

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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**W 8a**

Filed: August 8, 2009  
49th Day: September 28, 2009  
180th Day: February 6, 2010  
Staff: Fernie Sy-LB  
Staff Report: November 19, 2009  
Hearing Date: December 9-11, 2009  
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-09-152

**APPLICANT:** Sheila Oden

**AGENT:** Ken Williams

**PROJECT LOCATION:** 74 Riversea Road, City of Seal Beach (County of Orange)

**PROJECT DESCRIPTION:** Remove an existing one-story mobile home and replace with a 1,004 square foot two-story manufactured home.

**LOCAL APPROVALS RECEIVED:** City of Seal Beach Approval-in-Concept dated August 10, 2009.

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**SUMMARY OF STAFF RECOMMENDATION:**

The applicants are proposing removal of an existing one-story mobile home and replacing it with a new two-story manufactured home. The major issue of this staff report concerns water quality.

Staff is recommending **APPROVAL** of the proposed project with **THREE (3) SPECIAL CONDITIONS** regarding: **1)** future development; **2)** submittal of a drainage and run-off control plan; and **3)** landscape controls.

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified Local Coastal Program. The City of Seal Beach does not have a certified Local Coastal Program. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act.

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**SUBSTANTIVE FILE DOCUMENTS:** CDP No.5-07-172-[Boychuck].

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**LIST OF EXHIBITS**

1. Location Map
  2. Site Plan/Drainage Plan
  3. Floor Plans
  4. Elevation Plans
  5. Foundation Plan
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**STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

**MOTION:**

*I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION:**

**I. APPROVAL WITH CONDITIONS**

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

**II. STANDARD CONDITIONS**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### **III. SPECIAL CONDITIONS**

#### **1. FUTURE DEVELOPMENT**

This permit is only for the development described in coastal development permit No. 5-09-152. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by coastal development permit No. 5-09-152. Accordingly, any future improvements to the residential structure authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources section 30610(d) and Title 14 California Code of Regulations sections 13252(a)-(b), shall require an amendment to permit No. 5-09-152 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

#### **2. DRAINAGE AND RUNOFF CONTROL PLAN**

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the permittee shall submit for the review and approval of the Executive Director, two (2) copies of a drainage and run-off control plan showing roof drainage and runoff from all impervious areas directed to dry wells or vegetated/landscaped areas.
- B.** The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

#### **3. LANDSCAPING: DROUGHT TOLERANT, NON INVASIVE PLANTS**

Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>).

## **IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

### **A. PROJECT LOCATION AND DESCRIPTION**

The subject site is located at 74 Riversea within the Seal Beach Trailer Park, an existing urban residential area, in the City of Seal Beach, Orange County (Exhibits #1-2). The City of Seal Beach General Plan and Zoning Code designates use of the site as Residential High Density and the proposed project adheres to this designation. The Seal Beach Trailer Park offers a total of 126 trailer/MH-unit<sup>1</sup> space areas, ranging in size from 23' x 27' to 51' x 80' and the subject lot size is 748 square feet. For a majority of the development, no parking is located on site. Parking for the subject site and the residents of the Seal Beach Trailer Park is provided within common parking areas on the park grounds, which provide a total of 187 parking spaces.

The proposed project involves removal of an existing one-story mobile home and replacement with a 25-feet above existing grade, 1,004 square foot (540 square foot 1<sup>st</sup> floor and 464 square foot 2<sup>nd</sup> floor) two-story manufactured home with a stem wall foundation (Exhibits #3-5). The axel of the existing mobile home will be left under the new proposed residence. No grading is proposed. The proposed project requires a coastal development permit since the project site is located between the first public road and the sea and results in removal of an existing residential unit and replacement of it with an entirely new manufactured home that is substantially different in size and configuration than the pre-existing home and the unit has an entirely new, standard foundation system.

Public access is not available on site, but the proposed development will not change public access conditions on-site. Public access to the beach is available approximately ½ mile west of the project site at the end of 1<sup>st</sup> Street (Exhibit #1). Public access is also available along the San Gabriel River, which is to the adjacent north of the mobile home park. An existing bike trail is located along the top of the riverbank.

The Seal Beach Trailer Park is classified by the Department of Housing and Community Development (HCD) as a Mobilehome Park (#30-0305-MP). HCD regulates mobilehome parks under the State Mobilehome Parks Act and has adopted regulations governing construction, use maintenance, and occupancy of privately owned mobilehomes within California. HCD can delegate enforcement authority to a city and in this case HCD has delegated such authority to the City of Seal Beach. Therefore, the City of Seal Beach has authority over the Seal Beach Trailer Park and the City has approved the proposed project.

The subject mobile home space is located in the Seal Beach Mobile Home Park which is identified by the City as one of its affordable housing resources. Restrictions are in place which mandate occupation of a certain number of the mobile home park spaces by families of low or moderate income. The proposed project will not change any existing affordable restrictions, will not result in any division of land or change the manner of ownership of the land, and will not adversely impact the inventory of lower cost housing available in the Coastal Zone.

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<sup>1</sup> California Code of Regulations, Title 25, Division 1, Chapter 2 (Effective July, 2004), Article 1 uses the term "MH-unit" in place of the terms mobilehome, manufactured home, and multi-unit manufactured housing.

The Commission has consistently found that two parking spaces are necessary to satisfy the parking demand generated by individual residential dwelling units. The project site contains a single residential unit and therefore, under the Commission's standard of two parking spaces per dwelling unit, the project site should provide two on-site parking spaces. However, there is presently no on-site parking and no on-site parking is proposed with the current project. Therefore, on-site parking for the proposed development is deficient by two parking spaces. While there is no parking on-site, parking for the subject site and the residents of the Seal Beach Trailer Park has been and continues to be provided within common parking areas located on the grounds of the trailer park, which provide a total of 187 parking spaces. This parking area provides approximately 1.5 parking spaces per residential unit. Since no additional dwelling units are proposed, the proposed development would not result in an intensification of use of the site. Also, the small size of the MH-unit space (748 square feet) is a significant limitation on the applicant's ability to supply on-site parking. A standard parking space is approximately 9' x 19'. Thus, one or more parking spaces would occupy a significant portion of the space that is necessary for an adequate amount of habitable living area. The proposed project would not change the existing parking demand. In addition, there is no evidence of an existing parking problem in the trailer park or the immediately adjacent areas. Thus, the parking deficiency does not need to be remedied at this time. Nevertheless, future development at the project site could result in an increase in the number of dwelling units beyond the single unit, which currently exist resulting in an intensification of use. This would result in an increase in parking demand and an increase in the parking deficiency, leading to adverse impacts on public access. Therefore, the Commission is imposing **SPECIAL CONDITION NO. 1**, which informs the permittee that a new coastal development permit, or an amendment to this permit would be required for any future improvements to the existing structure which would result in a change in the intensity of use. This would allow for the review of future improvements for any potential adverse impacts to public access resulting from inadequate parking.

The applicant has shown that water on site will be directed to an adjacent green belt area to minimize any adverse impacts to water quality on site. However, the green belt area is not located on the project site. Water quality improvements for the project must be located within the subject property, such as directing roof water to permeable areas. Therefore, the Commission is imposing **SPECIAL CONDITION NO. 2**, which requires the applicant to submit a drainage and runoff control plan showing how adverse impacts to water quality are dealt with on the project site.

The placement of any vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org/>) and California Native Plant Society ([www.CNPS.org](http://www.CNPS.org)) in their publications. Furthermore, any plants in the landscape plan should only be drought tolerant to minimize the use of water (and preferably native to coastal Orange County). The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>. Any vegetated landscaped areas located on site shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. Therefore, the Commission is imposing **SPECIAL CONDITION NO. 3**.

An opponent to the proposed project submitted a letter and slideshow, which raises a variety of non Coastal Act issues. The opponent's issues deal with the proposed home's location and impact upon fire department access, conformance with City setbacks; and window placement for privacy. The opponent is also concerned that the proposed development may also take place on property outside of the applicant's property. The applicant has only proposed development located within his property lines and development outside of the applicant's property lines is not anticipated. The issues raised by the opponent are concerns that are dealt with at the local (City) level. The opponent's concerns do not raise any Coastal Act issues.

**B. DEVELOPMENT**

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project lacks adequate parking based on the Commission's typically applied parking standards. Though the project does not currently provide adequate parking, the extent of improvements do not warrant that the deficient parking situation be corrected at this time since the project will not change the use or intensity of use of the project site. Nevertheless, the Commission finds that a future improvements special condition be imposed so that the parking deficiency can be reviewed in the future. As conditioned the development conforms with Sections 30250, 30251, 30252, and the public access policies of the Coastal Act.

**C. WATER QUALITY**

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

**D. PUBLIC ACCESS**

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

**E. LOCAL COASTAL PROGRAM**

Section 30604 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program, which conforms with the Chapter 3 policies of the Coastal Act.

On July 28, 1983, the Commission denied the City of Seal Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications. The City did not act on the suggested modifications within six months from the date of Commission action. Therefore, pursuant to Section 13537(b) of the California Code of Regulations, the Commission's certification of the land use plan with suggested modifications expired. The LUP has not been resubmitted for certification since that time.

The proposed development is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Commission finds that the proposed development would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter 3 policies of the Coastal Act.

**F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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

SEE MAP 796

LOS ANGELES COUNTY  
90803

90740

90743 90264

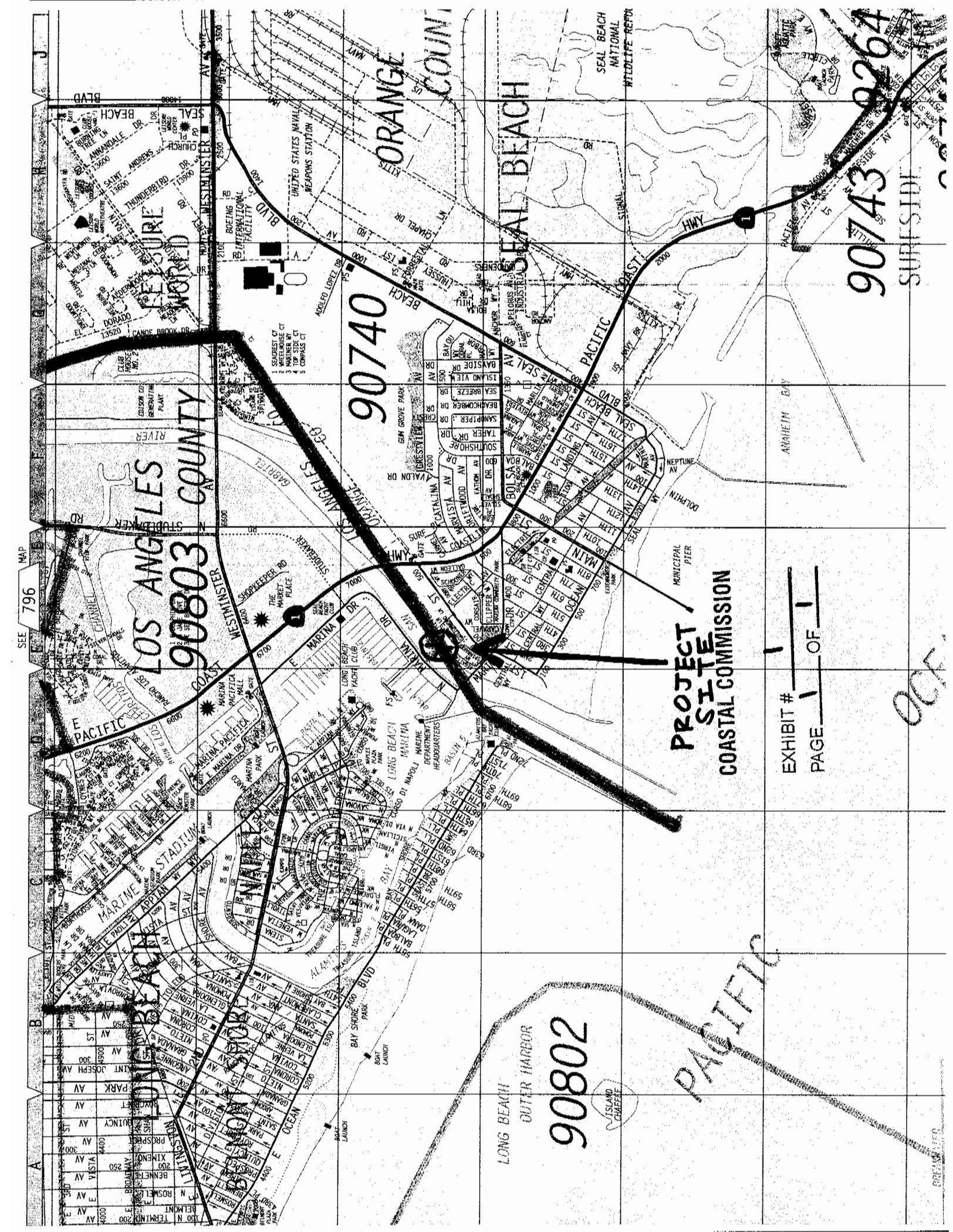
ORANGE COUNTY

LONG BEACH  
OUTER HARBOR  
90802

PROJECT  
SITE  
COASTAL COMMISSION

EXHIBIT # 1 OF 1  
PAGE 1 OF 1

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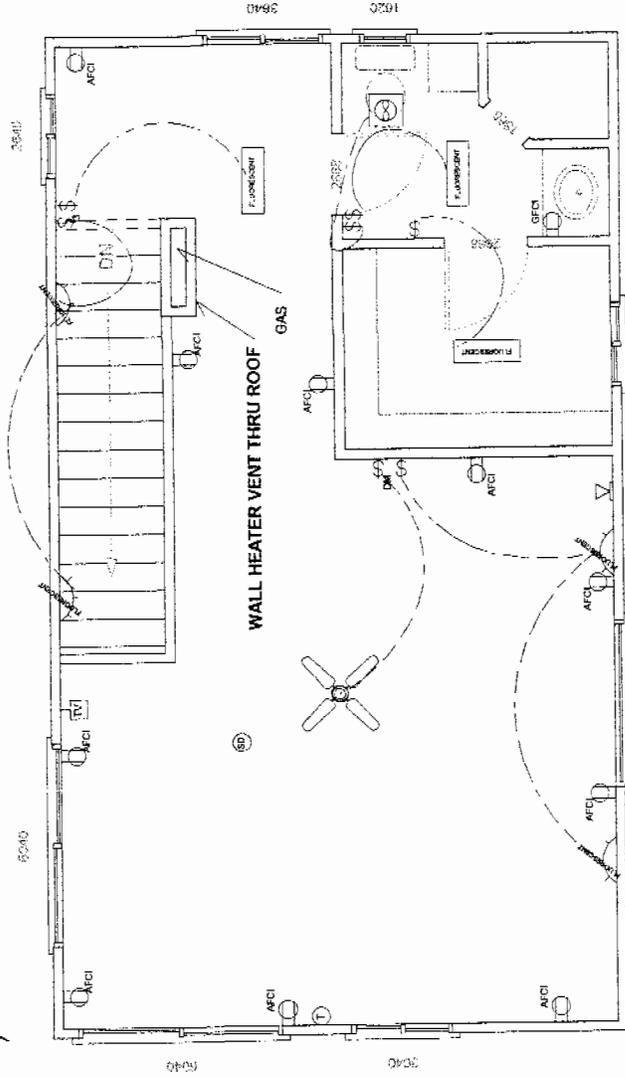


APPROVED IN CONCEPT  
SEAL BEACH PLANNING DEPT

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SIGNATURE: *[Signature]*  
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DATE: *10/10/2017*

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ALL LIGHTING IN THE COMMON AREAS OF MULTIFAMILY BUILDINGS SHALL BE SPECIFIED AS HIGH EFFICIENCY LIGHTING CONTROLLED BY A STANDARD SWITCH OR INCANDESCENT CONTROLLED BY A MANUAL-ON OCCUPANT SENSOR.

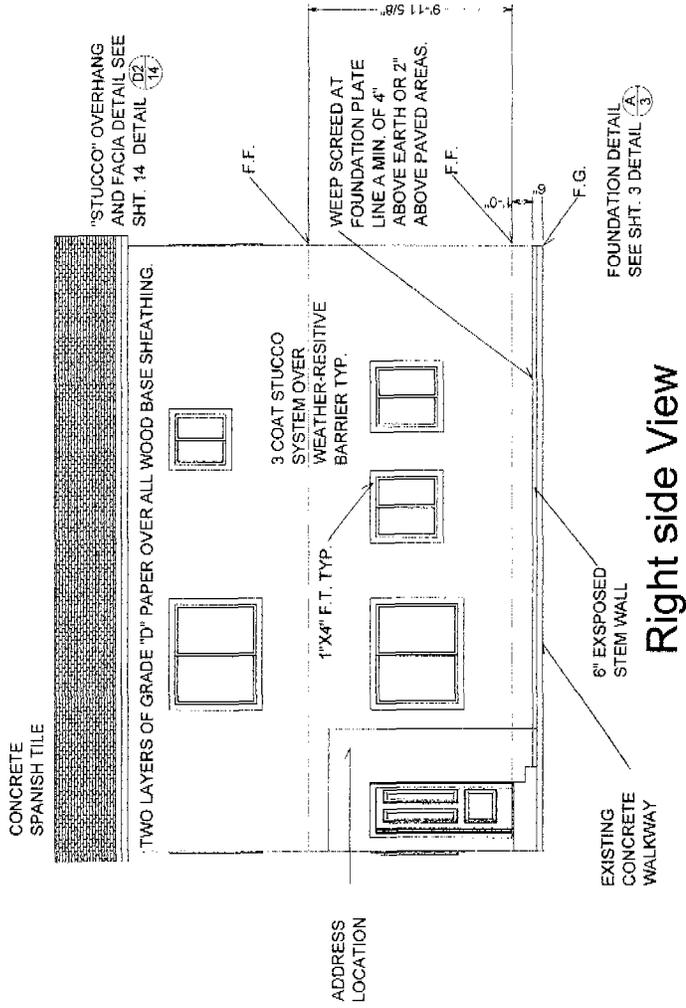


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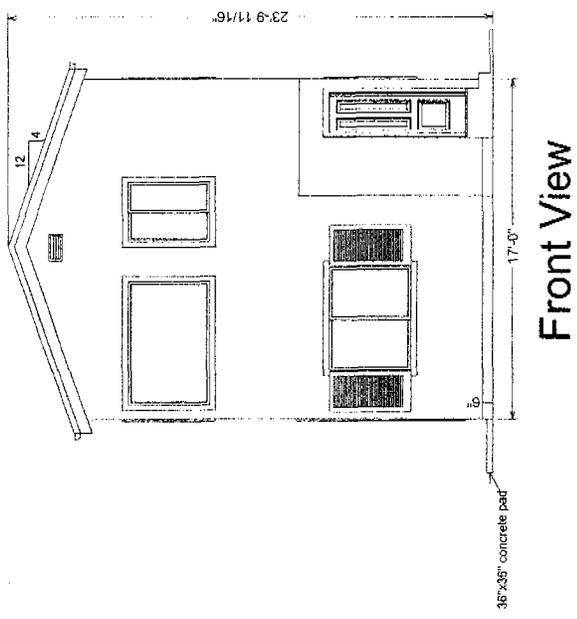
# SECOND FLOOR

EXHIBIT # 3  
PAGE 2 OF 2

# PLUMBING MECHANICAL & ELECTRICAL



Right side View

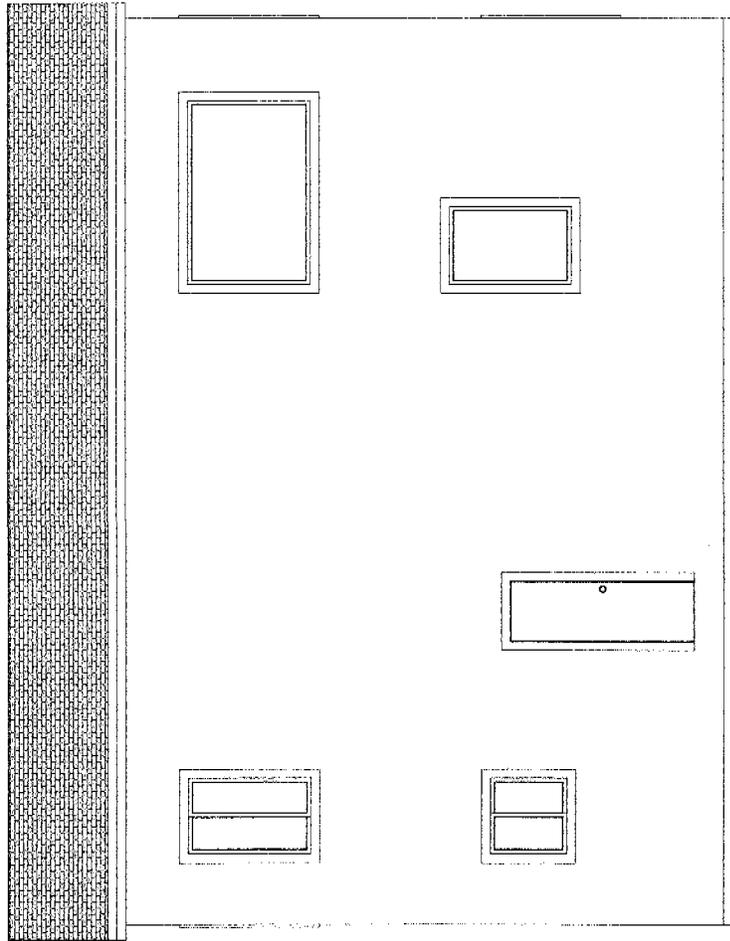


Front View

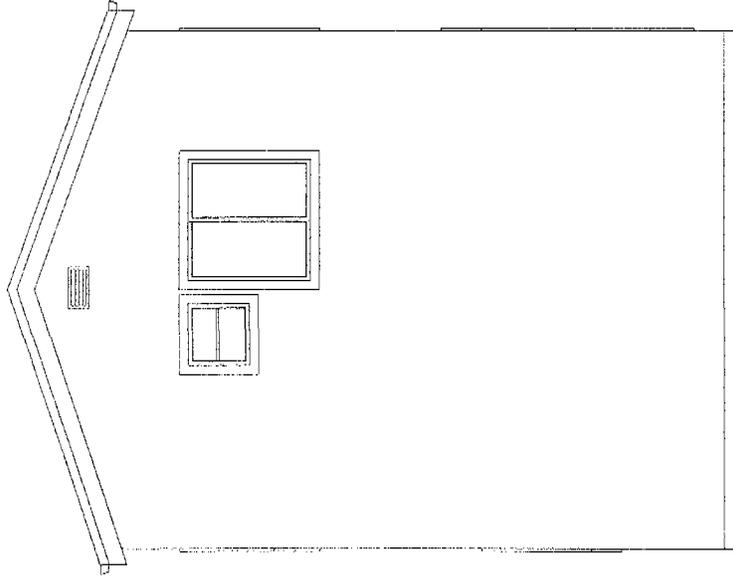
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EXHIBIT # 4  
PAGE 1 OF 2

Elevation Plan



Left side View



Back View

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Elevation Plan

EXHIBIT # 4

PAGE 2 OF 2

**FOUNDATION NOTES**

- ANCHOR BOLTS SHALL BE 5/8" DIA. x 10" LONG W/ 2"x2"x3/16" STEEL PLATE WASHER AT 6.0" ON CENTER MAXIMUM AND 1.0" FROM ENDS OR SPICES, EXTERIOR WALLS TYPICAL. U.O.N.
- DO NOT POUR CONCRETE UNTIL UNDERFLOOR UTILITIES HAVE BEEN VERIFIED
- CONCRETE SHALL HAVE A STRENGTH RATING OF 2500 PSI
- COORDINATE LOCATIONS OF ANCHOR BOLTS, HOLDDOWNS, POST BASES, ETC. WITH FRAMING CONTRACTOR. ALL MUST BE SECURED IN PLACE PRIOR TO INSPECTION AND POURING OF FOOTINGS.
- ALL HARDWARE TO BE "SIMPSON STRONG TIE" OR EQUIVALENT.
- At all corners and splices min. 24" overlap.

**FOUNDATION NOTES**

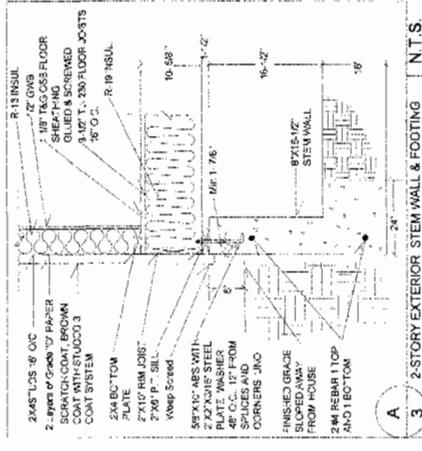
The structural calculations are based on 1000 psf (DL+LL)

Foundation concrete shall have a minimum compressive strength of 2500psi

Reinforcing steel shall be deformed bars per ASTM / A615. Use grade 60 for #5 or bigger, all others may be grade 40.

3" clearance shall be provided where concrete is cast against earth. 2" clearance for concrete exposed to earth or weather but deposited against forms 3/4" clearance for slabs and walls where concrete is not exposed to weather.

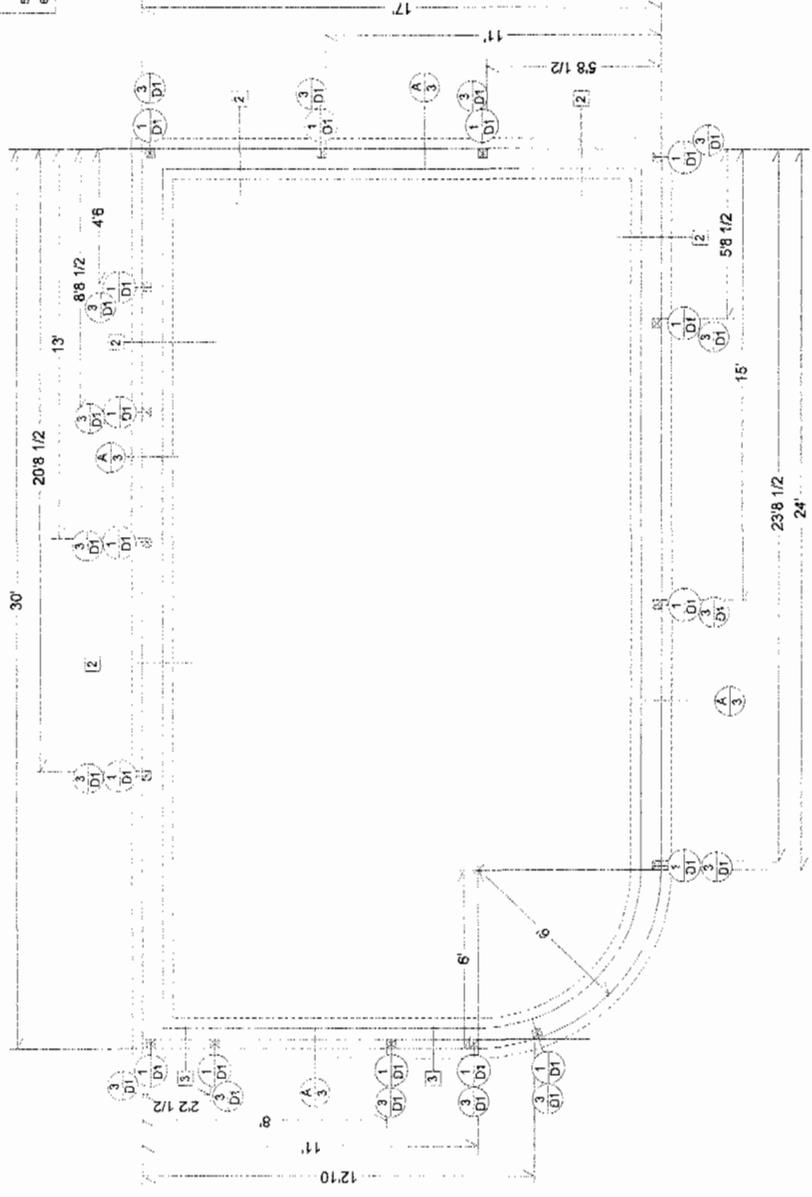
Lap all reinforcing splices a minimum of 48 bar diameters but in no case less than 24".



**HOLD DOWN SCHEDULE**

1	D1	3
2	D1	3
3	D1	3

SEE STRUCTURAL CALCS FOR HOLDDOWN CALCULATIONS (PAGES 7,8)



**ANCHOR BOLT SCHEDULE**

1	5/8" x 10" ANCHOR BOLTS AT 48" ON CENTER
2	5/8" x 10" ANCHOR BOLTS AT 8" ON CENTER (20)
3	5/8" x 10" ANCHOR BOLTS AT 15" ON CENTER (20)

USE 200X25 STEEL PLATE WASHERS @ ALL LAB.

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Foundation Plan