

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
September 2016 Meeting of the California Coastal Commission*

August 29, 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 September 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.

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
5-16-0710-W Attn: Larry Wares	Remodel of an existing 1,847 sq. ft. single-story single family residence with a 2,372 sq. ft. addition and new 344 sq. ft. roof deck, resulting in a 4,281 sq. ft. two-story, 25' tall single family residence and hardscape improvements including a new concrete driveway and public pedestrian sidewalk, no grading or landscaping proposed.	315 W Avenida Valencia, San Clemente, Ca 92672

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>5-16-0447-W Attn: Jim Cefalia</p>	<p>Demolition of an existing shed and construction of a new three-story 3,224 square foot single-family residence with an attached 477 square foot two-car garage. The maximum height of the structure will not exceed 29-feet above finished grade. Grading will consist of 200 cubic yards of cut and 200 cubic yards of fill. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.</p>	<p>1610 Balboa Blvd, Newport Beach, Ca 92661 (APN(s): 048-231-34)</p>
<p>5-16-0448-W Attn: Jim Cefalia</p>	<p>Demolition of an existing shed and construction of a new three-story 3,316 square foot single-family residence with an attached 477 square foot two-car garage. The maximum height of the structure will not exceed 29-feet above finished grade. Grading will consist of 200 cubic yards of cut and 200 cubic yards of fill. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.</p>	<p>1608 Balboa Ave, Newport Beach, Ca 92662 (APN(s): 048-231-34)</p>
<p>5-16-0693-W Attn: Jim Cook</p>	<p>Demolition of an existing duplex and construction of a new 3-story 2,318 square foot single-family residence with an attached 402 square foot 2-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 of 235 cubic yards of cut, 235 cubic yards of fill, which will balance on site. Drought tolerant and non-invasive species will be utilized in landscaped areas and planters.</p>	<p>125 Garnet Ave, Newport Beach, Ca 92662 (APN(s): 050-041-22)</p>

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>5-16-0715-W EGL Trust, U/I/D March 23, 2016, Attn: Eric Lipoff</p>	<p>Demolition of an existing two-story single-family residence and construction of a new three-story, 2,395 sq. ft., 29 ft.-tall (above finished grade), single family dwelling including attached two-car garage, an approximately 332 sq. ft. third-floor roof deck with covered cabana and spa, and hardscape improvements including perimeter walls, planter landscaping and minimal grading for soil re-compaction and site preparation. Trench drains are proposed along the lengths of the property and surface run-off water will be directed to surface drains leading to a French drain and perforated drain pipes encased in gravel for greater on-site infiltration before draining to the main storm drain system. Landscaping consisting of drought tolerant non-invasive plant species is proposed.</p>	<p>145 Park Ave, Newport Beach, Ca 92662 (APN(s): 050-011-21)</p>
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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>5-15-0936-A1 Attn: Steven Gabriel</p>	<p>Addition of approximately 681 square feet of square footage, of which is primarily for mechanical space (non-livable) under the approved single-family residence footprint located at the basement level. In addition, clarification of the grading amount which is to consist of 2,025 cubic yards of cut, 20 cubic yards of fill and 2,005 cubic yards of export to a location outside of the Coastal Zone. The previously approved grading amount did not match the actual proposed grading activity and is now being revised to match.</p>	<p>107 Shorecliff Rd, Corona Del Mar, Newport Beach, Ca 92625 (APN(s): 052-210-06)</p>

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August 29, 2016

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: 5-16-0710

Applicant: Larry Wares

Location: 315 Avenida Valencia San Clemente (Orange County) (APN(s):692-282-20)

Proposed Development: Remodel of an existing 1,847 sq. ft. single-story single family residence with a 2,372 sq. ft. addition and new 344 sq. ft. roof deck, resulting in a 4,281 sq. ft. two-story, 25' tall single family residence and hardscape improvements including a new concrete driveway and public pedestrian sidewalk, no grading or landscaping proposed.

Rationale: The subject site is an 8,124 sq. ft. lot designated as Residential Low Density (RL) in the San Clemente Land Use Plan. The proposed development involves improvements to an existing single family residence within the first public road and the sea in San Clemente and is not on a coastal canyon or bluff. 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 Calafia Beach/San Clemente State Park. The proposed development will not 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. The development is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their September 7-9, 2016 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

John Ainsworth
Senior Deputy Director

Liliana Roman
Coastal Program Analyst

cc: File

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August 26, 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: 5-16-0447

Applicant: Jim Cefalia

Location: 1610 Balboa Blvd, Newport Beach (Orange County) (APN(s): 048-231-34)

Proposed Development: Demolition of an existing shed and construction of a new three-story 3,224 square foot single-family residence with an attached 477 square foot two-car garage. The maximum height of the structure will not exceed 29-feet above finished grade. Grading will consist of 200 cubic yards of cut and 200 cubic yards of fill. 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 2,697 square feet and is designated as single-unit residential detached in the City of Newport Beach Land Use Plan (LUP). 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 exceeds the 1.5 floor to buildable-lot area ratio. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit). Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed development complies with the applicable water efficiency and conservation measures of the City's adopted CALGreen standards concerning irrigation systems, and efficient fixtures and appliances. The applicant has acknowledged that the project site is located in a coastal hazard area and assumes the responsibility of constructing a residence at this location. The proposed project design is compatible with the character of surrounding development and does not have any negative 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 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 **September 7-9, 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

Fernie Sy
Coastal Program Analyst

cc: File

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August 26, 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: 5-16-0448

Applicant: Jim Cefalia

Location: 1608 Balboa Blvd, Newport Beach (Orange County) (APN(s): 048-231-34)

Proposed Development: Demolition of an existing shed and construction of a new three-story 3,316 square foot single-family residence with an attached 477 square foot two-car garage. The maximum height of the structure will not exceed 29-feet above finished grade. Grading will consist of 200 cubic yards of cut and 200 cubic yards of fill. 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 2,697 square feet and is designated as single-unit residential detached in the City of Newport Beach Land Use Plan (LUP). 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 exceeds the 1.5 floor to buildable-lot area ratio. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit). Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed development complies with the applicable water efficiency and conservation measures of the City's adopted CALGreen standards concerning irrigation systems, and efficient fixtures and appliances. The applicant has acknowledged that the project site is located in a coastal hazard area and assumes the responsibility of constructing a residence at this location. 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 **September 7-9, 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

Fernie Sy
Coastal Program Analyst

cc: File

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August 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: 5-16-0715-W **Applicant:** EGL Trust, U/I/D March 23, 2016, Trustee: Eric G. Lipoff

Location: 145 Park Ave, Newport Beach (Orange County) (APN: 050-011-21)

Proposed Development: Demolition of an existing two-story single-family residence and construction of a new three-story, 2,395 sq. ft., 29 ft.-tall (above finished grade), single family dwelling including attached two-car garage, an approximately 332 sq. ft. third-floor roof deck with covered cabana and spa, and hardscape improvements including perimeter walls, planter landscaping and minimal grading for soil re-compaction and site preparation. Trench drains are proposed along the lengths of the property and surface run-off water will be directed to surface drains leading to a French drain and perforated drain pipes encased in gravel for greater on-site infiltration before draining to the main storm drain system. Landscaping consisting of drought tolerant non-invasive plant species is proposed.

Rationale: The lot size is 2,550 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 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, and the proposed development incorporates water and energy conservation measures consistent with the 2013 California Green Building Code Standards. In addition, construction BMPs will be followed to prevent construction activities from impacting coastal and marine resources and water quality. The proposed project design is compatible with the character of surrounding development and does not have any negative 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 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 **September 7-9, 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

Caitlin Oshida
Coastal Program Analyst

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August 26, 2016

NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENTCoastal Development Permit Amendment No. **5-15-0936-A1**

To: All Interested Parties

From: John Ainsworth, Acting Executive Director

Subject: Permit No. **5-15-0936** granted to **Gabriel Gift Trusts, Attn: J Alan Hines** for: Demolition of an existing 3,700 square foot single-family residence with an attached two-car garage, detached pool house and swimming pool and construct a new 7,942 square foot, two-level single-family residence with a semi-subterranean basement with an attached 709 square foot three-car garage, a rear yard swimming pool, retaining walls and terracing of the rear yard, and a side yard property line fence on a coastal bluff top lot.

Project Site: 107 Shorecliff Road, 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):

Addition of approximately 681 square feet of which is primarily for mechanical space (non-livable) under the approved single-family residence footprint located at the basement level. In addition, clarification of the grading amount which is to consist of 2,025 cubic yards of cut, 20 cubic yards of fill and 2,005 cubic yards of export to a location outside of the Coastal Zone.

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 will not result in adverse impacts to scenic resources, water quality or public access or be affected by hazards. The previously approved grading amount did not match the actual proposed grading activity and is now being revised to match and does not change the grading footprint. The proposed amendment is consistent with the underlying permit approval (CDP# 5-15-0936) and will not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

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