

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

**W16**

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

*For the
October Meeting of the California Coastal Commission*

MEMORANDUM

Date: October 7, 2013

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 October 9, 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 South Coast District.

DE MINIMIS WAIVERS

1. 5-13-0400-W Robert Ctvrtlik (Newport Beach, Orange County)
2. 5-13-0762-W Dave & Lisa King (Newport Beach, Orange County)

IMMATERIAL AMENDMENTS

1. 5-08-190-A1 Jim & Judy Freimuth (Seal Beach, Orange County)
2. 5-11-068-A1 Shea Homes (Huntington Beach, Orange County)

<i>TOTAL OF 4 ITEMS</i>

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>
5-13-0400-W Robert Ctvrtlik	Demolition of an existing two-story duplex with a two-car attached garage and construction of a new 29-foot tall, three-story, 2,750 sq. ft. single family residence, with an attached two-car, 375-square foot garage, and 1,054 sq. ft. of roof decks. Grading consists of 100 cubic yards of cut and 100 cubic yards of fill.	110 Grand Canal, Newport Beach (Orange County)
5-13-0762-W Dave & Lisa King	Major remodel of existing single story, 1100 sq. ft. single-family residence with attached 361 sq. ft. 2-car garage consisting of a complete interior remodel, 1,665 sq. ft. second story addition, 105 sq. ft. second story balcony deck, new roof, new 500 sq. ft. roof deck, and a foundation upgrade, resulting in a new 2,878 sq. ft., 32' tall, two-story single family residence. No grading or new landscaping proposed. New roof downspouts will be directed to landscaped permeable areas prior to draining into the municipal storm drain system.	413 38th Street, Newport 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>
5-08-190-A1 Jim & Judy Freimuth	Construction of a maximum 12-foot tall open air patio structure on pilasters, outdoor fireplace and decorative pilasters in the rear yard. Also, new 6-foot high side yard property line walls are proposed. All work will be located within the property boundaries. No additional work is proposed to the residence.	208 Ocean Ave, Seal Beach (Orange County)

5-11-068-A1 Shea Homes	<p>1. Change the lot designation of the single lot in Tentative Tract 15419 from a numbered lot (Lot 1) to a lettered lot (Lot A). All special conditions and restrictions that apply to Tract 15419 Lot 1 will remain applicable to Tract 15419 Lot A, and references thereto will be changed accordingly. The change for the single lot in Tract 15419 from Lot 1 to Lot A will apply wherever it occurs in approved Coastal Development Permit 5-11-068.</p> <p>2. Amend the maintenance responsibilities within Lot Y of Tentative Tract 15377 to require that trail and landscaping maintenance be the responsibility of the Homeowners Association (HOA) and not the County of Orange (as is currently specified), and change all references thereto accordingly. The change to maintenance responsibilities described above will apply wherever it occurs in approved Coastal Development Permit 5-11-068.</p>	17301 Graham Street, Huntington Beach (Orange County)
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South Coast Area Office
200 Oceangate, Suite 1000
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(562) 590-5071



September 27, 2013

Todd Skenderian
1100 S. Coast Highway #316
Laguna Beach, CA 92651

**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 #: 5-13-0400-W**APPLICANT:** Robert Ctvrtlik**LOCATION:** 110 Grand Canal, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of an existing two-story duplex with a two-car attached garage and construction of a new 29-foot tall, three-story, 2,750 sq. ft. single family residence, with an attached two-car, 375-square foot garage, and 1,054 sq. ft. of roof decks. Grading consists of 100 cubic yards of cut and 100 cubic yards of fill.

RATIONALE: The subject property is a 2,550 sq. ft. lot on the Balboa Peninsula designated RT – Two Unit Residential in the City of Newport Beach's Certified Land Use Plan (LUP). The proposed project has been approved by the Newport Beach Planning Department (AIC 2013023). The project meets the Commission's parking requirement of 2 spaces. The project is designed to be compatible with the character of the surrounding development. Public coastal access is directly on a pedestrian walkway between the front of the property and the bulkhead of the Grand Canal, which divides Balboa Island into two distinct areas. Adequate measures to address water quality have been incorporated during the construction phase and in the project design. Drainage improvements include roof gutters, downspouts, area drains, and an underground system that will convey stormwater runoff to a bottomless trench drain across the rear of the property. Permeable pavers will be used for the front patio, approximately half of the side yard on the south side of the property and a small portion of the northern side yard. The permeable pavers are designed to allow some stormwater to percolate into the ground. 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 October 9, 2013 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 & Planning

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
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September 26, 2013

Walt Bushman
2480 Santa Ana Ave.
Costa Mesa, CA 92627

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#: 5-13-0762-W **APPLICANT:** Dave and Lisa King

LOCATION: 413 38th Street, Newport Isle, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Major remodel of existing single story, 1100 sq. ft. single-family residence with attached 361 sq. ft. 2-car garage consisting of a complete interior remodel, 1,665 sq. ft. second story addition, 105 sq. ft. second story balcony deck, new roof, new 500 sq. ft. roof deck, and a foundation upgrade, resulting in a new 2,878 sq. ft., 32' tall, two-story single family residence. No grading or new landscaping proposed. New roof downspouts will be directed to landscaped permeable areas prior to draining into the municipal storm drain system.

RATIONALE: The subject site is a 2,854 sq. ft. lot designated two-unit residential in the City of Newport Beach Land Use Plan (LUP) and is located on an inland lot within the first public road and the sea on Newport Isle. The proposed project is the complete interior remodel of a single-family residence with more than 50% demolition of the existing structure, major foundation improvements, complete new roof, and an addition of more than double the existing square footage; and is therefore considered new development. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Adequate measures to address water quality have been incorporated during construction and into the project design. Public coastal access to the bay is available ~100 feet south of the site at the Finley Ave street-end. 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 **October 9-11, 2013** 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/File

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**5-08-190-A1****NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties

FROM: Charles Lester, Executive Director

DATE: October 7, 2013

SUBJECT: Coastal Development Permit No. 5-08-190 granted to James & Judy Freimuth:

Demolition of existing single family home and construction of a new 7,266 square foot two-story single-family residence over basement and a 756 square foot attached three-car garage on a beach front lot. The resultant structure would be three-stories on the beach side and two-stories on the street side. Grading will consist of 1,650 cubic yards of export to a location outside of the Coastal Zone. Landscaping, hardscape and a pool are also proposed.

PROJECT SITE: 208 Ocean Avenue, Seal Beach (Orange 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 change(s):

Construction of a maximum 12-foot tall open air patio structure on pilasters, outdoor fireplace and decorative pilasters in the rear yard. Also, new 6-foot high side yard property line walls are proposed. All work will be located within the property boundaries. No additional work is proposed to the residence.

FINDINGS:

Pursuant to 14 Cal. Admin. Code Section 13166(a)(2) 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. This amendment has been considered "immaterial" for the following reason(s):

The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. The proposed amendment is consistent with the underlying permit approval (CDP# 5-08-190) 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.

If you have any questions about the proposal or wish to register an objection, please contact Fernie Sy at the Commission District Office in Long Beach (562) 590-5071.

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5-11-068-A1



NOTICE OF PROPOSED PERMIT AMENDMENT

TO: All Interested Parties

FROM: Charles Lester, Executive Director

DATE: 2 October 2013

SUBJECT: Coastal Development Permit No. 5-11-068 granted October 11, 2012 to Shea Homes for:

Subdivision resulting in the creation of 111 residential lots, additional lots for roads, conservation, public access and public park areas; construction of 111 single family homes and related infrastructure, and construction of public active park, public passive park, public paseo park, public access trails, natural treatment system, habitat restoration, new storm drain system, new pump facility at the Slater storm water pump station, improvements to the flood control channel levee, flood protection feature, replace sewer pump, and new sewer force-main.

AT: 50 acre area at 17301 Graham Street (West of Graham Street North of East Garden Grove Wintersburg Flood Control Channel), Huntington Beach, Orange 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 change(s):

DESCRIPTION OF THE PERMIT AMENDMENT REQUEST:

1. Change the lot designation of the single lot in Tentative Tract 15419 from a numbered lot (Lot 1) to a lettered lot (Lot A). All special conditions and restrictions that apply to Tract 15419 Lot 1 will remain applicable to Tract 15419 Lot A, and references thereto will be changed accordingly. The change for the single lot in Tract 15419 from Lot 1 to Lot A will apply wherever it occurs in approved Coastal Development Permit 5-11-068.
2. Amend the maintenance responsibilities within Lot Y of Tentative Tract 15377 to require that trail and landscaping maintenance be the responsibility of the Homeowners Association (HOA) and not the County of Orange (as is currently specified), and change all references thereto accordingly. The change to maintenance responsibilities described above will apply wherever it occurs in approved Coastal Development Permit 5-11-068.

FINDINGS:

Pursuant to 14 Cal. Admin. Code Section 13166(a)(2) 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. This amendment has been considered "immaterial" for the following reason(s):

1. The applicant is requesting the change from numbered to lettered lot in Tentative Tract 15419 because lots dedicated exclusively for conservation uses, as the subject lot is, are more typically lettered lots. Tract 15419 is a single lot subdivision which is land use designated Open Space – Conservation and zoned Coastal Conservation. As proposed by the applicant and as conditioned in the approved coastal development permit, the single lot in Tract 15419 is restricted to wetland and habitat conservation and restoration uses. The lot is specifically referenced as Lot 1 throughout the special conditions of approval and findings for Coastal Development Permit 5-11-068. This amendment is intended to clarify that each of those references is intended to be changed from Lot 1 to Lot A. The shape, use, function and restrictions of Tract 15419's single lot remain unchanged from those approved under Coastal Development Permit 5-11-068. All special conditions and restrictions that apply to Lot 1 will apply to Lot A.
2. The project as proposed by the applicant assigned landscaping maintenance responsibilities on the VFPP to the HOA. This is reflected in the following excerpt from the findings of conditional approval for the Parkside project: *"Upon completion of construction and planting, the VFPP will be owned, maintained, and operated by the Orange County Public Works Department, except that the VFPP vegetation and irrigation will be maintained by the HOA."* However, this landscape maintenance responsibility was not reflected in the approved special conditions of the project. As approved, the special conditions identify all VFPP maintenance responsibilities as the responsibility of the County. The proposed amendment is intended to correct that. In addition, this amendment would require the HOA to also be responsible for public trail maintenance on the VFPP. As approved, many of the project's public trail maintenance responsibilities are assigned to the HOA. Adding the VFPP public Vista Point trail and vista point to the other trail maintenance responsibilities is consistent with the Commission's action on the permit.

All conditions of approval, as set forth in Coastal Development Permit 5-11-068 except as specifically modified herein, remain unchanged. The permit amendment will cause no additional adverse impacts to public access or coastal resources. The approved project, as amended, remains consistent with the Chapter 3 policies of the Coastal Act, the underlying coastal development permit, and the City of Huntington Beach certified LCP.

If you have any questions about the proposal or wish to register an objection, please contact **Meg Vaughn** at the Commission Area office in Long Beach (562) 590-5071.