

DATE ISSUED: March 13, 2002

REPORT NO. 02-045

ATTENTION: Honorable Mayor and City Council  
Docket of March 19, 2002

SUBJECT: California Coastal Commission Modifications to the Floodplain  
Regulations as part of the Second Update to the Land Development Code  
(LDC)

### SUMMARY

Issues - Should the City Council adopt the modifications to the Floodplain Regulations as required for certification by the California Coastal Commission?

Manager's Recommendations - Recommend that the City Council adopt the modifications to the Floodplain Regulations as required for certification by the California Coastal Commission.

Environmental Impact - Action on adopting the modifications to the floodplain regulations is categorically exempt from CEQA pursuant to the State Guidelines Section 15061(b)(3).

Fiscal Impact - None.

### BACKGROUND

On January 8, 2001, the City Council adopted Ordinance 18910 approving amendments to the Land Development Code (LDC) as part of the Second LDC Update. The amendments were then submitted to the California Coastal Commission for certification as part of the City of San Diego's Local Coastal Program.

On March 14, 2001, the California Coastal Commission approved several of the proposed changes as de minimus Local Coastal Program (LCP) Amendments. The remaining amendments, that did not qualify as de minimus, were approved by the Coastal Commission on

May 8, 2001 with the exception of the floodplain regulations. The Coastal Commission staff requested additional information and clarification on the proposed amendments, specifically related to allowable uses within floodways and floodplains and procedures for notifying the Coastal Commission when FEMA adopts map changes.

### DISCUSSION

On August 7, 2001, the Coastal Commission held a hearing to consider the amendments to the

floodplain regulations proposed by the City of San Diego as well as suggested modifications to the amendments proposed by Coastal Commission staff. No action was taken at the hearing and the item was granted a time extension. Since the August hearing City staff met with Coastal Commission staff to resolve the outstanding issues pertaining to the allowable uses in floodplains and the notification procedures for map changes made by FEMA.

On October 12, 2001, the Coastal Commission approved the amendments to the LDC floodplain regulations with six modifications made by Coastal Commission staff. Three of the six modifications are minor and are intended to clarify terminology and references. Two of the modifications are intended to further restrict three land uses in agricultural zones within the Coastal Overlay Zone. Residential Care Facilities, Transitional Housing, and Bed and Breakfast Establishments will be prohibited in agricultural zones within Special Flood Hazard Areas. The last modification establishes a process for the City Engineer to notify the Coastal Commission staff of changes to FEMA's Flood Insurance Rate Maps. Attachment 1 includes a strikeout/underline version of the Coastal Commission's approved changes.

### CONCLUSION

The City Manager recommends that the City Council accept the California Coastal Commission suggested modifications to the Floodplain Regulations in the Land Development Code.

### ALTERNATIVES

1. Revise the modifications approved by the Coastal Commission. The City Council may revise the modifications approved by the Coastal Commission. However, any revisions would require a re-submittal to the Coastal Commission.

2. Deny the modifications approved by the Coastal Commission. The City Council may deny the modifications approved by the Coastal Commission. However, this alternative would result in keeping the existing regulations that are not in compliance with the requirements of the Federal Emergency Management Agency (FEMA).

Respectfully submitted,

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Tina P. Christiansen, A.I.A.. Approved: P. Lamont Ewell .....  
Development Services Director... ..... Assistant City Manager

HAASE/MURRAY .....

Attachment: [1. Coastal Commission Suggested Modifications for the Floodplain Regulations](#)