

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
1000 SOUTH CALIFORNIA ST., SUITE 200
LOS ANGELES, CA 90001
(805) 585-1800

Filed: 02/16/02
49th Day: 04/06/02
180th Day: 08/15/02
Staff: AAV
Staff Report: 04/18/02
Hearing Date: 05/07-10/02
Commission Action:



Tu14h

RECORD PACKET COPY

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-02-015

APPLICANT: Los Angeles County, Department of Beaches and Harbors

PROJECT LOCATION: Topanga, Las Tunas, Malibu, Dan Blocker, Zuma and
Nicholas Canyon Beaches, Malibu, Los Angeles County

PROJECT DESCRIPTION: Lifeguard tower replacement project of 28 Los Angeles County lifeguard towers measuring approximately 12'-9" high, 12' wide by 11'-9" deep, with new towers measuring 13' high, 12'-6" wide by 13' deep. The towers will be assembled at an existing maintenance yard at Zuma Beach.

LOCAL APPROVALS RECEIVED: Approval in Concept, County of Los Angeles, 01/16/02.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with **Two Special Conditions** regarding 1) agreement that any change to the submitted project shall be reviewed by the Executive Director to determine if an amendment would be necessary and 2) construction responsibility and debris removal. As conditioned, the proposed project is consistent with all applicable policies of the Coastal Act.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-02-015 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit 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 TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act 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. Approval of the permit 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 development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

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 on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **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

1. Construction Responsibilities and Debris Removal

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

A) Any and all debris resulting from construction activities shall be removed from the site within 10 days of completion of construction;

B) PRIOR TO ISSUANCE OF A COASTAL DEVELOPMENT PERMIT, the applicant shall identify in writing, for the review and approval of the Executive Director, the location of the disposal site of the demolition and construction debris resulting from the proposed project. Disposal shall occur at the approved disposal site. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

2. Agreement For Any Future Changes

With the acceptance of this permit the applicant agrees that any change in construction scheduling, location or size of the assembly sites, modifications to the towers, or change in the size or location of the signage, from the submitted information, will require Executive Director review to determine if an amendment to the permit or a new permit will be required.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The Los Angeles County Department of Beaches and Harbors is proposing to replace 28 Los Angeles County lifeguard towers measuring approximately 12'-9" high, 12' wide by 11'-9" deep, with new towers measuring 13' high, 12'-6" wide by 13' deep (162.5 square foot footprint with 52 square foot cabins). The 28 towers to be replaced are located at seven County of Los Angeles owned or operated beaches. The beaches include: Topanga Beach, Las Tunas Beach, Malibu Beach, Dan Blocker Beach, Zuma Beach and Nicholas Canyon Beach, in Los Angeles County.

The proposed towers will be manufactured offsite and will be assembled at an existing maintenance yard at Zuma Beach and towed to their ultimate locations. For more remote beaches which entail placement of only one or two towers, such Topanga Beach, Las Tunas

Beach and Nicholas Canyon Beach, the proposed structures will be partially assembled into two or three major components at the Zuma Beach maintenance yard, which will then be trucked to the beach for final assembly. The existing and proposed towers are built on skids, which allows the County to relocate the towers as needed. Depending on time of year, location of crowds, or seasonal profile of the beach, County lifeguards will relocate towers by towing the structures along the beach to the desired locations. According to the County, assembly activity for all proposed towers will occur sequentially over a two to three year period.

As with the existing towers, the new towers will provide public safety signs on each tower on the back of the cabins. The public safety signs provide information relative to water and air temperature, wave conditions, and other public information. The new towers will all have the same 60" by 60" public safety signs with a 28" by 54" advertisement placard (see Exhibit no. 3 for existing sign).

The existing towers have been in operation since the 1940's and 1950's. The County states that replacement of the towers is necessary to replace substandard materials, deterioration of the existing towers, and to provide a suitable venue for public safety. The improved design will increase lifeguard visibility and require reduced maintenance.

The County either owns each of the seven beaches proposed for tower replacement or operates the beaches through agreements with the State or local governments. The County has also submitted a separate permit application to the Coastal Commission's South Coast District office for similar tower replacements south of Santa Monica (130 towers) with four assembly sites located at Will Rogers State Beach, Santa Monica State Beach, Dockweiler State Beach, and Redondo Beach. As previously mentioned, in the case of the subject permit application, the proposed project involves only one assembly site at an existing maintenance yard at Zuma Beach. As such, assembly operations for the proposed towers will not displace any public open space area on the beach. The proposed lifeguard towers are a necessary ancillary structure that directly supports public recreation and provides public safety along the beaches. Placement and use of the towers serve to support public access and will not affect public access opportunities during assembly activities. Therefore, the proposed project is consistent with the public access and recreation policies of the Coastal Act.

B. Visual Resources

Section 30251 of the Coastal Act states in part 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 landforms, to be visually compatible with the character surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

For the proposed structures to be consistent with the visual resource protection policies of the Coastal Act, the Commission must find that the structures, individually and cumulatively, are sited and designed to protect public views to and along the coast, are visually compatible with their surrounding environment, and, where feasible, restore or enhance those areas that are visually degraded.

In the Los Angeles County area the coastline is a visual resource of great variety. Public views include wide flat sandy beaches, rocky beaches, coastal bluffs, the Santa Monica Mountains, and the ocean and its horizon. Along some beaches, views from the first public road are unobstructed, whereas in other areas, views from the first public road are intermittent or obstructed by intense development. Views are also available from public vistas, such as bluff tops, recreational areas including parks and pedestrian paths, and from the sandy beach.

Coastal Act Section 30251 mandates that new development should be visually compatible with its setting and should be sited to protect coastal views. Placement of additional structures on the beach could individually and cumulatively contribute to the visual clutter of the beach, thereby degrading the scenic quality of the beach and adversely impacting coastal views.

All beaches proposed for placement of the towers currently have towers. The towers will be replaced one for one and will be similar in size and shape. The proposed beach sites are generally wide flat sandy beaches and are developed with restrooms, concession stands, bike paths, pedestrian walkways, maintenance buildings/yards, and lifeguard towers. Although structures on the beach could detract from the visual quality of beach vistas, the towers have been an integral part of southern California beaches since the 1940's and 50's, and the new towers will be similar in size and shape as the existing towers. Furthermore, the towers are spread-out across the beaches, which helps maintain wide open stretches of unobstructed beach area.

Because Southern California beaches are the most visited beaches in California, attracting more than 30 million beach visitors per year, the lifeguard towers are a necessary ancillary structure that directly supports public recreation and provides public safety along the beaches. Since the towers have been part of southern California's beaches for many years, and do not presently result in significant obstruction of coastal scenic views or visually degrade beach areas, replacement towers that are similar in size and appearance will be visually compatible with the surrounding areas and will not individually or cumulatively degrade coastal views.

The proposed project also includes informative public safety sign boards that will provide the public with information relative to beach safety and ocean and weather conditions. Information submitted by the County indicates that the sign boards will measure approximately 60" by 60" and will include a 28" by 54" area for advertisement, consistent with the County's current sponsorship program for the existing towers. The new sign boards will be located on the back of each tower's cabin. The County indicates that the advertising revenue goes toward the cost of the County's inner-city youth aquatic education program, W.A.T.E.R.

The advertising has been part of the lifeguard towers since 1985, when the County began their sponsorship program. According to the County, the County is not proposing any additional advertising or enlargement of the advertising placards that are currently on the existing towers. The advertising signage will be integrated into each tower's safety board and the safety board will not extend out beyond the outline of the tower cabin. As such, the signage will not result in structural additions or projections beyond the outline of the proposed tower structure and, therefore, will not block coastal views. The existing advertising placards are a minor component of the tower structure design which do not interfere with coastal views, or present a visually degrading element to the beach area.

The Commission finds that the proposed towers are necessary ancillary structures and because of their history of use along southern California beaches, replacement of the existing structures, including the safety and advertisement sign boards, with new structures similar in size and location will be consistent with the character of the surrounding area and will not detract from the visual quality of the beaches and the public's overall beach experience. However, the Commission finds that any significant enlargement or change in design of the proposed towers and sign boards may potentially interfere with coastal views and may be inconsistent with the character of the beach areas. As such, the Commission finds that to ensure that any change to the design of the towers and size or location of the signage as submitted by the County will not have adverse impacts on coastal views, **Special Condition 2** is imposed to place the County on notice that any changes to the project will require Executive Director review to determine if an amendment or new permit is required. Therefore, Commission finds that, as conditioned, the project is consistent with Section 30251 of the Coastal Act.

C. Control of Polluted Runoff

Section 30231 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.

The proposed assembly sites will be located within an existing paved maintenance yard near the sandy beach. On-site assembly will include minor drilling to connect the pre-manufactured parts and touch-up painting using brush and rollers. During assembly the County will provide tarped areas to prevent paint spills onto the paved area and will clean any and all debris from the assembly activity. The existing towers will be disassembled at the assembly sites and disposed of concurrently with the construction of the new towers.

To ensure that all construction debris is adequately disposed of properly so as not to result in polluted run-off from the assembly site thereby adversely impacting coastal water quality, **Special Condition 1** requires the removal and proper disposal of all construction debris. As conditioned to ensure that the proposed project will not result in adverse impacts to water quality, the Commission finds that the proposed development is consistent with Section 30231 of the Coastal Act.

D. Local Coastal Program

Section 30604 of the Coastal Act states:

A) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the Commission on appeal,

finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

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

The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed project will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program for the Santa Monica Mountains area, which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. California Environmental Quality Act

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

The Commission finds that, the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.



Zuma Beach

OCEAN

PACIFIC

Exhibit 1
4-02-015
Assembly Site Location

Zuma Beach Lifeguard Tower Project Site



Exhibit 2
4-02-015
Zuma Beach Assembly Site



Exhibit 3
4-02-015
Existing Signage

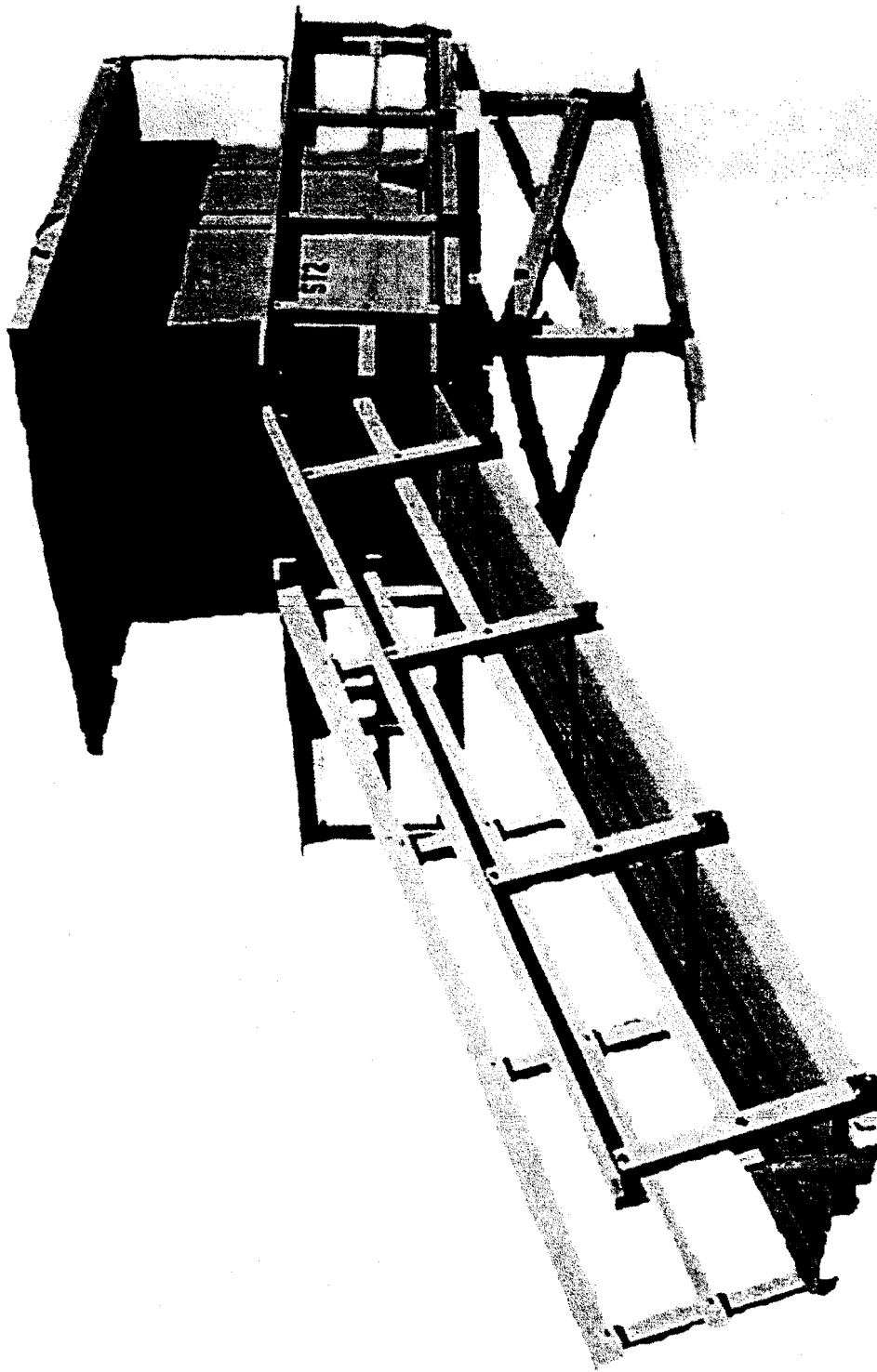


Exhibit 4
4-02-015
Proposed Tower Design