

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



W20

Prepared July 06, 2018 (for the July 11, 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 July 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 July 11, 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 July 11th.

With respect to the July 11th 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 July 11, 2018 (see attached)

Waivers

- 5-18-0292-W, John Ginger (Laguna Beach)

Immaterial Amendments

- 5-15-1459-A1, Newport Beach Yacht Club (Newport Beach)

Immaterial Extensions

- 5-14-0561-E2, Frank & Ahlan Moussa (Newport Beach)
- 5-15-0123-E1, Mesa Water District Water Pipeline @ Bonita Creek and San Diego Creek (Within Bonita Creek At The Confluence With San Diego Creek, City Of Newport Beach, Orange County)
- 5-15-1670-A1-E1, South Orange County Wastewater Authority (Aliso And Wood Canyons Wilderness Park, Unincorporated Orange County)
- 5-82-291-A5-E2, Ritz Carlton Laguna Niguel Hotel Remodel Permit Extension (Dana Point)

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June 28, 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: 5-18-0292-W **Applicant:** John Ginger

Location: 2596 Riviera Drive, Laguna Beach (Orange County) (APN: 053-317-11)

Proposed Development: Demolition of one-story single-family residence, and construction of an approximately 6,438 sq. ft., 23.4-ft. high (measured from above grade) one-story single-family residence over basement with an approximately 1,935 sq. ft. partially subterranean attached garage and 409 sq. ft. mechanical area, 1,240 sq. ft. of total deck area, an outdoor spa, hardscape improvements, and new drought-tolerant, non-invasive landscaping, which will be irrigated through a drip and micro-spray irrigation systems and weather based controllers.

Rationale: The subject site is a 10,746 sq. ft. (net 7,646 sq. ft.) interior lot seaward of Pacific Coast Highway and located within the existing locked gate community of Irvine Cove, one of the three areas of deferred certification in the otherwise certified City of Laguna Beach due to public access issues. The area is zoned low-density residential by the City and the proposed project conforms to the permitted uses for a low-density zone. Best Management Practices (BMPs) including erosion and runoff controls will be implemented during the construction phase. Roof water run-off will be diverted to gravel and landscaped areas to allow for natural percolation, excess overflow will be directed to the public storm drain system. Three parking spaces will be maintained on site, consistent with the Commission's parking requirement of at least two spaces per residential unit. Public coastal access exists in the project vicinity at Crystal Cove State Park (approximately half of a mile up-coast) and at Crescent Bay Park (approximately one mile down-coast). The proposed project design is compatible with the character of surrounding development and will not adversely impact visual or coastal resources, public access, or public recreation opportunities. It is consistent with past Commission actions in the area and with Chapter Three policies of the Coastal Act, and it will not prejudice the City's ability to prepare a Certified Local Coastal Plan (LCP).

This waiver will not become effective until reported to the Commission at their **July 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.

Sincerely,

John Ainsworth
Executive Director

Marlene Alvarado
Coastal Program Analyst

cc: File

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July 3, 2018

NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **5-15-1459-A1**

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: **Development previously approved pursuant to Coastal Development Permit 5-15-1459 granted to Newport Harbor Yacht Club:** Demolish existing 19,234 sq. ft. clubhouse, construct 23,163 sq. ft. two-story approx. 36-foot high clubhouse supported by pile and pier foundation and elevated bulkhead (+9.4 feet NAVD88), replace fencing, construct new access ramps to existing docks, install and remove temporary approx. 400 square foot dock float and relocate three piles to enable 80-foot long vessel to provide temporary clubhouse during construction, locate temporary management and food preparation facilities in east yard during construction, and provide \$350,000 to City of Newport Beach or other accepting agency for construction of public access improvements in Newport Beach.

Project Site: 720 W. Bay Avenue, 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):

Relocate the gangway to the main dock by 14.5 feet to the east and reconfigure the existing main dock center float and its eastern fingers by moving them 14.5 feet to the east and shortening the north, eastern finger by 14.5 feet. Three existing concrete piles will be removed and relocated to secure the reconfigured dock.

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 marine resources and water quality. The project entails the moving the center float of the main dock, with its two fingers, and gangway leading to the dock, 14.5 feet to the East. The Northern of the two relocated fingers will be shortened by 14.5 feet. In addition, three existing concrete piles will be removed and relocated. The site has been surveyed by the City of Newport Beach

Notice of Proposed Immaterial Permit Amendment

5-15-1459-A1

Harbor Resources Division for eelgrass and eelgrass was discovered within 15 feet of the project area; however, no adverse impacts to eelgrass are anticipated as the project has been designed to avoid impacts to eelgrass. Therefore, the proposed amendment is consistent with the underlying permit approval (CDP# 5-15-1459) 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

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(5-14-0561-E2)

JULY 6, 2018

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

Notice is hereby given that **Fathy & Ahlam Moussa** has applied for a one year extension of 5-14-0561 granted by the California Coastal Commission on **May 13, 2015** for:

Demolition of an existing two-story duplex with an attached 2-car garage and construction of a new approximately 2,728.8 sq. ft., 29 ft. high, three-story single family residence with an attached 389 sq. ft. two-car garage, a 1,105 sq. ft. roof deck, second story balconies totaling 135 sq. ft, and hardscape improvements on a beachfront lot. There is no landscaping planned for this site. The project also requests after-the-fact approval of a 15 ft. deep by 30 ft. wide concrete patio with a 3 ft. tall perimeter wall within City's oceanfront encroachment area.

at: 6402 Ocean Front 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

A handwritten signature in dark ink, appearing to read 'Fernie Sy', written over a horizontal line.

Fernie Sy
Coastal Program Analyst

cc: Commissioners/File

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(5-15-0123-E1)**July 2, 2018****NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

Notice is hereby given that Mesa Water District has applied for a one year extension of **Coastal Development Permit No. 5-15-0123** granted by the California Coastal Commission on **August 11, 2016** for development consisting of:

Rehabilitation of approximately 1,700 linear feet of Mesa Water District's OC-44 potable water pipeline by inserting a new 30-inch diameter Ductile Iron Pipe inside the existing 42-inch pipeline. The proposed project includes excavation of three, 30' by 15' by 12' (deep) access pits, requiring a total of 2,100 cubic yards of cut (700 cubic yards per pit).

at: Within Bonita Creek at the confluence with San Diego Creek, City of Newport Beach, Orange County (APN(s): 442-061-05, 442-061-06, 442-061-12, 442-061-15, 442-061-16, 442-061-17, 442-061-20, 442-061-21, 442-061-28, 442-061-30, 442-061-31, 442-071-15, 442-071-20, 442-071-21, 442-071-22, 442-241-32)

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

A handwritten signature in cursive script, appearing to read "Meg Vaughn".

Meg Vaughn
Coastal Program Analyst

cc: Commissioners/File

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(5-15-1670-A1-E1)**July 2, 2018****NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT AMENDMENT**

Notice is hereby given that the South Orange County Wastewater Authority and Orange County Parks have applied for a one year extension of **Coastal Development Permit Amendment No. 5-15-01670-A1** granted by the California Coastal Commission on **June 8, 2016** for development consisting of:

Replacement of two existing, 4" diameter, ductile iron force main sludge transport pipelines with one, 6" diameter, high density polyethylene (HDPE) force main sludge transport pipeline; creek bank stabilization within Aliso Creek; and mitigation including restoration of riparian and upland habitat in Wood Canyon.

at: **Aliso and Wood Canyons Wilderness Park, unincorporated Orange County**

(APN(s): 120-191-79, 120-191-80, 120-191-81, 639-011-07, 639-011-08, 639-011-16, 639-011-18, 639-011-20, 639-011-25, 639-021-05, 639-031-03, 655-041-18, 655-051-03, 655-051-04, 655-051-05)

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

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Meg Vaughn
Coastal Program Analyst

cc: Commissioners/File

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(5-82-291-A5-E2)**July 2, 2018****NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

Notice is hereby given that **S.H.C. Laguna Niguel I, LLC** has applied for a one year extension of 5-82-291 A5 granted by the California Coastal Commission on **May 13, 2015** for:

Remodel and expand the existing Ritz Carlton Laguna Niguel hotel by adding a 36,071 sq. ft. meeting and event space; relocating a segment of the existing vertical public access pathway to the bluff and beach; landscape and hardscape work and installing water quality management devices.

At: 1 Ritz Carlton Dr, Dana Point (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

A handwritten signature in black ink, appearing to read "Fernie Sy", is written over a circular stamp or seal.

Fernie Sy
Coastal Program Analyst

cc: Commissioners/File