

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



June 6, 2018

Chairman Rafael Castellanos
San Diego Unified Port District
3165 Pacific Highway
San Diego, CA 92101

Re: Port Master Plan Update – Policy Discussion on Paid Advertising in Specific Applications

Dear Chairman Castellanos:

At its June 12, 2018 meeting, the Board of Port Commissioners (Board) will consider whether advertising should be pursued within the San Diego Unified Port District (Port) by incorporating policies in the Port Master Plan (PMP) update to allow building wraps, as well as digital informational and wayfinding signage that could incorporate commercial advertisements. This letter is intended to further memorialize Commission staff's comments about advertisements, which we identify as off-premises signage and commercialized messaging, prior to any action being taken by the Board.

In the attached letter to the Board, dated January 8, 2018, Commission staff notified the Board that, because advertisement is inconsistent with the visual access policies of the PMP and has not been considered in either the PMP certification or any subsequent amendments, a PMP amendment would be required prior to proceeding with advertising within the Port. In addition, Commission staff requested that the Port incorporate the advertising program considered at that time (e.g., building wraps, digital advertisements on new wayfinding kiosks) into the PMP update process in order to give the Port, the Coastal Commission and the general public the opportunity to review and evaluate the potential visual resource impacts and determine the appropriateness of the proposed elements. We appreciate that the Board is considering a comprehensive signage and messaging program as part of the PMP update; however, we urge the Board to consider prohibiting, or seriously limiting, commercial advertisements within the Port because it has the potential to adversely impact public views along the scenic waterfront and degrade the character of the bayfront.

Section 13625 of the California Code of Regulations requires that a port master plan include how it conforms with the policies of Chapter 3 of the California Coastal Act and its adequacy to carry out said policies. As part of the PMP update process, the Port must analyze whether advertisements would be consistent with Section 30251 which states, in relevant part:

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

June 6, 2018

Page 2

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.

Commission staff has historically recognized the need for signage to identify commercial businesses, provide informational directions and ensure public safety. However, the Commission has also sought to balance such needs so as to preserve the scenic amenities of the coastline and bayfront. However, most Local Coastal Programs (LCPs) include limits on the number/size of commercial signage, prohibit roof signs, prohibit tall, freestanding pole signs and ban off-premises signage, especially billboards. At this time, there are only two pre-coastal billboards located in the Port District (one located at Palm Avenue near Pond 20 and one at West Palm Street/Pacific Highway). Any allowance to expand commercial advertising interests, especially if off-premises or unrelated to the on-site use, creates an adverse precedent for additional billboards to be sought.

The Port encompasses 34 miles of waterfront land along the San Diego Bay and is visited by countless members of the public each year that are undoubtedly attracted by the scenic quality of the bay. Currently, in the downtown area, the Port is characterized by a waterfront promenade that often abuts park space with public amenities, including public art and wayfinding signage; no advertising is permitted, with the exception of on-premises signage for leaseholders (i.e., monument or wall sign for a restaurant or hotel), temporary signage once a year for Comic-Con¹ and a pre-coastal billboard.

Just focusing on the City of San Diego's downtown area, views are available from the waterfront promenade, Harbor Drive and intersecting city streets, the water by boat, and the City of Coronado. Advertisements along the waterfront would be highly visible from these areas; and, based on visual simulations previously provided by Port staff for building wraps and digital advertising/wayfinding kiosks, these elements would result in significant visual intrusions on public views and would be incompatible with the existing character of the area. Such impacts would be expected throughout the Port's jurisdiction.

Although wayfinding signage is permitted and encouraged to ensure public access is maximized, we are concerned about the potential for wayfinding signage to be commercialized. Recent "wayfinding" proposals have included digital kiosks that display advertisements when not activated as wayfinding elements. The display of digital commercials and advertisements along the promenade would result in visual clutter and be incompatible with the character of the existing promenade. The recreational experience of walking/biking along the promenade should not be disrupted by commercial messaging. The structures themselves could also impact public views depending on their location, number, and size. The previous proposal that Commission staff reviewed and provided comments on in January 2018 included many large kiosks in close proximity to one and other along the promenade and would have certainly resulted in visual resource impacts.

¹ In 2016, the signage for Comic-Con continued to be displayed throughout the Major League Baseball All-Star Game.

June 6, 2018


Page 3

Finally, the Commission has historically raised concerns over advertising, and has expended considerable planning efforts County-wide in an effort to minimize visual blight from advertisements. Most recently, in 2015, the City of Carlsbad applied for a Local Coastal Program (LCP) amendment (LCP-6-CII-14-0597-1) to the Car Country Specific Plan that would have allowed additional signage and a digital advertisement sign along the Interstate 5 corridor. The Commission incorporated suggested modifications recommended by Commission staff to limit new signage and to delete the digital display provisions. The Commission found that although no immediate views to the ocean or to nearby Aqua Hedionda Lagoon were adjacent to the project site, adding additional signage in such close proximity would be visible from I-5 and would provide a stark contrast to the natural beauty of the lagoon. Similar provisions to ban digital signage, as well as prohibit new or relocated billboards, in the coastal zone were adopted in the City of Oceanside's LCP. Because the Port District is located along the waterfront, views to and along the San Diego Bay are highly scenic and therefore such concerns would be equally applicable.

In conclusion, we would not consider the propagation of advertisements, either on building wraps or digital wayfinding signs, to be in conformance with the visual access policies of the Coastal Act or with past Commission actions. Commission staff would therefore not recommend that the Port pursue such development. As you are aware, the Commission cannot modify a proposed PMP amendment and can only deny or approve what is submitted by the Port. Therefore, it is essential that the policies incorporated into the future PMP update are consistent with the Chapter 3 policies of the Coastal Act, including the scenic resource policies of Section 30251.

Thank you for the opportunity to comment. Ultimately, any decision will be made by the Coastal Commission itself. We will continue to work with Port staff and appreciate their efforts to coordinate. If you have any questions or require further clarification, please do not hesitate to contact me at the above office.

Sincerely,



Melody Lasiter
Coastal Program Analyst
California Coastal Commission

Attachment: January 8, 2018 CCC Comment Letter on Proposed Advertising and Wayfinding Kiosks

CC (via email):

Vice Chairman Garry J. Bonelli, Port of San Diego
Commissioner Ann Moore, Port of San Diego

June 6, 2018

Page 4

Commissioner Dan Malcom, Port of San Diego

Commissioner Marshall Merrifield, Port of San Diego

Commissioner Robert “Dukie” Valderrama, Port of San Diego

Commissioner Michael Zucchet, Port of San Diego

Leslie Nishihira, Port of San Diego

Anna Buzaitis, Port of San Diego

Karl Schwing, California Coastal Commission

Deborah Lee, California Coastal Commission

Kanani Leslie, California Coastal Commission

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



January 8, 2018

Chairman Robert "Dukie" Valderrama
San Diego Unified Port District
3165 Pacific Highway
San Diego, CA 92101

Re: Proposed Advertising and Wayfinding Kiosks

Dear Chairman Valderrama:

We appreciate your staff for meeting with us on July 21, 2017, August 28, 2017 and October 19, 2017 to discuss the Port's advertisement program. The Port has been exploring opportunities to install building wrap type advertisement and digital advertisement on new wayfinding kiosks along San Diego Bay through such a program. According to the Port Board's agenda for January 9, 2018, the Port will be conducting negotiations regarding the proposed number and locations of kiosks during its closed session, which seems premature because this office has not provided a final staff recommendation on the program. Thus, the subject letter is intended to memorialize Commission staff's comments on the proposed kiosks prior to any action being taken.

While we appreciate the ongoing correspondence and meetings between our staffs, we continue to believe the proposed advertising and wayfinding kiosks are inconsistent with the visual access policies of the certified Port Master Plan (PMP), and historically, such development has not been considered in either the PMP certification or subsequent amendments. As such, an amendment to the PMP would be required to proceed with advertising within the Port.

Section 13625 of the California Code of Regulations requires that a port master plan include how it conforms with the policies of Chapter 3 of the California Coastal Act and its adequacy to carry out said policies. In this case, Section 30251 of the Coastal Act applies, and states:

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.

January 8, 2018
Page 2

Page 9 of the Port's certified PMP contains similar policy goals:

- II. The Port District, as trustee for the people of the State of California, will administer the tidelands so as to provide the greatest economic, social, and aesthetic benefits to present and future generations.
- VIII. The Port District will enhance and maintain the bay and tidelands as an attractive physical and biological entity.
 - Each activity, development and construction should be designed to best facilitate its particular function, which function should be integrated with and related to the site and surroundings of that activity.
 - Views should be enhanced through view corridors, the preservation of panoramas, accentuation of vistas, and shielding of the incongruous and inconsistent.
 - Establish guidelines and standards facilitating the retention and development of an aesthetically pleasing tideland environment free of noxious odors, excessive noise, and hazards to the health and welfare of the people of California.
 - Establish and foster an artworks program to promote, enhance, and enliven the waterfront experience through the public and private placement of works of art.

Historically, the Commission has been concerned that advertisement, including the types currently considered by the Port, could adversely impact scenic resources and viewsheds to and along the coast, result in visual clutter, or be out of character with the surrounding development. As such, we would not consider the propagation of advertisements, either on buildings or on wayfinding kiosks, on tidelands and along the San Diego Bay to be in conformance with the visual access policies of the Coastal Act or the certified PMP.

In addition, this office is concerned about the commercialized nature of these "wayfinding" proposals given that they will also serve other commercial interests when not being activated as a wayfinding element. Although we appreciate the Port staff's proposal to reduce the number of these kiosks being envisioned, the size of these structures remains a serious concern, as well as the appropriateness of the structures themselves.

When the PMP was originally certified in 1980, it did not propose advertising in the Port District, nor did it consider the types of visual impacts that advertisement would have on scenic views of public tidelands and the San Diego Bay. Since then, advertisement has also not been proposed or considered with any subsequent PMP Amendment. While the Port approved an ordinance regulating building wraps in May 2017, this ordinance has not been reviewed or approved by the California Coastal Commission. Because advertisement within the Port has not been incorporated into the certified PMP, a PMP Amendment is required prior to permitting advertisement in the Port District.


Finally, as you are aware, the Port is currently updating its PMP, and we continue to urge the Port to incorporate a comprehensive advertising program as part of the PMP update process. This would give the Port, Commission and public the opportunity to review and

January 8, 2018
Page 3

evaluate the potential visual resource impacts, and determine the appropriateness of these elements and if deemed acceptable, the type, number, and location of advertising.

Thank you for the opportunity to comment. We look forward to working with your staff on this issue. If you have any questions or require further clarification, please do not hesitate to contact me at the above office.

Sincerely,



Melody Lasiter
Coastal Program Analyst
California Coastal Commission

CC (via email):

Karl Schwing, California Coastal Commission
Deborah Lee, California Coastal Commission
Kanani Leslie, California Coastal Commission
T. Scott Edwards, Port of San Diego
Ken Wallis, Port of San Diego
Annette Dahl, Port of San Diego
Joseph Smith, Port of San Diego
Juliette Orozco, Port of San Diego