

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIFORNIA 90802-4830
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Prepared December 03, 2019 (for the December 12, 2019 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 December 2019**

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 December 12, 2019. 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 December 12th.

With respect to the December 12th 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 December 12, 2019 (see attached)

Waivers

- 5-19-1214-W, Kyle Treadway (Laguna Beach)
- 5-19-1234-W, 21601 Pacific Coast Hwy (Huntington Beach)
- 5-19-1235-W, 27 S Encino Road (Laguna Beach)

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November 27, 2019

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.

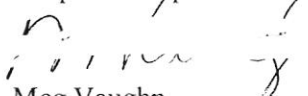
Waiver: 5-19-1214-W**Applicant:** Kyle Treadway**Location:** 87 Blue Lagoon, Laguna Beach (Orange County) (APN: 656-461-23)

Proposed Development: Remodel of existing three level condominium unit within the Blue Lagoon condominium complex. 87 square foot addition will result from converting existing subfloor area on the lowest level to living area. The resultant condominium will be 1542 square feet, three levels, and 33' above existing grade/centerline of frontage road. No change to the building footprint within the condominium building and complex will occur. Project also includes new windows and air conditioning unit.

Rationale: The subject site is one condominium unit within the existing Blue Lagoon condominium complex in Laguna Beach. The Blue Lagoon condominium complex is comprised of 15 separate, multi-unit structures, some of which are located on the oceanfront. The structure within which the subject unit is located is not an oceanfront, bluff front structure; there is a separate structure between the subject unit's structure and the oceanfronting bluff. The proposed remodel and addition will occur within the existing structure's footprint. Blue Lagoon is an existing locked gate community, and is one of the areas of deferred certification due to public access issues in the otherwise certified City of Laguna Beach. The area is zoned R-3 residential by the City and the proposed project conforms to the permitted uses for the zone. No change to existing site drainage is proposed. Two parking spaces will be maintained on site, consistent with the Commission's parking standard of at least two spaces per residential unit. Public coastal access exists in the project vicinity at Victoria Beach (immediately up-coast and accessed from the public access stairway at Dumond Dr.) and at Treasure Island Beach (just downcoast, adjacent to the Montage Resort). 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) for the area.

This waiver will not become effective until reported to the Commission at its **December 11-13, 2019** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

John Ainsworth
Executive Director


Meg Vaughn
Coastal Program Analyst

cc: Commissioners/File

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November 27, 2019

**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: 5-19-1234-W**Applicant:** California Department of State Parks

Location: Within the sandy beach on the southern end of Huntington State Beach, west of the Santa Ana River Mouth and east of Talbert Channel, at 21601 Pacific Coast Highway, Huntington Beach, Orange County (APN: 114-160-64).

Proposed Development: Replacement of approximately 2,700 linear feet of existing chain link fence that surrounds the 12.4-acre California Least Tern Natural Preserve within the sandy beach on the southern end of Huntington State Beach. Current fence is failing in several locations, and is failing to protect nesting endangered California least terns and Western snowy plovers from predators and harassment from the general public. No mechanical equipment will be utilized. Fasteners securing the chain-link fencing to posts will be clipped and chain-link fencing will be rolled and removed. Posts will be removed utilizing leverage blocks and/or small mechanical or hydraulic jacks to eliminate the need for excavation. Voids left from the removal of the posts will be filled with clean sand compatible with the surrounding area. New fence will be installed in approximately the same location, but the southwest side will be relocated three feet inland of the existing fence to avoid impacts to the existing fence during demolition and to minimize potential impacts from rising sea level and storm surge. In addition to the chain link, plastic mesh fencing will be placed at a 45-degree angle 2-feet above the top of the chain link and strung with plastic mesh fencing to prevent predators such as coyotes from climbing over the fence. Similar plastic mesh fencing will be buried one foot beneath the surface and attached to the bottom of the chain link for additional protection from digging predators and to ensure chicks remain inside the enclosure. Work will be limited to a 12 foot area on either side of the existing fence, and is proposed to take place outside of Western Snowy Plover and California Least Tern breeding season which is March 1st through August 30th.

Rationale: California Least Terns are critically endangered under the Federal and State Endangered Species Act, and the colony that nests in the subject location is one of the top five breeding colonies for the species, which is of increasing importance to the U.S. range-wide population of least terns. In order to protect this population, replacing the existing deteriorated fence to keep out predators is of great importance. The area was first fenced in approximately 1963, which pre-dates the Coastal Act. Since the new fence is being constructed in the same location, there will be no new coastal or beach view impacts, and the southwestern side will be constructed three-feet inland to accommodate rising

Coastal Development Permit De Minimis Waiver
5-19-1234-W (California Department of State Parks and Recreation)

sea level and storm surge erosion. The applicant received approval of the proposed work on an emergency basis from the California Department of Fish and Wildlife on December 1, 2017. The project site is a State beach within the city of Huntington Beach, and although the City of Huntington Beach has a certified LCP, the City has agreed to have the permit consolidated. The project is consistent with Chapter 3 policies of the Coastal Act and will not prejudice the City's LCP. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities.

This waiver will not become effective until reported to the Commission at their **December 11-13, 2019** 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

Mandy Revell
Coastal Program Analyst

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Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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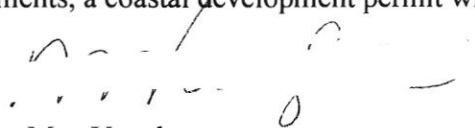
Waiver: 5-19-1235-W**Applicant:** Spencer & Ashley Samuelian**Location:** 27 So. Encino Rd., Laguna Beach, Orange County (APN: 056-214-20)

Proposed Development: Demolition of 2,634 sq ft single family residence and construction of an 8,859 sq ft, 3 level (including 1,559 sq ft fully subterranean basement level), 19 feet high above finished grade/28 feet above centerline of frontage road, single family residence with a 1,037 sq ft attached, four car garage, and pool. Also proposed are 1,743 cu yds of cut, 55 cu yds of fill, and 1,688 cu yds of export.

Rationale: The project site is located seaward of Pacific Coast Highway, within the existing locked gate community of Three Arch Bay, one of the areas of deferred certification in the City of Laguna Beach due to public access restrictions. The closest public access point is located approximately 0.3 miles north of the project site at 1,000 Steps Beach. The area is zoned low-density residential by the City and the proposed project conforms to the permitted uses and development standards for the low-density zone. The residence is on an interior, inland lot, not a bluff edge lot. Four on-site parking spaces will be provided, consistent with the Laguna Beach LCP which may be used for guidance. Runoff will be managed onsite by collecting site drainage in a series of area drains with an underground storm drain system outletting to infiltration trenches in the front yard and the driveway will be composed of pervious pavers. Landscaping is primarily moderate-with some low-water use plants, but all plants can accommodate water restrictions and a drip or micro spray irrigation system with smart weather-based technology will be used and will regulate and limit water usage. 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 **December 11-13, 2019** 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.

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