

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CALIFORNIA 93001-2801
(805) 585-1800 FAX (805) 641-1732
WWW.COASTAL.CA.GOV



W20

Prepared December 06, 2019 (for the December 11, 2019 Hearing)

To: Commissioners and Interested Parties
From: Steve Hudson, South Central Coast District Deputy Director
Subject: South Central Coast District Deputy Director's Report for December 2019

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the South Central Coast District Office are being reported to the Commission on December 11, 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 Central Coast District Office in Ventura. Staff is asking for the Commission's concurrence on the items in the South Central 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 11th.

With respect to the December 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 December 11, 2019 (see attached)

Waivers

- 4-19-0959-W, City of Santa Barbara Public Works Department (Santa Barbara)

Immaterial Extensions

- 4-12-019-E6, Parkhurst (Malibu)
- 4-13-1397-E4, Eucalyptus Ranch, LP (Malibu)
- 4-14-0100-E4, Hacienda Robles, LP (Malibu)
- 4-14-0201-E4, Pepper Creek, LP (Malibu)
- 4-14-0202-E4, Canary Island Palm LP (Malibu)
- 4-14-0621-E4, Rancho Tecolote, LP (Malibu)

Emergency Permits

- G-4-19-0052, Ventura County Watershed Protection District (Ventura)

Miscellaneous Item

- 4-08-080-E9 – Response to an objection letter that was received

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VENTURA, CA 93001
(805) 585-1800

**NOTICE OF COASTAL DEVELOPMENT PERMIT
WAIVER-DE-MINIMIS**

DATE: December 2, 2019

TO: All Interested Parties

SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-19-0959-W

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

Applicant: City of Santa Barbara Public Works Department

Location: Multi-modal pathway between Stearns Wharf and 100 block of East Cabrillo Blvd, City of Santa Barbara (APNs: 033-120-015; -016; -022)

Description: The project consists of the reconstruction of the existing sidewalks and multi-modal paths around the Stearns Wharf public restroom and Skater's Point skate park. The existing multi-modal paths will be reconfigured to both improve pedestrian and cyclist safety, and protect landscaped areas from incidental use. Planter boxes and landscaping with native species adjacent to the paths will also be installed as part of the project. The project will require minimal ground disturbance and grading (14 cu. yds. cut, 15 cu. yds. fill) and construction would take approximately 15 working days to complete. The project will not require the removal of any native trees or environmentally sensitive vegetation.

Rationale: The proposed project is minor in nature as it consists of the slight reconfiguration of existing multi-modal pathways and the installation of landscaping near the Stearns Wharf public restroom and Skater's Point skate park. The project occurs in both the City of Santa Barbara's permit jurisdiction and the Coastal Commission's retained permit jurisdiction. The City has requested a consolidated permit from the Coastal Commission in order to streamline the permitting process. The standard of review for the proposed project is the Chapter Three policies of the Coastal Act, and the policies of the City of Santa Barbara Local Coastal Program (LCP) serve as guidance. Project construction will take approximately 15 working days to complete and staging will occur in the public parking lot adjacent to the skate park on Cabrillo Blvd. (impacting no more than seven parking spaces). To avoid potential impacts to public access and visitors, no construction will occur during the summer months from Memorial Day to Labor Day, and public pedestrian, bicycle, and vehicular access to Stearns Wharf and the skate park will be maintained during construction. In addition, the applicant has included implementation of construction best management practices as part of the proposed project to ensure the water quality of the nearby Pacific Ocean is not degraded during construction. The proposed project will not adversely impact coastal resources, public access, or water quality. Therefore, the proposed project is consistent with all applicable policies of the Coastal Act and City of Santa Barbara LCP.

IMPORTANT: This waiver is not valid unless the project site has been posted and until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on December 11,

2019 in Calabasas. If three or more Commissioners object to this waiver, a coastal permit will be required. Persons having questions or wishing to object to the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

JOHN AINSWORTH
Executive Director

By: Carolyn Groves
Coastal Program Analyst

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

December 6, 2019

Notice is hereby given that A J Roberts Industrial Inc. has applied for a one year extension of 4-12-019 granted by the California Coastal Commission on July 8, 2009

for: Construct a 3,003 sq. ft., 26 ft. high single family residence, 800 sq. ft. under house carport and workshop, 150 sq. ft. pump house with well and solar panel array, 2 water tanks, driveway, retaining walls, septic system, outdoor patio, temporary construction trailer, 20 ft. wide driveway gate, and 2,418 cu. yds. new grading (1,209 cu. yds. cut, 422 cu. yds. fill, 767 cu. yds. export).

at: 24810 Piuma Rd, Malibu (Los Angeles County) (APN(s): 4456037055)

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

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

December 4, 2019

Notice is hereby given that Eucalyptus Ranch, LP has applied for a one year extension of 4-13-1397 granted by the California Coastal Commission on February 12, 2015

for: The applicant is proposing to construct a 28'9" high (as measured from finished grade), two-level with basement, 7,485 sq. ft. single family residence on an approximately 7.6 acre lot, with a detached 748 sq. ft. garage and 548 sq. ft. guest house. The proposed development also includes a swimming pool and spa, onsite waste water treatment system, and 18,000 gallon below ground water tank. In total, the proposed project requires 960 cu. yds. grading (820 cu. yds. cut, 140 cu. yds. fill), and retaining walls. AMENDED TO: Revisions to the design of the approved single-family residence, which include reducing the size of the residence from 7,485 sq. ft. to 4,687 sq. ft., eliminating the 974 sq. ft. basement, and changing the architectural style and exterior materials of the structure. No changes are proposed to the residence location, building height, detached garage, cabana, swimming pool and spa, wastewater treatment system, water tank, retaining walls, or grading.

at: 3215 Serra Rd, Malibu (Los Angeles County) (APN(s): 4457003023)

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

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

December 4, 2019

Notice is hereby given that Hacienda Robles, LP has applied for a one year extension of 4-14-0100 granted by the California Coastal Commission on February 12, 2015

for: The applicant is proposing to construct a 27'8" high (as measured from finished grade), two-level, 6,523 sq. ft. single family residence on an approximately 13 acre lot, with an attached 729 sq. ft. garage. The proposed development also includes a swimming pool and spa gazebo, onsite waste water treatment system, and 18,000 gallon below ground water tank. In total, the proposed project requires 700 cu. yds. grading (320 cu. yds. cut, 380 cu. yds. fill), and retaining walls. AMENDED TO: Revisions to the design of the approved single-family residence, which include reducing the overall size of the residence from 6,523 sq. ft. to 4,467 sq. ft. The first floor would be reduced from 3,281 sq. ft. to 2,803 sq. ft. and the second floor would be reduced from 3,242 sq. ft. to 1,664 sq. ft. No changes are proposed to the residence location, maximum building height, attached garage, gazebo, swimming pool and spa, wastewater treatment system, water tank, retaining walls, or grading.

at: 3217 Serra Rd, Malibu (APN(s): 4457003022)

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

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

December 4, 2019

Notice is hereby given that Pepper Creek, LP has applied for a one year extension of 4-14-0201 granted by the California Coastal Commission on February 12, 2015

for: The applicant is proposing to construct a 29'8" high (as measured from finished grade), two-level with basement, 8,894 sq. ft. single family residence on an approximately 7.2 acre lot, with an attached 834 sq. ft. garage. The proposed development also includes a swimming pool and spa, onsite waste water treatment system, and 18,000 gallon below ground water tank. In total the proposed project requires 2,140 cu. yds. grading (635 cu. yds. cut, 1,505 cu. yds. fill), and retaining walls.

at: 3221 Serra Rd, Malibu (Los Angeles County) (APN(s): 4457003020)

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

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

December 4, 2019

Notice is hereby given that Canary Island Palm, LP has applied for a one year extension of 4-14-0202 granted by the California Coastal Commission on February 12, 2015

for: The applicant is proposing to construct a 27'5" high (as measured from finished grade), two-level with basement, 7,139 sq. ft. single family residence on an approximately 7.2 acre lot, with an attached 537 sq. ft. garage. The proposed development also includes a swimming pool and spa, onsite waste water treatment system, and 18,000 gallon below ground water tank. In total, the proposed project requires 820 cu. yds. grading (580 cu. yds. cut, 240 cu. yds. fill), and retaining wall.

at: 3219 Serra Rd, Malibu (Los Angeles County) (APN(s): 4457003019)

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

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

December 4, 2019

Notice is hereby given that Rancho Tecolote, LP has applied for a one year extension of 4-14-0621 granted by the California Coastal Commission on February 12, 2015

for: The applicant is proposing to construct a 28'8" high (as measured from finished grade), three-level, 4,283 sq. ft. single family residence on an approximately 1.4 acre lot, with an attached 701 sq. ft. garage. The proposed development also includes a swimming pool and spa, and onsite waste water treatment system. In total, the proposed project requires 1,426 cu. yds. grading (1,327 cu. yds. cut, 99 cu. yds. fill), and retaining walls.

at: 3240 Cross Creek Rd, Malibu (Los Angeles County) (APN(s): 4457002038)

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

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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(805) 585-1800

**EMERGENCY PERMIT**

Date: November 26, 2019

Permit No.: G-4-19-0052

Applicant: Ventura County Watershed Protection District

Location: Ormond Beach near the terminus of tšumaš Creek (previously known as J Street Drain), Cities of Oxnard and Port Hueneme (Ventura County)

Work Proposed: One-time grading of the natural sand berm at Ormond Beach Lagoon to an elevation of 6.5 ft. to allow overflowing floodwater to drain from the lagoon into the ocean to prevent flooding of adjacent inland residential and industrial properties. A bulldozer will be used to grade the sand berm at Ormond Beach between the lagoon and the ocean.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from the information submitted that an unexpected occurrence in the form of a storm which has been forecast to result in rain that threatens to flood adjacent inland residential and industrial properties (including the Halaco Superfund site and the Oxnard Waste Water Treatment Plant) before the flow will naturally breach the sand berm at Ormond Beach Lagoon, constituting a risk to public health and safety. This occurrence requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and

The work is hereby approved, subject to the conditions listed on the reverse.

Sincerely,

John Ainsworth
Executive Director

By: Steve Hudson
Title: District Director, South Central Coast District

CONDITIONS OF APPROVAL

1. The enclosed form must be signed by the applicant and returned to our office within fifteen (15) days, though the work may begin in advance of that submittal.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work at the location of the proposed project requires separate authorization from the Executive Director.
3. The work authorized by this emergency permit must be completed within 7 days of the date of this permit. The Executive Director may grant additional time for good cause.
4. In exercising this emergency permit, the applicant agrees to hold the California Coastal Commission (Commission) harmless from any liabilities for damage to public or private properties or personal injury that may result from the project and to indemnify the Commission, which includes its officers, agents, and employees, against any and all liability, related claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any such damage or personal injury.
5. The work authorized by this emergency permit is temporary and limited to a one-time sand grading event at the Ormond Beach Lagoon Sand Berm.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other local, state and federal agencies, as applicable.
7. No overnight storage of equipment or materials shall occur on sandy beach. Construction materials or debris shall not be stored where it will be or could potentially be subject to wave erosion and dispersion. In addition, no machinery shall be operated, placed, stored or otherwise located in the intertidal zone at any time.
8. The applicant shall ensure that a qualified biologist or environmental resources specialist shall monitor the site during all emergency work activities (including but not limited to, grading/grooming operations as well as during all vehicular access near dune areas and plover habitat areas) to ensure that adverse impacts to sensitive plant and animal species are avoided or minimized to the maximum extent feasible.

IMPORTANT

The emergency work is considered to be temporary work done in an emergency situation. If the applicant wishes to have the emergency work become a permanent development, a coastal permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.

If you have any questions about the provisions of this emergency permit, please call Carolyn Groves at the Commission's Ventura Office at (805) 585-1800.

Enclosure: 1) Acceptance Form

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(805) 585-1800

**District Director's Report**

DATE: December 2, 2019
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Time Extension for Coastal Development Permit 4-08-080-E9

The applicant requests a one-year Time Extension to previously approved Coastal Development Permit No. 4-08-080. This Permit is for:

Construction of a two-story, 35 ft. high, 5,788 sq. ft. single family residence with 680 sq. ft. attached garage, 123 sq. ft. balcony, swimming pool, septic system, driveway, retaining walls, 1,070 cu. yds. grading (680 cu. yds. cut, 390 cu. yds. fill), and request for after-the-fact approval for creation of the subject lot that is the proposed project site at 2118 Rockview Terrace, Topanga; Los Angeles County.

The Executive Director determined on October 8, 2019, that there were no changed circumstances affecting the proposed development's consistency with the Coastal Act. This Determination was reported to the Commission at the October 17, 2019 Commission meeting. Notice of this determination was mailed to neighboring property owners within 100 feet. Pursuant to the Commission's Regulations, 14 Cal. Admin. Code Section 13169(c):

If the executive director received a written objection to his or her determination but concludes that the objection does not identify changed circumstances that may affect the consistency of the development with the Coastal Act or a certified local coastal program, if applicable, the executive director shall report this conclusion to the commission at the same time that the executive director reports the determination to the commission in accordance with subsection (b) above. The executive director shall provide a copy of the letter(s) of objection to the commission with the report. If three commissioners object to the extension on grounds that there may be changed circumstances that affect consistency, the executive director shall schedule the extension for hearing(s) in accordance with subsection (d) below. If three commissioners do not object to the extension, the time for commencement of development shall be extended for one year from the expiration date of the permit.

A letter of objection to the time extension was received within 10 working days of the mailed notice (**Exhibit 1**). The letter is from Mr. Steve Vallee, the adjacent property owner at 2119 Rockview Terrace. The letter, dated October 15, 2019, states that Mr. Vallee objects to the extension of the subject permit because construction of the approved residence would require alteration of an existing driveway, which provides shared access to both the subject property and

Mr. Vallee's property. Mr. Vallee further asserts that several mature trees would need to be removed to complete the approved project, and the approved home is too large for the size of the subject lot and would be an eye sore.

In this case, the letter of objection does not assert that there are any changed circumstances on site that affect the development's consistency with the Coastal Act or the Los Angeles County-Santa Monica Mountains LCP. Although the letter notes Mr. Vallee's objection to the Commission's original approval of the subject coastal development permit based on the project's visual and temporary construction impacts, the Executive Director notes that these issues (including widening the shared driveway to meet Fire Department access requirements, removal of vegetation to construct the project, and visual impacts of the project) were fully evaluated by the Commission in its approval of CDP 4-08-080. All of the circumstances cited in the letter of objection existed at the time the permit was approved in September 2009.

Therefore, for the reasons stated above, the Executive Director has determined that there are no changed circumstances on site that affect the development's conformity with the Coastal Act or the Los Angeles County-Santa Monica Mountains LCP. The Executive Director is reporting the time extension and the objection to the Commission pursuant to the above referenced regulation. If three Commissioners object to the Executive Director's determination on the time extension, it will be scheduled for hearing as a material permit extension at a subsequent meeting.

From: Steve Vallee <svallee@vesi.us>
Sent: Tuesday, October 15, 2019 12:42 PM
To: Reveles, Julie@Coastal
Subject: FW: 2118 Rockview Terrace Topanga APN 4448021028

Julie,

I have received a letter : Notice of Extension Request for Coastal Development Permit.

I live at 2119 Rockview Terrace. I object to the proposed development of a new structure so close to my home and the only access to the property is in my driveway, which is an easement to the vacant lot. In order to build anything there they would have to block my access to my home. They would have to widen my drive way (which will be a major project as the slope will make it very difficult to build) . There would be several mature trees that would have to be removed. This is just not acceptable! This 5788 sq ft have would be an eye sore hanging off the side on the Santa Monica Mountains

The proposed home is way too large to be built on such a narrow lot. This extension has been going on for years and it's now time that I way my view. Please BLOCK any development on happening on the vacant lot.

2118 Rockview Terrace Topanga (Los Angeles County) APN 4448021028

Steve Vallee

President

Vallee Electrical Services Inc.

3716 Park Place Montrose, CA 91020

4551 York Blvd. Los Angeles, CA 90041

O. (818) 248-9671 C. (818) 540-6182 F. (818) 248-9865

Direct Line. (323) 474-0080

 Please consider the environment before printing, Thanks

Exhibit 1
CDP 4-08-080-E9
Letter of Objection