

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

W21

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

For the

September Meeting of the California Coastal Commission

MEMORANDUM

Date: September 7, 2011

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 September 7, 2011 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. 4-11-029-W Martin Schmitt (Topanga, Los Angeles County)
2. 4-11-039-W Suzanne Cooper (Ventura, Ventura County)
3. 4-11-042-W Jared Cook (Topanga, Los Angeles County)

DE MINIMIS WAIVERS

1. 4-11-033-W Carpinteria Sanitary district, Attn: Craig Murray

EXTENSION - IMMATERIAL

1. 4-01-233-E6 Jonathan Port (Topanga, Los Angeles County)

2 letters of objection received

TOTAL OF 5 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>
4-11-029-W Martin Schmitt	Installation of an approx. 1,064 sq. ft. ground-mounted photovoltaic solar array associated with an approved barn and single-family residence.	1291 Will Geer Road, Topanga (Los Angeles County)
4-11-039-W Suzanne Cooper	Removal of 140 sq. ft. of existing deck and replacement of existing 40 ft. gangplank and 130 linear ft. hand-railing at an existing two-story, 3,738 sq. ft. single-family residence.	3094 Seahorse, Ventura (Ventura County)
4-11-042-W Jared Cook	Addition of 140 sq. ft. to the second floor of an existing single family residence that was previously approved pursuant to Coastal Development Permit 4-08-091.	21683 Saddle Peak Drive, Topanga (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>
4-11-033-W Carpinteria Sanitary District, Attn: Craig Murray	Installation of two 25-foot sections of 2-inch diameter sewer line along two existing culverts crossing Rincon Creek. The applicant has proposed to use Best Management Practices during project construction to prevent debris from entering Rincon Creek. No materials will be staged within 100 feet of the creek bank.	Rincon Creek At Rincon Point Lane & Rincon Point Road (Ventura & Santa Barbara Counties)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
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<p>4-01-233-E6 Jonathan Port</p>	<p>TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a 34 foot high, three story, 3,468 sq. ft. single family residence with three car 714 sq. ft. attached garage, driveway, swimming pool, septic system, and 352 cubic yards of cut and fill grading. AMENDED TO: Modify the proposed development as follows: construct a three story, 35 foot high, 3,468 sq. ft. single family residence with a two car 653 sq. ft. garage, 1,346 sq. ft. patio area, 605 sq. ft. main building deck, 450 sq. ft. roof deck, 200 sq. ft. solar trellis with 192 sq. ft. of solar panels, 4 solar panel awnings with 168 sq. ft. of solar panels, upper roof with 1,200 sq. ft. of solar electric array, revise configuration of poo and surrounding patio, and grade 149 cubic yards of cut and 186 cubic yards of fill and import 37 cubic yards of material.</p>	<p>20632 Medley Lane, Topanga (Los Angeles County)</p>
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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: August 26, 2011
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-11-029-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 Section 13250(c) of the Administrative Regulations (Title 14, Division 5.5).

Applicant: Martin Schmitt
Agent: California Sun Systems, Inc., Greg Snowden
Location: 1291 Will Geer Road (Topanga, Los Angeles County) (APN 4440-007-016)
Description: Installation of an approx. 1,064 sq. ft. ground-mounted photovoltaic solar array associated with an approved barn and single-family residence.
Rationale: The proposed project is relatively minor in nature. The proposed solar array will be placed within the approved fuel modification area of an existing approved barn. The project will not result in any significant adverse impacts to sensitive habitat, public views, or public access. 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 September 7, 2011. 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 cursive script that reads "Amber Tysor".

By: Amber Tysor
Title: Coastal Program Analyst

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: August 9, 2011
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-11-039-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 Section 13250(c) of the Administrative Regulations (Title 14, Division 5.5).

Applicant(s): Suzan Cooper

Agent: Hugo Guerner, H G Construction

Location: 3094 Seahorse Avenue, Ventura, Ventura County

Description: Removal of 140 sq. ft. of existing deck and replacement of existing 40 ft. gangplank and 130 linear ft. hand-railing at an existing two-story, 3,738 sq. ft. single-family residence.

Rationale: The proposed project is relatively minor in nature. The repairs and replacement of the existing gangplank and hand-railing will occur above the water on the floating dock. The applicant has proposed several best management practices during and after construction to prevent impacts to open waters. Therefore, 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 until reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on September 7-9, 2011 in Eureka. 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 'Peter M. Douglas', written over a horizontal line.

By: Kanani Brown
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: August 25, 2011
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-11-042

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: Jared Cook

Location: 21683 Saddle Peak Road, Santa Monica Mountains (Los Angeles County)

Description: Addition of 140 sq. ft. to the second floor of an existing single family residence that was previously approved pursuant to Coastal Development Permit 4-08-091.

Rationale: The proposed project is minor in nature. The proposed second floor addition will not change the development footprint or building height of the approved single family residence. As proposed, the project will not result in any significant adverse impacts to coastal resources. 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 September 7, 2011. 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 "D. Christensen", with a long horizontal flourish extending to the right.

By: Deanna Christensen
Title: Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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

DATE: August 26, 2011
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-11-033-W

Based on project plans and information submitted by the applicant regarding 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: Carpinteria Sanitary District

Location: Rincon Creek at Rincon Point Lane and Rincon Point Road, Santa Barbara and Ventura County line

Description: Installation of two 25-foot sections of 2-inch diameter sewer line along two existing culverts crossing Rincon Creek. The applicant has proposed to use Best Management Practices during project construction to prevent debris from entering Rincon Creek. No materials will be staged within 100 feet of the creek bank.

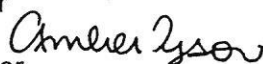
Rationale: The sewer line is proposed entirely within the existing road right of way and will be attached to two existing culverts crossing Rincon Creek. The septic line is proposed as part of a larger project to remove septic tanks and install a sewer system to connect residential properties in the Rincon Point Community, and other surrounding communities, to the Carpinteria Sanitary District Wastewater Treatment Facility. No work in Rincon Creek or on the creek banks is proposed. No native vegetation will be removed. As proposed, this project will not result in any adverse impacts to sensitive habitat, water quality, visual resources, or public access. 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 September 7-9, 2011. 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

By:  Amber Tysor
Title: Coastal Program Analyst

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July 28, 2011

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **Jonathan Port**
has applied for a one year extension of Permit No: **4-01-233-E6**
granted by the California Coastal Commission on: **June 9, 2004**

for **TIME EXTENSION ON A PREVIOUSLY APPROVED CDP** for construction of a 34 foot high, three story, 3,468 sq. ft. single family residence with three car 714 sq. ft. attached garage, driveway, swimming pool, septic system, and 352 cubic yards of cut and fill grading. **AMENDED TO:** Modify the proposed development as follows: construct a three story, 35 foot high, 3,468 sq. ft. single family residence with a two car 653 sq. ft. garage, 1,346 sq. ft. patio area, 605 sq. ft. main building deck, 450 sq. ft. roof deck, 200 sq. ft. solar trellis with 192 sq. ft. of solar panels, 4 solar panel awnings with 168 sq. ft. of solar panels, upper roof with 1,200 sq. ft. of solar electric array, revise configuration of pool and surrounding patio, and grade 149 cubic yards of cut and 186 cubic yards of fill and import 37 cubic yards of material.

at **20632 Medley Lane, Topanga (Los Angeles 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

A handwritten signature in black ink that reads "Barley".

By: BARBARA CAREY
Supervisor, Planning & Regulation

cc: Local Planning Dept.
Kevin Parkhurst

August 8, 2011

Received

AUG 09 2011

Barbara Carey
Supervisor, Planning & Regulation
California Coastal Commission
South Central Coast District
89 South California Street, Suite 200
Ventura, CA 9301

California Coastal Commission
South Central Coast District

RE: Jonathan Port - Permit No. 4-01-233-E6 - Amendment

Dear Ms. Carey,

This letter is an objection to the proposed amendment to modify the development/increase height of the proposed single residence at 20632 Medley Lane, Topanga (Los Angeles County).

The proposal is an extreme deviation from the previous permit requirements height to a designated protected "ridge line", it appends "new patios", "roof decks", "building deck" and stacks numerous solar panels, "solar trellis, solar awnings and electric array" at eye level and unreasonably close distances to neighboring living areas. The Port property is next to and somewhat down slope from mine. Thus, Port's "upper roof with 1200 sq ft. solar electric array" and "roof deck with 200 sq. ft. solar panels" etc., is *directly next to and within mere feet of my living areas*". These additions will impose reflective heat and light burdens to neighboring quarters and thrust the proposed personal electrical infrastructure too proximate to neighboring living areas. The proposal also seeks to impose even more burdensome grading and dumping requirements.

I am requesting 1) denial of the proposal 2) a hearing on the proposal or 3) an extension until we're fully aware and understand the impact of this amendment and how it will affect our property and value.

Thank you in advance for your attention to this request.

Sincerely,

Cheryl Chadwick
Larry Price
20634 Medley Lane
Topanga, CA 90290
310-455-2499
larrywilliamprice@gmail.com

Exhibit 1
4-01-233-E6 (Port)
Letter of Objection

Received

AUG 13 2011

California Coastal Commission
South Central Coast District

1888 Century Park East
Suite 1100
Los Angeles, CA 90067
(310) 277-8011 PHONE
(310) 277-1706 FAX
www.vrmlaw.com



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ENCLOSURES) IS SOLELY FOR THE USE OF
OUR CLIENT(S) AND CANNOT BE USED TO
AVOID FEDERAL TAX PENALTIES.

Our Client No. 33928.999

August 11, 2011

Barbara Carey
Supervisor, Planning & Regulation
California Coastal Commission
South Central Coast District
89 South California Street, Suite 200
Ventura, CA 93001

Re: Permit No.: 4-01 233-E6

Dear Ms. Carey:

We own the adjacent parcels to the parcel in question. We object to the extension of the above permit on the grounds that the proposed development has been pending since 2004. Many of the rules governing development in the area have changed significantly since the time of the original permit issued, including the requirements for septic systems. In addition, the proposed development will change the distinctly rural character of the area in that the proposed house is too large for the location, among other things, because we have a recorded easement over a significant portion of the lots in question. Finally, absolutely no work has been done on the lots in question which we understand is necessary for a continuing extension of the permit.

Please also note that although your letter was dated July 28, 2011, it was not received in the mail by us until August 8, 2011.

Very truly yours,

M. Laurie Murphy and Robert H. Silber
c/o Valensi Rose, PLC
mlm@vrmlaw.com

MLM:cag

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(805) 585 - 1800

**DISTRICT DIRECTOR'S REPORT**

TO: Commissioners and Interested Parties

FROM: South Central Coast District Staff

DATE: August 31, 2011

SUBJECT: Letter of Objection to Immaterial Extension No. 4-01-233-E6

APPLICANT: Jonathon Port

PROJECT ADDRESS: 20632 Medley Lane, Santa Monica Mountains, Los Angeles Co.

APPROVED PROJECT DESCRIPTION: Construction of a 34 foot high, three story, 3,468 sq. ft. single family residence with three car 714 sq. ft. attached garage, driveway, swimming pool, septic system, and 352 cubic yards of cut and fill grading. **AMENDED TO:** Modify the proposed development as follows: construct a three story, 35 foot high, 3,468 sq. ft. single family residence with a two car 653 sq. ft. garage, 1,346 sq. ft. patio area, 605 sq. ft. main building deck, 450 sq. ft. roof deck, 200 sq. ft. solar trellis with 192 sq. ft. of solar panels, 4 solar panel awnings with 168 sq. ft. of solar panels, upper roof with 1,200 sq. ft. of solar electric array, revise configuration of pool and surrounding patio, and grade 149 cubic yards of cut and 186 cubic yards of fill and import 37 cubic yards of material.

IMMATERIALITY DETERMINATION REPORTED TO COMMISSION: August 2011

WRITTEN OBJECTION RECEIVED: Two objections were received; one was received from Cheryl Chadwick and Larry Price on August 9, 2011 and one was received from M. Laurie Murphy and Robert Silber on August 13, 2011.

The Executive Director determined that there were no changed circumstances affecting the proposed development's consistency with the Coastal Act and that determination was reported to the Commission. Notice of this determination was mailed to neighboring property owners within 100 feet. Pursuant to the California Code of Regulations, Title 14, Section 13169(c):

If the executive director received a written objection to his or her determination but concludes that the objection does not identify changed circumstances that may affect the consistency of the development with the Coastal Act or a certified local coastal program, if applicable, the executive director shall report this conclusion to the commission at the same time that the executive director reports the determination to the commission in accordance with subsection (b) above. The executive director shall provide a copy of the letter(s) of objection to the commission with the report. If three commissioners object to the extension on grounds that there are changed circumstances that affect consistency, the executive director shall schedule the extension for hearing(s) in accordance with subsection (d) below. If three

commissioners do not object to the extension, the time for commencement of development shall be extended for one year from the expiration date of the permit.

In this case, the letter of objection to the immaterial amendment from Chadwick and Price was received within 10 working days of the mailed notice (Exhibit 1). The other letter from Murphy and Silber was received on August 13, 2011 which was 3 days after the 10 working day period. As such, this written objection was not timely and the issues raised are not addressed herein.

STAFF ANALYSIS OF WRITTEN OBJECTION

The August 9, 2011 letter from the neighboring property owners, Cheryl Chadwick and Larry Price, states that they object to the amendment of the subject permit. The issues raised by this letter relate to the additions of patios, roof decks and solar panels. The letter states that the solar panels next to their property will: "impose reflective heat and light burdens to neighboring quarters and thrust the proposed personal electrical infrastructure too proximate to neighboring living areas". The letter does not discuss the proposed extension of the subject CDP, nor does it identify any changed circumstances affecting the project site that may affect the consistency of the development with the policies of the Coastal Act.

Chadwick and Price are mistaken in objecting to the CDP amendment at this time. The notice of permit extension does reference the originally approved project description and the amended project description. However, CDP Amendment 4-01-233-A1 was previously approved in February 2009. This CDPA was determined to be an immaterial amendment by the Executive Director on January 26, 2009 and the Commission concurred in this determination at its February 2009 meeting. Staff would note that Cheryl Chadwick was provided notice of the Executive Director's determination on CDPA 4-01-233 on January 26, 2009 (along with all property owners within 100 feet of the subject property). No written objections to the immaterial amendment were received and as such, CDPA 4-01-233 had final approval in February 2009.

CONCLUSION

For the reasons stated above, the Executive Director has determined that the objection does not identify changed circumstances that may affect the consistency of the development with the Coastal Act. Therefore, the Executive Director is reporting the time extension to the Commission in conformity with California Code of Regulations, Title 14, Section 13169(c). If three commissioners object to the Executive Director's determination on the time extension, it will be scheduled as a material time extension at a subsequent meeting. Otherwise, the immaterial extension will become effective.