

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800

**ADDENDUM****W26a**

**DATE:** September 8, 2008  
**TO:** Commissioners and Interested Parties  
**FROM:** South Central Coast District Staff  
**SUBJECT:** Agenda Item 26a, Wednesday, September 10, 2008, County of Ventura Appeal No. A-4-VNT-08-057 (Lifeguard Tower and Restroom, Silver Strand Beach)

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The purpose of this addendum is to attach correspondence from one of the appellants.

1. Attach the presentation material submitted from Graham and Bella Galliford as new Exhibit 9, Correspondence, to the substantial issue staff report dated August 27, 2008.

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SEP 04 2008

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Appeal No. A-4-VNT-08-57  
(Lifeguard Tower and Restroom,  
Ventura Co.)

Finding of "No Substantial  
Issue" by CCC Staff is Incorrect

- Significantly Damages Public View Corridor - Inconsistent with Coastal Act §30251 Public Works
- Project will have significant Impact on Beach Going Public
- Proposed Site in 100 Year Floodplain; Floodplain Clearance and Building Permit Cannot be Issued
- Inconsistent With § 30253 Beach Erosion and Shoreline Structures
- Environmental Hazard To The Public
- Height of the Proposed Building Violates CZO Section 8175-2

Exhibit 9  
A-4-VNT-08-057  
Correspondence

### Finding of "No Substantial Issue" by CCC Staff is Incorrect

- Beach Erosion Hazard Wave Run-up and Coastal Hazard Study; GeoSoils Inc. January 2006
- Violates Protection of Private Rights Coastal Area Plan, Central Coast Section, "Recreation and Access", Paragraph A., subparagraph "Objectives"
- Violates Development compatible with character of surrounding development CZO Sec. 8181-3.5 b. Para 2.
- Violates Development would not be obnoxious or harmful, or impair the utility of neighboring property or uses CZO Sec. 8181-3.5 d.

### Finding of "No Substantial Issue" by CCC Staff is Incorrect

- Project is inconsistent with many parts of the Ventura County LCP and California Coastal Act including:
  - Coastal Zoning Ordinance Sec. 8181-3.5 a, Sec. 8181-3.5 b, Sec. 8181-3.5 d and Sec. 8181-3.5 e and Coastal Zoning Ordinance Sec. 8175-2
  - California Coastal Act § 30251 Public Works and § 30253 Beach Erosion and Shoreline Structures
  - Project was Incorrectly and Illegally exempted under CEQA

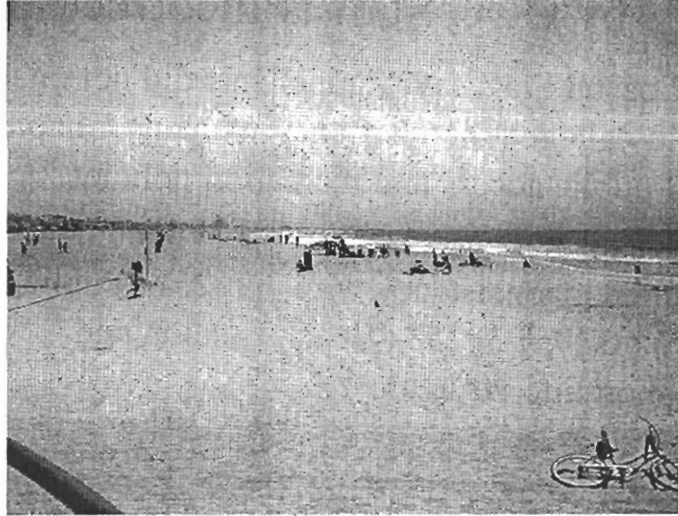
## Finding of “No Substantial Issue” by CCC Staff is Incorrect

- Coastal Staff say “..appellants did not raise any alleged inconsistency with any Chapter 3 public access and recreation policies.”
- This is not correct. The appeal documents cited inconsistency with § 30251 “Public Works”, § 30253 “Beach Erosion and Shoreline Structures”,

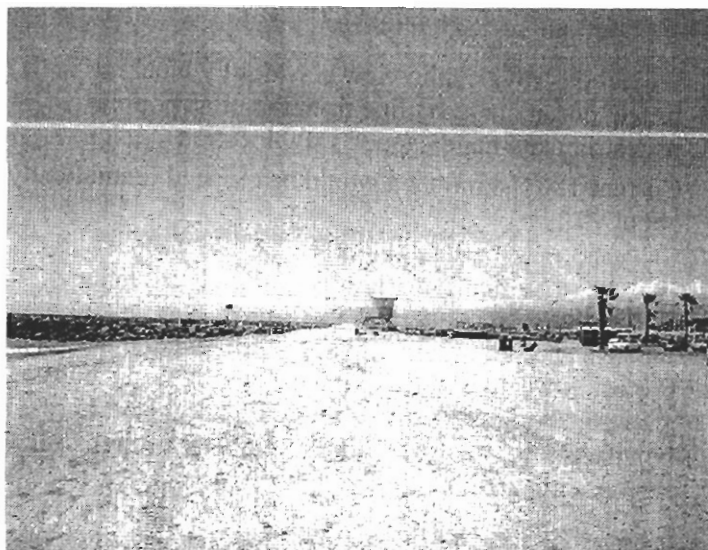
## Project Significantly Damages Public View Corridor - Inconsistent with Coastal Act § 30251 Public Works

- Project destroys public view corridor by blocking view of beach, ocean and coastline from the most popular pedestrian and handicapped view location
- Current 180+° viewshed would be reduced dramatically to about 90°
  - Public View completely blocked to east and south
  - Public View from Beach blocked in westerly and northerly directions.
- Inconsistent with requirement to “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 the surrounding area”

Southerly View from Breakwater  
Pathway View Spot - Proposed Building will  
eliminate this view



North Westerly View from Silver Strand Beach –  
Proposed Building will eliminate this view



South Easterly View from Breakwater  
Pathway View Spot - View will be severely  
impaired by the Proposed Building



Project will have significant  
Impact on Beach Going Public

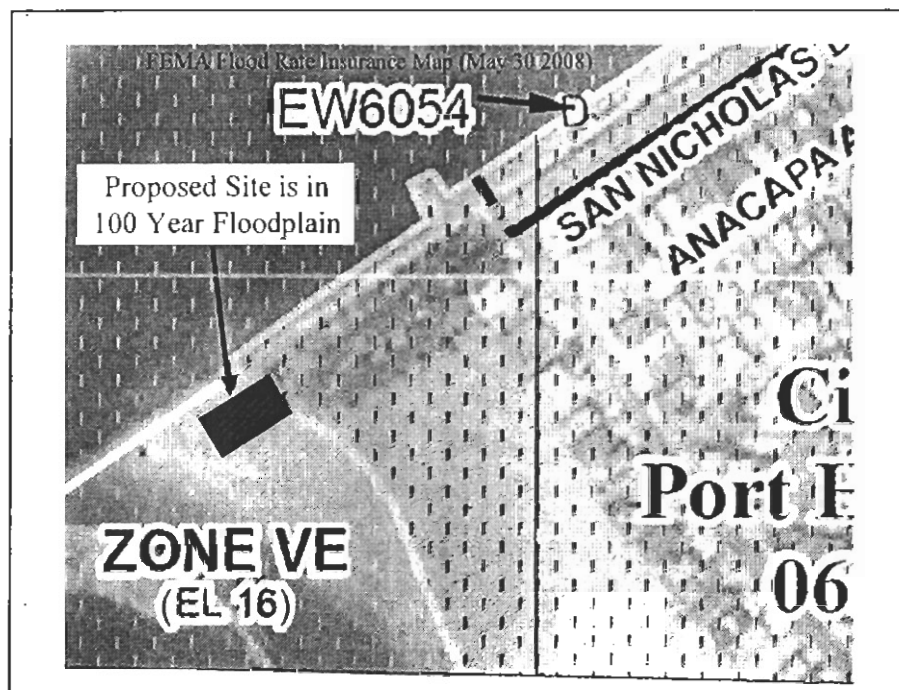
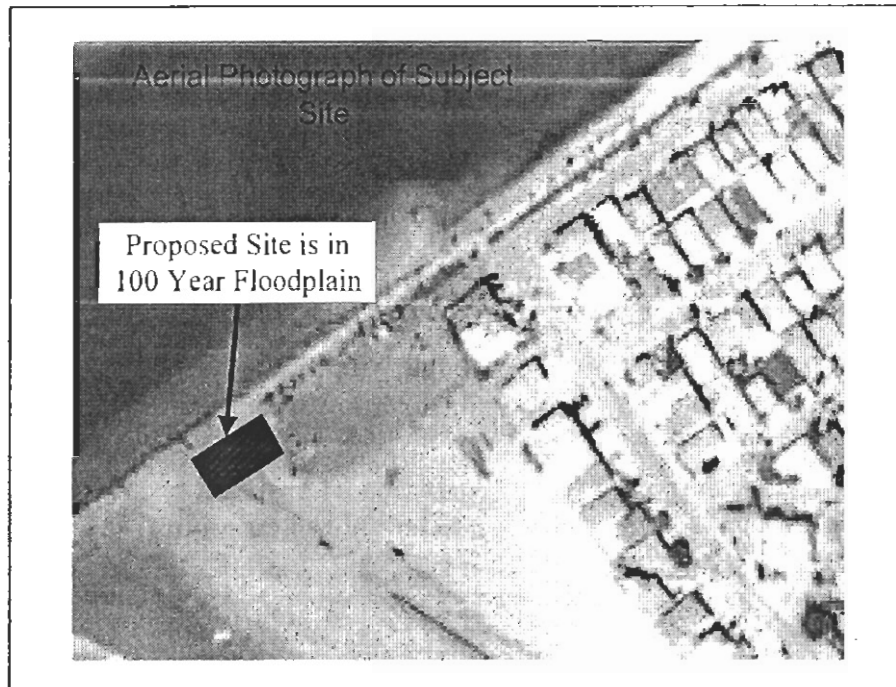
- Original structure was not sited in harmony with environment and its removal improved beach
- Replacement in the same position is not justified as it will have the same adverse impacts as the former building
- Building is significantly larger 40% taller and at least 31% larger. Not just a replacement structure
- Only 30% of building used year round; 70% used c. 70 days per year
- County admits project will make no improvement in beach safety

## Proposed Site is in 100 Year Floodplain

- Proposed site is in FEMA FIRM Zone V5 and therefore in the 100 year floodplain
- Therefore County cannot receive flood zone clearance or building permit for the site. Building cannot be built
- FEMA told County that building must be sited in Zone X not Zone V5. County ignoring this requirement
- Prior structure not destroyed by 100 year flood but continuous wave action. Structure in same location will be subject to wave action and ultimate destruction with consequential threat of pollution and biohazard
- Appellants Suggested move of site by 20 feet will
  - satisfy FEMA requirement without affecting operational effectiveness
  - Avoid damage to public view corridor without affecting operational effectiveness
  - Minimize threat of pollution and biohazard

## Prior structure not destroyed by 100 year flood but continuous wave action





## § 30253 Beach Erosion and Shoreline Structures

- New development will:
  - Affect risks to life and property in areas of high geologic, flood, and fire hazard
  - Will contribute significantly to erosion, geologic instability, or destruction of the site and surrounding area
  - Will require the construction of protective devices that would substantially alter natural landforms..

## Environmental Hazard To The Public

- building would present environmental hazard to public and adjacent properties
  - contamination potential of ocean water by compromised sewer system
  - influx of water and sand into sewer system presents danger to adjacent properties

## Height of the Proposed Building Violates CZO Section 8175-2

- Grade height is +9 feet, finished floor height is +13.5 feet and the building is 33 feet tall. Therefore finished building height will be +37.5 feet in contravention of the Coastal Zoning Ordinance Section 8175-2
- CCC Staff was told that the parcel is not bound by the adjacent harbor entrance 6 feet away and that the “parcel extends one mile north upcoast”. This is not true. Parcel 206-0-179-290, 2533 Ocesan Drive is bound by the adjacent rock breakwater at the harbor entrance. Thus the height limit for a structure would be 25 feet.

## Beach Erosion Hazard

Wave Run-up and Coastal Hazard Study; GeoSoils Inc. January 2006

- Building on proposed site will have a serious negative impact on beach erosion caused by wave action against this hard structures
- GeoSoils Inc. Study states
  - Subject site relatively low lying and will be subject to wave run-up and overtopping
  - Proposed facilities are situated in area that has been flooded in the past and will be subject to flooding in the future
  - In the short term, the beach can erode and narrow to the point where the structure will be subject to wave run-up

## Beach Erosion Hazard

Wave Run-up and Coastal Hazard Study; GeoSoils Inc. January 2006

- The GeoSoils Inc. study says that there need to be berms or “Jersey” concrete barriers placed in front of the building on the sand “to minimize wave run-up attack.” This is inconsistent with LCP
- It also says “the beach fronting proposed tower will be subject to short term, temporary erosion. Severe, temporary erosion is proposed to be managed by creating a sand berm”. This is inconsistent with LCP.

## Protection of Private Rights

Coastal Area Plan, Central Coast Section, “Recreation and Access”, Paragraph A., subparagraph “Objectives”

- ...improving and increasing public recreational opportunities on the Central Coast consistent with public health and safety, and the protection of private rights.”
- Private rights of adjacent homeowners not being protected. Tower is 37.5 feet, with a wrap around deck and windows enabling persons on and in tower clear view into adjacent houses
- Tower windows and viewing platform at same level as the bedroom windows of the houses. Note previous tower had only viewing on beach side.
- Creates unacceptable threat of invasion of privacy

Development compatible with  
character of surrounding development

CZO Sec. 8181-3.5 b. Para 2.

- Design of the building does not blend with the architecture and appearance of surrounding area.
- Building has the intrusive in appearance and looks like of a “prison guard tower.” according to many observers

Development must not be obnoxious or  
harmful,  
or impair the utility of neighboring property

OR USES CZO Sec. 8181-3.5 d.

- The project is inconsistent with this section.
- Utility of the properties will be impacted in view from inside homes
- County artists’ renditions of views give deceptive impression of the facts. Pictures not representative and give a deceptive impression of view from inside houses
- County assertion that interference with views is minimal and will not be harmful or obnoxious or impair the utility not correct.

Development must not be obnoxious or  
harmful,  
or impair the utility of neighboring  
property or uses CZO Sec. 8181-3.5 d.

- Proposed structure massively enlarged and increased in height from 25 feet to 35+ feet.
- Impairs utility of these properties by degraded views compared to the previous structure.
- Impairment of utility also includes impairment of the utility of the property as investment by significant reduction in potential value
- Lasting affect on future property tax incomes yielded to the County.

## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
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VENTURA, CA 93001  
(805) 585-1800

**W26a**

Filed: 8/12/08  
49<sup>th</sup> Day: 9/30/08  
Staff: SLG-V  
Staff Report: 8/27/08  
Hearing Date: 9/10/08

**STAFF REPORT: APPEAL**  
**SUBSTANTIAL ISSUE**

**LOCAL GOVERNMENT:** County of Ventura

**LOCAL DECISION:** Approval with Conditions

**APPEAL NO.:** A-4-VNT-08-057

**APPLICANT:** Ventura Harbor District

**APPELLANTS:** Graham and Bella Galliford, Arnie and Sherri Friedman, Chester and Jane Haines, and Bob Jurik

**PROJECT LOCATION:** Silver Strand Beach, west of the intersection of San Nicolas Avenue and Ocean Drive, County of Ventura (APN 206-0-179-290)

**PROJECT DESCRIPTION:** Construction of a 1,700 sq. ft., maximum 33-ft. in height (as measured from finished floor elevation), lifeguard tower and public restroom building to replace a previous lifeguard tower approximately 25 ft in height and public restroom structure in approximately the same location.

**MOTION & RESOLUTION:** Page 5

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**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal has been filed. The **motion** and **resolution** for a "no substantial issue" finding are found on **page 5**. The appellants contend that the approved project is not consistent with policies and provisions of the certified Local Coastal Program and applicable policies of the Coastal Act with regard to geology and hazards, visual resources and community character, public safety and the private rights of the neighbors. The standard of review at this stage of an appeal requires the Commission to determine whether the appeal of the project, as approved, raises a substantial issue with respect to its conformity to the standards set forth in the certified Local Coastal Program or the public access policies of the Coastal Act that the appellants raise in their appeal (see Page 9 for criteria).

The proposed project does not raise a substantial issue with the relevant LCP policies<sup>1</sup>. The County has approved the project, finding that the proposed replacement lifeguard station is necessary at the proposed location for public safety reasons and that its size and seaward extent have been minimized to reduce its impact on public views and public access, consistent with the relevant LCP policies, but to still meet the needs of the lifeguard service. The new lifeguard station will be located in the approximate location of the pre-existing facility, but because the structure is larger, it will result in additional beach coverage. However, the larger structure will accommodate a first aid station and related safety facilities that will provide improved public services. Additionally, the proposed 5-ft. deepened foundation will provide reasonable and necessary protection for the proposed replacement lifeguard station from hazards while minimizing impacts to public access and shoreline processes, consistent with the geological, hazards, and access policies in the LCP. The lifeguard station and restroom provide public amenities that will be visible from public areas including the beach, parking lot, and the road that accesses the parking lot. The County's approval relied on the analysis that the structure has been sited and located in a manner necessary to provide for critical public safety needs while also minimizing encroachment on the beach and adverse impacts to public access and recreation, consistent with the access and recreation policies of the LCP. The staff recommendation herein is to find that no substantial issue is raised with regard to the grounds of appeal.

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<sup>1</sup> Note, the appellants did not raise any alleged inconsistency with any Chapter 3 public access and recreation policies.

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## **EXHIBITS**

**Exhibit 1.** Final Local Action Notice (including Findings and Conditions)

**Exhibit 2.** Appeals

[Click here to go to Exhibit 2 which is posted as a separate document.](#)

**Exhibit 3.** Vicinity Map

**Exhibit 4.** Parcel Map

**Exhibit 5.** Site Plans

**Exhibit 6.** Floor Plans

**Exhibit 7.** Elevations & Sections

**Exhibit 8.** Foundation Plans

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**SUBSTANTIVE FILE DOCUMENTS:** Ventura County Coastal Area Plan; Ventura County Coastal Zoning Ordinance; Notice of Final Decision for Public Works Permit for the Reconstruction of a Lifeguard Tower and Public Restroom on Silver Strand Beach (County of Ventura, Planning Division, July 25, 2008); County of Ventura, Staff Report and Recommendation Regarding Public Hearing to Approve a County-Initiated Public Works Permit for the Reconstruction of a Lifeguard Tower and Public Restroom on Silver Strand Beach (Project No. LU08-0069) Pursuant to the Ventura County LCP (County of Ventura, Planning Division July 22, 2008; hereinafter referred to as County Staff Report); *Third Geotechnical Update, Silver Strand Beach Restroom/Lifeguard Tower* (Fugro West, Inc., June 26, 2008); *Flood Potential Analysis Proposed Silverstrand Beach Restroom, Channel Islands Harbor, Oxnard, CA* (GeoSoils, Inc. June 25, 2008); *Coastal Hazard & Wave Runup Study for Silver Strand Restroom, Channel Islands Harbor* (GeoSoils, Inc., January 2006); *Addendum to Update of Geotechnical Engineering Report, Silver Strand Beach Restroom/Lifeguard Tower* (Fugro West, Inc. January 31, 2006); *Update of Geotechnical Engineering Report, Silver Strand Beach Restroom/Lifeguard Tower* (Fugro West, Inc., October 7, 2005); *Geotechnical Engineering Report Silver Strand Beach Restroom/Lifeguard Tower* (Fugro West, Inc., December 2000);

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## **I. APPEAL PROCEDURES**

### **A. APPEAL JURISDICTION**

Under Section 30603 of the Coastal Act, development approved by a local government may be appealed to the Commission if it is located within the appealable areas, such as those located between the sea and the first public road paralleling the sea, within 300 feet of the inland extent of any beach or of the mean high-tide line of the sea where

there is no beach, whichever is greater, on state tidelands, or along or within 100 feet of any wetland, estuary, or stream. Further, any development approved by a coastal county that is not designated as the principal permitted use within a zoning district may also be appealed to the Commission, irrespective of its geographic location within the coastal zone. Finally, development that constitutes major public works or major energy facilities may also be appealed to the Commission.

The County of Ventura's final local action in this case is appealable to the Commission pursuant to Section 30603(a)(1) because the approved development is located on a beach between the first public road and the sea.

## **B. APPEAL PROCEDURES**

The Coastal Act provides that after certification of Local Coastal Programs, a local government's actions on Coastal Development Permits in certain areas and for certain types of development may be appealed to the Coastal Commission. Local governments must provide notice to the Commission of their coastal permit actions. During a period of 10 working days following Commission receipt of a notice of local permit action for an appealable development, an appeal of the action may be filed with the Commission.

### **1. Grounds for Appeal**

Pursuant to Section 30603(b)(1) of the Coastal Act, the grounds for appeal of development approved by the local government and subject to appeal to the Commission are limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in the Coastal Act (Sections 30210-30214 of the Public Resources Code).

### **2. Substantial Issue Determination**

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue exists with respect to the grounds on which the appeal was filed. When Commission staff recommends that no substantial issue exists with respect to the grounds listed for an appeal, the Commission will hear arguments and vote on the issue of whether a substantial issue is raised. A majority vote of the members of the Commission is required to determine that the Commission will not hear an appeal. If the Commission determines that no substantial issue exists, then the local government's coastal development permit action will be considered final.

### **3. De Novo Review Stage of the Hearing**

Should the Commission find that the appeal does raise a substantial issue, the Commission will consider the permit application *de novo*. The applicable test for the Commission to consider in a de novo review of the project such as this is whether the proposed development is in conformity with the certified Local Coastal Program and the public access and public recreation policies in Chapter 3 of the Coastal Act. If a de novo review is conducted as part of the hearing, testimony may be taken from all interested persons.

## C. LOCAL GOVERNMENT ACTION AND FILING OF APPEAL

On July 22, 2008, the Ventura County Board of Supervisors approved Public Works Permit (equivalent of a Coastal Development Permit as authorized in the County's certified LCP) No. LU08-0069 07-1385 for the reconstruction of a lifeguard tower and restroom on Silver Strand Beach. The Notice of Final Action for the project was received by Commission staff on July 29, 2008 (Exhibit 1). A ten working day appeal period was set, and notice was provided beginning July 30, 2008, and extending to August 12, 2008.

Appeals of the County's action were filed by Graham and Bella Galliford (received August 4, 2008), Arnie and Sherri Friedman (received August 6, 2008), Chester and Jane Haines (received August 11, 2008), and Bob Jurik (received August 8, 2008) during the appeal period. Commission staff notified the County of Ventura, the Ventura County Harbor Department (the applicant), and all interested parties that were listed on the appeals.

## II. STAFF RECOMMENDATION OF NO SUBSTANTIAL ISSUE

**MOTION:**        *I move that the Commission determine that Appeal No. A-4-VNT-08-057 raises NO substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act.*

### **STAFF RECOMMENDATION:**

Staff recommends a **YES** vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

### **RESOLUTION TO FIND SUBSTANTIAL ISSUE:**

The Commission hereby finds that Appeal No. A-4-VNT-08-057 raises **no substantial issue** with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified LCP.

## III. FINDINGS AND DECLARATIONS FOR NO SUBSTANTIAL ISSUE

The Commission hereby finds and declares:

### **A. PROJECT DESCRIPTION AND BACKGROUND**

On July 22, 2008, the County of Ventura Board of Supervisors approved a "Public Works Permit, County-Initiated" for construction of a 1,700 sq. ft., maximum 33-ft. in height from the finished floor elevation, lifeguard tower and public restroom building on

Silver Strand Beach (Exhibits 3-7) to replace a previous lifeguard tower approximately 25 ft in height and public restroom structure. According the County's staff report for this project, the pre-existing lifeguard tower and restroom had a combined area of approximately 1,300 sq. ft and were destroyed as a result of storms in 2002. Both structures were removed in 2002.

The County's staff report (Page 8) states the following with regard to the condition of the previous lifeguard tower and restroom structure:

***The previous lifeguard tower and restroom was constructed in approximately 1969 and had remained in place until the storms of 2002. The previous building was constructed of concrete block and, after 30 plus years of use, was already badly deteriorated at that time. The concrete block had cracked in many places and exposed the structure's rebar, which had begun to rust and disintegrate. The previous structure also had an inadequate foundation for its elevation and had been frequently inundated with seawater, which hastened its destruction. Nevertheless, since the building was approximately 30 years old when it was destroyed, it would have needed to have been replaced if it were still standing today.***

The project site is located near the public parking lot west of the intersection of San Nicolas Avenue and Ocean Drive. This area is immediately downcoast of the entrance to Channel Islands Harbor on Silver Strand Beach. The entrance to the Channel Islands Harbor is bounded by two jetties. The subject area is adjacent to the southern / downcoast jetty. A concrete ramp and public walkway adjoins the northwest corner of the public parking lot, providing access to a public pathway atop the jetty. The project includes a concrete walkway along the east and south of the lifeguard tower and restroom building, and a connecting ramp to the existing ramp to access the jetty pathway.

The location of the proposed development is substantially the same as the original structures. The subject structure is located as landward as feasible on the sandy beach neighboring the jetty, and is situated adjacent to the parking lot, to avoid infringing on the available public parking. This landward location minimizes threat of wave surge, flooding, and a repetition of structural damage, while still permitting the lifeguard tower to have a clear view of the beach and having the restrooms accessible to the public.

Silver Strand Beach, including Hollywood-by-the Sea, is comprised of approximately 41 acres of County-owned day-use beach administered by Ventura County Harbor Department. Two parking lots serve Silver Strand Beach. To serve public needs, one 60-space paved parking lot ("Silver Strand lot"; i.e., the parking lot at the subject site) is located west of the intersection of San Nicolas Avenue and Ocean Drive, and is located adjacent to the proposed development, and one approximately 40-space parking lot ("La Jenelle lot") is located on the southerly end of the beach. Both parking lots and Silver Strand Beach experience high public use during the spring and summer months, and low-to-moderate use in off-season months depending upon the weather.

The purpose of the project is to provide public restroom facilities on the beach and increase public safety by improving the effectiveness of the lifeguards' efforts during peak beach use seasons. In this case the proposed lifeguard tower will provide a station

where the senior lifeguard can: (1) view both Silver Strand and Hollywood Beaches, (2) advise other lifeguard staff regarding conditions and problems requiring their attention, and (3) become aware of problems earlier than if the lifeguard could not see the other lifeguard towers.

## **B. LOCAL PERMIT HISTORY**

On June 13, 2006, the County of Ventura Board of Supervisors approved construction and preliminary design of this lifeguard tower and restroom but deferred approval of the final design of these structures until a future date.

On April 15, 2008, the Board of Supervisors reviewed and approved the final design proposed for this lifeguard tower and public restroom consistent with the site plan and elevations (finished floor elevation at 13.5 ft elevation). Final elevations for the project were reduced from the original 35 feet in height from finished floor elevation to a height of 33 feet from finished floor, at the Board's request.

On April 30, 2008, the Planning Division incorrectly issued a Zoning Clearance (ZC08-0394) for the construction of the lifeguard tower and public restroom. At the Board of Supervisors' direction, County Counsel reviewed the matter and advised that a Zoning Clearance was not the appropriate permit document for this project. In addition, Commission staff contacted County staff and informed them that a Zoning Clearance can not be issued for appealable development (such as this project) on the sandy beach and that a coastal permit was required. The County rescinded the Zoning Clearance (ZC08-0394) on June 12, 2008. It was determined by the County that the appropriate permitting approach under the certified Coastal Zoning Ordinance (CZO) was to process the project as a "Public Works Permit, County-Initiated" pursuant to Section 8174-4 of the CZO.

The certified Zoning Ordinance (CZO Section 8181-3.4) defines a Public Works Permit as follows:

***A Public Works Permit is a discretionary permit processed by the Public Works Agency in accordance with all applicable requirements of the Government Code and this Chapter regarding findings, public notification and hearings for discretionary permits.***

On July 22, 2008, the County of Ventura Board of Supervisors approved a Public Works Permit (LU08-0069) for construction of a 1,700 sq. ft., maximum 33-ft. in height from finished floor, lifeguard tower and public restroom building on Silver Strand Beach.

## **C. APPELLANTS' CONTENTIONS**

### **1. Chester and Jane Haines**

The grounds for appeal of the project by Chester and Jane Haines are summarized below. The full text is attached as Exhibit 2. The appeal asserts the following:

1. There is no Environmental Impact Report filed by the County to address potential impacts such as erosion, protection of public views, protection of privacy for neighboring residences.

2. The project will be inconsistent with policies and implementation measures of the County of Ventura's Local Coastal Plan because: (a) it will allow a project within a Flood Zone; (b) the Wave Runup and Coastal Hazards Study recommends the construction of berm and concrete barriers to reduce hazardous conditions; (c) the structure may attract persons with unlawful intentions and contribute to illegal recreation which is a threat to public safety; (d) the structure is not consistent with the protection of public and private views, and general aesthetics along the shoreline; (e) the site was not visited by the County Board of Supervisors as part of the approval process, and thus the approving body could not fully recognize the impacts of the project to views and aesthetics; (f) the Board of Supervisors did not undertake a careful review of alternatives to address residents' concerns; and (g) there is no documentation validating CEQA exemption.

## **2. Graham and Bella Galliford, Bob Jurik, Sherri and Arnie Friedman**

The grounds for appeal of the project by Graham and Bella Galliford, Arnie and Sherri Friedman, and Bob Jurik are virtually identical and summarized below. However, the Galliford appeal provides additional documentation for each of the grounds of appeal. The full text of these appeals is attached as Exhibit 2. These three appeals assert the following:

1. The project will be inconsistent with policies and implementation measures of the County of Ventura's Local Coastal Plan because: (a) it is not consistent with CZO Section 8181-3.5b which states that development must be compatible with the character of surrounding development; the structure damages scenic and visual quality of coastal areas, and damages public views to and along the coast, inconsistent with Section 30251 of the Coastal Act; (b) it will allow a project within a Flood Zone (Zone V5), in an area regularly subject to ocean flooding, inconsistent with Section 30253 of the Coastal Act; (c) as proposed with finished floor elevation of 13.5 ft, the height of the structure would be 37.5 ft in height, inconsistent with CZO Section 8175-2 which limits the structure to 25 feet, (d) the Wave Runup and Coastal Hazards Study recommends the construction of berm and concrete barriers to reduce hazardous conditions which is inconsistent with Policy 7 of the Coastal Area Plan, Central Coast Section, "Hazards;" (e) the project will have a negative impact on the beach contributing to erosion due to wave action against hard structures which is inconsistent with Coastal Area Plan, Central Coast Section "Hazards;" (f) the building will not protect the private rights of adjacent homeowners and will create threat of invasion of privacy inconsistent with Coastal Area Plan, Central Coast Section, Recreation and Access "Objectives;" (g) the design of the building does not blend with the architecture and appearance of the surrounding area, inconsistent with CZO Section 8181-3.5b, Paragraph 2; (h) the proposed development would be obnoxious and impair the utility of neighboring properties by changing views, impacting property values, and creating a threat of invasion of privacy from the tower into neighboring residences, inconsistent with CZO Section 8181-3.5d; and (i) the proposed development would be detrimental to public interest, health, safety, convenience, or welfare by creating areas that cannot be easily

viewed from the street attractive to perpetrators of criminal and illegal activities, thereby inconsistent with CZO Section 8181-3.5e.

2. The project is inconsistent with the Coastal Act by blocking a public view corridor. The siting of the building causes significant impediment to views of the beach, ocean, and coastline.

3. The project does not qualify as Categorical Exempt under CEQA.

4. There has not been a proper evaluation of alternatives.

## **D. ANALYSIS OF SUBSTANTIAL ISSUE**

Pursuant to Sections 30603 and 30625 of the Coastal Act, the appropriate standard of review for this stage of the subject appeal is whether a substantial issue exists with respect to the grounds raised by the appellant relative to the project's conformity to the policies contained in the certified LCP. The appellants contend that the project, as approved by the County, does not conform to the policies of the LCP with regard to geology and hazards, visual resources and community character, public safety and the private rights of the neighbors. They also raise issues related to the California Environmental Quality Act ("CEQA"). See Cal. Pub. Res. Code §§ 21000 *et seq.*

Based on the findings presented below, the Commission finds that no substantial issue exists with respect to the grounds on which the appeal has been filed. The approved project is consistent with the policies of the County of Ventura certified LCP for the specific reasons discussed below.

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations indicate simply that the Commission will hear an appeal unless it "finds that the appeal raises no significant question" (Cal. Code Regs., title 14, section 13115(b)).

In evaluating the issue of whether the appeals raise a substantial issue, the Commission considers the following factors:

- (1) The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP;
- (2) The extent and scope of the development as approved or denied by the local government;
- (3) The significance of coastal resources affected by the decision;
- (4) The precedential value of the local government's decision for future interpretation of its LCP; and
- (5) Whether the appeal raises only local issues, or those of regional or statewide significance.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development approved by the County does not raise a substantial issue with regard to the appellants' contentions.

## **1. Geology and Hazards**

The appellants assert that the project, as approved by the County, raises issues with respect to its consistency with the following policies and provisions of the County of Ventura Local Coastal Plan relating to structural stability and exposure to hazards and potential shoreline management strategies.

Coastal Area Plan, Central Coast Section, Hazards, Policy 3:

***New development shall be sited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.***

Coastal Area Plan, Central Coast Section, Hazards, Policy 4:

***All new development will be evaluated for its impacts to, and from geologic hazards (including seismic safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. Feasible mitigation measures shall be required where necessary.***

Coastal Area Plan, Central Coast Section, Hazards, Policy 7:

***New development shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works.***

Coastal Area Plan, Central Coast Section, Hazards, Objective:

***To protect public safety and property from natural and human hazards as provided in County ordinances.***

Coastal Zoning Ordinance (CZO) Section 8181-3.5 states, in relevant part:

***Discretionary permits may only be granted if all billed fees and charges for processing the application request that are due for payment have been paid, and if all of the following standards are met or if conditions and limitations, including time limits, as the decision-making authority deems necessary are imposed to allow it to meet said standards. The applicant shall have the burden of proving to the satisfaction of the appropriate decision-making authority that the following standards can be met. Specific factual findings shall be made to support the conclusion that each of these standards, if applicable, can be satisfied:***

***a. The proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program;***

***b. The proposed development is compatible with the character of surrounding development;***

***c. The proposed development, if a conditionally permitted use, is compatible with planned land uses in the general area where the development is to be located.***

***d. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses;***

***e. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare.***

...

Section 30253 of the Coastal Act, incorporated into the Coastal Area Plan:

***New development shall:***

***(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.***

***(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.***

***(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.***

***(4) Minimize energy consumption and vehicle miles traveled.***

***(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.***

The appellants' concerns with regard to geologic and environmental hazards can be categorized as follows:

1. ***Structural Stability.*** The structure is located within a Flood Zone (Zone V5), in an area regularly subject to ocean flooding, inconsistent with Section 30253 of the Coastal Act;
2. ***Structural Stability.*** The Wave Runup and Coastal Hazards Study recommends the construction of berm and concrete barriers to reduce hazardous conditions which is inconsistent with Policy 7 of the Coastal Area Plan, Central Coast Section, Hazards;
3. ***Beach Erosion.*** The project will have a negative impact on the beach contributing to erosion due to wave action against hard structures which is inconsistent with Coastal Area Plan, Central Coast Section, Hazards;

There have been several reports and addenda regarding the geologic and shoreline hazards at the subject site, including: *Third Geotechnical Update, Silver Strand Beach Restroom/Lifeguard Tower* (Fugro West, Inc., June 26, 2008); *Flood Potential Analysis Proposed Silverstrand Beach Restroom, Channel Islands Harbor, Oxnard, CA* (GeoSoils, Inc. June 25, 2008); *Coastal Hazard & Wave Runup Study for Silver Strand Restroom, Channel Islands Harbor* (GeoSoils, Inc., January 2006); *Addendum to Update of Geotechnical Engineering Report, Silver Strand Beach Restroom/Lifeguard Tower* (Fugro West, Inc. January 31, 2006); *Update of Geotechnical Engineering Report, Silver Strand Beach Restroom/Lifeguard Tower* (Fugro West, Inc., October 7, 2005); and *Geotechnical Engineering Report Silver Strand Beach Restroom/Lifeguard Tower* (Fugro West, Inc., December 2000).

Section 30253 addresses new development and requires that it minimize risks to life and property, assure stability and structural integrity, and not contribute significantly to erosion or destruction of the site or surrounding area. In this case, those risks are from waves, storm events, erosion and flooding. Thus, while the Commission certainly recognizes the important function of a lifeguard station and restrooms for the beach-going public, the structure must be located and designed to minimize risks, assure integrity, and avoid contributing significantly to erosion. These issues were reviewed by the County based upon technical studies and review by the County Public Works Agency engineers.

Some appellants assert that the structure is located within a Flood Zone (Zone V5) as designated on the Flood Insurance Rate Map (FIRM). The applicant's coastal engineer (GeoSoils, Inc., June 25, 2008) asserts that the project site is mostly in Zone B and possibly Zone V5. Zone B and Zone V5 are defined in the GeoSoils, Inc. report as follows:

***Zone B. Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.***

***Zone V5. Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.***

According to the County's analysis (BOS Staff Report, page 4), the proposed replacement lifeguard tower and restroom is located outside the 100-year flood zone as shown on the Effective Flood Insurance Rate Map, established by FEMA. Commission staff reviewed a photocopy of the Preliminary May 30, 2008 FIRM map that was provided in the record but the scale of the map was not conducive to a making a final determination on whether the scope of the project would be within the 100-year floodplain. Regardless, at a minimum, the delineation is very close or includes a portion of the project.

The appellants have not cited and policies or provisions in the certified LCP which specifically prohibit structures in the FEMA flood zone, but rather the LCP requires that new development minimize risks to life and property in areas of high flood hazard and that such be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works. The Commission finds that the primary purpose of the approved lifeguard tower is to provide a lookout vantage point for on-duty lifeguards of public beach and swimming areas to ensure public safety. Thus, by nature of its purpose, the lifeguard tower must be located on the sandy beach in close proximity to the water and is expected to be subject to periodic wave action. Relocation of the structure further landward would diminish the capability of the facility to provide for adequate public safety. Therefore, the relevant issue is whether the development, as approved by the County, is designed in a manner that will minimize the risks given the constraints on where it must be located and will be adequate to ensure structural stability and consistency with Section 30253 of the Coastal Act, as directly incorporated into the County's Coastal Plan.

In this case, the applicant has prepared geologic and coastal engineering reports for the subject project to address hazards from wave uprush on site and ensure structural stability. The project has been designed with a finished floor elevation of +13.5 ft (NAVD88). The report by GeoSoils, Inc. (June 25, 2008) finds that in the case of this specific site, the project will comply with all FEMA protocols because the site-specific base flood elevation was determined to be 1 foot above grade. Since the finished grade for the parking lot adjacent to the proposed building is +11.5 ft NAVD88, then the calculated base flood elevation is +12.5 ft. NAVD88. As a result, the proposed building is designed above the site-specific base flood elevation and the coastal engineer certified that (GeoSoils, Inc., June 25, 2008):

***The proposed structure is safe from flooding based upon site specific base flood analysis. In addition, the design of the building further mitigates the potential for flooding or damage due to coastal hazards. The building openings are on the lee side with no direct path for wave runup flooding. The foundation is deepened (5-foot deep continuous footings) to mitigate any possible short-term erosion problems. The building is primarily constructed of concrete/masonry blocks, which are not subject to water damage from splash. In closing the proposed development is reasonably safe from coastal hazards and from flooding. No shoreline protection will be necessary to protect the structure over its lifetime.[emphasis added]***

In addition, the County made the following findings in its staff report, dated July 22, 2008 (Page 6):

***The proposed development has been sited as far inland as possible to avoid wave surge and flooding and the Public Works Agency has determined that the proposal has been engineered to minimize the effects of damage from flooding.***

...

***The County of Ventura Public Works Agency did not require the preparation of a geologic report and determined that any geologic hazards have been evaluated and addressed to the satisfaction of that agency.***

...

***The Public Works Agency has reviewed the proposed development and believes that the lifeguard tower and restroom is sited and designed so as not to cause or contribute to flood hazards or cause the expenditure of public funds for flood control improvements.***

Moreover, the County further addressed the issue of flooding/wave action by requiring Special Condition 2(c) which requires the applicant to obtain a Flood Zone Clearance from the Director of Public Works. Special Condition 2 (c) requires the applicant to submit site plans and grading plans with the 100-year Coastal Flood Plain Boundary using effective FIRM maps. The location of the proposed building shall be laid out by a registered land surveyor prior to construction and shall be monitored during construction to ensure that the building does not encroach into the 100-year floodplain. Additionally, the building shall incorporate floodproofing measures as recommended by FEMA, including but not limited to elevating all electrical and mechanical and serving above the +16.0 elevation (NAVD88).

For the reasons discussed above, a review of the records indicates that the project is consistent with the provisions of the County's LCP relating to structural stability and minimizing the risks associated with new development in areas of flood hazard.

Another grounds for appeal raised by the appellants with regard to siting of the subject development asserts that the construction of berm and concrete barriers to reduce hazardous conditions of the existing parking lot and new lifeguard tower/restrooms is inconsistent with Policy 7 of the Coastal Area Plan, Central Coast Section, Hazards. Although, the Wave Runup and Coastal Hazards Study (GeoSoils, Inc., January 2006) does recommend some temporary erosion management strategies to address short term, severe, temporary erosion; the actual installation of concrete barriers or a sand berm is not part of this project and is not authorized, in any manner, by the County's approval of this permit. Construction of a sand berm or installation of concrete barriers on site would require a separate coastal permit.

In addition, although the Wave Runup and Coastal Hazards Study (2006) originally recommended a three-foot deepened perimeter footing to ensure structural and geologic stability, as approved by the County, the project was modified to actually provide a 5-foot deepened foundation in order to provide a greater measure of safety. The applicant's engineering consultants indicate that this provides additional depth and stability to help deal with periodic wave action and fluctuation in the shoreline sand supply. As a result, in the June 25, 2008 report, GeoSoils, Inc. stated that:

***No shore protection will be necessary to protect the structure over its lifetime.***

As a result, the project is found to be consistent with the provisions of the County's LCP relating to new development such that it is sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works.

A third grounds for appeal raised by some appellants is that the project will have a negative impact on the beach contributing to erosion due to wave action against hard structures which is inconsistent with Coastal Area Plan, Central Coast Section, Hazards.

The County found in its analysis that erosion is not a significant concern at Silver Strand Beach (Staff Report, Page 7):

***Beach erosion is not a major issue at Silver Strand, as the LCP indicates that, "Beach erosion at Silver Strand is also slight. While the middle section of the beach is subject to erosion during periods of high tides and wave action, homes on the shoreline are protected from damage by bulldozed sand dikes. The Project has been designed and set as far landward as possible so as not to interfere with ordinary natural processes on the beach. The proposed development is consistent, therefore, with the issue of Beach Erosion as analyzed in the LCP."***

The Wave Runup and Coastal Hazards Report (GeoSoils, Inc., January 2006) provides the following assessment on shoreline erosion hazards:

*The beach and shoreline fronting the subject site has been essentially stabilized by the Channel Islands Harbor southeast jetty and the periodic placement of sand on the nearby beach from channel dredging. The jetty helps to hold the beach in place and shelters the site from significant waves from the northwest. The periodic beach nourishment prevents any long term erosion of the site as a result of sand moving into the harbor channel or down the coast. However, beach fronting the proposed tower will be subject to short term, temporary erosion. Severe, temporary erosion is proposed to be managed by creating a sand berm or other means to prevent damage to the structure from short term erosion. The proposed project is reasonably safe from shoreline erosion because of the long term stability of the beach, the jetty, the beach nourishment program, and the short term, temporary, erosion management strategy.*

In general, the project is designed to minimize the impacts to shoreline process by locating the structure as landward as feasible on the sandy beach while fulfilling purpose of providing expanded field of view for lifeguards. The Wave Runup and Coastal Hazards Study (2006) also addressed the potential of the structure on long-term erosion rates as follows:

*The proposed facility will not alter either the long term erosion rate (very small) or the seasonal erosion rate. The jetty adjacent to the proposed facility helps to stabilize the shoreline. In addition, the adjacent beach is nourished every two years as a result of the dredging of the harbor and inlet areas.*

...

*There are no anticipated impacts to the adjoining sections of shoreline as a result of the structure.*

For the reasons discussed above, the project is consistent with the above provisions of the County's LCP relating to structural stability, hazards and beach erosion. The County record indicates there is adequate factual evidence and legal support for the County's analysis and decision. In analyzing other factors relevant to the issue of whether this appeal raises a substantial issue with respect to structural stability, hazards, and beach erosion, the extent and scope of the project is relatively minor. There would be no significant coastal resources affected by the decision. The County's decision to replace the lifeguard tower and public restrooms will provide additional public amenities on a public beach and will have an overall beneficial impact consistent with the County's LCP policies. Further, this appeal raises issues only relating to consistency with local hazard policies, it does not establish dramatic new interpretations of those policies, and does not have regional or statewide significance. Given these factors, this appeal does not raise a substantial issue relating to structural stability, hazards and beach erosion. The project is consistent with the requirements of the LCP that were adopted to insure that development does not have significant adverse impacts on coastal resources.

## **2. Visual Resources and Community Character**

The appellants assert that the project, as approved by the County, raises issues with respect to its consistency with the following policies and provisions of the County of Ventura Local Coastal Plan relating to visual resources.

**CZO Section 8174-5.4:**

***The replacement of any legally permitted structure destroyed by disaster, other than a public works facility, shall not require the issuance of a coastal development permit. The replacement structure shall conform to applicable existing zoning requirements, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed structure. As used in this subdivision, "disaster" means any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of the owners; "bulk" means total interior cubic volume as measured from the exterior surface of the structure; and "structure includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.***

**CZO Section 8175-2 (excerpt for C-O-S) Zone District:**

***Minimum Lot Area = 10 acres<sup>2</sup>***

***Maximum Percentage of Building Coverage = As Determined by the Coastal Plan***

***Minimum Lot Width = 40 ft.***

***Minimum Setback, Front = 20 ft***

***Minimum Setback, Side, Interior and Corner Lots = 10 ft.***

***Minimum Setback, Side, Reverse Corner Lots, Street Side = 20 ft.***

***Minimum Setback, Rear = 20 ft.***

***Maximum Height, Main Structure = 25 ft.***

***Maximum Height, Exceptions (Main Structure) = Height May be Increased to 35 ft. if Each Side Yard is at Least 15 ft.***

***Maximum Height, Accessory Structure = Same as Main Structure***

**CZO Section 8181-3.5 states, in relevant part:**

***Discretionary permits may only be granted if all billed fees and charges for processing the application request that are due for payment have been paid, and if all of the following standards are met or if conditions and limitations, including time limits, as the decision-making authority deems necessary are imposed to allow it to meet said standards. The applicant shall have the burden of proving to the satisfaction of the appropriate decision-making authority that the following standards can be met. Specific factual findings shall be made to support the conclusion that each of these standards, if applicable, can be satisfied:***

***a. The proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program;***

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<sup>2</sup> For all proposed land divisions in the C-O-S and C-A zones, the parent parcel shall be subject to the following slope/density formula for determining minimum lot area.

$S = (100)(I)(L) / A$  Where: S=average slope (%); I=contour interval (feet); L = total length of all contour lines (feet); A = total area of the lot (sq. ft);

Once the average slope has been computed, the following table shall be used to determine the minimum lot size for all proposed lots (numbers should be rounded to the nearest tenth):

C-O-S: 0% - 15% = 10 acres; 15.1% - 20% = 20 acres; 20.1% - 25% = 30 acres; 25.1% - 35% = 40 acres; Over 35% = 100 acres.

***b. The proposed development is compatible with the character of surrounding development;***

***c. The proposed development, if a conditionally permitted use, is compatible with planned land uses in the general area where the development is to be located.***

***d. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses;***

***e. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare.***

...

Section 30251 of the Coastal Act, incorporated into the Coastal Area Plan:

***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 appellants' concerns with regard to visual resources can be categorized as follows:

1. *Public and Private Views.* The development is not consistent with the protection of public and private views, and general aesthetics along the shoreline. Additionally, the site was not visited by the County Board of Supervisors as part of the approval process, and thus the decision-making body could not fully recognize the impacts of the project to views and aesthetics. The structure damages scenic and visual quality of coastal areas, and damages public views to and along the coast, inconsistent with Section 30251 of the Coastal Act. The project is inconsistent with the Coastal Act by blocking a public view corridor. The siting of the building causes significant impediment to views of the beach, ocean, and coastline.

2. *Community Character.* The development is not consistent with CZO Section 8181-3.5b which states that development must be compatible with the character of surrounding development.

3. *Height of Structure.* As proposed, the finished floor elevation of 13.5 ft would actually represent a structural height of 37.5 ft in height above the existing grade, inconsistent with CZO Section 8175-2 which limits the structure to 25 feet.

4. *Building Design.* The design of the building does not blend with the architecture and appearance of the surrounding area, inconsistent with CZO Section 8181.3.5b, Paragraph 2/

The appellants assert that the proposed development is inconsistent with Section 30251 of the Coastal Act (as incorporated into the Coastal Plan) because it does not protect

public and private views, and general aesthetics along the shoreline. The appellants contend that the structure damages scenic and visual quality of coastal areas, and damages public views to and along the coast, blocks a public view corridor, and causes significant impediment to views of the beach, ocean, and coastline. Additionally, at least one appeal contends that the decision-making body could not fully recognize the impacts of the project to views and aesthetics because the site was not visited by the County Board of Supervisors as part of the approval process.

The protection of private view does not constitute a standard for the Commission's review, as it is not among the policies listed in the Coastal Act that the Commission is charged with enforcing. Even so, it should be noted that the length of the parking lot is close to approximately 250 ft in length so there is some separation between residences and the new facilities. Though private views are not contemplated under the Coastal Act, the protection of public views to and along the coast is covered both under the Coastal Act and in the County's certified LCP.

The County's analysis addressed the protection of public views along the shoreline by locating it on the landward side of the sandy beach, adjacent to existing development (i.e., parking lot and jetty), and by conditioning the terms of the permit such that the structure will be designed to blend with the surrounding area. The County's staff report (page 5) indicates that the project is designed to be as landward as possible and thus, "This design feature will allow the lifeguard station the visual access to the beach while it minimizes structural intrusion into the beach itself, ..., condenses the visual impact of public-access-supporting structures (lifeguard station, restroom and parking lot) on surrounding residences, and preserves existing parking."

Additionally, the County's analysis provides that:

***Privately owned residences on Silver Strand Beach have a 180-degree ocean view from the beach side of their homes. The construction of a public facility no more than 43 ft. 4 in. wide at its widest side will not deprive any property owner of views they have heretofore enjoyed, especially considering the proposed development merely replaces a previously-existing structure. The proposed development will not obstruct or interfere with private rights in the area.***

...

***As was true of the previous structure, the replacement structure will be visible from homes along Ocean Drive closest to the access point for the parking lot near San Nicolas Avenue. However, the homes on Ocean Drive back up to a public beach with 180-degree ocean views. The proposed structures (43 ft 4 in. wide at its widest point) will therefore interfere with a very small portion of this panoramic view, and the Project was reduced in height from 35 to 33 feet to minimize the visual impact of the lifeguard tower and restroom to the maximum extent feasible (see Exhibits "9.1" and "9.2," Simulations of Proposed Development [photographs of the site with the structure superimposed]). The interference with the views is minimal and will not be harmful or obnoxious or impair the utility of these properties, especially since the proposed structure merely replaces one that existed at the site from 1969 to 2002. Furthermore, given the policies of the LCP and the Coastal Act (discussed below), the public benefits to beach users of a public restroom and a lifeguard tower, with a first aid station, far outweigh any inconvenience the structure may cause to one or more***

***property owners who had their views impaired to nearly the same degree by the previous structure.***

The lifeguard station and restroom provide public amenities will be visible from public areas including the beach, parking lot, as well as the road that accesses the parking lot. However, Commission staff has reviewed the record and concurs with the County's analysis that the project is consistent with Section 30251 because the proposed lifeguard station requires a specific location (in this case, the sandy beach) to meet the needs of the lifeguard service; the restrooms are appropriately located adjacent to the public parking lot; these facilities will serve the long term needs of the public; and given those parameters, the project has been designed and conditioned under the terms of the County permit to blend with the surrounding environment to the maximum extent feasible. Therefore, the Commission finds that the impacts from the approved project to public views is minimal given the overall public benefit.

The appellants also assert that the development is not consistent with CZO Section 8181-3.5b which states that development must be compatible with the character of surrounding development. Lifeguard towers and public restrooms are normally associated with beaches. The Commission finds, therefore, that the presence of the approved lifeguard tower and public restroom on a sandy beach, and adjacent to a public parking lot, is not, in any way, out of character with the development in the area.

The project is designed at 33 ft in height above the finished floor elevation. The appellants have stated that the proposed project raises an issue with regard to consistency with CZO Section 8175-2 which limits the structure to 25 feet. The subject site is zoned Coastal Open Space, 10 acre, and therefore is limited to 25 feet in height with certain exceptions. According to CZO Section 8175-2, the maximum height of the main structure may be increased to 35 feet if each side yard is at least 15 feet. The subject parcel map shows the south (downcoast) side property setback traversing the entire length of the beach, well away from the main structure. Additionally, the applicants have clarified that the parcel ownership proceeds approximately one mile north (upcoast) and that this upcoast area is legally included as part of the subject parcel. This therefore meets the minimum 15 ft. setback from the north property line in order to allow the increase in height. Since the project is designed at 33 ft. in height, it is therefore consistent with the provision of CZO Section 8175-2. From the residents' argument, staff presumes that setbacks were likely drawn from the south jetty which would presumably be a more practical benchmark for measuring setbacks. In this case, the project plans appear to locate the structure approximately 10 feet from the jetty walkway. The applicants have indicated that this location (close to the jetty) was chosen to provide additional protection by tucking-in the structure adjacent to the jetty and to minimize private view concerns raised by property owners near the intersection of Ocean Drive and San Nicolas Avenue.

The appellants have indicated that this translates to a height of 37.5 feet from *existing* sand levels. However, given the natural and expected variability in sand level, it is difficult to use a sand elevation at one point in time to measure height for planning purposes. Under these circumstances, it is more consistent to use benchmark heights

to determine a finished floor level and then accurately define the structure above that level.

The County's analysis addressed the height issues (Staff Report, Page 8):

***The tower element has been limited in height to the extent feasible while still maintaining its effectiveness for public safety. The proposed development is consistent with the character of the surrounding beach and existing public-access development of the parking lot.***

The appellants also argue that the design of the building does not blend with the architecture and appearance of the surrounding area, and is therefore inconsistent with CZO Section 8181.3.5b, Paragraph 2. The project has been condition under the County's approval to use colors that will blend with the surrounding environment, use minimal security lighting, and prohibit advertising on the structure. Staff concurs that these conditions should adequately serve to blend the structure with the surrounding environment.

For the reasons discussed above, the project is consistent with the above provisions of the County's LCP relating to protection of public views and community character. The County record indicates there is adequate factual evidence and legal support the County's analysis and decision. In analyzing other factors relevant to the issue of whether this appeal raises a substantial issue with respect to visual resources, the extent and scope of the project is relatively minor. There would be no significant coastal resources affected by the decision. The County's decision to replace the lifeguard tower and public restrooms will provide additional public amenities on a public beach and will have an overall beneficial impact consistent with the County's LCP policies. Further, this appeal raises issues only relating to consistency with local visual resources, it does not establish dramatic new interpretations of those policies, and does not have regional or statewide significance. Given these factors, this appeal does not raise a substantial issue relating to public views and community character. The project is consistent with the requirements of the LCP that were adopted to insure that development does not have significant adverse impacts on coastal resources.

### **3. Public Safety and Private Rights**

The appellants assert that the project, as approved by the County, raises issues with respect to its consistency with the following policies and provisions of the County of Ventura Local Coastal Plan relating to public safety and private rights of neighbors.

Coastal Area Plan, Central Coast Section, Recreation and Access Objectives:

***To provide direction to the State, and to local agencies as appropriate, for improving and increasing public recreational opportunities on the Central Coast consistent with public health and safety, and the protection of private rights. [Emphasis Added]***

CZO Section 8181-3.5 states, in relevant part:

***Discretionary permits may only be granted if all billed fees and charges for processing the application request that are due for payment have been paid, and if all of the following standards are met or if conditions and limitations, including time***

*limits, as the decision-making authority deems necessary are imposed to allow it to meet said standards. The applicant shall have the burden of proving to the satisfaction of the appropriate decision-making authority that the following standards can be met. Specific factual findings shall be made to support the conclusion that each of these standards, if applicable, can be satisfied:*

*a. The proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program;*

*b. The proposed development is compatible with the character of surrounding development;*

*c. The proposed development, if a conditionally permitted use, is compatible with planned land uses in the general area where the development is to be located.*

*d. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses; [Emphasis Added]*

*e. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare. [Emphasis Added]*

...

The appellants' concerns with regard to public safety issues and private rights can be categorized as follows:

1. *Public Safety.* The proposed development would be detrimental to public interest, health, safety, convenience, or welfare by creating areas that cannot be easily viewed from the street that could attract perpetrators of criminal and illegal activities which is a threat to public safety, and this is inconsistent with CZO Section 8181-3.5e.

2. *Private Rights of Neighbors.* The building will not protect the private rights of adjacent homeowners and will create threat of invasion of privacy inconsistent with Coastal Area Plan, Central Coast Section, Recreation and Access, Objectives. The proposed development would be obnoxious and impair the utility of neighboring properties by changing views, impacting property values, and creating a threat of invasion of privacy from the tower into neighboring residences, inconsistent with CZO Section 8181-3.5d.

The appellants contend that the proposed development will attract illegal activities and would be a threat to public safety. Issues of public safety are outside of the authority of the Coastal Act. The reference to public health and safety in the Recreation and Access Objectives is as a limitation on the otherwise-applicable requirement to improve and increase public recreational opportunities. The emphasis on improved recreational opportunities is a Coastal Act issue. The concern that such an emphasis could, if not limited, raise public health and safety issues, is a local concern within the County's policy power to assess and regulate. It is not part of the Commission's role to second-guess the local government on such issues. The same limitations apply to the reference to public health and safety in CZO Section 8181-3.5e. The County addressed public safety concerns in its analysis and found that the pre-existing facilities did not contribute to additional calls for sheriff patrols and since this is a replacement facility in

approximately the same location, no additional criminal activity would be expected (staff report, page 11):

***As the detailed discussion, above, shows the Project, restoring restrooms for public access and a lifeguard station for beach safety purposes, will support and promote the public interest, health, safety, convenience, and welfare.***

***In addition, the Sheriff's Department was contacted to determine relative levels of criminal activity and calls for service in the area. Review of the Sheriff's crime analysis report and subsequent discussion with the Sheriff's Patrol Services Division indicate that there is no significant difference in such activity and service calls in the area between 2000-2002, when the prior structure was in place, and during the period from 2003 to the present, after its destruction. Therefore there is no factual basis for any finding that the construction of the proposed lifeguard tower and restroom will have a negative impact on public safety or lead to additional crime in this area.***

The appellants argue that the proposed building will not protect the private rights of adjacent homeowners and will create threat of invasion of privacy inconsistent with Coastal Area Plan, Central Coast Section, Recreation and Access, Objectives. They also argue that the proposed development would be obnoxious and impair the utility of neighboring properties by changing views, impacting property values, and creating a threat of invasion of privacy from the tower into neighboring residences, inconsistent with CZO Section 8181-3.5d.

With regard to private rights, the County's analysis included the following findings:

***Privately owned residences on Silver Strand Beach have a 180-degree ocean view from the beach side of their homes. The construction of a public facility no more than 43 ft. 4 in. wide at its widest side will not deprive any property owner of views they have heretofore enjoyed, especially considering the proposed development merely replaces a previously-existing structure. The proposed development will not obstruct or interfere with private rights in the area.***

...

***As was true of the previous structure, the replacement structure will be visible from homes along Ocean Drive closest to the access point for the parking lot near San Nicolas Avenue. However, the homes on Ocean Drive back up to a public beach with 180-degree ocean views. The proposed structures (43 ft 4 in. wide at its widest point) will therefore interfere with a very small portion of this panoramic view, and the Project was reduced in height from 35 to 33 feet to minimize the visual impact of the lifeguard tower and restroom to the maximum extent feasible (see Exhibits "9.1" and "9.2," Simulations of Proposed Development [photographs of the site with the structure superimposed]). The interference with the views is minimal and will not be harmful or obnoxious or impair the utility of these properties, especially since the proposed structure merely replaces one that existed at the site from 1969 to 2002. Furthermore, given the policies of the LCP and the Coastal Act (discussed below), the public benefits to beach users of a public restroom and a lifeguard tower, with a first aid station, far outweigh any inconvenience the structure may cause to one or more property owners who had their views impaired to nearly the same degree by the previous structure.***

Issues regarding private views and property values are outside of the authority of the Coastal Act and do not constitute a standard of review for an appeal. Additionally, with

regard to the potential for the structure to allow invasion of privacy, the structure is located some distance away (approximately 250 feet) with limited use primarily by lifeguard or other safety personnel and it is not evident that privacy would be impacted. Regardless, issues of illegal activities are outside of the authority of the Coastal Act and a matter of local law enforcement. Further, the project represents a replacement of a previously existing use on site (a pre-existing lifeguard tower/restrooms in the area, albeit the proposed structure is 8 feet taller) and will be consistent with the historic use of the area.

For the reasons discussed above, the project is consistent with the above provisions of the County's LCP with regard to the public safety and private rights grounds for appeal.

#### **4. Other Contentions That Are Not A Basis of Appeal**

Pursuant to Sections 30603 and 30625 of the Coastal Act, the appropriate standard of review for the subject appeals is whether a substantial issue exists with respect to the grounds raised by the appellants.

Section 30603 provides:

***The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division. (Section 30603(b)(1)).***

Section 30625 provides:

***The commission shall hear an appeal unless it determines the following: ... (2) With respect to appeals to the commission after certification of a local coastal program, that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603. (Section 30625(b)(2)).***

In this case, the appellants have appealed the County's final action on a number of issues, some of which do not meet the grounds for an appeal of a CDP to the Commission. The grounds for appeal are limited to an allegation that the action does not conform to the LCP or public access policies of the Coastal Act.

The applicants' contentions with regard to the lack of an Environmental Impact Report and lack of documentation for a Categorical Exclusion under CEQA are not a grounds of appeal pursuant to Section 30603 of the Coastal Act. Additionally, the contention that there has not been a proper evaluation of alternatives does not constitute a basis of appeal under the LCP. And in fact, it appears that the County held public meetings in which alternatives were discussed prior to the recent Board of Supervisors actions. Further, there is no evidence that the County would have come to a different decision and chosen a different building design. Therefore, these issues cannot form the basis for the Coastal Commission's review of the County's action in approving the CDP for the Chase residences.

## **E. CONCLUSION**

For the reasons discussed above, no substantial issue is raised with respect to the consistency of the approved development with the policies of the County's certified LCP regarding hazards, visual resources and community character, which are the only qualifying grounds raised in the appeal. Applying the factors identified on page 9, the Commission finds that the County's record adequately supports its position that the proposed project will not conflict with LCP policies. In addition, the development is relatively minor in scope, doesn't have a significant adverse effect on relatively significant coastal resources, has little precedential value, and doesn't raise issues of regional or statewide significance. Therefore, the Commission finds that the appeals filed by Graham and Bella Galliford, Arnie and Sherri Friedman, Chester and Jane Haines, and Bob Jurik do not raise a substantial issue as to the County's application of the cited policies of the LCP.

**NOTICE OF FINAL DECISION**

July 25, 2008

California Coastal Commission  
89 South California Street, Suite 200  
Ventura, CA 93001

RECEIVED  
JUL 29 2008

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

On July 22, 2008, the Ventura County Board of Supervisors approved LU08-0069, a Public Works Permit. That decision is now final and effective at the end of the Coastal Commission Appeal period if no Appeals are filed. The permit is described as follows:

**Applicant Name and Address:** Ventura County Harbor Department

**Project Location:** 2533 Ocean Drive, Silver Strand Beach

**Assessor Parcel No.:** 206-0-179-290

**Description of Request:** Public Works Permit for the Reconstruction of a Lifeguard Tower and Public Restroom on Silver Strand Beach (Project No. LU08-0069) Pursuant to the Ventura County Local Coastal Program.

**Date Filed:** June 19, 2008

**Approval Date:** July 22, 2008

**End of County Appeal Period:** July 22, 2008

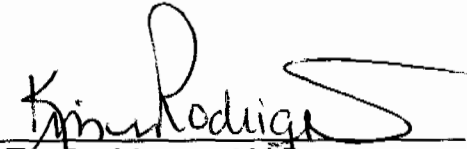
**Findings and Conditions:** See attached Board Letter for the findings and conditions that apply to the proposed project.

**Appeals:** After receipt of this Notice, the Coastal Commission will establish its Appeal period. At the conclusion of that Appeal period, if no Appeals are filed, this decision will be final.

Exhibit 1  
A-4-VNT-08-057  
Final Local Action Notice:  
Findings & Conditions of Approval



Any inquiries regarding this Notice of Final Decision should be directed to Kelly Scoles, project planner, at [kelly.scoles@ventura.org](mailto:kelly.scoles@ventura.org).



Kim Rodriguez, AICP  
Planning Director  
County of Ventura

Attachment: Coastal Staff Report (Board Letter)

C: Lyn Krieger, Director Ventura County Harbor Department  
Chris Stephens, Resource Management Agency Director  
William Butch Britt, Acting Public Works Agency Director  
Roberto Orellana, Office of the County Counsel

By Email (Notice of Final Decision Only):

Nicole Hardin  
Horace Heidt  
Arnie Friedman  
Cara Turner  
Amy Wolf  
Graham Galliford  
Glee Webster  
Chester Haines  
Jane Haines  
Melissa Webster  
Paulette Teach

July 22, 2008

Board of Supervisors  
800 South Victoria Avenue  
Ventura, CA 93009

**Subject: Public Hearing to Approve a County-Initiated Public Works Permit for the Reconstruction of a Lifeguard Tower and Public Restroom on Silver Strand Beach (Project No. LU08-0069) Pursuant to the Ventura County Local Coastal Program.**

**Recommendation:**

It is recommended that your Board:

1. **FIND**, based on the evidence and analysis presented in this Board Letter and at the public hearing, that the proposed permit LU08-0069 (Exhibits "1," "2," and "3") is in the interest of public health, safety, general welfare, and good zoning practice, and is consistent with the Ventura County General Plan, and is in conformity with the policies of the California Coastal Act and the Ventura County Local Coastal Program;
2. **APPROVE** the proposed permit LU08-0069 subject to the attached Conditions of Approval including Public Works Permit Conditions incorporated therein (Exhibit "4").
3. **ADOPT** the attached Resolution of the Board of Supervisors of Ventura County Approving Public Works Permit LU08-0069 for Replacement of a Lifeguard Tower and Public Restroom on Silver Strand Beach (Exhibit "5").
4. **SPECIFY** the Clerk of the Board of Supervisors at 800 South Victoria Avenue, Ventura as the custodian and location of the record of proceedings upon which these decisions are based.

**Fiscal/Mandate Impact:**

Mandated: No

Fiscal: No budgetary adjustments are required. Funding for the Project was approved in two installments: \$1.2 million was allocated June 14, 2005, and \$1 million was approved as part of the June 2006-07 budget, adopted June 12, 2006. The Project is budgeted in FY 2009.



## **Discussion:**

### **Project Description.**

Public Works Permit (LU08-0069) is a request for a Coastal Zoning Ordinance permit to allow the construction of a lifeguard tower and public restroom (Public Works Facility) to be located on Silver Strand Beach in the Coastal Zone of unincorporated Ventura County (the "Project"). The Project is located near the public parking lot west of the intersection of San Nicolas Avenue and Ocean Drive (see Exhibit "1" - Site Plan; Exhibit "2" - Elevations; Exhibit "3" - Aerial View). The Project will replace a lifeguard tower and public restroom, which were destroyed by a storm in 2002 and will be located in the same place on Silver Strand Beach.

### **Project Approval Process**

Although Silver Strand Beach is not within the Channel Islands Harbor Public Works Plan-governed coastal area, the Harbor Department agreed to oversee the permitting and construction of this facility at the request of the County Executive Officer. Under the County's Coastal Zoning Ordinance, a Public Works Permit processed by the Public Works Agency is required to be approved by your Board (see Ventura County Coastal Zoning Ordinance secs. 8174-3, 8174-4, 8181-3.4, 8181-3.4, and 8181-3.5.). If this Public Works Permit is approved by your Board, the Harbor Department will bring the construction contract to your Board for review and approval.

As shown below, the proposed Permit will be consistent with the Coastal Zoning Ordinance upon your Board's approval of a Public Works Permit, subject to the Project's Conditions of Approval (Exhibit "4"). Your Board previously found this Project to be Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code section 21000, et seq. (See Exhibit "6" - Harbor Department Board Letter dated June 13, 2006.) Your Board approved the lifeguard tower and public restroom's final design on April 15, 2008. (See Exhibit "7" - Harbor Department Board Letter dated April 15, 2008.)

## **History:**

In 2002, an approximately 25 ft. high lifeguard tower and public restroom (combined area of approximately 1,300 sq. ft.) located on Silver Strand Beach were destroyed as a result of storms. On June 13, 2006, your Board approved construction and preliminary design of this lifeguard tower and restroom (see Exhibit "6"), but deferred approval of the final design of these structures until a future date. As the June 13, 2006, Board Letter stated: "All proposed replacement structures will ... include minimal size increases to accommodate handicapped access, in compliance with federal (ADA) requirements, and are being designed to enhance public safety and convenience." On April 15, 2008, your Board reviewed and approved the final design proposed for this Project's lifeguard tower and public restroom consistent with the site plan and elevations

On April 15, 2008, your Board reviewed and approved the final design proposed for this Project's lifeguard tower and public restroom consistent with the site plan and elevations shown in Exhibits "1" and "2" (final elevations for the Project were reduced from the original 35 feet in height to a height of 33 feet, at your Board's request). On April 30, 2008, the Planning Division issued a Zoning Clearance (ZC08-0394) for the construction of the lifeguard tower and public restroom, under the use "Facilities and Equipment Being Restored to Design Capacities," section 8174-4 of the Coastal Zoning Ordinance (CZO), which requires only a zoning clearance for similar projects (i.e., ones not located on the beach). On May 5, 2008, a letter from a member of the public, Graham Galliford, requested review of the matter by your Board (Exhibit "8 "). At your Board's direction, County Counsel reviewed the matter and advised that a Zoning Clearance was not the appropriate permit document for this Project.

Following additional review of the matter with County Counsel and California Coastal Commission staff, the Planning Director determined that the correct permit process and documentation for the Project under the CZO is your Board's approval of a "Public Works Permit, County-Initiated" (see CZO section 8174-4, at page 26). The Planning Director therefore nullified Zoning Clearance 08-0394 on June 12, 2008. Due to its extensive experience with Coastal Act and Coastal Zoning Ordinance policies and procedures, the Planning Division is assisting the Public Works Agency with the processing of this Public Works Permit application (LU08-0069). The matter has been set for this public hearing.

As mentioned, above, in approving this beach restroom and lifeguard tower project on June 13, 2006, your Board found that this Project is categorically exempt from CEQA. No contrary evidence or testimony against this finding was presented to your Board at the public hearing on June 13, 2006. Any party wishing to challenge this CEQA exemption finding had a maximum of 180 days after June 13, 2006 – or until December 11, 2006 – to file an action in superior court. Since no action was filed with the superior court within this statute of limitations period, your Board's determination that the Project is exempt from CEQA therefore is now final and the Project is not subject to any subsequent legal challenge under CEQA.

### **Findings:**

CZO section 8181-3.5 requires that five findings must be made by your Board before it can approve an application for a Public Works Permit. Those five findings, and the analysis needed to support your Board's making each of them, follows:

1. The proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program (CZO section 8181-3.5(a).

The County General Plan contains goals, policies, and programs that apply countywide, including to its coastal areas. Ventura County's Coastal Area Plan is intended to serve as the County's land use plan and local coastal element applicable to the unincorporated

portions of the Coastal Zone. The Coastal Area Plan contains specific objectives and policies for the coastal subregions of the County (North Coast, Central Coast, and South Coast). The Ventura County Coastal Zoning Ordinance (Ordinance Code Section 8171-1, et seq.) implements the policies of the County General Plan as they apply to the Coastal Zone and of the Coastal Area Plan. Together, the Coastal Area Plan of the Ventura County General Plan and the County's Coastal Zoning Ordinance comprise the "Local Coastal Program" (LCP) as required by the California Coastal Act of 1976, Public Resources Code Section 30000, et seq.

A review of the LCP objectives and policies for the Central Coast, in which Silver Strand Beach is located, indicate that the proposed development, to construct a replacement lifeguard tower and restroom on substantially the same location as a similar structure that was destroyed by storm in 2002, is fully consistent with the *Goals, Policies, and Programs* section of the County General Plan or any objective or policy of the certified LCP.

The proposed development, restoration of a lifeguard station and public restroom on Silver Strand Beach, is consistent with the applicable intent and provisions of the County's certified LCP because it serves public need and promotes public access to coastal resources. Silver Strand Beach, including Hollywood-by-the Sea, is comprised of approximately 41 acres of County-owned day-use beach administered by Ventura County Harbor Department. Two parking lots serve Silver Strand Beach. To serve public needs, one 60-space paved parking lot ("Silver Strand lot") is located west of the intersection of San Nicolas Avenue and Ocean Drive, and is located adjacent to the proposed development, and one approximately 40-space parking lot ("La Jenelle lot") is located on the southerly end of the beach. Both parking lots and Silver Strand Beach experience high public use during the spring and summer months, and low-to-moderate use in off-season months depending upon the weather. The proposed replacement lifeguard tower and restroom is located outside the 100 year flood zone (Zone B) as shown on the Effective Flood Insurance Rate Map, established by FEMA. The location of the lifeguard station provides optimal visual access to the beach for lifeguards and makes the tower and restroom facility convenient for the public to access.

The LCP analyzes each of the three coastal areas by specific issues addressed in the Coastal Act (Environmentally Sensitive Habitats, Archeological or Paleontological Resources, Recreation and Access, Agriculture, Hazards, Beach Erosion, Energy and Industrial Facilities, Public Works, and Locating and Planning New Development). An analysis follows of the proposed development on Silver Strand Beach for consistency with the objectives and policies of the LCP regarding the Central Coast:

#### Environmentally Sensitive Habitats

Silver Strand Beach is not an area analyzed in the LCP as having coastal dunes or wetlands.

In addition, the Audubon Society has observed Snowy Plovers and Least California Tern on nearby Hollywood Beach, and has also monitored Silver Strand Beach for their presence. To date, the Society reports that no specimens of these birds have been observed on Silver Strand Beach.

The proposed development is consistent, therefore, with the issue of Environmentally Sensitive Habitats as analyzed in the LCP.

#### Archaeological and Paleontological Resources

Archaeological and Paleontological Resources are not likely to exist on Silver Strand Beach, however, the standard County project condition will be imposed to halt construction and notify the County Planning Division if such resources are discovered during project construction. The proposed development is consistent, therefore, with the issue of Archaeological and Paleontological Resources as analyzed in the LCP.

#### Recreation and Access.

The LCP Objective for Recreation and Access is "To provide direction to the State, and to local agencies as appropriate, for improving and increasing public recreational opportunities on the Central Coast consistent with public health and safety, and the protection of private rights."

Policy No. 6 for Recreation and Access proposes to implement this objective by providing that, "No parking lots, walkways or bikeways, or structures other than public restrooms, and lifeguard stations should be placed on the beach areas to maintain the natural state of the beaches."

Although the proposed development, a public restroom and lifeguard station, is specifically exempted from the prohibition against beach placement, the Project has been designed to be located as landward as possible. This design feature will allow the lifeguard station the visual access to the beach while it minimizes structural intrusion into the beach itself, further protects the proposed structures from wave run up, flooding and consequent damage, condenses the visual impact of public-access-supporting structures (lifeguard station, restroom and parking lot) on surrounding residences, and preserves existing parking. The proposed development will restore structures that support public recreational opportunities at the site, while meeting public access and public health and safety needs. Privately owned residences on Silver Strand Beach have a 180-degree ocean view from the beach side of their homes. The construction of a public facility no more than 43 ft. 4 in. wide at its widest side will not deprive any property owner of views they have heretofore enjoyed, especially considering the proposed development merely replaces a previously-existing structure. The proposed development will not obstruct or interfere with private rights in the area.

The proposed development is consistent, therefore, with the issue of Recreation and Access as analyzed in the LCP.

#### Agriculture

The subject parcel is not zoned coastal "agriculture," and there are no parcels zoned "agriculture" within the Project area, or within proximity to the Silver Strand Beach. The proposed development is consistent, therefore, with the issue of Agriculture as analyzed in the LCP.

#### Hazards.

The LCP Objective for Hazards is, "To protect public safety and property from natural and human hazards as provided in County ordinances." The pertinent policies for this Objective are as follows:

Policy 3 requires that, "New development shall be sited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards." The proposed development has been sited as far inland as possible to avoid wave surge and flooding and the Public Works Agency has determined that the proposal has been engineered to minimize the effects of damage from flooding.

Policy 4 requires that, "All new development will be evaluated for its impacts to, and from, geologic hazards (including seismic safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. Feasible mitigation measures shall be required where necessary." The Public Works Agency has evaluated the proposed development for geologic, flood and fire hazards and has approved the Project for construction.

Policy 5 requires that, "The County may require the preparation of a geologic report at the applicant's expense. Such report shall include feasible mitigation measures which will be used in the proposed development." The County of Ventura Public Works Agency did require the preparation of a geologic report and determined that any geologic hazards have been evaluated and addressed to the satisfaction of that Agency.

Policy No. 7 requires that, "New development shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works." The Public Works Agency has reviewed the proposed development and believes that the lifeguard tower and restroom is sited and designed so as not to cause or contribute to flood hazards or cause the expenditure of public funds for flood control improvements.

The proposed development is consistent, therefore, with the issue of Hazards as analyzed in the LCP.

### Beach Erosion

Beach Erosion is not a major issue at Silver Strand, as the LCP indicates that, "Beach erosion at Silver Strand is also slight. While the middle section of the beach is subject to erosion during periods of high tides and wave action, homes on the shoreline are protected from damage by bulldozed sand dikes." The Project has been designed and set as far landward as possible so as not to interfere with ordinary natural processes on the beach. The proposed development is consistent, therefore, with the issue of Beach Erosion as analyzed in the LCP.

### Energy and Industrial Facilities

The proposed development is neither an energy nor an industrial facility, and the objectives and policies outlines in this issue are not applicable to the Project. The proposed development is consistent, therefore, with the issue of Energy and Industrial Facilities as analyzed in the LCP.

### Public Works

The proposed development will not challenge the Objective for this issue in the LCP, "To maintain current service levels to existing developments." No traffic patterns will be negatively impacted by this Project. Further, the Project will provide public restroom facilities on the beach and increase public safety by improving the effectiveness of the lifeguards' efforts during peak beach use seasons. The proposed development is consistent, therefore, with the issue of Public Works as analyzed in the LCP.

### Locating and Planning New Development

The proposed development does not seek to allow build-out of existing urbanized areas, but is rather a restoration of a destroyed public health and safety facility to Silver Strand Beach. In addition, the Project does not create a conflict between unincorporated County agricultural land or potential development plans of adjacent cities. The proposed development is consistent, therefore, with the issue of Locating and Planning New Development analyzed in the LCP.

2. The proposed development is compatible with the character of surrounding development.

The Project replaces a structure destroyed in a major storm in 2002. Silver Strand Beach is a very popular beach for members of the public in the summer and fall months. It is a well-known and well-used surf spot for visitors and residents alike. Public restroom facilities provide a much needed service to beachgoers in this environment. The lifeguard tower assists the lifeguards in protecting the public by providing a station where the senior lifeguard can (1) view both Silver Strand and Hollywood Beaches,

(2) advise other lifeguard staff regarding conditions and problems requiring their attention, and (3) become aware of problems earlier than if the lifeguard could not see the other lifeguard stations.

The Project is designed to support existing public access to and use of the Silver Strand Beach, consistent with the objectives of the LCP and California Coastal Act. The location of the proposed development is substantially the same as the original destroyed structures, but is sited slightly closer to the existing parking lot to increase protection from wave surge, flooding, and a repetition of structural damage, while still permitting the lifeguard tower to have a clear view of the beach and make the restrooms reasonably accessible to the public. The tower element has been limited in height to the extent feasible while still maintaining its effectiveness for public safety. The proposed development is consistent with the character of the surrounding beach and existing public-access development of the parking lot.

3. The proposed development, if a conditionally permitted use, is compatible with planned land uses in the general area where the development is to be located.

The proposed development is not a "conditionally permitted use". It is, nevertheless, compatible with the surrounding existing public-access land use (public beach and public parking lot) in the immediate vicinity.

4. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses.

The previous lifeguard tower and restroom was constructed in approximately 1969 and had remained in place until the storms of 2002. The previous building was constructed of concrete block and, after 30 plus years of use, was already badly deteriorated at that time. The concrete block had cracked in many places and exposed the structure's rebar, which had begun to rust and disintegrate. The previous structure also had an inadequate foundation for its elevation and had been frequently inundated with seawater, which hastened its destruction. Nevertheless, since the building was approximately 30 years old when it was destroyed, it would have needed to have been replaced if it were still standing today.

As was true of the previous structure, the replacement structure will be visible from homes along Ocean Drive closest to the access point for the parking lot near San Nicolas Avenue. However, the homes on Ocean Drive back up to a public beach with 180-degree ocean views. The proposed structure (43 ft. 4 in. wide at its widest point) will therefore interfere with a very small portion of this panoramic view, and the Project was reduced in height from 35 to 33 feet to minimize the visual impact of the lifeguard tower and restroom to the maximum extent feasible (see Exhibits "9.1" and "9.2," Simulations of Proposed Development [photographs of the site with the structure superimposed]). The interference with the views is minimal and will not be harmful or obnoxious or impair the utility of these properties, especially since the proposed structure merely replaces one that existed at the site from 1969 to 2002. Furthermore,

given the policies of the LCP and the Coastal Act (discussed below), the public benefits to beach users of a public restroom and a lifeguard tower, with a first aid station, far outweigh any inconvenience the structure may cause to one or more property owners who had their views impaired to nearly the same degree by the previous structure.

5. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare.

As the detailed discussion, above, shows the Project, restoring restrooms for public access and a lifeguard station for beach safety purposes, will support and promote the public interest, health, safety, convenience, and welfare.

In addition, the Sheriff's Department was contacted to determine relative levels of criminal activity and calls for service in the area. Review of the Sheriff's crime analysis report and subsequent discussion with the Sheriff's Patrol Services Division indicate that there is no significant difference in such activity and service calls in the area between 2000-2002, when the prior structure was in place, and during the period from 2003 to the present, after its destruction. Therefore there is no factual basis for any finding that the construction of the proposed lifeguard tower and restroom will have a negative impact on public safety or lead to additional crime in this area.

### **Coastal Act Consistency**

The following sections of the Coastal Act are applicable to the proposed development:

#### **Public Access**

Section 30210 – "In carrying out the requirements 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 resources from overuse."

Section 30211 – "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."

The Project facility is comprised of public restrooms, a lifeguard tower that requires a clear view of the beach for public safety, and an area which will be utilized for expanded public health services, including as a first aid center for beach visitors. The Project facility has been designed to be as compact as possible, reasonable in size and dimension to accommodate the public need at that location, and located as far landward as possible to minimize intrusion into the beach while ensuring public access to the facility and the beach itself. The proposed development will be situated to maximize effective public access to the facility and beach while minimizing encroachment to the sandy beach itself.

### Public View

Section 30251 -- "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...."

The Project will replace similar public service facilities destroyed by a storm in 2002. Restrooms and lifeguard towers are typical, expected features on urban beaches, such as Silver Strand. The Project design will ensure that the structures are as unobtrusive and inconspicuous as possible, balanced against the fact that, as a public service facility, the Project should be visible to the public. The Project will be conditioned for use of colors designed to blend with the surroundings, minimal security lighting on the structure itself, and a prohibition of advertising (clocks, temperature indicators, and public safety notices excepted). The proposed development will not substantially change the character of the beach or significantly block a public view, as discussed previously.

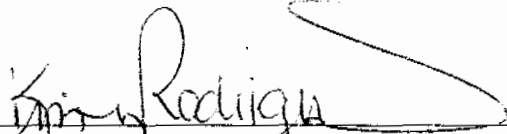
### Public Review and Comments:

On June 13, 2006, your Board first publicly reviewed the design for this Project. Additionally, on October 3, November 14, and December 12, 2006, your Board reviewed conceptual plans for replacement restrooms on Silver Strand and Hollywood Beaches, including this Project's public restroom and lifeguard tower on Silver Strand Beach. Prior to those public hearings, the Harbor Department had held numerous public meetings with local residents on construction of the replacement restrooms on Silver Strand and Hollywood Beaches. As a result of these meetings, several design changes, including a reduction in height of the structure, were made to minimize the visual impact of the structures on nearby residences. After extensive public input, a design was approved for the beach restrooms at the Silver Strand Midway and Hollywood Beach locations, and Harbor Department staff was asked to return for additional discussion of the combined restroom and lifeguard tower which is before you today. On April 15, 2008, your Board approved this Project's final design.

On July 12, 2008, a public notice was published in all local editions of the *Ventura County Star*, a newspaper of general circulation, describing the proposed Permit under the LCP, and providing the date, time, and place of the Board hearing on this item.

In addition, on July 12, 2008, all property owners within 300 feet and residents within 100 feet of the exterior boundary of APN 206-0-179-290 (the closest designated Assessor's Parcel Number; see Exhibit "3," Aerial Photograph), the cities of Oxnard and Port Hueneme, the California Coastal Commission Ventura Office, and those persons on the Planning Director's list of persons wishing to be notified of coastal decisions,

The County Executive Office, the Auditor-Controller, the Assessor, and the County Counsel have reviewed this Board letter. If you have any questions regarding this item, please contact the Planning Director, Kim Rodriguez, at 654-2481, or Kelly Scoles, project planner, at [Kelly.scoles@ventura.org](mailto:Kelly.scoles@ventura.org).

  
Wm. Butch Britt, Acting Director, Public Works Agency  
Kim Rodriguez, Director, Planning Division, Resource Management Agency

Attachments:

Resolution of the Board of Supervisors (LU08-0069)

- Exhibit "1"      Site Plan, Proposed Permit LU 08-0069
- Exhibit "2"      Elevations, Proposed Permit LU08-0069
- Exhibit "3"      Aerial, Proposed Permit LU08-0069
- Exhibit "4"      Proposed Permit Conditions LU08-0069
- Exhibit "5"      Resolution of the Board of Supervisors of Ventura County Approving Public Works Permit LU08-0069 for Replacement of a Lifeguard Tower and Public Restroom on Silver Strand Beach
- Exhibit "6"      Channel Islands Harbor Department Board Letter Dated June 13, 2006
- Exhibit "7"      Channel Islands Harbor Board Letter Dated April 15, 2008
- Exhibit "8"      Letter from Mr. Graham Galliford Dated May 5, 2008
- Exhibit "9"      Photographs of Silver Strand Beach

CONDITIONS OF APPROVAL  
FOR PUBLIC WORKS PERMIT No. LU08-0069

TABLE OF CONTENTS

Notice to Permittee:

- Project Conditions which must be satisfied *prior to Zoning Clearance*: Conditions No. 2.d., 2.e., 4.c., 5, 6, and 11.
- Project Conditions which must be satisfied *prior to issuance of a Building Permit*: Conditions No. 2.a., 2.c.
- Project Conditions which must be satisfied *prior to Certificate of Occupancy*: Condition No. 4.e.

A. PUBLIC WORKS AGENCY CONDITIONS (Conditions No. 1 - 4)

Permitted Coastal Public Works Permit Facility (Condition No. 1)

Development and Inspection Services Division Conditions (Conditions No. 2.a – 2.e)

Transportation Department Conditions (Condition No. 3)

Integrated Waste Management Department Conditions (Conditions No. 4.a – 4.f)

B. PLANNING DIVISION CONDITIONS (Conditions No. 5 - 14)

C. AIR POLLUTION CONTROL DISTRICT CONDITIONS (Conditions No. 15 - 18)

D. FIRE PROTECTION DISTRICT CONDITIONS (Conditions No. 19 - 22)

**A. PUBLIC WORKS AGENCY CONDITIONS**

**NOTICE TO PERMIT HOLDER:**

- The following Conditions of Approval must be met ***prior to Zoning Clearance*** and application to Ventura County Building and Safety Department of building permit: Conditions No. 2.d., 2.e., 4.c., 5, 6, and 11.
- The following Conditions of Approval must be met ***prior to issuance of a Building Permit***: Conditions No. 2.a., 2.c., and
- The following Conditions of Approval must be met ***prior to Certificate of Occupancy***: Conditions No. 4.e.

**1. Permitted Public Works Facility**

This Coastal Public Works Permit (LU08-0069) is granted to the Ventura County Harbor Department to allow the construction of a 33-foot Lifeguard Tower and Public Restrooms, total of 1,700 square feet, under Secs. 8181-3.4 and 8181-3.5 of the Ventura County Coastal Zoning Ordinance (CZO) and Ventura County Local Coastal Plan (LCP). The proposed project shall be in substantial conformance with Exhibit "1" (Site Plan), and Exhibit "2" (Elevations), or as described herein in these Conditions of Approval.

**2. Development and Inspection Services**

- Prior to the issuance of a Building Permit***, the Permittee shall submit to the Public Works Agency for review, a site plan showing existing and proposed elevations. A grading permit shall be obtained unless the Public Works Agency determines that a Grading Permit is not necessary. If a grading permit is necessary, a State of California licensed civil engineer shall prepare the grading plans and a grading permit shall be obtained.
- If it is determined that a Grading Permit is required, the Permittee shall submit to the Public Works Agency for review and approval, a Geotechnical/Soils Engineering Report that provides recommendations for the Grading Plans submitted. The grading plan shall incorporate the recommendations of the approved report. If the area of grading and construction is over one acre, the grading plan will include a Storm Water Pollution Prevention Plan and Notice of Intent as approved by the Regional Water Quality Control Board prior to commencing any grading.
- Prior to the issuance of a Building Permit***, the Permittee shall obtain a Flood Zone Clearance from the Director of Public Works or his designated representative. The application will include delineation on all sites plans

and grading plans the 100 year Coastal Flood Plan Boundary. The building will need to be tied down on the plans by key reference points and horizontal distances using the effective Flood Insurance Rate Map (FIRM), dated October 31, 1985 as published by the Federal Emergency Management Agency (FEMA). If the FEMA Preliminary FIRM dated May 30, 2008 is approved and adopted by FEMA prior to issuance of a building permit, the project plans will comply with the latest effective FIRM. The location of the proposed building shall be laid out by a registered land surveyor prior to construction and shall be monitored during construction to ensure that the building does not encroach into the 100-year Coastal Floodplain. At the conclusion of the project, the Permittee shall provide a set of as-built plans, stamped by a Civil Engineer, verifying that the building does not encroach into the 100-year Coastal Floodplain. The proposed building shall incorporate floodproofing measures as recommended by FEMA technical bulletins TB-2, TB-3, and TB-5, including but not limiting elevating all electrical and mechanical equipment and servicing above the 16.0 feet, 1988 NAVD elevation.

- d. ***Prior to the issuance of a Zoning Clearance***, all Public Works Agency permit processing and enforcement fees owed must be paid. After issuance of the Zoning Clearance, any additional processing fees must be paid within thirty (30) calendar days of the billing date.
- e. ***Prior to the issuance of a Zoning Clearance***, all Public Works Agency permit processing and enforcement fees owed must be paid. After issuance of the Zoning Clearance, any additional processing fees must be paid within thirty (30) calendar days of the billing date.

### **3. Transportation Department**

Before any construction work, such as utility line installation is conducted within the County road right-of-way, the Permittee shall obtain an encroachment permit from the Transportation Department. The Permittee shall contact the Permit Section at (805) 654-2055 for requirements of this permit.

### **4. Integrated Waste Management Division**

- a. **Waste Diversion and Recycling Requirement.** During both the demolition and construction phase of this project the Permittee, as a commercial generator of waste, shall adhere to *Section 4770-2, Commercial Customer Waste Division Requirements*, of the Codified Ordinances of the County of Ventura, which states, in part, "...The Director (Water & Sanitation Department) may develop, maintain, and publish, in consultation with Control Collectors and other Diversion Industry representatives, a 'Director's List of Commercial Recyclables' that shall be subject to the requirements of Section 4770-2.2." (see condition no. 4.b., below).

- b. Supply and Use of Separate Recyclables Containers for Commercial Customers. If the Integrated Waste Management Division (IWMD) determines that any materials on the *Director's List of Commercial Recyclables* (see <http://www.wasteless.org/PDF%20files/RecyclablesListBusiness-English.pdf> ) are being generated by the applicant in quantities that justify separate bins for collection and recycling, the Permittee shall ensure that a County-approved commercial hauler, or temporary waste collector, provides the required containers for the separated collection of these materials. Contact IWMD, Everett King at (805) 658-4320 for assistance in meeting this Condition.
- c. Construction and Demolition Debris Waste Diversion Plan. ***Prior to the issuance of a Zoning Clearance***, the Permittee shall submit a *Construction & Demolition Debris Waste Diversion Plan* (Form B) to the IWMD for approval. The plan shall outline how all recyclables on the *Director's List of Commercial Recyclables* will be diverted from the wastestream. Contact IWMD, Howard E. Hope at (805) 658-4322 for assistance in meeting this Condition. Form B may be found on the web at: [http://www.wasteless.org/PDF%20files/formB\\_unplugged010908.pdf](http://www.wasteless.org/PDF%20files/formB_unplugged010908.pdf) .
- d. The requirements outlined in Form B shall be printed on the construction plans and shall read: *"It is required that the following recyclable construction materials generated from this project be deposited in appropriate recycling bins and recycled, reused, and/or salvaged: (the list to be determined from the recycling plan)."*
- e. Construction and Demolition Debris Waste Diversion Reporting Form. At the conclusion of construction, and ***prior to the issuance of an Occupancy Permit***, the Permittee shall submit a *Construction & Demolition Debris Waste Diversion Reporting Form* (Form C) for the project to the IWMD for approval. Original weight tickets or receipts must be attached to verify that recycling, reuse, and/or salvage occurred. Contact IWMD, Howard E. Hope at (805) 658-4322 for assistance in meeting this Condition. Form C may be found on the web at: [http://www.wasteless.org/PDF%20files/formC\\_unplugged121807.pdf](http://www.wasteless.org/PDF%20files/formC_unplugged121807.pdf) .
- f. Usage of Recycled Content Building Materials. Recycled-content building materials, such as drywall, steel, aluminum, plastic lumber for signage or fences, ceramic tile, cellulose insulation, and composite engineered wood products shall be incorporated into the project's design and construction when economically feasible and compatible with design objectives.

## B. PLANNING DIVISION CONDITIONS

- 5. Lighting Plan. ***Prior to issuance of a zoning clearance***, a lighting plan shall be submitted to the Planning Division showing type of fixtures, heights, and intensity of illumination. Lighting fixtures shall be cut-off type fixtures that divert

lighting downward onto the property and shall not cast light onto adjacent properties, roadways or waterways. Under canopy lighting shall be concealed or recessed so as to not be directly visible from the street.

6. Structure Color Scheme. *Prior to issuance of a zoning clearance*, Permittee shall submit and obtain the approval of the Planning Division for a color scheme to be used for the Lifeguard Tower/Public Restroom. Colors used shall blend the structures into the surrounding environment, to the extent possible.
7. Hours of Construction. Hours of construction shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday. Construction is not permitted on Sunday or holidays without prior approval of the Planning Division.
8. Graffiti Removal. Permittee is responsible for removing all graffiti from the project site within 24 hours and restoring the surface to match the existing.
9. Trash Maintenance. Adequate trash facilities and pick ups shall be provided to maintain the site free of debris, food waste, and to minimize scavenger birds.
10. Payment of Permit Processing Fees. *Prior to the issuance of a Zoning Clearance*, Permittee shall pay all permit processing and/or County Enforcement fees owed to that date. After issuance of the Zoning Clearance, any final billed Planning Division processing fees must be paid within 30 days of the billing date.
11. Cost Responsibilities. The Permittee shall pay the full costs of Planning Division staff time, materials, or consultant costs associated with ongoing permit and condition compliance. The Permittee shall also fund all necessary costs incurred by the Planning Division or its contractors for enforcement activities related to resolution of confirmed violations. Costs will be billed at the contract rates in effect at the time enforcement actions are required.
12. Billing Process. The Permittee shall pay any written billing requests made by the Planning Director or designee within thirty (30) days of receipt of said request. If requested by the Permittee, said requests for payment shall be accompanied by an accounting of how the billing charges have been accrued. The Permittee shall have the right to challenge any charge or the reasonableness of any charge prior to payment.
13. Invalidation of Condition. If any condition of this Public Works Permit is invalidated by a court of law, and said invalidation would change the findings

associated with the approval of this permit, the project may be reviewed by the Planning Director and substituted feasible conditions may be imposed to adequately address the subject matter of the invalidated condition. The determination of adequacy shall be made by the Board of Supervisors.

**C. AIR POLLUTION CONTROL DISTRICT CONDITIONS**

14. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 15 miles per hour averaged over one hour) to prevent excessive amounts of fugitive dust/sand.
15. All trucks that will haul excavated or graded material off site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
16. All active portions of the site shall be either periodically watered or treated with environmentally-safe dust suppressants to prevent excessive amounts of dust.
17. Construction equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.

**D. FIRE PROTECTION DISTRICT CONDITIONS**

18. Fire Sprinklers. All structures shall be provided with an approved automatic fire sprinkler system in accordance with current VCFPD Ordinance.
19. Fire Extinguishers. Fire extinguishers shall be installed in accordance with the Uniform Fire Code. The placement of extinguishers shall be subject to review by the Fire District.
20. Fire Department Clearance. Applicant shall obtain VCFD Form #126 "Requirements for Construction" prior to obtaining a building permit for any new structures or additions to existing structures. If property uses a private water system, submit plans for the private water system along with requirements for construction.
21. Fire Code Permits. Applicant and/or tenant shall obtain all applicable VCFPD Fire Code permits prior to occupancy or use of any system or item requiring an Fire Code permit.

**CONDITIONS OF APPROVAL FOR LU08-0069**  
**COASTAL PUBLIC WORKS PERMIT**  
**LOCATION:** Silver Strand Beach

**APPLICANT:** Ventura County Harbor Department  
**BOARD OF SUPERVISORS APPROVED:**  
**PAGE:** 7 of 7

**Attachments:**

Exhibit "1" – Site Plan  
Exhibit "2" – Elevations

**END OF CONDITIONS OF APPROVAL  
FOR COASTAL PUBLIC WORKS PERMIT LU08-0069**

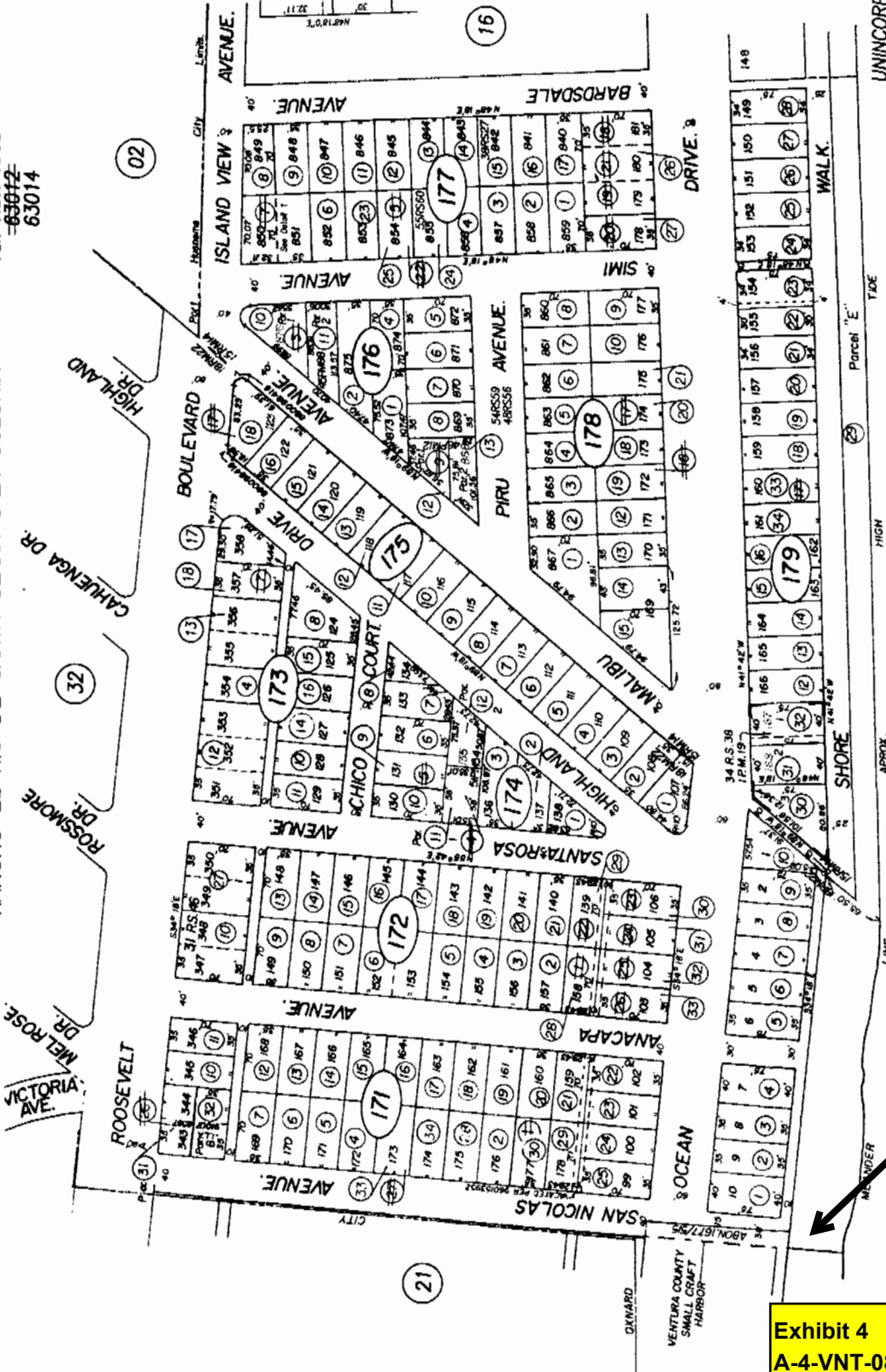


**Exhibit 3**  
**A-4-VNT-08-057**  
**Vicinity Map**

206-17

Tax Rate Area  
63012  
63014

RANCHO EL RIO DE SANTA CLARA O'LA COLONIA



UNINCORPORATED AREA  
Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.  
NOTE: ASSASSIN PARCELS SHOWN ON THIS PAGE  
DO NOT NECESSARILY CONSTITUTE LEGAL LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE ON  
PLANNING DIVISION TO VERIFY.

BEACH  
by the Sea, M.R. Bk.18, Pg.22  
and Tract, M.R. Bk.15, Pg.14

Project Site

Exhibit 4  
A-4-VNT-08-057  
Parcel Map

DATE	10/21/03	REVISION	04 05
CODE	03080204687	EXPLANATION	BK. 206, Pg. 17 REVISION LOG
SPLIT	PER LOT LINE ADJUSTMENT	VOID	A.P.N.(S)
VOID	206-0-177-070	RESIDUAL	A.P.N.(S)
VOID	206-0-177-280-290	NEW	A.P.N.(S)

10/21/03	03080204687	206-0-177-070	206-0-177-280-290
10/21/03	03080204687	206-0-177-070	206-0-177-280-290
10/21/03	03080204687	206-0-177-070	206-0-177-280-290
10/21/03	03080204687	206-0-177-070	206-0-177-280-290





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architect  
juz

drawn by

job number

25060

date

16 JAN 06

sheet scale

1/4"=1'-0"

revisions

sheet index

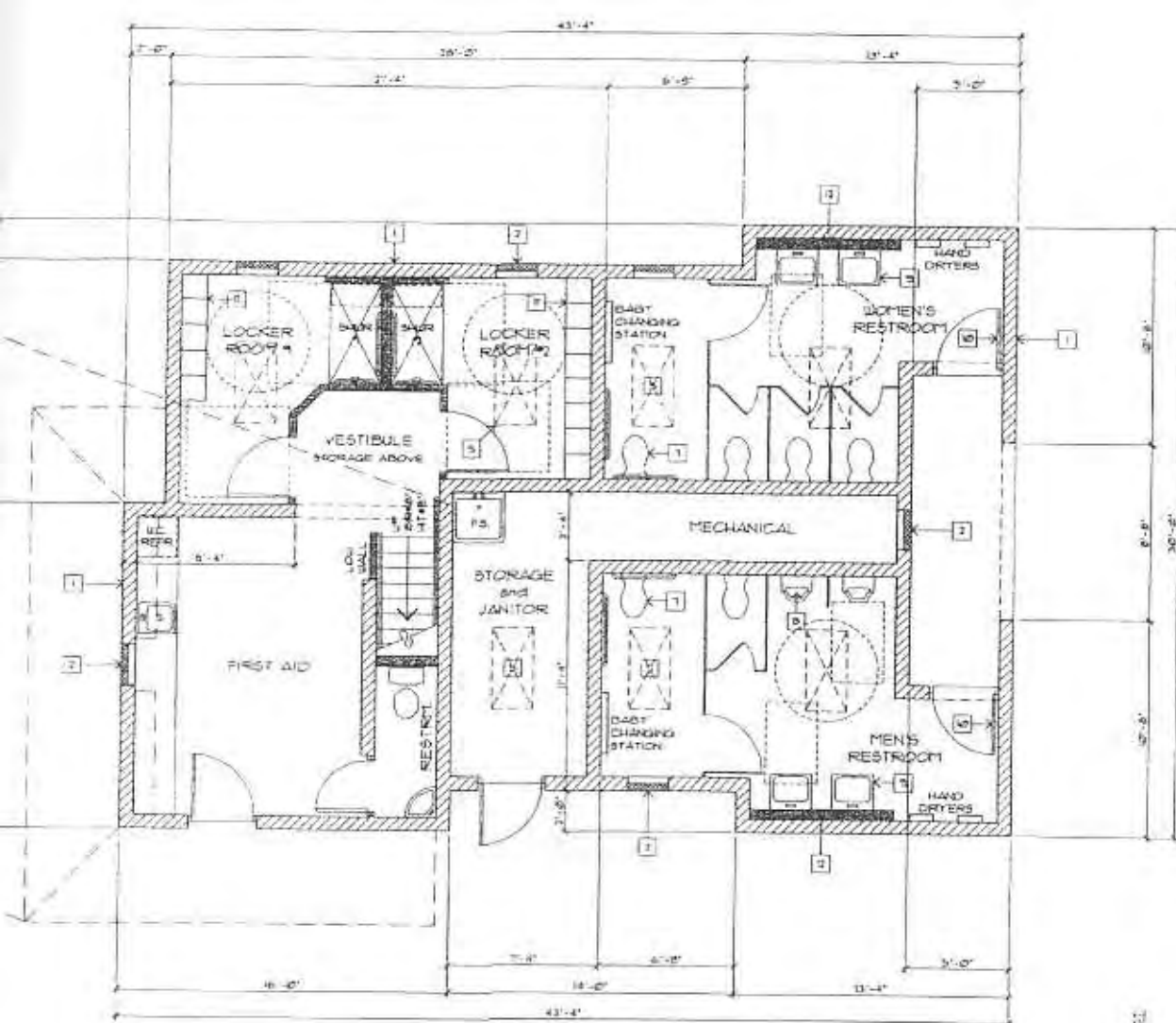
FLOOR PLANS

SILVERSTRAND BEACH  
CHANNEL ISLANDS HARBOR  
SAN NICOLAS AVE  
OXNARD, CA 93035

sheet number

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## FIRST FLOOR PLAN

- NEW STUD WALLS
- CONCRETE BLOCK WALLS
- GLASS BLOCK WINDOWS

1/4"=1'-0"



### REFERENCE NOTES

- 1 6" CONCRETE BLOCK WALLS w/ SMOOTH STEEL TRUSS EXTERIOR PLASTER
- 2 PRIVACY GLASS BLOCK WINDOWS
- 3 "WHEEL HOUSE" LIFE GUARD OBSERVATION WINDOWS
- 4 SINGLE HUNG ALUM. FRAMED WINDOW
- 5 2' x 4' DETACHABLE ABOVE
- 6 CONCRETE OBSERVATION DECK
- 7 WALL MOUNTED, STAINLESS STEEL, VANDAL RESISTANT TOILETS
- 8 WALL MOUNTED, STAINLESS STEEL, VANDAL RESISTANT URINALS
- 9 WALL MOUNTED, STAINLESS STEEL, VANDAL RESISTANT LAVATORY
- 10 AQUATIC THEMED ANOZIZED ALUM. TUBE FRAMED ENTRY DOOR
- 11 HYDRO PLASTIC EMPLOYEE LOCKERS
- 12 2x6 STUD FRAMED PLUMBING CHASE

### BUILDING AREAS:

LIFEGUARD FIRST FLOOR	507 SF
LIFEGUARD SECOND FLOOR	756 SF
LIFEGUARD THIRD FLOOR	256 SF
SUBTOTAL	1,519 SF
RESTROOM, STORAGE and MECHANICAL	681 SF
TOTAL BUILDING	1,720 SF

COUNTY OF VENTURA  
PLANNING DIVISION

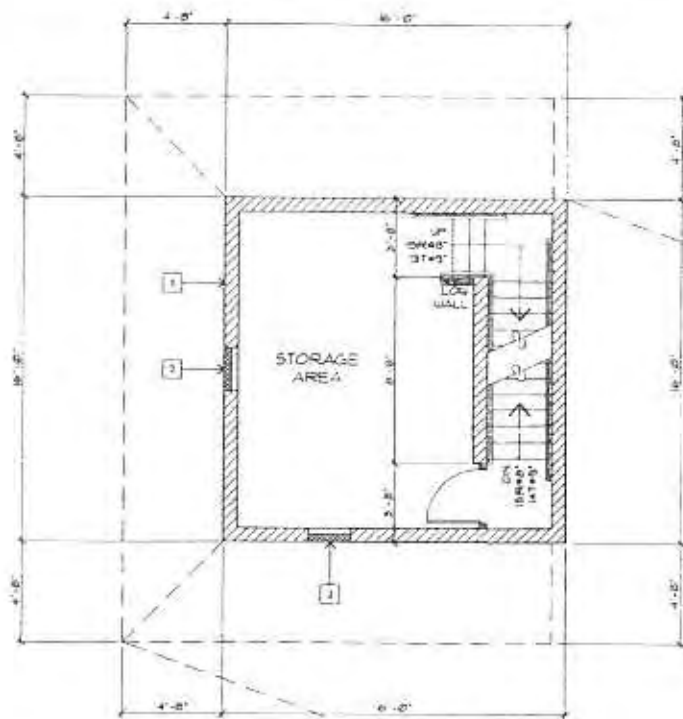
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Date 6-19-06

Permit No. 2C06-0802

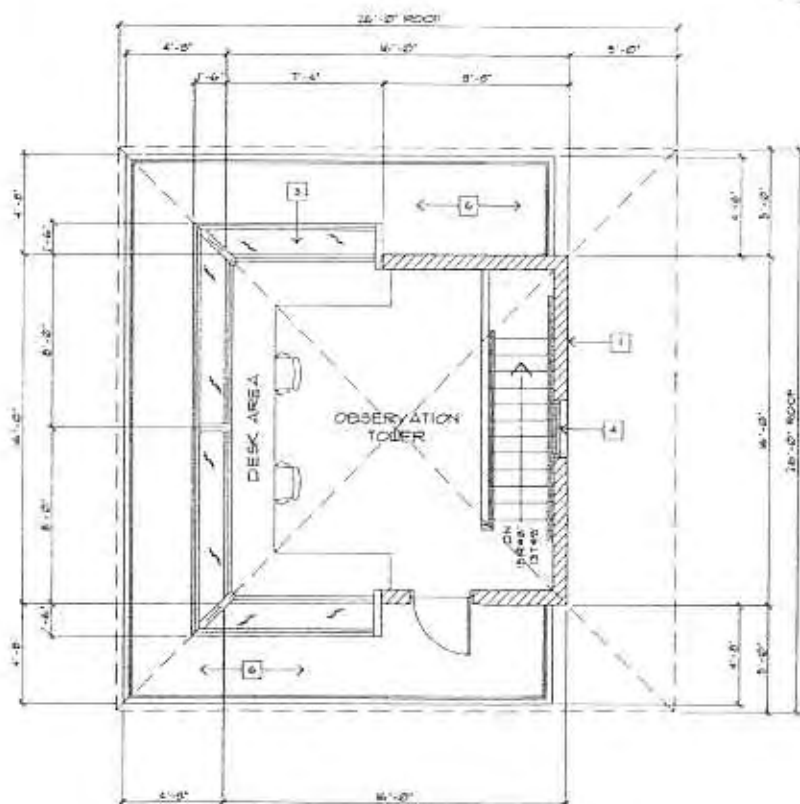
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Planner Authorizing

Exhibit 6  
A-4-VNT-08-057  
Floor Plans



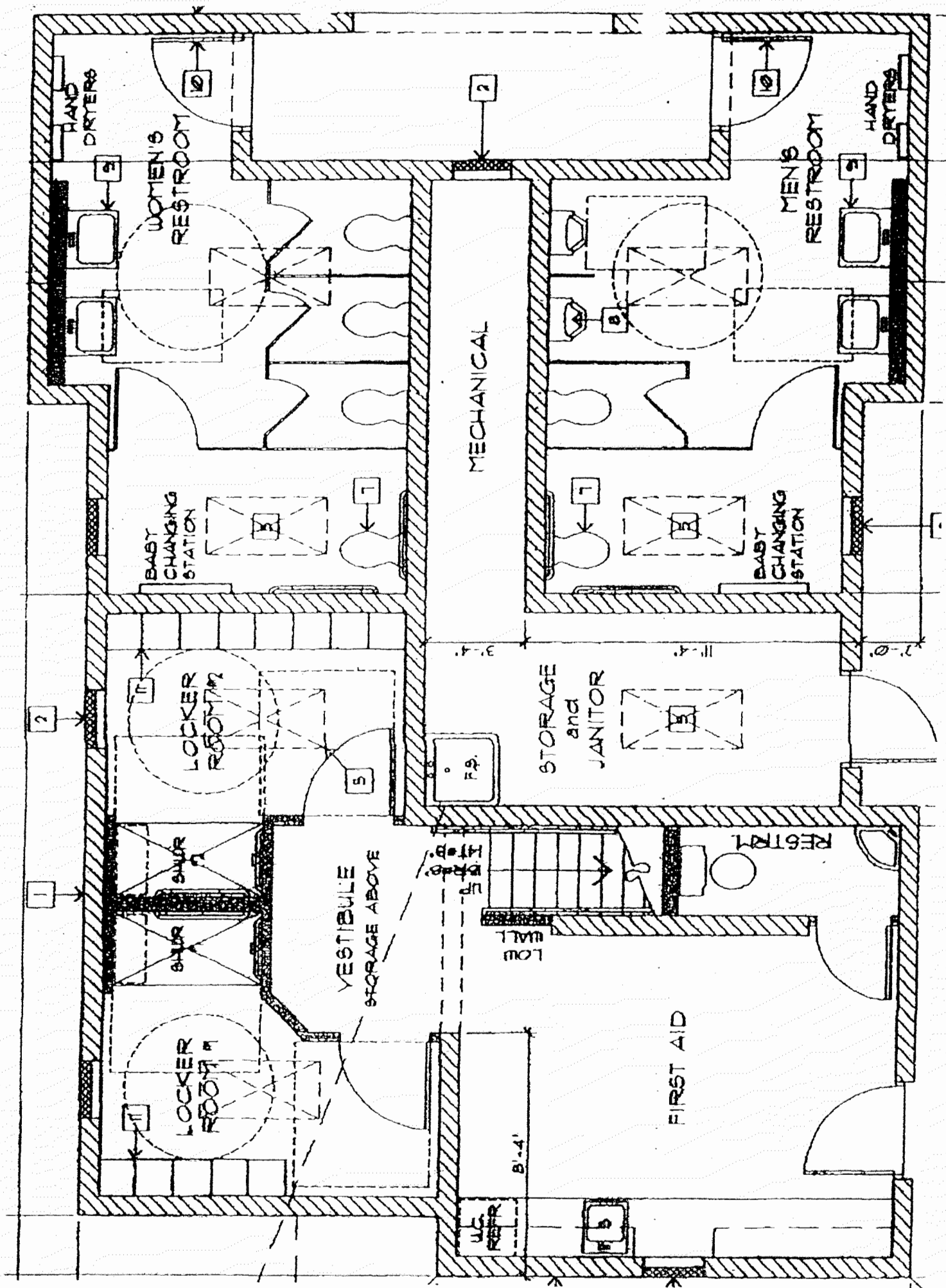
SECOND  
FLOOR PLAN

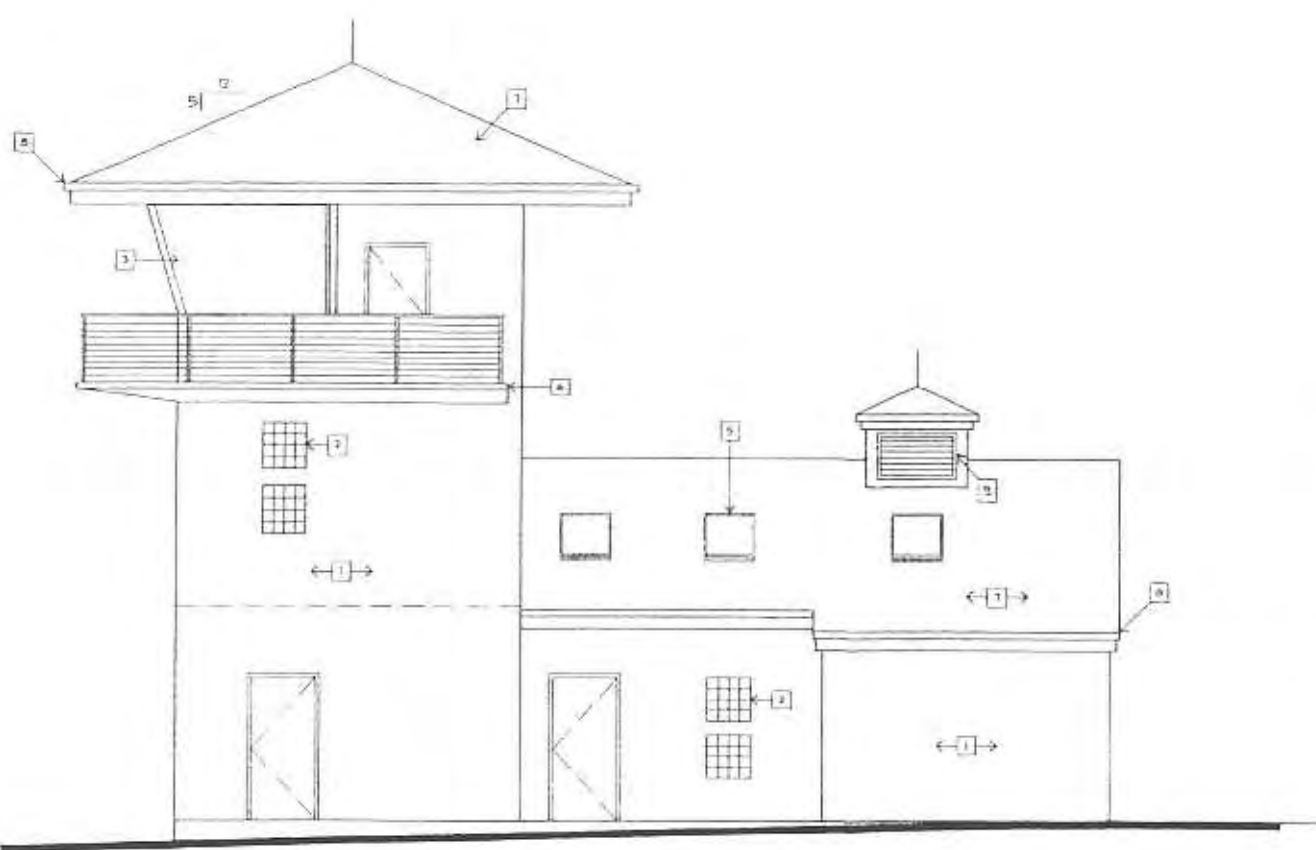
1/8" = 1'-0"



THIRD  
FLOOR PLAN

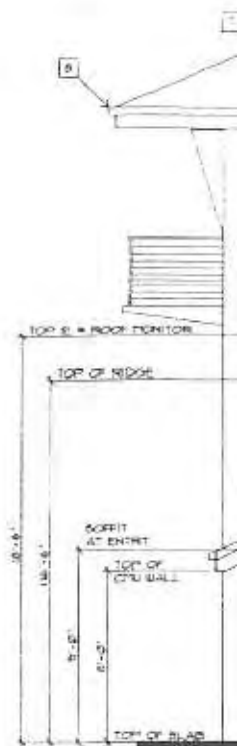
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**SOUTH ELEVATION**

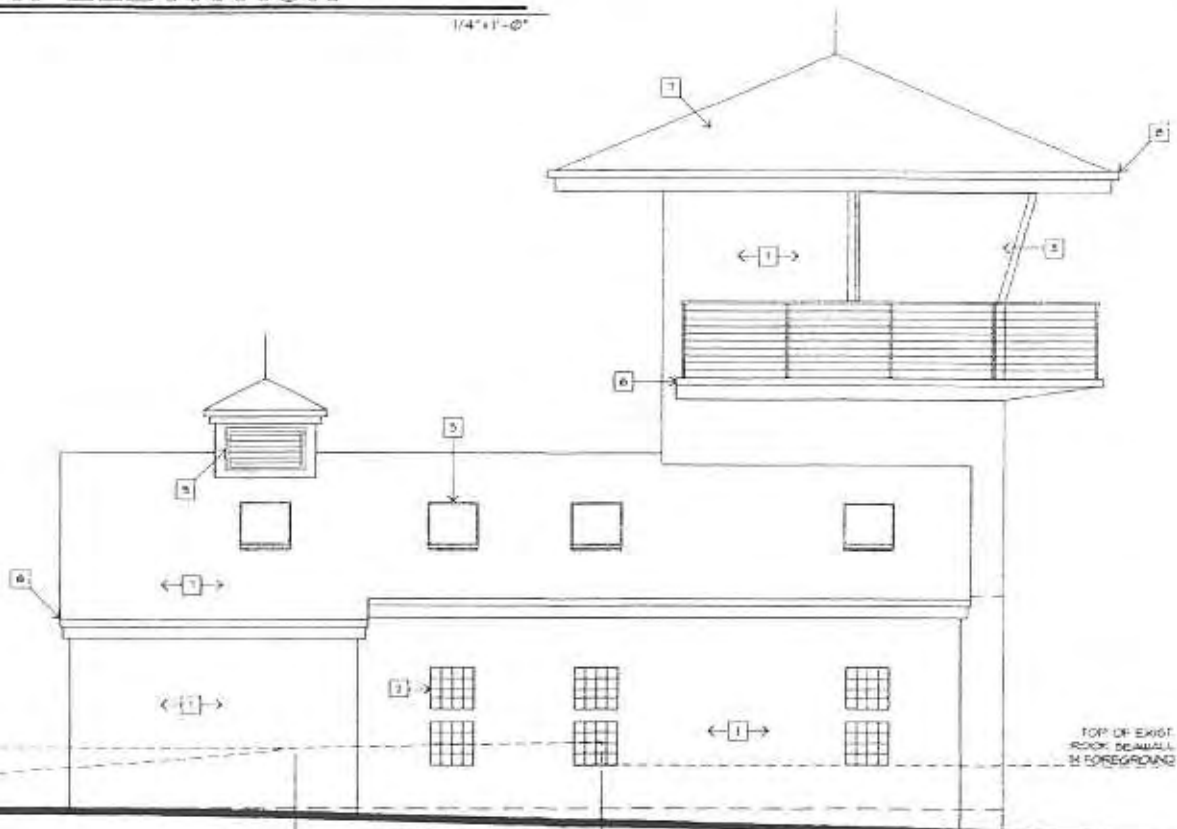
1/4" = 1' - 0"



ALL IN CONNECTION WITH THE PROJECT IDENTIFIED HEREIN UNDER THE NAME OF THE ARCHITECT OR ENGINEER OR FIRM OF ARCHITECTS OR ENGINEERS OR BOTH OR ANY ONE OF THEM IN ANY MANNER OR IN PART, FOR ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION OF ARCHITECTS MUST BE AT USER'S SOLE RISK.

TOP OF EXIST.  
CONC. WALKWAY  
IN FOREGROUND

EXIST. CONC. RAMP  
DOWN TO PARKING LOT

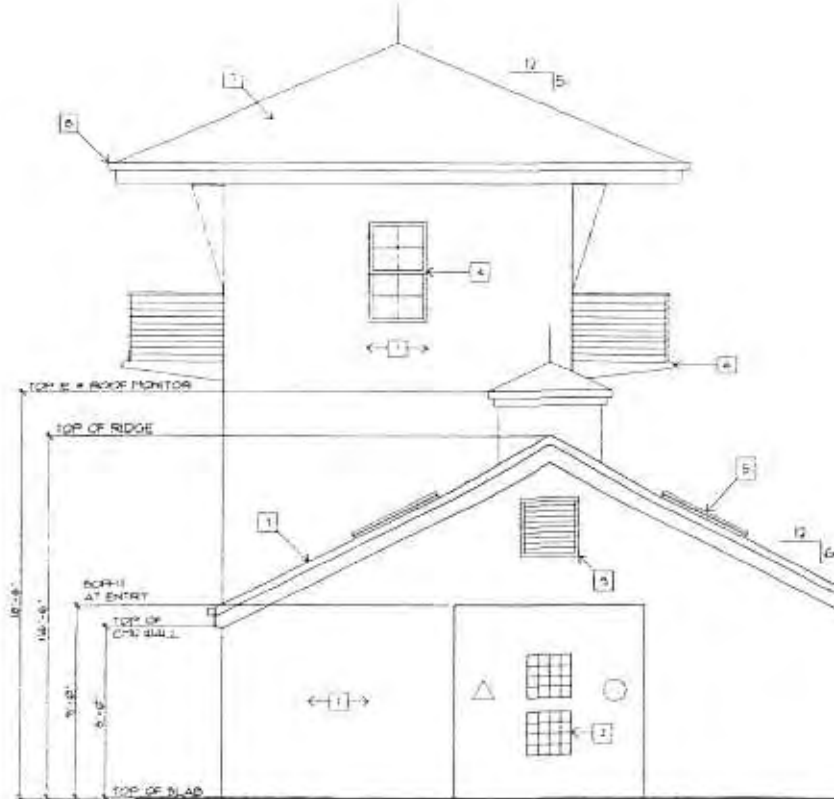


**NORTH ELEVATION**

1/4" = 1' - 0"

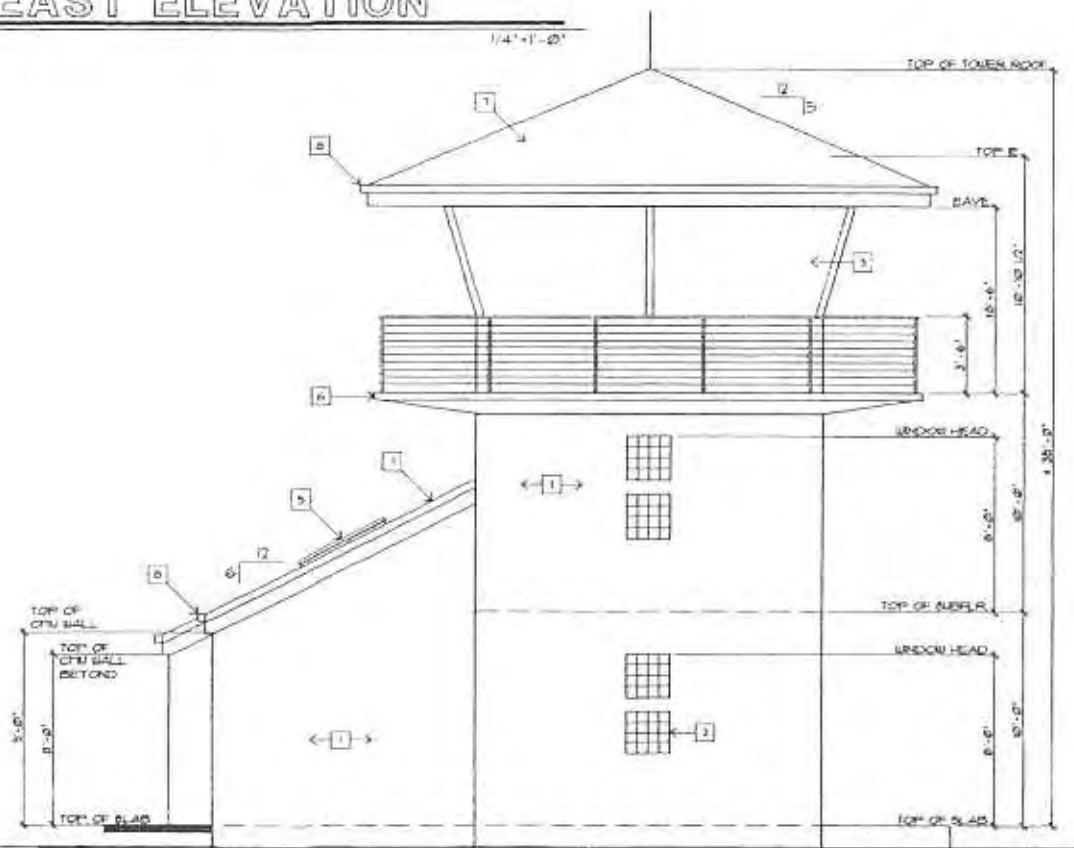
TOP OF EXIST.  
ROCK DEMOWALL  
IN FOREGROUND

**Exhibit 7**  
**A-4-VNT-08-057**  
**Elevations & Sections**



**EAST ELEVATION**

1/4" = 1' - 0"



**WEST ELEVATION**

REFERENCE NOTES	
1	8" CONCRETE BLOCK WALLS w/ 1/2" THICK STEEL TROUSL EXTERIOR PLASTER
2	PRIVATE GLASS BLOCK WINDOWS
3	"WHEEL HOUSE" LIFE GUARD OBSERVATION WINDOWS
4	SINGLE HUNG ALUM. FRAMED WINDOW
5	3 x 4' SKYLIGHTS ABOVE
6	CONCRETE OBSERVATION DECK
7	FLAT CONCRETE TILE ROOF
8	COPPER GUTTER AND DOWNSPOUTS
9	FRP OR VINYL STORM RESISTANT LOWER VENTS
10	

COUNTY OF VENTURA  
PLANNING DIVISION

**APPROVED**

Date **6-19-06**

Permit No. **ZC06-0802**

*[Signature]*  
Planner Authorizing

J. Allen Zimmer AIA  
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**architects**

drawn by

job number  
05060

date

16 JAN 06

sheet scale

1/4" = 1' - 0"

revisions

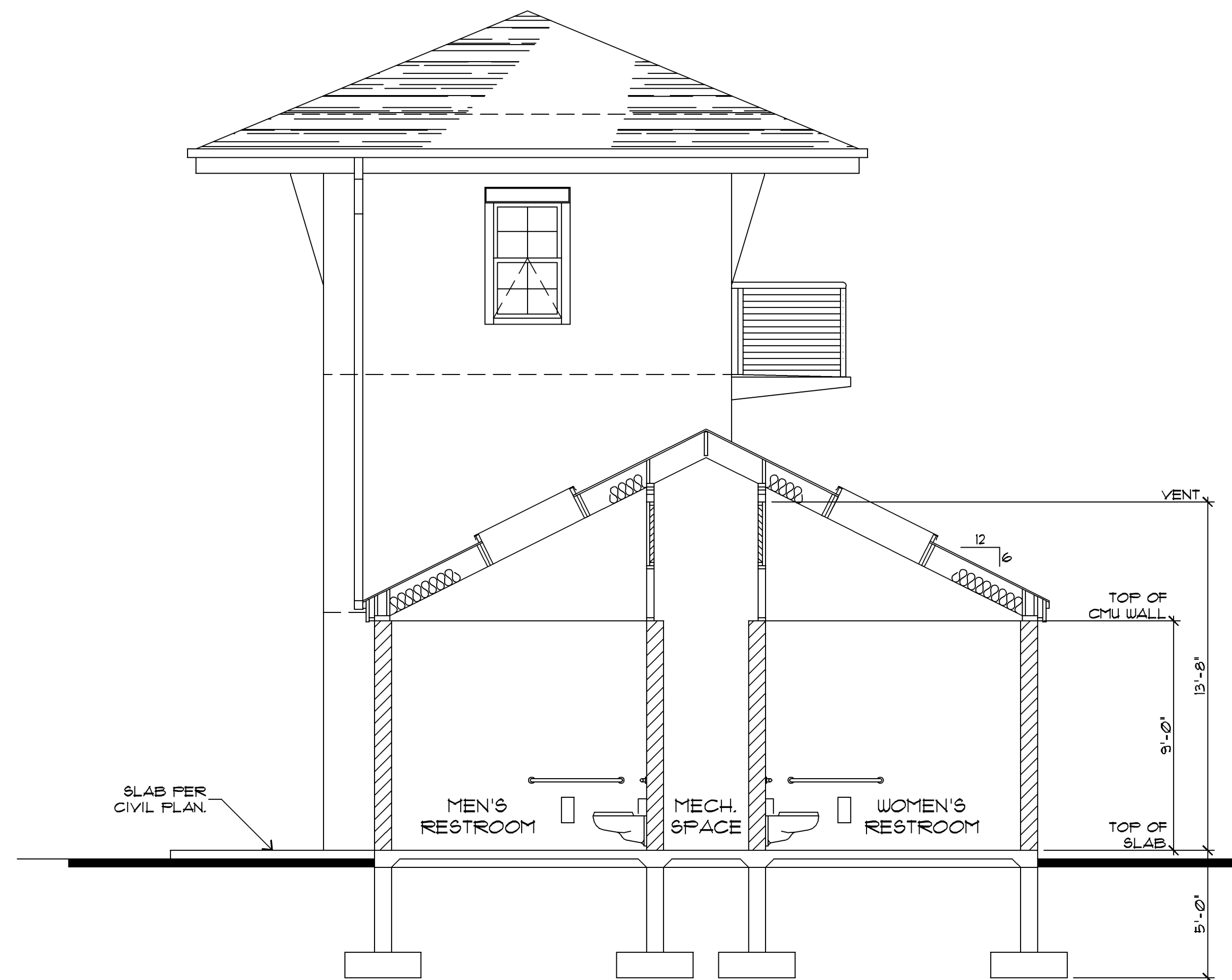
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EXTERIOR  
ELEVATIONS

**SILVERSTRAND BEACH  
CHANNEL ISLANDS HARBOR  
SAN NICOLAS AVE  
OXNARD, CA 93035**

sheet number

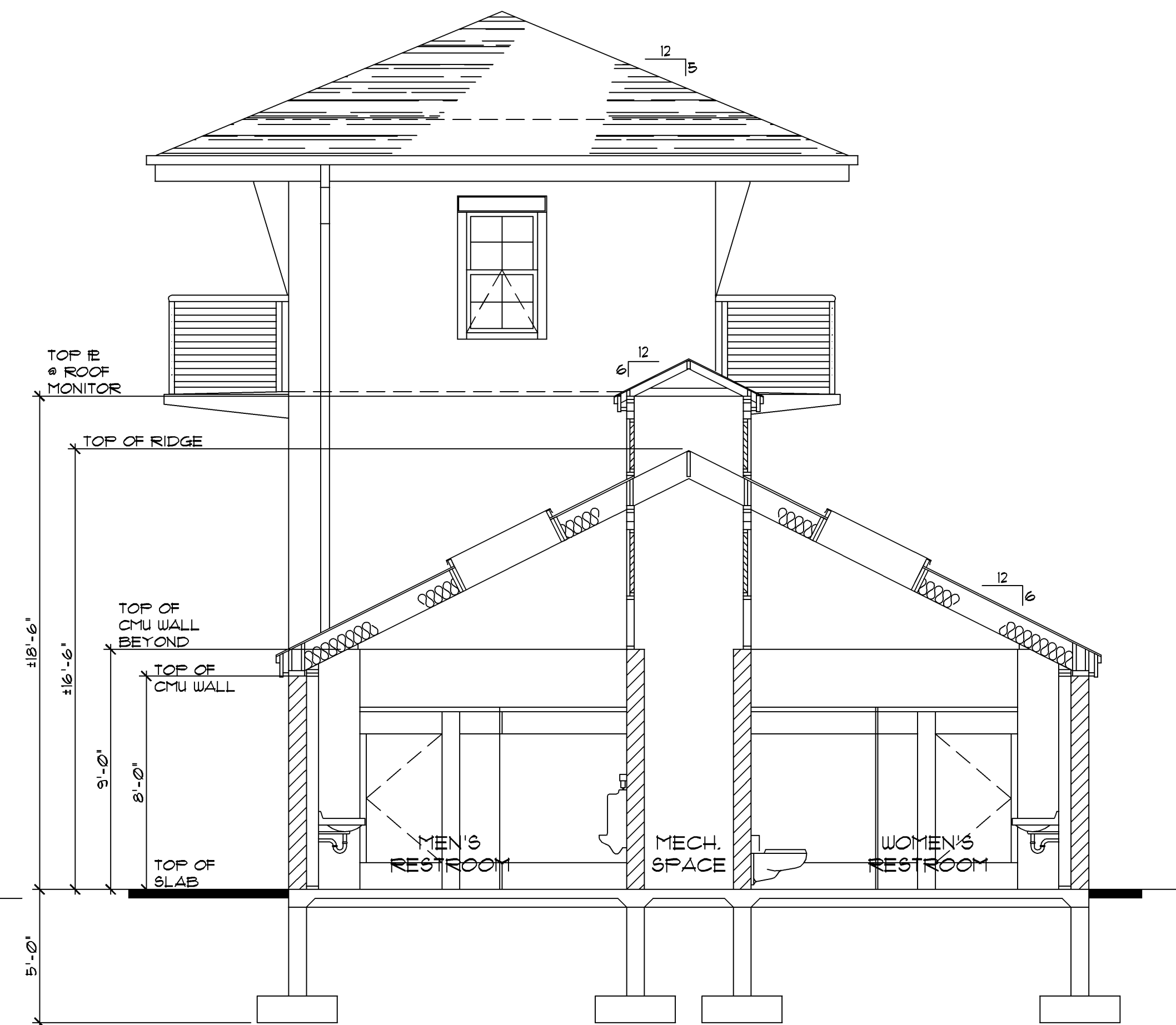
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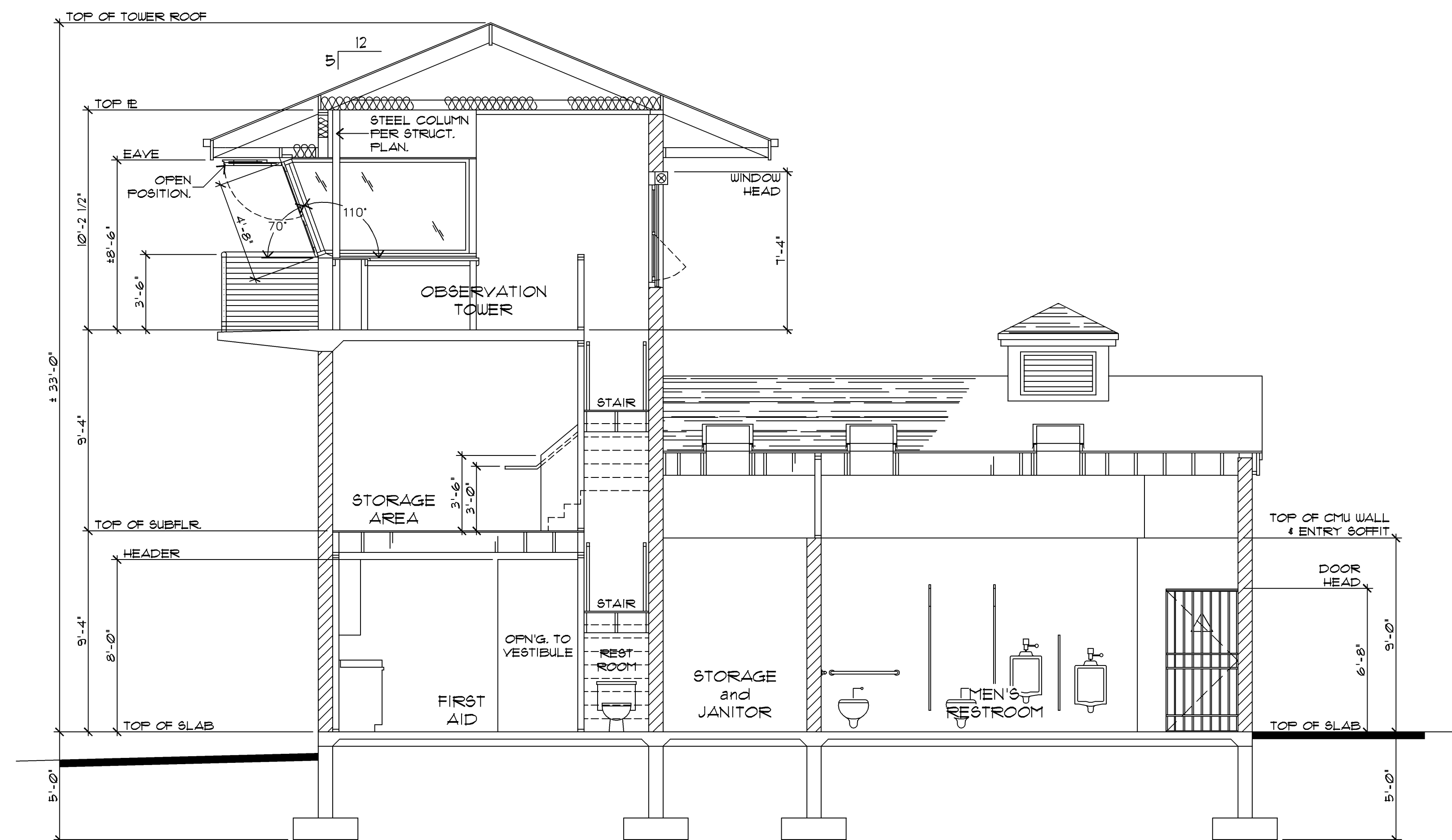
SECTION B

1/4" = 1'-0"



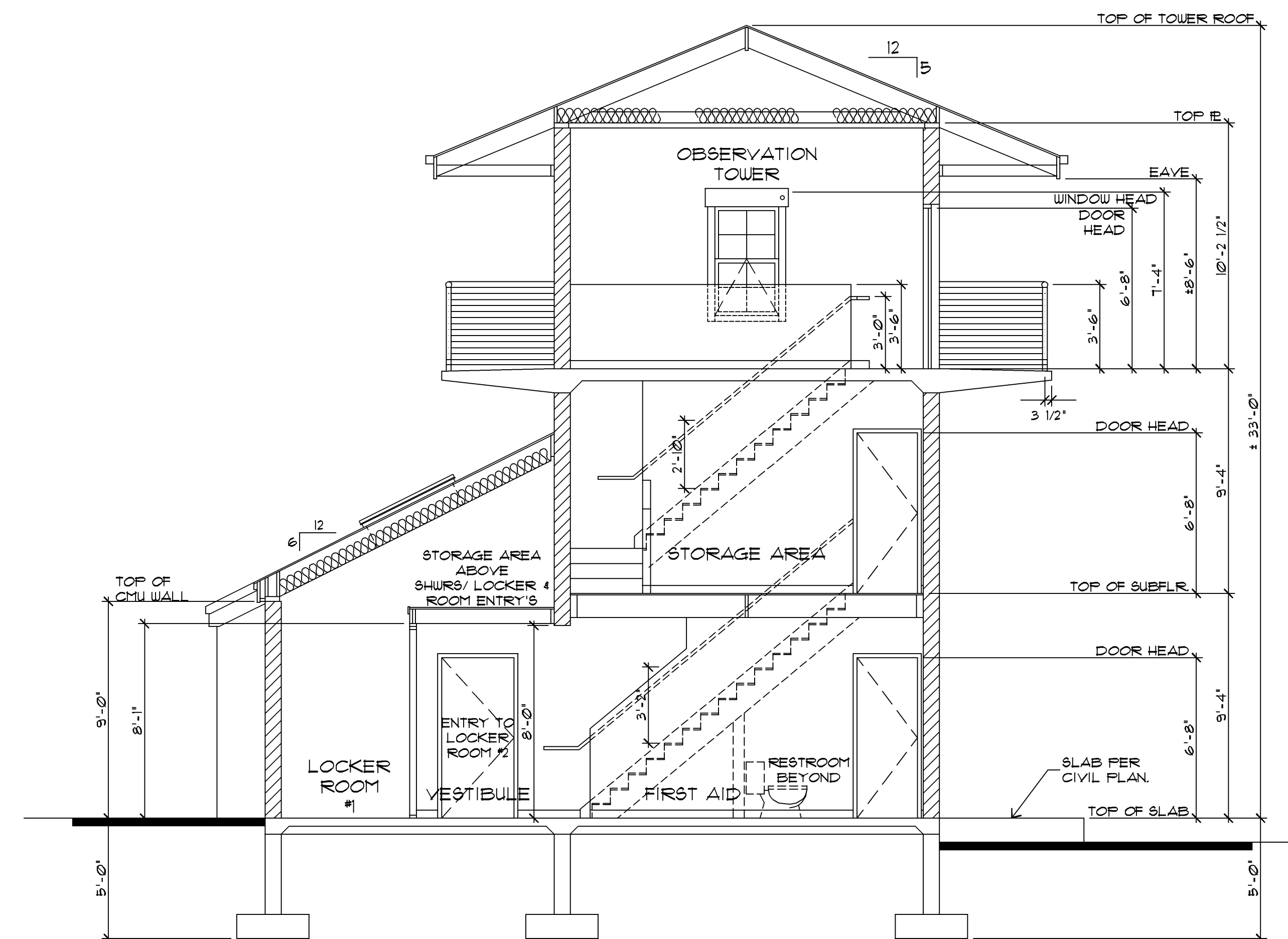
SECTION A

1/4" = 1'-0"



SECTION D

1/4" = 1'-0"



SECTION C

1/4" = 1'-0"

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job number

05060

date

24 JUNE 03

sheet scale

1/4" = 1'-0"

revisions

sheet index

BUILDING

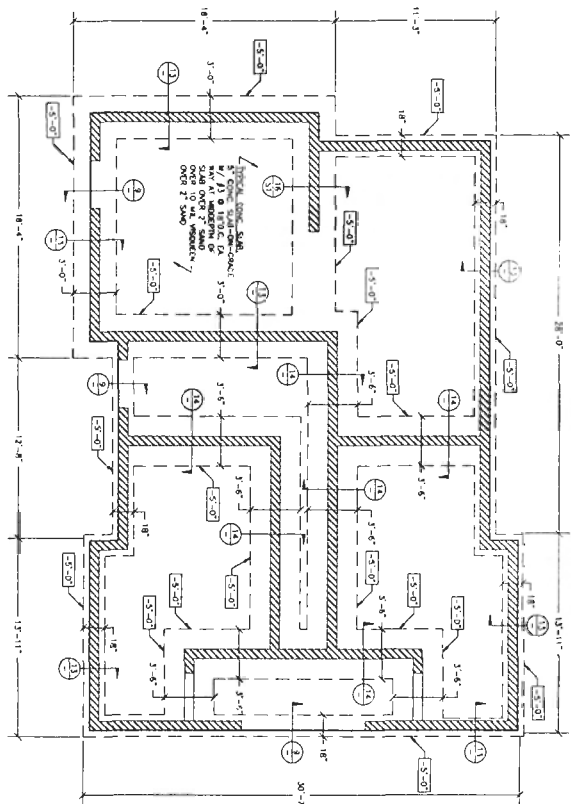
SECTIONS

SILVERSTRAND BEACH  
CHANNEL ISLANDS HARBOR  
SAN NICOLAS AVE  
OXNARD, CA 93035

sheet number

A4.1

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- FOUNDATION NOTES:**
1. TYPICAL CONCRETE SLAB, 5" THICK CONCRETE SUB-ON-CHOCK WITH #3 @ 18" O.C. IS SET AT MINIMUM OF SLAB OVER 2" SAND OVER TO ALL WALLS OVER 2" SAND, THE UNO.
  2. REINFORCE TO PROPER (SEE PLAN) (SEE ELEVATION - 7'-0")
  3. #4 @ 18" O.C. IS SET AT MINIMUM OF SLAB OVER 2" SAND, THE UNO.
  4. INDICATES CONCRETE BLOCK WALL CONSTRUCTION, REFER TO 5/22, THE UNO.

SCALE: 1/4" = 1'-0"

S2

**SILVERSTRAND BEACH**  
**CHANNEL ISLANDS HARBOR**  
**SAN NICOLAS AVE.**  
**OXNARD, CA. 93035**

drawn by  
 checked by  
 date  
 11 OCT. 06  
 sheet scale  
 1/4" = 1'-0"

**VINCI & ASSOCIATES**  
 Structural Engineers  
 1515 W. 15TH AVE. SUITE 100  
 WESTLAKE VILLAGE, CA 91361  
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 WWW.VINCI-CA.COM



**architect west**