

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001
(805) 585-1800 FAX (805) 641-1732

www.coastal.ca.gov

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SOUTH CENTRAL COAST DISTRICT (VENTURA) DEPUTY DIRECTOR'S REPORT

For the

November Meeting of the California Coastal Commission

MEMORANDUM

Date: November 5, 2009

TO: Commissioners and Interested Parties
FROM: John Ainsworth, South Central Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the South Central Coast District Office for the November 5, 2009 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the South Central Coast District.

REGULAR WAIVERS

1. 4-09-050-W Michael Kaplan (Malibu, Los Angeles County)
2. 4-09-052-W Megan Davis (Calabasas, Los Angeles County)

DE MINIMIS WAIVERS

1. 4-09-007-W Kevin & Susan Saltz Burke (Santa Monica Mountains, Los Angeles County)
2. 4-09-045-W Peter Benassi & Albert Legittino, Jr., Attn: Schmitz & Associates, Inc. (Malibu, Los Angeles County)
3. 4-09-073-W Hermann Richert; Gregory Lapidus (Topanga, Los Angeles County)

IMMATERIAL AMENDMENTS

1. 4-02-227-A3 Ken Marks (Malibu, Los Angeles County)

TOTAL OF 6 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF REGULAR WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
4-09-050-W Michael Kaplan	Installation of a 44 ft. by 21 ft. ground-mounted photovoltaic solar array at an existing single family residence (originally approved pursuant to Coastal Development Permit 4-99-190).	301 Loma Metisse Road, Malibu (Los Angeles County)
4-09-052-W Megan Davis	Installation of four 38 ft. by 10 ft. ground-mounted photovoltaic solar arrays and the request for after-the-fact approval of an as-built 43 ft. by 12 ft. ground-mounted photovoltaic solar array at an existing single family residence (originally approved pursuant to Coastal Development Permit (5-90-247).	2122 Cold Canyon Road, Calabasas (Los Angeles County)

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
4-09-007-W Kevin & Susan Saltz Burke	Improve existing Barrymore Drive by widening the road in five places to 20 feet and paving two hammerhead turnarounds. Road widening will only involve paving areas adjacent to the existing road that are at road grade, therefore no grading is required.	Barrymore Drive, Santa Monica Mountains (Los Angeles County)
4-09-045-W Peter Benassi & Albert Legittino, Jr., Attn: Schmitz & Associates, Inc.	The construction of a 15-ft. wide paved access route and turnaround, a 200 ft. long 10 ft. high retaining wall, a new septic system and leach field replacement, and 403 cu. yds. of grading (290 cut and 113 fill).	3814 Latigo Canyon Road, Malibu (Los Angeles County)
4-09-073-W Hermann Richert Gregory Lapidus	A lot line adjustment that will transfer 1,077 square feet of land between two developed parcels with existing single family residences located on each respective property.	20946 & 20950 Waveviewdrive, Topanga (Los Angeles County)

REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
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SOUTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

4-02-227-A3 Ken Marks	Redesign single family residence at same location. Increase habitable square footage from 2,164 sq. ft. to 3,094 sq. ft. by increasing the square footage of the approved second floor.	3002 Foose Road, Malibu (Los Angeles County)
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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: October 9, 2009
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-09-050

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Section 13250(c) of the Administrative Regulations (Title 14, Division 5.5).

Applicant(s): Michael Kaplan

Location: 301 Loma Metisse (Santa Monica Mountains, Los Angeles County)

Description: Installation of a 44 ft. by 21 ft. ground-mounted photovoltaic solar array at an existing single family residence (originally approved pursuant to Coastal Development Permit 4-99-190).

Rationale: The proposed project is relatively minor in nature. The proposed solar electric panels will be placed within 100 feet of existing development, within the required fuel modification area. As proposed, the project will not result in any significant adverse impacts to sensitive habitat, public access, or public views. Therefore, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

IMPORTANT: This waiver is not valid until reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on November 4-6, 2009. If three or more Commissioners object to this waiver, a coastal permit will be required.

Persons having questions or wishing to object to the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

PETER M. DOUGLAS
Executive Director

A handwritten signature in black ink, appearing to read "Andrew D. Berner".

By: Andrew D. Berner
Title: Assistant Coastal Program Analyst

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER
(CORRECTED 10/26/09)**

DATE: October 26, 2009
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-09-052

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Section 13250(c) of the Administrative Regulations (Title 14, Division 5.5).

Applicant(s): Megan Davis

Location: 2122 Cold Canyon Road (Santa Monica Mountains, Los Angeles County)

Description: Installation of four 38 ft. by 10 ft. ground-mounted photovoltaic solar arrays and the request for after-the-fact approval of an as-built 43 ft. by 12 ft. ground-mounted photovoltaic solar array at an existing single family residence (originally approved pursuant to Coastal Development Permit 5-90-247).

Rationale: The proposed project is relatively minor in nature. The proposed solar electric panels will be placed within 120 ft. of existing development, within the required fuel modification area. As proposed, the project will not result in any significant adverse impacts to sensitive habitat, public access, or public views. Therefore, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

IMPORTANT: This waiver is not valid until reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on November 5, 2009. If three or more Commissioners object to this waiver, a coastal permit will be required.

Persons having questions or wishing to object to the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

PETER M. DOUGLAS
Executive Director

A handwritten signature in black ink, appearing to read "Andrew D. Berner".

By: Andrew D. Berner
Title: Assistant Coastal Program Analyst

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**NOTICE OF COASTAL DEVELOPMENT PERMIT
WAIVER-DE-MINIMIS**

Date: October 27, 2009
To: All Interested Parties
Subject: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-09-007-W

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

Applicant: Kevin Burke and Susan Saltz Burke

Agent: David Hardie

Location: Barrymore Drive, Santa Monica Mountains, Los Angeles County

Description: Improve existing Barrymore Drive by widening the road in five places to 20 feet and paving two hammerhead turnarounds. Road widening will only involve paving areas adjacent to the existing road that are at road grade, therefore no grading is required.

Rationale: The proposed improvements to Barrymore Drive are relatively minor in nature and required by the Fire Department for fire safety since portions of the existing road are of inadequate width. The road currently provides access to multiple residences, several of which were destroyed by fire and rebuilding of the residences will require Barrymore Drive to be improved. No grading or removal of native vegetation is proposed. The proposed project will not result in any adverse impacts to coastal resources and is consistent with all applicable Chapter Three policies of the Coastal Act.

Important: This waiver is not valid unless the project site has been posted and until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of November 5, 2009. If three Commissioners object to this waiver, a coastal permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

Peter M. Douglas
Executive Director

A handwritten signature in black ink, appearing to read "D. Christensen".

By: Deanna Christensen
Coastal Program Analyst

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NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER-DE-MINIMIS

Date: October 26, 2009
To: All Interested Parties
Subject: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-09-045

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

Applicant: Peter Benassi and Albert Legittino Jr.

Location: 3814 Latigo Canyon Road, Malibu, Los Angeles County [4461-042-015]

Description: The construction of a 15-ft. wide paved access route and turnaround, a 200 ft. long 10ft. high retaining wall, a new septic system and leach field replacement, and 403 cu. yds. of grading (290 cut and 113 fill).

Rationale: The proposed project is relatively minor in nature. The proposed driveway widening, turnaround, retaining wall, and grading are fire access improvements and the proposed septic system is a maintenance upgrade. As proposed, the project will not result in any significant adverse impacts to sensitive habitat, public access, or public views and will not increase residential development. Therefore, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

Important: This waiver is not valid unless the project site has been posted and until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of November 5, 2009. If three Commissioners object to this waiver, a coastal permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

Peter M. Douglas
Executive Director

A handwritten signature in black ink, appearing to read "Andrew D. Berner".

By: Andrew D. Berner
Assistant Coastal Program Analyst

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NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER-DE-MINIMIS

Date: October 26, 2009
To: All Interested Parties
Subject: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-09-073

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

Applicant: Hermann Richert & Gregory Lapidus

Location: 20948 & 20950 Waveview Drive, Topanga, Los Angeles County [4445-020-025 & 4445-020-026]

Description: A lot line adjustment that will transfer 1,077 square feet of land between two developed parcels with existing single family residences located on each respective property.

Rationale: Development on the subject sites consists of a lot line adjustment on two adjacent properties in an existing, built-out subdivision. The lot-line adjustment will move the lot line to coincide with a paved walkway and patio that were incorrectly sited at 20950 Waveview Drive when the property was developed in 1976. The lot adjustment will result in the transfer of 537 square feet of land from the property located at 20948 Waveview Drive to the property located at 20950 Waveview Drive. The lot adjustment will also result in the transfer of 540 square feet of land from the property located 20948 Waveview Drive to the property located at 20948 Waveview Drive. As such, there are no individual or cumulative adverse impacts on coastal resources associated with this project and the project is consistent with all applicable Chapter 3 policies of the Coastal Act.

Important: This waiver is not valid unless the project site has been posted and until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of November 5, 2009. If three Commissioners object to this waiver, a coastal permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

Peter M. Douglas
Executive Director

A handwritten signature in black ink, appearing to read "Andrew D. Berner".

By: Andrew D. Berner
Assistant Coastal Program Analyst

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

October 29, 2009

TO: All Interested Parties

FROM: Peter Douglas, Executive Director

SUBJECT: Coastal Permit No. **4-02-227** Granted to **Ken Marks**

For: Construction of a new two story, 2,527 sq. ft. single-family residence including an attached 555 sq. ft. garage, terraces, driveway, retaining walls, septic system, as-built water well, water tank, removal of existing chain link fence, and performance of 430 cu. yds. cut grading. Proposal also includes request for after-the-fact approval of Certificate of Compliance #1706 to legalize the subject parcel. This project was amended to redesign single family residence and garage (no longer factory-built structure) at same location, increase habitable square footage from 1,972 sq. ft. to 2,164 sq. ft., decrease garage from 555 sq. ft. to 461 sq. ft., increase height from 23 feet to 29 feet 4 inches. Reduce retaining walls to 90 feet long and 5 ft. maximum height and add 778 sq. ft. of roof level deck and increase 398 sq. ft. deck to 541 sq. ft. upper floor deck.

This project is more specifically described in the application on file in the Commission offices. The project is located at **3002 Foose Road, unincorporated Malibu, Los Angeles County (APN 4472-025-049)**.

The Executive Director of the California Coastal Commission has reviewed a proposed amendment (**4-02-227-A-3**) to the above referenced permit, which would result in the following change:

Redesign single family residence at same location. Increase habitable square footage from 2,164 sq. ft. to 3,094 sq. ft. by increasing the square footage of the approved second floor.

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(a)(2) this amendment is considered to be IMMATERIAL and the permit will be modified accordingly if no written objections are received within ten working days of the date of this notice. This amendment has been considered "immaterial" for the following reason(s):

The proposed amendment consists of redesigning the residence by increasing the habitable square footage on the approved second floor. The proposed project is located within an existing developed area that is visible from Charmlee Park located to the southeast. However, the height of the two story residence is comparable to other existing surrounding residential development. The residence is located on a relatively flat area of the eastern portion of the lot partially screened by an existing residence on adjacent property as viewed from the portions of the park located to the southeast, so as to be less obtrusive and reduce the visibility of a portion of the residence from public lands. Special Condition No. 5 requires that the color of the exterior surface of all structures be limited to colors compatible with the surrounding environment (earth tones) and all windows shall be comprised of non-glare glass. Special Condition No. 3 requires the applicant to landscape the lot with native plants visually compatible with surrounding areas and place vertical landscaping elements to screen the residence and water tank from public views. To ensure that the approved landscape plans are successfully implemented, Special Condition no. 3 also requires the applicant to revegetate all disturbed areas in a timely manner and include a monitoring component to ensure the successful establishment of all newly planted and landscaped areas over time. Therefore, the proposed amendment will not create any new adverse effect on coastal resources or affect public access to or along the coast. Thus, it is consistent with the Chapter 3 Policies of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact James Johnson at the Commission District office.