



Planning Director Staff Report Hearing on April 25, 2024

County of Ventura • Resource Management Agency

800 S. Victoria Avenue, Ventura, CA 93009 • (805) 654-2478 • www.vcrma.org/divisions/plann

HOLMGREN DICKEY SEAWALL REPAIR COASTAL PLANNED DEVELOPMENT PERMIT CASE NO. PL23-0034

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Coastal Planned Development (PD) Permit following the issuance of an Emergency Coastal Development Permit to repair an existing shoreline protection device (Case No. PL23-0034).
2. **Applicants/Property Owners:**

Ms. Kathleen Holmgren, 3164 Solimar Beach Drive, Ventura, CA 93001
Mr. James Dickey, 3154 Solimar Beach Drive, Ventura, CA 93001
Solimar Beach Colony, PO BOX 2817 Camarillo, CA 93011
3. **Decision-Making Authority:** Pursuant to the Ventura County Coastal Zoning Ordinance (CZO) (Section 8174-5 and Section 8181-3 et seq.), the Planning Director is the decision-maker for the requested Coastal PD Permit.
4. **Project Site Size, Location, and Parcel Number:** The existing shoreline protection (“Project Site”) is located on Tax Assessor’s parcel numbers (APN) 060-0-330-085 and 060-0-330-015, adjacent to 3164 Solimar Beach Drive (APN 060-0-340-205) and 3154 Solimar Beach Drive (APN 060-0-340-235), in the unincorporated area of Ventura County. Temporary construction access to the project site is located on APN 060-0-330-015, (Exhibit 2).
5. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Existing Community Residential Beach, and Existing Community Open Space
 - b. Coastal Area Plan Land Use Map Designation: Residential High 6.1-36 DU/AC, Agriculture
 - c. Zoning Designation: RB-3,000 sq. ft., Residential Beach 3,000 square foot minimum lot size, and COS-10 ac sdf, Coastal Open Space 10-acre minimum lot size, slope density formula area

6. Adjacent Zoning and Land Uses/Development (Exhibit 2):

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	COS-10 ac-sdf	Old Pacific Coast Highway, Railroad Tracks and 101 Freeway
East	RB-3,000 sq. ft.	Single Family Dwellings located with the Solimar Homeowners Colony
South	COS-10 ac-sdf	Pacific Ocean
West	COS-10 ac-sdf	Mondo's Beach

7. History: Solimar Beach Colony is a gated residential community. Shoreline protection is located on APNs 060-0-330-015 and 060-0-330-085. The two northernmost properties (APNs 060-0-340-205 and 060-0-340-235) are at the terminus of the Solimar Beach Colony Drive. The single-family dwelling (SFD) (5,984 sq. ft.) located at 3164 Solimar Beach Drive was constructed in 2006 under Coastal Planned Development Permit Case No. PD1958 and the SFD (4,611 sq. ft.) located at 3154 Solimar Beach Drive was constructed in 1990 under Coastal Planned Development Permit Case No. PD 1273. In 1981, Solimar Beach Company Inc. was authorized to construct as a replacement project, an existing seawall, under California Coastal Commission Application No. 216-21. The exact construction date of the original revetment is unknown but is documented in aerial photographs from 1970. Coastal Development Permit (CDP) No. 216-21 permitted the placement of rock along the northern part of the Solimar Beach Colony (3164 and 3154 Solimar Beach Drive) for a length of 440 feet near the location of an existing wooden bulkhead constructed in 1960-61 (appx.). The work also included the construction of a key consisting of 18-25 inches of filter-bed material at a slope of 1½ :1 overlain by 2–4-ton armor stone designed to reduce settlement and placed at an elevation of +8 feet to +2 feet. The seawall was described as being 21 feet deep and 15 feet high.

On January 31, 2023 the Planning Director authorized an Emergency Coastal Development Permit to repair the existing rock revetment along the northern part of the Solimar Beach Colony (3164 and 3154 Solimar Beach Drive) by replacing rock displaced by intense winter storms and high tides.

In accordance with Ventura County CZO Section 8181-3.7(f)(7), the emergency authorization was conditioned to require the applicants submit a regular coastal development permit within 90 days of approval of the emergency permit. On January 31, 2023, the Planning Director approved the emergency permit. On April 12, 2023, the applicants submitted a Coastal PD Permit application. On May 18 2023, the applicants supplemented their filing with plans prepared by their contractors and a statement certifying that the work performed under the

emergency authorization was in conformance with all requirements of the Ventura County General Plan and Local Coastal Program.

- 8. Project Description:** The applicants request authorization of a Coastal Planned Development (PD) Permit for the repair of a rock revetment on the seaward sides of lots addressed as 3164 and 3154 Solimar Beach Drive. The repair work was conducted between February 15, 2023, to February 21, 2023. The revetment is located on APNs 060-0-330-080 and 060-0-330-015 and is owned by Solimar Beach Colony Trust. Property owners within the Solimar Beach Colony residential development are required to maintain the portion of the revetment adjoining their homes. As a result of the 2022-2023 winter storms, high surf, significant rainfall, and floating debris in the water, many of the large rocks supporting the revetment were dislodged and fell onto the adjacent beach. Repair and maintenance activities included relocating dislodged rock from the beach and adding new rock to fill in the voids along the revetment. Approximately 91 tons of rock was added to the revetment adjacent to 3164 Solimar Beach Colony Drive and approximately 177 tons of rock was added to the revetment adjacent to 3154 Solimar Beach Colony Drive. The completed repair work maintains the original footprint, location, design height, and shape of the previously approved revetment (California Coastal Commission Case No. 216-21 and Amended by A-219-79). No new rock was placed on the beach and no alterations to the foundation occurred.

A temporary entry point to the sandy beach area adjacent to the Solimar Beach Colony and construction access path was delineated in the field. The temporary entry point was located off State Route (SR) 1 near northern terminus of the Solimar Beach Colony development (Approximately 200 feet north of 3164 Solimar Beach Drive). The entry point was also the location of the Project delivery area and temporary material stockpile, where a dump truck delivered repair rock to the site; dump trucks did not access sandy beach areas. Boulders located near between the shoulder of SR 1 and the shore were temporarily relocated and a temporary sand berm was constructed to gain access to the beach. Traffic control measures were implemented during activities occurring along SR 1 with flagmen holding slow and stop signs while material and construction equipment deliveries occurred. Construction equipment used for Project implementation included one (1) large rubber track excavator with thumb attachment and one (1) compact loader. The compact loader was used to create a temporary material stockpile north of the repair area. The compact loader, excavator and construction personnel were temporarily located on sandy beach/intertidal areas of Solimar Beach during low tide periods. The work zone had safety cones delineating and confining construction activities, while also providing enough room for public access to the shore. During high tides periods, the equipment was stored in the common storage area of the Solimar Beach Colony. The boulders removed for the temporary access were returned and the tide recovered any disturbance on the sandy beach areas from the construction equipment and construction personnel.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the proposed project is subject to environmental review.

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The Ventura County Planning Division has determined the project is exempt from the requirements of CEQA under Guidelines Section 15301 (Existing Development) and Section 15302 (Replacement and Reconstruction). The existing revetment was approved on *March* 13, 1981. The placement of the rock material depicted on the project plans (Exhibit 3) and described in the Letter Report from David C. Weiss dated May 18, 2023 (Exhibit 7) was determined to not extend further seaward and maintain the original footprint, location, design height, and shape of the previously approved revetment (California Coastal Commission Case No. 216-21 and Amended by A-219-79). No feasible alternatives or additionally feasible mitigation measures are available, which would substantially lessen any significant adverse impact that the project may have on the environment. Further, the project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

Therefore, this project is categorically exempt pursuant to Section 15301 of the CEQA Guidelines.

C. CONSISTENCY WITH THE GENERAL PLAN AND COASTAL AREA PLAN

The proposed project has been analyzed to and determined to be consistent with all applicable General Plan and Coastal Area Plan policies. A consistency analysis which evaluates the project's consistency with the policies of the General Plan and Coastal Area Plan is included as Exhibit 5 of this staff report.

D. ZONING ORDINANCE COMPLIANCE

The proposed project is subject to the requirements of the Ventura County CZO.

Pursuant to the Ventura County CZO (Section 8174-4), the proposed use is allowed in the RB and COS zone districts with the granting of a Coastal PD Permit. Upon the granting of the Coastal PD Permit, the proposed project will comply with this requirement.

Shoreline protection devices are not subject to the development standards of the Ventura County CZO (Section 8175-2) relating to setbacks and minimum development standards for structures and buildings.

Standards of CZO Section 8174-5.12.1: The following standards shall apply to the construction or maintenance of shoreline protective devices such as seawalls, jetties, revetments, groins, or breakwaters:

- a. *Proposed shoreline protective devices shall only be allowed when they are necessary to protect existing developments, coastal-dependent land uses, and public beaches.*

The existing shoreline protection (i.e. rock revetment) is located on APNs 060-0-330-015 and 060-0-330-085. While the original date of construction for the revetment is unknown, the original rock rip-rap revetment was reconstructed and replaced and expanded (on the up coast portion of the Solimar Beach Colony development) in 1981 under Coastal PD Permit Application No. 216-21 and A-219-79. The two northernmost properties where the rock revetment will be repaired are APNs 060-0-340-205 and 060-0-340-235. The single-family dwelling (SFD) located at 3164 Solimar Beach Drive was constructed in 2006 under Coastal PD Case No. PD 1958 and the SFD located at 3154 Solimar Beach Drive was constructed in 1990 under Coastal PD Permit Case No. PD 1273.

Repair and maintenance involved the placement of 268 tons of rock on portions of the existing rock revetment where there were voids from dislodged or lost rock. Due to the nature of the emergency with additional storm damage and king tides forecasted, the Planning Director granted an emergency permit to conduct the necessary repairs to restore the previously approved revetment. The project complies with this standard.

- b. *All shoreline protective structures that alter natural shoreline processes must be designed to eliminate or mitigate adverse impacts on local shoreline sand supply. (AM.ORD.4451-12/11/12)*

Proposed repairs do not extend further seaward and maintain the original footprint, location, design height, and shape of the previously approved revetment (California Coastal Commission Case No. 216-21 and Amended by A-219-79). The applicant's engineer prepared a supplemental letter report indicating that the repair work did not aggravate any existing condition with respect to sand supply or littoral flow (Exhibit 7). The project complies with this standard.

- c. *Permitted shoreline structures shall not interfere with public rights of access to the shoreline.*

Pursuant to the requirements of California Coastal Commission Development Permit No. 216-21 and amendment A-219-79, the Solimar Beach Colony was required to dedicate a lateral public access deed

restriction. The required easement was recorded on November 23, 1981 under instrument 198111230116090. The placement of the rock material filled in voids and adhered to the design specifications of the approved revetment (California Coastal Commission Case No. 216-21 and Amended by A-219-79). The temporary construction access road was monitored, and construction activities did not interfere with public access to and along the beach.

- d. *A building permit will be required for any construction and maintenance of protective shoreline structures, such as seawalls, jetties, revetments, groins, breakwaters and related arrangements.*

The Coastal PD Permit (Case No. PL23-0034) will be conditioned to require the applicant to obtain a Zoning Clearance documenting all permit conditions have been satisfied (Exhibit 4, Condition No. 7) and to obtain copies of permits from all local, state and federal permitting agencies (Exhibit 4, Condition No. 8).

Building & Safety permits will not be required (communication with Stephanie Garcia, April 10, 2024). The County's Building and Safety Division refers all permits for seawalls and revetments to the Flood Control and Water Resources Division of the Public Works Agency who is responsible for reviewing development in a floodplain and determining if a Floodplain Development Permit is required (Title 44 Code of Federal Regulations, Sections 59 and 60, and County of Ventura Floodplain Management Ordinance 4521, as amended). The project was distributed to the Public Works Agency (PWA) to be evaluated for structural and environmental soundness. The PWA determined the project complies with approved revetment (California Coastal Commission Case No. 216-21 and Amended by A-219-79) and a Floodplain Development Permit will not be required.

- e. *The County's Building and Safety Department will routinely refer all permits for seawalls, revetments, groins, retaining walls, pipelines and outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream structures, net littoral drift, and downcoast beach profiles. If the potential environmental impacts of the proposed structure are considered significant by the Public Works Agency, the applicant will then be required to obtain an engineering report that specifies how those impacts will be mitigated.*

The Coastal PD Permit application was referred to the PWA, Watershed Protection District who did not issue any additional requirements or

conditions. Based on the project plans and the information provided in the supplemental Letter Report (Exhibit 7), the project complies with the requirement that shoreline protection be evaluated by the appropriate agencies with jurisdiction for flood control and water quality issues.

E. COASTAL PD FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to determine that the proposed project is consistent with the permit approval standards of the Ventura County CZO (Section 8181-3.5 et seq.). The proposed findings and supporting evidence are as follows:

1. The proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program [Section 8181-3.5.a].

Based on the information and analysis presented in Sections C and D of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program can be made.

2. The proposed development is compatible with the character of surrounding development [Section 8181-3.5.b].

The Solimar Beach Colony is a residential community; existing development is protected by a seawall (i.e. rock revetment). The Project resulted in placement of rock material upon an existing rock revetment which has been in place since 1981. The placement of the rock material depicted on the project plans (Exhibit 3) and described in the Letter Report from David C. Weiss dated May 18, 2023 (Exhibit 7) was determined to not extend further seaward and maintain the original footprint, location, design height, and shape of the previously approved revetment (California Coastal Commission Case No. 216-21 and Amended by A-219-79). The placement of the rock filled in voids where rock was previously located and did not impact the character or appearance of the beach. The scenic qualities of the coastal resources in this area were determined to have not been significantly altered.

Based on the discussion above, this finding can be made.

3. The proposed development, if a conditionally permitted use, is compatible with planned land uses in the general area where the development is to be located [Section 8181-3.5.c].

The proposed project consists of the placement of rock onto an existing rock revetment. The proposed repair work, while requiring a Coastal PD permit, is not conditionally permitted, therefore the requirement for this finding does not apply to this project.

Based on the discussion above, this finding can be made.

4. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8181-3.5.d].

The supporting substantive file documentation (Exhibit 3, Plans and Exhibit 7, Letter Report – Conversion of Emergency Development Permit) demonstrates that the repair work was completed without creating an obnoxious or harmful impacts or impair the utility of neighboring property or uses. The staging, access and construction activities were planned so as not to impede public access to the beach or pollute coastal waters (i.e. quick construction schedule, and timing for negative tide). The site was inspected by Planning Division staff and the project area was returned to its previous condition with all construction staging and storage areas cleared of all equipment and materials. The continued presence of the rock revetment is necessary to prevent negative impacts to the Solimar Beach Colony and surrounding areas which include State Route 1 and the Southern Pacific railroad tracks.

Based on the discussion above, this finding can be made.

5. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8181-3.5.e].

The proposed repairs to the existing rock revetment would not be detrimental to the public interest, safety, convenience, and welfare. The Coastal Engineer states rock was appropriately placed landward of the toe of the revetment and did not expand the footprint, location, design height or shape of the previously approved shoreline protection device (Exhibit 7). Additionally, the consulting engineer states that this portion of the rock revetment remain(s) stable not only for the protection of the houses at 3154 and 3164 Solimar Beach Road but also the protection of Pacific Coast Highway, which is in close proximity to the two sites.” The construction staging and storage areas and temporary access have been returned to their previous condition prior to the construction of the repairs. Therefore, the project has been determined to not be detrimental to the public interest, health, safety, convenience, or welfare.

Based on the discussion above, this finding can be made.

F. PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), CZO (Section 8181-6.2 et seq.). On April 11, the Planning Division mailed notice to owners of property within 300 feet and residents within 100 feet of the property on which the project site is located. On April , the Planning Division placed a legal ad in the

Ventura County Star. As of the date of this staff report, no public comments have been received.

G. RECOMMENDED ACTIONS

Based upon the analysis and information provided above, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that this project is categorically exempt from CEQA pursuant to Sections 15301 (Existing Facilities) and 15302 (Replacement or Reconstruction) of the CEQA Guidelines;
3. **MAKE** the required findings to grant a Coastal PD Permit pursuant to Section 8181-3.5 of the Ventura County CZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** Coastal Planned Development (PD) Permit Case No. PL23-0034, subject to the conditions of approval (Exhibit 4); and
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

If you have any questions concerning the information presented above, please contact John Oquendo at (805) 654-3588 or John.Oquendo@ventura.org.

Prepared by:



John Oquendo, Case Planner
Residential Permits
Ventura County Planning Division

Reviewed by:



Jennifer Trunk Manager
Residential Permits
Ventura County Planning Division

EXHIBITS

- | | |
|-----------|---|
| Exhibit 2 | Maps |
| Exhibit 3 | Plans |
| Exhibit 4 | Conditions of Approval |
| Exhibit 5 | General Plan Consistency Analysis |
| Exhibit 6 | County of Ventura Planning Division, Emergency Coastal Development Permit Rock Revetment Repair |
| Exhibit 7 | Letter Report – Conversion of Emergency Development Permit (David C. Weiss, Structural Engineer & Associates, Inc., Dated May 18, 2023) |



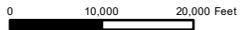
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map created on 04-04-2024



County of Ventura
 Planning Director Hearing
 Case No. PL23 - 0034
 Exhibit 2 - Maps



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map nor does it involve a risk of economic loss or physical injury should be made in reliance thereon.





Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 04-04-2024
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County of Ventura
 Planning Director Hearing
 PL23-0034
 General Plan & Zoning Map



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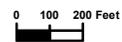




Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 04-04-2024
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County of Ventura
Planning Director Hearing
PL23-0034
Aerial Photography



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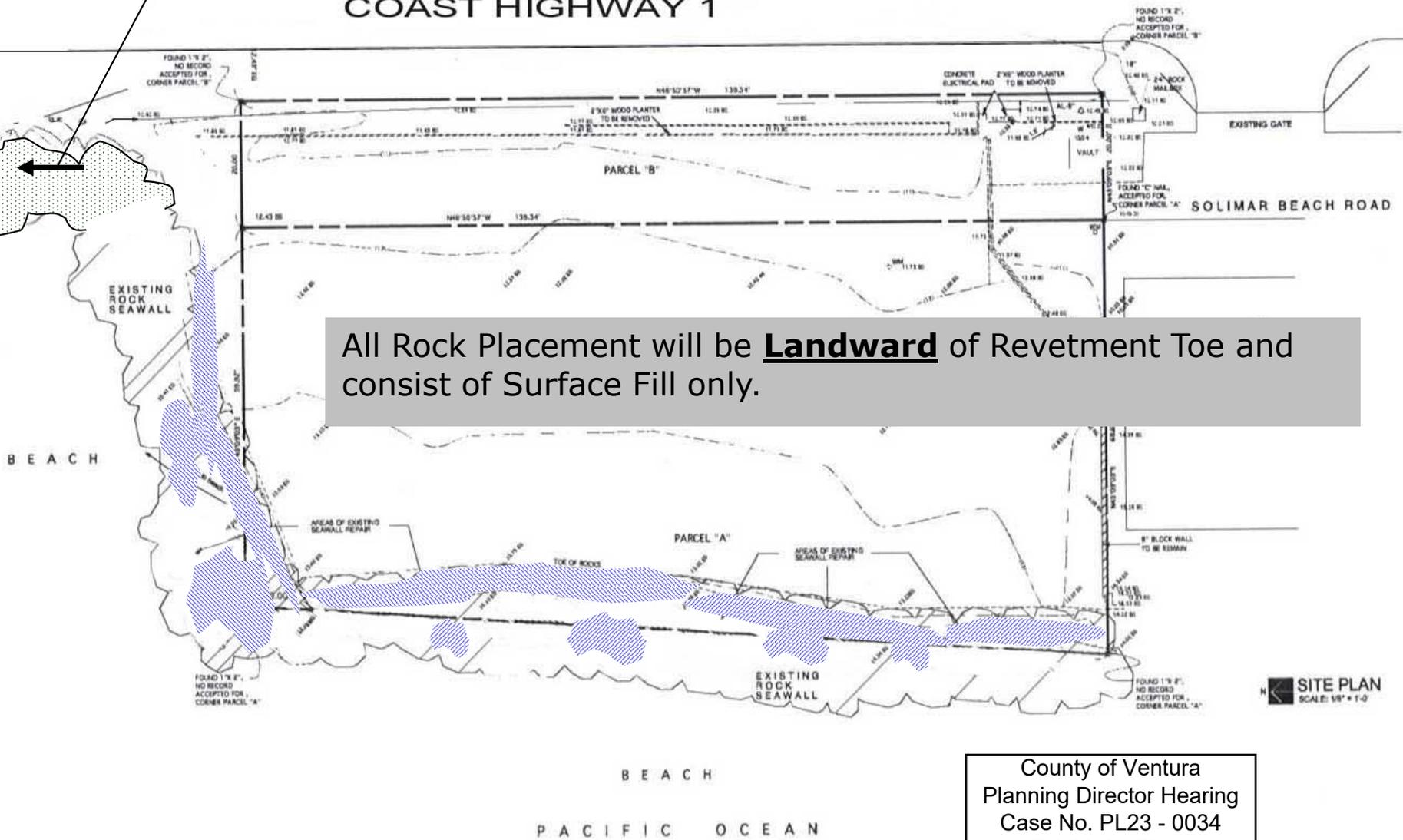


Generalized Areas of Rock Placement

Integrated Continuous Rock
Revetment Protecting Hwy 1

COAST HIGHWAY 1

All Rock Placement will be **Landward** of Revetment Toe and consist of Surface Fill only.



KURT MAGNESS
ARCHITECT

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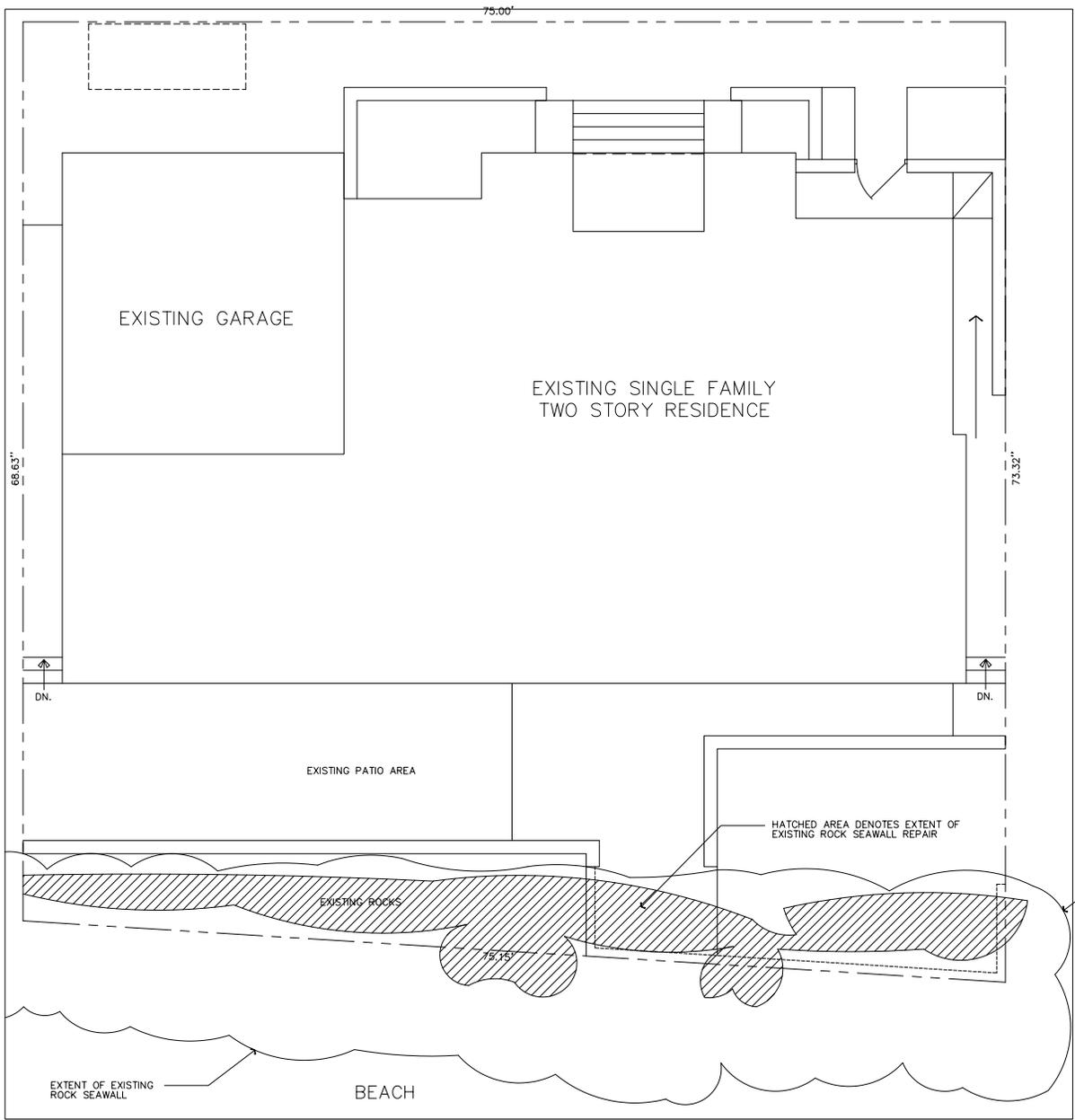


HOLMGREN BEACH HOUSE
3164 SOLIMAR BEACH DRIVE
VENTURA, CA 93001

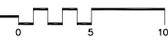
County of Ventura
Planning Director Hearing
Case No. PL23 - 0034
Exhibit 3 - Plans

G-1

SOLIMAR BEACH DRIVE



SITE PLAN
SCALE 1/4" : 1'-0"



ALL ROCK PLACEMENT WILL BE LANDWARD OF REVETMENT TOE AND CONSIST OF SURFACE FILL ONLY.

Sheet No. A1

revisions

job no.	4705/23
date	
drawn by	T.W.
checked by	T.W.
approved by	T.W.

DICKEY RESIDENCE
3154 SOLIMAR BEACH DRIVE
VENTURA, CALIFORNIA 93001

WA
WALLACE ARCHITECTURE
TIM A. WALLACE, LEED AP
VENTURA, CA 93002
(805) 847-3570 FAX (805) 847-3571

These drawings, including the designs incorporated herein, are instruments of professional service prepared for use in connection with the project identified herein under the conditions stated or otherwise in the block below. Any use for any other project without the written authorization of Tim A. Wallace shall be at User's sole risk. Wallace Architecture expressly reserves its common law copyright and other proprietary rights in these plans. These plans are not to be reproduced, changed or copied in any manner or form nor are they to be used by a third party without first obtaining written permission and consent of Wallace Architecture. In the event of the reproduction of these plans by a third party, the third party and not Wallace Architecture bears the responsibility.

**HOLMGREN DICKEY SEAWALL REPAIR
COASTAL PLANNED DEVELOPMENT PERMIT
CASE NO. PL23-0034**

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This Coastal Planned Development (PD) Permit is based on and limited to compliance with the project description stated in this condition below, Exhibits 3 (Plans), 6 (County of Ventura Planning Division, Emergency Coastal Development Permit Rock Revetment Repair), 7 (Letter Report – Conversion of Emergency Development Permit (David C. Weiss, Structural Engineer & Associates, Inc., Dated May 18, 2023)) of the Planning Director hearing on April 25, 2024, and conditions of approval set forth below. Together, these conditions and documents describe the “Project.” Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

This Coastal Planned Development (PD) Permit authorizes the repair of a rock revetment on the seaward sides of lots addressed as 3164 and 3154 Solimar Beach Drive. The repair work was conducted between February 15, 2023, to February 21, 2023. The revetment is located on APNs 060-0-330-080 and 060-0-330-015 and is owned by Solimar Beach Colony Trust. Property owners within the Solimar Beach Colony residential development are required to maintain the portion of the revetment adjoining their homes. As a result of the 2022-2023 winter storms, high surf, significant rainfall, and floating debris in the water, many of the large rocks supporting the revetment were dislodged and fell onto the adjacent beach. Repair and maintenance activities included relocating dislodged rock from the beach and adding new rock to fill in the voids along the revetment. Approximately 91 tons of rock was added to the revetment adjacent to 3164 Solimar Beach Colony Drive and approximately 177 tons of rock was added to the revetment adjacent to 3154 Solimar Beach Colony Drive. The completed repair work maintains the original footprint, location, design height, and shape of the previously approved revetment (California Coastal Commission Case No. 216-21 and Amended by A-219-79). No new rock was placed on the beach and no alterations to the foundation occurred.

A temporary entry point to the sandy beach area adjacent to the Solimar Beach Colony and construction access path was delineated in the field. The temporary entry point was

located off State Route (SR) 1 near northern terminus of the Solimar Beach Colony development (Approximately 200 feet north of 3164 Solimar Beach Drive). The entry point was also the location of the Project delivery area and temporary material stockpile, where a dump truck delivered repair rock to the site; dump trucks did not access sandy beach areas. Boulders located near between the shoulder of SR 1 and the shore were temporarily relocated and a temporary sand berm was constructed to gain access to the beach. Traffic control measures were implemented during activities occurring along SR 1 with flagmen holding slow and stop signs while material and construction equipment deliveries occurred. Construction equipment used for Project implementation included one (1) large rubber track excavator with thumb attachment and one (1) compact loader. The compact loader was used to create a temporary material stockpile north of the repair area. The compact loader, excavator and construction personnel were temporarily located on sandy beach/intertidal areas of Solimar Beach during low tide periods. The work zone had safety cones delineating and confining construction activities, while also providing enough room for public access to the shore. During high tides periods, the equipment was stored in the common storage area of the Solimar Beach Colony. The boulders removed for the temporary access were returned and the tide recovered any disturbance on the sandy beach areas from the construction equipment and construction personnel.

The development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, and landscape areas shall conform to the project description above and all approved County land use hearing exhibits in support of the Project and conditions of approval below.

2. Required Improvements for Coastal PD

Purpose: To ensure the project site conforms to the plans approved at the Planning Director hearing in support of the project.

Requirement: The Permittee shall ensure that all required off-site and on-site improvements for the Project, including structures, are completed in conformance with the approved plans stamped as hearing Exhibit 3. The Permittee shall prepare and submit all final building and site plans for the County's review and approval in accordance with the approved plans.

Documentation: The Permittee shall obtain Planning Division staff's stamped approval on the project plans and submit them to the County for inclusion in the Project file. The Permittee shall submit additional plans to the Planning Division for review and stamped approval (e.g., tree protection and landscape plans) for inclusion in the Project file, as necessary.

Timing: Prior to the issuance of a Zoning Clearance for construction the Permittee shall submit all final development plans to the Planning Division for review and approval. Unless the Planning Director and/or Public Works Agency Director allow the Permittee to provide financial security and a final executed agreement, approved as to form by the

County Counsel, that ensures completion of such improvements, the Permittee shall complete all required improvements prior to expiration of the Zoning Clearance for construction. The Permittee shall maintain the required improvements for the life of the Project.

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

3. Site Maintenance

Purpose: To ensure that the Project site is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside of the Project site.

Requirement: The Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the Project.

Documentation: The Permittee shall maintain the Project site in compliance with Condition No. 1 and the approved plans for the Project.

Timing: The Permittee shall maintain the Project site in a neat and orderly manner and in compliance with Condition No. 1 throughout the life of the Project.

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

4. Coastal PD Modification

Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions, the Permittee shall first contact the Planning Director to determine if the proposed activity requires a modification of this Coastal PD. The Planning Director may, at the Planning Director's sole discretion, require the Permittee to file a written and/or mapped description of the proposed activity in order to determine if a Coastal PD modification is required. If a Coastal PD modification is required, the modification shall be subject to:

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and

- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §§ 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §§ 15000-15387), as amended from time to time.

5. Construction Activities

As a requirement for after the fact authorization of the repair activities, the Permittee shall obtain an after-the-fact Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division (if required).

6. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this Coastal PD Permit and/or commencement of construction and/or operations under this Coastal PD Permit shall constitute the Permittee's formal agreement to comply with all conditions of this Coastal PD Permit. Failure to abide by and comply with any condition of this Coastal PD Permit shall constitute grounds for enforcement action provided in the Ventura County Coastal Zoning Ordinance (Article 13), which shall include, but is not limited to, the following:

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the Coastal PD Permit conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this Coastal PD Permit.

The Permittee is responsible for being aware of and complying with the Coastal PD Permit conditions and all applicable federal, state, and local laws and regulations.

7. Time Limits

Use inauguration:

- (1) The approval decision for this Coastal PD Permit becomes effective upon the expiration of the 10-day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for construction in order to initiate the land uses set forth in Condition No. 1.
- (2) This Coastal PD Permit shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for construction within one year (Pursuant to Ventura County Coastal Zoning Ordinance (§ 8181-7.7)) from the date the approval decision of this Coastal PD becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for construction if the Permittee can demonstrate to the satisfaction of the Planning

Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.

- (3) Prior to the issuance of the Zoning Clearance for construction, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for construction, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this Coastal PD Permit.

8. Documentation Verifying Compliance with Other Agencies' Requirements Related to this Coastal PD Permit

Purpose: To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this Coastal PD Permit.

Requirement: Upon the request of the Planning Director, the Permittee shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of this Coastal PD Permit) to verify that the Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the Project.

Documentation: The Permittee shall provide this documentation to Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for construction.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective Project file. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

9. Notice of Coastal PD Permit Requirements and Retention of Coastal PD Permit Conditions On Site

Purpose: To ensure full and proper notice of these Coastal PD Permit conditions affecting the use of the subject property.

Requirement: Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors who regularly conduct activities associated with the Project, of the pertinent conditions of this Coastal PD Permit.

Documentation: The Permittee shall maintain a current set of Coastal PD Permit conditions and exhibits at the project site.

Timing: Prior to issuance of a Zoning Clearance for construction and throughout the life of the Project.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

10. Recorded Notice of Land Use Entitlement

Purpose: The Permittee shall record a “Notice of Land Use Entitlement” form and the conditions of this Coastal PD Permit with the deed for the subject property that notifies the current and future Property Owner(s) of the conditions of this Coastal PD Permit.

Requirement: The Permittee shall sign, have notarized, and record with the Office of the County Recorder, a “Notice of Land Use Entitlement” form furnished by the Planning Division and the conditions of this Coastal PD Permit, with the deed of the property that is subject to this Coastal PD Permit.

Documentation: Recorded “Notice of Land Use Entitlement” form and conditions of this Coastal PD Permit.

Timing: The Permittee shall record the “Notice of Land use Entitlement” form and conditions of this Coastal PD Permit, prior to issuance of Zoning Clearance for construction.

Monitoring and Reporting: The Permittee shall return a copy of the recorded “Notice of Land Use Entitlement” form and conditions of this Coastal PD Permit to Planning Division staff to be included in the Project file.

11. Financial Responsibility for Compliance Monitoring and Enforcement

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance related to this Coastal PD Permit. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and

at the contract rates of County-retained consultants, in effect at the time the costs are incurred.

12. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this Coastal PD Permit. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.
- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this Coastal PD Permit, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.
- d. Neither the issuance of this Coastal PD Permit, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this Coastal PD Permit serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

13. Invalidation of Condition(s)

If any of the conditions or limitations of this Coastal PD Permit are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining Coastal PD Permit conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged

by the Permittee in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this Coastal PD Permit, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This Coastal PD Permit shall continue in full force unless, until, and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this Coastal PD Permit, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this Coastal PD Permit may be revoked.

14. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for the Project have the option of referring any and all special studies that these conditions require to an independent and qualified consultant for review and evaluation of issues beyond the expertise or resources of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this Coastal PD Permit, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 11 above, if the County hires a consultant to review any work undertaken by the Permittee or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

15. Relationship of Coastal Conditions, Laws, and Other Entitlements

The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the

Planning Director determines that any Coastal PD Permit condition contained herein is in conflict with any other Coastal PD Permit condition contained herein, when principles of law do not provide to the contrary, the Coastal PD Permit condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this Coastal PD Permit for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules, or regulations, or orders of an authorized governmental agency. Neither the approval of this Coastal PD Permit, nor compliance with the conditions of this Coastal PD Permit, shall relieve the Permittee any responsibility otherwise imposed by law for damage to persons or property.

16. Contact Person

Purpose: To designate a person responsible for responding to complaints.

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this Coastal PD Permit.

Documentation: The Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, business and cell phone numbers, and email addresses) of the Permittee's field agent who receives all orders, notices, and communications regarding matters of condition and code compliance at the Project site.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s) for the Project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide Planning Division staff with the new information in writing within three calendar days of the change in the Permittee's field agent.

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the Project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

17. Change of Permittee

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of Permittee.

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

Conditions for Coastal PD Permit Case No. PL23-0034

Date of Public Hearing: April 25, 2024

Date of Approval: TBD

Permittee: Kathleen Holmgren and James
Dickey

Location: 3164 & 3154 Solimar Beach DR

Page 10 of 10

Documentation: The initial notice must be submitted with the new Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this Coastal PD Permit.

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.



Exhibit 5 – General Plan Consistency Analysis

County of Ventura • Resource Management Agency • Planning Division

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CONSISTENCY WITH THE GENERAL PLAN AND COASTAL AREA PLAN FOR HOLMGREN-DICKEY SEAWALL REPAIR PROJECT CASE NO. PL23-0034

The 2040 Ventura County General Plan *Goals, Policies and Programs* (2020, page 1-1) states:

All area plans, specific plans subdivision, public works projects, and zoning decisions must be consistent with the direction provided in the County's General Plan.

Furthermore, the Ventura County CZO (Section 8181-3.5. a) states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County Coastal Area Plan.

The proposed project is to permit repairs conducted to an existing rock revetment conducted under the authority of an emergency Coastal Planned Development (PD) Permit granted by the Ventura County Planning Director

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan Goals, Policies and Programs, as well as the Coastal Area Plan Goals and Policies.

- 1. Ventura County General Plan Land Use Policy LU-16.1 Community Character and Quality of Life:** *The County shall encourage discretionary development to be designed to maintain the distinctive character of unincorporated communities, to ensure adequate provision of public facilities and services, and to be compatible with neighboring uses.*

Coastal Act Policy § 30250(a) Location; Existing Developed Area: *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

Coastal Act Policy § 30251 Scenic and Visual Qualities: *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*

County of Ventura
Planning Director Hearing
Case No. PL23 - 0034
Exhibit 5 - General Plan Consistency Analysis

to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Coastal Area Plan Visual Resources Policy 4.1.7-7: *New development shall be sited and designed to protect public views to and from the shoreline and public recreational areas. Where feasible, development on sloped terrain shall be set below road grade.*

Staff Analysis: The North Coast sub area of the Ventura County coastal zone includes the coastal communities of Seacliff, Faria and Solimar. Solimar Beach Colony is protected by a 3,860-foot-long shoreline protection device. The Ventura County General Plan, the California Coastal Act, and the Coastal Area Plan scenic resource policies seek to limit the impacts of new development on the character of existing communities and visual resources known to occur on the coast. The project resulted in the placement of rock material on an existing permitted shoreline protection device (California Coastal Commission Case No. 216-21 and Amended by A-219-79). The Consulting Engineer's written statement on the project (Exhibit 7), verified that following the repairs, the height of the seawall had not increased, the footprint of the seawall was not expanded, the repairs did not extend seaward of the toe of the revetment and the addition of armor rock on the face of the revetment did not have a significant impact on visual/scenic resources. As observed by Planning Division staff, portions of the revetment are visible from Pacific Coast Highway for south bound traffic, due to the lack of obstructions such as homes. The work did not create any new visible obstructions from Pacific Coast Highway nor did the repair work impact views as seen from the sandy beach.



View South from Pacific Coast Highway Shoulder

Based on the discussion above, the proposed project is consistent with General Plan Policy LU-16-.1, Coastal Act Policy Sections 30250(a), 30251 and Coastal Area Plan Policy 4.1.7-7.

- 2. Ventura County General Plan Public Facilities and Services (PFS) Policy - 1.7 Public Facilities, Services, and Infrastructure Availability:** *The County shall only approve discretionary development in locations where adequate public facilities, services, and infrastructure are available and functional, under physical construction, or will be available prior to occupancy.*

CTM-2.27 Discretionary Development and Conditions of Approval to Minimize: Traffic Impacts *The County shall require that discretionary development be subject to permit conditions of approval, where feasible, to minimize traffic impacts by incorporating pedestrian and bicycle pathways, bicycle racks and lockers, ridesharing programs, transit improvements (bus turnouts, shelters, benches), and/or transit subsidies for employees or residents of the proposed development.*

Coastal Area Plan Locating and Planning New Development 4.2.7-1: *The six residential "Existing Communities" of Rincon Point, La Conchita, Mussel Shoals, Seacliff, Faria, and Solimar will be allowed to build-out according to their land use designations and prevailing base zoning. Coastal Area Plan Figures 4.2-10- 4.2-15 depict these areas.*

Staff Analysis: The seawall repair project did not result in the need for new or expanded public facilities (i.e. flood control improvements), public services (i.e. public safety) and infrastructure to serve the Solimar Beach Colony. The construction work involved the placement of 1 to 3 ton rock within voids created by dislodged or lost rock. The work included a temporary access road on the beach for construction equipment and personnel to gain access to the work zone. The repairs were initiated on February 15, 2023 and completed on February 21, 2023. Pursuant to the activities described in the applicants work plan, and described in the Project description, the applicant and their contractor implemented a traffic control plan to ensure no conflict between beach traffic and project related trips and deliveries. The Planning Division verified the temporary access road and construction staging and storage areas were restored to pre-construction condition upon the filing of this Coastal Planned Development Permit (May 25, 2023).

Based on the discussion above, the proposed project is consistent with General Plan Policies PFS-1.7, CTM2.27, and Coastal Area Plan 4.2.7-1.

- 3. Ventura County General Plan Public Facilities and Services (PFS) Policy PFS-11.4 Emergency Vehicles Access** *The County shall require all discretionary development to provide, and existing development to maintain, adequate access for emergency vehicles, including two points of access for subdivisions and multifamily developments.*

PFS-12.3 Adequate Water Supply, Access, and Response Times for Firefighting Purposes *The County shall prohibit discretionary development in areas that lack and cannot provide adequate water supplies, access, and response times for firefighting purposes.*

PFS-12.4 Consistent Fire Protection Standards for New Development *The County, in coordination with local water agencies and the Fire Protection District, shall require new discretionary development to comply with applicable standards for fire flows and fire protection.*

Ventura County General Plan Hazards (HAZ) Policy HAZ-1.1 Fire Prevention Design and Practices *The County shall continue to require development to incorporate design measures that enhance fire protection in areas of high fire risk. This shall include but is not limited to incorporation of fire-resistant structural design, use of fire-resistant landscaping, and fuel modification around the perimeter of structures.*

CTM-2.28 Emergency Access: *The County shall ensure that all new discretionary projects are fully evaluated for potential impacts to emergency access. Mitigation of these impacts shall be handled on a project-by-project basis to guarantee continued emergency service operations and service levels.*

HAZ-1.4 Development in High Fire Hazard Severity Zones and Hazardous Fire Areas *The County shall require the recordation of a Notice of Fire Hazard with the County Recorder for all new discretionary entitlements (including subdivisions and land use permits) within areas designated as Hazardous Fire Areas by the Ventura County Fire Department or High Fire Hazard Severity Zones by the California Department of Forestry and Fire Protection (CAL FIRE).*

Staff Analysis: According to the Ventura County Geographic Information System (VCGIS, 2023), the project is located within the local responsibility area in the Very High Fire Severity Zone. The subject Property is approximately 4 miles south of Station 25 addressed as 5674 West Pacific Coast Highway. The granting of the requested Coastal PD Permit will not degrade existing service levels for fire services. The Ventura County Fire Protection District (VCFPD) reviewed the request and determined no new conditions of approval for the Coastal Planned Development Permit are warranted.

The Ventura County Sheriff's Office is responsible for law enforcement services in Ventura County. The proposed project is located within the West County Patrol area, the Sheriff's main office is located at 800 S Vitoria Avenue, Ventura, 11 miles to the southeast. The proposed project will not have a significant impact on the provision of public safety services.

Based on the discussion above, the proposed project is consistent with General Plan Policy PFS-11.4, PFS-12.3, PFS-12.4, HAZ-1.1 and HAZ-1.4.

- 4. Ventura County General Plan COS-4.4 Discretionary Development and Tribal, Cultural, Historical, Paleontological, and Archaeological Resource Preservation** *The County shall require that all discretionary development projects be assessed for potential tribal, cultural, historical, paleontological, and archaeological resources by a qualified professional and shall be designed to protect existing resources. Whenever possible, significant impacts shall be reduced to a less-than-significant level through the application of mitigation and/or extraction of maximum recoverable data. Priority shall be given to measures that avoid resources.*

Coastal Act Section 30244: *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Coastal Area Plan Archaeological Resource Policy 4.1.1-1: *Discretionary development shall be reviewed to identify potential locations for sensitive archaeological resources.*

Coastal Area Plan Archaeological Resource Policy 4.1.1-2: *New development shall be sited and designed to avoid adverse impacts to archaeological resources to the maximum extent feasible. If there is no feasible alternative that can eliminate all impacts to archaeological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to archaeological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to archaeological resources cannot be avoided, mitigation shall be required and shall be designed in accordance with established federal, state and/or County standards and shall be consistent with the policies and provisions of the LCP.*

Coastal Area Plan Archaeological Resource Policy 4.1.1-6: *Protect and preserve archaeological resources from destruction, and avoid impacts to such resources where feasible.*

Coastal Area Plan Paleontology Policy 4.1.2-1: *Discretionary development shall be reviewed to determine the geologic unit(s) to be impacted and paleontological significance of the geologic rock units containing them.*

Coastal Area Plan Paleontology Policy 4.1.2-2: *New development shall be sited and designed to avoid adverse impacts to paleontological resources to the maximum extent feasible. If there is no feasible alternative that can eliminate all impacts to paleontological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to paleontological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to paleontological resources cannot be avoided, mitigation shall be required that includes procedures for monitoring grading and handling fossil discoveries that may occur during development.*

Coastal Area Plan Paleontology Policy 4.1.2-3: *Protect and preserve paleontological resources from destruction and avoid impacts to such resources where feasible.*

Staff Analysis: The project involved the placement of rock in voids of an existing rock revetment; no excavation or scraping of the sandy beach occurred. Based on the review of the California Department of Conservation Compilation of Quaternary Surficial Deposits Map (2023), the Project site is located with an area of active beach deposits which have no paleontological importance (CZO Section 8178-3.2). Additionally, the project is located outside of mapped sensitive archaeological resources areas. Due to there being no earth disturbing activities and a low or no potential to impact cultural resources, no specific measures or conditions to protect archaeological or paleontological resources were required.

Based on the discussion above, the proposed project is consistent with the Ventura County General Plan Policy COS-4.4 and Coastal Area Plan Policies 4.1.1-1, 4.1.1-2, 4.1.1-6, 4.1.1-7, 4.1.2-1, 4.1.2-24.1.2-3 and Coastal Act Section 30244.

- 5. Ventura County Hazard Policy - HAZ-3.1 Sea Level Rise Planning and Adaptation:** The County shall continue to actively plan for sea level rise by using the best available science to analyze critical vulnerabilities, identify measures to conserve coastal resources, minimize impacts on residents and businesses, maintain public services, and strengthen resiliency.

HAZ-4.5 Soil Erosion and Pollution Prevention: *The County shall require discretionary development be designed to prevent soil erosion and downstream sedimentation and pollution.*

Ventura County General Plan Conservation and Open Space-2.1 Beach Erosion: *The County shall strive to minimize the risk from the damaging effects of coastal wave hazards and beach erosion and reduce the rate of beach erosion, when feasible.*

COS-2.5 Shoreline Protective Structure Design: *The County shall require all shoreline protective structures which alter natural shoreline processes to be designed to eliminate or mitigate adverse impacts on local shoreline sand supplies.*

COS-2.6 Public Access *The County shall continue to plan for the preservation, conservation, efficient use of, enjoyment of, and access to resources, as appropriate, within Ventura County for present and future generations.*

Coastal Act Section § 30211 Development Shall Not Interfere with Coastal Access: *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.*

Coastal Act Section § 30230 Marine Resources; *Maintenance 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.*

Coastal Act Section § 30231 Biological Productivity; *Water Quality 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 waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Coastal Act Section § 30253 Minimization of Adverse Impacts *New development shall do all of the following:*

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (b) 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.*
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.*
- (d) Minimize energy consumption and vehicle miles traveled.*
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

4.1.3-6.8 Shoreline Protection Devices: When *shoreline protective devices*, such as revetments, seawalls, groins, or breakwaters are permitted, they shall incorporate mitigation measures that reduce *intertidal* or nearshore *habitat* losses and impacts on local shoreline sand supply (see Policy 6.9 below).

4.1.3-6.9 Beaches/Intertidal Areas:

- a. An applicant for any coastal project, including *shoreline protective devices*, will show that its proposal will not cause long-term adverse impacts on beach or *intertidal areas*. Impacts include, but are not limited to, shoreline sand supply, destruction of the rocky substrate, smothering of organisms, contamination from improperly treated waste water or oil, and runoff from streets and parking areas. Findings to be made will include, but not be limited to, proper waste water disposal.
- b. Placement or removal of any sand, fill, rocks or dredged material along *beaches* or *intertidal areas*, including beach replenishment and the creation of new *dune habitats*, shall be carried out utilizing the best available science that includes, but is not limited to, sea level rise projections, and in consultation with the State Department of Fish and Wildlife and other *natural resource agencies*. Such activities shall be designed to minimize adverse impacts on beach, *intertidal*, and offshore *coastal resources*.
- c. The County shall encourage State Parks and Caltrans to implement *beach erosion* reduction measures, such as beach nourishment along Highway 1, to

reduce the potential for existing roadway encroachment upon *ESHA* or *buffer zones*.

4.1.3 (B.) Beach Erosion - Solimar Beach Colony: *The North Coast beaches are highly vulnerable to erosion and wave damage. Dredging operations in Santa Barbara Harbor alter sand transport down coast. Without adequate replacement sand, high tides and waves erode the beaches. Beachside designated "Existing Communities" are losing beach front during these times, and seawalls are being undermined, critically endangering residences. Erosion is weakening the existing seawalls. If homes are to be protected, then improvements will have to be made. This area is "Present Use Critical".*

4.1.3 (B.) Hazards Goal 2

To protect public safety and property from beach erosion as provided in existing ordinances, and within the constraints of natural coastal processes.

Policies

- 1. Proposed shoreline protective devices will only be approved and/or located in conformance with Coastal Act Sections 30235 and 30253.*
- 2. All shoreline protective structures which alter natural shoreline processes will be designed to eliminate or mitigate adverse impacts on local shoreline sand supply.*
- 3. A building permit will be required for any construction and maintenance of protective shoreline structures, such as seawalls, jetties, revetment, groins, breakwaters and related arrangements.*
- 4. The County's Building and Safety Department will routinely refer all permits for seawalls, revetments, groins, retaining walls, pipelines and outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream structures, net littoral drift, and downcoast beach profiles.*
- 5. If the potential environmental impacts of the proposed structure are considered significant by the Public Works Agency, the applicant will then be required to obtain an engineering report that specifies how those impacts will be mitigated.*
- 6. Permitted shoreline structures will not interfere with public rights of access to the shoreline.*

Staff Analysis: The Coastal Act and the Ventura County Local Coastal Program limit the construction of shoreline protection devices due to impacts on coastal resources like coastal access, and sand supply. The proposed Project resulted in the placement of rock material on the top of an existing rock revetment permitted by the California Coastal Commission in 1981 (Coastal Development Permit Case

No. 216-21 and Amended by A-219-79). The revetment was constructed for the protection of existing beachfront lots from coastal hazards such as wave action and coastal flooding. The County of Ventura Planning Division has reviewed file documentation related to the placement of this repair material including the Project Plans and the Letter Report for the Conversion of Emergency Development Permit (May 2023, Exhibit 7). As indicated in the Emergency Permit Authorization (Dated January 31, 2023, Exhibit 6) the Solimar Rock Revetment experienced damage from a combination of winter high surf, torrential rain and waves in excess of 15 to 20 feet, resulting from storm system known as a 'bomb cyclone' which occurred on January 4 and 5, 2023. The condition of the revetment was found to have been undermined as evidenced by the presence of voids where rocks had been dislodged and fallen onto the beach. In particular, storm damage occurred along the upcoast portion of the development near an artificial point of the Solimar Beach Colony development (adjacent to 3164 Solimar Beach Dr). This damage to the revetment placed the two existing homes located at 3164 and 3154 Solimar Beach Drive and existing infrastructure located landward of the dwellings (SR 1, Southern Pacific Railroad tracks and underground utilities) at risk for potential damage from further coastal flooding and wave action, though no damage to the homes has occurred to date. As indicated in the Coastal Area Plan Policy 4.1.3 (B.), Solimar Beach is designated "Present Use Critical" and erosion is weakening existing seawalls within this designated subarea of the County. Accordingly, the Planning Director affirmed findings for approval pursuant to Ventura County Coastal Zoning Ordinance (CZO) Section 8181-3.7.

Repair Project Exceeding Categorical Exclusion Provisions of the CZO

Staff determined that the repair work would not qualify as repair or maintenance exempt from the requirement of a Coastal PD Permit, based upon review of CZO Section 8174-6.3.2 (b) (1) (ii) and (iv). The Planning Director determined that the emergency repair work involved both the placement of solid materials on a shoreline protective work and involved the presence of mechanized construction equipment and materials in a sandy beach area. As required by the emergency permit issued by Ventura County, the applicants filed for an after-the-fact Coastal Planned Development (PD) Permit for the formal authorization of the completed repair work.

The Project Plans (Exhibit 3) depict the placement of the 268 tons of replacement rock material (capstone) adjacent to the rear yard areas for 3164 and 3154 Solimar Beach Dr, across/parallel (to the shoreline) length of the Solimar Colony revetment measuring approximately 214 feet and a perpendicular length of the revetment measuring approximately 59 feet. 268 tons of replacement rock material were temporarily stockpiled on January 15, 2023, using access point approximately 200 feet north of the Project site. The work was completed during a negative tide window from February 16 through February 21, 2023.

The site was inspected following the filing of the Coastal PD Permit on May 25, 2023. The applicant's engineer also provided a supporting statement regarding the completion of the work (Exhibit 7). The applicant's engineer states that the repair rock is sound and sourced from Pacific Rock Quarry in Somis, CA. The materials were of a similar hardness and density to other rock found in revetments along this section of the California coast. The rock was placed appropriately on the revetment and did not expand the existing shoreline protection device. The project had no new impact upon adjacent or downstream structures or properties including new impact upon sand supply or littoral patterns. The Project was also found to have no determinantal impact upon beach scour as this segment of the revetment was constructed upon bedrock. As described in the supporting letter report, the project is best characterized as the replacement of a minor percentage of the capstone rock located above the foundation and larger manstone portion of the revetment. The placement of this capstone returned the rock revetment to its original configuration and did not change the original footprint, location, design height (15.27 above NGVD or the National Geodetic Vertical Datum) or shape of the previously approved shoreline protection device.



Figure 1 - May 25, 2023, View of the revetment south (down coast) showing the point referenced in the emergency permit.

Other Provisions of the LCP and Coastal Act

The proposed Project was located temporarily on sandy beach areas within the intertidal zone, though the applicant's contractors took precautions and did not operate during high tides. Coastal waters adjacent to the Project site were not adversely impacted as the listed activities were appropriately monitored and the stockpiling and cap-stone placement was completed within the authorized parameters of the emergency permit with no introduction of pollutants and no erosion during this period. With respect to public access, the Solimar Beach Colony was required to dedicate a lateral public access deed restriction pursuant to the requirements of California Coastal Commission Development Permit No. 216-21 and amendment A-219-79 which was recorded on November 23, 1981 under instrument 198111230116090. The placement of the rock material and the temporary construction work did not impact the provision for public access within the Solimar beach area.

Based on the discussion above, the proposed project is consistent with General Plan Policies HAZ- 3.1, HAZ-4.5, COS-2.1, COS-2.5 COS-2.6, Coastal Act Sections 30211, 30230, 30231 and 30253, and Coastal Area Plans Policies 4.1.3-6.8, 4.1.3-6.9, and 4.1.3 (B) with Goal 2 and Policy 1-6.

- 6. Ventura County General Plan Hazards Policy HAZ-9.1 Limiting Unwanted Noise:** *The County shall prohibit discretionary development which would be impacted by noise or generate project-related noise which cannot be reduced to meet the standards prescribed in Policy Haz-9.2. This policy does not apply to noise generated during the construction phase of a project.*

HAZ-9.2 Noise Compatibility Standards: *The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:*

1. *New noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.*
2. *New noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed L10 of 60 dB(A)*
3. *New noise sensitive uses proposed to be located near airports:*
 - a. *Shall be prohibited if they are in a Community Noise Equivalent Level (CNEL) 65 dB or greater, noise contour; or*
 - b. *Shall be permitted in the Community Noise Equivalent Level (CNEL) 60 dB to CNEL 65 dB noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 dB or less.*

4. *New noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:*
 - c. *Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.;*
 - d. *Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.; and*
 - e. *Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.*
5. *Construction noise and vibration shall be evaluated and, if necessary, mitigated in accordance with the Construction Noise Threshold Criteria and Control Plan (Advanced Engineering Acoustics, November 2005).*

Staff Analysis: The proposed project is located adjacent to State Route (SR) 1 (Pacific Coast Highway) and within the CNEL 60 dB(A) noise contour, as mapped in the RMA GIS noise contour maps (2023). Noise-sensitive land uses are generally considered to include residences and recreation and open space areas and include the Solimar Beach Colony residential community and the beach. The proposed Project itself is not considered a noise sensitive land use, once complete the repairs to the shoreline protective device is a fixed/stable structure. However, construction activities associated with the project, does have the potential to impact noise sensitive land uses (i.e., residents and beachgoers). Based on review of the submitted Request for Emergency Permit (Exhibit 6), the repair work was constructed in compliance with the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010) for temporary noise impacts for construction projects with the work occurring within acceptable hours during the week and on weekends. The submitted request for the emergency permit (Exhibit 6) indicates the work was completed in conformance with the County's program for temporary impacts from construction noise.

Based on the discussion above, the proposed project is consistent with General Plan Policies HAZ-9.1 and HAZ-9.2.



January 31, 2023

Ms. Kathleen Holmgren
3164 Solimar Beach Drive
Ventura, CA 93001-9756

Mr. James Dickey
3154 Solimar Beach Drive
Ventura, CA 93001-9756

SUBJECT: Emergency Coastal Development Permit
Rock Revetment Repair

Assessor's Parcel Numbers (APN):

APN 060-0-330-080: Solimar Beach Colony (Rock Revetment)

APN 060-0-330-010: Solimar Beach Trust (Staging/Stockpile Site)

APN 060-0-340-200: 3164 Solimar Beach Drive (Holmgren Property)

APN 060-0-240-230: 3154 Solimar Beach Drive (Dickey Property)

Dear Ms. Holmgren and Mr. Dickey:

On Monday, January 16, 2023, Kathleen Holmgren and James Dickey contacted Ventura County Resource Management Agency, Planning Division requesting an Emergency Coastal Planned Development Permit to repair the rock revetment on the south side of 3164 and 3154 Solimar Beach Drive. The rock revetment is located on APN 060-0-330-080 and is owned by the Solimar Beach Colony Homeowner's Association. Property owners are required to maintain the portion of the revetment adjoining their homes.

A. Request

The Solimar Beach Colony rock revetment is 3,860 linear feet. The revetment was constructed in 1981 in accordance with Coastal Development Permit (CDP) 216-21. The rock revetment absorbs the energy coming from incoming waves and water and protects 70 single-family dwellings.

Nature of Emergency

As a result of the recent high surf, significant rainfall, and floating debris in the water, many of the large rocks supporting the revetment have become dislodged and have fallen onto the adjacent sand. Rocks on the upper portion of the revetment are unstable and are prone to tumbling onto the beach.

County of Ventura
Planning Director Hearing
Case No. PL23 - 0034
Exhibit 6 - County of Ventura Planning Division, Emergency
Coastal Development Permit Rock Revetment Repair

Cause of the Emergency

According to the National Weather Service, on January 4 and 5, 2023, Ventura experienced torrential rain, high tides, storm surges, and breaking waves in excess of 15 to 20 feet. The storm known as the 'bomb cyclone' brought up to two to four inches of rain and winds as high as 45 mph across all waters in Ventura.

The Location of the Emergency

The brunt of the wave action occurred along northern reach of the revetment where it terminates at a "point" and approximately 300 feet southward along the seaward side of the revetment in front of 3164 and 3154 Solimar Beach Drive.

The Remedial, Protective, or Preventive Work Required to Deal With The Emergency

The objective is to make the rock revetment safe, return the revetment to its original configuration, and maintain its function and integrity. The work will serve to maintain the original footprint, location, design height and shape of the previously approved revetment and will not involve any significant reconstruction of the existing revetment. Based on the site survey taken on January 11, 2003 for the property at 3164 Solimar Beach Drive, the toe of the revetment is located at 0.0' National Geodetic Vertical Datum (NGVD) and the top of the revetment is at an elevation of 15.27' NGVD.

The Circumstances During the Emergency That Appeared to Justify the Course(s) of Action Taken, Including the Probable Consequences of Failing to Take Action

The current condition of the revetment is undermined by the voids where rocks have been dislodged and have fallen onto the beach. If not repaired the revetment will create a safety hazard to beachgoers attempting to access the beach from the landward side by crawling on top of the revetment and the potential for rock to fall from the revetment and land on the beach.

B. Project Description

See Attachment A, Emergency Permit

C. Findings

By the authority granted to me by the Ventura County Coastal Zoning Ordinance (Section 81813.7 et seq.), and based on the information provided above and submitted by Kathleen Holmgren and James Dickey, I hereby find:

1. An emergency exists and requires action more quickly than permitted by the procedures for administrative permits, or for ordinary permits administered pursuant to the provisions of Section 30600.5 of the Public Resources Code,
2. The work proposed would be consistent with the requirements of the County's certified Local Coastal Program.

3. On January 27, 2023, in accordance with Ventura County Coastal Zoning Ordinance Section 8181-3.7 d, the Planning Director notified by Microsoft Teams, Barbara Carey, Deputy Director of the South-Central Coast District Office of the California Coastal Commission as to the nature of the emergency and the scope of the work to be performed.

Please contact Jennifer Trunk via phone at (805) 654-2465 or email at Jennifer.Trunk@ventura.org if you have any questions about this Emergency Permit Authorization.

Sincerely,



Dave Ward, Planning Director
Ventura County Planning Division

- c: Barbara Carey, Deputy Director, California Coastal Commission South Central Coast District, 89 South California Street, Suite 200, Ventura, CA, 93001-2801

First District Supervisor Matt LaVere, 800 South Victoria Avenue, L#1900, Ventura, CA 93009

Mr. Dennis E. Chenoweth, President, Solimar Beach Colony Homeowner's Association, 2812 Pacific Coast Highway, Ventura, CA 93001

Earth – Ex Inc., Attn: Sabrina Ruth Ayala, 2135 N. Oxnard Blvd., Space 214, Oxnard, CA 93036

ATTACHMENT A Emergency Permit

Date of Issuance: February 1, 2023
Expiration Date: February 23, 2023

Scope of Work:

The following repairs are proposed:

February 13, 2023: Clear Site and Stockpile Rock

Approximately 200 feet north of 3164 Solimar Beach, at the end of a chain-link fence, a temporary path leading from State Route (SR) 1 (Old Pacific Coast Highway) will provide access to the repair site. An unmarked parking space will be the entry point, approximately three to five rocks will be removed, and a sand berm/ramp constructed to gain access to the sandy beach. Debris will be removed that obstructs the temporary beach access.

A dump truck will deliver rock to the site and unload rock at the entry point of the temporary beach access; the dump truck will not be on the beach. One dump truck at a time will deliver six loads of rock (six round trips).

Each dump truck delivery holds 20 tons of rock:

- 2 loads of 3 ton rock
- 2 loads of 2 ton rock
- 2 loads of 1 ton rock (filler rock)

Flagman will be holding slow/stop signs while the end dumps are arriving and unloading rock and departing. Each delivery is estimated to take 15 minutes per truck load.

The only equipment that will be on the beach will be:

- 1 large rubber track excavator with thumb attachment
- Compact Loader

February 15, 2023: Start Moving Rock

The compact loader will deliver the rock to a temporary stockpile site just north of the existing rock revetment during low tide (Estimated Time: 11:00 AM to 12:30 PM).

February 16 through February 21, 2023: Repair and Maintenance Activities

Repair and maintenance work is proposed during the afternoon hour when there is a negative tide (-1.1 to -1.8).

Estimated Time Frames:

February 16: 11:00 AM to 2:00 PM
February 17: 11:30 AM to 2:30 PM
February 18: 12:00 PM to 3:00 PM
February 19: 12:30 PM to 3:30 PM
February 20: 1:00 PM to 4:00 PM
February 21: 1:30 PM to 4:30 PM

A second delivery of rock will be delivered to the site using the temporary beach access. The truck will deliver six loads (six round trips) and unload the rock at the temporary sand ramp.

Each delivery holds 20 tons of rock:

- 2 loads of 3 ton rock
- 2 loads of 2 ton rock
- 2 loads of 1 ton rock (filler rock)

To the total amount of rock material to be replaced is less than 18 percent of the existing rock revetment in this location.

During higher tides, equipment would be removed from the beach and will be staged in the Solimar Beach Colony storage yard.

The work will serve to maintain the original footprint, location, design height and shape of the previously approved revetment and will not involve any significant reconstruction of the existing revetment. Based on the site survey taken on January 1, 2003 for the property at 3164 Solimar Beach Drive, the toe of the revetment is located at 0.0' National Geodetic Vertical Datum (NGVD) and the top of the revetment is at an elevation of 15.27' NGVD. Approximately 200 linear feet in front of 3164 Solimar Beach Drive and 100 linear feet in front of 3154 Solimar Beach Drive of the rock revetment will be repaired. The proposed repair and maintenance will replace rock material that has been lost to natural subsidence or the inadvertent loss due to storm damage. New smaller armor rock (1-2 foot in diameter) from a local quarry will be used to infill gaps to stabilize the revetment. The replacement rock will match the existing material in the revetment. All rock placements will be landward of the revetment toe. No new rock will be placed on the beach. There will be no alterations to the foundation.

The work zone will have safety cones delineating and confining the construction activities while providing ample area for lateral access along the beach for the public and residents.

Following completion of the repair and maintenance, all equipment and traffic cones will be removed from the beach, the temporary sand/berm ramp dismantled, and the rock

that was temporarily relocated for the temporary beach access replaced in the same location.

Terms and Conditions of the Permit:

1. The Permittee shall post a copy of this Emergency Permit in a conspicuous location on the Project site, so that the Emergency Permit is visible to the general public.
2. The Permittee shall maintain the Project site in compliance with the authorized scope of work described above. All equipment and construction cones will be removed from the beach prior to the high tide each day and stored at the Solimar Beach Storage Yard.
3. The Permittee's contact person(s) are provided below. The contact person shall respond to complaints from citizens which are related to the permitted uses of this Emergency Permit.

Contact Person(s)

Contractor:

Earth – Ex Inc.
Attention: Sabrina Ruth Ayala
2135 North Oxnard Blvd., Space 214
Oxnard, CA 93036
(805) 393-0631
sabrina@earth-ex.net

Applicants/Permittees:

Kathleen Holmgren
3164 Solimar Beach Drive, Ventura, CA 93001
(925) 963-1216
kholmgren5@gmail.com

James Dickey
3154 Solimar Beach Drive, Ventura, CA 93001
(909) 237-2777
jimmydickey50@gmail.com

4. The Permittee shall immediately notify the Planning Director by telephone, email, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property inside or outside the Project Site.
5. Any development or structures constructed pursuant to this emergency permit shall be considered temporary until authorized by a follow-up coastal development permit, and that the issuance of an emergency coastal development permit shall not constitute an entitlement to the erection of permanent structures.

6. The development authorized in the emergency permit must be removed unless a complete application for a regular coastal development permit for the development is filed within 90 days of approval of the emergency permit is approved. If a regular coastal development permit authorizing permanent retention of the development, or a portion of the development, is denied by the decision-making authority, then the development that was authorized in the emergency permit, or the denied portion of the development, must be removed.

May 18, 2023

Mrs. Kathleen M. Holmgren
3164 Solimar Beach Road
Ventura, CA 92001

James Dickey
3154 Solimar Beach Road
Ventura, CA 93001

Subject: Application for:
Conversion of Emergency Development Permit
For the Repair of An Existing Rock Revetment
At 3154-3164 Solimar Beach Road
Ventura, CA 93001

References: Number One
Emergency Coastal Development Permit
Dated: January 31, 2023
Rock Revetment Repair on County of Ventura Assessor's Parcel Numbers:
060-0-330-080
060-0-330-010
060-0-340-200
060-0-240-230

Number Two
CDP Application for Repair of Rock Revetment
At: 3164 and 3154 Solimar Beach Road
Ventura, CA

Number Three
e-mail dated 3/27/2023
From: Mr. John Oquendo, AICP
Senior Planner
County Of Ventura Resource Management Agency - Planning

County of Ventura
Planning Director Hearing
Case No. PL23 - 0034
Exhibit 7 - Letter Report - Conversion of
Emergency Development Permit (David C
Weiss, Structural Engineer & Associates Inc.,
Dated May 18, 2023

Number Four

e-mail dated 5/11/2023

From: John Oquendo, AICP

Senior Planner

County of Ventura Resource Management Agency - Planning

Subject: Incompleteness Letter & Additional Information Required

Number Five

County of Ventura Grading Plan/Rock Revetment Section

Dated: 6/1/86

Revs.: 1/28/88; 2/25/88; 6/25/88

Our Job Number: HOL11.123

Dear Mrs. Holmgren/Mr. Dicky,

The purpose this report is to furnish the County of Ventura Resource Management Agency – Planning with the information requested in documents Numbers Four and Five referenced above and discussed with Mr. John Oquendo in a telephone conversation April 27, 2023. Solimar Beach Road has been armored with rock since the early 1960's with a major reconstruction of the revetment occurring in the early 1980's. Until the work of the 1980's, the northwesterly 400 feet (known as Parcel A) of the Solimar Beach Development was protected by only a timber seawall. As part of the 1980's revetment reconstruction permission was granted to extend the rock revetment across Parcel A, giving the now total length of rock revetment protection to the Solimar Beach Development its present length of 3860 lineal feet.

While all parties involved agree that, when considering the construction of a new rock revetment on a beach, all of the data requested in the e-mails referenced above is necessary, this application is for a rather minor repair of an existing rock revetment. Therefore, as a Civil/Structural Engineer, licensed in the State of California, with experience in Coastal Engineering Issues, the following is this office's response for the requested information. The item numbers correspond with those of Mr. Oquendo's e-mail of March 27, 2023:

1. A site plan has been submitted with the CDP Application clearly showing where the repair rock is to be placed on the two lots. The repair rocks are to be placed on the face of the existing revetment, above the toe of the revetment and well off the sandy beach.
2. Geologic Data-
 - a. The repair rock is sound. It was quarried at Pacific Rock Quarry, Somas CA. It has the same density and hardness as other rocks used in revetments along this section of coast. This repair project will have no additional effect on the coastal environment than the original revetment. The repair rock was placed completely on the revetment and does not extend anywhere past the toe of the revetment. The footprint of the revetment was in no way expanded. The repair

will have no effect whatsoever on adjacent or downstream structures or properties. The repair of the existing revetment, as constructed under the Emergency CDP has nor will it have any effect on downcoast littoral drift.

- b. This is a sandy beach and, of course, it is susceptible to scour by attacking waves. This beach scours from time to time. The difference between beach scour and erosion is that under scour conditions, the sand washes off the beach, but is pushed back onto the beach when wave conditions change. Under "erosion", the sand washes off and does not return. A soils report was prepared by Heathcote Geotechnical dated May 15, 2002 for the foundation design of the house. The report is on file with the building permit records (or should be) for the house structure at 3164 Solimar Beach Road. The soil profile should not vary significantly between 3164 and 3154. The report states that where the soil tests were taken on the building site, there was clayey silt, over sand to a depth of approximately 14' below the elevation of the building site to bedrock. That would put the bedrock elevation at approximately 0.0' MSL. The attached 1986 Rock Revetment/Grading Plan shows the bottom of the Revetment at -3.0 MSL; therefore, on or into the bedrock. The attached Design Beach profile prepared by this office in 2003, for the construction of the house on 3164, shows that the theoretical scour of the beach in a "design storm" would be to about -3 MSL. This could not happen, since the bedrock is at elevation 0.0'. According the attached revetment plan, the toe of the rock is already on the bedrock (-3.0 MSL). The attached beach profile would occur when the beach was at the lowest 1% of its scour depth during a 1% occurrence of the highest tides. $.01 \times .01 = .0001$ one in 10,000 chance occurrences. This is a very small probability. The photographs (attached) taken in 2003 and 2023 show very little difference in the elevation of the beach at the southwest corner of the bulkhead. What difference there seems to be is partially an optical illusion. The photograph taken in April of 2023 is taken further from the revetment and the person in the picture is shorter than the one in the 2003 photo.
- c. The repaired shoreline protective device is a rock revetment that has been in place for at least forty years. The revetment consists of an approximately three feet thick layer of drain rock at its base, anchored by a layer of 200lb to 400lb "man-stone" which in turn is protected from wave scour by a layer of "cap-stone" weighing between one to two Tons. The repair of the revetment consists of nothing more than replacing a minor percentage of the cap-stone rock, that has rolled off the face of the revetment, with like and kind. This office prepared a wave uprush study dated April 24, 2003 for the site and presented recommendations for the site to be safe from ocean wave action. That report can also apply to the 3154 site also. The report was required for the applicants at 3164 Solimar Beach Road to obtain their building permit and should still be on record in the County of Ventura files. In the uprush study report it was stated that from time-to-time cap-stone might roll off the surface and have to be replaced. There is no record that either site has suffered damage due to inundation by wave uprush.
- d. While the wave uprush study prepared in 2003 (noted in Item c above) estimated that the beach would scour to an elevation of -3.0' MSL, this could not happen, since bedrock is at about 0.0' MSL. For that 2003 report, an analysis was prepared to show the array of waves that could break on the face of the revetment and their potential uprush on the face of the

revetment. Determination was made that the critical design wave in the array had the potential to uprush to an elevation of +17.5 MSL. Because of the roughness of the surface of the revetment, it was recommended that the uneven top of the revetment be raised to +16.5' MSL, or a wall with a top elevation of +16.5 MSL and a concave face on the ocean side be built at the top of the revetment.

- e. The depth of bedrock for a vertical seawall would be at elevation 0.0' MSL or approximately 14' +/- below the elevation of the building pad.
- f. This office has no information regarding the hydrology; however, it is properly assumed that the revetment traps no underground springs under the site. There is no evidence of water having seeped out of the ground and down the face of the revetment during the life of the revetment. More importantly, since a rock revetment is very porous, any water that might be trapped behind the structure could easily weep out.
- g. The original plan of the revetment is attached (Reference No. Five).
- h. Not applicable.
- i. The Heathcote Geotechnical report for this site is on file with the building permit records for 3164 Solimar Beach Road.
- j. Filter fabric was not used in construction of the revetment. The drain rock layer at the base of the structure and behind the larger rock is what prevents the "fines" from washing out from behind the revetment. Whatever layering actually exists under the cap stone is working. There is no history that the soil under the building pad has been washed out or any kind of "hour glassing" of soil at the top of the revetment.
- k. The revetment has had no effect on the adjacent properties (other than to protect them from ocean wave attack). The small percentage of rock replaced on the surface of the revetment will have no effect on adjacent properties, other than to maintain the integrity of the revetment.
- l. As with any structure in the caustic marine environment, a rock revetment must be monitored; i.e., a property owner should inspect it (or have it inspected) from time to time. If rock is found to have rolled off the face of the revetment (and it will), it must be replaced to maintain the integrity of the structure. The Scope of Work section of the application for this CDP, describing the process of bringing the repair rock to the site and equipment used is the perfect "template" for this type of repair work.
- m. The placement of the repair rock has returned the revetment to its original configuration and has not changed the original footprint, location, design height or shape of the previously approved revetment. This repair does not involve any significant reconstruction of the revetment.

- n. The total amount of rock in the repair of the revetment at 3164 Solimar Beach Road was 91 tons (2.5% of the existing revetment of that site) and 177 tons on 3154 Solimar Beach Road (less than 13% of the existing revetment on that site).

Conclusion – This project is a minor repair of an existing rock revetment that has been in place along the shoreline of the Solimar Beach Community in its present form for at least forty years and in one form or another since the 1960’s. The repair for which the applicants are applying consists of a minor volume of rock to be placed on a length of rock revetment in the Solimar Beach Community. The Solimar community revetment is 3860 feet long. We are considering a length of revetment repair on about 300’ of that revetment. All of this is totally insignificant considering the entire California coast line from Emma Wood State Beach south of Solimar north to the Ventura County line is armored with rock.

It is imperative that this portion of the rock revetment remain stable not only for the protection of the houses at 3154 and 3164 Solimar Beach Road but also the protection of Pacific Coast Highway, which is in close proximity to the two sites.

Thank you for your consideration of these matters. If you have any questions, please contact me.

Very truly yours,



David C. Weiss
S.E. 1867



GENERAL NOTES

DATUM PLANE:
 MEAN LOWWATER WATER (MLLW) = 0'
 MEAN SEA LEVEL (MSL) = +2.0' MLLW
 MEAN HIGHWATER (MHW) = +4.0' MLLW
 STILL WATER SURFACE (SWS) = +2.0' MLLW + 1.5' MLLW

COMPOSITE SLOPE USED IN DETERMINING WAVE PROFILES

PROJECT: **San Diego Harbor**
 CONTRACT NO.: **91-03**
 DATE: **10/1/88**

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 CHECKED BY: **David C. Wells**
 DRAWN BY: **David C. Wells**

APPROVED BY: **David C. Wells**
 DATE: **10/1/88**

CLIENT: **San Diego Harbor**
 ADDRESS: **San Diego, CA 92101**

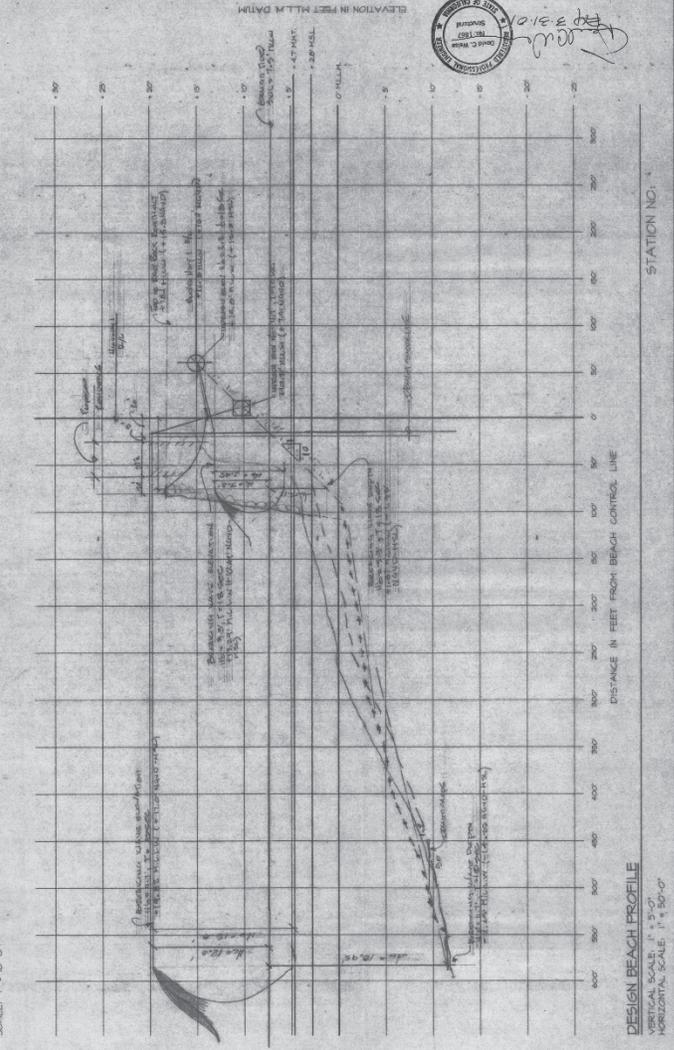
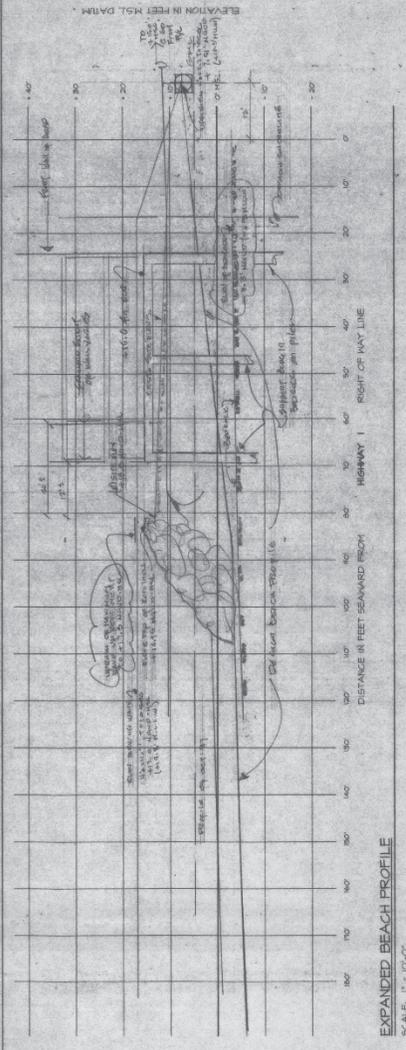
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--- 100 Year Wave Profile
 --- 50 Year Wave Profile
 --- 25 Year Wave Profile

⊕ BK UPSET @ MLLW (MSL)
 Hor 3.3' HOB SEC.

⊖ BK UPSET @ MLLW (MSL)
 Hor 1.1' HOB SEC.



STATION NO. _____



Photograph Dated 4/4/2002. Red Mark on the rock is elevation 4.5' MSL. Feet of man standing on the beach are at approximately 0.0' MSL



Photograph taken April 11, 2023. Elevation of each is not much different from That taken in 2003.