

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



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Prepared May 31, 2018 (for the June 08, 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 June 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 June 08, 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 June 8th.

With respect to the June 8th 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 June 08, 2018 (see attached)

Waivers

- 5-18-0232-W, utility pole (On Electric Ave., Across From 1632 Ocean Ave.), Seal Beach, Orange County)

Immaterial Amendments

- 5-95-219-A3, Fletcher Jones (Newport Beach)

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May 25, 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: 5-18-0232

Applicant: SoCalGas

Location: On Electric Ave., across from 1632 Ocean Ave., Seal Beach, Orange County (APN(s): 19906313)

Proposed Development: Install a 26 foot high concrete utility pole with a data collector unit to collect data from smart meters and ancillary equipment powered by a solar panel. The existing 1-hour parking sign will be replaced on the new pole.

Rationale: The subject site is adjacent to an inland road not located between the first public road and the sea. The site is designated open space in the City of Seal Beach Zoning Code. Public access and recreation opportunities exist surrounding the project site. The proposed development would not interfere with existing access and would not change the intensity of use of the 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 **June 6-8, 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

Amber Dobson
Coastal Program Analyst

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**NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**

May 24, 2018

Coastal Development Permit Amendment No. **5-95-219-A3**

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: **Development previously approved pursuant to amended Coastal Development Permit 5-95-219 granted to City of Newport Beach and Fletcher Jones:**
Construction of an automobile dealership consisting of three buildings (A, B and C). The project also includes a parking area, buffer wall, drain pipe, low intensity lighting, northern half of Bayview Way street, and creation of an off-site riparian habitat.

Project Site: 3300 Jamboree 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):

Installation of new Solar Panel PV (Photovoltaic) arrays on top of a new canopy on the rooftop of Building A and also on top of a new canopy located at grade within the existing paved parking area.

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 biological resources, marine resources, public access, cultural resources, visual resources, or be affected by hazards. The canopy to be installed at grade will have a maximum height of 15 feet, 10 inches. While the canopy to be installed on the rooftop of Building A, will have a maximum height of 20 feet. Building A has a maximum height of 30 feet and with the installation of the canopy; the maximum building height will be 50 feet. Currently, the building has an existing stairway tower that reaches a height of 45 feet, so the 5-foot increase in height resulting from the new canopy will be minimal. The project site is located within the Nonresidential, Nonshoreline Height Limit Area, which has a height limit of 32 feet. However, Section 21.30.060 of the City's Implementation Plan exempts solar panels from the height limit of 32 feet. No visual resources are impacted with the installation of the canopies with solar panels and the heights are consistent with the policies of the certified LCP. Therefore, the

Notice of Proposed Immaterial Permit Amendment

5-95-219-A3

proposed amendment is consistent with the underlying permit approval (CDP# 5-95-219) as previously amended and is consistent with the City's certified Local Coastal Program.

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