

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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180th Day: 9/02/02  
Staff: AJP-LB  
Staff Report: 4/18/02  
Hearing Date: 5/7-10/02  
Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-02-028**APPLICANT:** City of Santa Monica**PROJECT LOCATION:** Beneath Santa Monica Pier entrance bridge, east of Oceanfront Walk (Promenade) and west of Appian Way, Santa Monica**PROJECT DESCRIPTION:** Installation of a 7 foot-4 inch x 21 foot x 8 foot industrial trash compactor as part of the City's solid waste management program to reduce trash volume and minimize environmental impacts associated with open and exposed trash containers on the Pier. An 12-foot high fence, with gate, will be installed along the perimeter of the compactor.**LOCAL APPROVALS RECEIVED:** City Approval in Concept**SUBSTANTIVE FILE DOCUMENTS:** Santa Monica certified LUP

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**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission approve the proposed project with no special conditions.

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**STAFF RECOMMENDATION:****I. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR 5-02-028:**

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

**MOTION:**     *I move that the Commission approve Coastal Development Permit #5-02-028 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 proposed 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 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.

#### IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

##### A. Project Description and Location

The applicant proposes to install a 7 foot-4 inch x 21 foot x 8 foot industrial trash compactor as part of the City's solid waste management program to reduce trash volume and minimize environmental impacts associated with open and exposed trash containers on the Pier. The compactor will be placed on a constructed level cement foundation and a 12-foot high fence, with gate, will be installed along the perimeter of the compactor for safety purposes and aesthetics. The fence will be constructed with wooden planks to match the character of the Pier.

The proposed project is located beneath the Santa Monica Pier entrance bridge, east of Oceanfront Walk (Promenade) and west of Appian Way, in the City of Santa Monica. To the north is the vehicle access road to the 1550 Pacific Coast Highway parking lot located north of the Pier. Directly to the north of the access road is the City's maintenance yard/building. To the South, and along the Promenade is visitor-serving commercial development. Walkways leading from Appian Way to the Promenade are located to the north and south of the project site.

The property is located within the City's Beach Overlay District. The boundary of the Beach Overlay District is the area west of Ocean Avenue and Neilson Way (excluding the Pier area) extending from the City's northern boundary line to the southern boundary line. The Beach Overlay District was created with the passage of a voter initiative (Proposition S). The initiative prohibits hotel and motel development, and restaurants over 2,000 square feet, in the Beach Overlay district. The initiative was not certified by the Coastal Commission.

In 1987 the Commission certified, with modifications, a LUP for the entire coastal area of the City of Santa Monica. The City, however, did not accept the LUP as certified. Then in 1992, the City resubmitted the LUP. The Commission certified the LUP with suggested modifications. The certified LUP, however, excluded all areas within the Beach Overlay District. The Commission deferred certification of this area because the Commission found that Proposition S discouraged visitor-serving uses along the beach, resulting in an adverse impact on coastal access.

**B. Water Quality/Marine Environment**

The following Coastal Act Sections are relevant:

Section 30230 of the Coastal Act:

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

Section 30231 of the Coastal Act states:

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

The Santa Monica Bay provides habitat for many sea mammals, migratory waterfowl, shorebirds and endangered species such as the California Grey whale. The marine environment also supports numerous water-related recreational opportunities such as sport fishing, swimming, boating, snorkeling, surfing, etc. Because of these significant marine and coastal recreation resources, water quality issues for projects need to be addressed.

The proposed project is the installation of a trash compactor to serve the businesses on the Pier. The compactor will measure approximately 7'-4" x 21' x 8'. Depending on the model selected the capacity will be approximately 30 cubic yards. The purpose of the project is to upgrade solid waste management on the Pier and reduce trash volume, reduce trash pickup frequency, eliminate the need for trash trucks on the Pier, and provide a sealed waste management system. The project is funded by Cal EPA through the Clean Beaches Initiative grant program.

According to the City, standard trash containers on the Pier are not leak proof and it is difficult to keep out rodents and birds. Leaks of spoiled food and other waste contain pathogens which pollute the bay, and attract animals. Droppings from animals also contain pathogens which further pollute the bay. To address this problem the City is proposing to install new sealable plastic waste receptacles which will be towed by a small electric vehicle to the proposed trash compactor. The lower portion of the compactor will be sealed to prevent leaks. A drain will be installed and

connected to the City's sewer system, as a precautionary measure, in the event the compactor leaks. The City's sewer system is connected to a sewage treatment facility.

Once the compactor is full, the compactor will be hauled away by a private company. Once the compactor is emptied at a certified dump, the empty compactor will be returned.

Urban runoff and pollution of the bay are important issues with the City. The proposed project is one of a number programs that the City has instituted to reduce polluted runoff from streets, commercial and residential development. The City has also constructed a state of the art urban runoff recycling facility to treat dry weather runoff water (from excessive irrigation, spills, construction sites, pool draining, car washing, the washing down of paved areas, and some wet weather runoff).

The proposed project will be an effective Best Management Practice and help improve the quality of Santa Monica bay by eliminating a source of pollution. The Commission, therefore, finds that the proposed project will improve water quality consistent with the marine resource provisions of Coastal Act.

### **C. Public Access**

Section 30210 of the Coastal Act states:

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

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

The proposed project will be located beneath the Pier entrance bridge, between Appian Way and the Promenade. The area is the most active recreation area of the Santa Monica beach. Besides the Pier, there are volleyball courts, children's play area, and other recreational facilities in the surrounding area. The Promenade provides a paved pedestrian walk, which is used by

pedestrians, rollerskaters, and skateboarders. A beach bicycle path is also available along the beach. The area also includes commercial beach establishments, such as retail shops, food stands and beach related rental shops. Access from Appian Way to the Promenade and beach is via two walkways that are located on the north and south side of the project site.

The proposed project will not interfere with the public accessways located to the north and south side of the project site. The compactor will be setback from the Promenade so as not to impact access along the Promenade. During loading and unloading of the compactor there may be temporary impacts, but trash hauling will be conducted during off hours when public use is limited to minimize public conflicts. During construction of the foundation and fencing the public areas will remain open. The Commission therefore finds that, as proposed the project will be consistent with Section 30210, 30211, 30221 of the Coastal Act.

#### **D. Visual Impacts**

Section 30251 of the Coastal Act states:

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.

The proposed project will be constructed under the Pier bridge, which is approximately 30 feet above grade where the project is located. The area is located east of the Promenade, approximately 25 feet north of commercial development located along the promenade and 35 to 40 south of the City's beach maintenance yard/building.

Because the site is set below the Pier's access bridge, inland of the Promenade and generally between existing buildings the proposed structures will not interfere with public views to the ocean or coastal bluffs. Views from Appian Way are limited due to the elevation of the road, existing development along the Promenade and existing development under the Pier, including the Pier's bridge pilings. Therefore, views from Appian Way will not be significantly impacted.

The City will install a 12-high fence for safety and security purposes. The City will use wooden planks that are used for the flooring of the Pier and other facilities in the area to enclose the compactor. The use of the planks will help visually conform the project to the overall character of the area. As proposed the project will be sited and designed to protect views to and along the ocean and scenic coastal areas and will be visually compatible with the character of surrounding

areas. The Commission, therefore, finds that the proposed project is consistent with Section 30251 of the Coastal Act.

#### **E. Local Coastal Program**

(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 Coastal Program that is in conformity with the provisions of Chapter 3.

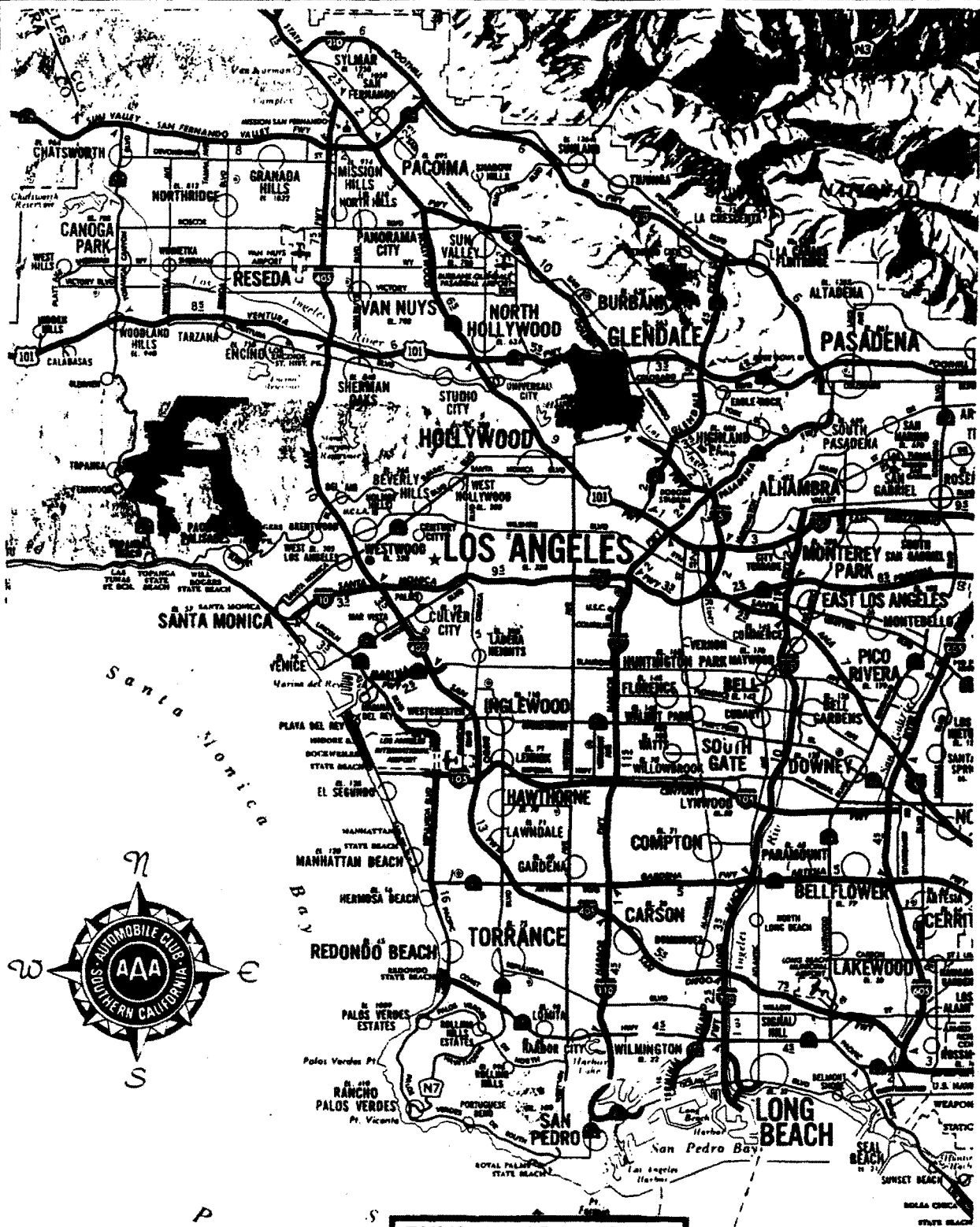
In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, excluding the area west of Ocean Avenue and Neilson Way (Beach Overlay District), the Santa Monica Pier and the Civic Center. On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications. The proposed project is located west of Ocean Avenue and is located in the area of deferred certification.

The proposed project is located in the beach area which was excluded from certification. As conditioned the project will not adversely impact coastal resources and beach access. The Commission, therefore, finds that the proposed project will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the City to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

#### **F. CEQA**

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications 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)(i) 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 impact, which the activity may have on the environment.

There are no negative impacts caused by the proposed development which have not been adequately mitigated. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.



LOS ANGELES AREA

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

EXHIBIT NO. 2

Application Number

5-02-028

Vicinity Map

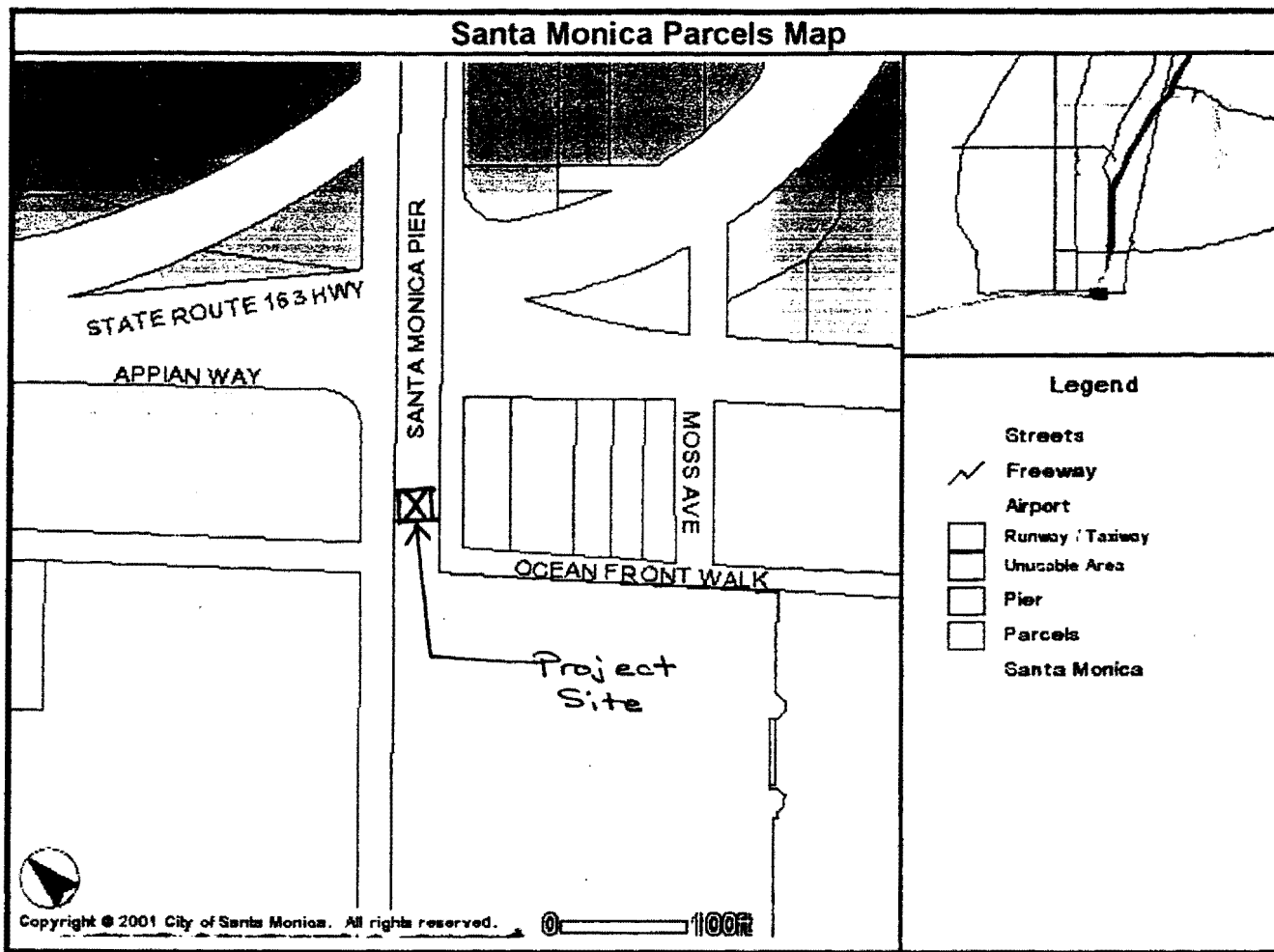
California Coastal Commission

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EXHIBIT NO.	2
Application Number	5-02-028
Site location	
California Coastal Commission	

ROUTE

San Diego State Fair  
San Diego State Fair

(OPTIONAL)



POSED  
SH COMPACTOR  
(-UP LOCATION  
(UNDER PIER BRIDGE)

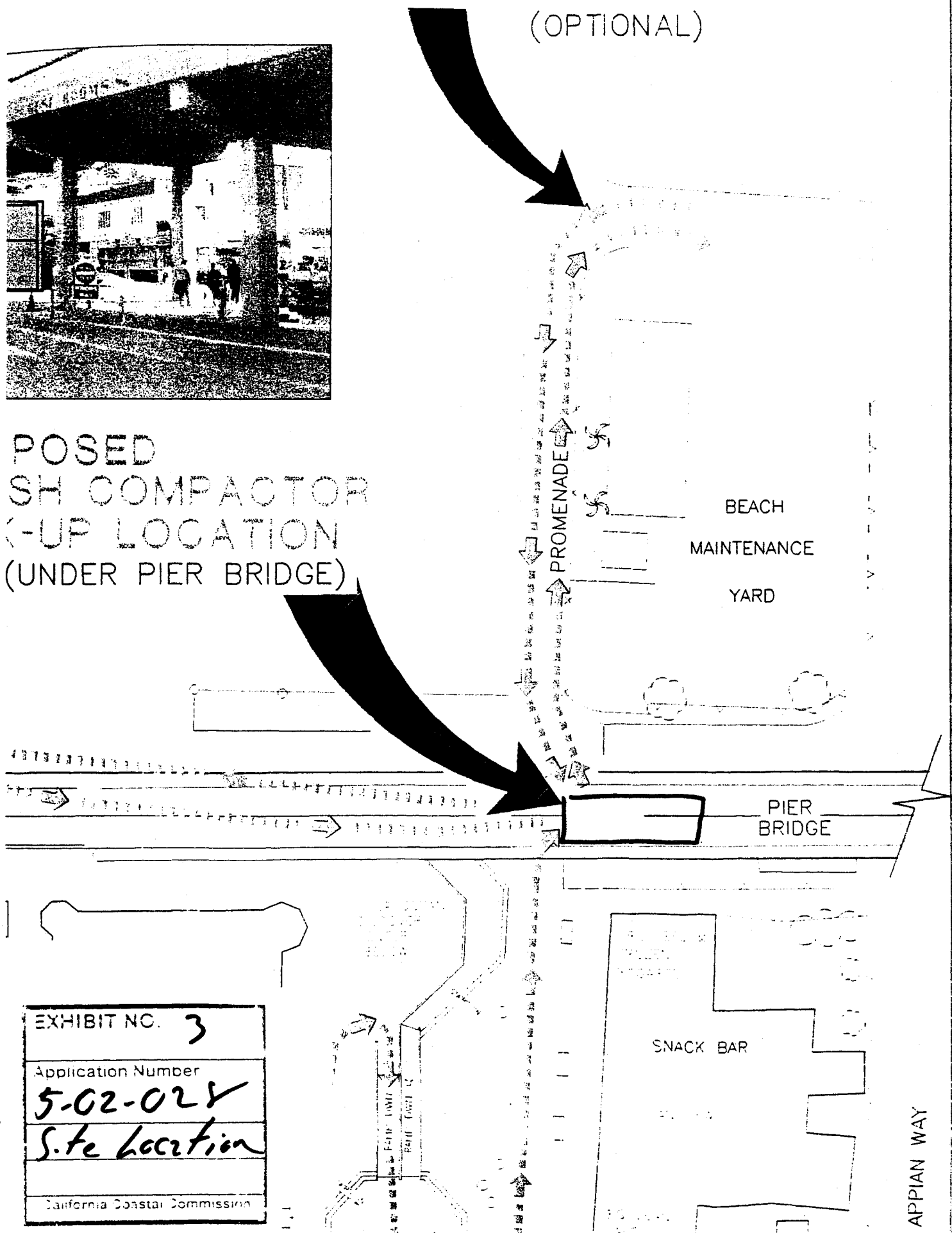
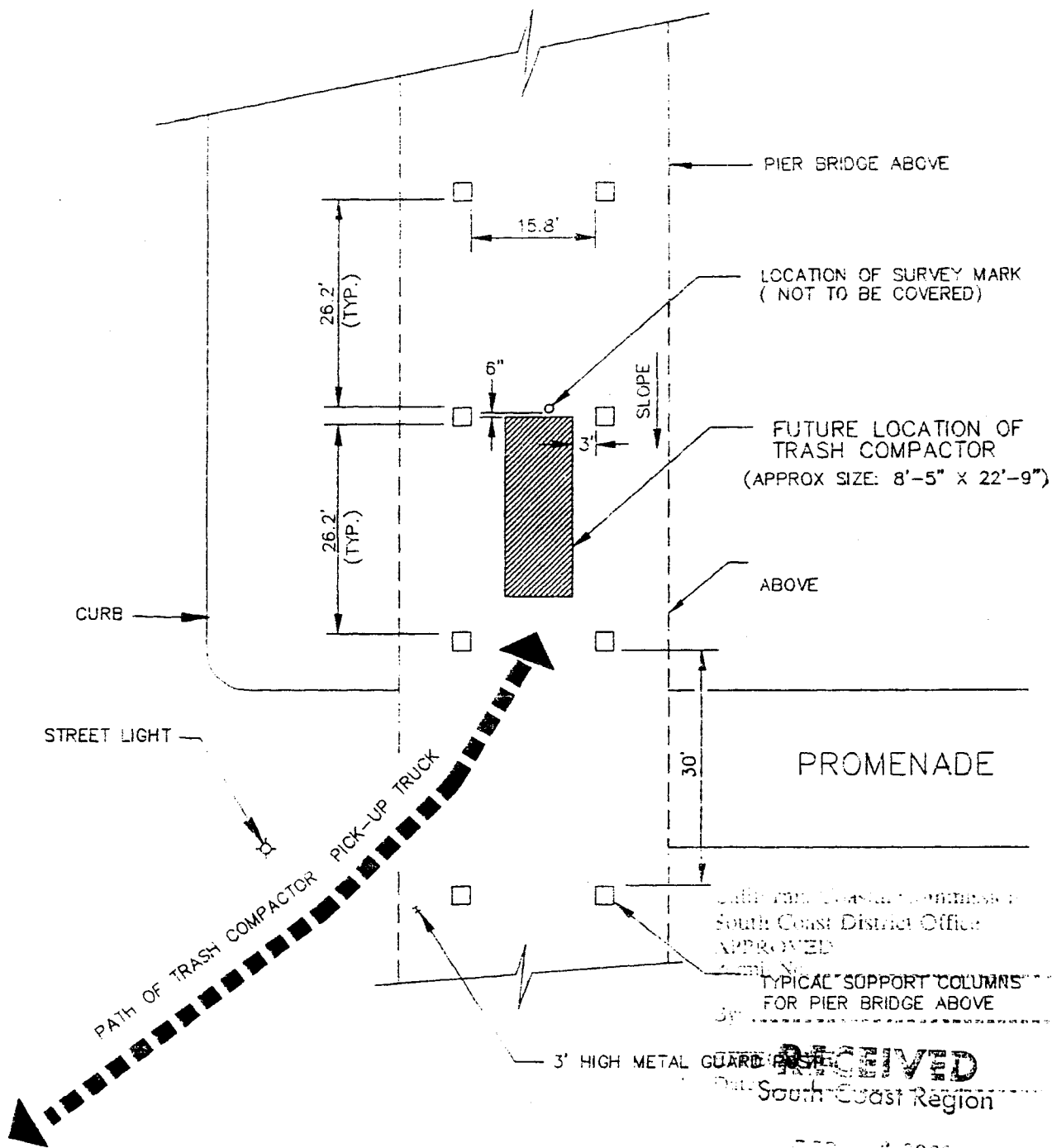


EXHIBIT NO. 3
Application Number 5-02-028
Site Location
California Coastal Commission



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 City of Santa Monica  
 South Coast Region

FFB 8 2002

10/1/01  
 5/1/01

CITY OF SANTA MONICA  
 ENVIRONMENTAL  
 AND PUBLIC WORKS MANAGEMENT DEPARTMENT  
 ENGINEERING DIVISION

### PROPOSED LOCATION OF TRASH COMPACTOR UNDER PIER BRIDGE

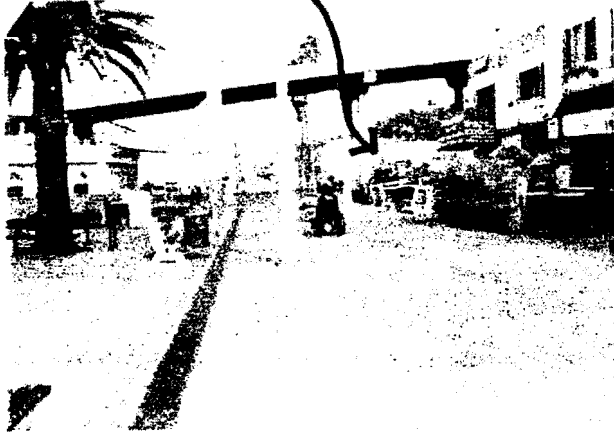
SUBMITTED BY		REFERENCE		DRAWING NO.	
APPROVED BY		DATE	DESIGNED BY	DRAWN BY	SHEET 1 OF 1
			CARLOS R.	PETE R.	
CITY ENGINEER		CHECKED BY		SHEET 3	

EXHIBIT NO. 4
Application Number 02-028
Bridge location and Truck Route
California Coastal Commission

City of Santa Monica

Monica Pier Trash Compactor Site Photos

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View looking northerly from Promenade

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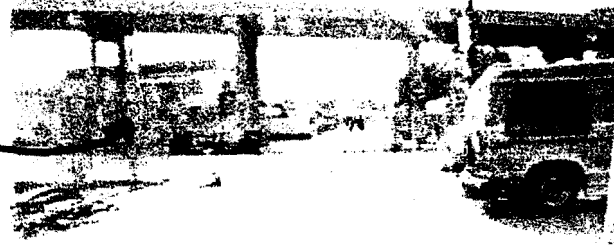
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View looking southerly from Promenade

s.t.c



View from Pier deck near

EXHIBIT NO.

5

Application Number

5-02-028

Photo 1

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