

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Filed: March 3, 1998  
49th Day: April 21, 1998  
180th Day: August 30, 1998  
Staff: JLR-LB *JLR*  
Staff Report: March 11, 1998  
Hearing Date: May 12-15, 1998

STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: 5-91-141-A2

APPLICANT: County of Los Angeles Department of Beaches & Harbors  
Sea View Restaurants, Inc.  
California Department of Parks & Recreation

PROJECT LOCATION: 17300 Pacific Coast Highway, Will Rogers States Beach,  
Pacific Palisades, City of Los Angeles, Los Angeles County

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Expansion of indoor and outdoor dining areas of existing Gladstone's 4-Fish Restaurant. Erection of signs and a three hundred square foot seasonal tent cover, and the placement of 320 square foot pre-fabricated storage container on a coastal bluff for restaurant dry goods storage.

DESCRIPTION OF AMENDMENT: Request to expand the three-year term of the permit indefinitely and to eliminate a special condition of the underlying permit which requires a parking lot and beach access monitoring program.

STAFF NOTE:

On April 7, 1998, the Commission approved an amendment (5-91-141A3) for interior and exterior renovation of the restaurant. The proposed amendment is not related to that approval. The subject amendment request addresses issues regarding a special condition of the original underlying permit (5-91-141). That condition limits the term of the permit extension to three years, and requires the continuation of the parking lot and beach access monitoring program.

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission determine that the proposed amendment, subject to the condition below, is consistent with the requirements of the Coastal Act. The condition limits the term of the permit extension to an additional three years, and requires the continuation of the parking lot and beach access monitoring program. The reason for the condition is that the restaurant is on State Park land uses a public beach parking lot for parking and restaurant seating. The conditions are necessary to protect public access opportunities in the event that beach attendance grows. The applicants prefer an extension of the permit without the recommended conditions.

**SUBSTANTIVE FILE DOCUMENTS:**

1. Coastal Development Permit P-81-7894, 5-83-57A and 5-85-283 (Morris, County of Los Angeles Dept. of Beaches & Harbors).
2. Coastal Development Permit 5-91-141 (Sea View Restaurants & County of Los Angeles Dept. of Beaches & Harbors).
3. County of Los Angeles, Department of Engineer-Facilities, Negative Declaration for Jetty's Restaurant expansion, July 25, 1979.
4. Sand Management Study, By Moffat & Nichol, Engineers, 10/13/92.

**PROCEDURAL NOTE:** The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) the proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

In this case, the Executive Director has determined that the proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access. If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

Pursuant to Section 13166 (a) (1) of the California Code of Regulations, an application for an amendment shall be rejected, if in the opinion of the Executive director, the proposed amendment would lessen the intended effect of a conditionally approved permit. The applicant is requesting to delete a special condition previously imposed by the Commission which would lessen the intended effect of the previous permit. However, in this case, the Commissions previously approved special condition allowed the applicant to submit a permit amendment before a three-year time limit expired. Therefore, the Commission has accepted the subject permit amendment request.

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**STAFF RECOMMENDATION:**

Staff recommends that the Commission adopt the following resolution:

**I. APPROVAL WITH CONDITIONS**

The Commission hereby grants, subject to the conditions below, an amendment to

the permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

## II. SPECIAL CONDITION

NOTE: Except where amended or superseded by the condition below, all previous special conditions of Coastal Development Permit 5-91-141 still apply.

### 1. Approval Term Limit and Beach Access Monitoring Program

The term of this amended permit is limited to the three-year term commencing January 13, 1998, and terminating January 13, 2001.

During the entire three-year term the restaurant or its contracted parking lot operator must conduct a parking lot and beach access monitoring program to determine the ability of the public to use the parking lot for beach access during peak beach use days and hours. This monitoring program requires that the number of available (empty) parking spaces in the State BEach and restaurant parking lot be counted at 11 a.m., 1 p.m., and 3 p.m. daily on all Saturdays, Sundays, and holidays between June 1st and September 30th of each year. The monitoring figures shall be submitted to the Commission's South Coast District office at the end of each month of the program for placement in Coastal Development Permit file 5-91-141-A. Failure to submit the program's figures in a timely manner will result in a violation of this condition.

Near the end of the three-year term the applicants may request an amendment to Coastal Development Permit 5-91-141 in order to extend the Commission's approval for an additional term. The Commission will then re-examine the project's effects on coastal resources and public access, using the figures obtained from the beach access monitoring program, to determine whether an extension of the permit term is consistent with the Chapter 3 policies of the Coastal Act.

## III. FINDINGS AND DECLARATIONS

The Commission finds and declares:

### A. Amendment Description

The applicants have requested an amendment to Coastal Development Permit 5-91-141 in order to extend the term of the permit. On July 17, 1991, the

Commission approved Coastal Development Permit 5-91-141 with conditions allowing the expansion of the indoor and outdoor dining areas of Gladstone's-4-Fish Restaurant, erection of signs and a tent, and the placement of storage container on a coastal bluff. Special condition one of Coastal Development Permit 5-91-141 limited the effective term of the permit to three years. Special condition one of Coastal Development Permit 5-91-141 reads as follows:

1. Approval Term Limit and Beach Access Monitoring Program

Approval of this project (expansion of restaurant seating including outdoor restaurant seating on the public viewing deck and in the public parking lot area) is limited to a three (3) year term commencing on the date of Commission action.

During this entire three (3) year term, Gladstone's-4-Fish Restaurant, or its contracted parking lot operator, must conduct a parking lot and beach access monitoring program to determine the ability of the public to use the parking lot for beach access during peak beach use days and hours. This monitoring program requires that the number of available (empty) parking spaces in the State Beach and restaurant parking lot be counted at 11 a.m., 1 p.m., and 3 p.m. daily on all Saturdays, Sundays, and holidays between June 1st and September 30th of each year. The monitoring figures shall be submitted to the Commission's South Coast District office at the end of each month of the program for placement in Coastal Development Permit file 5-91-141. Failure to submit the program's figures in a timely manner will result in a violation of the condition.

At the end of the three (3) year term, when Commission approval of the seating expansion approved in this permit shall expire, the applicant may file for an amendment to Coastal Development Permit 5-91-141 in order to extend the approval for an additional three (3) year term. The Commission can then use the figures obtained from the beach access monitoring program to determine the restaurant's impact on coastal access. Extension of this permit's term will be determined by its conformance to the policies of the Coastal Act including shoreline access.

The parking lot and beach access monitoring program required by condition one above was imposed by the Commission in order to determine whether the use of the State Beach public parking lot by the restaurant was negatively affecting the public's ability to use the public parking supply for coastal recreation purposes on peak beach use days and hours.

Gladstone's-4-Fish Restaurant and the surrounding site at 17300 Pacific Coast Highway and Sunset Boulevard are part of Will Rogers State Beach in the Pacific Palisades area of the City of Los Angeles. The site is located just west of the highly urbanized city of Santa Monica. The restaurant is situated near the middle of the four mile long State Beach. The Santa Monica Mountains rise immediately inland of Pacific Coast Highway.

Will Rogers State Beach is a four mile long beach bordered by Topanga State Beach on the northwest and Santa Monica State Beach on the southeast. The County of Los Angeles Department of Beaches & Harbors operates and manages Will Rogers State Beach. The State Beach is very popular and receives thousands of beach goers each day during the summer because of its accessibility from the adjacent highly populated cities of Santa Monica and Los Angeles.

The restaurant and the adjoining parking lot are situated between the narrow sandy beach and Pacific Coast Highway. Access to the parking lot for Will Rogers State Beach and Gladstone's-4-Fish Restaurant is taken directly off of Pacific Coast Highway or the terminus of Sunset Boulevard.

#### B. Project History

Gladstone's-4-Fish is a privately owned and operated restaurant which is located on Will Rogers State Beach. Will Rogers State Beach is operated and maintained by the Los Angeles County Department of Beaches and Harbors under a contract with the California Department of Parks and Recreation. Sea View Restaurants holds a concession agreement with Los Angeles County to operate its Gladstone's-4-Fish Restaurant and the adjoining Will Rogers State Beach parking lot. The restaurant has been extremely successful at this location. Both the restaurant and the County have benefited greatly from the success of the concession at the State Beach.

The concession operations at this location have not always been as intensive or successful as the current restaurant is. In 1976, the County had a seasonal concession agreement which allowed the summer operation of a restaurant, two snack bars, and a mobile refreshment unit at Will Rogers State Beach. The concessionaire at that time was having problems turning a profit.

On February 14, 1978, the County entered into a new concession agreement with two successful restaurant operators; Robert Morris and Douglas Badt. These new concession operators embarked upon an aggressive marketing plan for the beachfront restaurant, then known as "Jetty's". Jetty's quickly showed signs of success.

Soon there was a need to expand the restaurant capacity because of the increased popularity of the operation. On July 25, 1979, Los Angeles County issued a Negative Declaration for the improvement and expansion of Jetty's Restaurant. The restaurant seating capacity expanded from 130 to 230 seats, two public restrooms were constructed, and a fast food stand was built. The two hundred car parking lot (split into two lots) adjacent to the restaurant was redesigned to provide forty more parking spaces, and to provide a separate entrance and exit, and a westbound left-turn lane was added to Pacific Coast Highway to mitigate the increase in seating capacity.

The parking facilities at the site then consisted of one parking lot, split into two adjacent parking lots by a gate. The lot closest to the restaurant was uncontrolled and used mostly by Jetty's customers. The County operated

and controlled the lot just east of the restaurant lot for beach goers. Beach users were allowed to use both lots during daytime hours and restaurant customers could use both lots at night. The peak use periods for each use were at different times of the day.

On October 23, 1979, a new lease was agreed upon between the County and the restaurant operators. Two months later, on December 26, 1979, Jetty's Restaurant caught fire and burned down. In order to save their lease, the restaurant operators rebuilt the County owned concession building at their own expense under an agreement with the County. The restaurant was not in operation for most, or all, of 1980.

On April 2, 1981, a new concession agreement was signed between the County and Robert Morris. The agreement included the exclusive use of fifty beach parking spaces by the restaurant for their customers. There was no Coastal Development Permit application filed for the change and intensification of use.

On May 1, 1981, Robert Morris and the Los Angeles County Department of Beaches and Harbors submitted Coastal Development Permit application P-81-7894 for the further expansion of the existing restaurant. This is the first submittal of any kind to the Coastal Commission on record for the concession operations at this site. The application included a 1,650 square foot outdoor dining area with fifty seats overlooking the beach, public restrooms, a fast food take-out stand, and a public observation deck. The Coastal Development Permit application states that there were 165 parking spaces in the parking lots and 103 of them were reserved for use by the restaurant.

Coastal Development Permit P-81-7894 was approved by the Commission on June 1, 1981 with conditions. These conditions include: revised plans showing no encroachment onto accessways or sandy beach, no advertising on Pacific Coast Highway for the fast food take-out stand, and no signs over twelve feet high or exceeding three by six feet, and no signs visible from Pacific Coast Highway. The conditions were met and the Coastal Development Permit was issued on August 24, 1981.

In June of 1982, Commission staff investigated reports of Coastal Act violations allegedly occurring on the premises of the restaurant, now called "Gladstone's-4-Fish". The alleged violations included: no fast food stand in operation, the parking lot attendant was not letting beach users use the parking lot ("for customers only"), public restrooms not open, and two construction trailers located at the site without permits. Coastal Commission staff and Gladstone's eventually resolved these alleged Coastal Act violations.

On September 1, 1982, the County gave up the operation of the eastern half of the parking lot to the restaurant. The restaurant operators then had control of all of the parking spaces near the site. Beach users and restaurant customers both were apparently allowed the use of the lot on a first-come, first-served basis. However, the parking lot was used primarily by restaurant customers. The parking fee charged at the State Beach public parking lots in 1982 was \$1.50 per car.

On January 26, 1983, Robert Morris and the County submitted Amendment Request

5-83-57A to amend Coastal Development Permit P-81-7894. The applicants requested that the permit be amended to include the construction of an aluminum roof over the previously approved 1,650 square foot outdoor dining area with fifty seats. The seating capacity at this time was listed at 223 inside and eighty outside for a total of 303. Parking reserved for the restaurant was listed at 103 spaces. Total service area for the restaurant was 4,782 square feet. The amendment was approved on March 25, 1983 with no special conditions.

On April 24, 1984, the County approved the construction of a 660 square foot trash storage area next to the restaurant in exchange for the reconstruction of a beach access road for the County lifeguards which was destroyed by storm waves. The restaurant operators undertook this construction without obtaining a Coastal Development Permit.

On April 16, 1985, Robert Morris and the County submitted Coastal Development Permit application 5-85-083 for a 1,250 square foot addition to the public deck. The applicants stated in their application that there would be no service area or seating added to the restaurant. However, after a Waiver of Coastal Permit Requirements was issued for the deck expansion, and construction finished, there was seating put on this new addition and it was used as restaurant service area. About sixty seats were added onto the new area of the public deck.

The parking lot was still divided into two areas in 1985. The parking area closest to the restaurant was used for restaurant parking and had a capacity of 133 cars made up of 31 single spaces, fifty double tandem sets, and two handicapped spaces. The other parking area, just east of the restaurant parking area, was also controlled by the restaurant operators but used for beach parking. It contained 97 regular single spaces and three handicapped spaces. Both parking areas were used by the restaurant at night.

On February 15, 1991, Robert Morris and the County submitted Coastal Development Permit Application 5-91-141 in order to resolve several alleged violations on the site. The application included the expansion of the indoor and outdoor dining areas, erection of signs and a tent, and the placement of storage container on a coastal bluff. The total seating capacity was listed as 707. The Commission approved Coastal Development Permit 5-91-141 with conditions on July 17, 1991. Special condition one required the applicants to submit this amendment request in order to extend the term of the permit.

The State Beach public parking lot is no longer divided into two sections. It is now one large parking lot with one entrance. The entire parking lot is currently operated and controlled by the concession operators. A combination of valet and self parking are used by restaurant customers and beach users alike. The prices charged for parking are not uniform. Restaurant customers are charged less than beach users. The latest records show that beach users must pay \$5 to use the lot, and restaurant customers pay only \$2.50.

On April 7, 1998, the Commission approved an amendment (5-91-141A3) for interior and exterior renovation of the restaurant. The proposed amendment is

not related to that approval. The subject amendment request addresses issues regarding a special condition of the original underlying permit (5-91-141). That condition limits the term of the permit extension to three years, and requires the continuation of the parking lot and beach access monitoring program.

C. Coastal Access

The major access issue in this permit is the use of the State Beach public parking lot by the restaurant for customer parking. Such use may negatively impact the public's ability to access the coast for recreational purposes. The Coastal Act requires that development shall not interfere with coastal access.

Section 30211 states:

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.

Section 30221 requires that developments providing public recreational opportunities are preferred to increased commitment of the coastline to private use. Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30252 of the Coastal Act requires that adequate parking be provided for new development. Section 30252 states:

The location and amount of new development should maintain and enhance public access to the coast by: (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation...

The County's beach concessions agreements for Will Rogers State Beach were originally created to provide beach goers with refreshments, food, and beach equipment while they enjoyed the use of the State Beach. These services were provided to enhance the beach visitors' recreational experience. This has gradually changed over the years as more and more people travel to Will Rogers State Beach, not to spend the day at the beach, but to eat at Gladstone's-4-Fish, a private restaurant. The scenic beach location and beach atmosphere provided by Gladstone's location certainly contributes to the restaurant's popularity.

However, a conflict exists between the use of the parking lot for a private commercial use and use of the lot by beach goers. The conflict in the parking



lot became more intense as the restaurant continually expanded to meet the growing demand of restaurant customers. In the past, both the County and the valet parkers have stated that the parking lot has filled up on busy weekends, and the surplus of cars has caused the eastbound lanes of Pacific Coast Highway to become blocked by people attempting to fit into the parking lot. Restaurant customers and beach users alike may be denied access to the parking lot if it fills to capacity.

The use of the State Beach public parking lot by restaurant customers can inhibit the use of the lot by people who wish to use the State Beach, especially when the lot is full during the day on busy weekends. Using the public parking lot while visiting the State Beach has been made increasingly difficult over the years because of the intensification of the restaurant use over the last sixteen years.

In 1991, when the Commission approved Coastal Development Permit 5-91-141, it allowed the continuation of the shared use of the State Beach public parking lot under the condition that valet service be provided to increase the lot's capacity, and that the parking lot operators conduct a monitoring program. The purpose of the monitoring program was to determine whether the use of the State Beach public parking lot by the restaurant was reducing the public's ability to use the public parking supply for coastal recreation purposes on peak beach use days and hours. The data collected by the parking lot operators for the monitoring program can now be used by the Commission to determine whether the permit term should be extended.

The figures that have been submitted are consistent in showing that the parking lot has the capacity to provide parking for both beach goers and customers of the restaurant. According to the submitted data, the State Beach public parking lot was never filled to capacity during any of the peak beach use times when the surveys were conducted. Therefore, based on the results of the monitoring program, there has been and may continue to be adequate parking to provide for the shared use of the State Beach public parking lot by beach goers and restaurant customers.

However, circumstances could change and the demand for parking in the State Beach parking lot could increase. Recently, in April 1998, the Commission approved a permit for extensive interior and exterior remodeling. Those improvements may result in encouraging additional patronage of the restaurant. If that happens, the increase in parking demand could negatively affect the public's ability to use the public parking supply for coastal recreation purposes on peak beach use days and hours. Therefore, the Commission finds that in order to ensure that the continuation of the shared use of the State Beach public parking lot does not negatively impact the public's ability to access the coast, the term of the permit extension is limited to another three years, and that during the entire three-year term the restaurant or its contracted parking lot operator shall continue to conduct the required parking lot and beach access monitoring program. At the end of the three-year term the applicants may request another amendment to Coastal Development Permit 5-91-141 in order to extend the Commission's approval for an additional term. The Commission will then reexamine the project's effects on coastal resources and public access, using the figures obtained from the

beach access monitoring program, to determine whether an extension of the permit term is consistent with the Chapter 3 policies of the Coastal Act. The Commission finds that only as conditioned is the project consistent with Sections 30211, 30221, and 30252 of the Coastal Act.

D. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act.

Section 30604(a) states:

- (a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

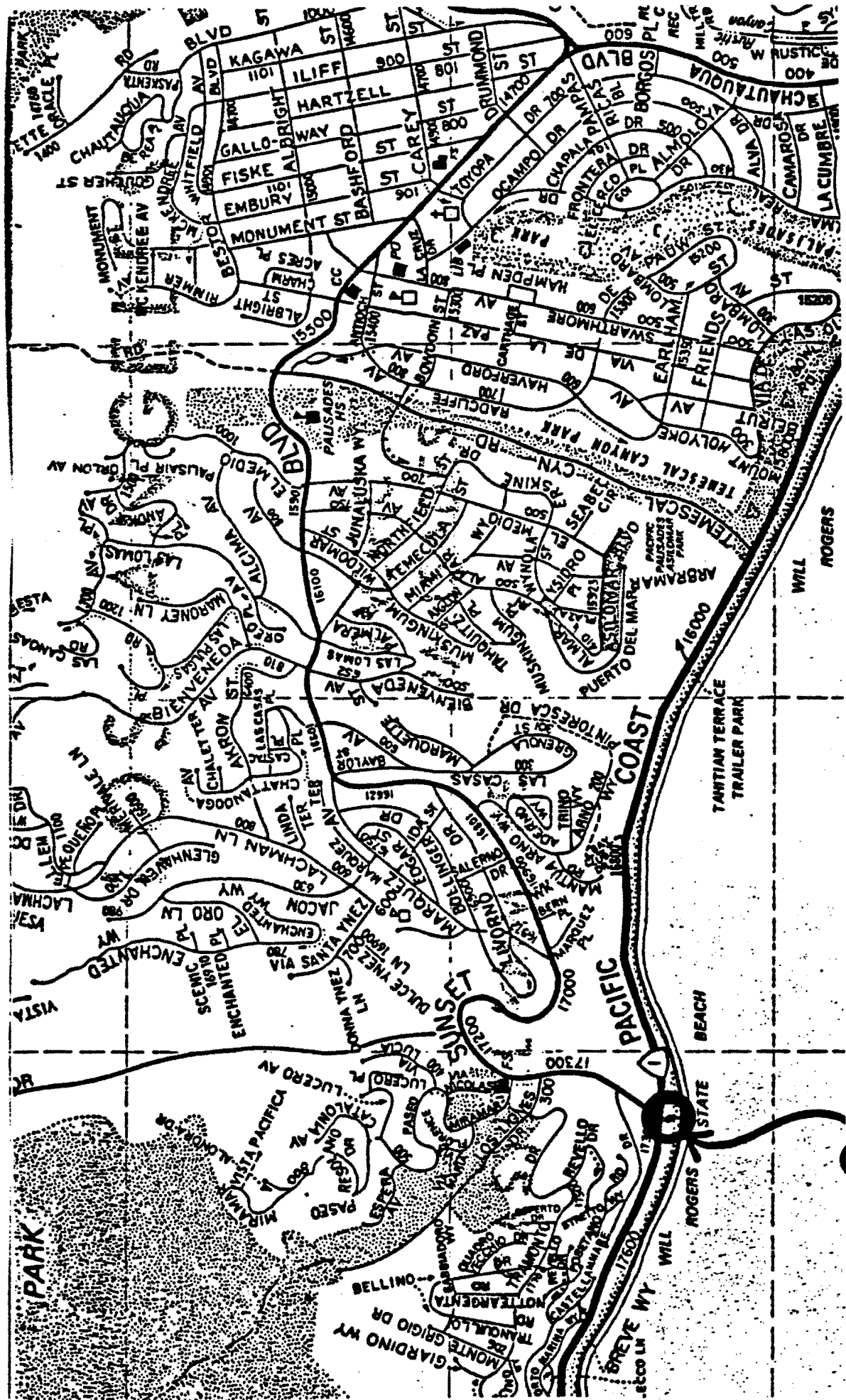
The City of Los Angeles does not have a certified Local Coastal Program. The proposed amendment, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed amendment, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

E. California Environmental Quality Act

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

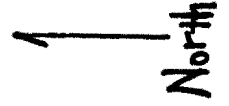
The proposed amendment, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that the project is consistent with the requirements of the Coastal Act to conform to CEQA.

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JR/lm



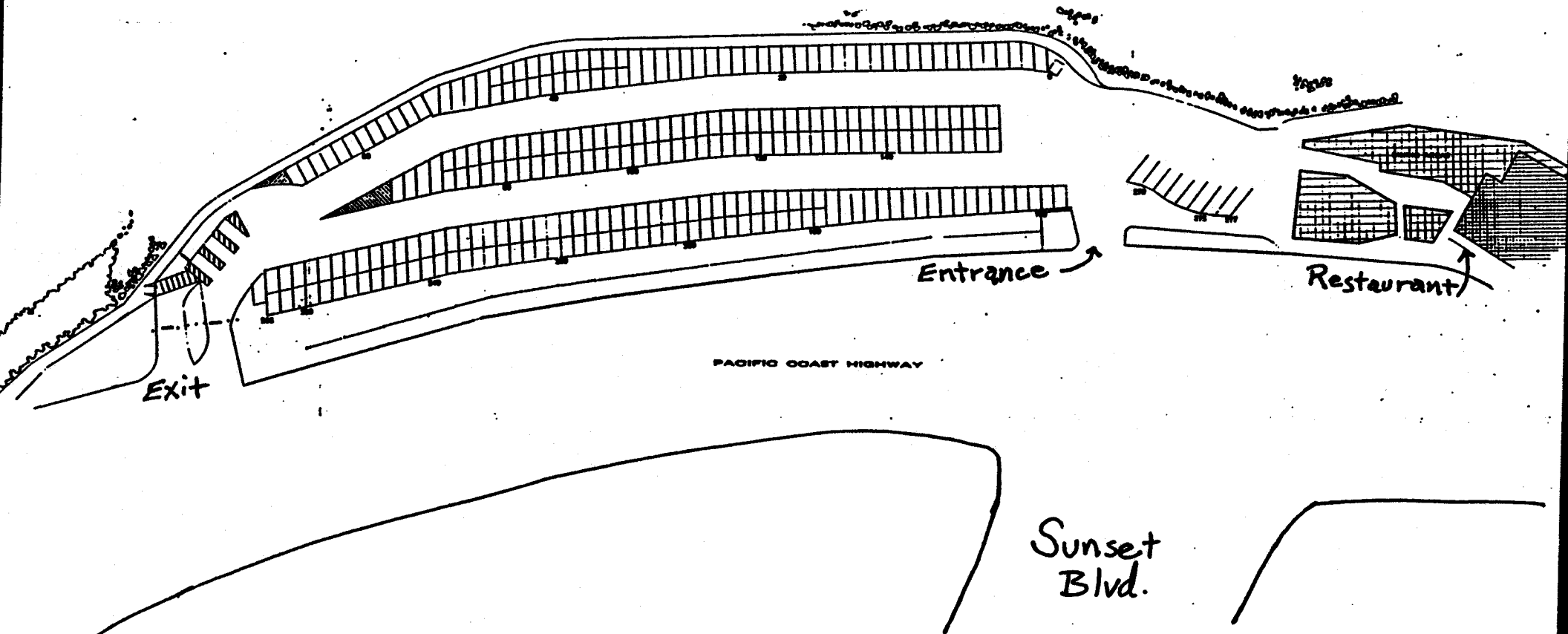
COASTAL COMMISSION  
5-9-14- AZ

EXHIBIT # 1  
PAGE 1 OF 1



Site

# Pacific Ocean



Parking Spaces	277
Valet	35
Total	<u>312</u>

## Site Plan

COASTAL COMMISSION  
5-91-141-A2

EXHIBIT # 2

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SPECIAL CONDITIONS:1. Approval Term Limit and Beach Access Monitoring Program

Approval of this project (expansion of restaurant seating including outdoor restaurant seating on the public viewing deck and in the public parking lot area) is limited to a three (3) year term commencing on the date of Commission action.

During this entire three (3) year term, Gladstone's-4-Fish Restaurant, or its contracted parking lot operator, must conduct a parking lot and beach access monitoring program to determine the ability of the public to use the parking lot for beach access during peak beach use days and hours. This monitoring program requires that the number of available (empty) parking spaces in the state beach and restaurant parking lot be counted at 11 a.m., 1 p.m., and 3 p.m. daily on all Saturdays, Sundays, and holidays between June 1st and September 30th of each year. The monitoring figures shall be submitted to the Commission's South Coast District office at the end of each month of the program for placement in CDP file 5-91-141. Failure to submit the program's figures in a timely manner will result in a violation of this condition.

At the end of the three (3) year term, when Commission approval of the seating expansion approved in this permit shall expire, the applicant may file for an amendment to CDP 5-91-141 in order to extend the approval for an additional three (3) year term. The Commission can then use the figures obtained from the beach access monitoring program to determine the restaurant's impact on coastal access. Extension of this permit's term will be determined by its conformance to the policies of the Coastal Act including shoreline access.

2. Parking Lot Operations

The applicants shall provide a valet parking service for the state park and restaurant parking lot during all restaurant operating hours in order to maximize the available parking spaces and enhance public beach access.

3. Signage

Prior to the issuance of a Coastal Development Permit, the existing large parking lot sign at the entrance of the parking lot must be removed. A new sign, approved by Commission staff, must be erected which states: "Public Parking for Will Rogers State Beach and Gladstone's-4-Fish Restaurant", and may not say: "Private Property-No Trespassing". All signs on the property, except for the existing main neon-lighted sign, must conform to the sign condition of Coastal Permit P-81-7894, which states:

"No signs shall be higher than 12 feet above average finished grade, and their total dimensions shall not exceed 3 feet by 6 feet. The signs shall not be visible from the highway (except for the parking lot entrance sign), but from the beach."

4. Storage Container

Prior to issuance of a Coastal Development Permit, the applicant shall provide landscaping to screen the storage container located at the western end of the restaurant on the coastal bluff. The landscaping may be in the form of potted plants. Compliance with this condition shall be confirmed by Commission staff.

5. Public Deck

The applicants shall not deny access to any persons (excepting those conducting illegal activities) who wish to utilize the public observation deck at the state park. The public deck area should be posted with small (8.5"x11") signs which indicate that the deck is for public use. Managers and employees of the restaurant should be informed that the deck is for public use.

6. Public Restrooms

Public restrooms must remain available to public, especially beach users. The public restrooms shall be posted with signs that indicate that the restrooms are available for public use.

7. Future Improvements

Prior to issuance of a Coastal Development Permit, the restaurant operators shall submit a Written Letter of Agreement, in a form and content acceptable to the Executive Director, which provides that Coastal Development Permit 5-91-141 is for the approved development only, and that any future additions, intensifications, or improvements to the property or restaurant will require a new Coastal Development Permit from the Coastal Commission or its successor agency.

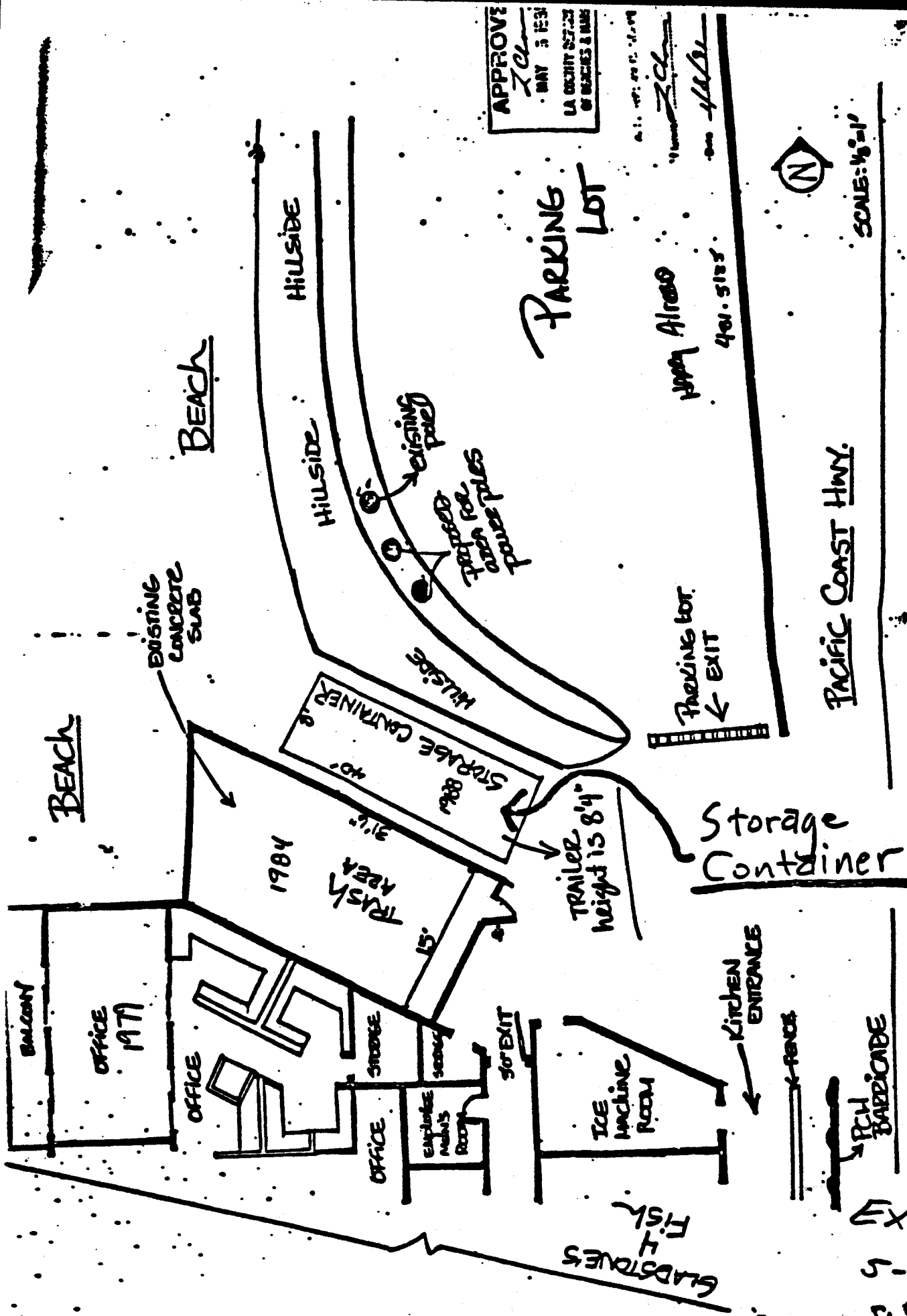
8. Timing of Condition Compliance

All requirements specified in the foregoing conditions that the applicant is required to satisfy as prerequisites to the issuance of this Coastal Development Permit must be met within three (3) months of the date of Commission action on this Coastal Development Permit Application. Failure to comply with the requirements within the time period specified, or within such additional time as may be granted by the Executive Director for good cause, will terminate this permit and lead to appropriate enforcement action.

COASTAL COMMISSION

5-91-141-A2

EXHIBIT # 3PAGE 1 OF 1



APPROVE  
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 MAY 3 1983  
 LA COUNTY OFFICE  
 OF RECORDS & MAPS

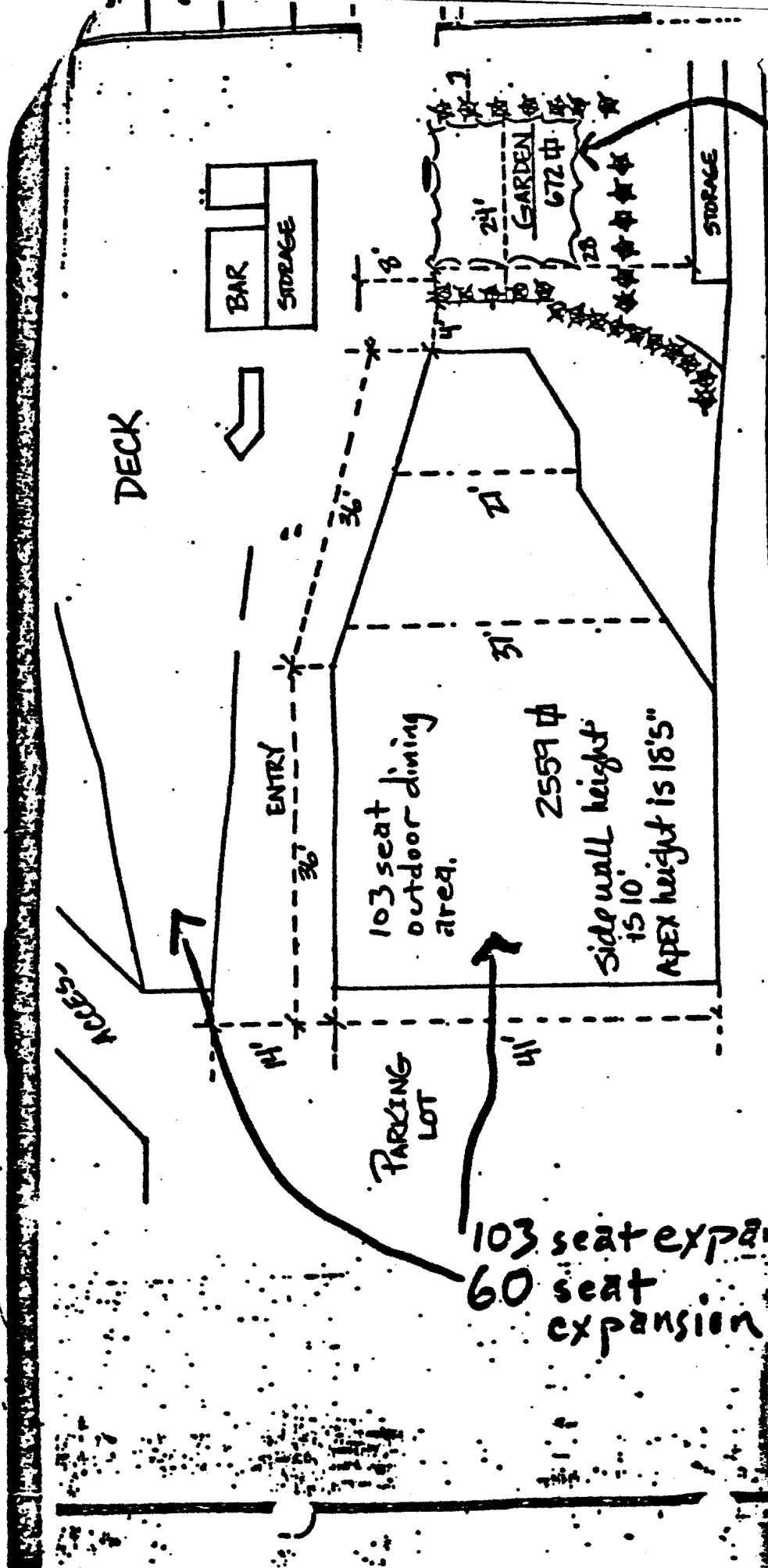
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SCALE: 1/8" = 1'

Exhibit 4  
 5-91-14  
 site plan  
 for permit  
 # 5-91-14

# Pacific Ocean



103 seat expansion  
60 seat expansion

PUBLIC SAFETY SECTION  
FIRE PREVENTION DIVISION  
LOS ANGELES FIRE DEPARTMENT

APPROVAL OF *Blackburn*

BY *James E. ...* 6-90  
SUBJECT TO FIELD INSPECTION

HIGHWAY BARBEX  
PACIFIC COAST HWY.



IN ACCORD WITH 18421

APPROVED *D. ...*

DATE *1/2/91*

Exhibit 5  
5-91-141A2  
Site plan  
of permit  
# 5-91-141

