

SNB LUPA Part 2 Sug Mods

SUGGESTED MOD. NO. 1

New LUP Land Use policy as proposed by the City (page IV-C-108 of LUPA Part 2 Nov 2015); recommended CCC staff addition shown in **bold, underline**:

C 1.1.11

Ensure that development, **including major remodels**, subdivisions, new building sites and remodels with building additions, is evaluated to ascertain potential negative impacts on natural resources. Proposed development shall emphasize impact avoidance over impact mitigation. Any mitigation required due to an unavoidable negative impact should be located on-site, where feasible. Any off-site mitigation should be located within the City's **coastal zone** boundaries close to the project, where feasible. (I-C 8)

SUGGESTED MOD. NO. 2

Policy 3.3.1

(City's proposed addition, Subsection i, shown in **bold**; recommended CCC staff addition shown in **bold, underline** and, deletions shown in ~~strike through~~.)

Prohibit development of permanent above ground structures on the beach sand area with the exceptions of the following conditionally permitted uses:

- a) Lifeguard towers and other facilities necessary for public safety.
- b) Public restrooms and beach concessions stands when located immediately adjacent to paved parking or access areas.
- c) Reconstruction or expansion related to the Municipal Pier.
- d) Fire rings and volleyball nets.
- e) Pedestrian trails including those necessary for handicapped access.
- f) Bike trails, bike support facilities, and handicapped access.
- g) Shade structures and picnic facilities.
- h) Pedestrian Overpasses.
- i) **In Sunset Beach only, Encroachments for private decks pursuant to only when consistent with the Sunset Beach Specific Plan.**

SUGGESTED MOD. NO. 3

(City's proposed addition is shown in bold below (to add "natural" to the existing policy); recommended CCC staff deletion is shown in ~~strike through~~.)

C 4.4.4

Develop implementation programs that will preserve and maintain the **natural** physical features of the wetlands, bluffs, and beaches. (I-C 2, I-C 4)

SUGGESTED MOD. NO. 4

Entire policy proposed is newly proposed by the City and shown below in plain text. Recommended CCC staff additions shown in **bold, underline**; deletions shown in ~~strike-through~~.

C 10.1.24

Site and design new **harbor and** oceanfront development **including major remodels and** ~~shoreline protective devices~~ **and all development located in the Sunset Beach Specific Plan area** where that siting/design takes into account predicted future changes in sea level. **To the extent feasible, siting and design should avoid the need for any future shoreline protection device. A shoreline protection device that alters natural shoreline processes may only be allowed when required to serve coastal dependent uses or when necessary to protect an existing, primary structure or a public beach in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. When it is demonstrated that a shoreline protection device is required for one or more of the uses described above, siting and design shall take into account predicted future changes in sea level.** In particular, 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 and/or designed to eliminate or minimize, to the maximum extent feasible, hazards associated with expected sea level rise during the economic life of the structure. **No right to a shoreline protection device exists beyond the economic life of an existing structure.**

SUGGESTED MOD. NO. 5

Implementation Programs; IC-7 Design and Development Review; d)
Require through the development/design review process the following:
19: (page IV-C-142)

New subsection proposed by City (shown in plain text, CCC staff sug mod additions in **bold underline**, deletions in ~~strike-through~~):

Require all coastal development permit applications for new development **including major remodels** on an **harborfront or** oceanfront property **and all development in the Sunset Beach Specific Plan area** ~~subject to wave action~~ to assess the potential for flooding or damage from waves, storm surge, or seiches, **and other coastal hazards** through a wave uprush and impact report prepared by a licensed civil engineer with expertise in coastal processes. The conditions that shall be considered in a wave uprush study are: beach erosion, high tide conditions combined

with long-term (75 year) projections for sea level rise; storm waves from a 100-year event or a storm that compares to the 1982/83 El Nino event.

SUGGESTED MOD. NO. 6

Add a new subsection to Section I-C 15, Beach Area Preservation and Enhancement (page IV-C-148, 149), as follows (Recommended CCC staff additions shown in **bold, underline**):

x) All new development, including major remodels, in the Sunset Beach Specific Plan area, in conjunction with the coastal development permit application, shall include a Coastal Hazards Analysis consistent with the requirements of the Sunset Beach Specific Plan.

SUGGESTED MOD. NO. 7

Modify City's proposed new subsection d) to Section I-C 15, Beach Area Preservation and Enhancement (page IV-C-148, 149), as follows (Entire policy proposed is newly proposed by the City and shown below in plain text; recommended CCC staff additions shown in **bold, underline**; and, CCC staff recommended deletions shown in ~~strike through~~):

d) Develop and implement shoreline management plans for shoreline areas subject to wave hazards and erosion. Shoreline management plans should provide for the protection of existing development, public improvements, coastal access, public opportunities for coastal recreation and coastal resources. Plans must evaluate the feasibility of coastal hazard avoidance, restoration of the sand supply, beach nourishment and planned retreat. **Shoreline management plans should also be protective of sensitive habitats such as snowy plover roosting and nesting, grunion spawning, eelgrass, dunes, and beach rack.**

SUGGESTED MOD. NO. 8

Glossary:

Add the following definition to the Coastal Element/Land Use Plan Glossary (in alphabetical order):

New Development and Major Remodel

New development is defined as new construction. New development also includes demolition and reconstruction of 50% or more of an existing structure and/or addition of 50% or more of an existing structure. Demolition, reconstruction and/or addition of 50% or more of an existing structure is more specifically defined as "Major Remodel" below.

Major Remodel constitutes new development and is defined as the alteration of or an addition to an existing structure if any of the following occurs and shall apply to development requiring a coastal development permit proposed within the Sunset Beach

Specific Plan boundary (as shown on Exhibits 1.1 Vicinity Map, 1.2 Aerial Photograph, 1.3 Zoning Map, 21. Land Use Plan, 3.1 Specific Plan Districts, and in Appendix A Legal Description), as defined below. (Unless stated otherwise, the following standards shall be measured in square feet.)

(1) **Exterior Wall Area**

Demolition, removal and/or reconstruction of 50% or more of the total existing wall area. A wall is considered to be demolished, removed and/or reconstructed when any of the following occur either above or below grade:

- (a) **Both exterior cladding and framing systems are altered in a manner that requires removal and replacement of those cladding and framing systems.**
- (b) **Existing support for the wall is temporarily or permanently removed such that any portion of the remaining floors, roof, ceiling or other building elements supported by the wall cannot remain freestanding without supplemental support.**
- (c) **Additional reinforcement is needed for any remaining portions of the wall and cladding to provide structural support (e.g., addition of beams, addition of shear walls, placement of new studs whether alone or alongside the existing/retained studs).**

(2) **Roof/Floor**

Demolition, removal and/or reconstruction of 50% or more of the combined total area(s) of the existing roof framing system and structural floor systems, not including eaves or decks.

Roof framing and structural floor systems shall be considered to be demolished, removed and/or reconstructed when any of the following occur:

- (a) **The roof and/or floor framing is altered in a manner that requires removal and replacement of roof or floor structural framing system elements (e.g., trusses, joists and rafters);**
- (b) **The roof and/or floor structural framing system requires additional reinforcement to any remaining portions of the roof or floor system to provide structural support (e.g., addition of beams, joists and/or rafters, etc., whether alone or alongside existing/retained system elements).**

(3) **Additions**

One or more additions to an existing building or structure that increases the gross floor area square footage of the existing building or structure by 50% or more.

(4) Foundations

Demolition, removal, reconstruction and/or reinforcement/enlargement of 50% or more of the existing foundation system (e.g., structural slabs, pier and posts, caissons and grade beams and/or perimeter foundations). This percentage is measured as follows: slab foundation by horizontal surface area; pier and posts/caissons or grade beam foundation by the number of piers, posts, caissons and/or grade beams.

Whenever modifications to an existing building or structure constitute a major remodel, the entire structure shall constitute and be classified as new development subject to current development standards of the subject zone, and all requirements applicable to the construction of new development. A coastal major remodel shall not include roof coverings; filling-in of existing window and door openings; replacement of glass in existing window openings; replacement of window and door framing when the size and location of the window/door remains unchanged; and/or repair of roofs or foundations without any change to structural supporting elements.

Alterations of or additions to an existing building or structure as described above shall be cumulative over the life of the structure (assumed to be no less than 75 years), commencing with approval of any development after the effective date of adoption of this Sunset Beach Specific Plan.

SUGGESTED MOD. NO. 9

Glossary:

Add the following definition to the Coastal Element/Land Use Plan Glossary (in alphabetical order):

Oceanfront Site - any lot or parcel of land that is located adjacent to the ocean-fronting sandy beach.