

LEGISLATIVE DIGEST

[General Plan Amendment - Western Shoreline Area Plan (Local Coastal Plan)]

Ordinance amending the Western Shoreline Area Plan of the General Plan, San Francisco's Local Coastal Program Land Use Plan, to add an objective to preserve, enhance, and restore the Ocean Beach shoreline while protecting public access, scenic quality, natural resources, critical public infrastructure, and existing development from coastal hazards; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

State law requires cities and counties to prepare and adopt a "comprehensive, long-term" General Plan for the development of the city or county. This comprehensive General Plan, once adopted, has been recognized by the courts as the "constitution" for land development in the areas covered. There are seven mandatory General Plan elements, which must be included in every plan: land use, circulation, housing, conservation, open space, noise and safety. There is also authority in the law to add additional optional elements if a local jurisdiction so wishes, along with express authority that the General Plan may "address any other subjects which, in the judgment of the legislative body, relate to the physical development of the county or city." General plans may be adopted in any format deemed appropriate or convenient by the local legislative body, including combining the elements.

San Francisco's General Plan contains the following elements: Land Use Index, Housing, Commerce And Industry, Recreation And Open Space, Transportation, Urban Design, Environmental Protection, Community Facilities, Community Safety, Arts and Air Quality. In addition, it contains several area plans, such as the Downtown, Glen Park, Hunters Point Shipyard, Market and Octavia, Mission, and Western Shoreline Area Plans. These elements and plans are amended from time to time to reflect changed circumstances.

The Western Shoreline Area Plan is both an area plan of the City's General Plan and the land use plan portion of San Francisco's Local Coastal Program under the California Coastal Act of 1976 (Public Resources Code Section 30000 et seq., "the Coastal Act"). The Local Coastal Program addresses coastal access, public recreation, transportation, land use, and habitat protection within the San Francisco Coastal Zone, but does not address coastal hazards or sea level rise.

Amendments to Current Law

This Ordinance seeks to amend the General Plan's Western Shoreline Area Plan to add policies which address coastal hazards including erosion, coastal flooding, and sea level rise. Specifically, the Ordinance adds a new Objective 12 to the Western Shoreline Area Plan. This Objective calls for the preservation, enhancement, and restoration of the Ocean Beach shoreline, while protecting public access, scenic quality, natural resources, critical public infrastructure, and existing development from coastal hazards. It includes six distinct policies:

- Policy 12.1. Adopt Managed Retreat Adaptation Measures Between Sloat Boulevard and Skyline Drive;
- Policy 12.2. Develop and Implement Sea Level Rise Adaptation Plans for the Western Shoreline;
- Policy 12.3. Develop and Implement a Beach Nourishment Program to Sustain Ocean Beach;
- Policy 12.4. Develop the Shoreline in a Responsible Manner;
- Policy 12.5. Limit Shoreline Protection Devices; and
- Policy 12.6. Requirements for Shoreline Protection Devices.

The Ordinance explains that after this General Plan amendment is adopted, it will be submitted to the California Coastal Commission for review and certification of consistency with the Coastal Act as a proposed amendment to San Francisco's Local Coastal Program Land Use Plan. If the California Coastal Commission approves the Local Coastal Program amendment as submitted, it will take effect immediately upon certification. If the California Coastal Commission certifies the Local Coastal Program amendment subject to modifications, final approval by the Planning Commission and the Board of Supervisors shall be required prior to the amendment taking effect.

Background Information

Pursuant to the Coastal Act, all development within the state's Coastal Zone must conform to the public access and coastal resource protection policies of the Coastal Act. These requirements are implemented by the California Coastal Commission in partnership with the state's coastal cities and counties through local coastal programs.

San Francisco prepared its local coastal program (LCP), comprised of the Western Shoreline Area Plan and implementing policies of the Planning Code, in the early 1980s, and the City's LCP was certified by the California Coastal Commission as meeting the requirements of the Coastal Act on March 14, 1986. The City exercises coastal development permitting authority under the certified LCP, and the policies of the LCP form the legal standard of review for both public (state and local) and private projects under this authority.

The Coastal Commission retains coastal development permitting jurisdiction over projects located on tidelands, submerged lands, and public trust lands, and for any state, local, or private projects on federal lands. In addition, the federal Coastal Zone Management Act grants federal consistency review authority to the Coastal Commission for all projects affecting the Coastal Zone that are either undertaken by the federal government or that require a federal license, permit, or approval. The Chapter 3 policies of the Coastal Act – not the City’s LCP – serve as the standard of review for the Coastal Commission’s coastal development permitting and federal consistency review authorities.

All projects approved or undertaken by the City, regardless of location, are reviewed for consistency with the General Plan. Thus, the policies of the Western Shoreline Plan apply to both actions that are subject to the City’s coastal permit authority and to the City’s General Plan.

The San Francisco Coastal Zone extends approximately 6 miles along the western shoreline from the Fort Funston cliff area in the south to the Point Lobos recreational area in the north. The south end of the Coastal Zone includes the Lake Merced area, the Zoo, the Olympic Club, and the seashore and bluff area of Fort Funston. The Coastal Zone spans the Ocean Beach shoreline and includes Golden Gate Park west of Fortieth Avenue, the Great Highway corridor and the adjacent residential blocks in the Sunset and Richmond districts. The north end of the seashore includes the Cliff House and Sutro Baths area, Sutro Heights Park, and Point Lobos recreational area.

These amendments to the Western Shoreline Area Plan are the culmination of more than a decade of work undertaken by the City to explore options to address erosion and coastal access at Ocean Beach. In these efforts, the City has worked in close cooperation, and with the involvement of, a host of federal, state, and local agencies, as well as community stakeholders and non-profit organizations.

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