

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421  
(619) 767-2370



# W14a

Filed: 8/29/12  
180<sup>th</sup> Day: 2/25/13  
Staff: T. Ross - SD  
Staff Report: 1/17/13  
Hearing Date: 2/6-8/13

## STAFF REPORT: REGULAR CALENDAR

**Application No.:** 6-12-002

**Applicant:** Crystal Pier Hotel & Cottages, Inc.

**Agent:** Jim Bostian & Megan Busch

**Location:** 4500 Ocean Boulevard, Pacific Beach, San Diego County

**Project Description:** Demolition of two single-story rental cottages (Units 20 & 22) totaling 1,832 sq. ft. on Crystal Pier (already completed without a coastal development permit) and reconstruction of two new single-story cottages totaling 1,752 sq. ft. and expansion of width of existing pier approximately six feet northward to accommodate new decking for the reconstructed units.

**Staff Recommendation:** Approval with conditions.

---

## SUMMARY OF STAFF RECOMMENDATION

Staff is recommending the Commission approve the proposed project with several special conditions. The proposal includes after-the-fact approval of demolition of two existing, pre-coastal buildings comprised of one rental unit and various storage and maintenance facilities and

the subsequent reconstruction of two new rental units of similar combined size, located on Crystal Pier in Pacific Beach. The proposal also includes the northward addition of approximately 6 feet of pier planking for a distance of approximately 74 feet along the northern edge of the pier, in order to provide private decks for the newly constructed units. The proposed project has been conditioned to address Coastal Act issues related to adverse impacts to public access and recreation, structural stability and hazards, as well as potential adverse impacts to marine resources, and water quality. Specific concerns raised include the shading of the beach below the proposed pier extension which results in adverse public access and recreational impacts associated with expansion of the private section of the pier above both a lateral access dedication and a highly utilized sandy beach. Additional concerns include the current structural stability of the pier as well as future hazard concerns associated with sea level raise and increased storm action. Finally, concerns are raised regarding the potential for adverse impacts to water quality associated with construction activities, and potential adverse impacts to marine resources associated with any new outdoor lighting.

To address these adverse impacts, Commission staff is recommending 11 special conditions. To address adverse impacts pertaining to public access and recreation, staff is recommending the incorporation of **Special Condition #1**, which requires the removal of any proposal for pier expansion, thereby eliminating the encroachment of the pier above a lateral access easement and a highly-used sandy beach. **Special Condition #3** prohibits the use of public beach, pier, or public parking areas for storage, staging or employee parking during construction, and limits construction in general to outside the “peak” summer months between Memorial and Labor days. To address adverse impacts associated with pier stability and hazards, staff is recommending the incorporation of **Special Condition #s 2 & 6**. **Special Condition #2** requires the applicant to complete all the maintenance and repair activities recommended by the structural engineering report completed by Curry Price & Court Engineers and dated September 28<sup>th</sup>, 2010 for the area proposed for development, prior to the construction of the new rental units. **Special Condition #6** requires the applicant to assume all liability for any adverse impacts to property or persons associated with the hazards identified for this site. To address adverse impacts relating to water quality and marine resources, Commission staff is recommending the incorporation of **Special Condition #s 1.c & 4**. **Special Condition # 1.c** limits outdoor lighting to the minimum necessary for safety. **Special Condition #4** requires the applicant include a number of BMPs into construction activities to ensure that no unforeseen impacts to water quality occur through construction activities, staging areas, or accidental spillage of hazardous chemicals.

With the incorporation of the above described special conditions the proposal can be found consistent with all applicable Coastal Act policies, and; therefore, Commission staff recommends **approval** of coastal development permit application 6-12-002, as conditioned.

## TABLE OF CONTENTS

<b>I. MOTION AND RESOLUTION</b> .....	4
<b>II. STANDARD CONDITIONS</b> .....	4
<b>III. SPECIAL CONDITIONS</b> .....	5
<b>IV. FINDINGS AND DECLARATIONS</b> .....	9
A. PROJECT DESCRIPTION.....	9
B. PUBLIC ACCESS/RECREATION.....	11
C. HAZARDS.....	15
D. WATER QUALITY/ MARINE RESOURCES.....	16
E. VISUAL RESOURCES.....	18
F. UNPERMITTED DEVELOPMENT.....	19
G. DEED RESTRICTION.....	19
H. LOCAL COASTAL PLANNING.....	20
I. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.....	20

### APPENDICES

Appendix A – Substantive File Documents

### EXHIBITS

- Exhibit 1 – Site Location
- Exhibit 2 – Project Location
- Exhibit 3 – Site Plans
- Exhibit 4 – Pier Ownership
- Exhibit 5 – Recommended Structural Repairs
- Exhibit 6 – Deck Expansion Plans

## I. MOTION AND RESOLUTION

### Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 6-12-002 subject to the conditions set forth in the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### Resolution:

*The Commission hereby approves coastal development permit 6-12-002 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. 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

This permit is granted subject to the following 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 of 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

This permit is granted subject to the following special conditions:

1. **Revised Final Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the applicant shall submit final revised plans that are in substantial conformance to the plans submitted by JAG Architecture dated September 28, 2012. Said plans shall first be approved by the City of San Diego, and shall include the following revisions:

- a. The proposed approximate 74 foot long and 6 foot wide expansion to the north side of the existing pier immediately adjacent to the proposed reconstructed rental units intended to accommodate private decking for proposed units 20 and 22 shall be deleted.

If private decks for proposed units are still desired within the limits of the existing pier, the permittee shall submit a revised site plan reducing the size of the rental units in order to accommodate private decking within the existing building envelope. No intrusions outside the existing footprint are permitted; specifically no encroachment to the south and within the existing public accessway will be approved.

- b. Proposed outdoor lighting shall be the minimum necessary for public safety and shall be designed in a manner that directs light away from the beach and ocean. If any new exterior lighting is proposed beyond the minimum necessary for public safety, a lighting plan shall be submitted that includes lighting that's designed and located so that only the intended area is illuminated and offsite glare is prevented.

The applicant shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No change to the plans shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

2. **Structural Repairs Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the applicant shall submit a structural repairs plan prepared by a licensed engineer that incorporates all the repairs recommended in the structural report written by Curry Price Court engineers dated September 28, 2010 for the portion of the pier proposed for development. Said plans shall first be approved by the City of San Diego and shall include:

- a. The repair and maintenance work identified by Exhibit #X for the area included in the proposed building envelope for Units 20 & 22 (Pier bents 1-6, grids a-f).

No construction activities may commence until the permittee has submitted for review and approval by the Executive Director, an updated structural report, completed by a licensed

engineer indicating that all work recommended by the 2010 report by Curry Court and Price has been completed for the section of the pier proposed for development (ref. Ex. #5)

The applicant shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No change to the plans shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

3. **Staging, Storage and Public Access Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT applicant shall submit to the Executive Director for review and approval a final staging and storage plan that shall not result in impacts to public access and shall include the following:

- a. No construction work shall occur on the beach or pier between Memorial Day weekend and Labor Day of any year.
- b. No public parking spaces (on or off-street) shall be used for the staging of equipment, machinery and employee parking.
- c. Staging areas shall not be permitted on public beaches, within public beach parking lots, within the section of the pier available for public access, or in any other location that would otherwise restrict public access to the beach at any time.
- d. Immediately upon completion of construction and/or when the staging site is no longer needed, the site shall be returned to its preconstruction state.
- e. The applicant shall submit evidence that the approved staging and storage plans/notes have been incorporated into construction bid documents.

The applicant shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No change to the plans shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

4. **BMPs/Water Quality Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director a Construction Best Management Practices Plan for the project site, prepared by a licensed professional, and shall incorporate Best Management Practices (BMPs) designed to eliminate the potential for adverse impacts to coastal waters associated with construction. The BMPs shall be maintained throughout the development process. Said Plan shall include, at a minimum, the following:

- a. During the construction stages of the project, the permittee shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion.

- b. Hazardous Material Storage. Store petroleum products and other hazardous material a distance of at least 65 feet from the shoreline. The fueling of all vehicles and construction equipment shall occur off site.
- c. Spill Response. BMP Plan shall be submitted for review and approval by the Executive Director and shall include a spill response plan or evidence that the permittee has contracted with a qualified local spill containment/cleanup contractor capable of responding to accidental releases of petroleum or other hazardous materials.
- d. Material Containment. Measures shall be implemented to prevent foreign materials (e.g. construction scraps, paints, solvents, etc.) from entering the sea.
- e. Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
- f. 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;
- g. Adequate disposal facilities for waste materials produced during construction shall be provided;
- h. 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;

The applicant shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No change to the plans shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

- 5. **Incorporation of Conditions from Other Permits.** All conditions previously placed on the property by the Commission through issuance of Coastal Development Permits 6-86-725, 6-88-064, 6-94-142, 6-95-061 and all associated amendments to these permits shall remain in full force and effect unless specifically modified herein.
- 6. **Assumption of Risk, Waiver of Liability and Indemnity Agreement.** By acceptance of this permit, the permittee acknowledges and agrees (i) that the site may be subject to hazards from wave action; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

7. **Condition Compliance** WITHIN 90 DAYS OF COMMISSION ACTION ON THIS COASTAL DEVELOPMENT PERMIT, or within such additional time as the Executive Director may grant for good cause, the permittee shall satisfy all requirements specified in the conditions of the subject permit that the permittee is required to satisfy prior to issuance of this permit.
8. **Full Payment of Permit Fees.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit full payment to the Commission for all applicable permit processing fees for the proposed development.
9. **Future Development.** This permit is only for the development described in Coastal Development Permit No. 6-12-002. 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. 6-12-002. Accordingly, any future development proposals to the pier, existing rental units, or accessory structures shall require an amendment to Permit No. 6-12-002 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
10. **As Built Plans.** Within 60 days of completion of the project, the applicant shall submit as-built plans for the approved cottages and pier repairs verifying the pier structure has been constructed in conformance with the approved plans for the project pursuant to Special Condition #1 of this permit.
11. **Deed Restriction.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property subject to the terms and conditions that restrict the use and enjoyment of that property, and (2) imposing the special conditions of this permit as covenants, conditions, and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence or with respect to the subject property.



## **IV. FINDINGS AND DECLARATIONS**

### **A. PROJECT DESCRIPTION/PERMIT HISTORY**

The proposed project includes a request demolition of two structures (Units 20 & 22) which were used as one rental unit and maintenance and storage space totaling 1,832 sq. ft. which have already been demolished without the benefit of a coastal development permit. The project also includes the reconstruction of two new rental units totaling 1,752 sq. ft. with a maximum height of 11 feet on top of Crystal Pier (ref. Exhibit #3).

Crystal Pier is currently developed with a main hotel structure including the Crystal Pier offices and 6 hotel units at the inland end of the pier. As you move west, the pier is developed with 24 blue and white Cape Cod style cottages all of which are available for rent by the public. Of the 24 units 18 are pre-coastal and 6 of the units were approved by Commission-issued Coastal Development Permit (CDP) #6-86-725. West of the rental units the pier is developed with a bait shop. The westernmost portion of the pier is undeveloped and is used by the public regularly (ref. Exhibit #2).

The pier is 872 feet long and located at the end of Garnet Avenue in Pacific Beach community of the City of San Diego. Crystal Pier is a highly visited and utilized pier, and is not only utilized by overnight guests, but also by tourist and locals alike for walking and fishing, and provides expansive views along the coast. The pier is bounded by highly utilized sand beach areas. There is also a boardwalk constructed just east of the pier that connects the subject beach community with its neighbors, Mission Beach and South Mission Beach. There are many shops and restaurants located in the downtown district along Mission Blvd and Garnet Street, as well as along the boardwalk.

While the pier has changed ownership a number of times since it was first constructed, the pier has maintained the current owner(s) since 1961. The applicant owns the easternmost 156 linear ft. of Crystal Pier in fee title; including the hotel and offices structure fronting Ocean Boulevard and approximately the first ten cottages (ref. Exhibit #4). The applicant also owns the section of dry sand located below the pier and 50 feet to the north and south of the pier structure, from the bluff edge to the Mean High Tide Line (MHTL). The applicant leases approximately 240 linear ft. west of the section owned by the applicant from the City and is developed with 14 rental units, the bait shop and a storage unit. The westernmost portion of the pier is owned, operated, and maintained by the City of San Diego as a public fishing and observation pier. This public section of the pier is accessed through the portions of the pier owned and leased by the applicant (ref. Exhibit #4).

In order to facilitate public access but maintain privacy and safety for cottage unit guests, the pier is also developed with a security gate on the east side of the pier, adjacent to the hotel and office structures. This gate limits access by the public to the hours of 8 a.m. to sunset and includes signage indicating that the public to welcome to access the pier between those hours. The gate was originally constructed prior to the Coastal Act, but a replacement gate was permitted by the Commission in 1996 (ref CPD 6-96-142).

## 6-12-002 (Crystal Pier)

There is an extensive permit history for Crystal Pier. In 1986, the City submitted a request for the reconstruction of the City's portion of the pier (Ref. CDP #6-86-266) which was destroyed by winter storms in 1983. Also in 1986, the applicant submitted a request (Ref. CDP #6-86-725) for reconstruction and expansion of the middle (leased) section of the pier to match the width of the eastern (private) section, and construction of six new rental units in the expanded section of the pier. This request also included the relocation of the existing Bait & Tackle and Shell Shop (souvenir shop). The Commission found that the widening of the pier would result in impacts to public access/recreational opportunities and; therefore, required a lateral access easement for the sandy beach area located below the privately owned section of the pier. The approved CDP also required the applicant to include signage at the eastern entrance of the pier indicating that the public were welcome along the pier between 7 a.m. and sunset. CDP 6-88-064 was administratively approved and authorized the relocation of the an existing souvenir shop from the western section of the pier to the existing hotel and office structure located in the eastern section of the pier through a 300 sq. ft. addition. CDP #6-94-142 authorized the demolition and reconstruction/expansion of two structures comprising the southern section of the hotel and office building. CDP #6-95-061 authorized a 288 sq. ft. addition to units 1 & 2 to increase these units from one bedroom/one bath to two bedrooms/two bath. There have also been two amendments approved by the Commission; one (6-86-725-A1), to construct a new sewer lift station and associated plumbing and the other (6-86-142-A1), to construct an additional private accessway to one of the second floor units located within the main hotel and office structure.

Sometime between 2008 and the present, Units 20 & 22 were demolished without Coastal Act authorization. The applicant has indicated that the units were in a state of disrepair, thus making the demolition of the units necessary. The applicant now seeks rebuild the demolished units. Therefore, the subject CDP application includes after-the-fact authorization for demolition of the rental units as well as reconstruction of new rental units. As proposed, the two (2) single-story 1,832 sq. ft. (combined) units will be replaced with two new single-story cottages totaling 1,752 sq. ft. The applicant is also proposing to expand the northern side of the pier by 6 feet for a distance of 74 feet. The expanded section of the pier would be used to provide private decking for the newly constructed units. The cost of renting the units is proposed to increase from \$250/day to \$385/day. The justification for the increase in cost is because the units will increase from one to two bedrooms, thereby increasing the capacity of the rental units from a maximum of four people to a maximum of eight people. The rate of \$385/day is similar to the rates charged for the other two bedroom rental units (Units 1 & 2).

While the City has a certified LCP for the Pacific Beach community, the subject site is located in an area of Coastal Commissions original jurisdiction, and as such, the standard of review for the proposed development is Chapter 3 of the Coastal Act, with the City's LCP used as guidance.

## **B. PUBLIC ACCESS**

The following Coastal Act policies are most pertinent to this issue, and state in part:

Section 30210 of the Coastal Act states:

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

Section 30211 of the Coastal Act states:

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

Section 30212 of the Coastal Act states, in part:

- (a) *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

[...]

- (c) *Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.*

Section 30213 of the Coastal Act states, in part:

*Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

[...]

Section 30604 of the Coastal Act states, in part:

[...]

- (c) *Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).*

The proposed development includes the demolition of two structures (Units 20 & 22), and reconstruction of two new rental units of similar size and height in the same building envelope. Previously, the two units were being used mostly as storage and only provided a single one bedroom rental unit. As proposed, the reconstructed units will remove the storage use, and will accommodate two (2) two-bedroom units. Because the storage component to the existing structures will be removed, the proposed rental units can and are proposed to maintain the existing envelope with the exception of the proposed pier widening. The second component of the proposed development includes the widening of the pier by approximately six feet for a lineal distance of approximately 74 feet (ref. Exhibit #6). The extension has been proposed to facilitate private decking for the new rental units. The applicant has indicated that private decks previously existed for both of these structures that have since been removed. However, staff has reviewed the entire permit history for the subject site, and the Commission has never reviewed or approved any expansion of the decking at this location. In addition, staff also reviewed historical aerial photos for the subject site and have concluded that the decking extensions at this section of the pier were not constructed prior to the Coastal Act. Therefore, any expansion of the pier will be considered new development. The primary concerns raised by the development include, impacts to public access and recreation associated with the proposed pier extension, and temporary impacts to public access associated with construction activities, the protection of lower cost overnight accommodations, and the provision for adequate parking for the rental units.

The primary concern for public access raised by the proposed development is the proposed expansion of the pier. Again, the extension of the pier has been proposed to provide private decking for the newly constructed rental units. As previously discussed, this section of the pier and the sandy beach below the pier is owned by the applicant. However, in 1986, associated with CDP #6-86-725 an offer to dedicate (OTD) a lateral accessway (ref. OTD #1991-0068045) was recorded by the applicant from just west of the first pier pilings to the MHTL. This OTD was required by the commission as mitigation for impacts to public access and recreation caused by the expansion of the pier from 40 feet wide to approximately 100 feet wide for the section of the pier leased by the applicant. The Commission made the following findings associated with the development proposal:

*A City ordinance prevents swimming, surfing or boating within 75 feet of the pier; by extending the pier an additional thirty-plus feet on both to the north and south, the 75-foot barrier likewise is extended an additional thirty-plus feet in either direction eliminating those portions of the water from public use. This direct impact on public recreational use of state tidelands requires mitigation, which is being sought in the form of lateral access...*

As such, the proposed expansion of the pier will be directly over an area dedicated to the public. While the expansion will not directly block public access, the expanded pier will add to the general private feel and scale a privately used section of the pier. The expansion will also further shade the sandy beach below and north of the existing pier, reducing the recreational appeal of that area for beachgoers, thereby adversely impacting public recreational resources. Again, shading will not necessarily physically prevent public access and recreational opportunities, it does, nonetheless, significantly impact those areas because most of the general public going to the beach prefer sunny sections of sand for general beach-going activities.

Generally speaking, the Coastal Act identifies visitor serving facilities (such as overnight accommodation) in the coastal zone as a high priority use. However, in this case, the proposed overnight accommodations can be provided without expansion of the pier. The proposed expansion would solely provide additional and private decking for the renters. This expansion of private decking over public access areas is not only inconsistent with the public access and recreational policies of the Coastal Act, but is also unnecessary, as there is plenty of public pier decking that can be utilized by anyone who is staying in the rental cottages. In addition, the approval of the expansion of the pier may set an adverse precedent. Currently, the majority of rental units are one bedroom and include private decking (ref. Exhibit #2). Should the applicant desire to expand those rental units from one bedroom to two, it stands to reason that the expansion could be accommodated within the existing private decking areas and then expansion of the pier may be proposed in order to recapture the lost private decking. It is important that a precedent is set that clearly indicates expansion of the pier (even in small incremental sections) does have impacts to public access and recreational opportunities and cannot be supported to provide private decking.

As such, **Special Condition #1** requires the applicant to submit revised final plans that do not include any expansion of the existing pier. However, should the applicant desire to have some private decking for the proposed structures, **Special Condition #1** further allows final plans that include reduction in the size of the units in order to provide some private decking within the existing limits of the pier. **Special Condition #1** further requires that if the new units and the decking must still maintain the existing building footprint. This is necessary because if the applicant proposed to expand the building envelope to the south, this would either eliminate parking for the units, or would encroach into the area that provides vertical access to the public section of the pier.

In addition, because there have been numerous CDPs and CDP amendments previously issued by the Commission, some of which include conditions that still serve to protect public access and recreational opportunities on site (such as the public access signage and the lateral access easement), **Special Condition #5** has been included to clarify that, unless expressly modified herein, all previous conditions of approval for all CDP and CDP amendments approved by the Commission will remain in full force and effect.

The second concern regarding the proposed development is potential impacts to public access associated with the construction activities themselves. As proposed, the applicant is proposing

the demolition (after-the-fact) and reconstruction of two rental units located on Crystal Pier, and while this section of the pier proposed for development is owned by the applicant, this portion of the pier provides the necessary vertical access for the public to gain access from Ocean Boulevard to the public section of Crystal Pier. Thus, any blocking of this vertical accessway, even if temporary, would result in impacts to public access and recreational opportunities, inconsistent with the Coastal Act. In addition, public beach areas may be used for staging or storing building material, and public parking spaces may be used by construction workers resulting in further impacts to public access and recreation. The applicant has indicated that all staging and parking will be accommodated at an offsite lot owned by the applicants. **Special Condition #3**, however, has been included and specifies that: 1) No work shall occur on the beach or pier between Memorial Day weekend and Labor Day of any year; 2) No public parking spaces shall be used for the staging of equipment, machinery and employee parking; 3) No overnight storage of equipment or materials shall occur on sandy beach or public parking spaces; and, 4) Immediately upon completion of construction and/or when the staging site is no longer needed, the site shall be returned to its preconstruction state.

As proposed the cost of renting the newly constructed units will increase from \$250/day to \$385/day. As such, there is a concern regarding the protection of lower cost overnight accommodations. The applicant has indicated the justification for the increase in cost is because the units will increase from one to two bedrooms, thereby increasing the capacity of the rental units from a maximum of four people to a maximum of eight people. Therefore, the nightly rate per person will actually decrease from \$62.50/person/night ( $250/4=62.5$ ) to \$48.13/person/night ( $385/8=48.12$ ). In addition, the rate of \$385/day is similar to the rates charged for the other two bedroom rental units (Units 1 & 2). In addition, the proposed overnight accommodations are not lower-cost accommodations and thus do not conflict with other public access policies such that the Commission has to balance the two to determine which is most protective of coastal resources. Therefore, the project, as proposed, does not raise significant concerns regarding the protection of lower cost overnight accommodations because the rates will not increase from the existing high-cost rental rates.

The final concerns regarding public access relates specifically to the provision of adequate parking for the newly constructed units. Specifically, the proposed development will increase the number of rental units. As previously discussed, Unit 20 was used for storage and Unit 22 included a maintenance shop and a one bedroom rental unit. As proposed, the reconstructed units will provide a total of 4 bedrooms (3 more than previous units). The City of San Diego requires that one parking space be provided per bedroom. As such, if the existing parking is not sufficient to absorb the additional parking needs there may be an impact to public access resulting from hotel visitors usurping the surrounding public parking opportunities. The applicant has provided a parking study that indicates that the existing parking is sufficient to provide the increased parking space requirement. This study was conducted after the demolition of Units 20 & 22 and therefore does not include the unit #22 one-bedroom unit. The report identified that, currently, there is a surplus of 9 spaces. The reconstructed units will require a total of 4 parking spaces. Therefore, there will remain a parking surplus of 5 parking spaces after the reconstruction of Units 20 & 22 and will not result in impacts to public parking.

In conclusion, the development proposal, as proposed, will result in impacts to public access and recreation associated with both the expansion of the pier and general construction activities. As required by **Special Condition Nos. 1, 3 and 5**, these impacts will be reduced or eliminated from the proposed development. Therefore, as conditioned the proposed project can be found consistent with all applicable Coastal Act policies and shall be approved.

### C. HAZARDS

Section 30253 of the Coastal Act states, in part, that 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.*

Crystal pier is a wooden pier originally constructed in 1927. The pier extends almost 900 feet long and is constructed on 370 pier pilings. The eastern 1/3 of the pier is located over sandy beach, and the western 2/3 is located over ocean waters. The proposed development includes two rental units on the eastern section of the pier that may be at present, or in the future, subject to wave, storm, and/or flooding hazards.

Section 30253 of the Coastal Act mandates that new development provide for geologic stability and integrity and minimize risks to life and property. Crystal Pier, like all wood piers along the California coast, is subject to a variety of hazardous conditions, including high waves and periodic fires. In addition, sea level changes associated with global warming have become one of the forefront concerns for all coastal communities; and, structures located adjacent to or within the current MHTL, such as piers, are of particular concern. The applicant has submitted two reports addressing these concerns.

The first report titled “Report of Visual Investigation of Structural Elements Crystal Pier” by Curry Price Court, dated September 28, 2010, was updated in a letter dated February 20, 2012. The report concluded that the pier is in serviceable condition and the follow-up letter (dated 2/2012) further concluded that there are no significant impacts to pier stability associated with the proposed development. That being said, the original report does recommend a number of repairs to the pier. In total, the report found that 17 of the 370 existing pier pilings are either missing or significantly damaged. The report also indicated that there were also two deteriorated pier caps and a few broken deck joists. The Commission’s engineer has reviewed the report and has recommended that all of the repairs identified by the report located within the area of the proposed development be remedied associated with the proposed development. Therefore, **Special Condition #2** requires the applicant to submit a structural repairs plan that incorporates all the recommended repair and maintenance activities identified in the Curry Price Court report for the location of proposed development. **Special Condition #2** also prohibits construction of the rental units until after all identified maintenance work has been completed. In addition, and

the assure the repair work is completed as approved, **Special Condition #10** requires the applicant, within 60 days of completion of the project, submit as-built plans for the approved cottages and pier repairs verifying the pier structure has been constructed in conformance with the approved plans for the project pursuant to Special Condition #1 of this permit. It is only with the inclusion of this special condition that the project can be found structurally sound, consistent with Section 30253 of the Coastal Act.

The second concern identified associated with the proposed development in concerns for safety including future increase is sea level. To address this concern, Curry Price and Court also included findings in the letter dated February 20, 2012. In the letter, the consultant found that given the location of the proposed structures (22.5 feet above the mean lower low water (MLLW) and considering a reasonably anticipated sea level rise, the structures, while perhaps subject to some wave splash overtime in connection with extreme storm events, will be safe throughout their expected lifetime.

While the project, as conditioned above, can be found safe from an engineering standpoint and adequately addresses concerns pertaining to future rises in sea level, the project site is still located in an area which is periodically subject to waves, storm surge, and flooding, which has the potential to cause damage to structures or injury to those frequenting the area. Therefore, it is necessary for the applicant to waive any claim of liability against the Commission for damage to life or property that may occur as a result of the permitted development. The applicant's assumption of risk will demonstrate that the applicant is aware of and appreciates the nature of the hazards which exist on the site and which may adversely affect the stability or safety of the proposed development. Finally the applicant must indemnify the Commission or any of its agents or representatives against any claims of liability arising from the permitted development. As such, **Special Condition #6** requires the applicant to acknowledge, assume, and indemnify the Commission from such risks. It is also important that any future property owner be aware of said hazards, and; therefore, **Special Condition #11** has been included and requires the applicant to record a deed restriction that memorializes the conditions of this permit and assures that any future property owner will be aware that such liability claims have been waived.

In conclusion, the proposed development is located adjacent to the ocean and on top of an existing wooden pile pier. As such, concerns are raised regarding the new developments safety from current structural stability, as well as geologic, wave, and storm events, and future impacts associated with sea level rise. Only as conditioned, through **Special Condition #'s 2, 6, 10 and 11**, can the existing pier be found to provide adequate safety from these hazards both in its current state and throughout its expected life. As such, only as conditioned, can the project be found consistent with 30253 of the Coastal Act and can be approved.

#### **D. WATER QUALITY/MARINE RESOURCES**

Section 30230 of the Coastal Act states:

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity*



*of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states:

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

Section 30232 of the Coastal Act states:

*Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and clean up facilities and procedures shall be provided for accidental spills that do occur.*

Section 30230 requires that uses of the marine environment be carried out in a manner that will sustain the biological productivity of coastal waters for long-term commercial, recreational, scientific, and educational purposes. In addition, Section 30231 requires that the biological productivity and quality of coastal waters be maintained. Section 30232 requires protection of coastal waters from spillage of various hazardous substances, such as petroleum. The proposed project includes construction on an existing pier, which while specifically located over sandy beach, is located directly adjacent to open coastal waters. Proposed construction equipment includes pick-up trucks, hand power tools, scaffolding and human labor. In addition, if additional lighting is installed associated with the rental units, ambient lighting will be increased and may lead to impacts to marine resources.

Because of the proposed project is relatively small in scale, the project has been designed to minimize adverse effects to the coastal and marine resources on and adjacent to the subject site. However, the proposed project may result in potential adverse effects to surrounding habitat due to unintentional disturbance from construction equipment, materials, and/or debris. Construction activities associated with the proposed project could result in the generation of debris and/or presence of equipment, materials and hazardous substances that could be subject to run-off and wind dispersion into the marine environment. The presence of construction equipment, building materials, and debris on the subject site could pose hazards to sensitive marine organisms if construction site materials were discharged into the marine environment or left inappropriately on the project site. In addition, such potential discharges and disturbances to the marine environment could result in adverse effects to offshore habitat from increased turbidity and pollutants of coastal waters.

To protect marine resources and coastal water quality and to ensure that construction related adverse effects to the marine environment are minimized, **Special Condition #4** of the subject

permit requires the applicant to: 1) not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion; 2) that petroleum products and other hazardous material be stored a distance of at least 65 feet from the shoreline and fueling of all vehicles and construction equipment shall occur off site; 3) that a BMP Plan be submitted that includes a spill response plan or evidence that the permittee has contracted with a qualified local spill containment/cleanup contractor capable of responding to accidental releases of petroleum or other hazardous materials; and, 4) that measures shall be implemented to prevent foreign materials (e.g. construction scraps, paints, solvents, etc.) from entering the sea. It is only with the inclusion of **Special Condition #4** that any impacts to water quality will be prevented consistent with Sections 30231 and 30232 of the Coastal Act.

In addition, while not specifically proposed, it is unclear if any new outdoor lighting will be added to the pier associated with the newly constructed rental units. It has been documented on numerous occasions that artificial lighting in the natural marine environment modifies foraging, mating and general behaviors in shore birds, fish and invertebrates. Specific examples include mating behaviors in grunion, diurnal migration in plankton, and uncharacteristic nighttime foraging in shorebirds. To prevent any such impacts, **Special Condition #1 (subsection "c")** restricts any proposed outdoor lighting to the minimum necessary to ensure safety. **Special Condition #1.c.** further requires that if any new exterior lighting is proposed, a lighting plan shall be submitted that includes lighting that's designed and located so that only the intended area is illuminated and offsite glare is prevented consistent with 30230.

In conclusion, the proposed development raises concerns regarding water quality impacts associated with construction activities, as well as impacts to marine resources associated with installation of new outdoor lighting. As conditioned through **Special Condition #'s 1 & 4**, potential impacts have been either eliminated or minimized and addressed. Therefore, only as conditioned can the project be found consistent with Sections 30230, 30231, and 30232, and can be approved.

## **E. VISUAL RESOURCES**

Section 30251 of the Act addresses visual resources, and states, in part:

*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.*

[...]

The proposed development is located on Crystal Pier, in a highly scenic area that is often frequented by the public. As such, any proposed development will have the potential to impacts existing views of the coast and ocean. As proposed, the project includes demolition of two existing single-story structures, with the subsequent reconstruction of two single-story rental units of similar height and combined square footage. As proposed, the units will also maintain the existing building envelope. Because the proposed structures will be of similar size and

height, and will maintain the existing building envelop, there will be no impacts to coastal views (ref. Exhibit #3). **Special Condition #1** requires the final plans to be substantially in conformance to the proposed plans and prohibits development beyond the existing building footprint. As such, public views will be maintained and protected and can therefore be found consistent with the applicable visual resource protection policies of the Coastal Act, as proposed.

## F. UNPERMITTED DEVELOPMENT

Development has occurred on the subject site without the required coastal development permit. Specifically, the rental units proposed for reconstruction were demolished sometime between 2008 and the present without benefit of a coastal development permit. To assure that the unpermitted development issue is resolved in a timely manner; **Special Condition #7** has been attached to require the applicant to comply with all “prior-to-issuance” Special Conditions of approval within 90 days of Commission action or within such additional time granted by the Executive Director for good cause. In addition, because the subject CDP application includes a request for after-the-fact approval of development that has already occurred, permit fees were increased consistent with §13055 of the California Coastal Commission Regulations. The applicant has yet to submit the additional permit fees associated with the after-the-fact component of the CDP application. As such, **Special Condition #8** requires the applicant to submit the remainder of the permit fees, in full, prior to issuance of the coastal development permit.

Finally, while not specifically addressed by this permit, a previously approved coastal development permit, issued by the Coastal Commission (ref. CDP #6-86-725) included a special condition that required removal of any “private property” signage located below the pier. However, during review of the proposed development, staff visited the site and it became apparent that sometime between 1986 and the present, signs indicating “private property” have been reattached at numerous places under the pier. While the signs do include language that allows for quiet passage under the pier by the public, CDP #6-86-725 expressly prohibits the term “private property”. In addition, CDP #6-86-725 also requires that the top of the pier include signage indicating that public is welcome on the pier between the hours of 7:00 am and sunset. However, the existing signage only permits access between the hours of 8:00 a.m. and sunset. Again, neither of these identified potential violations is proposed to be addressed with this application and as such, will be addressed by enforcement staff as a separate enforcement action. Approval of this permit does not constitute a waiver of any legal action with regard to any alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

## G. DEED RESTRICTION

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, only as conditioned by **Special Condition #11**, can it be ensured that any prospective future owner will receive actual notice of the restrictions

and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development and the special conditions imposed to mitigation of adverse impacts to coastal resources.

#### **H. LOCAL COASTAL PLANNING.**

The City of San Diego has a certified Local Coastal Program (LCP) for the Pacific Beach community. However, the subject site is located in an area of original jurisdiction where the Commission retains permanent permit authority and Chapter 3 of the Coastal Act remains the legal standard of review, with the LCP used as guidance. As conditioned, the proposed development is consistent with certified LCP and all applicable Chapter 3 policies of the Coastal Act. Therefore, approval of the project, as conditioned, will not prejudice the ability of the City of San Diego to continue to implement its certified LCP for the Pacific Beach community.

#### **I. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. As conditioned, the project will enhance public recreational opportunities by replacing rental units, and will not impact public access, as it will be constructed within the area of the pier restricted as private property. In addition, special conditions including revised final plans and final structural plans will ensure that the development does not result in potential hazards to the public, and does not encroach into existing public beach area. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

**Appendix A**  
**Substantive File Documents**

1. City of San Diego Local Coastal Program
2. Coastal Development Permit Nos. 6-86-725, 6-88-064, 6-94-142, 6-95-061 and Amendment Nos. 6-86-A2, 6-94-142-A1, and 6-95-061-A1.
3. Curry Price and Court Report titled "Report Visual Investigation of Structural Elements Crystal Pier San Diego, CA," dated September 28, 2010
4. Curry Court Price letter Dated February 20, 2012

# Project Location

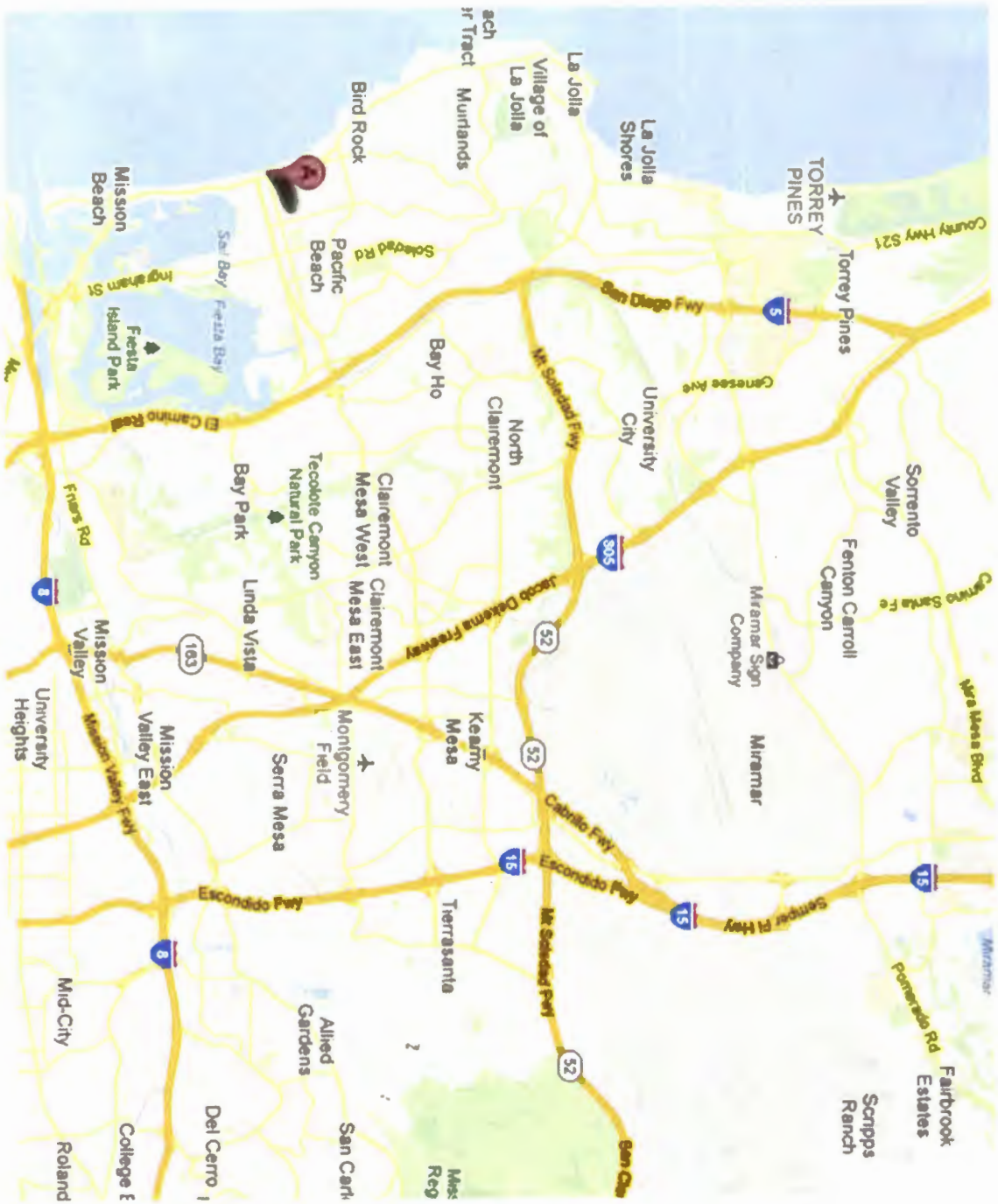
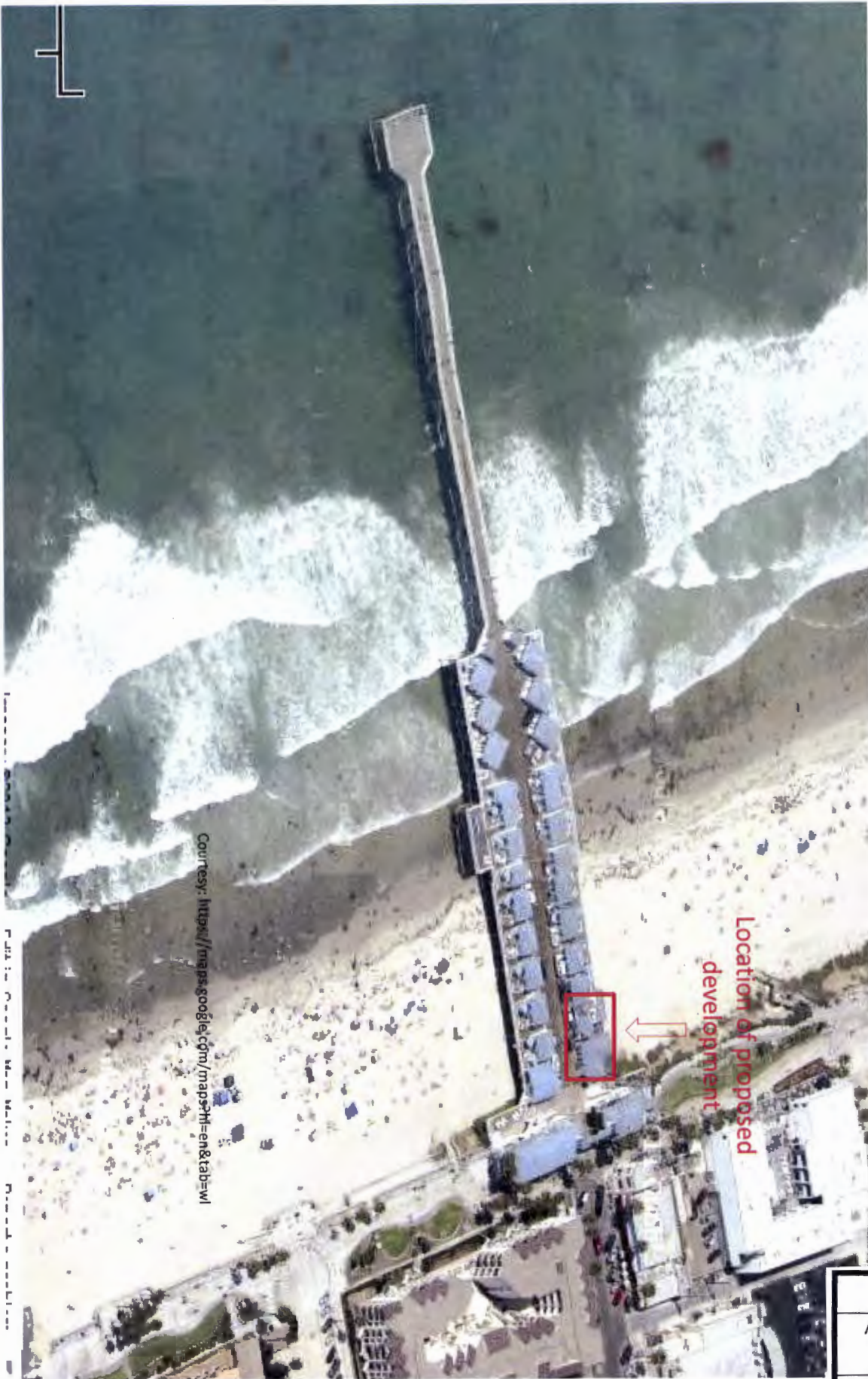


EXHIBIT NO. 1  
APPLICATION NO.  
**6-12-002**  
Project Location



Courtesy <https://maps.google.com/maps?hl=en&tab=wl>



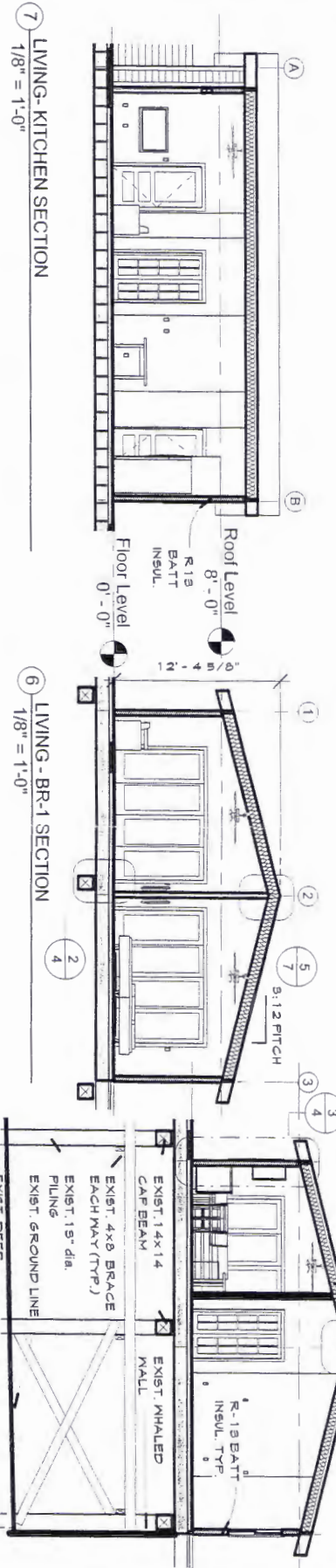
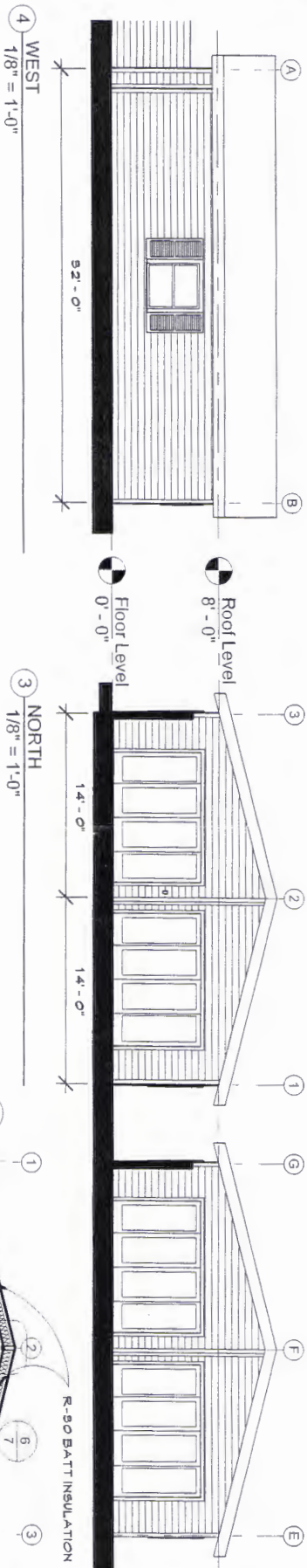
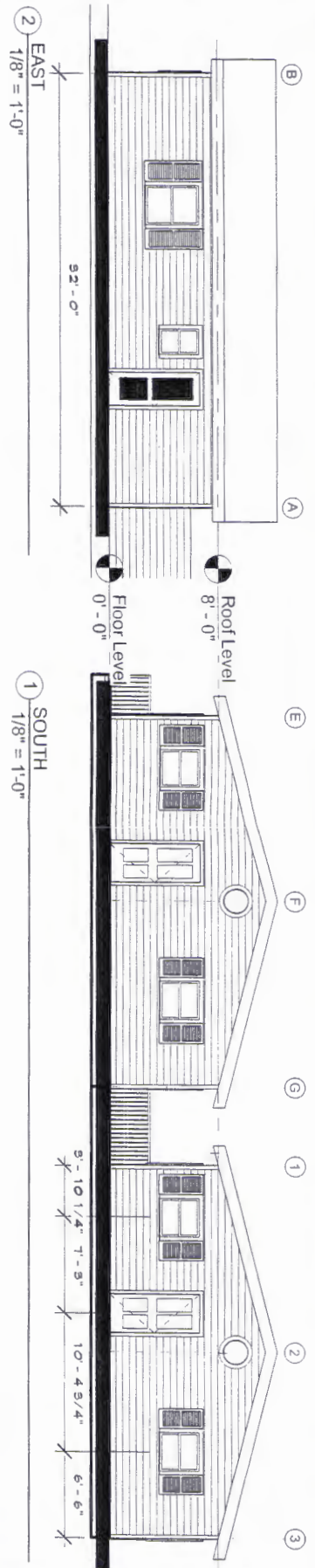


Project Site

EXHIBIT NO. 2
APPLICATION NO.
<b>6-12-002</b>
Project Site







**JRC ARCHITECTURE**

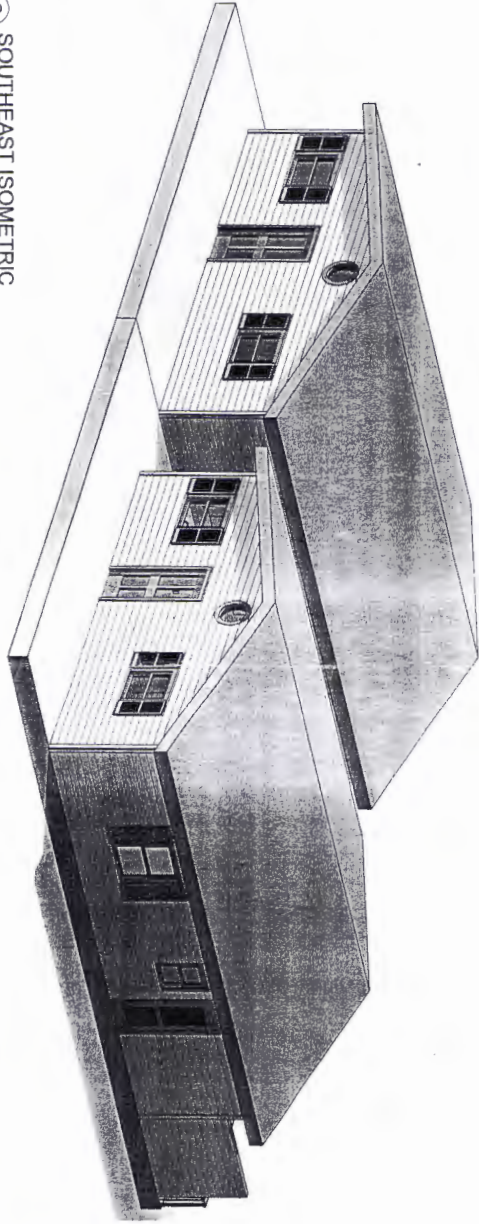
9565 - STANFORD BLVD. SUITE 100  
 SAN DIEGO, CA 92123  
 PHONE: (619) 697-8948 FAX: (619) 697-8949  
 WWW.JRCARCHITECT.COM

**UNIT #20-22 REMODEL**

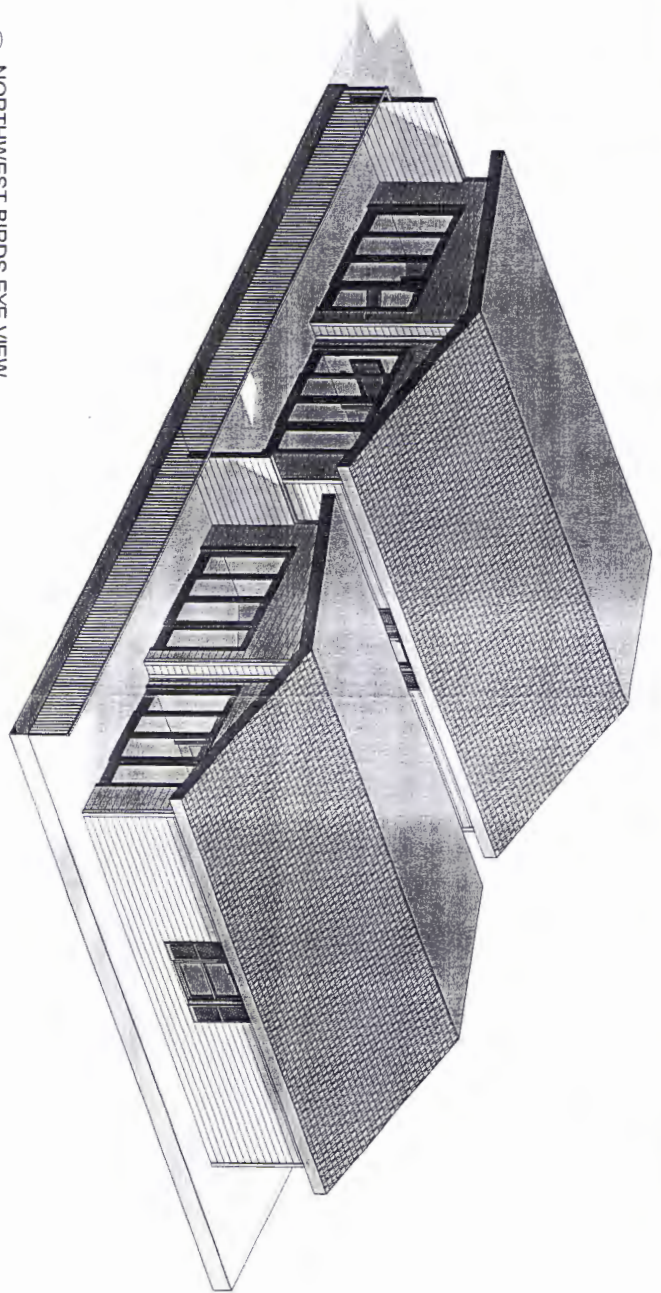
4500 OCEAN BLVD.  
 SAN DIEGO, CA 92109

**ELEVATIONS & SECTIONS**

3 OF 4



② SOUTHEAST ISOMETRIC



① NORTHWEST BIRDS EYE VIEW

**JAG**  
ARCHITECTURE

1455 TOWN SQUARE SUITE 200  
SAN DIEGO, CALIFORNIA 92108  
PHONE (619) 597-0940  
(619) 597-0940 FAX  
WWW.JAGARCHITECT.COM

DATE: 14 NOV 2011  
1 OF 4  
14 NOV 2011

UNIT #20-22 REMODEL  
4500 OCEAN BLVD.  
SAN DIEGO, CA 92104

ISOMETRIC VIEW



THIS REPRESENTATION AND DESIGN IS THE PROPERTY OF JAG ARCHITECTURE AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF JAG ARCHITECTURE.



1 SITE PLAN-S  
1" = 40'-0"

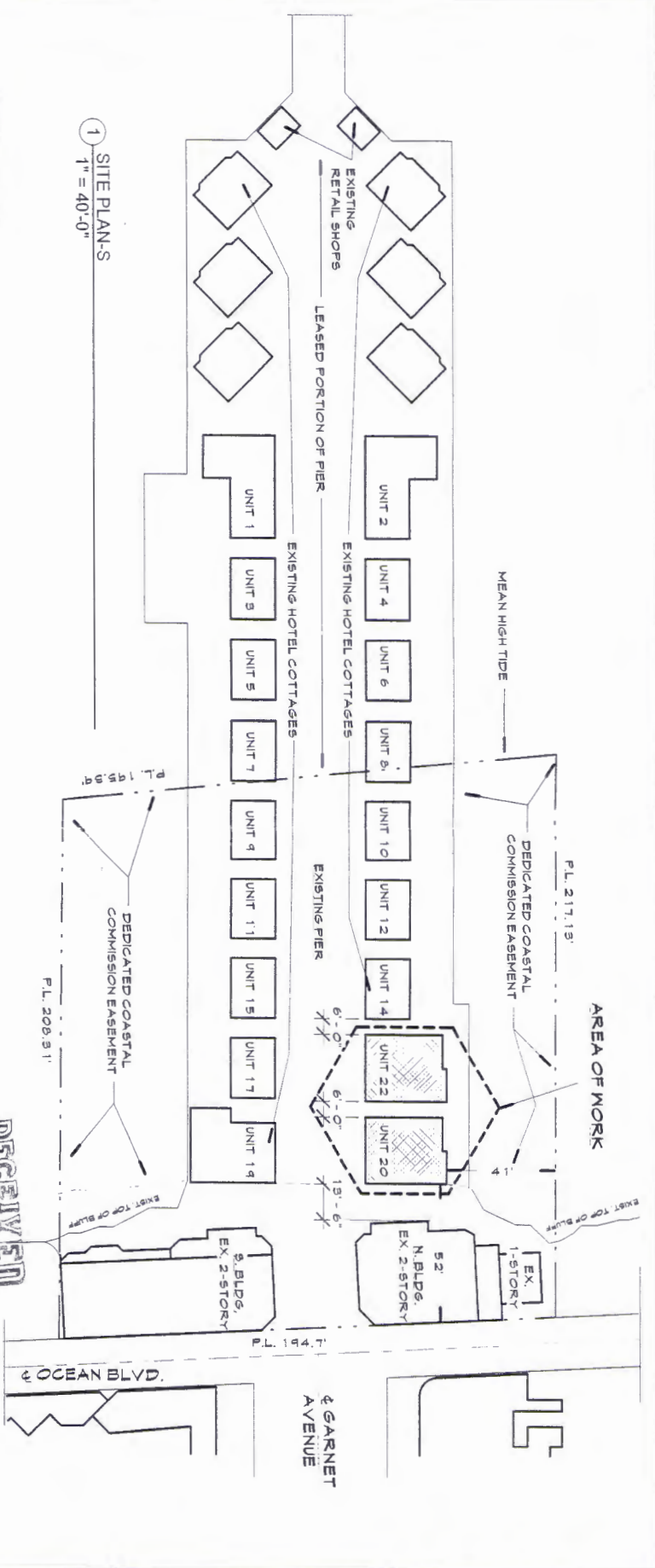
**GENERAL NOTES**

1. I am the design/owner in responsible charge of this tenant improvement project. I have inspected the site/premises and determined that existing conditions are in full compliance with current site accessibility requirements to the extent of required law.

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Date: \_\_\_\_\_

2. If the Building Inspector determines non-compliance with any accessibility provisions, he/she shall require complete, detailed plans clearly showing all existing non-complying conditions and the proposed modifications to meet current accessibility provisions affected by the remodel (including site plan, floor plans, details, etc.) The plans must be stamped by the field inspector and resubmitted to the Building Development Review Division.

3. Existing construction Type V-N -non-sprinkled.



**RECEIVED**  
JAN 05 2011  
CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

RECONSTRUCT UNITS 20, 22 - CRYSTAL PIER HOTEL  
TOTAL AREA OF OLD UNITS = 1892 S.F.  
TOTAL RECONSTRUCTED AREA = 1752 S.F.  
CONSTRUCTION TO MATCH EXISTING UNITS.

CRYSTAL PIER HOTEL, INCORPORATED  
4500 OCEAN BOULEVARD  
SAN DIEGO, CALIFORNIA 92109  
CONTACT: JIM BOSTIAN  
Phone: 858 483-6985  
FAX: 858 483-6811  
APN: 423-021-10-00  
OWNER

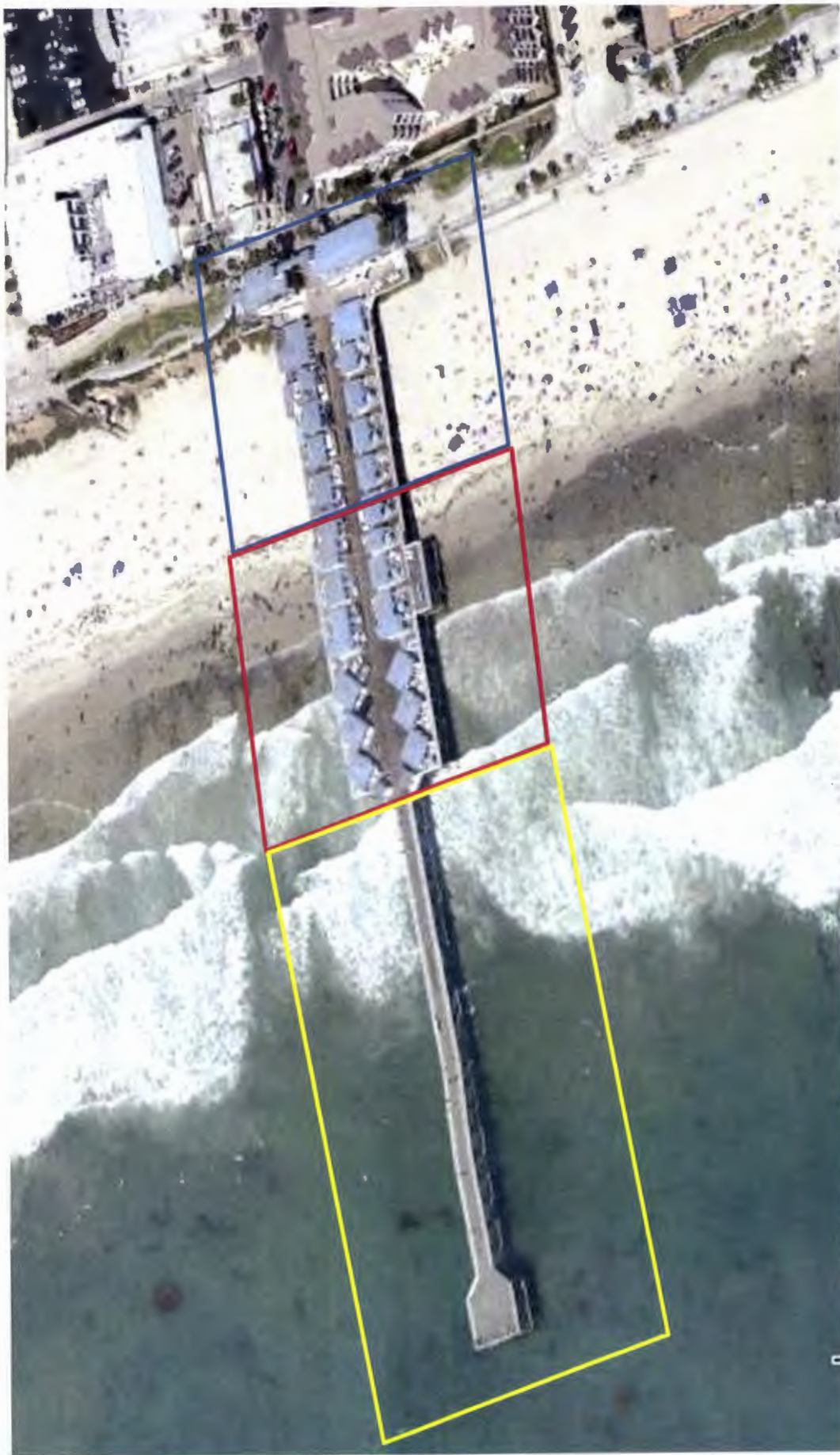
- 1- SITE PLAN
- 2- FLOOR PLANS - WINDOW & DOOR SCHEDULES
- 3- ELEVATIONS & SECTIONS
- 4- PIER FRAMING DETAILS
- 5- SHEAR PLAN & ROOF FRAMING
- 6- ELECTRICAL PLAN & ROOF PLAN
- 7- STRUCTURAL DETAILS
- 8- FURNITURE PLAN
- 9- ISOMETRIC VIEWS
- T1-5 - ENERGY FORMS


**JRG**  
ARCHITECTURE  
1 of 4  
SHEET INDEX

UNIT #20-22 REMODEL  
4500 OCEAN BLVD.  
SAN DIEGO, CA 92109

SITE PLAN






 Portion of pier owned by applicant

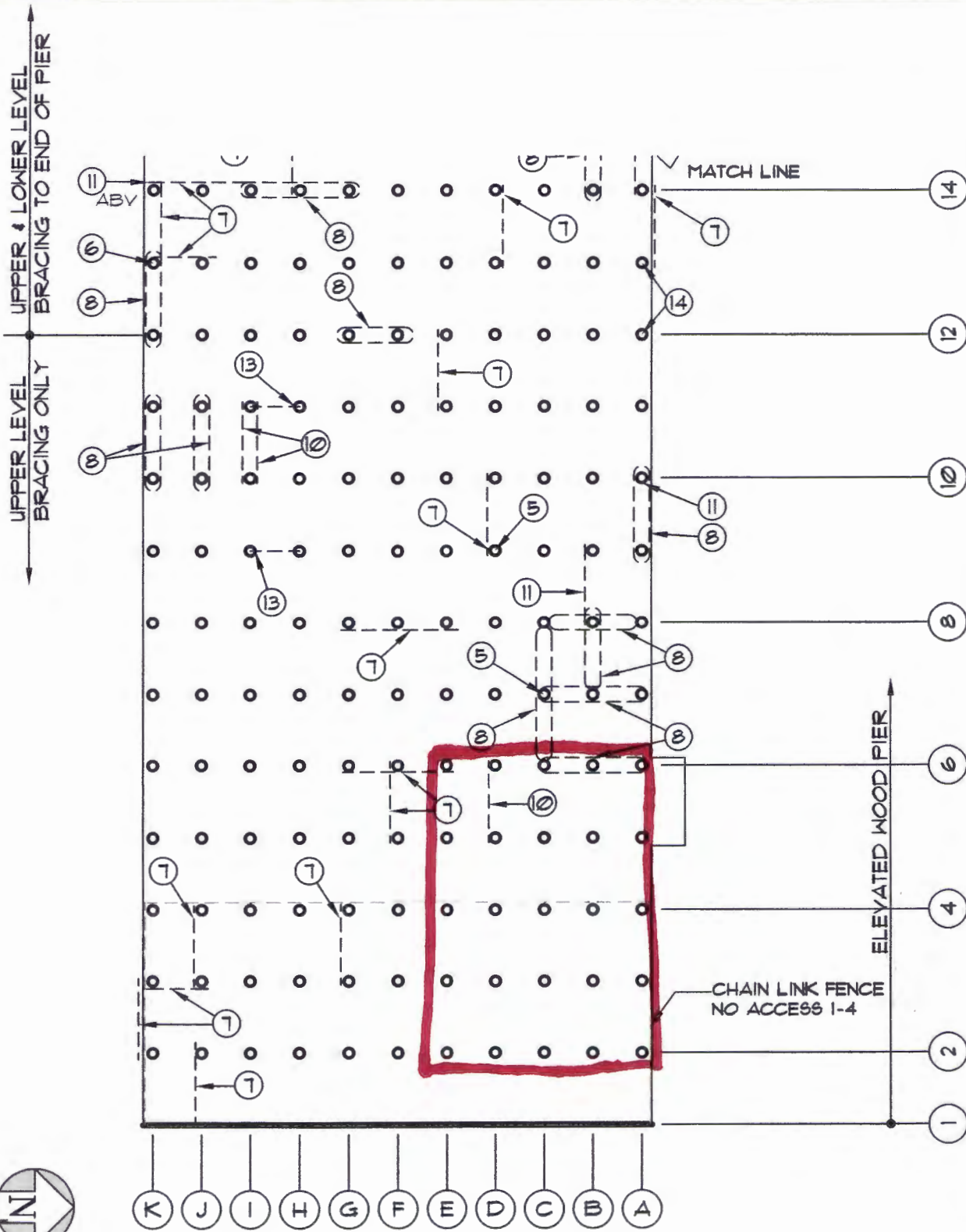
 Portion of Pier owned by the City and leased to the applicant

 Portion of the pier owned and operated by the City

\* All boundaries are approximate

EXHIBIT NO. 4
APPLICATION NO.
<b>6-12-002</b>
Pier Ownership
 California Coastal Commission





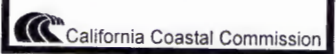
Approximate Area of Proposed Development

FOR KEYNOTES SEE SHEET 5

**CURRY PRICE COURT**  
 Structural & Civil Engineers  
 444 Camino del Rio South • Suite 201 • San Diego, CA 92108  
 (619) 291-2800 tel • (619) 291-0613 fax CPC # 095002XA

**CRYSTAL PIER  
 KEY PLAN  
 STRUCTURAL EVALUATIONS**

**EXHIBIT NO. 5**  
**APPLICATION NO.**  
**6-12-002**  
 Structural Repairs  
 Recommended



KEY NOTES

1. PILE BORER DAMAGE LESS THAN 50%
2. PILE BORER DAMAGE GREATER THAN 50%
3. MISSING PILE
4. HANGING ABANDONED PILE
5. SPLIT PILE
6. SPLIT PILE CAP
7. SPLIT/DAMAGED/LOOSE HORIZONTAL BRACE.  
ROT/CORROSION AT BRACE CONNECTION
8. MISSING HORIZONTAL BRACE
9. SPLIT/DAMAGED/LOOSE DIAGONAL BRACE
10. SPLIT/DAMAGED JOIST
11. UNANCHORED/ABANDONED MEMBERS
12. POTENTIAL BORER DAMAGED PILE  
(FURTHER INVESTIGATION RECOMMENDED)
13. ROT/DETERIORATION AT PILE CAP
14. STUB END OF PILE CAP APPEARS INADEQUATELY  
ATTACHED (VERIFY)
15. PILE BENT, FRACTURED AT BRACE CONNECTION