

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Long Beach, CA 90802-4302  
(562) 590-5071

**Th6c**

Staff: J. Rabin-LB

Date: November 21, 2013

**ADMINISTRATIVE PERMIT**

**Application No.:** 5-13-0515

**Applicant:** Recreational Land Investments, Inc.

**Agent:** William Correia

**Location:** 16532 Cotuit Circle, Huntington Beach (Orange County)

**Project Description:** Remove an existing 20-foot section of cantilevered deck and replace it with a new 81-foot, 1-inch long cantilevered deck, which extends five feet out from the bulkhead. The elevation of the cantilevered deck will be raised. The deck will feature 42-inch high brick-veneer pilasters and wrought iron railing along the perimeter of the new deck. Drainage improvements include installation of catch basins with fossil filters to clean stormwater runoff before it is discharged to the harbor.

**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:

Thursday, December 12, 2013 – 8:30 a.m.  
Radisson Hotel Fisherman's Wharf  
250 Beach Street  
San Francisco, CA 94133

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.**

CHARLES LESTER  
Executive Director

By: Jeffrey Rabin  
Title: Coastal Program Analyst

**STANDARD CONDITIONS:**

This permit is granted subject to the following 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 on which the Commission voted on the application. 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 page five and 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 applicant proposes to remove an existing 20-foot-long section of cantilevered deck at 16532 Cotuit Circle, Huntington Beach. A new cantilevered deck with a total length of 81-feet 1-inch will be installed in its place. The new deck, like the existing one, would be cantilevered five feet beyond the bulkhead over the waters of Huntington Harbor. The total square footage of the cantilevered deck is approximately 411 square feet. The project includes construction of 42-inch high brick-veneer pilasters and a wrought iron railing along the perimeter of the new deck.

The proposed deck is associated with the adjacent single family residential use. Most of the Huntington Harbor water frontage is developed with single family homes, many of which also have cantilevered decks and boat docks. Virtually the entire water frontage in Huntington Harbor is supported by bulkheads. The nearest public access in the area is at Humboldt Beach Park, approximately four-tenths of a mile northeast of the subject site and at Davenport Beach Park, approximately 1.2 miles southeast of the subject site. The proposed deck would be located above the waters of Huntington Harbor.

A drainage system is proposed to convey stormwater runoff from a series of deck drains to catch basins with fossil filters on the deck on the subject lot. The filtered runoff would then be discharged into the harbor. No products containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye will be used on the deck; therefore, pollutants from those products will not drain to the harbor during or after construction. Construction will take place from the land side of the bulkhead, and no bottom disturbing activities are proposed.

In this area of Huntington Harbor, the water area is owned and administered by the City of Huntington Beach. A letter inviting the City of Huntington Beach to join as co-applicant was sent on November 12, 2013. A City staff member replied that the City did not wish to become a co-applicant. In addition, an approval in concept was received from the City. Furthermore, a special condition is imposed stating that the approval of a coastal development permit for the project does not waive any public rights or interest that exist or may exist on the property.

The subject site is located within the City of Huntington Beach, which has a certified Local Coastal Program. However, due to the project location seaward of the mean high tide line, the project is

within an area of the Commission's retained permit jurisdiction. Nonetheless, the City's certified Local Coastal Program may be used as guidance. The land use designation at the site is Open Space – Water (OS – W). The site is zoned Open Space Water Recreation. The proposed development is consistent with the City's certified LCP, specifically with Implementation Plan Chapter 213 Open Space District, which allows private cantilevered decks abutting residential uses, and with Chapter 210, which provides standards for cantilevered decks in Huntington Harbor in the Open Space Water Recreation zone.

Most of the existing residences that front along the waters of Huntington Harbor have cantilevered decks. The proposed deck is similar in function to the other cantilevered decks associated with residential development within Huntington Harbor. The proposed development is consistent with past Commission actions in the area. Thus, as conditioned, the proposed deck will have no adverse impact on coastal access or resources in the project vicinity, and is consistent with the Chapter 3 policies of the Coastal Act.

## **B. PUBLIC ACCESS**

The proposed development will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. Therefore, the development, as conditioned, conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 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 catch basins and fossil filters, 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 (BMPs) 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. LOCAL COASTAL PROGRAM**

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. An LCP for the City of Huntington Beach was effectively certified in March 1985. However, the proposed development is occurring within an area of the Commission's original permit jurisdiction, due to the project location seaward of the mean high tide line. Consequently, the standard of review is the Coastal Act and the City's LCP is used only as guidance. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

**E. 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:**

This permit is granted subject to the following special conditions:

**1. Construction Responsibilities and Debris Removal.**

- a. No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to wave, wind, or rain erosion and dispersion.
- b. Any and all construction material shall be removed from the site within 10 days of completion of construction.
- c. Machinery or construction materials not essential for project improvements shall not be allowed at any time in the intertidal zone.
- d. If turbid conditions are generated during construction a silt curtain shall be utilized to control turbidity.
- e. Floating booms shall be used to contain debris discharged into coastal waters and any debris discharged shall be removed as soon as possible but no later than the end of each day.
- f. Non buoyant debris discharged into coastal waters shall be recovered by divers as soon as possible after loss.

**2. Water Quality - Maintenance of Structural and/or Treatment Control BMPs**

The permittee shall comply with the following requirements related to proposed structural and/or treatment control Best Management Practices (BMPs):

A. All structural and/or treatment control BMPs shall be designed, installed, and maintained for the life of the project in accordance with well-recognized and accepted design principles and guidelines, such as those contained in the California Stormwater Quality Association Best Management Practice Manuals;

B. All BMP traps/separators and/or filters shall be, at a minimum, inspected and cleaned/repaired or otherwise maintained in accordance with the following schedule: (1) prior to the start of the winter storm season, no later than October 15th each year, (2) inspected monthly thereafter for the duration of the rainy season (October 15th -April 30), and cleaned/maintained as necessary based on inspection and, (3) inspected and maintained where needed throughout the dry season;

C. Debris and other water pollutants removed from structural BMP(s) during clean out shall be contained and disposed of in a proper manner;

D. It is the permittee's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specifications.

3. **Public Rights.** The Coastal Commission's approval of this permit shall not constitute a waiver of any public rights that exist or may exist on the property. The permittee shall not use this permit as evidence of a waiver of any public rights that may exist on the property.

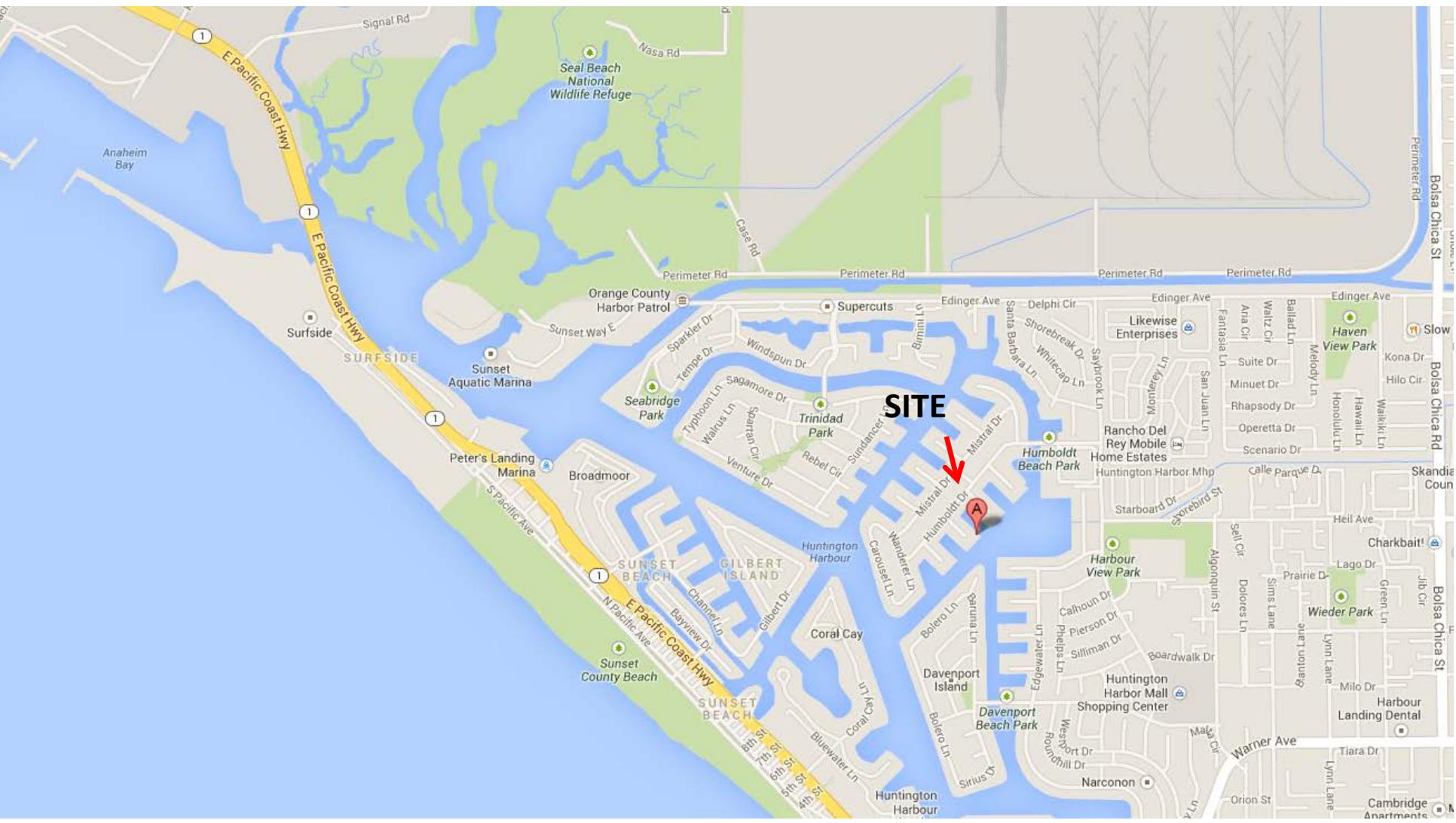
**ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:**

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

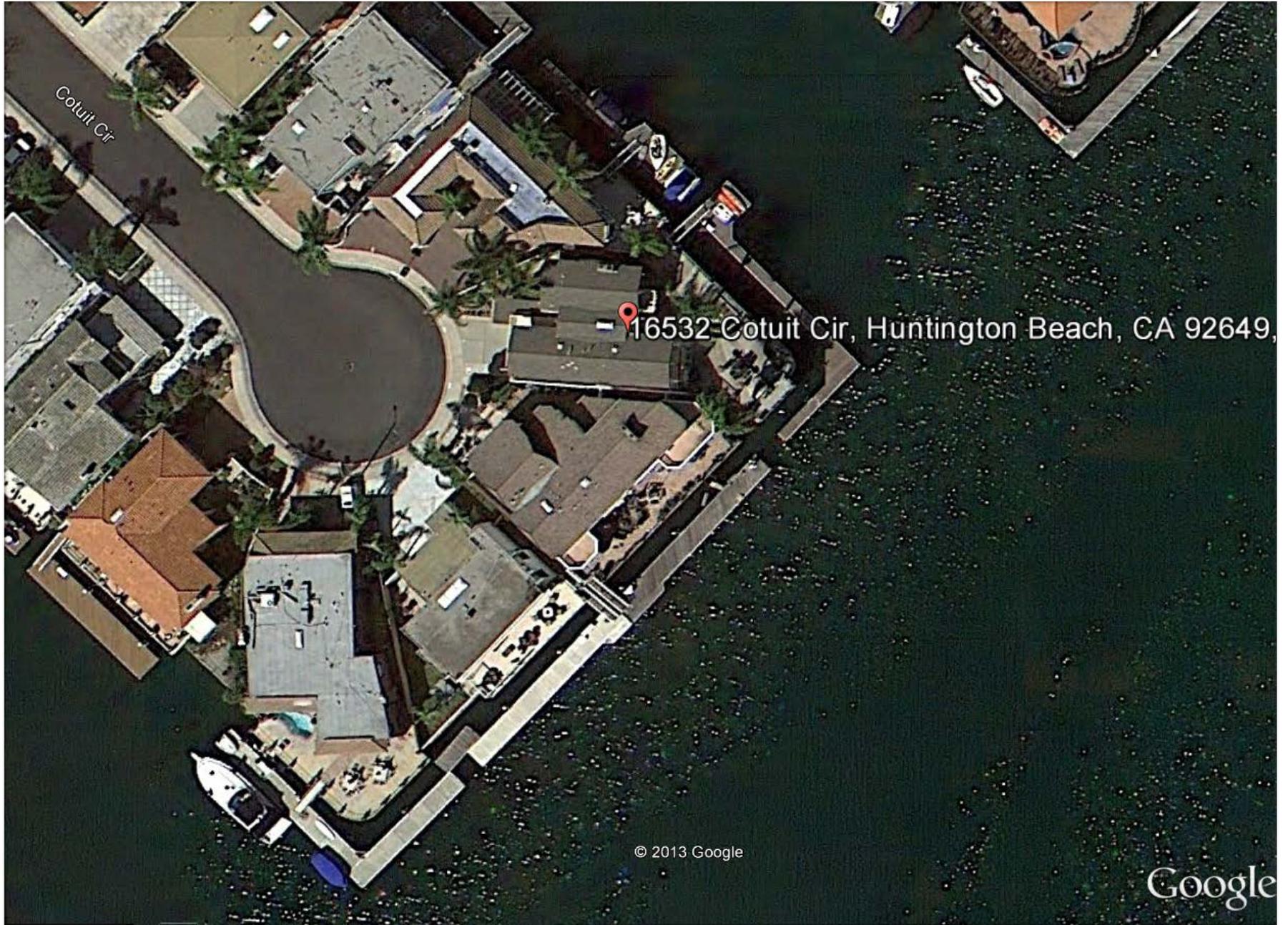
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Applicant's Signature

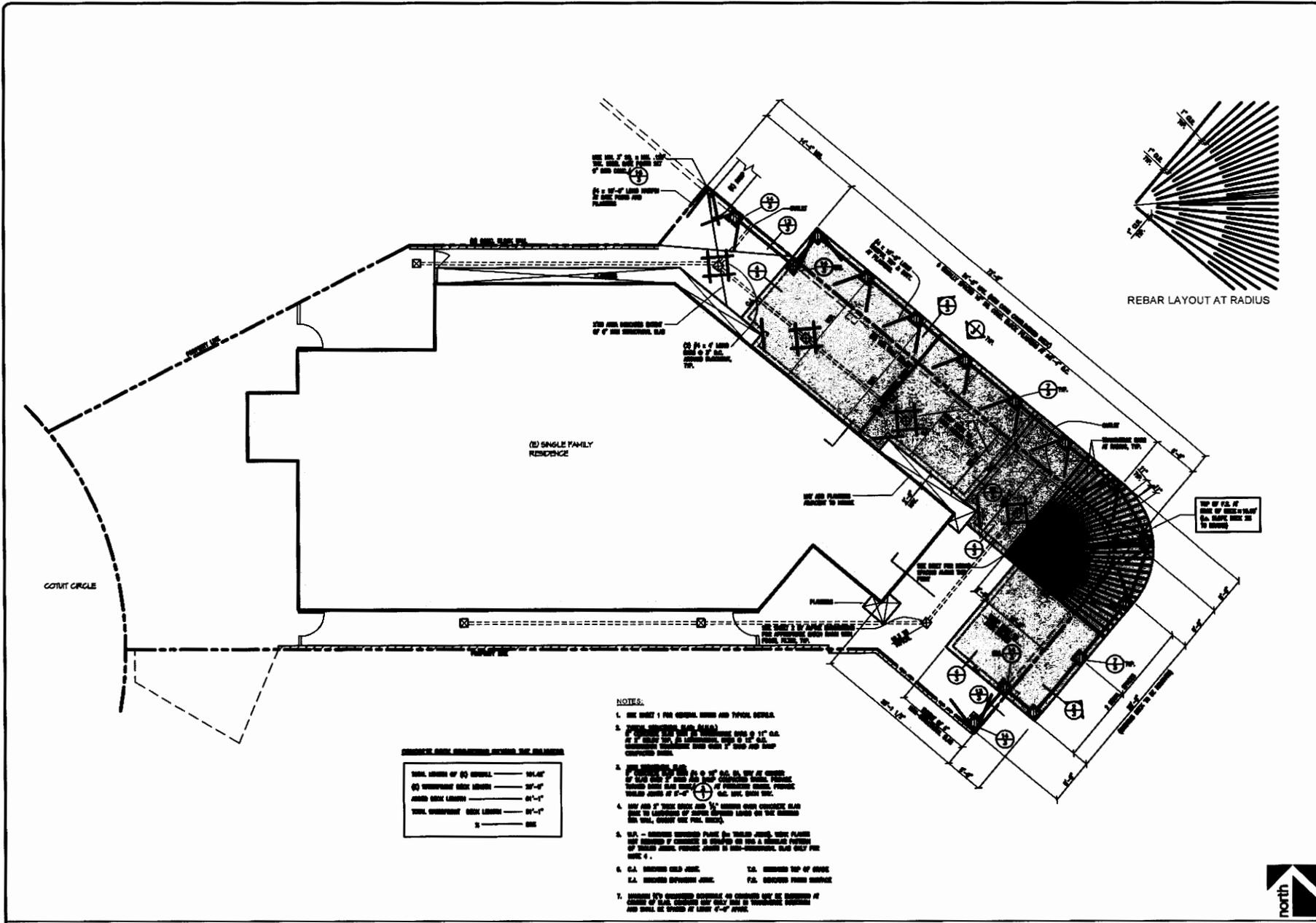
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Date of Signing

# 16532 Cotuit Circle, Huntington Beach CDP 5-13-0515 Exhibit 1



16532 Cotuit Circle, Huntington Beach CDP 5-13-0515 Exhibit 2





REVISIONS	BY

**SOREIA**  
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CONCRETE CANTILEVERED DECK  
 16532 COTUIT CIRCLE  
 HUNTINGTON BEACH, CA

SHEET CONTENTS  
 SITE / DECK PLAN

DRAWN	IS
CHECKED	
DATE	
SCALE	
JOB NO.	
DATE	
SHEET	
	2

OF 1 SHEETS

SITE / DECK PLAN

SCALE: 3/16" = 1'-0"

- NOTES:**
- SEE SHEET 1 FOR GENERAL NOTES AND TYPICAL DETAILS.
  - CONCRETE DECK OVER EXISTING CONCRETE SLAB SHALL BE 4" THICK WITH 1" MINIMUM COVER OVER ALL REBAR. PROVIDE TYPICAL JOINTS AT 8'-0" O.C. SEE SHEET 1.
  - SEE REBAR LAYOUT FOR ALL REBAR. PROVIDE 1" MINIMUM COVER OVER ALL REBAR. PROVIDE TYPICAL JOINTS AT 8'-0" O.C. SEE SHEET 1.
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CONCRETE DECK OVER EXISTING CONCRETE SLAB

TOTAL THICKNESS OF (2) COURSES	4'-0"
(1) COURSE	2'-0"
(2) COURSE	2'-0"
SEE SHEET 1 FOR DETAILS	