

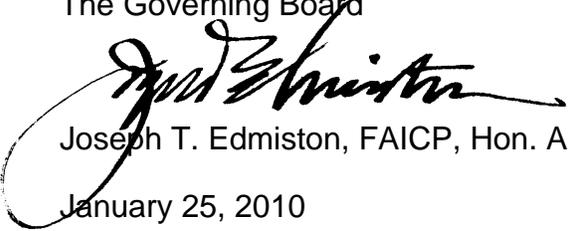


# MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens  
570 West Avenue 26, Suite 100  
Los Angeles, California 90065  
Phone (323) 221-9944 Fax (323) 221-9933

## MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: January 25, 2010

SUBJECT: **Agenda Item IV: Consideration of resolution authorizing amendment to Malibu Coastal Development Permit Application No. 07-087, Lechuza Beach Public Access Improvements Project, to add 1) an accessible portable restroom facility on Authority property on or adjacent to Lot "A" (West or East Sea Level Drive) (APN 4470-021-900 or 4470-028-918); 2) a removable, seasonal beach accessible ramp between the proposed viewing platform and beach adjacent to East Sea Level Drive; and 3) a twenty-four-foot-wide access road on public right-of-way between Broad Beach Road and the terminus of West Sea Level Drive (Lot "A"), City of Malibu.**

Staff Recommendation: That the Governing Board adopt the attached resolution authorizing amendment to Malibu Coastal Development Permit Application No. 07-087, Lechuza Beach Public Access Improvements Project, to add 1) an accessible portable restroom facility on Authority property on or adjacent to Lot "A" (West or East Sea Level Drive) (APN 4470-021-900 or 4470-028-918); 2) a removable, seasonal beach accessible ramp between the proposed viewing platform and beach adjacent to East Sea Level Drive (ESL); and 3) a twenty-four-foot-wide access road on public right-of-way between Broad Beach Road and the terminus of West Sea Level Drive (Lot "A").

Background: Staff submitted Malibu Coastal Development Permit Application No. 07-087, Lechuza Beach Public Access Improvements Project in 2007. The application has been amended at least three times subsequently for additions such as adding a second view area on the West Sea Level Drive bluff, adding a sign to acknowledge the Coastal Conservancy grant funding, and for design revisions to the Bunnie Lane stairway access gate.

As recently as this fall, the City of Malibu planning staff has informally indicated that the MRCA's application is complete and ready for submittal of materials to go before

the City's Environmental Design Review Board. However, both to better serve the public and comply with applicable laws, three additional project elements should be added to the application.

### **Proposed Amendment Elements**

1) Adding an accessible portable restroom facility on Authority property on or adjacent to Lot "A" (West or East Sea Level Drive) (APN 4470-021-900 or 4470-028-918) will improve the health and safety of the beach, provide for the environmental protection of the beach as well as improve access to and support of the ongoing recreational use of the beach.

In similar circumstances, it was determined that installation of a restroom at a beach would benefit the public and "[h]ealth issues related to diseases from contact with human waste would be significantly diminished" (United States Department of the Interior, 2009).

In addition, the installation of restrooms in public parks have been encouraged to avoid water quality and other related environmental impacts by providing appropriate restroom facilities for park users who might otherwise inappropriately use the park (California Coastal Commission, 2009).

Installing a restroom also increases access to the beach. As described in the City of Malibu Local Coastal Plan, managing and increasing coastal access...

"...involves improving not only the physical supply of access, but all of the other variables that contribute to ensuring maximum coastal access... These variables include...support facilities such as restrooms..."

Policy 2.67 of the Malibu Land Use Plan states, in part:

"Facilities to complement public access to and along the shoreline should be provided where feasible and appropriate. This may include parking areas, restroom facilities, picnic tables, or other such improvements."

In addition, installation of public restrooms is supported as to "mitigate against impacts, social and otherwise, of overcrowding or overuse by the public of any single area" (California Public Resources Code §30212.5).

Most likely the proposed portable accessible restroom would be sited on the existing West Sea Level (WSL) Drive overlook. The available space at East Sea Level would require substantial plan changes. A rendering of the WSL location will be posted on the MRCA website and copies will be handed out at the meeting. Essentially the addition would consist of a fully accessible portable restroom with a an attractive wood enclosure. The

restroom would be serviced by a sanitary service company. The restroom will be located on MRCA fee simple property.

Sources cited:

1. United States Department of the Interior: Bureau of Land Management, *Finding of No Significant Impact for the Bastendorff Beach Restroom and Parking Lot DOI-BLM-OR-C030-2009-0010-EA*. September 25, 2009, page 2.
2. California Coastal Commission, *W6a Appeal A-3-SLO-08-018: ODSVRA Restrooms*. Prepared May 21, 2009 (for June 10, 2009 Hearing), page 2.
3. City of Malibu, *Local Coastal Program Land Use Plan*. Adopted by the California Coastal Commission on September 13, 2002, pursuant to the provision of PRC Section 30166.5, pages 11 and 12.

2) In meetings with the community and the Coastal Commission staff there has been consensus that a permanent 100-foot-long accessible ramp to the beach originating at ESL Drive was not desirable because of beach impacts. Staff proceeded with three accessible viewing platforms each with accessible parking to provide the next best level of beach access. However, as addressed in reports two weeks ago to the Governing Board, full accessibility is legally required for public funded projects on public lands. Lechuza Beach is a public beach.

To remedy this legal deficiency, a removable, seasonal beach accessible ramp located between the proposed ESL accessible viewing platform and the beach adjacent to East Sea Level Drive is proposed to be added to the application. The fluctuating sand levels at the beach prohibit a ramp in and around the winter season. A season ramp represents adequate accessible access according to the MRCA's accessibility consultant. All visible portions of the ramp would be removed seasonally and then be subsequently reinstalled. Mats would be used to provide beach access to the mean high tide level from the aluminum ramp system. To meet the necessary accessible grade, the ramp system will have to be just over 100 feet long. Examples will be shown at the meeting.

3) The Los Angeles County Fire Department has recently made it clear to staff that improvements to the MRCA's WSL Drive property will require a twenty-foot-wide-paved access road from Broad Beach Road. The best solution that requires no use of private property is to construct a twenty-four-foot-wide access road on public right-of-way between Broad Beach Road and the terminus of West Sea Level Drive (Lot "A"). An engineer has prepared a plan for the MRCA that will be shown at the meeting. This access road would not be gated and would provide vehicle access to the one or two accessible parking spaces proposed at the end of WSL. The reason for a twenty-four-foot-wide access road is that vacant parcels on WSL also need access which necessitates that width. The proposed extension of WSL to Broad Beach Road would be a public private partnership. Apparently the developer of the subject tract was supposed to have completed that road connection in the 1940's as a tract map condition.