

April 2018

Honorable Mayor Brown and Councilmembers
910 Calle Negocio, Suite 100
San Clemente, CA 92673

RE: City of San Clemente Comprehensive LUP Update (LCP-5-SCL-16-0012-1)

Dear Honorable Mayor and Councilmembers,

I have recently been made aware of the proposed LUP currently certified by the California Coastal Commission and now coming before San Clemente City Council for a final vote at the May 1st hearing. The ratification of this document will forever bound my Coastal property to the overreaching policies contained therein. I am taking the time today to notify you that I am opposed to these proposed policy interpretations of the 1977 Coastal Act; I implore you to vote NO to these restrictive and destructive policies and avoid extensive future litigation:

1. At a recent Coastal Commission hearing, Mayor Brown clearly articulated the City's position that the definition regarding "*Existing Development*" be removed so that a Coast Development Permit could not be applied to every home in the Coastal Zone. While the "*Existing Development*" definition was removed, the Coastal Commission's deep-seated intent to reduce property rights still remains in the Land Use Policy 13 (*Legal Non-Conforming Structures*) and contained in the definition of "*Major Remodel*." As a result, the Coastal Commission has not complied with the City's specific request, but rather circumvented the local process.
2. Coastal Commission staff recently noted in their findings, "*Commission chose... to bring the issue of defining 'existing structures' back at the time the Commission considers the City of San Clemente's Implementation Plan.*" By agreeing to this approach, the City is essentially "kicking the can down the road" by keeping the door open to Coastal to allow for the unlawful definition to come back at a future time.
3. A number of Public Access Policies would automatically trigger a dedicated offer for a public easement on private property whenever a remodel is proposed. This same logic is implied in Coastal's attempt to regulate what is considered a View Corridor. In doing so, they are effectively requiring any future residential remodel to be lower than the currently permitted height limit without just compensation. This will effectively prevent homeowners from adding a second story that would otherwise be permitted by the City.
4. The Coastal Commission's demand that coastal properties provide a waiver for repair and installation of shoreline and bluff protection devices when needed in the future is wholly dangerous and goes against the primary tenants of the Coastal Act. By waiving the fundamental right to protect one's property effectively forces the homeowner to abandon their property through what the Coastal Commission calls "managed retreat" policy.

As a resident(s) that you represent, I/we strongly urge the City Council to firmly reject the Draft Land Use Plan. Do not bow down to the Coastal Commission. Please stand up for our City and our property rights.

Sincerely,

Print Name: _____