

**CALIFORNIA COASTAL COMMISSION**

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**M14A**

Filed: March 7, 2001  
49th Day: April 25, 2001  
180th Day: September 3, 2001  
Staff: KFS-LB  
Staff Report: April 19, 2001  
Hearing Date: May 8-11, 2001  
Commission Action:

**STAFF REPORT: PERMIT AMENDMENT****APPLICATION NUMBER:** 5-99-386-A1**RECORD PACKET COPY****APPLICANT:** Brian Straight**AGENT:** None**PROJECT LOCATION:** A-99 Surfside Avenue, Seal Beach, Orange County

**DESCRIPTION OF PROJECT PREVIOUSLY APPROVED:** Demolition of an existing single-family residence and construction of a new 3,411 square foot, 35' high (plus 4 foot covered stairwell), 3-story single-family residence with an attached 399 square foot 2-car garage, a 395 square foot roof deck and 299 square feet of seaside deck/patio areas. The decks and patio will extend 10-feet seaward, beyond the property boundary, into land that is leased by the Surfside Colony to the applicant.

**DESCRIPTION OF PROPOSED AMENDMENT:** The applicant is proposing to modify Special Conditions 1 and 2 to eliminate the requirement that lease restrictions related to the proposed seaside patio and decks be signed by the property owner, Surfside Colony Ltd., and recorded.

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the proposed amendment with the applicant's proposed changes to Special Conditions 1 and 2 which eliminate the requirement for lease restrictions. The purpose of the previously imposed requirement for lease restrictions was to assure that all property owners –including Surfside Colony Ltd.- were notified of the hazards at the site and the requirement for Commission approval of any future improvements to the approved development. However, since the development on Surfside Colony land is appurtenant in nature, adequate notice to present and future property owners will be provided without a lease restriction because the owner of the property and structures to which the appurtenant structures are attached will be notified with the deed restriction.

**LOCAL APPROVALS RECEIVED:** City of Seal Beach Approval-in-Concept dated October 15, 1999; Surfside Colony, Ltd. Architectural Committee approval dated November 19, 1999.

**SUBSTANTIVE FILE DOCUMENTS:** Coastal Development and Administrative Permits P-73-1861, P-75-6364, 5-86-676, 5-87-813, 5-95-276, 5-97-380, 5-98-098,

5-98-412 (DiLuigi), 5-99-356-A1 (Mattingly), 5-99-386 (Straight), 5-99-423 (Evans); 5-00-132 (U.S. Property) and 5-00-132-A1 (U.S. Property); 5-00-206 (McCoy) and 5-00-206-A1 (McCoy); and 5-00-257 (Cencak); Consistency Determinations CD-028-97, CD-067-97, and CD-65-99; and Preliminary Foundation Soils Exploration prepared by Geo-Etka, Inc. (Job No. F-8942-99) dated July 29, 1999.

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## **PROCEDURAL NOTE**

### **A. Coastal Development Permit Amendments**

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.

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.

The subject application is being forwarded to the Commission because the Executive Director has determined that the proposed amendment is a material change and affects conditions required for the purposes of protecting coastal resources or coastal access.

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## **I. STAFF RECOMMENDATION, MOTION AND RESOLUTION OF APPROVAL**

Staff recommends that the Commission make the following motion and adopt the following resolution to APPROVE the amendment application with special conditions.

### **MOTION**

*I move that the Commission approve the proposed amendment to Coastal Development Permit No. 5-99-386 pursuant to the staff recommendation.*

Staff recommends a YES vote. Passage of this motion will result in approval of the amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

## RESOLUTION OF APPROVAL WITH CONDITIONS

The Commission hereby **APPROVES** the coastal development permit amendment on the ground that the development as amended and subject to conditions will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 and 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. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

### II. STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit amendment is not valid and development shall not commence until a copy of the permit amendment, signed by the permittee or authorized agent, acknowledging receipt of the permit amendment and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit amendment 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 amendment must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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

#### 4. Prior Conditions

Unless specifically altered by this amendment, all regular and special conditions attached to coastal development permit 5-99-386 remain in effect.

Please note: Special Condition 1 has been deleted and replaced by the following Special Condition 5 and Special Condition 2 has been deleted and replaced by the following Special Condition 6.

**5. Assumption-of-Risk, Waiver of Liability, and Indemnity Deed Restriction**

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- A) By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; (ii) to assume the risks to the applicant and the property, that is the subject of this permit, of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards, (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from injury or damage due to such hazards.
- B) **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of subsection A of this condition. The deed restriction shall include a legal description of the applicant's parcels. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. The deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

**6. Future Development**

- A) This permit is only for the development described in Coastal Development Permit No. 5-99-386. Pursuant to Title 14, California Code of Regulations, section 13250(b)(6), the exemptions otherwise provided in Public Resources Code, section 30610(a) shall not apply. Accordingly, any future improvements to the single family house described in this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Code, section 30610(d) and Title 14, California Code of Regulations, sections 13252(a)-(b), shall require an amendment to Permit No. 5-99-386 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
- B) **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction shall include legal descriptions of the applicant's parcels. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. The deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

#### IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

##### A. PREVIOUSLY APPROVED PROJECT AND PROPOSED AMENDMENT

On February 15, 2000, the Commission approved Coastal Development Permit 5-99-386 for the demolition of an existing single-family residence and construction of a new 3,411 square foot, 35' high (plus 4 foot covered stairwell), 3-story single-family residence with an attached 399 square foot 2-car garage, a 395 square foot roof deck and 299 square feet of seaside deck/patio areas at A-99 Surfside Avenue, Seal Beach, Orange County (Exhibit 1 pages 10 and 12-17). The decks and patio are proposed to extend 10-feet seaward, beyond the property boundary, onto land that is leased by the Surfside Colony to the applicant. The approved project was subject to three special conditions requiring: 1) the recordation of assumption-of-risk deed and lease restrictions; 2) the recordation of future improvements deed and lease restrictions; 3) conformance of the design and construction plans to all recommendations contained in the preliminary foundation soils exploration.

The proposed project includes development (patios and decks) on land which is owned by Surfside Colony, Ltd. (the homeowners association). This land is leased by Surfside Colony, Ltd. to the applicant for the purpose of constructing the decks and patio. This development is subject to the same flooding and wave uprush hazards as the primary structure. Since a deed restriction recorded by the applicant would not cover the off-site development on Surfside Colony, Ltd.-owned land, the Commission required in Special Conditions 1, that lease restrictions be signed and recorded by the applicant and Surfside Colony. In addition, the Commission imposed Special Condition 2 which required deed and lease restrictions related to future development. The lease restrictions would contain the same restrictions as the deed restriction recorded on the applicants property. Since the Commission's approval of the permit, the applicant has attempted to execute the necessary lease restrictions. However, Surfside Colony, Ltd. has declined to comply with the applicants request to execute and record the lease restrictions. In absence of Surfside Colony, Ltd.'s agreement to the lease restrictions, the applicant is not able to comply with the conditions of approval of the permit.

The applicant is now proposing that Special Conditions 1 and 2 be modified to remove the requirement for lease restrictions. The proposed changes to Special Conditions 1 and 2 are as follows:

##### 1. Assumption-of-Risk, Waiver of Liability, and Indemnity Deed Restriction

- A) By acceptance of this permit, the applicant ~~and any landowner~~ acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; (ii) to assume the risks to the applicant and the property, that is the subject of this permit, of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards, (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability,

claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from injury or damage due to such hazards; ~~(v) to agree to include a provision in any subsequent sublease or assignment of the development authorized by this permit requiring the sublessee or assignee to submit a written agreement to the Commission for the review and approval of the Executive Director, incorporating all of the foregoing restrictions identified in (i) through (iv).~~

- B) **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant ~~and landowner~~ shall execute and record a deed restriction ~~and/or lease restriction as applicable~~, in a form and content acceptable to the Executive Director incorporating all of the above terms of subsection A of this condition. The deed restriction ~~and lease restriction~~ shall include a legal description of the applicant's ~~and landowner's~~ parcels. The deed restriction ~~and lease restriction~~ shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. The deed restriction ~~and lease restriction~~ shall not be removed or changed without a Commission amendment to this coastal development permit.

## 2. Future Development

- A) This permit amendment is only for the development described in Coastal Development Permit No. 5-99-386. Pursuant to Title 14, California Code of Regulations, section 13250(b)(6), the exemptions otherwise provided in Public Resources Code, section 30610(a) shall not apply. Accordingly, any future improvements to the single family house described in this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Code, section 30610(d) and Title 14, California Code of Regulations, sections 13252(a)-(b), shall require an amendment to Permit No. 5-99-386 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
- B) **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant ~~and landowner~~ shall execute and record a deed restriction ~~and/or lease restriction as applicable~~, in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction ~~and lease restriction~~ shall include legal descriptions of the applicant's ~~and landowner's~~ parcels. The deed restriction ~~and lease restriction~~ shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. The deed restriction ~~and lease restriction~~ shall not be removed or changed without a Commission amendment to this coastal development permit.

**B. HAZARDS**

Section 30253 of the Coastal Act states, in part:

*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 30251 of the Coastal Act states that:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

As noted in the Commission's findings of approval of Coastal Development Permit 5-99-386, which are incorporated here by reference (Exhibit 1), the project site is presently protected by a wide sandy beach and an existing revetment. This wide sandy beach is present due to a beach nourishment project periodically undertaken by the U.S. Army Corps of Engineers to mitigate the effects of erosion caused by wave reflection of the Anaheim Bay east jetty. While the beach provides some protection to the Surfside Colony, the persistence of the beach is largely dependent upon artificial beach nourishment. In absence of this beach nourishment, the beach erodes and development at Surfside Colony is exposed to flooding and wave uprush hazards.

The especially heavy wave action generated during the 1982-83 El Nino winter storms caused Surfside Colony to apply for a coastal development permit for a revetment to protect the homes at Surfside's northern end. The Commission approved Coastal Development Permit No. 5-82-579 for this revetment, and Coastal Development Permit No. 5-95-276 for the repair of the revetment. The Commission also approved Consistency Determinations CD-028-97 and CD-67-97 for the most recent beach nourishment at Surfside performed by the U.S. Army Corps of Engineers completed in July 1997.

The revetment and widened beach protect the northern end of Surfside Colony from wave uprush. The subject site, A-99 Surfside, is protected by this existing revetment and widened beach (Exhibit 1, Page 11). South of the subject site (i.e. units A-1 through A-91) are not protected by the existing revetment, thus, the wide sandy beach provides the only protection for these central and southern areas of Surfside Colony.

Even though the site is protected by a revetment and a wide sandy beach, this does not preclude wave uprush damage and flooding from occurring at Surfside during extraordinary circumstances. Beach areas are dynamic environments, which may be subject to unforeseen changes. Such changes may affect beach processes, including sand regimes. The mechanisms of sand replenishment are complex and may change over time, especially as beach process altering structures, such as jetties, are modified, either through damage or deliberate design. Therefore, the presence of a wide sandy beach at this time does not preclude wave uprush damage and flooding from occurring at the subject site in the future. The width of the beach may change, perhaps in combination with a strong storm event like those which occurred in 1983, 1994 and 1998, resulting in future wave and flood damage to the proposed development.

In order to assure that present and future property owners are aware of the potential risks from flooding and wave uprush hazards, the Commission previously imposed Special Condition 1 which required the applicant to execute and record a deed restriction acknowledging the hazards. In addition, the Commission required that a lease restriction be recorded containing the same warning regarding flooding and wave uprush hazards in order to cover the patio and decks which are proposed to be constructed on the seaward side of the residence on land that is owned by Surfside Colony, Ltd. Due to problems obtaining the lease restriction from Surfside Colony, Ltd., the applicant is proposing to eliminate the requirement for the lease restriction.

The patio and decks being constructed on Surfside Colony, Ltd. owned land are appurtenances to the primary residential structure being constructed on land owned by the applicant. The decks are attached to the second and third floors of the residential structure. As designed, the decks could not be built if the primary residential structure was not also built. Meanwhile, the patio on the ground floor is also attached to the residential structure, however, the patio is not reliant on the residential structure for foundation support. Rather, the patio has it's own foundation system. However, in absence of the residential structure, the patio and decks have no real utility. The purpose of the patio and decks are to provide an outdoor amenity for the associated residential structure. Therefore, the owners and occupants of the residential structure would also be the users of the patio and decks. The applicant is proposing to retain the requirement for a deed restriction which would be attached to the property upon which the residential structure is being built. Therefore, any owners and occupants of the residential structure would be advised of the hazards to which the site is subject. Logically, the owner and occupants would be aware that these hazards are present on the patio and decks which are part of the residential structure. Therefore, the Commission finds that the proposed change to Special Condition 1 is consistent with Section 30253 of the Coastal Act. Therefore, the Commission deletes Special Condition 1 in its entirety, and replaces it with Special Condition 5 which reflects the changes to Special Condition 1 proposed by the applicant. These changes are consistent with the Commission's most recent actions on Coastal Development Permit 5-00-257 (Cencak) and Coastal Development Permit Amendments 5-00-132-A1 (U.S. Properties) and 5-00-206-A1 (McCoy) within Surfside Colony.



C. PUBLIC ACCESS

Section 30212 of the Coastal Act states, in relevant part:

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

*(2) adequate access exists nearby...*

The subject site is a beachfront lot located between the nearest public roadway and the shoreline in the private community of Surfside (Exhibit 1, page 10). A pre-Coastal (1966) boundary agreement between Surfside Colony and the California State Lands Commission fixes the boundary between state tide and submerged lands and private uplands in Surfside (Exhibit 1, page 18-20). As a result of this boundary agreement, Surfside Colony, Ltd. owns a strip of the beach, up to 80-feet in width, adjacent to the homes fronting the ocean. The beach seaward of this area is available for lateral public access.

The proposed project has decks and a patio area which encroach ten feet seaward beyond the subject site's seaward property line onto a ten foot wide strip of land owned by Surfside Colony, Ltd. (which serves as the homeowners' association). Surfside Colony leases its property to the adjacent homeowners for construction of patios. Enclosed living area is not allowed to encroach past the individual homeowner's seaward property line onto Surfside Colony land. The applicant has obtained a lease from Surfside Colony, Ltd. for the proposed encroachment.

As noted in the Commissions findings of approval for Coastal Development Permit 5-99-386, which are incorporated here by reference, the Commission found that the development would conform to the line of development already established in the community. In addition, the proposed project would not result in direct adverse impacts, either individually or cumulatively, on vertical or lateral public access.

However, to guarantee that any future development of the property can be evaluated for consistency with Section 30212 of the Coastal Act, the Commission imposed Special Condition 2 which requires the applicant to record deed restrictions and the applicant and landowner, Surfside Colony, Ltd. to record lease restrictions stipulating that future improvements to the approved development require a coastal development permit. As noted above, the applicant has been unable to obtain the lease restrictions from Surfside Colony, Ltd. However, as also noted above, the patio and decks are appurtenances to the primary residential structure. Changes to these structures would be undertaken by the owner of the residential structure and not Surfside Colony, Ltd. Special Condition 2 includes a deed restriction which is attached to the property upon which the residential structure is being built. Therefore, the owner of the residential structure whom would be undertaking any changes to the patio and/or decks would be notified of the permit requirement via the deed restriction which affects the residential structure. Therefore, the Commission finds the applicants' proposed change to Special Condition 2 is consistent with Section 30212 of the Coastal Act. Therefore, the Commission deletes Special Condition 2 in its entirety, and replaces it with Special Condition 6 which reflects the changes to Special Condition 2 proposed by the applicant. These changes are consistent with the Commission's most recent actions on Coastal Development Permit 5-00-257 (Cencak) and Coastal Development Permit

Amendments 5-00-132-A1 (U.S. Properties) and 5-00-206-A1 (McCoy) within Surfside Colony.

**D. LOCAL COASTAL PROGRAM**

Section 30604 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program, which conforms with the Chapter 3 policies of the Coastal Act.

On July 28, 1983, the Commission denied the City of Seal Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications. The City did not act on the suggested modifications within six months from the date of Commission action. Therefore, pursuant to Section 13537(b) of the California Code of Regulations, the Commission's certification of the land use plan with suggested modifications expired. The LUP has not been resubmitted for certification since that time.

The proposed development, as conditioned, is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Commission finds that the proposed development as conditioned would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter Three policies of the Coastal Act.

**E. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, 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 which the activity may have on the environment.

The proposed project is located in an urban area. All infrastructures necessary to serve the site exist in the area. As conditioned, the proposed project has been found consistent with the hazard, public access and scenic view policies of Chapter Three of the Coastal Act. Mitigation measures requiring assumption-of-risk and future improvements will minimize any significant adverse effects that the activity may have on the environment.

As conditioned, no feasible alternatives or feasible mitigation measures are known, beyond those required, which would substantially lessen any identified significant effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned is consistent with CEQA and the policies of the Coastal Act.

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**CALIFORNIA COASTAL COMMISSION**

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Filed: November 29, 1999  
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Staff: KFS-LB  
Staff Report: January 27, 2000  
Hearing Date: February 12-15, 2000  
Commission Action:

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NUMBER:** 5-99-386

**APPLICANT:** Brian Straight

**AGENT:** None

**PROJECT LOCATION:** A-99 Surfside Avenue, Seal Beach, Orange County

**PROJECT DESCRIPTION:** Demolition of an existing single-family residence and construction of a new 3,411 square foot, 35' high (plus 4 foot covered stairwell), 3-story single-family residence with an attached 399 square foot 2-car garage, a 395 square foot roof deck and 299 square feet of seaside deck/patio areas. The decks and patio will extend 10-feet seaward, beyond the property boundary, into land that is leased by the Surfside Colony to the applicant.

**LOCAL APPROVALS RECEIVED:** City of Seal Beach Approval-in-Concept dated October 15, 1999; Surfside Colony, Ltd. Architectural Committee approval dated November 19, 1999.

**SUBSTANTIVE FILE DOCUMENTS:** Coastal Development and Administrative Permits P-73-1861, P-75-6364, 5-86-676, 5-87-813, 5-95-276, 5-97-380, 5-98-098, 5-98-412 and 5-99-356-A1; Consistency Determinations CD-028-97 and CD-067-97; and Preliminary Foundation Soils Exploration prepared by Geo-Etka, Inc. (Job No. F-8942-99) dated July 29, 1999.

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the proposed development subject to three special conditions. The major issue of this staff report concerns development on a beach that could be affected by geologic hazards and flooding. Special Condition No. 1 requires the recordation of assumption-of-risk deed/lease restrictions. Special Condition No. 2 requires the recordation of future improvements deed/lease restrictions. Special Condition No. 3 requires conformance of the design and construction plans to all recommendations contained in the preliminary foundation soils exploration. Commission staff does not recommend a special condition related to future shoreline protective devices because an existing revetment and a wide sandy beach protect the subject site.

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**5-99-386-A1**

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**STAFF RECOMMENDATION:**

The staff recommends that the Commission **APPROVE** the permit with special conditions.

**MOTION:**

*I move that the Commission approve CDP No. 5-99-386 pursuant to the staff recommendation.*

Staff recommends a **YES** vote. Passage of this motion will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of 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, 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 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 effects on the environment within the meaning of the California Environmental Quality Act.

**II. STANDARD CONDITIONS**

1. **Notice of Receipt and Acknowledgment.** The permit amendment is not valid and development shall not commence until a copy of the permit amendment, signed by the permittee or authorized agent, acknowledging receipt of the permit amendment and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit amendment 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 amendment 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 permit amendment, 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.

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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. Assumption-of-Risk, Waiver of Liability, and Indemnity Deed Restriction

- A) By acceptance of this permit, the applicant and any landowner acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; (ii) to assume the risks to the applicant and the property, that is the subject of this permit, of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from injury or damage due to such hazards; (v) to agree to include a provision in any subsequent sublease or assignment of the development authorized by this permit requiring the sublessee or assignee to submit a written agreement to the Commission for the review and approval of the Executive Director, incorporating all of the foregoing restrictions identified in (i) through (iv).
  - B) **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant and landowner shall execute and record a deed restriction and/or lease restriction as applicable, in a form and content acceptable to the Executive Director incorporating all of the above terms of subsection A of this condition. The deed restriction and lease restriction shall include a legal description of the applicant's and landowner's parcels. The deed restriction and lease restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. The deed restriction and lease restriction shall not be removed or changed without a Commission amendment to this coastal development permit.
- #### 2. Future Development
- A) This permit amendment is only for the development described in Coastal Development Permit No. 5-99-386. Pursuant to Title 14, California Code of Regulations, section 13250(b)(6), the exemptions otherwise provided in Public Resources Code, section 30610(a) shall not apply. Accordingly, any future improvements to the single family

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house described in this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Code, section 30610(d) and Title 14, California Code of Regulations, sections 13252(a)-(b), shall require an amendment to Permit No. 5-99-386 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

- B) **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant and landowner shall execute and record a deed restriction and/or lease restriction as applicable, in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction and lease restriction shall include legal descriptions of the applicant's and landowner's parcels. The deed restriction and lease restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. The deed restriction and lease restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

3. **Conformance of Design and Construction Plans to Foundation Soils Exploration**

- A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the Preliminary Foundation Soils Exploration prepared by Geo-Etka, Inc. dated July 29, 1999. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriately licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

A. **PROJECT LOCATION AND DESCRIPTION**

The lot is located at A-99 Surfside Avenue in the private community of Surfside Colony, in the City of Seal Beach, Orange County, California (Exhibit 1). The subject site is a beachfront lot located between the first public road and the sea. The proposed development is in an existing private, gated residential community, located south of the Anaheim Bay east jetty. The proposed project is consistent with development in the vicinity and prior Commission actions

**COASTAL COMMISSION**  
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in the area. There is a wide, sandy beach between the subject property and the mean high tide line.

The proposed project includes the demolition of an existing single-family residence and construction of a new 3,411 square foot, 35' high (plus 4 foot covered stairwell), 3-story single-family residence with an attached 399 square foot 2-car garage, a 395 square foot roof deck and 299 square feet of seaside deck/patio areas. The decks and patio will extend 10-feet seaward, beyond the property boundary, into land that is leased by the Surfside Colony to the applicant.

**B. HAZARDS**

Section 30253 of the Coastal Act states, in part:

*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.*

***Flooding and Wave Uprush***

The subject site is located at the southern end of Surfside Colony, a private beachfront community in the City of Seal Beach (Exhibit 1). The northern end of Surfside is subject to uniquely localized beach erosion due to the reflection of waves off the adjacent Anaheim Bay east jetty. These reflected waves combine with normal waves to create increased wave energy that erodes the beach in front of Surfside Colony more quickly than is typical at an unaltered natural beach. Since the erosion is the result of the federally owned jetty, the U.S. Army Corps of Engineers has periodically replenished the beach. The beach nourishment provides Surfside a measure of protection from wave hazards. However, when the beach erodes, development at Surfside Colony may be exposed to wave uprush and subsequent wave damage.

The especially heavy wave action generated during the 1982-83 El Nino winter storms caused Surfside Colony to apply for a coastal development permit for a revetment to protect the homes at Surfside's northern end. The Commission approved Coastal Development Permit No. 5-82-579 for this revetment, and Coastal Development Permit No. 5-95-276 for the repair of the revetment. The Commission also approved Consistency Determinations CD-028-97 and CD-67-97 for the most recent beach nourishment at Surfside performed by the U.S. Army Corps of Engineers completed in July 1997.

The revetment and widened beach protect the northern end of Surfside Colony from wave uprush. The subject site, A-99 Surfside, is protected by this existing revetment and widened beach (Exhibit 1, Page 2). South of the subject site (i.e. units A-1 through A-91) are not protected by the existing revetment, thus, the wide sandy beach provides the only protection for these central and southern areas of Surfside Colony.

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Though beach erosion occurs at Surfside Colony, the existing revetment and the continuing federal sand replenishment program maintains a beach that is very wide (i.e. at least 750 feet) at the proposed project site. Consequently, the site is already protected from wave damage from the reflection of waves off the Anaheim Bay jetty to the north of the site. Therefore, the Commission finds that a future shoreline protective device special condition is not required for the development approved by permit number 5-99-386.

Even though the site is protected by a revetment and a wide sandy beach, this does not preclude wave uprush damage and flooding from occurring at Surfside during extraordinary circumstances. Strong storm events like those that occurred in 1994 and 1997 can cause large waves to flood Surfside. However, the Foundation Soils Report prepared by Geo-Etka, Inc. did not identify wave uprush or flooding as a potential development concern at the subject site.

The proposed project has decks and a patio area which encroach ten feet seaward beyond the subject site's seaward property line onto a ten foot wide strip of land owned by Surfside Colony, Ltd. (which serves as the homeowners' association). Surfside Colony leases its property to the applicant and adjacent homeowners for construction of patios. The proposed development is consistent with existing development in Surfside Colony. However, while the proposed project will not be located any further seaward than other residences in the area, the subject site is still subject to significant wave hazards, as described previously. Therefore, the Commission finds it necessary to require the recordation of an assumption-of-risk deed restriction and lease restriction by the applicant and Surfside Colony, Ltd. (Special Condition No. 1). With this standard waiver of liability condition, the applicant and Surfside Colony, Ltd. are notified that the lot and improvements are located in an area that is potentially subject to flooding and wave uprush hazards that could damage the applicant's property. The applicant and Surfside Colony, Ltd. are also notified that the Commission is not liable for such damage as a result of approving the permit for development. In addition, the condition insures that future owners and lessors of the property will be informed of the risks and the Commission's immunity of liability.

The assumption-of-risk condition is consistent with prior Commission actions for homes in Surfside since the 1982-83 El Nino storms. For example, the Executive Director issued Administrative Permits 5-97-380, 5-98-098, and more recently Coastal Development Permits 5-98-412 (Cox) and 5-99-356A1 (Mattingly) with assumption-of-risk deed restrictions for improvements to existing homes. In addition, the Commission has consistently imposed assumption-of-risk deed restrictions on construction of new homes throughout Surfside, whether on vacant lots or in conjunction with the demolition and replacement of an existing home (Exhibit 4).

Therefore, the Commission finds that extraordinary hazards exist from wave up-rush and flooding at the subject site and requires, per Special Condition No. 1, that assumption-of-risk deed and lease restrictions be recorded by the applicant and Surfside Colony, Ltd. for the development that is approved by this permit on the applicant's and Surfside Colony, Ltd.'s property.

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***Foundation Design***

The proposed project requires construction of a foundation system. The proposed structure will be supported by new concrete caissons or piles tied together with grade beams. The approximate pile depth is expected to be 20 feet. A Preliminary Foundation Soils Exploration prepared by Geo-Etka, Inc. (Job No. F-8942-99) dated July 29, 1999 was submitted by the applicant. The report indicates that the site is suitable for the proposed development. The Preliminary Foundation Soils Exploration includes certain recommendations to increase the degree of stability of the proposed development. The recommendations included in the Soils Exploration address foundation design, earth pressure, seismic conditions, demolition and tree removal, and grading.

In order to assure that risks are minimized, the geotechnical consultant's recommendations must be incorporated into the design of the project. As a condition of approval (Special Condition No. 3), the applicant shall submit grading and foundation plans signed by the geotechnical consultant indicating that the recommendations contained in the Preliminary Foundation Soils Exploration have been incorporated into the design of the proposed project.

As conditioned by both Special Conditions No. 1 and No. 3, the Commission finds that the proposed project is consistent with Section 30253 of the Coastal Act which requires that geologic and flood hazards be minimized, and that stability and structural integrity be assured.

**C. PUBLIC ACCESS**

Section 30212 of the Coastal Act states, in relevant part:

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

*(2) adequate access exists nearby...*

The subject site is a beachfront lot located between the nearest public roadway and the shoreline in the private community of Surfside (Exhibit 2). A pre-Coastal (1966) boundary agreement between Surfside Colony and the California State Lands Commission fixes the boundary between state tide and submerged lands and private uplands in Surfside (Exhibit 3). As a result of this boundary agreement, Surfside Colony, Ltd. owns a strip of the beach, up to 80-feet in width, adjacent to the homes fronting the ocean. The beach seaward of this area is available for lateral public access.

The proposed project has decks and a patio area which encroach ten feet seaward beyond the subject site's seaward property line onto a ten foot wide strip of land owned by Surfside Colony, Ltd. (which serves as the homeowners' association). Surfside Colony leases its property to the adjacent homeowners for construction of patios. Enclosed living area is not allowed to encroach past the individual homeowner's seaward property line onto Surfside Colony land. The applicant has obtained a lease from Surfside Colony, Ltd. for the proposed encroachment (Exhibit 5).

In past permits, the Commission has consistently allowed the seaward property line of individually owned beachfront lots in Surfside to serve as the enclosed living area stringline. The Commission has also consistently allowed the seaward edge of the ten-foot wide strip of

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5-99-386-A1

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land owned by Surfside Colony, Ltd. to serve as the deck stringline. These stringlines serve to limit encroachment of development onto the beach. The proposed development would conform to these stringlines.

The proposed project would not result in direct adverse impacts, either individually or cumulatively, on vertical or lateral public access. In addition to the beach seaward of the fixed boundary between State and private lands, public access, public recreation opportunities and public parking exist nearby in Sunset Beach, an unincorporated area of Orange County at the southeastern end of Surfside. In addition, the proposed project provides parking consistent with the standard of two parking spaces per residential dwelling unit, which the Commission has regularly used for development in Surfside.

To guarantee that the future development of the property can be evaluated for consistency with Section 30212 of the Coastal Act, the Commission finds it necessary that the applicant and landowner, prior to issuance of this permit, record a future improvement deed and lease restriction per Special Condition No. 2.

Therefore, as conditioned, the Commission finds that the proposed development would not result in significant adverse impacts on public access nor public recreation. Thus, the Commission finds that the proposed development, as conditioned, would be consistent with Section 30212 of the Coastal Act.

**D. HEIGHT AND VIEWS**

Section 30251 of the Coastal Act states, in relevant part:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...*

The proposed development will be 35 feet high with a 4 foot high covered stairwell (Exhibit 2). The City of Seal Beach approved the proposed development in concept. The Commission typically has limited residential development in Surfside, except for chimneys and roof access staircase enclosures, to a 35-foot height limit. This is to minimize the visual effect of a large wall of buildings along the beach that results when homes are constructed to maximize use of the City established building envelope. The approved project would be consistent with the 35-foot height limit and with heights of other homes in Surfside.

A fence surrounding Surfside Colony, as well as several rows of existing homes, currently block public views from Pacific Coast Highway (State Route 1), the first public road paralleling the beach. The subject site is not visible from the highway. Thus, the approved development on the subject site would not further degrade views from Pacific Coast Highway. In addition, since the approved development will not encroach seaward past existing homes in Surfside Colony, no existing public views along the shoreline would be blocked by the approved development. Therefore, the approved development is consistent with Section 30251 of the Coastal Act.

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**E. LOCAL COASTAL PROGRAM**

Section 30604 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program, which conforms with the Chapter 3 policies of the Coastal Act.

On July 28, 1983, the Commission denied the City of Seal Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications. The City did not act on the suggested modifications within six months from the date of Commission action. Therefore, pursuant to Section 13537(b) of the California Code of Regulations, the Commission's certification of the land use plan with suggested modifications expired. The LUP has not been resubmitted for certification since that time.

The proposed development, as conditioned, is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Commission finds that the proposed development as conditioned would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter Three policies of the Coastal Act.

**F. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

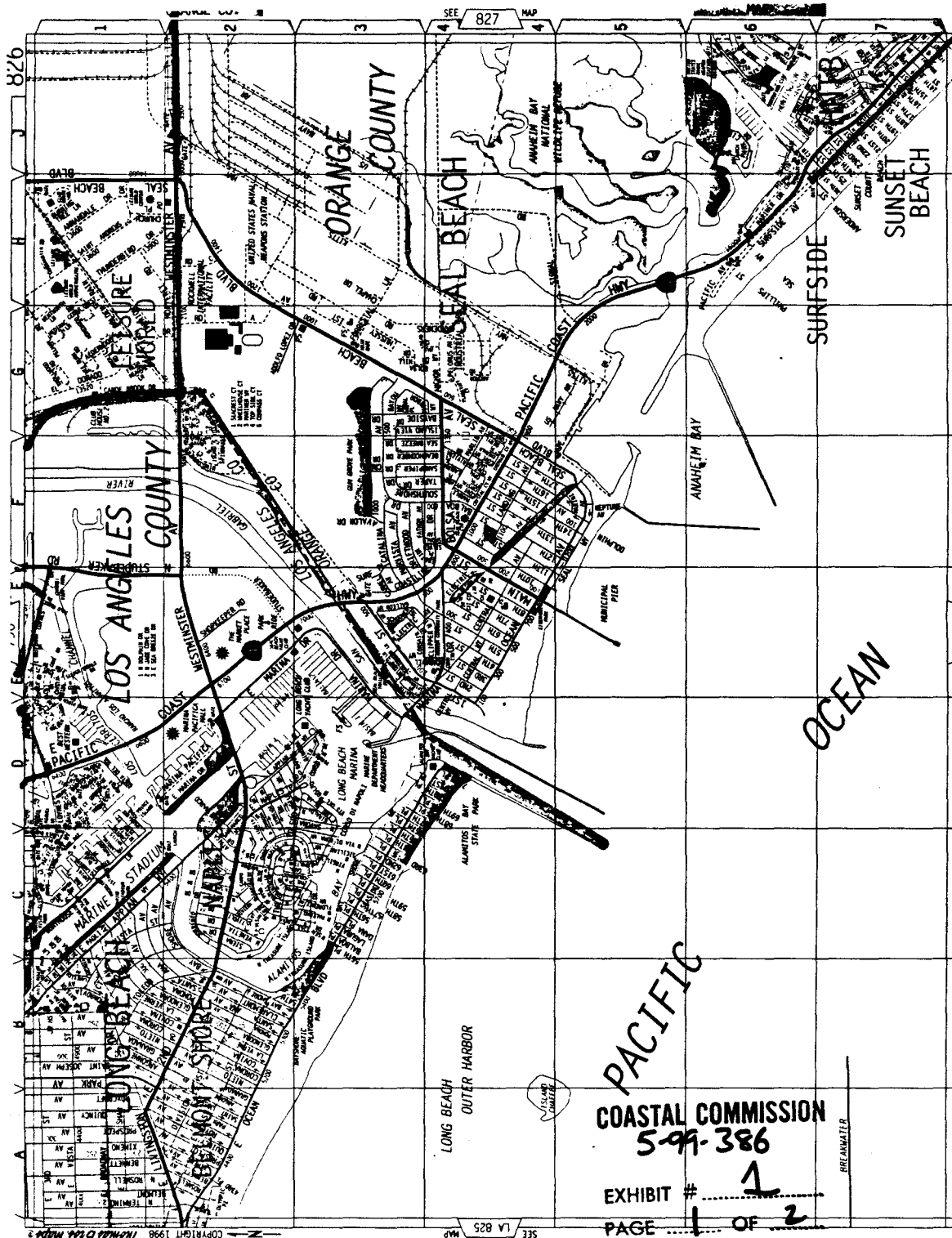
Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental 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 which the activity may have on the environment.

The proposed project is located in an urban area. All infrastructures necessary to serve the site exist in the area. As conditioned, the proposed project has been found consistent with the hazard, public access and scenic view policies of Chapter Three of the Coastal Act. Mitigation measures requiring assumption-of-risk and future improvement deed/lease restrictions and conformance with geotechnical recommendations will minimize any significant adverse effects that the activity may have on the environment.

As conditioned, no feasible alternatives or feasible mitigation measures are known, beyond those required, which would substantially lessen any identified significant effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned is consistent with CEQA and the policies of the Coastal Act.

5-99-386 (Straight) stf rpt

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5-99-386-1  
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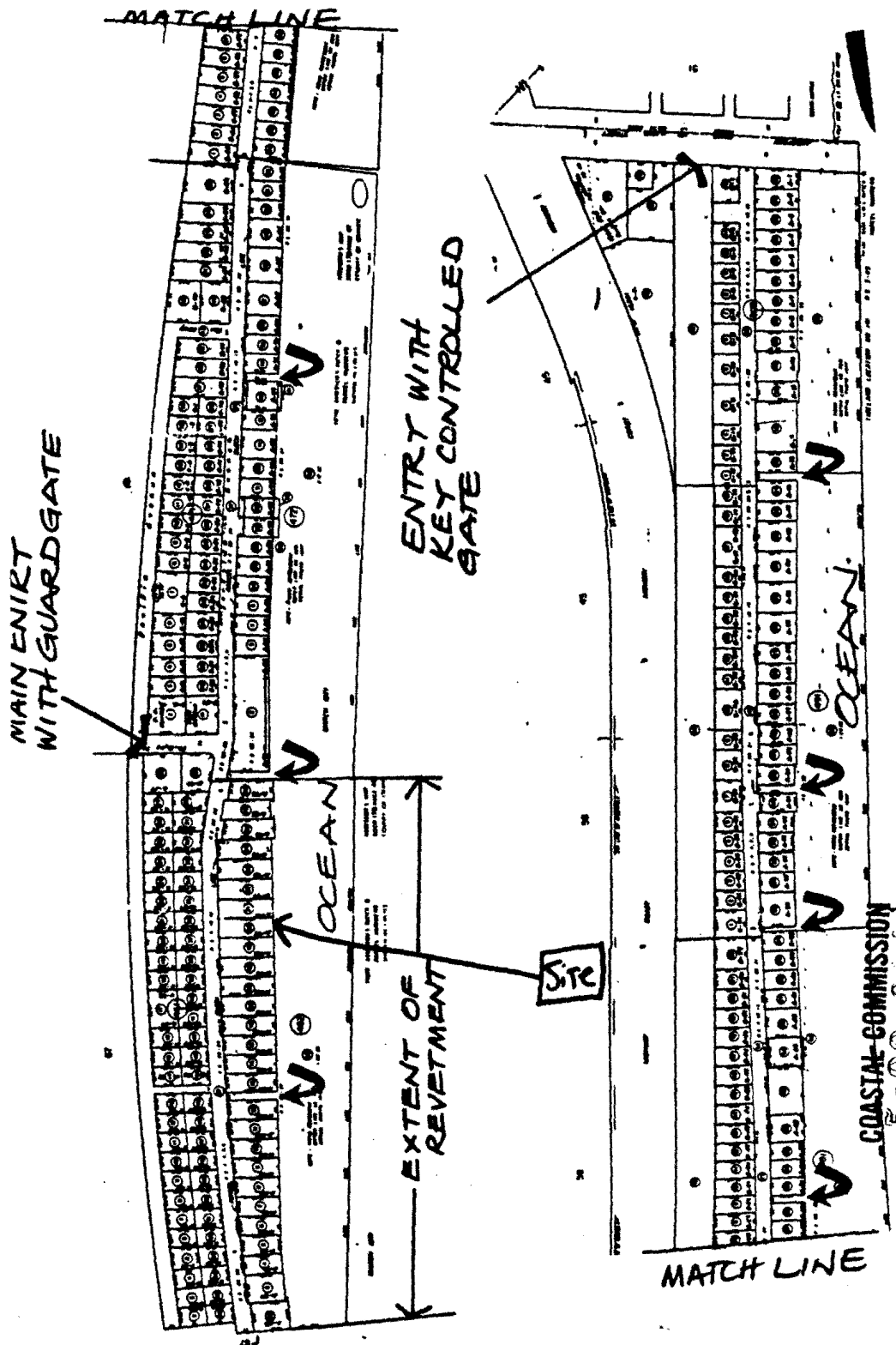


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5-99-386-A

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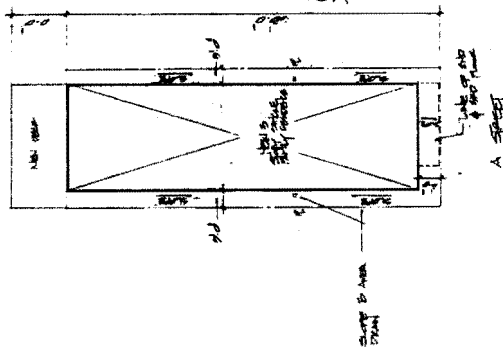
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SEE PLAN 10-3

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EXHIBIT # 2

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5-99-386-A1

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RESIDENCE

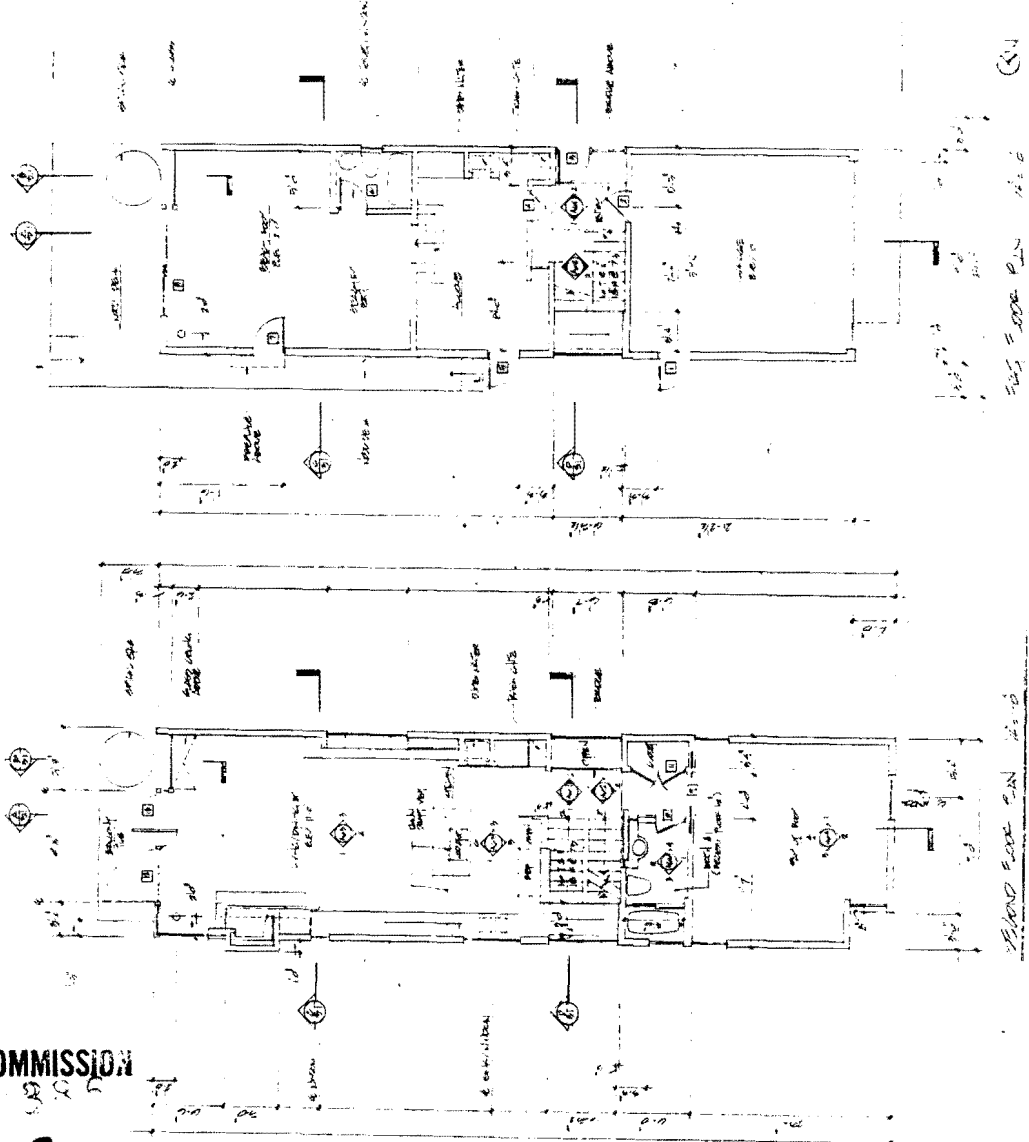
1014 STREET  
STANFORD, CA 94305  
JAMES R. HALLAN  
ARCHITECT  
4401 WILSON  
SAN FRANCISCO, CA 94114

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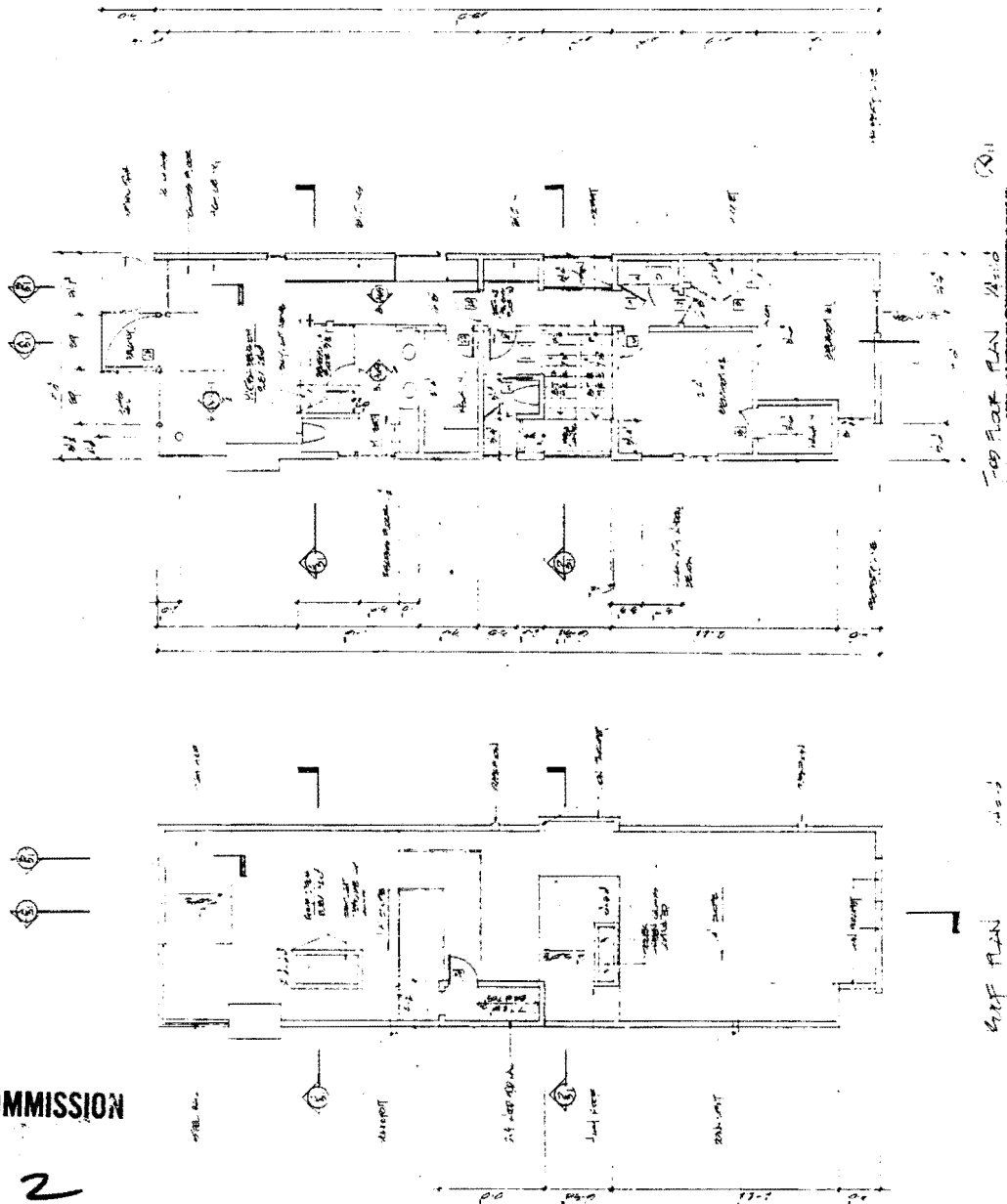
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ARCHITECT  
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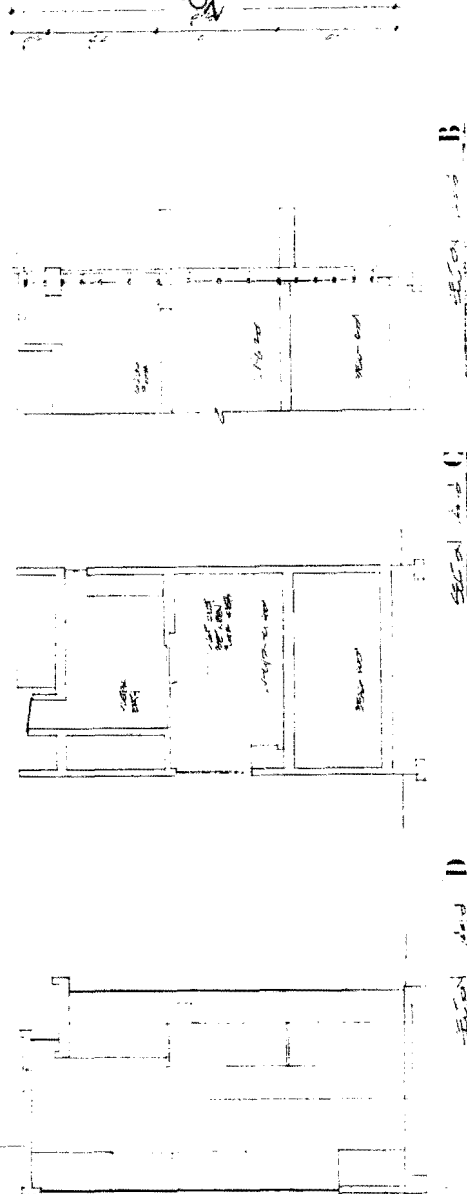
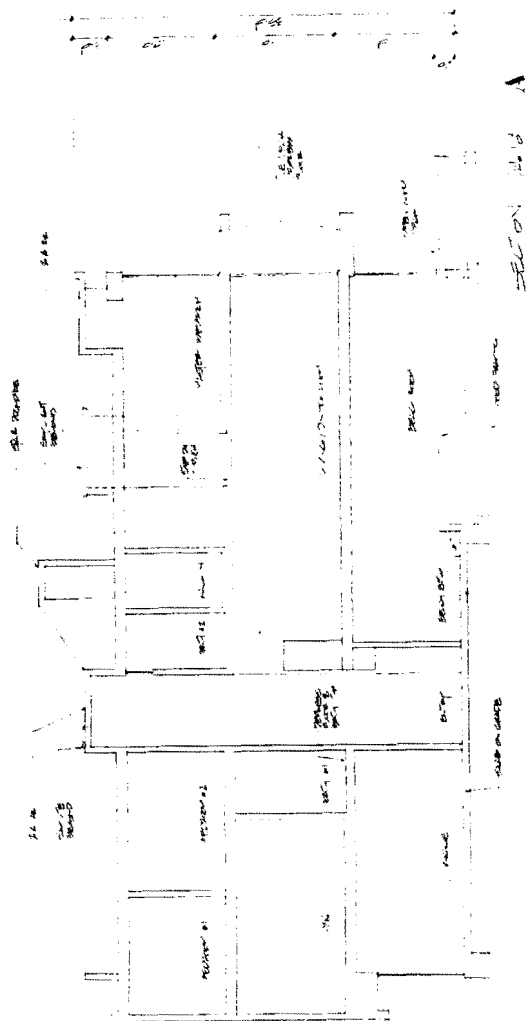
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RESIDENCE

104 STREET  
SUNSHINE, CA 90101  
ST. ANTONIO

JAMES B. HANLEY  
ARCHITECT  
1111 HANLEY

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NOV 29 1999  
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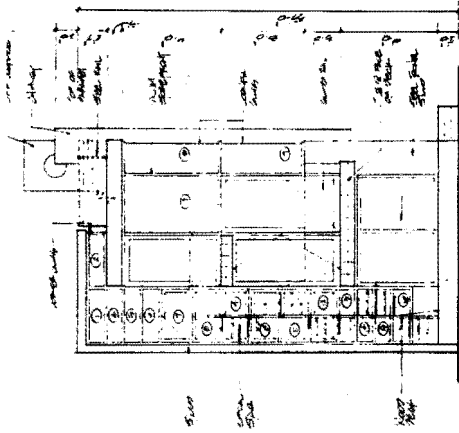
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5-99-386-A1

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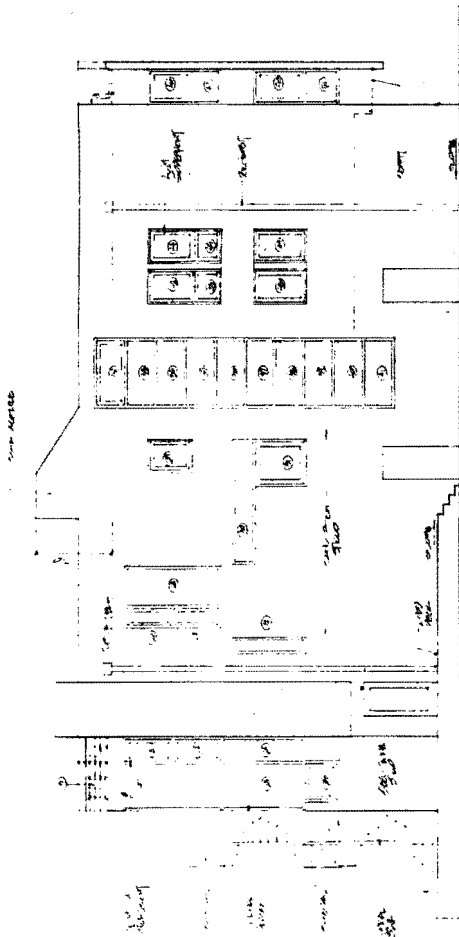
STRAIGHT  
RESOURCES

11 A STREET  
SAN DIEGO, CA 92101  
TEL: 619-444-8888

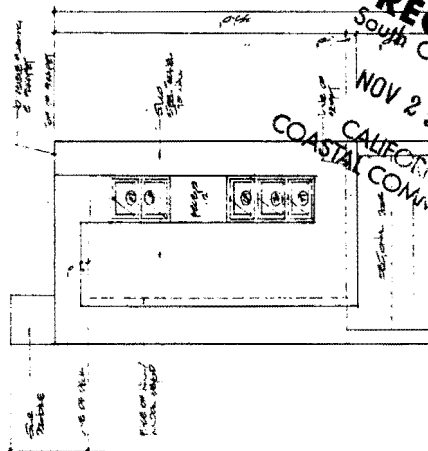
JAMES R. HANLAN  
ARCHITECT  
115-386-9794



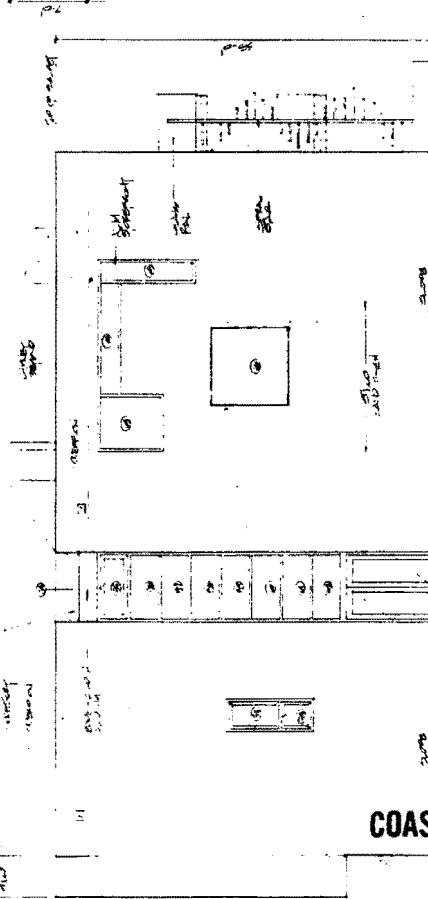
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WEST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

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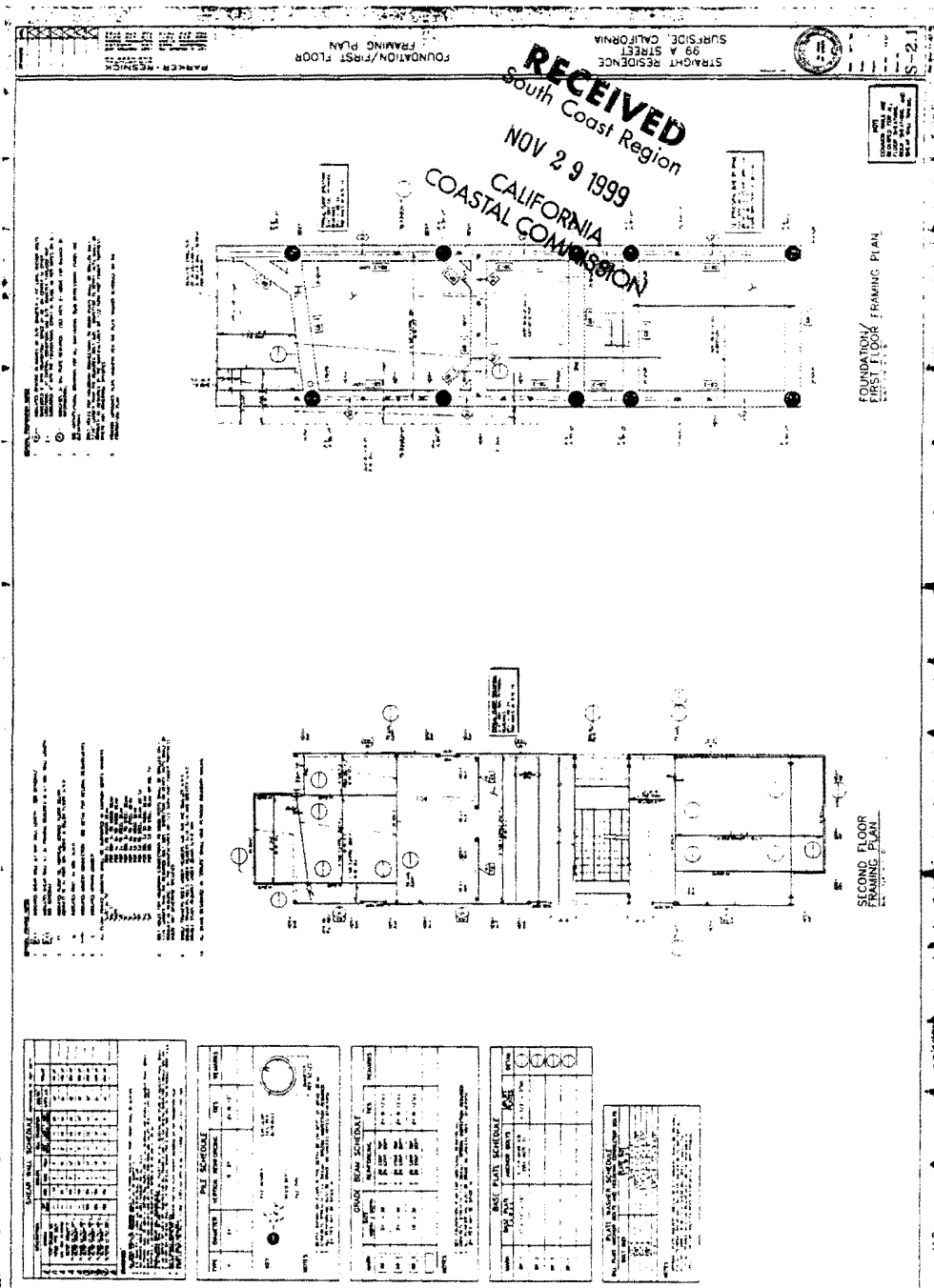
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## STATE LANDS DIVISION

1807 13TH STREET  
SACRAMENTO, CALIFORNIA 95814  
(916) 445-3271



*Mike D  
Dove*

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November 3, 1975

South Coast Regional Commission

File Ref.: YC-75

South Coast Regional  
Conservation Commission  
P. O. Box 1450  
Long Beach, CA 90801

Attention: Mr. David Gould

Dear Mr. Gould

In reply to your phone request for State boundary line data along the Pacific Ocean at Surfside, Orange County, I refer you to a Record of Survey filed August 23, 1966, in Book 86 R.S., pages 35, 36 and 37, Orange County Recorder's Office.

A copy of the State Lands Commission Minute Item #33, meeting of April 28, 1966, is enclosed for your information.

Sincerely,

*Donald J. Brittnacher*

DONALD J. BRITTNACHER  
Senior Boundary  
Determination Officer

DJB:ls

Enclosure

EXHIBIT No. 3
Application Number: 5-99-386
California Coastal Commission

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5-99-386-A1

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MINUTE ITEM

4/28/66

33. APPROVAL OF BOUNDARY AGREEMENT BETWEEN STATE OF CALIFORNIA AND SURFSIDE COLONY, LTD., A CALIFORNIA CORPORATION, ALONG THE ORDINARY HIGH WATER MARK OF THE PACIFIC OCEAN, VICINITY OF SURFSIDE, ORANGE COUNTY - W.O. 5850, B.L.A. 74.

After consideration of Calendar Item 11 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE AN AGREEMENT WITH THE SURFSIDE COLONY, LTD., FIXING THE ORDINARY HIGH WATER MARK AS THE PERMANENT BOUNDARY ALONG THE PACIFIC OCEAN BETWEEN STATE TIDE AND SUBMERGED LANDS AND PRIVATE UPLANDS, SAID BOUNDARY LINE BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 1 IN BLOCK A, AS SHOWN ON "RECORD OF SURVEY SURFSIDE COLONY", FILED IN BOOK 4, PAGE 19 OF RECORD OF SURVEYS, COUNTY OF ORANGE, SAID BLOCK A BEING IN FRACTIONAL SECTION 24, TOWNSHIP 5 SOUTH, RANGE 12 WEST, S.B.M.; THENCE S. 49° 26' 59" W. 77.55 FEET TO A POINT ON THE MEAN HIGH TIDE LINE OF 1937, WHICH POINT IS THE TRUE POINT OF BEGINNING OF THIS BOUNDARY LINE AND WHICH IS ALSO SHOWN ON "MAP OF EXISTING HIGH TIDE LINE SURVEYS OF THE PACIFIC OCEAN" PREPARED FOR SURFSIDE COLONY, LTD., BY PETERSEN & HENSTRIDGE, LAND SURVEYORS, IN MARCH 1966; THENCE FROM SAID TRUE POINT OF BEGINNING ALONG THE FOLLOWING COURSES: N. 43° 45' 11" W. 1069.03 FEET, N. 48° 53' 37" W. 1004.50 FEET, N. 49° 52' 36" W. 957.14 FEET AND N. 56° 15' 04" W. 6.74 FEET TO THE END OF THIS BOUNDARY LINE, WHICH ENDING POINT BEARS S. 00° 02' 00" E. 358.85 FEET AND S. 56° 15' 04" E. 20.32 FEET FROM THE QUARTER CORNER BETWEEN SECTIONS 13 AND 24, T. 5 S., R. 12 W., S.B.M.

Attachment  
Calendar Item 11 (1 page)

COASTAL COMMISSION

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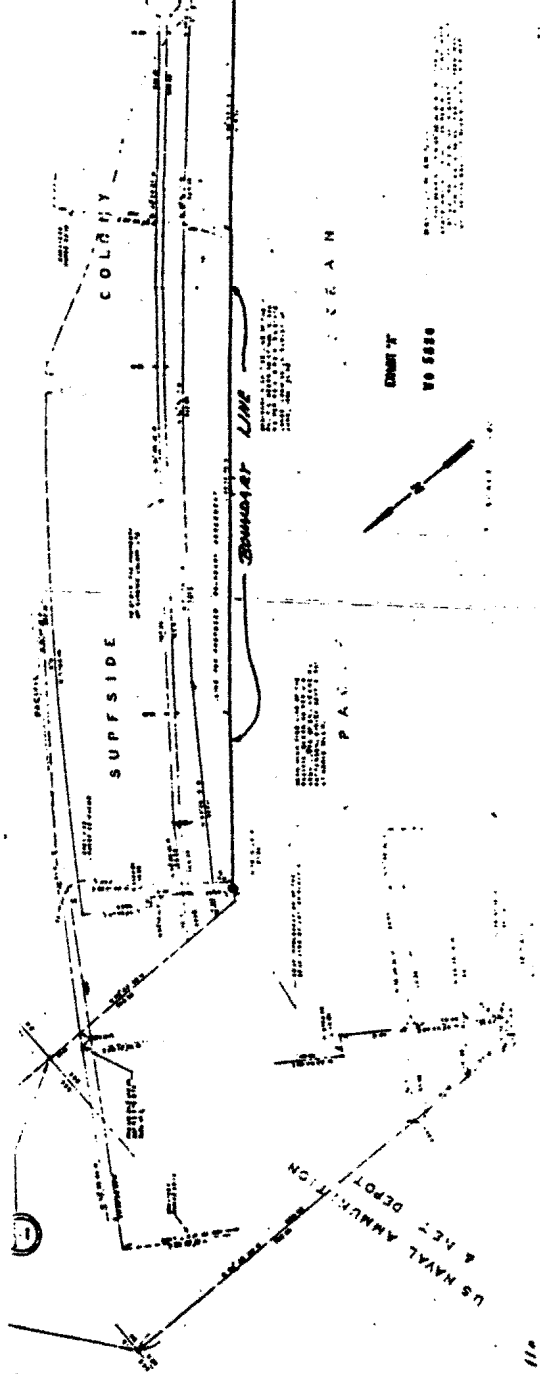
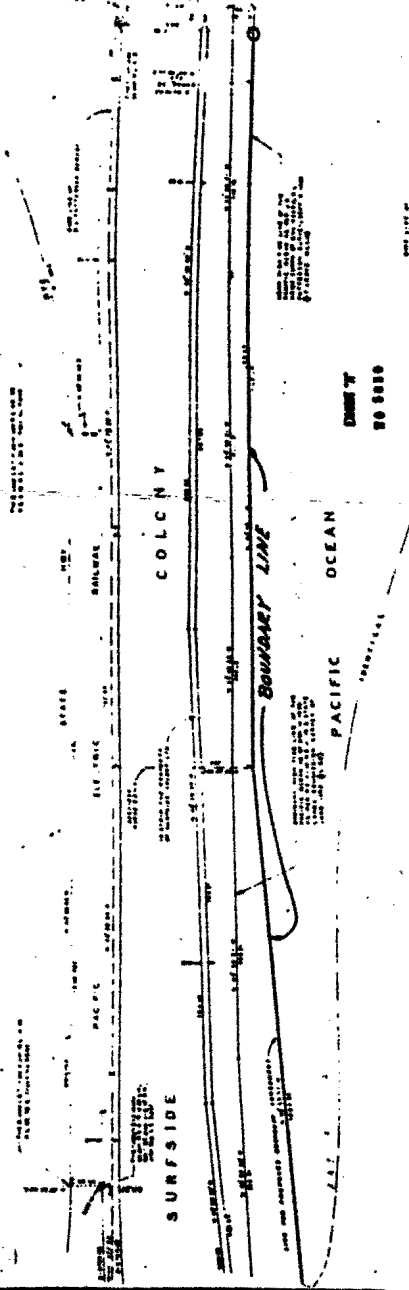
COASTAL COMMISSION  
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# SURFSIDE COLONY LTD.

MAP OF EXISTING HIGH TIDE LINE SURVEYS OF THE PACIFIC OCEAN  
IN THE UNINCORPORATED TERRITORY OF ORANGE COUNTY, PART OF  
FRACTIONAL SECTION 24, TOWNSHIP 3 SOUTH, RANGE 12 WEST, 3 S.W.

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U.S. COAST AND GEODETIC SURVEY  
WASHINGTON, D.C.



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**Surfside Permits with Assumption-of-Risk Deed Restrictions  
As of January 27, 2000**

Site	Permit #	Project Description	Exceeds Height*
A-2	5-92-450	New SFD on vacant lot	Yes
A-6	5-86-676	Addition to existing SFD	Yes
A-20	5-90-860	Demo. SFD, Construct new SFD	Yes
A-21	5-87-813	Addition to existing SFD	
A-24	5-87-045	Demo. SFD, Construct new SFD	Yes
A-26	5-87-115	Construct new SFD	Yes
A-36	5-92-165	Demo. SFD, Construct new SFD	
A-44	5-88-152	Demo. SFD, Construct new SFD	
A-45	5-99-356-A1	Addition to existing SFD	Yes
A-47	5-98-412	New SFD on vacant lot	No
A-62	5-87-436	New SFD on vacant lot	Yes
A-62	5-84-068	New SFD on vacant lot	Yes
A-64	5-85-441	Demo. SFD, Construct new SFD	No
A-71	5-82-714	Demo. SFD, Construct new SFD	
A-86	5-85-474	New SFD on vacant lot	Yes
A-87	5-85-474	New SFD on vacant lot	Yes
A-88	5-85-474	New SFD on vacant lot	Yes
A-98	5-98-098	New SFD on vacant lot	Yes
A-100	5-84-790	Demo. SFD, Construct new SFD	Yes

\* Where it is known that the plans on file indicate that a chimney or covered roof access structure exceeds the 35 foot height limit.

SFD = Single-Family Dwelling



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**5-99-386-A1**

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# Surfside Colony, Ltd.

P.O. BOX 235 • SURFSIDE, CALIFORNIA 90743  
OFFICE (562) 592-2352 • FAX (562) 592-2687

E-Mail: surfside90743@aol.com



November 19, 1999

STATE OF CALIFORNIA  
COASTAL COMMISSION

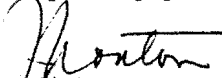
To whom it may concern:

Subject: STRAIGHT RESIDENCE/SURFSIDE COLONY

Please be advised that the Board of Directors and the Architectural Committee of Surfside Colony, Ltd. have reviewed and approved the plans for construction of a new home, with a 10-foot oceanside deck, at A-99 Surfside Colony.

Please do not hesitate to let us know if there is any additional information you may require.

Very truly yours,

  
Judith Norton  
Administrative Manager

cc: Board of Directors  
Architectural Committee

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South Coast Region

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