

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
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W15

San Diego Coast District Deputy Director's Report for December 2022

Prepared December 07, 2022 (for the December 14, 2022 Hearing)

To: Commissioners and Interested Parties
From: Karl Schwing, San Diego Coast District Deputy Director

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 December 14, 2022. 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 December 14th.

With respect to the December 14th 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 December 14, 2022 (see attached)

Waivers

- 6-22-0850-W, Ryder Residence Addition (Solana Beach)
- 6-22-0858-W, City of San Diego Sewer & Water Repairs (San Diego)
- 6-22-0867-W, Kruger Residence (Solana Beach)
- 6-22-0985-W, Seascape Condominiums (Solana Beach)

Immaterial Extensions

- A-6-ENC-13-0210-E1, Bolivar Residence (Encinitas)

Immaterial Amendments

- A-6-ENC-18-0019-A2, City of Encinitas Streetscape (Encinitas)

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December 5, 2022

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: 6-22-0850-W

Applicant: Tom & Deanne Ryder

Location: 1019 Santa Gabriella, Solana Beach (San Diego County) (APN: 263-560-06)

Proposed Development: Construction of an approximately 593 sq. ft. addition to an existing one-story, 1,918 sq. ft. single-family residence with an attached 686 sq. ft. garage on a 15,059 sq. ft. lot.

Rationale: The proposed project requires a permit because the site is located between the sea and first public road and the addition will result in an increase of more than 10% of the existing floor area. The proposed project is located within an established residential neighborhood consisting of residences similar in size and scale to the proposed development. The site is not mapped as ESHA in the City of Solana Beach LUP. The proposed development will not result in any direct impacts to habitat and potential fuel modification required for the new addition will not impact any habitat areas that are not already impacted by fuel modification for the neighboring residences on either side of the subject site. The proposed development will not affect public views or coastal access, and no adverse impacts to coastal resources are anticipated. The project is consistent with the zoning and plan designations for the City of Solana Beach

Coastal Development Permit Waiver
6-22-0850-W

and its certified Land Use Plan, as well as all applicable Chapter 3 policies of the Coastal Act, and no adverse impacts to coastal resources are anticipated.

This waiver will not become effective until reported to the Commission at its December 2022 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth
Executive Director

Original on File signed by:

Julia Prieto
Coastal Program Analyst

cc: Commissioners/File

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November 19, 2022

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: 6-22-0858-W

Applicant: City of San Diego - Jamal Sherzai

Location: Olney St from Oliver Ave to Pacific Beach Dr, Pacific Beach, San Diego (San Diego County) APN: 424-272-03-00

Proposed Development: Replacement of approx. 320 ft of old asbestos cement water main with new 8-inch Polyvinylchloride (PVC) water main, replacement of approximately 30 ft. of old sewer main with new 8-inch PVC sewer main, rehabilitation of approx. 565 ft. of existing 12-in. sewer main, installation of approximately 62 ft. of new 8-in. PVC sewer main, abandonment of approximately 189 ft. of existing 10-in. sewer main, and replacement of all associated water/sewer services, fire hydrants, and other appurtenances.

Rationale: The proposed replacement of water and sewer mains is to bring the lines up to current standards, not to increase development potential. The work will occur in the spring, before the busy summer season, and staging will occur on public parking two blocks north of the site to minimize impacts to coastal parking. The road will not be closed during work and flaggers will be used to direct public traffic. The work will not encroach into the nearby habitat reserve, and a construction pollution prevention plan will prevent runoff from entering the reserve. A Native American monitor will be present during work in case any sensitive resources are unearthed. Thus, 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.

Coastal Development Permit De Minimis Waiver
6-22-0858-W

This waiver will not become effective until reported to the Commission at its December 2022 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

Original on File signed by:

DocuSigned by:



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Alexander Lierandi

Coastal Program Analyst

cc: Commissioners/File

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December 2, 2022

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: 6-22-0867-W

Applicant: Jason Kruger

Location: 418 South Granados Ave, Solana Beach (San Diego County) (APN: 298-094-02)

Proposed Development: Demolition of an existing single-family residence, detached garage, and detached storage units/accessory structures and construction of a new approx. 4,998 sq. ft. two-story single-family residence with an approx. 668 sq. ft. basement garage, covered outdoor living space, and pool and spa on an approx. 11,260 sq. ft. lot.

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, thus 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. 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 December 2022 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

Coastal Development Permit De Minimis Waiver
6-22-0867-W

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

Original on File signed by:

Julia Prieto
Coastal Program Analyst

cc: Commissioners/File

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December 05, 2022

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: 6-22-0985-W

Applicant: Seascape Condominiums, Attn: Robert Kuzman

Location: 675 South Sierra Ave, Solana Beach (San Diego County) (APN: 298-21-167-01 to -50)

Proposed Development: Stabilization of an existing 25 ft. long, mid-bluff timber pole wall located along the private beach accessway landing through the installation of two, approx. 12 ft. long steel C-channels placed horizontally across the face of the timber wall, held in place by threadbar anchors at four locations, and treated/colorized to match the surrounding bluffs.

Rationale: The purpose of the proposed project is to stabilize an existing timber wall that supports a patio/landing along a private beach access stairway. Portions of the timber wall have moved up to 1.5 ft. and may collapse. The existing, permitted private beach access staircase is located between the sea and the first public roadway. The proposed development does not result in alteration of greater than 50% of the existing structure and is the minimum necessary to stabilize the wall. The proposed work will be performed without mechanized equipment and no work will occur on the beach. The proposed development will not affect public views or coastal access, and no adverse impacts to coastal resources are anticipated. The project is consistent with the zoning and plan designations for the City of Solana Beach and its certified Land Use Plan, as

Coastal Development Permit Waiver
6-22-0985-W

well as all applicable Chapter 3 policies of the Coastal Act. Therefore, the project will not have significant adverse impacts on public access or coastal resources and is in conformance with the Coastal Act.

This waiver will not become effective until reported to the Commission at its December 2022 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth
Executive Director

Original on File signed by:

Julia Prieto
Coastal Program Analyst

cc: Commissioners/File

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November 30, 2022

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that 132 Neptuno LLC (c/o Ignacio Bolivar) has applied for a one year extension of A-6-ENC-13-0210 granted by the California Coastal Commission on November 5, 2020

for: Request by 132 Neptuno LLC to set aside the July 13, 2016 approval and either revise or delete Special Condition 3(b), regarding removal of structures in the event of hazardous situations, in compliance with remand by the Superior Court of California, San Diego County (Case No. 37-2016-00026574-CU-WM-NC), to allow construction of a new 2-story, 3,553 sq. ft. home with a 950 sq. ft. garage over a 1,355 sq. ft. basement on an existing 6,776 sq. ft. vacant lot; installation of 17 (12 in. diameter) piers at a depth of 18 inches to support planter boxes; above ground spa.

at: 132 Neptune Ave, Encinitas (San Diego County) (APN(s): 256-371-14)

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 or email at SanDiegoCoast@coastal.ca.gov.

Sincerely,

John Ainsworth
Executive Director

Original on File signed by:

Kaitlin Carney
Coastal Program Analyst

cc: Commissioners/File

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December 2, 2022

**NOTICE OF PROPOSED IMMATERIAL PERMIT
AMENDMENT**Coastal Development Permit Amendment No. **A-6-ENC-18-0019-A2**

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Permit No. **A-6-ENC-18-0019** granted to **City of Encinitas** for:
Redevelopment of northbound and southbound Coast Highway 101
between A St. and La Costa Ave. to reduce travel lanes from 2 lanes to 1,
bike lanes, roundabouts, crosswalks, bus turnout bays, landscaping,
sidewalks and parking bays along the east side of Highway 101.

Project Site: North Coast Highway 101 between La Costa Avenue at the north end and
"A" Street at the south end, Encinitas (San Diego County)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Deletion of the roundabout at Coast Highway 101 and Bishop's Gate intersection and replacement with a stop sign and pedestrian crossing; construction of a decomposed granite (DG) path east of Highway 101 between Phoebe Street and La Costa Ave.

FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.¹ 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

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

Notice of Proposed Immaterial Permit Amendment
A-6-ENC-18-0019-A2

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 proposed amendment will remove a previously approved, but not yet constructed, roundabout at the intersection of Bishop's Gate Rd. and Highway 101 and replace it with a stop sign and flashing pedestrian crosswalk. The proposed amendment will also permit construction of a DG path east of Highway 101, which will be a continuation of an existing public path adjacent to the project site. Construction of the proposed stop sign intersection and pedestrian crosswalk will not result in additional impacts on traffic 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. The proposed improvements will create and maintain safe pedestrian and bicycle access through this corridor. The proposed changes will not substantially alter any of the project features and no facility or amenity is deleted or substantially altered which had been considered essential to the project's quality, safety or function. Thus, the proposed project can be found in conformance to the policies of Chapter 3 of the Coastal Act and City of Encinitas Local Coastal Program.

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 or by email to SanDiegoCoast@coastal.ca.gov. If you have any questions about this notice, please contact Julia Prieto at the phone number or email provided above.

Original on File signed by:

Julia Prieto
Coastal Program Analyst

cc: Commissioners/File