

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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**W 14a**

Filed: June 1, 2010  
49th Day: July 20, 2010  
180th Day: November 28, 2010  
Staff: Fernie Sy-LB  
Staff Report: September 22, 2010  
Hearing Date: October 13-15, 2010  
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-10-009

**APPLICANT:** Seal Beach Animal Care Center; Attn: Liz Anderson

**PROJECT LOCATION:** 1700 Adolfo Lopez Drive, City of Seal Beach (County of Orange)

**PROJECT DESCRIPTION:** Construction of a new 2,400 square foot, one-story cat sheltering facility. Grading will consist of 47 cubic yards of cut, 40 cubic yards of fill and 6 cubic yards of export to a location outside of the Coastal Zone.

**LOCAL APPROVALS RECEIVED:** City of Seal Beach Planning Department Approval-In-Concept dated September 10, 2009.

**SUMMARY OF STAFF RECOMMENDATION:**

The applicant is proposing construction of a new 2,400 square foot, one-story cat sheltering facility. The major issues of this staff report concern the project's adherence to the habitat, water quality, archaeological, and public access policies of the Coastal Act.

Commission staff is recommending **APPROVAL** of the proposed project subject to **SEVEN (7) SPECIAL CONDITIONS** requiring: **1)** submittal of Construction Staging Plans; **2)** conformance with certain requirements related to the storage and management of construction debris and equipment; **3)** submittal of a Revised Water Quality Management Plan (WQMP); **4)** submittal of Revised Landscaping Plans; **5)** adherence to requirements for exterior lighting; **6)** conformance with the Archaeological Monitoring Plan; and **7)** acknowledging future development.

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

**SUBSTANTIVE FILE DOCUMENTS:** *Cultural Resources Survey of the Seal Beach Animal Care Center Building Project Seal Beach, California* prepared by EDAW, Inc. dated April 2006; *Archaeological and Native American Monitoring Plan Animal Care Facility, Seal Beach, California* prepared by EDAW dated October 2007; Letter to Seal Beach Animal Care Center from Commission staff dated February 12, 2010; Letter from AECOM dated April 23, 2010; Water Quality Management Plan (WQMP) prepared by FDC & Associates Corporation dated May 15, 2010; and *Preliminary Soil Investigation Report For A Commercial Building Addition At The Seal Beach Animal Care Facility For A Cat Shelter* prepared by Mammoth Soils Laboratories, Inc. dated May 15, 2010.

**LIST OF EXHIBITS**

1. Vicinity Map
2. Site Plan
3. Floor Plans
4. Elevation Plans

**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 on which the Commission voted on the application. 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. CONSTRUCTION STAGING AREA PLANS**

**A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the permittee shall submit, for the Executive Director's review and approval, two (2) full size sets of Construction Staging Area Plans, which indicate that the construction staging area(s) and construction corridor(s) will avoid impacts to wetlands.

(1) The plan shall demonstrate that:

- (a) Construction equipment, materials or activity shall not occur outside the staging area and construction corridor identified on the site plan required by this condition; and
- (b) Construction equipment, materials, or activity shall not be placed in any location which would result in impacts to the Los Alamitos Retarding Basin (LARB), which contains wetlands and is approximately 200-feet West of the project site.

(2) The plan shall include, at a minimum, the following components:

(a) A site plan that depicts:

1. limits of the staging area(s);
2. construction corridor(s);
3. construction site;
4. location of construction staging and storage areas, temporary construction-related fencing and temporary job trailers with respect to existing wetlands.

**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 legally required.

#### **2. STORAGE OF CONSTRUCTION MATERIALS, MECHANIZED EQUIPMENT AND REMOVAL OF CONSTRUCTION DEBRIS**

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

- (1) No construction materials, debris, or waste shall be placed or stored where it may be subject to water, wind, rain, or dispersion;
- (2) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
- (3) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters;
- (4) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into coastal waters; and
- (5) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

**B.** Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project. Such measures shall be used during construction:

- (1) The applicant shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible;
- (2) The applicant shall develop and implement spill prevention and control measures;
- (3) The applicant shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50-feet away from a storm drain, open ditch or surface water; and
- (4) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.

**3. WATER QUALITY MANAGEMENT PLAN (WQMP)**

**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 Revised Water Quality Management Plan (WQMP) for the post-construction project site, prepared by a licensed professional, and shall include plans, descriptions, and any necessary supporting calculations. The Revised WQMP plan shall demonstrate substantial conformance with the WQMP prepared by FDC & Associates Corporation dated May 15, 2010. In addition to the specifications above, the plan shall conform with the following requirements:

- (1) The WQMP shall incorporate site design and source control Best Management Practices (BMPs) as well as good housekeeping practices designed to address, the volume, velocity and pollutant load of stormwater, and dry weather or other nuisance runoff flows leaving the developed site;
- (2) Source Control and Good Housekeeping Practices appropriate for Animal Care and Handling Facilities in urbanized areas including but not limited those specified herein (3. A. 1-14), shall be promoted through, among other means, an employee training program;
- (3) For landscaping, low maintenance practices and materials shall be utilized in order to minimize irrigation demands and the use of fertilizers and other landscaping chemicals;
- (4) Trash, recycling and other waste containers, as necessary, shall be provided. All waste containers anywhere within the development shall be covered, watertight, and designed to resist scavenging animals;
- (5) Regularly sweep and clean animal keeping areas to collect and properly dispose of droppings, uneaten food, and other potential runoff pollutants;
- (6) Do not hose down to storm drains or to receiving waters those areas that contain potential stormwater pollutants;
- (7) Do not allow any wash waters to be discharged to storm drains or to receiving water without proper filtration or other treatment;
- (8) If animals are kept in unpaved and uncovered areas, the ground must either have vegetative cover or some other type of ground cover such as mulch;
- (9) If animals are not leashed or in cages, the area where animals are kept must be surrounded by a fence or other means that prevents animals from moving away from the controlled area where BMP's are used;
- (10) Runoff from rooftops and other impervious surfaces shall be directed to permeable areas on site, wherever feasible;
- (11) Any runoff leaving the site shall be conveyed in a non-erosive manner;
- (12) The applicant shall arrange for regular vacuum sweeping of all paved parking lot areas, with a minimum frequency of monthly service to occur

during the storm season (October 15<sup>th</sup> – April 15<sup>th</sup>), in order to prevent dispersal of pollutants that might collect on those surfaces;

- (13) It is the applicant's responsibility to maintain the drainage system and the associated structures and BMPs in a functional and operative condition, and in accordance with manufacturer's specifications for the life of the project; and
- (14) Debris and other water pollutants removed from any structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.

**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 legally required.

#### **4. LANDSCAPE PLAN**

**A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, two (2) full sized sets of Revised Landscaping Plans that demonstrate the following:

- (1) The plan shall demonstrate that:
  - (a) All landscaping shall consist of native drought tolerant non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, 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. Any existing landscaping that doesn't meet the above requirements shall be removed.
  - (b) All planting shall provide 90 percent coverage within 90 days and shall be repeated if necessary to provide such coverage;
  - (c) All plantings shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan;
- (2) The plan shall include, at a minimum, the following components:
  - (a) A map showing the type, size, and location of all plant materials that will be on the developed site, the temporary irrigation system, topography of the developed site, and all other landscape features, and

(b) a schedule for installation of plants.

- B.** The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan 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 legally required.

**5. LIGHTING**

Exterior night lighting shall be shielded and directed so that light is directed toward the ground and away from wetland areas located in the Los Alamitos Retarding Basin (LARB) approximately 200-feet West of the project site.

**6. ARCHAEOLOGICAL MONTITORING PLAN**

The applicants shall conform with the *Archaeological and Native American Monitoring Plan Animal Care Facility, Seal Beach, California* prepared by EDAW dated October 2007. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**7. FUTURE DEVELOPMENT**

This permit is only for the development described in Coastal Development Permit No. 5-10-009. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(b) shall not apply to the development governed by Coastal Development Permit No. 5-10-009. Accordingly, any future improvements to the animal care facility authorized by this permit, including 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. 5-10-009 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

## IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

### A. PROJECT LOCATION, DESCRIPTION AND PREVIOUS COASTAL DEVELOPMENT PERMIT

#### 1. Project Location and Description

The project site is located at 1700 Adolfo Lopez Drive in the City of Seal Beach, Orange County (Exhibits #1-2). The lot size is approximately 70,515 square feet and is currently zoned as Public Land Use//Recreational (PLU/R) in the City of Seal Beach Zoning Code (not certified by the Commission) and currently on site is an existing one-story, 4,145 square foot building. To the North of the project site is the Boeing Specific Plan Area, now under development for the Pacific Gateway Business Park. To the East of the project site are the existing Seal Beach Animal Care Center facility and the public works and facilities yard, while to the West of the project site are vacant space and the Los Alamitos Retarding Basin. To the South of the project site is the existing dog exercise yard, the Hellman Water Quality basin, the Heron Point residential development and to the Southwest of the project site are the Hellman Ranch oil fields.

The Seal Beach Animal Care Center (hereafter referred to as SBACC) currently houses cats and dogs (both strays and owner relinquished) and is a no-kill shelter run by volunteers with a Board selected by members and funded by donations and minimal adoption fees. At any given time there can be 25-35 dogs and 65 or more cat and kittens on the premises. All attempts are made to return strays to their owner. After 96 hours, the animal becomes available for adoption to the public.

Currently on site is an existing one-story, 4,145 square foot building used to shelter both the dogs and cats. The applicant is proposing a new freestanding one-story, 14'-11" high, 2,400 square foot building on the same lot to be used to shelter and care for cats that are either available for adoption or to be returned to owners (Exhibits #2-4). The applicant is also proposing grading consisting of 47 cubic yards of cut, 40 cubic yards of fill and 6 cubic yards of export to a location outside of the Coastal Zone. There currently eight (8) parking spaces on site and will remain as no changes to parking are proposed. Parking spaces are required for the volunteers and the potential adopters.

If construction equipment and staging is not appropriately managed, adverse impacts upon the Los Alamitos Retarding Basin, which contains wetland areas, could occur. For instance, soil stockpiles could erode causing sedimentation of wetlands. In addition, if not sited appropriately, construction equipment and activity could cause trampling of the wetlands. Thus, a Construction Staging Plan is necessary in order to demonstrate that construction equipment or activity shall not occur outside the staging area and identified construction corridor and that construction equipment and activity shall not be placed in any location, which would result in impacts to wetlands. The plan should include, at a minimum, the following components: a site plan that depicts the limits of the staging area(s); construction corridor(s); construction site; the location of construction fencing and temporary job trailers with respect to existing wetlands. The applicant has not submitted a Construction Staging Plan. Thus, the Commission imposes **SPECIAL CONDITION NO. 1**, which requires the applicant to submit a Construction Staging Plan.



In addition, in order to ensure that construction and materials are managed in a manner which avoids impacts to adjacent wetlands, the Commission imposes **SPECIAL CONDITION NO. 2**, which requires that construction materials, debris, or waste be placed or stored where it will not enter storm drains or be subject to tidal erosion and dispersion; removal of debris within 24 hours of completion of construction; implementation of Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed such that construction debris and sediment are properly contained and secured on site and to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.

During storm events, the pollutants which have collected upon the roof and upon other impervious surfaces created by the proposed project may be discharged from the site into the storm water system and eventually into coastal waters which can become polluted from those discharges. Water pollution can result in decreases in the biological productivity of coastal waters. In addition, impervious surfaces magnify peak flows dramatically which can lead to erosion. In order to mitigate these impacts, the applicant has submitted a Water Quality Management Plan (WQMP) prepared by FDC & Associates Corporation dated May 15, 2010 that states and shows proposed vegetated swales around the proposed new building that will be designed to clean and infiltrate run-off from roof tops and overflows and also directs surface runoff to a grated inlet connected to an infiltration trench. Furthermore, the applicant states that the new building is for cats only and there are no outdoor runs or rooms for the cats. All rooms will be contained within the new building structure. In addition, the applicant states in regards to current water quality practices, the only source of waste confinement for cats is litter boxes and those boxes are emptied into plastic bags and disposed of in the dumpster. In regards to dogs, excrement is scooped up and put in plastic bags within plastic containers, which are eventually disposed of in the dumpsters. Dog urine is washed down by hose into the drains. These practices are for both the outdoor dog exercise yard and confined dog areas within the existing building. While the applicant has proposed measures to deal with post construction water quality, additional measures are necessary. The applicant's proposed measures did not cover things such as if animals are kept in unpaved and uncovered areas and if animals are not leashed or in cages. Therefore, it is necessary to impose **SPECIAL CONDITION NO. 3**, which requires that the applicant submit a Revised Water Quality Management Plan (WQMP).

The applicant has stated that landscaping is proposed and plans have been submitted. 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>.

Commission staff has reviewed the submitted Landscaping Plan and determined that non-drought tolerant plants have been found: *Salvia Sonomensis* (*Creeping Sage*) and *Penstemon Spectabilis* (*Showy Penstemon*). Therefore, the Commission imposes **SPECIAL CONDITION NO. 5**, which requires the applicant to submit a Revised Landscaping Plan, which consists of native drought tolerant plants, which are non-invasive.

An additional concern is the impact lighting may have upon the adjacent Los Alamitos Retarding Basin, which contains wetlands. Thus, **SPECIAL CONDITION NO. 5** has been imposed, which requires that all replaced or new lighting within the development shall be directed and shielded so that light is directed toward the ground and away from the wetlands.

The project area is situated at the base of the northern portion of "Landing Hill", a low rise that separates the extensive wetlands of Alamitos Bay on the West and Anaheim Bay on the Southeast and is located in an area where archaeological remnants have been discovered. In order to analyze the archaeological resources of the site, the applicant has submitted: (*Cultural Resources Survey of the Seal Beach Animal Care Center Building Project Seal Beach, California* prepared by EDAW, Inc. dated April 2006). Archaeological work on Landing Hill began in 1954 and discovered a series of 10 discrete prehistoric shell midden deposits along the top and sides of the hill, designating them LH-1 through LH-10. These sites were later recorded by the Pacific Coast Archaeological Society as CA-ORA-256 through -265. The sites ranged from 1,800 square meters to more than 15,000 square meters in size with surface materials consisting mainly of marine shell along with limited numbers of flaked and groundstone artifacts exposed by periodic discing. Recently, investigations have been focused on five (LH-5 through LH-9) of the sites as well as CA-ORA-1472 immediately West of Seal Beach Boulevard. These sites are located in the Heron Point residential area and numerous inhumations and a large number of artifacts and faunal remains have been discovered. With the exception of LH-9, these sites have been removed during construction of the Heron Point residential development. The project site is presently being used as a parking lot for volunteers and visitors to the SBACC and is devoid of any vegetation. On April 2, 2006, the project site was intensively surface surveyed for any cultural remains. The survey found a few scattered pieces of fragmentary marine shell (primarily *Chione* and *Argopecten*), along with considerable amounts of modern debris, including glass and asphalt. The survey concluded that due to the discovery of the modern debris with the fragmentary remnants of marine shell that the site is in a highly disturbed area. Since grading is proposed with the project, there exists a possibility that buried archaeological sites could be discovered. Thus, the survey recommends that grading of the site be monitored by a qualified archaeologist and a Native American. Because this survey was completed several years ago, an update to this survey determining if there had been any changes to the site was necessary. Thus, the applicant submitted a letter from AECOM dated April 23, 2010 and this letter concludes that the site remains the same as discussed in the EDAW 2006 report.

Although no intact cultural deposits were found pursuant to the subsurface archaeological investigation recently completed, it is nevertheless possible that significant resources may yet exist at the site. Section 30244 of the Coastal Act requires that should such resources exist at the site, reasonable mitigation measures are required. The proposed site grading offers the optimum opportunity to review the site for artifacts. Monitoring the site during grading activities would allow identification of any heretofore undetected cultural resources. If such resources are found, then appropriate mitigation measures, as required by Section 30244, need to be developed. Thus, an Archeological Monitoring Plan is necessary. The previously issued CDP No. 5-06-038 for the project site included a Special Condition for such a plan and a plan was submitted and found acceptable (*Archaeological and Native American Monitoring Plan Animal Care Facility, Seal Beach, California* prepared by EDAW dated October 2007). The AECOM letter dated April 23, 2010, referenced above, also recommends that this plan remain part of the project. Thus, the Commission imposes **SPECIAL CONDITION NO. 6**, which requires the applicant to conform with the submitted Archaeological Monitoring Plan.

The subject site is located adjacent to the inland boundary of the coastal zone, approximately 1 ½ miles inland of the beach. Nevertheless, Seal Beach Boulevard and Westminster Avenue are both arterials that lead to the coast and visitor-serving coastal amenities (Exhibit #1).

There currently eight (8) parking spaces on site and will remain as no changes to parking are proposed. Parking spaces are required for the volunteers and the potential adopters. The project site is in an area (approximately 1 ½ miles inland of the beach) where the general public typically would not park for access to the beach. Thus, with the proposed project, there is no significant potential for adverse impacts to public beach access as a result of any parking deficiency. However, to assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission imposes **SPECIAL CONDITION NO. 7**, a future improvements special condition.

2. Previous Coastal Development Permit

Coastal Development Permit No. 5-06-038-(Seal Beach Animal Care Center)

On October 12, 2006, the Commission approved Coastal Development Permit No. 5-06-038-(SBACC) for the construction of a 2,500 square foot, one-story cat facility and including 508 cubic yards of grading for recompaction purposes. The project was approved with **Eight (8) Special Conditions** requiring: **1)** submittal of final project plans; **2)** submittal of final construction staging plans; **3)** conformance with certain requirements related to the storage and management of construction debris and equipment; **4)** submittal of a final water quality management plan; **5)** submittal of final landscaping plans; **6)** adherence to requirements for exterior lighting; **7)** submittal of an archaeological monitoring plan; and **8)** acknowledging future development. The permit was issued on June 16, 2008. However, construction of the project was never started and the permit expired. The currently proposed project is similar, but smaller in scale compared to the previously approved project.

**B. BIOLOGICAL RESOURCES**

As conditioned, the development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) 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. ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES**

As conditioned, the development will not adversely impact archaeological or paleontological resources. While no such resources exist at the site, if such resources are found, appropriate mitigation measures shall be required. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30244 of the Coastal Act.

**E. 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.

**F. LOCAL COASTAL PROGRAM (LCP)**

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. Thus, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act.

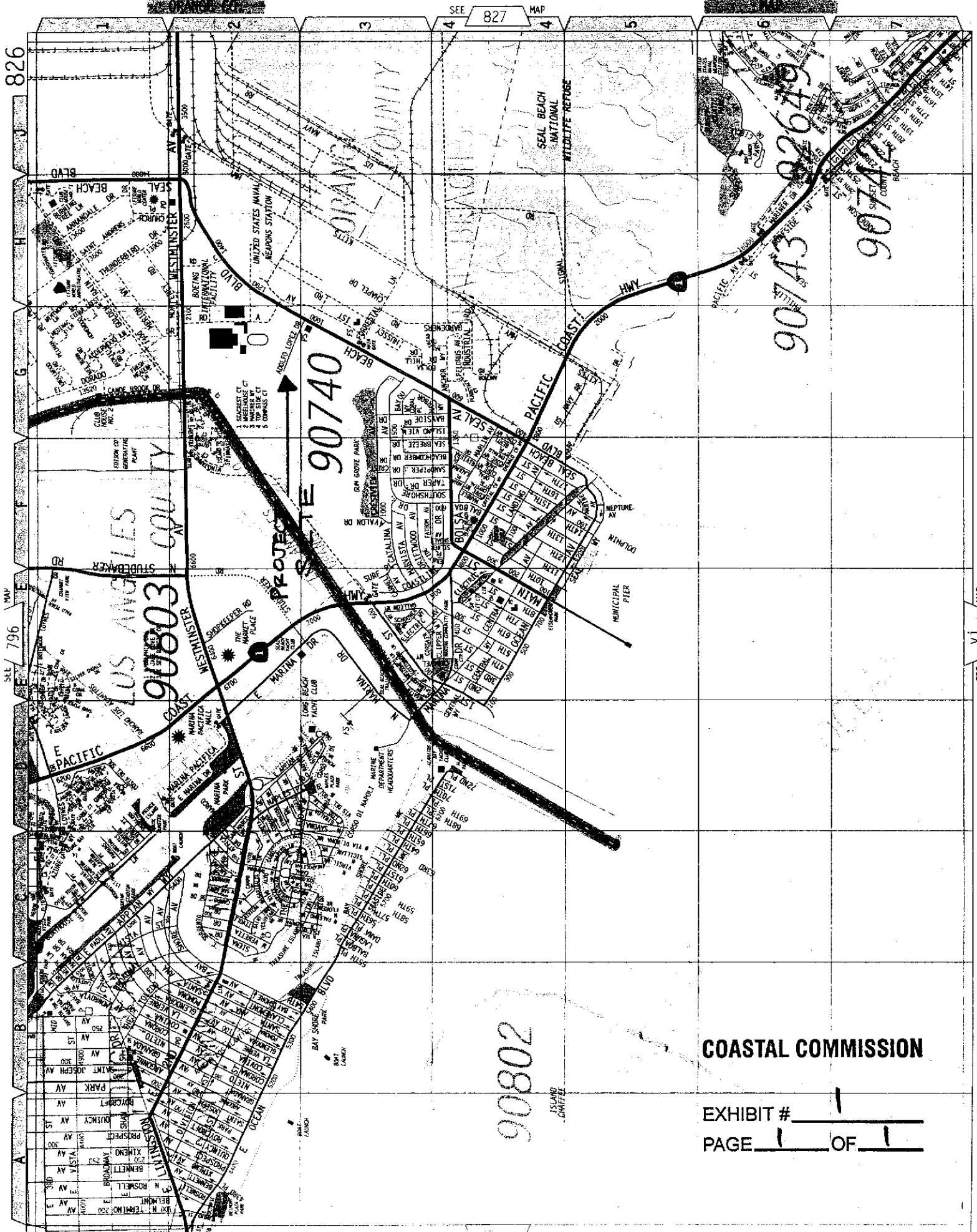
The proposed development is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Commission finds that the proposed development would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter 3 policies of the Coastal Act.

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

The City of Seal Beach is the lead agency responsible for certifying that the proposed project is in conformance with the California Environmentally Quality Act (CEQA). The City determined that in accordance with CEQA, the project is Categorically Exempt from Provisions of CEQA under Guidelines Section 15303 for the construction. Section 13096(a) of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA).

Although the proposed development is categorically exempt from CEQA, the Commission has imposed conditions to ensure conformity with Coastal Act requirements. 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 consistent with the requirements of the Coastal Act and CEQA.



826

SEE 827 MAP

SEE 796 MAY

LOS ANGELES COUNTY  
90803

PROTECTED SITE 90740

90743  
90740

90802

COASTAL COMMISSION

EXHIBIT # 1  
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**COASTAL COMMISSION**

EXHIBIT # 4  
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- KEYNOTES**
- 1. QUANTITIES AS SHOWN
  - 2. WOOD TRIM TYPICAL
  - 3. PROVIDE 3/4" RIGID GRADE TO WOOD
  - 4. WINDOW PER FLOOR PLAN
  - 5. FIT TO H-2
  - 6. CLASS 'C' CONCRETE BRACKERS OVER 20' HGT. ROOF
  - 7. ALL WORK SHALL BE PERFORMED AND ACCEPTED
  - 8. ALL PORT AT CORNER POUCH

**ROOF VENTILATION REQUIREMENTS**

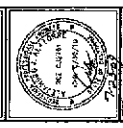
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**ELEVATION NOTES**

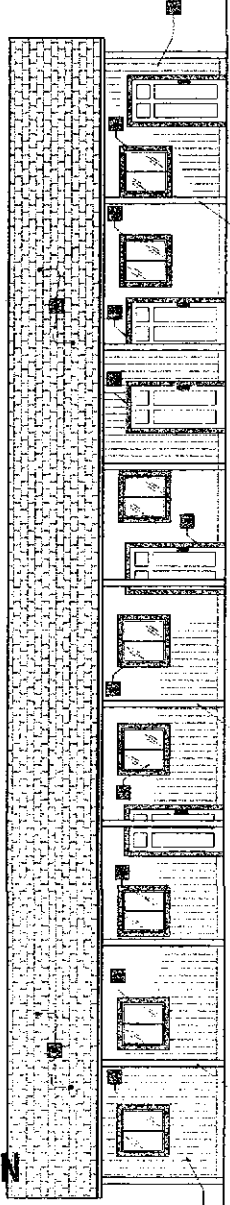
ALL WEATHER EXPOSED SURFACES SHALL HAVE A WEATHER RESISTIVE BARRIER TO PROTECT THE EXTERIOR WALL COVERING. PROVIDE 1/2" WATERPROOF BARRIER UNDER ALL EXTERIOR WALL COVERING. PROVIDE 1/2" WATERPROOF BARRIER UNDER ALL EXTERIOR WALL COVERING. PROVIDE 1/2" WATERPROOF BARRIER UNDER ALL EXTERIOR WALL COVERING.

**ALATORE & ASSOCIATES**  
ARCHITECTS & STRUCTURAL ENGINEERS  
PHONE: (951) 487-1722

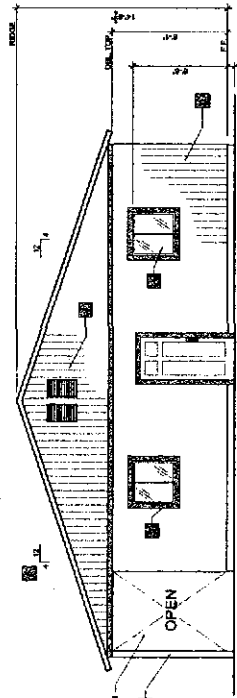
**NEW ACCESSORY BUILDING FOR SEAL BEACH ANIMAL CARE CENTER**  
1700 ADOLF LOPEZ DRIVE  
SEAL BEACH, CALIFORNIA 90740



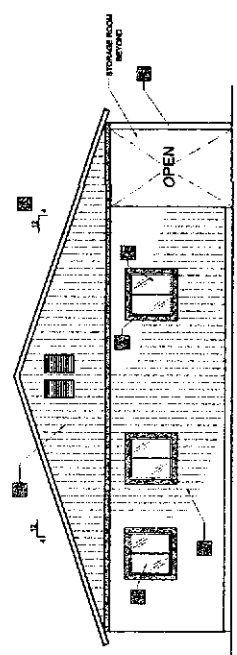
MAY 27, 2009  
JOB NO. 9-003  
DRAWN BY: ANDEL  
ELEVATION  
SHEET **A2**  
4 OF 8



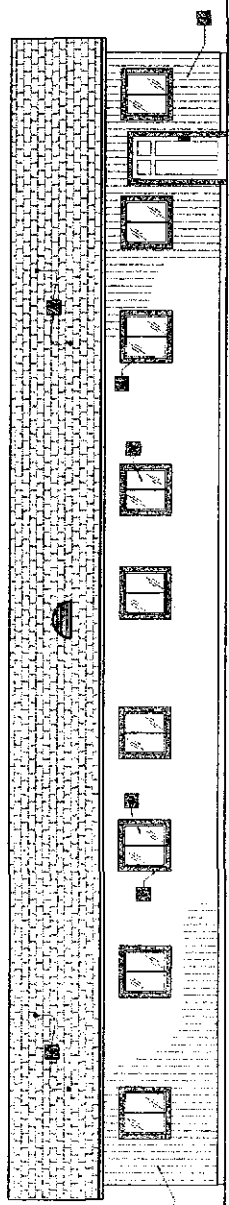
WALL 'B' ELEVATION  
SCALE 1/8" = 1'-0"



WALL 'A' ELEVATION  
SCALE 1/8" = 1'-0"



WALL 'C' ELEVATION  
SCALE 1/8" = 1'-0"



WALL 'D' ELEVATION  
SCALE 1/8" = 1'-0"