



**October 6, 2023**

Delivered via email to SanDiegoCoast@coastal.ca.gov

To: Karl Schwing, District Director

Cc: Diana Lilly, District Manager

**Re: Th20b App. No. 6-22-0551: Schragger, 241 Pacific Ave., Solana Beach**

Honorable Chair and Commissioners,

The Surfrider Foundation is a nonprofit grassroots organization dedicated to the protection and enjoyment of our world's ocean, waves, and beaches through a powerful network. Thank you for the opportunity to comment on this project. We thank staff for their detailed site history of past permits, including the 2019 permit that resulted in the construction of a seawall in front of this home.

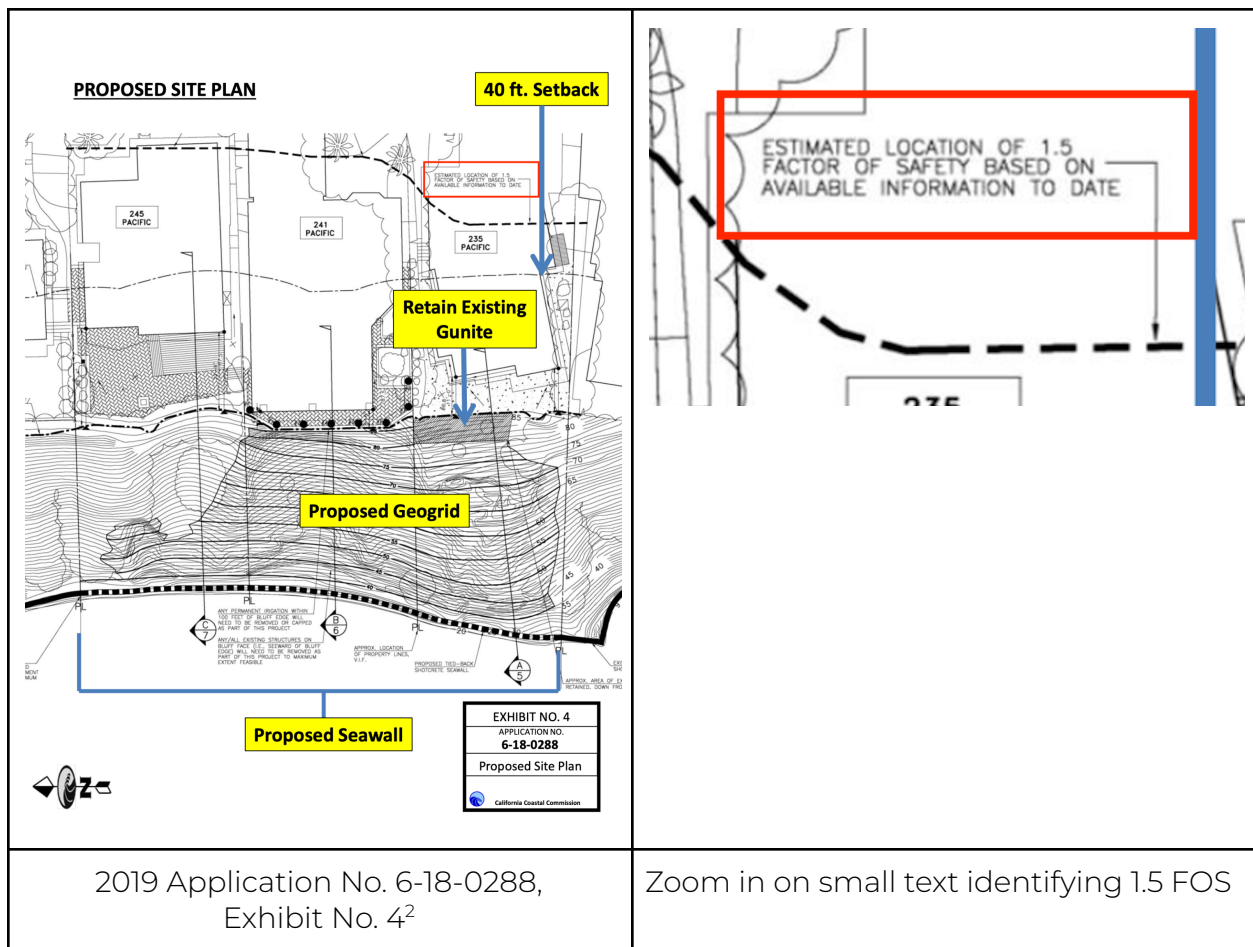
This project epitomizes the game that coastal homeowners and geotechnical consultants play, and the Coastal Commission should reject the premise of this game by denying the construction of the proposed lanai in an unsafe location. In 2019 to justify the construction of a seawall, the applicants established a Geologic Setback Line (GSL). Now they are here with a new GSL that is conveniently located in a more favorable (seaward) location to allow for new development on the property. Property owners should not be able to backpedal on recent geotechnical reports that they themselves submitted to demonstrate the need for a seawall in order to then later allow for new development on the property.

In the 2019 California Coastal Commission staff report for the approval of the seawall in front of 241 Pacific Ave, the following was in evidence showing the 1.5 Factor of Safety (FOS) was 10 feet from the eastern property line when calculating the setback, even absent consideration of the additional 75 years of erosion.

*"Relocation is another alternative that is typically considered a reasonable and feasible alternative to consider. The Commission typically requires that new homes be sited landward of the Geologic Setback Line (GSL) on bluff top sites, which consists of the combination of the current 1.5 Factor of Safety (FOS) setback and 75 years of expected erosion. On the subject sites, it would not be feasible to construct homes landward of the GSL, as the identified 1.5 FOS*

Setback alone is located ~10 ft. from the eastern property line at 241 Pacific Avenue ...." (emphasis added, page 31, Th20b-d-2019 report)<sup>1</sup>

We appreciate the thoughtful memo provided by Dr. Street, the Commission's staff geologist, to outline his approach to estimating the bluff retreat at the subject site over the next 75 years. This analysis is unnecessary, however, because the applicants themselves were on the record with the Coastal Commission, in 2019, establishing the Factor of Safety (FOS) of 1.5 and GSL about 10 ft from the eastern property line at 241 Pacific Ave.



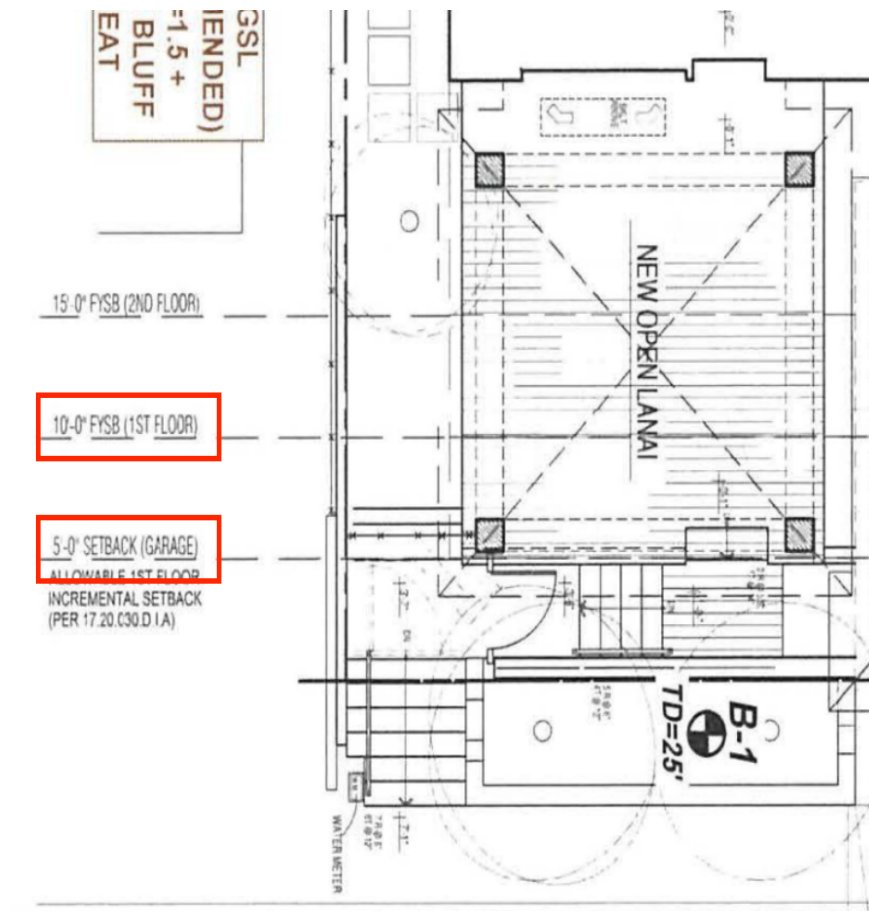
As the applicants have previously established the GSL 10 ft from the eastern property line, traversing the middle of the existing garage, there can be no new development seaward of that GSL per Solana Beach's Certified Land Use Plan (LUP), policy 4.17.

*Policy 4.17: New development shall be set back a safe distance from the bluff edge, with a reasonable margin of safety, to eliminate the need for bluff*

<sup>1</sup> <https://documents.coastal.ca.gov/reports/2019/3/Th20b/Th20b-3-2019-report.pdf>  
<sup>2</sup> <https://documents.coastal.ca.gov/reports/2019/3/Th20b/Th20b-3-2019-exhibits.pdf>

retention devices to protect the new improvements. All new development, including additions to existing structures, on bluff property shall be landward of the Geologic Setback Line (GSL) as set forth in Policy 4.25.

When the applicants presented this new project in 2023, including the proposed lanai, to the Solana Beach City Council (STAFF REPORT UPDATE Item# 8.1.)<sup>3</sup> they submitted a 'RE-REVISED BLUFF RETREAT MAP' that shows five, ten, and fifteen foot front yard setbacks, all of which go through the middle of the proposed lanai. Given that the applicants have previously established in 2019 that the GSL is located 10 ft from the eastern property line, they have already established that this lanai cannot be allowed per Solana Beach's Certified Land Use Plan (LUP), policy 4.17 which prohibits new development seaward of the GSL.



241 Pacific Ave and its neighbors have all been allowed to persist in reckless development that has resulted in the destruction of the public's beaches and the

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[https://www.cityofsolanabeach.org/sites/default/files/Solana%20Beach/Meetings/City%20Council/2023/04-12-23/04-12-23%20Reg/B.1%20Updated%20Report%20%231%20-%20\(4-11%2C%20245pm\)%20-%20O.pdf](https://www.cityofsolanabeach.org/sites/default/files/Solana%20Beach/Meetings/City%20Council/2023/04-12-23/04-12-23%20Reg/B.1%20Updated%20Report%20%231%20-%20(4-11%2C%20245pm)%20-%20O.pdf)

defacement of the city's once-beautiful bluffs. There is now a continuous seawall from 475 Pacific Ave to 211 Pacific Ave, amounting to armoring over ¼ mile long, in front of 21 houses. This represents the majority of the homes in the northern half of the city.

We recommend denial of the permit as submitted. The lanai, as new development, is not allowed per the city's LUP, as it is located seaward of the applicant's 2019 GSL.

Sincerely,

Kristin Brinner & Jim Jaffee  
Residents of Solana Beach  
Co-Leads of the Beach Preservation Committee  
Mitch Silverstein  
Policy Coordinator  
San Diego County Chapter, Surfrider Foundation