



## THE CITY OF SAN DIEGO

February 11, 2014

### **California Coastal Commission Staff Comments on Sea Level Rise Policy Guidance**

The City of San Diego appreciates the opportunity to comment on the Commission's draft Sea-Level Rise Policy Guidance document. We realize other jurisdictions may have made similar comments, but we would like to identify several issues that are of concern to us or that we hope the final document will address more fully.

#### Coordination with other State agencies

- The SLR Policy Guidance document states that it works with other agencies and documents such as the General Plan Guidelines which are currently in draft form. Since our Local Coastal Program Land Use Plans (LUPs) are our community plans (part of the Land Use Element of our General Plan) we strive for internal consistency in implementing a variety of State policies and expect that documents and policies coming from multiple State agencies will be compatible with each other so local jurisdictions are not left trying to carry out conflicting State policies or laws. The GP Guidelines draft is not currently posted on the State website so we will be looking for consistent direction between State documents when we are able to review the GP Guidelines.
- We would appreciate understanding how CEQA legislation or Guidelines might change based on the adoption of this Guidance document
- We have concern about how suggested LCP changes that exclude or limit housing opportunities in the impacted area might be viewed by HCD or other organizations that review the City's capacity and efforts to provide adequate affordable housing. Our concern relates to balancing State priorities and the internal consistency of our General Plan.

While the Guidance document acknowledges there is no discussion about sea level rise involving property rights and takings, we believe that local jurisdictions are due more assistance on this topic, or at least an issues framework, since every coastal city and county will be dealing with the same responsibilities to some degree.

The Guidance document states that different approaches will need to be taken in different areas of the coast. Our highly urbanized community will need different tools than those used along an open portion of the coast. Examples of tools are provided for coastal areas with resource-based characteristics, and we hope that there will be practical tools for highly-

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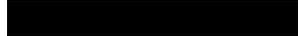
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urbanized areas. The overlay zones that are discussed in the document seem to presume equal results wherever it is used; however a highly-urbanized community may see no change from the application of an overlay. Also, transfer of development rights to other non-impacted properties is often not a viable option in a highly-urbanized jurisdiction.

We are looking forward to be able to access the **SCC Southern CA SLR Map Tool** which **was identified as being** “in development” in recent staff presentations. We are also interested in seeing a more developed discussion about the concept of limiting the life of structures in future impact areas since that is a generally unfamiliar concept.

Finally, Section 4.1 entitled Planning and Locating New Development indicates that the section contains recommended LUP language. We believe the section actually contains a significant amount of regulatory language that we would more appropriately consider for inclusion in our Land Development Code rather than in our LUPs. We are concerned that having regulatory language in 4.1 implies that this language could be proposed for inclusion into LUPs by the Coastal Commission staff by virtue of it being in that section. We hope that language in the Guidance document will reflect the Coastal Act and clearly state that a jurisdiction should incorporate policy language in its LUPs to implement Chapter 3 of the Coastal Act, and that appropriate regulatory language to carry out LUP policies should be placed in implementing ordinances (and not in LUPs).

Thank you for the opportunity to comment on the draft SLR Guidance document. We look forward to reviewing the final version that you are sending to the Commission for adoption later this year.

  
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City of San Diego

cc: Nancy Bragado, Deputy Director  
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