

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT
5 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370 FAX (619) 767-2384

www.coastal.ca.gov

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SAN DIEGO COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

January Meeting of the California Coastal Commission

MEMORANDUM

Date: January 11, 2013

TO: Commissioners and Interested Parties
FROM: Sherilyn Sarb, San Diego 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 San Diego Coast District Office for the January 11, 2013 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 San Diego Coast District.

DE MINIMIS WAIVERS

1. 6-12-068-W San Diego County Regional Airport Authority, Attn: Angela Shafer-Payne, V.P. (San Diego, San Diego County)
2. 6-12-080-W Cheryl Bryan (Pacific Beach, San Diego, San Diego County)

IMMATERIAL AMENDMENTS

1. 6-90-290-A3 Tim Tully (Solana Beach, San Diego County)

EXTENSION - IMMATERIAL

1. 6-10-068-E1 San Diego Unified Port District, Land Use Planning Department, Attn: Lesley Nishihira (Chula Vista, San Diego County)
2. Letter of Objection

TOTAL OF 4 ITEMS

DETAIL OF ATTACHED MATERIALS

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>
6-12-068-W San Diego County Regional Airport Authority, Attn: Angela Shafer-Payne, V.P.	Install 6-ft. high, 18-ft. wide, 15-in. thick electronic sign with support poles to display airport information and parking availability to drivers heading westbound on North Harbor Drive.	North side of North Harbor Drive, just west of its intersection with West Laurel Street, San Diego (San Diego County)
6-12-080-W Cheryl Bryan	Demolition of existing two-story, 1,521 square foot single family residence and construction of a 2,404 square foot single family residence with a 400 square foot carport and 1,310 square feet of decking on a 4,866 square foot lot.	3663 Riviera Drive, Pacific Beach, San Diego (San Diego 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>
6-90-290-A3 Tim Tully	The amendment proposes to modify Special Condition #5a based on recommendations from the City of Solana Beach Fire Marshall in regard to required screening landscaping and to modify Special Condition #8 to extend the time period to complete weed eradication and initial planting from 75 days to 200 days (Exhibit 1).	819 Seabright Lane, Solana Beach (San Diego County)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
6-10-068-E1 San Diego Unified Port District, Land Use Planning Department, Attn: Lesley Nishibira	Extend H Street approximately 600 linear feet bayward as a two-lane road including bike lanes, roadway paving, median, sidewalks, landscaping, drainage, and utilities.	H Street from west of Bay Boulevard to the mean high tide line, (approximately 650 feet inland of Marina Parkway), Chula Vista (San Diego County)
Letter of Objection		

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: December 27, 2012
TO: San Diego County Regional Airport Authority, Attn: Angela Shafer-Payne,
V.P.
FROM: Charles Lester, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 6-12-068-W

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

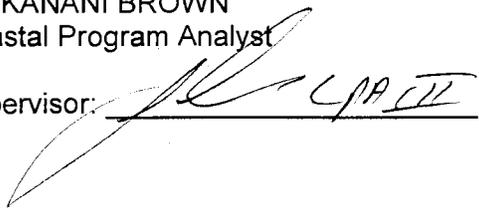
APPLICANT: San Diego County Regional Airport Authority, Attn: Angela Shafer-Payne, V.P.
LOCATION: North side of North Harbor Drive, just west of its intersection with West Laurel Street, San Diego (San Diego County) (APN(s) 760-039-62, 760-039-09)
DESCRIPTION: Install 6-ft. high, 18-ft. wide, 15-in. thick electronic sign with support poles to display airport information and parking availability to drivers heading westbound on North Harbor Drive.
RATIONALE: The proposed westbound sign is located on the north side of North Harbor Drive between the road and the San Diego International Airport, in the opposite direction of views to San Diego Bay. Therefore, the proposed development involves no potential for any adverse effect on coastal resources, including public views.

IMPORTANT: This waiver is not valid unless the 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 Friday, January 11, 2013, in Pismo Beach. If four Commissioners object to this waiver, a coastal development permit will be required.

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

Sincerely,
CHARLES LESTER
Executive Director

By: KANANI BROWN
Coastal Program Analyst

Supervisor: 

San Diego County Regional Airport Authority, Attn: Ted Anasis, Manager, Airport Planning

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: December 27, 2012
TO: Cheryl Bryan
FROM: Charles Lester, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 6-12-080-W

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

APPLICANT: Cheryl Bryan

LOCATION: 3663 Riviera Drive, Pacific Beach, San Diego (San Diego County) (APN(s) 423-466-01)

DESCRIPTION: Demolition of existing two-story, 1,521 square foot single family residence and construction of a 2,404 square foot single family residence with a 400 square foot carport and 1,310 square feet of decking on a 4,866 square foot lot.

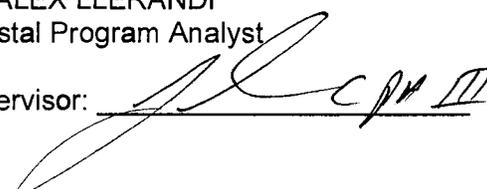
RATIONALE: The proposed residence is located in an established residential neighborhood consisting of single- and multi-family residences similar in size and scale to the proposed development. The proposed residence is consistent with the zone and plan designation applied to the site by the City of San Diego and is consistent with all applicable Chapter 3 policies of the Coastal Act. No adverse impacts to coastal resources are anticipated.

IMPORTANT: This waiver is not valid unless the 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 Friday, January 11, 2013, in Pismo Beach. If four Commissioners object to this waiver, a coastal development permit will be required.

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

Sincerely,
CHARLES LESTER
Executive Director

By: ALEX LLERANDI
Coastal Program Analyst

Supervisor: 

James Ellison, Architect

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370

**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Charles Lester, Executive Director
DATE: January 2, 2013
SUBJECT: Permit No: 6-90-290-A3
Granted to: Tim Tully

Original Description:

for **Demo SFR and const. 2 sfr, each 2 stories, attached garages, patios, pools, landscaping, garden walls, off street parking**

at **819 Seabright Lane, Solana Beach (San Diego County)**

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

The amendment proposes to modify Special Condition #5a based on recommendations from the City of Solana Beach Fire Marshall in regard to required screening landscaping and to modify Special Condition #8 to extend the time period to complete weed eradication and initial planting from 75 days to 200 days (Exhibit 1).

FINDINGS:

Pursuant to 14 Cal. Admin. Code Section 13166(b) this amendment is considered to be IMMATERIAL and the permit will be modified accordingly if no written objections are received within ten working days of the date of this notice. 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 reasons:

The landscape maintenance required by the Fire Marshall will still allow the two screening shrubs to conform to the minimum height and width previously required by the Commission and thus, will not adversely impact visual resources. Although the applicant had previously submitted documentation that weed eradication and initial planting would be completed within a 75 day time period, the applicant subsequently determined that weed eradication and initial planting would be most effective in the spring and more time would be required. The extension of

COASTAL DEVELOPMENT PERMIT NO. 6-90-290-A3

MODIFIED CONDITIONS – SPECIAL CONDITION NOS. 5A AND 8

Language to be added is underlined; language to be deleted is shown in ~~strikeout~~:

5. **Final Landscaping Plan.** PRIOR TO THE ISSUANCE OF THE CDP AMENDMENT, the applicant shall submit to the Executive Director for review and written approval, a final landscaping plan approved by the City of Solana Beach. The new landscaping plan shall supersede the previous landscaping plan dated August 1998 and the revisions to the plan shall only be for the property at 819 Seabright Lane (Parcel #2). The new plan shall include the following:
 - a. Special emphasis shall be placed on siting landscaping with the use of a minimum of two new potted large shrubs in the shape of a tree ("Standards") on the 819 Seabright Lane property in addition to the trees and shrubs already existing on-site, to effectively screen the northwestern portion of the building which would otherwise be visible from South Coast Highway 101 to the west and the lagoon to the north. Each "Standard" shall be a minimum of 10 feet tall and a minimum of 8 feet wide. The new "standards" shall be sited in locations that best screen the structure from public view areas. The standards must be fire resistive; not grow taller than 15 feet at maturity; no canopy diameter larger than 10 feet at maturity is allowed; no tree branches can grow within 10 feet of side wall, roof edge, top of roof or eaves. If more than one standard is placed in a pot, the tree canopies cannot grow into each other and shall provide a minimum 10 feet separation between canopies.
 - b. All new landscaping shall be drought tolerant, native, and non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property.
 - c. A written agreement by the applicant agreeing that five years from the date of the issuance of this coastal development permit amendment the applicant shall submit for the review and written approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies whether the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

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MAILED12/6/12

December 5, 2012

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **San Diego Unified Port District, Land Use
Planning Department, Attn: Lesley Nishihira**

has applied for a one year extension of Permit No: **6-10-068-E1**

granted by the California Coastal Commission on: **November 17, 2010**

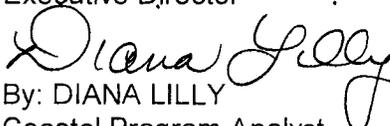
for **Extend H Street approximately 600 linear feet bayward as a two-lane road including bike
lanes, roadway paving, median, sidewalks, landscaping, drainage, and utilities.**

at **H Street from west of Bay Boulevard to the mean high tide line, (approximately 650 feet
inland of Marina Parkway), Chula Vista (San Diego County)**

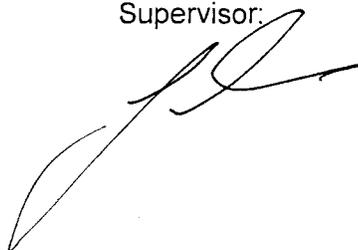
Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within 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,
CHARLES LESTER
Executive Director


By: DIANA LILLY
Coastal Program Analyst

Supervisor:



ARDAGNA & RAMIREZ, LLP
Attorneys at Law

Ned Ardagna, Esq.
Ned.Ardagna@ArdagnaRamirez.com

Suzanne Ramirez, Esq.
Suzanne.Ramirez@ArdagnaRamirez.com

December 17, 2012

VIA FIRST CLASS U.S. MAIL AND FACSIMILE

California Coastal Commission
San Diego Coast District
Attention: Charles Lester or Diana Lilly
7575 Metropolitan Drive, #103
San Diego, CA 92108-4421
Facsimile No. (619) 767-2384

RECEIVED

DEC 17 2012

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

RE: OBJECTION TO EXTENSION / PERMIT NO. 6-10-068-E1 / YOUR LETTER DATED DECEMBER 5, 2012

Dear Director Lester,

Please be aware that this law office represents Ms. Jackie Lancaster with respect to the above described matter. By this letter Ms. Lancaster formally objects to the granting of the extension that is the subject of your letter dated December 5, 2012, received on or about December 10, 2012. Ms. Lancaster's objections are based on the limited information provided in your letter and concern that the extension is intended to circumvent safe guards that have put in place to protect the natural beauty of the Chula Vista Bayfront.

Please provide any response to this objection in writing to this office with a copy to:

Jackie Lancaster
Save Our Bayfront
339 East J Street
Chula Vista, CA 91910

If you need additional information you may feel free to contact the undersigned at (619) 498-0300 ext. 1.

Very truly yours,
ARDAGNA & RAMIREZ, LLP


Ned Ardagna, Esq.

Cc: client by email