

CALIFORNIA COASTAL COMMISSION

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

**W20a**

Appeal Filed: 11/30/2016
 Staff: K. Carney-SD
 Staff Report: 7/21/17
 Hearing Date: 8/9/17

STAFF REPORT AND RECOMMENDATION ON APPEAL DE NOVO

Appeal Number: A-6-COR-16-0097

Applicant: City of Coronado

Local Government: City of Coronado

Decision: Approved with Conditions

Location: Terminus of Avenida del Sol cul-de-sac on existing rock revetment and sandy beach, Coronado, San Diego County

Project Description: Construction of a 235 sq. ft. public restroom facility with three stalls and storage space, a 1,000 sq. ft. plaza with showers and stairway, a mat foundation, and an approximately 30-ft. deep, steel sheet-pile bulkhead surrounding the project on three sides.

Appellants: Coronado Shores Homeowner's Association #2, Thomas D. Whittington, Commissioners Bochco & Shallenberger

Staff Recommendation: Denial

SUMMARY OF STAFF RECOMMENDATION

Construction of new public facilities such as bathrooms are important support facilities for both visitors and residents, and are strongly supported by the public access and recreation policies of the City's certified LCP and the Coastal Act. However, this particular project, both as a result of its design and location, would result in a significant obstruction of views, impact shoreline sand supply, and require construction of a shoreline protection device inconsistent with the hazard policies of the LCP. In addition, the local government's approval sets a poor precedent for future interpretations of its LCP and contradicts earlier Commission actions regarding construction of new shoreline

protection and public restroom facilities. There are alternatives that would both serve the public and avoid or minimize these impacts.

The proposed new 235 sq. ft. public restroom facility would have 3 stalls and storage space and an approximately 1,000 sq. ft. plaza area with showers. The project also includes the removal and replacement of an existing beach access stairway and the construction of a new ADA accessible ramp leading from the existing sidewalk to the new plaza ([Exhibit 2](#)). The proposed structure will be supported by a mat foundation and surrounded on three sides by an approximately 30-foot deep, steel sheet-pile bulkhead seawall ([Exhibit 3](#)).

The project is located seaward of the Avenida del Sol cul-de-sac, which runs between the Hotel del Coronado and the Coronado Shores Condominiums. The site currently consists of sandy beach, a rock revetment, and a beach access stairway ([Exhibits 1 & 2](#)). Avenida del Sol is a popular beach accessway and provides free public parking. In addition, a public walkway runs along the western property boundaries of the Hotel del Coronado and the Coronado Shores Condominiums and follows the sidewalk at the end of the Avenida del Sol cul-de-sac. The “Paseo” walkway serves as the California Coastal Trail in this area. The project and its proposed shoreline protection device, an approximately 30-foot deep steel sheet-pile bulkhead, will replace the existing rock revetment at the project site. The revetment was constructed in the early 1970s as part of the development of the Coronado Shores Condominiums.

The LCP requires that new development be sited out of hazardous beach areas so as to not require shoreline protection. The proposed site is known to be vulnerable to coastal flooding and erosion under current conditions, and hazards are projected to increase with sea level rise. Because of these hazards, the City determined that a seawall was needed for protection of the facility against marine erosion ([Exhibit 7](#)). The LCP first requires new development to be sited outside of a hazard zone, but it does allow shoreline protection for coastal-dependent uses. Restrooms, however, are not considered coastal-dependent uses, especially as they can be located in upland areas that still serve the beach-going public

The Commission has taken action on several structures located on Coronado’s sandy beaches in recent years. With the exception of one lifeguard tower, the remaining facilities, including two restrooms, were not permitted to be constructed with shoreline protection devices. Restrooms are not coastal-dependent uses and must be designed to be removed or relocated if threatened and not require protection of a shoreline device. The restrooms approved previously by the Commission were sited in locations that were not then subject to coastal hazards, and the Commission specifically found that if they were in danger in the future, the restrooms would have to be relocated rather than be protected with a seawall. In contrast, the proposed South Beach restrooms will be subject to coastal hazards under current conditions because of the existing narrow beach width. Information provided by the City documents that the restroom will be subject to regular wave action, and flooding is expected even with the proposed seawall. Siting a new structure in a hazardous location that requires construction of a seawall is inconsistent with the certified LCP.

Development on a sandy beach and development of a new structure with shoreline protection also conflicts with the public access and recreation policies of Chapter 3 of the Coastal Act. The facility would occupy beach area and make it unavailable for public use, and the seawall could negatively impact sand supply by causing increased erosion.

Furthermore, the proposed project would negatively impact visual resources ([Exhibit 5](#)). The Commission thoroughly considered proposals to create and maintain views in this area along Avenida del Sol during the coordination and planning of the Hotel del Coronado Master Plan. However, the placement of the proposed structure directly in the middle of the street-end will block existing public views towards and of the water from designated public view corridors and a popular coastal access route.

The City's certified LCP allows construction of public restrooms on a sandy beach, but only if they are the least environmentally damaging alternative. The City considered several additional alternative sites and designs, but significantly, the EIR did *not* conclude that the proposed project was the least environmentally damaging alternative (DEIR, p. 1-6). However, the City rejected these alternatives, finding that they did not meet all of the project requirements, such as not having infrastructure available nearby, or finding that they would have worse impacts on coastal views. Given the large number of very specific project requirements imposed by the City, there are very few locations that would meet all of the requirements. In this case, while there may not be an ideal site that meets all of the goals of the City and the requirements of the LCP, there are feasible alternative sites available that would lessen impacts on coastal resources and be consistent with the LCP and Coastal Act. These include continuing the use of the temporary restroom facility currently located on Avenida del Sol, constructing a small but permanent facility in this location, and incorporating a public restroom into the previously approved Hotel del Coronado expansion project. The LCP requires that any new development on a public sandy beach be the least environmentally damaging alternative.

Significant improvements to the Avenida del Sol street end were approved through the 2010 Hotel del Coronado Master Plan, including raising the street end and drainage improvements. This project has not yet occurred. Given the substantial renovations to the street that will take place through this project, it may be more appropriate to continue with the temporary restroom facility until this larger project is ready for final design and construction, as there could be an opportunity to design a restroom facility in conjunction with this project that would be smaller, and/or located further to the south, out of the view corridor.

Therefore, staff recommends that the Commission, on de novo, **deny** coastal development permit application A-6-COR-16-0097.

Standard of Review: Certified City of Coronado Local Coastal Program and the public access and recreation policies of Chapter 3 of the Coastal Act.

STAFF NOTES

The City found that the proposed restroom facility is consistent with the City of Coronado's certified Local Coastal Program (LCP) as well as the public access and recreation policies of the Coastal Act and approved the project in November 2016 ([Exhibits 12 & 13](#)). The project was appealed by both the Commission and members of the public, and in January 2017 the Commission determined that a substantial issue exists on the grounds which the appeal was filed. Following the January hearing, Commission staff made several attempts to coordinate with the City on the project, including requests for additional information ([Exhibit 14](#)). Commission staff specifically requested additional data regarding the risk the structure would be at due to wave action, erosion, and sea level, and the potential for siting a new restroom in an alternative location. The City responded that they had no new information to provide. Commission and City staff met in May to discuss the project and the City reiterated their stance that the project is consistent with the certified LCP. The City reaffirmed that they had no additional information to provide Commission staff for their analysis and requested that the project be scheduled for the next local hearing.

TABLE OF CONTENTS

| | |
|--|----------|
| II. FINDINGS AND DECLARATIONS..... | 6 |
| A. PROJECT DESCRIPTION AND HISTORY | 6 |
| B. SHORELINE PROTECTION AND COASTAL HAZARDS..... | 8 |
| C. PUBLIC ACCESS & RECREATION | 12 |
| D. VISUAL RESOURCES..... | 15 |
| E. PROJECT ALTERNATIVES..... | 16 |
| F. LOCAL COASTAL PLANNING | 20 |

APPENDICES

[Appendix A – Substantive File Documents](#)

EXHIBITS

[Exhibit 1 – Location Map](#)

[Exhibit 2 – Site Plan](#)

[Exhibit 3 – Site Section](#)

[Exhibit 4 – Existing Site Photos](#)

[Exhibit 5 – Proposed View from Avenida del Sol](#)

[Exhibit 6 – Proposed View from beach](#)

[Exhibit 7 – Seasonal Conditions Simulation](#)

[Exhibit 8 – Nearby Beach Projects](#)

[Exhibit 9 – Future Avenida del Sol Development](#)

[Exhibit 10 – Existing Temporary Restrooms](#)

[Exhibit 11 – Possible Alternative Locations](#)

[Exhibit 12 – City Council Resolution](#)

[Exhibit 13 – City Council Staff Report](#)

[Exhibit 14 – Staff Correspondence](#)

I. MOTION AND RESOLUTION ON DE NOVO

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. A-6-COR-16-0097 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **NO** vote. Passage of this motion will result in denial 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 TO DENY THE PERMIT:

The Commission hereby denies a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will not be in conformity with the certified LCP and the public access policies of the Coastal Act. Approval of the permit would not comply with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have not been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. PROJECT DESCRIPTION AND HISTORY

The proposed project is construction of a new 235 sq. ft. public restroom facility with 3 stalls and storage space and an approximately 1,000 sq. ft. plaza area with showers. The project also includes removal and replacement of the existing beach access stairway and the construction of a new ADA accessible ramp leading from the existing sidewalk to the new plaza ([Exhibit 2](#)). The proposed structure will be supported by a mat (on grade) foundation and surrounded on three sides by a steel sheet-pile bulkhead seawall, which will extend 3 ft. 6 in. above the finish floor elevation of the restrooms and down approximately 30 feet below the finish floor elevation ([Exhibit 3](#)). The project location is seaward of the Avenida del Sol cul-de-sac, which runs between the Hotel del Coronado and the Coronado Shores Condominiums; the site currently consists of sandy beach, a rock revetment, and a beach access stairway ([Exhibits 1 & 2](#)).

The project and its proposed shoreline protection device, a steel sheet-pile bulkhead, will replace the existing rock revetment within the project footprint. This section of the revetment is part of an approximately 2,000-foot long rock revetment that was constructed in the early 1970s as part of the development of the Coronado Shores

Condominiums. The revetment consists of multiple layers of stone and much of the rock is buried for a portion of the year. No changes to the revetment outside of the project footprint are proposed.

The proposed project is one of several structures sited on the western-facing beaches of Coronado in recent years ([Exhibit 8](#)). In December 1991, the Commission approved the demolition and reconstruction of a public restroom facility on Central Beach (CDP No. 6-91-268). This project was conditioned to remove any proposed improvements beyond the minimum necessary for the restroom function. In addition, the existing rock revetment landward of the proposed facility was to remain as it existed and could encroach no further seaward. No new shoreline protection was permitted for the facility. In July 2005, the Commission approved the construction of a lifeguard tower and restrooms on Central and North Beach in Coronado (CDP No. 6-04-140). The lifeguard tower was approved with a seawall because of its need to be located on the beach, its important public safety function, and the expanded public health services it would provide; however, the restroom facility was approved with a condition prohibiting any shoreline protection devices. The Commission made the finding that the restrooms should be deemed expendable and designed to be removed or relocated if threatened and, because they do not have to be on the beach, they do not warrant a seawall. In November 2007, the Commission approved construction of a public safety center that houses lifeguard offices, locker rooms, and storage space (CDP No. 6-07-93). This facility was also approved with conditions and findings prohibiting any shoreline protection, current or future.

The City determined that there was a need for public restroom facilities in the South Beach area of Coronado several years ago, and as part of early coordination, Commission staff reviewed the proposed project design phase in early 2013. More recently during the EIR process, staff provided a letter to the City identifying potential concerns with the project that would create inconsistency with the City's LCP ([Exhibit 14](#)). However, the City approved the project on November 15, 2016 with conditions to minimize construction noise impacts.

In January 2017, the Commission found that the subject appeal raises a substantial issue in regards to potential impacts to public views, construction of a new non-coastal dependent structure that relies on shoreline protection, development in an area subject to present and future coastal hazards, new development on a sandy beach, and an inadequate analysis of alternatives. The de novo portion of the appeal was continued for a later date and is now the subject of this hearing.

The standard of review is the City of Coronado's certified Local Coastal Program and the public access and recreation policies of Chapter 3 of the Coastal Act.

B. SHORELINE PROTECTION AND COASTAL HAZARDS

The placement of the proposed public restroom would be inconsistent with several LCP policies relating to shoreline protection and coastal hazards, including: development of a permanent building with insufficient distance from an eroding beach coastline and that requires shoreline protection from natural erosion processes, permitting new development in areas of high flood hazard, permitting new development that will substantially alter natural landforms, and permitting of a seawall designed to protect a non-coastal-dependent use.

Policies in the City of Coronado's certified LUP include:

A. SHORELINE ACCESS

- 1. That the City develop a capital improvement priority list specifically for projects that would preserve, regulate, provide or encourage shoreline access. That this list include at least the following projects (not necessarily ranked in this order):*

[...]

- D. Construction of additional restroom facilities on City controlled beaches.*

E. DIKING, DREDGING, FILLING AND SHORELINE STRUCTURES

- 1. Require that new development shall assure coastal stability and structural integrity, and neither create nor contribute significantly to erosion or geologic instability.*
- 2. Permit revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.*
- 4. Require that any permanent building, or other structure proposed for construction be setback from an eroding beach coastline a distance sufficient to assure that the development will not be threatened by natural erosion processes during the lifetime of the structure without requiring shoreline protection structures. The builder, at the discretion of the City, shall provide a certification by a civil engineer that the proposed construction site meets this criteria.*
- 5. Pursue the eventual elimination of the beach erosion problem South of the Hotel del Coronado jetty.*

G. HAZARD AREAS

- 1. Require that new development in areas of high geologic, flood or fire hazard be designed in such a way to minimize risks to life and property.*

2. *Require that new development be designed in such a way to 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.*

In addition, the certified IP includes the following:

86.74.030 WATERFRONT DEVELOPMENT SETBACKS

- B. *New development shall assure coastal stability and structural integrity, and neither create nor contribute significantly to erosion or geologic instability.*
- C. *Permanent buildings, or other structures proposed for construction (excluding refurbishment, renovation, or addition to existing structures that do not extend the structures seaward or bayward) shall be set back from an eroding beach or coastline a distance sufficient to assure that the development will not require mitigation measures to protect the development from the natural erosion process during the economic lifetime of the structures. The builder, at the request of the City Coastal Permit Administrator, shall provide a certification by a civil engineer acceptable to the City that the proposed construction site meets these criteria.*

In its approval of the project, the City cited LCP Policy A.1.D., which lists construction of additional restroom facilities on City controlled beaches. The Commission agrees with this policy priority, however, no single policy in the LCP should be viewed in isolation. As discussed in the following sections, the proposed restroom does not adequately protect coastal resources and conflicts with several important requirements of the LCP and the Coastal Act.

Development in a Currently Hazardous Area

The LCP requires that new development be placed out of hazardous beach areas so as to not require shoreline protection. The proposed site is known to be vulnerable to coastal flooding and erosion under current conditions; the Avenida del Sol cul-de-sac often floods during large storms and high tide events ([Exhibit 7](#)). LCP Policy E.5 specifically identifies the historic erosive conditions at the subject site, south of the Hotel del Coronado jetty.

Further emphasizing the hazardous nature of the proposed location, a wave run-up study commissioned for the project states that the subject site is located in a FEMA VE Zone: Coastal High Hazard Area (“Wave run-up Study”, TerraCosta Consulting Group 2013, p. G-7). The study notes that “absent structural measures to accommodate anticipated wave forces, FEMA guidelines do recommend that any new site construction in the VE zone be located landward of the long-term erosion setback and landward of the area subject to erosion during the 100 year coastal flood event” (ibid p. G-8). The project is not located

out of the hazard area and includes a finish floor elevation lower than recommended by FEMA. Therefore, in its design of the proposed facility, the City's consultant determined that a seawall was needed for protection of the facility. The 2014 geotechnical report states, "For long-term protection of the new comfort station against marine erosion, we recommend the installation of a buried sheet-pile bulkhead around the seaward portion of the facility" ("Geotechnical Investigation," TerraCosta Consulting Group 2014, p. D-22). The report states that including the sheet-pile seawall in the design makes up for the lower than FEMA-recommended floor elevation. Rather than design a project reliant on a shoreline protection device, the LCP requires that the project be sited outside of hazardous areas. Thus, construction of the restroom structure in the proposed hazardous area is not in conformance with the above LCP policies regarding coastal hazards and shoreline protection.

Non-Coastal Dependent Uses and Shoreline Protection

Policies in the City's LCP require new development to be sited outside of a hazard zone, instead of creating new development that is reliant on shoreline protection devices. LCP policy E.2 does allow shoreline protection for coastal dependent uses; however, restrooms are not considered to be a coastal dependent use, especially as they can be located in upland areas that still serve the beach-going public. Thus, they are not entitled to shoreline protection.

Seawalls have multiple adverse impacts on coastal resources. Hard armoring results in ecological and public access consequences, such as loss of biodiversity and ecosystem services and displacement of recreational beach area by the protective structures. Three of the effects from a shoreline protective device which can be quantified are: 1) loss of the beach/bluff area on which the structure is located; 2) the long-term loss of beach/bluff that will result when the back beach/bluff location is fixed on an eroding shoreline; and 3) the amount of material which would have been supplied to the beach if the back beach or bluff were to erode naturally. Thus, the policies of the LCP require that structures be set back from an eroding beach a distance sufficient to assure that the development will not be threatened by natural erosion processes during the lifetime of the structure without requiring shoreline protection structures. The impacts of shoreline protection devices on public access are further discussed in Section C.

As previously discussed, the Commission has allowed the siting of restrooms on the sandy beach in Coronado. In 2005, the Commission approved the construction of a lifeguard tower and restrooms on Central and North Beach in Coronado, north of the subject site (CDP #6-04-140). In the City Council staff report for the subject project, the City states that: "This restroom project is consistent with similarly approved projects in the sandy beach area, including the lifeguard tower at Central Beach, which also includes a seawall as approved by the Coastal Commission" ([Exhibit 13](#)). However, this is not an accurate representation of the Commission's action. Lifeguard facilities typically have to be on the beach to function, and thus, may require shoreline protection in order to be safe and effectively serve the public. The Commission approved the lifeguard tower with a seawall because of its important public safety function and the expanded public health services it would provide. In addition, the lifeguard building was designed to be the minimum size necessary.

Restrooms, in contrast, do not need to be on sandy beach to serve the public. The Commission approved the restrooms in 2005 with a condition specifically prohibiting any shoreline protection devices, present or future. The Commission made the finding that the restrooms should be deemed expendable and designed to be removed or relocated if threatened, and, because they do not have to be on the beach, they do not warrant a seawall. The Commission found that:

“If, however, beach conditions were ever to change so drastically that in order to maintain the structure, shoreline protection such as riprap or other permanent armoring that could impact coastal resources was required, the structure could, and should be relocated. If the beach were ever so narrow that the restrooms were subject to regular wave action, providing open beach areas would likely be a higher priority than restrooms...”(CDP #6-04-140)

The shoreline protection device associated with the lifeguard tower is the only shoreline protection device approved by the Commission for new development along the beach in Coronado. None of the restrooms have been permitted with shoreline protection. Therefore, it would be inconsistent with the LCP, as well as the Commission’s previous actions, to approve the subject project that includes and requires a shoreline protection device.

Sea Level Rise and Future Hazards

The certified LCP requires that new development in areas of high geologic, flood or fire hazard be designed in such a way to minimize risks to life and property, and that includes reviewing the development in the context of sea level rise. In addition to known current hazards, future hazards at the proposed site are expected to increase with sea level rise. The City’s wave run-up study does include an analysis of beach width change projections with sea level rise, however, the Commission’s engineer has reviewed the study and determined that it is unclear whether the data chosen for the study fits the subject site; it appears that the study underestimates erosive conditions. Nevertheless, the study projects that the beach width in front of the proposed restroom site will decrease. The subject geotechnical report notes that sea level rise may significantly reduce beach widths as a force on its own and wave events have the potential to significantly reduce beach widths as well. The report projects occasional 300 to 500 foot beach losses, leading to flooding and damages at the proposed restroom site by 2050. Placement of the facility in a location that will be vulnerable to coastal hazards both present and future is not in conformance with the LCP. [Exhibit 7](#) depicts the facility under current seasonal conditions and shows the hazards at the site.

In conclusion, the proposed restroom, with a seawall incorporated into the seaward portion of the development, is not consistent with the LCP. The restroom facility will not be safe from hazards in the proposed location either currently or with sea level rise and is not consistent with the requirements of the LCP.

C. PUBLIC ACCESS & RECREATION

The City's LCP specifically prohibits new development on existing public sandy beach areas with limited exceptions.

Adopted Action Program B.3. of the LCP states:

B. RECREATION AND VISITOR SERVING FACILITIES

[...]

3. *That no new development shall be permitted on existing sandy beach areas. An exception would be allowed for new or expanded permanent lifeguard facilities, restroom facilities, or bike paths if it can be determined that adverse impacts to public beaches are negligible or when public safety or health requires it, and provided that no less environmentally damaging alternatives exist.*

Section 86.74.020 PUBLIC SANDY BEACHES of the IP also states:

No new development shall occur on existing public sandy beach areas. An exception would be allowed for new or expanded permanent lifeguard facilities, restroom facilities, bikepaths or similar public recreation facilities; if it can be determined by the City that adverse impacts to public beaches are negligible or when public safety or health requires it, and provided that no less environmentally damaging alternatives exist. This prohibition shall not be construed to restrict or regulate the maintenance, repair, rehabilitation or replacement of existing public facilities, or the activities of any governmental agency other than the City of Coronado on property under that agency's jurisdiction.

Section III. Adopted Policy A. SHORELINE ACCESS

1. *Preserve existing shoreline access over public lands.*
2. *Where appropriate, provide and encourage additional shoreline access over public lands.*

Section III. B. RECREATION AND VISITOR SERVING FACILITIES

1. *Preserve existing public recreational facilities for public use.*

In addition, the Coastal Act has numerous policies protecting public access and recreation, including the following:

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 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30604(c) of the Coastal Act states:

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.

Section 30640(c) of the Coastal Act requires that in order to issue a coastal development permit for any development between the sea and the nearest public road paralleling the sea, the Commission must specifically find that the permitted development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. In this case, such a finding cannot be made.

The new restroom facility conflicts with a variety of the public access and recreation policies of the Coastal Act. In general, the Commission is highly supportive of new facilities that support the beach-going public, which includes restroom facilities. However, as noted above, restroom facilities, unlike lifeguard stations, do not have to be sited on the sandy beach, and as with any development, the structure must be located and designed to reduce impacts on public access and shoreline sand supply. There are several ways in which the proposed structure and its shoreline protection device would have an adverse impact on coastal resources.

First, the building would interfere directly with public access by occupying beach area that would otherwise be available for public use. As discussed in greater detail below under Section E. Project Alternatives, the project consists not only of an approximately 235 sq. ft. restroom building, but a 1,000 sq. ft. adjacent plaza. The City has not provided an analysis of why the structure is the proposed size, why the plaza is necessary, or why the footprint of the project could not be reduced.

Furthermore, the project incorporates a seawall into the northern, western, and southern sides of the structure. Bulkheads and other hard structures interfere directly with public access by their occupation of beach area that will not only be unavailable during high tide and severe storm events, but also potentially throughout the winter season. Even though there is some revetment on the subject site, a portion of it is buried under sand for parts of the year. In contrast, the project proposes to cover approximately 1,000 sq. ft. of beach area.

The second effect is that any hard structure on the beach, like a building or shoreline protection device, can have adverse impact on sand supply. Coastal Act Section 30235 acknowledges that seawalls, revetments, cliff retaining walls, groins and other such structural or “hard” solutions alter natural shoreline processes. Shoreline protection devices can result in a number of adverse impacts on the dynamic shoreline system and the public’s beach ownership interests. First, shoreline protection devices can cause changes in the shoreline profile, particularly changes in the slope of the profile resulting from a reduced beach berm width. This may alter the usable area available to the public seaward of the structure. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area in which the public can pass on public property.

The third effect of a shoreline protection device (or other hard structure) on access is through the progressive loss of sand as the natural shore material is not available to nourish offshore sand bars. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. A loss of sandy beach area is a significant adverse impact on public access to the beach.

Fourth, shoreline protection devices such as revetments and bulkheads can cumulatively affect shoreline sand supply and public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline and they reach a public beach. In the case of the proposed development, South Beach is a narrow beach. The width may decrease further after severe storm events. The Commission notes that if seasonal eroded beach condition occurs with greater frequency due to the placement of shoreline protection on the subject site, then the subject beach would also accrete at a slower rate. The Commission also notes that many studies performed on both oscillating and eroding beaches have concluded that loss of beach occurs on both types of beaches, where a shoreline protection device or other hard structure exists.

In addition, if not sited in a landward location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate the wave’s energy.

The proposed location does have an existing rock revetment which was built in the early 1970s to protect the Coronado Shores Condominiums. This approximately 2,000-foot long revetment was constructed along the western property line. The revetment consists of multiple layers of stone. Much of the rock that makes up the revetment is buried for a

portion of the year and therefore still allows public to access the sandy beach. However, the proposed seawall would extend to the furthest seaward limit of the existing revetment, removing any opportunity for sandy beach to exist in that footprint and also increasing the amount of time throughout the year where public access would be blocked. As shown on [Exhibit 7](#), during high tides or storm events public access would be reduced significantly, if not completely. Thus, the facility has not been designed to ensure adverse impacts to public beaches are negligible. Therefore, as proposed, the project cannot be found to be in conformance with the LCP and the public access and recreation policies of the Coastal Act.

D. VISUAL RESOURCES

The certified LCP contains policies that protect public views to and of the ocean. Specifically, Section III. B. RECREATION AND VISITOR SERVING FACILITIES states:

- 6. Maintain high standards for visual aesthetics and preserve these scenic qualities as recreational resources.*

In addition, Section III. H. VISUAL RESOURCES AND SPECIAL COMMUNITIES states:

- 1. Consider and protect as a resource of public importance the scenic and visual qualities of the community.*
- 2. Require that permitted development be sited and designed to safeguard existing public views to and along the ocean and bay shores of Coronado, to be visually compatible with the character of the surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.*

In its review, the City determined that, while the proposed development would block some public views, it would not *significantly* block views. The EIR prepared for the project states that there will be no significant impacts on views from designated public view corridors or from public viewing areas near the Hotel del Coronado or Coronado Shores. However, the placement of the proposed structure directly in the middle of the street-end at Avenida del Sol will block existing public views towards and of the water from designated public view corridors and a popular coastal access route, and as such, will have a significant visual impact ([Exhibits 5 & 6](#)). And although views are not available along the entire length of Avenida del Sol, the street is one of the main accessways to the beach, and thus does provide an important visual resource.

In 2010 the Commission approved the Hotel del Coronado Master Plan (CDP No. A-6-COR-08-98 & 99). This plan included the construction of new hotel facilities on the southern portion of the hotel property including a three-story guestroom located just north of Avenida del Sol in the existing parking lot. Views along Avenida del Sol were an important consideration in that project and the Master Plan includes several changes to

the Avenida del Sol area that are intended to create a more welcoming accessway to the beach. The proposed guestrooms were designed and sited so as to open up views of the water from Avenida del Sol and also create additional public parking along the north side of Avenida del Sol by converting the parallel spaces to perpendicular or angled spaces ([Exhibit 9](#)). The plan also includes improvements to the Paseo del Mar, a public walkway along the western edge of the Hotel's property that serves as a public recreational facility and serves as a segment of the California Coastal Trail. The outcome of coordination between staff and the Hotel was to create an area where "upon reaching the cul-de-sac, the pedestrian is immediately connected to the recreational opportunities along the Paseo del Mar beachfront walkway, with its breath-taking ocean views" (Master Plan p. 5-4). The adopted plan "provides for almost 55 feet of low-level landscaped area between the relocated Paseo beachfront walkway and the South Beach guestroom building" (5-7). In addition, the plan included improvements to the cul-de-sac itself including raising the grade of the street to improve flooding conditions, which has the added benefit of improving views. This raising of Avenida del Sol is to occur as part of the area's redevelopment; however, an expected completion date is not available at this time.

Placement of the restroom facility in the proposed location would detract from the Commission's previous efforts to open up views along the cul-de-sac and along the Paseo walkway. The LCP requires that public views to and along the ocean be protected with new development. The new facility would block important coastal views and, therefore, because of adverse impacts on visual resources, the Commission finds that the proposed development is not consistent with the certified LCP.

E. PROJECT ALTERNATIVES

LCP Adopted Action Program B.3. repeats Section 86.74.020 PUBLIC SANDY BEACHES of the IP, which states:

No new development shall occur on existing public sandy beach areas. An exception would be allowed for new or expanded permanent lifeguard facilities, restroom facilities, bikepaths or similar public recreation facilities; if it can be determined by the City that adverse impacts to public beaches are negligible or when public safety or health requires it, and provided that no less environmentally damaging alternatives exist. This prohibition shall not be construed to restrict or regulate the maintenance, repair, rehabilitation or replacement of existing public facilities, or the activities of any governmental agency other than the City of Coronado on property under that agency's jurisdiction.

The subject restroom is a structure that is allowed to occur on public sandy beach areas, but only if adverse impacts to the public beach are negligible or if public health requires it, and no less environmentally damaging alternatives exist. The City made the finding that the restroom is required for public health reasons and has stated that with no public restrooms currently available, members of the public use the surrounding landscape, the ocean, and restrooms on private property to relieve themselves. In 2015, the City placed a temporary restroom trailer on the north side of the Avenida del Sol cul-de-sac and the City states that it has been used extensively, indicating the need for a restroom site in this

area. As previously noted, the Commission is in full support of the provision of additional public restroom facilities. However, the proposed restroom is not the least environmentally damaging alternative for the reasons previously discussed and less environmentally damaging alternatives do exist.

The EIR analyzed several project alternatives, including a no project alternative and a prefabricated restroom alternative (See table below). As noted, the project consists not only of an approximately 235 sq. ft. restroom building, but a 1,000 sq. ft. adjacent plaza. However, the EIR did not include an analysis of why the structure is the proposed size, or why the footprint of the project could not be reduced. While a structure with a smaller footprint would not address most of the concerns regarding shoreline protection and view blockage, it would reduce the footprint on the beach, and thus should have been considered.

The EIR does review several alternative locations, including at the street ends of Avenida Lunar and Avenida de las Arenas, and in front of the Hotel del Coronado. The analysis does not reject these alternative locations or designs for environmental reasons, but because the necessary infrastructure is not close by or because the City does not own these locations. The City has a public access easement for the parking lots at Avenida Lunar and Avenida de las Arenas but the easement does not allow for the construction of any permanent or semi-permanent structures.

The EIR concludes that the proposed placement of the restroom on the sandy beach at the terminus of Avenida del Sol is not the least environmentally damaging alternative, however, it is the least environmentally damaging alternative that meets all of the City’s project requirements (South Beach Restroom Draft EIR, p. 1-6). Under CEQA, the City may reject a project alternative even if it is environmentally superior. However, the City’s LCP specifically requires that any development on a public sandy beach must be the least environmentally damaging alternative.

There are very few locations that would meet all of the City’s project requirements, which include: located on city-owned property, have nearby infrastructure to support the facility, have public access from both beach and landsides, have great visibility from both beach and landsides, be centrally located in South Beach, be close to the majority of South Beach visitors, have the widest beach width, be between land and water (if the site were on the sand), and be easily accessible by City maintenance workers (South Beach Restroom Draft EIR, Section 7.2.1).

City-Reviewed Alternatives

| Alternative | Reason for Rejection |
|-----------------------------------|--|
| No Project | <ul style="list-style-type: none"> Does not meet project requirements |
| Keep existing temporary restrooms | <ul style="list-style-type: none"> Too expensive to maintain |

| | |
|--|---|
| Avenida Lunar | <ul style="list-style-type: none"> • City only has an easement (no permanent structures) • No infrastructure nearby |
| Avenida de las Arenas | <ul style="list-style-type: none"> • City only has an easement (no permanent structures) • No infrastructure nearby |
| Prefabricated Restroom | <ul style="list-style-type: none"> • Does not meet CA electrical or seismic standards • Requires additional maintenance |
| Immediately north of the proposed site, tucked into the existing revetment | <ul style="list-style-type: none"> • Greater view impact |
| Seaward of Hotel del Coronado | <ul style="list-style-type: none"> • Greater view impact • No infrastructure nearby |
| Immediately southeast of the project site | <ul style="list-style-type: none"> • Private property • Not visible to law enforcement |
| Further inland on Avenida del Sol | <ul style="list-style-type: none"> • Too far from the beach |

The Commission appreciates that the City did look at alternatives. However, all equally suitable or superior sites must be ruled out as infeasible before the proposed project can be found to be the least environmentally damaging alternative and therefore be in conformance with the City’s LCP. In this case, while there may not be a site that meets all of the goals of the City and the requirements of the LCP, there are possible feasible locations for the restroom facility that would reduce impacts on coastal resources, while still serving the public ([Exhibit 11](#)).

The first option would be to remove the existing portable restroom trailer and construct a permanent facility in its place. While this site would not occupy any sandy beach area, it would take up approximately 3 public parking spaces. However, the public benefit of the restroom would outweigh the small loss of parking. In addition, those spaces are unavailable currently because of the placement of the temporary restroom trailer. To minimize impacts on parking to the maximum extent feasible, the restroom facility must be redesigned to be the minimum size possible. This redesign should include the removal of the large patio area and should include the minimum area required to serve the restroom purpose. This alternative location would be outside of any coastal hazards and would not require the construction of any shoreline protection. Because the facility would be on the northern edge of Avenida del Sol, impacts to public views could be minimized ([Exhibit 10](#)). The City looked at an alternative similar to this site but concluded that it would be too far from the beach; the city’s preferred location is on the sand. However, there are many benefits to a more landward location, including reduced or eliminated coastal flooding and erosion hazards, minimized public access impacts, and minimized visual impacts. While not immediately on the sand, a location along Avenida del Sol would still provide useful facilities to the public. The temporary restroom facility has been sited in this location off the sand and the City states that it has been extremely successful in serving a multitude of visitors.

An additional option would be to place the permanent facility southeast of the cul-de-sac on the grassy area east of the existing rock revetment. By placing the structure landward of the existing revetment, it would first be located further from hazards, and second, it would be protected by existing shoreline protection. This site also would not take up sandy beach area or public parking spaces. And because the facility would be lower in height than the existing rock revetment and located outside of the main view corridor, impacts on public views would be minimized. The obstacle for this site is that it is owned by Coronado Shores Condominiums and the City would need to come to an agreement with them.

The third option would be to work with the Hotel del Coronado and construct a public restroom as part of the hotel expansion project approved by the Commission in 2010 (Hotel del Coronado Master Plan (CDP A-6-COR-08-98 & 99)). The expansion project includes the development of new hotel facilities adjacent to Avenida del Sol and could provide an opportunity to include a public restroom facility.

Lastly, the City could choose to continue operating the temporary restroom facility and not construct a new permanent facility. The EIR found that this alternative was environmentally superior to the proposed project. However, the City has indicated that this option is infeasible due to costs associated with operation and maintenance of the temporary facility. The City has indicated that the trailer does not hold up well to the nearshore environment and requires added maintenance. However, maintaining a facility and addressing the public health issues associated with a restroom located on a site that is expected to be flooded on a regular basis may outweigh the maintenance costs associated with an temporary upland facility.

Finally, significant improvements to Avenida del Sol street end were approved through the 2010 Hotel del Coronado Master Plan, including raising the street and drainage improvements. This project has not yet occurred. Given the substantial renovations to the street that will take place through this project, it may be more appropriate to continue with the temporary restroom facility until this larger project is ready for final design and construction, as there could be an opportunity to design a restroom facility in conjunction with this project that would be smaller, and/or located further to the south, out of the view corridor.

There are clearly many constraints on the location of a public restroom, but given that building a structure on sandy beach impacts public access and recreation, the LCP requires that the location be the least environmentally damaging alternative, even if it does not result in an “ideal” location that meets every goal of the City’s. The proposed location of the restroom is not the least environmentally damaging alternative nor is it in conformance with the LCP and would significantly impact coastal resources.

F. LOCAL COASTAL PLANNING

The City of Coronado has a certified LCP. Based on the preceding discussion in this report, the Commission finds that the proposed development is not consistent with all applicable provisions of the certified LCP and would result in adverse impacts to sensitive coastal resources. The Commission also finds, that based on the above, the proposed development would prejudice the ability of the City of Coronado to continue to implement its local coastal program by establishing an adverse precedent for how the City's program and resource protection measures are administered.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS:

- Appeal applications by Commissioner Dayna Bochco dated 12/2/2016 and Commissioner Mary Shallenberger dated 12/5/2016; Appeal by Thomas D. Whittington and LaSierra 1503 LLC dated 12/2/2016; Appeal by Coronado Shores Homeowner's Association dated 11/30/2016
- City of Coronado City Council Decision 2016-01 dated November 15, 2016
- Draft & Final South Beach Restroom Environmental Impact Reports (June 2015 & September 2016)
- CDP No. 6-83-166, CDP No. 6-04-140, CDP No. CDP No. 6-91-268, CDP No. 6-07-93, CDP No. A-6-COR-08-98 & 99
- "Wave Runup Study, South Beach Restroom Project, Avenida del Sol, Coronado, California" TerraCosta Consulting Group, Inc. 2012 (Revised 2013)
- "Geotechnical Investigation, South Beach Comfort Station, Avenida del Sol, Coronado, California" TerraCosta Consulting Group, Inc. 2014 (Revised 2016)
- City of Coronado certified LCP