

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CALIFORNIA 90802-4416
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W19

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the
November 2015 Meeting of the California Coastal Commission*

November 02, 2015

To: Commissioners and Interested Parties

From: For Orange Co.: Sherilyn Sarb, South Coast District Deputy Director

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the South Coast District Office for the November 2015 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

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.

Applicant	Project Description	Project Location
5-15-1250-W Attn: Kay MacDonald	Conversion of an existing duplex to a single family residence including complete interior remodel, a 44 sq. ft. first floor addition, expansion of existing second story balcony deck, new 239 sq. ft. roof deck and new exterior stairways connecting to new roof deck. No work is proposed to existing detached 2-car garage or two studio units above garage structure.	913 Ocean Ave, Seal Beach, CA 90740 (APN(s): 199-044-16)

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.

Applicant	Project Description	Project Location
<p>5-15-1351-W Attn: Kevin & Debbie Wulff</p>	<p>Major remodel and addition to an existing two-story, 3,295 sq. ft. single family residence including complete demolition of all exterior walls, 226 cu. yds. cut and 65 cu. yds. fill for construction of new basement level garage and storage space, new 653 sq. ft. deck over basement level garage, new 3,612 first level and new 1,170 sq. ft. second level resulting in a 4,924 sq. ft., 21' tall, two-story with basement single family residence; hardscape and landscape improvements proposed including new driveway, retaining walls, site stairs, landscaping, pool remodel and new spa addition.</p>	<p>33 N. La Senda Dr, Laguna Beach, CA 92651</p>
<p>5-15-1599-W Attn: Ralph Munoz</p>	<p>Enclose existing upper deck and convert it to a room, enclose existing stairway converting it to a wet bar, repair existing main entry and add new roof element, extend existing roof line.</p>	<p>16752 – 16th St, Sunset Beach, CA 90742 (APN(s): 178-526-04)</p>
<p>5-15-1769-W OC Parks - North Coastal Operations Group, Attn: William Fegley</p>	<p>Trim native and non-native vegetation to create cleared area approximately 16 feet wide x 10 feet high along existing service roads within Talbert Regional Park to provide access for emergency response vehicles into the park. Vegetation trimming will be conducted outside of bird nesting and breeding season, between October 15, 2015, and March 15, 2016. Hand crews will utilize loppers, commercial grade hedge trimmers, string trimmers, and chain saws.</p>	<p>1298 Victoria Ave., Costa Mesa, Ca 92627 (APN(s): 422-341-06)</p>
<p>5-15-1906-W Bay City Partners, Attn: Edward Selich</p>	<p>Remove the existing fence surrounding the approved open space area approved under Coastal Development Permit Application No. 5-13-1233 and temporarily relocate the fence along the northern boundary of the approved open space area (prolongation of Central Way).</p>	<p>Ocean Ave. and First Street, Seal Beach, CA (APN(s): 043-171-02, 043-172-07, 043-172-13, 044-172-08)</p>

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.

Applicant	Project Description	Project Location
<p>5-12-292-A1 Bruce Ogilvie & Rudy Svreek</p>	<p>Split single lot into two legal lots. Remove existing swimming pool and fill vacated pool area with 121 cubic yards of fill. Rear yard area will be filled with hardscape, landscape, and sandy beach.</p>	<p>928 – 930 Balboa Blvd, Newport Beach, CA 92661 (APN(s): 048-141-31)</p>

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

5-88-784-A4

Attn: 412 Vista Pacifica,
Inc.

Amend Special Condition No. 10 of CDP No. 5-88-784-A3 as described:

412 Arenoso Ln, San Clemente, CA 92672
(APN(s): 692-012-48)

A. Maintenance of Public Access. By acceptance of this Permit Amendment, the applicant agrees, on behalf of itself and all successors and assigns, to maintain continued and uninterrupted public pedestrian access, during typical daylight hours as established pursuant to Special Condition 1 of CDP 5-88-784, along the existing and proposed trail extending from Arenoso Lane to and along the blufftop and to the proposed coastal overlook areas along the blufftop, as depicted on the final plans approved by the Executive Director, pursuant to Special Conditions 12, 13, and 14, and as generally depicted on Page 1 of Exhibit 2 to the staff report dated December 20, 2012, the area of which is more formally described in an exhibit attached to the NOI for this permit amendment as required in subsection B of this special condition. The public access shall be provided notwithstanding the privacy buffer acknowledged under Special Condition 1 of original permit 5-88-784.

B. PRIOR TO ISSUANCE BY THE EXECUTIVE DIRECTOR OF THE NOI FOR THIS PERMIT AMENDMENT, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an Exhibit to the NOI, a formal legal description or scaled graphic depiction of the subject property and the portion of the subject property upon which the public pedestrian access trail will be sited, as generally described above, in subpart 10.A. of this condition, and shown on Page 1 of Exhibit 2 attached to this staff report.

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

5-98-493-A1

Attn: Scott Christian

Demolition of the existing lap pool, fill and cap with concrete decking and install area drains and drain lines to convey water runoff into existing drain system draining to the street and away from the coastal bluff. A new 18" tall fire pit is proposed on top of the new concrete deck. An existing, unpermitted 5-ft. tall wrought iron fencing located between the pool and the top of bluff in non-conformance with the patio stringline bluff setback (bluff setback applied in original CDP approval) is proposed to be removed. The proposed concrete patio/decking and fire pit are all proposed inland of the patio stringline bluff setback line.

2815 La Ventana, San Clemente, CA
(APN(s): 691-071-06)

EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property, or to maintain public services.

Applicant	Project Description	Project Location
<p>G-5-15-0032 City of Laguna Beach</p>	<p>Vegetation removal as necessary to reduce fire hazards, limited to: 1) removal by hand crews of dead and non-native grasses only, 2) limited goat grazing. All vegetation removal will be a minimum of 15 feet away from any protected status plants, including but not limited to big leaf crownbeard (<i>Verbisina dissita</i>). Vegetation removal is limited to the area within 100 feet of property lines in the area depicted on the attached exhibit (Exhibit A). No protected status plants will be removed.</p>	<p>Fuel Modification Zone 10 (FMZ 10) Undeveloped land owned by Driftwood Properties, LLC., located east of Barracuda Way, east of Lorretta Drive, and south of upper Nyes Place, (within City-designated fire hazard abatement Zone 10) in uncertified hillside area of the City of Laguna Beach, Orange County. Assessor Parcel No.: 056-240-66</p>
<p>G-5-15-0031 City of Laguna Beach</p>	<p>Vegetation removal as necessary to reduce fire hazards, limited to the removal of dead and non-native plants within 100 feet of the property lines in the area depicted on the attached exhibit (Exhibit A); excepting there-from non-native plants that are over-story to and necessary for the survival of bigleaf crownbeard (<i>Verbisina dissita</i>). All native plants will be avoided.</p>	<p>Fuel Modification Zone 11 (FMZ 11) On property owned by Driftwood Properties LLC, at the northern end of Driftwood Drive (within City-designated fire hazard abatement Zone 11), Laguna Beach (Orange County); Assessor Parcel Nos.: 056-240-65, 056-240-57, 656-191-40</p>

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October 27, 2015

Coastal Development Permit Waiver Improvements to Existing Single-Family Residences or Structures Coastal Act Sections 30610(a) and (b)

Based on the 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), Section 13252(e), 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: 5-15-1250

Applicant: Kay MacDonald

Location: 913 OCEAN AVE, SEAL BEACH (ORANGE COUNTY)

Proposed Development: Conversion of an existing duplex to a single family residence including complete interior remodel, a 44 sq. ft. first floor addition, expansion of existing second story balcony deck, new 239 sq. ft. roof deck and new exterior stairways connecting to new roof deck. No work is proposed to existing detached 2-car garage or two studio units above garage structure.

Rationale: The subject site is a 2,750 sq. ft. inland lot within the first public road and the sea in Seal Beach. Public coastal access to the Pacific Ocean is available ~250 feet west of the site at the 10th Avenue street-end. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit). However, there are two other studio units above the existing garage with no on-site parking. No work is proposed to existing detached 2-car garage or two studio units above garage structure. The site cannot accommodate additional on-site spaces without requiring complete demolition of the existing dwelling. Less than 50% demolition is required for the proposed remodel to convert the existing duplex into a single family home; insufficient to address the site's parking deficiency. If demolition and/or construction is proposed at the site in the future, the provision of additional parking spaces will be evaluated at that time. The project is designed to be compatible with the character of the surrounding development. Water quality best management practices are proposed during and after construction. The proposed development will not adversely impact public 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 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 **November 4-6, 2015** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Charles Lester,
Executive Director

Liliana Roman
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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October 26, 2015

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the 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: 5-15-1351-W

Applicant: Kevin & Debbie Wulff

Location: 33 LA SENDA DR, LAGUNA BEACH (ORANGE COUNTY)

Proposed Development: Major remodel and addition to an existing two-story, 3,295 sq. ft. single family residence including complete demolition of all exterior walls, 226 cu. yds. cut and 65 cu. yds. fill for construction of new basement level 2-car garage and storage space, new 653 sq. ft. deck over basement level garage, new 3,612 first level and new 1,170 sq. ft. second level resulting in a 4,924 sq. ft., 21' tall, two-story with basement single family residence; hardscape and landscape improvements proposed including new driveway, retaining walls, site stairs, landscaping, pool remodel and new spa addition.

Rationale: The subject site is a 11,812 sq. ft. inland lot within the Three Arch Bay private gated community in Laguna Beach within the first public road and the sea. The site is not a bluff top, oceanfront, or coastal canyon lot but is located within the existing locked gate community of Three Arch Bay, one of three areas of deferred certification (due to public access issues) in the otherwise certified City of Laguna Beach. Public coastal access exists in the project vicinity, approximately half a mile down coast at Monarch Bay/Salt Creek Beach. The area is zoned low-density residential by the City and the proposed project conforms to the permitted uses for this zone. The proposed project is compatible with the character of surrounding development and will not create any new adverse impacts on existing public coastal access. The project meets the Commission's typical parking requirement of two covered spaces per residential unit. Adequate measures to address water quality have been incorporated into the project design and construction phase of the project. Surface area drains and roof gutter downspouts are directed to an underground drainage system with perforated drain line encased in gravel for greater filtration on site. 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 for the area and is consistent with 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 **November 4-6, 2015** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit 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

Liliana Roman
Coastal Program Analyst

cc: File

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October 21, 2015

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the 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: 5-15-1599-W

Applicant: Ralph Munoz

Location: 16752 16th Street, Sunset Beach, City of Huntington Beach (Orange County)
(APN: 178-526-04)

Proposed Development: Addition of 443 square feet of internal floor area to one unit of an existing duplex by enclosing an existing 384 square foot upper level deck and a 59 square foot exterior stairway. The project also includes a remodel of the exterior of the existing main entry of the unit. The new maximum height at the remodeled entry will be 23 feet, two feet higher than the existing 21-foot high structure. (Height is measured from existing grade.) The project also includes a 3 ½ foot roof extension to cover an existing 189 square foot deck that is currently only partially covered. No change is proposed to the existing 529 square foot, 2nd residential unit located above the existing garage. The resultant duplex will be comprised of one 2,069 square foot, three level (including basement) residential unit and a 529 square foot second residential unit, with an attached 555 square foot, two-car garage serving the larger unit. There will be no change to the existing footprint.

Rationale: The subject site is a 2700 square foot lot located inland of North Pacific Avenue. The site is not a beachfront lot, but is located within 300 feet of a beach and the project represents an addition of more than 10% of the existing structure. The subject site is located in the formerly certified area of Sunset Beach, Orange County. With the annexation of the area into the City of Huntington Beach, the LCP certification lapsed. Therefore, the standard of review for this project is the Chapter 3 policies of the Coastal Act. However, the formerly certified Sunset Beach LCP may be used as guidance. The subject site is designated Residential High Density (RM-30) in the formerly certified Sunset Beach LCP. The existing duplex, with the proposed changes, is consistent with this formerly certified designation. The proposed maximum height is consistent with the maximum height limit of 35 feet allowed under the formerly certified Sunset Beach LCP. Although the duplex will provide only two parking spaces, rather than the typically required four spaces, the proposed changes will not result in an intensification of use of the site and no new parking demand is created. Vertical

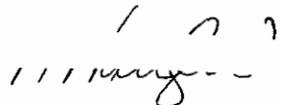
Coastal Development Permit De Minimis Waiver

5-15-1599-W

public beach access is provided in the project area at all street ends, including at the end of 16th Street approximately 200 feet from the subject site. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, 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 **NOVEMBER 4-6, 2015** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit 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



Meg Vaughn
Coastal Program Analyst

cc: File

5-15-1599 Munoz SNB duplex dw 11.15 mv

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October 22, 2015

**Coastal Development Permit De Minimis Waiver
Coastal Act Section 30624.7**

Based on the 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: 5-15-1769-W **Applicant:** O.C. Parks, County of Orange

Location: Talbert Regional Park, 1298 Victoria Ave., Costa Mesa (Orange County)

Proposed Development: Trim native and non-native vegetation to create cleared area approximately 16 feet wide x 10 feet high along existing service roads within Talbert Regional Park to provide access for emergency response vehicles into the park. Vegetation trimming will be conducted outside of bird nesting and breeding season, between October 15, 2015, and March 15, 2016. Hand crews will utilize loppers, commercial grade hedge trimmers, string trimmers, and chain saws.

Rationale: Current overgrowth of vegetation along service roads has significantly reduced emergency access for Costa Mesa Fire and The Orange County Fire Authority. Talbert Regional Park is prone to brush fires (which occur approximately once a month) due to a high transient population within the park. Overgrown vegetation along roads delays response time and creates a safety hazard for responding personnel, park users, and surrounding homes. The project is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, 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 **November 4-6, 2015** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit 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

Mandy Revell
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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November 2, 2015

Coastal Development Permit De Minimis Waiver

Coastal Act Section 30624.7

Based on the 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: 5-15-1906-W

Applicant: Bay City Partners, Attn: Edward Selich

Location: Ocean Ave. and First Street, Seal Beach (County of Orange)

Proposed Development: Remove the existing fence surrounding the approved open space area approved under Coastal Development Permit Application No. 5-13-1233 and temporarily relocate the fence along the northern boundary of the approved open space area (prolongation of Central Way).

Rationale: This relocated section of the fence will be for interim purposes and temporary until the completion of the construction of the infrastructure approved under CDP No. 5-13-1233 that would impact public access through this area during construction. Public access is available along the adjacent San Gabriel River Bike Trail and the public oceanfront recreational facility known as the River's End Staging Area (RESA) at the end of 1st Street located near the project site. The proposed project 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.

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, 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 **November 4-6, 2015** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit 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

Fernie Sy
Coastal Program Analyst

cc: File

CALIFORNIA COASTAL COMMISSION

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **5-12-292-A1**

October 20, 2015

To: All Interested Parties

From: Charles Lester, Executive Director

Subject: Permit No. **5-12-292-A1** granted to **Bruce Ogilvie & Rudy Svrcek** for:
Demolition of the existing single family residence, and construction of one new detached 29 ft. high 3820 sq. ft. single family residence and one new detached 29' high, 3710 sq. ft. single family residence.

Project Site: 928 and 930 Balboa Blvd, Newport 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):

Divide the single lot into two legal lots. Remove existing swimming pool and fill vacated pool area with 121 cubic yards of fill. Rear yard area will be filled with hardscape, landscape, and sandy beach.

FINDINGS:

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

The proposed development is consistent with the underlying permit approval and conditions (CDP# 5-12-292) and will not result in further impacts to coastal access, marine resources and water quality. The amendment is consistent with Chapter Three policies of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact Amber Dobson at the phone number provided above.

cc: Commissioners/File

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **5-88-784-A4**

To: All Interested Parties

From: Charles Lester, Executive Director

Subject: Permit No. **5-88-784** granted to the **Vista Pacifica Inc.** for: the construction of a 38 foot high, 23 unit condominium project with subterranean parking garage and 74 spaces, deed restriction for public viewing to and along the 25 foot blufftop setback, a vertical public access easement from Arenoso Lane to Linda Lane Park, and 22,600 cubic yards total grading on a blufftop lot.

Amendment No. **5-88-784-A1**: modify special condition no. 2 to reduce the width of the vertical access easement to 5 feet at its narrowest point. The easement is located on the inland property boundary and leads from Arenoso Lane down the coastal canyon to Linda Lane Park.

Amendment No. **5-88-784-A2**: reduction in density from 30 condominium units to 23 units and the addition of five parking spaces. The footprint and height of the previously approved project will remain the same. No additional grading is proposed.

Amendment No. **5-88-784-A3**: removal of existing unpermitted 6-ft. 8 in.-high steel fence and gate across an access to a public viewpoint and installation of new 5 ft.-high steel fence and time-locked gate, extension of existing blufftop path to viewpoint, creation of 2 new blufftop viewing areas, and modification to landscaping.

Project Site: 412 Arenoso Lane, San Clemente, 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):

Modifications to Special Condition 10. Added language is shown in underlined italicized text, and language to be deleted is identified by ~~strike-out~~.

10. A. Maintenance of Public Access. By acceptance of this Permit Amendment, the applicant agrees, on behalf of itself and all successors and assigns, to maintain continued and uninterrupted public pedestrian access, during typical daylight hours as established pursuant to Special Condition 1 of CDP 5-88-784, along the existing and proposed trail extending from Arenoso Lane to and along the blufftop and to the proposed coastal overlook areas along the blufftop, as depicted on the final plans approved by the

Notice of Proposed Immaterial Permit Amendment

5-88-784-A4

Executive Director, pursuant to Special Conditions 12, 13, and 14, and as generally depicted on Page 1 of Exhibit 2 to the staff report dated December 20, 2012, the area of which is more formally described in an exhibit attached to the NOI for this permit amendment as required in subsection B of this special condition. The public access shall be provided notwithstanding the privacy buffer acknowledged under Special Condition 1 of original permit 5-88-784.

B. PRIOR TO ISSUANCE BY THE EXECUTIVE DIRECTOR OF THE NOI FOR THIS PERMIT AMENDMENT, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an Exhibit to the NOI, a formal legal description and or scaled graphic depiction of the subject property and the portion of the subject property affected by this condition 10 upon which the public pedestrian access trail will be sited, as generally described above, in subpart 10.A. of this condition, and shown on Page 1 of Exhibit 2 attached to this staff report.

FINDINGS

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

The proposed amendment provides clarification regarding the exhibit required for the NOI under Special Condition 10.

If you have any questions about the proposal or wish to register an objection, please contact **Shannon Vaughn** at the phone number provided above.

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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

5-98-493-A1**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Charles Lester, Executive Director
DATE: October 23, 2015

SUBJECT: Coastal Development Permit 5-98-493 granted to Milton Vaughn for: Construction of a 4,201 sq. ft. single family residence with a 606 sq. ft. garage. Grading consists of 95 cubic yards of cut. Construction of a 38' long and 4' wide lap pool and spa.

AT: 2815 La Ventana, San Clemente (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 is to demolish the existing lap pool, fill and cap with concrete decking and install area drains and drain lines to convey water runoff into existing drain system draining to the street and away from the coastal bluff. A new 18" tall fire pit is proposed on top of the new concrete deck. An existing, unpermitted 5-ft. tall wrought iron fencing located between the pool and the top of bluff in non-conformance with the patio stringline bluff setback (bluff setback applied in original CDP approval) is proposed to be removed. The proposed concrete patio/decking and fire pit are all proposed inland of the patio stringline bluff setback line.

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):

Modifications are proposed to the project scope of the project previously approved under CDP 5-98-493. The applicant proposes to demolish, fill and cap the previously approved lap pool on the bluff facing side of the lot. The pool is proposed to be filled and compacted with competent soil material and cover with concrete decking. The existing residence meets the minimum 25' coastal bluff edge setback and structural stringline setback, proposed accessory structures meet the patio/deck stringline. 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 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.

CALIFORNIA COASTAL COMMISSION

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

**EMERGENCY PERMIT**

DATE: OCTOBER 15, 2015

EMERGENCY PERMIT: G-5-15-0032

APPLICANT: City of Laguna Beach

LOCATION: Fuel Modification Zone 10 (FMZ 10)
Undeveloped land owned by Driftwood Properties, LLC., located east of Barracuda Way, east of Lorretta Drive, and south of upper Nyes Place, (within City-designated fire hazard abatement Zone 10) in uncertified hillside area of the City of Laguna Beach, Orange County.
Assessor Parcel No.: 056-240-66

EMERGENCY WORK PROPOSED: Vegetation removal as necessary to reduce fire hazards, limited to: 1) removal by hand crews of dead and non-native grasses only, 2) limited goat grazing. All vegetation removal will be a minimum of 15 feet away from any protected status plants, including but not limited to big leaf crownbeard (*Verbisina dissita*). Vegetation removal is limited to the area within 100 feet of property lines in the area depicted on the attached exhibit (Exhibit A). No protected status plants will be removed.

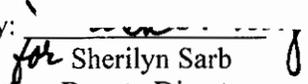
This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of a fire hazard due to the growth of non-native fire prone vegetation requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and
- (c) As conditioned the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the attached conditions.

Very Truly Yours,

Charles Lester
Executive Director

By: 
Title: Deputy Director

CONDITIONS OF APPROVAL:

1. The enclosed form must be signed by the permittee and returned to our office within 15 days.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director. This emergency permit shall not be construed as authorizing any unpermitted development previously undertaken on the subject property.
3. The work authorized by this permit must be completed within 30 days of the date of this permit.
4. The emergency work is considered to be temporarily authorized pursuant to this permit. The applicant must obtain a follow-up Coastal Development Permit for the work undertaken pursuant to this permit as part of an ongoing plan to assess and address, as necessary, fire hazards on the property. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.
5. In exercising this permit the permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.
7. As proposed by the applicant, no native plants will be removed by hand crews, including but not limited to, all native woody species, native bunch grasses and all protected status plant plants (e.g. bigleaf crownbeard (*Verbisina dissita*)).
8. All vegetation removal shall be limited to the area within 100 feet of property lines.
9. Within 48 hours prior to commencement of fuel modification activities, a qualified biologist shall conduct a biological survey of the proposed fuel modification area for any protected status plants including, but not limited to, big-leaved crownbeard (*Verbisina dissita*), cliff spurge (*Euphorbia misera*), Fish's milkwort (*Polygala cornuta var. fishiae*), and western dichondra (*Dichondra occidentalis*). All protected status plants identified shall be flagged prior to commencement of fuel modification activities. All protected status plants shall be protected in place.
10. As proposed by the applicant, both native and non-native plants that are required over story to big leaf crownbeard (*Verbisina dissita*), located within the proposed work area will be identified (e.g. flagged) for avoidance by work crews, and otherwise protected under the guidance of a qualified biological monitor. The minimum area preserved as over story shall be all vegetation within 15 feet surrounding the crownbeard.
11. Root systems shall be left intact to preserve soil stability.
12. To the extent feasible, all work shall be conducted by hand crews.
13. In areas too steep to be safely accessed by hand crews, goats may be used for vegetation removal. However, no goat grazing shall occur within 15 feet of protected status plants. As proposed, the use of goats is limited to the area adjacent to the homes on Barracuda Way.

14. In the areas where goats are used, a system of fencing (pens) shall be provided that entirely encloses each goat grazing area. This system of fencing (pens) shall include an exterior fence extending out around the inner pen a distance of 15 feet. The goats shall be contained within the inner pen. The outer fence shall be placed a minimum of 15 feet away from all protected status plants to ensure an adequate buffer distance. The location of all goat grazing pens shall be as identified on the attached map.
15. As proposed by the applicant, only one goat pen shall be in use at a time. As proposed by the applicant, there shall be a maximum of four goat pen locations. As proposed by the applicant, use of goats shall be allowed within each pen location for a maximum of two days.
16. A qualified biologist shall be present on-site and shall monitor all fuel modification activities in order to minimize habitat impacts.
17. All work (hand crews and goat grazing) shall be conducted by qualified contractors with experience in fuel modification within sensitive habitat.
18. Pre-project site biological conditions shall be documented through photographs of the site, mapping and other appropriate documentation prior to commencement of work. Post-project conditions shall also be similarly documented and an analysis prepared identifying all impacts to native plant plants caused by the proposed project. While no protected status plants or their non-native over story are proposed to be impacted, any such inadvertent or unexpected impacts to protected status plants, or non-native plants that are over-story to and necessary for the survival of bigleaf crownbeard (*Verbisina dissita*), shall be mitigated. The pre and post project biological condition documentation shall be submitted in conjunction with the follow-up regular coastal development permit application, along with a mitigation plan if adverse impacts to protected status plants occur.
19. The applicant shall provide written notification to the Executive Director of the date and time that the work will commence at least two (2) business days prior to commencement of the work.

Condition number four (4) indicates that the emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a Coastal Development Permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages, if required under the Coastal Act.

If you have any questions about the provisions of this emergency permit, please call the Commission office in Long Beach (562) 590-5071.

Enclosures: Acceptance Form
 Coastal Permit Application Form

cc: Local Planning Department

CALIFORNIA COASTAL COMMISSION

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

**EMERGENCY PERMIT**

DATE: OCTOBER 15, 2015

EMERGENCY PERMIT: G-5-15-0031

APPLICANT: City of Laguna Beach

LOCATION: Fuel Modification Zone 11 (FMZ 11)
On property owned by Driftwood Properties LLC, at the northern end of Driftwood Drive (within City-designated fire hazard abatement Zone 11), Laguna Beach (Orange County);
Assessor Parcel Nos.: 056-240-65, 056-240-57, 656-191-40

EMERGENCY WORK PROPOSED: Vegetation removal as necessary to reduce fire hazards, limited to the removal of dead and non-native plants within 100 feet of the property lines in the area depicted on the attached exhibit (Exhibit A); excepting there-from non-native plants that are over-story to and necessary for the survival of bigleaf crownbeard (*Verbisina dissita*). All native plants will be avoided.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of a fire hazard due to the growth of non-native fire prone vegetation requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and
- (c) As conditioned the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the attached conditions.

Very Truly Yours,

Charles Lester
Executive Director

By: for Sherilyn Sarb

Title: Deputy Director

CONDITIONS OF APPROVAL:

1. The enclosed form must be signed by the permittee and returned to our office within 15 days.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director. This emergency permit shall not be construed as authorizing any unpermitted development previously undertaken on the subject property.
3. The work authorized by this permit must be completed within 30 days of the date of this permit.
4. The emergency work is considered to be temporarily authorized pursuant to this permit. The applicant must obtain a follow-up Coastal Development Permit for the work undertaken pursuant to this permit as part of an ongoing plan to assess and address, as necessary, fire hazards on the property. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.
5. In exercising this permit the permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.
7. As proposed by the applicant, no native plants will be removed, including but not limited to, all native woody species, native bunch grasses and all special status plant species (e.g. big leaf crownbeard (*Verbisina dissita*)).
8. All vegetation removal shall be limited to the area within 100 feet of property lines.
9. As proposed by the applicant, both native and non-native plants that are required over story to big leaf crownbeard (*Verbisina dissita*), located within the proposed work area will be identified (e.g. flagged) for avoidance by work crews, and otherwise protected under the guidance of a qualified biological monitor. The minimum area preserved as over story shall be the area within 15 feet surrounding the crownbeard.
11. As proposed by the applicant, all vegetation removal will occur by hand; no goats will be used.
12. Root systems shall be left intact to preserve soil stability.
13. Within 48 hours prior to commencement of fuel modification activities, a qualified biologist shall conduct a biological survey for any special status species including, but not limited to, big-leaved crownbeard (*Verbisina dissita*), cliff spurge (*Euphorbia misera*), Fish's milkwort (*Polygala cornuta* var. *fishiae*), and western dichondra (*Dichondra occidentalis*). All special status species identified shall be flagged prior to commencement of fuel modification activities.
14. A qualified biologist shall be present on-site and shall monitor all fuel modification activities.

15. All work shall be conducted by qualified contractors with experience in fuel modification activities within sensitive habitat.
16. Pre-project site biological conditions shall be documented through photographs of the site, mapping and other appropriate documentation prior to commencement of work. Post-project conditions shall also be similarly documented and an analysis prepared identifying all impacts to native plant species caused by the proposed project. While no native plants or their non-native over story are proposed to be impacted, any such inadvertent or unexpected impacts to native plants, or non-native plants that are over-story to and necessary for the survival of bigleaf crownbeard (*Verbisina dissita*), shall be mitigated. The pre and post project biological condition documentation shall be submitted in conjunction with the follow-up regular coastal development permit application, along with a mitigation plan if adverse impacts to native plants occur.
17. The applicant shall provide written notification to the Executive Director of the date and time that the work will commence at least two (2) business days prior to commencement of the work.
18. This permit does not supersede or replace any requirements imposed under California Coastal Commission enforcement order numbers CCC-06-RO-03 (Athens Group), CCC-10-CD-02 (Gromet) and CCC-10-RO-02 (Gromet). Compliance with all provisions of these consent orders is required. Through acceptance of this permit, the applicant agrees to avoid disturbing any of the habitat restoration areas occurring on the property. In the event that any such restoration area is disturbed in the course of or as a result of the proposed work, applicant agrees to take all steps necessary, in a timely fashion, to return the disturbed restoration area to the condition in which it existed prior to the disruption caused by the applicant.

Condition number four (4) indicates that the emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a Coastal Development Permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages, if required under the Coastal Act.

If you have any questions about the provisions of this emergency permit, please call the Commission office in Long Beach (562) 590-5071.

Enclosures: Acceptance Form
 Coastal Permit Application Form

cc: Local Planning Department