



Legislation Text

File #: 22-0147, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Carrie Tai, AICP, Director of Community Development
Dana Murray, Environmental Sustainability Manager
Talyn Mirzakhanian, Planning Manager

SUBJECT:

Conduct Public Hearing and Consider Adopting Resolutions Amending the City's Local Coastal Program To Include A New Coastal Hazards Chapter and Authorizing Staff to Submit a Local Coastal Program Amendment to the California Coastal Commission (Community Development Director Tai).

(Estimated Time: 45 Min.)

A) CONDUCT PUBLIC HEARING

B) ADOPT RESOLUTION NOS. 22-0062 AND 22-0063

RECOMMENDATION:

Staff recommends that the City Council conduct a Public Hearing; adopt Resolution No. 22-0062 amending the Local Coastal Program (LCP) to include a new chapter, Section VI Coastal Hazards; and adopt Resolution No. 22-0063 authorizing staff to transmit the LCP Amendments to the California Coastal Commission (CCC).

EXECUTIVE SUMMARY:

This item is a proposed amendment of the City's LCP, aimed at addressing coastal hazards and sea level rise, in accordance with City Council direction and State guidance. In 2018, the City initiated an update to the LCP to address climate change and coastal hazards. Staff successfully applied for and received a grant from the State in 2019 to help fund this update to the City's LCP.

The draft LCP Coastal Hazards chapter includes the following elements: coastal hazards present (Sea Level Rise Vulnerability Assessment); public infrastructure and shoreline protective devices currently in place within Coastal Zone; adaptation strategies (Sea Level Rise Adaptation Plan); and adaptation policies to mitigate the potential impacts from coastal hazards. The proposed LCP policies address the safety of community members from the potential impacts from natural and man-made hazards, and guidance for the maintenance, rebuilding, or installing of new shoreline protective devices.

On February 23, 2022, the Planning Commission hosted a study session on the LCP Coastal Hazards chapter to provide an opportunity for open discussion and public engagement in the

amendment effort. On March 23, 2022, the Planning Commission held a public hearing, discussed the proposed regulations and recommended that the City Council adopt the LCP amendment. Should City Council adopt the LCP Section VI Coastal Hazards, staff will transmit the LCP Amendment to the CCC for certification.

FISCAL IMPLICATIONS:

The adoption of this ordinance has no fiscal impact.

BACKGROUND:

Local Coastal Program Background

Pursuant to the California Coastal Act of 1976, all development within the State's Coastal Zone must conform to public access and coastal resource protection policies of the Coastal Act. The Coastal Act requires all local governments located within the Coastal Zone to prepare an LCP. An LCP is defined as "a local government's land use plans, zoning ordinances, zoning district maps, and, within sensitive coastal resources areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of the Coastal Act at the local level."

In addition, the LCP serves as the standard of review for Coastal Development Permits (CDPs) under the City's jurisdiction within the Coastal Zone. Pursuant to the Coastal Act, "development" is broadly defined and includes activities such as demolition, construction, replacement, or changes to the size of a structure; divisions of land; and activities that change the intensity of use of land or public access to coastal waters. All LCPs and any subsequent amendments to LCPs must not only be approved by local governments, but must also be certified by the California Coastal Commission (CCC).

Manhattan Beach prepared its first LCP in the early 1980s. The Manhattan Beach LCP is the basic planning tool used by the City of Manhattan Beach to guide development in the Coastal Zone. The City's LCP consists of a Coastal Land Use Plan (Phase II LUP), originally certified by the CCC in January 1994 and an Implementation Plan (Phase III IP) that was originally certified on May 24, 1994, and amended in 2004 (available at <https://www.manhattanbeach.gov/departments/community-development/planning-zoning/coastal-permit-procedures> and in the Community Development Office at 1400 Highland Avenue).

The Phase II LUP designates land uses and includes planning policies and programs that implement the Coastal Act's overarching goals: protection, enhancement, and balanced use of coastal resources; maximization of public access to the coast; and prioritization of coastal-dependent and coastal-related uses. The Phase III IP includes detailed zoning and implementing ordinances found in the Municipal Code and other guidelines that carry out the policies of the Coastal LUP. Together, these serve as the standard of review for CDPs.

The CCC unanimously adopted the State's Sea Level Rise Policy Guidance in 2015 and updated in 2018, which outlines the need for planning, the resources available, and the steps for cities to update their LCPs to incorporate sea level rise assessments and adaptation planning. The guidance recommends that LCPs address sea level rise vulnerability and adaptation strategies, and that proposed development be evaluated for sea level rise impacts. The guidance recognizes that the Coastal Act supports: (1) using best available science to guide decisions; (2) minimizing coastal hazards through planning and development standards; (3) maximizing protection of coastal resources, including public access and recreation, coastal habitats, Environmentally Sensitive Habitat Areas (ESHA) and wetlands, water quality and supply, archaeology and paleontological resources,

and scenic and visual coastal resources; and (4) maximizing agency coordination and public participation.

Local Coastal Program Update - Addressing Climate Change

In 2017, the California State Lands Commission informed the City of its responsibility to complete a sea level rise assessment. California Senate Bill 379 requires a climate change vulnerability assessment (including flood risk), measures to address vulnerabilities, and a comprehensive hazard mitigation and emergency response strategy in the City's Local Hazards Mitigation Plan (LHMP). In addition, adaptation and resilience are required in the General Plan's Safety Element and may be addressed in other sections. Assembly Bill 2140 incentivizes cities to include hazard and risk reduction strategies in their General Plan Safety Element that are complementary with the LHMP.

In 2018, the City initiated an update to the LCP to address climate change, specifically sea level rise. Pursuant to the City's adopted Environmental Work Plan priorities and adopted Strategic Plan goals, and in compliance with these State and General Plan mandates, the City has created a Climate Resiliency Program called Climate Ready Manhattan Beach (Climate Ready MB). The City's LCP update will be integrated with an update to the City's General Plan Safety Element and LHMP to ensure consistency and further put the City into compliance. The primary objectives and phases of the overall major work effort include:

- 1. Create the City's First Sea Level Rise Vulnerability Assessment (VA):** The VA uses best available science and sea level rise models to assess the City's physical, societal, economic, and ecosystem vulnerabilities to projected sea level rise, coastal flooding, and erosion. The VA is condensed in Section II "Setting" of the new LCP Coastal Hazards chapter. (See Attachments - Additional Attachments as Links Final Sea Level Rise Vulnerability Assessment)
- 2. Create the City's First Sea Level Rise Adaptation Plan:** The findings of the VA were used to develop the Sea Level Rise Adaptation Plan, which provides a variety of adaptation strategies to help Manhattan Beach plan for and address sea level rise, coastal storm flooding, and beach erosion. As a guidance document, the Adaptation Plan provides a framework for the City to monitor coastal hazards and prepare for identified vulnerabilities by choosing from a toolbox of adaptation measures. The Adaptation Plan also provides flexibility for the City to choose appropriate adaptation measures over time, as specified thresholds for action are reached. (See Attachments - Additional Attachments as Links Final Sea Level Rise Adaptation Plan)
- 3. Update the City's Local Coastal Plan to Address Sea Level Rise:** The objective of the LCP update is to incorporate findings and strategies from the VA and Adaptation Plan into a new chapter of the LCP referred to as the Coastal Hazards chapter, which is the subject of this public hearing. (See Attachment -Exhibit A Section IV Coastal Hazards LCP Chapter)

Planning Commission & Public Process

On February 23, 2022, the Planning Commission hosted a study session on this topic to provide an opportunity for open discussion and public engagement in the amendment effort. Staff gave a slide presentation that included background of the LCP, initiation of this amendment, the specific objectives and phases of this work effort, implementation strategies, and next steps. The Commission fielded questions for staff, including topics regarding beach dune restoration, tsunamis, and stormwater infrastructure.

On March 23, 2022, pursuant to Section A.96.250 of the LCP, the Planning Commission conducted a public hearing to consider an amendment to the LCP, and voted unanimously to recommend adoption by the City Council (See Attachments - Additional Attachments as Links Planning Commission). For a full history of the LCP update work effort, please see Attachment - LCP Update Timeline.

DISCUSSION:

Upon completion of the Vulnerability Assessment and Adaptation Plan in 2021, staff initiated a work effort to update the City's LCP, specifically to incorporate sea level rise findings and strategies from these documents into a new Coastal Hazards chapter of the LCP, in conformance with State guidance.

Environmental Setting

Manhattan Beach's coastline is largely urbanized, developed with dense residential and commercial properties. Much of this development is located on what was once large sand dunes; there are some sand dunes remaining, such as Sand Dune Park. Currently, the City is collaborating with Los Angeles County Beaches and Harbors and The Bay Foundation to restore and enhance the remaining beach dunes along the coast. Other important coastal features and amenities include the 928-foot long Manhattan Beach Pier, the Marvin Braude Bike Trail, The Strand pedestrian walkway, public parking, restrooms, lifeguard towers, beach volleyball courts, stormwater outfalls and concession stands.

LCP Coastal Hazards Chapter

The Draft LCP Coastal Hazards chapter identifies existing coastal hazards present in Manhattan Beach and establishes a set of policies that address the safety of its community members and mitigates potential impacts from natural and man-made hazards. In addition, it discusses the types of shoreline protective devices currently in place within the coastal zone and policies for maintaining, rebuilding, or installing new devices. The following is a summary of the chapter and its subsections:

I. Introduction

The Introduction establishes the historical context and need for the new chapter. Manhattan Beach has experienced numerous coastal storm events over the past few decades that caused flooding and erosion damage. In the late fall and winter of 1982/1983, California experienced an El Niño season that produced significant precipitation, strong winds, and high surf in Southern California. The storms damaged coastal structures and eroded beaches. Waves reached the Pier deck and damaged the iconic Pier. The Pier deck, Roundhouse Aquarium, and lifeguard station at the base of the Pier had to be completely replaced. Other notable El Niño seasons occurred in 1998 and 2010. In 2017, surf reached 15 feet at El Porto Beach in North Manhattan Beach.

This historical context establishes the need for policies that address the safety of community members from the potential impacts from natural and man-made hazards, and policies to guide the maintenance, rebuilding, and/or installation of new shoreline protective devices.

II. Setting

This section provides the environmental setting, with information summarized from the Vulnerability Assessment. It documents specific coastal hazards present in Manhattan Beach, including flooding, extreme rainfall, groundwater hazards and shoreline hazards. This section

also presents adaptation strategies used by adjacent jurisdictions, such as building seasonal sand berms, beach nourishment, and wetlands restoration. The following summary describes the types of coastal hazards impacting Manhattan Beach.

Tidal Inundation and Coastal Storm Flooding Hazards

Future sea level rise is expected to create a permanent rise in ocean water levels that would shift the water's edge landward. If no action is taken, higher water levels would increase erosion of the beach, cause a loss of sand, and result in a narrower beach. Additionally, the combination of higher ocean water levels and beach erosion would result in greater flooding and damage during coastal storms and high tide events. With future climate change and sea level rise, the City of Manhattan Beach's current vulnerabilities are projected to increase in both frequency and intensity. However, it is notable that the City's vulnerabilities are relatively limited compared to other jurisdictions statewide, and centered around public assets and not private development.

Extreme Rainfall Hazards

With rising sea levels, Manhattan Beach may experience increased flooding from rainfall events due to the blockage of the outfalls by higher-than-normal coastal water levels moving up into the storm drain system. In this situation, reduced outflow capacity at the ocean outlet may propagate through the system leading to extensive flooding inland. Model results using existing conditions (i.e., current climate conditions) show that the stormwater system can pass the current 25-year rainfall event with limited flooding, but 50- and 100-year rainfall events would result in widespread flooding even without a higher coastal water level.

Beach Erosion Hazards

The Manhattan Beach coastline is characterized by sandy beach. The Coastal Zone within the City of Manhattan Beach slopes up from the beach with elevations quickly rising out of the flood zone. In general, historic erosion rates in Manhattan Beach show net accretion over time (i.e., beach widening), likely due to the extensive beach nourishment historically in Santa Monica Bay and the construction of sand retention structures downcoast of the City. The Sea Level Rise Vulnerability Assessment anticipates that the total beach width by 2100 is expected to be 200 feet, resulting in a 47% loss.

Groundwater Hazards

Rising sea levels can impact coastal groundwater both by increasing groundwater levels and by the intrusion of salt water into coastal aquifers. Higher sea levels cause inland intrusion of denser salt water, which can raise unconfined salt water tables and also force overlying freshwater to rise up. As the water table rises, it can rise above the ground surface flooding low-lying areas, or it can infiltrate and damage shallow infrastructure such as basements, building foundations, and gas lines. Additionally, the intrusion of salt water can impact drinking water supplies. The depth to groundwater with increasing sea levels was evaluated across Manhattan Beach. Because the land slopes up quickly from the beach, the groundwater under most of the city is deep and there is limited risk to inland flooding. While any emergence of groundwater leading to backshore ponding in Manhattan Beach is not expected, it is possible that groundwater could impact underground infrastructure, such as sewer and electrical lines, but not

likely until after 9.8 feet of sea level rise.

Adaptation Strategies

Approximately 23% of the Manhattan Beach coastline is protected by coastal armoring structures such as rock revetments (north end of El Porto Beach) and concrete sea walls (El Porto Beach and near the Pier). While sea walls and revetments provide protection to existing shoreline development, these structures can contribute to beach erosion and accelerate beach loss. Beach dune restoration is recognized as a natural way of mitigating backshore erosion, as well as maintaining a wider beach by creating an additional source of sand at the back of the beach, while increasing local sand retention. When dunes are allowed to form and create natural features, they provide a cost-effective buffer of protection from sea level rise and storm erosion. For example, the ongoing Manhattan Beach Dune Restoration Project recently started and will enhance approximately three acres of existing dunes in Manhattan Beach from 36th Street to 23rd Street. There are other adaptation strategies used by adjacent jurisdictions, such as building seasonal sand berms, beach nourishment, and wetlands restoration.

III. Coastal Hazards and Adaptation Policies

This section contains policies to address each of Manhattan Beach's coastal hazards summarized above. Descriptions of the new policy subsections are presented as follows, including a policy sample for each subsection:

A. Natural Management of Coastal Hazards

The Natural Management of Coastal Hazards subsection calls for non-structural adaptation strategies, such as a beach dune restoration program, winter sand berms, establishment of off-shore eel grass and kelp beds, and managed retreat (accepting a narrower or shifted beach). Policies address maximizing natural shoreline values and processes and minimizing the perpetuation of shoreline armoring. Any beach nourishment project shall protect water quality, and minimize and mitigate potential adverse biological and recreational resource impacts. For example, the current beach dune restoration project in north Manhattan Beach would support these policies.

Policy Sample: Policy IV.A.1 - Maximize natural shoreline values and processes; minimize the perpetuation of shoreline armoring.

B. Shoreline Protection Devices

The Shoreline Protection Devices subsection relates to engineered structural protective devices, such as groins, seawalls, or rock revetments. Examples of these existing shoreline protection devices in the City include the seawalls at the El Porto parking lot and Pier. Policies call for limiting shoreline protective devices, and requiring that the devices blend visually with the natural shoreline, provide for and protect public recreational access, and preserve coastal resources.

Policy Sample: Policy IV.B.3 - When allowed, shoreline protection devices shall be designed to blend visually with the natural shoreline, and provide for public recreational access.

C. Shoreline Redevelopment and New Development

The Shoreline Development subsection addresses both redevelopment of existing buildings/facilities along the coast and new coastal development. Examples of this would be the rehabilitation of public restrooms on the beach or stormwater outfalls along the shore. The policies are intended to guide future development in a manner that minimizes hazard risk, while adapting to future shoreline conditions without the need for protection.

Policy Sample: Policy IV.C.5 - Monitor the frequency of maintenance required for storm drains to identify when further improvements and adaptation actions (including shortening the outfalls) are needed due to vulnerabilities from beach erosion and sand blockage with sea level rise.

D. Public Access, Recreation, and Sensitive Coastal Resources

The Public Access, Recreation, and Sensitive Coastal Resources subsection aims to protect public access, recreation and sensitive coastal resources, which are identified by the CCC as necessary considerations in plans addressing sea level rise in the coastal zone. An example of this would be the maintenance of dedicated public pathways between beach dunes to ensure public access while protecting coastal resources. Policies call for avoiding impacts to beach dune habitat when designing and siting recreation areas, maximizing coastal access and developing and siting access facilities to be adaptable, limiting impacts to coastal resources, and avoiding hazard areas.

Policy Sample: Policy IV.D.1: Avoid impacts to beach dune habitat when designing and siting recreation areas, and direct public access to use well-defined footpaths and the Strand rather than over dune habitat areas through symbolic/protective fencing, signage, and similar methods.

E. Decision-Making, Coordination, And Participation

The Decision-making, Coordination, and Participation subsection relates to decision-making, coordination, and participation in planning for sea level rise, which are identified by the CCC as key principles for addressing sea level rise in the Coastal Zone. Policies call for using the best available science to determine locally relevant and context-specific sea level rise projections for all stages of planning, design, and reviews; maximizing public participation in the decision-making process; and creating a Shoreline Monitoring Program. For example, the City collaborated with experts from local and state agencies, as well as utilized state agency guidance documents to develop the Sea Level Rise Adaptation Plan.

Policy Sample: Policy IV.E.1 - Use the best available science to determine locally relevant and context-specific sea level rise projections for all stages of planning, design, and reviews.

City staff has worked with CCC staff to develop the new LCP Coastal Hazards chapter in conformance with the CCC's 2018 Sea Level Rise Policy Guidance. On November 11, 2021, CCC staff provided extensive written comments on the Preliminary Draft, including significant comments in the following issue areas, all of which have been incorporated into the latest draft:

- Specification and clarification regarding assets that are vulnerable to sea level rise hazards;
- Clarification of how the Coastal Hazards chapter will incorporate Coastal Act policies;
- Clarification regarding sea level rise mapping; and
- Updates to specific policy language including: natural management of coastal hazards; shoreline protection devices; shoreline redevelopment and new development; public access, recreation, and sensitive coastal resources; and decision-making, coordination, and participation.

Planning Commission Recommendation

At the Planning Commission public hearing on March 23, 2022, the Commission unanimously recommended that the City Council adopt the LCP amendment to add Section IV Coastal Hazards.

Pending City Council's adoption, the next steps involve submitting the LCP amendment to the CCC for certification. If the CCC approves the language as submitted, the amended LCP will be certified. If the CCC requests revisions, the amendment will return to the City Council for review and adoption. Once adopted, the amendment will be incorporated into the City's LCP.

CONCLUSION:

Staff recommends that the City Council conduct a public hearing and adopt Resolution No. 22-0062 amending the LCP to include Section VI Coastal Hazards, and adopt Resolution No. 22-0063 authorizing staff to transmit the LCP Amendment to the CCC.

PUBLIC OUTREACH:

From February through June of 2021, the City conducted nine public meetings (six workshops and three focus groups) on sea level rise, coastal adaptation strategies, the dune restoration pilot project, and climate action and adaptation strategies. Over 200 members of the public participated, providing over 380 comments and questions related to sea level rise, climate action, and adaptation strategies. Recordings of the Climate Ready MB workshops are available at: www.manhattanbeach.gov/ClimateReadyMB.

The Planning Commission conducted a study session and a public hearing on this matter on February 23, 2022 and March 23, 2022. A 1/4-page advertisement for the Planning Commission hearing was published in the Beach Reporter on March 10, 2022, posted at City Hall, and posted on the City's website. Notification via email was sent to all interested parties. A public notice for the City Council hearing was published in the Beach Reporter on April 21, 2022, posted at City Hall, and posted on the City's website. As of the posting date of this report, staff received one written public comment supporting beach sand nourishment in the Adaptation Plan, and one verbal public comment expressing concerns about stormwater outfalls flooding due to sea level rise and expressed support for the LCP amendment.

ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act (CEQA), specifically Section 21080.5 of the California Public Resources Code, local governments are exempt from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of LCPs and LCP amendments. Instead, the CEQA responsibilities are assigned to the CCC; however, the CCC's LCP review and approval program has been found by the Secretary of the Natural Resources Agency to be functionally equivalent to the EIR process. Thus,

under CEQA Section 21080.5, the CCC is relieved of the responsibility to prepare an EIR for each LCP or LCP amendment action.

LEGAL REVIEW:

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

ATTACHMENTS:

1. Resolution No. 22-0062 (with Exhibit A)
2. Resolution No. 22-0063
4. LCP Update Timeline
5. Links to Additional Attachments
6. PowerPoint Presentation