

# APPENDIX C

## COUNTY GUIDELINES ON REPAIR AND MAINTENANCE AND UTILITY CONNECTION TO PERMITTED DEVELOPMENT

*(Adopted and Incorporated by Reference by Ord. 3312, 7/19/92)*

### I. GENERAL PROVISIONS.

Section 35-169.2. of the Coastal Zoning Ordinance states in part: "A Coastal Development Permit shall be required for all development in the coastal zone with the exception of the following:

1. Repair and maintenance activities that do not result in addition to, or enlargement or expansion of, the object of such repair or maintenance activities.
2. Installation, testing, placement in service, or the replacement of any necessary utility connection between an existing service facility and any development that has been granted a Coastal Development Permit."

These guidelines are intended to detail the types of development activities the County considers repair, maintenance or utility connections between an existing service facility and permitted development. Such lists obviously cannot be exhaustive and the exclusions also apply to activities comparable to those listed. Where a proposed activity is not included in this guideline, the Coastal Planner, after consultation with the Director, if necessary, will determine whether a permit is required.

### II. DESCRIPTION OF ACTIVITIES EXCLUDED.

The following construction activities and comparable activities to those listed do not require a Coastal Development Permit except as specified below:

- A. **ROADS.** No permit is required for repair and maintenance of existing public roads including landscaping, signalization, lighting, signing, resurfacing, installation or expansion of retaining walls, safety barriers and railings and other comparable developments within the existing right of way as specified below. Maintenance activities are generally those necessary to preserve the highway facility as it was constructed, including: construction of temporary detours, removal of slides and slip cuts, restoration and repair of drainage appurtenances, slope protection devices, installation of minor

drainage facilities for preservation of the roadway or adjacent properties, restoration, repair and modifying for public safety bridges and other highway structures, restoring pavement and base to original condition by replacement, resurfacing, or pavement grooving. A permit is required for excavation or disposal of fill outside of the roadway prism. The following maintenance and alteration programs of the State Department of Transportation, or their equivalent conducted by local road departments, which do not result in an addition to or enlargement or expansion of the existing public road facility itself, do not require a permit except as noted: (1) Flexible Roadbed Program; (2) Rigid Roadbed Program; (3) Roadside Maintenance Program; (4) Roadway Litter and Debris Program; (5) Vegetation Control Program; (6) Pavement Delineation Program; (7) Sign Program; (8) Electrical Program; (9) Traffic Safety Devices Program; (10) Public Service Facility Program except that a permit is required for construction of new facilities; (11) Landscape Program; (12) Bridge and Pump Maintenance Program; (13) Tubes, Tunnel and Ferry Maintenance Program; (14) Bridge Painting Program; (15) Miscellaneous safety projects, provided there is not expansion in the roadway or number of traffic lanes; (16) Major damage maintenance, repair and restoration; (17) Comparable Minor Alterations.

(NOTE: See "Appendix to Guidelines, Section IIA" for more detailed description of activities included in these programs.)

**B. PUBLIC UTILITIES.**

**1. Natural Gas, Chilled Water and Steam Facilities.**

a. Service Connections. Install, test and place in service the necessary piping and related components to provide natural gas, chilled water and/or steam service to development either having a Coastal Development Permit or exempt from Coastal Development Permit including:

- (1) Extend underground gas, chilled water and/or steam mains, except in marshes, streams or rivers, from terminus of existing main piping to proper location in front of customer's property. Break and remove pavement as necessary, open trench or bore, for installation of main piping, install mains and appurtenances, pressure test for leakage, backfill open cuts, purge air from piping and introduce gas, chilled water and/or steam into newly installed piping. Restore pavement as necessary. Provide for cathodic protection as necessary.

- (2) Extend underground gas, chilled water and/or steam service piping from the main locations, except in marshes, streams or rivers, to the meter location on the customer's property. Construction activities are similar to those in Item (1) above.
- (3) Construct and install the meter set assembly, generally above ground, on the customer's property, including installation of associated valves, pressure regulator, meter and necessary piping to connect the gas, chilled water and/or steam service to the customer's piping system.
- (4) When necessary, install gas, chilled water and/or steam pressure regulation equipment and related components, to control pressure where the source of the supply is at a higher pressure than the pressure in the district distribution main system. Construction includes necessary excavation, installation of piping, valves, regulators, below ground vaults and related components.
- (5) Install necessary cathodic protection facilities for main and service extensions to new and existing customers.

b. Distribution and Transmission Facilities.

- (1) Operate, inspect and maintain distribution and transmission mains, services, meter set assemblies and district regulator stations. Conduct leakage surveys, repair leaks, handle emergency or hazardous incidents, maintain supply pressure, inspect and adjust pressure regulators, operate valves, locate and mark facilities to help prevent damage to them and to provide for public safety.
- (2) Install, replace, alter, relocate or remove piping and cathodic protection facilities as necessary due to corrosion, interference with other underground or surface construction, franchise requirements, mechanical damage, reinforcement to existing distribution systems to provide for increased usage (provided such usage is to provide service to development either having a Coastal Development

Permit or exempt from a Coastal Development Permit). Isolation of piping segments or systems to provide emergency control and the restoration of service to a customer.

- c. Production and Storage Facilities. Perform necessary maintenance, replacement, repair, relocation, abandonment and removal work to gas storage facilities, chilled water and/or steam plant facilities, mechanical equipment including prime movers and pumping equipment, chilled water and/or steam production facilities, gas and oil processing facilities, pollution control facilities, cooling towers, electric equipment, controls, gas injection and withdrawal wells, and other miscellaneous plant and pipeline structures. Installation of any required new safety devices and pollution control facilities within existing structures or equipment or where land coverage, height, or bulk of existing structures will not be increased.
- d. Miscellaneous. Perform necessary maintenance, repair, replacement, relocation, abandonment and removal work to pipeline roads, rights-of-way, fences and gates, sprinkler systems, landscaping, odorizing stations, telemetry equipment, lighting facilities, mechanical and electrical equipment, cathodic protection facilities and environmental control equipment.
- e. Grading and Clearing. Maintenance activities shall not extend to the construction of any new roads to the site of the work.

2. Electric Utilities.

- a. Generation Stations, Substations, Fuel Handling, Transportation and Storage Facilities and Equivalent Facilities. A Coastal Development Permit is not required for repairs, maintenance, and minor alterations which do not increase the capacity of the facility or work required to supply increased demand of existing customer's facilities in order to maintain the existing standard of service. A Coastal Development Permit is not required for installation of any required new safety devices and pollution control facilities within existing structures or equipment, or where land coverage, height or bulk of existing structures will not be increased.

- b. Transmission and Distribution and Communication Facilities. A Coastal Development Permit is not required to maintain, replace, or modify existing overhead facilities, including the addition of equipment and wires to existing poles or other structures, right-of-way maintenance, and minor pole and equipment relocations. A Coastal Development Permit is not required to install, test and place in service power line extension facilities and supply points specifically required to provide service to development either having a C.D.P. or exempted from a C.D.P., or work required to supply increased demand of existing customers' facilities in order to maintain the existing standard of service.

A Coastal Development Permit is not required to install, test, place in service, maintain, replace, modify or relocate underground facilities or to convert existing overhead facilities to underground facilities provided that work is limited to public road or railroad rights--of-way or public utility easements (P.U.E.).

- c. Services. Electrical service and metering facilities may be installed and placed in service to any development either having a C.D.P. or exempt from a C.D.P. In addition, a Coastal Development Permit is not required to maintain, replace, or relocate service or metering facilities for such developments. A Coastal Development Permit is not required for removal of minor vegetation for maintenance purposes (tree trimming, etc.) for safety clearances.

- d. Grading and Clearing. These activities shall not extend to the construction of any new road to the site of the Work.

- e. Definitions.

(1) Line Extension. All facilities for permanent service excluding transformers, service and meters, required to extend electric service from the utility's existing permanent facilities to one or more supply points.

(2) Service. A single set of conductors and related facilities required to deliver electric energy from a supply point to the customer's facilities.

- (3) Supply Point. Any transformer, pole, manhole, pull box or other such facility at which the utility connects one or more sets of service conductors to the utility's permanent electric facilities.
3. **Telephone**. No permit or conditions are required for the activities of a telephone company that come within the following areas:
- a. Repair and maintenance of existing damaged or faulty poles, wires, cables, terminals, load cases, guys and conduits, including the necessary related facilities, to restore service or prevent service outages.
  - b. Placement of existing telephone facilities underground, provided such undergrounding shall be limited to public road or railroad rights-of-way or public utility easements (P.U.E.) and provided there is no removal of major vegetation and the site is restored as close as reasonably possible to its original condition.
  - c. Placement of additional aerial facilities on existing poles.
  - d. Removal of existing poles and facilities thereon, where new, replacement facilities have been placed underground.
  - e. Performance of work in connection with or placement of facilities to expand service to existing customers or to serve new customers, including placement of underground service connections or aerial service connections from existing poles with any necessary clearance poles.
  - f. Removal of minor vegetation for maintenance purposes (tree trimming, etc.).
  - g. Maintenance activities shall not extend to the construction of any new roads to the site of the work.
4. **Others, including Water, Sewer, Flood Control, City and County Public Works, Cable T.V.** No permit is required for repair or maintenance of existing facilities that do not alter the service capacity, installation of new or increased service to development having a C.D.P. or exempt from a C.D.P., placement of additional facilities on existing poles, or placement of existing facilities underground provided such undergrounding shall be limited to public road or railroad rights-of-way or public utility

easements (P.U.E.) and provided there is no removal of major vegetation and the site is restored as close as reasonably possible to its original condition. A permit is required for installation of service to vacant parcels or installation of capacity beyond that needed to serve developments having a C.D.P. or exempt from a C.D.P. Maintenance activities shall not extend to the construction of any new roads to the site of the work.

- C. **PARKS.** No permit is required for routine maintenance of existing public parks including repair or modification of existing public facilities where the level or type of public use or the size of structures will not be altered.
- D. **INDUSTRIAL FACILITIES.** No permit is required for routine repair, maintenance and minor alterations to existing facilities, necessary for on-going production that do not expand the area or operation of the existing plant. No permit is required for minor modifications of existing structures required by governmental safety and environmental regulations, where necessary to maintain existing production capacity, where located within existing structures, and where height or bulk of existing structures will not be altered.
- E. **OTHER STRUCTURES.** For routine repair and maintenance of existing structures or facilities not specifically enumerated above, no permit is required provided that the level or type of use or size of the structure is not altered.
- F. **DREDGING AND BEACH ALTERATION.** (NOTE: Maintenance dredging of navigation channels is exempted by Section 30610(c) of the Coastal Act. Other dredging and sand movement projects, where part of an established program may be exempt from the permit requirements of the Coastal Act by reason of vested rights, where such rights have been reviewed and acknowledged by the South Central Coast Regional Commission.)

### III. **REPAIR AND MAINTENANCE ACTIVITIES REQUIRING A PERMIT**

- A. For purposes of Public Resources Code Section 30610(d), the following extraordinary methods of repair and maintenance shall require a Coastal Development Permit because they involve a risk of substantial adverse environmental impact:
  - 1. Any method of repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:

- a. Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface structures;
  - b. The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in a coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries;
  - c. The replacement of 20 percent or more of the materials of an existing structure with materials of a different kind; or
  - d. The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area or bluff or within 20 feet of coastal waters or streams.
2. Any method of routine maintenance dredging that involves:
- a. The dredging of 100,000 cubic yards or more within a twelve (12) month period;
  - b. The placement of dredged spoils of any quantity within an environmentally sensitive habitat area, on any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams; or
  - c. The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use.
3. Any repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area, any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams that include:



- a. The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials;
- b. The presence, whether temporary or permanent, of mechanized equipment or construction materials.

All repair and maintenance activities governed by the above provisions shall be subject to the permit requirements of the Coastal Zoning Ordinance. The provisions of this section shall not be applicable to methods of repair and maintenance undertaken by the ports listed in Public Resources Code Section 30700 unless so provided elsewhere in these regulations.

- B. Unless destroyed by natural disaster, the replacement of 50 percent or more of a seawall revetment, bluff retaining wall, breakwater, groin or similar protective work under one ownership is not repair and maintenance under this Article but instead constitutes a replacement structure requiring a Coastal Development Permit.
- C. Notwithstanding the above provisions, the director shall have the discretion to exempt from this section ongoing routine repair and maintenance activities of local governments, state agencies, and public utilities (such as railroads) involving shoreline works protecting transportation roadways.

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**Appendix To Guidelines, Section IIA**

Detailed description of activities included in road maintenance programs for which no Coastal Development Permit is required.

1. Flexible Roadbed Program. This program covers the restoration and repair of both surface and base within the previously paved portion of the roadway. This includes previously paved asphalt concrete shoulders two feet or greater in width where the shoulder is designated by traffic marking, pavement delineation or traffic use. Paved shoulders less than two feet in width will be considered as included in the traveled way lanes.
2. Roadbed Rigid. The Rigid Roadbed Program covers the restoration and repair of both surface and base within that paved portion of the roadway used for the movement of vehicles. This includes asphaltic concrete or oiled shoulders two feet or greater in width. Paved shoulders less than two feet in width will be considered as included in the traveled way lanes. This program does not include roadbed widening projects.
3. Roadside Maintenance Program. This program includes the repair, replacement and cleaning of ditches, culverts, underdrains, horizontal drains and miscellaneous headwalls and debris racks. Also included are fence repairs, roadside section restoration (e.g., drift removal, bench cleaning, slide removal, and fill slope replacement). In addition, repairs or replacement of retaining walls, sidewalks and curbs, bins, cattle guards and other such structures where there is no increase in size (or adding to what exists) is included in this program. Installation of slope protection devices, minor drainage facilities. This program shall not include seawalls or other shoreline protective works, activities subject to review under Section 1601 of the fish and Game Code, or excavation or disposal of fill outside of the roadway prism.
4. Roadway Litter and Debris Program. This program includes all work concerning roadbed and roadside cleanup operations to ensure that the highway presents a neat, clean and attractive appearance.
5. Vegetation Control Program. Vegetation control refers to the maintenance treatment of all vegetative material growing native within the highway rights of way. Included is cutting and trimming by hand and mechanical means.
6. Pavement Delineation Program. The pavement delineation program involves all work necessary to place and maintain distinctive roadway markings on the traveled way. This includes layout, removal of old stripe, painting of new or existing stripe including striping for bike lanes, installation and/or removal of raised pavement markers including cleaning of such markers and the use of thermoplastic, tape or

- raised bars for pavement markings. Changing of striping for more lanes is not included in this program.
7. Sign Program. The sign program includes all work performed on existing signs for the purpose of warning, regulating or guiding traffic including bicycle traffic using bike lanes. The work consists of manufacture, assembly and installation of new signs to replace existing signs and the repair, cleaning and painting of signs.
  8. Electrical Program. This program includes all work performed on in-place highway electrical facilities used to control traffic with signal systems, provide safety and sign lighting, illuminate maintenance building and grounds, generate standby power, operate bridges, pumps and automatic watering systems. Certain navigational lighting installed on bridges and bridge fencers or piling are included in this program.
  9. Traffic Safety Devices Program. Work performed under this program includes replacement of guide posts, markers, skid resistant grooves, and also replacement, cleaning and/or painting of guard rails. The repair of median barrier cable chain link fence and portland cement concrete walls, the repair and maintenance of energy dissipators such as water type bumpers, sand traps or other devices installed for the purpose of absorbing vehicle energy are included in this program.
  10. Public Service Facility Program. Public Service Facilities consist of roadside rests, vista points, map stops, historical monuments, roadside fountain areas and vehicle inspection stops. Work to be performed under this program consists of a wide variety of custodial maintenance in connection with existing restrooms, fountains and picnic areas.
  11. Landscape Program. This program refers to the treatment maintenance and replacement of all vegetative material planted within the State Highway right of way. Work includes watering, fertilizing, plant replacement, weed control by hand and mechanical means and tree trimming.
  12. Bridge and Pump Maintenance Program. The Bridge and Pump Maintenance Program includes work performed on all structures which provide for passage of highway traffic over, through or under obstacles and/or qualify for bridge numbers as assigned by the Division of Structures.
  13. Tubes, Tunnel and Ferry Maintenance Program. The Tubes, Tunnel and Ferry Maintenance Program includes maintenance and repair of tunnels, tubes, ferries and docks or slips. Tunnel or tube maintenance includes washing, cleaning, tile repair and the maintenance of electro-mechanical equipment. Tunnel structural repairs will be performed under this program when covered by approved Division of Structures reports of work needed.

14. Bridge Painting Program. This program involves bridge maintenance painting performed in conformance with the requirements of air pollution control and water quality control agencies having jurisdiction.
15. Miscellaneous Safety Projects. Elimination of hazards within the operating areas or the operating right of way or projects modifying existing features such as curbs, dikes, headwalls, slopes, ditches, drop inlets, signals and lighting, etc., within the right of way to improve roadside safety.
16. Major Damage Maintenance, Repair and Restoration. Provides temporary road openings and related maintenance and returns highway facilities to serviceable states as rapidly as possible following major damage from storms; earthquakes, tidal waves; ship, train or vehicle collisions; gasoline truck fires; aircraft crashes, and all other kinds of physical violence. (NOTE: These items may be developments rather than repair or maintenance activities, but would be subject to the emergency permit provisions of the coastal Act. Inquiries should be directed to the Regional Commission staff if at all possible, prior to commencement of construction.)
17. Miscellaneous Alterations.
  - a. Installation, modification or removal of regulatory, warning or informational signs, according to the standards of the State Department of Transportation Uniform Sign Chart.
  - b. Traffic channelization - improvements to local service and safety by delineation of traffic routes through the use of curbs, dikes, striping, et., including turn pockets, where construction is performed by State Department of Transportation Maintenance Department or equivalent activities by local road departments.
  - c. Maintenance of existing bicycle facilities.
  - d. Modification of traffic control systems and devices including addition of new elements such as signs, signals, controllers, and lighting.
  - e. Devices such as glare screen, median barrier, fencing, guard rail, safety barriers, energy attenuators, guide posts, markers, safety cable, ladders, lighting, hoists, paving grooving.
  - f. Alteration or widening of existing grade separation structure where the primary function and utility remains unaltered.
  - g. Minor operational improvements such as median and side ditch drainage facilities, where not subject to review under Section 1601 of the Fish and

Game Code or involving excavation or disposal of fill outside of the roadway prism.

- h. Modification, upgrading, alteration, relocation, or removal of railroad trade crossings, railroad grade crossing protection, and the construction of bus and truck stop lanes at railroad grade crossings.