



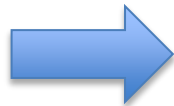
How to Prepare a Complete Coastal Development Permit Application

On-Demand Training Module



Information About this Module

- Focuses on the type and extent of information required to prepare and submit a thorough coastal development permit application
- Highlights the application process with the Coastal Commission
 - local permitting requirements are too extensive to cover
 - coastal development permits issued by local jurisdictions generally have similar application requirements, noticing procedures and review periods
- Please print a hard copy of the Coastal Development Permit application for reference throughout the module





COASTAL DEVELOPMENT PERMIT BASICS





Overview of Permit Application and Submittal/Review Process

Did you know?

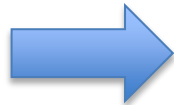
Nearly all development in the coastal zone requires a coastal development permit (or CDP) from either the Coastal Commission or a local government with a certified Local Coastal Program before you can begin construction





Overview of Permit Application and Submittal/Review Process (continued)

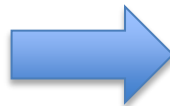
- Definition of Development under the Coastal Act
 - Can range from the placement or erection of any solid material or structure, the change in density or intensity of use of land
- Breaking ground prior to having a permit in hand could result in an enforcement action





Important Timelines

- Key timelines for permit application:
 - The permitting agency has **30 days** after submission of a permit application to notify the applicant of completeness (or incompleteness)
 - Applications are automatically deemed complete if no notification is sent. Be sure to follow up with the permitting agency to determine status
 - If deemed complete, the Coastal Commission has **180 days** to act on the application at a public hearing, with a possible **90 day** extension





Benefits of Early Coordination for Permit Submittal

- It can be difficult for Coastal Commission staff to deem the information submitted as complete, particularly if they are not familiar with large or complex projects
 - Additional technical information is often requested during review to support consistency findings with applicable coastal policies



Benefits of Early Coordination for Permit Submittal

- Providing a thorough package of information will help expedite review and completeness determination
 - Complete project description
 - Detailed project plans and resource maps
 - Alternatives analysis
 - Mailing lists and noticing
 - Technical studies
 - CEQA/NEPA documents



Benefits of Early Coordination for Permit Submittal

- Early coordination meetings provide opportunity to discuss projects before a CDP application is submitted
 - Introduce the project
 - Learn more about Coastal Act policies that apply to the project
 - Discuss potential issue areas
 - Needs for supplemental technical studies
- Projects should be discussed with Commission staff well before a CDP is submitted, often during the environmental review process.

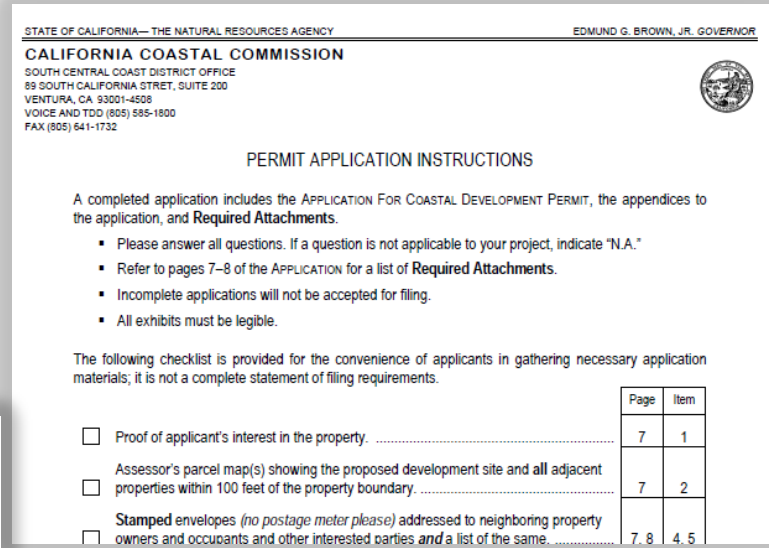


GETTING TO “COMPLETE”



Overview of the Permit Application “Instructions” and Checklist

- Start at the beginning and answer all questions to the extent known
- If a question is not applicable, indicate this on the application form



a. If multi-family residential, state: *N/A*

Number of units			Number of bedrooms per unit (both existing and proposed)	Type of ownership proposed
Existing units	Proposed new units	Net number of units on completion of project		
				<input type="checkbox"/> rental <input type="checkbox"/> condominium <input type="checkbox"/> stock cooperative <input type="checkbox"/> time share <input type="checkbox"/> other _____





Overview of the Permit Application “Instructions” and Checklist

- The checklist highlights key submittal materials and required attachments. Refer to it often
- The application form itself does not constitute the whole of the information needed
- Additional supporting materials and technical information will be necessary for a complete understanding of the project

The following checklist is provided for the convenience of applicants in gathering necessary application materials; it is not a complete statement of filing requirements.

	Page	Item
<input type="checkbox"/> Proof of applicant's interest in the property.	7	1
<input type="checkbox"/> Assessor's parcel map(s) showing the proposed development site and all adjacent properties within 100 feet of the property boundary.	7	2
<input type="checkbox"/> Stamped envelopes (<i>no postage meter please</i>) addressed to neighboring property owners and occupants and other interested parties and a list of the same.	7, 8	4, 5
<input type="checkbox"/> Vicinity map.	8	6
<input type="checkbox"/> Two sets of each: project plan(s), site plan(s), and applicable other plans. (All plans must be stamped and signed "Approved in Concept" by the applicable local government. Please note the size which plans are required to be submitted.)	8	7, 11
<input type="checkbox"/> Copy of any environmental documents (DRAFT AND FINAL EIRs, EISs, NEGATIVE DECLARATION) if prepared for the project and any comments and responses.	8	9
<input type="checkbox"/> Verification of all other permits, permissions or approvals applied for or granted by public agencies.	8	10
<input type="checkbox"/> Copy of geology or soils report (if necessary).	8	11
<input type="checkbox"/> Local approval of the project.	Appendix B	
<input type="checkbox"/> Has the Notice of Pending Permit been posted in a conspicuous place?	Appendix D	
<input type="checkbox"/> Filing fee.	Appendix E	
<input type="checkbox"/> Have you and the agent (if appropriate) signed the application at the appropriate lines on pages 9, 10, and 13?		



Project Description Details

- Page 2 of the application form – Description of proposed development
- Important considerations:
 - Describe the whole of the action
 - Describe construction phasing, staging, and schedule considerations
 - Describe public access and recreational features

2. Describe the proposed development in detail. Include secondary improvements such as grading, septic tanks, water wells, roads, driveways, outbuildings, fences, etc. (Attach additional sheets as necessary.)



• Don't limit your text to the form box



Additional Best Practices for Describing the Whole of the Project

To assist coastal staff in their review:

- Identify
- Summarize
- Provide documentation of relevant actions leading to selection of the chosen alternative



Additional Best Practices for Describing the Whole of the Project (Continued)

- Supporting Technical/ Resource Studies

Completed to identify project impacts and proposed mitigation measures

- Alternatives Analysis

If conducted on the project as a whole or if any unique features were considered in context of avoidance and minimization efforts – include this assessment within your application package



Additional Best Practices for Describing the Whole of the Project (Continued)

- Preliminary Coastal Policy Consistency Analysis

Documents how your project meets the requirements and intent of the relevant Chapter 3 policies of the Coastal Act and any local coastal policies

Will help frame your project in “coastal terms” rather than depending exclusively on a transportation oriented discussion. This can help Commission staff’s analysis of the project



Additional Best Practices for Describing the Whole of the Project (Continued)

- Why? Because Coastal Act policies are different than CEQA/NEPA determinations

Unlike CEQA and NEPA, the Coastal Commission makes findings of consistency based strictly on interpretation and application of the Chapter 3 policies of the Coastal Act

A less than significant impact as determined in an environmental document is not the same as a finding of consistency with applicable coastal policies

The Coastal Commission has the ability to condition your project to consistency or deny the project



Visual Considerations and Grading/Drainage/Erosion Control

- Page 3 of the application – Project height, grading, drainage and erosion control
- Height – for development located in visually sensitive areas, submittal of simulations will facilitate project review
 - Also see Page 6 for questions regarding visibility from public viewing areas
- Include all project plans and geotechnical reports, and any special engineering studies

Link to



[Caltrans SER Volume 5 –Caltrans Coastal Resource Policy Checklist](#)



- Project height: Maximum height of structure (ft.) _____
 - above existing (natural) grade
 - above finished grade
 - as measured from centerline of frontage road
- Total number of floors in structure, including subterranean floors, lofts, and mezzanines..... _____
- Gross floor area excluding parking (sq.ft.)
- Gross floor area including covered parking and accessory buildings (sq.ft.)
- Lot area (within property lines) (sq.ft. or acre)

Lot coverage	Existing (sq.ft. or acre)	New proposed (sq.ft. or acre)	Total (sq.ft. or acre)
Building			
Paved area			
Landscaped area			
Unimproved area			
<i>Grand Total (should equal lot area as shown in # 7 above)</i>			

- Is any grading proposed? Yes No

If yes, complete the following.

a) Amount of cut	cu. yds.	d) Maximum height of cut slope	ft.
b) Amount of fill	cu. yds.	e) Maximum height of fill slope	ft.
c) Amount of import or export (circle which)	cu. yds.	f) Location of borrow or disposal site	

Grading, drainage, and erosion control plans must be included with this application, if applicable. In certain areas, an engineering geology report must also be included. See page 7, items # 7 and 11.

Please list any geologic or other technical reports of which you are aware that apply to this property:



Parking and Public Access

- Parking spaces are valuable resources that support access to coastal areas
- The Coastal Commission is concerned with any loss of parking – both temporary and permanent

9. Parking:

Number of parking spaces (indicate whether standard or compact)		
Existing Spaces	Proposed new spaces	Net number of spaces on completion of project

Is any existing parking being removed? Yes No
 If yes, how many spaces? _____ size _____

Is tandem parking existing and/or proposed? Yes No
 If yes, how many tandem sets? _____ size _____

- Consider alternative parking solutions as you move forward with design, traffic control, and staging plans
- Also see page 5 for questions regarding the project’s location and its effect on public access, including parking
 - Consistency with the Coastal Act is increasingly important if public access is provided on the site or vicinity, or if the project has an effect on this access



(Not So Simple) Application Questions

- Beginning on Page 4 – Characterization of the project's affect on coastal resources afforded the greatest level of protection under the Coastal Act
 - Environmentally Sensitive Habitat Areas (ESHA)
 - Wetlands
 - Agricultural Resources

[California Coastal Act Section 30240 \(ESHA\)](#)

[California Coastal Act Section 30230
\(Marine Environment\)](#)

[California Coastal Act Sections 30241-30242
\(Agricultural Resources\)](#)

Link to





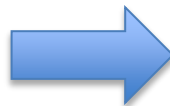
(Not So Simple) Application Questions – ESHA

11. Does project include removal of trees or other vegetation? Yes No
If yes, indicate number, type and size of trees _____
_____ or type and area of other vegetation _____

- Question #11 – information pertaining to the removal of vegetation and trees
 - Page 6, question #9, identifies potential need for a biological survey, hydrologic mapping and inventory of sensitive species to support the review of potential impacts to sensitive biological resources
 - Definition of ESHA includes “any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments”



Link to



[Caltrans SER Chapter 18 – Table 1:
Caltrans General Coastal Resource
Policy Checklist](#)



(Not So Simple) Application Questions – Wetlands

- Top of Page 6 – Potential effects on wetlands and waters of the state
- The Coastal Commission defines wetlands differently than the Army Corps of Engineers, using only a 1-parameter definition
 - To establish wetland conditions, one or more attributes must be shown: vegetation, soils, and hydrology

5. Does the development involve diking, filling, draining, dredging or placing structures in open coastal waters, wetlands, estuaries, or lakes? (Please check yes or no)

a) diking	b) filling	c) dredging	d) placement of structures
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No

Amount of material to be **dredged** or **filled** (indicate which) _____ cu. yds

Location of dredged material disposal site _____

Has a U.S. Army Corps of Engineers' permit been applied for? Yes No

6. Will the development extend onto or adjoin any beach, tidelands, submerged lands or public trust lands? Yes No

For projects on State-owned lands, additional information may be required as set forth in Section IV, paragraph 10.

Link to



[Definition and Delineation of Wetlands in the Coastal Zone](#)



(Not So Simple) Application Questions – Agricultural Resources

8. Will the proposed development convert land currently or previously used for agriculture to another use? Yes No

If yes, how many acres will be converted? _____

- Page 6 – Agricultural conversion
 - If any agricultural land is proposed for conversion, a full alternative analysis will be needed
 - An economic viability analysis will also likely be required
 - If agricultural lands are unavoidably impacted, mitigation will be necessary



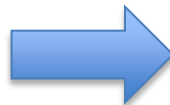
(Not So Simple) Application Questions

Yes or No?

- What appears to be a simple Yes or No question can be key to a determination of effect on sensitive resources
- This could lead to a prohibition on a proposed development, or require extensive mitigation
- To help anticipate these types of questions, familiarize yourself with the Coastal Act Policies



Link to



[Caltrans SER Volume 5 – Caltrans
General Coastal Resource Policy
Checklist](#)



Other Resource Considerations

- Section III also addresses potential effect on other coastal resources of importance, including:
 - State-owned lands
 - Lower cost visitor and recreational facilities
 - Cultural resources
- Supporting technical documentation would be relevant here



Key Application Submittal Requirements/Attachments (Section IV)

- Required attachments are listed on the checklist and in greater detail on pages 7 and 8
- Provide a copy of each item, in the exact format specified, to ensure a complete submittal
- For any items that are not relevant to your project, include an explanation of why it's not included within a cover letter or transmittal summary

SECTION IV. REQUIRED ATTACHMENTS

The following items must be submitted with this form as part of the application.

1. **Proof of the applicant's legal interest in the property.** A copy of any of the following will be acceptable: current tax bill, recorded deed, lease, easement, or current policy of title insurance. Preliminary title reports will not be accepted for this purpose. Documentation reflecting intent to purchase such as a signed Offer to Purchase along with a receipt of deposit or signed final escrow document is also acceptable, but in such a case, issuance of the permit may be contingent on submission of evidence satisfactory to the Executive Director that the sale has been completed.

The identity of all persons or entities which have an ownership interest in the property superior to that of the applicant must be provided.

2. **Assessor's parcel map(s)** showing the page number, the applicant's property, and all other properties within 100 feet (excluding roads) of the property lines of the project site. (Available from the County Assessor.)
3. Copies of required **local approvals** for the proposed project, including zoning variances, use permits, etc., as noted on Local Agency Review Form, Appendix B. Appendix B must be completed and signed by the local government in whose jurisdiction the project site is located.
4. **Stamped envelopes addressed to each property owner and occupant of property situated within 100 feet of the property lines of the project site (excluding roads), along with a list containing the names, addresses and assessor's parcel numbers of same.** The envelopes must be plain (i.e., no return address), and regular business size (9 1/2" x 4 1/8"). Include first class postage on each one. **Metered postage is not acceptable.** Use Appendix C, attached, for the listing of names and addresses. (Alternate notice provisions may be employed at the discretion of the District Director under extraordinary circumstances.)



Key Application Submittal Requirements/Attachments (Section IV)

- Key items to prepare, compile or obtain:

Assessor parcel maps showing the proposed development footprint and properties within 100 feet

Copies of local approvals as identified on Appendix B

Plain white, business-sized envelopes with stamps, and a mailing list of properties within 100 feet

Vicinity and location maps

Two hard copy sets of project plans – in both full-size and reduced scale

Hard copy of the Draft or Final ED and all comments and responses

Verification of other permits and approvals



AFTER YOU SUBMIT: NEXT STEPS AND BEST PRACTICES



Next Steps and Best Practices

- Organize your submittal package in a clear and concise manner
- Prepare a detailed transmittal form or cover letter identifying all materials submitted and your preliminary assessment of consistency with coastal policies
- Post the Notice of Pending Permit at the project site (on yellow cardstock), and complete Appendix D

**NOTICE OF
PENDING PERMIT**

A PERMIT APPLICATION FOR DEVELOPMENT ON THIS SITE IS
PENDING BEFORE THE CALIFORNIA COASTAL COMMISSION.

PROPOSED DEVELOPMENT: _____

LOCATION: _____

APPLICANT: _____

APPLICATION NUMBER: _____

DATE NOTICE POSTED: _____

FOR FURTHER INFORMATION, PLEASE PHONE OR WRITE THE
OFFICE LISTED BELOW BETWEEN 8 A.M. AND 5 P.M., WEEKDAYS.

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-2801
(805) 965-1800



PRINT ON YELLOW STOCK CARD



Next Steps and Best Practices

- Once received and assigned to a Commission staff analyst, your permit will undergo a 30-day “completeness” review
- It is common to have additional requests for data and your application deemed incomplete
- Calling and coordinating with Commission staff may streamline requests or reduce iterations
- Once you submit the newly requested information, you will be subject to a new 30 day review window
 - Only after a completeness determination can you anticipate being in front of the Coastal Commission within 180 days, with a possible 90-day extension



USING COASTAL RESPONSES TO ANSWER COASTAL QUESTIONS



Using Coastal Responses to Answer Coastal Questions

- Frame your coastal development application and/or responses to Commission staff questions using Coastal Act policies as your starting point rather than standard transportation language or responses pulled directly from the project's environmental document



Using Coastal Responses to Answer Coastal Questions

Example: Coastal staff ask why a particular wall design is proposed

- What they are getting at is likely not a design consideration or cost valuation
- Rather, they are asking how that wall design is most consistent with Coastal Act policies



Example: Using Coastal Responses to Answer Coastal Questions

Example: Coastal staff ask you why a particular wall design is proposed

- Traditional Caltrans Language Used:

*Closely spaced CIDH pile wall was selected because it is the most efficient and cost effective
Closely spaced CIDH pile wall was selected over other alternatives because it was a highly
cost effective option for long term maintenance that was consistent with the Coastal Act
policies pertaining to public access and recreation, and protection and enhancement of
marine resources while limiting alteration of natural shoreline processes.*

*This alternative limits impacts to public access and recreation by not increasing the
footprint of the seawall into the sandy beach area. This also provides for natural shoreline
processes to influence the lateral and vertical extent of beach habitat, and will require less
excavation during construction limiting potential direct and indirect impacts to marine
resources due to construction equipment, potential fuel spills or other dewatering activities.*

*Additionally, a reduced construction period ensures public access to the beach and along
the shoulder areas will be maintained with minimal interruption during peak use periods.*



Wrap Up: Using Coastal Responses to Answer Coastal Questions

- Using coastal policy context in response to Coastal Commission staff questions on your application can be critical to obtaining a completeness determination
- The Coastal Commission makes findings of consistency based on interpretation and application of the Chapter 3 policies of the Coastal Act
- Consult your Coastal Liaison or the Caltrans Coastal Program for additional examples and assistance



ADDITIONAL RESOURCES AND TOOLS



Resources and Tools

- [California Coastal Commission – Coastal Development Permit Forms](#)
- [Caltrans SER Volume 5 – Coastal Requirements](#)