

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT
200 Oceangate, Suite 1000
LONG BEACH, CA 90802-4302
(562) 590-5071 FAX (562) 590-5084
www.coastal.ca.gov

**W8**

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

*For the
December Meeting of the California Coastal
Commission*

MEMORANDUM

Date: December 12, 2012

TO: Commissioners and Interested Parties

FROM: 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 December 12, 2012 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. 5-12-289-W Cyprus Shore Community Association, Attn: Mr. Mike Vogel (San Clemente, Orange County)
2. 5-12-290-W Mr. & Mrs. Stephen Reed (San Clemente, Orange County)
3. 5-12-312-W Paul Voight (San Clemente, Orange County)

DE MINIMIS WAIVERS

1. 5-12-277-W Greg Clarke (Newport Beach, Orange County)
2. 5-12-308-W Rick E. Mccarthy Jr. (Sunset Beach, Orange County)

IMMATERIAL AMENDMENTS

1. 5-11-298-A1 Orange County Sanitation District, Attn: Attn: Jim Burror (Huntington Beach & Newport Beach, Orange County)

TOTAL OF 6 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF REGULAR WAIVERS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-12-289-W Cyprus Shore Community Association, Attn: Mr. Mike Vogel	: Improvements to an existing 1,673 sq. ft., one-story, 16' tall Cyprus Shore Community Association clubhouse on a bluff top lot consisting of interior remodel and façade improvements including replacement of doors and windows and re-tiled roof, new outdoor terrace with wood trellis cover, new loading zone/disabled person parking space on Calle Ariana. No additional interior square footage, foundation work, new landscaping, drainage improvements or changes to the existing 21 space surface parking lot are proposed.	3922 Calle Ariana, San Clemente (Orange County)
5-12-290-W Mr. & Mrs. Stephen Reed	Interior and exterior remodel of an existing two story, split level single family residence, including 459 cu. yds. of grading to lower the existing dining room floor to same level as living room, replacement of all windows and doors, new exterior façade, entry court improvements, hardscape improvements on both street and bluff sides, and landscaping improvements on the street facing side of the lot utilizing non-invasive, low water use plants.	3822 Calle Ariana, San Clemente (Orange County)
5-12-312-W Paul Voight	Improvements to an existing 1,356 sq. ft., one-story 14'6" tall single family residence consisting of an interior remodel and 212 sq. ft. living space addition and 116 sq. ft. addition to existing attached 272 sq. ft. one-car garage; resulting in a 1,568 sq. ft. residence with attached 388 sq. ft. garage on a coastal canyon lot.	507 W. Ave De Los Lobos Marinos, San Clemente (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>
5-12-277-W Greg Clarke	Demolition of an existing single-family dwelling and construction of a new three-story 3,255 square foot single-family residence with an attached 616 square foot three-car garage. The maximum height of the structure will be 29-feet above existing grade. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. Grading will consist of 235 cubic yards, which will be recompacted on site.	330 Apolena Ave., Newport Beach (Orange County)

5-12-308-W Rick E. Mccarthy Jr.	Conversion of an existing single family residential use to a duplex residential use; no new construction is proposed.	16917 Park Ave., Sunset Beach (Orange County)
---	---	---

REPORT OF IMMATERIAL AMENDMENTS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-11-298-A1 Orange County Sanitation District, Attn: Attn: Jim Burror	Amendment to special conditions 4A, 6A, 7A, and 10A. Modify the timing for submittal of condition compliance documents from 'prior to the issuance of the Permit' to 'prior to commencement of construction'.	Santa Ana River West (Huntington Beach) & East (Newport Beach) Levees, Huntington Beach & Newport Beach (Orange County)

CALIFORNIA COASTAL COMMISSION

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



November 30, 2012

Michael Luna & Associates
1531 North El Camino Real Suite A
San Clemente, CA 92672

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#: 5-12-289 **APPLICANT:** Cyprus Shore Community Association

LOCATION: 3922 Calle Ariana, San Clemente (Orange County)

PROPOSED DEVELOPMENT: Improvements to an existing 1,673 sq. ft., one-story, 16' tall Cyprus Shore Community Association clubhouse on a bluff lot consisting of interior remodel and façade improvements including replacement of doors and windows and re-tiled roof, new outdoor terrace with wood trellis cover, new loading zone/disabled person parking space on Calle Ariana. No added interior square footage, foundation work, landscaping, drainage improvements or changes to the existing 21 space surface parking lot are proposed.

RATIONALE: The subject site is a 2-acre coastal bluff lot within the Cypress Shore private gated community within the first public road and the sea in San Clemente. The site is designated as Privately Owned Open Space (OS2) in the San Clemente Land Use Plan. The proposed project is the complete interior remodel of an 1,673 sq. ft. existing community association clubhouse with less than 50% demolition of the existing structure, new exterior façade treatment, all new windows and doors. No additions are proposed seaward of the existing structure and no landscaping or other development is proposed beyond the top of the coastal bluff. Adequate measures to address water quality have been incorporated into the project design and construction phase of the project. The proposed project is compatible with the character of surrounding development and will not create any new adverse impacts on existing public coastal access. Public coastal access exists in the vicinity at Calafia Beach/San Clemente State Park to the north and Trestles accessway in San Diego County to the south. 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 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **December 12-14, 2012** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER
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



November 27, 2012

James Glover, Residential and Interior Design
103 1/2 Avenida del Mar
San Clemente, CA 92672

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#: 5-12-290

APPLICANT: Stephen & Patricia Reed

LOCATION: 3822 Calle Ariana, San Clemente (Orange County)

PROPOSED DEVELOPMENT: Interior and exterior remodel of an existing two story, split level single family residence, including 459 cu. yds. of grading to lower the existing dining room floor to same level as living room, replacement of all windows and doors, new exterior façade, entry court improvements, hardscape improvements on both street and bluff sides, and landscaping improvements on the street facing side of the lot utilizing non-invasive, low water use plants.

RATIONALE: The subject site is an 8,139 sq. ft. coastal bluff top lot within the Cypress Shore private gated community within the first public road and the sea in San Clemente. The site is designated as Residential Low Density (RL) in the San Clemente Land Use Plan. The proposed project is the complete interior remodel of a single-family residence with less than 50% demolition of the existing structure, new exterior façade treatment, all new windows and doors, new garage doors, and new landscaping on the street facing side of the lot. No additions are proposed seaward of the existing structure and no landscaping or other development is proposed beyond the top of the coastal bluff. Adequate measures to address water quality have been incorporated into the project design and construction phase of the project. The proposed project is compatible with the character of surrounding development and will not create any new adverse impacts on existing public coastal access. Public coastal access exists in the vicinity at Calafia Beach/San Clemente State Park to the north and Trestles accessway in San Diego County to the south. 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 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **December 12-14, 2012** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER
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



November 28, 2012

Jack Garland
PO 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#: 5-12-312 **APPLICANT:** Paul Voight

LOCATION: 507 W. Avenida de los Lobos Marinos, San Clemente (Orange County)

PROPOSED DEVELOPMENT: Improvements to an existing 1,356 sq. ft., one-story 14'6" tall single family residence consisting of an interior remodel and 212 sq. ft. living space addition and 116 sq. ft. addition to existing attached 272 sq. ft. one-car garage; resulting in a 1,568 sq. ft. residence with attached 388 sq. ft. garage on a coastal canyon lot.

RATIONALE: The subject site is a 7,186 sq. ft. coastal canyon lot designated as Residential Low Density (RL) in the San Clemente Land Use Plan (LUP). The proposed project is a remodel of an existing single family residence including a 212 sq. ft. bedroom addition and 116 sq. ft. garage addition on the street-facing side of the lot. No construction, vegetation removal, landscaping or any type of work is proposed near or on the canyonward side of the lot. No encroachment into the adjacent coastal canyon is proposed or impacts to the canyon anticipated. No change in height of the existing structure is proposed. The proposed project is compatible with the character of surrounding residential development. Coastal access to the public beach exists nearby at the Lost Winds access point. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views and 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 **December 12-14, 2012** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required. *na*

CHARLES LESTER
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



November 27, 2012

Ian J.N. Harrison, Architect
3535 East Coast Highway, #301
Corona Del Mar, CA 92662

**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#: 5-12-277 **APPLICANT:** Greg Clarke

LOCATION: 330 Apolena, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of an existing single-family dwelling and construction of a new three-story 3,255 square foot single-family residence with an attached 616 square foot three-car garage. The maximum height of the structure will be 29-feet above existing grade. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. Grading will consist of 235 cubic yards, which will be recompacted on site.

RATIONALE: The lot size is 3,400 square feet and is designated as Two-Family Residential in the City of Newport Beach Land Use Plan (LUP). The subject site is an inland lot not located between the first public road and the sea. Some residential projects which are sited on inland lots in Newport Beach and have less than a 1.5 floor to buildable-lot area ratio are excluded from coastal development permit (CDP) requirements under Categorical Exclusion E-77-5, adopted by the Commission on June 14, 1977. However, the proposed project does not qualify for exclusion from CDP requirements because it does not have less than a 1.5 floor to buildable-lot area ratio. Nevertheless, 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. Public access exists in the project vicinity along the public boardwalk that surrounds Balboa Island. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. 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 December 12-14, 2012 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.

CHARLES LESTER
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

November 27, 2012



John W. Lamping Jr.
PO BOX 934
Sunset Beach, CA 90742

**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#: 5-12-308

APPLICANT: Rick E. McCarthy Jr.

LOCATION: 16917 and 16917 ½ Park Avenue, Sunset Beach, Orange County

PROPOSED DEVELOPMENT: Conversion of an existing single family residential use to a duplex residential use; no new construction is proposed.

RATIONALE: The subject site is a 4,498 sq. ft. bulkhead lot abutting Sunset Channel and designated Sunset Beach Residential (SBR) in the formerly certified Sunset Beach Local Coastal Program (LCP). The proposed project is the conversion of an existing 300 sq. ft. living space above a detached two-car garage associated with a 2,007 sq. ft. single family residence constructed circa 1936 into a separate legal second unit resulting in an intensification of use, therefore Commission approval is necessary. The previously certified Sunset Beach LCP allowed for duplex dwellings under the SBR zoning. A variance for a nonconforming side yard setback was issued by the County of Orange; a 3' side yard setback is required and the site provides 1'6" setback with the adjacent property to the north and a 12'6" side yard setback with the property to the south. The site provides two covered parking spaces and four tandem spaces, exceeding the Commission's parking requirement (2 spaces per residential unit). The proposed duplex is surrounded by single family residences and is therefore compatible with the character of surrounding development. Public coastal access is available to Sunset Channel approximately 80 feet west of the site at Pacific Coast Hwy and to the Pacific Ocean approximately 500 feet west of the site at the 10th St. street-end. The project will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. Furthermore, the proposed project would not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the land use designation in the County's previously certified LCP, past County of Orange actions in the area and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **December 12-14, 2012** 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.

CHARLES LESTER
Executive Director

by: 
KARL SCHWING
Supervisor Regulation and Planning

cc: Commissioners

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Charles Lester, Executive Director
DATE: November 30, 2012
SUBJECT: Permit No: 5-11-298-A1
Granted to: Orange County Sanitation District, Attn: Attn: Jim Burror

Original Description:

for **Permanently authorize development allowed under emergency permit to repair levee consisting of in-situ mixing of soil, cement and water ("soil mixing") to reinforce levees. Additional soil mix reinforcement to the levees (not yet undertaken) is also proposed to finalize repairs**
at **Santa Ana River West (Huntington Beach) & East (Newport Beach) Levees, Huntington Beach & Newport Beach (Orange County)**

The Executive Director of the Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following changes:

Amendment to special conditions 4A, 6A, 7A, and 10A. Modify the timing for submittal of condition compliance documents from 'prior to the issuance of the Permit' to 'prior to commencement of construction'.

FINDINGS

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled meeting. This amendment has been considered IMMATERIAL for the following reason(s):

No changes are proposed to the actual scope of the project, materials or methods. The proposed permit amendment does not conflict with the intent of the underlying coastal development permit and will not result in any adverse impacts to coastal resources or access. The amendment is consistent with the Chapter 3 policies of the Coastal Act, previous Commission approvals of public agency projects, and will not prejudice the City's ability to prepare an LCP.

If you have any questions about the proposal or wish to register an objection, please contact Fernie Sy at the South Coast District office.

cc: Local Planning Dept.

Environmental Science Associates, Attn: Kevin Smith