

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Beach, CA 90802-4302
590-5071

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Filed: 1/17/02
49th Day: 3/7/02
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Staff: AJP-LB *SP*
Staff Report: 4/8/02
Hearing Date: 5/7-10/02
Commission Action:

STAFF REPORT: REGULAR CALENDAR**APPLICATION NUMBER:** 5-02-009**APPLICANT:** Los Angeles County Department of Beaches and Harbors

PROJECT LOCATION: County of Los Angeles owned or operated beaches including Will Rogers State Beach, Santa Monica State Beach, Venice beach, Dockweiler State Beach, Manhattan Beach, Redondo Beach, and Torrance beach, within Los Angeles County.

PROJECT DESCRIPTION: Replace 130 Los Angeles County lifeguard towers measuring approximately 12'-9" high by 12' wide by 11'-9" deep, with new towers measuring 13' high by 12'-6" wide by 13' deep. The towers will be assembled at four fenced beach sites varying in area between 1,200 square feet to 7,200 square feet.

LOCAL APPROVALS RECEIVED: Letters of approval from the City of Santa Monica and City of Los Angeles

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission approve the proposed project with special conditions limiting the operation of two of the assembly sites to the non-summer period and requiring any change to the submitted project shall be reviewed by the Executive Director to determine if an amendment would be necessary, and a condition regarding debris responsibility. As conditioned, the project can be found consistent with the policies of the Coastal Act.

STAFF RECOMMENDATION:**I. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR 5-02-009**

Staff recommends that the Commission make the following motion and adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 5-02-009 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 permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California 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 alternative 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 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. 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. Timing of Construction Activities

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

Assembly of the towers and use of the sites at Will Rogers State Beach and Santa Monica State Beach shall be limited to the non-summer period, from September 15 to the Thursday before Memorial Day Weekend. All construction material and debris, including fencing, shall be removed from the site prior to the summer period.

2. 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.

3. 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 130 Los Angeles County lifeguard towers measuring approximately 12'-9" high by 12' wide by 11'-9" deep, with new towers measuring 13' high by 12'-6" wide by 13' deep (162.5 square foot footprint with 52 square foot cabins). The towers will be assembled at four fenced beach sites varying in area between 3,600 square feet to 7,200 square feet.

The 130 towers to be replaced are located at seven County of Los Angeles owned or operated beaches. The beaches include: Will Rogers State Beach, Santa Monica State Beach, Venice beach, Dockweiler State Beach, Manhattan Beach, Redondo Beach, and Torrance beach, within Los Angeles County.

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, seasonal profile of beach, the County lifeguards will relocate towers by hooking the towers to a vehicle and towing the tower along the beach to the desired locations.

The new towers will be manufactured off-site, transported to one of the four assembly sites for final assembly. The four assembly sites will be located at four beach sites (see Exhibit No. 4-7), as follows:

- Will Rogers State Beach—near the maintenance yard at the north end of the beach parking lot (lot no. 3).
- Santa Monica State Beach—adjacent to the west side of the Lifeguard Headquarters, located south of the Pier.
- Dockweiler State Beach—on the west (inland) side of the beach maintenance yard.
- Redondo Beach—next to the Knob Hill maintenance facility.

According to the County, assembly activity would 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, such as, 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 lifeguards' 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 Central Coast District office for similar tower replacements for the beaches north of Will Rogers Beach (28 towers), with one assembly site located at Zuma Beach.

B. Public Access

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.

The proposed lifeguard towers are a necessary ancillary structure that directly supports public recreation providing public safety along the beaches. The placement and use of the towers serve to support public access by providing lifeguard facilities along the beaches for public safety. Therefore, the placement and use of the towers is consistent with Section 30210 of the Coastal Act.

However, the proposed project also includes four temporary assembly sites to assemble the towers. Assembly of all towers will last for a period of approximately two to three years. The sites include Will Rogers, Santa Monica, Dockweiler State Beach and Redondo Beach. The assembly site at Santa Monica State Beach and Will Rogers parking lot no. 3 will measure approximately 120 feet by 60 feet. The Dockweiler State Beach site will be approximately 60 feet by 20 feet. The Redondo Beach site will measure approximately 60 feet by 60 feet.

At each site, the County will assemble the pre-manufactured towers and tow the finished towers along the beach to their appropriate locations. The assembly sites include a County beach maintenance yard (Dockweiler State Beach), County beach parking lot (Will Rogers Beach), and two sandy beach locations (Santa Monica and Redondo Beach). The four sites were selected based on accessibility to the various final tower locations.

According to the County, the County selected assembly sites that would have the least amount of impact to public access and would allow access from the assembly sites to the

areas where the towers need to be located. The County considered using existing maintenance yards located at the various beaches, but due to limited space, the assembly sites could not be located within the existing yards. The County also considered assembling the structures off site. However, according to the County, renting vehicles to haul the structures and a crane to off-load the structures would add approximately \$5,000 per structure and, therefore, would significantly add to the cost.

Using the proposed sites, the County states that construction activity could begin within 30 days after Commission approval. If this project is approved by the Commission in May, construction at selected sites would commence in June and last through the summer. The County has indicated that construction at each site will be sequential with possibly two or three sites operating at the same time.

Depending on which assembly sites are operated during the summer, the timing of the sites could adversely impact the public's ability to access the beach. Fencing public sandy beach areas or portions of public beach parking lots will temporarily remove those areas from public use during the construction period of the towers. The use of the assembly sites, could adversely impact beach access if located in high use areas or operated during the summer period.

The Dockweiler State Beach assembly site will be located adjacent to and on the landward side of the existing maintenance yard. The area has been used as a storage site for County beach equipment, and for the existing towers during the winter, and is not used by the public for beach recreation. Public beach use occurs seaward of the maintenance yard. Therefore, the use of the landward side of the maintenance yard during the summer or non-summer period will not adversely impact beach access.

However, as stated, two of the assembly sites will occupy public sandy beach, and one site will occupy a public beach parking lot. The two beach sites are Santa Monica State Beach and Redondo Beach. The proposed beach parking lot (lot no. 3) is located at Will Rogers State Beach.

The Santa Monica site is located immediately south of the Santa Monica Pier adjacent to and west of the Santa Monica Lifeguard headquarters, between the pedestrian Promenade to the east, and the bike path to the west. The beach in this location is approximately 400 feet wide and, due to its location near the Pier and public parking area, is a popular area for beach goers. Although the beach in this area is approximately 400 feet wide and the site is not located near the water, the surrounding area provides beach volleyball courts and the City's exercise and children's playground area, which attract a large number of visitors. Restricting public use of this area during the summer months will limit access to this area of the beach.

During the winter months the beach is not as heavily used, with most visitors going to the Pier rather than using the sandy beach areas. Therefore, during the winter, there is sufficient beach area for the public to use, even if 7,200 square feet is taken up by the

temporary assembly site. However, during the summer period, Santa Monica State Beach is the most heavily used beach in the State and the assembly site, because of its location, could adversely impact beach access. Therefore, it is necessary to condition this permit to limit the use of this site to the non-summer period, from September 15 to the Thursday prior to Memorial Day weekend (last week of May). Special Condition number 1 limits the use of the assembly site to the non-summer period to protect public access.

The other sandy beach site is located in Redondo Beach. The Redondo Beach site will be located south of and adjacent to an existing maintenance building/yard and west of the bike and pedestrian path. Besides the bike path, the other recreational facility in the area are volleyball courts. The beach is approximately 2 miles in length and varies from approximately 250 to 325 feet wide. The width of the beach where the assembly site is to be located is approximately 250 feet wide. Access to the beach area where the proposed assembly site is located is via a pedestrian walk down the bluff or via the bike path. Street parking is available along the top of the bluff. The nearest public parking lot is located approximately a half mile to the north. The Redondo Beach Pier is located approximately three-quarters of a mile to the north. Because of the distance from large public parking lots and other major recreational facilities, such as the pier or parks, the beach area surrounding the proposed assembly site is not heavily used. Furthermore, the site is approximately 200 feet from the tide line, providing sufficient area between the site and the water's edge for recreational use. Therefore, the temporary use of the site for assembly of the towers will not have a significant adverse impact on beach access or recreation during the winter or summer.

The Will Rogers proposed assembly site will be located at the west end of Lot no. 3 of the five Will Rogers State Beach parking lots. Lot no. 3 provides 598 public parking spaces. The proposed assembly site will take up approximately 38-40 parking spaces.

Will Rogers is a popular beach with summer attendance reaching a peak of approximately 485,000 visitors in the month of July 2001 (Los Angeles County Beaches and Harbors attendance estimates). According to the County, the Will Rogers parking lots reach full capacity during the summer months. However, during the non-summer period, beach attendance drops to less than 100,000 per month and parking lot use declines accordingly. During the non-summer period, of the five parking lots at Will Roger State Beach, lot no. 3 is the least used of the five lots.

Because of the heavy demand during the summer period, use of a portion of the parking lot during the summer could adversely impact beach access by temporarily removing up to 40 spaces from public availability. Therefore, to minimize beach access impacts from the operation of the assembly sites, it is necessary to condition this permit to limit the use of this site to the non-summer period, from September 15 to the Thursday prior to Memorial Day weekend (last week of May). Special Condition number 1 limits the use of the assembly site to the non-summer period to protect public access

Therefore, the project is conditioned to limit the operation of the assembly sites at Will Rogers State Beach and Santa Monica State Beach to the non-summer period (September 15 to the Thursday prior to Memorial Day weekend (last week of May)). All construction material, including all fencing, shall be removed prior to the summer period. Furthermore, any change to the location, size or scheduling of the assembly sites will require Executive Director review to determine if an amendment or new permit will be necessary. As conditioned the project will not have a significant impact on beach access. Therefore, the Commission finds that, as conditioned, the proposed development will be consistent with Section 30210 of the Coastal Act.

C. 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 visually compatible with their surroundings, restore or enhance those areas that are visually degraded and do not interfere with coastal views to and along the coastline.

In the Los Angeles County area the coastline is a visual resource of great variety. Available views include wide flat sandy beaches, rocky beaches, coastal bluffs, the Santa Monica Mountains, and the ocean and its horizon. Along some of the beaches, such as Will Rogers State Beach, and parts of Dockweiler State Beach, views from the first public road are unobstructed. In other areas, such as Santa Monica, Venice, Redondo Beach, Torrance, 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, such as parks and beach and pedestrian paths, and from the sandy beach.

Under Coastal Act Section 30251, new development should be visually compatible with its setting and should be sited to protect coastal views. The 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, a bike path, 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.

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, replacement towers, that are similar in size and appearance, will be visually compatible with the character of the surrounding areas and will not individually or cumulatively degrade coastal views.

The County also proposes to include on the towers public safety sign boards that will provide the public with beach information. 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 from the advertising placards that are currently on the existing towers. The proposed advertising will be integrated into each towers' safety board. The advertising and safety board will not extend out beyond the outline of the tower and, as designed, will not block coastal views. The existing advertising placards are a minor component to the tower structure design which do not interfere with coastal views, or present 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, the replacement of the existing towers with new towers similar in size, 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 sign boards 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.

D. 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 paved parking areas or on 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 sand or paved areas 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.

Improper disposal of the debris could have a negative impact on coastal water quality. To ensure that all construction debris is adequately disposed of, a special condition [Special Condition 3] is necessary, requiring the removal and proper disposal of all construction debris. The Commission, therefore, finds that the proposed development, as conditioned, is consistent with Section 30231 of the Coastal Act.

E. Local Coastal Program

Section 30604(a) of the Coastal Act states that:

Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

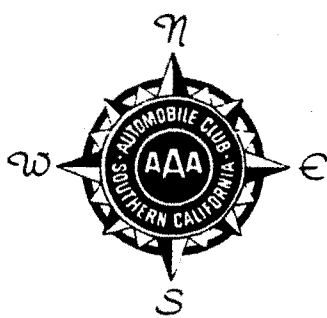
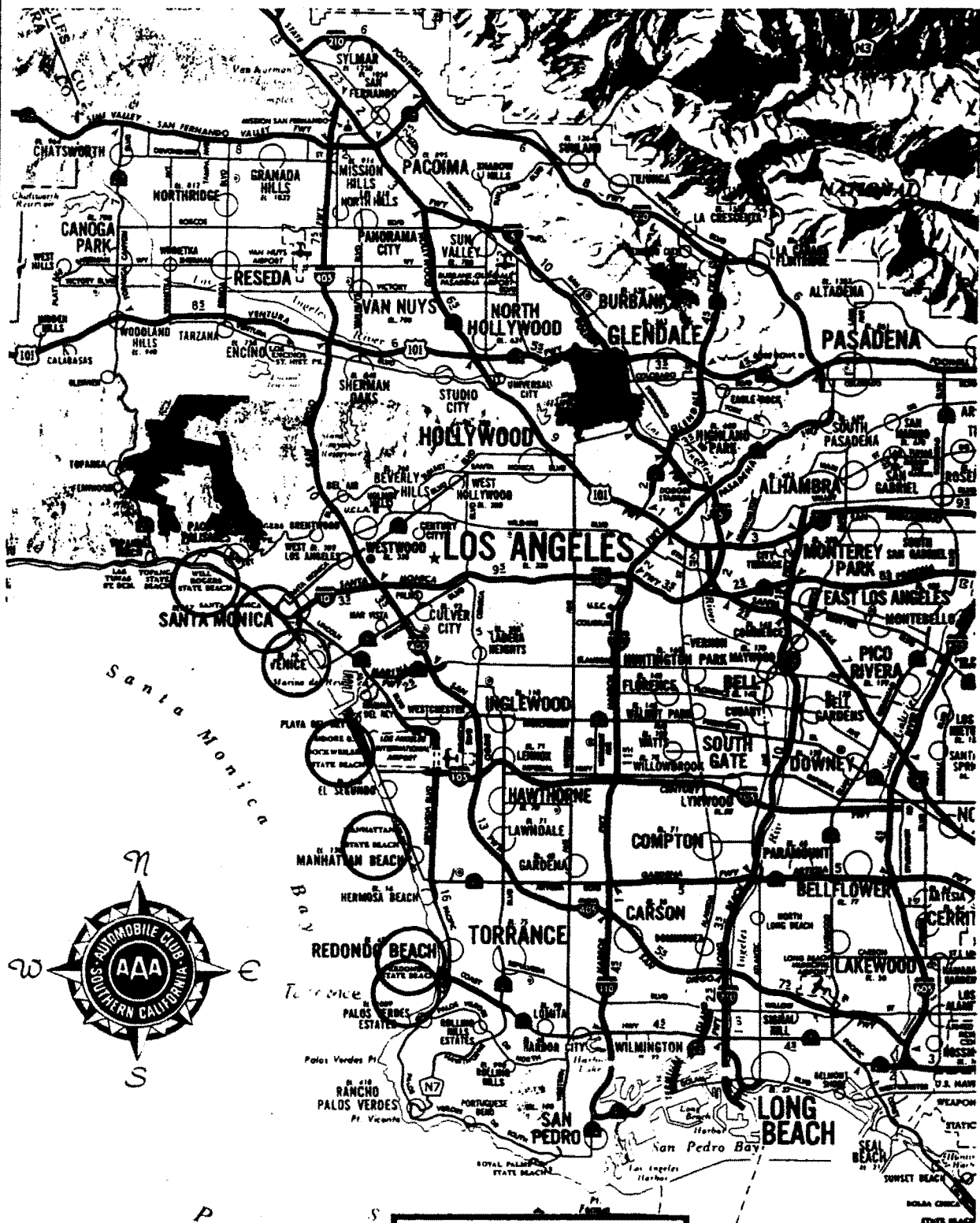
The proposed project site is located in seven separate planning areas within five local government jurisdictions (City of Los Angeles, City of Santa Monica, City of Manhattan Beach, Redondo Beach, and City of Torrance). Of the seven separate beach areas proposed for development by this permit the areas with a certified Land Use Plan or Local Coastal Plan are City of Santa Monica, Manhattan Beach, Redondo Beach, and Torrance.

As conditioned, the project will not adversely impact coastal resources or access. The Commission, therefore, finds that the proposed project, as conditioned, will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the Cities to prepare Local Coastal Programs consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

F. 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, marine and visual resource policies of the Coastal Act. There are no negative impacts caused by the proposed development which have not been adequately mitigated. Therefore, the Commission finds that the proposed project, as conditioned, can be found consistent with the requirements of the Coastal Act to conform to CEQA.



LOS ANGELES AREA

SCALE
0 1 2 3 4 5 6 7 8 9 MILES

EXHIBIT NO.

1

Application Number

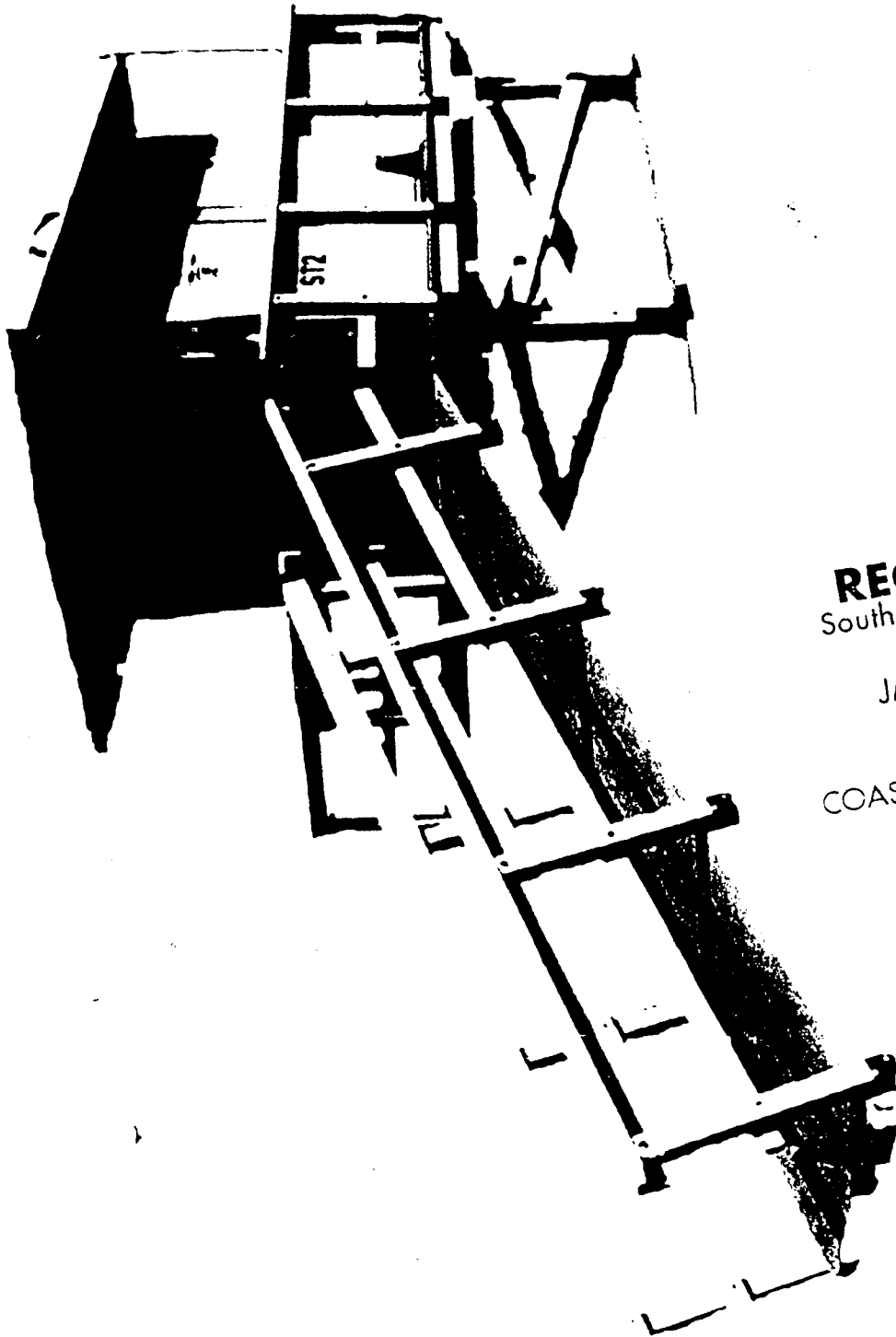
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Vicinity Map

California Coastal Commission

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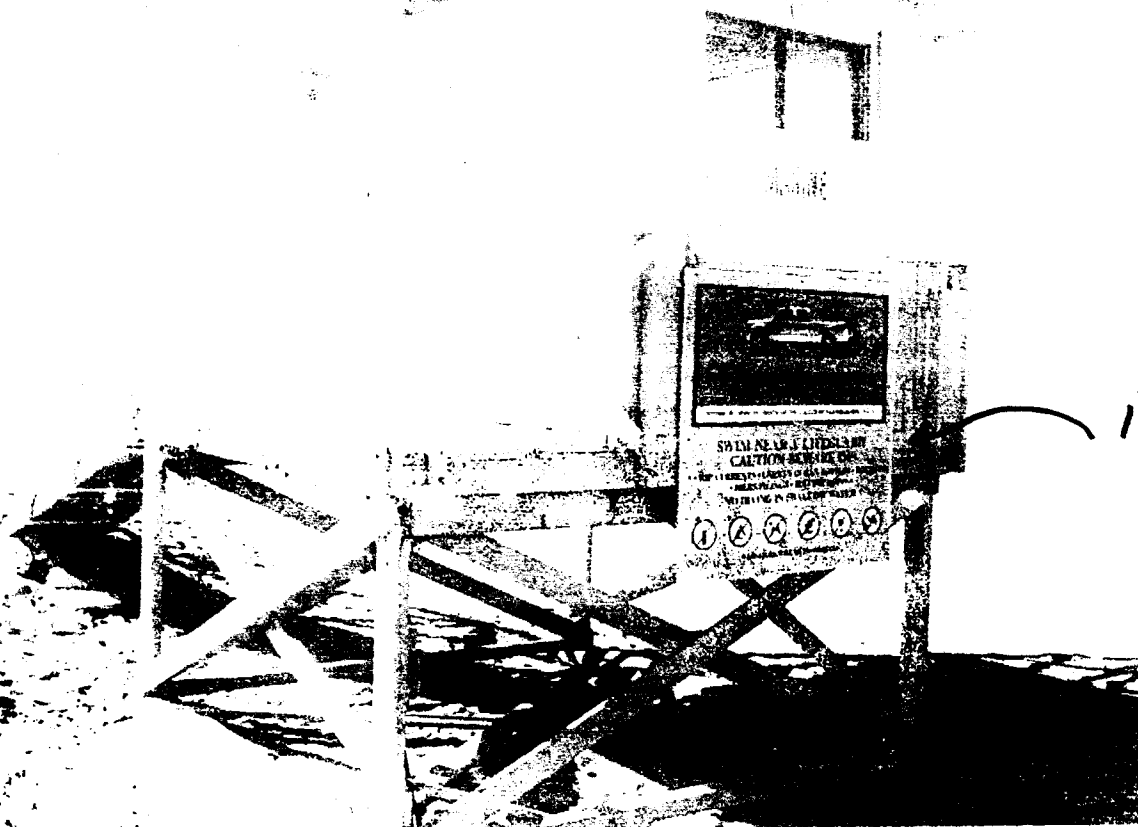


RECEIVED
South Coast Region

JAN 17 2002

CALIFORNIA
COASTAL COMMISSION

XHIBIT NO.	2
Application Number	5-02-009
	Lifeguard Tower
	California Coastal Commission



*Public Information
Sign board*

EXHIBIT NO. 3

APPLICATION NO.
5-02-009

*Sign board on
Existing Tower*



California Coastal Commission

Will Rogers State Beach Lifeguard Tower Project Site Plan

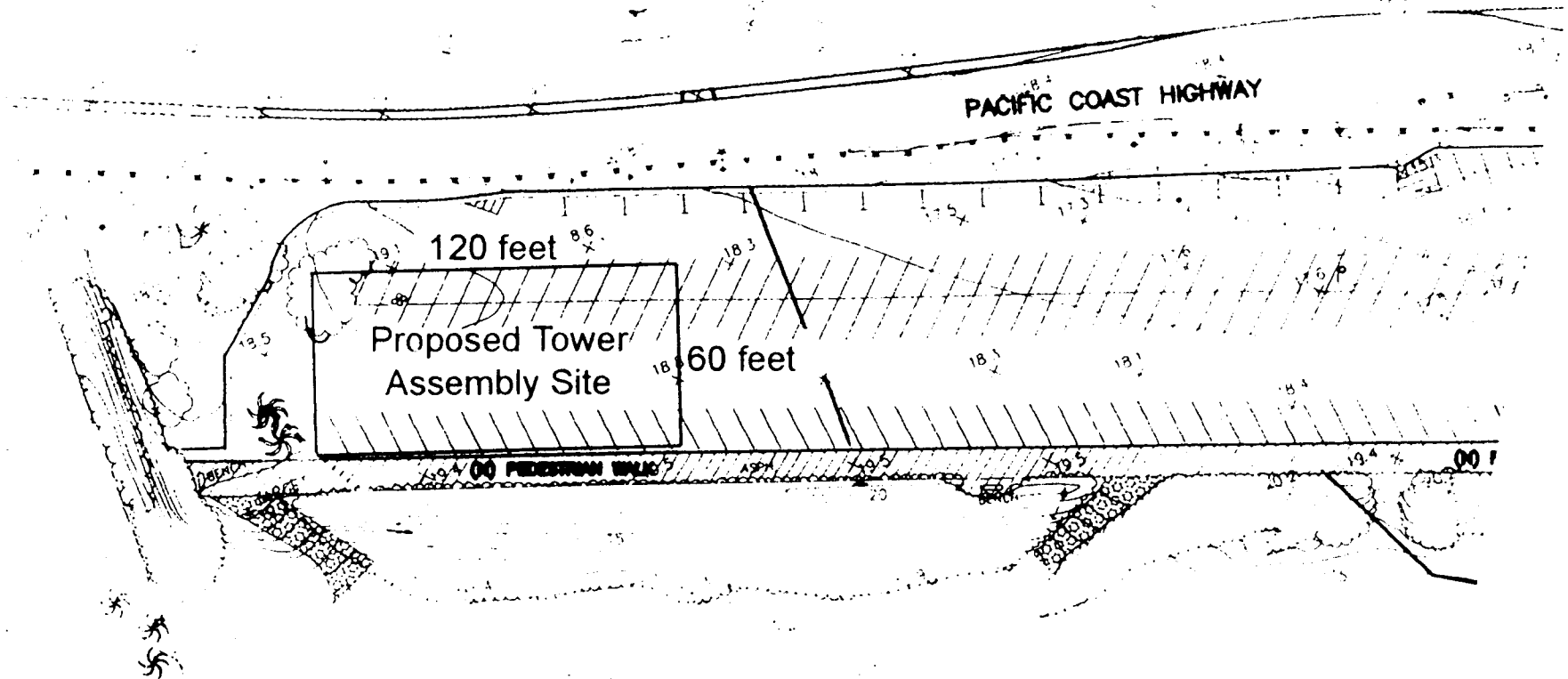


EXHIBIT NO. 4
Application Number
5-02-009
Will Rogers
Assembly Site
California Coastal Commission

Santa Monica Beach Lifeguard Tower Project Site



EXHIBIT NO.	5
Application Number	5-02-009
Santa Monica	Assembly Site
Santa Monica Beach Lifeguard Tower Project Site	

Dockweiler State Beach Lifeguard Tower Project Site Plan

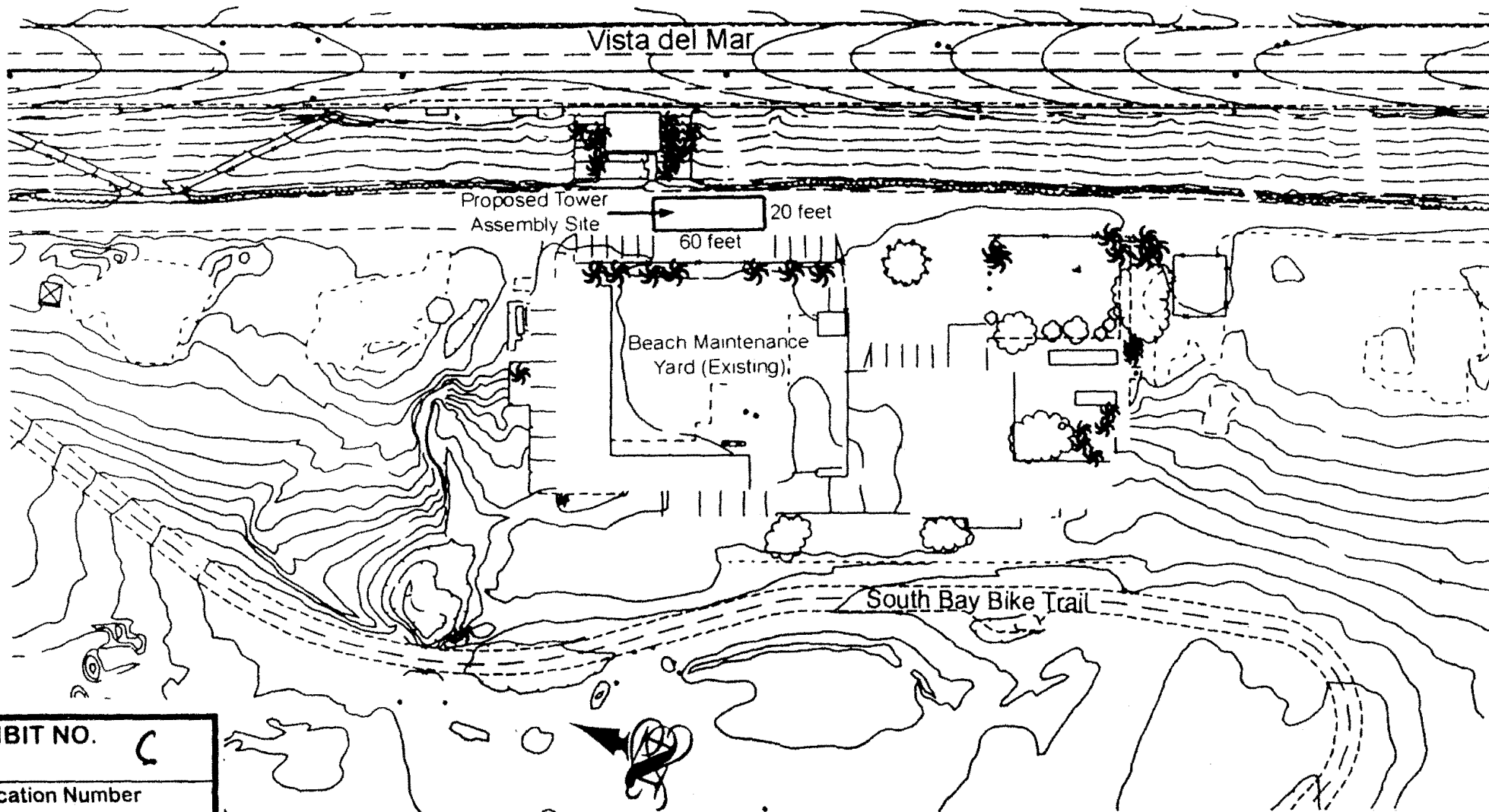


EXHIBIT NO.

C

Application Number

502-009

Dockweiler

Assembly Site

California Coastal Commission

Redondo Beach Lifeguard Tower Project Site



Maintenance Yard

Project Site

EXHIBIT NO.

7

Application Number

5-02-009

Redondo Beach

Assembly Site

California Coastal Commission