

CALIFORNIA COASTAL COMMISSION

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



Th9

Prepared October 31, 2017 (for the November 09, 2017 Hearing)

To: Commissioners and Interested Parties
From: Karl Schwing, South Coast District Deputy Director
Subject: South Coast District Deputy Director's Report for Orange County for November 2017

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the South Coast District Office are being reported to the Commission on November 09, 2017. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's South Coast District Office in Long Beach. Staff is asking for the Commission's concurrence on the items in the South Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on November 9th.

With respect to the November 9th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on November 09, 2017 (see attached)

Waivers

- 5-17-0647-W, Dollarhide & King Residence (Seal Beach)
- 5-17-0747-W, Bailey Residence (Seal Beach)

Immaterial Amendments

- 5-04-087-A1, California Department of Fish & Wildlife, South Coast Region (Bolsa Chica Ecological Reserve, East Of Pacific Coast Highway And South Of Warner, Huntington Beach (Orange County))
- 5-07-428-A1, California Dept of Fish & Wildlife (Bolsa Chica Ecological Reserve On The South Side Of Warner Avenue Approximately 700 Feet East Of Pacific Coast Highway (Parallel To And Approximately) 50 Feet South Of The Warner Avenue Bridge; (Near 3842 Warner Avenue), Within The Bolsa Chica Area, Huntington Beach (Orange County))
- 5-97-185-A1, Crystal Cove Cliffs LLC (Laguna Beach)

Immaterial Extensions

- 5-13-0898-E2, David Albin (Newport Beach)

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October 24, 2017

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: 5-17-0647-W

Applicant: Roger Dollarhide and Kathleen King

Location: 1104 E. Ocean Ave, Seal Beach, Orange County (APN: 199-071-16)

Proposed Development: Demolition of a two-story duplex and construction of a 2,891 square foot two-story single-family residence with a roof deck and an attached 515 square foot two-car garage. The height of the enclosed living space will be 25-feet above finished grade. Grading (cut and fill) will consist of approximately 142 cubic yards. Drainage from the roof and surface water will be directed to on-site permeable areas before entering the main storm drain system.

Rationale: The subject site is located within 300 feet of the inland extent of the beach. The lot size is 2,910 square feet and is designated as residential high density in the City of Seal Beach Zoning Code. The proposed project conforms to the Commission's parking requirement (two-spaces per residential unit). Vertical public access is provided in the project area at the end of 11th Street, approximately 70 feet west of the project site. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its **November 8-10, 2017** 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
Executive Director

Fernie Sy
Coastal Program Analyst

cc: File

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October 26, 2017

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: 5-17-0747-W **Applicant:** Shawn Bailey

Location: 420 Jade Cove Way, Seal Beach (Orange County) (APN(s): 043-283-03)

Proposed Development: Repair of a fire damaged, 1,198 square foot, one-story, single-family residence and addition of 582 sq. ft. Roof structure will be replaced and asphalt driveway will be replaced with pavers.

Rationale: The proposed project is located in a low density residential area. It is surrounded by one to two-story single family residences in the City of Seal Beach. The City does not have a certified LCP; however, the plans went through an approval in concept through the City planning department (September 18, 2017).

The entire roof structure, with an existing surface area of 1,764 sq. ft., will be demolished due to fire damage and replaced. The existing exterior wall surface area is 1,648 linear feet, of which 544 linear feet will be demolished for expansion of the single-family residence, resulting in over 50% of the structure being demolished. The floor area will be increased by 35%, however, the existing height and bulk will not change. The new roof structure will contain gutters and downspouts which will empty onto impervious surfaces such as the south side lawn and gravel ditches on the north side of the building. The project also meets City of Seal Beach minimum requirement of 60% permeable surfaces. In addition, the project includes replacement of the asphalt driveway with pavers in order for runoff to infiltrate before entering storm drains. The property is located more than 300 feet from the inland extent of the beach in an existing developed area. Due to the location of the site, the proposed scope of work is considered an infill development and will not cause any adverse environmental impacts. 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 its **November 8-9, 2017** 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
Executive Director

Denise Truong
Coastal Program Analyst

cc: File

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October 30, 2017

NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENTCoastal Development Permit Amendment No. **5-04-087-A1****DATE:****To:** All Interested Parties**From:** John Ainsworth, Executive Director

Subject: Request to amend Coastal Development Permit No. 5-04-087 granted May 14, 2004 to California Dept. of Fish & Game (now Calif. Dept. of Fish & Wildlife). The previously approved development includes: Repairs to an existing public parking lot and public pedestrian bridge that serve the 1.5-mile walking trail around Inner Bolsa Bay, in the Bolsa Chica area of unincorporated Orange County.

Project Site: Inland side of Pacific Coast Highway, south of Warner, within the Bolsa Chica Ecological Reserve, in unincorporated 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):

Repair and maintenance of the previously approved wooden pedestrian bridge including: remove existing horizontal railings (existing length is 528 feet, the entire length will be replaced); install new 2" by 4" recycled plastic lumber horizontal railings; install new 4" by 4" pressure treated posts center-lined evenly between existing posts; remove existing top rail; install new 4" by 6" shaped redwood top rail; and replace broken 2' by 6' cross bracing (seven are known to need replacement, but additional replacement may occur if deficiencies are discovered during the course of the proposed repairs). The permittee will implement specific mitigation measures and water quality BMPs to protect sensitive habitat areas and prevent any materials from entering the waters beneath the bridge.

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 in the Commission's original permit jurisdiction. The permittee proposes to repair the previously approved pedestrian bridge that provides public trail access within the BCER trail system. All of the previously proposed and imposed water quality and habitat protection measures will be employed with the proposed repair and maintenance project, including: impacts to wetlands and sensitive habitat will be avoided; a qualified

Notice of Proposed Immaterial Permit Amendment

5-04-087-A1

biologist familiar with the sensitive biological resources of the BCER will be present during all work; construction timing will be limited to the non-nesting season (no work to occur from March 15 to September 15); no bottom disturbing activities will occur (for any work performed from beneath the bridge, as necessary to replace the cross braces, floats will be anchored to the existing bridge structure); wetland vegetation protection will include gentle hand placement of 8' by 4' by 1/4" plywood sheets which will be untreated, clean, and free from finishes, oils, paint, salts or other substances harmful to plant growth on top of existing wetland vegetation; plywood shall only be placed immediately adjacent to active construction activities; all plywood will be removed at the end of each work day and replaced as needed prior to the start of work on any subsequent workdays; water quality BMPs will be employed to ensure no material or construction debris is allowed to fall into the waters or surrounding wetlands or habitat areas; all workers will be made aware of the area's sensitivity and shall be directed in resource avoidance and protection measures; all construction staging and storage will be located on the existing paved parking lot adjacent to the bridge with an adequate buffer to avoid potential impacts to sensitive resources; the limits of construction shall be clearly delineated with flagging or other marking by qualified biologists or resource specialists prior to ground disturbance; in order to avoid and minimize adverse impacts, sedimentation fences, certified weed-free hay bales, sand bags, water bars, and/or baffles will be used as appropriate to contain sediment around construction areas and to ensure protection of wetlands, channel waters, and sensitive habitat. The proposed work is expected to be completed within two months. The bridge will be closed to public use during that time, but other trails in the vicinity will remain open to the public, including public trail access along the steel pedestrian bridge located near Warner Avenue, to the north of the subject wood bridge. There is no certified LCP for the Bolsa Chica area of the County of Orange. The proposed development is consistent with the special conditions of the underlying permit and the Chapter 3 policies of the Coastal Act.

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

cc: Commissioners/File

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October 30, 2017

NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENTCoastal Development Permit Amendment No. **5-07-428-A1****DATE:****To:** All Interested Parties**From:** John Ainsworth, Executive Director

Subject: Request to amend Coastal Development Permit No. 5-07-428 granted May 7, 2008 to California Dept. of Fish & Game (now Calif. Dept. of Fish & Wildlife). The previously approved development includes: Construction of a steel pedestrian bridge (approximately 145 feet long, 8 feet wide, 9 feet tall (above bridge deck) over the Warner Channel, plus abutments and approach ramps to link the trail system on either side of the channel.

Project Site: Bolsa Chica Ecological Reserve (BCER) on the south side of Warner Avenue approximately 700 feet east of Pacific Coast Highway (parallel to and approximately 50 feet south of the Warner Avenue bridge; (near the Interpretive Center located at Pacific Coast Highway and Warner Avenue), within the Bolsa Chica area of unincorporated 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):

Repair of the previously approved pedestrian bridge including: rust removal, weld inspection and repair, and repainting of the bridge. More specifically, the project includes: removing the railing cables for cleaning and repair (once removed the cleaning of the cables will occur away from the bridge and the waters of Warner Channel); removal of bar posts from the bridge; welding new stainless steel post cable rail guides; washing all accumulated foreign material from the bridge (all removed material being collected and disposed of at an approved waste area); rust removal to bare metal on all bridge beams, bridge components, and walkway pipe posts; paint (with subdued tones) and seal bridge, steel walkway, posts, and toe plates; and replace stainless steel tension cables through new bar post cable rail guides. The permittee will implement specific water quality BMPs to prevent any materials from entering the channel waters.

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

Notice of Proposed Immaterial Permit Amendment

5-07-428-A1

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 in the Commission's original permit jurisdiction. The permittee proposes to repair the previously approved pedestrian bridge that provides public trail access within the BCER trail system. All of the previously proposed and imposed water quality and habitat protection measures will be employed with the proposed repair and maintenance project, including: impacts to wetlands and sensitive habitat will be avoided; no bottom disturbing activities will occur (if any work is performed from beneath the bridge, floats will be anchored to the existing bridge structure); water quality BMPs will be employed to ensure no material or construction debris is allowed to fall into the waters of Warner Channel or surrounding wetlands or habitat areas; construction timing will be limited to the non-nesting season (no work to occur from March 15 to September 15); a qualified biologist familiar with the sensitive biological resources of the BCER will be present during all work; all workers will be made aware of the area's sensitivity and shall be directed in resource avoidance and protection measures; all construction staging and storage will be located on the existing paved parking lot adjacent to the bridge; in order to avoid and minimize adverse impacts, sedimentation fences, certified weed-free hay bales, sand bags, water bars, and/or baffles will be used as appropriate to contain sediment around construction areas and to ensure protection of wetlands, channel waters, and sensitive habitat. The proposed work is expected to be completed within approximately two months. The bridge will be closed to public use during that time, but other trails in the vicinity will remain open to the public, including public trail access along the wooden pedestrian bridge located to the south of the subject steel bridge. There is no certified LCP for the Bolsa Chica area of the County of Orange. The proposed development is consistent with the special conditions of the underlying permit and the Chapter 3 policies of the Coastal Act.

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

cc: Commissioners/File

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October 30, 2017

**NOTICE OF PROPOSED IMMATERIAL PERMIT
AMENDMENT**Coastal Development Permit Amendment No. **5-97-185-A1**

October 30, 2017

To: All Interested Parties
From: John Ainsworth, Executive Director
Subject: Permit No. **5-97-185-A1** granted to **Crystal Cove Cliffs, LLC** for:

Demolition of existing single family residence and construction of a new 2-story, 30-ft. high from existing grade, 10,795 sq. ft. single family residence with an attached 957 sq. ft. 4 car garage, on a bluff top lot and 320 cu. yds. of cut and 120 cu. yds. of fill.

Project Site: 2665 Riviera Drive, Laguna Beach (Orange County) (APN(s): 120-561-32)

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):

Complete interior remodel of existing 2-story, 30-ft. high, single family residence, plus replacement of exterior finishes (i.e., stone and stucco), replacement of all windows and doors with minor reconfigurations, new front entry canopy, new driveway, new in-ground spa/hot tub on west side of residence with built-in leak protection system, new landscaping and bio-retention planters at street facing side of residence, and minor grading (64 cu. yds. cut/18 cu. yds. fill) along the east side of residence.

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 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. No change in height is proposed. All proposed improvements are within the existing building envelope, with no new additional square footage as a result of proposed remodel. The existing residence and proposed new spa/hot tub meet the minimum 25-ft. coastal bluff setback. Proposed new landscaping consists of low-water use, non-invasive plants. The amendment is consistent with the Chapter 3 policies of the Coastal Act, previous Commission approvals and will not prejudice the City's or County'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 phone number provided above.

cc: Commissioners/File

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(5-13-0898-E2)



October 30, 2017

**NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

Notice is hereby given that **David Albin** has applied for a one year extension of **5-13-0898** granted by the California Coastal Commission on **September 11, 2014**

for: **Addition and remodel of an existing 1,694 square foot two-story single-family residence with an attached 383 square foot two-car garage consisting of a new 277 square foot 3rd floor. Post project, the single-family residence will be three-stories and 1,974 square feet with an attached 383 square foot two-car garage. The maximum height of the structure will be 29-feet above existing grade. No grading is proposed. In addition, the project includes the request for after-the-fact approval of an existing patio with pavers with an approximately 1.5-foot high perimeter wall that extends 15-feet into a 15-foot deep encroachment zone on the public beach.**

at: 5403 Seashore Dr, Newport Beach (Orange County)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Executive Director

Ferhie Sy /
Coastal Program Analyst

cc: Commissioners/File