

Redondo Beach, California Municipal Code

Title 10 PLANNING AND ZONING

Chapter 5 COASTAL LAND USE PLAN IMPLEMENTING ORDINANCE

Article 10. Coastal Development Permits

10-5.2228 Emergency Coastal Development Permit.

(a) In the event of an emergency as defined in Section 10-5.2204, temporary emergency authorization to proceed with remedial measures may be given by the Community Development Director until such time as a full Coastal Development Permit application shall be filed.

(1) **Application.** Application shall be made to the Community Development Director by letter if time allows, or in person or by telephone, if time does not allow. The information, to be reported at the time of the emergency or within three (3) days after the emergency, shall include the following:

- a. Nature of the emergency;
- b. Cause of the emergency, insofar as this can be established;
- c. Location of the emergency;
- d. The remedial, protective, or preventative work required to deal with the emergency;
- e. The circumstances during the emergency that appeared to justify the cause(s) of action taken, including the probable consequences of failing to take action.

(2) **Limitations.** The Community Development Director shall not grant an emergency Coastal Development Permit for any development that falls within an area in which the Coastal Commission retains direct permit review authority. In such areas and for such developments, a request for an emergency authorization must be made to the Coastal Commission.

a. In addition, a waiver from coastal development permit requirements may be obtained from the Coastal Commission Executive Director for development that is required to protect life or public property in accordance with Section 30611 of the Coastal Act.

(3) **Notice.** The Community Development Director shall provide notice of the proposed emergency action. The extent and type of the notice shall be determined on the basis of the nature of the emergency. If the nature of the emergency does not allow sufficient time for public notice to be given before the emergency work begins, the Community Development Director shall provide public notice of the action taken, or being taken, as soon as is practical. Public notice of the nature of the emergency and the remedial actions to be taken shall be posted on the site in a conspicuous place and mailed to all persons the Community Development Director has reason to know would be interested in such action and to the Coastal Commission.

(4) **Findings and conditions.** The Community Development Director may grant an emergency Coastal Development Permit upon reasonable terms and conditions, which shall include an expiration date, the necessity for a regular permit application later, and the requirement that the permittee apply for a Coastal Development Permit pursuant to Section 10-5.2210 for the removal of work authorized by the Emergency Permit if the retention of the work is denied in the follow-up regular permit application, if the Community Development Director finds that:

- a. An emergency exists that requires action more quickly than permitted by the procedures for a Coastal Development Permit and the work can and will be completed within thirty (30) days unless otherwise specified by the terms of the permit.
- b. Public comment on the proposed emergency action has been reviewed, if time allows.
- c. The work proposed is consistent with the requirements of the Certified Local Coastal Program.
- d. The work proposed is the minimum action necessary to address the emergency and, to the maximum extent feasible, is the least environmentally damaging temporary alternative for addressing the emergency.

(5) **Contents of Emergency Permit.** The Emergency Permit shall be a written document that includes the following information:

- a. The date of issuance;
- b. An expiration date;
- c. The scope of work to be performed;
- d. Terms and conditions of the permit;
- e. A provision stating that within sixty (60) days of issuance of the Emergency Permit, a regular Coastal Development Permit application shall be submitted and properly filed consistent with the requirements of this chapter;

f. A provision stating that any development or structures constructed pursuant to an Emergency Permit shall be considered temporary until authorized by a follow-up regular Coastal Development Permit and that issuance of an emergency Coastal Development Permit shall not constitute an entitlement to the erection of permanent development or structures;

g. A provision that states that: The development authorized in the Emergency Permit must be removed unless a complete application for a regular Coastal Development Permit is filed within sixty (60) days of approval of the Emergency Permit and said regular permit is approved. If a regular Coastal Development Permit authorizing permanent retention of the development is denied, then the development that was authorized in the Emergency Permit, or the denied portion of the development, must be removed. Such removal, however, shall be pursuant to a separate permit.

(6) **Expiration of the Emergency Permit.** An Emergency Permit shall be valid for sixty (60) days from the date of issuance by the Community Development Director unless extended by submittal of a follow up application. Within sixty (60) days of issuance of an Emergency Permit, the permittee must submit a follow-up regular Coastal Development Permit application for the development even if only to remove the development undertaken pursuant to the Emergency Permit and restore the site to its previous condition.

(7) **Report to City Council and Coastal Commission.** The Community Development Director shall report in writing and orally, the granting of an Emergency Permit to the City Council at its next scheduled meeting, and to the Coastal Commission Executive Director. The report shall include a description of the nature of the emergency, the development involved and the person or entity undertaking the development. Copies of the report shall be available at the meeting and shall be mailed to the Coastal Commission and to all persons requesting such notification of local coastal development decisions.

(§ 1, Ord. 2905 c.s., eff. August 5, 2003, as amended by § 1, Ord. 3107 c.s., eff. February 8, 2013)

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