

**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



# TH14

**Prepared March 4, 2020 (for the March 12, 2020 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 March 2020

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 March 12, 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 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 March 12th.

With respect to the March 12th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

**Items being reported on March 12, 2020 (see attached)**

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**Waivers**

- 6-19-1071-W, San Elijo Lagoon Bridge Repair (Encinitas)
- 6-20-0026-W, Watkins SFR (Solana Beach)
- 6-20-0054-W, Piscitelli SFR (Solana Beach)
- 6-20-0076-W, 652 Stevens, LLC Mixed-Use Development (Solana Beach)
- 6-20-0096-W, Harris SFR (Del Mar)

**Immaterial Amendments**

- 6-16-0989-A3, SeaWorld Fireworks Schedule (San Diego)
- 6-19-0212-A1, UCSD Engineering Building (San Diego)
- F9010-A4, All Creatures Easement (San Diego)

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March 4, 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:** 6-19-1071-W

**Applicant:** City of Encinitas

**Location:** Coast Highway 101 bridge over San Elijo Lagoon mouth, approximately 1,000 sq. ft. south of Chesterfield Drive, Encinitas (San Diego County).

**Proposed Development:** Removal of delaminated concrete, clean and coat existing reinforcing steel, patch and replace concrete, and addition of anchored fencing to the underside of the west deck face of the San Elijo Lagoon bridge.

**Rationale:** The subject project is a follow up permit to an emergency permit issued on July 19, 2019. The proposed emergency repair and maintenance work was necessary because portions of concrete were insecure and had fallen from the bridge, creating a public safety issue. While portions of the work took place over open water, an elevated work area ensured that no equipment entered the water, and additionally, plastic tarping was used within the work area for the containment of any airborne debris. The project was completed consistent with all applicable policies of the Coastal Act and no impacts to water quality or to sensitive biological resources occurred during construction.

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

A handwritten signature in black ink, appearing to read "Cort Hitchens".

Cort Hitchens  
Coastal Program Analyst

cc: Commissioners/File

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February 28, 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:** 6-20-0026-W

**Applicant:** Dale & Lisa Watkins

**Location:** 705 Barbara Avenue, Solana Beach (San Diego County) (APN: 263-091-07)

**Proposed Development:** Demolition of an existing approximately 2,675 sq. ft. 2-story, single-family residence with attached approximately 883 sq. ft. garage; construction of a new 2-story, 3,273 sq. ft. single-family resident on a 10,714 sq. ft. lot.

**Rationale:** The proposed project requires a permit because past renovations reviewed cumulatively with the proposed renovations result in the demolition of more than 50% of the exterior walls of the residence, which is considered redevelopment of the structure. The proposed project is located within the Scenic Area Overlay Zone in an established residential neighborhood consisting of single-family residences similar in bulk and scale to the proposed development; therefore, the project will not be out of character within the existing community, and no blockage of public views will occur. 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 polices of the Coastal Act; no adverse impacts to coastal resources are anticipated.

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

A handwritten signature in black ink, appearing to read "Cort Hitchens".

Cort Hitchens  
Coastal Program Analyst

cc: File

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February 28, 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:** 6-20-0054-W **Applicant:** Devin Piscitelli  
**Location:** 424 Pacific Ave, Solana Beach (San Diego County) (APN: 263-052-01)

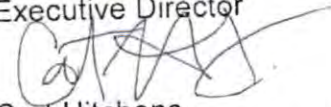
**Proposed Development:** Demolition of an existing approximately 1,100 sq. ft. 1-story, single family residence; construction of a new approximately 2,953 sq. ft. 2-story single family residence over an approximately 1,484 sq. ft. basement living area, and attached approximately 665 sq. ft. partially subterranean garage.

**Rationale:** The proposed project is located within an established residential neighborhood consisting of single-family residences similar in bulk and scale to the proposed development; therefore, the project will not be out of character within the existing community. The proposed development will not block any public views, and provides adequate parking, given the project's location. 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; no adverse impacts to coastal resources are anticipated.

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

  
Cort Hitchens  
Coastal Program Analyst

cc: File

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February 28, 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:** 6-20-0076-W**Applicant:** 652 Stevens, LLC**Location:** 652 Stevens Ave, Solana Beach (San Diego County) (APN(s): 298-131-25)

**Proposed Development:** Demolition of existing 1,425 sq. ft., 1-story single family residence and construction of a 4,562 sq. ft., 3-story, 35-ft. tall mixed-use building, including 2,509 sq. ft. of commercial office space and 2,053 sq. ft. residential unit, on a 10,110 sq. ft. lot.

**Rationale:** The proposed development is located on an existing developed lot surrounded by a variety of land uses including commercial, office, and single- and multi-family residences similar in size and scale to the proposed development. The site is designated for Low/Medium Residential land uses in the City of Solana Beach certified LUP, and General Commercial in the City General Plan/Zoning Map. The development of the site as Mixed Use will not block any public views or impact public access and is compatible with the surrounding land uses. The project is also consistent with past Commission actions in the area and Chapter 3 policies of the Coastal Act, and no impacts to coastal resources are expected. The City has stated that the LUP will be updated to reflect a mixed-use land use designation for the subject site in the future.

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

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

Dennis Davis  
Coastal Program Analyst

cc: File

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February 26, 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:** 6-20-0096-W**Applicant:** Alex & Truc Harris**Location:** 731 Avocado Pl., Solana Beach (San Diego County) (APN(s): 298-381-17)

**Proposed Development:** Demolition of an existing 2,408 sf., two-story single-family residence and construction of a 6112 sf., one-story single-family residence with a 982 sf. attached garage on a 0.9-acre lot; grading, landscaping, and hardscape improvements.

**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 development will not block any public views and adequate parking will be provided. Additionally, 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 not adverse impacts to coastal resources are anticipated.

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

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

Dennis Davis  
Coastal Program Analyst

cc: File



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March 2, 2020

## NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **6-16-0989-A3**

**To:** All Interested Parties

**From:** John Ainsworth, Executive Director

**Subject:** Permit No. **6-16-0989** granted to **SeaWorld San Diego**

**For:** Lighting upgrades to allow for a summer nighttime light/acrobatic show in the existing Waterfront stadium for the summer of 2017, while limiting fireworks shows to 14 nights during the summer.

**Project Site:** 500 SeaWorld Dr, Mission Bay Park, San Diego (San Diego County) APN: 760-037-01-01

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):

Modify Special Condition No. 3 as shown to authorize shows during the summer of 2020 and remove the fixed summer fireworks schedule:

**3. Term of Permit.** This permit authorizes the summer nighttime acrobatic show between Memorial Day weekend and Labor Day weekend for 2017, ~~and 2019,~~ and 2020 subject to the following parameters:

**A.** During the summer in which the approved summer nighttime acrobatic show is held, summer fireworks shows between Memorial Day weekend and Labor Day weekend shall be limited to 14 nights, :

- ~~i. Three nights of Memorial Day weekend;~~
- ~~ii. Three nights of 4<sup>th</sup> of July weekend;~~
- ~~iii. Three nights of Labor Day weekend; and~~
- ~~iv. Five indeterminate nights for private events.~~

## Notice of Proposed Immaterial Permit Amendment

6-16-0989-A3

### FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.<sup>1</sup> Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed above within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed).

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the executive director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. If no three Commissioners object to the executive director's designation of immateriality, that designation shall stand, and the amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting.

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

The number of summer fireworks shows authorized by the permit will not change from the previously approved 14. All other conditions and requirements of the coastal development permit, as amended, will still be in effect, and no substantial adverse impacts have been identified during previous summer performances. Thus, the proposed amendment is not expected to result in adverse impacts.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above.

If you have any questions about this notice, please contact Alexander Llerandi at the phone number provided above.

cc: Commission File

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<sup>1</sup> The Commission's regulations are codified in Title 14 of the California Code of Regulations.

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February 27, 2020

## **NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**

Coastal Development Permit Amendment No. **6-19-0212-A1**

**To:** All Interested Parties

**From:** John Ainsworth, Executive Director

**Subject:** Permit No. **6-19-0212-A1** granted to **University of California, San Diego** for:  
  
Demolition of existing 355 stall parking lot and construction of a 191,500 sq. ft., 4-story engineering facility with basement and landscaping on a 3.1 acre lot.

**Project Site:** Lot P502, Voigt Drive, La Jolla, San Diego, San Diego County

(APN: 3420102400)

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):

Modify Special Condition Nos. 1 and 2(a) to allow a sidewalk and stormwater pipes in the ESHA buffer. Modify Special Condition No. 2(b) to allow a fire curb in the habitat buffer with emergency access.

### **FINDINGS**

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.<sup>1</sup> Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed above within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed).

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the

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<sup>1</sup> The Commission's regulations are codified in Title 14 of the California Code of Regulations.

## Notice of Proposed Immaterial Permit Amendment

6-19-0212-A1

Coastal Act or certified local coastal program if applicable, the amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the executive director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. If no three Commissioners object to the executive director's designation of immateriality, that designation shall stand, and the amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting.

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

The Commission's water quality specialist has reviewed the proposed inclusion of three underground stormwater pipes in the environmentally sensitive habitat area (ESHA) buffer and determined that they will reduce erosion and protect the adjacent ESHA since run-off would be treated and then directed through the pipes into existing outfalls, which would follow the existing drainage pattern of the site as well as reduce peak storm water runoff volumes. All storm drain cleanouts would be located outside of the ESHA buffer, allowing for maintenance of the system without impacting the ESHA buffer.

In addition, the amendment would allow an approximately 58 linear ft. sidewalk to be located within the ESHA buffer directly adjacent to Voigt Drive. The sidewalk would be located across an existing driveway and connect two existing sidewalk segments located on either side. Thus, the proposed sidewalk would not impact any existing ESHA and would provide a contiguous path for pedestrians.

Finally, the amendment would allow a fire curb to be located within the habitat buffer with emergency access. The fire curb would be flush with the ground and would prevent emergency vehicle operators from inadvertently driving into the ESHA buffer, thereby adversely impacting sensitive species.

The Commission's ecologist has reviewed the proposed amendment and does not expect these changes to impact the ESHA buffer or the ESHA adjacent to the project site.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above.

If you have any questions about this notice, please contact Melody Lasiter at the phone number provided above.

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**MAILED**  
3/4/20

March 2, 2020

## **NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**

Coastal Development Permit Amendment No. **F9010-A4**

**To:** All Interested Parties

**From:** John Ainsworth, Executive Director

**Subject:** Permit No. **F9010-A4** granted to **Michael Mulvany** for: Construction of a 3,040 sq. ft. veterinary clinic on a former farm equipment storage lot.

**Project Site:** 3665 Via De La Valle San Diego (San Diego County) (APN(s): 302-210-52)

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):

Re-record existing Open Space Easement prohibiting development within the floodplain to correct procedural errors in the recordation.

### **FINDINGS**

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.<sup>1</sup> Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed above within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed).

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the executive director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission

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<sup>1</sup> The Commission's regulations are codified in Title 14 of the California Code of Regulations.

**Notice of Proposed Immaterial Permit Amendment**

F9010-A4

meeting. If no three Commissioners object to the executive director's designation of immateriality, that designation shall stand, and the amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting.

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

This amendment requires re-recording of an existing Open Space easement which restricts development within the limits of the flood plain located on the subject site. The easement was required by the Commission through CDP F9010-A2 however; the recordation of the easement was done incorrectly. The proposed amendment will correct the procedural error only; no revisions to the scope or location of the open space easement are proposed. As amended, no development will be permitted within the current floodplain. There is no loss of habitat or other sensitive resources and thus the proposed amendment does not have the potential to create adverse impacts, either collectively or cumulatively, on coastal resources or public access to and along the coast.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above.

If you have any questions about this notice, please contact Toni Ross at the phone number provided above.

cc: Commissioners/File

NOTE: ALL OF THE COMMISSION'S PREVIOUSLY ADOPTED SPECIAL CONDITIONS CONTINUE TO APPLY IN THEIR MOST RECENTLY APPROVED FORM UNLESS EXPLICITLY CHANGED BY THIS ACTION

Special Condition 3 of CDP No. F9010-A4 is added as follows:

3. **Amendment to Open Space Easement. WITHIN 180 DAYS OF ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT AMENDMENT**, the landowner(s) shall

**Notice of Proposed Immaterial Permit Amendment**

F9010-A4

record and execute a document in a form and content acceptable to the Executive Director, amending the open space easement [recorded on September 14, 2012 as Instrument No. 2012-0557291 of Official San Diego County Records in favor of the City of San Diego] to satisfy the terms and conditions of Special Condition 1 as amended pursuant to F9010-A3 (the "Easement Amendment"), including, among other things, ensuring that the legal description and graphic depiction of the easement area reflects the elements required by Special Condition 1. Landowner(s) shall be responsible for coordinating with the City of San Diego to secure its approval and execution of the Easement Amendment and any other documentation necessary in connection therewith. The Easement Amendment shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed.