whereby the USFWS and the CDFW assess, minimize and help account for potential effects to sensitive species and habitats resulting from vegetation abatement activities necessary to reduce wildfire risk.

In January 2009, the City along with the USFWS, CDFW, County of San Diego and the San Elijo Lagoon Conservancy prepared the San Elijo Lagoon Vegetation Management Plan (http://www.ci.solana-beach.ca.us/vertical/Sites/%7B840804C2-F869-4904-9AE3-720581350CE7%7D/uploads/SAN_ELIJO_-_VEG._MGMT_PLAN.pdf) and signed a second more specific MOU for the purpose of establishing a vegetation management program for the lands in and adjacent to the lagoon. This program maximizes the protection of natural resources and minimizes the risk from wildfire in the City at the

wildland-urban interface along the San Elijo Lagoon. Fire hazard related policies are consolidated in Chapter 4 of the LUP.

The LUP requires the protection of native trees; including oak, manzanita, sycamore, cottonwood, willow, and toyon trees. Development must be sited and designed to avoid removal of trees and encroachment into the root zone of each tree. Where the removal of trees cannot be avoided by any feasible project alternative, replacement trees must be provided. If trees are located within the Very High Fire Hazard Severity Zone as identified in a City Fire Department map, any new trees planted shall be only approved species acceptable to the Fire and Planning Department (see Exhibit 4-7) based upon the County of San Diego "Suggested Plant List for a Defensible Space" and shall be native, non-invasive, drought-tolerant, salt-tolerant and fire resistant species. Additionally, the policies require that if on-site mitigation is not feasible, then off-site mitigation must be provided either through the planting of replacement trees on a suitable site that is public parkland or otherwise restricted from development, or by providing an in-lieu fee. Any fees required through permits will be used to restore or create native tree habitat as mitigation.

The LUP policies provide for the protection of wetlands. The biological productivity and the quality of wetlands shall be protected and where feasible restored. The policies set forth the limited instances in which the diking, filling or dredging of wetlands or open coastal waters could be allowed, where there is no feasible less environmentally damaging alternative and where all feasible mitigation measures have been provided. Lagoon or water level modification shall not be permitted until and unless a management plan for the lagoon is developed and approved, except in the case a public health or safety emergency.

The LUP also provides for the protection of water quality. The policies require that new development protects, and where feasible, enhances and restores wetlands or streams. The policies promote the elimination of pollutant discharge, including non-point-source pollution, into the City's waters through new construction and development regulation, including site planning, environmental review and mitigation, and project and permit conditions of approval. Additionally, the policies require the implementation of Best Management Practices (BMP) to limit water quality impacts from existing development, including septic system maintenance and City services. Finally, the policies require that the water quality objectives established in the California Water Quality Control Plan, San Diego Region (Basin Plan), and the policies established by the Regional Water Quality Control Board (RWQCB) in the San Diego County municipal storm water permit and the Standard Urban Storm Water Mitigation Plan (SUSMP) for San Diego County and the Cities in San Diego County be incorporated into planning and implementation of new development.

The City of Solana Beach includes approximately 1.7 miles of ocean shoreline and limited areas of wetland habitat. The City shall preserve and protect wetlands within the City's planning area. Wetlands shall be defined and delineated consistent with the definitions of the Coastal Act and the Coastal Commission Regulations, as applicable, and shall include, but not be limited to, all lands which may be covered periodically or permanently

with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Any unmapped areas that meet these criteria are wetlands and shall be accorded all of the protections provided for wetlands in the LCP.

Wetland delineations will be conducted according to the definitions of wetland boundaries contained in section 13577(b) of the California Code of Regulation. A preponderance of hydric soils or a preponderance of wetland indicator species will be considered presumptive evidence of wetland conditions. The delineation report will include at a minimum a map at a scale of 1":200' or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the location of sampling points, and a description of the surface indicators used for delineating the wetland polygons. Paired sample points will be placed inside and outside of vegetation polygons and wetland polygons identified by the consultant doing the delineation. The biological productivity and the quality of wetlands shall be protected and, where feasible enhanced.

Wetlands occur primarily in the San Elijo Lagoon Ecological Reserve and along a few urban drainages in the City. Jurisdictional areas include wetlands and non-wetland waters (e.g., reservoirs, lagoons, and streams) subject to California Fish and Game Code Section 1600 et seq. and Section 404 of the federal Clean Water Act. Wetland communities that occur within the Coastal Overlay Zone also include areas subject to Section 30233 of the California Coastal Act and applicable LCP regulations. Typical buffer zone widths in southern California include 100 ft. around all wetlands and 50 ft. around all riparian areas (CCC 1994), although final buffer widths for a project must be determined in consultation with the USACE, CDFW, and CCC, as applicable. Buffer zones are intended to protect the functions and services of a wetland, including wildlife habitat, food chain productivity, water quality, ground water recharge, and storm water abatement. Buffer zones are often protected through the execution of open space easements.

It is the City’s policy that there shall be no net loss of wetland acreage or resource value as a result of land use or development. The City's goal is to realize a net gain in acreage and value whenever possible. Applications for new development within or adjacent to wetlands shall include evidence of the preliminary approval of the CDFW, USACE, USFWS, and other resource management agencies, as applicable.

Coastal Wetlands: Two primary areas of wetland habitat, the San Elijo Lagoon and the San Dieguito Lagoon, lie immediately north and south of the City respectively. These two important wetland areas are affected by drainage from the upland habitat in Solana Beach, as well as from other surrounding and inland cities.

San Elijo Lagoon is approximately 1,000 acres in size and includes the 590-acre San Elijo Ecological Reserve managed by the CDFW and the San Diego County Department of Parks and Recreation. The lagoon mouth is regularly mechanically opened to allow tidal flushing. Currently, most of the lagoon habitat consists of brackish/freshwater marsh, non-

tidal flats and open water. San Elijo Lagoon is an important waterfowl habitat because of its diverse character and shallow brackish water conditions.

The San Dieguito Lagoon is the gateway to the San Dieguito River Park. It has vital importance for the ecology of the region, for birds as a stop on the Pacific Flyway, as nesting and foraging areas for endangered species, and as a fish hatchery. The San Dieguito coastal area is also a significant scenic resource for residents and visitors in Solana Beach, Del Mar, and San Diego.

The San Dieguito Wetland Restoration Project is nearly complete and is intended to: (1) restore the aquatic functions of the lagoon through permanent inlet maintenance and expansion of the tidal basin; and (2) create subtidal and intertidal habitats on both the east and west sides of Interstate 5 (I-5). This proposal is part of a Park Master Plan that was adopted in 2000 for the coastal area that would also provide for non-tidal wetland and upland habitat restoration and public access. The restoration work was a condition of the CCC permit for the construction and operation of the San Onofre Nuclear Generating Station (SONGS).

Sand and Reef Biological Habitats: In addition to coastal processes and wetland ecosystems of the area, sand and reef biological habitats occur offshore in the nearshore marine environment, including non-vegetated low relief benches and rock, low relief limited vegetation areas and higher relief areas that support surfgrass. Intertidal surfgrass exists about 2,000 feet north of Fletcher Cove at “Pill Box” reef, near Tide Park and at “Table Tops” reef. Giant kelp has historically occurred offshore at depths of 25 feet and greater.

Importantly, beach replenishment associated with the SANDAG Regional Beach Sand Project (RBSP) (2001) did not adversely impact sensitive marine resources offshore of Solana Beach. A second RBSP is currently planned for 2012. Assessment of environmental impacts associated with other opportunities for beach replenishment is required under the Coastal Act, and either the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA) or both statutes, as applicable.

Recent research has reinforced the importance of protecting the beach wrack as part of the marine ecosystem. Beach wrack refers to the piles of seaweed and plant and animal remains that are washed ashore by waves. While this may appear to beach visitors as unsightly debris, wrack occurs as a result of natural processes. Research has found that it is an important nutrient source and provides micro-habitat for a variety of organisms. Regular grooming of sandy beaches can destroy the wrack and help to degrade the nearshore habitat because of beach construction activities, including excavation and deposition of sand, and recontouring of sand, shall be implemented in a manner to avoid the removal or disturbance of wrack. Permitted mechanized excavation or deposition activities shall be restricted to dry sand area only and should not occur any closer than ten feet landward of the wrack line as identified and marked in the field by a biological monitor following a spring tide just prior to construction, or the mean high tide line, whichever is further landward.

Beach grooming or other activities on the dry beach can also have negative impacts to grunion. The grunion is a fish that comes ashore in the spring and summer during particularly high night-time tides to reproduce and lay their eggs. The eggs develop while buried in the sand and hatch two weeks later when high tides again wash the high-shore and enable the baby grunion to reach the sea.

Beach maintenance must strike a balance between protection of this habitat and maintaining the recreational value of sandy beach. In the absence of focused surveys, grunion eggs must be presumed present from March 1 through August 31. Sand disturbing activities are prohibited when grunion eggs are present. During those periods, beach grooming and other disruptive activities shall only take place above the semi-lunar high tide mark.

Non-Point Source Pollution: The water quality of the two lagoons and ocean water are impacted by urban runoff from human activities within Solana Beach and surrounding communities. The SDRWQCB has the authority to implement and enforce the laws and regulations requiring control of water quality. The SDRWQCB has developed policies, rules, and procedures for this purpose.

The principal federal and state laws pertaining to regulation of water quality are known, respectively, as the 1972 Federal Water Pollution Control Act (also known as the Clean Water Act) and Division 7 of the 1969 California Water Code (also known as the Porter-Cologne Water Quality Control Act). The laws are similar in many ways. The fundamental purpose of both laws is to protect the beneficial uses of water. An important distinction between the two is that the Porter-Cologne Water Quality Control Act addresses both ground and surface waters while the Clean Water Act addresses surface water only.

The Clean Water Act (CWA) also established the National Pollutant Discharge Elimination System (NPDES), which requires permits for discharges of pollutants from certain point sources into waters of the United States. The CWA allows the U.S. Environmental Protection Agency (EPA) to delegate NPDES permitting authority to states with approved environmental regulatory programs.

The City's goal is to ensure the health, safety and general welfare of its citizens through improving and protecting water quality and the beneficial uses of receiving waters. This is accomplished by controlling storm water runoff, other polluted (or urban) runoff and pollution that may cause or contribute to adverse impacts on recreational access to beaches or other coastal resources such as sensitive habitat areas. The LUP policies are intended to meet the City's legal obligations under SDRWQCB Permit No. 2007-0001 and any subsequent permits issued by the RWQCB or successor agency.

B. Coastal Act Policies

Section 30107.5:
"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. The Coastal Act Policies set forth below are incorporated herein as policies of the LUP:

Section 30230:
Marine resources shall be maintained enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231:
The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entertainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233:
(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(4) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(6) Restoration purposes.

(7) Nature study, aquaculture, or similar resource-dependent activities.

- Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.

(b) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Wildlife, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

(c) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

Section 30236:

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to: (1) necessary water supply projects; (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Section 30240:
(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas; and (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

C. Land Use Plan Policies

1. Land Resources

a. ESHA Designation

Policy 3.1: Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments are ESHAs and are generally shown on the LUP ESHA Maps. The ESHAs in the City of Solana Beach are shown in Exhibits 3-6 through 3-10. Regardless of whether streams and wetlands are designated as ESHA, the policies and standards in the LCP applicable to streams and wetlands shall apply.

Policy 3.2: Any Areas of Special Biological Significance (as designated by the California Department of Fish and Game), shall be considered ESHA and shall be accorded all protection provided for ESHA in the LCP.

Policy 3.3: Any area not designated on the LUP ESHA Maps that meets the ESHA criteria is ESHA and shall be accorded all the protection provided for ESHA in the LCP. The following areas shall be considered ESHA, unless there is compelling site-specific evidence to the contrary:

- Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.
- Areas that contribute to the viability of plant or animal species designated as rare, threatened, or endangered under State or Federal law.
- Areas that contribute to the viability of species designated as Fully Protected or Species of Special Concern under State law or regulations.
- Areas that contribute to the viability of plant species for which there is compelling evidence of rarity, for example, those designated by the California Native Plant Society as 1b (Rare or endangered in California and elsewhere), such as Nuttall's scrub oak or two (rare, threatened or endangered in California but more common elsewhere), such as wart-stemmed Ceanothus.

Policy 3.4: If a Multi-Species Conservation Plan (MSCP) or other similar habitat plan is prepared in the future that includes lands within the City of Solana Beach, it shall be submitted to the Coastal Commission for certification as an amendment to the LCP.

Policy 3.5: The LUP ESHA Maps shall be reviewed every ten years and updated to reflect current information, including information on rare, threatened, or endangered species. Areas subject to habitat restoration projects shall also be considered for designation as ESHA. Revisions to the map depicting ESHA shall be treated as LCP amendments and shall be subject to the approval of the CCC.

Policy 3.6: Any area mapped as ESHA shall not be deprived of protection as ESHA, as required by the policies and provisions of the LCP, on the basis that habitat has been illegally removed, degraded, or species that are rare or especially valuable because of their nature or role in an ecosystem have been eliminated.

Policy 3.7: If a site-specific biological study contains substantial evidence that an area previously mapped as ESHA does not contain habitat that meets the definition of ESHA, the City Community Development Director shall review all available site-specific information to determine if the area in question should no longer be considered ESHA and not subject to the ESHA protection policies of the LUP. If the area is determined to be adjacent to ESHA, LUP ESHA buffer policies shall apply. The Community Development Director shall provide recommendations to the City Council as to the ESHA status of the area in question. If the City Council finds that an area previously mapped as ESHA does not meet the definition of ESHA, a modification shall be made to the LUP ESHA Maps, as part of an LCP map update and LCP Amendment. If an area is not ESHA or ESHA buffer, LCP policies and standards for protection of ESHA and ESHA buffer shall not apply and development may be allowed (consistent with other LCP requirements) after the ESHA map and LCP has been amended.

b. ESHA Protection

Policy 3.8: ESHA shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

Policy 3.9: Public access-ways and trails are considered resource dependent uses. New access-ways and trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible. Measures, including but not limited to signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

Policy 3.10: If the application of the policies and standards contained in this LCP regarding use of property designated as ESHA or ESHA buffer, including the restriction of ESHA to only resource-dependent use, would likely constitute a taking of private property without just compensation, then a use that is not consistent with the ESHA provisions of the LCP shall be allowed on the property, provided such use is consistent with all other applicable policies of the LCP, the approved project is the alternative that would result in the fewest or least significant impacts, and it is the minimum amount of development necessary to avoid a taking of private property without just compensation. In such a case, the development shall demonstrate the extent of ESHA on the property and include mitigation, or, if on-site mitigation is not feasible, payment of an in-lieu fee, for unavoidable impacts to ESHA or ESHA buffers from the removal, conversion, or

modification of natural habitat for new development, including required fuel modification and brush clearance per Policy 3.12. Mitigation shall not substitute for implementation of a feasible project alternative that would avoid adverse impacts to ESHA.

Policy 3.11: New development shall be sited and designed to avoid impacts to ESHA. For development permitted pursuant to Policy 3.10, if there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to ESHA that cannot be avoided through the implementation of sitting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA. Mitigation for impacts to ESHA shall be provided at a 3:1 ratio.

Policy 3.12: Mitigation measures for impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five, and no more than ten years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Adaptive management techniques shall be implemented if necessary. Monitoring reports shall be provided to the City annually and at the conclusion of the monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the applicant may request that the monitoring period be extended until the standards are met. However, if at any time after five years the applicant concludes that performance standards cannot be met, or if ten years have elapsed and performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

Policy 3.13: ESHA shall be protected and, where feasible, enhanced. Where pedestrian access through ESHA is permitted, well-defined footpaths or other means of directing use and minimizing adverse impacts shall be used. Nesting and roosting areas for sensitive birds such as Western snowy plovers and least terns shall be protected by means, which may include, but are not limited to, fencing, signing, or seasonal access restrictions.

Policy 3.14: Access to beach areas by motorized vehicles, including off-road vehicles shall be prohibited, except for beach maintenance, emergency or lifeguard services. Such vehicular uses shall avoid any known sensitive habitat areas to the maximum extent feasible.

Policy 3.15: The use of insecticides, herbicides, rodenticides or any toxic chemical substance which has the potential to significantly degrade ESHA, shall be prohibited within and adjacent to ESHAs, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration or as required for fuel modification. Application of such chemical substances shall not take place during the winter season or when rain is predicted within a week of application.

Policy 3.16: The use of insecticides, herbicides, rodenticides or other toxic substances by City employees and contractors in construction and maintenance of City facilities and other development shall be minimized in and adjacent to ESHA.

Policy 3.17: Mosquito abatement within or adjacent to ESHA shall be limited to the implementation of the minimum measures necessary to protect human health, and shall minimize adverse impacts to ESHA.

Policy 3.18: Wildfire burn areas shall be allowed to revegetate naturally, except where re-seeding is necessary to minimize risks to public health or safety. Where necessary, re-seeding shall utilize a mix of native plant seeds appropriate for the site and collected in a similar habitat within the same geographic region, where feasible. Wildfire burn areas that were previously subject to fuel modification or brush clearance for existing structures, pursuant to the requirements of the Solana Beach or San Diego County Fire Departments, may be revegetated to pre-fire conditions using appropriate native propagules.

Policy 3.19: Interpretive signage may be placed in ESHA to provide information to the public about the value and need to protect sensitive natural resources.

c. Areas adjacent to ESHA

Policy 3.20: Limit redevelopment and development in environmentally sensitive areas, such as upland slopes and watershed areas in and adjacent to, and draining directly to Holmwood Canyon, and San Elijo Lagoon Ecological Reserve to activities supporting its preservation.

Policy 3.21: Walls, fences, and gates situated along coastal bluffs and adjacent to the San Elijo Lagoon Reserve should be constructed with materials designed to minimize bird-strikes with the wall, fence, or gate. As feasible, material selection and structural design shall be made in consultation with a qualified biologist, CDFW, or USFWS. Such materials may consist, all or in part, of wood, wrought iron, frosted or partially-frosted glass, plexiglass or other visually permeable barriers that are designed to prevent creation of a bird strike hazard. Clear glass or plexiglass should not be installed unless appliqués (e.g. stickers/decals) designed to reduce bird-strikes by reducing reflectivity and transparency is also used. Use of opaque or partially opaque materials is preferred to clear glass or plexiglass and appliqués. All materials shall be maintained throughout the life of the development to ensure continued effectiveness.

Policy 3.22: Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect.

All buffers around (non-wetland) ESHA shall be a minimum of 100 feet in width, or a lesser width may be approved by the Planning Department and Fire Marshal as addressed in Policy 3.65. However, in no case can the buffer size be reduced to less than 50 feet.

Policy 3.23: New development adjacent to parklands or conservation areas, where the purpose of the park is to protect the natural environment and ESHA, shall be sited and designed to minimize impacts to habitat and recreational opportunities, to the maximum extent feasible. Natural vegetation buffer areas shall be provided around parklands. Buffers shall be of a sufficient size to prevent impacts to parkland resources, but in no case shall they be less than 50 feet in width.

Policy 3.24: New development, including, but not limited to, vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted in required ESHA or park buffer areas. Habitat restoration and invasive plant eradication may be permitted within required buffer areas if designed to protect and enhance habitat values.

Policy 3.25: Required buffer areas shall extend from the outer edge of the tree or shrub canopy of ESHA.

Policy 3.26: Modifications to required development standards that are not related to ESHA protection (street setbacks, height limits, etc.) shall be permitted where necessary to avoid or minimize impacts to ESHA.

Policy 3.27: Protection of ESHA and public access shall take priority over other development standards and where there is any conflict between general development standards and ESHA and/or public access protection, the standards that are most protective of ESHA and public access shall have precedence.

Policy 3.28: Permitted development located within or adjacent to ESHA and/or parklands that can adversely impact those areas shall include open space or conservation restrictions or easements over ESHA, ESHA buffer, or parkland buffer in order to protect resources.

Policy 3.29: Landscaping adjacent to ESHA must consist entirely of native, non-invasive drought tolerant, salt-tolerant and fire resistant species; however, the use of ornamental species may be allowed provided they are fire-resistant, drought-tolerant, and non-invasive as a small component for single-family residences.

d. Stream Protection

Policy 3.30: Channelization or other substantial alterations of streams shall be prohibited except for: (1) necessary water supply projects where no feasible alternative exists; (2) flood protection for existing development where there is no other feasible alternative, or (3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include maximum feasible mitigation

measures to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over "hard" solutions such as concrete or riprap channels. Limit further channelization of Steven's Creek, unless necessary to protect existing development or for flood control. Ongoing maintenance and clearing as necessary to protect existing structures in the flood plain, and incorporating any necessary mitigation measures maintaining Steven's Creek in a manner that protects flood capacity while enhancing open space and habitat value over the long term.

e. Application Requirements

Policy 3.31: If located in, or adjacent to, ESHA new development shall include an inventory conducted by a qualified biologist of the plant and animal species present on the project site. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed biological study shall be required. Sensitive species are those listed in any of three categories: federally listed, state listed, and California Native Plant Society (CNPS) categories 1B and 2.

f. Environmental Review

Policy 3.32: For development in locations known, or determined by environmental review, to potentially have breeding or nesting sensitive birds species, two weeks prior to any scheduled development, a qualified biological monitor shall conduct a pre-construction survey of the site and within 500 feet of the project site. Sensitive bird species are those species designated "threatened" or "endangered" by state or federal agencies, California Species of Special Concern, California Fully Protected Species, raptors, and large wading birds. In addition, surveys must be conducted every two weeks for sensitive nesting birds during the breeding season. If nesting sensitive birds are detected at any time during the breeding season, the California Department of Fish and Wildlife shall be notified and an appropriate disturbance set-back will be determined and imposed until the young-of-the-year are no longer reliant upon the nest. The set-back or buffer shall be no less than 100 feet.

Policy 3.33: The City should coordinate with the CDFW and USFWS, NMFS, and other resource management agencies, as applicable, in the review of development applications in order to ensure that impacts to ESHA and marine resources, including rare, threatened, or endangered species, are avoided and minimized.

g. New Development

Policy 3.34: Manage development in coastal hillside areas to protect sensitive habitat.

Policy 3.35: Utilize the Hillside/Coastal Bluff Overlay (HOZ) requirements to restrict the grading of natural non-coastal bluff slopes with an inclination of 25% or greater in order to preserve the natural topography and scenic qualities of the City; protect native coastal sage/chaparral and grassland habitat; preserve existing watersheds and reduce the potential for environmental hazards including soil erosion and siltation of coastal wetlands; landslides; adverse impacts due to runoff; and other impacts which could affect

public health, safety, and welfare. None of the above shall restrict the ability to construct a bluff retention device which meets the criteria set forth in this LCP.

Policy 3.36: Require a permit for developments proposed on property within hillside/coastal bluff overlay areas, and where site-specific analysis indicates that the parcel contains natural slopes exceeding 25 percent grade, as a method to review and mitigate potential impacts. Submittal requirements for the permit shall include:

- A slope analysis prepared by a certified civil, soils or geotechnical engineer describing and graphically depicting areas of less than 25 percent slope, 25 to 40 percent slope and greater than 40 percent slope.
- A geological reconnaissance report where structures or improvements are proposed within any areas of greater than 25 percent slope, as such development is strongly discouraged and traditionally denied approval.
- Slopes of 25 percent and over shall be preserved in their natural state unless the application of this policy would result in a taking of private property without just compensation, in which case an encroachment (including grading) not to exceed ten percent of the steep slope area over 25 percent slope may be permitted.
- For existing legal parcels with all or nearly all of their area consisting of slopes over 25 percent, encroachment may be permitted; however, any such encroachment shall be limited so that at no time is more than 20 percent of the entire parcel (including the areas under 25 percent slope) permitted to be disturbed from its natural state. Use of slopes over 25 percent may be made in order to provide access to flatters areas if there is no less environmentally damaging alternative available.
- Grading and/or development-related vegetation clearance shall be prohibited where the slope exceeds 40 percent (2.5:1), except that driveways and/or utilities may be located on such slopes, where there is no less environmentally damaging feasible alternative means of providing access to a building site, provided that the building site is determined to be the preferred alternative and consistent with all other policies of the LCP.
- Where unstable geological conditions are indicated by the reconnaissance report, a preliminary engineering geology report is also required to identify the nature and magnitude of unstable conditions, and alternative mitigation measures that can be applied.
- An assessment of the impact(s) of the proposed development on biological habitat and sand supply.

Policy 3.37: Limit development in hillside areas to minimize potential impacts on native plant and animal species and protect remaining native habitats.

Policy 3.38: New development shall be sited and designed to minimize impacts to coastal resources by:

- Minimizing grading and landform alteration.
- Minimizing the removal of natural vegetation, both that required for the building pad or driveway, as well as, the required fuel modification around structures.
- Limiting the maximum number of structures to one main residence, one second residential structure, and accessory structures such as, workshop, gym, studio, pool cabana, office, or tennis court, provided that such accessory structures are located within the approved development area and structures are clustered to minimize the need for fuel modification.
- Minimizing the length of the access road or driveway, except where a longer roadway can be demonstrated to avoid or be more protective of resources. Access roads and driveway lengths must comply with fire code requirements.
- Grading for access roads and driveways should be minimized; the standard for new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the City Council or Commission on appeal, if the determination can be made that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use to be processed consistent with the LIP provisions.
- Limiting earthmoving operations during the rainy season to prevent soil erosion, stream siltation, reduced water percolation, and increased runoff.
- Prevent net increases in baseline flows for any receiving waterbody.
- Minimizing impacts to water quality.

Policy 3.39: New septic systems shall be sited and designed to ensure that impacts to coastal resources are minimized, including those impacts from grading and site disturbance as well as the introduction of increased amounts of water. Adequate setbacks and/or buffers shall be required to protect ESHA and to prevent lateral seepage from the leach field(s) or seepage pit(s) into stream waters or the ocean.

Policy 3.40: Land divisions, including certificates of compliance, shall only be permitted if each new parcel being created could be developed (including construction of any necessary access road), without building in ESHA or ESHA buffer.

Policy 3.41: Grading or earthmoving exceeding 50 cubic yards shall require a Development Review Permit from the City. Grading plans shall meet the requirements of the LIP with respect to maximum quantities, maximum cuts and fills, remedial grading, grading for safety purposes, and maximum heights of cut or fill.

Policy 3.42: Earthmoving during the rainy season (extending from November 1 to March 1) should be restricted for development that is (1) located within or adjacent to ESHA, or (2) that includes grading on slopes greater than 4:1 except for grading on coastal bluffs that is required for bluff retention devices. In such cases, approved grading shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading

shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 1, unless the City determines that completion of grading would be more protective of resources.

Policy 3.43: Where grading is permitted during the rainy season (extending from November 1 to March 1), erosion control measures such as sediment basins, silt fencing, sandbagging, installation of geofabrics, shall be implemented prior to and concurrent with grading operations. Such measures shall be maintained through final grading and until landscaping and permanent drainage is installed.

Policy 3.44: Grading during the rainy season may be permitted to remediate hazardous geologic conditions that endanger public health and safety.

Policy 3.45: Cut and fill slopes and other areas disturbed by construction activities (including areas disturbed by fuel modification or brush clearance) shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:

- Plantings shall be native, non-invasive drought-tolerant salt-tolerant and fire resistant plant species, and blend with existing natural vegetation and natural habitats on the site, except as noted below.
- Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.
- Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant, salt tolerant and fire resistant species within the irrigated zone(s) required for fuel modification nearest approved residential structures.
- Landscaping or revegetation shall provide 90 percent coverage within five years, or that percentage of ground cover demonstrated locally appropriate for a healthy stand of the particular native vegetation type chosen for restoration. Landscaping or revegetation that is located within any required fuel modification thinning zone shall provide 60 percent coverage within five years.
- Any landscaping, or revegetation shall be monitored for a period of at least five, and no more years than ten years following the completion of planting. Performance criteria shall be designed to measure the success of the plantings. Adaptive management techniques shall be implemented if necessary. If performance standards are not met by the end of five years, the applicant may request that the monitoring period be extended up to an additional five years until the standards are met. However, if at any time after five years the applicant concludes that performance standards cannot be met, or if ten years have elapsed and performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures

Policy 3.46: Disturbed ESHAs shall not be further degraded, and if feasible, restored. If new development removes or adversely impacts native vegetation, measures to restore any disturbed or degraded habitat on the property shall be included as mitigation.

Policy 3.47: Fencing or walls shall be prohibited within riparian habitat and on bluffs, except where necessary for public safety, wildfire risk abatement, habitat protection, or restoration. Fencing or walls that do not permit the free passage of wildlife shall be prohibited in any wildlife corridor. Walls installed for public fire safety reasons, which are located within very high fire hazard severity zones as identified on the City's WUI map, shall be constructed of non-combustible materials. Openings in walls and gates for emergency access or wildlife movement purposes may be required.

Policy 3.48: Fencing adjacent to ESHA shall be sited and designed to be wildlife permeable, enabling wildlife to pass through, except where the fencing is adjacent to residential areas and intended to prevent domestic animals from entering the ESHA or buffer area, and does not cross probable wildlife corridors.

Policy 3.49: Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHA in order to minimize impacts on wildlife. High intensity perimeter lighting and lighting for sports courts or other private recreational facilities in ESHA, ESHA buffer, or where night lighting would increase illumination in ESHA is prohibited.

Policy 3.50: New recreational facilities or structures on beaches shall be designed and located to minimize impacts to ESHA and marine resources.

h. Native Tree Protection

Policy 3.51: New development shall be sited and designed to preserve oak, sycamore, alder, willow, toyon, or other native trees that are not otherwise protected as ESHA. Removal of native trees shall be prohibited except where no other feasible alternative exists. Structures, including roads or driveways, shall be sited to prevent any encroachment into the root zone and to provide an adequate buffer outside of the root zone of individual native trees in order to allow for future growth.

Policy 3.52: New development on sites containing native trees shall include a tree protection plan.

Policy 3.53: Where the removal of native trees cannot be avoided through the implementation of project alternatives or where development encroachments into the protected zone of native trees result in the loss or worsened health of the trees, mitigation measures shall include, at a minimum, the planting of replacement trees on-site, if suitable area exists on the project site, at a ratio of 1:1 for every tree removed. Where on-site mitigation is not feasible, off-site mitigation shall be provided through planting replacement trees or by providing an in-lieu fee based on the type, size and age of the tree(s) removed. The number of replacement trees allowed to be planted within the very high fire hazard severity zone will be approved by the Fire Marshal. Proper spacing of tree trunks and canopies will be maintained in accordance with the Fire Code for trees in this zone. Any new or replacement tree planted in this zone shall be fire resistive and on the Planning and Fire Department approved planting list.

2. Marine Resources

Policy 3.54: Manage development and land alteration to protect marine resources.

Policy 3.55: For the ocean shoreline area, limit development on sand or rock beaches to lifeguard towers/stations, temporary public comfort stations, safety and public information signs, public stairways, public recreation equipment, bluff retention devices as permitted herein, and pollution control devices approved by the RWQCB. Any permitted structures shall be the alternative with the least impact on coastal resources and recreation, the minimum size necessary, and shall provide any necessary mitigation.

Policy 3.56: New development shall prevent or reduce non-point source pollution in the nearshore environment through implementation of the non-point source pollution and private sewage disposal system policies.

Policy 3.57: Efforts by the CDFW and RWQCB to increase monitoring to assess the conditions of nearshore species, water quality and kelp beds, and to rehabilitate or enhance areas that have been degraded by human activities shall be encouraged.

Policy 3.58: Nearshore shallow fish habitats and shore fishing areas shall be preserved, and where appropriate and feasible, enhanced.

3. Wetlands

Policy 3.59: Solana Beach shall encourage and support efforts to restore the San Elijo Lagoon and San Dieguito Lagoon in coordination with all applicable resource management agencies.

Policy 3.60: Restrict and regulate development or land alteration in, adjacent to, or draining into a coastal lagoon or wetland area to protect these important resources.

Policy 3.61: The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes may be permitted in accordance with all policies of the LCP, where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(a) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(b) Restoration purposes.

(c) Nature study, aquaculture, or similar resource dependent activities.

Policy 3.62: Identification of wetland acreage and resource value shall precede any consideration of use or development on sites where wetlands are present or suspected. With the exception of development for the primary purpose of the improvement of wetland resource value, all public and private use and development proposals which would intrude into, reduce the area of, or reduce the resource value of wetlands shall be subject to

alternatives and mitigation analyses, and shall be limited to those uses listed in Policy 3.61. Practicable project and site development alternatives which involve no wetland intrusion or impact shall be preferred over alternatives which involve intrusion or impact. Wetland mitigation, replacement or compensation shall not be used to offset impacts or intrusion avoidable through other practicable project or site development alternatives.

Policy 3.63: Where wetland fill or development impacts are permitted in wetlands in accordance with the Coastal Act and any applicable LCP policies, mitigation measures shall include, at a minimum, creation or substantial restoration of wetlands of the same type lost. Adverse impacts will be mitigated at a ratio of 4:1 for all types of wetland, and 3:1 for non-wetland riparian areas. The mitigation ratio may be 1:1, if, prior to the development impacts occurring, the mitigation is completed and is empirically demonstrated to meet performance criteria that establish that the created or restored wetlands are functionally equivalent to relatively pristine natural wetlands of the same type as the impacted wetlands. Replacement of wetlands on-site or adjacent to the project site, within the same wetland system, shall be given preference over replacement off-site or within a different system. Areas subjected to temporary wetland impacts shall be restored to the pre-project condition at a 1:1 ratio. Temporary impacts are disturbances that last less than 12 months and do not result in the physical disruption of the ground surface, death of significant vegetation within the development footprint, or negative alterations to wetland hydrology.

Policy 3.64: Provide a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50-feet in width from the upland edge of riparian habitat. Buffers should take into account and adapt for rises in sea level. Under this policy, the CDFW, USFWS, and USACE must be consulted in such buffer determinations and in some cases, the required buffer, especially for salt marsh wetlands, could be greater than 100 feet. Uses and development within buffer areas shall be limited to minor passive recreational uses, with fencing, desiltation or erosion control facilities, or other improvements deemed necessary to protect the habitat, to be located in the upper (upland) half of the buffer area; however, water quality features required to support new development shall not be constructed in wetland buffers. All wetlands and buffers identified and resulting from development and use approval shall be permanently conserved or protected through the application of an open space easement or other suitable device. All development activities, such as grading, buildings and other improvements in, adjacent to, or draining directly to a wetland must be located and built so they do not contribute to increased sediment loading of the wetland, disturbance of its habitat values, or impairment of its functional capacity.

Policy 3.65: In some cases, smaller buffers may be appropriate, when conditions of the site as demonstrated in a site specific biological survey, the nature of the proposed development, etc. show that a smaller buffer would provide adequate protection. In such cases, the CDFW must be consulted and agree that a reduced buffer is appropriate and the City, or Commission on appeal, must find that the development could not be feasibly constructed without a reduced buffer. However, in no case shall the buffer be less than 50 feet.

a. Wetland Designation

Policy 3.66: Wetlands shall be defined and delineated consistent with the definitions of the Coastal Act and the Coastal Commission Regulations, as applicable, and shall include, but not be limited to, lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens shall be designated as wetland. Any unmapped areas that meet these criteria are wetlands and shall be accorded all of the protections provided for wetlands in the LCP.

Wetland shall be further defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.

Policy 3.67: Any wetland area mapped as ESHA or otherwise determined to have previously been wetlands shall not be deprived of protection, as required by the policies and provisions of the LCP, on the basis that habitat has been illegally removed, filled, degraded, or that species of concern have been illegally eliminated.

Policy 3.68: Where the required initial site inventory indicates the presence or potential for wetland species or indicators, the City shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations.

Policy 3.69: The biological productivity and the quality of wetlands shall be protected and, where feasible, restored.

b. New Development

Policy 3.70: Applications for new development within, or adjacent to wetlands shall include evidence of the preliminary approval of the California Department of Fish and Wildlife, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and other resource management agencies, as applicable.

4. Water Quality

a. Watershed Planning

Policy 3.71: Minimize, avoid or eliminate non-point source pollution impact to marine, coastal lagoon and wildland resources by controlling storm water runoff, other polluted dry weather runoff, and pollution. The City has been issued an NPDES Permit by the RWQCB, Permit No. 2007-0001. This Permit requires the City to control non-point source

pollution to the maximum extent practicable under the Porter-Cologne Act and the Federal Clean Water Act. The City shall adhere to the Permit and follow the legal requirements of the Permit as required by law.

Policy 3.72: Complete a storm water master plan that will: (1) produce an inventory and assessment of the City's current storm water system; (2) evaluate the condition and ability of the City's existing system to handle flows and meet water quality objectives for current conditions and for expected future changes in precipitation and sea level rise; and; (3) identify projects needed to improve the system for flood protection and water quality protection.

Policy 3.73: A component of the storm water master plan that identifies methods to encourage public participation in managing development and minimizing stormwater and urban runoff impacts to the coast shall be developed. This component should outline a public education and involvement program designed to: raise public awareness about storm water and urban runoff issues and the potential impacts of water pollution, change public behaviors to improve water quality, and involve the public in the development and implementation of the City's pollution control goals.

Policy 3.74: The City should pursue opportunities to actively participate in watershed level planning and management efforts directed towards reducing storm water and urban runoff impacts to water quality and related resources, including restoration efforts and regional mitigation, monitoring and public education programs. Such efforts will involve coordination with other local governments, applicable resource agencies and stakeholders in the surrounding areas. The City should participate in the respective watershed groups as defined by the RWQCB to assist neighboring jurisdictions in developing and implementing the Watershed Urban Runoff Management Program (WURMP). The WURMP shall be amended from time to time as required by the RWQCB.

Policy 3.75: The City will support and participate in watershed based planning efforts with the City of Encinitas, County of San Diego and the RWQCB. Watershed planning efforts shall be facilitated by helping to:

- Pursue funding to support the development of watershed plans;
- Identify priority watersheds where there are known water quality problems or where development pressures are greatest;
- Assess land uses in the priority areas that degrade coastal water quality;
- Ensure full public participation in the plan's development.

b. New Development

Policy 3.76: All new development, public and private, shall meet or exceed the storm water standards of the State of California, and the most recent standards of the RWQCB with regard to storm water runoff and other polluted runoff.

Policy 3.77: All new development shall be designed to avoid or minimize the creation of impervious surfaces, reduce the extent of existing unused impervious surfaces, and to reduce directly connected impervious area to the maximum extent practicable on the site. No new development shall result in an increase in storm water flow discharge or redirected/diverted storm water flow in a manner that results in a negative impact to downstream properties. The permittee shall put into effect and maintain all precautionary measures necessary to ensure that pollutant discharges from the site will be reduced to the maximum extent practicable and will not cause exceedances of water quality objectives or adversely impact water quality.

Policy 3.78: Plans for new development and redevelopment projects shall incorporate BMPs during construction, as well as, post-construction BMPs that will reduce to the maximum extent practicable the amount of pollutants generated and/or discharged into the City's storm drain system and surrounding coastal waters. BMPs should be selected based on their efficacy at mitigating Constituents of Concern (COC) associated with respective development types/uses and the surrounding watershed (see the San Diego RWQCB Permit No. 2007-0001 or the current municipal stormwater permit applicable to Solana Beach for guidance on BMP selection). For design purposes, post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter storm water runoff from each storm up to and including the 85th percentile storm event. Volume-based BMPs shall be designed to treat, infiltrate, or filter storm water runoff volume from a 24-hour 85th percentile storm event. Flow-based BMPs shall be designed to treat, infiltrate or filter storm water runoff produced by an 85th percentile hourly rainfall intensity with an appropriate safety factor (i.e., 2 or greater). All new developments and significant redevelopment projects as defined in the City's SUSMP must comply with regulations contained in the City's adopted SUSMP, as approved by the RWQCB.

For construction taking place on the beach, the permittee shall not store any construction materials or waste where it will be, or could potentially be subject to wave erosion and dispersion. In addition, no machinery shall be placed, stored, or otherwise located in the intertidal zone at any time except for the minimum necessary to construct the development.

Policy 3.79: If a new development, substantial rehabilitation, redevelopment, or related activity poses a threat to the biological productivity and the quality of coastal waters, or wetlands; and if compliance with all other applicable legal requirements does not alleviate that threat, the City shall require the applicant to take additional feasible actions, and provide necessary mitigation to minimize the threat, and if the preceding measures fail, then deny the project.

Policy 3.80: In planning, siting, designing, constructing, and maintaining grounds, landscapes, and structures owned and managed by the City, site objectives should include management and maintenance practices that protect and enhance natural ecosystems. City grounds designers, planners, managers, crews, and their contractors should give priority to:

(a) Practicing the principles of Integrated Pest Management including the reduced use of pesticides and rodenticides;

(b) Selecting and using fertilizers that minimize negative impacts on soil organisms and aquatic environments;

(c) Designing new and renovating existing landscaped areas to suit the site conditions, protect water quality, and support sustainable maintenance.

(d) Using drought-tolerant native and non-invasive plant species.

(e) Incorporating low impact development design techniques.

Policy 3.81: Design and manage development to avoid or minimize increases in stormwater runoff volume and peak runoff rate, and to avoid detrimental water quality impacts caused by excessive erosion or sedimentation.

Policy 3.82: Design and manage new development to eliminate dry weather flow where it will be discharged in a manner that may adversely impact the biological productivity or diversity of intertidal or marine organisms; especially where the dry weather flow discharges to water bodies with poor circulation or tide pools.

Policy 3.83: New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:

- Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss.
- Limiting increases of impervious surfaces.
- Limiting land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss.
- Limiting disturbance of natural drainage features and vegetation.

Policy 3.84: New development shall not result in the degradation of the water quality of groundwater basins or coastal surface waters including the ocean, coastal streams, or wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely impact groundwater, the ocean, coastal streams, or wetlands, consistent with the requirements of the RWQCB's municipal stormwater permit and the California Ocean Plan.

Policy 3.85: Development must be designed to avoid or minimize to the maximum extent feasible, the introduction of pollutants of concern into coastal waters. To meet the requirement to minimize "pollutants of concern," new development shall incorporate a BMP or a combination of BMPs best suited to reduce pollutant loading to the maximum extent feasible.

Policy 3.86: Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate. Dry weather runoff from new development must not exceed the pre-development baseline flow rate to receiving water bodies and may only consist of non-storm runoff explicitly allowed by Stormwater Permit 2007-0001 or updates of that permit.

Policy 3.87: New development shall be sited and designed to minimize impacts to water quality from increased runoff volumes and nonpoint source pollution. All new development shall meet the requirements of the San Diego RWQCB in its SUSMP for San Diego County

Policy 3.88: If the State Water Resources Control Board (State Board) or the RWQCB revise the California Water Quality Control Plan, San Diego Region (Basin Plan), the Water Quality Control Plan for Ocean Waters of California (California Ocean Plan), or other applicable regulatory requirements, the City of Solana Beach should consult with the State Board, RWQCB and the CCC to determine if an LCP amendment is appropriate.

Policy 3.89: Land divisions that would result in building pads, access roads, or driveways located on slopes over 30%, or result in grading on slopes over 30% shall be prohibited. The maximum grade allowed for fire apparatus access road is 20%. All land divisions shall be designed such that the location of building pads and access roads minimizes erosion and sedimentation.

Policy 3.90: New roads, bridges, culverts, and outfalls shall not cause or contribute to stream bank or hillside erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality including construction phase erosion control and polluted runoff control plans, and soil stabilization practices. Where space is available, dispersal of sheet flow from roads into vegetated areas or other on-site infiltration practices shall be incorporated into road and bridge design.

Policy 3.91: Beach-front development shall incorporate BMPs designed to minimize or prevent polluted runoff to the beach and ocean waters.

Policy 3.92: Commercial development shall use BMPs to control the runoff of pollutants from structures, parking and loading areas, roofs and landscaping.

Policy 3.93: Restaurants shall incorporate BMPs designed to minimize runoff of oil and grease, solvents, phosphates, and suspended solids to the storm drain system.

Policy 3.94: Gasoline stations, car washes and automotive repair facilities shall incorporate BMPs designed to minimize runoff of oil and grease, solvents, car battery acid, coolant and gasoline to stormwater system.

Policy 3.95: The City should develop and implement a program to detect and remove illicit connections and to stop illicit discharges.

Policy 3.96: New development shall include construction phase erosion control and polluted runoff control plans. These plans shall specify BMPs that will be implemented to minimize erosion and sedimentation provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by sediment, construction chemicals and materials.

Policy 3.97: New development shall include post-development phase drainage and polluted runoff control plans. These plans shall specify site design, source control and treatment control BMPs that will be implemented to minimize post-construction polluted runoff, and shall include the monitoring and maintenance plans for these BMPs.

Policy 3.98: Storm drain stenciling and signage shall be provided for new storm drain construction in order to discourage dumping into drains. Signs shall be provided at creek public access points to similarly discourage creek dumping.

Policy 3.99: Outdoor material storage areas shall be designed using BMPs to prevent stormwater contamination from stored materials.

Policy 3.100: Trash storage areas shall be designed using BMPs to prevent stormwater contamination by loose trash and debris.

Policy 3.101: Permits for new development shall be conditioned to require ongoing maintenance where maintenance is necessary for effective operation of required BMPs. Verification of maintenance shall include the permittees signed statement accepting responsibility for all structural and treatment control BMP maintenance until such time as the property is transferred and another party takes responsibility, at which time the new permittee will be obligated to comply with all permit conditions, including on-going maintenance.

Policy 3.102: The City, property owners, or homeowners associations, as applicable, shall be required to maintain any drainage device to insure it functions as designed and intended. All structural BMPs shall be inspected, cleaned, and if necessary, repaired prior to September 30th of each year. Owners of these devices will be responsible for insuring that they continue to function properly and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, should be carried out prior to the next rainy season.

Policy 3.103: Public streets and parking lots shall be swept frequently to remove debris and contaminant residue. For private streets and parking lots, the property owner shall be responsible for frequent sweeping to remove debris and contaminant residue.

Policy 3.104: Some BMPs for reducing the impacts of non-point source pollution may not be appropriate for development on steep slopes, on sites with low permeability soil conditions, or areas where saturated soils can lead to geologic instability. New development in these areas should incorporate BMPs that do not increase the degree of geologic instability.

Policy 3.105: New development that requires a grading permit or local Storm Water Pollution Prevention Plan (SWPPP) shall include landscaping and re-vegetation of graded or disturbed areas. Any landscaping that is required to control erosion shall use native or drought-tolerant noninvasive plants to minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation. Where irrigation is necessary, efficient irrigation practices shall be required. Landscaping maintenance and irrigation shall be designed and built to avoid or minimize dry weather runoff.

Policy 3.106: New development shall protect the absorption, purifying, and retentive functions of natural systems that exist on the site. Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems shall be restored, where feasible, except where there are geologic or public safety concerns.

Policy 3.107: Use of treatment control BMPs with a high or medium removal efficiency rating is needed in order to meet the maximum extent practicable (MEP) standard, unless it can be exhibited that implementation of such treatment control BMPs is infeasible.

Policy 3.108: Priority Development Projects, as defined on page 18 of the Stormwater Permit 2007-0001, shall be required to implement Low Impact Development (LID) BMPs. Priority Development Project Categories include:

(a) Housing subdivisions of ten or more dwelling units. This category includes single-family homes, multi-family homes, condominiums, and apartments.

(b) Commercial developments greater than one acre. This category is defined as any development on private land that is not for heavy industrial or residential uses where the land area for development is greater than one acre. The category includes, but is not limited to hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, municipal facilities, commercial nurseries, multi-apartment buildings, car wash facilities, mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses, automotive dealerships, airfields, and other light industrial facilities.

(c) Developments of heavy industry greater than one acre. This category includes, but is not limited to, manufacturing plants, food processing plants, metal working facilities, printing plants, and fleet storage areas (bus, truck, etc.).

(d) Automotive repair shops. This category is defined as a facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.

(e) Restaurants. This category is defined as a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812), where the land area for development is greater than 5,000 square feet. Restaurants where land development is less than 5,000 square feet shall meet all

SUSMP requirements except for structural treatment BMP and numeric sizing criteria requirement D.1.d.(6)(c) and hydro modification requirement D.1.g.

(f) All hillside development greater than 5,000 square feet. This category is defined as any development which creates 5,000 square feet of impervious surface which is located in an area with known erosive soil conditions, where the development will grade on any natural slope that is twenty-five percent or greater.

Policy 3.109: Priority development projects include all development located within or directly adjacent to or discharging directly to an Environmentally Sensitive Area (ESA) (where discharges from the development or redevelopment will enter receiving waters within the ESA), which either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition. Directly adjacent means situated within 200 feet of the ESA. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.

ESHAs are defined in the Stormwater Permit 2007-0001 to be areas that include, but are not limited to, all Clean Water Act Section 303(d) impaired water bodies; areas designated as Areas of Special Biological Significance by the State Water Resources Control Board (Water Quality Control Plan for the San Diego Basin (1994) and amendments), water bodies designated with the RARE beneficial use by the State Water Resources Control Board (Water Quality Control Plan for the San Diego Basin (1994) and amendments), areas designated as preserves or their equivalent under the Multi Species Conservation Program within the Cities and County of San Diego, and any other equivalent environmentally sensitive areas which have been identified by the Copermittees (including the City of Solana Beach)

Policy 3.110: To the extent required by law, the City shall apply regulations approved by the RWQCB intended to preserve the natural drainage and the hydrologic cycle. The City shall impose conditions on development that will minimize land disturbance, encourage infiltration and minimize the introduction of pollutants into coastal waters.

Policy 3.111: The City's water quality protection measures are primarily based on requirements of the Stormwater Permit 2007-0001 approved by the RWQCB. The City will make amendments to its Ordinances, Policies and Regulations so that they comply with the Stormwater Permit 2007-0001 and other applicable water quality regulations as required by law. Changes to those ordinances, policies and regulations that apply to development in the Coastal Zone, will require amendments to the Solana Beach Land Use Plan or LCP Implementation Plan. All permits issued by the City, or the Commission on appeal, must meet all requirements of the LCP, even if those requirements are more protective than those required by Stormwater Permit 2001-0001 or its successor permits.

Policy 3.112: Development involving onsite wastewater discharges shall be consistent with the LCP as well as the rules and regulations of the San Diego RWQCB, including Waste Discharge Requirements, revised waivers and other regulations that apply.

CHAPTER 4—HAZARDS & SHORELINE / BLUFF DEVELOPMENT

A. Introduction

Within the City of Solana Beach, there are three primary types of natural hazards including hillside-related geologic hazards, flooding hazards, and fire hazards. Hillside-related geologic hazards occur in the City due to the presence of steep slopes and coastal bluffs and are shown in Exhibits 4-1 – 4-5. Flood hazard areas in the City are related to the existence of the 100-year flood plain and are shown in Exhibit 4-6. Fire hazards in the City are related to the presence of a WUI which exists in much of the northern part of the City as shown in Exhibit 4-7. Policies related to each of these natural hazard areas are included in the LUP.

Over the past half-century, human actions have been the major influence affecting the City and the shoreline. Through urban development activities, including water reservoir and dam building, road building, residential and commercial development on coastal hillsides, flood control systems, and sand mining, natural sediment transport to the beach has been hindered or eliminated. All major coastal rivers in the region have at least one dam and reservoir and are bisected by at least one major roadway. Much of the sediment-laden fresh water that would naturally flow to coastal wetlands is diverted to farms and city water distribution systems. Dams and roads reduce the size of flood flows and thus reduce the flushing of sediment from estuaries, trapping the sand that would otherwise nourish coastal beaches.

Beach sand is a product of the weathering of the land. The primary natural source for the region's beaches is sediment carried from inland areas by rivers and streams. Coastal bluff erosion is another source of beach sand. Offshore sand supplies (relic or ancient beaches) may be a natural source of beach sand, but these resources are an under-examined component of the littoral sand budget. Beach sand is the primary buffer protecting sea cliffs and coastal development from erosion and storm damage. To offset the loss of natural sand sources no longer reaching the shoreline, previous projects have built man-made beaches by conducting beach nourishment projects. Most of the sand for this purpose has come from offshore borrow sites, as well as, harbor dredging projects in San Diego Bay and in Oceanside Harbor.

The natural sand cycle of sand movement is a seasonal process. For the San Diego region, beach sand loss typically occurs in the winter due to large storms and waves, followed by a period of sand gain during the summer's gentler storms and surf. During the winter, sand shifts from the beach above the mean sea level to offshore covered by seawater. These combined seasonal processes, including both winter and summer sand shifts, comprise a complete sedimentation cycle. A coastal segment that contains a complete sedimentation cycle is defined as a littoral cell. Along the San Diego region's coast, there are three littoral cells that cycle sand on and off the beaches and along shore in a zigzag pattern. Bounded on one side by the landward limit of the beach and extending seaward beyond the area of breaking waves (beyond the depth of closure), a littoral cell is the region where wave energy dissipates.

Littoral cells are physically interconnected; occurrences in one part of a littoral cell will ultimately have an impact on other parts. There are three littoral zones off the San Diego region including the Oceanside Littoral Cell, the Mission Bay Littoral Cell, and the Silver Strand Littoral Cell.

Solana Beach is located within the southern half of the Oceanside Littoral Cell. Other than the San Elijo Lagoon this portion of the littoral cell, it does not have any major river, stream, or other resources that continually or directly provide a sand supply to the beach. Sediment flowing through the lagoon is blocked by at least three transportation corridors, including I-5, the NCTD berm, and Highway 101. Thus, the City's beaches are experiencing a net loss of sand. The reach from southern Oceanside to northern Del Mar is dependent on longshore transport of sand from the north and south. Longshore sand transport is driven by waves breaking at an angle to the shoreline. Transport is generally southward in winter and northward in summer. Sand also moves onshore and offshore seasonally. Under the present conditions of sand starvation, the small contribution from cliff erosion in Solana Beach gets immediately swept away. Seacliff erosion is a natural process occurring throughout San Diego County generally and in Solana Beach specifically, which in the last several decades has been greatly accelerated by a variety of factors including the El Nino storms of 1997-1998. Armoring of the shoreline, sea level rise, the lack of sand replenishment due to the damming of and mining in coastal rivers that formerly carried to the ocean much greater amounts of sediment than are currently being delivered.

Throughout much of Solana Beach, horizontally-bedded clean sand beach deposits exist within the lower part of the coastal bluffs. The clean sand layer exposed within the coastal bluffs in Solana Beach, typically between elevation 25 feet and 35 feet (MSL), cannot stand vertical. Once exposed, tends to continually erode and slough undermining the overlying lightly cemented dune sands triggering additional failures higher up on the bluff face. Wherever these clean sands are exposed by a cliff failure, the bluff becomes unstable, and susceptible to additional accelerated failure. Ongoing and progressive upper-bluff failures continue to this day along the Solana Beach coastline. Overlying the beach sands are thick sand dune deposits, which comprise much of the middle Bay Point Formation in this area and likely part of a dune field that overran the beach deposits after the sea retreated. These clean relic beach sands have not been encountered in other Bay Point Formation exposures extending from the Point Loma Peninsula in central San Diego, up to the northerly limits of San Diego County.

It is this relatively unstable geologic environment that has necessitated shoreline stabilization along much of the City's coastline north of Fletcher Cove. The clean sand lens instability has prompted the City of Solana Beach to adopt "Preferred Bluff Stabilization Measures (LUP Appendix B)." Seacliff erosion is the primary reason why shoreline protection management remains a critical issue in Solana Beach.

NOTES:

1. These sheets are for preliminary design purposes only and are based upon the August 2009 orthophoto and topographic data. The top of bluff determination does not differentiate between artificially created bluff tops (fill, reconstruction, etc.) and naturally occurring bluff tops.

2. The actual top of bluff will be determined in the field by the applicant's geotechnical consultant and the City of Solana Beach's geotechnical consultant at the time of permit application. The applicant's civil engineer shall survey the determined top of bluff and place it on the project drawings.

3. The top of bluff shown hereon was determined by visual analysis of the orthophoto and the topography data. The topographic data shown hereon is not survey accurate and shall not be relied upon for final engineering. The top of bluff determination may not always correspond to the topographic contours shown. Final determination of the top of bluff shall be based on note #2 above.

EXHIBIT 4-1 COASTAL BLUFF TOPOGRAPHY, APPROXIMATE BLUFF EDGE AND SETBACKS - NORTH END OF CITY

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

CHANGE NO.	DESCRIPTION	APPROVED	DATE

BENCHMARK

DESCRIPTION: _____
LOCATION: _____
RECORD FROM: _____
ELEVATION: _____
DATUM: NAVD88

SCALE

HORIZONTAL: 1" = 50'
VERTICAL: N/A

DESIGNED BY:	DRAWN BY:	CHECKED BY:
SN	SN	JK

PLANS PREPARED UNDER SUPERVISION OF

_____
JAMES KNOWLTON

DATE: _____
R.C.E. NO.: _____
EXP.: _____

ENGINEERING DEPARTMENT APPROVALS

RECOMMENDED: _____ DATE

APPROVED: _____ DATE

CITY OF SOLANA BEACH

ESTIMATED TOP OF COASTAL BLUFF, 25' SETBACK, 40' SETBACK, AND APPROXIMATE GEOLOGIC SETBACK LINE

DRAWING NO.

SHEET 1 OF 5

NOTES:

1. These sheets are for preliminary design purposes only and are based upon the August 2009 orthophoto and topographic data. The top of bluff determination does not differentiate between artificially created bluff tops (fill, reconstruction, etc.) and naturally occurring bluff tops.

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EXHIBIT 4-2 COASTAL BLUFF TOPOGRAPHY, APPROXIMATE BLUFF EDGE AND SETBACKS - NORTH END OF FLETCHER COVE PARK

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

CHANGE NO.	DESCRIPTION	APPROVED	DATE

BENCHMARK
DESCRIPTION: _____
LOCATION: _____
RECORD FROM: _____
ELEVATION: _____
DATUM: NAVD88

SCALE
HORIZONTAL: 1" = 50'
VERTICAL: N/A

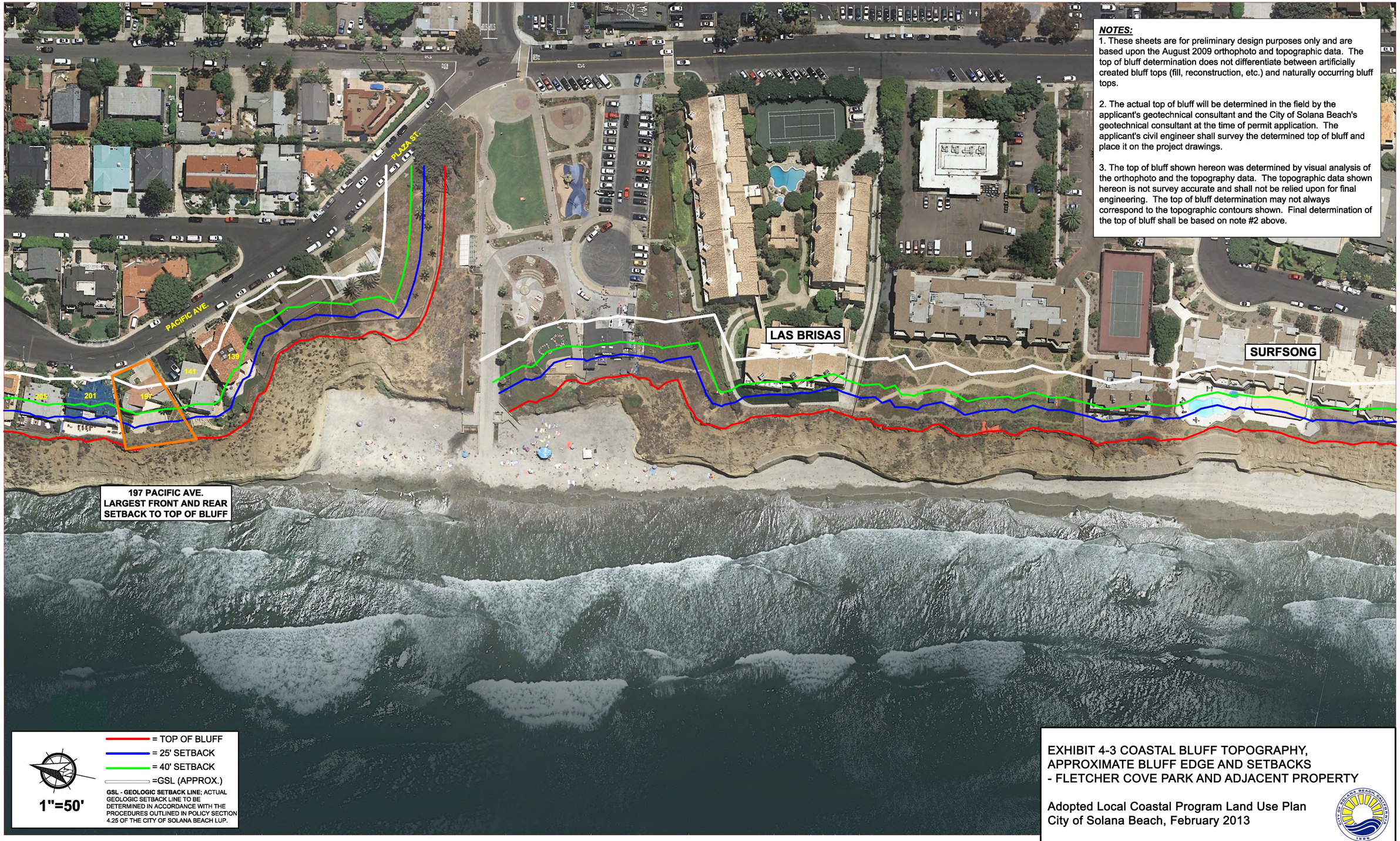
DESIGNED BY:	DRAWN BY:	CHECKED BY:
SN	SN	JK

PLANS PREPARED UNDER SUPERVISION OF
_____
JAMES KNOWLTON
DATE: _____
R.C.E. NO.: _____
EXP.: _____

ENGINEERING DEPARTMENT APPROVALS
RECOMMENDED: _____ DATE _____
APPROVED: _____ DATE _____

CITY OF SOLANA BEACH
ESTIMATED TOP OF COASTAL BLUFF, 25' SETBACK, 40' SETBACK, AND APPROXIMATE GEOLOGIC SETBACK LINE

DRAWING NO.
SHEET 2 OF 5



NOTES:

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EXHIBIT 4-3 COASTAL BLUFF TOPOGRAPHY,
APPROXIMATE BLUFF EDGE AND SETBACKS
- FLETCHER COVE PARK AND ADJACENT PROPERTY

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

CHANGE NO.	DESCRIPTION	APPROVED	DATE

BENCHMARK
DESCRIPTION: _____
LOCATION: _____
RECORD FROM: _____
ELEVATION: _____
DATUM: NAVD88

SCALE
HORIZONTAL: 1" = 50'
VERTICAL: N/A

DESIGNED BY:	DRAWN BY:	CHECKED BY:
SN	SN	JK

PLANS PREPARED UNDER SUPERVISION OF
DATE: _____
_____
JAMES KNOWLTON
R.C.E. NO.: _____
EXP.: _____

ENGINEERING DEPARTMENT APPROVALS
RECOMMENDED: _____ DATE
APPROVED: _____ DATE

CITY OF SOLANA BEACH
ESTIMATED TOP OF COASTAL BLUFF, 25' SETBACK, 40' SETBACK, AND APPROXIMATE GEOLOGIC SETBACK LINE

DRAWING NO.
SHEET 3 OF 5

NOTES:

1. These sheets are for preliminary design purposes only and are based upon the August 2009 orthophoto and topographic data. The top of bluff determination does not differentiate between artificially created bluff tops (fill, reconstruction, etc.) and naturally occurring bluff tops.

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= TOP OF BLUFF
= 25' SETBACK
= 40' SETBACK
=GSL (APPROX.)

GSL - GEOLOGIC SETBACK LINE; ACTUAL GEOLOGIC SETBACK LINE TO BE DETERMINED IN ACCORDANCE WITH THE PROCEDURES OUTLINED IN POLICY SECTION 4.25 OF THE CITY OF SOLANA BEACH LUP.

1"=50'

EXHIBIT 4-4 COASTAL BLUFF TOPOGRAPHY, APPROXIMATE BLUFF EDGE AND SETBACKS - SOUTH OF FLETCHER COVE PARK

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

CHANGE NO.	DESCRIPTION	APPROVED	DATE

BENCHMARK
DESCRIPTION: _____
LOCATION: _____
RECORD FROM: _____
ELEVATION: _____
DATUM: NAVD88

SCALE
HORIZONTAL: 1" = 50'
VERTICAL: N/A

DESIGNED BY:	DRAWN BY:	CHECKED BY:
SN	SN	JK

PLANS PREPARED UNDER SUPERVISION OF
_____
JAMES KNOWLTON
DATE: _____
R.C.E. NO.: _____
EXP.: _____

ENGINEERING DEPARTMENT APPROVALS
RECOMMENDED: _____ DATE
APPROVED: _____ DATE

CITY OF SOLANA BEACH
ESTIMATED TOP OF COASTAL BLUFF, 25' SETBACK, 40' SETBACK, AND APPROXIMATE GEOLOGIC SETBACK LINE

DRAWING NO.
SHEET 4 OF 5

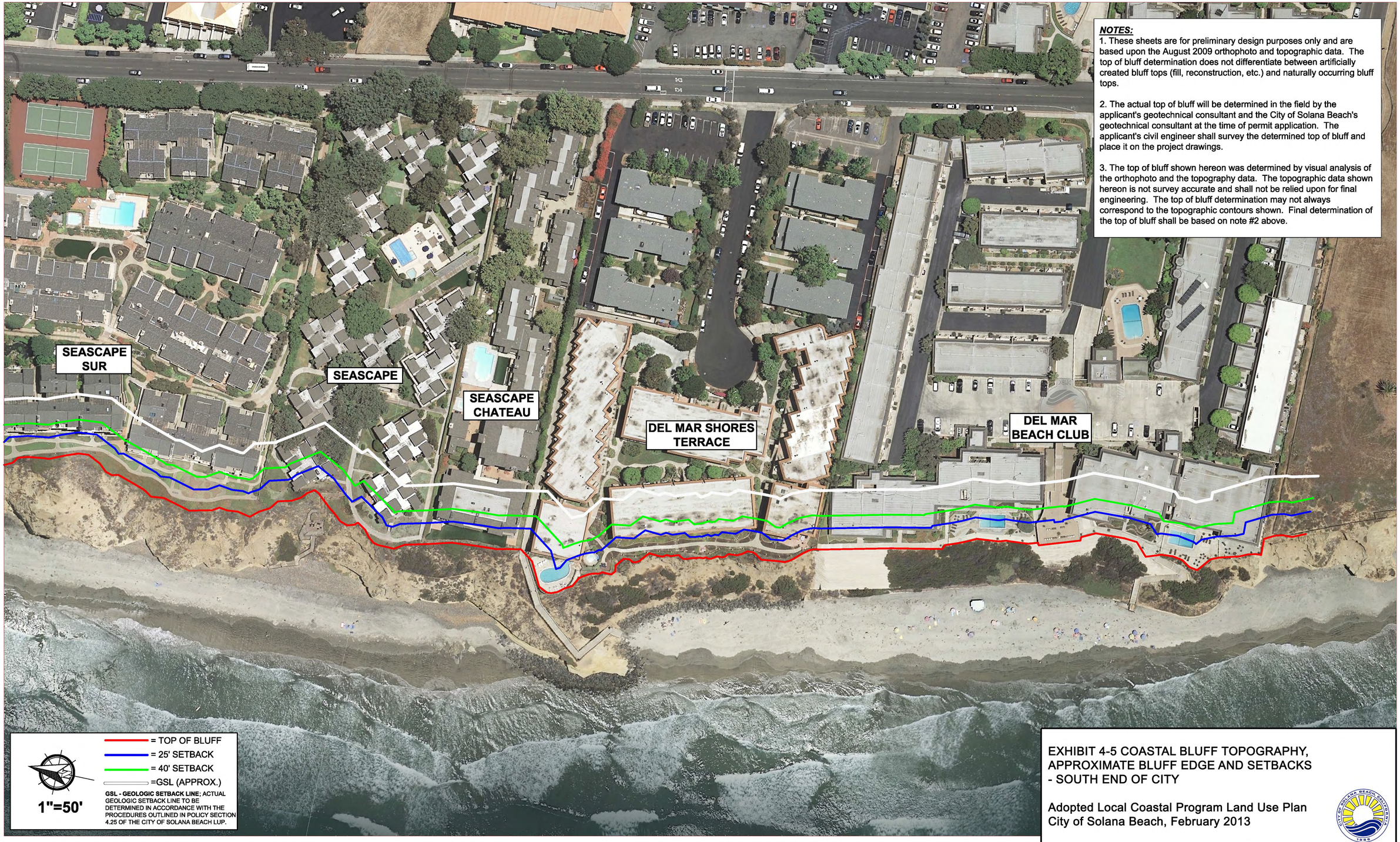

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EXHIBIT 4-5 COASTAL BLUFF TOPOGRAPHY, APPROXIMATE BLUFF EDGE AND SETBACKS - SOUTH END OF CITY

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

CHANGE NO.	DESCRIPTION	APPROVED	DATE

BENCHMARK

DESCRIPTION: _____
LOCATION: _____
RECORD FROM: _____
ELEVATION: _____
DATUM: NAVD88

SCALE

HORIZONTAL: 1" = 50'

VERTICAL: N/A

DESIGNED BY:	DRAWN BY:	CHECKED BY:
SN	SN	JK

PLANS PREPARED UNDER SUPERVISION OF

_____
JAMES KNOWLTON

DATE: _____

R.C.E. NO.: _____

EXP.: _____

ENGINEERING DEPARTMENT APPROVALS

RECOMMENDED: _____ DATE

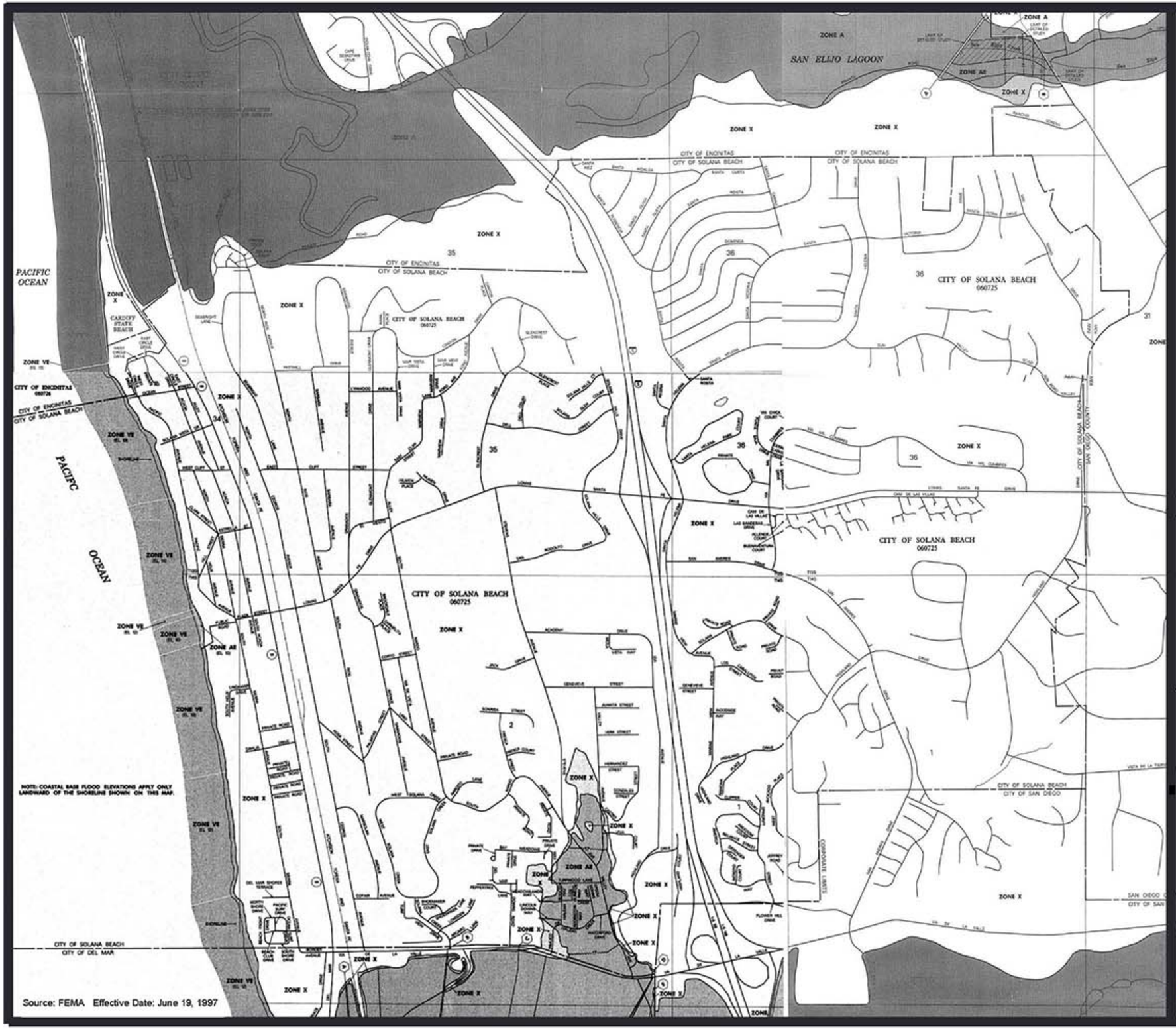
APPROVED: _____ DATE

CITY OF SOLANA BEACH

ESTIMATED TOP OF COASTAL BLUFF, 25' SETBACK, 40' SETBACK, AND APPROXIMATE GEOLOGIC SETBACK LINE

DRAWING NO.

SHEET 5 OF 5



LEGEND

SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD

- **ZONE A** — No base flood elevations determined.
- **ZONE AE** — Base flood elevations determined.
- **ZONE AH** — Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.
- **ZONE AO** — Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- **ZONE A99** — To be protected from 100-year flood by Federal flood protection system under construction; no base elevations determined.
- **ZONE V** — Coastal flood with velocity hazard (wave action); no base flood elevations determined.
- **ZONE VE** — Coastal flood with velocity hazard (wave action); base flood elevations determined.

FLOODWAY AREAS IN ZONE AE

OTHER FLOOD AREAS

- **ZONE X** — Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.

OTHER AREAS

- **ZONE X** — Areas determined to be outside 500-year floodplain.
- **ZONE D** — Areas in which flood hazards are undetermined.

UNDEVELOPED COASTAL BARRIERS

Identified 1983 | Identified 1990 | Otherwise Protected Areas

Coastal barrier areas are normally located within or adjacent to Special Flood Hazard Areas.

- Flood Boundary
- Floodway Boundary
- Zone D Boundary
- Boundary Dividing Special Flood Hazard Zones, and Boundary Dividing Areas of Different Coastal Base Flood Elevations Within Special Flood Hazard Zones.
- 513 — Base Flood Elevation Line; Elevation in Feet. See Map Index for Elevation Datum.
- D — Cross Section Line
- (EL 987) — Base Flood Elevation in Feet Where Uniform Within Zone. See Map Index for Elevation Datum.
- RM7 — Elevation Reference Mark
- M2 — River Mile
- 97°07'30", 32°22'30" — Horizontal Coordinates Based on North American Datum of 1927 (NAD 27) Projection.

EXHIBIT 4-6 CITYWIDE FLOODPLAIN MAP

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

Solana Beach

DRAFT Fire Hazard Severity Zones in LRA

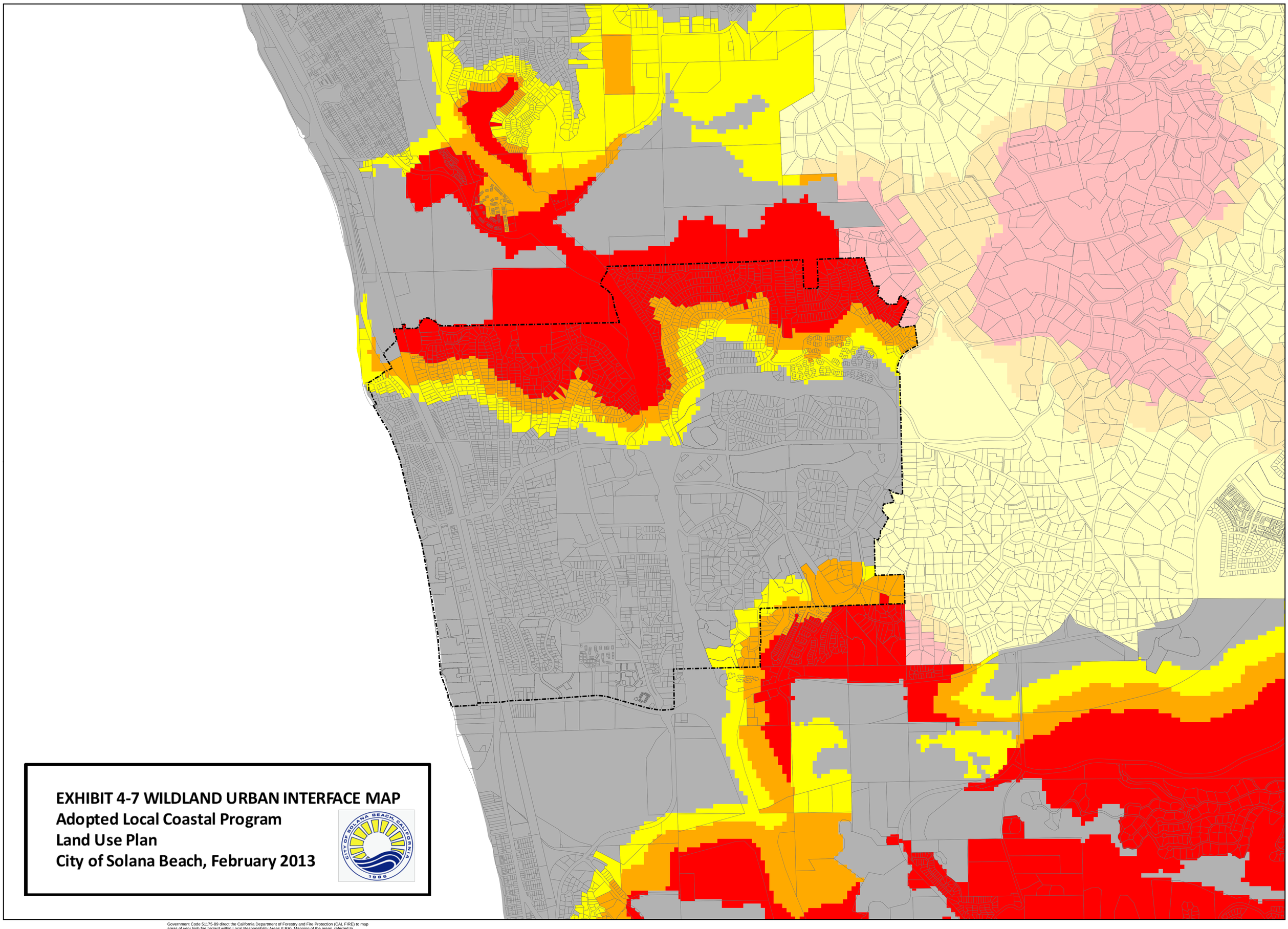


EXHIBIT 4-7 WILDLAND URBAN INTERFACE MAP
Adopted Local Coastal Program
Land Use Plan
City of Solana Beach, February 2013

Fire Hazard Severity Zones

LRA Very High	Other Very High
LRA High	Other High
LRA Moderate	Other Moderate
LRA Unzoned	Other Unzoned

City Boundary
Parcels
County Boundary

Government Code 51175-89 direct the California Department of Forestry and Fire Protection (CAL FIRE) to map areas of very high fire hazard within Local Responsibility Areas (LRA). Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on relevant factors such as fuels, terrain, and weather. VHFHSZ maps were initially developed in the mid-1990s but are now being updated based on improved science, mapping techniques, and data.

The California Building Commission adopted the Wildland-Urban Interface codes in late 2005 to be effective in 2008. These new codes include provisions to improve the ignition resistance of buildings, especially from firebrands. The updated fire hazard severity zones will be used by building officials to determine appropriate construction materials for new buildings in the Wildland-Urban Interface. The updated zones will also be used by property owners to comply with natural hazards disclosure requirements at time of property sale and 100 foot defensible space clearance. It is likely that the fire hazard severity zones will be used for updates to the safety element of general plans.

This map has been created by CAL FIRE's Fire and Resource Assessment Program (FRAP) using data and models describing development patterns, **potential** fuels over a 30-50 year time horizon, expected fire behavior, and expected burn probabilities to quantify the likelihood and nature of vegetation fire exposure (including firebrands) to new construction. Details on the project and specific modeling methodology can be found at http://frap.cdf.ca.gov/projects/hazard/methods.htm.

The version dated September 17, 2007 of the map shown here represents draft VHFHSZs within LRA, for review and comment by local government.

An interactive system for viewing map data is hosted by the UC Center for Fire at http://firecenter.berkeley.edu/fhsz/

Questions can be directed to:
Kathleen Schori (Northern Region) (530) 472-3121 kathleen.schori@fire.ca.gov.
Sass Barton (Southern Region) (559) 243-4130 sass.barton@fire.ca.gov.

This map was developed using data products such as parcel and city boundaries provided by local government agencies. In certain cases, this includes copyrighted geographic information. The maps are for display purposes only - questions and requests related to parcel or city boundary data should be directed to the appropriate local government entity.

0 0.75 Miles

0 1.5 Kilometers

Projection Albers, NAD 1983
Scale 1: 10,000
at 36" x 36"
September 17, 2007

Obtain FRAP maps, data, metadata and publications on the Internet at http://frap.cdf.ca.gov
For more information, contact CAL FIRE-FRAP, PO Box 944246, Sacramento, CA 94244-2460, (916) 327-3939.

MAP ID: Solana Beach

DATA SOURCES
CAL FIRE Fire Hazard Severity Zones (FHSZL07_1)

1. Coastal Act Provisions

Under the Coastal Act, development is required to be sited and designed to minimize risks, assure stability and structural integrity, and neither create nor contribute significantly to erosion or require the construction of protective devices that would substantially alter the natural landforms along bluffs and cliffs (Section 30253). Section 30235 of the Coastal Act allows the construction of bluff retention devices where existing structures are threatened from erosion and when designed to eliminate or mitigate impacts on shoreline sand supply. The Coastal Act also provides that development damaged or destroyed by disasters can be rebuilt in the same location, exempt from a CDP, under certain conditions. Certain emergency actions are also exempt from permit requirements.

2. Land Use Plan Provisions

To ensure consistency with the Coastal Act, the policies contained below in the LUP are intended to facilitate development and redevelopment in a manner which minimizes impacts from hazards as well as impacts to coastal resources, including public access and recreation. The primary objectives of the City in reducing flood, fire and geologic hazards in the City include the establishment of policies that manage, reduce, minimize and/or avoid risks associated with known hazards in the City.

Reducing the potential adverse effects of shoreline hazards include implementing comprehensive and long-term shoreline management strategies, policies and programs that promote beach sand replenishment and retention to reduce the need for shoreline protection devices.

Where the clean sand lens is not exposed along the coastal bluff, seacave and infills may be considered as appropriate solutions that can avoid or postpone the need for larger shoreline protection device.

The LUP policies, goals, and requirements regarding natural hazards and shoreline and bluff development can be summarized as follows:

- Maintaining public ownership of the bluffs and beaches; Prohibiting new development that could require shoreline protection, and new land divisions which create new lots within high hazard areas;
- Requiring that new development on oceanfront bluffs be set back in accordance with all provisions of the LCP;
- Providing that applicants assume the risk of building in hazardous areas without the expectation that future bluff protection devices will be allowed;
- Acknowledging that the shoreline is inherently a changing, unstable area, and development along the shoreline should never be considered permanent.
- Regulating development to avoid the need for mid and upper bluff shoreline protection;

- Developing emergency permit procedures, follow-up actions and monitoring to ensure that the emergency response, whether temporary or permanent, is the least environmentally damaging alternative to the extent feasible;
- Providing for the development of long-term shoreline management policies; Including measures to establish periodic nourishment of the City's beaches which are vulnerable to direct wave attack and erosion to assure long-term maintenance of beach area for public recreational use;
- Monitoring the issue of potential future sea level rise, both in the short term via permitting actions and a long-term response to address future development impacts along the shoreline;
- Siting and designing development to avoid or minimize risk from geologic, flood and fire hazards;
- Implementing a HOZ program for siting and designing development and to minimize grading and vegetation clearance on steep slopes;
- Providing that development utilize adequate drainage and erosion control measures both during construction and as a long-term feature; and,
- Requiring that new development be sited and designed to avoid the impacts of fuel modification and brush clearance on native habitat and neighboring property, particularly parkland.

This LCP includes an LUP and Local Implementation Plan (LIP) which will contain LIP implementing ordinances, and other code amendments, as needed, to implement the LCP. The following policies and plans are intended to implement the LCP.

It is essential that the implementation of the programs recommended herein, and achievement of the goals set forth herein, be balanced between public and private interests. The City is committed to implementing the above stated goals and strategies of the LCP.

This section addresses shoreline structures that alter natural shoreline processes. This section is intended to set the general policy framework for implementing the LCP.

The shoreline of Solana Beach is characterized by a narrow strip of sandy beach at the foot of coastal bluffs. This shoreline consists of public beach access points, public infrastructure improvements, private residences, the Fletcher Cove Community Center, Fletcher Cove Park, the City of Solana Beach Marine Safety Center, and other structures on the tops of the bluffs. Many improvements are situated within twenty-five feet of the bluff edge due to erosion or the siting of the original construction or both. The City's coastal bluff edge and 25' and 40' setback lines are shown in Exhibit 4-1, 4-2, 4-3, 4-4, and 4-5. Because of the narrowness of the beach and lack of a sand buffer, the bluffs are subjected to wave action, particularly during the winter months. Surficial

or subaerial erosion has also resulted from wind, rain, irrigation, storm water drainage, construction, elimination or reduction in upland sand sources to the coast, sand retention devices to the north of the City and climbing activity on the face of the bluff.

A variety of bluff retention devices including seacave or notch infills, have been constructed in the Solana Beach in an attempt to protect bluff homes. However, based on the need to encapsulate the clean sand lens once it becomes exposed, these small protective efforts are often expanded over time into larger 35-foot high seawalls, with mid-bluff reconstruction and upper bluff retaining walls that together cover a larger portion of the bluff face.

In compliance with the Coastal Act, the goal of the LCP is to limit bluff retention devices on the public bluffs and beach area while protecting public and private property rights to the extent required by law and the health, safety, and welfare of residents and the public. The City's shoreline has largely been built out, and many of the existing structures located along the City's bluff tops were built in a location that is now considered at risk from shoreline erosion. Thus, some amount of lower bluff protection has been and will continue to be unavoidable to protect existing structures in danger from erosion pursuant to Section 30235 of the Coastal Act. However, the LCP policies acknowledge that modifications to the building footprint and its foundation further inland on private property must be analyzed as a potentially feasible alternative to avoid additional mid and upper bluff stabilization and alteration of the natural landform on public property to protect private development. Such stabilization measures can have particularly extensive adverse impacts on the natural bluff landform and the scenic quality of the shoreline even beyond those associated with lower bluff protection. In all cases, impacts from these devices on public access, recreation, scenic resources and sand supply must be mitigated.

For all new development, the LCP requires that the development be designed so that it will neither be subject to nor contribute to bluff instability, and is sited safely without reliance on existing or future shoreline protection.

The City is currently engaged in local, regional, state, and federal efforts to implement a comprehensive and long-term beach sand replenishment program. The LCP includes an approval process that emphasizes preferred bluff retention solutions and conditions of approval requiring the bluff property owner to agree to certain requirements, including the payment of mitigation fees.

The City's preferred bluff retention systems are derived from the most recent designs approved by both the City and the CCC and are contained in LUP Appendix B. Although generalized these designs represent the retention systems preferred by the City and have been accepted by the CCC as reflected in recently approved permits.

The following describes the types of preferred bluff retention systems to protect the lower bluff only:

- **Infill/Bluff Stabilization – Seacave/Notch Infill (See Appendix B Figure 1A) –** This first solution is designed to address sea caves and undercut portions of the lower dense sandstone bluff where the clean sand lens is not yet exposed. If left uncorrected, the seacave/undercut will eventually lead to block failures of the lower sandstone, exposure of the clean sand lens and landward bluff retreat. This failure exposes the clean sand lens of the upper bluff terrace deposits triggering rapid erosion and landward retreat of the upper bluff, which eventually endangers the structures at the top of the bluff. If treated at this stage, the Bluff Retention Device will minimize the need for a future higher seawall and future upper bluff repair. This alternative is not designed as a structural wall, is not reinforced, does not include tiebacks, and uses only erodible concrete which shall erode at the same erosion rate as the surrounding natural bluff material. The infill is required to maintain a textured and colored face mimicking the existing bluff material. Erodible concrete seacave/notch infills are designed to erode with the natural bluff and, when maintained to do so, are not subject to the sand supply mitigation, public access and recreation mitigation, encroachment/removal agreement, or authorization timeline policies of the LUP.

- **Infill/Bluff Stabilization – Lower Seawall (See Appendix B Figures 1B and 1C)** – This solution is designed to address sea caves and undercut portions of the lower dense sandstone bluff where the clean sand lens is not yet exposed. If left uncorrected the sea cave/undercut will eventually lead to block failures of the lower sandstone, exposure of the clean sand lens and landward bluff retreat. This failure exposes the clean sand lens of the upper bluff terrace deposits triggering rapid erosion and landward retreat of the upper bluff, which eventually endangers the structures at the top of the bluff. If treated at this stage, the bluff retention system will minimize the need for a future higher seawall and future upper bluff repair. Figure 1B will consist of an erodible concrete infill with a higher strength concrete face on the seaward portion of the infill or will be designed as a structural wall and will be reinforced, have structural tiebacks into the sandstone bedrock and will be required to have a textured face mimicking the existing material (Figure 1C).

- **Higher Seawall/Clean Sand Lens Encapsulation (See Appendix B Figure 2)** – If the clean sand lens has been exposed, it may be necessary to build a seawall high enough cover this segment of the bluff face. This method consists of a structurally engineered seawall (with tiebacks into the sandstone) approximately 35’ high to protect and encapsulate the clean sand lens at the base of the terrace deposits. The wall is required to have a textured face mimicking the existing material. If treated at this stage, the bluff retention system will minimize or prevent the need for future mid or upper stabilization.

The City's preference for protecting existing principal structures in danger from erosion is relocating/rebuilding the principal structure on the site to a location that is stable per LUP Policy 4.25. If all feasible alternatives to mid and upper bluff protection have been excluded, then the following types of upper bluff retention systems may be utilized when collapse of the mid and upper bluff threatens an existing principal structure:

- **Seawall and Upper Bluff Repair (See Appendix B Figure 3)** – This retention system is an all-encompassing bluff stabilization measure and shall only be used when bluff failures have caused exposure of the clean sand lens and significant erosion of the mid and upper bluff. Encapsulation of the clean sand lens is needed to protect the bluff top principal structure from potential damage. This repair consists of a structurally engineered seawall (with tiebacks into the sandstone) approximately 35' high to protect and encapsulate the clean sand lens at the base of the terrace deposits. The upper bluff is reconstructed at a stable angle by bringing in additional soil which is then reinforced with a geogrid fabric. The lower seawall is textured to simulate the existing bluff material and the upper soil is similar to the existing soil and is hydro-seeded and planted with container plantings consisting of native, drought tolerant, non-invasive, and salt tolerant vegetation.

- **Upper Bluff Repair (See Appendix B Figure 4)** – This repair is used where there is a pre-existing lower bluff seawall, and/or infill/bluff repair and shall only be used when there is a need to stabilize the upper bluff terrace deposits to provide structural protection due to upper bluff failures or extreme erosion. When feasible, the building footprint and foundation should be moved inland and the bluffs left in a natural state. The repair is much like the upper bluff stabilization described in Preferred Solution #3. It should take into account lateral migration of erosion from adjacent properties, which would involve benching and placing erodible concrete between the clean sand lens and the bluff face to assure that the clean sand erosion does not undermine the stability of the upper bluff and bluff top principal structure. The slope is then rebuilt and reinforced to create an adequate safety factor to protect the upper bluff structure.

- **Caisson and Tieback Alternative (See Appendix B Figure 5)** – This bluff retention system, consists of drilled reinforced concrete caissons (24 inches or greater in diameter). These structurally designed caissons are drilled down to or into the lower sandstone bedrock, shall be below grade, and as far landward as possible to avoid exposure of the drilled caisson in the future. In many cases, to avoid future exposure, the structure requiring stabilization can also be moved further inland to a location that, in connection with the lower seawall, will assure stability of the structure and avoid alteration of the natural landform of the bluffs. In any event, it is required, as a condition of approval that the homeowner post a bond for a future reinforced concrete face to be constructed if the caissons are exposed. Additional tiebacks may be required at that time.

Prior to approval of any upper bluff retention system, a detailed alternative analysis must be performed, consistent with Policy 4.52. In addition, per Policy 4.52, on sites where there is existing lower bluff protection, no upper bluff retention system shall be approved unless it has been determined that removing and relocating/rebuilding the principal bluff top structure with a caisson foundation system in a location that will avoid future exposure and alteration of the natural landform is infeasible, resulting in a taking of private property for public use without just compensation.

Once the LCP is certified, the City will have jurisdiction to issue CDPs for projects landward of the MHTL, with the CCC retaining appeal jurisdiction only in those areas described in Section 30603 of the Coastal Act. Both before and after the certification of the LCP, the CCC retains original jurisdiction over development located on tidelands, submerged lands, filled and unfilled public trust lands). Accordingly, applications for all bluff retention devices to be sited seaward of the MHTL, within the Commission's original jurisdiction shall be submitted to the City for a major use permit and then to the Coastal Commission for a CDP.

All permits issued for developments within an area appealable to the CCC must be approved through a public hearing process. Appeal jurisdiction for the CCC is defined in Section 30603 of the Coastal Act and includes such geographic areas as those between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or the MHTL where this is no beach, whichever is the greater distance; and any areas located within 300 feet of the top of the seaward face of any coastal bluff, or within 100 feet of any wetland, estuary, or stream; and any major public works project or major energy facility.

In cases where proposed development is bisected by the CDP jurisdiction boundary line, an applicant may, if all parties are in agreement (i.e., the City, the CCC, and the property owner), apply for a consolidated CDP from the CCC without needing to obtain a CDP from the City. Chapter 3 policies of the Coastal Act are the standard of review for such permits, with the City's certified LCP used for additional guidance.

To the extent an applicant proposes a bluff retention device which is designed in accordance with the preferred bluff retention solutions, the City will expedite processing and there will be a presumption of compliance of the design of the bluff retention device with the LCP. Nevertheless, the applicant will be required to establish the need for the bluff retention device in accordance with the findings stated below in Policies 4.48, 4.49 and 4.52.

The LCP contains provisions for imposing Sand Mitigation Fees and compliance with the City's Public Recreation Fees. Bluff property owners who construct bluff retention devices shall pay the City a Sand Mitigation Fee. The Sand Mitigation Fee formula is based on the CCC formula and is detailed in Appendix A.

Based on the October 2010 MHTL survey, the land on which bluff retention devices are proposed to be located may include public lands owned by the State of California, the City of Solana Beach or both. In addition, the location of the MHTL is constantly changing. For all development involving construction of a bluff retention device, a Public Recreation Fee shall be collected by the City which shall be deposited in an interest-bearing account designated by the City Manager of Solana Beach in-lieu of providing beach area to replace the public access and coastal recreation benefits that would be lost due to the impacts of any proposed protective structure. The method used to determine the appropriate mitigation fee has been approved by the CCC and is contained in LUP Appendix C. Mitigation for impacts to ecological and other relevant coastal resource impacts that result from the construction of bluff retention devices are not included in this public recreation fee and the City's LUP shall be updated once an accepted approach on how to calculate these fees has been developed by the Commission. In association with approval of any bluff retention device located landward of the MHTL and on public land, the City will also require an encroachment/removal agreement to be renewed at least every 20 years. Additional mitigation for impacts to public access and recreation may also be required through site-specific review and approval of the coastal development permit.

The City will continue to aggressively pursue implementation of a comprehensive beach sand replenishment and retention program as the best approach to buffer bluffs from wave attack and reduce the need for bluff retention devices. Environmentally sound local, regional, state and federal beach sand replenishment and retention programs that the City is actively advancing include:

- Sand Compatibility and Opportunistic Use Program (SCOUP)
- Regional Beach Sand Project #2
- Regional Coastal Sediment Management Master Plan
- U.S. Army Corps Shoreline Protection Project for Solana Beach and Encinitas
- Southern California Reef Technology Project at Fletcher Cove

The City will continue to actively seek state and federal funding for expedited implementation of these programs and has prioritized the creation of a wider beach and a beach profile that can feasibly be established and maintained on City beaches for shoreline protection and recreation benefits. In implementing sand replenishment and retention programs, care will be taken such that any such program shall not result in net material degradation of existing surfing or other recreational or wildlife resources including near shore habitat.

The sand replenishment and retention programs are funded from a combination of sources including CCC Sand Mitigation and Recreation Impact Fees held by SANDAG, City imposed mitigation fees, taxes, assessments, grants and federal appropriations. Goals, implementing plans and budgets for each program have been established, and are periodically reviewed by the City and are modified as needed.

A variety of sand retention systems will be carefully analyzed by the City, and may be evaluated by SANDAG before being deployed. The effectiveness of any such system, its potential environmental effects, the impact on recreational activities, aesthetics and safety, and other relevant issues will be addressed in compliance with CEQA and NEPA.

Beach replenishment and sand retention projects can be done concurrently or separately depending on funding resources and permitting constraints. Replenishment and retention are addressed separately below, but are being considered by the City in a coordinated fashion for maximum shoreline protection and recreational benefit.

The LCP includes standards that will be used to determine the need for bluff retention devices. Bluff retention devices shall provide for reasonable and feasible mitigation for their net impacts, such as the payment of mitigation fees.

Slope stability is a significant concern in Solana Beach along the entire coastal bluff area. These steep coastal bluffs have experienced loss of soil and rock resulting from a combination of natural forces and human activities. Ocean wave action weakens the base of the bluffs, particularly when high tides combine with high waves associated with Pacific Ocean storms.

Urban development on the bluff tops has placed increased loads on the geologic substructure. A combination of the lack from protective beach, saturation of bluff sands and increased subsurface flow resulting rain or from urban irrigation, contributes to weakening of the bluffs and surficial erosion. This erosion is generally experienced as sudden slippage rather than gradual movement. Loss of beach sand in recent years has further aggravated problems of slope instability. In response, shore protection devices have been used to abate further erosion, and to protect public recreational uses and private property.

Like much of southern California, Solana Beach lies within a region of high seismic activity. An offshore extension of the Rose Canyon fault lies approximately two miles west of Solana Beach. This fault is considered active by the State of California and a strong earthquake along this fault would create moderate to severe ground shaking in the City. Seismically-induced ground shaking in hillside areas could result in slumping or landslides in areas of slope instability.

Certain parts of Solana Beach may be subject to liquefaction which occurs when poorly consolidated and saturated soils lose their strength due to seismic shaking. The potential for liquefaction in the City is greatest in the area between Stevens Avenue and Valley Avenue, and in the area north of Via del la Valle between Del Mar Downs and Stevens Avenue. These two areas are underlain by poorly consolidated alluvium and slope wash that could liquefy during an earthquake depending on groundwater elevations.

Flooding problems in Solana Beach have historically occurred in the area near Stevens Avenue and Valley Avenue. Although City drainage system facilities are adequately sized to handle flood flows, capacity problems with downstream flood control facilities south of Via de la Valle have occasionally caused floodwaters to back up into the Stevens Avenue/Valley Avenue area.

Flood hazard areas in Solana Beach have been mapped through the National Flood Insurance Program administered by the U.S. Department of Housing and Urban Development (HUD) and the Federal Emergency Management Agency (FEMA) and are shown in Exhibit 4-6. The Flood Insurance Rate Map (FIRM) for the area identifies areas exposed to potential 100-year and 500-year flooding, including coastal flood hazard areas. Given the extent of existing urban development in Solana Beach, additional flooding effects resulting from new development on downstream areas are likely to be minor.

Fire hazards in Solana Beach may be classified as either structural fires or vegetation fires. The Solana Beach Fire Department is responsible for responding to both types of fire. For structural fires, the department designates certain locations, such as schools and higher density residential development as potential high life safety hazard areas.

Many properties in the northern part of the City are located within the WUI and have been designated by the State as being in a high or very high fire hazard severity area and are shown in Exhibit 4-7. The CalFire maps are posted on the City's website at http://www.ci.solana-beach.ca.us/vertical/Sites/%7B840804C2-F869-4904-9AE3-720581350CE7%7D/uploads/Wildland_Urban_Interface_(WUI)_Map.pdf.

Many of the northern-most line of homes in the City (closest to the San Elijo Lagoon) are contiguous to sensitive native habitat areas identified by the City as ESHA. One of the key goals of this Chapter of the LUP is to establish policies for the WUI that reduce fire hazard risk in the City to lives and property and also reduce the need for a 100-foot buffer between vegetation and homes thereby avoiding or reducing vegetation management practices. By establishing equivalent methods of fire risk reduction for homes in the WUI, and incorporating them into project design, the Fire Marshal is able to reduce the need for fire-risk reduction related vegetation management for existing homes, remodels, and new development.

Thinning of plant materials and other vegetation management practices reduce the fire risk for existing and new structures. Creating a defensible space around a structure acts as a barrier between a structure and an advancing fire. Maintaining a defensible fire space around structures is essential, and in some cases required, for protection against fire.

Uncontrolled wildfires pose a serious threat to human lives and property, but are generally part of the natural disturbance cycle of adjacent wildlands. The propensity of wildlands to carry fire to surrounding developments usually necessitates the provision of fuel breaks in order to reduce or eliminate the likelihood of damage to property. Properly maintained fuel modification zones and fire breaks will reduce the incidence of fires spreading from developed areas to natural land and lower the potential impacts of unseasonable and frequent wildfires to listed species and their habitats.

The LUP contains policies which require that any new development is sited and designed to avoid the need for fuel modification within ESHA. One potential method of reducing fire risk to properties adjacent to the WUI is to install a non-combustible wall thereby reducing the vegetation management zone. ESHA protection policies are contained in Chapter 3. Additionally, the LUP contains policies that require mitigation for impacts resulting from the removal, conversion, or modification of natural vegetation that cannot be avoided through the implementation of project alternatives. The mitigation to be provided includes one of three measures: habitat restoration, habitat conservation, or in-lieu fee for habitat conservation.

The City has worked with CalFire, the San Elijo Lagoon Conservancy, CDFW, the County of San Diego and other relevant state and federal agencies to develop the *San Elijo Lagoon Ecological Reserve Vegetation Management Plan*. This Plan was adopted by the City and the County in January 2009 and is aimed at reducing wildfire risk in the City. Policies aimed at reducing wildfire risk in the City are included below.

B. Coastal Act Policies

Section 30235:
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. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30236:
Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (l) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Section 30253:
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.
(c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
(d) Minimize energy consumption and vehicle miles traveled.
(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

C. Land Use Plan Policies

1. General Development

Policy 4.1: The City of Solana Beach contains areas subject to natural hazards that present risks to life and property. These areas require additional development controls to minimize risks. Potential hazards in the City include, but are not be limited to, the following:

- Coastal Bluffs
- Slopes with low stability & and high landslide potential: Hillside areas that have the potential to slide, fail, or collapse.
- Seismic ground shaking: Shaking induced by seismic waves traveling through an area as a result of an earthquake on a regional geologic fault.
- Liquefaction: Areas where water-saturated artificial fill or sediment can potentially lose strength and fail during strong ground shaking.
- Flood prone areas most likely to flood during major storms.
- Wave action: The entire shoreline is subject to direct wave attack and damage from wave activity due to a lack of protective beach.
- Tsunami: Low lying shoreline areas subject to inundation by a sea wave generated by local or distant earthquake, submarine landslide, subsidence, or volcanic eruption.
- Fire hazard: Areas subject to major wildfires located in the City's WUI.

Policy 4.2: Minimize the exposure of new development to geologic, flood and fire hazards. The Hillside/Coastal Bluff Overlay (HOZ) policies) shall apply to all areas designated as within the HOZ on the City of Solana Beach LUP map (Exhibit 5-2) or where site-specific analysis indicates that the parcel contains slopes exceeding 25 percent grade.

Policy 4.3: Regulate development in hillside areas to preserve the natural topography and enhance scenic qualities of the City, protect native coastal vegetation, preserve existing watersheds, and reduce the potential for environmental hazards including soil erosion, siltation of coastal wetlands, landslides, adverse impacts due to runoff, and other impacts which may affect general safety and welfare.

Policy 4.4: Any projects that propose building within the HOZ, on bluff properties, or inland bluff projects must include a geologic reconnaissance report to determine the geologic stability of the area. When additional information is needed to assess stability, a preliminary engineering geology report must also be prepared identifying the results of subsurface investigation regarding the nature and magnitude of unstable conditions, as well as mitigation measures needed to reduce or avoid such conditions. (HOZ applies to areas with steep slopes greater than 25% as shown in Exhibit 5-2).

Policy 4.5: Development within flood prone areas subject to inundation or erosion shall be prohibited unless no alternative building site exists on the legal lot and proper mitigation measures are provided to minimize or eliminate risks to life and property from flood hazard. The City shall ensure that permitted development and fill in the 100-year floodplain will not result in an obstruction to flood control and that such development will not adversely affect coastal wetlands, riparian areas, or other sensitive habitat areas within the floodplain. (The Floodplain Overlay applies to areas within the 100-year floodplain as shown in Exhibit 4-6)

Policy 4.6: Permitted infill development in the 100-year floodplain shall be limited to structures capable of withstanding periodic flooding without requiring the construction of on or off-site flood protective works or channelization. Proposed development shall be required to incorporate the best mitigation measures feasible pursuant to Public Resources Code Section 30236.

Policy 4.7: New development shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion, and other hydrologic impacts to streams.

Policy 4.8: Land divisions, including lot line adjustments, shall be prohibited unless all proposed parcels can be demonstrated to be safe from flooding, erosion, fire and geologic hazards and will provide a safe, legal, all-weather access road(s), which can be constructed consistent with all policies of the LCP.

Policy 4.9: Information should be provided to the public concerning hazards and appropriate means of minimizing the harmful effects of natural disasters upon persons and property relative to siting, design and construction.

Policy 4.10: On ancient landslides, unstable slopes, and other geologic hazard areas new development shall only be permitted where an adequate factor of safety can be provided.

Policy 4.11: Applications for new development for projects located within the HOZ, shall include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard for the economic life of the structure. Such reports shall be signed by both a licensed Geotechnical Engineer and a certified engineering geologist, and be subject to review and approval by the City Public Works Director.

Policy 4.12: In the event that remediation or stabilization of landslides that affect existing structures or that threaten public health or safety is required multiple alternative remediation or stabilization techniques shall be analyzed to determine the least environmentally damaging alternative. Maximum feasible mitigation shall be incorporated into the project in order to minimize adverse impacts to resources and to preclude the need for future mitigation.

Policy 4.13: New development which does not conform to the provisions of the LCP shall be prohibited on property or in areas where such development would present an extraordinary risk to life and property due to an existing or demonstrated potential public health and safety hazard.

Non-Conforming Structures

Policy 4.14: Existing, lawfully established structures that are located between the sea and the first public road paralleling the sea (or lagoon) built prior to the adopted date of the LUP that do not conform to the provisions of the LCP shall be considered legal non-conforming structures. Such structures may be maintained and repaired, as long as the improvements do not increase the size or degree of non-conformity. Additions and improvements to such structures that are not considered Bluff Top Redevelopment, as defined herein, may be permitted provided that such additions or improvements themselves comply with the current policies and standards of the LCP. Complete demolition and reconstruction or Bluff Top Redevelopment is not permitted unless the entire structure is brought into conformance with the policies and standards of the LCP. See also Policy 5.45 which addresses non-Bluff Properties.

2. Shoreline Development

Policy 4.15: Implement a City-wide, long-term comprehensive shoreline management strategy which includes, but is not limited to, the following:

- An examination of local and regional long-term erosion rates and trends in order to reflect and plan for shoreline changes.
- An examination of mean sea level elevation trends and future sea level rise projections in order to include these conditions in future erosion rates and to plan for potential shoreline changes.

- Standard plans defining the preferred bluff retention solutions that would be acceptable or preferable, and where appropriate, identification of the types of armoring that should be avoided for certain areas or beaches in order to minimize risks and impacts from armoring to public access and scenic resources along the shoreline and beach recreation areas.
- Standard feasibility analysis of alternatives as a required element of bluff retention device projects to ensure that mid and upper bluff retention devices are avoided to the extent feasible. The analysis should require, but not be limited to, the use of technical evaluations of the site (geotechnical reports, engineering geology reports, and wave run up reports etc.), an examination of all other options (partial relocation, removal of seaward portions of the structure, revised building footprint and foundation, sand replenishment, sand retention devices, or no action, etc.), and a conclusion that a bluff retention device would be the only feasible means for protecting the existing principal structure in danger from erosion. The analysis will take into consideration the age and size of the structure, the size of the lot, whether the existing principal structure was constructed prior to the Coastal Act, and previous permit actions on the site that require consideration of alternatives to shoreline and bluff protective devices.
- Standard conditions and monitoring requirements which include mechanisms to ensure shoreline protection effectiveness with provisions for the modification or removal of ineffective, obsolete or hazardous bluff retention devices. Conditions requiring removal of shoreline and bluff protective devices if no longer required to protect a principal residential structure.
- Procedures to address emergency conditions, such as coordination with property owners; field inspections before and after storm seasons; guidance for types of preferred temporary emergency devices and a provision for their removal if a permit for a bluff retention device is not obtained.

Policy 4.16: Encourage SANDAG to maintain an inventory of available studies on local and regional coastal processes and beach resources for the purpose of advancing the SANDAG shoreline preservation strategies for the San Diego region. The City will consider participating in studies to fill information gaps on the regional effects of bluff retention devices, on beach and bluff erosion, and methods to protect the shoreline, and counteract erosion.

Policy 4.17: New development shall be set back a safe distance from the bluff edge, with a reasonable margin of safety, to eliminate the need for bluff retention devices to protect the new improvements. All new development, including additions to existing structures, on bluff property shall be landward of the Geologic Setback Line (GSL) as set forth in Policy 4.25. This requirement shall apply to the principal structure and accessory or ancillary structures such as guesthouses, pools, tennis courts, cabanas, and septic systems, etc. Accessory structures such as decks, patios, and walkways, which are at-grade and do not require structural foundations may extend into the setback area no closer than five feet from the bluff edge. On lots with a legally established bluff retention device, the required geologic analysis shall describe the

condition of the existing seawall; identify any impacts it may be having on public access and recreation, scenic views, sand supply and other coastal resources; and evaluate options to mitigate any previously unmitigated impacts of the structure or modify, replace or remove the existing protective device in a manner that would eliminate or reduce those impacts. In addition, any significant alteration or improvement to the existing structure shall trigger such review (i.e., the analysis of the seawall) and any unavoidable impacts shall be mitigated.

Policy 4.18: A legally permitted bluff retention device shall not be factored into setback calculations. Expansion and/or alteration of a legally permitted bluff retention device shall include a reassessment of the need for the shoreline protective device and any modifications warranted to the protective device to eliminate or reduce any adverse impacts it has on coastal resources or public access, including but not limited to, a condition for a reassessment and reauthorization of the modified device pursuant to Policy 4.53.

Policy 4.19: New shoreline or bluff protective devices that alter natural landforms along the bluffs or shoreline processes shall not be permitted to protect new development. A condition of the permit for all new development and blufftop redevelopment on bluff property shall require the property owner record a deed restriction against the property that expressly waives any future right that may exist pursuant to Section 30235 of the Coastal Act to new or additional bluff retention devices.

Policy 4.20: Existing, legal non-conforming publicly-owned facilities that are coastal-dependent uses such as public access improvements and lifeguard facilities located within 40 feet of the edge of the bluff edge, may be maintained, repaired and/or replaced as determined necessary by the City. Any such repair or replacement of existing public facilities shall be designed and sited to avoid the need for shoreline protection to the extent feasible.

Policy 4.21: New accessory structures on bluff properties shall be constructed in a manner that allows easy relocation landward or removal should they become threatened by coastal erosion or bluff failure. The City shall also condition CDPs authorizing accessory structures with a requirement that the permittee (and all successors in interest) shall apply for a CDP to remove the accessory structure(s) if it is determined by a licensed Geotechnical Engineer that the accessory structure is in danger from erosion landslide or other form of bluff collapse.

Policy 4.22: No bluff retention device shall be allowed for the sole purpose of protecting an accessory structure.

Policy 4.23: Where setbacks and other development standards could preclude the construction of a home the City may consider options including but not limited to reduction of the two car onsite parking space requirement to a one car onsite parking requirement or construction within five feet of the public right of way front yard setback for all stories as long as adequate architectural relief (e.g., recessed windows or

doorways or building articulation) is maintained as determined by the City. The City may also consider options including a caisson foundation with a minimum 40 foot bluff top setback to meet the stability requirement and avoid alteration of the natural landform along the bluffs. A condition of the permit for any such home shall expressly require waiver of any rights to new or additional buff retention devices which may exist and recording of said waiver on the title of the bluff property.

Policy 4.24: Where adherence to the LCP policies on geologic setbacks and other development standards would preclude construction of a new primary residence on a Bluff Top Property, even with reductions in the front yard setback and parking standards, the Bluff Top Development project shall be reviewed as a site-specific LCP Amendment to allow the minimum development necessary to avoid a taking of private property for public use without just compensation.

Policy 4.25: All new bluff property development shall be set back from the bluff edge a sufficient distance to ensure that it will not be in danger from erosion and that it will ensure stability for its projected 75-economic life. To determine the GSL, applications for bluff property development must include a geotechnical report, from a licensed Geotechnical Engineer or a certified Engineering Geologist, that establishes the Geologic Setback Line (GSL) for the proposed development. This setback line shall establish the location on the bluff top where stability can be reasonably assured for the economic life of the development. Such assurance will take the form of a quantitative slope analysis demonstrating a minimum factor of safety against sliding of 1.5 (static) or 1.2 (pseudostatic, k-0.15 or determined through analysis by the geotechnical engineer), using shear strength parameters derived from relatively undeformed samples collected at the site. In no case shall the setback be less than 40 feet from the bluff edge, and only if it can be demonstrated that the structure will remain stable, as defined above, at such a location for its 75-year economic life and has been sited safely without reliance on existing or future bluff retention devices, other than a caisson foundation.

Furthermore, all new development including, but not limited to principal structures, additions, and ancillary structures, shall be specifically designed and constructed such that it could be removed in the event of endangerment.

The predicted bluff retreat shall be evaluated considering not only historical bluff retreat data, but also acceleration of bluff retreat made possible by continued and accelerated sea level rise, future increase in storm or El Niño events, the presence of clean sands and their potential effect on the pattern of erosion at the site, an analysis of the ongoing process of retreat of the subject segment of the shoreline, and any known site-specific conditions. To the extent the MEIR or geology reports previously accepted by the City address the issues referenced above and remain current, technical information in the MEIR and previously accepted geology reports may be utilized by an applicant. Any such report must also consider the long-term effects of any sand replenishment and/or retention projects to the extent not addressed in the MEIR or the EIR for the specific application.

Policy 4.26: With respect to bluff properties only, the City will require the removal or capping of any permanent irrigation system within 100 feet of the bluff edge in connection with issuance of discretionary permits for new development, redevelopment, or shoreline protection, or bluff erosion, unless the bluff property owner demonstrates to the satisfaction of the Public Works Director, or the CCC if the project is appealed, that such irrigation has no material impact on bluff erosion (e.g., watering hanging plants over hardscape which drains to the street).

Policy 4.27: Require all bluff property landscaping for new development to consist of native, non-invasive, drought-tolerant, fire-resistant, and salt-tolerant species.

Policy 4.28: All storm water drain systems that currently drain or previously drained towards the west over the bluff shall be capped. These systems should be redesigned to drain directly, or through a sump system, and then pumped to the street in compliance with SWP 2007-0001 and consistent with SUSMP requirements. This policy shall be implemented as a condition of approval for all discretionary permits issued for bluff properties or within 5 years of adoption of the LCP, whichever is sooner.

Policy 4.29: A bluff home may continue its legal non-conforming status; however, a Bluff Top Redevelopment shall constitute new development and cause the pre-existing non-conforming bluff home to be brought into conformity with the LCP. Entirely new bluff homes shall also conform to the LCP.

Policy 4.30: Limit buildings and structures on the sloped face and toe of the bluff to lifeguard towers, subsurface public utility drainage pipes or lines, bluff retention devices, public stairs and related public infrastructure which satisfy the criteria established in the LCP. No other permanent structures shall be permitted on a bluff face. Such structures shall be maintained so that they do not contribute to further erosion of the bluff face and are to be visually compatible with the surrounding area to the maximum extent feasible.

3. Shoreline Erosion and Protective Structures

Policy 4.31: Assess potential environmental effects associated with beach sand replenishment and sand retention projects as required under CEQA and NEPA.

Policy 4.32: When bluff retention devices are unavoidable, encourage applicants to pursue preferred bluff retention designs as depicted in Appendix B of the LUP when required to protect an existing principal structure in danger from erosion. All future bluff retention device applications should utilize these designs as the basis of site-specific engineering drawings to ensure consistency with the LUP.

Policy 4.33: The City Manager, through City Staff, shall be responsible for: (a) contracting for the construction, routine maintenance, and repair of approved publicly owned bluff retention devices, if any; (b) approving permits for maintenance and repair activities of all private bluff retention devices with the bluff property owners responsible for and paying for all costs thereof; (c) monitoring and enforcing permit conditions, LUP and implementing ordinances requirements, and mitigation requirements which include aesthetic treatments, and payment of mitigation fees or fee deposits; (d) overseeing annual inspections of all bluff retention devices and notifying bluff property owners (and/or any assessing entity) of work which must be completed by the bluff property owner to ensure compliance with the aesthetic, structural and safety criteria set forth in the implementing ordinances; (e) preparing and submitting an annual status report on LCP related matters to the City Council; and (f) contracting for and removing bluff publicly owned retention devices where such removal is warranted and is in conformance with the LCP.

Policy 4.34: Identify, evaluate and pursue all feasible potential sources of revenue for funding the City's shoreline management policies and programs as contained in the LUP. Fundamental fairness dictates that the costs of the LCP's programs be allocated and shared in proportion to the benefits realized by the affected parties, including the public, the City, and the bluff property owners, respectively. Potential sources of funding may include, without limitation:

- Regional Sediment Management and opportunistic sand funding sources.
- Use of monies held by SANDAG from previous CCC sand and recreation mitigation fees collected for bluff retention devices in the City.
- City assessed Sand Mitigation Fees, which may be expended for sand replenishment and retention projects.
- City fees directly related to actual costs incurred by the City shall be established for the processing and issuance of permits, the use of City facilities and staff, and reasonable third party costs.
- Government grants (e.g., Federal Land and Water Conservation Fund, Army Corps of Engineers, Coastal Conservancy, State Tidelands Oil Revenue Fund, Oceanside Harbor mitigation fund, State Parks Bond, Open Space Bond Act, Park Land Bond Act, etc.).
- Bond financing.
- Parking revenues, beach fees, etc.
- Two percent of the existing, and any dedicated increases in, the transient occupancy tax; sales tax; or other dedicated taxes.
- Environmental mitigation fees (paid by third parties such as Caltrans, port districts, utility companies, developers, etc.).
- Funds from other parties responsible for loss of sand on the beach (e.g., water districts, sand mining companies, Caltrans, Amtrak, NCTD and any/all other property owners in the watershed, etc.) utilizing assessment districts or other equitable funding mechanisms.

Policy 4.35: Establishment of an assessing entity, as subject to the approval of the majority of affected property owners, with such funds utilized solely to benefit those properties.

Policy 4.36: Ensure that rules governing any assessing entities are established and bound based on applicable State laws, regulations and requirements associated with the specific assessing entity.

Policy 4.37: Establish a Shoreline Account which will serve as the primary account where all funds generated pursuant to the Hazards & Shoreline/Bluff Development Chapter of the LUP will be held. The City should invest the Shoreline Account funds prudently and expend them for purposes outlined in the LCP including, without limitation:

- Sand replenishment and retention studies and projects;
- Updating the October 2010 MHTL Survey;
- Preparation of other shoreline surveys and monitoring programs;
- Opportunistic beach nourishment programs and development of stockpile locations;
- Repair and maintenance of bluff retention devices subject to reimbursement by the affected non-compliant bluff property owners;
- Public recreation improvements;
- Repair and replacement of beach access infrastructure;
- Insurance premiums; and
- Shoreline related litigation.

The City may use the funds in the Shoreline Account, subject to the restrictions of any terms of the funding sources, to pay for projects such as beach sand replenishment and retention structures, public recreation and public beach access improvement projects, feasibility and impact studies, operating expenses, insurance, and litigation; and to pay to conduct surveys and monitoring programs.

Policy 4.38: Maximize the natural, aesthetic appeal and scenic beauty of the beaches and bluffs by avoiding and minimizing the size of bluff retention devices, preserving the maximum amount of unaltered or natural bluff face, and minimizing encroachment of the bluff retention device on the beach, to the extent feasible, while ensuring that any such bluff retention device accomplishes its intended purpose of protecting existing principal structures in danger from erosion.

Policy 4.39: Provide for reasonable and feasible mitigation for the impacts of all bluff retention devices which consists of the payment of Sand Mitigation Fees and Public Recreation Fees to the City or other assessing agency.

Policy 4.40: Maintain adequate signage to warn the public of the dangers associated with bluff collapse to minimize public and private safety risks inherent in the ongoing existence of unprotected, and unstable natural bluffs.

Policy 4.41: Ensure that each bluff property owner is able to enjoy reasonable use of his/her or its property as required by law, and where setbacks cause reasonable use to be difficult to achieve, acquisition of the bluff property by the City should be encouraged, if feasible.

Policy 4.42: The City, and in cases of original jurisdiction the CCC, shall regulate every bluff retention device including initial approval, construction, maintenance and repair activities for the life of the device.

Policy 4.43: Allow reasonable use of City property by a bluff property owner during the construction of a bluff retention device. For example, the City could allow use of City parking lots (with the exception of the Fletcher Cove parking lot) or other appropriate properties for staging areas and reasonable access to City ramps and the beach if reasonable impacts to public access and recreation can be avoided or minimized so as to have little material impact. However, except in emergency situations, no work on the beach shall occur on weekends, holidays or between Memorial Day weekend and Labor Day. In no case shall equipment be stored on the sandy beach overnight. The Fletcher Cove Park access ramp and all public parking spaces within Fletcher Cove shall remain open and available to public use during construction. Access corridors shall be located in a manner that has the least impact on public access to and along the shoreline.

Policy 4.44: Acknowledge the importance of balancing the rights of private property owners with minimizing, and potentially eliminating, the need for future bluff retention devices by the provision of alternate forms of protection such as a wide sandy beach, thereby reducing the impacts of such devices and achieving a more natural and attractive beach and bluff compared to what exists now.

Policy 4.45: The City has adopted preferred bluff retention solutions (see Appendix B) to streamline and expedite the City permit process for bluff retention devices. The preferred bluff retention solutions are designed to meet the following goals and objectives:

(1) Locate bluff retention devices as far landward as feasible;
(2) Minimize alteration of the bluff face;
(3) Minimize visual impacts from public viewing areas; ,
(4) Minimize impacts to adjacent properties including public bluffs and beach area; and,
(5) Conduct annual visual inspection and maintenance as needed.

The bluff property owner's licensed Civil or Geotechnical Engineer must examine the device for use in the specific location and take responsibility for the design as the Engineer of Record.

The Bluff Property Owner shall arrange for and pay the costs of:

(1) The licensed Geotechnical or Civil Engineer;

(2) The bluff retention device;
(3) A bond to ensure completion of the bluff retention device;
(4) Appropriate mitigation; and
(5) All necessary repairs, maintenance, and if needed removal.

Applicants who seek permits to install a preferred bluff retention solution can do so on a streamlined basis, relying on previously approved standards and designs, and shall receive expedited processing from the City. As technology develops, the City will consider other preferred bluff retention solutions that meet the goals and policies of the LCP, as an amendment to the LUP or within the LIP.

Applications for coastal development permits for all bluff retention devices where any portion of which will be sited seaward of the MHTL, shall be submitted first to the City for approval of a major use permit and then to the CCC for a coastal development permit. The CCC has original jurisdiction for the portion of the bluff retention device that will be sited seaward of the MHTL. Such developments shall be subject to this LCP for the portions within the City's jurisdiction. Chapter 3 of the Coastal Act will be the standard of review for the portion within the CCC's jurisdiction. For beachfront development that will be subject to wave action periodically, unless the State Lands Commission determines that there is no evidence that the proposed development will encroach on tidelands or other public trust interests, the City shall reject the application on the grounds that it is within the original permit jurisdiction of the CCC and shall direct the applicant to file his or her application with the CCC.

Policy 4.46: The City shall allow applicants proposing to install something other than a preferred bluff retention solution to apply for such an alternate design, but said applicants will not be eligible for the expedited processing and other benefits associated with preferred bluff retention solutions. Such non-standard designs shall, in most instances, undergo a more complete CEQA review as applicable, and would not enjoy the imprimatur of pre-approval associated with a preferred bluff retention solution.

Policy 4.47: All proposed development on a beach or along the shoreline, including a shoreline protection structure located within the jurisdiction of the State Lands Commission: (1) must be reviewed and evaluated in writing by the State Lands Commission and (2) may not be permitted if the State Lands Commission determines that the proposed development is located on public tidelands or would adversely impact tidelands unless State Lands Commission approval is given in writing.

Policy 4.48: A Seacave/Notch Infill shall be approved only if all the findings set forth below can be made and the stated criteria satisfied.

(a) Based upon the advice and recommendation of a licensed Geotechnical or Civil Engineer, the City makes the findings set forth below:

(1) The Seacave/Notch Infill is more likely than not to delay the need for a larger coastal structure or upper bluff retention structure, that would, in the foreseeable future, be necessary to protect and existing principal structure, City facility, and/or City infrastructure, from danger of erosion. Taking into consideration any applicable conditions of previous permit approvals for development at the site, a determination must be made based on a detailed alternatives analysis that none of the following alternatives to the coastal structure are currently feasible, including:

- Controls of surface water and site drainage;
- A smaller coastal structure; or
- Other non-beach and bluff face stabilizing measures, taking into account impacts on the near and long term integrity and appearance of the natural bluff face, and contiguous bluff properties; and,

(2) The bluff property owner did not create the necessity for the Seacave/Notch Infill by unreasonably failing to implement generally accepted erosion and drainage control measures, such as reasonable management of surface drainage, plantings and irrigation, or by otherwise unreasonably acting or failing to act with respect to the bluff property. In determining whether or not the bluff property owner's actions were "reasonable," the City shall take into account whether or not the bluff property owner acted intentionally, with or without knowledge, and shall consider all other relevant credible scientific evidence as well as relevant facts and circumstances.

(3) The location, size, design and operational characteristics of the proposed Seacave/Notch Infill will not create a significant adverse effect on adjacent public or private property, natural resources, or public use of, or access to, the beach, beyond the environmental impact typically associated with a similar bluff retention device and the Seacave/Notch Infill is the minimum size necessary to protect the principal structure, has been designed to minimize all environmental impacts, and provides mitigation for all coastal and environmental impacts as provided for in this LCP.

(b) The Seacave/Notch Infill shall be designed and constructed:

(1) To avoid migration of the Seacave/Notch Infill onto the beach;

(2) To be re-contoured to the face of the bluff, as needed, on a routine basis, through a CDP or exemption, to ensure the Seacave/Notch Infill conforms to the face of the adjoining natural bluff over time, and continues to meet all relevant aesthetic, and structural criteria established by the City;

(3) To serve its primary purpose which is to delay the need for a larger coastal structure, and designed to be removable, to the extent feasible, provided all other requirements under the LCP are satisfied; and,

(4) To satisfy all other relevant LCP and City Design Standards, set forth for Bluff Retention Devices.

Policy 4.49: Coastal structures shall be approved by the City only if all the following applicable findings can be made and the stated criteria satisfied. The permit shall be valid until the currently existing structure requiring protection is redeveloped (per definition of Bluff Top Redevelopment in the LUP), is no longer present, or no longer requires a protective device, whichever occurs first and subject to an encroachment/removal agreement approved by the City.

(a) Based upon the advice and recommendation of a licensed Geotechnical or Civil Engineer, the City makes the findings set forth below.

(1) A bluff failure is imminent that would threaten a bluff home, city facility, city infrastructure, and/or other principal structure.

(2) The coastal structure is more likely than not to preclude the need for a larger coastal structure or upper bluff retention structure. Taking into consideration any applicable conditions of previous permit approvals for development at the subject site, a determination must be made based on a detailed alternatives analysis that none of the following alternatives to the coastal structure are currently feasible, including:

- A Seacave/Notch Infill;
- A smaller coastal structure; or
- Other remedial measures capable of protecting the bluff home, city facility, non-city-owned utilities, and/or city infrastructure, which might include other non-beach and bluff face stabilizing measures, taking into account impacts on the near and long term integrity and appearance of the natural bluff face, and contiguous bluff properties;

(3) The bluff property owner did not create the necessity for the coastal structure by unreasonably failing to implement generally accepted erosion and drainage control measures, such as reasonable management of surface drainage, plantings and irrigation, or by otherwise unreasonably acting or failing to act with respect to the bluff property. In determining whether or not the bluff property owner's actions were reasonable, the City shall take into account whether or not the bluff property owner acted intentionally, with or without knowledge, and shall consider all other relevant credible scientific evidence, as well as, relevant facts and circumstances.

(4) The location, size, design and operational characteristics of the proposed coastal structure will not create a significant adverse effect on adjacent public or private property, natural resources, or public use of, or access to, the beach, beyond the environmental impact typically associated with a similar coastal structure and the coastal structure is the minimum size necessary to protect the principal structure, has been designed to minimize all environmental impacts, and provides mitigation for all coastal and environmental impacts, as provided for in this LCP.

(b) The coastal structure shall meet City Design Standards, which shall include the following criteria to ensure the coastal structure will be:

(1) Constructed to resemble as closely as possible the natural color, texture and form of the adjacent bluffs;

(2) Landscaped, contoured, maintained and repaired to blend in with the existing environment;

(3) Designed so that it will serve its primary purpose of protecting the bluff home or other principal structure, provided all other requirements under the implementing ordinances are satisfied, with minimal adverse impacts to the bluff face;

(4) Reduced in size and scope, to the extent feasible, without adversely impacting the applicant's bluff property and other properties; and

(5) Placed at the most feasible landward location considering the importance of preserving the maximum amount of natural bluff and ensuring adequate bluff stability to protect the bluff home, City facility, or City infrastructure.

(c) Mitigation for the impacts to shoreline and sand supply, public access and recreation and any other relevant coastal resource impacted by the coastal structure is required and shall be assessed in 20-year increments, starting with the building permit completion certification date. Property owners shall apply for a CDP amendment prior to expiration of each 20-year mitigation period, proposing mitigation for coastal resource impacts associated with retention of the coastal structure beyond the preceding 20-year mitigation period and shall include consideration of alternative feasible measures in which the permittee can modify the coastal structure to lessen the coastal structure’s impacts in coastal resources. Monitoring reports to the City and the Coastal Commission shall be required every five years from the date of the CDP issuance until CDP expiration, which evaluate whether or not the coastal structure is still required to protect the existing structure it was designed to protect. The permittee is required to submit a CDP application to remove the authorized coastal structure within six months of a determination that the coastal structure is no longer required to protect the existing structure it was designed to protect.

Policy 4.50: The bluff property owner shall pay for the cost of the coastal structure or Infill and pay a Sand Mitigation Fee and a Public Recreation Fee per LUP Policy 4.39. These mitigation fees are not intended to be duplicative with fees assessed by other agencies. It is anticipated the fees assessed as required by this LCP will be in conjunction with, and not duplicative of, the mitigation fees typically assessed by the CCC and the CSLC for impacts to coastal resources from shoreline protective devices.

Sand Mitigation Fee - to mitigate for actual loss of beach quality sand which would otherwise have been deposited on the beach. For all development involving the construction of a bluff retention device, a Sand Mitigation Fee shall be collected by the City which shall be used for beach sand replenishment and/or retention purposes. The mitigation fee shall be deposited in an interest-bearing account designated by the City Manager of Solana Beach in lieu of providing sand to replace the sand that would be lost due to the impacts of any proposed protective structure. The methodology used to determine the appropriate mitigation fee has been approved by the CCC and is contained in LUP Appendix A. The funds shall solely be used to implement projects which provide sand to the City's beaches, not to fund other public operations, maintenance, or planning studies.

Sand Mitigation Fees must be expended for sand replenishment and potentially for retention projects as a first priority and may be expended for public access and public recreation improvements as secondary priorities where an analysis done by the City determines that there are no near-term, priority sand replenishment Capital Improvement Projects (CIP) identified by the City where the money could be allocated. The Sand Mitigation funds shall be released for secondary priorities only upon written approval of an appropriate project by the City Council and the Executive Director of the Coastal Commission.

Public Recreation Fee – The City and the CCC have developed a method for calculating a Public Recreation Fee for the City of Solana Beach. To mitigate for impacts to public access and recreation resulting from loss of beach area, for all development involving construction of a bluff retention device, a Public Access and Recreation Fee shall be collected by the City which shall be deposited in an interest-bearing account designated by the City Manager of Solana Beach in lieu of providing beach area to replace the public access and coastal recreation benefits that would be lost due to the impacts of any proposed protective structure. The method used to determine the appropriate mitigation fee has been approved by the CCC and is contained in LUP Appendix C. The funds shall solely be used to implement projects which augment and enhance public access and coastal recreation along the shoreline, not to fund other public operations, maintenance or planning studies.

Project applicants have the option of proposing a public recreation/access project in lieu of payment of Public Recreation Fees to the City. At the City's discretion, these projects may be accepted if it can be demonstrated that they would provide a directly-related recreation and/or access benefit to the general public.

Public Recreation Fees must be expended for public access and public recreation improvements as a first priority and for sand replenishment and retention as secondary priorities where an analysis done by the City determines that there are no near-term, priority public recreation or public access CIP identified by the City where the money could be allocated. The Public Recreation funds shall be released for secondary priorities only upon written approval of an appropriate project by the City Council and the Executive Director of the Coastal Commission.

Policy 4.51: The erosion rate, being critical to the fair and accurate calculation of the Sand Mitigation Fee shall be reviewed, after notice and public hearing, at least every ten years, and more often if warranted by physical circumstances, such as major weather events, or large-scale sand replenishment projects and possible changes in coastal dynamics due to, among others, climate change, and future changes in sea level. If warranted, the erosion rate should be adjusted by the City with input from a licensed Civil or Geotechnical Engineer based upon data that accurately reflects a change in the rate of erosion of the bluff. Any such change shall be subject to the public hearing and a vote of the City Council.

Policy 4.52: An upper bluff system shall be approved only if all the following applicable findings can be made and the stated criteria will be satisfied. The permit shall be valid until the currently existing structure requiring protection is redeveloped (per definition of Bluff Top Redevelopment in the LUP), is no longer present, or no longer requires a protective device, whichever occurs first and subject to an encroachment/removal agreement approved by the City.

(a) Based on the advice and recommendation of a licensed Geotechnical or Civil Engineer, the City makes the findings set forth below.

(1) A bluff failure is imminent that would threaten a bluff home, city facility, city infrastructure, and/or other principal structure in danger from erosion.

(2) The bluff home, city facility, city infrastructure, and/or principal structure is more likely than not to be in danger within one year after the date an application is made to the City.

Taking into consideration any applicable conditions of previous permit approval for development at the subject site, determination must be made based on a detailed alternatives analysis that none of the following alternatives to the upper bluff system are then currently feasible, including:

- No upper bluff system;
- Vegetation;
- Controls of surface water and site drainage;
- A revised building footprint and foundation system (e.g., caissons) with a setback that avoids future exposure and alteration of the natural landform;

- A smaller upper bluff system;
- Other remedial measures capable of protecting the bluff home, city facility, non-city-owned utilities, and/or city infrastructure which might include tie-backs, other feasible non-beach and bluff face stabilizing measures, taking into account impacts on the near and long term integrity and appearance of the natural bluff face, the public beach, and, contiguous bluff properties; or
- Removal and relocation of all, or portions, of the affected bluff home, city facilities or city infrastructure.

(3) The bluff property owner did not create the necessity for the upper bluff system by unreasonably failing to implement generally accepted erosion and drainage control measures, such as reasonable management of surface drainage, plantings and irrigation, or by otherwise unreasonably acting or failing to act with respect to the bluff property. In determining whether or not the bluff property owner's actions were reasonable, the City shall take into account whether or not the bluff property owner acted intentionally, with or without knowledge, and shall consider all other relevant credible scientific evidence as well as relevant facts and circumstances.

(4) The location, size, design and operational characteristics of the proposed upper bluff system will not create a significant adverse effect on adjacent public or private property, natural resources, or public use of, or access to, the beach, beyond the environmental impact typically associated with a similar upper bluff system and the upper bluff system is the minimize size necessary to protect the existing principal structure, has been designed to minimize all environmental impacts, and provides mitigation for all coastal and environmental impacts, as provided for in this LCP.

(b) The upper bluff system shall meet City Design Standards applicable to bluff retention devices, including ensuring the natural bluff face is preserved to the greatest extent feasible, by using soft systems such as Geogrid, Geoweb, and planted with native species. The upper bluff system shall be designed to minimize alterations of natural landforms and shall not have a material adverse visual impact. The upper bluff slope shall be designed to have both vertical and horizontal relief.

(c) All upper bluff systems shall be subject to the same permitting time frames as specified for a coastal structure, and may be subject to removal based upon the same time frames and similar criteria set forth for removal of coastal structures, as reasonably determined by the City.

(d) Mitigation for the impacts to shoreline and sand supply, public access and recreation and any other relevant coastal resource impacted by the upper bluff system is required and shall be assessed in 20-year increments, starting with the building permit completion certification date. Property owners shall apply for a CDP amendment prior to expiration of each 20-year mitigation period, proposing mitigation for coastal resource impacts associated with retention of the upper bluff system beyond the preceding 20-year mitigation period and shall include consideration of alternative feasible measures in which the permittee can modify the upper bluff system to lessen the upper bluff system's impacts on coastal resources. Monitoring reports to the City and the Coastal Commission shall be required every five years from the date of the CDP issuance until CDP expiration, which evaluate whether or not the upper bluff system is still required to protect the existing structure it was designed to protect. The permittee is required to submit a CDP application to remove the authorized upper bluff system within six months of a determination that the upper bluff system is no longer required to protect the existing structure it was designed to protect.

Policy 4.53: All permits for bluff retention devices shall expire when the currently existing blufftop structure requiring protection is redeveloped (per definition of Bluff Top Redevelopment in the LUP), is no longer present, or no longer requires a protective device, whichever occurs first and a new CDP must be obtained. Prior to expiration of the permit, the bluff top property owner shall apply for a coastal development permit to remove, modify or retain the protective device. In addition, expansion and/or alteration of a legally permitted existing bluff retention device shall require a new CDP and be subject to the requirements of this policy.

The CDP application shall include a re-assessment of need for the device, the need for any repair or maintenance of the device, and the potential for removal based on changed conditions. The CDP application shall include an evaluation of:

- The age, condition and economic life of the existing principal structure;
- Changed geologic site conditions including but not limited to, changes relative to sea level rise, implementation of a long-term, large scale sand replenishment or shoreline restoration program; and
- Any impact to coastal resources, including but not limited to public access and recreation.

The CDP shall include a condition requiring reassessment of the impacts of the device in 20 year mitigation periods pursuant to Policies 4.49 and 4.53.

No permit shall be issued for retention of a bluff retention device unless the City finds that the bluff retention device is still required to protect an existing principal structure in danger from erosion, that it will minimize further alteration of the natural landform of the bluff, and that adequate mitigation for coastal resource impacts, including but not limited to impacts to the public beach, has been provided.

Policy 4.54: Any bluff retention device shall be reasonably maintained and repaired by the bluff property owner on an "as needed" basis, at the bluff property owner's expense, in accordance with the implementing ordinances and any permit issued by the City. Any authorized assessing entity in which the project lies shall ensure such payments are reimbursed to the City if the bluff property owner fails to perform such work and the City elects to do so, subject to mandatory reimbursement. However, in all cases, after inspection, it is apparent that repair and maintenance is necessary, including maintenance of the color of the structures to ensure a continued match with the surrounding native bluffs, the bluff property owner or assessing entity shall contact the City or CCC office to determine whether permits are necessary, and, if necessary, shall subsequently apply for a coastal development permit for the required maintenance.

Policy 4.55: To achieve a well maintained, aesthetically pleasing, and safer shoreline, coordination among property owners regarding maintenance and repair of all bluff retention devices is strongly encouraged. This may also result in cost savings through the realization of economies of scale to achieve these goals by coordination through an assessing entity. All bluff retention devices existing as of the date of certification of the LCP, to the extent they do not conform to the requirements of the LCP, shall be deemed non-conforming. A bluff property owner may elect to conform his/her/its bluff property or bluff retention device to the LCP at any time if the City finds that an existing bluff retention device that is required to protect existing principal structures in danger from erosion is structurally unsound, is unsafe, or is materially jeopardizing contiguous private or public principal structures for which there is no other adequate and feasible solution, then the City may require reconstruction of the bluff retention device.

Policy 4.56: A program should be developed in conjunction with state and federal agencies, to provide incentives to relocate existing development out of hazardous areas and to acquire bluff properties that have been damaged by storm activities, where relocation of development to a safer location on the site is not feasible and additional protection measures are not feasible.

Policy 4.57: Siting and design of new shoreline development and bluff retention devices shall take into account predicted future changes in sea level. In particular, an acceleration of the historic rate of sea level rise shall be considered and based upon up-to-date scientific papers and studies, agency guidance (such as the 2010 Sea Level Guidance from the California Ocean Protection Council), and reports by national and international groups such as the National Research Council and the Intergovernmental Panel on Climate Change. Consistent with all provisions of the LCP, new structures shall be set back a sufficient distance landward to eliminate or minimize, to the maximum extent feasible, hazards associated with anticipated sea level rise over the expected economic life of the structure.

Policy 4.58: Development on the bluffs, including the construction of a bluff retention device, shall include measures to ensure that:

- No stockpiling of dirt or construction materials shall occur on the beach;

- All grading shall be properly covered and sandbags and/or ditches shall be used to prevent runoff and siltation;
- Measures to control erosion shall be implemented at the end of each day's work;
- No machinery shall be allowed in the intertidal zone at any time to the extent feasible;
- All construction debris shall be properly collected and removed from the beach. Shotcrete/concrete shall be contained through the use of tarps or similar barriers that completely enclose the application area and that prevent shotcrete/concrete contact with beach sands and/or coastal waters.

Policy 4.59: All new swimming pools and in-ground spas on bluff property shall contain double wall construction with drains and leak detection systems. All new swimming pools and in-ground spas shall be located landward of the geologic setback line.

Policy 4.60: Existing bluff retention devices which are not considered preferred bluff retention solutions and do not conform to the provisions of the LCP, including the structural or aesthetic requirements may be repaired and maintained to the extent that such repairs and/or maintenance conform to the provisions of the LCP.

4. Beach Sand Replenishment and Retention

Policy 4.61: Establish a wide, safe, sand beach to: (a) maintain, and when feasible, provide increased public access and recreational opportunities; (b) minimize impacts on sensitive marine resources; (c) protect water quality; (d) mitigate adverse impacts of bluff retention devices.

Policy 4.62: Continue to coordinate with SANDAG, the USACE, the State Lands Commission, California Department of Boating and Waterways, and others to establish and fund programs for periodic sand nourishment of beaches which are vulnerable to wave damage and erosion. Beach nourishment programs should include measures to minimize potential adverse biological resource impacts from deposition of material, including measures such as timing or seasonal restrictions and identification of environmentally preferred locations for deposits. Any program for beach sand nourishment shall not be effective until certified as an amendment to the LCP by the CCC or permitted as an independent project subject to a CDP.

Policy 4.63: Subject to coastal development permit requirements, the beneficial reuse and placement of sediments removed from erosion control or flood control facilities at appropriate points along the shoreline may be permitted for the purpose of beach nourishment. Any beach nourishment program for sediment deposition shall be designed to minimize adverse impacts to beach, intertidal and offshore resources, shall incorporate appropriate mitigation measures, and shall consider the method, location, and timing of placement. Sediment removed from catchment basins may be disposed of in the littoral system if it is tested and found to be of suitable grain size and type and a coastal development permit for such disposal has been obtained. The program shall

identify and designate appropriate beaches or offshore feeder sites in the littoral system for placement of suitable materials from catchment basins.

Policy 4.64: Implement a series of projects implemented within the regulatory and permitting framework of the SCOUP program to provide data for planning of a long-term beach replenishment and retention program. This series of SCOUP projects may be used to determine the quantity and quality of sand needed to effectively widen the beach without being detrimental to offshore biological resources. Quantities of sand in the pilot projects and the specific sand placement locations will be determined based on the assessment of opportunities and constraints within the City.

Policy 4.65: Pursue a demonstration/temporary pilot project for a sand retention device such as a submerged, or emergent reef, groin field, or short T-head groin or other structure if approved through the coastal development permit and/or Federal consistency review by the CCC. The environmental, recreational, and aesthetic effects of any sand retention structure will be considered in its planning and design in compliance with CEQA and NEPA. The City will also consider any implementation of sand replenishment and retention structures in a regional context and in cooperation with other cities' beach sand retention efforts.

Policy 4.66: Monitor SCOUP projects according to their regulatory permit requirements by using standardized aerial photography, LIDAR, and/or other appropriate technologies as they become available and accepted for use in monitoring beach conditions, examining several beach profiles and the condition of the beach sand retention structures, sediment sampling, and evaluation of effects on the beach and near shore ecology. Any such SCOUP project will also be monitored for recreational resource impacts, turbidity, sediment compatibility, traffic, and hazardous materials. These data will be analyzed to identify the effectiveness of any such sand replenishment and retention efforts at the end of the SCOUP program. The level of effect on sensitive biological resources (e.g., surfgrass, threatened or endangered species) and other effects on high quality hard bottom reefs will be quantified, and rates, and patterns of sand loss, and deposition will be determined. If feasible, changes in beach user patterns will also be identified and reported.

Policy 4.67: Develop a long-term beach replenishment program based on data and analysis from the Regional Beach Sand Project (RBSP) and SCOUP programs. Longer-term projects will be implemented at regular intervals in the future as determined by sand loss rates or as needed after severe storm seasons. Planning and budgeting will be established to carry out the program to a pre-determined date. The City should take into account climate change research and projections of future sea level rise using the most relevant, valid, and peer-reviewed data sets relative to long term planning assumptions to ensure regional planning consistency. The most relevant research into design and maintenance plans for the long-term beach sand replenishment and retention program should also be considered. The effectiveness of any such program will be reassessed after a specified period, but at least every five years, to identify any needed modifications.

Policy 4.68: Participate in and encourage other long-term beach sand replenishment and retention programs at the federal, state, and regional level.

Policy 4.69: Install or maintain a sand retention structure or structures based on analysis of the performance of any temporary structures. The design of a long-term structure or structures will be based on the monitoring results of the pilot project and of projects at other locations. The environmental and aesthetic effects of any long-term structure will be fully taken into account in its planning, design, and implementation.

Policy 4.70: Inform applicants, for new development in the City and in surrounding areas that do not have permitted SCOUP programs, of the City's SCOUP program and encouraged them to participate. Development on upland sites that will result in 5,000 cubic yards, or more, of export should be required to test the material for suitability for beach deposition. If suitable, the material should be placed on the beach via the SCOUP program.

5. Fire Hazard Management in the Wildland Urban Interface

Policy 4.71: All new development in the WUI or adjacent to ESHA shall be sited and designed to minimize required fuel modification to the maximum extent feasible in order to avoid environmentally sensitive habitat disturbance or destruction, removal or modification of natural vegetation, while providing for fire safety

Policy 4.72: All discretionary permit applications for projects shall be reviewed by the City's Fire Marshal to determine if any thinning or clearing of native vegetation is required to determine if any thinning or clearing of native vegetation is required. The Fire Marshal may reduce the 100' fuel management requirement for existing development, when equivalent methods of wildfire risk abatement are included in project design.

Policy 4.73: Equivalent methods of fire risk reduction shall be determined on a case-by-case basis by the Fire Marshal and may include the following, or a combination of the following, but are not limited to:

- Compliance with Building Code and Fire Code requirements for projects located in the WUI (State Fire Code Chapter 7A);
- Installation of a masonry or other non-combustible fire resistant wall up to six feet in height;
- Exterior sprinklers to be used in an emergency for fire suppression;
- Boxed eaves;
- Reduced landscaping that is compliant with the County of San Diego fire hazard risk reduction plant list and planting guidelines;
- Other alternative construction to avoid the need for vegetation thinning, pruning or vegetation removal.

Policy 4.74: Within the WUI (Exhibit 4-7), the area within 100 feet of a habitable structure is divided into two zones as follows. Zone 1 is located from 0 - 30 feet from the residence and Zone 2 located from 30-100 feet from the residence.

Policy 4.75: Required fuel modification that may take place in both zones is defined as follows: In Zone 1, thin, prune or remove and replace vegetation and in Zone 2 thinning of non-natives and removal of dead vegetation. Vegetation shall be thinned to a height of 18 inches. Root systems and stumps will be left in place to minimize soil disturbance and soil erosion. All fuel modification work will be done by hand crews only.

Policy 4.76: The City Fire Marshal retains the discretion to reduce or expand the fire zones on a case-by-case basis, with specific findings due to factors that may include, but are not limited to building material, topography, vegetation load, and type.

Policy 4.77: Fuel Modification Requirements for Existing Development - The City shall encourage property owners to implement fire risk reduction alternatives, including those listed in Policy 4.73 as a priority over fuel modification in ESHA. However, the City Fire Marshal may require fuel modification to occur adjacent to existing development as outlined in the established zones. If fuel modification is required by the Fire Marshal for existing development that would encroach into ESHA, the alternative that has the least impact on ESHA shall be implemented where feasible.

Policy 4.78: Fuel Modification Requirements for Additions to Existing Structures – Where a new addition would encroach closer than 100 feet to an ESHA, the City Fire Marshal shall review the project for fuel modification requirements. If a 100 foot fuel modification zone would encroach into ESHA, the additions shall not be permitted unless the addition would not encroach any closer to ESHA than existing principal structures on either side of the development.

Policy 4.79: Fuel Modification Requirements for New Development – New development, including but not limited to subdivisions and lot line adjustments shall be sited and designed so that no brush management or the 100 ft. fuel modification encroaches into ESHA.

Policy 4.80: For purposes of this section, "encroachment" shall constitute any activity which involves grading, construction, placement of structures or materials, paving, removal of native vegetation including clear-cutting for brush management purposes, or other operations which would render the area incapable of supporting native vegetation or being used as wildlife habitat, including thinning as required in Zone 2. Modification from Policy 4.79 may be made upon the finding that strict application of this policy would result in a taking of private property for public purposes without just compensation.

Policy 4.81: If fuel modification is required by the Fire Marshal, a fuel modification plan will be required to be submitted to the City as part of the application for any development located in WUI Fire Hazard Severity Zones (Exhibit 4-7). Applications shall include a site plan describing and quantifying the potential thinning, pruning or removal of brush, if any, that would be required to provide fire safety for the project or would be needed to accommodate any/all project elements.

Policy 4.82: All discretionary permit applications for projects in the City's WUI shall be required to include landscape plan that has been prepared in accordance with the County of San Diego "Suggested Plant List for a Defensible Space" http://www.sdcounty.ca.gov/pds/docs/DPLU199.pdf and planting guidelines emphasizing the use of fire-resistant, native, non-invasive, drought-tolerant and salt-tolerant species. These plants grow close to the ground, have a low sap or resin content, grow without accumulating dead branches, needles or leaves, are easily maintained and pruned. Any new vegetation planted must meet Planning Department guidelines.

Policy 4.83: Any required thinning of flammable vegetation in the WUI shall be conducted by hand crews between September 15 through February 15. To minimize impacts to habitat, sensitive plant species will not be thinned or removed. Sensitive species such as Quercus Dumosa (Coastal Scrub Oak), Ceanothus Verrucosus (Coastal White Lilac), Arcto staphylos Glandulosa (Del Mar Manzanita) and Corethrogyne Filaginifolia var. Linifolia (Del Mar Sand-Aster) will not be thinned or disturbed in any way.

6. Emergency Actions and Response

Policy 4.84: The City Manager or his/her designee may grant an emergency permit, which shall include an expiration date of no more than one year and the necessity for a subsequent regular CDP application, if the City Manager or his/her designee finds that:

(1) An emergency exists that requires action more quickly than permitted by the procedures for a CDP and the work can and will be completed within thirty (30) days unless otherwise specified by the terms of the permit.
(2) Public comment on the proposed emergency action has been reviewed, if time allows.
(3) The work proposed would be consistent with the requirements of the certified LCP.
(4) The emergency action is the minimum needed to address the emergency and shall, to the maximum extent feasible, be the least environmentally damaging temporary alternative.

Policy 4.85: An emergency permit shall be valid for 60 days from the date of issuance unless otherwise specified by the City Manager or his/her designee, but in no case more than one year. Prior to expiration of the emergency permit, if required, the permittee must submit a regular, CDP application for the development even if only to remove the development undertaken pursuant to the emergency permit and restore the site to its previous condition.

Policy 4.86: All emergency permits shall be conditioned and monitored to insure that all authorized development is approved under a regular coastal development permit in a timely manner, unless no follow up permit is required.

Policy 4.87: Maintain the permit tracking and monitoring system to identify and prevent the illegal and unpermitted construction of bluff retention devices as a component of the code enforcement program.

CHAPTER 5—NEW DEVELOPMENT

A. Introduction

The majority of the City has been developed and less than 1% of lands in the City are little undeveloped or vacant. The majority of the types of "new" development are expected to be residential and commercial remodels and infill development. The existing land use map is presented in Exhibit 5-1.

The City's LUP encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated and older neighborhoods. An objective of the LUP and City's General Plan is to ensure that long-term protection of the environment is prioritized in the consideration of development proposals. New developments are subject to visual impact analysis where potential impacts upon sensitive locations and public views are identified. It also requires that new structures and improvements be integrated with the surrounding environment to the greatest possible extent to maintain the character of the community. The LUP is consistent with the General Plan, and may be more restrictive in certain areas relative to the Coastal Act, as allowed by state law.

The LUP includes descriptions of land uses within the City. The primary types of land uses in the City include:

- Public and institutional land uses including the residential estate and low-density single-family, medium density multi-family, and high-density multi-family;
- Commercial, retail and office including both local-serving and visitor serving retail and commercial services;
- Light industrial;
- Open space (La Colonia Park, the City's beaches and shoreline, Holmwood Canyon Ecological Preserve, and the Lomas Santa Fe Golf Course); and,
- Public and institutional land uses including City Hall, Solana Beach Transit station, churches, schools, Solana Beach Marine Safety Center, Fletcher Cove Park and Community Center, public parking lots and all of the public and private coastal access points.

1. Coastal Act Provisions

The Coastal Act requires the protection of coastal resources, including public access, land and marine habitat, and scenic and visual quality. Section 30250 of the Coastal Act requires that new development be located near existing developed areas, where it will not have significant cumulative or individual, adverse impacts, on coastal resources.

SAN ELIJO LAGOON

ENCINITAS

PACIFIC OCEAN

N HIGHWAY 101

5

SUNSET VALLEY RD

LOMAS SANTA FE DR

LOMAS SANTA FE DR

S HIGHWAY 101

HIGHLAND DR

SAN ANDRES DR

SAN DIEGO COUNTY (UNINCORPORATED)

DEL MAR

City of Solana Beach
EXISTING LAND USES

RESIDENTIAL
- Estate Residential
- Low Density Residential
- Low/Medium Density Residential
- Medium Density Residential
- Medium-High Density Residential
- High Density Residential

COMMERCIAL AND OFFICE
- Light Commercial
- Commercial
- Special Commercial
- Office/Professional

INDUSTRIAL
- Light Industry

PUBLIC FACILITIES
- Public/Institutional

PARKS AND RECREATION
- Open Space/Recreation

OTHER
- Vacant

servicebureau

0 250 500 750 1,000 Feet

N

Existing Land Use is based on SANDAG 2010 Land Use Inventory (January 1, 2010) and Solana Beach General Plan categories

EXHIBIT 5-1 CITYWIDE LAND USE MAP

Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

2. Land Use Plan Provisions

The LUP provides parameters for new development within the City. Land use types include local commercial, visitor serving commercial, residential, institutional, recreational, and open space. The LUP describes the allowable uses in each category. The commercial development policies provide for pedestrian and bicycle circulation to be provided within new commercial projects in order to minimize vehicular traffic. Visitor serving commercial uses shall be allowed in all commercial zones in the City and are given priority over other non-coastal dependent development. Parking facilities approved for office or other commercial developments shall be permitted to be used for public beach parking on weekends and other times when the parking is not needed for the approved uses.

The LUP policies require that land divisions minimize impacts to coastal resources and public access. Land divisions include subdivisions through parcel or tract map, lot line adjustments, and certificates of compliance. Land divisions are only permitted if they are approved in a CDP. A land division cannot be approved unless every new lot created would contain an identified building site that could be developed consistent with all policies of the LCP. Land divisions must be designed to cluster development, to minimize landform alteration, to minimize site disturbance, and to maximize open space.

The LUP policies provide for the protection of water resources and water conservation. Reclaimed water may be used for approved landscaping, but landscaping or irrigation of natural vegetation for the sole purpose of disposing of reclaimed water is prohibited.

Communication facilities are allowed as a conditional use in all land use designations, however, no facility can be located within an area mapped as ESHA. All facilities and related support structures shall be sited and designed to protect coastal resources, including scenic, and visual resources. Collocation of facilities is required where feasible to avoid the visual impacts of facility proliferation. New transmission lines, distribution lines and support structures will be placed underground where feasible. Existing facilities should be relocated underground when they are replaced.

Land use zones that implement the LUP and the General Plan within the City of Solana Beach include a wide variety of types of uses. The LUP Map shows the land use designation for each property in the City. The land use designation denotes the type, density and intensity of development that may be permitted for each property, consistent with all applicable LCP policies. New development in the City shall be consistent with the LUP map, and all applicable LCP policies. Exhibit 5-1 displays the City's existing Land Use Map.

Land uses in Solana Beach are described below in descending order based on their total percentage within the City:

- Residential - 55%
- Roads & Right of Way - 18%

- Recreation/Open Space - 12%
- Public/Quasi-Public Institutional - 6%
- Commercial - 5%
- Light Industry - 2%
- Office/Professional - 1%
- Vacant/Underdeveloped - 1%

Development is managed through LCP, General Plan policy and implementation, application of zoning ordinance standards including specific plans.

Most land use decisions made by the City relate to redevelopment or reuse of land and infill development projects. The majority of future redevelopment and infill development is expected to occur is primarily west of I-5.

The areas west of I-5 are well served by public transit with a Transit Station and bus stops located along Highway 101 and Lomas Santa Fe Drive. Existing and planned local and visitor serving commercial development is located primarily along the Highway 101 corridor, Lomas Santa Fe Drive, Cedros Avenue, and the shopping centers adjacent to the I-5/Lomas Santa Fe Drive intersection. Residential areas adjacent to these commercial corridors are served by local public roadways, which provide primary coastal access using major arterial roadways. The City's LUP requires adequate parking to be provided for all new development and redevelopment.

Existing parkland and school playgrounds are adequate to meet the needs of local residents. Since most of the City is already developed in accordance with the General Plan and only 1% of land in the City is vacant or undeveloped, substantial increases in residential dwelling units and population are unlikely. This is also supported by recent U.S. 2010 census data which showed a population increase in the City of 804 from 2000 to 2010 Census 2010 population was 13,783 and Census 2000 population was 12,979.

Policies pertaining to new development provide for the protection and preservation of both known (mapped) as well as potential undiscovered cultural resources (archaeological, paleontological and historical) within the City. Measures to avoid and/or minimize impacts to identified cultural resources are required by the City and by the CEQA to be incorporated into new projects. Monitoring must be provided during construction to protect resources.

There are six known archaeological/historical sites within Solana Beach (Solana Beach General Plan, 1988). The precise location and nature of these sites is not public information to avoid disturbance of these resources. To comply with requirements of CEQA, cultural resources database searches and field surveys are typically performed prior to any ground-disturbing activity, such as grading or construction, to determine the presence of any significant cultural resources.

Historic resources are limited in Solana Beach as nearly all of the City's earliest structures have given way to new development. The oldest remaining in-place structure is generally believed to be the Gonzales House which was located in the 700 block of Ida Street which has been relocated to La Colonia Park in the Eden Gardens area. This house was constructed in 1925 and is well maintained.

The geologic formations in Solana Beach consist of sedimentary deposits, which are expected to contain fossils of prehistoric plants and animals classified as paleontological resources. However, no significant fossils have been identified in the City to date. Fossilized oyster beds are visible on the beach and offshore immediately north of Solana Beach (Table Tops Reef) at South Cardiff State Beach and to the south in Del Mar within the northern portion of Dog Beach.

B. Coastal Act Policies

Section 30244:
Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Section 30250:
New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it or where such areas are not able to accommodate it in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to existing development areas able to accommodate it in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Section 30252:
The location and amount of new development should maintain and enhance public access to the coast by: (1) facilitating the provision of extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and

(6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30253:
New development shall: (1) minimize risks to life and property in areas of high geologic, flood, and fire hazard; (2) 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; (3) be consistent with requirements imposed by an air pollution control district on the State Air Resources Board as to each particular development; (4) minimize energy consumption and vehicle miles traveled; and (5) where appropriate, protect special communities and neighborhoods, which because of their unique characteristics are popular visitor destination points for recreational uses.

C. Land Use Plan Policies

1. Land Use Plan Map

Exhibit 5-1 shows the existing land use category for each property within the City of Solana Beach. New development in the City shall be consistent with the LUP map and all applicable LCP policies. Following is a description of the land use designations. Exhibit 5-2 depicts special overlay zones in the City. Exhibit 5-3 depicts the hillside overlay map in the City.

2. Land Use Designations

The land use designations below are based on existing definitions as contained in the SBMC. The designations denote the type, density, and intensity of development that may be permitted for each property consistent with all applicable LCP policies. Following is a description of the land use designations:

Estate Residential Zone (ER-1), (ER-2) – (zero to two dwelling units/net acre): These zones are intended for residential development in areas characterized by single-family homes on semirural estate lots of one-half acre or larger. The estate sized parcels help preserve the natural terrain and minimize grading requirements.

Low Residential Zone (LR) – (three dwelling units/net acre): This zone is intended for residential development in areas characterized by detached single-family homes on older subdivided lots.

Low Medium Residential Zone (LMR) – (four dwelling units/net acre): This zone is intended for residential development in areas characterized primarily by detached single-family homes on both older and newer subdivided lots.

Medium Residential Zone (MR) – (five to seven dwelling units/net acre): This zone is intended to provide for residential development in areas characterized primarily by detached single-family dwellings on older subdivided lots and two-family and multiple-family dwellings within newer, large lot planned developments.

Medium High Residential Zone (MHR) – (eight to 12 dwelling units/net acre): This zone is intended for a wide range of residential development types including detached single-family and attached duplex units at the low end of the density range and multiple-family attached units at the higher end of the density range.

High Residential Zone (HR) – (13 to 20 dwelling units/net acre): This zone is intended for multiple-family attached units such as apartments and condominium buildings. Such areas are located in close proximity to major community facilities, commercial centers, and transportation routes. It is intended that development in this zone utilize innovative site planning and provide on-site recreational amenities.

General Commercial (C) - This land use category is intended to provide for commercial activities and services of a more intensive nature and includes both visitor serving land uses and land uses likely to be patronized by residents. These uses would be located primarily along major transportation routes and would include major shopping facilities and service centers. In addition, the general commercial uses are intended to accommodate and promote tourist-oriented commercial and pedestrian-oriented uses along Highway 101.

Light Commercial (LC) - This land use category is intended to provide for areas of lower intensity commercial activities and services which have minimal impact on nearby residential neighborhoods. Where feasible, such uses should provide for convenience shopping and services for residents of the immediate neighborhood.

Office Professional (OP) - This land use category is intended to provide for professional office and service centers and retail accessory uses, which are complementary to office development. Primary uses would include medical and dental centers, financial services, and other office-based business services.

PACIFIC OCEAN

SAN ELIJO LAGOON

ENCINITAS

City of Solana Beach SPECIAL ZONING OVERLAYS

- Existing Visitor Hotel Sites
- Dark Sky Areas
- Floodplain Overlay
- Hillside/Coastal Bluff Overlay (HOZ)
- Scenic Area Overlay
- HWY 101 Corridor Specific Plan
- Scaled Residential Overlay
- Visitor Serving Commercial Overlay I
- Visitor Serving Commercial Overlay II

Existing Land Use (General Plan Categories)

RESIDENTIAL
- Estate Residential
- Low Density Residential
- Low/Medium Density Residential
- Medium Density Residential
- Medium-High Density Residential
- High Density Residential

COMMERCIAL AND OFFICE
- Light Commercial
- Commercial
- Special Commercial
- Office/Professional

INDUSTRIAL
- Light Industry

PUBLIC FACILITIES
- Public/Institutional

PARKS AND RECREATION
- Open Space/Recreation

OTHER
- Vacant

servicebureau SANDAG

0 250 500 750 1,000 Feet

N

Existing Land Use is based on SANDAG 2010 Land Use Inventory (January 1, 2010) and Solana Beach General Plan categories

N HIGHWAY 101

S HIGHWAY 101

5

LOMAS SANTA FE DR

LOMAS SANTA FE DR

SUNVALLEY RD

HIGHLAND DR

SAN ANDRES DR

DEL MAR

SAN DIEGO

SAN DIEGO COUNTY (UNINCORPORATED)

EXHIBIT 5-2 SPECIAL ZONING OVERLAYS

Adopted Local Coastal Land Use Plan
City of Solana Beach, February 2013

Light Industrial (LI) - This land use category is intended to provide for light industrial uses such as manufacturing, assembly, research, and development, warehousing, personal storage, and similar types of industrial uses, which do not involve the use of environmentally hazardous materials, or processes, and would not result in objectionable external effects. The light industrial classification allows limited office and commercial uses which are an integral component of the on-site industrial use. Business services and personal and household services uses are allowed to a limited degree as well as very limited retail components of industrial uses.

Special Commercial (SC) - This land use category is intended to implement the special commercial land use designation and to preserve and perpetuate those areas of the community affording unique pedestrian-oriented commercial centers utilized by residents and visitors and characterized by a wide variety of uses including small specialty retail shop, light industrial uses, offices, and residential loft apartments. Please note that the Highway 101 Specific Plan establishes standards that have been incorporated into the LUP. The (SC) classification is intended to preserve and promote mixed uses within the zone and, where appropriate, within individual developments. This special commercial use area consists of three districts. Cedros Avenue north of Lomas Santa Fe Drive shall be the North Cedros Avenue Business District. The special commercial use area south of Lomas Santa Fe Drive shall be the South Cedros Avenue Business District. The Stevens Avenue special commercial area shall be known as the Stevens Avenue Business District. In the North and South Cedros Districts, existing non-visitor serving uses such as light industrial uses, offices, and residential loft apartments may remain, but redevelopment of these sites should be for tourist and visitor-serving uses, consistent with the Visitor Serving Commercial Overlay where feasible.

Public Institutional (PI) - This land use classification is intended to provide areas for civic, public safety, or public utility uses. Such uses include schools, fire stations, churches, public parking facilities, and reservoirs.

Open Space/Recreation (OSR) - This land use classification is to implement the goals and objectives for open space and recreational uses. More specifically, the (OSR) designation is intended to:

(1) Provide for a comprehensive network of permanent, multifunctional, public and privately owned open space areas within the city;

(2) Preserve, protect, and enhance the value of natural resources including topographical and geological features, plant and wildlife habitats, coastal wetlands, beaches, coastal bluffs, watershed areas, resource buffer areas, and scenic areas; and

(3) Provide sufficient space to meet the community's present and prospective needs for various recreational and cultural activities including developed public parks, recreational facilities, and golf courses.

Visitor Serving Commercial Overlays I and II (VSCO): The purpose of the VSCO is to identify areas that are prime locations for tourist and visitor serving commercial uses,

which must be redeveloped exclusively with visitor serving commercial uses (VSCO I) and primarily visitor-serving commercial uses (VSCO II).

VSCO I - This land use overlay is intended to reserve sufficient land in appropriate locations exclusively for high-priority commercial recreation and visitor serving uses. The designation provides land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who visit and recreate at the coast. Allowable uses include hotels, motels, restaurants, music venues, entertainment attractions, retail, and specialty/artisan retail commercial uses. Mixed use development with office or residential above the ground level is also permitted. Existing uses may remain and any future redevelopment shall be consistent with the VSCO I overlay requirements.

The VSCO I designation applies to the following areas: the lots fronting Plaza Street from Highway 101 to Acacia Avenue; 717 South Highway 101; 621 South Highway 101; and at the triangle-shaped lot on the northern border of the City, located north of Ocean Street, on the east side of Highway 101. This triangle-shaped lot is adjacent to the San Elijo Lagoon Ecological Reserve. In addition to the above-listed uses, this site may also be developed with open space or public park use compatible with the adjacent resources.

VSCO II - This land use overlay identifies areas that are currently developed with visitor-serving commercial uses that should be encouraged and promoted, but are not specifically restricted to these uses, as in the VSCO I land use designation. The uses include hotels, motels, restaurants, music venues, entertainment attractions, and specialty/artisan retail commercial uses. Mixed use development with residential above the ground level is also permitted. Existing non-visitor serving uses such as light industrial uses, offices, and residential loft apartments may remain, but redevelopment of these sites should be for tourist and visitor-serving uses. The VSCO II designation applies to the following areas: The North and South Cedros Avenue Business Districts,, the timeshare developments located at 535 South Highway 101 and north of Via de la Valle, west of Interstate 5; and the two commercially-zoned shopping plazas located east and west of Interstate 5 and south of Lomas Santa Fe Drive.

Right-of-Way (ROW) - This land use classification provides appropriate regulations for the following public rights-of-way as designated in the Solana Beach General Plan: (1) Interstate Freeway 5, (2) Lomas Santa Fe Drive, (3) Highway 101, and (4) the Santa Fe Railroad. These rights-of-way provide essential transportation corridors serving both local and regional needs and have importance as public utility delivery, parking, and recreation, and scenic/open space corridors.

Highway 101 Specific Plan – The purpose of this 163 acre Specific Plan is to provide for new development and redevelopment to achieve a physical environment along Highway 101 that is cohesive and representative of the unique character of Solana Beach. The Solana Beach General Plan Land Use Element established the basis of need for specific development standards for the Highway 101 area and the Cedros Design

District. The goal is to strengthen the economic base and offer a range of commercial enterprises to meet the needs of residents and visitors to the City.

The boundaries of the Specific Plan are from San Elijo Lagoon in the north to Via de la Valle in the south and from Rios Avenue in the east to Fletcher Cove Park in the west. The land use designations within the Highway 101 Specific Plan match the land use designations shown in Exhibit 5-1.

3. General Policies

Policy 5.1: Encourage and provide commercially designated land to support visitor serving commercial land uses and activities, such as hotels/motels, entertainment attractions, restaurants, and shopping within the City of Solana Beach. VSCO areas shall be designated in the vicinity of primary coastal access routes, particularly in proximity to higher intensity beach use areas. Development standards for the VSCO designation shall encourage pedestrian activity through the design and location of building frontages and parking provisions.

Policy 5.2: Encourage and provide recreational facilities to support both local resident and visitor needs within the City of Solana Beach.

Policy 5.3: Maintain and protect land planned and zoned for intensive commercial retail and services, and visitor serving commercial land uses along major transportation routes, such as I-5, Lomas Santa Fe Drive, Highway 101, and Via de la Valle, including hotels and motels, as well as, unique pedestrian-oriented commercial areas with specialty retail and entertainment, such as the Cedros Design district, which is within easy walking distance of the transit station and Fletcher Cove Beach and Park. These commercial zoning districts provide businesses that serve both visitors and local residents with a diverse selection of goods and services.

Policy 5.4: Maximize the visitor serving nature of the commercially zoned land by prohibiting fractional ownership (e.g., condominium hotels and timeshares) within the commercial areas of the City. Fractional ownership limits the number of people who can obtain lodging along the coast on an annual basis. Due to the lack of available land area to locate more fractional ownership (without eliminating hotel/motel uses that will allow greater visitor serving access), the City will continue to prohibit these land uses within the City boundaries.

Policy 5.5: Encourage visitor serving retail uses in all commercial zones in the City. Existing visitor serving uses shall be protected and new visitors serving facilities are encouraged. Priority shall be given to the development of visitor serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation over private residential, general industrial, or general commercial development. On land designated for visitor serving commercial and/or recreational facilities, only these uses shall be permitted.

Policy 5.6: Encourage visitor and travel-related commercial development around the City's freeway intersections at Via de la Valle and Lomas Santa Fe Drive.

Policy 5.7: Protect and encourage lower cost visitor and recreational facilities. Priority shall be given to developments that include public recreational opportunities. New or expanded facilities shall be sited and designed to minimize impacts to environmentally sensitive habitat areas and visual resources. Coastal recreational and visitor serving uses and opportunities, especially lower cost opportunities; shall be protected, encouraged, and where feasible, provided by both public and private means.

Policy 5.8: Encourage new hotel/motel development within the City, where feasible, to provide a range of room types, sizes, and room prices in order to serve a variety of income ranges. Where a new hotel or motel development would consist of entirely high cost overnight accommodations, the development shall be required to provide mitigation as a condition of approval for a coastal development permit, which shall include a mitigation payment to provide funding for the establishment of lower cost overnight visitor accommodations within the City of Solana Beach or North San Diego County coastal area. Priority shall be given to the establishment of lower cost overnight visitor accommodations located within the City of Solana Beach. Such payment shall consist of $30,000 per unit for 25% of the total number of proposed high cost units. Suites or family-sized accommodations may be exempt from this policy.

The payment (i.e. $30,000 in 2011) shall be adjusted to account for inflation according to increases in the Consumer Price Index – U.S. City Average. The required monies shall be deposited into an interest-bearing account, to be established and managed by the City of Solana Beach. The purpose of the account shall be to establish lower cost overnight visitor accommodations within the City of Solana Beach as the first priority or elsewhere in North San Diego County coastal area as a second priority. The monies and accrued interest shall be used for the above-stated purpose, in consultation with the CCC Executive Director. Any development funded by this account will require review and approval by the Executive Director of the Coastal Commission and a coastal development permit.

Policy 5.9: Manage the location of new development and redevelopment through this LCP, the City's General Plan and the SBMC, which provide both policy and regulations governing the form and location of existing and future development, including:

- Locations of residential, commercial, industrial, public and open space land uses, including visitor serving commercial and recreational development.
- Public works and facilities, such as: (1) roadways, water and sewer systems; and (2) drainage improvements to support existing and planned development, including the Fletcher Cove Master Plan.
- Development standards for each type of land use, such as: (1) density limitations; (2) building setbacks; and (3) height limits.

- Specific regulations associated with coastal zones, such as: (1) coastal and inland bluff setbacks and bluff top development requirements; (2) shoreline and bluff protection measures; (3) hazard area protection; (4) resource protection overlay requirements; and (5) landscaping guidelines.

Policy 5.9.5: Ensure the private and public interest in protecting and preserving private property rights under the state and federal Constitutions, the Coastal Act, and local ordinances, such that regulations are not overreaching and no private owner is denied reasonable use of his, her or its property. In accordance with Public Resources Code Section 30010, this Policy is not intended to increase or decrease the rights of any property owner under the Constitution of the State of California or of the United States.

Policy 5.10: Assess the potential for environmental effects of new development or redevelopment before receiving City approval in accordance with CEQA and to avoid, reduce and/or mitigate impacts where feasible.

Policy 5.11: Support higher density and mixed-use residential development within walking distance of the Transit Station, adjacent to major employment centers; along high-frequency bus routes, and at intersections of major bus routes. Residential density adjacent to commercial development should be sufficient to support neighborhood serving businesses.

Policy 5.12: Encourage that new development be designed and oriented with the objective of maximizing the opportunities for solar energy use and energy conservation. The use of alternate energy systems (e.g., solar and architectural and mechanical systems) in both commercial and residential development is encouraged.

Policy 5.13: All development that requires a CDP is subject to written findings by the City Council that it is consistent with all LUP policies, LIP, and provisions of the City's certified LCP.

Policy 5.14: If there is a conflict between a provision of this LCP and a provision of the General Plan, or any other City-adopted plan, resolution, or ordinance not included in the LCP, and it is not possible for the development to comply with both the LCP and such other plan, resolution or ordinance, the LCP shall take precedence and the development shall not be approved unless it complies with the LCP provision.

Policy 5.15: A CDP may only be approved for new development on legally created lots. All applications for new development on a vacant parcel shall include evidence of the date and method by which the subject parcel was created. If no such evidence can be found a CDP shall be sought to establish the legality of the parcel.

Policy 5.16: Off-street parking shall be provided for all new development in accordance with the policies of the LUP to assure there is adequate public access to coastal resources. A modification in the required parking standards through the variance process shall not be approved unless the City makes findings that the provision of fewer parking spaces will not result in adverse impacts to public access.

Policy 5.17: Protection of ESHA and public access shall take priority over other development standards and where there is any conflict between general development standards and ESHA and/or public access protection, the standards that are most protective of ESHA and public access shall have precedence.

Policy 5.18: New development shall conform to the HOZ provisions of the LUP, including measures to minimize potential impacts to scenic and visual resources, and to minimize the risk from hazards. The measures include, but are not limited to limiting grading, retaining walls, restricting development on steep slopes, protecting ridgelines, and applying siting, and design restrictions (scenic and visual policies).

4. Commercial Development Policies

Policy 5.19: Pedestrian and bicycle circulation shall be encouraged as part of all new commercial development in the City.

Policy 5.20: New commercial development shall be designed to minimize conflicts with adjacent residential uses, including preserving the character, and integrity of the adjacent residential areas. Commercial development shall be designed to avoid intrusive traffic circulation, light, and glare.

Policy 5.21: Provide and maintain safe pedestrian crossings on Highway 101/Pacific Coast Highway 101 adjacent to existing and new visitor serving uses as appropriate to allow the public safe access to the beach.

Policy 5.22: Recreational development and commercial visitor serving facilities shall have priority over non-coastal dependent uses. All uses shall be consistent with protection of public access and ESHA.

Policy 5.23: Visitor serving commercial uses shall be encouraged and permitted in all commercial zones in the City as prescribed by the SBMC. Visitor serving commercial uses shall fit the character and scale of the surrounding community.

Policy 5.24: Where feasible, public use of private parking facilities currently underutilized on weekends and holidays (i.e., serving office buildings) shall be permitted in all commercial zones located within ¼ mile of the beach.

Policy 5.25: All new commercial and higher density residential development must be located and designed to facilitate provision or extension of transit service to the development and must provide non-automobile circulation within the development to the extent feasible. Residential, commercial, and recreational uses should be located in relationship to each other so as to encourage walking, bicycling, and transit ridership. Major employment, retail, and entertainment districts and major coastal recreational areas should be well served by public transit and easily accessible to pedestrians and bicyclists.

5. Residential Development Policies

Policy 5.26: All residential development, including land divisions and lot line adjustments, shall conform to all applicable LCP policies, including maximum density provisions. Allowable densities are stated as maximums. Compliance with the other policies of the LCP may further limit the maximum allowable density of development.

Policy 5.27: The maximum number of structures permitted in a residential development shall be limited to one main residence, one second residential structure, and accessory structures such as a stable, workshop, gym, studio, pool cabana, office, or tennis court provided. All such structures shall be located within the approved development area and structures are clustered to minimize required fuel modification.

Policy 5.28: Accessory living units and guesthouses shall be allowed where the lot size and zoning for the property where it meets the requirements of the SBMC. Second residential units (guesthouses, accessory living units, etc.) shall be limited in size to the maximum of stated in the applicable provision of the LIP. The maximum square footage shall include the total floor area of all enclosed space, including lofts, mezzanines, and storage areas. Detached garages, including garages provided as part of a second residential unit, shall not exceed 400 square feet (2-car) maximum.

Policy 5.29: A minimum of one on-site or on-street parking space shall be required for the exclusive use of any second residential unit, unless approved by City Council pursuant to the City's Affordable Housing policies. However, in the area west of Highway 101, and North of Plaza Street, a minimum of one on-site parking space shall be required without exception for such uses.

Policy 5.30: New development of a second residential unit or other accessory structure that includes plumbing facilities shall demonstrate that adequate private sewage disposal can be provided on the project site consistent with all of the policies of the LCP if the property is currently on a septic system.

Policy 5.31: A short-term vacation rental is rental of any portion of a building in a residential district for 7 to 30 consecutive days regardless of building size, including multiple-family buildings, duplexes, and single-family residences. Short-term vacation rentals are permitted in all residential zones.

Policy 5.32: To protect the residential character of its neighborhoods, rentals of less than 7 days are prohibited in all residential zones. Short-term vacation rentals of less than 7 days shall be accommodated within the City's existing hotels and motels which are all located within a few minutes' walk to the beach.

6. Land Divisions

Policy 5.33: Prohibit new subdivisions of land along the coastal bluff and inland bluff areas where minimum lot sizes will preclude the setbacks established in the LCP.

Policy 5.34: Land divisions include subdivisions (through parcel map, tract map, grant deed, or any other method), lot line adjustments, redivisions, mergers, and certificates of compliance. Land divisions are only permitted if they are approved by CDP.

Policy 5.35: Land divisions shall be designed to minimize impacts to coastal resources and public access. A land division shall not be approved if it creates a parcel that would not contain an identified building site that could be developed consistent with all of the policies of the LCP.

Policy 5.36: Land divisions shall be designed to cluster development, including building pads, if any, in order to minimize site disturbance, landform alteration, and removal of native vegetation, to minimize required fuel modification, and to maximize open space.

Policy 5.37: The City shall not approve a land division if any parcel being created would not be consistent with the maximum density designated by the LUP map, and the slope density criteria. Land divisions shall not be considered the principal permitted use in any land use category.

Policy 5.38: Subsequent development on a parcel created through a land division shall conform to all provisions of the approved land division permit, including, but not limited to, the building site location, access road/driveway design, and grading design, and volumes.

Policy 5.39: For issuance of an unconditional certificate of compliance pursuant to Government Code Section 66499.35 for a land division that occurred prior to the effective date of the Coastal Act (or Proposition 20 for parcels within the coastal zone as defined in that proposition), where the parcel(s) was created in compliance with the law in effect at the time of its creation and the parcel(s) has not subsequently been merged, subdivided, subject to a lot line adjustment, lot split or any other division of land or otherwise altered, the City shall not require a CDP. For issuance of a conditional certificate of compliance pursuant to Government Code Section 66499.35 for a land division that occurred prior to the effective date of the Coastal Act, where the parcel(s) was not created in compliance with the law in effect at the time of its creation, the conditional certificate of compliance shall not be issued unless a CDP that authorizes the land division is approved. In such a situation, the City shall only approve a CDP if the land division, as proposed or as conditioned, complies with all policies of the LCP.

Policy 5.40: For issuance of either a conditional or an unconditional certificate of compliance pursuant to Government Code Section 66499.35 for a land division that occurred after the effective date of the Coastal Act, the certificate of compliance shall not be issued unless a CDP that authorizes the land division is approved. In such a situation, the City shall only approve a CDP if the land division, as proposed or as conditioned, complies with all policies of the LCP.

7. Water Policies

Policy 5.41: A water conservation and wastewater recycling program should be developed by the City in coordination with the applicable water purveyors for respective water service areas.

Policy 5.42: All new development shall comply with the City's water conservation and wastewater regulations.

Policy 5.43: The installation of reclaimed water lines to provide irrigation for approved landscaping or fuel modification areas for approved development may be permitted, if consistent with all policies of the LUP.

Policy 5.44: The use of reclaimed water in lieu of fresh water supplies for the maintenance of public lands and other non-consumptive uses shall be encouraged and supported provided such use can be found to be consistent with all applicable policies of the LCP.

8. Non-Conforming Uses and Structures

Policy 5.45: Existing, lawfully established structures that are not located on property located between the sea and its inland extent and the first public road paralleling the sea (or lagoon) that were built prior to the adopted date of the LUP that do not conform to the provisions of the LCP shall be considered non-conforming structures. Non-conforming uses or structures may not be increased or expanded into additional locations or structures. Such structures may be maintained and repaired as long as the improvements do not increase the size or degree of non-conformity. This section shall not be interpreted to allow the reconstruction of a non-conforming structure unless destroyed by a disaster as defined in Public Resources Code § 30610(g)(2)(A). Additions and improvements to such structures may be permitted provided that such additions or improvements do not increase the size or degree of the non-conformity.

8.5. Repair and Maintenance

Policy 5.46: Consistent with the Coastal Act (Public Resources Code §30610(d)), repair and maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities do not require a CDP, although the City may require a permit if the City determines such repairs and maintenance involve a substantial adverse environmental impact that cannot be mitigated.

However, for purposes of compliance with the Public Resources Code Section 30610(d), the following extraordinary methods of repair and maintenance shall require a CDP because they involve a potential risk of substantial adverse environmental impact:

(a) Any method of repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:

(1) Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface structures;

(2) The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials on a beach or in coastal waters, streams, wetlands, estuaries and lakes, or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries;

(3) The replacement of 20 percent or more of the exterior materials of an existing structure with materials of a different kind; or

(4) The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area, bluff, or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams.

(b) Any method of routine maintenance dredging that involves:

(1) The dredging of 100,000 cubic yards or more within a twelve month period;

(2) The placement of dredged spoils of any quantity within an environmentally sensitive habitat area, on any sand area, within 50 feet of the edge of a coastal bluff, or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams;

(3) The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access, or public recreational use.

(c) Any repair or maintenance to facilities, or structures, or work located in an ESHA, any sand area within 50 feet of the edge of a coastal bluff, or Environmentally Sensitive Habitat Area, or within 20 feet of coastal waters or streams that include:

(1) The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials, or any other forms of solid materials.

(2) The presence, whether temporary or permanent, of mechanized equipment or construction materials.

8.6. Replacement of Structures Destroyed by Disaster

Policy 5.47: No coastal development permit is required for the replacement of any structure, other than a public works facility, destroyed by a disaster, if the new structure meets the following criteria:

- Conforms to all current zoning requirements

- Is for the same use as the destroyed structure
- Does not exceed the floor area, height, or bulk of the previously existing structure by more than 10 percent; and
- Is sited in the same location on the affected property as the destroyed structure

9. Communications Facilities

Policy 5.48: Communication processing, storage, and transmission facilities, and lines shall be sited, designed, and operated to avoid, or minimize impacts to ESHA, and scenic resources consistent with all provisions of the LCP. No facility can be located within an area mapped as ESHA. If there is no feasible alternative that can eliminate all impacts, the alternative that would result in the fewest or least impacts shall be selected.

Policy 5.49: All facilities and related support structures shall be sited, designed, and operated to avoid the visibility of the facility from public viewing areas, and to preserve the character of surrounding areas by protecting ridgelines by setting facilities below the ridge. Co-location of facilities is required where feasible to avoid the impacts of facility proliferation and inoperable facilities shall be removed.

Policy 5.50: All facilities should place support facilities underground, where feasible. New communication transmission lines shall be sited and designed to be located underground, except where it would present or contribute to geologic hazards. Existing communication transmission lines should be relocated underground when they are replaced or when funding for undergrounding is available.

10. Archaeology

The following City policies are designed to apply Coastal Act policy to conditions in Solana Beach:

Policy 5.51: Identify and mitigate potential impacts of development on archaeological, paleontological and historic resources.

Policy 5.52: New development shall protect and preserve archaeological, historical and paleontological resources from destruction, and shall avoid, and minimize impacts to such resources.

Policy 5.53: Where development would adversely impact historical, archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Policy 5.54: The City shall coordinate with appropriate agencies to identify archaeologically sensitive areas. Such information should be kept confidential to protect archaeological resources.

Policy 5.55: CDPs for new development within archaeologically sensitive areas shall be conditioned upon the implementation of the appropriate mitigation measures.

Policy 5.56: New development on sites identified as archaeologically sensitive shall include on-site monitoring of all grading, excavation, and site preparation that involve earth moving operations by a qualified archaeologist(s), and appropriate Native American consultant(s).

Policy 5.57: The establishment of a museum/visitor center to display local archaeological and/or paleontological artifacts, and to provide public educational information on the cultural and historic value of these resources shall be encouraged.

CHAPTER 6—SCENIC AND VISUAL RESOURCES

A. Introduction

Solana Beach is an area of great natural beauty situated between two coastal lagoons (San Elijo Lagoon and San Dieguito Lagoon), the Pacific Ocean to the west and San Dieguito County Park to the east. Land within the City generally slopes toward one of the two lagoons or the Pacific Ocean, and many properties have scenic views of one or more of these striking natural features. Other natural features, such as hillsides and canyons, also have important scenic value to residents and visitors alike. The scenic resources of the City are highly valued and contribute substantially to providing a pleasurable living environment, promoting a high quality of life, as well as, attracting visitors to the area.

Public viewing areas are maintained along the shoreline at public coastal access points such as Tide Park, Fletcher Cove Community Center and Park, Seascape Surf, Del Mar Shores, Las Brisas and Surfsong viewpoints above Fletcher Cove, and the newest public viewing area along Pacific Avenue at the western terminus of Ocean Street. Exhibit 6-1 identifies the primary public view corridors in the City that provide visual access to the key scenic resources in the City, or visible from within the City which include the Pacific Ocean, the San Elijo Lagoon, the San Dieguito Lagoon, and the undeveloped vegetated hills east of the City.

1. Coastal Act Provisions

One of the primary objectives of the Coastal Act is the protection of scenic and visual resources, particularly as viewed from public places. Section 30251 requires that development be sited and designed to protect views to and along the ocean and other scenic coastal areas. New development must minimize the alteration of natural landforms. This policy also requires that development is sited and designed to be visually compatible with the character of surrounding areas. Where feasible, development shall include measures to restore and enhance visual quality in visually degraded areas.

2. Land Use Plan Provisions

The LUP provides for the protection of scenic and visual resources from public viewpoints, including views of the beach, ocean, lagoons, views of distant mountains and canyons, and views of native habitat surrounding the San Elijo and San Dieguito Lagoons. The LUP identifies scenic roads, which are those roads within the City that traverse, or provide views of, areas with outstanding scenic quality that contain striking views of natural vegetation, geology, and other unique natural features including the beach and ocean. Due to the topographic variation and slope orientation in the City, there are intermittent beach or ocean views from many public roads throughout the City. Exhibit 6-1 identifies all scenic roads and major public view corridors that provide visual access to the major scenic resources in the City or visible from within the City.

The LUP policies require that new development not adversely affect public views from scenic roads or other important scenic resources. Where this is not feasible, new development must minimize impacts through siting and design measures including

reduction in bulk and scale of any proposed development. Protection is provided for prominent ridgelines by requiring structures to be set below the ridgeline and to avoid intrusions into the skyline.

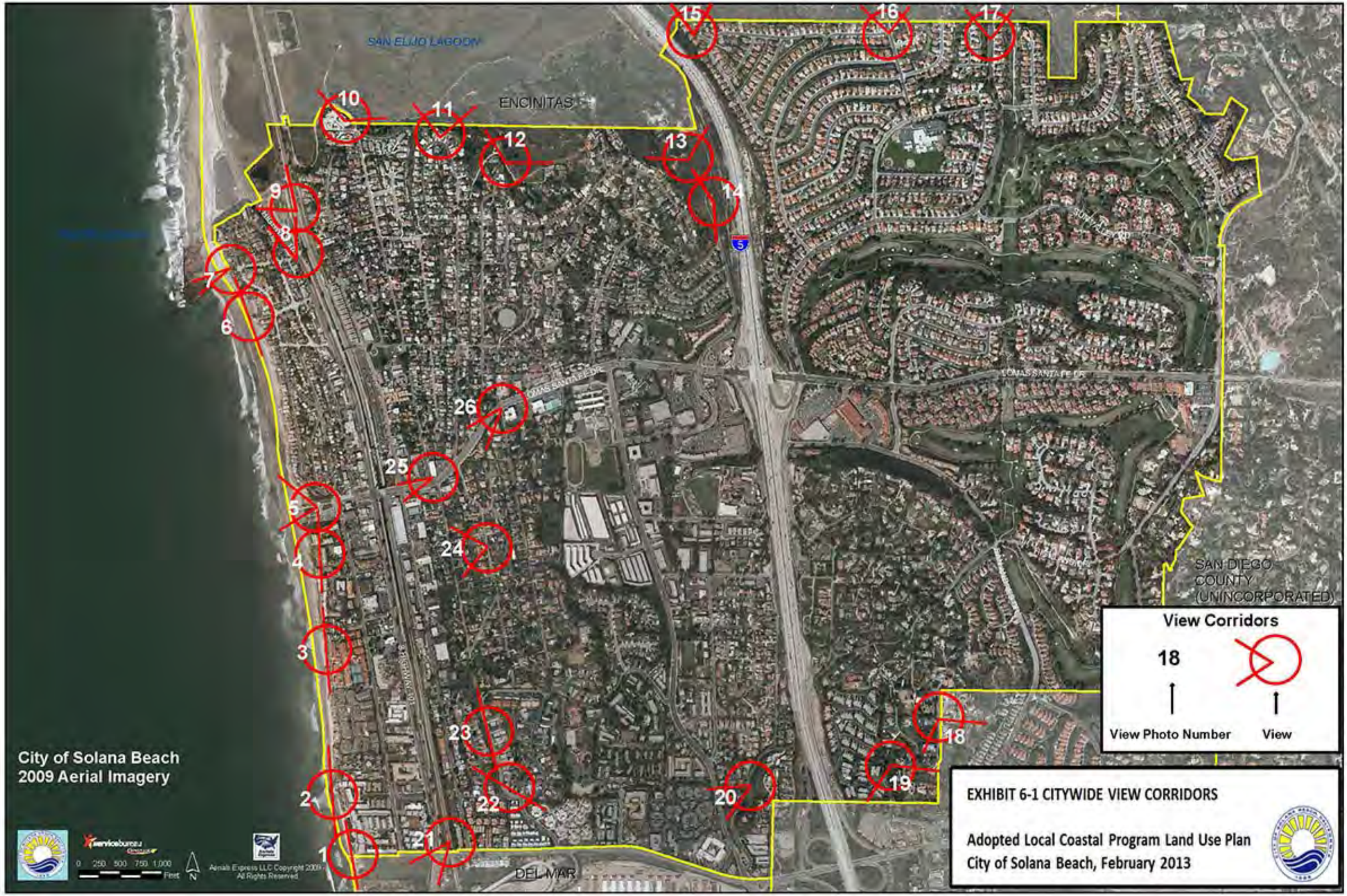
The policies give parameters for the siting and design of all new development to ensure that the alteration of natural landforms is minimized. These measures include siting development on flatter areas of the site, conforming development to the natural topography, clustering development, and preventing flat building pads on slopes. Graded slopes must blend with the existing terrain of the site and the height and length of slopes must be minimized. Finally, the length of roads or driveways shall be minimized and slopes designed to follow the natural topography in order to minimize landform alteration.

The policies require that new structures are sited and designed to minimize impacts to visual resources, by incorporating design measures to limit the appearance of bulk, ensuring visual compatibility with the character of surrounding areas, and by using colors and materials that are similar to and blend in with natural materials on the site. The height of retaining walls must be minimized and fences, walls and, landscaping must not block views from public viewing areas. Development is required to preserve blue water ocean views by limiting the overall height and siting of structures where feasible to maintain ocean views over the structures. Where it is not feasible to maintain views over the structure through siting and design alternatives, view corridors must be provided in order to maintain an ocean view through the project site.

The LUP policies set forth restrictions regarding land divisions, including lot line adjustments, to ensure that building sites are clustered, the length of roads and driveways are minimized, shared driveways are provided, grading is minimized, and all graded slopes are revegetated. Land divisions that do not avoid or minimize impacts to visual resources will not be permitted.

Development in the City is required to minimize the removal of natural vegetation both for the actual development area, as well as, for fuel modification purposes. Graded slopes and other areas disturbed by construction must be landscaped or revegetated with primarily native, non-invasive, drought tolerant, salt-tolerant, and fire resistant plants to provide coverage of the disturbed areas and monitored to ensure the success of revegetation efforts.

Views toward the City’s unique scenic resources have led to a development pattern creating vista points and views of the Pacific Ocean from several areas. Several of these viewpoints are maintained as popular visitor destinations including public coastal access-ways located at Tide Park, Fletcher Cove Park, Seascape Sur, Del Mar Shores Terrace, Las Brisas Viewpoint, and a small bluff top area open to the public located immediately south of Fletcher Cove.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Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

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EXHIBIT 6-2 CITYWIDE SCENIC OVERLAY
Adopted Local Coastal Program Land Use Plan
City of Solana Beach, February 2013

Other major viewpoints of the ocean and lagoons include: (a) the Highway 101 and railway corridor at the northern and southern boundaries of the City; (b) from Via de la Valle at its intersection with Highway 101; (c) Plaza Street; (d) the area along Solana Circle (southerly part of City between 1-5 and Highway 101); (e) the vicinity of Avocado Place and Jeffrey Road (southerly part of City, east of I-5); and (f) heading west on Lomas Santa Fe Drive, west of Nardo, (between I-5 and Highway 101).

Another popular destination point in Solana Beach is the Highway 101 Corridor and the Cedros Design District. Visitors come to visit this lively commercial corridor for its unique mixture of specialty retail and entertainment activities located within an eclectic collection of old and new buildings.

In order to regulate development in areas of high scenic value to preserve and enhance the scenic resources present within and adjacent to such areas and to assure the exclusion of incompatible uses and structures, the City has designated some areas in the City as being within a Scenic Area Overlay. These designated areas in the City are shown in Exhibit 6-2.

The City recognizes that the preservation and enhancement of scenic resources within the City of Solana Beach provides important social, recreation, and economic benefits for both residents, and visitors. Scenic Overlay policies apply to areas including Scenic Roadways designated by the Solana Beach General Plan which include the entire length of both Highway101/Pacific Coast Highway and Plaza Street, sections of Lomas Santa Fe including the western end of Lomas Santa Fe from the intersection of Highway 101 to Nardo Avenue, and the eastern end of Lomas Santa Fe from the intersection of Las Banderas Drive to Via Mil Cumbres, I-5 and Lomas Santa Fe Drive, and areas within 100 feet of significant recreational, historic or scenic resources, including designated City, county or state parks, the California Coastal Trail and the California Coastal Rail Trail.

B. Coastal Act Policies

Section 30251:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore, and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

C. Land Use Plan Policies

1. Scenic and Visual Resource Identification

Policy 6.1: The City of Solana Beach contains scenic resources of local, regional and national importance. The scenic and visual qualities of these areas shall be protected and where feasible enhanced.

Policy 6.2: Protect the scenic and visual qualities of Solana Beach, including the unique character of the Highway 101 Railway Corridor, the Cedros Design District, and the shoreline.

Policy 6.3: Public views to the beach, lagoons, and along the shoreline as well as to other scenic resources from major public viewpoints, as identified in Exhibit 6-1 shall be protected. Development that may affect an existing or potential public view shall be designed and sited in a manner so as to preserve or enhance designated view opportunities. Street trees and vegetation shall be chosen and sited so as not to block views upon maturity.

Policy 6.4: Locations along public roads, railways, trails, parklands, and beaches that offer views of scenic resources are considered public viewing areas. Existing public roads where there are major views of the ocean and other scenic resources are considered Scenic Roads and include:

- Highway 101/Pacific Coast Highway and Railway Corridor
- I-5
- Lomas Santa Fe Drive

Public views to scenic resources from Scenic Roads shall also be protected.

2. New Development

Policy 6.5: Regulate development in areas with high scenic value to preserve and enhance the scenic resources within and adjacent to such areas to the extent feasible, as well as, to assure exclusion of incompatible uses and structures.

Policy 6.6: New development on properties visible from public trails in and around San Elijo Lagoon and the San Dieguito River Valley shall be sited and designed to protect public views of the ridgelines and natural features of the area through measures including, but not limited to, providing setbacks from the slope edge, restricting the building maximum size, reducing maximum height limits, incorporating landscape elements and screening, incorporating earthen colors and exterior materials that are compatible with the surrounding natural landscape (avoiding bright whites and other colors except as minor accents). The use of highly reflective materials shall be prohibited.

Policy 6.7: Fences, walls, and landscaping shall not block major public views of scenic resources or views of other public viewing areas.

Policy 6.8: Proposed development that unreasonably interferes with or degrades natural or man-made visual features of sites, or adjacent sites, which contribute to the City's scenic attractiveness, as viewed from either a scenic road, or scenic resources, including the San Elijo Lagoon Ecological Reserve and its watershed, shall be prohibited.

Policy 6.9: The impacts of proposed development on existing public views of scenic resources shall be assessed by the City prior to approval of proposed development or redevelopment to preserve the existing character of established neighborhoods. Existing public views of the ocean and scenic resources shall be protected.

Policy 6.10: New development shall be sited and designed to minimize adverse impacts on scenic resources visible from scenic roads or major public viewing areas. If there is no feasible building site location on the proposed project site where development would not be visible then the development shall be sited and designed to minimize impacts on scenic areas visible from Scenic Roads or major public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate berming.

Policy 6.11: Avoidance of impacts to scenic resources through site selection and design alternatives is the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts shall not substitute for project alternatives including resiting, or reducing the height, or bulk of structures.

Policy 6.12: All new development shall be sited and designed to minimize alteration of natural landforms by:

- Conforming to the natural topography.
- Preventing substantial grading or reconfiguration of the project site.
- Eliminating flat building pads on slopes and utilizing split level or stepped-pad designs.
- Requiring that man-made contours mimic the natural contours to and blend with the existing terrain of the site and surrounding area.
- Minimize grading outside of the building footprint.
- Clustering structures to minimize site disturbance and to minimize development area.
- Minimizing height and length of cut and fill slopes.
- Minimizing the height and length of retaining walls.
- Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area.

- Export of cut material may be required to preserve the natural topography.

Policy 6.13: New development, including a building pad, if provided, shall be sited on the flattest area of the project site, except where there is an alternative location that would be more protective of scenic resources or ESHA.

Policy 6.14: All new structures shall be sited and designed to minimize impacts to scenic resources by:

- Ensuring visual compatibility with the character of surrounding areas.
- Avoiding large cantilevers or under stories.
- Setting back higher elements of the structure toward the center or uphill portion of the building.

3. Development Review Criteria for Scenic Overlay Area

Policy 6.15: The general criterion of development review is that the proposed development shall not, to the maximum extent feasible, interfere with or degrade those visual features, natural or manmade, of the site or adjacent sites which contribute to its scenic attractiveness, as viewed from either the scenic highway or the adjacent scenic, historic, or recreational resource. In applying this general criterion, the following policies 6.16 through 6.23 shall be evaluated when they are applicable as listed below:

Policy 6.16: All development shall be compatible with the topography, vegetation, and colors of the natural environment, and with the scenic, historic, and recreation resources of the designated areas.

Policy 6.17: The placement of buildings and structures shall not detract from the visual setting or obstruct significant views and shall be compatible with the topography of the site and adjacent areas.

Policy 6.18: New buildings and structures should not be placed along inland and coastal bluff-top silhouette lines or on the adjacent slopes within view from a lagoon area, but should be clustered along the bases of the inland bluffs and on the bluff tops set back from the bluff edge. Buildings and structures should be sited to provide unobstructed view corridors from the nearest scenic highway or view corridor road. These criteria may be modified when necessary to mitigate other overriding environmental considerations such as protection of habitat or wildlife corridors.

Policy 6.19: The removal of native vegetation shall be minimized and the replacement vegetation and landscaping shall be compatible with the vegetation of the designated area. Landscaping and plantings shall be used to the maximum extent practicable to screen roads and utilities. Landscaping and plantings shall be designed so that they do not obstruct significant views, either when installed, or when they reach mature growth.

Policy 6.20: Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas shall

be screened from view, to the maximum extent feasible, from either the scenic highway or the adjacent scenic, historic, or recreational resource. Acceptable screening methods shall include, but are not limited to, the use of existing topography, the strategic placement of buildings and structures, or landscaping and plantings, which harmonize with the natural landscape of the designated area.

Policy 6.21: Utilities shall be constructed and routed underground except in those situations where natural features prevent undergrounding or where safety considerations necessitate above ground construction and routing. Aboveground utilities shall be constructed and routed to minimize detrimental effects on the visual setting of the designated area. Where it is practical, utilities that are above ground shall be screened from view from either the scenic highway or the adjacent scenic, historic, or recreational resource by existing topography, by the placement of buildings and structures, or by landscaping and plantings which harmonize with the natural landscape of the designated area.

Policy 6.22: The alteration of the natural topography of the site shall be minimized and shall avoid adverse effects to the visual setting of the designated area and the existing natural drainage system. Alterations of the natural topography shall be screened from view from either the scenic highway or the adjacent scenic, historic, or recreational resource by landscaping, and plantings which harmonize with the natural landscape of the designated area, except when such alterations add variety to or otherwise enhance the visual setting of the designated area. However, design emphasis shall be placed on preserving the existing quality of scenic resources rather than concealment of disturbances or replacement in kind. In portions of the Scenic Area Overlay, containing sensitive lands grading may be severely restricted or prohibited.

Policy 6.23: The interior and exterior lighting of the buildings and structures and the lighting of signs, roads, and parking areas shall be compatible with the lighting permitted in the designated area.

4. Land Divisions

Policy 6.24: A CDP may only be approved for new development on legally created lots. All applications for new development on a vacant parcel shall provide evidence of the date and method by which the subject parcel was created. If no such evidence can be found, a CDP shall be sought to establish the legality of the parcel.

Policy 6.25: Land divisions, including lot line adjustments, shall be designed to minimize impacts to visual resources by:

- Clustering the building sites to minimize site disturbance and maximize open space.
- Prohibiting building sites on ridgelines.
- Minimizing the length of access roads and driveways.

- Reducing the maximum allowable density in steeply sloping and visually sensitive areas.
- Minimizing grading and alteration of natural landforms.
- Landscaping or revegetating all cut and fill slopes, and other disturbed areas at the completion of grading.
- Incorporating interim seeding of graded building pad areas, if any, with native plants unless construction of approved structures commences within 30 days of the completion of grading.

Policy 6.26: Subsequent development on a parcel created through a land division shall conform to all provisions of the approved coastal development permit that authorized the land division or any amendments thereto.

5. Signs

Policy 6.27: Off-site signs shall be prohibited in areas subject to the Scenic Area Overlay except signs that are a part of the City's way finding signage program and temporary real estate signs. The number, size, location, and design of all other signs shall not detract from the visual setting of the designated area or obstruct significant views.

Policy 6.28: Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of commercial development shall be incorporated into the design of the project and shall be subject to height and width limitations that ensure that signs are visually compatible with surrounding areas and protect scenic views. Permitted monument signs shall not exceed eight feet in height. Free-standing pole or roof signs are prohibited. Advertising signs and banners shall be prohibited in public beaches and beach parks.

Policy 6.29: Placement of signs other than traffic or public safety signs, which obstruct views to the ocean or beaches from public viewing areas, and scenic roads shall be prohibited.

6. Pacific Coast Highway/Highway 101

Policy 6.30: The Pacific Coast/Highway 101 and Railway Corridor shall be protected as a Scenic Road and major public viewshed.

Policy 6.31: Landscape improvements, including median plantings, may be permitted along Pacific Coast Highway/Highway 101. Any proposed landscaping shall be comprised primarily of native non-invasive, drought tolerant, salt-tolerant, and fire resistant plant species. Landscaping shall be designed and maintained to complement to the character of the area, and designed not to block ocean, or lagoon views at maturity.

Policy 6.32: In addition to complying with all requirements of Chapter 5 policies regarding communication facilities, any telecommunications facilities approved along Pacific Coast Highway shall place support facilities underground, where feasible. New transmission lines shall be sited and designed to be located underground, except where

it would present or contribute to geologic hazards. Existing transmission lines should be relocated underground where feasible when they are replaced or when funding for undergrounding is available.

CHAPTER 7—PUBLIC WORKS

A. Introduction

Existing public works, infrastructure and utilities in the City include overhead and underground power lines, telephone lines, underground sewer, cable lines, water lines, and the streets themselves. There are two major storm drains that discharge onto the beach, as well as, public access stairs and ramps leading to the beach. Some of the utilities within the oldest parts of the City were installed as early as the 1920s.

1. Coastal Act Provisions

Coastal Act 30254 requires that new or expanded public works facilities be designed and limited to accommodate development that can be permitted consistent with the policies of the Coastal Act. This section also provides that where public works facilities to serve new development are limited, priority shall be given to coastal dependent uses, essential services, public, commercial, recreation, and visitor serving land uses. Publicly financed recreational facilities, including all projects of the State Coastal Conservancy, are considered Public Works.

2. Land Use Plan Provisions

This chapter addresses public works facilities. To ensure consistency with the Coastal Act, the policies contained below in the LUP are intended to facilitate the provision and maintenance of public services, including roads, parking, water, electricity, and wastewater management to protect existing, future residents, and visitors to the City. Policies also provide for developing measures to improve transit service to and within the City, provide and improve public parking facilities, shuttles, and van pools.

Less than one percent of the residences within the City are not connected to the City's sanitary sewerage systems. Residences currently using septic tanks pre-date the formation of the City in 1986. Construction of the sewer system in their particular portion of the City requires connection to the system upon reconstruction of the residence under Section 68.312 of the San Diego County Code of Regulatory Ordinances. Under this County regulation, incorporated into this LUP and the SBMC, all newly constructed or reconstructed buildings that are located on property within two hundred feet of a portion of the public sanitary sewer system must connect to the system.

The City contains two existing golf courses. The management practices of these golf courses are subject to the City's rules and regulations governing stormwater discharges. These regulations, subject to the authority of the RWQCB, govern dry weather discharges and use of pesticides.

B. Coastal Act Policies

Section 30254:
New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided however, that it is the intent of the Legislature that State Highway Route

l in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor serving land uses shall not be precluded by other development.

Section 30254.5:
Notwithstanding any other provision of law, the commission may not impose any term or condition on the development of any sewage treatment plant that is applicable to any future development that the commission finds can be accommodated by that plant consistent with this division. Nothing in this section modifies the provisions and requirements of Sections 30254 and 30412.

C. Land Use Plan Policies

1. General

Policy 7.1: In applying the policies of this Chapter, Public Works shall be defined by PRC Section 30114, which states Public Works means the following:

(a) All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.

(b) All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.

(c) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.

(d) All community college facilities.

Policy 7.2: Publicly financed recreational facilities and public access improvement projects shall be permitted consistent with the policies contained in the public access and recreation section of the LCP (Chapter 2) and the public access and recreation policies of the Coastal Act when located between the sea and the first public road. Any projects conducted or financed by the State Coastal Conservancy shall constitute public works facilities pursuant to the definition provided above in Policy 7.1.

2. Circulation and Traffic

Policy 7.3: Provide and maintain a local street network to move people and goods safely and efficiently.

Policy 7.4: Maintain a minimum Level of Service (LOS) C at all intersections during non-peak hours and LOS D (volume/capacity ratio of 0.90 or less) at all intersections during peak hours and LOS D for Interstate 5 as an element of the Regional Transportation Plan (RTP) to ensure that traffic delays are kept to a minimum.

Policy 7.5: Promote a public transportation system that is safe, convenient, efficient, and meets the identified needs of the Solana Beach community and visitors.

Policy 7.6: Promote safe alternatives to motorized transportation that meet the needs of all City residents and visitors.

Policy 7.7: Provide an adequate supply of private off-street and public parking to meet the needs of residents and visitors to the City.

Policy 7.8: Continue to encourage a multi-modal transportation system to provide low-cost opportunities for the public to access beaches and other visitor serving areas within the City.

Policy 7.9: Encourage transit operators to provide low-cost transit service to beaches and other visitor serving areas, and to provide transit service within walking distance of higher density residential areas within the City.

Policy 7.10: Continue to encourage access to the Transit Station by buses and other alternatives to single occupancy vehicles.

Policy 7.11: Require new development and redevelopment to have a pedestrian orientation and provide access to public transportation where feasible.

Policy 7.12: Promote land use policies, which encourage reduced automobile use to attain and maintain healthy air quality.

Policy 7.13: Encourage employers to provide incentives for transit use, such as employee transit passes. Major commercial, retail, and residential developments shall be required to include facilities to support public transit and bicycling, to provide incentives for transit ridership and ride sharing, for example bus shelters, bus bulbs or pullouts, secure bicycle storage, parking cash-out programs, parking fees, or subsidies for transit ridership.

Policy 7.14: Remote parking facilities for employees of visitor serving commercial businesses should be allowed and encouraged.

Policy 7.15: Design new street, sidewalk, bicycle path, and recreational trail networks, including the Coastal Rail Trail and the California Coastal Trail, to encourage walking, bicycling, and transit ridership throughout the City.

Policy 7.16: Encourage a variety of housing types throughout the City to minimize commuting needs of all socioeconomic sectors.

Policy 7.17: Improvements to existing public roads shall be encouraged as necessary for public safety and to improve access to recreation areas where such improvements are consistent with all policies of the LCP.

Policy 7.18: Improvements to major road intersections for public safety or increased vehicle capacity shall be permitted, as necessary, in existing developed areas and where such improvements are sited and designed to be consistent with all policies of the LCP.

Policy 7.19: In scenic areas, roadway improvements shall be designed and constructed to protect public views and avoid or minimize visual impacts and to blend in with the natural setting to the maximum extent feasible.

Policy 7.20: Measures to improve public access to beaches and recreation areas through the use of transit and alternative means of transportation should be explored in coordination with regional and state agencies including San Diego County, NCTD, SANDAG and Caltrans, and any other appropriate transit providers. Measures may include, but are not limited to:

- Increased transit service;
- Improved transfer opportunities between regional transit routes and routes serving the Coastal Zone;
- Provision of parking facilities for bicycles, motorcycles and transit vehicles at recreation areas;
- Development of park-and-ride or other staging facilities within the City; and
- Implementation of beach and other recreation shuttles.

Policy 7.21: Road improvements to provide legal access to or facilitate development of a legal parcel may be permitted provided such improvements are consistent with all policies of the LCP. Existing legal roads shall be utilized for access where feasible.

Policy 7.22: New road construction and road maintenance shall minimize landform alteration and impacts to visual resources and ESHA. Roadway improvements shall be the least environmentally damaging feasible alternative available. Rural (limited secondary) roads shall be the minimum width necessary to accommodate traffic, including public safety vehicles, consistent with Solana Beach Fire Department standards. Road construction, maintenance and improvements shall conform to BMPs designed to achieve the standards set forth above.

Policy 7.23: Projects to calm and improve traffic flow and safety on Pacific Coast Highway/Highway 101 such as establishing bike lanes, coordinating, retiming or eliminating traffic signals, providing traffic circles or roundabouts, roadway or lane narrowing measures, providing off-street parking, diagonal parking and installing pedestrian crossings (where feasible) shall be supported and permitted to the extent they are consistent with all other policies of the LCP.

Policy 7.24: Restrictions on, or elimination of, existing on-street public parking on Pacific Coast Highway/Highway 101 shall not be permitted unless a comparable number of replacement parking spaces are provided in the immediate vicinity and it is demonstrated that such restrictions or elimination will not adversely impact public coastal access.

Policy 7.25: The City shall continue to pursue the following circulation and roadway improvements in the City:

- Work with Caltrans to coordinate traffic signals on Lomas Santa Fe Drive;
- Improving the current circulation pattern around the post office in an effort to reduce local congestion on Sierra Avenue;
- Development of methods to accommodate summer beach traffic;
- Explore the potential for a bicycle trail on San Andres Drive and Highland Drive;
- Maintain the scenic highway designation for Highway 101;
- Explore the opportunity for replacing traffic signals with roundabouts at various intersections in the City; and,
- Develop methods to address traffic generated by local schools.

Policy 7.26: Facilitate circulation in and through the City, the City should undertake the following implementation strategies:

- Work with appropriate City, county, and state agencies to maximize the capacity of Via De La Valle, including improvements in the Via De La Valle/I-5 interchange area.
- Develop a synchronization system for all existing and future traffic signals along Lomas Santa Fe Drive to function in a coordinated manner, particularly during peak hours. This system shall be coordinated with Caltrans facilities and City staff shall periodically review synchronization effectiveness and make necessary system adjustments.
- Adopt roadway design standards to conform to the functional classification descriptions included in the General Plan Circulation Element and require that all new facilities be implemented in conformance with those standards. Most existing streets in the City were developed in conformance with County of San Diego Standards, which would serve as a good starting point for the development of Solana Beach Standards.
- Program into the City's Capital Improvement Program (CIP) appropriate proposals contained in the Circulation Element, including the upgrading of existing roadways to appropriate standards.
- Develop a program to monitor traffic volumes and levels of service on Solana Beach roadways and at intersections to facilitate the maintenance of the minimum levels of service specified in the General Plan Circulation Element.

- Establish the threshold of significance for determining when the traffic generated by a proposed development will have a potential significant adverse environmental impact.
- The City should require traffic studies in conjunction with its development review process for development proposals for all projects generating more than 100 average daily trips (ADT).
- Develop a signage program which directs visitors to the Del Mar Fairgrounds to use preferred routes so as to minimize their use of residential street areas and avoid conflicts with local residential road users.

3. Green Infrastructure / Water Systems / Wastewater Management

Policy 7.27: Promote the development of green infrastructure in the City when new facilities are needed or older existing facilities are in need of maintenance, repair or replacement.

Policy 7.28: Additional water storage facilities and/or new pipelines may be allowed in the City to replace deteriorated or undersized facilities and/or to ensure an adequate source of domestic and fire protection water supply during outages or pipeline interruptions provided such facilities are designed and limited to accommodate existing or planned development and can be found to be consistent with all applicable policies of the LCP.

CHAPTER 8—DEFINITIONS

Technical terms associated with the Solana Beach Local Coastal Program (LCP) Land Use Plan (LUP) are defined below. The following words and phrases when used in the LCP and LUP have the meanings respectively ascribed to them in this chapter, unless a different meaning is evident based on the context in which the word or phrase is used.

Accessory Structures means structures such as tennis courts, playhouses, pools, cabanas, walkways, gazebos, patios, decks.

Artificial Headland is a hard structure extending from the shore; built to stabilize the shoreline locally as a natural headland would.

Assessing Entity means an entity sanctioned by state law formed as (i) a Geologic Hazard Abatement District or as an (ii) assessment, community facilities, infrastructure financing or other facilities financing district under the 1911 or 1913 Acts or other State Law.

Assessment District is a group of properties in an assessment area where the majority of property owners have agreed to assess their parcels for a stated purpose under the governance of an assessing entity.

Beach Quality Sand means sand that is suitable for placement on City beaches because its grain size, purity, color and other relevant characteristics are consistent and compatible with the sand that comprises the beach through natural processes.

Bluff Home means an existing bluff home or other principal structure in the form of an attached or detached single family residence; duplex; triplex; townhouse; or condominium unit, but excluding accessory structures.

Bluff Property means a private or City government owned parcel located on or associated with a parcel located on, the oceanfront in the City.

Bluff Property Owners means one or more owners of bluff property.

Bluff Retention Devices means a structure or other device, including seacave/notch infills, dripline infill, coastal structures, upper bluff systems, and temporary emergency devices, designed to retain the bluff and protect a bluff home or other principal structure, or coastal dependent use from the effects of wave action erosion and other natural forces.

Bluff Top Redevelopment shall apply to proposed development located between the sea and the first public road paralleling the sea (or lagoon) that consists of alterations including (1) additions to an existing structure, (2) exterior and/or interior renovations, (3) and/or demolition of an existing bluff home or other principal structure, or portions thereof, which results in:

(a) Alteration of 50% or more of major structural components including exterior walls, floor and roof structure, and foundation, or a 50% increase in floor area. Alterations are not additive between individual major structural components; however,

changes to individual major structural components are cumulative over time from the date of certification of the LUP.

(b) Demolition, renovation or replacement of less than 50% of a major structural component where the proposed alteration would result in cumulative alterations exceeding 50% or more of a major structural component, taking into consideration previous alterations approved on or after the date of certification of the LUP; or an alteration that constitutes less than 50% increase in floor area where the proposed alteration would result in a cumulative addition of greater than 50% of the floor area taking into consideration previous additions approved on or after the date of certification of the LUP.

Breakwater means an offshore structure, often parallel to the shore that protects a shore area, harbor, anchorage, or basin from waves.

Caisson Foundation: Means a subsurface support structure. A Caisson is a shaft or shafts of steel reinforced concrete placed under a building column, foundation or wall and extending down to hardpan, bedrock or competent material as defined or approved by a soils engineer or geologist. Caissons, for this definition, are drilled into position and are used to carry surface building loads and/or to carry surface building loads from anticipated future loss of support (i.e. “slope failure”). Also known as a pier foundation.

Cantilever: A projecting or overhanging structure of up to 10 feet in depth on the west side of a Bluff Home that is supported at one end and carries a load at the other end or along its length. Cantilever construction allows for structures to project seaward of the GSL of bluff edge setback (minimum 40 feet) with external bracing. All foundation footings and structural supports for cantilevered square footage shall be located landward of the geologic setback line or bluff edge setback (minimum 40 feet). No newly constructed cantilevered square footage is permitted to project over the bluff edge.

CEQA means the California Environmental Quality Act.

City means the City of Solana Beach.

City Access-ways means City owned or controlled public access-ways to the beach, San Elijo Lagoon, public parks and view points.

City Community Center means the City owned community center and City owned bluff property located at the north side of Fletcher Cove along Pacific Avenue.

City Design Standards means all applicable implementing ordinances governing designs, aesthetic criteria, materials, and structural components as further set forth in the LCP.

City Facilities means any and all City owned facilities including, but limited to, City Hall, fire stations, public restrooms, parking areas, ramps and City owned bluff retention devices, City lifeguard facilities, City access-ways and the City Community Center.

City Infrastructure means City owned roads and City owned utilities located therein and thereon.

City-Owned Utilities means those utilities such as gas, electric, cable owned by the City.

Coastal Bluff Edge The coastal bluff edge is the upper termination of a bluff, cliff, or seacliff. In cases where the top edge of the bluff is rounded away from the face of the bluff the bluff edge shall be defined as that point nearest the bluff face beyond which a downward gradient is maintained continuously to the base of the bluff. In a case where there is a step like feature at the top of the bluff, the landward edge of the topmost riser shall be considered the bluff edge. The bluff edge may change over time as the result of erosional processes, landslide, or artificial cut. Artificial fill placed near the bluff edge, or extending over the bluff edge does not alter the position of the bluff edge. In those cases where irregularities, structures or bluff stabilizing devices exist in a subject property so that a reliable determination of the bluff edge cannot be made by visual or topographic evidence, the Community Development Director, or Commission, on appeal, shall determine the location of the bluff edge after evaluation of a geologic or soils report and physical inspection of the site.

Coastal Commission or Commission (CCC) means the California Coastal Commission.

Coastal Dependent Development or Use means any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

Coastal Development Permit (CDP) means a Coastal Development Permit issued pursuant to the Coastal Act by the Coastal Commission or by the City under its certified LCP pursuant to Public Resources Code sections 30519.

Coastal Structure means a structure located at the base of the bluff, such as a seawall, revetment or rip-rap that is located at, or is seaward, of, the bluff dripline. A coastal structure is intended to protect, support and/or stabilize the bluff toe and/or mid or upper bluff area that has experienced, or is likely to experience material erosion or instability and protect a bluff home or other principal structure, or coastal dependent use from the effects of wave action erosion and other natural forces.

Day means a calendar day, not a business day.

Development means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or any gaseous liquid, solid or thermal waste; grading, removing, dredging, mining or extraction of any soil or materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access

thereto; construction, reconstruction, demolition, or alteration of the size of any structure including any facility of any private, public or municipal utility; and the removal of any major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this title, "structure" includes but is not limited to any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. A "project," as defined in Government Code Section 65931, is included with this definition.

EIR means Environmental Impact Report.

Emergency means a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

Emergency Coastal Development Permit means a Coastal Development Permit granted on an expedited emergency basis an emergency exists that requires action more quickly than permitted by the procedures for a Coastal Development Permit and the work can and will be completed within thirty (30) days unless otherwise specified by the terms of the permit.

Erosion means the loosening and removal of rock and soil materials by rainfall, running water over a surface, wave action, tidal currents, littoral currents, weathering, winds, and manmade processes.

Erosion Rate means the rate of erosion of the bluff averaged over a given period of time or projected for future shoreline change conditions.

Environmentally Sensitive Habitat Area (ESHA) means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could easily be disturbed or degraded by human activities and developments as defined in Section 30107.5 of the Coastal Act.

Factor of Safety means the stability of a slope as expressed as the ratio of the resisting forces (forces which tend to resist movement of a slope) to the driving forces (forces which tend to cause movement).

Feasible or feasible or feasibly means capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, social and technological factors as defined in Cal. Pub. Res. Code § 21061.1.

Floor Area means the enclosed interior space inside a bluff home, excluding required parking of 200 square feet per parking space, both before and/or after completion of any remodel.

Formation (geologic) is a mapped rock unit having distinctive lithic features over a region. In the bluffs of Solana Beach, three formations have been identified: the Torrey

Sandstone, the clean sand lens and marine terrace deposits (equivalent to the Bay Point Formation).

Geologic Setback Area (GSA) is that portion of the bluff property located between the bluff edge and the Geologic Setback Line.

Geologic Setback Line (GSL) is the line marking the distance from the bluff edge that will assure stability for new development, to be determined on a case-by-case basis for each bluff property.

Groin means a hard structure built out from the shore to retain sand and protect the shore from erosion and are usually built of rock.

Hillside Overlay (HOZ) generally refers to identified lands within the City which have slopes with an inclination of 25 percent or greater.

Imminent means an occurrence that is reasonably foreseeable within 12 months from the time the determination of imminence is made.

Integrated Pest Management means a coordinated decision making and action process that uses the most appropriate pest control methods in an environmentally and economically sound manner to meet City pest management objectives.

JPA means a joint powers authority.

Land Use Plan (LUP) is that plan required by the Coastal Act of 1976 and under Solana Beach's LCP.

Landslide means the downward sliding or falling of a mass of rock or earth.

Lateral Access means access along the shore either at the bluff-top or on the beach.

LCP means Local Coastal Program as required by the Coastal Act of 1976.

LIP means Local Coastal Program Local Implementation Plan as required by the Coastal Act of 1976.

Licensed Geotechnical Engineer means an individual who:

(1) Is a geotechnical engineer, civil engineer or coastal geologist licensed by the State of California; and

(2) Has performed coastal bluff engineering analyses in San Diego County for at least five years; and,

(3) Is approved by the City, with said approval not being unreasonably withheld.

Littoral Cell means a relatively isolated geographical area in the ocean containing sand sources, sand transport paths and mechanisms, and sand losses.

LUP means the Land Use Plan portion of the Local Coastal Program as required by the Coastal Act of 1976.

Mean High Tide Line means the ambulatory line on the beach (contour lines) represented by the intersection of the beach face and the elevation represented by the average of all high tides (higher high tides and lower high tides) occurring over a 19-year period. The mean high tide elevation should be represented by the most recent 19-year tidal epoch as established by the National Ocean Service.

Mean High Tide Line Survey (MHTL) means a boundary survey that maps the location of the Mean High Tide Line along the City's shoreline for the time of the survey.

MEIR means the final Master Environmental Impact Report Solana Beach Shoreline and Coastal Bluff Management Strategies prepared by AMEC Earth & Environmental, Inc. in 2002 recertified by the City Council in August 2007, and as periodically recertified or replaced, thereafter.

Non-City-Owned Utilities are those utilities such as gas, electric and cable not owned by the City.

Non-Point Source Pollution is water pollution from no single definable discharge source.

OSR refers to the land use classification of open space recreation within the City's General Plan.

Passive Erosion is the process whereby the placement of coastal structures at the base of a bluff fixes the back boundary of the beach causing the width of the beach to decrease. This process occurs so long as the shoreline on the beach is experiencing a net retreat, a net sea level rise, or natural seacliff retreat.

Preferred Bluff Retention Solutions are specific design aesthetic and structural specifications which the City has adopted for seacave/notch infills, coastal structures and upper bluff systems and which the City Council has deemed are best suited to achieve the goals of the LCP and are included in Appendix B of the LUP.

Principal Structure means bluff home, Marine Safety Center, Fletcher Cove Community Center or other significant bluff top building or infrastructure, such as a condominium clubhouse.

Replenishment is the process of replenishing or nourishing a beach with sand/sediment. It may be brought about naturally by longshore transport, or artificially by the deposition of dredged or excavated materials.

Revetment means a sloped retaining wall; a facing of stone, concrete, blocks, rip-rap, etc. built to protect an embankment, bluff, or development against erosion by wave action and currents.

Rip Rap means a protective layer or facing of rock, concrete blocks or quarry stone, placed to prevent erosion, scour, or sloughing of an embankment or bluff.

Sand Cost means the cost of one cubic yard of sand assuming a minimum of 100,000 cubic yards of Beach Quality Sand is purchased and delivered to the beach.

Sand Mitigation Fee is determined by the formula set forth in Appendix A of the LUP.

SBMC means Solana Beach Municipal Code.

Seacave/Notch Infill means an infill of a seacave, notch, joint, fault, rupture or crack in a bluff surface that serves to delay the construction of a coastal structure or upper bluff system, is situated landward of the bluff dripline, is intended to delay or preclude the collapse of the overlying portion of the remaining bluff or bluff property.

Seawall is a structure built parallel to a coast and adjacent to the bluff of backshore to protect the bluff or inland development from wave erosion. Seawalls include revetments, coastal structures and other similar shoreline protection measures.

Sediment means grains of soil, sand, or rock that have been transported from one location and deposited at another.

Shoreline District Account means a segregated City bank account used solely for the purposes outlined in the LCP.

Slope Stability means the stability of a slope as expressed as the ratio of the resisting forces (forces which tend to resist movement of a slope) to the driving forces (forces which tend to cause movement). Driving forces in a slope are increased by the addition of loads near the top of a slope (i.e. soil, rainfall, irrigation water, etc.) and by buoyant forces due to groundwater seepage. Resisting forces are decreased by the removal of earth at the toe of a slope (e.g. by wave attack at the toe of a bluff, excavations at the toe of a slope, etc.). A slope is typically considered stable by geotechnical engineers when the ratio of the resisting forces to the driving forces is 1.5:1.0 or greater or greater for the static condition; 1.1 psuedostatic.

Slope Stabilization means the stabilization of a slope, which can be accomplished by a number of measures designed for the specific condition, such as bluff retention devices, reduction of irrigation, and control of surface water infiltration and subsurface drainage, and use of geo-textiles.

State means the State of California.

Submerged Reef means, when considered for sand retention, a proposed man-made structure positioned offshore and used to dissipate wave energy shoreward of the reef for the primary purpose of sand retention.

Temporary Emergency Devices are bluff retention devices that are relatively temporary in nature (e.g., rip-rap) installed pursuant to an Emergency Coastal Development Permit.

Transit Station means the North County Transit District facility along Cedros Avenue.

Upper Bluff System means a system or device that complies with the specific design, aesthetic, and structural specifications, which the City has adopted that is designed to retain a portion of a bluff located above areas subject to marine erosion.

Vertical Access means access to the shoreline from the bluffs behind the beach, by staircase from bluff top to the beach or access to the lagoon from upland streets or properties.

Visitor Serving Land Use means visitor serving commercial and/or recreational land uses or facilities designed to enhance public opportunities for coastal recreation and includes beach areas, parks, hotels, motels, restaurants, music venues, entertainment attractions and specialty/artisan retail commercial uses.

Wildland Urban Interface (WUI) means the portion of the City located in the High Fire Hazard Severity Area as determined by CalFire.

CHAPTER 9—REFERENCES

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APPENDIX A

SAND MITIGATION FEE FORMULA

APPENDIX A

SAND MITIGATION FEE FORMULA

In conformance with the February 2013 approved LCP LUP, Bluff Property Owners who construct Coastal Structures shall pay the City a Sand Mitigation Fee as detailed below. The Sand Mitigation Fee formula is based on the California Coastal Commission formula and is described below.

Any Public Recreation Fee or Land Lease Fee must not be duplicative with the City's Sand Mitigation Fee. Until such time as a final Public Recreation Fee or Land Lease Fee is adopted by the City following Coastal Commission certification of the LUP, the City will continue to impose an interim fee deposit in the amount of $1,000 per linear foot to be applied as a credit toward the Public Recreation / Land Lease Fee.

Both the Sand Mitigation Fee and the Public Recreation / Land Lease Fee deposit will be imposed as conditions of approval of any discretionary permit and will be payable to the City at the time the discretionary permit is issued.

The Public Recreation / Land Lease Fee remains under the jurisdiction of the California Coastal Commission and the California State Lands Commission until the City has a certified LUP. The City will support the California Coastal Commission and the California State Lands Commission in their effort to develop a consistent statewide fee methodology.

The Sand Mitigation Fee is based on the following California Coastal Commission formula:

Sand Mitigation Fee = Sand Cost x V_b

Sand Cost means the cost equivalent of one cubic yard of sand assuming a minimum of 100,000 cubic yards of Beach Quality Sand is purchased and delivered to the beach.

V_b is the cubic yards of Beach Quality Sand, between the landward face of the Bluff Retention Device and the seaward property line of the Bluff Property to be protected, that would be supplied to the beach but for the qualifying Bluff Retention Device, based on the Erosion Rate, 20-year permit duration, and actual bluff geometry. Subject to the above, and unless site-specific information submitted by the Bluff Property Owner demonstrates otherwise, **V_b** is determined by the following formula:

$$V_b = (S \times W \times L) \times [(R \times h_s) + (1/2 h_u \times (R + (R_{cu} - R_{cs})))]/27.$$

APPENDIX A

LEGEND

S Fraction of Beach Quality Sand in the bluff material, based on analysis of bluff material to be provided by the applicant.

W Width of the Bluff Retention Device in feet.

L The duration in years of the Coastal Development Permit which shall be the period from completion of construction of the Bluff Retention Device through a period of 20 years.

R The retreat rate which must be based on historic erosion, erosion trends, aerial photographs, land surveys, or other acceptable techniques and documented by the applicant, limited by the seaward property line of the Bluff Property to be protected. The retreat rate should be the same as the predicted retreat rate used to estimate the need for shoreline armoring.

$\mathbf{h_s}$ Height of Bluff Retention Device from base of bluff to the top, in feet.

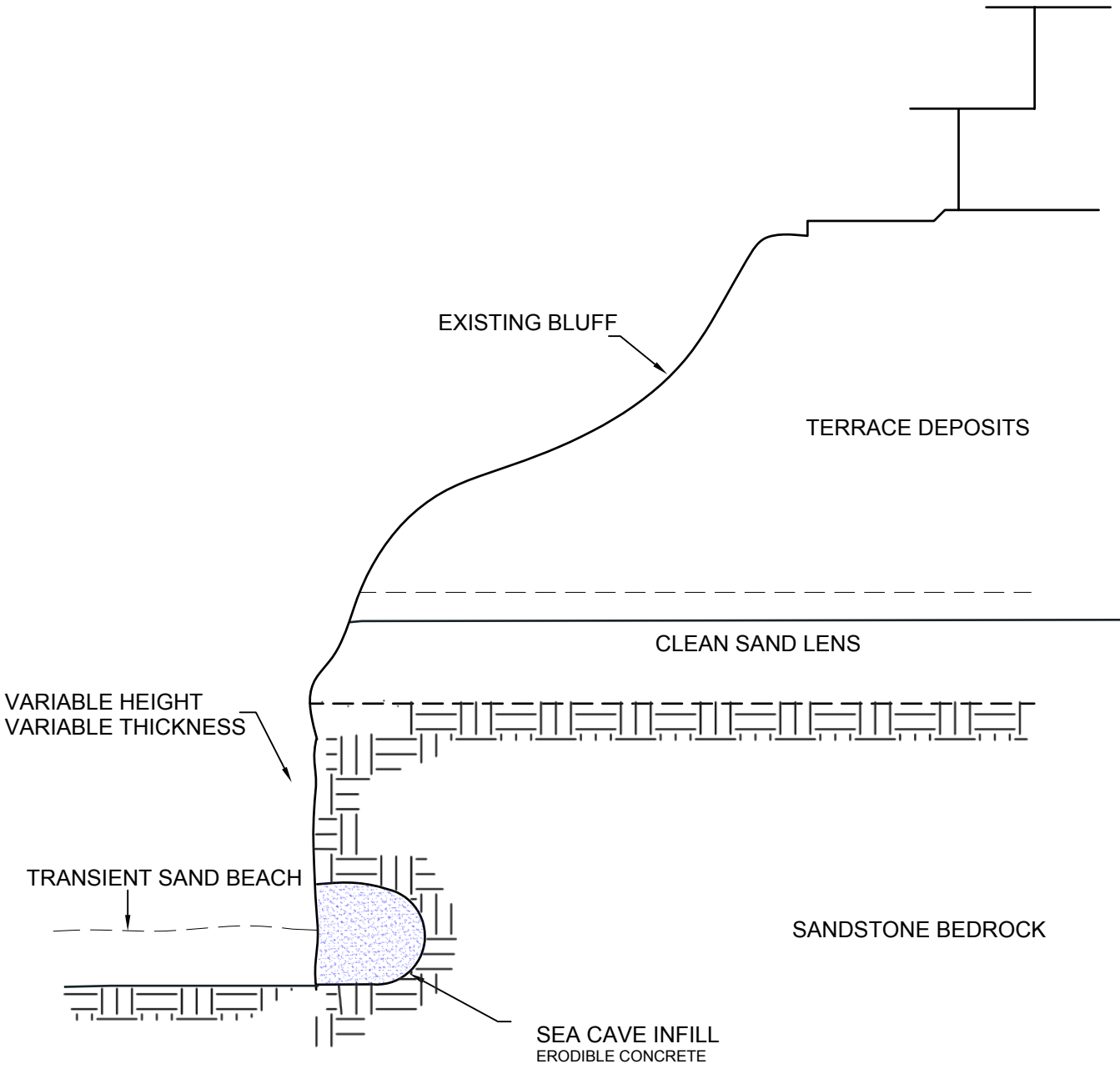
$\mathbf{h_u}$ Height of unprotected upper bluff, from the top of the Bluff Retention Device to the crest of the bluff, in feet.

$\mathbf{R_{cu}}$ Predicted rate of retreat of the crest of the bluff, during the 20-year duration of the Coastal Development Permit for the Bluff Retention Device, in feet per year, assuming no Bluff Retention Device has been installed. This value can be assumed to be the same as R unless the Bluff Property Owner provides site-specific geotechnical information supporting a different value.

$\mathbf{R_{cs}}$ Predicted rate of retreat of the crest of the bluff, in feet per year, during the duration of the Coastal Development Permit for the Bluff Retention Device, assuming the seawall has been installed. This value will be assumed to be zero unless the applicant Bluff Property Owner provides site-specific geotechnical information supporting a different value.

APPENDIX B

PREFERRED COASTAL BLUFF RETENTION DESIGNS

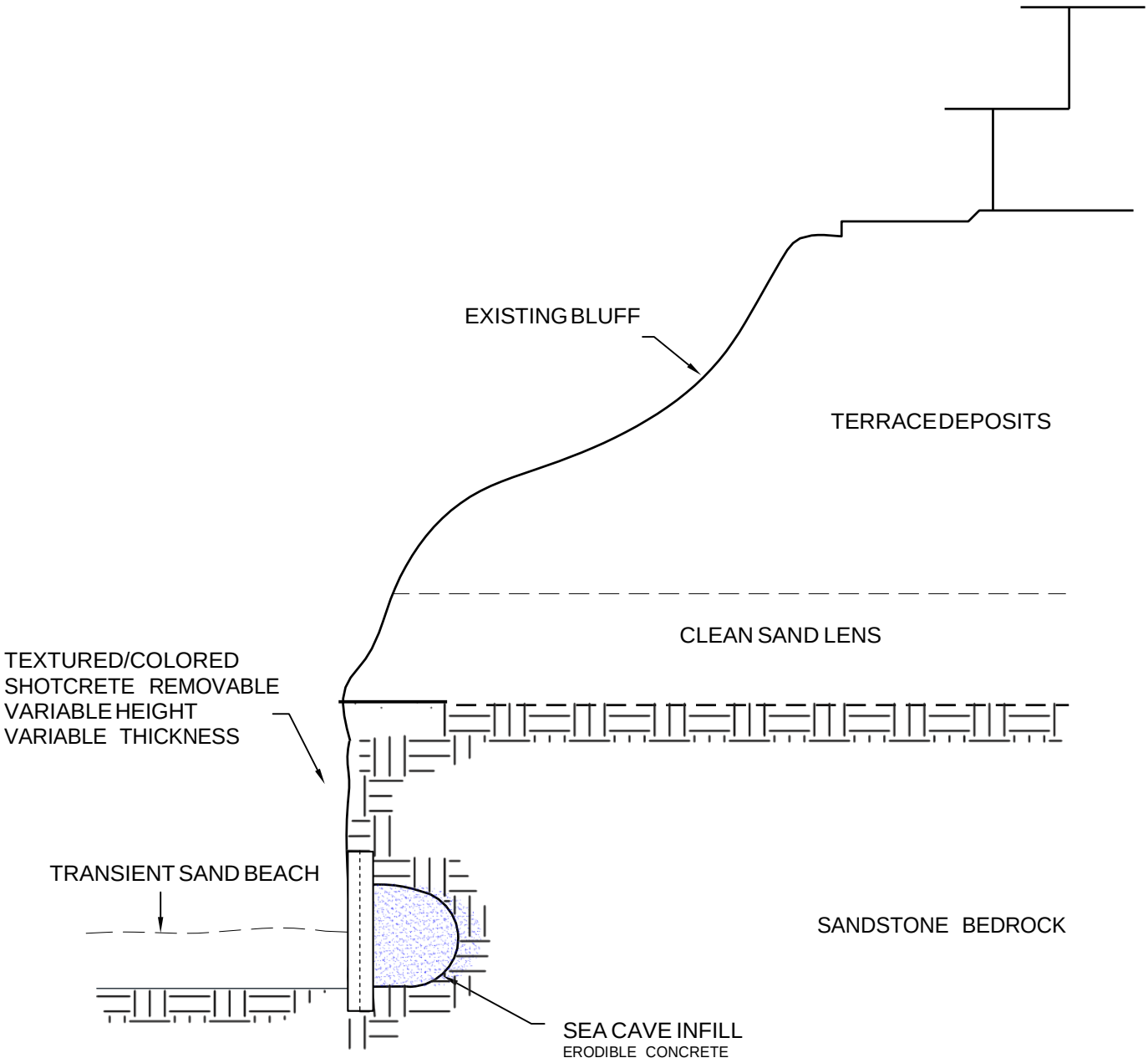


NOTES:

1. GEOTECHNICAL REPORT. (Required)
2. NOTCHED TO BEDROCK (4 DIRECTIONS)
3. MINIMIZE ALTERATION OF BLUFF-FACE OR MIMIC EXISTING.
4. INCLUDE MONITORING FOR FUTURE MAINTENANCE AND REPAIR.
5. LOCATED AS LANDWARD AS POSSIBLE
6. NO SAND OR PUBLIC RECREATION FEES ASSESSED WITH THIS SOLUTION
7. ADDITIONAL ERODIBLE CONCRETE MAY BE REQUIRED AFTER SETTLING TO ASSURE MARGIN CONTACT WITH BLUFF

Seacave/Notch Infill

City of Solana Beach	Approved by CCC on 01/09/14 (LUPA)	**FIGURE NO. 1A**

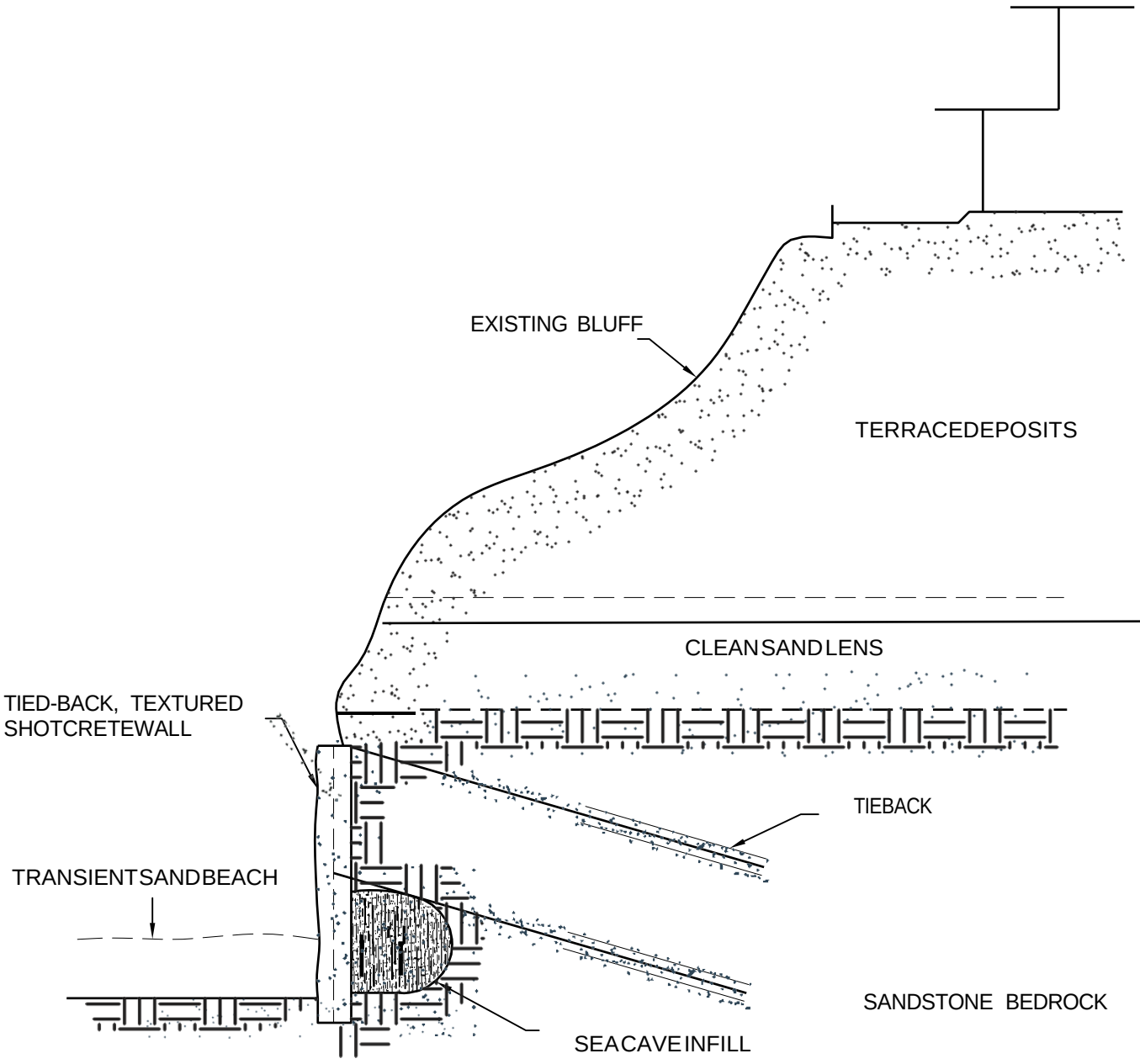


NOTES

1. FACTOR OF SAFETY NEAR 1.0.
2. GEOTECHNICAL REPORT
3. STRUCTURAL CALCULATIONS
4. LOCATED AS FAR LANDWARD AS POSSIBLE
5. MINIMIZE ALTERATION OF BLUFF-FACE OR MIMIC EXISTING.
6. INCLUDE DETAILED METHODOLOGY FOR MONITORING AND MAINTENANCE OVER THE LIFE OF THE DEVICE.
7. MINIMIZE THE NEED FOR ANY MAINTENANCE THAT NECESSITATES ADDITIONAL SEAWARD ENCROACHMENT OF THE DEVICE.
8. BLUFF FACE TO HAVE "NATURAL COLOR AND TEXTURE" (SBMC 17.62)

Seacave/Notch Infill with Concrete Facing

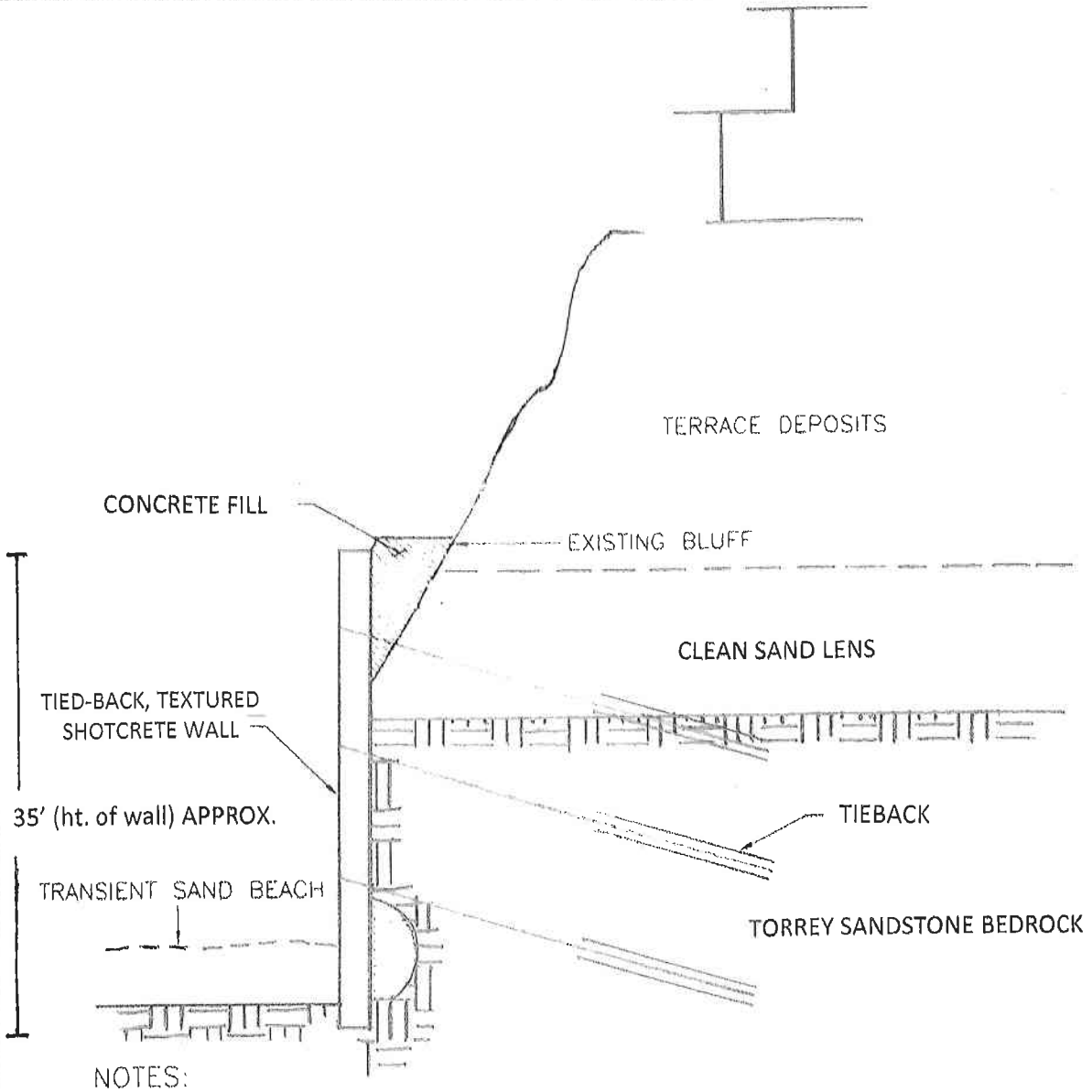
City of Solana Beach	Approved by CCC on 01/09/14 (LUPA)	**FIGURE NO. 1B**



NOTES
1. FACTOR OF SAFETY NEAR 1.0.
2. GEOTECHNICAL REPORT
3. STRUCTURAL CALCULATIONS
4. LOCATED AS FAR LANDWARD AS POSSIBLE
5. MINIMIZE ALTERATION OF BLUFF-FACE OR MIMIC EXISTING.
6. INCLUDE DETAILED METHODOLOGY FOR MONITORING AND MAINTENANCE OVER THE LIFE OF THE DEVICE.
7. MINIMIZE THE NEED FOR ANY MAINTENANCE THAT NECESSITATES ADDITIONAL SEAWARD ENCROACHMENT OF THE DEVICE.
8. BLUFF FACE TO HAVE "NATURAL COLOR AND TEXTURE" (SBMC 17.62)

Infill/Bluff Stabilization - Lower Seawall

City of Solana Beach	Approved by CCC on 01/09/14 (LUPA)	**FIGURE NO. 1C**

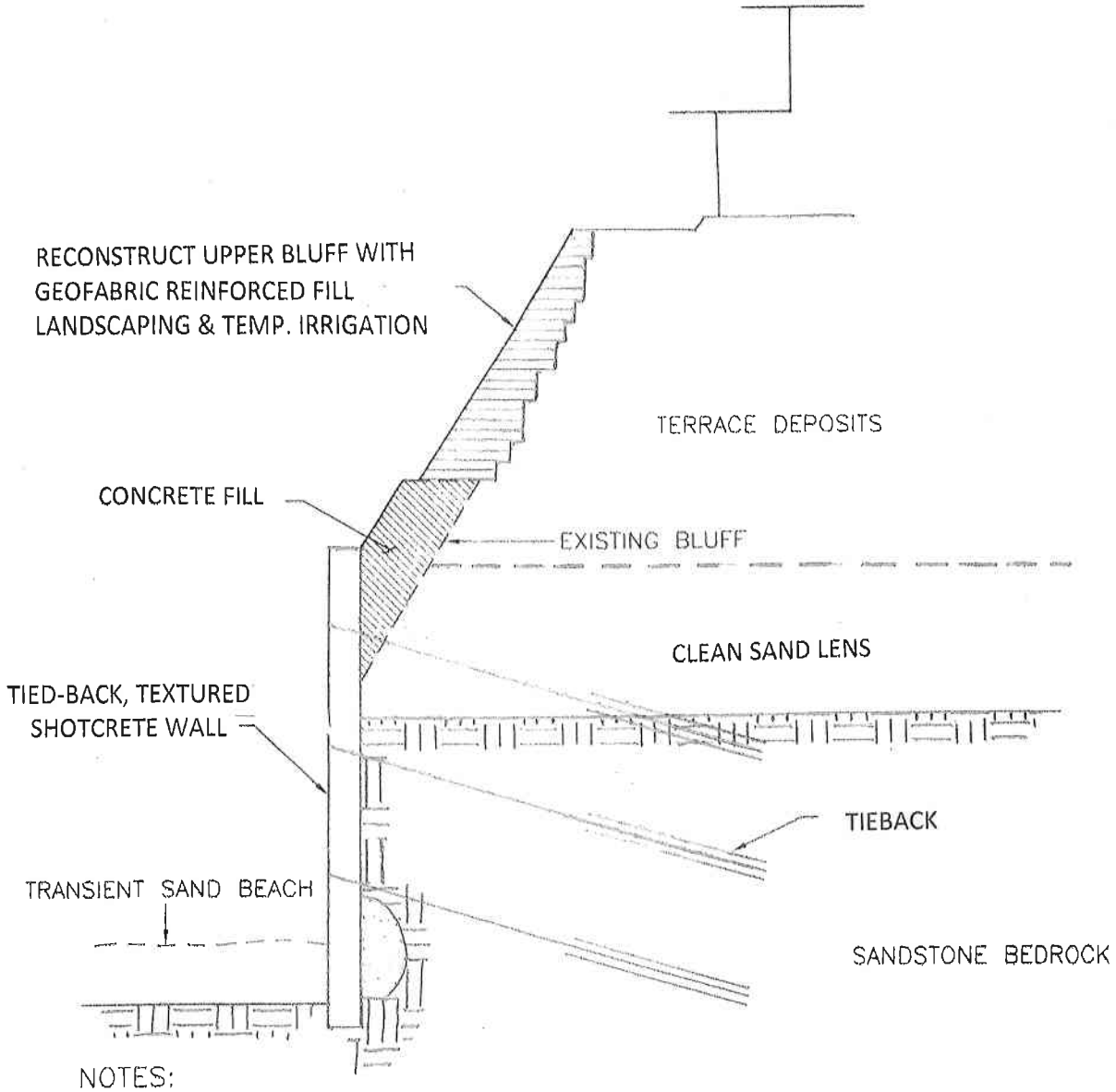


NOTES:

1. FACTOR OF SAFETY NEAR 1.0
2. GEOTECHNICAL REPORT
3. STRUCTURAL CALCULATIONS
4. LOCATED AS FAR LANDWARD AS POSSIBLE
5. MINIMIZE ALTERATION OF BLUFF FACE OR MIMIC EXISTING.
6. INCLUDE DETAILED METHODOLOGY FOR MONITORING AND MAINTENANCE OVER THE LIFE OF THE DEVICE.
7. MINIMIZE THE NEED FOR ANY MAINTENANCE THAT NECESSITATATES ADDITIONAL SEAWARD ENCROACMENT OF THE DEVICE.
8. BLUFF FACE TO HAVE "NATURAL COLOR AND TEXTURE" (SBMC 17.62)

Preferred Solution – Higher Seawall/Clean Sand Lens Encapsulation

City of Solana Beach	CCC – Approved LUP, February 2013	FIGURE NO. 2

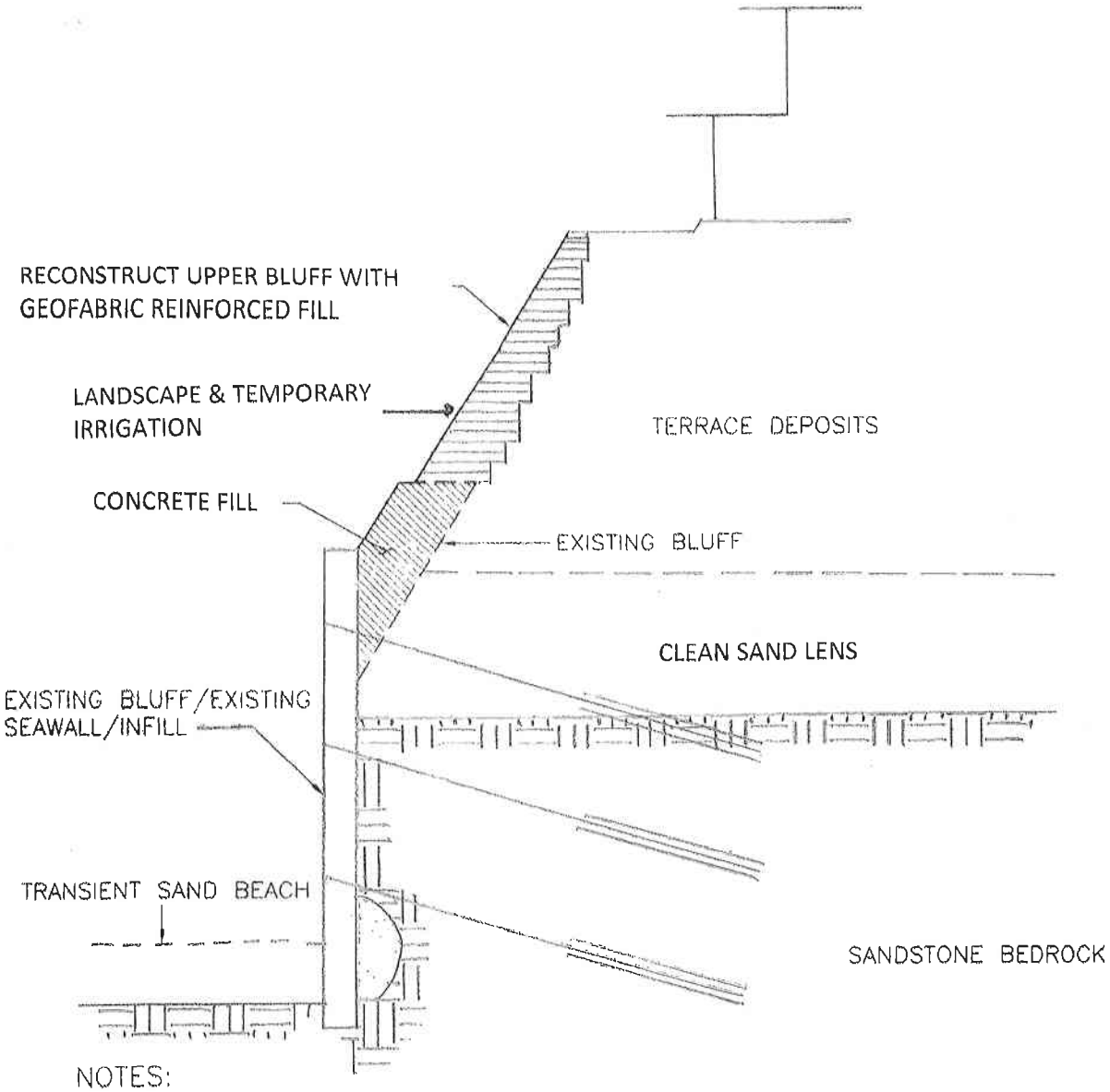


NOTES:

1. FACTOR OF SAFETY NEAR 1.0
2. GEOTECHNICAL REPORT
3. STRUCTURAL CALCULATIONS
4. LOCATED AS FAR LANDWARD AS POSSIBLE
5. MINIMIZE ALTERATION OF BLUFF-FACE OR MIMIC EXISTING.
6. INCLUDE DETAILED METHODOLOGY FOR MONITORING AND MAINTENANCE OVER THE LIFE OF THE DEVICE.
7. MINIMIZE THE NEED FOR ANY MAINTENANCE THAT NECESSITATATES ADDITIONAL SEAWARD ENCROACMENT OF THE DEVICE.
8. BLUFF FACE TO HAVE "NATURAL COLOR AND TEXTURE" (SBMC 17.62)

Preferred Solution - Seawall and Upper Bluff Repair

City of Solana Beach	CCC – Approved LUP, February 2013	FIGURE NO. 3

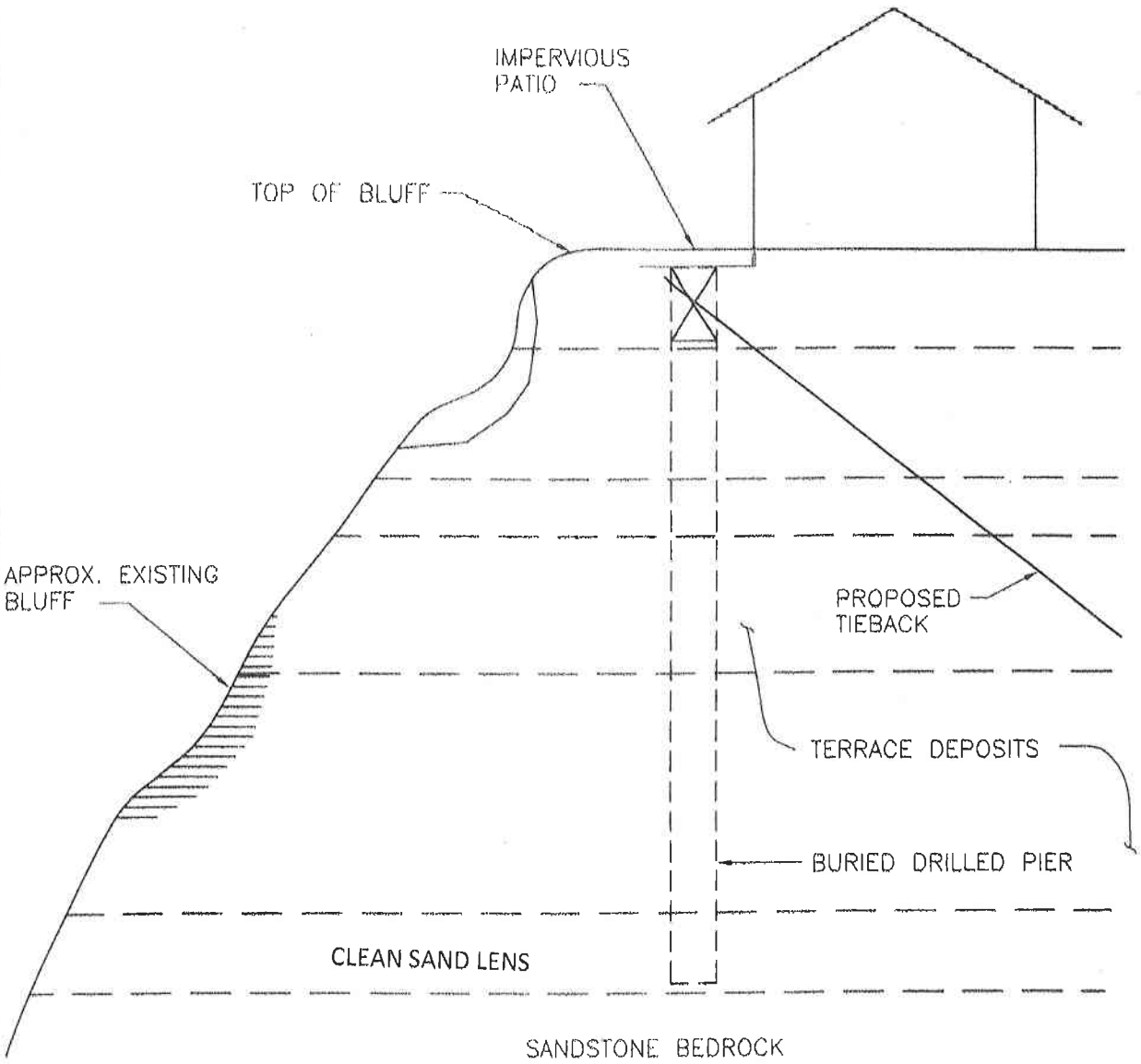


NOTES:

1. FACTOR OF SAFETY NEAR 1.0
2. GEOTECHNICAL REPORT
3. STRUCTURAL CALCULATIONS
4. LOCATED AS FAR LANDWARD AS POSSIBLE
5. MINIMIZE ALTERATION OF BLUFF-FACE OR MIMIC EXISTING.
6. INCLUDE DETAILED METHODOLOGY FOR MONITORING AND MAINTENANCE OVER THE LIFE OF THE DEVICE.
7. MINIMIZE THE NEED FOR ANY MAINTENANCE THAT NECESSITATATES ADDITIONAL SEAWARD ENCROACMENT OF THE DEVICE.
8. BLUFF FACE TO HAVE "NATURAL COLOR AND TEXTURE" (SBMC 17.62)

Preferred Solution - Upper Bluff Repair

City of Solana Beach	CCC – Approved LUP, February 2013	FIGURE NO. 4



NOTES:

1. FACTOR OF SAFETY NEAR 1.0
2. GEOTECHNICAL REPORT
3. STRUCTURAL CALCULATIONS
4. LOCATED AS FAR LANDWARD AS POSSIBLE

Caisson & Tie-Backs

City of Solana Beach	CCC – Approved LUP, February 2013	FIGURE NO. 5

APPENDIX C

PUBLIC RECREATION IMPACT FEE

APPENDIX C

In conformance with the Certified City of Solana Beach Local Coastal Program (LCP) Land Use Plan (LUP) Policy 4.50, Bluff Property Owners who construct Bluff Retention Devices shall pay the City a Public Recreation Impact Fee (may also be referred to as Public Recreation Fee) consistent with this appendix. The Public Recreation Fee is separate and independent of the Sand Mitigation Fee detailed in Appendix A.

These mitigation fees are not intended to be duplicative with fees assessed by other agencies. It is anticipated the fees in this appendix would be assessed as required by this LCP and shall be in conjunction with the mitigation fees typically assessed by the CCC and the CSLC for impacts to coastal recreation from Bluff Retention Devices.

The Public Recreation Fee shall be calculated on a project-specific basis to ensure the mitigation fees are proportional to the impact being mitigated. Variables to be considered in determining the fee imposed shall depend on the impact to the beach area based upon (1) the specific physical configuration and footprint of the proposed Bluff Retention Device and (2) the presence of a seacave or notch of any depth that would be fronted by a Bluff Retention Device. The entire area of a seacave or notch located landward of the proposed Bluff Retention Device shall be considered imminently subject to failure and be included in the mitigation calculation. In addition, the area of any seacaves or notches that have been previously infilled with erodible concrete, located landward of the proposed bluff retention device, which are no longer allowed to erode as originally approved, shall be included in the mitigation calculation.

The Public Recreation Fee addresses impacts to the loss of recreation based upon the loss of beach area described below as (1) Initial Area and (2) theoretical 20-year Bluff Retreat Area. Table 1 identifies separate rates, to ensure proportionality between the impact and the mitigation fee to be applied to the Initial Area and Bluff Retreat Area. The fees address the impacts to public recreation for a 20-year period, consistent with the requirements of LUP Policies 4.49 and 4.53. At the end of each 20-year period, the bluff retention device shall either be removed, or new fees shall be assessed. The use values in Table 1 were determined as follows:

- The proxy recreational use value per beach visitor per day (Day Use Value) for Solana Beach is $35.56 in the summer months and $21.00 in the non-summer months. The City shall conduct new beach user Travel Cost surveys within 10 years to update the Day Use Value to reflect current practices or new information as an amendment to Appendix C of the LUP.
- The City's useable beach area includes the area from the toe of the coastal bluff to mean sea level existing between the northern and southern City limits. Based on 19 LiDAR datasets collected between 1998 and 2015, the useable beach area in Solana Beach is presently calculated at 15.2 acres. The City shall determine if the beach area has changed every ten years and incorporate any changes as an amendment to the LUP.

- The average annual beach attendance in Solana Beach is estimated to be 134,817 adults per year. Children are not included in the attendance data because of the assumption that consumer surplus of children is captured in the adult consumer surplus use values. The attendance estimate is based on attendance counts undertaken by the City between July 2008 and July 2009 and expansion factors to account for the likelihood that some user groups were underrepresented in the original attendance counts due to the time of day that the original population counts were conducted. Every ten years, the City shall adjust the attendance based on available population growth estimates or through an updated attendance survey. The City shall incorporate any changes to the attendance as an amendment to the LUP.
- The annual use value of the beach within the City is $4,010,581 and is obtained by multiplying the Day Use Value by the number of adults that visit the beach annually and adding the value of the Junior Lifeguard Program, which is $269,501. The City shall update the annual use value of the beach every ten years if there are changes to the beach area or attendance estimates and shall incorporate the change as an LUP amendment.
- The use value of one sq. ft. of beach was calculated to be $6.06 in 2016 and is obtained by dividing the annual use value of the beach by the size of the beach.
- The Initial Area Rate in Table 1 represents the use value of one sq. ft. of beach area over a 20-year period and this use value is multiplied by the total area of encroachment of a Bluff Retention Device (Initial Area) to determine the fee. The use value is increased each year to reflect an estimated 2% Consumer Price Index (CPI). The use value is also subject to a 2% Present Value (PV), which offsets the CPI over the 20-year mitigation period. Table 1 shall be updated every ten years and any changes shall be incorporated as an amendment to the LUP.
- The Bluff Retreat Rate (Per Linear Ft.) in Table 1 is equal to one linear ft. (Bluff Retreat Length) multiplied by 20 years of estimated erosion multiplied by the use value of one sq. ft. of beach. It represents the use value of the expected beach area that would otherwise be available for public use through passive erosion if the Bluff Retention Device was not constructed. An erosion rate of 0.4 ft. per year is assumed between 2016 and 2025 and an erosion rate of 0.673 is assumed between the years 2026 and 2046. Any change to the estimated erosion rate will require an amendment to the certified LUP. The use value increases each year to reflect an estimated 2% CPI.

The Public Recreation Fee shall be imposed as a condition of approval on any Coastal Development Permit for a Bluff Retention Device, which does not propose comparable or greater project specific in-kind mitigation. The decision-making entity (Coastal Commission or City of Solana Beach) for the Coastal Development Permit shall calculate the Public Recreation Fee on a project- specific basis during the Coastal Development Permit approval process. The entire fee shall be submitted to the City prior to issuance of the Coastal Development Permit and shall be assessed in 20-year increments starting on the building permit completion certification date.

Seacave/notch infills that consist entirely of erodible concrete (see LUP Appendix B, Figure 1A) are exempt from both the Public Recreation Impact Fee and the Sand Mitigation Fee as allowed by the LUP, provided that the infills erode with the natural bluff and are maintained to do so and provided that a Bluff Retention Device is not constructed seaward of the infills. If monitoring of the infills reveals evidence that the back of the beach has been fixed, the Permittee shall submit a complete CDP amendment application to address the impacts from these changed circumstances. At such time, sand supply mitigation and public access and recreation mitigation shall be required.

LUP Policy 4.50 requires that Public Recreation Fees shall be expended for public beach access and public recreation as a first priority, and may be expended for sand replenishment and retention if the City determines that a near-term priority public recreation or public access project is not identified. All

projects funded by the Public Recreation Fees shall be located directly along the coast and projects shall result in direct improvements to coastal recreation or beach access. As an alternative allowed by LUP Policy 4.50, project applicants have the option of proposing an in-kind public coastal recreation or beach access project in lieu of payment of Public Recreation Impact Fees to the City. At the City's discretion, project specific in-kind mitigation may be accepted if the applicant can demonstrate that the project would provide a comparable or greater coastal recreation or beach access benefit to the general public.

While a reduction or elimination of the required Public Recreation Fees may be considered for Bluff Retention Devices that protect public infrastructure, mitigation offsets or reductions to any required Public Recreation Fees for Bluff Retention Devices whose primary purpose is the protection of private property are prohibited. In addition, retroactive adjustments to Public Recreation Fees (excluding the $1,000 per linear foot interim fee deposits), in the form of crediting overpayment of mitigation fees or adding underpayment of mitigation fees to future assessments based on observed bluff erosion, is prohibited.

Table 1 - Public Recreation Impact Mitigation Fee Schedule

Permit Year	Initial Area Rate (Per SF)	Bluff Retreat Rate (Per LF)
2016	$121	$600
2017	$124	$630
2018	$126	$662
2019	$129	$698
2020	$131	$737
2021	$134	$780
2022	$136	$825
2023	$139	$874
2024	$142	$926
2025	$145	$982
2026	$148	$1,044

APPENDIX C

The Total Public Recreation Impact Fee (PRF), for a 20-year period, shall equal the Initial Area multiplied by the Initial Area Rate plus the Bluff Retreat Length multiplied by the Bluff Retreat Rate for the Permit Year.

The formula to calculate the Total PRF = (Initial Area x Initial Area Rate) + (Bluff Retreat Length x Bluff Retreat Rate)

Definitions:

Calculation of the PRF is based on the following terms which are defined / explained below.

Initial Area - The Initial Area shall be that Useable Beach Area that is occupied by a Bluff Retention Device measured as the width of the structure multiplied by the length of the structure plus the entire area of seacaves or notches located landward of a Bluff Retention Device and any area of seacaves or notches previously infilled with erodible concrete (which are no longer allowed to erode as originally approved).

Bluff Retreat Length - The Bluff Retreat Length shall be the length of the Bluff Retention Device measured along the bluff, measured in feet.

Initial Area Rate - The Initial Area Rate shall be the amount identified in Table 1, under the Column titled Initial Area Rate dependent on the Permit Year. The Initial Area Rate is based on the value of one sq. ft. of beach area over a 20-year period.

Bluff Retreat Rate - The Bluff Retreat Rate shall be the amount identified in Table 1, under the Column titled Bluff Retreat Rate dependent on Permit Year. The Bluff Retreat Rate is based on a linear foot of Bluff Retention Device and incorporates the annual area impacted by the Bluff Retention Device estimated by the Erosion Rate over a 20-year period.

Total PRF – Means the Total Public Recreation Impact Fee, for a 20-year period as calculated by the above formula.

Permit Year - The year the wall is considered permitted (building permit completion certification date) as defined in the LCP LUP.

Useable Beach Area – That area of Solana Beach bound by the northern and southern city limits, the average width of the beach based on the distance between Mean Sea Level and the toe of coastal bluff and that may extend landward of the toe of coastal bluff.

Examples Scenarios (Using a 67% wage rate, 2008-2009 Attendance Figures, and a 15.2 Acre Beach):

Example 1: In the year 2016, construction of a typical 2 ft. wide by 50 ft. long seawall with no seacave/notch landward of proposed seawall.

Initial Area = 2' x 50' = 100 sq. ft.
Initial Area Rate = 100 sq. ft. x $121 = $12,100
Bluff Retreat Rate = 50 ft. X $600 = $30,000
PRF = $12,100 + $30,000 = $42,100
PRF = ((2 ft. x 50 ft.) x $121 per sq. ft.) + (50 ft. x $600 per linear ft.) = $42,100

Example 2: In the year 2016, construction of a typical 2 ft. wide by 50 ft. long seawall with a 10 ft. deep by 20 ft. long seacave/notch (which has not been previously infilled) landward of proposed seawall.

PRF = (((2 ft. x 50 ft.) + (10 ft. x 20 ft.)) x $121 per sq. ft.) + (50 ft. x $600 per linear ft.) = $66,300

Example 3: In the year 2016, construction of a typical 2 ft. wide by 50 ft. long seawall with a 2 ft. deep by 20 ft. long seacave/notch (which has not been previously infilled) landward of proposed seawall.

PRF = (((2 ft. x 50 ft.) + (2 ft. x 20 ft.)) x $121 per sq. ft.) + (50 ft. x $600 per linear ft.) = $46,940

Example 4: In the year 2016, construction of a typical 2 ft. wide by 50 ft. long seawall with a 2 ft. deep by 20 ft. long seacave/notch that has been previously infilled with erodible concrete landward of proposed seawall.

PRF = (((2 ft. x 50 ft.) + (2 ft. x 20 ft.)) x $121 per sq. ft.) + (50 ft. x $600 per linear ft.) = $46,940

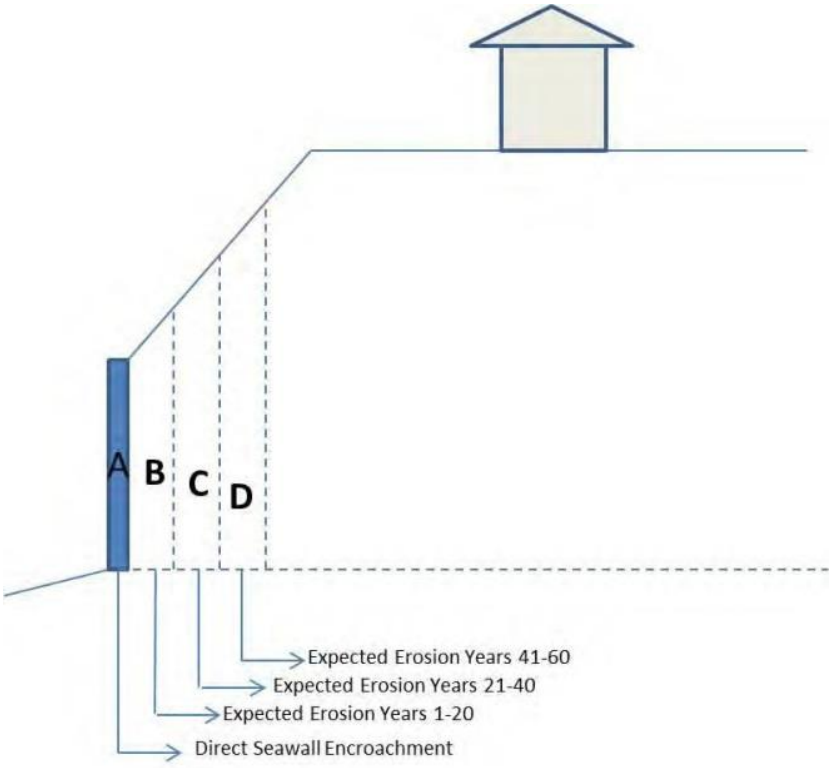
Example 5: In the year 2016, construction of a 2 ft. deep by 20 ft. long seacave/notch with non-erodible concrete.

PRF = ((2 ft. x 20 ft.) x $121 per sq. ft.) + (20 ft. x $600 per linear ft.) = $16,840

Subsequent Mitigation Periods:

If a geotechnical report finds evidence that a Bluff Retention Device cannot be removed at the end of a 20-year mitigation period, mitigation shall be required for the subsequent 20-year period. As shown in Figure 1, in subsequent mitigation periods, mitigation shall include the direct shoreline protection device encroachment and all beach area that would have otherwise been available to the public through passive erosion had the shoreline armoring not been constructed.

Figure 1



Mitigation Period	Mitigation Area
1st Mitigation Period (Pay in Year 1)	A + B
2nd Mitigation Period (Pay in Year 21)	A + B + C
3rd Mitigation Period (Pay in Year 41)	A + B + C + D

GLOSSARY

Chapter 1	
California Coastal Commission	(CCC)
City of Solana Beach	(City)
Coastal Development Permit	(CDP)
Land Use Plan	(LUP)
Local Coastal Program	(LCP)
San Diego Association of Governments	(SANDAG)
San Elijo Lagoon County Park and Ecological Reserve	(San Eligo Lagoon)
Train Station	Transit Station
Transient Occupancy Tax	(TOT)
Chapter 2	
California Department of Fish and Game	(CDFG)
California State Coastal Conservancy	(CSCC)
Environmentally Sensitive Habitat Areas	(ESHA)
Mean High Tide Level	(MHTL)
Master Environmental Impact Report	(MEIR)
North County Transit District	(NCTD)
Offer-to-Dedicate	(OTO)
Regional Shoreline Preservation Strategy	(SPS)
San Dieguito River Valley Regional Open Space Park	(San Dieguito River Park)
San Elijo Lagoon Restoration Project	(SELRP)
Sea Level Rise	(SLR)
Solana Beach Municipal Code	(SBMC)
U.S. Army Corps of Engineers	(USACE)

GLOSSARY

Chapter 3	
Best Management Practices	(BMP)
California Department of Fish and Game	(CDFG)
California Environmental Quality Act	(CEQA)
Clean Water Act	(CWA)
Constituents of Concern	(COC)
Environmental Protection Agency	(EPA)
Helix Environmental Planning, Inc.	(Helix 2007)
Hillside/Coastal Bluff Overlay	(HOZ)
Low Impact Development	(LID)
Maximum Extent Practicable	(MEP)
Memorandum of Understanding	(MOU)
Multi-Habitat Conservation Plan	(MHCP)
Multiple Species Conservation Plan	(MSCP)
National Environmental Policy Act	(NEPA)
National Pollutant Discharge Elimination System	(NPDES)
Regional Water Quality Control Board	(RWQCB)
Standard Industrial Classification	(SIC)
Standard Urban Storm Water Mitigation Plan	(SUSMP)
State Water Resources Control Board	(State Board)
Storm Water Pollution Prevention Plan	(SWPPP)
U.S. Fish and Wildlife Service	(USFWS)
Water Quality Control Plan for Ocean Waters of California	(California Ocean Plan)
Watershed Urban Runoff Management Program	(WURMP)
Wildland Urban Interface	(WUI)

GLOSSARY

Chapter 4	
Federal Emergency Management Agency	(FEMA)
Flood Insurance Ratio Map	(FIRM)
Geological Setback Line	(GSL)
Sand Compatibility and Opportunistic Use Program	(SCOUP)
U.S. Department of Housing and Urban Development	(HUD)
Chapter 7	
Average Daily Trips	(ADT)
Capital Improvement Program	(CIP)
Level of Service	(LOS)
Regional Transportation Plan	(RTP)