

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
200 OCEANGATE, 10TH FLOOR  
LONG BEACH, CALIFORNIA 90802-4416  
(562) 590-5071 FAX (562) 590-5084

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

*For the  
October 2016 Meeting of the California Coastal Commission*

September 28, 2016

**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 October 2016 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

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
5-16-0547-W Attn: Howard Minnick	Demo 2-unit complex and carport. Install retaining wall, and construct a 2-unit structure with garages and dock space.	3012 W. Balboa Blvd, Newport Beach, Ca 92663 (APN(s): 047-071-03)
5-16-0640-W Attn: Mark Zablan	Demolition of an existing single family residence and construction of a new 3,826 square foot, two-story, approximately 28 foot high, single family residence with an attached two car garage and on-site drainage system.	2219 Channel Rd, Newport Beach, Ca 92661 (APN(s): 048-291-11)
5-16-0687-W Metro 41st Street, LLC	Demolition of an existing single family residence straddling two existing lots, resulting in two vacant lots (119 and 121 41st St.), and construct a three-story, 29-foot high, 3,222 square foot single family residence on the lot at 121 41st St. with an attached two car garage and on-site drainage system.	121 41st St, Newport Beach, Ca 92663 (APN(s): 423-311-16, 423-311-21)
5-16-0689-W Metro 41st Street, LLC	Demolition of an existing single family residence straddling two lots, resulting in two vacant lots (119 and 121 41st St.), and construct a three-story, 29-foot high, 3,141 square foot single family residence on the lot at 119 41st St. with an attached two car garage and on-site drainage system.	119 41st St, Newport Beach, Ca 92663 (APN(s): 423-311-20)

**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>Applicant</b>	<b>Project Description</b>	<b>Project Location</b>
<b>5-02-101-A4</b> Mitchell Land & Improvement Company Attn: John Beuder	Conversion of two parking spaces into one enclosed 323 square foot parking space. Post project there will be a total of 304 parking spaces onsite.	24901 Dana Point Harbor Dr., Dana Point, Ca 92629 (APN(s): 670-151-42)
<b>5-84-414-A2</b> OC Public Works, Regulatory and Policy Division, Attn: Vincent Gin	Demo of pedestrian bridge over Coast Hwy. and installation of new crosswalk just N of the pedestrian bridge. Minor maintenance and rehab of remaining bridge over the OCTA/Metrolink right-of-way will be completed. Traffic signals will be installed and working prior to demo of bridge. Pedestrian ramps will be installed for disabled access standards. Signing and striping will be updated.	Near Surfside Inn at 34680 Coast Hwy., Dana Point, Orange County (APN(s): 123-060-005, 123-070-010, 123-070-012)

**RESPONSE TO NOTICE OF EMERGENCY ACTION**

City of Seal Beach, Attn: Jim Bsham, Director of Community Development

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September 22, 2016

## **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:** 5-16-0547-W

**Applicant:** Howard Minnick

**Location:** 3012 W Balboa Blvd, Newport Beach, Orange County (APN: 047-071-03)

**Proposed Development:** Demolition of a two-story, two-unit residence with a carport and construction of a three-story, 29-foot high, 3,762 sq. ft., two-unit residence (2,118 sq. ft. in unit one and 1,644 sq. ft. in unit two), with 1,236 sq. ft. of decks, two single-car garages (215 sq. ft. in unit one and 201 sq. ft. in unit two) and two additional covered tandem parking spaces (one behind each garage) on a 3,857 sq. ft. lot. The proposed project also includes approximately 45 cu. yds. of cut and 140 cu. yds. of fill for site preparation and landscaping consisting of non-invasive and primarily drought tolerant vegetation.

**Rationale:** The subject lot is designated as two-unit residential in the City of Newport Beach Land Use Plan (LUP) and is located on an interior lot, not in between the first public road and the sea. The proposed project is consistent with the height limit in the certified LUP, is consistent with the Commission's parking requirement (two spaces per residential unit), and is designed to be compatible with the character of the surrounding area. Public access is available approximately one block southwest of the site at the terminus of 31<sup>st</sup> Street. Adequate measures to address water quality have been incorporated during and after construction with runoff directed to permeable surfaces and bottomless trench drains at the rear of the property towards which the lot will slope. The proposed development will not adversely impact public access, coastal resources, public recreation or coastal views. The project has received an approval in concept from the City (AIC #2016036, July 9, 2016) and complies with water efficiency and conservation measures of the City's adopted CALGreen standards regarding irrigation systems and efficient fixtures and appliances. The Commission approved the City of Newport Beach Implementation Plan on September 8, 2016; however the City's Local Coastal Program (LCP) is not yet certified. The proposed development will not prejudice the City's ability to prepare a Certified LCP and is consistent with past Commission actions in the area and the Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **October 5 – 7, 2016** 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.

Sincerely,

John Ainsworth  
Acting Executive Director  
cc: File

Shannon Vaughn  
Coastal Program Analyst

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September 23, 2016

## **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:** 5-16-0640-W **Applicant:** Mark & Sharon Zablan

**Location:** 2219 Channel Rd., Newport Beach, Orange County (APN: 048-291-11-00)

**Proposed Development:** Demolition of an existing single family residence and construction of a new 3,826 square foot, two-story, approximately 28 foot high, single family residence with an attached two car garage and on-site drainage system.

**RATIONALE:** The subject site is located approximately 75 feet inland of the Newport Harbor Channel on a 3,285 square foot lot designated R-1 (Single-Unit Residential) by the Newport Beach Zoning Code and Land Use Plan. The site is separated from the water by a road and a row of homes. 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. The Newport Beach Planning Division approved the project in concept on June 29, 2016. The proposal to divert stormwater to trench drains adjacent to the alley and to swales at each side of the property is consistent with the policies of the Coastal Act. Proposed grading consists of a maximum of 310 cubic yards, and any excess material will be disposed of outside the coastal zone. No landscaping is proposed. The proposed project complies with the applicable water efficiency and conservation measures of the City's adopted CALGreen standards and other City guidelines concerning irrigation systems, and efficient fixtures and appliances. The proposed 28-foot high sloped roof and project design are compatible with the character of surrounding development and will not have any adverse effects 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 the Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **October 5-6, 2016** 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.

John Ainsworth  
Acting Executive Director

Mandy Revell  
Coastal Program Analyst

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September 23, 2016

## **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:** 5-16-0687-W **Applicant:** Metro 41<sup>st</sup> St., LLC

**Location:** 121 41st Street, Newport Beach, Orange County (APN: 423-311-21)

**Proposed Development:** Demolition of an existing single family residence straddling two existing lots, resulting in two vacant lots (119 and 121 41<sup>st</sup> St.), and construct a three-story, 29-foot high, 3,222 square foot single family residence on the lot at 121 41<sup>st</sup> St. with an attached two car garage and on-site drainage system.

**Rationale:** The subject site is located approximately 300 feet inland of the public beach on a 2,547 square foot lot designated R-2 (Two-Unit Residential) by the Newport Beach Zoning Code and Land Use Plan. The site is separated from the water by a road and a row of homes. 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. The Newport Beach Planning Division approved the project in concept on July 20, 2016. The proposal to divert stormwater to trench drains adjacent to the alley and to swales at each side of the property is consistent with the policies of the Coastal Act. Construction best management practices include daily clean up, disposal and/or recycling of debris, and the use of sandbags to control erosion during construction. Proposed grading consists of a maximum of 36 cubic yards, and any excess material will be disposed of outside the coastal zone. No landscaping is proposed. The proposed project complies with the applicable water efficiency and conservation measures of the City's adopted CALGreen standards and other City guidelines concerning irrigation systems, and efficient fixtures and appliances. The proposed 29-foot high sloped roof and project design are compatible with the character of surrounding development and will not have any adverse effects 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 the Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their October 5-6, 2016 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.

Sincerely,

John Ainsworth  
Acting Executive Director

by: Mandy Revell  
Coastal Program Analyst

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September 23, 2016

## 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:** 5-16-0689-W **Applicant:** Metro 41<sup>st</sup> St., LLC

**Location:** 119 41st Street, Newport Beach, Orange County (APN: 423-311-20)

**Proposed Development:** Demolition of an existing single family residence straddling two lots, resulting in two vacant lots (119 and 121 41<sup>st</sup> St.), and construct a three-story, 29-foot high, 3,141 square foot single family residence on the lot at 119 41<sup>st</sup> St. with an attached two car garage and on-site drainage system.

**Rationale:** The subject site is located approximately 300 feet inland of the public beach on a 2,547 square foot lot designated R-2 (Two-Unit Residential) by the Newport Beach Zoning Code and Land Use Plan. 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. The Newport Beach Planning Division approved the project in concept on July 20, 2016. The proposal to divert stormwater to trench drains adjacent to the alley and to swales at each side of the property is consistent with the policies of the Coastal Act. Construction best management practices include daily clean up, disposal and/or recycling of debris, and the use of sandbags to control erosion during construction. Proposed grading consists of a maximum of 36 cubic yards, and any excess material will be disposed of outside the coastal zone. No landscaping is proposed. The proposed project complies with the applicable water efficiency and conservation measures of the City's adopted CALGreen standards and other City guidelines concerning irrigation systems, and efficient fixtures and appliances. The proposed 29-foot high sloped roof and project design are compatible with the character of surrounding development and will not have any adverse effects 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 the Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their October 5-6, 2016 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.

Sincerely,

John Ainsworth  
Acting Executive Director

by: Mandy Revell  
Coastal Program Analyst

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SEPTEMBER 27, 2016

**NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**

Coastal Development Permit Amendment No. **5-02-101-A4**

**To:** All Interested Parties

**From:** John Ainsworth, Acting Executive Director

**Subject:** **Description of development previously approved pursuant to 5-02-101-A3**  
granted to **Mitchell Land and Improvement Co., LLC**: Eliminate the deed restriction requiring 50% restaurant use of commercial square footage in Area "E", designate six (6) existing parking spaces for public use, and install a visitor information kiosk and public access signage.

**A-120-81-A2:** The application was deemed incomplete for over six months and was returned to the applicant.

**Description of development previously approved pursuant to A-120-81-A1:**  
Increase the size of the hotel in Area "G" to 350 rooms, eliminate the 60-room hotel on Area "E" and replace it with visitor-serving commercial uses, including 50% restaurant uses.

**Description of development previously approved pursuant to A-120-81:** Mixed-use development and subdivision of 75-acre parcel; construction of 112 townhouse condominium units, construction of a commercial/office complex, development of 46 single-family residential lots, development of two public recreation areas/parks and conceptual approval of two hotel complexes.

**Project Site:** The Pavilion at Lantern Bay, 24901 Dana Point Harbor Drive, Dana Point (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):

Conversion of two parking spaces into one enclosed 323 square foot parking space. Post project there will be a total of 304 parking spaces onsite.

**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):



**Notice of Proposed Immaterial Permit Amendment**

5-02-101-A4

The proposed development will not result in adverse impacts to access, biological resources, visual resources, recreation and visitor-serving resources or be affected by hazards. The development proposed results in the loss of one parking space resulting in 304 parking spaces onsite post project. The visiting-serving facilities located onsite require a total of 265 parking spaces based on the City's parking requirements. There will continue to be a surplus of parking spaces post project. Thus, adequate parking for the uses onsite will still be available once the project is completed. The proposed amendment is consistent with the underlying permit approval (CDP# A-120-81) as previously amended and is consistent with the City's certified Local Coastal Program (Dana Point Specific Plan Local Coastal Program or '1986' LCP).

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

cc: Commissioners/File

**CALIFORNIA COASTAL COMMISSION**

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**September 28, 2016**

## **NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**

Coastal Development Permit Amendment No. **5-84-414-A2**

**To:** All Interested Parties

**From:** John Ainsworth, Acting Executive Director

**Subject:** **Description of development previously approved pursuant to CDP No. 5-84-414 (September 25, 1984):** Construction of a pedestrian bridge over Pacific Coast Highway and the railroad. The project was approved with three special conditions: an Assumption of Risk Deed Restriction requirements from the Capistrano Surf Center, Ltd.; an Assumption of Risk Deed Restriction from the AT & SF Railway Company and the California Department of Parks and Recreation; and a requirement to obtain final approval from effected local agencies. Permit was amended February 17, 1985 (CDP No. 5-84-414-A1) to remove the Assumption of Risk Deed Restriction requirements from the AT & SF Railway Company and the California Department of Parks and Recreation.

**Project Site:** 34680 Pacific Coast Highway, City of Dana Point (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):

**Demolition of the section of the existing pedestrian bridge over Pacific Coast Highway (PCH). The section of the existing bridge over the Orange County Transit Authority (OCTA)/Metrolink railroad will remain. This application serves as a follow up application to Emergency Coastal Development Permit No. G-5-16-0042.**

### **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):

Coastal Development Permit No. 5-84-414 authorized the construction of a pedestrian bridge over PCH and the railroad tracks to provide pedestrian access to the Doheny Beach State Park and Doheny State Beach. Pedestrians gain access to the bridge from three stairways: a stairway at the northeast side of Pacific Coast Highway at Capistrano Surfside Inn (this section traverses over Pacific Coast Highway); a stairway at the southwest side of Pacific Coast Highway (this section

**Notice of Proposed Immaterial Permit Amendment**

5-84-414-A2

traverses over the railroad); and at a stairway at the Doheny Beach State Park parking lot. Currently, OC Public Works is the agency responsible for maintenance of the bridge.

Due to significant degradation and danger of imminent collapse of a section of the existing bridge, the Commission on May 6, 2016 issued Emergency Coastal Development Permit No. G-5-16-0042 for the removal of the span of the bridge over Pacific Coast Highway and the installation of a temporary push-button traffic signal and a crosswalk at the same location. The emergency permit was approved with a special condition that required the applicant within ninety days of the removal of the pedestrian bridge that they replace the temporary push-button traffic signal and crosswalk across Pacific Coast Highway with a permanent signalized pedestrian and ADA-compliant highway crossing in the same location. The permittee was required to obtain the necessary coastal development permit approval for the permanent highway crossing from the City of Dana Point. The bridge was demolished as allowed by the emergency permit and OC Public Works on May 9, 2016 obtained Local Coastal Development Permit No. 14-0016 from the City of Dana Point for the permanent at grade pedestrian crossing at the same location. Since the project is located in the appeals jurisdiction per the Post Local Coastal Program Certification Map, there was a 10-working day appeal period. No appeals were received during the appeal period and thus, the permit was determined to be final at the end of day on July 27, 2016.

The proposed development will not result in adverse impacts to access or be affected by hazards. The development proposed results in continued public access from the inland side of Pacific Coast Highway to the Doheny State Beach parking lot. The only change is that the previous existing span of the pedestrian bridge over Pacific Coast Highway will be replaced by an at grade crosswalk since the previous span was degraded and in danger of failing. The section of the existing bridge over the Orange County Transit Authority (OCTA)/Metrolink railroad will remain. The proposed amendment is consistent with the underlying permit approval (CDP No. 5-84-414) as previously amended and the City's certified Local Coastal Program ('1996' LCP) and the public access and recreation 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 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



September 23, 2016

City of Seal Beach  
Attn: Jim Basham, Director of Community Development  
211 Eighth Street  
Seal Beach, CA 90740

**Subject: RESPONSE TO NOTICE OF EMERGENCY ACTION RELATED TO A FIRE ON  
THE SEAL BEACH PIER**

Dear Mr. Basham:

On June 22, 2016 the Executive Director received your notification of emergency actions taken in response to a fire on the Seal Beach Pier. Commission staff has reviewed your application and will report it to the Coastal Commission with a summary of the facts at the next Commission meeting October 5-6, 2016 in Ukiah, California.

Based on your submittal and phone conversations with City staff, Commission staff understands that the City of Seal Beach has taken action to remove all the fire damaged structures and decking destroyed by the fire that occurred towards the end of the Seal Beach Pier on the morning of Friday, May 20, 2016. According to the City, after the fire was extinguished, the Pier remained closed over the following weekend while Orange County Fire Authority monitored the end of the pier, and conducted an investigation of the fire which required closure of the Pier to the public to ensure public safety. During this time, the City was working with the engineering firm Moffatt & Nichol to assess the extent of the damage caused by the fire. City staff contacted Coastal Commission staff on May 23, 2016, to discuss the fire and the emergency work that would be required to restore the Pier for public use. Coastal staff informed the City that an emergency notification was required and should be submitted with all information regarding actions taken during the emergency and all planned repairs. The removal of all fire damaged structures and decking material was completed on August 12, 2016, which the City states was in imminent danger of falling into the water. In addition, a temporary fence was placed at the Pier entrance to close public access during the debris removal, and construction best management practices were implemented to ensure the protection of water quality during debris removal activities. A second assessment was conducted by Moffatt and Nichol to evaluate what structural repairs would be necessary to the Pier itself, including all utility repairs. A majority of the Pier has remained open to the public throughout the process, and a chain link fence is located just before the end of the Pier to prevent access to the damaged area to ensure public safety.

Commission staff agrees that the work completed up until August 12, 2016 is consistent with the emergency provisions of Section 30611 of the Coastal Act, and based on your submittal and phone conversations with staff, a coastal development permit may be required to identify the full scope of additional work that will be necessary to completely repair the Pier. It is possible that the additional work necessary could be exempt from the coastal development permit process if it meets the criteria of Section 30610(g) of the Coastal Act for the replacement of a structure destroyed by a disaster. The City should apply for a coastal development permit within 90 days for all work planned to fully restore the pier so that staff can make that determination.

Thank you for providing notice of this unfortunate event, and the City's responses as they relate to coastal resources. You may reach the Commission's South Coast District staff at (562) 590-5071 if you have any questions.

JOHN AINSWORTH  
Acting Executive Director

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By: Mandy Revell  
Coastal Program Analyst

cc: Commissioners/File