

## CALIFORNIA COASTAL COMMISSION

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Staff: DL-SD  
Staff Report: December 16, 1998  
Hearing Date: January 12-15, 1999

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REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

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Application No.: 6-98-130

Applicant: City of Coronado

Agent: Scott Huth

Description: Widening an existing 145-foot long, 4-foot wide concrete beach walkway to 6 feet wide; replacing an existing 4-foot wide removable plastic beach walkway located between terminus of existing concrete walkway extending to and around lifeguard station (approximately 175 feet) with a 6-foot wide concrete walkway, (8-10 feet wide around lifeguard station); and construction of a new 6-foot wide, 100-foot long concrete walkway on the beach from the existing concrete walkway to the west side of existing restroom facility.

Site: On the public beach (Central Beach) west of the intersection of Ocean Boulevard and Isabella Avenue, between existing stairway and lifeguard tower, Coronado, San Diego County.

Substantive File Documents: Certified City of Coronado LCP; CDP 6-94-85

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STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed walkway with Special Conditions restricting work from occurring during the summer months and indicating that shoreline protection will not be permitted for the proposed walkways should they be threatened by erosion in the future.

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PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California 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, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Construction Schedule/Staging Areas/Access Corridors. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, detailed plans identifying the location of access corridors to the construction sites and staging areas, and a final construction schedule. Said plans shall include the follow criteria specified via written notes on the plan:

a. Use of sandy beach and public parking areas outside the actual construction site, including on-street parking, for the interim storage of materials and equipment is prohibited.

b. No work shall occur during the summer months (start of Memorial Day weekend to Labor day) of any year.

c. Equipment used on the beach shall be removed from the beach at the end of each work day.

d. Access corridors shall located in a manner that has the least impact on public access and existing public parking areas, and traffic flow on Ocean Boulevard. Use of public parking areas for staging/storage areas is prohibited.

Prior to the commencement of construction, the applicant shall submit evidence that the plans have been incorporated into construction bid documents

The permittee shall undertake development in accordance with the plans and construction schedule. Any proposed changes to the approved plans or the stated criteria shall be reported to the Executive Director. No changes to the plans or schedule shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Protection of Walkways. In the event that erosion/wave action threatens the approved concrete walkways in the future, the City shall not seek to protect the walkways with shoreline protective devices and shall instead, remove the walkways.

#### IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. The proposed project involves widening an existing 4-foot wide concrete walkway on the public beach (Central Beach) to 6 feet, and replacing an existing removable 4-foot wide plastic walkway with a 6-foot wide concrete path. Central Beach is located on the southern edge of the City of Coronado, adjacent to Ocean Boulevard, the first public roadway in this location. The existing concrete walkway extends from the base of a stairway at Ocean Avenue, and continues approximately 145 feet across the public beach. The removable plastic walkway begins where the concrete walkway terminates, and continues approximately 175 feet seaward to and around the existing lifeguard tower. The plastic walkway ends approximately 10 feet seaward of the lifeguard tower. The proposed concrete walkway would be located in the same alignment as the existing plastic walkway, but would not extend beyond a "square" surrounding the lifeguard station (see Figure 3).

Also proposed is a new 6-foot wide concrete walkway to extend from the existing concrete walkway, approximately 100 feet south, to the west side of the existing restroom facility where showers and drinking fountains are located (see Figure 3).

The City of Coronado has indicated that prior to the 1982-83 winter storms, the concrete walkway extended from the stairway to and around the lifeguard tower. During the 1983 storms, the lifeguard tower's support structure became exposed by the high surf, eroding the sand from around the tower. As part of the effort to save the tower, approximately half of the sidewalk was broken into sections and placed around the tower with sandbags. The broken-up walkway was not then not replaced.

In July 1994 the Commission approved a permit to install the removable plastic walkway on the beach (#6-95-85). Although the Commission approved an 8-foot wide walkway, the walkway that was installed is only 4 feet wide. As approved by the Commission, the walkway could have extended as far as 200 feet seaward of the lifeguard tower. The plastic walkway was intended to provide beach access for the elderly and physically disabled.

However, the City has indicated that the plastic walkway is a constant maintenance challenge due to the shifting sand on the beach. The regular daily sand movement of several inches caused by the wind undercuts and erodes the sand along the walkway and lifts and lowers the walkway sections, creating an uneven walking surface that poses a hazard to pedestrians. In addition, the City is involved in a legal action that alleges that the walkway is not wide enough to accommodate disabled persons. The proposed concrete walkway is proposed to resolve these conditions and enhance public access for both the able and disabled community.

Central Beach is operated by the City of Coronado under a lease from the State Lands Commission (Lease #PRC 3691.1). Because the site is located on State tidelands, the site is under the Commission's original jurisdiction and has been designated as such on the City of Coronado's Post-Certification and Appeals Map. Therefore, Chapter 3 of the Coastal Act is the standard of review. The State Lands Commission has indicated that the project is consistent with the terms of the City's lease.

2. Public Access and Recreation. The Coastal Act emphasizes the need to protect public recreational opportunities and to provide public access to and along the coast. The following Coastal Act policies, which address the protection of public access and recreational opportunities, state, in part:

#### Section 30210

In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

#### Section 30211

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 30212

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,
- (2) adequate access exists nearby....

#### Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

#### Section 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30253.

New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Section 30604(c) of the Coastal Act requires that a specific access finding be made in conjunction with any development located between the first public roadway and the sea, indicating that the development is in conformity with the public access and public recreation policies of Chapter 3. In this case, such a finding can be made.

Because of its location on the public beach, the proposed project raises concerns relating to the public's ability to use the sandy beach for recreational purposes. Typically, the use of sandy beach areas for structures or other improvements is not considered appropriate because of the importance of preserving beach area for access and recreational uses. In addition, constructing structures on the beach increases the possibility that shoreline protection will eventually be sought for the structures, which could further infringe on access and recreation opportunities.

In the case of the proposed project, Central Beach and North Beach, (adjacent to Central Beach to the north), are broad sandy beaches totaling more than one-half mile in length, and even during the highest tides there is generally several hundred feet between the beach stairway and the water. The proposed walkway would take up a relatively narrow strip of land, and there is extensive beach area to the north and south of the project site available for recreational use that would not be impacted by the proposed project. The walkway will be placed in an area where a restroom facility, lifeguard tower, existing concrete walkway, and access stairway are presently located. Therefore, the area currently serves more as an access corridor to the rest of the beach than a recreation area itself.

For the most part, the proposed walkway will be located in the same place a concrete path has historically (prior to 1983) been located. As for the new walkway proposed between the existing walkway and the restrooms, this area is currently used almost exclusively as a passageway to and from the restrooms, and installing a permanent sidewalk is not expected to have any adverse impact on recreational use. As the removable walkway has not proved useful in providing a means of beach access, the proposed concrete walkway may enhance shoreline access for some segments of the community. In addition, there will be approximately 400 feet from the end of the walkway at the lifeguard station to the shoreline at mean high tide. Thus, persons swimming or strolling along the shoreline will not have to cross or avoid the proposed walkway.

In this particular case, the proposed sidewalk is not expected to result in a request for shoreline protection in the future. It is very unusual for wave action to reach as far as the lifeguard tower. However, the proposed walkway will be designed with expansion joints and tooled joints which will allow for easy replacement of sections of the walkway should they be damaged. As such, the City of Coronado has indicated that replacement of portions of the sidewalk is expected to be more economical than providing shoreline protection. The City has also stated that the proposed walkway can be considered an expendable structure. Special Condition #2 states that the City shall not seek shoreline protection devices for the walkway, as agreed by the City. Thus, because the walkway, as conditioned, will not require shoreline protection, the project can be found consistent with Section 30253 of the Coastal Act. Special Condition #1 prohibits construction on the sidewalk from occurring during the summer months, when beach users would be most impacted from construction activities, and prohibits the use of public parking areas for construction staging and storage.

In summary, the subject proposal does not represent a significant decrease in the area of sandy beach available to the public, will not result in the need for shoreline protective devices, and may enhance the public's ability to access the shoreline. Therefore, as conditioned, the proposed project can be found consistent with the public access, recreation, and shoreline protection policies of the Coastal Act.

4. Local Coastal Planning. Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. Such a finding can be made for the proposed project.

The City of Coronado has a certified LCP and has assumed permit issuing authority for the majority of the City, all of which is in the coastal zone. The site of the subject proposal, however, is located in an area that is subject to the Commission's original permit jurisdiction because it is located on public trust lands. Thus, Chapter 3 of the Coastal Act is the standard of review. The subject site is designated "beach" in Coronado's certified LCP. As discussed above and as conditioned, the proposed walkway can be found consistent with this designation. Therefore, the Commission finds the proposed development will not prejudice the ability of the City of Coronado to continue implementation of its certified LCP.

5. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, 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 effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the public access policies of the Coastal Act. Mitigation measures, including conditions addressing the expendability of the proposed walkways and the timing of construction, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

# Site

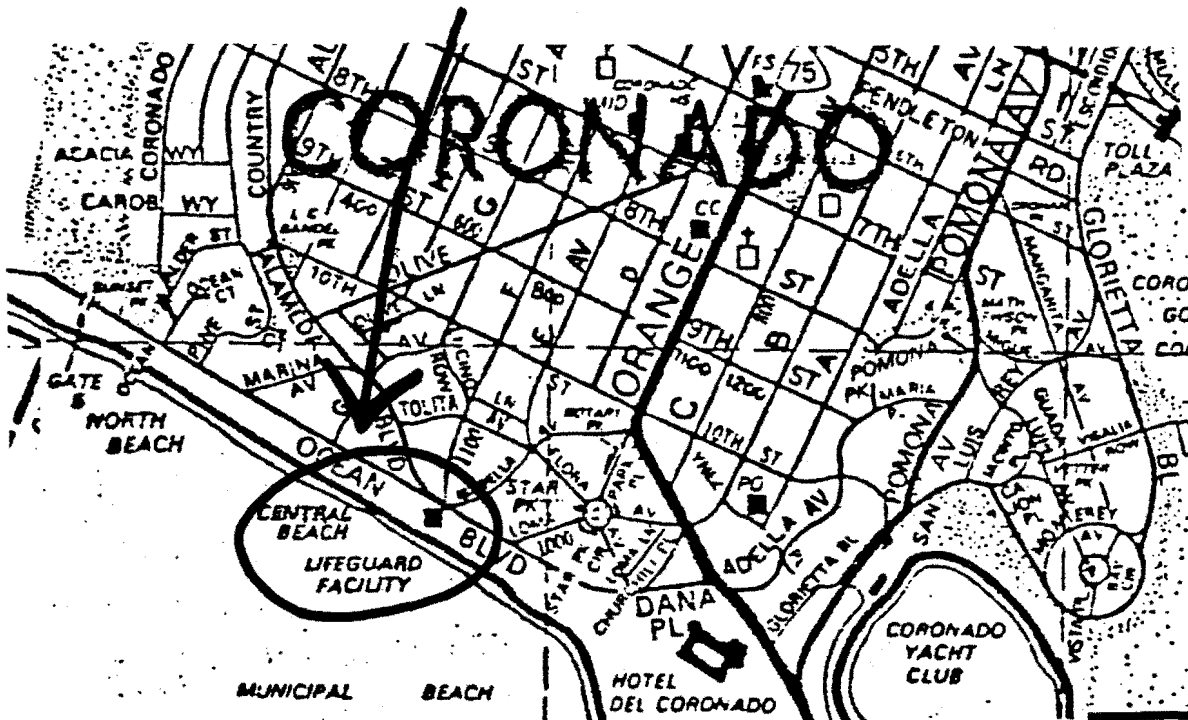


EXHIBIT NO. 1  
APPLICATION NO. 6-98-130  
Location Maps

 California Coastal Commission



EXISTING CONCRETE WALK

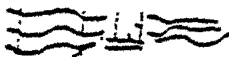
RESTROOM

RESTROOM

145 FT.

EXISTING PLASTIC WALKWAY

LIFE GUARD TOWER



SAND DUNE

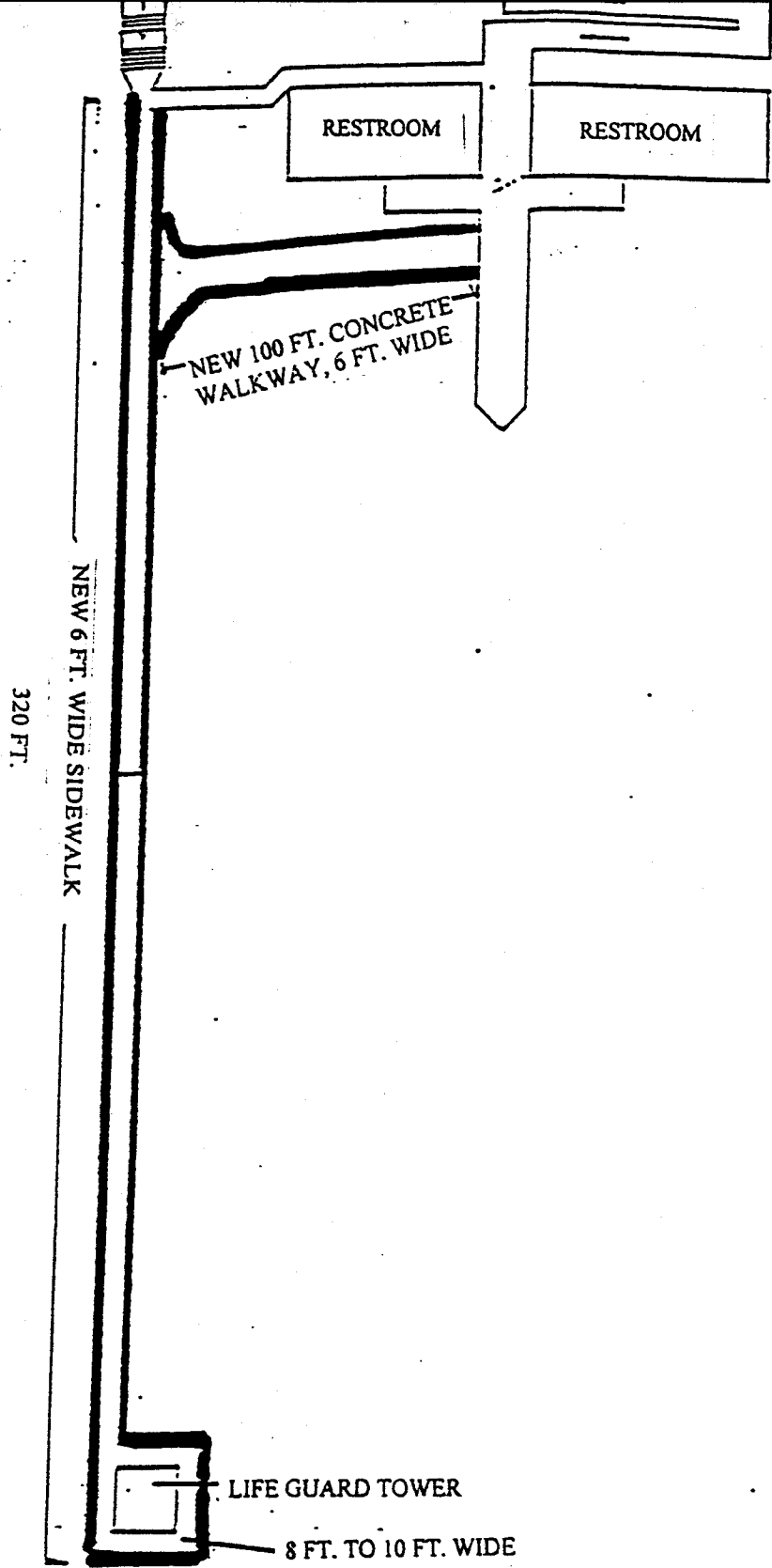
SHORE LINE

EXHIBIT NO. 2

APPLICATION NO.  
6-98-130


Existing Walkways

California Coastal Commission



 SAND DUNE

 SHORE LINE

EXHIBIT NO. 3
APPLICATION NO. 6-98-130
Proposed Walkways
 California Coastal Commission