

CALIFORNIA COASTAL COMMISSION
South Coast Area Office
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Long Beach, CA 90802-4302
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Permit Application No. **5-07-172**

Date: January 17, 2008

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ADMINISTRATIVE PERMIT

APPLICANT: Frank Boychuck

PROJECT

DESCRIPTION: Remove an existing one-story mobile home and replace with a 1,081 square foot two-story manufactured home with a foundation.

PROJECT

LOCATION: 42 Riversea; Seal Beach Trailer Park; Seal Beach (County of Orange)

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Friday, February 8, 2008

8:00 am

City of Oceanside

City Council Chambers

300 North Coast Highway

Oceanside, CA 92054

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Fernie Sy
Title: Coastal Program Analyst II

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS: See pages five to six.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. PROJECT DESCRIPTION

The subject site is located at 42 Riversea within the Seal Beach Trailer Park, an existing urban residential area, in the City of Seal Beach, Orange County (Exhibits #1-2). The City of Seal Beach General Plan and Zoning Code designates use of the site as Residential High Density and the proposed project adheres to this designation. The Seal Beach Trailer Park offers a total of 126 trailer/MH-unit¹ space areas, ranging in size from 23' x 27' to 51' x 80' and the subject lot size is 1,984 square feet. For a majority of the development, no parking is located on site. Parking for the subject site and the residents of the Seal Beach Trailer Park is provided within common parking areas on the park grounds, which provide a total of 187 parking spaces.

The proposed project involves removal of an existing one-story mobile home and replacement with a 25-feet above existing grade, 1,081 square foot two-story manufactured home with a foundation

¹ California Code of Regulations, Title 25, Division 1, Chapter 2 (Effective July, 2004), Article 1 uses the term "MH-unit" in place of the terms mobilehome, manufactured home, and multi-unit manufactured housing.

(Exhibits #3-4). No grading is proposed. The proposed project requires a coastal development permit since the project site is located between the first public road and the sea and results in removal of an existing residential unit and replacement of it with an entirely new manufactured home that is substantially different in size and configuration than the pre-existing home and the unit has an entirely new, standard foundation system.

Public access is not available on site, but the proposed development will not change public access conditions on-site. Public access to the beach is available approximately ½ mile west of the project site at the end of 1st Street (Exhibits #1-2).

The Seal Beach Trailer Park is classified by the Department of Housing and Community Development (HCD) as a Mobilehome Park (#30-0305-MP). HCD regulates mobilehome parks under the State Mobilehome Parks Act and has adopted regulations governing construction, use maintenance, and occupancy of privately owned mobilehomes within California. HCD can delegate enforcement authority to a city and in this case HCD has delegated such authority to the City of Seal Beach. Therefore, the City of Seal Beach has authority over the Seal Beach Trailer Park and the City has approved the proposed project.

The subject mobile home space is located in the Seal Beach Mobile Home Park which is identified by the City as one of its affordable housing resources. Restrictions are in place which mandate occupation of a certain number of the mobile home park spaces by families of low or moderate income. The proposed project will not change any existing affordable restrictions, will not result in any division of land or change the manner of ownership of the land, and will not adversely impact the inventory of lower cost housing available in the Coastal Zone.

The Commission has consistently found that two parking spaces are necessary to satisfy the parking demand generated by individual residential dwelling units. The project site contains a single residential unit and therefore, under the Commission's standard of two parking spaces per dwelling unit, the project site should provide two on-site parking spaces. However, there is presently no on-site parking and no on-site parking is proposed with the current project. Therefore, on-site parking for the proposed development is deficient by two parking spaces. While there is no parking on-site, parking for the subject site and the residents of the Seal Beach Trailer Park has been and continues to be provided within common parking areas located on the grounds of the trailer park, which provide a total of 187 parking spaces. This parking area provides approximately 1.5 parking spaces per residential unit. Since no additional dwelling units are proposed, the proposed development would not result in an intensification of use of the site. Also, the small size of the MH-unit space (1,081 square feet) is a significant limitation on the applicant's ability to supply on-site parking. A standard parking space is approximately 9' x 19'. Thus, one or more parking spaces would occupy a significant portion of the space that is necessary for an adequate amount of habitable living area. The proposed project would not change the existing parking demand. In addition, there is no evidence of an existing parking problem in the trailer park or the immediately adjacent areas. Thus, the parking deficiency does not need to be remedied at this time. Nevertheless, future development at the project site could result in an increase in the number of dwelling units beyond the single unit, which currently exist resulting in an intensification of use. This would result in an increase in parking demand and an increase in the parking deficiency, leading to adverse impacts on public access. Therefore, the Commission is imposing **SPECIAL CONDITION NO. 1**, which informs the permittee that a new coastal development permit, or an amendment to this permit would be required for any future improvements to the existing structure which would result in a change in the intensity of use. This would allow for the review of future improvements for any potential adverse impacts to public access resulting from inadequate parking.

The applicant is not currently proposing water quality improvements as part of the proposed project, such as directing roof water to permeable areas. These improvements would help in minimizing any

adverse impacts to water quality. Therefore, the Commission is imposing **SPECIAL CONDITION NO. 2**, which requires the applicant to submit a drainage and runoff control plan.

The placement of any vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org/>) and California Native Plant Society (www.CNPS.org) in their publications. Furthermore, any plants in the landscape plan should only be drought tolerant to minimize the use of water (and preferably native to coastal Orange County). The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>. Any vegetated landscaped areas located on site shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. Therefore, the Commission is imposing **SPECIAL CONDITION NO. 3**.

The applicant has not submitted foundation plans for the proposed residence. Therefore, the Commission is imposing **SPECIAL CONDITION NO. 4**, which requires the applicant to submit a foundation plan.

B. DEVELOPMENT

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project lacks adequate parking based on the Commission's typically applied parking standards. Though the project does not currently provide adequate parking, the extent of improvements do not warrant that the deficient parking situation be corrected at this time since the project will not change the use or intensity of use of the project site. Nevertheless, the Commission finds that a future improvements special condition be imposed so that the parking deficiency can be reviewed in the future. As conditioned the development conforms with Sections 30250, 30251, 30252, and the public access policies of the Coastal Act.

C. WATER QUALITY

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

D. PUBLIC ACCESS

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

E. LOCAL COASTAL PROGRAM

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program, which conforms with Section 30604 of the Coastal Act.

On July 28, 1983, the Commission denied the City of Seal Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications. The City did not act on the suggested modifications within six months from the date of Commission action. Therefore, pursuant to Section 13537(b) of the California Code of Regulations, the Commission's certification of the land use plan with suggested modifications expired. The LUP has not been resubmitted for certification since that time.

The proposed development, as conditioned, is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Executive Director finds that approval of the proposed development, as conditioned, would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter 3 policies of the Coastal Act.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA..

SPECIAL CONDITIONS:

1. FUTURE DEVELOPMENT

This permit is only for the development described in coastal development permit No. 5-07-172. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by coastal development permit No. 5-07-172. Accordingly, any future improvements to the residential structure authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources section 30610(d) and Title 14 California Code of Regulations sections 13252(a)-(b), shall require an amendment to permit No. 5-07-172 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

2. DRAINAGE AND RUNOFF CONTROL PLAN

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit for the review and approval of the Executive Director, two (2) copies of a Drainage and Run-off Control Plan showing roof drainage and runoff from all impervious areas directed to dry wells or vegetated/landscaped areas.
- B.** The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. LANDSCAPING: DROUGHT TOLERANT, NON INVASIVE PLANTS

Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>).

4. FOUNDATION PLAN

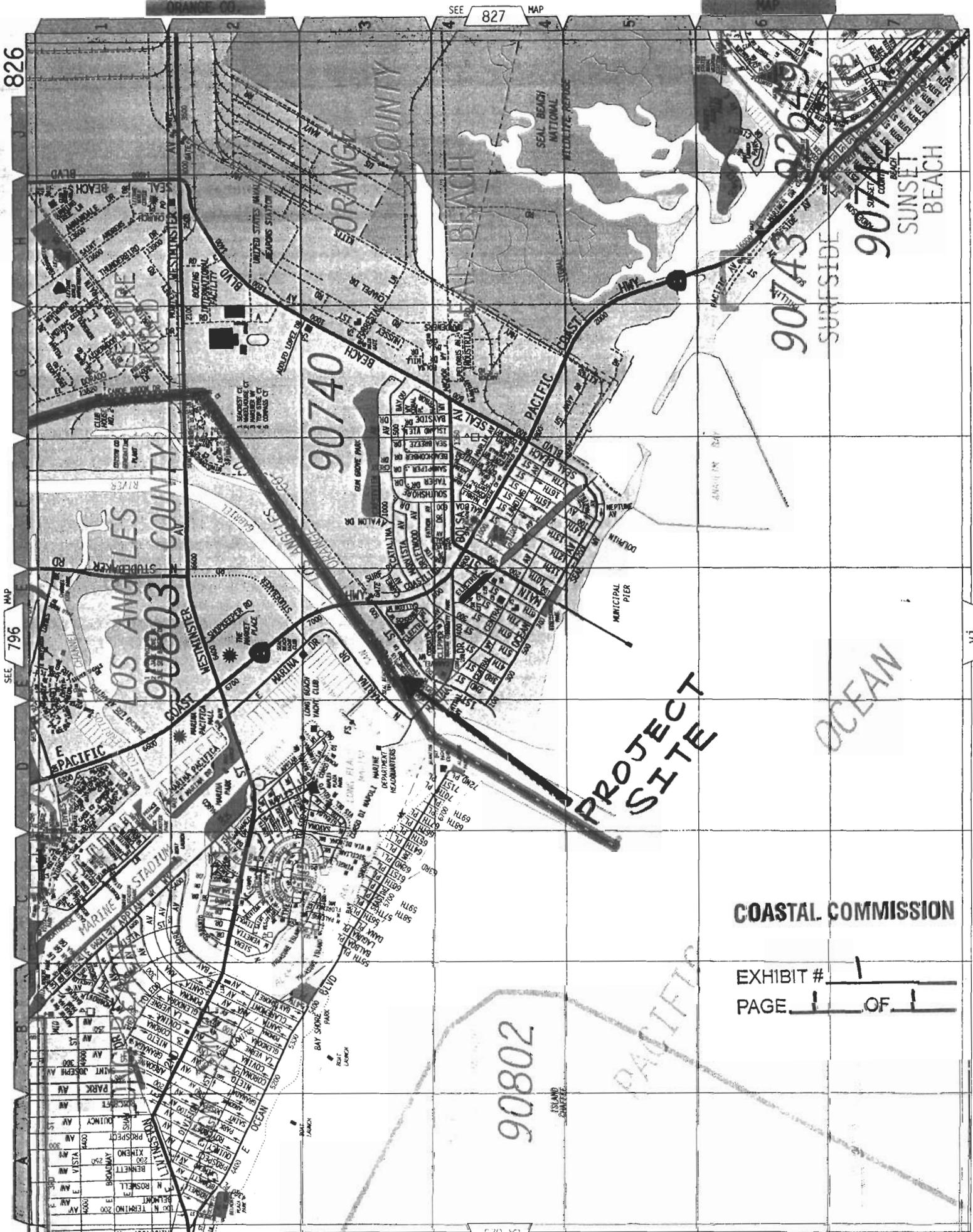
- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit for the review and approval of the Executive Director, two (2) copies of a Foundation Plan.
- B.** The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing



826

SEE 827 MAP

SEE 796 MAP

SEE V1 MAP

90740

90743

90741

PROJECT SITE

OCEAN

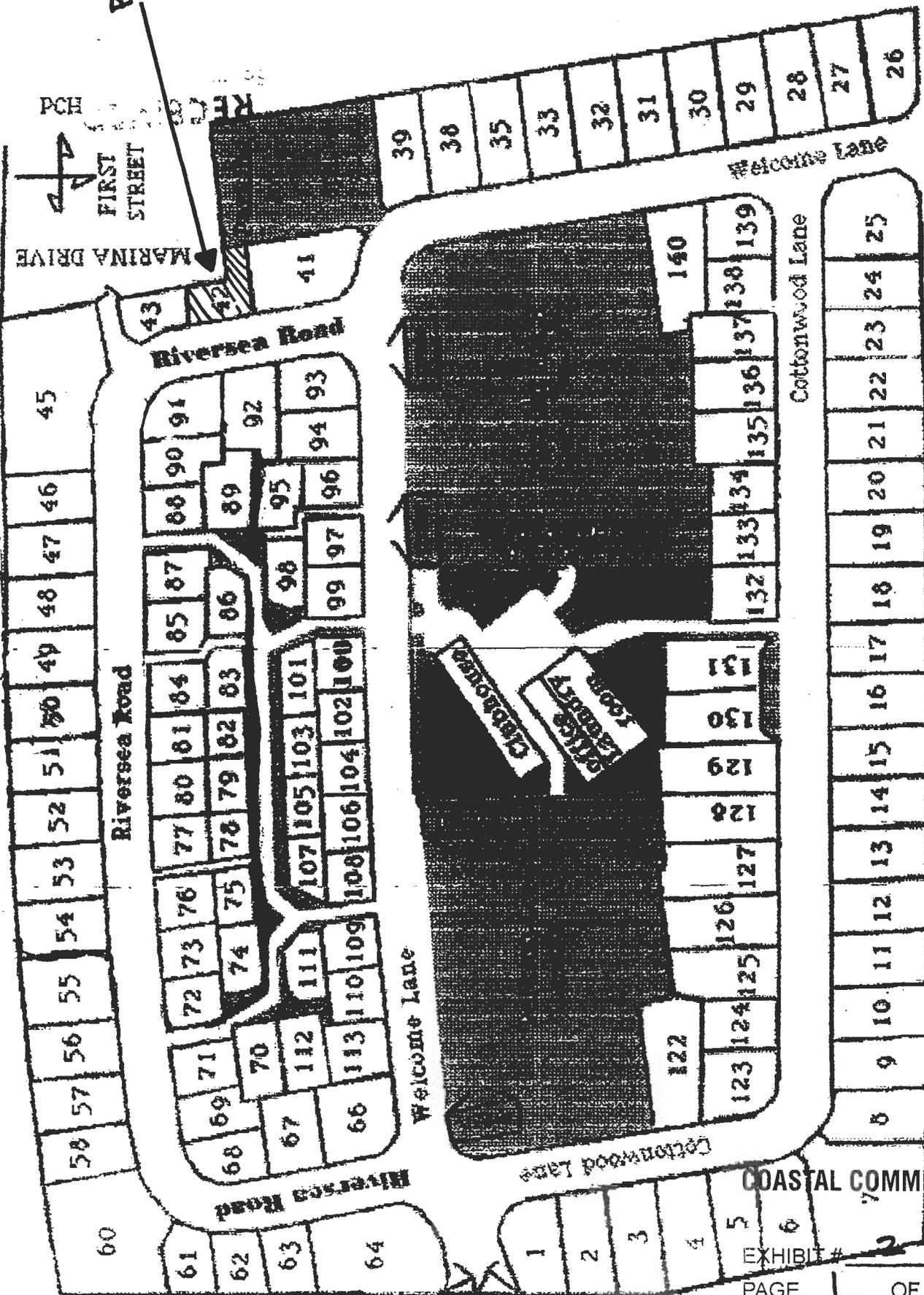
COASTAL COMMISSION

EXHIBIT # 1
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90802

The Seal Beach Trailer Park

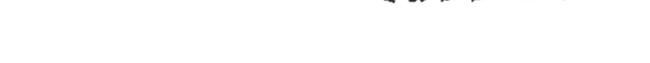
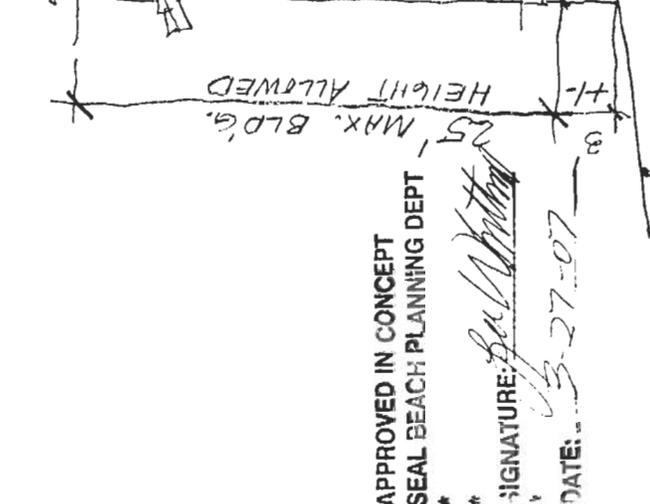
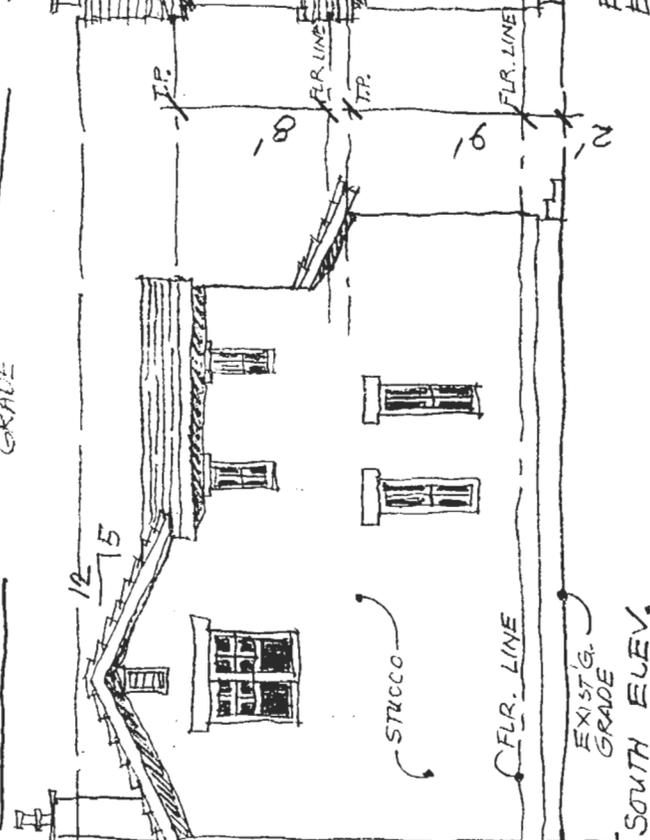
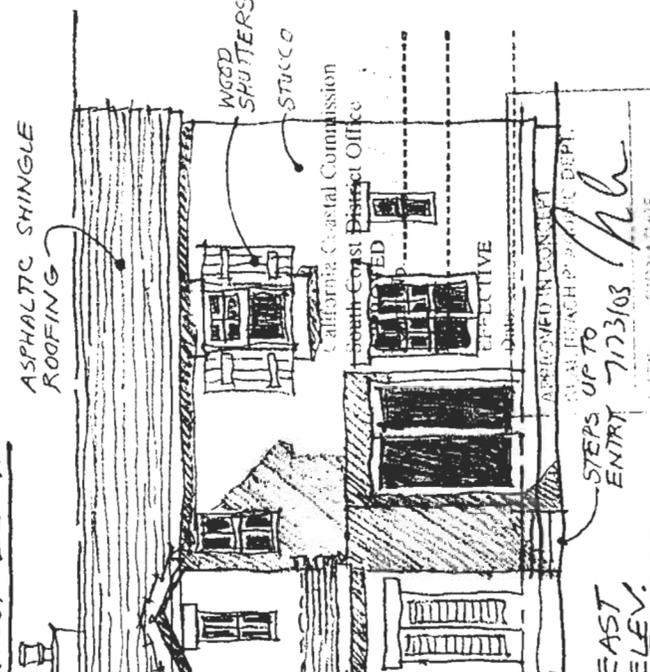
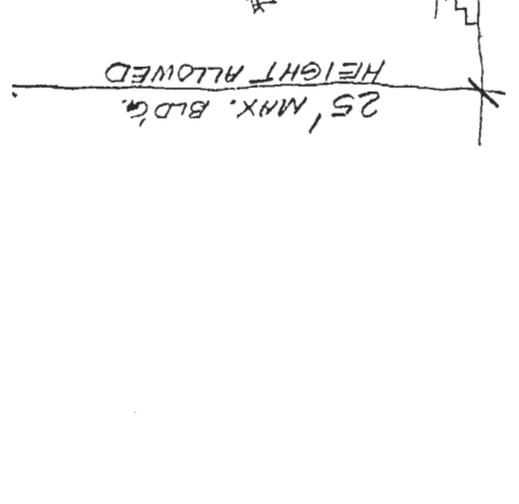
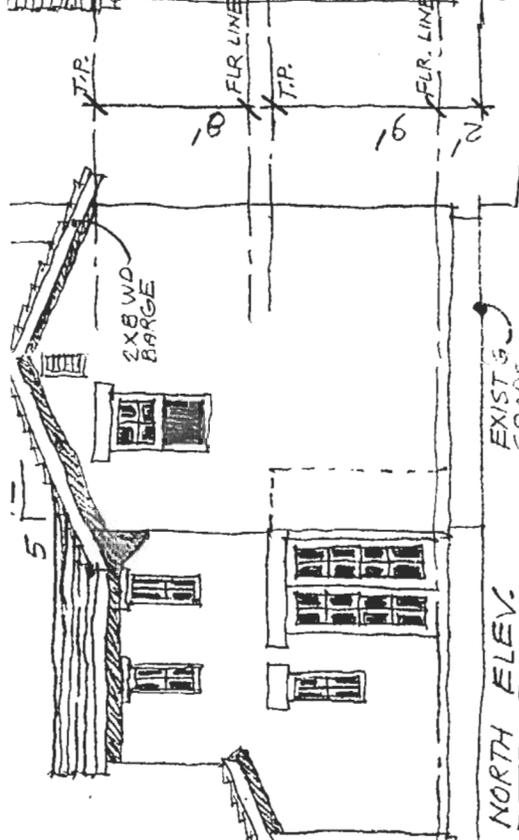
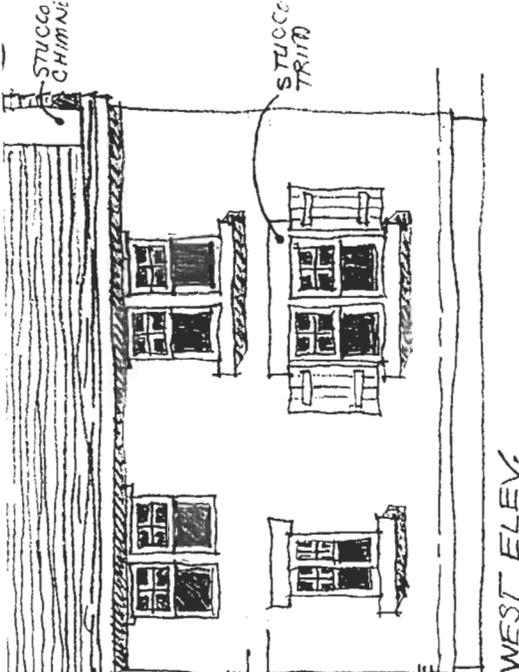
San Gabriel River



COASTAL COMMISSION

EXHIBIT # 2
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First Street



STUCCO CHIMNEY
STUCCO TRIM
WOOD SHUTTERS
STUCCO
California Coastal Commission
South Coast District Office
EFFECTIVE
ASSIGNED IN CONCEPT
SEAL BEACH PLANNING DEPT.
STEPS UP TO ENTRY 7173103
SIGNATURE

WEST ELEV.
NORTH ELEV.
EXIST'G. GRADE
SOUTH ELEV.
EAST ELEV.
STREET

25' MAX. BLD'G. HEIGHT ALLOWED
25' MAX. BLD'G. HEIGHT ALLOWED
20' 10' 5' 0'
FRANK BOYCHUCK
42 RIVERSEA SEAL BEACH, CA.

APPROVED IN CONCEPT
SEAL BEACH PLANNING DEPT
SIGNATURE: *Seal Beach*
DATE: 3-27-07
COASTAL COMMISSION
EXHIBIT # 4
PAGE 1 OF 1