



CAA PLANNING

November 3, 2022

OC Public Works
OC Development Services
Mr. Kevin Canning, Contract Planner
300 N. Flower Street
Santa Ana, CA 92702

Subject: Coastal Development Permit Application, Emerald Bay Community Association
Replacement of Main Beach Playground Equipment

Dear Mr. Canning:

On behalf of Emerald Bay Community Association (EBCA), CAA Planning, Inc. (CAA) submits the attached application for a Coastal Development Permit (CDP) in conjunction with the replacing existing playground equipment on Main Beach located in the Emerald Bay Community. The existing playground equipment on Main Beach has outlived its useful life and is need of replacement. The playground open for use by Emerald Bay residents and is located on the beach adjacent to the Main Beach parking lot, as shown on the attached Location Map.

The playground is located approximately 14 feet from the golf cart parking spaces in the parking lot and approximately 120 ft from the hightide line. The playground includes an equipment set with a slide, stairs, two connected platforms, and two sets of monkey bars. The new equipment set will be identical to the existing equipment and of a sand color to blend into the beach setting. The new equipment set will be installed in the same location as the existing playground equipment set and secured with post footings, as shown on the attached Playground Plan and Playground Illustrative.

Equipment required for the playground replacement include a small concrete mixer, shovel, and/or backhoe to dig footings and a bobcat to move the equipment components into place. Removal of the existing equipment and installation of the new equipment will take a total of 2-3 weeks. Staging will take place from the parking lot and the area around the playground will be secured by a 6-foot temporary construction fence during equipment removal and installation activities. The fenced area will have one point of entry and padlocked shut during times when work is not active.

Local Coastal Program

The community of Emerald Bay is regulated by the Emerald Bay Local Coastal Program (LCP), which was approved by the County of Orange (County) on January 24, 1989 and was certified by the California Coastal Commission on September 13, 1989. The LCP serves as both the Land Use Plan and the Implementing Actions Program for the Emerald Bay Community. LCP Land Use Plan Section E.8 permits the development of facilities such as lifeguard towers, volleyball nets and



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similar facilities. The playground is an existing facility that is in need of replacement and is consistent with permitted beach development.

Coastal Development Permit

The proposed project qualifies as “Development” per the County Zoning Code because it proposes the removal of an existing structure and placement of a new structure per §7-9-40.3, and therefore a CDP is required per §7-9-40.4. The project site is located between the ocean and the first public road (Pacific Coast Highway) and is therefore located within the California Coastal Commission appeal jurisdiction as identified in Section III-B of the LCP and delineated on the Post LCP Certification Permit and Appeal Jurisdiction Map.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) allows categorical exemptions for projects that have been determined not to have a significant effect on the environment. (CEQA Guidelines §15300-15332). Following is a brief analysis of why the project is consistent with Class 1, Class 2 and Class 3 categorical exemptions.

Class 1 Categorical Exemption

The Class 1 (Section 15301) exemption provides for the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of the use beyond that existing at the time of the lead agency’s determination. The new playground will be replaced within the same footprint of the existing playground and does not involve physical expansion or expansion of the existing use. The project is exempt under Class Exemption because the new children’s playground will function in the same capacity as existing.

Class 2 Categorical Exemption

The Class 2 (Section 15302) exemption consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. As noted in the Class 1 Exemption discussion above, the new playground equipment will occupy the same footprint as the existing playground equipment and will serve in the same capacity as a children’s playground. The project is exempt under Class 2 Exemption because the new playground equipment will have substantially the same purpose and capacity as the existing playground equipment.



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Class 3 Categorical Exemption

The Class 3 (Section 15303) exemption consists of construction and location of limited numbers of new, small facilities or structures and installation of new small equipment. The playground equipment components total less than 20 feet long and 15 feet wide and would be install within the same footprint as the existing playground equipment. The project is exempt under Class 3 Exemption because it is the installation of new small equipment for a children's playground.

Conclusion

The proposed replacement of existing playground equipment is necessary to ensure the safety of the children and will be a benefit to the Emerald Bay community. The project involves a like-for-like replacement of the existing equipment.

We appreciate the County's consideration on this project and look forward to working with you. If you have any questions, please contact our office at (949) 581-2888.

Sincerely,
CAA PLANNING, INC.

A handwritten signature in blue ink that reads "Shawna L. Schaffner".

Shawna L. Schaffner

Attachments: Location Map
Playground Site Plan
Playground Illustrative

cc: Toni Hughes