

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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 Long Beach, CA 90802-4302  
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Filed: 2/13/03  
 49th Day: 4/03/03  
 180th Day: 8/12/03  
 Staff: MS-LB  
 Staff Report: April 16, 2003  
 Hearing Date: May 6, 2003  
 Commission Action:



# Tu 4 a

## STAFF REPORT: CONSENT CALENDAR

**APPLICATION NUMBER:** 5-03-008

**APPLICANT:** Peter Cusick

**AGENT:** Blake Stephens

**PROJECT LOCATION:** 807 Esplanade, City of Redondo Beach, Los Angeles Co.

**PROJECT DESCRIPTION:** Construction of a 1,152 square-foot second story addition to an existing 2,854 square-foot single family residence with a garage/basement level. The proposed addition will increase the building height to 30 feet above existing grade. Existing exterior grades, driveway and fencing remain unchanged.

RECORD PACKET COPY

|                         |                   |
|-------------------------|-------------------|
| Lot Area                | 5,000 square feet |
| Building Coverage       | 2,271 square feet |
| Pavement Coverage       | 1,190 square feet |
| Landscape Coverage      | 1,430 square feet |
| Parking Spaces          | 3                 |
| Zoning                  | R-1               |
| Plan Designation        | Residential       |
| Ht above existing grade | 30 feet           |

### SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission **APPROVE** a coastal development permit for the proposed development with special conditions addressing hazards, marine resources, community character and public access.

### STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

#### Motion

*"I move that the Commission approve with special conditions Coastal Development Permit 5-03-008 per the staff recommendation as set forth below"*

Staff recommends a **YES** vote, which would result in the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

**I. Resolution: Approval with Conditions**

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 of the Coastal Act. 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 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. **Assumption of Risk, Waiver of Liability and Indemnity**

A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from wave up-rush and flooding; (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; and (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 any injury or damage due to such hazards.

2. **No Future Protective Device**

A. By acceptance of this Permit, the applicant agrees, on behalf of himself and all successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. **5-03-008** including, but not limited to, (the residence, foundations, decks, driveways) in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future. By acceptance of this Permit, the applicant hereby waives, on behalf of himself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

B. By acceptance of this Permit, the applicant further agrees, on behalf of itself (or himself or herself, as applicable) and all successors and assigns, that the landowner shall remove the development authorized by this Permit, including (describe the development, e.g., the house, garage, foundations, and septic system), if any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

3. **Height**

No portion of the roof of the proposed structure shall exceed thirty feet (30') in elevation above existing grade as defined in the City of Redondo Beach zoning regulations as approved by the Commission on April 8, 2003.

4. **Conformance of Plans to Recommendations and Requirements**

- A. All final design and construction plans shall meet or exceed all recommendations and requirements contained in Geological Investigation Report No. 020740 prepared by T.I.N. Engineering Company, dated March 14, 2002 and Wave Impact Study prepared by Skelly Engineering dated January 2003 and the requirements of the City of Redondo Beach, Department of Building and Safety, to the extent that they are consistent with the conditions imposed by the Commission.
- B. The permittees 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 of this coastal development permit unless the Executive Director determines that no amendment is required.

5. **Future Development Restriction**

This permit is only for the development described in coastal development permit No. **5-03-008**. 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 to the development governed by coastal development permit No. **5-03-008**. Accordingly, any future improvements to the single family house authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources section 30610(d) and Title 14 California Code of Regulations sections 13252(a)-(b), shall require an amendment to Permit No. **5-03-008** from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

6. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris**

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

- (a) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of construction-related materials, and to contain sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity;
- (b) No construction materials, debris, or waste shall be placed or stored where it may enter a storm drain or be subject to tidal erosion and dispersion;
- (c) All trash and debris shall be disposed in the proper trash or recycling receptacle at the end of every construction day.
- (d) Construction debris and sediment shall be properly contained and secured on site with BMPs, to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking. All stock piles and construction materials shall be covered, enclosed on all sides, shall be

- located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
- (e) Construction debris and sediment shall be removed from construction areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. All debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day;
  - (f) The discharge of any hazardous materials into any receiving waters shall be prohibited;
  - (g) A pre-construction meeting should be held for all personnel to review procedural and BMP/GHP guidelines;
  - (h) All BMPs shall be maintained in a functional condition throughout the duration of the project.
  - (i) Debris shall be disposed at a legal disposal site or recycled at a recycling facility. 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 unless the Executive Director determines that no amendment or new permit is required.

**7. Source Control Best Management Practices**

- (a) Run-off from the project shall not increase the sediment or pollutant load in the storm drain system above pre-development levels.
- (b) All run-off from all roofs, patios, driveways and other impervious surfaces on the site shall be collected and discharged to the street to avoid ponding and/or erosion either on or off the site.

**8. Deed Restriction**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded a deed restriction, in a form and content acceptable to the Executive Director: (1) indication that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the applicant's entire parcel or parcels. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of the permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

#### **IV. Findings and Declarations**

The Commission hereby finds and declares:

##### **A. Project Description**

The applicant proposes to construct a 1,152 square-foot second story addition to an existing 2,854 square-foot single family residence with a garage/basement level. The proposed addition will increase the building height to 30 feet above existing grade. Gross floor area excluding parking is 3,331 square feet. Existing on-site parking for the proposed single family residence will remain with a 675 square-foot, three-car garage, with vehicular access from the Esplanade (Exhibit 3). The applicant proposes to construct the addition on an existing 2,145 square-foot home which is situated on a R1 zoned lot in Redondo Beach. The applicant proposes Best Management Practices during construction.

The subject site is located at 807 Esplanade in the City of Redondo Beach, Los Angeles County (Exhibit 1). The site is a bluff top lot located between the first public road and the sea. The bluff is approximately 45 feet high. The 5,000 square-foot lot is located on the seaward side of the Esplanade, a public right-of-way that runs along the bluff top, parallel to the beach and separates the majority of residential development from the public beach. There is some residential development seaward of the Esplanade that stretches from the southern tip of Harbor Drive and extends down coast ending just south of the Knob Hill Avenue and Esplanade intersection. There is a public ramp to the beach (Avenue A and Esplanade) approximately 200 feet to the south of the subject property. The Knob Hill and Esplanade vertical access way is located approximately 150 feet north of the site (Exhibit 2). There is an approximately 300-foot wide sandy beach between the seaward edge of the subject property and the mean high tide line.

The applicant provided a *Limited Soil Engineering Investigation Report* by T.I.N. Engineering, dated March 14, 2002. The applicant proposes and this report recommends that all roof and surface drainage be conducted away from the development in nonerosive devices to a safe point of discharge. It is also recommended that slabs and planted areas be sloped away from structures with minimum slopes. The applicant also provided a Wave Runup Study for the parcel, as is consistently required by the Commission for shoreline development in southern Los Angeles County and Orange County. The Wave Runup Study was prepared by Skelly Engineering and is dated January 2003. The report concluded that wave runup will not reach the property or adversely impact the property over the life of the structure.

##### **B. Hazards**

Development adjacent to the ocean and the edges of coastal bluffs and hillsides is inherently hazardous. Development which may require a bluff, hillside, or shoreline protective device in the future cannot be allowed due to the adverse impacts such devices have upon public access, visual resources, and shoreline processes. To minimize risks to life and property and to minimize the adverse effects of development on coastal bluffs,

hillsides, and shoreline processes the development has been conditioned to require one or more of the following: adherence to the geotechnical recommendations, an appropriate set-back from the edge of a bluff or hillside, to prohibit the construction of protective devices (such as a retaining wall or shoreline protective device) in the future, for a drainage and runoff plan to minimize the percolation of water into the hillside or bluff, and to require that the landowner or any successor-in-interest assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the requirements of Sections 30235 and 30253 of the Coastal Act regarding the siting of development in hazardous locations.

**C. Community Character / Visual Quality**

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

**D. Public Access/Parking**

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

**E. Construction and Post Construction BMPs**

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. Furthermore, uncontrolled runoff from the project site and the percolation of water could also affect the structural stability of bluffs and hillsides. To address these concerns, the development, as proposed and as conditioned, incorporates design features to minimize the infiltration of water and the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

**F. Future Improvement Restriction**

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. To assure that future

development is consistent with the Chapter 3 policies of the Coastal Act, the Commission finds that a future improvements special condition must be imposed. As conditioned the development conforms with the Chapter 3 policies of the Coastal Act.

**G. Deed Restriction**

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development, including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

**H. Local Coastal Program**

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Land Use Plan for the City of Redondo Beach was effectively certified on June 18, 1981. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

**I. California Environmental Quality Act (CEQA)**

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



Thomas Guide  
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SEE MAP

90254

90218

90217

PROJECT SITE  
807 ESPLANADE  
REDONDO BEACH

PACIFIC

OCEAN

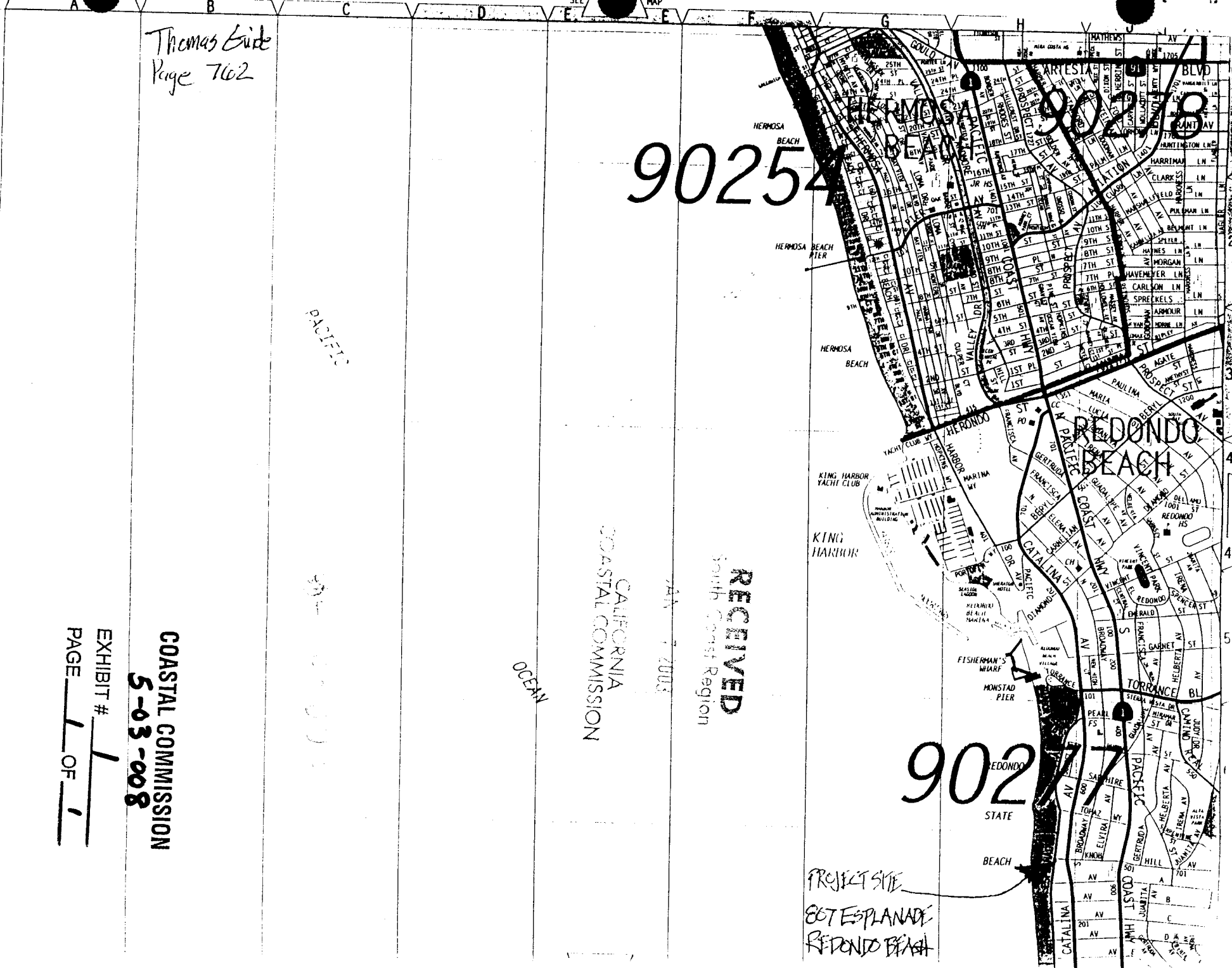
CALIFORNIA  
COASTAL COMMISSION

RECEIVED  
South Coast Region

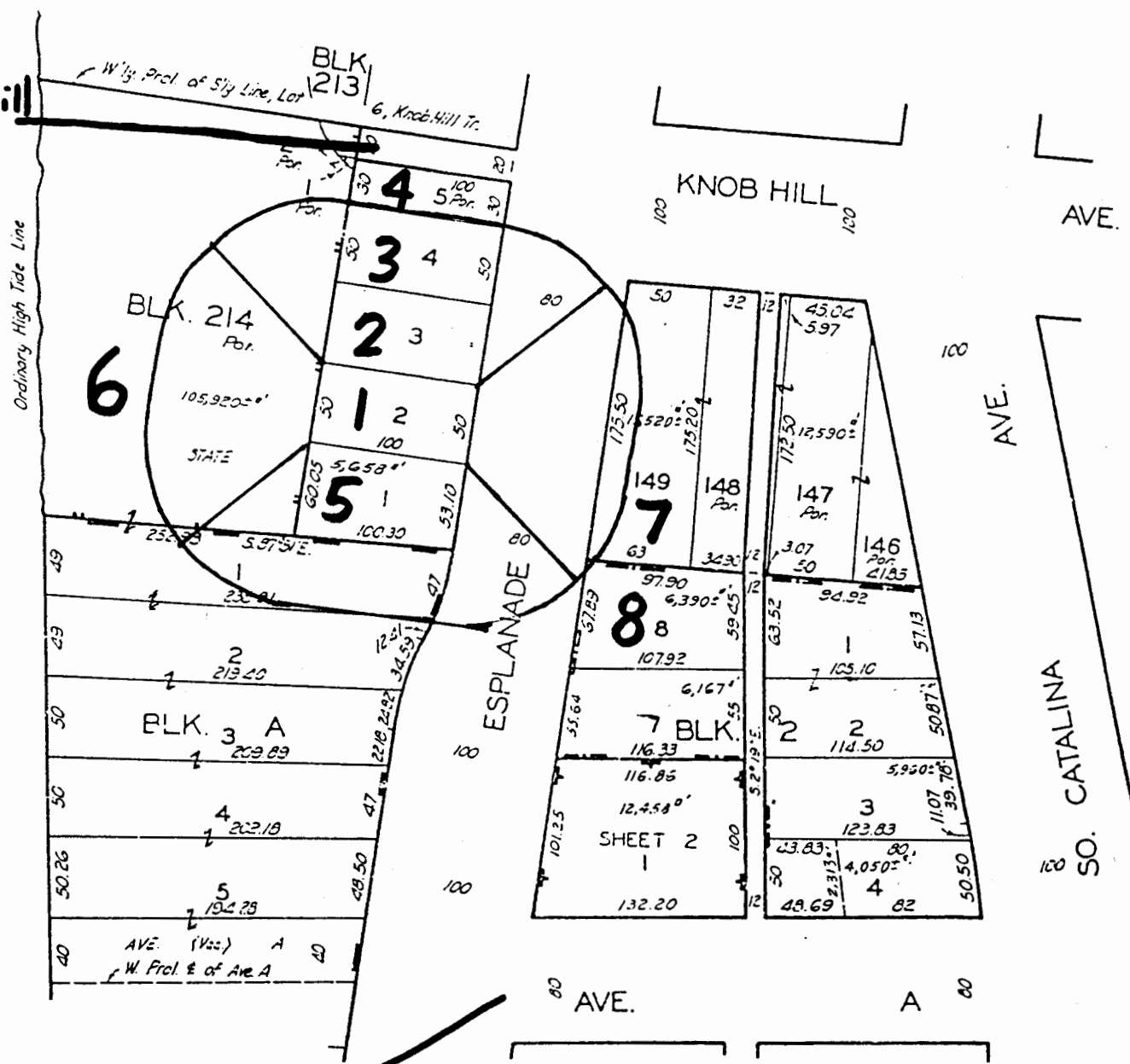
JAN 7 2003

EXHIBIT # 1  
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COASTAL COMMISSION  
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**Knob Hill  
Vertical  
Access**



**Ave. A Access Ramp**

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 EXHIBIT # 2  
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**COASTAL COMMISSION**



**CONTINENTAL MAPPING SERVICE**  
 6325 VAN NUYS BLVD. VAN NUYS, 91401  
 (818) 787-1663

CASE NO.:  
 DATE: 8-16-02  
 SCALE: 1" = 100'

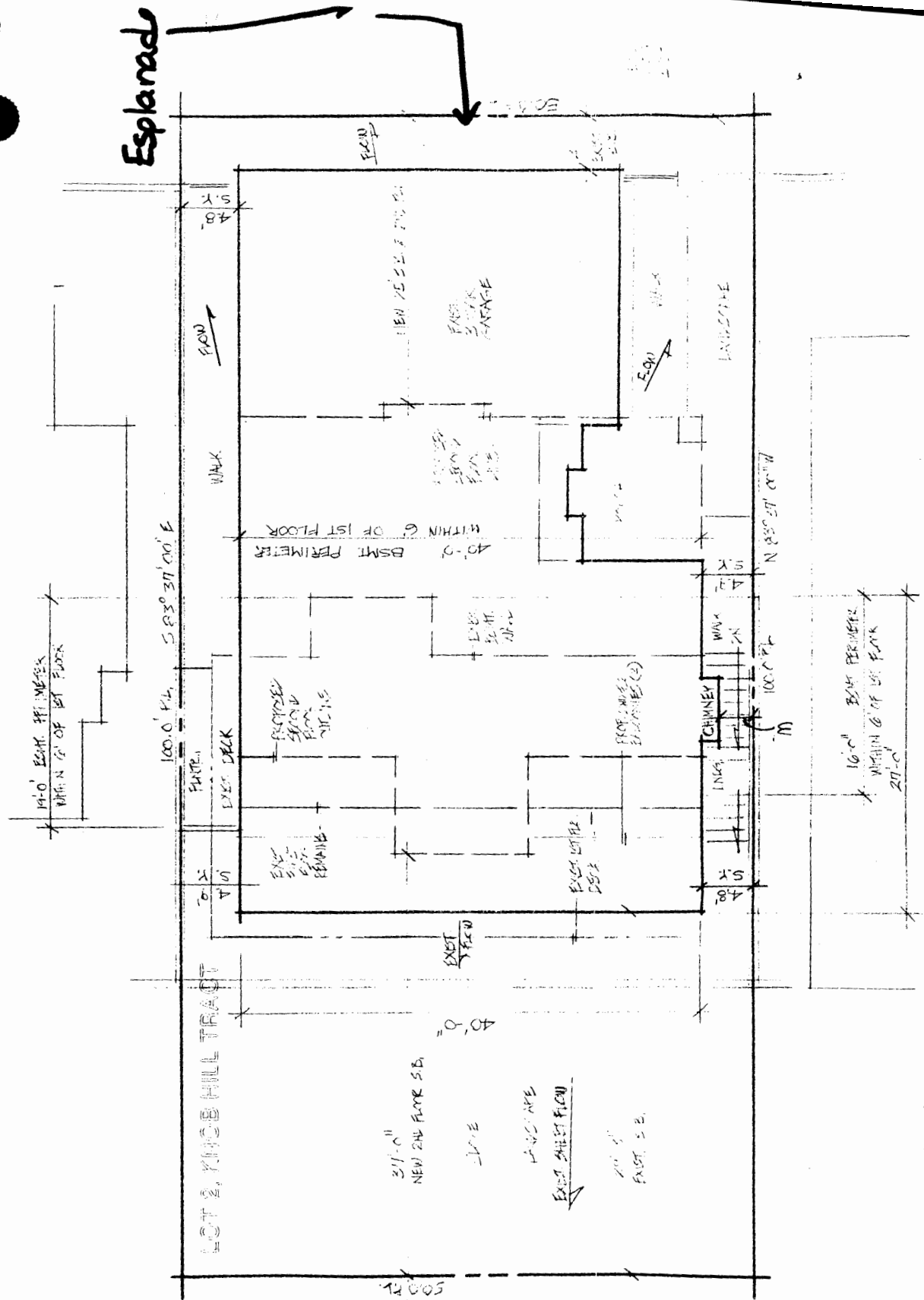
0502-3943

Esplanade

Bluff



SITE PLAN



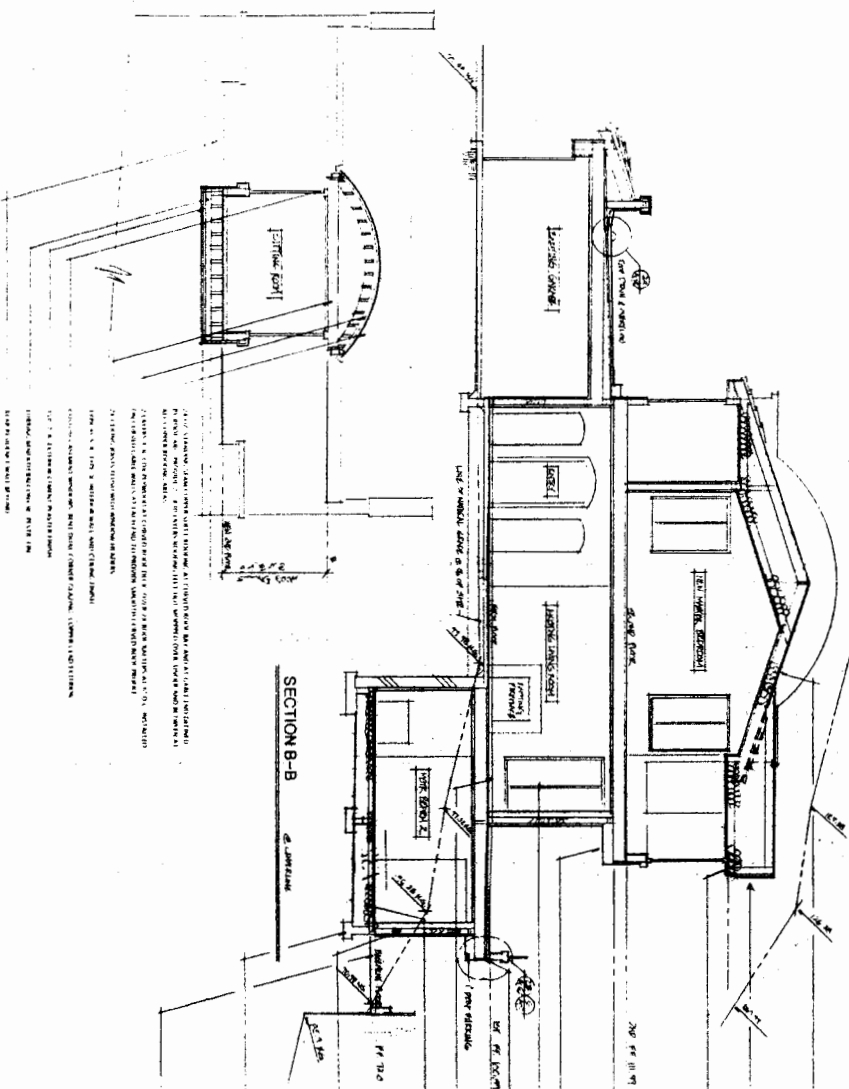
COASTAL COMMISSION  
5-03-008

EXHIBIT # 3  
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EXISTING EXEMPT  
CONFORMANCE CALCULATION IS

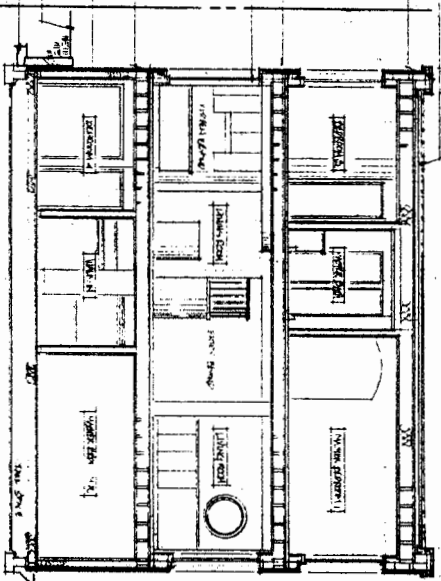
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100' 0.00'



SECTION C-C

SECTION B-B



SECTION A-A

**COASTAL COMMISSION**  
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EXHIBIT # 3  
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1. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE COASTAL COMMISSION AND ALL OTHER AFFECTING AGENCIES.

2. THE ARCHITECT SHALL PROVIDE ALL NECESSARY CONSTRUCTION DETAILS AND SPECIFICATIONS TO THE CONTRACTOR.

3. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE STRUCTURAL FRAMEWORK, INCLUDING FOUNDATIONS, WALLS, FLOORS, AND ROOFING.

4. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE MECHANICAL, ELECTRICAL, AND PLUMBING SYSTEMS.

5. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE INTERIOR FINISHES, INCLUDING WALLS, FLOORS, AND CEILING.

6. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE EXTERIOR FINISHES, INCLUDING SITES, ROADS, AND CURBS.

7. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE LANDSCAPE ARCHITECTURE, INCLUDING PLANTING AND IRRIGATION.

8. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE UTILITY SERVICES, INCLUDING WATER, SEWER, AND GAS.

9. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SECURITY SYSTEMS, INCLUDING ALARMS AND CAMERAS.

10. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE ACCESSIBILITY FEATURES, INCLUDING RAMPWAYS AND ELEVATORS.

11. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE ENERGY EFFICIENT SYSTEMS, INCLUDING SOLAR PANELS AND ENERGY STAR APPLIANCES.

12. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE FLOOD RESISTANT FEATURES, INCLUDING ELEVATED FLOORS AND FLOOD WALLS.

13. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE WIND RESISTANT FEATURES, INCLUDING STRONG ROOFING AND WINDOW PROTECTION.

14. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE SEISMIC RESISTANT FEATURES, INCLUDING BRACED WALLS AND BASE ISOLATION.

15. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE HISTORIC PRESERVATION FEATURES, INCLUDING ORIGINAL MATERIALS AND WORKMANSHIP.

16. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE ENVIRONMENTAL FEATURES, INCLUDING GREEN ROOFS AND RAINWATER HARVESTING.

17. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE COMMUNITY FEATURES, INCLUDING PUBLIC SPACES AND COMMUNITY CENTERS.

18. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE TRANSPORTATION FEATURES, INCLUDING BIKESHOES AND CARPools.

19. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE RECREATION FEATURES, INCLUDING PARKS AND RECREATION CENTERS.

20. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE CULTURAL FEATURES, INCLUDING MUSEUMS AND GALLERIES.