

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071 FAX (562) 590-5084  
www.coastal.ca.gov

**Item W15**

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

*For the  
April Meeting of the California Coastal Commission*

**MEMORANDUM**

Date: April 5, 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 April 10, 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.

***REGULAR WAIVERS***

1. 5-12-330-W Randy & Sandy Davis (Newport Beach, Orange County)

***DE MINIMIS WAIVERS***

1. 5-12-258-W Hendrickson Revocable Trust, Attn: Mr. Jeffery Hendrickson (San Clemente, Orange County)
2. 5-12-337-W Russell Fluter (Newport Beach, Orange County)
3. 5-12-341-W Mr. & Mrs. Mark Keeler (Newport Beach, Orange County)
4. 5-13-021-W Conrad Carson (Seal Beach, Orange County)
5. 5-13-026-W Morgan & Aileen Jones (Newport Beach, Orange County)
6. 5-13-029-W Mrs. Sandra Davidson-Took (Newport Beach, Orange County)

***IMMATERIAL AMENDMENTS***

1. 5-11-090-A1 County Of Orange Sheriff's Department, Communication Division, Attn: Mr. Robert Stoffel (Orange, Orange County)

**TOTAL OF 8 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>
<b>5-12-330-W</b> Randy & Sandy Davis	Remodel and addition to an existing to an existing one-story, 3,098 sq. ft. single-family residence with a 646 sq. ft. attached 3-car garage consisting of a complete interior remodel and minor addition to the first floor, and a new 1,823 sq. ft. second floor addition resulting in a 4,943 sq. ft., two-story, 29 ft. tall single-family residence with attached 3-car garage and 471 sq. ft. covered patio; and new hardscape and landscape improvements including outdoor fireplace and landscaping utilizing a non-invasive, low-water use plant palette.	104 Linda Isle, Newport 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>
<b>5-12-258-W</b> Hendrickson Revocable Trust, Attn: Mr. Jeffery Hendrickson	Construction of a two-story, 25 ft. tall, 7,525 sq. ft. single-family residence with attached 1,776 sq. ft. 4-car garage, 1,045 sq. ft. pool house and gym, pool, new hardscape and landscaping non-invasive, low-water use plants on a vacant lot. No permanent improvements are proposed along the 15 ft. wide public access easement along the eastern property line. Surface runoff is directed toward landscaped areas to allow for natural percolation, excess overflow will be directed to the public storm drain system. Grading for site preparation/recompaction plus cut for the new pool is proposed.	4065 Calle Isabella, San Clemente (Orange County)
<b>5-12-337-W</b> Russell Fluter	Demolition of an existing partially constructed single-family dwelling and construction of a new two-story 5,847 square foot single-family residence with an attached 669 square foot two-car garage and an attached 371 square foot one-car garage. The maximum height of the structure will be 29-feet above finished grade. Grading will consist of 110 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. No work on the existing bulkhead or dock is proposed.	443 Harbor Island Dr., Newport Beach (Orange County)

**SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED**

<p><b>5-12-341-W</b> Mr. &amp; Mrs. Mark Keeler</p>	<p>Demolition an existing single-family residence and construction of a new 2,833 sq. ft., two-story, 26' tall (above finished grade), single-family residence with attached 504 sq. ft. 2-car garage, hardscape and landscape improvements on a bulkhead lot. No work is proposed to the existing bulkhead or dock system. Drainage from the site will be directed to landscaped areas and permeable side yards. Landscaping consists of drought tolerant, non-invasive plants.</p>	<p>23 Balboa Coves, Newport Beach (Orange County)</p>
<p><b>5-13-021-W</b> Conrad Carson</p>	<p>Demolition of existing exterior property line walls and construction of new property line walls with a maximum height of 6'-6". The proposed walls would be similar in height to walls found in the adjacent area. In addition, a spa, a fire pit a BBQ area, an imitation putting green, and hardscape work is proposed in the rear yard. Grading will consist of 20 cubic yards of import, which will balance on-site. On-site drainage will be directed onto permeable areas before entering the main storm drain system.</p>	<p>104 Ocean Ave, Seal Beach (Orange County)</p>
<p><b>5-13-026-W</b> Morgan &amp; Aileen Jones</p>	<p>Demolition of an existing single-family dwelling and construction of a new three-story 2,215 square foot single-family residence with an attached 463 square foot two-car garage. The maximum height of the structure will be 29-feet above finished grade. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. Grading will consist 250 cubic yards of recompaction, which will balance on site.</p>	<p>322 Anade Ave., Newport Beach (Orange County)</p>
<p><b>5-13-029-W</b> Mrs. Sandra Davidson-Took</p>	<p>Demolition of an existing single-family dwelling and construction of a new three-story 1,051 square foot single-family residence with an attached 389 square foot two-car garage. The maximum height of the structure will be 29-feet above finished grade. Grading will consist of 110 cubic yards for purposes of recompaction and will be balanced on site. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.</p>	<p>201 Sapphire Ave, Newport Beach (Orange County)</p>

**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.

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
<p><b>5-11-090-A1</b> County Of Orange Sheriff's Department, Communication Division, Attn: Mr. Robert Stoffel</p>	<p>Request to Amend the project which shifted approximately 68 feet north-northwest of the original location. The project utilizes a natural Berm.</p>	<p>0.5 Miles Northeast Of Pacific Coast Hwy (Crystal Cove State Park) (Crystal Cove State Park), Orange (Orange County)</p>

**CALIFORNIA COASTAL COMMISSION**

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



March 25, 2013

Saito Design Group, Attn: Al Saito  
20803 Valley Blvd. Suite 105  
Walnut, CA 91789

**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#:** 5-12-330                      **APPLICANT:** Randy and Sandy Davis

**LOCATION:** 104 Linda Isle, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Remodel and addition to an existing one-story, 3,098 sq. ft. single-family residence with a 646 sq. ft. attached 3-car garage consisting of a complete interior remodel and minor addition to the first floor, and a new 1,823 sq. ft. second floor addition resulting in a 4,943 sq. ft., two-story, 29' tall single family residence with attached 3-car garage and 471 sq. ft. covered patio; and new hardscape and landscape improvements including outdoor fireplace and landscaping utilizing a non-invasive, low-water use plant palette.

**RATIONALE:** The subject site is a 8,657 sq. ft. (0.5 ac) bulkhead lot on Linda Isle a gated community within the first public road and the sea. The site is designated as Single Unit Residential Detached (RSD-B) in the Newport Beach Land Use Plan (LUP). The proposed project is a major interior remodel and second story addition plus outdoor hardscape and landscape improvements. No development or construction access is proposed seaward of the bulkhead. 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 Castaways Park. 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 10-12, 2013** meeting. If three (3) 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

**CALIFORNIA COASTAL COMMISSION**

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



March 26, 2013

David York, Architect  
3103 S. El Camino Real  
San Clemente, CA 92672

**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#:** 5-12-258

**APPLICANTS:** Hendrickson Revocable Trust

**LOCATION:** 4065 Calle Isabella, San Clemente (Orange County)

**PROPOSED DEVELOPMENT:** Construction of a two-story, 25' tall, 7,525 sq. ft. single-family residence with attached 1,775 sq. ft. 4-car garage, 1,045 sq. ft. pool house and gym, pool, new hardscape and landscaping non-invasive, low-water use plants on a vacant lot. No permanent improvements are proposed along the 15' wide public access easement along the eastern property line. Surface runoff is directed toward landscaped areas to allow for natural percolation, excess overflow will be directed to the public storm drain system. Grading for site preparation/recompaction plus cut for the new pool is proposed.

**RATIONALE:** The subject site is a 34,340 sq. ft. interior lot zoned Residential Low (RL) in the City of San Clemente's certified Land Use Plan. The proposed project is not a bluff top or oceanfront lot, but is located between the sea and the first public road within the locked gate community of Cotton Point. The development exceeds the Commission's typical parking requirement of two spaces per residential unit. The proposed landscaping plan provides non-invasive drought-tolerant plant species. 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 project vicinity at the Trestles Beach accessway in San Diego County to the south. The existing access easement at the site is currently not in use; the access will only be opened if the Trestles access way is no longer available to the public. No permanent improvements are proposed along the 15' wide public access easement along the eastern property line. The proposed development will not result in adverse impacts to coastal access, views, resources, or public recreation. 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.

The proposed development will not prejudice the City's ability to prepare a certified Local Coastal Program for this area. Furthermore, the proposed development will not adversely impact coastal resources, public access, coastal views or public recreation opportunities, and is consistent with past Commission actions in the area, and the Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **April 10-12, 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  
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, 2013

Russell E. Fluter  
2025 W. Balboa Boulevard  
Newport Beach, CA 92663

**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#:** 5-12-337                      **APPLICANT:** Russell E. Fluter

**LOCATION:** 443 Harbor Island Drive, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of an existing partially constructed single-family dwelling and construction of a new two-story 5,847 square foot single-family residence with an attached 669 square foot two-car garage and an attached 371 square foot one-car garage. The maximum height of the structure will be 29-feet above finished grade. Grading will consist of 110 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. No work on the existing bulkhead or dock is proposed.

**RATIONALE:** The subject site is a 7,897 square foot bulkheaded bayfront lot and is designated as single-unit residential detached in the City of Newport Beach Land Use Plan (LUP) and is located between the first public road and the sea. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit). The proposed development will not impact coastal access, which is available near the site at the Balboa Yacht Basin. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The stability of the existing bulkhead is adequate for the economic life of the proposed structure. 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 April 10-12, 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

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 27, 2013

Craig McIntosh  
1048 Irvine Ave. #191  
Newport Beach, CA 92660

**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#:** 5-12-341      **APPLICANT:** Mr. and Mrs. Mark Keeler

**LOCATION:** 23 Balboa Coves, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition an existing single-family residence and construction of a new 2,833 sq. ft., two-story, 26' tall (above finished grade), single-family residence with attached 504 sq. ft. 2-car garage, hardscape and landscape improvements on a bulkhead lot. No work is proposed to the existing bulkhead or dock system. Drainage from the site will be directed to landscaped areas and permeable side yards. Landscaping consists of drought tolerant, non-invasive plants.

**RATIONALE:** The subject site is a 6,473 sq. ft. bay front bulkhead lot designated as Single Unit Residential (RSD) in the City of Newport Beach Land Use Plan (LUP) located within the existing locked gate community of Balboa Coves between the first public road (Coast Hwy) and the sea. Public access through this community does not currently exist. The nearest coastal public access is located approximately 1/2 mile upcoast of the site at Channel Park. The structural engineering analysis found the seawall structurally sound and adequate for the anticipated life of the proposed new development and currently meets the City's height requirements; no work is proposed to the seawall. The proposed project meets the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. No development or construction access is proposed seaward of the bulkhead. Adequate measures to address water quality have been incorporated into the project design and construction phase of the project. The proposed development will not create any new impacts on existing public access, nor 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 **April 10-12, 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

**CALIFORNIA COASTAL COMMISSION**

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



March 26, 2013

Pacific Coast Architects  
Attn: Phil Edmundson  
2600 Newport Boulevard, #114  
Newport Beach, CA 92663

**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#:** 5-13-021                      **APPLICANT:** Conrad Carson

**LOCATION:** 104 Ocean Avenue, Seal Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of existing exterior property line walls and construction of new property line walls with a maximum height of 6'-6". The proposed walls would be similar in height to walls found in the adjacent area. In addition, a spa, a fire pit a BBQ area, an imitation putting green, and hardscape work is proposed in the rear yard. Grading will consist of 20 cubic yards of import, which will balance on-site. On-site drainage will be directed onto permeable areas before entering the main storm drain system.

**RATIONALE:** The subject site is a beachfront lot located between the first public road and the sea. The lot size is 6,620 square feet and is designated as residential low density in the City of Seal Beach Zoning Code. The proposed walls will be consistent in height and character with existing adjacent walls and are appurtenant structures that will have shallow footings, such that the walls will not perform as shoreline protective devices and could be removed or relocated if threatened by shoreline hazards. Public access and recreation opportunities exist at the sandy public beach south of the project site. The proposed development would not interfere with existing access and would not change the intensity of use of the site. 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 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 10-12, 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

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 28, 2013

R.A. Jeheber Residential Design, Inc.  
Attn: Rod A. Jeheber  
410 32<sup>nd</sup> Street, Suite 202  
Newport Beach, CA 92663

**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#:** 5-13-026                      **APPLICANT:** Morgan & Aileen Jones

**LOCATION:** 322 Anade Avenue, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of an existing single-family dwelling and construction of a new three-story 2,215 square foot single-family residence with an attached 463 square foot two-car garage. The maximum height of the structure will be 29-feet above finished grade. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. Grading will consist 250 cubic yards of recompaction, which will balance on site.

**RATIONALE:** The lot size is 1,100 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 to the bay exists approximately 140 feet north of the project site at the Anade Avenue, street end. 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 April 10-12, 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

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 26, 2013

Ian J.N. Harrison, Architect  
335 East Coast Highway, #301  
Corona Del Mar, CA 92625

**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#:** 5-13-029                      **APPLICANT:** Sandra Davidson-Took

**LOCATION:** 201 Sapphire Avenue, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of an existing single-family dwelling and construction of a new three-story 1,051 square foot single-family residence with an attached 389 square foot two-car garage. The maximum height of the structure will be 29-feet above finished grade. Grading will consist of 110 cubic yards for purposes of recompaction and will be balanced on site. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.

**RATIONALE:** The lot size is 1,350 square feet and is designated as two-unit 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 April 10-12, 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

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

**5-11-090-A1****NOTICE OF PROPOSED PERMIT AMENDMENT**

**TO:** All Interested Parties  
**FROM:** Charles Lester, Executive Director  
**DATE:** April 2, 2013  
**SUBJECT:** Coastal Development Permit 5-11-090 granted to for:

Construction of a one-story, 10 ft wide by 12 ft long by 10 ft high prefabricated concrete modular building installed on a poured concrete pad; a 800 MHz fiberglass "fishing pole" type 10-ft. tall antenna atop a 10-ft. steel pole, a 4-ft. diameter microwave dish antenna and two, 6-in. diameter GPS antennas mounted on the rooftop of the shelter housing electronic equipment; an 8-ft. wide, 100-ft. long decomposed granite access road from an existing unimproved Park access road; and restoration of area disturbed during construction.

**AT:** 0.5 mile north of Pacific Coast Hwy within the Crystal Cove State Park in the City of Laguna 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 AMENDMENT REQUEST:**

The proposed CDP amendment would revise the location of the proposed prefabricated concrete modular building housing the radio equipment and roof-mounted antennas by shifting the structure approximately 68 feet north-northwest of the originally proposed location.

**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 permit amendment does not conflict with any of the conditions or terms of the underlying coastal development permit and will not result in any adverse impacts to coastal resources or access. The proposed new siting is further away from the existing road/trail as well as existing coastal sage scrub. The new location takes advantage of a natural berm currently located between the road/trail and the proposed facility's site shielding it from public view along the road/trail; therefore requiring less site disturbance in terms of grading/fill necessary to create a vegetated berm to shield the structure and minimize visual impacts as originally proposed in the underlying CDP. The proposed amendment is consistent with the Chapter 3 policies of the Coastal Act, previous Commission approvals and will not prejudice the City's ability to prepare an LCP. Therefore, staff is recommending that the Commission grant the amendment request.

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