

**Volume 4**  
FEIR Appendices



# Appendix V1.A

## **Coastal Act Policy Analysis**





**Appendix V1.A  
Review of Project Consistency with Coastal Act Policies**

The proposed project includes amendments to the City of Oceanside’s (City’s) certified Local Coastal Plan (LCP) that will require California Coastal Commission (CCC) approval. Amendments to the City of Oceanside’s LCP includes incorporating by reference the Incentive District and its provisions and amending text pertaining to the General Commercial, Coastal Dependent, Recreational & Visitor Serving Commercial, Light Industrial and High Density Residential land use classifications to ensure consistency with the intent and objectives of the Coast Highway Vision and Strategic Plan (Vision Plan) and the Incentive District including but not limited to promoting increased mixed-use development. The General Plan and LCP map amendments include amending the Coastal Land Use Plan. The map amendments include redesignating several properties currently designated as Light Industrial to General Commercial and High Density Residential to General Commercial.

Coastal Act Chapter 3, *Coastal Resources Planning and Management Policies*, includes policies that constitute the standards by which the permissibility of proposed developments subject to the provisions of the Coastal Act are determined. The Coastal Act policies that are relevant to the proposed project are addressed in **Table V1.A-1** below. Table V1.A-1 includes a preliminary assessment of the project’s consistency with relevant Coastal Act policies. The final determinations regarding project consistency with Coastal Act policies is reserved for the CCC.

**TABLE V1.A-1  
CALIFORNIA COASTAL ACT CONSISTENCY ANALYSIS**

Section	Policy	Determination of Consistency
<b>Public Resources Code 30000</b>		
<b>Article 2: Public Access</b>		
30210	Access; recreational opportunities; posting: In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.	<u>Consistent:</u> The project, including the proposed roadway improvements, incorporate Complete Streets enhancements intended to enhance the experience and safety of residents and visitors traveling the corridor, regardless of their mode of travel. This includes providing safety improvements such as bike lanes and mid-block crosswalks which will ultimately increase access for residents and visitors traveling between the corridor, the beach and other parts of the coastal zone. The addition of bike lanes will also increase recreational opportunities within the project area. In addition, the City would prepare a construction traffic management plan to address traffic detours, pedestrian and bicycle mobility, and conditions during construction activities so that coastal access is maintained during these construction periods. Please also refer to the analysis for Sections 30252 and 30253.
30211	Development Not To Interfere With Access: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.	<u>Consistent:</u> The proposed project is for portions of the coastal zone that are not located near the shoreline or sea. As described in response to 30210 above, the project will not interfere with the public's right of access to the sea, but will provide additional methods of travel and enhancements that will increase the safety of residents and visitors traveling between the corridor and other parts of the coastal zone.

Section	Policy	Determination of Consistency
<b>Public Resources Code 30000</b>		
30212	<p>New Development Projects:</p> <p>(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.</p>	<p><u>Not applicable:</u> The project does not affect new development projects that would provide public access from the nearest public roadway to the shoreline.</p>
30213	<p>Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Development providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.</p>	<p><u>Consistent:</u> The proposed Incentive District would allow for different types of residential, commercial and mixed-use developments throughout the corridor. The intent of the Incentive District is to provide a stimulus in the project area and to encourage the type of development the City would prefer in the project area. The LCP Amendment would include amended text pertaining to the General Commercial, Coastal Dependent, Recreational &amp; Visitor Serving Commercial, Light Industrial, and Residential High Density land use classifications to ensure consistency with the intent and objectives of the Vision Plan and the Incentive District. While the LCP Amendment would allow for the introduction of residential uses within the project area, the Incentive District does not preclude low cost visitor-serving commercial recreation facilities from being developed in these areas and additional height and intensification in the Nodes has been allowed to ensure that development opportunities for visitor-serving commercial recreation facilities are further accommodated within the Incentive District. In addition, the Incentive District introduces a minimum commercial requirement for mixed use development and the expansion of allowed visitor serving and recreational uses throughout the Incentive District, which will further ensure that opportunities for visitor-serving commercial recreation facilities are preserved and enhanced. Please also refer to the analysis for Sections 30252 and 30253.</p>
<b>Article 6: Development</b>		
30250	<p>Location; Existing Developed Area:</p> <p>New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.</p> <p>Where feasible, new hazardous industrial development shall be located away from existing developed areas.</p> <p>Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.</p>	<p><u>Consistent:</u> Although located in the coastal zone, the proposed project would be located within an existing developed and highly urbanized area of the coastal zone. The proposed project encourages infill development to accommodate future growth so as to not have significant adverse effects, individually or cumulatively, on coastal resources.</p>

Section	Policy	Determination of Consistency
<b>Public Resources Code 30000</b>		
30251	<p>Scenic and Visual Qualities: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.</p>	<p><u>Consistent:</u></p> <p><i>Complete Streets Improvements</i></p> <p>As summarized in Table 3.1-1, Summary of Coastal View Corridor Assessment for the Draft Environmental Impact Report (DEIR) (2018), in Section 3.1, <i>Aesthetics</i>, of the EIR contained in Volume 3 of this Final EIR (FEIR), 7 of the 24 vantage points assessed were determined to have a good (5 vantage points) or exceptional (2 vantage points) view of the Pacific Ocean. Of those seven vantage points, only one vantage point (Surfrider Way) which offers a good view of the Pacific Ocean includes an intersection where a roundabout is proposed under the project. However, existing impediments at Surfrider Way include an existing median consisting of low-lying shrubs, scattered palm trees and signs, which are similar in character to the proposed Complete Streets improvements. Therefore, implementation of the Complete Streets improvements would not substantially change the current visual character of this intersection and would not affect its designation as a "good" quality view corridor. All other roundabouts are proposed at vantage points that have been designated as having limited or minimal views of the Pacific Ocean, where implementation of the Complete Streets improvements would not significantly impact those views. Furthermore, for any intersection improvements over 36 inches, the City would evaluate the improvement using the Coastal View Corridor Assessment to determine how to design or locate the improvements to avoid impacts to existing and potentially restored coastal views within the Coast Highway Corridor.</p> <p><i>Incentive District</i></p> <p>As stated above, the City surveyed and assessed the existing views of the Pacific Ocean from various vantage points along and in proximity to Coast Highway to further support the conclusions of the DEIR. This additional information was included in the Partially Recirculated Draft Environmental Impact Report (PRDEIR). The photographs of each vantage point and visual assessment of the views are contained in the Coastal View Corridor Assessment (refer to Appendix B of the EIR contained in Volume 3 of this FEIR). The two exceptional view locations are located outside the Incentive District and are not subject to proposed changes to development standards. Only one of the 5 vantage points determined to have a good view is located within the Incentive District at Seagaze Drive. The current side yard setback requirement for properties along Seagaze Drive within the Incentive District are 0 feet and 10 feet at corner lots. The Incentive District at Seagaze Drive requires no minimums and a 10-foot maximum. Proposed setback standards are consistent in this area and additional form based standards would apply ensuring key building elements are designed to enhance street frontages where private development meets the public street providing enhanced protection of public views.</p>
30252	<p>Maintenance and Enhancement of public access: the location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile</p>	<p><u>Consistent:</u> The Incentive District is an alternative to (and not a replacement of) existing zoning standards which requires public benefits (including but not limited to increased open space) and adherence to form-based development standards to achieve increase residential densities and height. The intent of these allowances is to target appropriate development intensities for mixed-use</p>

Section	Policy	Determination of Consistency
<b>Public Resources Code 30000</b>		
	<p>circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.</p>	<p>development in Node areas, served by public transit. This encourages new development to facilitate the provision or extension of transit service, provides for commercial facilities within or adjoining residential development and sites new development to minimize vehicle miles traveled. In addition, the complete streets improvements proposed by the project are intended to increase opportunities for alternative modes of transportation, including nonautomobile circulation. In addition, the proposed project would increase the public on-street parking supply along Coast Highway and the City is committed through its Circulation Element policies and draft Climate Action Plan to promote additional Transportation Demand Management (TDM) programs including the development of a TDM ordinance and program.</p>
30253	<p>Minimization of Adverse Impacts: New development shall do all of the following:</p> <ul style="list-style-type: none"> <li>• Minimize risks to life and property in areas of high geologic, flood, and fire hazard.</li> <li>• Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.</li> <li>• Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.</li> <li>• Minimize energy consumption and vehicle miles traveled.</li> <li>• Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.</li> </ul>	<p><u>Consistent</u>: The project would minimize adverse impacts related to hazards and hazardous materials, geology and soils, air quality, energy consumption, vehicle miles traveled, and recreation. Refer to Sections 3.2, <i>Air Quality</i>; 3.5, <i>Geology, Soils, and Seismicity</i>; 3.7, <i>Hazards and Hazardous Materials</i>; 3.13, <i>Recreation</i>; 3.14, <i>Transportation and Traffic</i>; and Chapter 6, <i>Other CEQA Considerations</i>, which includes the Energy analysis, of the EIR contained in Volume 3 of this FEIR.</p>
Source: ESA 2019		