PRESS RELEASE
CITY OF SAN CLEMENTE
OFFICE OF THE CITY MANAGER
ERIC SUND, INTERIM CITY MANAGER

Contact: Cecilia Gallardo-Daly, Community Development Director
(949) 361-6106, or
Leslea Meyerhoff, Local Coastal Program Manager
(760) 845-8028

FOR IMMEDIATE RELEASE

CITY ANNOUNCES COASTAL COMMISSION HEARING TO DENY LAND USE PLAN AMENDMENT

August 6 2020...San Clemente, California...The City announces that the California Coastal Commission (Commission) is scheduled to conduct a public hearing on August 13, 2020 to deny the City’s Local Coastal Program (LCP) Land Use Plan Amendment (LUPA). The singular focus of the City’s LUPA is to clarify that, for purposes of the LUP definition of “Major Remodel,” the City will begin calculating cumulative changes to existing structures as of August 2018, the date the “Major Remodel” definition was added to the LUP.

The City submitted the LUPA to the Commission for processing in December 2018 at the direction of the San Clemente City Council. The LUPA was a response to significant public concern related to the definition of Major Remodel, which requires cumulative changes to existing structures be tracked retroactively back to 1977. The Commission public hearing is scheduled to be heard at a virtual meeting on August 13, 2020. The Commission staff recommendation is for the Commission to deny the City’s LUPA. In addition to recommending
that the 1977 date remain as the effective date for tracking changes to existing structures, the
Commission staff recommendation goes a step beyond the matter at hand and asks that the
Commission define “existing structures” to mean structures constructed before 1977 that
have since undergone less than 50 percent structural alterations. The suggested modifications
proposed by Commission staff state that unless a structure is defined as “existing” it will be
denied shoreline protection rights provided in Coastal Act section 30235.

“The City is firmly opposed to the Commission staff recommendation and suggested
modifications. By defining what is ‘existing,’ the Commission staff has commandeered the
City’s simple request and steered it into a whole other direction. Commission staff has
reinserted a policy that the Commission voted to remove from the City’s LUP when it was
certified in 2018,” states Community Development Director Cecilia Gallardo-Daly. Coastal
staff’s recommendation and suggested modifications are contrary to the action the
Commission took in 2018, and not consistent with actions the Commission has taken on other
LCP’s, where the date for tracking cumulative changes to structures is date of the LUP’s
certification, not 1977.

“The Commission staff is again recommending that any shoreline, bluff or coastal
canyon property that has gone through a ‘Major Remodel’ or was new construction built
between 1977 and 2018 has no rights to bluff or shoreline protection. This is an unacceptable
and illegal requirement that the City fought against two years ago, and will again,” states Ms.
Gallardo-Daly.
Added Ms. Gallardo-Daly, “What started out as a clean-up request to correct an objectionable error in the LUP and establish what other jurisdictions have, which is a fair and legally defensible starting point for abating non-conforming structures in the City’s Coastal Zone, has turned into another attempt by Commission staff to prevent property owners from protecting their existing bluff top, beachfront, and coastal canyon homes.” There are approximately 4,000 properties, including condominium units, on over 1400 parcels, in San Clemente’s coastal zone that would be impacted by the Commission staff’s suggested modifications – not an insignificant number.

The Commission Staff Report can be found here. Comments on the Commission Staff Report should be sent to Commission staff Liliana Roman via email Liliana.Roman@coastal.ca.gov by August 7, 2020.

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