

# CHAPTER 1—INTRODUCTION

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## 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.

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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

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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.

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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.

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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 geologically 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;

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- 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

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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.

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## 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.