

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT

200 Oceangate, 10th Floor

LONG BEACH, CA 90802-4416

(562) 590-5071 FAX (562) 590-5084

www.coastal.ca.gov**W13****SOUTH COAST DISTRICT (LONG BEACH)
DEPUTY DIRECTOR'S REPORT***For the**March Meeting of the California Coastal Commission*

MEMORANDUM

Date: March 10, 2010

TO: Commissioners and Interested Parties
FROM: John Ainsworth, South Coast District Deputy Director, (Los Angeles County)
Sherilyn Sarb, South Coast District Deputy Director, (Orange County)

SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the South Coast District Office for the March 10, 2010 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 Coast District.

REGULAR WAIVERS

1. 5-09-247-W Mr. Mickey Moran (San Clemente, Orange County)
2. 5-10-036-W Mr. Thierry Pierre Vucrings (Venice, Los Angeles County)

DE MINIMIS WAIVERS

1. 5-09-255-W City Of Los Angeles, Department Of Public Works, Bureau Of Eng., Attn: Ms. Maria Martin (Venice, Los Angeles County)
2. 5-10-011-W Mr. Douglas Hanes (Newport Beach, Orange County)
3. 5-10-016-W Mr. Jerry Greubel (Newport Beach, Orange County)
4. 5-10-022-W Gregory Benedict (Surfside Colony Seal Beach, Orange County)
5. 5-10-024-W Ca Dept. Fish & Game, Attn: Mr. William P. Messier; Kyle Gore, Eagle Scout Candidate (Newport Beach, Orange County)
6. 5-10-026-W Mr. Gary Jabara (Newport Beach, Orange County)

TOTAL OF 8 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>
5-09-247-W Mr. Mickey Moran	Remodel of an existing one-story 2,028 sq. ft., single family residence with the demolition of an existing detached, at-grade, 482 sq. ft. 2-car garage and demolition of a 40 sq. ft. covered breezeway between the existing garage and residence and construction of a new 587 sq. ft. 2-car subterranean garage with a 618 sq. ft. second storey family room, storage room, bathroom and 50 sq. ft. balcony over the new garage and a 87 sq. ft. hall and stair area in place of the breezeway connecting the new garage and garage second story to the existing residence, demolition and re-construction of driveway, new retaining walls and new trench drain along the length of the new driveway. Grading consisting of 294 cu. yds. of cut for the new subterranean garage. The maximum height of the residential structure will be 19 feet measured from the centerline of the frontage road. Landscaping or vegetation removal is not proposed. No work is proposed on the canyonward side of the lot.	2303 Las Plamas, San Clemente (Orange County)
5-10-036-W Mr. Thierry Pierre Vucrings	Construct a 35-foot high, 497 square foot third level on an existing two-story, 3,631 square foot duplex on a 2,520 square foot beach front lot.	2605 Ocean Front Walk, Venice (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>
5-09-255-W City Of Los Angeles, Department Of Public Works, Bureau Of Eng., Attn: Ms. Maria Martin	Replace four segments of existing underground sanitary sewer pipe (650 linear feet) within City rights-of-way in order to remove hydraulic constraints ("choke points") from the existing sewer system.	Oakwood Ave Between Millwood Ave & Rialto Court; Rialto Court Between Shell Ave & Crescent Pl; Crescent Pl(Undeveloped Paper Street) Between Rialto Court & Palms Blvd; And Abbot Kinney Blvd @ The Intersection W/ Palms Blvd., Venice

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>5-10-011-W Mr. Douglas Hanes</p>	<p>Demolition of existing two-story single family residence and garage and construction of a new two-story, 2,646 sq. ft., 29' tall, single family residence, 650 sq. ft. roof deck, 74 sq. ft. balcony, attached 372 sq. ft. 2-car garage and hardscape improvements including new 6' tall concrete block walls along the side property walls. Minimal grading for soil re-compaction and site preparation is proposed. Area drains along the side yards will be directed to percolation pits prior to draining toward the alley and the main storm drain system, deck/balcony drains will be directed to planting pockets along the side yards, a trench drain is proposed along the length of the garage and surface run-off water from the front portion of the lot will be directed to new planters along the width of the lot for greater on-site infiltration. Landscape is proposed utilizing drought tolerant non-invasive plants such as bougainvillea and acacia rigens.</p>	<p>107 Pearl Ave, Newport Beach (Orange County)</p>
<p>5-10-016-W Mr. Jerry Greubel</p>	<p>Demolition of existing one-story single family residence and garage and construction of a new three-story, 2,201 sq. ft., 29' tall, single family residence, 468 sq. ft. roof deck, 70 sq. ft. balcony, attached 473 sq. ft. 2-car garage and hardscape improvements including new 6' tall concrete block walls along the side property walls and new 3' tall concrete block wall along a stone paving front patio. Minimal grading for soil re-compaction and site preparation is proposed. Area drains along the side yards and surface run-off water from the front portion of the lot will be directed to two percolation pits located at the front of the lot or to planter beds also at the front of the lot for greater on-site infiltration. Landscape is proposed utilizing drought tolerant non-invasive plants.</p>	<p>310 Anade Ave, Newport Beach (Orange County)</p>
<p>5-10-022-W Gregory Benedict</p>	<p>Demolition of an existing 390 square foot detached 2-car garage associated with an existing 2,070 square foot 2-story single-family residence and construction of a new 365 square foot attached 2-car garage and a total of 875 square feet of new habitable area. More specifically, the project consists of the following: 1) an addition of 75 square feet to the existing 1st floor; 2) an addition of 360 square feet to the existing 2nd floor; and 3) an addition of 440 square feet to the existing 3rd floor. In addition, the existing roof deck will be extended. Post project: the single-family residence will be three-stories consisting of 2,945 square feet with an attached 365 square foot two-car garage and will not exceed 35-feet above existing grade. Drainage from the roof drains and surface drainages will be directed onto permeable surfaces before entering the main storm drain system.</p>	<p>B - 42 Surfside Ave, Surfside Colony Seal Beach (Orange County)</p>
<p>5-10-024-W Ca Dept. Fish & Game, Attn: Mr. William P. Messier Kyle Gore, Eagle Scout Candidate</p>	<p>Construct a shade structure (encompassing approximately 340 square feet) over an existing touch tank exhibit that is currently located on top of wood plank decking. The shade structure will consist of 1-24' x 10' and 1-10' x 10' section covering a long rectangular touch tank and two round shaped touch tanks exhibit. The shelter will be supported by 10-4' x 4' posts and will reach 10' in height at its peak and 8' from the bottom of the beam to the ground. The shelter will have a roof made of plywood and shingles and the structure itself will not be enclosed.</p>	<p>Back Bay Science Center 600 Shellmaker Rd., Newport Beach (Orange County)</p>

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

5-10-026-W
Mr. Gary Jabara

Lot line adjustment to merge two R-1 lots into a single 4,937 square foot parcel for the continuation of existing single-family development.

1547 & 1551 Miramar Dr., Newport Beach (Orange County)

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



February 22, 2010

Jack Garland
P.O. Box 2036
Capistrano Beach, CA 92624

SUBJECT: Waiver of Coastal Development Permit Requirement/Improvements to Existing Single-Family Residences or Structures - Section 30610(a) and (b) of the Coastal Act

Based on your project plans and information provided in your permit application for 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) or Section 13253(c), Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-09-247 **APPLICANT:** Mickey Moran

LOCATION: 2303 Calle Las Palmas, San Clemente (Orange County)

PROPOSED DEVELOPMENT: Remodel of an existing one-story 2,028 sq. ft., single family residence with the demolition of an existing detached, at-grade, 482 sq. ft. 2-car garage and demolition of a 40 sq. ft. covered breezeway between the existing garage and residence and construction of a new 587 sq. ft. 2-car subterranean garage with a 618 sq. ft. second storey family room, storage room, bathroom and 50 sq. ft. balcony over the new garage and a 87 sq. ft. hall and stair area in place of the breezeway connecting the new garage and garage second story to the existing residence, demolition and reconstruction of driveway, new retaining walls and new trench drain along the length of the new driveway. Grading consisting of 294 cu. yds. of cut for the new subterranean garage. The maximum height of the residential structure will be 19 feet measured from the centerline of the frontage road. Landscaping or vegetation removal is not proposed. No work is proposed on the canyonward side of the lot.

RATIONALE: The subject site is a 16,830 sq. ft. interior coastal canyon lot designated as Residential Low Density (RL) in the San Clemente Land Use Plan (LUP). As proposed, the project involves the demolition of a detached, at-grade, 2-car garage and construction of a new attached subterranean garage with a second storey addition. The new garage meets the 15-foot canyon edge setback and will not encroach any further into the canyon. All work is proposed on the street frontage side of the lot, no work is proposed to any existing improvements on the canyonward side of the lot. The project conforms to the Commission's typical parking requirement of two spaces per residential unit. The project is designed to be compatible with the character of the surrounding development. Adequate measures to address water quality have been incorporated during construction and into the project design including a new trench along the driveway. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views; or prejudice the City's ability to prepare a Certified Local Coastal Program. Additionally the project is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **March 10-12, 2010** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director
cc: Commissioners/File

by: _____
KARL SCHWING
Supervisor Regulation and Planning

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



February 22, 2010

Amilcar Hosterhail
2850 Ocean Park Blvd., #315
Santa Monica, CA 90405

SUBJECT: Waiver of Coastal Development Permit Requirement/Improvements to Existing Single-Family Residences or Structures - Section 30610(a) & (b) of the Coastal Act.

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a coastal development permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER: 5-10-036 **APPLICANT:** Thierry Pierre Vuerings

LOCATION: 2605 Ocean Front Walk, Venice, City of Los Angeles, Los Angeles County.

PROPOSED DEVELOPMENT: Construct a 35-foot high, 497 square foot third level on an existing two-story, 3,631 square foot duplex on a 2,520 square foot beach front lot.

RATIONALE: The proposed project has been approved by the City of Los Angeles Planning Department (Case #ZA2008-4244-ZAA, 7/15/09) and is consistent with the RD1.5-1 zoning designation and the surrounding land uses. Although the proposed project is a minor building addition, it requires a coastal development permit because it is situated within 300 feet of the beach and results in a floor area increase and height increase greater than ten percent of the existing building's internal floor area and height (Ca. Regs. Sec. 13253). The proposed project conforms with the Commission's 35-foot height limit for structures in the North Venice area. Adequate on-site parking is provided for the two existing residential units: four stalls accessed from the rear alley (Speedway). The proposed project incorporates best management practices (BMPs) to improve water quality in the watershed, including the minimization of impervious surfaces on the project site (328 square feet of permeable area will be maintained on the lot). The proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. The project is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

This waiver will not become effective until reported to the Commission at its **March 10, 2010 meeting in Santa Cruz**. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required

PETER DOUGLAS
Executive Director

cc: Commissioners/File

CHARLES R. POSNER
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

February 18, 2010



City of Los Angeles Dept. of Public Works, Bureau of Engineering
Attn: Maria Martin, Environmental Supervisor
1149 S. Broadway, #600
Los Angeles, CA 90015

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments
Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a coastal development permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER: 5-09-255

APPLICANT: City of Los Angeles Dept. of Public Works

LOCATIONS (3): 1) Oakwood Avenue, between Milwood Avenue and Rialto Court; 2) Rialto Court, between Shell Avenue and Crescent Place, and Crescent Place, between Rialto Court and Palms Blvd.; and 3) Abbot Kinney Blvd. near the Palms Blvd./Rialto Avenue intersection, Venice, City of Los Angeles.

PROPOSED DEVELOPMENT: Replace four segments of underground sanitary sewer pipe (650 linear feet) within City rights-of-way to remove hydraulic constraints ("choke points") from the sewer system.

RATIONALE: The project sites are located more than one-half mile inland of the beach. The proposed sewer pipe replacements are part of the Penmar Water Quality Improvement Project being implemented by the City in order to improve the water quality of Santa Monica Bay in compliance with Regional Water Quality Control Board requirements. The project will enable to the City to divert dry weather storm drain flows into the sanitary sewer for treatment, and to also divert a portion of wet weather stormwater flow from the Rose Avenue Storm Drain into a 2.75-million gallon underground reservoir for treatment and reuse. The project is funded by Proposition O. The majority of the work involved with the Penmar Water Quality Improvement Project, including the underground reservoir, is located inland of the coastal zone at the Penmar Recreation Center. The proposed project is expected to result in a substantial decrease in ocean water pollution by eliminating the discharge of untreated pollutant-bearing flows onto the beach and into the ocean. Therefore, the proposed improvements will have a beneficial effect on water quality and coastal recreation. The proposed project will not: a) obstruct public views to or along the coast; b) adversely impact public access to and use of the water; c) adversely impact public recreational use of a public park or beach; or d) otherwise adversely affect recreation, access or the visual resources of the coast. Therefore, the proposed project is consistent with the Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

This waiver will not become effective until reported to the Commission at its **March 10, 2010 meeting in Santa Cruz** and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director
cc: Commissioners/File


CHARLES R. POSNER
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



February 22, 2010

John T. Morgan Jr.
18682 Beachmont Ave
N. Tustin, CA 92705

SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-10-011 **APPLICANT:** Douglas Hanes

LOCATION: 107 Pearl Ave, Balboa Island, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of existing two-story single family residence and garage and construction of a new two-story, 2,646 sq. ft., 29' tall, single family residence, 650 sq. ft. roof deck, 74 sq. ft. balcony, attached 372 sq. ft. 2-car garage and hardscape improvements including new 6' tall concrete block walls along the side property walls. Minimal grading for soil re-compaction and site preparation is proposed. Area drains along the side yards will be directed to percolation pits prior to draining toward the alley and the main storm drain system, deck/balcony drains will be directed to planting pockets along the side yards, a trench drain is proposed along the length of the garage and surface run-off water from the front portion of the lot will be directed to new planters along the width of the lot for greater on-site infiltration. Landscape is proposed utilizing drought tolerant non-invasive plants such as bougainvillea and acacia rigens.

RATIONALE: The subject site is a 2,877 square foot lot designated two-unit residential in the City of Newport Beach Land Use Plan (LUP) and is located on an inland lot within the first public road and the sea on Balboa Island. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Adequate measures to address water quality have been incorporated during construction and into the project design. Public coastal access to the bay is available ~50 feet southwest of the site along a public boardwalk around Balboa Island. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **March 10-12, 2010** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director

by: _____
KARL SCHWING
Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



February 22, 2010

Dennis Wood, Architect
407 E. Balboa Blvd.
Newport Beach, CA 92661

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis
Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-10-016 **APPLICANT:** Jerry Greubel

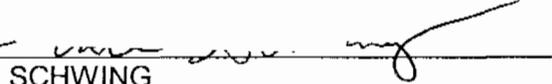
LOCATION: 310 Anade Avenue, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of existing one-story single family residence and garage and construction of a new three-story, 2,201 sq. ft., 29' tall, single family residence, 468 sq. ft. roof deck, 70 sq. ft. balcony, attached 473 sq. ft. 2-car garage and hardscape improvements including new 6' tall concrete block walls along the side property walls and new 3' tall concrete block wall along a stone paving front patio. Minimal grading for soil re-compaction and site preparation is proposed. Area drains along the side yards and surface run-off water from the front portion of the lot will be directed to two percolation pits located at the front of the lot or to planter beds also at the front of the lot for greater on-site infiltration. Landscape is proposed utilizing drought tolerant non-invasive plants.

RATIONALE: The subject site is a 2,100 square foot lot designated two-unit residential in the City of Newport Beach Land Use Plan (LUP) and is located on an inland lot within the first public road and the sea on Balboa Peninsula. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Adequate measures to address water quality have been incorporated during construction and into the project design. Public coastal access to the bay is available ~150 feet north of the site at the street end of Anade Ave at a public walkway along E. Edgewater Ave. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **March 10-12, 2010** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director

by: 
KARL SCHWING
Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 OceanGate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



February 22, 2010

Victor Pelayo
14111 Freeway Drive, #30
Santa Fe Springs, CA 90670

SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-10-022 **APPLICANT:** Gregory Benedict

LOCATION: B-42 Surfside, Seal Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of an existing 390 square foot detached 2-car garage associated with an existing 2,070 square foot 2-story single-family residence and construction of a new 365 square foot attached 2-car garage and a total of 875 square feet of new habitable area. More specifically, the project consists of the following: 1) an addition of 75 square feet to the existing 1st floor; 2) an addition of 360 square feet to the existing 2nd floor; and 3) an addition of 440 square feet to the existing 3rd floor. In addition, the existing roof deck will be extended. Post project: the single-family residence will be three-stories consisting of 2,945 square feet with an attached 365 square foot two-car garage and will not exceed 35-feet above existing grade. Drainage from the roof drains and surface drainages will be directed onto permeable surfaces before entering the main storm drain system.

RATIONALE: The subject site is not a beachfront lot, but is located between the first public road and the sea in the private gated community of Surfside Colony. The lot size is 1,810 square feet and is designated as residential low density in the City of Seal Beach Zoning Code. More than 50% of the existing walls of the detached garage will be demolished and the addition consists of more than 10%, therefore, an approval from the Coastal Commission is necessary. The proposed development meets the Commission's regularly used 35' height limit for Surfside Colony and would not result in an intensification of use of the site. The proposed project also conforms to the Commission's parking requirement of 2 spaces per residential unit. Vertical public access is provided in the project area at the end of Anderson Street. In addition, the Commission conditioned permit P-75-6364 to allow public access through the gates at the southeastern end of Surfside during daylight hours. Lateral public access is available along Sunset County beach, seaward of the Surfside Colony's 80' wide property between the first line of houses and the sea. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed development would not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. The proposed development would not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with past Commission actions in the area and the Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their March 10-12, 2010 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be require

PETER DOUGLAS
Executive Director
cc: Commissioners/File


KARL SCHWING
Orange County Area Supervisor

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



February 24, 2010

California Department of Fish and Game (CDFG)
Attn: William Messier
600 Shellmaker Road
Newport Beach, CA 92660

Kyle Gore
17230 Orange Blossom Lane
Yorba Linda, CA 92886

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis
Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-10-024 **APPLICANT:** CDFG & Kyle Gore

LOCATION: Back Bay Science Center (Shellmaker Island), Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Construct a shade structure (encompassing approximately 340 square feet) over an existing touch tank exhibit that is currently located on top of wood plank decking. The shade structure will consist of 1-24' x 10' and 1-10' x 10' section covering a long rectangular touch tank and two round shaped touch tanks exhibit. The shelter will be supported by 10-4' x 4' posts and will reach 10' in height at its peak and 8' from the bottom of the beam to the ground. The shelter will have a roof made of plywood and shingles and the structure itself will not be enclosed.

RATIONALE: The subject site is the Back Bay Science Center located on Shellmaker Island. More specifically, the touch tank exhibit where the new shade structure will be constructed is located immediately west of the Back Bay Science Center teaching lab, across the gravel parking area and next to the gazebo styled structure. The project site is a high traffic regularly maintained area and is adjacent to a Ficus tree that is habitat to breeding Night Herons (April to September). The proposed project will be completed prior to the beginning of the Night Heron breeding season. Also, the project will not impact native plant vegetation. Public access to Upper Newport Bay is available on Shellmaker Island. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their March 10-12, 2010 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director
cc: Commissioners/File


KARL SCHWING
Orange County Area Supervisor

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 OceanGate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



February 22, 2010

Mark S. Reader
9911 Irvine Center Drive Suite 150
Irvine, CA 92618

SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

WAIVER#: 5-10-026 **APPLICANT:** Gary and Lisa Jabara

LOCATION: 1547 and 1551 Miramar Drive, Newport Beach Orange County

PROPOSED DEVELOPMENT: Lot line adjustment to merge two lots into a single 4,937 square foot parcel for the continuation of existing single-family development.

RATIONALE: The proposed development consists of a lot line adjustment to combine two adjoining R-1 lots into a single R-1 parcel for the continuation of existing single-family development. The two adjacent lots subject to the lot line adjustment consist of two 2,450 sq. ft. side by side lots, one developed with a single-family residence and one vacant lot. The lot merger would simply remove the interior lot line separating the two legal parcels and will not result in the elimination of more than one lot or the creation of additional parcels. The project will not result in a change in land use or density, since no additional lots are created and the single-family residential use will be maintained. The proposed project has been approved by the City of Newport Beach Planning Department (Lot Line Adjustment No. LA2008-008[PA2008-171, 10/20/08]). The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. Additionally, the proposed development would not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **March 10-12, 2010** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director
cc: Commissioners/File

by: _____
KARL SCHWING
Supervisor Regulation and Planning