

CALIFORNIA COASTAL COMMISSION
SOUTH COAST DISTRICT
PO Box 1450
200 Oceangate, 10th Floor
LONG BEACH, CA 90802-4416
(562) 590-5071 FAX (562) 590-5084
www.coastal.ca.gov

W5

SOUTH COAST DISTRICT (LONG BEACH) DEPUTY DIRECTOR'S REPORT

For the

April Meeting of the California Coastal Commission

MEMORANDUM

Date: April 14, 2010

TO: Commissioners and Interested Parties
FROM: Sherilyn Sarb, South Coast 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 April 14, 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. 5-10-029-W Mr. & Mrs. Kirk Nelson (Newport Beach, Orange County)
2. 5-10-034-W Mr. & Mrs. Louis Mannone (Seal Beach, Orange County)

DE MINIMIS WAIVERS

1. 5-09-254-W Albert Hanna (Newport Beach, Orange County)
2. 5-10-033-W Mr. & Mrs. James Gaskill (Newport Beach, Orange County)
3. 5-10-040-W Lab Holding, Llc., Attn: Ms. Linda Sadeghi (San Clemente, Orange County)
4. 5-10-049-W San Clemente Art Supply, Attn: Richard Herdel (San Clemente, Orange County)
5. 5-10-063-W Stephen Paquette (San Clemente, Orange County)

EMERGENCY PERMITS

1. 5-09-251-G Beachfront Village, Llc (Huntington Beach, Orange County)

EXTENSION - IMMATERIAL

1. 5-07-056-E1 Mark Cragun (San Clemente, Orange County)

TOTAL OF 9 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>
5-10-029-W Mr. & Mrs. Kirk Nelson	Improvement of a single family, 2 story, 2,445 sq. ft. home to a 3 story home at 5,406 sq. ft. Three (3) parking spaces are provided on site.	4200 River Ave, Newport Beach (Orange County)
5-10-034-W Mr. & Mrs. Louis Mannone	Addition and remodel of an existing 1,585 square foot one-story, single-family residence with a detached 695 square foot three-car garage. The proposed project includes: 1) reduction of the existing three-car garage by 240 square feet resulting in a 455 square foot two-car garage; 2) demolition of 82-square feet of the existing livable area; and 3) an addition of 847 square feet of new livable area. No grading is proposed. Post project the one-story single-family residence will be 2,350 square feet with an attached 455 square foot two-car garage. The maximum height of the structure will not exceed 25-feet above existing grade.	222 Central Way, Seal Beach (Orange 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>
5-09-254-W Albert Hanna	Remodel of an existing 1,892 sq. ft., two-storey duplex including a 190 sq. ft second-storey deck and attached 380 sq. ft. two-car garage for conversion to a single-family residence with the addition of 714 sq. ft. livable space resulting in a 2,226 sq. ft., three-storey single-family residence, 228 sq. ft. second storey deck, 352 sq. ft. roof deck and 380 sq. ft. two-car carport. The maximum height of the residential structure will be 29 feet above grade. Minimal demolition of exterior walls and no grading or landscaping is proposed. Existing concrete sideyards are proposed to be replaced with permeable pavers designed to retain surface runoff on site resulting in greater on-site percolation prior to draining to the alley.	1918 West Oceanfront, Newport Beach (Orange County)

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>5-10-033-W Mr. & Mrs. James Gaskill</p>	<p>Demolition of existing single family residence and construction of a new three-story (two-storey plus basement level), 6,358 sq. ft. single family residence plus a 682 sq. ft. 3-car garage, 1,050 sq. ft. roof deck and spa. The maximum height of the residential structure will be 25 feet above finished grade. Grading consists of 430 cu. yds. cut for the basement level and site preparation. Drainage from the roof and surface water will be collected and sump pumped directly to the City's main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as Mexican feathergrass, aloe, snake plan and coral tree. No work is proposed to the existing bulkhead or floating dock system.</p>	<p>1611 Bayside Drive, Newport Beach (Orange County)</p>
<p>5-10-040-W Lab Holding, Llc., Attn: Ms. Linda Sadeghi</p>	<p>Restoration/interior renovations and landscape improvements to an existing historic 12,079 sq. ft. commercial structure for conversion to a restaurant/ballroom open 6am-2am, 7 days a week (maximum occupancy 384). Issuance of 64 parking waivers for the proposed restoration and reuse of the historic structure is also proposed. No demolition or grading is proposed.</p>	<p>140 W. Avenida Pico, San Clemente (Orange County)</p>
<p>5-10-049-W San Clemente Art Supply, Attn: Richard Herdel</p>	<p>The installation of a free-standing, non-illuminated, hand painted, two-sided, 4' high by 82" long business identification sign supported by two 6" round wood poles (in the shape of paintbrushes) on a 4' high by 90" long tiled monument base with four (4) 6"x26" tenant plaques. Total height of the sign is 10 feet tall. The sign would be installed adjacent to the surface parking lot driveway entrance on private commercially zoned property.</p>	<p>1533 N. El Camino Real, San Clemente (Orange County)</p>
<p>5-10-063-W Stephen Paquette</p>	<p>Installation of a new replacement gas meter and approximately 581-feet of buried (hand-trenched 12" wide x 18" deep) 1 1/4" galvanized pipe natural gas line from proposed new gas meter around the perimeter of the existing two story 8-unit condominium complex on a coastal bluff top lot. No grading or vegetation removal is proposed.</p>	<p>255 W. Avenida Marquita, San Clemente (Orange County)</p>

REPORT OF EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property or to maintain public services.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<p>5-09-251-G Beachfront Village, Llc</p>	<p>Removal of two spoils piles that were illegally dumped on the property by unknow vandals. Additionally, the applicant proposes to erect a temporary barrier and sign to deter vandals from further illegal dumping. The piles were dumped on an area vegetated with some native vegetation, including pickleweed and saltgrass, biological monitors will closely supervise soil removal in order to avoid impacts to the biological resources.</p>	<p>Pacific Coast Highway Between Beach Blvd. And Newland St., Huntington Beach (Orange County)</p>

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-07-056-E1 Mark Cragun	Grade site and install caisson shoring/retaining walls and construct 4,976 sq. ft., 32.5 ft. high (above road centerline), single family residence including offer to dedicate 2 ft. wide public access easement with sidewalk at property line along Boca del Canon, and construct sidewalk along property frontage within La Rambla public right-of-way.	319 La Rambla, San Clemente (Orange County)

CALIFORNIA COASTAL COMMISSION

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



March 30, 2010

Christopher Ball, Architect
4024 Channel Place
Newport Beach, CA 92663

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#: 5-10-029-W

APPLICANT: Kirk and Tamara Nelson

LOCATION: 4200 River Ave, Newport Beach, Orange County

PROPOSED DEVELOPMENT: Improvement of a single family, 2 story, 2,445 sq. ft. home to a 3 story home at 5,406 sq. ft. Three (3) parking spaces are provided on site.

RATIONALE: The subject lot is a 4,500 sq. ft. bayfront lot designated as Residential Two Family in the City's certified land use plan. The existing lot is protected by a bulkhead, similar to adjacent lots, and no work is proposed to the bulkhead. The proposed project has been approved by the City of Newport Beach Planning Department (No. 1959-2009, R2-143170). The proposed development consists of an addition of a second and third story to an existing single family home. The addition would increase the floor area of the home by more than 10%, therefore Commission approval is necessary. The development includes a three car garage on-site, meeting the Commission's typically applied parking requirement of two parking spaces per residential unit. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality and will not prejudice the City's ability to prepare a certified Local Coastal Program. The proposed Development 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 **April 14-16, 2010**, meeting. If three (3) 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



March 30, 2010

Louis & Pamela Mannone
1109 ½ Seal Way
Seal Beach, CA 90740

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#: 5-10-034 **APPLICANT:** Louis & Pamela Mannone

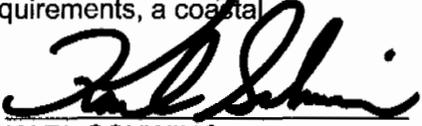
LOCATION: 222 Central Way, Seal Beach (Orange County)

PROPOSED DEVELOPMENT: Addition and remodel of an existing 1,585 square foot one-story, single-family residence with a detached 695 square foot three-car garage. The proposed project includes: 1) reduction of the existing three-car garage by 240 square feet resulting in a 455 square foot two-car garage; 2) demolition of 82-square feet of the existing livable area; and 3) an addition of 847 square feet of new livable area. No grading is proposed. Post project the one-story single-family residence will be 2,350 square feet with an attached 455 square foot two-car garage. The maximum height of the structure will not exceed 25-feet above existing grade.

RATIONALE: The subject site is an inland lot neither located between the first public road and the sea nor within 300 feet of the inland extent of any beach or the mean high tide of the sea. The proposed project consists of approximately 50% demolition of the exterior wall of the existing structure. The lot size is 5,875 square feet and is designated as residential high density in the City of Seal Beach Zoning Code. The proposed project conforms to the Commission's parking requirement (two-spaces per residential unit). Public access to the beach exists west of the project site at the end of 3rd Street. 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 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 April 14-16, 2010 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director


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



March 29, 2010

Albert Hanna
5 Hutton Center Drive #1100-B
Santa Ana, CA 92707

**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 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#: 5-09-254 **APPLICANT:** Albert Hanna

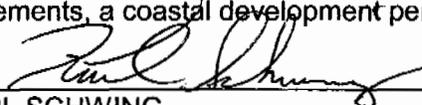
LOCATION: 1918 West Oceanfront, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Remodel of an existing 1,892 sq. ft., two-storey duplex including a 190 sq. ft second-storey deck and attached 380 sq. ft. two-car garage for conversion to a single-family residence with the addition of 714 sq. ft. livable space resulting in a 2,226 sq. ft., three-storey single-family residence, 228 sq. ft. second storey deck, 352 sq. ft. roof deck and 380 sq. ft. two-car carport. The maximum height of the residential structure will be 29 feet above grade. Minimal demolition of exterior walls and no grading or landscaping is proposed. Existing concrete sideyards are proposed to be replaced with permeable pavers designed to retain surface runoff on site resulting in greater on-site percolation prior to draining to the alley.

RATIONALE: The subject site is a 1,925 sq. ft. beach front lot adjacent to the City of Newport Beach's paved Oceanfront Blvd. boardwalk. The site is designated as High Density Residential (RH-A) in the Newport Beach Land Use Plan (LUP); the proposed project is a remodel and conversion from a duplex to a single-family residence allowable under this designation. The proposed project consists of a complete interior remodel of the existing ground floor, substantial addition to the existing second floor and new third floor/roof deck. The project is in conformance with the Commission's typical parking requirement of two spaces per residential unit. The proposed addition is all within the footprint of the existing structure with no further seaward encroachment of enclosed living space and minimal demolition of the existing exterior walls. The proposed second floor deck meets the required 3-foot setback from the beachfront property line. Deck railings are designed to avoid potential bird-strike hazards. The project is designed to be compatible with the character of the surrounding development. 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 Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 14-16, 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



March 29, 2010

Spectrum Architecture, Attn: John Henderson & Cris Adams
4199 Campus Drive, Suite 550
Irvine, CA 92612

**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#: 5-10-033 **APPLICANT:** James Gaskill

LOCATION: 1611 Bayside Drive, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of existing single family residence and construction of a new three-story (two-storey plus basement level), 6,358 sq. ft. single family residence plus a 682 sq. ft. 3-car garage, 1,050 sq. ft. roof deck and spa. The maximum height of the residential structure will be 25 feet above finished grade. Grading consists of 430 cu. yds. cut for the basement level and site preparation. Drainage from the roof and surface water will be collected and sump pumped directly to the City's main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as Mexican feathergrass, aloe, snake plan and coral tree. No work is proposed to the existing bulkhead or floating dock system.

RATIONALE: The subject site is a 5,202 sq. ft. bulkhead lot designated high density residential in the City of Newport Beach Land Use Plan (LUP). The proposed project exceeds 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. Surface area drains and downspouts are directed to an underground drainage system, which drains away from the bay and toward the front of the lot with the use of sump pump. 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 **April 14-16, 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



April 1, 2010

LAB Holding, LLC Attn: Linda Sadeghi
709 Randolph Ave
Costa Mesa, CA 92626

SUBJECT: 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#: 5-10-040

APPLICANT: LAB Holding, LLC Attn: Linda Sadeghi

LOCATION: 140 W. Avenida Pico, San Clemente (Orange County)

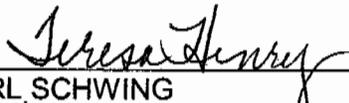
PROPOSED DEVELOPMENT: Restoration/interior renovations and landscape improvements to an existing historic 12,079 sq. ft. commercial structure for conversion to a restaurant/ballroom open 6am-2am, 7 days a week (maximum occupancy 384). Issuance of 64 parking waivers for the proposed restoration and reuse of the historic structure is also proposed. No demolition or grading is proposed.

RATIONALE: The subject site is a 34,884 sq. ft. inland lot between the first public road and the sea. The site is designated as Commercial (C-2) in the City of San Clemente Land Use Plan (LUP). Public coastal access is available approximately 500 feet west of the site at the North Beach access point. The structure is listed on the City's Designated Historic Structures List. The applicant proposes interior renovations and landscape improvements to re-establish the original use of the facility built in 1937 to a restaurant/entertainment venue. CDP P-8-27-73-1797 for the remodel of an existing 1-story lodge building conversion to dance hall/dinner playhouse issued by the predecessor Commission in 1973 contains plans for a 355 occupancy structure. The proposed project would increase the site's occupancy from the historic 355-360 seat range to a proposed 384 maximum occupancy. This increase is due to a 5,175 sq. ft. back yard patio area proposed for re-use as "cocktail patio/waiting area/dining patio." The max occupancy load for the facility would be evenings, therefore, adverse impacts to coastal access are not expected. Additionally, the proposed restaurant use would result in a change in the intensity of use of the structure which is currently vacant but last used as the CHI Science Center (CDP 5-01-135, Lee). There are seven (7) on-site parking spaces, sixty-four (64) additional parking spaces are required to meet the City's parking requirements for a restaurant use in this zone including proposed patio areas. The additional spaces could not be established onsite without substantial demolition/alteration of the existing historic structure to create more surface or underground parking. North Beach parking studies conducted by the City in 2009 indicate sufficient parking in the vicinity under existing conditions (340 on-street spaces) to provide public parking and 64 parking waivers without impacting surrounding uses (i.e., coastal resource uses). Furthermore, the applicant has entered into an agreement with the City in which the City is obligated to provide the necessary 64 new public parking spaces within the proximity of the restaurant in the future when the 90% threshold of parking spaces utilized in the North Beach area is reached. Any revision to the City's CUP or Parking Agreement would also require review for determination if a CDP is required. 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 April 14-16, 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: 
for 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



March 29, 2010

Signs by Creations Unlimited
1323 Calle Valle
San Clemente, CA

**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#: 5-10-049 **APPLICANT:** San Clemente Art Supply, Attn: Richard Herdell

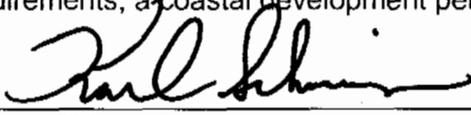
LOCATION: 1531 N. El Camino Real, San Clemente (Orange County)

PROPOSED DEVELOPMENT: The installation of a free-standing, non-illuminated, hand painted, two-sided, 4' high by 82" long business identification sign supported by two 6" round wood poles (in the shape of paintbrushes) on a 4' high by 90" long tiled monument base with four (4) 6"x26" tenant plaques. Total height of the sign is 10 feet tall. The sign would be installed adjacent to the surface parking lot driveway entrance on private commercially zoned property.

RATIONALE: The proposed development consists of the installation of a new free standing business identification sign for the San Clemente Art Supply located on El Camino Real (Pacific Coast Hwy) designated as a scenic corridor in the City of San Clemente certified Land Use Plan. The proposed development is not an addition to an existing structure and therefore not exempt from coastal development permit requirements. The proposed sign and tiled monument base would be a total of 10 feet tall; the actual sign, 4' high by 82" long supported by 4' high by 90" long tiled monument base installed on private property and visible from El Camino Real. The sign meets the height limit and other local code requirements; preserves public views along the scenic corridor and is consistent with the commercial character in the vicinity. Public beach access is available approximately half a mile west from the site at the North Beach Access Point. The proposed development will not result in adverse impacts to coastal views, coastal access, coastal resources or public recreation. Additionally, 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 **April 14-16, 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

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



March 29, 2010

Marquita HOA, Attn: Stephen Paquette
35251 Camino Capistrano
Capistrano Beach, CA 92624

**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#: 5-10-063 **APPLICANT:** Marquita HOA, Attn: Stephen Paquette

LOCATION: 255 West Avenida Marquita, San Clemente (Orange County)

PROPOSED DEVELOPMENT: Installation of a new replacement gas meter and approximately 581-feet of buried (hand-trenched 12" wide x 18" deep) 1 ¼" galvanized pipe natural gas line from proposed new gas meter around the perimeter of the existing two story 8-unit condominium complex on a coastal bluff top lot. No grading or vegetation removal is proposed.

RATIONALE: The subject site is an 8-unit condominium building located on a coastal bluff designated as Residential Medium Density in the City of San Clemente Certified Land Use Plan (LUP) between the first public road and the sea. The proposed project is the installation of a new 581-foot long replacement natural gas pipe lines from a single meter to serve all 8-units. The proposed project does not include removal of the existing ruptured gas lines on the site. The proposed installation of new gas lines would take place approximately 20-25 feet from the coastal bluff edge within an ornamentally landscaped area on the bluff top and will not impact the bluff face or native plant vegetation on the bluff face. As the proposed 1 ¼" pipe would either be attached to the existing condominium structure or be shallowly buried underground around the perimeter of the existing structure, the proposed new development will not be visible from the public beach and therefore will not adversely impact public coastal views, coastal access, coastal resources, or public recreation. Additionally, 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 **April 14-16, 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

**EMERGENCY PERMIT**

DATE: MARCH 3, 2010

EMERGENCY PERMIT: 5-09-251-G

APPLICANT: Beachfront Village, LLC

LOCATION: Beachfront Village LLC Property, Huntington Beach, Orange County

EMERGENCY WORK PROPOSED: Remove the fill illegally placed within a wetland, and erect a temporary barrier composed of two wooden posts connected by a rope, and a laminated sign reading "No Dumping", to prevent further illegal dumping. The applicant will submit a CDP application to the City of Huntington Beach for a permanent barrier to replace the temporary barrier.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of illegally dumped fill within a wetland requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and
- (c) As conditioned the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the attached conditions.

Very Truly Yours,

Peter M. Douglas
Executive Director

By: Suresa Henry

Title: District Manager

CONDITIONS OF APPROVAL:

1. The enclosed form must be signed by the permittee and returned to our office within 15 days.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 30 days of the date of this permit.
4. Within 60 days of the date of this permit, the permittee shall apply to the City of Huntington Beach for authorization for a permanent barrier. If no such application is received, the temporary barrier shall be removed in its entirety within 150 days of the date of this permit unless waived by the Director.
5. In exercising this permit the permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.
7. OTHER: Prior to commencement of work, applicants shall perform a survey, subject to review and approval of the Executive Director, for salt grass and other native vegetation within the staging area and access corridor in order to avoid to the maximum extent possible impacts to native vegetation. Another survey, subject to review and approval of the Executive Director, shall be performed at the completion of the work authorized by this emergency permit to determine if there were impacts to native vegetation. After the Executive Director approves the post-removal survey, a period of 2 years will be allowed for natural revegetation of the impacted area to native vegetation.

Concurrent with the submittal of the post-removal survey, the applicant shall submit, for the review and written approval of the Executive Director, a plan to monitor and to remove invasive non-native plants within the staging area, access corridor, and the area underneath the debris piles during the 2 year natural revegetation period. The plan shall include procedures for identification and removal of non-native invasive plants that may be found in the impacted area.

The plan shall specify the following:

1. Invasive plants are those identified in the California Native Plant Society, Los Angeles -- Santa Monica Mountains Chapter handbook entitled *Recommended List of Native Plants for Landscaping in the Santa Monica Mountains*, January 20, 1992, those species listed by the California Invasive Plant Council on any of their watch lists as published in 2007, and those otherwise identified by the Department of Fish and Game or the United States Fish and Wildlife Service.
2. All non-native invasive plants shall be removed with hand tools.
3. No herbicides or rodenticides shall be employed.

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3. The work authorized by this permit must be completed within 30 days of the date of this permit.
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2. All non-native invasive plants shall be removed with hand tools.
3. No herbicides or rodenticides shall be employed.

Two years from the approval of the post-removal survey, the applicant shall submit for the review and approval of the Executive Director, a monitoring report, prepared by a licensed biologist or landscape architect with expertise in wetland restoration that indicates the progress of the natural revegetation of the staging area and access corridor. The monitoring report shall include photographic documentation of plant species, plant coverage and an evaluation of the natural restoration in the staging area and access corridor.

If the monitoring report indicates that the area has not naturally revegetated with native species typically found in the area, or that more than 25% of the impacted area is dominated by non-native species, the applicant, or successors in interest, shall submit an application for a coastal development permit to the City of Huntington Beach for approval of an amended landscape restoration plan and an extension of the nonnative plant removal program for a period not less than two additional years and shall undertake the development approved pursuant to any such amendment.

8. The construction and location of the temporary barrier shall avoid to the maximum extent feasible impacts to native vegetation.

Condition number four (4) indicates that the emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to maintain a permanent barrier on the site, a Coastal Development Permit must be obtained from the City of Huntington Beach. A regular permit would be subject to the provisions of the California Coastal Act and the certified local coastal program and may be conditioned accordingly.

If you have any questions about the provisions of this emergency permit, please call the Commission office in Long Beach (562) 590-5071.

Enclosures: Acceptance Form
Coastal Permit Application Form

cc: Local Planning Department

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT
PO Box 1450
200 Oceangate, 10th Floor
LONG BEACH, CA 90802-4416
(562) 590-5071 FAX (562) 590-5084
www.coastal.ca.gov



March 29, 2010

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **Mark Cragun**
has applied for a one year extension of Permit No: **5-07-056-E1**
granted by the California Coastal Commission on: November 14, 2007

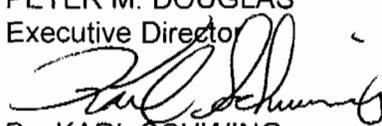
for **Grade site and install caisson shoring/retaining walls and construct 4,976 sq. ft., 32.5 ft. high (above road centerline), single family residence including offer to dedicate 2 ft. wide public access easement with sidewalk at property line along Boca del Canon, and construct sidewalk along property frontage within La Rambla public right-of-way.**

at **319 La Rambla, San Clemente (Orange County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: KARL SCHWING
Supervisor, Orange County Area

cc: Local Planning Dept.

York Custom Home Designs, Attn: David York