

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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Prepared April 02, 2018 (for the April 13, 2018 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 April 2018**

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 April 13, 2018. 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 April 13th.

With respect to the April 13th 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 April 13, 2018 (see attached)

Waivers

- 5-17-0820-W, Doheny State Beach Water System Upgrade (Dana Point)
- 5-17-0933-W, Nasry Single Family Residence (Huntington Beach)
- 5-18-0158-W, Stratmann Single Family Residence Remodel (Seal Beach)

Immaterial Amendments

- 5-08-217-A4, San Clemente Pier Bird Exclusion Netting (San Clemente)

Immaterial Extensions

- 5-11-178-E4, 2808 Lafayette Property, LLC (Newport Beach)
- 5-15-0751-E1, Foxdale Properties (Laguna Beach)
- 5-16-0442-E1, Huberman Residence (Newport Beach)

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March 30, 2018

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: 5-17-0820

Applicant: California State Parks, Orange Coast District; Attention: Todd Lewis, District Superintendent

Location: 253400 Dana Point Harbor Dr, Dana Point (Orange County) (APN(s): 121-340-84)

Proposed Development: Replace the existing main water supply infrastructure for non-potable and potable systems at Doheny State Beach. The park's non-potable water system will be connected to the South Coast Water District's reclaimed water system for irrigation and work will consist of replacement of isolation valves, removal of existing remote controllers and wiring systems and installation of new ones; and installation of new sprinkler and irrigation heads. The park's potable water system work includes replacement of the potable water distribution system including backflow and meter assembly and replacement of waterlines with new piping and valves. Additional work includes minor redesign of the isolation valves. In total, approximately 7,440 linear feet of existing water lines will be replaced.

RATIONALE: The subject site, Doheny State Beach, is located between the first public road and the sea. The proposed project is not exempt based on the *Repair, Maintenance and Utility Hook-Up exclusion from Permit Requirements (adopted by the California Coastal Commission on September 5, 1978)* document since the proposed project goes beyond what is considered routine maintenance of the existing public park. The proposed project will not adversely impact public access to the beach, which exists throughout Doheny State Beach. In addition, the proposed project will 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 its **April 7-9, 2018** 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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March 20, 2018

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: 5-17-0933-W

Applicant: Adam Nasry

Location: 16760A Bayview Drive, Sunset Beach, Huntington Beach (Orange County)
(APN: 178-561-35)

Proposed Development: Construction of a 2,792 square foot, 3 story, 35 feet high single-family residence with an attached 567 square foot, 3-car garage (two tandem spaces), and an 828 square foot roof deck on a vacant, interior lot on Bayview Island in Huntington Harbour.

Rationale: The subject lot is 1,811 sq. ft. in area, and is designated as "Sunset Beach Residential" in the Sunset Beach Specific Plan adopted by the City (but not certified by the Coastal Commission). The Sunset Beach area was annexed into the City of Huntington Beach on August 22, 2011, but to date no LCPA has been certified to incorporate this area into the City's otherwise certified LCP. Therefore, the Chapter 3 policies of the Coastal Act are the standard of review in the project area. The proposed project was Approved in Concept by the City of Huntington Beach on 10/31/17. The proposed development is on an interior lot located on an island in Huntington Harbour and is not a waterfront lot. A Coastal Hazard Assessment was prepared for the proposed project (Coastal Hazard & Sea Level Rise Discussion, GeoSoils, Inc., 1/22/18) and concludes that "the proposed residential structure is above any potential coastal hazard including a 1.8 feet sea level rise over the next minimum 32 years. In addition, the water-proofing can be installed on the structure, as needed in the future to protect the development from flooding for at least the next 75 years." The proposed residence, including roof deck, will not exceed the City's height limit of 35 feet and is consistent with the height of surrounding development. The transparent railing on portions of the roof deck will have a dark tint to prevent bird strikes. The proposed development exceeds the Commission's typically imposed parking standard of two spaces per residential unit by providing 3 on-site parking spaces. The proposed project will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality or prejudice the City's ability to prepare a certified Local Coastal Program for this annexed area of Huntington Beach and is consistent with the Chapter Three policies of the Coastal Act.

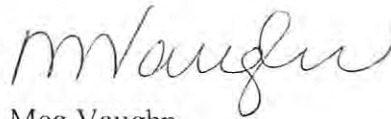
Coastal Development Permit De Minimis Waiver

5-17-0933-W

This waiver will not become effective until reported to the Commission at its **April 11-13, 2018** 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.

John Ainsworth,
Executive Director

cc: File



Meg Vaughn
Coastal Program Analyst

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March 30, 2018

**Coastal Development Permit Waiver
Improvements to Existing Structures
or Repair and Maintenance
Coastal Act Section 30610**

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: 5-18-0158-W

Applicant: James & Kelly Stratmann

Location: 1745 Crestview Ave, Seal Beach (Orange County) (APN(s): 199-151-18)

Proposed Development: Addition and remodel of an existing 2,633 square foot, one-story, single-family residence with an attached 470 square foot two-car garage. The proposed project includes a new second floor with the addition of 429 square feet of livable area and an addition of 71 square feet to the garage. No grading is proposed. Post project the two-story single-family residence will be 3,062 square feet with an attached 541 square foot two-car garage. The maximum height of the structure will not exceed 25-feet.

Rationale: The subject site is located between the first public road and the sea. The proposed project is not exempt because the improvement will result in an increase in height greater than ten (10) percent. The lot size is approximately 7,500 square feet and is designated as residential low density in the City of Seal Beach Zoning Code. Construction activity will not adversely impact public access to the City's Gum Groove Park, which is located directly north of the site, nor will it interfere with biological resources and other coastal resources. The proposed development conforms to City setback requirements and provides adequate parking based upon the Commission's standard of two parking spaces per unit. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their April 7-9, 2018 meeting. If three (3) 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: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. 5-08-217-A4

March 30, 2018

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Amended Permit No. **5-08-217** granted to the **City of San Clemente** for: Repair and maintenance to City Municipal Pier consisting of stringer repairs (8); timber piles replacements and repairs (49); concrete piles replacements (14); steel piles caps protective coating repairs (82); steel pile caps repairs (22); installation and repair of active corrosion protection system; bracing repairs (20) and replacements (9); deck plank replacement (31 sq. ft.); timber guardrails replacement (88 lf); replacement of 14,220 sq. ft. of deck planks; replacement of existing 2", 3" and 4" sewer pipe lines along the Pier to all to a 6" double containment sewer pipe; and repairs to gas, water and sewer lines.

Project Site: 615 Avenida Victoria, San Clemente Pier, 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):

Installation of a 2" x 2" high density polyethylene twine fabric on the underside of the pier deck framing to prevent birds from accessing the under-pier structure and nesting under the pier. The installation of the bird exclusionary netting is intended to improve water quality by reducing pollution generated by the high concentration of Rock Pigeons (Columba Livia) that congregate under the pier and contaminate the sand and water. The City will assess the work area for bird activity during the installation of the netting and if Rock Pigeons (Columba Livia) are found in the project area, the eggs and/or fledglings will be removed and transported from the project area to an appropriate aviary, managed by an avian specialist; no take of any native and/or protected bird species, eggs, and/or fledglings will occur.

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 a water quality improvement that will prevent the concentration of Rock Pigeons (*Columba Livia*) and other birds that congregate under the pier and contaminate the sand and water. The installation of this bird exclusionary netting is an extension of the repair and replacement activities that are being implemented under the existing, amended permit and do not conflict with any of the conditions or terms of the underlying coastal development permit, which include six special conditions, including: a future improvements condition that requires an amendment to the original permit for any improvements or repair and maintenance activities; an assumption of risk condition requiring the applicant to assume the risks of the subject site; a construction-related best management practices (BMPs) condition for coastal resource protection; a timing of construction condition to safeguard against public access impacts; a piling materials condition requiring inspection and maintenance of piling materials; and lastly, an operation, repair and maintenance of over water sewer lines condition to safeguard against coastal water quality impacts. The proposed permit amendment will not result in any adverse impacts to coastal resources or public access and recreation. No birds will be harmed by the project. A qualified biologist will be onsite during the installation of the bird exclusionary netting to ensure that no native and/or protected bird species and/or their eggs and fledglings are removed from the pier area, and that the take of Rock Pigeons (*Columba Livia*) and/or their eggs and fledglings will be removed and transported to an appropriate aviary that is managed by an avian specialist. 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. Further, the project has been reviewed by the U.S. Army Corp of Engineers, the California Department of Fish and Wildlife, and the Regional Water Quality Control Board.

If you have any questions about the proposal or wish to register an objection, please contact Daniel Nathan at 415-904-5251.

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(5-11-178-E4)

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

March 30, 2018

Notice is hereby given that **Lisa Cervantes-Morehart** has applied for a one year extension of **Coastal Development Permit No. 5-11-178** granted by the California Coastal Commission on **March 6, 2013** for development consisting of:

Installation of a new concrete bulkhead associated with an existing business/commercial building on a property fronting Newport Bay. The new bulkhead will be installed 10-feet into the bay from the existing property and will extend the width of the property for approximately 60-feet, with a return wall at each terminus.

at: 2808 Lafayette Rd, Newport Beach (Orange County) (APN(s): 047-023-06)

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

Fernie Sy
Coastal Program Analyst

cc: Commissioners/File

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

March 30, 2018

5-15-0751-E1

Notice is hereby given that Foxdale Properties LLC has applied for a one year extension of 5-15-0751 granted by the California Coastal Commission on April 14, 2016

for: Remodel and addition to an existing 1,665 sq. ft. one-story single family home on ocean fronting bluff top/coastal canyon lot above Three Arch Bay. Construction of a 330 sq. ft. lower level addition and a 247 sq. ft. upper level addition on the west side of the home, and a 296 sq. ft. elevated deck and 388 sq. ft. pervious paving patio on the south (seaward) side of the home.

at: 19 Bay Dr., Laguna Beach (Orange County) (APN(s): 056-180-31)

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

Marlene Alvarado
Coastal Program Analyst

cc: Commissioners/File

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(5-16-0442-E1)

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

March 30, 2018

Notice is hereby given that **Bernie Huberman** has applied for a one year extension of **Coastal Development Permit No. 5-16-0442** granted by the California Coastal Commission on **October 6, 2016** for development consisting of:

Removal of 718 square foot dock float, gangway, pier, approach, and piles, and replace with a new 570 square foot dock float, gangway, pier, approach, and piles.

at: 208 Via Lido Nord Newport Beach (Orange County) (APN(s): 423-144-03)

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

Fernie Sy
Coastal Program Analyst

cc: Commissioners/File