

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CALIFORNIA 93001-2801
(805) 585-1800 FAX (805) 641-1732
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South Central Coast District Deputy Director's Report for January 2021

Prepared January 08, 2021 (for the January 13, 2021 Hearing)

To: Commissioners and Interested Parties
From: Steve Hudson, South Central Coast District Deputy Director

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the South Central Coast District Office are being reported to the Commission on January 13, 2021. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's South Central Coast District Office in Ventura. Staff is asking for the Commission's concurrence on the items in the South Central Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on January 13th.

With respect to the January 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 January 13, 2021 (see attached)

Waivers

- 4-20-0623-W, Caltrans (Us 101 And Refugio Road)

Immaterial Extensions

- 4-06-109-E11, Van Deman (Topanga)

Miscellaneous Item

- Responding to objection letter received for 4-13-1397, 4-14-0100, 4-14-0201, 4-14-0202

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December 23, 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: 4-20-0623-W

Applicant: Caltrans

Location: US 101 and Refugio Road, Santa Barbara County

Proposed Development: Perform geotechnical investigation borings to further the engineering design for the future replacement of the US-101 Refugio Bridge, consisting of three 6-inch diameter test borings to perform in-situ soil testing Standard Penetration Tests (SPT), collect soil samples for laboratory testing, classification, developing a subsurface soil profile, and assess potential for liquefaction. Two of the borings will be performed in the median area of US-101 and one boring will be formed on the shoulder of Refugio Road.

Rationale: All of the borings will be within areas that are disturbed or consist of non-native grasses and do not include any environmentally sensitive habitat area (ESHA). Caltrans has submitted plans for drilling procedures that ensure drilling fluids are fully contained and re-circulated through a closed system, and that soil cuttings and drilling wastes are fully contained for removal to an appropriate disposal site with all necessary permits. Borings will be backfilled with a grout and water mixture that is allowed to cure overnight. Access will be achieved via existing roads and all vehicles and materials will be staged or stored within existing disturbed areas with minimal disturbance to vegetation. Best Management Practices will be implemented during construction to prevent any potential impacts to water quality during drilling operations. Vehicular and pedestrian access will be maintained during construction. As proposed, the geotechnical investigation borings and SPTs will be performed in a manner that will not result in any significant adverse impacts to sensitive species and habitats, water quality,

Coastal Development Permit De Minimis Waiver
4-20-0623-W

or public access. Therefore, the proposed project is consistent with all applicable Chapter 3 policies of the Coastal Act and the County of Santa Barbara LCP.

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, 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 January 2021 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



Wesley Horn
Coastal Program Analyst

cc: Commissioners/File

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December 30, 2020

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

Notice is hereby given that Alessandra Sandron has applied for a one year extension of 4-06-109 granted by the California Coastal Commission on December 11, 2008

for: Construction of a 3-story, 5,704 sq. ft. 35 ft. high single family home with a detached 700 sq. ft. garage with a 645 sq. ft. guest unit above, pool, septic system, 115 ft. long access driveway and fire department turn around, and approximately 1,600 cu. yds. grading (1,500 cu. yds. cut, 100 cu. yds. fill, and 1,400 cut. export). The proposal also includes removal of an unpermitted 840 sq. ft. storage shed and adjacent smaller shed presently located in the development area where the residence and fire department turnaround will be constructed. AMENDED TO: Revisions to the design of the approved single-family residence, which include reducing the overall size of the residence from 5,704 sq. ft. to 3,575 sq. ft., eliminating the approved 1,586 sq. ft. lowest level basement area and associated 1,000 cu. yds. of basement excavation, and reducing the height of the residence from 35 ft. to 24 ft.. The swimming pool is also proposed to be reshaped in the same approved location to better conform to the contours of the site. All other components of the approved project would remain unchanged.

at: 21941 Saddle Peak Rd, Topanga (Los Angeles County) (APN(s): 4438038001)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Executive Director

Julie Reveles
Staff Services Analyst

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**OBJECTION RECEIVED TO EXECUTIVE DIRECTOR'S DETERMINATION**

Date: January 8, 2021

To: Commissioners and Interested Persons

From: John Ainsworth, Executive Director

Re: Objection to Executive Director's Determination Regarding Extensions of Coastal Development Permit (CDP) Nos. 4-13-1397 (Eucalyptus Ranch LP), 4-14-0100 (Hacienda Robles LP), 4-14-0201 (Pepper Creek LP), and 4-14-0202 (Canary Island Palm LP)

The applicants for the subject Coastal Development Permits submitted applications for one-year time extensions to CDP Nos. 4-13-1397 (Eucalyptus Ranch LP), 4-14-0100 (Hacienda Robles LP), 4-14-0201 (Pepper Creek LP), and 4-14-0202 (Canary Island Palm LP). The permits were previously approved by the Commission on February 12, 2015 and authorized construction of four new single family residences on four separate adjoining parcels at 3215, 3217, 3221, and 3219 Serra Road, Santa Monica Mountains, Los Angeles County.

The Executive Director determined that there were no changed circumstances affecting the proposed development's consistency with the Coastal Act, and notice of this determination was mailed on November 25, 2020, and also posted at the project site. This determination was reported to the Commission at the December 10, 2020 Commission meeting. Pursuant to the Commission's Regulations, 14 Cal. Admin. Code Section 13169(c):

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

A letter of objection to the Executive Director's determination regarding the extension requests were received on December 2, 2020 from Ed Casey on behalf of Forever Malibu 1, LLC, Forever Malibu 2, LLC, and Forever Malibu 3, LLC (collectively "Forever Malibu"), which own the property located at 3250 Serra Road (APN 4452-026-010). The letter of

objection is included in the Correspondence for this item and was received within 10 working days of the mailed notice. The letter states that the extensions should not be granted because a portion of Serra Road (an existing private road) is located on Forever Malibu's property and the applicants do not have an easement or other legal right to use that portion of the road located on Forever Malibu's property. An additional letter from Ed Casey on behalf of "Forever Malibu" was received on January 5, 2021, and another letter from Robert Flaxman of Forever Malibu 1, LLC was received on January 7, 2021, both of which also allege that the applicants do not have an easement or other legal right to use the portion of Serra Road south of the Forever Malibu Property and down to where Serra Road meets Pacific Coast Highway. The letter by Ed Casey dated January 5, 2021 also alleges that the integrity of Serra Road would be devastated by additional use resulting from construction of the four approved residences, and that an updated evaluation is needed regarding the projects' environmental impacts related to access, fire hazards, and wastewater treatment. These additional letters are also included in the Correspondence for this item.

In response, Commission staff would note that the subject four applications for residential development would be located on parcels and existing building pads that were previously created pursuant to CDP No. 4-95-173, which was approved in 1996 (amended in 2007), and allowed for the subdivision of a 35.8 acre parcel into four single-family residential parcels along with the construction of four building pads, utilities, a shared private access driveway from Serra Road, and associated grading. After CDP No. 4-95-173 was approved, Los Angeles County approved a Final Parcel Map to effectuate the subdivision and the Final Parcel Map (No. 23897) identified an easement along Serra Road as providing access to the subject properties. Construction of the four approved building pads and shared private access driveway from Serra Road were also completed pursuant to CDP No. 4-95-173. The letter of objection regarding the four subject applications for residential development does not assert that there are any changed circumstances on each site that affect the development's consistency with the Coastal Act or the Los Angeles County-Santa Monica Mountains LCP. Staff is not aware of any changed circumstances. In this case, the issue of easement rights along Serra Road is a private matter between the property owners. Therefore, for the reasons stated above, the Executive Director has determined that there are no changed circumstances onsite that affect the development's conformity with the Coastal Act or the Los Angeles County-Santa Monica Mountains LCP.

The Executive Director is reporting the time extensions and the objection to the Commission pursuant to the above referenced regulation. If three Commissioners object to the Executive Director's determination on the time extension, it will be scheduled for hearing as a material permit extension at a subsequent meeting. The applicant's representative provided a letter on December 3, 2020 and January 8, 2021 in response to the objection letters by Ed Casey and those are also included in the Correspondence for this item.