

**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  
WWW.COASTAL.CA.GOV



# Th11

**Prepared February 04, 2020 (for the February 13, 2020 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 February 2020

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 February 13, 2020. 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 February 13th.

With respect to the February 13th 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 February 13, 2020 (see attached)**

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**Waivers**

- 5-19-0206-W, James Caslin (Huntington Beach)
- 5-19-0752-W, Kirk Lang (San Clemente)
- 5-19-0963-W, Holloway Family Trust (San Clemente)
- 5-19-1128-W, 111 Welcome Lane (Seal Beach)
- 5-20-0002-W, Ferrari (Laguna Beach)
- 5-20-0069-W, California State Parks, Orange Coast District (Huntington Beach)

**Immaterial Extensions**

- 5-11-178-E6, 2808 Lafayette (Newport Beach)
- 5-15-0751-E3, Foxdale Properties (Laguna Beach)
- 5-15-0807-E3, Honey Dew International Limited (San Clemente)
- 5-16-0442-E3, 209 Via Lido Nord (Newport Beach)
- 5-17-0539-E1, El Camino Real LLC (San Clemente)

**Emergency Permits**

- G-5-20-0011, Hhmc Group LLC / Hany Dimitry (Laguna Beach)



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January 29, 2020

## **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:** 5-19-0206-W**Applicant:** James Caslin**Location:** 16762 Bay View Dr., Huntington Beach (Orange County) (APN: 178-561-36)

**Proposed Development:** After-the-fact approval of a new 11.75 ft. tall, 425 sq. ft. bedroom and bathroom second-floor addition to an existing 1,253 sq. ft. single-family home resulting in a 23 ft. tall, 1,678 sq. ft. residence.

**Rationale:** The addition requires after-the-fact approval because it was constructed in 2002, while Sunset Beach was subject to the certified Local Coastal Program of unincorporated Orange County, but did not receive a Local CDP from the County. Originally built as non-habitable storage space, the addition is now proposed to be converted into habitable space, resulting in an increase in floor area. The subject lot is zoned Residential High Density (RH-30) in the City of Huntington Beach's Sunset Beach Specific Plan. The conversion of the addition was approved in concept by the City of Huntington Beach, which determined that it was exempt from CEQA on October 28, 2019. No changes to drainage or landscaping are proposed, thus water quality will be maintained. The new height of the house with the addition does not exceed the limit of 35 ft. Neither onsite nor public parking will be impacted by the project. The proposed project design is compatible with the character of the surrounding development, and will 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 **February 12-14, 2020** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth  
Executive Director

Alexander Yee  
Coastal Program Analyst

Cc: Commissioners/File

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January 30, 2020

## **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:** 5-19-0752-W

**Applicant:** Kirk Lang

**Location:** 2404 Plaza a la Playa, San Clemente (Orange County) (APN: 060-192-20)

**Proposed Development:** Remodel and addition to an existing 2,375 sq. ft. single family residence with 468 sq. ft. basement level and 586 sq. ft. attached garage consisting of complete interior remodel, demolition and replacement of 50% of roof, replacement of windows and doors, conversion of 468 sq. ft. basement storage to livable space, relocation of driveway apron and garage door, new paver driveway, new concrete entry courtyard, new wood trellis, new front gates and front wall, raised planters, removal of wood fence and concrete paving encroachments beyond oceanfront property line, no work proposed to existing deck and retaining wall and basement level concrete patio accessory structures at oceanfront property line.

**Rationale:** The subject site is a 6,852 sq. ft. oceanfront lot between the first public road and the sea. The site is designated as Residential Low Density (RL) in the San Clemente Land Use Plan (LUP), the proposed project adheres to this land use. The proposed project is improvements to an existing single family residence and removal of accessory development consisting of a wood fence/gate and concrete pavers encroaching beyond the project site's oceanfront property line into the railroad right-of-way adjacent to the San Clemente Coastal Trail. The existing residence and deck are legally non-conforming to oceanfront stringline setbacks. As less than 50% demolition is proposed to the residence and no demolition is proposed to accessory non-conforming structures, the development is not proposed to be brought into oceanfront setback conformance at this time. Adequate measures to address water quality have been incorporated into the project design and construction phase of the project. The proposed project is compatible with the character of surrounding development and will not create any new adverse impacts on existing public coastal access. Public coastal access exists in the vicinity at Calafia Beach/San Clemente State Park 600 feet to the south. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified LUP, 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 **February 13, 2020** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

John Ainsworth  
Executive Director  
cc: Commissioners/File

Liliana Roman  
Coastal Program Analyst

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January 30, 2020

## **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:** 5-19-0963-W

**Applicant:** Avenida Del Mar 224 LLC, Hai Nguyen

**Location:** 226 Avenida Del Mar, San Clemente (Orange County) (APNs: 058-111-16, 058-111-15, 058-111-14, 058-111-36)

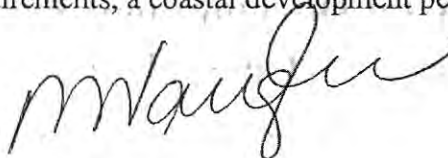
**Proposed Development:** Demolition of a single story 2992 sq. ft. commercial office and retail building and construction of a 2-story, 5024 sq. ft. restaurant ranging in height from 26' – 28' above finished floor elevation with a 30' tower element; included in the proposed sq. ftg. are two outdoor dining patios on the 1<sup>st</sup> (384 sq. ft.) and 2<sup>nd</sup> (1200 sq. ft.) floors, both fronting on Avenida del Mar. 24 on-site parking spaces are provided and no parking waivers are needed. Four adjacent lots, all owned by the applicant, will be merged to create one 15,954 sq. ft. lot upon which the restaurant and all parking will occur. The restaurant will front on Avenida del Mar and the parking lot will be accessed from Avenida Cabrillo. One electric vehicle charging station, one clean vehicle parking stall, one ADA compliant parking stall, and a bicycle rack will be provided.

**Rationale:** The site is an inland lot located on the visitor serving commercial strip of Avenida del Mar in San Clemente approximately a half mile inland from the beach on a lot designated Mixed Use in the certified LUP. The project received local Conditional Use Permit 19-053 and Cultural Heritage Permit 19-052. The proposed parking is consistent with the local parking requirement for restaurant uses. The applicant is also proposing bike racks and an electric vehicle charging station. Public coastal access is available approximately a half mile west near the Pier. The proposed project conforms to the City height limit. Adequate measures to address water quality have been incorporated during construction and into the project design. The proposed lot merger will not result in a change in land use or density but will combine the subject parking area with the restaurant area. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. Additionally, the proposed development would not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

**Coastal Development Permit De Minimis Waiver**

5-19-0963-W

This waiver will not become effective until reported to the Commission at its **February 12- 14, 2020** 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

Meg Vaughn  
Coastal Program Analyst

cc: Commissioners/File



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January 30, 2020

**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:** 5-19-1128-W

**Applicant:** Karen Tarascio

**Location:** 111 Welcome Ln, Seal Beach (Orange County) (APN(s): 199-011-12, 199-011-28, 199-011-29)

**Proposed Development:** Removal of an existing mobile home and installation of a 384 square foot, one-story manufactured home. The approximate height of the residence will be 13-feet above existing grade. Parking for the subject site and the residents of the Seal Beach Trailer Park is provided within common parking areas on the park grounds, which provide a total of 187 parking spaces. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.

**Rationale:** The subject site is located between the first public road and the sea. The lot size is approximately 697 square feet and is designated as residential high density in the City of Seal Beach Zoning Code. The subject mobile home space is located in the Seal Beach Mobile Home Park which is identified by the City as one of its affordable housing resources. Restrictions are in place which mandate occupation of a certain number of the mobile home park spaces by families of low or moderate income. The proposed project will not change any existing affordable restrictions, will not result in any division of land or change the manner of ownership of the land, and will not adversely impact the inventory of lower cost housing available in the Coastal Zone. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public beach access is not available on site, but is available approximately ½ mile west of the project site at the end of 1<sup>st</sup> Street. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative effects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not 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 **February 12-14, 2020** 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

Fernie Sy  
Coastal Program Analyst

cc: File

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January 30, 2020

## 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.

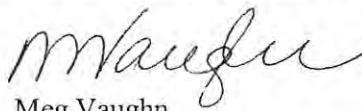
**Waiver:** 5-20-0002-W**Applicant:** Michael Ferrari**Location:** 7 So. La Senda, Laguna Beach (Orange County) (APN: 056-203-42)

**Proposed Development:** Major remodel and net addition of 130 square feet to an existing 2441 square foot, two level, 25 feet high above existing grade, single family residence, resulting in a 2571 square foot single family residence. Portions of existing living area will be converted to deck/porch area above the garage; portions of the existing four car garage will be converted to living area on the lower level resulting in a 455 sq. ft., two car garage; 144 square feet of new mechanical area is also proposed on the lower level, changes to interior walls, and change barrel tile roof to slate. Fourteen cubic yards of cut, 5 cubic yards of fill, resulting in 9 cubic yards of export are also proposed. Also proposed is landscaping revisions, relocation of pool equipment, and a new air conditioning unit. No change is proposed to existing height, building footprint, or number of levels.

**Rationale:** The subject site is a 5554 sq. ft. interior lot (inland, non-oceanfront side of South La Senda Dr.), located within the existing locked gate community of Three Arch Bay, 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. Permeable area will be increased by 508 sq. ft., otherwise no change to the 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 1,000 Steps County Beach (approximately ½ mile up-coast) and at Salt Creek Beach County Park (just over 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) for the area.

This waiver will not become effective until reported to the Commission at its **February 12-14, 2020** 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



**CALIFORNIA COASTAL COMMISSION**

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February 3, 2020

**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:** 5-20-0069-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. A small bobcat or equivalent will be used to remove the existing poles and fence and to create the footings for new poles. Work will be limited to a 12 foot area on either side of the existing fence. 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 15<sup>th</sup> through August 30<sup>th</sup>.

**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 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

**Coastal Development Permit De Minimis Waiver**  
5-19-0069-W (California Department of State Parks and Recreation)

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 **February 12-14, 2020** 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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**(5-11-178-E6)****January 30, 2020****NOTICE OF EXTENSION REQUEST  
FOR COASTAL DEVELOPMENT PERMIT**

Notice is hereby given that **Lisa Cervantes-Morehart** has applied for a one year extension of **Coastal Development Permit No. 5-11-178** granted by the California Coastal Commission on **March 6, 2013** for development consisting of:

**Installation of a new concrete bulkhead associated with an existing business/commercial building on a property fronting Newport Bay. The new bulkhead will be installed 10-feet into the bay from the existing property and will extend the width of the property for approximately 60-feet, with a return wall at each terminus.**

at: **2808 Lafayette Rd, Newport Beach (Orange County) (APN(s): 047-023-06)**

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

Fernie Sy  
Coastal Program Analyst

cc: Commissioners/File

**CALIFORNIA COASTAL COMMISSION**

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

January 30, 2020

**5-15-0751-E3**

Notice is hereby given that Foxdale Properties LLC has applied for a one year extension of Coastal Development Permit 5-15-0751, which was granted by the California Coastal Commission on April 14, 2016, with most recent one-year extension issued on April 11, 2019.

for: Remodel and addition to an existing 1,665 sq. ft. one-story single family home on ocean fronting bluff top/coastal canyon lot above Three Arch Bay. Construction of a 330 sq. ft. lower level addition and a 247 sq. ft. upper level addition on the west side of the home, and a 296 sq. ft. elevated deck and 388 sq. ft. pervious paving patio on the south (seaward) side of the home.

at: 19 Bay Drive, Laguna Beach (Orange County) (APN(s): 056-180-31)

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

Marlene Alvarado  
Coastal Program Analyst

cc: Commissioners/File

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

January 30, 2020

**5-15-0807-E3**

Notice is hereby given that Honey Dew International Limited has applied for a one year extension of Coastal Development Permit 5-15-0807, which was granted by the California Coastal Commission on December 10, 2015, with most recent one-year extension issued on April 11, 2019.

for: Demolition of an existing two-story, single-family residence, and construction of an approximately 7,829 sq. ft., 24 ft.-3 in. high two-story single-family residence over a partially subterranean basement (three-level residence), an attached 936 sq. ft. three-car garage, second- and third-level decks, new garden/site wall, a covered patio/courtyard with an outdoor swimming pool/spa, and hardscape and landscape improvements on a coastal canyon; existing carport is to remain.

at: 350 Paseo De Cristobal, San Clemente (Orange County) (APN(s): 692-261-04)

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

Marlene Alvarado  
Coastal Program Analyst

cc: Commissioners/File



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

December 18, 2019

Notice is hereby given that Vivien Mendes has applied for a one year extension of 5-16-0442 granted by the California Coastal Commission on October 6, 2016

for: Remove 718 square foot dock float, gangway, pier, approach, and piles, and replace with a new 570 square foot dock float, gangway, pier, approach, and piles.

at: 208 Via Lido Nord Newport Beach (Orange County) (APN(s): 423-144-03)

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

Eric Stevens  
Coastal Program Analyst

cc: Commissioners/File

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

January 30, 2020

Notice is hereby given that the **El Camino Real Estate Holdings LLC** has applied for a one year extension of Coastal Development Permit #5-17-0539 approved by the California Coastal Commission on December 14, 2017 for:

**Rehabilitation and adaptive reuse of two historic structures: 1) a 7,372 sq. ft. Miramar Theater into a 8,200 sq. ft. Performance and Event Center; and 2) a 5,200 sq. ft. bowling alley into a specialty restaurant structure with up to seven restaurants/kitchens, with a 6,283 sq. ft. addition (consisting of a 1,035 sq. ft. ground floor addition and 5,248 sq. ft. basement addition), and a 3,400 sq. ft. outdoor courtyard seating space addition with a 9ft. tall patio wood trellis, hardscape and landscape improvements.**

at: **1700 N. El Camino Real, San Clemente, Orange County (APN: 057-193-02)**

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

Liliana Roman  
Coastal Program Analyst

cc: Commissioners/File

**CALIFORNIA COASTAL COMMISSION**

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

**EMERGENCY PERMIT**

**DATE:** JANUARY 31, 2020

**EMERGENCY PERMIT:** G-5-20-0011

**APPLICANT:** HHMC Group LLC/Hany Dimitry

**LOCATION:** 31987 and 31981 So Coast Highway, Laguna Beach, Orange County

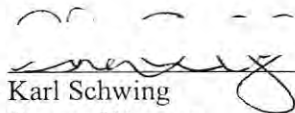
**EMERGENCY WORK PROPOSED:** The upper portion of a concrete block wall topped by a wood fence along approximately 55 feet at the seaward end of the sideyard property wall located between 31987 and 31981 So. Coast Highway has failed. The concrete block and wood fence in turn sit atop a poured in place concrete wall. The poured in place concrete wall was not damaged and will remain in place as is. The fallen portion of the wall is now resting on the neighboring residence (at 31981), which blocks the only secondary egress from the 31981 property, and would threaten life in the event the front door is blocked due to emergency or other unforeseen circumstance. In addition, the failed wall is unstable and could cause further property damage and/or injury. The applicant will remove the failed wall and install a temporary construction fence on the 31987 property. The damaged fence/wall will be removed by bolting supporting horizontal lumber beams onto the fallen structure, connecting rope to the fallen structure via bracket saddle, and manually pulling the fence/wall back onto the 31987 property. The debris will be manually loaded into a dump truck on the 31987 property and then disposed of off-site at a certified landfill. During the removal operation, the fallen wall will be supported on the 31981 property with horizontal lumber beams and "kicker" supports between the damaged wall and the residence. The temporary chain link construction fencing with green mesh wind screen will be supported on fencing posts placed every six inches adjacent to the northwest property line on the 31987 property, which is otherwise currently vacant. Removal of the damaged fence/wall and installation of the temporary construction fence is expected to take 48 hours to complete once authorization to proceed is received.

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 your information that an unexpected occurrence in the form of collapse of the property line wall onto the neighboring residence threatening the neighboring property 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
- (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.

Jack Ainsworth  
Executive Director

  
Karl Schwing  
Deputy 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 for the specific properties listed above is authorized by this permit. Any additional work requires separate authorization from the Executive Director or appropriate Coastal Development Permit approval authority.
3. The work authorized by this permit must be completed within 60 days of the date of this permit.
4. The applicable requirements and conditions of Coastal Development Permit A-5-LGB-17-0033 (Dimitry) remain in effect including, but not limited to, the drainage and erosion control and re-vegetation requirements.
5. The emergency work is considered to be temporarily authorized pursuant to this permit. The applicant must obtain a follow-up Coastal Development Permit for the work undertaken pursuant to this permit. A regular permit would be subject to all of the provisions of the City of Laguna Beach certified Local Coastal Program and the public access policies of the California Coastal Act and may be conditioned accordingly. The required follow-up permit may be processed by modifying the project description of the project at the 31987 Coast Highway site currently before the Coastal Commission on appeal (A-5-LGB-19-0159, Dimitry) or may be processed independently of it.
6. 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.
7. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.
8. The applicant shall provide written notification to the Executive Director of the date and time that the work will commence at least two (2) business days prior to commencement of the work.

Condition number five (5) indicates that the emergency work is considered to be temporary work done in an emergency situation. A follow-up Coastal Development Permit must be obtained. A regular coastal development permit would be subject to all of the provisions of the City of Laguna Beach certified Local Coastal Program and the public access policies 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, if required under the Coastal Act.

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: Laguna Beach Community Development Department