

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIFORNIA 90802-4830
(562) 590-5071 FAX (562) 590-5084
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Prepared July 02, 2019 (for the July 10, 2019 Hearing)

To: Commissioners and Interested Parties
From: Steve Hudson, South Coast District Deputy Director
Subject: South Coast District Deputy Director's Report for Los Angeles County for July 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 July 10, 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 July 10th.

With respect to the July 10th 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 10, 2019 (see attached)

Waivers

- 5-19-0231-W, Sean Besser - Condominium (Santa Monica)
- 5-19-0320-W, Nau Residence (Santa Monica)
- 5-19-0352-W, Thelma & Roberta Greenwald (Hermosa Beach)

Emergency Permits

- G-5-19-0028, Bel Air Bay Club, Ltd. (Pacific Palisades)

CALIFORNIA COASTAL COMMISSION

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June 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: 5-19-0231-W**Applicants:** Sean & Samantha Besser**Location:** 2215 5th Street, Santa Monica, Los Angeles County (APN: 4289-008-089)

Proposed Development: Demolition of an existing one-story, 1,464 sq. ft. single-family residence with detached garage and construction of a new two-story, approximately 25 ft. high two-unit condominium structure (units are 2,200 sq. ft. and 2,217 sq. ft.) with four on-site parking spaces. 299 cubic yards of grading, installation of drought tolerant non-invasive landscaping, and perimeter walls/fences.

Rationale: The site is located approximately 0.5 mile from the beach in a developed residential area. Multi-family homes with varying height, bulk, and scale characterize the neighborhood. The site is located in the Ocean Park residential neighborhood, and designated Low Density Multiple Residential in the Santa Monica certified Land Use Plan (LUP). The project is consistent with the height, setback, parking, and floor area limitations set forth in the LUP, and is compatible with the character of the community. The applicants submitted a drainage plan which shows that rain from roof downspouts will be directed to permeable landscaped areas on-site, which consist of native and non-native, non-invasive, drought-tolerant plant species. Excess storm water will be directed to area drains throughout the site that are conveyed towards storm drains. Construction best management practices such as gravel bags, sediment traps, and steel aggregate plates over construction entrances are proposed to control erosion and avoid impacts to water quality. The proposed grading includes 133 cubic yards of cut and 166 cubic yards of fill, resulting in 33 cubic yards of fill. The structures will be supported by conventional spread footings and conventional concrete slab foundation over re-compacted fill. The proposed condominium structure meets all local zoning requirements and was approved in concept and determined to be categorically exempt from CEQA review by the City of Santa Monica on 2/11/19. The project includes an approved Parcel Map (No. 77079) for the subdivision. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities. The proposed project will not result in development that would 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 **July 10-12, 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

Denise Truong
Coastal Program Analyst

cc: File

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June 26, 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 13250(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: 5-19-0320-W**Applicant:** Kerry Nau**Location:** 751 Ozone Street, Santa Monica, Los Angeles County (APN: 4287-033-023)

Proposed Development: Addition to and remodel of an existing one-story, 588 sq. ft. residence. Addition components of the project include: 1) a 65 sq. ft. addition to the first story; 2) a 600 sq. ft. second-story addition; and 3) construction of a 238 sq. ft. detached garage. Remodel components of the project include: 1) interior remodel/space re-configuration; 2) new clay roof; 3) replacement of doors and windows; 4) structural retrofit; and 5) new 8-ft. high fence at the rear of the residence.

Rationale: The project site is located approximately 0.7 mile inland of the beach in an urbanized neighborhood that is not expected to be affected by sea level rise hazards (i.e. flooding, wave uprush). Two onsite parking spaces will be maintained, consistent with both the City's and the Commission's parking standards. The height of the remodeled building (27-ft. high) is consistent with the certified Land Use Plan requirements, and will not adversely affect public coastal views or community character. The site's existing drainage system will remain unchanged and water quality will continue to be maintained onsite. New landscaping will consist mainly of low water use plantings. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act, and will not prejudice the City's ability to prepare a local coastal program.

This waiver will not become effective until reported to the Commission at its **July 10-12, 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

Amrita Spencer
Coastal Program Analyst

cc: File

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June 26, 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: 5-19-0352-W**Applicant:** Thelma & Roberta Greenwald**Location:** 900 The Strand Hermosa Beach, Los Angeles County (APN: 4187-003-033)

Proposed Development: A 399 sq. ft. third-story addition to an existing 899 sq. ft. rear unit of an existing detached duplex. The project also includes an interior remodel of the second floor of the rear unit.

Rationale: The project site is located adjacent to the beach in an urbanized neighborhood. The proposed third story addition to the back unit of an existing detached duplex would increase the internal floor area of the structure by less than 50 percent. The project site is located in a low-lying coastal area that could become subject to flooding under a 6.6 ft. rise in sea level with a 100-year storm scenario. However, coastal flooding is not anticipated to reach the site during the assumed life of the structure of xx years. The proposed height of the residence is consistent with the development standards of the certified Land Use Plan. The proposed addition would not encroach beyond the existing building setbacks public access and public coastal views through the 9th Street coastal access way would be maintained. There are no proposed changes to existing on-site drainage and existing water quality measures would continue to be maintained. Best Management Practices (BMPs) will be utilized during construction in order to protect coastal resources and water quality in the area. Onsite parking will be maintained and no new temporary or permanent impacts to public parking are proposed. The proposed project has been designed to be compatible with the character of the surrounding development, and would not adversely impact coastal resources, public access, or public recreation opportunities. It is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act, and will not prejudice the City's ability to prepare a Certified Local Coastal Program.

This waiver will not become effective until reported to the Commission at its **July 10-12, 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

Amrita Spencer
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
301 E. Ocean Blvd, Suite 300
Long Beach, CA 90802-4302
(562) 590-5071

**EMERGENCY PERMIT**

DATE: June 21, 2019

EMERGENCY PERMIT: G-5-19-0028

APPLICANT: Bel Air Bay Club

LOCATION: 16800 Pacific Coast Highway, Pacific Palisades, Los Angeles County

EMERGENCY WORK PROPOSED: Construct a temporary 430 ft. long, 12-15 ft. wide sand berm at an elevation of 17 to 24 ft. MLLW to protect the Clubhouse structure from flooding during high tides and storm wave events until August 15, 2019.

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 that you provided that high tides predicted from the end of June 2019 through the middle of August 2019 may flood and damage a portion of the clubhouse structure on site that is not protected by a seawall. These occurrences require direct action to prevent or mitigate loss or damage to property. 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
- (c) As conditioned the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the attached conditions.

Very Truly Yours,

John Ainsworth
Executive Director

By: Steve Hudson
Title: District Director

CONDITIONS OF APPROVAL

1. The enclosed form must be signed by the permittee and returned to our office within 15 days.
2. Only that work specifically described above and as more specifically described in the Commission's file for this Emergency Coastal Development Permit (CDP) Application, is authorized for the specific property listed above, subject to the conditions set forth below. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 30 days of the date of this permit, or as extended by the Executive Director through correspondence, and shall take place in a manner to minimize any potential damages to any resources. Public access shall be maintained with the use of signs directing the public around both the seaward and landward areas of the berm for the duration that the temporary berm is maintained.
4. As previously approved under emergency permit G-5-18-0031, the applicant was required to submit a complete Coastal Development Permit application within 90 days of the date the permit was issued. The CDP application 5-19-0243 was deemed incomplete on April 18, 2019, and the applicant has not yet submitted the identified items necessary for that application to be deemed complete. As such, failure to submit complete information within 30 days of the date of this emergency permit may result in failure to approve future emergency permit requests for approval by the Commission for continued use of a sand berm at this site. This deadline may be extended by the Executive Director for good cause through correspondence. As previously required pursuant by Condition 4 of Emergency Permit G-5-18-0031, and as identified in our letter to the applicant dated April 18, 2019, in order for CDP Application 5-19-0243 to be deemed complete, the application must include an full evaluation of all feasible alternatives to the continued construction of a sand berm in the future, including other methods to provide protection for the clubhouse and removal and/or relocation of accessory development on site (including at-grade structures on the sandy beach such as dining areas, lanai/patio, playground equipment, and shade structures) threatened by wave caused erosion and flooding.
5. Within 10 days of this permit, the permittee shall submit a signage plan for the landward and seaward portions of the beach in order to maintain public access during presence of the temporary berm. The signage plan shall conform to the special condition required under CDP 5-17-1009 for construction of the groins.
6. The emergency sand berm may be maintained on a temporary basis only and shall be removed in its entirety by no later than August 15, 2019, unless additional time is granted by the Executive Director for good cause.
7. In exercising this permit, the permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
8. This permit does not obviate the need to obtain necessary authorizations and/or permits from other local, state and federal agencies including, but not limited to, Army Corp of Engineers, and the State Lands Commission, as applicable.
9. 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 placed, stored or otherwise located in the intertidal zone at any time.

Condition number four (4) indicates that the emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a Coastal Development 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. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.

If you have any questions about the provisions of this emergency permit, please call the Commission office in Long Beach (562) 590-5071.

Enclosures: Acceptance Form

cc: City of Los Angeles, Department of City Planning