

**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



# TH12

**Prepared August 01, 2022 (for the August 11, 2022 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 August 2022**

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 August 11, 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 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 August 11th.

With respect to the August 11th 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 August 11, 2022 (see attached)**

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**Waivers**

- 5-22-0439-W, ADU and garage (San Clemente)
- 5-22-0557-W, Relocating ATV storage (San Clemente)

**Immaterial Extensions**

- 5-18-1214-E2, Single-family residence (Seal Beach)

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July 27, 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:** 5-22-0439-W                      **Applicant:** G&S Miramar LLC

**Location:** 224 and 226 Avenida Miramar, San Clemente (Orange County) (APN: 058-121-26)

**Proposed Development:** Conversion of an existing enclosed patio into a new 312 sq. ft. attached ADU, and an existing carport into a new 169 sq. ft. attached garage of an existing 2-story, 1,509 sq. ft. multi-family residential structure (1 duplex, plus one detached ADU approved through Coastal Development Permit 5-22-0178-W). No new landscaping is proposed. No grading is proposed.

**Rationale:** The project site is located on a developed approximately 5,663 sq. ft. lot inland of the first public road parallel to the sea. The site is designated Residential Medium Density (RM) in the City's certified LUP and the proposed project conforms to the permitted uses and development standards for the RM zone. The project would result in one attached ADU that will be located within the existing duplex, and post project there will be four units on-site. There are a total of three on-site parking spaces located on the driveway and in the garage, and no new parking will be added. Adequate measures to address water quality have been incorporated into the design and construction of the project. 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. Additionally, the proposed development 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 **August 10-12, 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.

John Ainsworth  
Executive Director

Mandy Revell  
Coastal Program Analyst

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**Waiver:** 5-22-0557-W

**Applicant:** City of San Clemente

**Location:** Public Beach approximately 35' south of North Beach public restroom facilities, City of San Clemente (Orange County).

**Proposed Development:** Relocation of a portable 80 sq. ft., 8' x 10' and 8' tall metal container from the parking lot to an existing 12' x 13' concrete pad located on the public sandy beach for a limited time period each summer from Memorial Day through September 30th. The container would store ATVs utilized by the San Clemente Marine Safety Division. The container will be removed at the end of the peak summer season. This waiver of permit requirements will be effective for up to a three (3) year period from 2022-2025.

**Rationale:** The subject site is located between the sea and the first public road on a municipal beach and is zoned OS1 (public parks and publicly owned open space) in the City of San Clemente Land Use Plan (LUP). No permanent structures are proposed. The proposed development consists of the temporary placement (approximately 4 months during each summer May-September for up to 3 years) of a storage container on a public beach to store ATVs used to support the San Clemente Marine Safety Division's emergency and life-saving activities, which is especially critical during peak coastal use during the summer months. Public coastal access is available 140 ft. north of the proposed site at the North Beach pedestrian railroad crossing. The container will be placed on an existing concrete pad, ensuring no disturbance of vegetation or habitat. No future shoreline protective devices will be utilized to protect the storage container. In the event the storage container becomes subject to wave uprush or erosion, it will be removed. Prior to submitting an application for renewal, the City will submit a monitoring report that explains whether the storage container has been subject to wave uprush or erosion to determine whether it should be relocated. 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

## Coastal Development Permit De Minimis Waiver

5-22-0557-W

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.

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

Mandy Revell  
Coastal Program Analyst

cc: File

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# NOTICE OF PROPOSED PERMIT EXTENSION

**July 29, 2022****5-18-1214-E2**

On July 10, 2019, the Coastal Commission approved Coastal Development Permit No. 5-18-1214 (Tomlinson) which allowed:

Addition and major remodel of a single family residence resulting in an 1,858 square foot, three story single family residence and a 423 square foot, two car garage. The residence will retain its current height of 36'1", with no change to the existing building envelope. The existing second story deck, and existing roof deck with stair access structure will remain unchanged from the existing decks. Transparent deck railings will include etched design to avoid bird strikes.

Notice is hereby given that the applicant has applied for a second one-year extension (5-18-1214-E2), which would extend the deadline for the commencement of development under the permit to July 10, 2023.

At: 17-B Surfside Ave., Surfside Community of the City of Seal Beach, Orange County  
(APN: 178-491-018)

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 request should contact Meg Vaughn at the South Coast District office of the Commission at the above address or phone number or at [meg.vaughn@coastal.ca.gov](mailto:meg.vaughn@coastal.ca.gov)

Sincerely,

John Ainsworth  
Executive Director

Meg Vaughn  
Coastal Program Analyst

Cc: Commissioners/File