

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CALIFORNIA 92108-4402
(619) 767-2370 FAX (619) 767-2384
WWW.COASTAL.CA.GOV



TH19

Prepared April 5, 2019 (for the April 11, 2019 Hearing)

To: Commissioners and Interested Parties
From: Karl Schwing, San Diego Coast District Deputy Director
Subject: San Diego Coast District Deputy Director's Report for April 2019

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

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

Waivers

- 6-19-0118-W, Williams ADU (Solana Beach)
- 6-19-0132, Greg Agee Homes SFR (Solana Beach)
- 6-19-0224-W, Zephyr Partners-RE, LLC Commercial Site Demolition (Solana Beach)

Immaterial Amendments

- 6-13-0713-A1, City of Carlsbad Buena Vista Creek Channel Maintenance Project (Carlsbad)
- 6-16-0275-A2, SELC Restoration (San Elijo Lagoon Conservancy & CALTRANS)

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March 26, 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: 6-19-0118-W **Applicant:** Scott & Toni Williams

Location: 657 Marsolan Ave, Solana Beach (San Diego County). APN: 298-321-07

Proposed Development: Construction of a new second-story 780 sq. ft. accessory dwelling unit (ADU) and second-story deck above an existing 1,574 sq. ft., single-story single family residence with an attached 466 sq. ft. garage. Approximately 20 sq. ft. of the existing garage will be removed for construction of a new exterior staircase leading to the ADU.

Rationale: The proposed project is located within an established residential neighborhood consisting of single-family residences similar in size and scale to the proposed development; therefore, the project will not be out of character with the existing community. The site is located within the City of Solana Beach's Scaled Residential Overlay Zone, and the proposed ADU is consistent with the City of Solana Beach standards for accessory units. The development will not block any public views and adequate parking will be provided. The project is consistent with the zoning and plan designations for the City of Solana Beach and its certified Land Use Plan, as well as all applicable Chapter 3 policies of the Coastal Act, and no adverse impacts to coastal resources are anticipated.

This waiver will not become effective until reported to the Commission at its April 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.

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in blue ink that reads "Stephanie Leach".

Stephanie Leach
Coastal Program Analyst

cc: File

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7575 METROPOLITAN DRIVE, SUITE 103
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March 26, 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: 6-19-0132-W **Applicant:** Greg Agee Homes

Location: 607 N. Cedros Ave, Solana Beach (San Diego County). APN: 263-062-20

Proposed Development: Demolition of an existing 1,296 sq. ft. one-story single-family residence and construction of a new 3,847 sq. ft. split-level single-family residence, attached 527 sq. ft. garage, pool, attached veranda, landscaping and hardscaping at 607 N. Cedros Avenue.

Rationale: The proposed project is located within an established residential neighborhood consisting of single-family residences similar in size and scale to the proposed development; therefore, the project will not be out of character with the existing community. The site is located within the City of Solana Beach's Scaled Residential Overlay Zone (SROZ), and the development will not block any public views and adequate parking will be provided. The project is consistent with the zoning and plan designations for the City of Solana Beach and its certified Land Use Plan, as well as all applicable Chapter 3 policies of the Coastal Act, and no adverse impacts to coastal resources are anticipated.

This waiver will not become effective until reported to the Commission at its April 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.

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in cursive script that reads "Stephanie Leach".

Stephanie Leach
Coastal Program Analyst

cc: File

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March 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: 6-19-0224-W **Applicant:** Zephyr Partners-RE, LLC

Location: 329-343 S. Highway 101 and 112-128 Dahlia Drive, Solana Beach (San Diego County) (APN(s): 298-052-06 through -08, 298-052-13 and -14)

Proposed Development: Demolition of all existing structures on-site including the remnants of a mobile home park containing twenty-four vacant concrete trailer/mobile home pads, a one-story metal building formerly part of a service station, a small abandoned coffee kiosk, two vacated one-story, single-family residences, and a vacated one-story retail commercial building with a detached garage.

Rationale: The proposed project consists only of the demolition of existing structures on the 1.79-acre site. Construction of new mixed-use project on the site has been approved by the Commission (CDP #6-18-0842). The site is located partially within the Scenic Area Overlay of the City of Solana Beach; however, the proposed demolition will not block any public views. The project is consistent with the zoning and plan designations for the City of Solana Beach and its certified LUP, as well as all applicable Chapter 3 policies of the Coastal Act, and no adverse impacts to coastal resources are anticipated.

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

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in cursive script that reads "Dennis Davis".

Dennis Davis
Coastal Program Analyst

cc: Commissioners/File

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**NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**Coastal Development Permit Amendment No. **6-13-0713-A1**

April 2, 2019

To: All Interested Parties**From:** John Ainsworth, Executive Director**Subject:** Permit No. **6-13-0713-A1** granted to **City of Carlsbad** for:
Ongoing maintenance program within the Buena Vista Creek channel consisting of hand removal of vegetation to increase flood protection of the adjacent properties and improve water quality in the Buena Vista Creek and Lagoon.**Project Site:** Buena Vista Creek, Carlsbad (APN(s): 156-301-11, 16, 17, 156-302-05, 24, 30, 32, 165-120-56, 59)

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):

5-year extension of the maintenance program from the current date of expiration, to expire on June 17, 2024. Vegetation to be removed in two locations in a maintenance year versus one location in a maintenance year. The size of the project area in the Coastal Zone has been revised from 1.61 acres to 1.75 acres to correct a map error in the original project.

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 project amendment request involves only minor modifications to the approved project description, and a 5-year time extension of the maintenance program. Removal of vegetation in two separate locations in a maintenance year will minimize impacts to habitat by reducing the amount of freshwater marsh removed in any one location each year. No new or revised impacts to coastal resources will result.

If you have any questions about the proposal or wish to register an objection, please contact Cort Hitchens at the phone number provided above.

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **6-16-0275-A2**

April 5, 2019

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Permit No. **6-16-0275** granted to San Elijo Lagoon Conservancy and California Department of Transportation for:

Restoration of the entire San Elijo Lagoon system, including grading and dredging, removal of dike and weir, construction of pedestrian trails and bridges, removal of non-native species, planting of native species, export of approximately 850,000 cu.yds. of beach quality sediment for reuse at local beaches and storage at off-shore sites, installation of 14,300 cu.yds. of riprap at the inlet, and monitoring.

Project Site: San Elijo Lagoon, Cardiff State Beach, Solana Beach, Cities of Encinitas and Solana Beach, San Diego 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):

Pursuant to approval by the California Department of Fish and Wildlife (CDFW), the U.S. Fish and Wildlife Service (USFWS), and U.S. Army Corps of Engineers (USACE), allow for the onsite disposal of approximately 55,000 cubic yards of excess dredge material through the following strategies: (1) increase the nesting site area by filling an adjacent depression with approximately 20,000 cu.yds.; (2) increase the elevation of the nesting site by two feet with approximately 5,000 cu.yds.; (3) decrease the channel depth in the west basin by no more than one foot to reduce the amount of excess material by approximately 3,000 cu.yds.; (4) repair access roads with approximately 5,000 cu.yds.; and (5) raise the elevation of the overdredge pit by one foot with up to 22,000 cu.yds. of material.

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):

Construction of the project began in December 2017. The project originally included the use of an off-shore disposal site; however, the site was not used in order to save construction costs and time. As such, and in combination with uncertainty in settling rates of dredge material, the project is now identifying excess material that exceeds the capacity of the onsite disposal sites as designed, including the overdredge pit, transitional areas, and nesting area. As such, the applicant has proposed a number of strategies to reduce and accommodate the excess material onsite.

The elevation of the nesting site would be raised two feet from 13 to 15 ft.; however the slopes of the nesting site would remain the same as previously designed, and would not affect the function of the nesting site. The area of the nesting site would also be doubled to approximately four acres by depositing material into an adjacent former sewage settling pond. The adjacent depression is currently being used as a construction staging area and was intended to be restored to pre-construction conditions, which contained disturbed non-tidal mid-marsh. The amendment would increase the habitat available to nesting birds. The channel depth in the west basin would be decreased by no more than one foot from -2 to -1 ft., which would result in an approximately 4 ft. deep channel. The change in channel depth was modeled by the applicant and the modeling identified that the change would not substantially affect the hydrology in the west basin and the channel would still maintain at least one foot of water during the lowest low tide. Material would also be used to repair areas along the Pole Line Access Road damaged by construction trucks and equipment. Repairs would be in discrete locations as needed and would not extend beyond the existing footprint of this access road. The overdredge pit would be raised by one foot to +6 feet NAVD after the material settles. The perimeter of the overdredge pit will be planted with 1 acre of low marsh with the remaining area anticipated to be salt marsh habitat. Finally, the approved strategies would be contingent on approval by CDFW, USFWS, and USACE. As such, the proposed project will not adversely impact coastal resources or public access to and along the shoreline, and can be found in conformance with the policies of Chapter 3 of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact Melody Lasiter at the phone number provided above.