

W 176

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Laguna Beach, CA 90802-4302  
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Filed: 3/06/00  
49th Day: 4/24/00  
180th Day: 9/2/00  
Staff: ALK-LB *AK*  
Staff Report: May 25, 2000  
Hearing Date: June 13-16, 2000  
Commission Action:

**RECORD PACKET COPY****STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NUMBER:** 5-00-080  
**APPLICANTS:** City of Laguna Beach and Five Star Resorts, LLC  
**AGENT:** John Montgomery, Assistant Community Development Director  
**PROJECT LOCATION:** Seaward of 30801 S. Coast Highway, Laguna Beach (Orange County)

**PROJECT DESCRIPTION:** Remove virtually all of the existing concrete slab between the base of Goff Island and the bluffs of the Treasure Island project site, leaving the existing breakwall. Replace with a rock groin that replicates the function of the existing concrete slab, duplicates the natural conditions, and stabilizes the base of the existing public access ramp. The breakwall will incorporate armor stone with concrete shot filler and surface treatment designed to blend in with surrounding land formations. To the maximum extent feasible, the rock groin will be minimized and covered with sand. The portion of the project lying below the mean high tide line is located within the Commission's original permit jurisdiction and the portion above the mean high tide line is located within the City of Laguna Beach's permit jurisdiction. Only the portion lying below the mean high tide line is currently under consideration.

**LOCAL APPROVALS RECEIVED:** City of Laguna Beach Coastal Development Permit No. 99-77 and Design Review No. 99-207.

**SUBSTANTIVE FILE DOCUMENTS:** Treasure Island Certified Local Coastal Program (LCP); Final Program Environmental Impact Report (FEIR) and Mitigation Monitoring Program for the LCP and Treasure Island Specific Plan; FEIR Addendum; Summary of Subsurface Exploration prepared by AGRA; Coastal Impact Study prepared by Moffatt & Nichol; Assessment of Concrete Platform Removal prepared by Noble Consultants, Inc.; Evaluation of Concrete Platform Removal prepared by Coastal Frontiers.

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the proposed project with five (5) special conditions which require 1) inclusion of the local government conditions of approval, 2) use of construction best management practices (BMPs), 3) the debris disposal site to be located outside the coastal zone, 4) evidence of approval by the Regional Water Quality Control Board (RWQCB); and 5) a determination by the States Lands Commission prior to permit issuance.

The applicant proposes to remove virtually all of an existing concrete slab and replace it with a new rock groin. The portion of the proposed project lying below the mean high tide line is located within the Commission's original permit jurisdiction. The remainder of the project is located within the City of Laguna Beach's permit issuance jurisdiction under the Treasure Island certified LCP. The primary issues addressed by this staff report include marine resources, water quality and public access.

**STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

**MOTION:**

*I move that the Commission approve CDP No. 5-00-080 pursuant to the staff recommendation.*

Staff recommends a **YES** vote. This will result in adoption of the following resolution and findings. The motion passes **only** by affirmative vote of a majority of the Commissioners present.

**RESOLUTION:**

**I. APPROVAL WITH CONDITIONS**

The Commission hereby **GRANTS** a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is located between the nearest public road and the sea, and is in conformity with the public access and public recreation policies of the Coastal Act, 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 effects on the environment within the meaning of the California Environmental Quality Act.

**II. 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 this permit is reported to the Commission. 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 in the application for permit, subject to any special conditions 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 project during its development, 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.

III. **SPECIAL CONDITIONS**

1. Inclusion of Local Government Conditions of Approval

The conditions of approval for CDP No. 77 and Design Review No. 99-207 approved by the Laguna Beach City Council on February 15, 2000 that are not in conflict with the Commission's special conditions listed below are incorporated by reference and shall remain in effect.

2. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris

The permittee shall comply with the following construction-related requirements:

- (a) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave erosion and dispersion;
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction;
- (c) Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction related materials, sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project.
- (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Debris shall be disposed at a debris disposal site outside the coastal zone, pursuant to Special Condition No. 3.

3. Location of Debris Disposal Site

The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

4. Regional Water Quality Control Board Approval

**PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, written evidence from the Regional Water Quality Control Board demonstrating that the Regional Water Quality Control Board has approved the proposed project. If the Regional Water Quality Control Board requires any substantial changes to the project, as approved by the Commission, the changes shall be submitted to the Executive Director for a determination as to whether the changes require an amendment to this permit. Any changes that require an amendment shall not occur without an amendment to this permit.

5. State Lands Commission Review

**PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall obtain a written determination from the State Lands Commission that:

- (a) No state lands are involved in the development; or
- (b) State lands may be involved in the development and all permits required by the State Lands Commission have been obtained; or
- (c) State lands may be involved in the development, but pending a final determination of state lands involvement, an agreement has been made by the applicant with the State Lands Commission for the project to proceed without prejudice to that determination.

#### IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

##### A. Project Description, Location and Background

The project site is located directly offshore of the proposed Treasure Island Development in the southern portion of the City of Laguna Beach on the seaward side of Pacific Coast Highway just north of Aliso Beach (Exhibits 1 & 2). The portion below the mean high tide line is located within the Commission's original permit jurisdiction and the portion above the mean high tide line is located within the City's jurisdiction (Exhibit 3). Only the portion lying below the mean high tide line is currently under consideration.

The applicant proposes to remove virtually all of an existing concrete slab located between Goff Island and the toe of the adjacent bluff and replace it with a new rock groin (Exhibit 4). The existing concrete slab was originally constructed in the 1950s to accommodate movie production at the subject site. The platform has an irregular shape with a surface area of approximately 24,000 square feet, including the Goff Island rock outcropping and the slab platform at the base of the bluff ramp. The slab surface is located between approximately +7 to +13 feet mean sea level (MSL), from the seaward end to the toe of bluff. The pavement consists of pored in-place concrete slabs about 4 ½ inches thick and is supported by 8-inch thick reinforced concrete retaining walls that are founded directly upon rock outcrops or beach sand. The configuration of the platform has changed over time through a series of upgrades and replacement of damaged deck sections. According to the applicant, the deck surfaces are cracked and create potential tripping hazards and difficult walking conditions. In addition, constant wetting and algae growth cause the deck to become slippery. During storm swell conditions, the deck surface is overtopped by waves, creating unsafe conditions. Removal and replacement of the concrete slab is proposed to provide a safer, more natural appearing groin structure.

The proposed project involves retaining a portion of the existing concrete slab and augmenting it with the placement of approximately 1,300 cubic yards of stone, 200 cubic yards of filler stone, and 700 cubic yards of re-used concrete. According to Moffat & Nichol Engineers, the proposed rock groin will be "*composed of durable materials (stone and concrete/grout) that are designed to be exposed to the marine environment.*" They anticipate the groin to be stable for a 100-year storm event and have a minimum design life of 25 years, but note that typical groin structures can last much longer. Periodic maintenance may be required to repair some local damage and/or repair to the concrete surface. The frequency and level of maintenance will be determined to a certain extent on the severity and frequency of future storm conditions. The new rock groin will be covered in sand to minimize visual impacts.

**B. Standard of Review**

On November 6, 1998, the Treasure Island Local Coastal Program (LCP) was approved as a project specific amendment to the City of Laguna Beach Local Coastal Program. As a result, the City of Laguna Beach has coastal development permit (CDP) jurisdiction except for development located on tidelands, submerged lands, or public trust lands. A portion of the proposed project lies seaward of the mean high tide line. Therefore, the Commission retains permit issuance jurisdiction over that portion of the proposed project. The standard of review for development located on tidelands, submerged lands, or public trusts lands is the California Coastal Act. The Treasure Island certified LCP will be used as guidance in the current project analysis.

**C. Local and State Agency Approvals**

1. Local

The City of Laguna Beach conditionally approved the proposed project through CDP No. 77 and Design Review No. 99-207 on February 15, 2000 (Exhibit 5). Conditions include the following: utilization of natural rock material obtained from on-site excavation in the construction of the rock groin; compliance with the project design features and mitigation measures of the Final EIR; adherence to the Development Agreement; use of appropriate construction methods and timing of construction activities. Where they do not conflict with the Commission's conditions, the City's conditions have been incorporated by reference into the current coastal development permit as Special Condition No. 1.

2. State

Since the proposed project has the potential to affect water quality, the development requires approval by the Regional Water Quality Control Board (RWQCB). At the time of this staff report, evidence of RWQCB approval had not been received. Therefore, Special Condition No. 4 requires the applicant to provide written evidence of RWQCB approval prior to permit issuance. (RWQCB involvement is more fully described in the Water Quality discussion on page 7.)

As a portion of the project is located within coastal waters, State Lands Commission review is also required. At the time of this staff report, evidence of a determination by States Lands had not been received. Special Condition No. 5 requires evidence of State Lands Commission review prior to permit issuance.

**D. Marine Resources**

Sections 30230, 30231 and 30235 of the Coastal Act address the protection and management of marine resources. These policies are incorporated into the Treasure Island certified LCP.

Section 30230 of the Coastal Act states:

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states:

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Section 30235 of the Coastal Act states:

*Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

Policy 3.1.2-18 of the certified LCP addresses the proposed project at Goff Island.

*Virtually all of the existing concrete slab and pier by Goff Island shall be removed to the maximum extent feasible without damaging the surrounding natural resources during the master grading of the other portions of the site by the Landowner/Master Developer. A rock groin/sea wall shall be constructed in an approximate north-south direction connecting the mainland to Goff Island, in order to : a) maintain a stable structure that, in height, length and location, replicates the function of the existing concrete slab (as generally defined in the Coastal Impact Study prepared by Moffatt & Nichol, Coastal Engineers, dated December 5, 1997); b) duplicate the natural conditions; and c) stabilize the base of the existing northern access ramp. To the maximum extent possible, any replacement artificial structures, including groins or seawalls, shall be minimized and covered with sand or otherwise treated to provided a reasonably natural appearance.*

As described previously, the project involves the removal of the majority of the existing concrete slab and pier at Goff Island, leaving only the areas necessary for the landing of the ramp and the construction of a replacement rock groin. The site will then be covered with sand to minimize visual impacts.

1. Seawall Analysis

Section 30235 of the Coastal Act allows seawalls to be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Analyses carried out by Noble Consultants, Inc. and Moffatt and Nichol Engineering indicate that complete removal of the existing concrete slab structure, without replacement with a structure that functions similarly, would have an effect on coastal processes in the subject area which would result in erosion of the adjacent beaches.

As described by Noble Consultants, Inc. in their assessment of the proposed project, "the existing ramp access extension along with the natural Goff Island outcrops forms a groin-like coastal structure. The structure acts as a complete littoral barrier which prevents sediment from being moved into Treasure Island Cove." Without the slab or similar structure, the capacity to retain sand

at the south (downcoast) limit of the littoral cell will be significantly reduced, resulting in a net loss of sand out of the cell to the south.

According to the applicant, loss of sand at this site will create negative impacts throughout the littoral cell. Reduced beach widths will increase the exposure of existing shoreline protective devices at Blue Lagoon (located directly north of the subject site) to high wave action (see Vicinity Map, Exhibit 2). This will increase the potential for property damage. The Blue Lagoon Condominium site is now afforded an increased level of shore protection during winter storm swells since the beach sand accumulates against the existing concrete platform. The sand that builds up against the platform extends upcoast to the approximate mid-point of Victoria Beach, seaward of the Blue Lagoon development. Removal of the platform will allow this beach sand to be transported to the south and will increase the exposure of the Blue Lagoon seawall to waves.

Additionally, sand loss at Victoria Beach will also reduce public recreation opportunities as a direct result of a smaller beach area. Public access between Victoria Beach and Treasure Island Cove will also be further limited due to the reduced sand volume. Treasure Island Cove is not currently open to the public. However, as part of the proposed Treasure Island Development Project, the site will be dedicated in fee to the City of Laguna Beach. As such, the proposed groin structure will protect a future public beach. Therefore, the project is allowable under Section 30235 of the Coastal Act.

## 2. Water Quality Analysis

Section 30231 of the Coastal Act requires maintenance and restoration of the biological productivity of coastal waters. The project site is located within open coastal waters. Storage or placement of construction materials, debris, or waste in a location subject to wave erosion and dispersion would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of machinery in coastal waters not designed for such use may result in the release of lubricants or oils that are toxic to marine life. Sediment discharged to coastal waters may cause turbidity which can shade and reduce the productivity of eelgrass beds and foraging avian and marine species ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, Special Condition No. 2 outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris.

Much of the concrete removed from the existing groin structure will be re-used in the new groin structure, buried beneath the rip-rap and sand. However, any leftover concrete must be properly disposed of to avoid any adverse effects to the surrounding marine environment. The applicant has indicated that the contractor will have the discretion of selecting a disposal site at the time of construction, Special Condition No. 3 requires that the applicant dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit.

Finally, since the proposed project has the potential to affect water quality, the development requires approval by the Regional Water Quality Control Board (RWQCB). At the time of this staff report, evidence of RWQCB approval had not been received. (The applicant submitted an application to the RWQCB San Diego Region for review on May 5, 2000.) Consequently, the proposed development has yet to be found in conformance with current water quality standards by the RWQCB. To ensure that the project will not adversely affect water quality, Special Condition No. 4 requires that the applicant provide written evidence of RWQCB approval prior to issuance of a coastal development permit. If the RWQCB approval results in changes to the currently proposed project, the applicant may be required to obtain an amendment to the CDP.

3. Natural Marine Habitat

Section 30230 of the Coastal Act requires marine resources to be maintained, enhanced, and where feasible, restored. The subject site is currently developed with a 24,000 square foot concrete platform structure extending from the Goff Island rock outcropping to the base of the adjacent bluffs. The site has not existed in a natural state since the structure was constructed in the 1950s. For the reasons described in Section B (1) of the current report, the site cannot be restored to original conditions (i.e. no groin) without risk of significant beach erosion and property damage. Consequently, the new groin structure is required to replicate the function of the existing structure in preventing littoral sand transport. The proposed structure will be covered in sand and designed to match the appearance of natural landforms in the surrounding area.

According to information submitted by the applicant, the removal and replacement of the groin will have no adverse impacts on the existing marine environment. In fact, the proposed project involves a reduction of 0.5 acre of concrete and will return approximately 0.37 acre to its natural state. Therefore, the proposed project will enhance and restore a previously degraded site. Additionally, the proposed project is consistent with the Resource Protection policies of the certified Treasure Island LCP.

4. Conclusion

Only as conditioned for appropriate storage of construction materials and equipment, location of an appropriate debris disposal site, and RWQCB approval, does the Commission find that the proposed development is consistent with Sections 30230, 30231 and 30232 of the Coastal Act.

E. Public Access

The Goff Island project site lies within the water between the first public road and the sea. Therefore, a finding must be made that the development is consistent with the public access and recreation policies of Chapter 3 of the Coastal Act, as well as the public access and recreation policies of the certified LCP.

Section 30210 of the Coastal Act states, in pertinent part:

*...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 30213 of the Coastal Act states, in pertinent part:

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

As discussed previously, the proposed project involves the replacement of an existing concrete platform, which acts as a groin structure between Goff Island and the base of the bluffs at the proposed Treasure Island Development. If the existing platform is removed and not replaced with a similarly functioning structure, natural marine processes will erode beaches both upcoast and downcoast of Goff Island. Specifically, without a groin structure at the subject site, the beach at Treasure Island Cove will be subject to significant erosion. Therefore, the proposed rock groin project is designed to replicate the function of the existing structure, which currently controls littoral sand transport.

While the Treasure Island Cove beach is not currently open to the public, the site will be dedicated to the City of Laguna Beach in conjunction with the proposed Treasure Island Development Project. At that time, this beach area will be made available for public recreation. As such, the proposed project will protect a future public beach, thereby enhancing public access and recreation at the subject site.

As shown on the project plans, pedestrian access will be available over and around the proposed groin structure. The height of accumulated sand will be almost level with the rock groin on either side. Therefore, as designed, the proposed structure will provide continued pedestrian access at the subject site. In addition, the proposed groin will protect sand supply at existing and future public beaches, thereby providing "maximum access" to the coast. For the reasons stated above, the proposed project is consistent with Sections 30210 and 30213 of the Coastal Act.

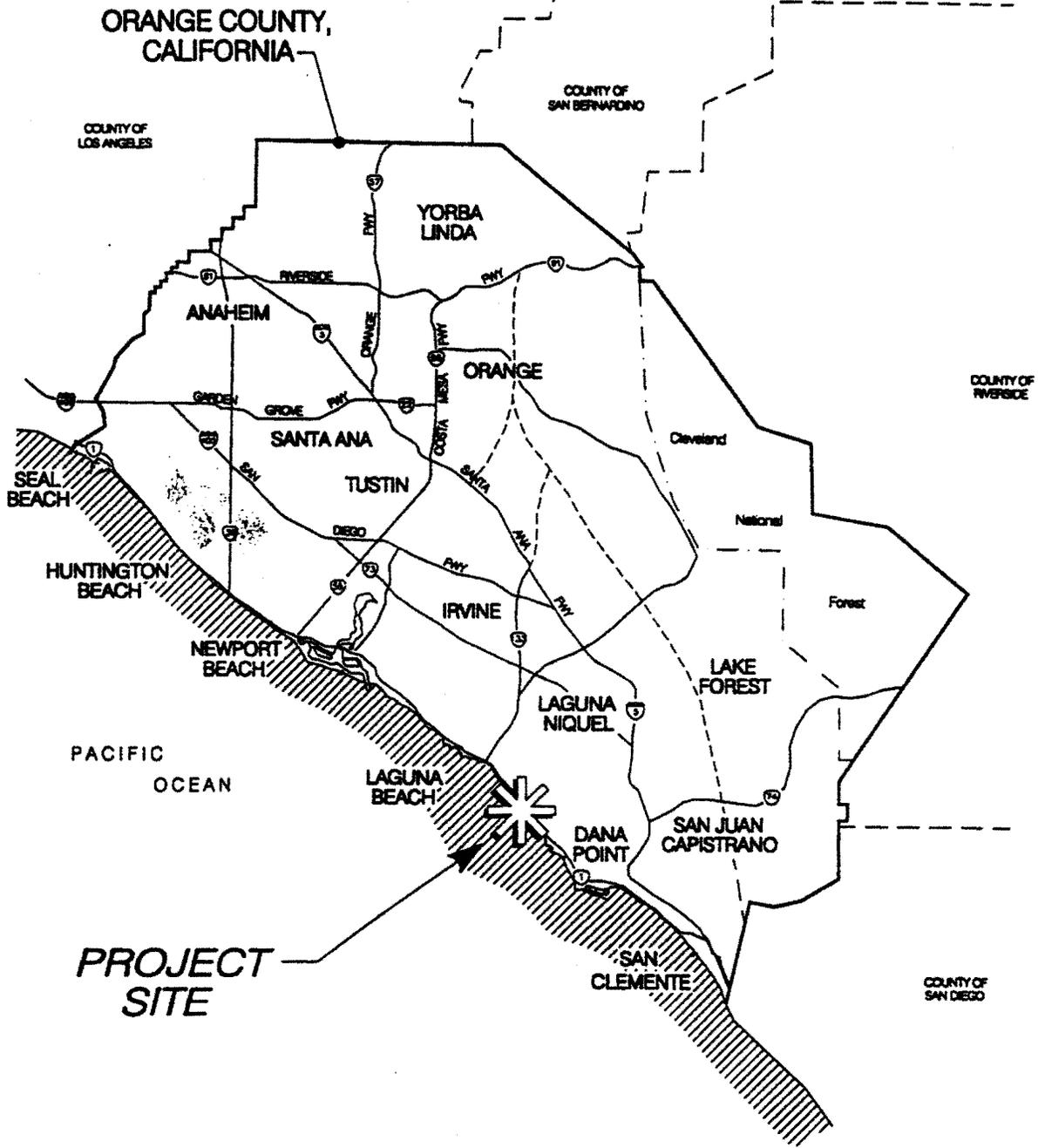
**F. Local Coastal Program**

The Treasure Island Local Coastal Program (LCP) was effectively certified by the Commission in November 1998. However, a portion of the proposed project lies below the mean high tide line and is therefore located within the Commission's original jurisdiction. Consequently, the standard of review for the proposed project is conformity with the Chapter 3 policies of the Coastal Act and not the certified LCP. The LCP policies have been used as guidance in the current analysis.

**G. California Environmental Quality Act**

Section 13096 of the California Code of Regulations requires Commission approval of a CDP 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 effect that the activity may have on the environment.

The proposed project, as conditioned, has been found to be consistent with the public access policies of the Coastal Act. Five (5) mitigation measures, in the form of special conditions, require 1) inclusion of the local government conditions of approval, 2) use of construction best management practices (BMPs), 3) the debris disposal site to be located outside the coastal zone, 4) evidence of approval by the Regional Water Quality Control Board (RWQCB); and 5) a determination by the States Lands Commission prior to permit issuance. No further alternatives, or mitigation measures, beyond those imposed by this permit amendment, would substantially lessen any significant adverse impacts which the development would have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.



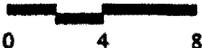
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7/29/97(LAB730)



**LSA**

Scale in Miles



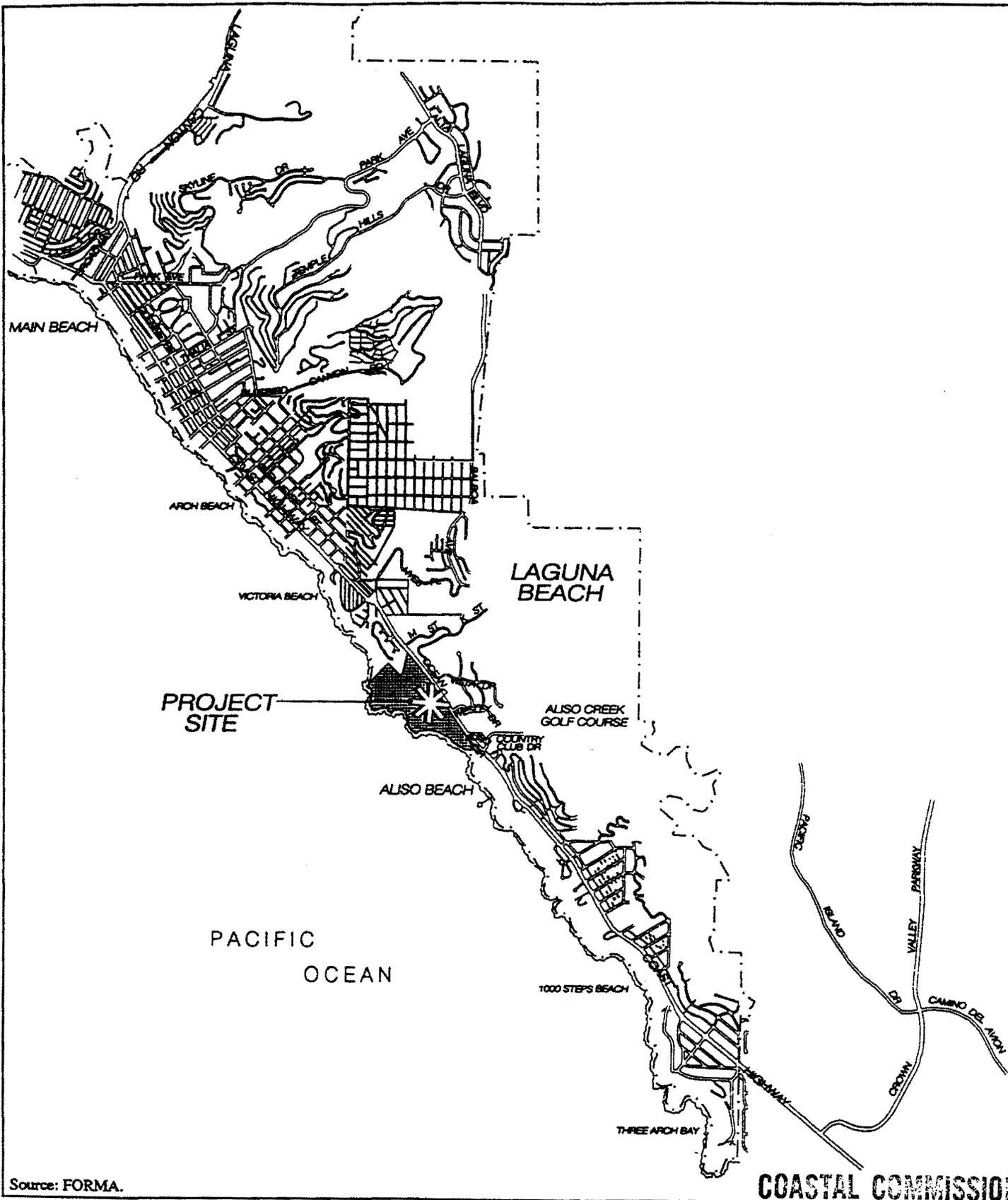
**COASTAL COMMISSION**

5-00-080

EXHIBIT # 1

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Regional Location Map



Source: FORMA.  
6/9/97(LAB730)

COASTAL COMMISSION

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EXHIBIT # 2

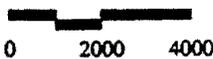
PAGE 1 OF 1

Vicinity Map



LSA

Scale in Feet

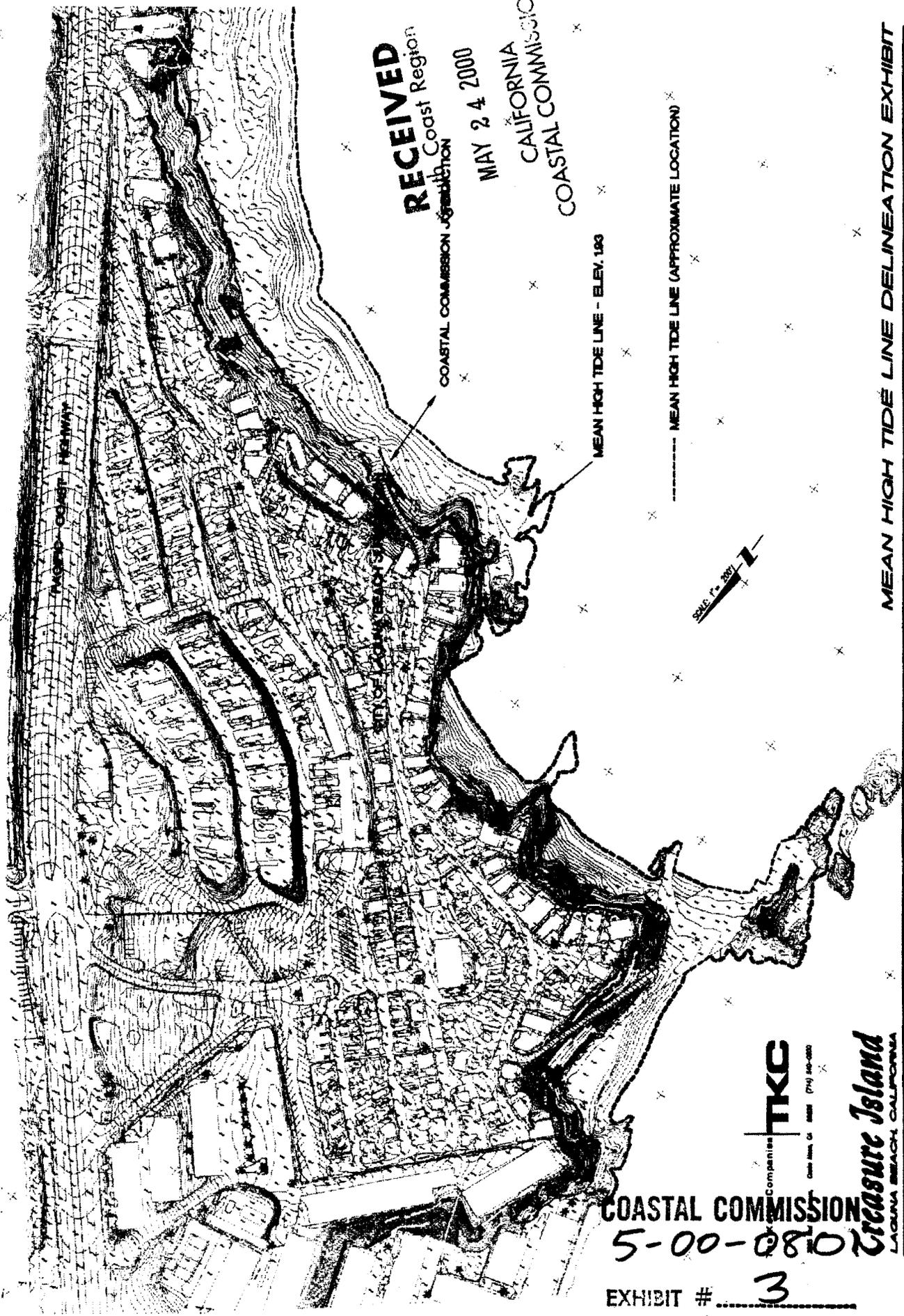


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Coast Region  
COASTAL COMMISSION J. G. B. 11/11/00

MAY 24 2000

CALIFORNIA  
COASTAL COMMISSION



----- MEAN HIGH TIDE LINE (APPROXIMATE LOCATION)

MEAN HIGH TIDE LINE - ELEV. 100



MEAN HIGH TIDE LINE DELINEATION EXHIBIT

TKC  
Company  
DATE: MAY 24 2000 (P) 10:00 AM

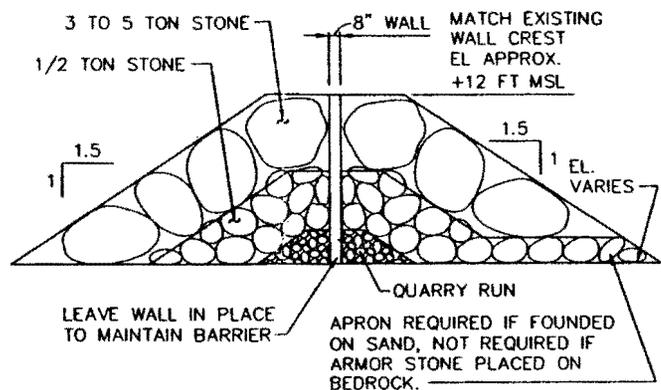
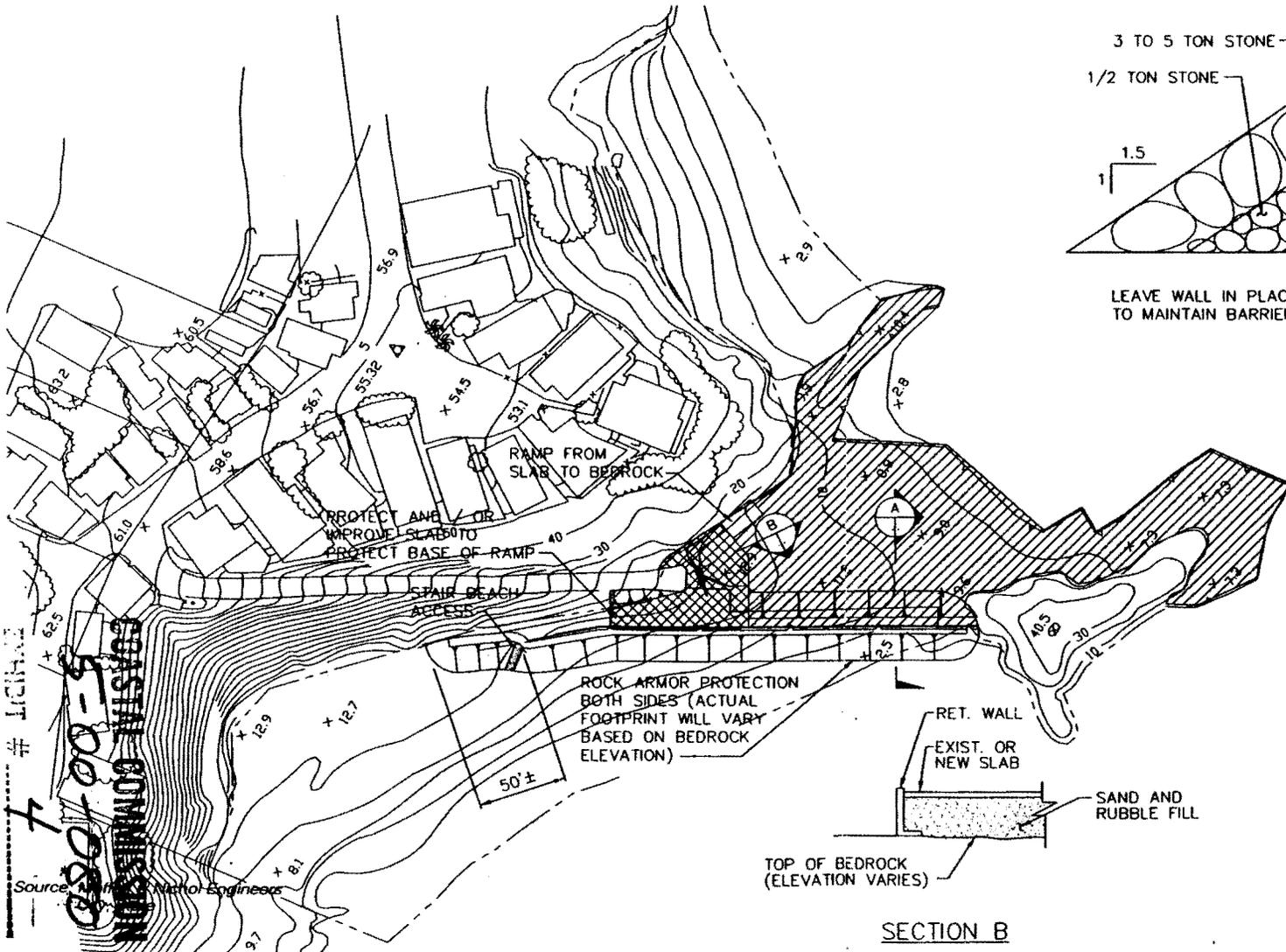
**Treasure Island**  
LAGUNA BEACH, CALIFORNIA

The Athens Group

COASTAL COMMISSION  
5-00-0810

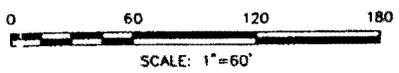
EXHIBIT # 3

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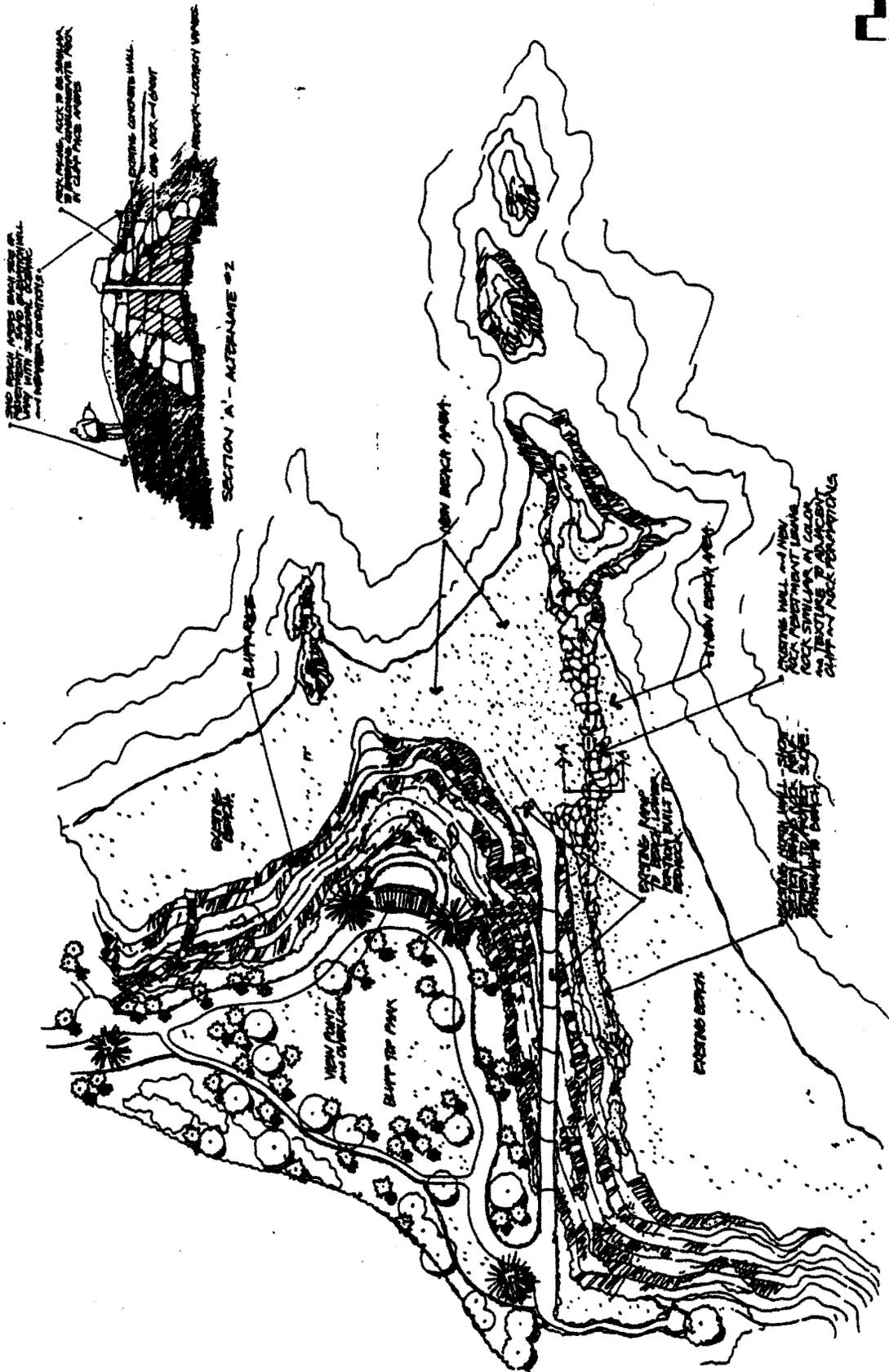
SECTION A

- LEGEND**
-  SLAB REMOVAL
  -  PROTECT AND/OR IMPROVE SLAB



SECTION B

PAGE 1 OF 5  
EXHIBIT # 4



**CONCRETE SLAB REMOVAL AREA**

COASTAL DEVELOPMENT PERMIT

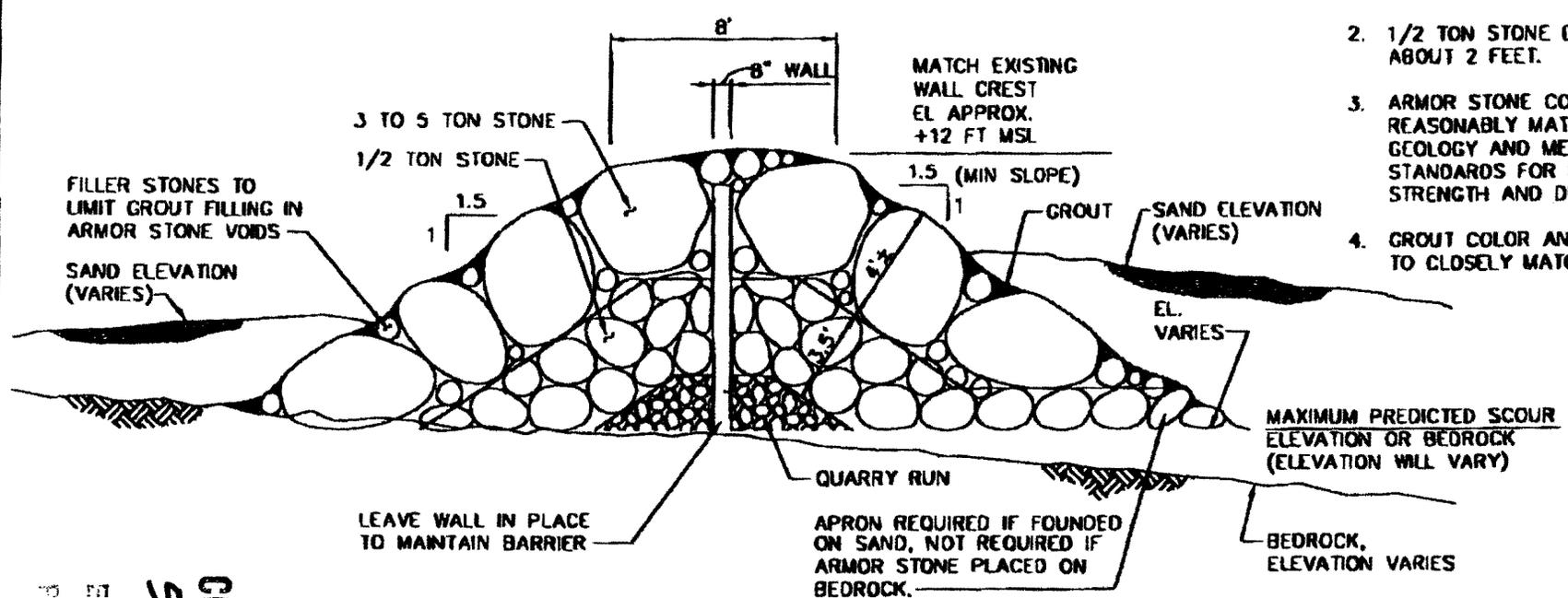
Treasure Island  
 TREASURE ISLAND, CALIFORNIA  
 The Ashens Group

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 5-00-080

EXHIBIT # 4  
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LANDWARD  
(EAST SIDE)

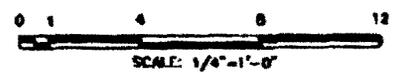
SEAWARD  
(WEST SIDE)



**NOTES:**

1. 3 TO 5 TON STONE DIAMETER RANGES FROM 3.5 FEET TO 4.5 FEET - ASSUME 4 FOOT AVERAGE DIAMETER.
2. 1/2 TON STONE DIAMETER IS ABOUT 2 FEET.
3. ARMOR STONE COLOR SHALL REASONABLY MATCH SITE GEOLOGY AND MEET A.S.T.M. STANDARDS FOR DENSITY, STRENGTH AND DURABILITY.
4. GROUT COLOR AND TEXTURE TO CLOSELY MATCH ARMOR

COASTAL COMMISSION  
 EXHIBIT # 5-00-080  
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GROIN CROSS SECTION A STRAIGHT ALIGNMENT																											



COASTAL COMMISSION

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EXHIBIT # 4

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PICK GROIN LOOKING SOUTH.  
(FROM PHOTO)



ROCK GROIN ~~FR~~: LOOKING TO RAMP.  
(FROM PHOTO.)

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CALIFORNIA  
**NOTICE OF FINAL LOCAL ACTION COASTAL COMMISSION  
FOR COASTAL DEVELOPMENT PERMITS**

Date: February 17, 2000

The following project is located within the City of Laguna Beach Coastal Zone:

**Location:** 30801 Coast Highway, Laguna Beach, CA 92651

**Project Coastal Development Project No.:** 99-77

**Project Description:** Goff Island Concrete Slab Removal / Rock Groin Replacement in Relation to the Treasure Island Destination Resort Community Project

After the Coastal Commission issues a Coastal Development Permit for its area of jurisdiction and the US Army Corps of Engineers approves the project, the City's Coastal Development Permit authorizes the removal of virtually all of the existing concrete slab and pier by Goff Island to the maximum extent feasible without damaging the surrounding natural resources during the master grading of the other portions of the Treasure Island site, and it authorizes the construction of a replacement rock groin in an approximate north-south direction connecting the mainland to Goff Island in order to maintain a stable structure that, in height, length and location, replicates the function of the existing concrete slab, duplicates the natural conditions and stabilizes the base of the existing northern public access ramp per the requirements of the Local Coastal Program. To the maximum extent feasible, the rock groin is minimized and covered with sand.

**Applicant:** Athens Development Resort Company LLC  
Owner: Five Start Resort LLC

**Mailing Address:** 30801 Coast Highway, Laguna Beach, CA 92651

On February 15, 2000, a project coastal development permit application for the project was

- approved
- approved with conditions
- denied

This action was taken by:  City Council  
 Design Review Board  
 Planning Commission

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CALIFORNIA  
COASTAL COMMISSION

The action  did  did not involve a local appeal; in any case, the local appeal process has been exhausted. Findings supporting the local government action and any conditions imposed are found in the attached resolution.

COASTAL COMMISSION  
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Notice of Final Action  
Project Coastal Development Permit 99-77  
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This project is

- not appealable to the Coastal Commission
- appealable to the Coastal Commission pursuant to Coastal Act Section 30603. An aggrieved person may appeal this decision to the Coastal Commission within 10 working days following Coastal Commission receipt of this notice. The Coastal Commission will notify applicants if a valid appeal is filed. Appeals must be in writing to the appropriate Coastal Commission district office and in accordance with the California Code of Regulation Section 13111.

Attachment: Resolution Conditionally Approving Project CDP No. 99-77

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RESOLUTION NO. 00.014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, CONDITIONALLY APPROVING PROJECT COASTAL DEVELOPMENT PERMIT 99-77 AND DESIGN REVIEW 99-207 FOR THE GOFF ISLAND CONCRETE SLAB REMOVAL/IMPROVEMENT IN RELATION TO THE TREASURE ISLAND DESTINATION RESORT COMMUNITY AT 30801 COAST HIGHWAY.

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THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH does RESOLVE as follows:

**SECTION 1.** Five Star Resort LLC, a Delaware Limited Liability Company (the "Applicant") has filed an application for a Project Coastal Development Permit and Design Review for the removal of the majority of the existing concrete slab and pier at Goff Island leaving only areas necessary for the landing of the ramp and the construction of a rock groin (the "Project") in relation to the Treasure Island Destination Resort Community located at 30801 Coast Highway (the "Property") in accordance with the provisions of the City of Laguna Beach Municipal Code, the City's General Plan, the Treasure Island Destination Resort Community Local Coastal Program (the "LCP"), the Treasure Island Specific Plan and the Development Agreement By and Among the City of Laguna Beach and Five Star Resort LLC (the "Development Agreement").

**SECTION 2.** The Design Review Board and the Planning Commission conducted legally noticed joint public hearings on September 18, October 2, November 10, December 1, December 15, 1999, and January 19, 2000, and after reviewing and considering all documents, testimony and other evidence, voted to recommend that the City Council conditionally approve Project Coastal Development Permit 99-77 and Design Review 99-207 for the removal of the majority of the existing concrete slab and pier at Goff

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Island leaving only areas necessary for the landing of the ramp and the construction of a replacement rock groin.

SECTION 3.

The City Council conducted a legally noticed public hearing on February 15, 2000, and after reviewing and considering all documents, testimony and other evidence, hereby make the following findings with regard to Project Coastal Development Permit 99-77 for the proposed Project:

1) The proposed Project is consistent with all applicable provisions of the City's General Plan, the Treasure Island LCP and Specific Plan, and the Development Agreement in that the proposed Project's design does not substantially impede public views, minimizes landform alteration and provides for littoral sand transport control.

2) The proposed Project is in conformity with the certified LCP and with the public access and public recreation policies of Chapter 3 of the Coastal Act in that the proposed Project prevents adverse impacts on surrounding soils and provides for the monitoring and protection of marine resources.

3) The proposed Project will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act in that on June 2, 1998, the City adopted Resolution 98.032, which certified a Final Program Environmental Impact Report (the "FEIR") and Mitigation Monitoring Program for the LCP and Treasure Island Specific Plan; the proposed Project is within the scope of the FEIR, is adequately described in the FEIR and does not create new environmental effects or require new mitigation measures. Based on earlier analysis of the FEIR, the Standard Conditions, Project Design Features and Mitigation Measures from the certified FEIR for the project are adequate to reduce the associated impacts to a level of no significant.

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7) The proposed Project does not adversely affect recreational or visitor-serving facilities or coastal scenic resources in that a public beach is incorporated into the Project's design, and the rock groin is designed to protect the surrounding beaches from littoral sand transport or movement.

8) The proposed Project is sited and designed to prevent adverse impacts to scenic resources located at the beach and the adjacent bluffs in that the establishment of marine resource protection areas adequately buffers such resources.

9) The proposed Project minimizes the alterations of natural landforms and does not result in undue risks from geological and erosion forces in that such risks have been taken into consideration in the design and layout of the proposed Project.

10) The proposed Project is visually compatible with the character of surrounding areas.

**SECTION 5.** Based on the foregoing findings, the City Council hereby approves **Project Coastal Development Permit 99-77 and Design Review 99-207 for the proposed Project subject to the following conditions**, which are deemed necessary to protect the public health, safety and general welfare and have been included to ensure continued land use compatibility:

1) Comply with the plans identified as Alternative 2, as modified during the joint January 19, 2000, Planning Commission and Design Review Board meeting, and to the maximum extent possible utilize the natural rock material obtained from on-site excavation in the construction of the rock groin. Obtain final approval from the Planning Commission and Design Review Board of the refined site plan for the groin

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and the rock groin material. Provide to the Planning Commission and Design Review Board during this final review a durability analysis of the proposed construction system.

2) Comply with all Project Design Features, Standard Conditions and Mitigation Measures as identified in the certified FEIR and as outlined in the Mitigation Monitoring Program.

Pay for the cost of all engineers, geologists, archaeologists, paleontologists or other similar authorities or specialists that are required by the Mitigation Monitoring Program to provide services during the development of the site.

3) Comply with all of the provisions of the Development Agreement, including the public park area maintenance responsibilities. Maintain the groin in perpetuity to the satisfaction of the City or subject Lot 21 (the Resort Center parcel) to a special assessment by the City pursuant to City Municipal Code Section 7.24.090.

4) In accordance with the Municipal Code, construction may occur between the hours of 7:00 a.m. and 6:00 p.m. on any non-holiday weekday. Maintain all construction equipment, fixed and mobile, in proper operating condition with noise mufflers. Locate vehicle staging areas away from off-site receivers during the later phases of project development. Place stationary equipment such that emitted noise is directed away from residential areas to the greatest extent possible. Discuss these measures at a pre-grade meeting and implement during construction. Located or enclose mechanical equipment, such as blowers, air conditioners and exhaust fans, such that their noise is minimized to the greatest extent possible when they are operating and noise levels at the property lines do not exceed 65 dBA CNEL.

5) Remove the concrete slab and pier and construct the groin during the master grading of the site.

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- 6) Comply with Policy #18 of the LCP Goff Island Existing Improvements Policies Section 3.1.2 which states as follows:

“Virtually all of the existing concrete slab and pier by Goff Island shall be removed to the maximum extent feasible without damaging the surrounding natural resources during the master grading of the other portions of the site by the Landowner/Master Developer. A rock groin/sea wall shall be constructed in an approximate north-south direction connecting the mainland to Goff Island, in order to: a) maintain a stable structure that, in height, length and location, replicates the function of the existing concrete slab (as generally defined in the Coastal Impact Study prepared by Moffat & Nichol, Coastal Engineers, dated December 5, 1997); b) duplicate the natural conditions; and c) stabilize the base of the existing northern access ramp. To the maximum extent possible, any replacement artificial structures, including groins or seawalls, shall be minimized and covered with sand or otherwise treated to provide a reasonably natural appearance.”

- 7) Indemnify and hold the City harmless with regard to any claim, cause of action or other liability (including attorneys’ fees and costs of suits) arising from any injury or damage to the person or property of any third party from the continued maintenance of the groin and improvements thereto.

**SECTION 6.** The conditional approval of Project Coastal Development Permit 99-77 and Design Review 99-207 shall lapse and expire two years following the effective date of such conditional approval. An extension of the conditional approvals may be requested by written application to the Department of Community Development and granted by the City

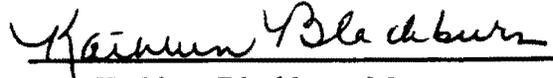
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1 Council, if filed prior to the expiration date. Any extension approval of Project Coastal  
2 Development Permit 99-77 and Design Review 99-207 shall be subject to applicable  
3 Municipal Code Sections, as amended.  
4

5 SECTION 7. Project Coastal Development Permit 99-77 and Design Review 99-207  
6 shall become effective when the Coastal Commission issues a Coastal Development Permit  
7 for its area of jurisdiction and the U.S. Army Corps of Engineers approves the project.

8 **ADOPTED this 15th day of February, 2000.**

9  
10   
11 Kathleen Blackburn, Mayor

12 ATTEST:

13   
14 City Clerk

15 I, VERNA L. ROLLINGER, City Clerk of the City of Laguna Beach, California, do  
16 hereby certify that the foregoing Resolution No. 00.014 was duly adopted at a meeting of the  
17 City Council of said City held on February 15, 2000 by the following vote:

18 AYES: COUNCILMEMBER(S): Blackburn, Dicterow, Freeman, Iseman,  
19 Peterson

20 NOES COUNCILMEMBER(S):

21 ABSENT COUNCILMEMBER(S):

22   
23 City Clerk of the City of Laguna Beach, CA

24  
25  
26 **COASTAL COMMISSION**

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CALIFORNIA  
COASTAL COMMISSION

**NOTICE OF A PUBLIC HEARING - LAGUNA BEACH CITY COUNCIL**

THE LAGUNA BEACH CITY COUNCIL will hold a Public Hearing in the City Council Chambers, located in City Hall at 505 Forest Avenue, to consider the:

**Treasure Island Destination Resort Community Development Project  
30801 Coast Highway**

The proposed development under review by City Council includes: 1) Tentative Tract Map 15497 and Master Coastal Development Permit 99-75 for the subdivision of 30.09 acres and the associated grading and construction of master utilities and backbone infrastructure for a Destination Resort Community Project; and 2) Project Coastal Development ~~99-77~~ and Design Review 99-207 for the removal of the majority of the existing concrete slab and pier between Goff Island and the mainland and the construction of a rock groin in its place. The main component of the proposed Destination Resort Community Project is a Resort Hotel and detached bungalows providing 275 accommodations. The Resort Hotel includes underground and on-grade parking, restaurants, bars, banquet meeting rooms, conference facilities, health spa, swimming pools, landscaped patios, walkways and landscaped open space. The Project also includes 14 condominium dwelling units and 17 single-family lots (Residential Estates). Other components of the Project include: a public beach with new disabled persons' access down the bluff to the beach; a Blufftop Park with landscaped improvements and public parking; a new traffic signal across from the Coast Highway entrance to Aliso Creek Plaza Shopping Center; a scenic highway corridor along Coast Highway with landscaped improvements; a bus stop and shelter south of Wesley Drive on Coast Highway; and a Resource Management Plan for protection of the tide pools and Goff Island.

SAID PUBLIC HEARING to be held:  
Tuesday, February 15, 2000 at 6:00 P.M.

For additional information, call John Montgomery at 497-0361.

The application for this project was filed on September 2, 1999, by Five Star Resort LLC and may be examined at the Department of Community Development in City Hall and the local library at 363 Glenneyre Street. Comments may be made in person at the public hearing or in writing. If, in the future, you wish to challenge the subject in court, you may be limited to raising only those issues you (or someone else) raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the public hearing. The above project is located within the City of Laguna Beach Coastal Zone and constitutes development appealable to the California Coastal Commission. After final action by the City Council, an appeal to the Coastal Commission may be made within 10 working days from the date of Coastal Commission receipt of the notice of final action from the City per Municipal Code Section 25.07.016. A Program Environmental Impact Report (SCH #1996031023) and an Addendum have been prepared for this project.

**Publish: Coastline News 2/3/2000**  
**Property Owners within 300 ft. & Residents within 100 ft.**  
**Applicant & Coastal Commission**

**COASTAL COMMISSION**  
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