

## INFORMATIONAL HANDOUT

### Coastal Development Permit Exemptions

To keep applicants informed of the exemption procedure for a Coastal Development Permit, the City of San Diego Planning Department has published this handout for the use of property owners, architects, planners and contractors.

#### Section 105.0204(A):

For the following types of development, no coastal development permit shall be required:

- A. Improvements to an existing structure or structures; provided, however, that such improvements do not involve any of the following: (If you do the following, you need a Coastal Development Permit)
1. Improvements to any structure which involves the removal and/or replacement of more than fifty percent (50%) (linear feet) of the existing exterior walls of the principal habitable floor.
  2. Improvements to any structure located on a beach, wetland or stream, or where the structure or proposed improvements would encroach within fifty (50) feet of a coastal bluff edge.
  3. Improvements to any structure that would result in an increase of ten percent (10%) or more of interior floor area or building height where such structure is located between the sea and first public roadway paralleling the sea, or within three hundred (300) feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater distance.
  4. An intensification of use, as defined in Section 105.0203, Subsection D.

The Planning Department offers, for clarification purposes, the following information concerning the exemptions allowed when more than 50% of existing walls are to remain in place.

In order to qualify for the exemption in Section 105.0204(A)(1) the following must be complied with:

- A. At least 50% of the existing exterior walls (from the foundation to the top plate) on the principal habitable floor must be left standing and in place throughout construction and incorporated into the completed structure.
- B. These walls must continue to be used as exterior walls in the completed project (may not be used as interior walls or used in a "double wall" configuration with any new wall).
- C. Any doors or windows located within a segment of wall which is counted towards the length of an existing exterior wall to be left standing (at least 50%) cannot have their location or size modified.
- D. The surface of the wall can be modified or removed down to the studs but with both the top and bottom plates in place. Removal of the stud walls, even on a temporary basis does not meet exemption criteria.
- E. Walls which are designated to remain cannot be replaced, heightened or relocated for any reason, including reasons of structural integrity (dry rot, termites).
- F. The "existing" walls, are those walls which were in existence on March 17, 1990 (the date when the ordinance adding the 50% provision became effective). Any walls added after that date will not count towards the required 50% for any remodels.

#### PROCEDURE

To clearly show that all of the above has been complied with, all projects will require a demolition plan (DE-1 sheet) to be included as a separate sheet along with each construction set submitted to the Building Inspection Department as well as one additional copy for the Planning Department records. This DE-1 sheet must clearly show the maximum extent of all demolition.

In order to assure compliance with item F above, the DE-1 sheet must also indicate which, if any, of the exterior walls were constructed since March 17, 1990.

Building Inspection Department staff will field check the demolition against the approved DE-1 sheet. If, during demolition or construction the amount of wall removed exceeds that shown on the DE-1 sheet as approved by the Planning Department, no further construction will be allowed until a revised coastal exemption is approved (if possible) or a Coastal Development Permit is obtained (if necessary).

**WARNING**

If for any reason, at any time during demolition or construction, the length of existing exterior wall proposed to be left standing falls below 50% of the total length (in linear feet) of the existing exterior walls, the project will, at any stage of construction, be subject to a Coastal Development Permit. A stop work order will be issued by the Building Inspection Department on the construction site until a Coastal Development Permit has been approved.

Please be aware, that should a Coastal Development Permit be necessary, a public hearing is required and the permit process can take several months. Any approval or denial of a Coastal Development Permit may be appealed to the Planning Commission and the City Council and may also be appealable to the State Coastal Commission.

I hereby certify that any existing, exterior building walls which are being counted towards the minimum of 50% to remain, were in existence as of March 17, 1990.

I have read the above statement and understand the exemption procedures for Coastal Development Permits. I further understand that if these guidelines are violated, this project will be subject to a Coastal Development Permit.

\_\_\_\_\_  
Property owner

\_\_\_\_\_  
Representative

\_\_\_\_\_  
Plan File Number

\_\_\_\_\_  
Planning Department Exemption No.