

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
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W11

Prepared May 01, 2023 (for the May 10, 2023 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 May 2023**

The following coastal development permit (CDP) waivers and CDP extensions for the South Coast District Office are being reported to the Commission on May 10, 2023. 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 May 10th.

With respect to the May 10th 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 May 10, 2023 (see attached)

Waivers

- 5-22-0960-W, Ernie & Jennifer Robles (Sunset Beach)
- 5-23-0013-W, UC Irvine (Orange County)
- 5-23-0258-W, Sarah and Steven Pham (Seal Beach)
- 5-23-0298-W, Janice Lenahan (San Clemente)

Extensions

- 5-20-0598-E1, John P. McKinley (San Clemente)
- A-5-DPT-18-0046-E1, Berk Workshop, LLC (Dana Point)

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April 24, 2023

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: 5-22-0960-W **Applicant:** Jennifer and Ernie Robles

Location: 17026 7th St, Sunset Beach, Orange County (APN: 178-543-04)

Proposed Development: After-the-fact approval for the construction of a bathroom, storage, and laundry area within an existing garage. Two parking spaces will be retained on site.

Rationale: The subject site is a 2,700 sq. ft. lot located in an urbanized neighborhood approximately 240 ft. inland of the beach and is not located between the sea and first public road. The lot is designated as Residential High Density in the Sunset Beach Specific Plan, which serves as guidance in Sunset Beach since the Huntington Beach LCP does not apply to the uncertified area. The project would not change the existing structural footprint. The proposed project will reduce onsite parking from three parking spaces to two parking spaces. However, the Sunset Beach Specific Plan requires two parking spaces per dwelling unit for residential development, so the proposed project will continue to provide the required onsite parking. There will be no impacts to public coastal views in the area, and the development is consistent with the character of the surrounding development. After-the-fact applications are subject to additional fees equaling up to 5 times the total fee that would apply to a regular application. The applicant paid the after-the-fact fee prior to the Commission hearing. Therefore, the proposed development will not adversely impact coastal access, coastal resources, public recreation or coastal views, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act. In addition, the proposed project will not prejudice the ability of the Sunset Beach subarea to prepare a Certified Local Coastal Program that is consistent with the Chapter 3 Coastal Act policies.

Coastal Development Permit De Minimis Waiver
5-22-0960-W

This waiver will not become effective until reported to the Commission at its **May 10-12, 2023** 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.

Dr. Kate Huckelbridge
Executive Director

Emily Greer
Coastal Program Analyst

cc: Commissioners/File

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April 26, 2023

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: 5-23-0013-W

Applicant: University of California, Irvine

Location: Jamboree Road Between Fairchild Road and West Access Road, Irvine (Orange County)

Proposed Development: Improvements to the eastbound side of Jamboree Road, including the addition of a right-turn deceleration lane in support of the UCI Center for Child Health/Medical Office Building development. The project also includes the relocation of an existing traffic signal at Fairchild Road; removal and reconstruction of existing curbs, pavement, sidewalks and fencing; removal and replacement of signage; construction of a fire lane and shoulders; and a new Class 1 bicycle lane. Limited grading (approximately 2,200 cubic yards) to allow for placement of proposed bike lane joining grade of existing right of way (Jamboree Road).

Rationale: The proposed project is located inland of the 1st public road and the sea. The proposed project area consists of previously disturbed land consisting of existing unpaved roadway shoulder and non-native grass. Thus, no biological resources will be impacted. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation, or coastal access. Also, the proposed development will not prejudice the University's ability to prepare a certified Long Range Development Plan and is consistent with past Commission actions in the area, the certified Irvine Local Coastal Program which is referenced as guidance and Chapter Three policies of the Coastal Act which is the standard of review.

Coastal Development Permit De Minimis Waiver
5-23-0013-W

This waiver will not become effective until reported to the Commission at its **May 10-12, 2023** 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,

Dr. Kate Huckelbridge
Executive Director

Fernie Sy
Coastal Program Analyst

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April 26, 2023

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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Waiver: 5-23-0258-W

Applicant: Sarah and Steven Pham

Location: 219 4th St, Seal Beach, Orange County (APN: 199-021-05)

Proposed Development: Demolition of an (E) two-car garage and construction of a (N) two-story garage with a (N) 630 sq. ft. one-bedroom accessory dwelling unit above.

Rationale: The subject site is located on a developed 3,525 sq. ft. lot, approximately 0.2 miles from the inland extent of the beach and is not located between the first public road and the sea. The project site is within a developed residential neighborhood designated Residential High Density in the City of Seal Beach uncertified Zoning Code. The proposed project conforms to the permitted use and development standards for the Residential High Density zone. The proposed development will demolish a 2-car garage and construct a 2-car garage with a 630 sq. ft. accessory dwelling unit above the garage. The property and adjacent public infrastructure may be threatened by sea level rise in the future. As such, the first-floor garage will be constructed with waterproof materials, and the proposed second floor ADU will be built approximately 9 feet above grade, so it is not expected to be affected by flooding. The proposed project design is compatible with the character of the surrounding area and does not have any adverse impacts on visual or 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
5-23-0258-W

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

Original on File signed by:

Dr. Kate Huckelbridge
Executive Director

Krysten Tomaier
Coastal Program Analyst

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April 26, 2023

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: 5-23-0298-W

Applicant: Janice Lenahan

Location: 117 Avenida Cadiz, San Clemente, Orange County (APN: 692-143-40)

Proposed Development: Construction of a 15-ft. 3-in. high, 510 sq. ft. detached Accessory Dwelling Unit (ADU) in the rear yard of an existing approximately 13-ft. high, 1,348 sq. ft. single-story single-family residence. Two parking spaces are provided on site.

Rationale: The project site is located on a developed 4,400 sq. ft. lot located approximately 1/2 mile inland of the ocean, landward of the first public road parallel to the sea, and in an urbanized residential neighborhood. The lot is zoned Residential Low Density (RL) by the City's certified LUP and the proposed project conforms to the permitted uses and development standards for the RL zone. The project maintains one covered parking space for the primary residence and provides additional parking in the driveway for the proposed ADU. Therefore, the new ADU will not impact public street parking spaces used for beach access. Additionally, the proposed project will not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the designation in the City's certified Land Use Plan, previous Commission action in the area, and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its **May 10-12 2023** 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.

Dr. Kate Huckelbridge
Executive Director

Mandy Revell
Coastal Program Analyst

cc: Commissioners/File

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April 28, 2023

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

Notice is hereby given that McKinley Family Trust has applied for a one-year extension of 5-20-0598 granted by the California Coastal Commission on April 16, 2021

for: Expand an existing 617 sq. ft. restaurant by converting 770 sq. ft. of retail space adjacent to the existing restaurant to restaurant use, resulting in a 1,171 sq. ft. restaurant with a 216 sq. ft. covered dining patio. The applicant will contribute \$3,000 annually to the City of San Clemente to be used to promote multi-modal access to the Pier Bowl. A portion of the first annual contribution will be used to fund the creation of two new metered public parking spaces in the Pier Bowl.

at: 612 Avenida Victoria, San Clemente (Orange County) (APN: 692-021-03)

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,

Kate Huckelbridge, PhD
Executive Director

Original on File signed by:

Emily Greer
Coastal Program Analyst

cc: Commissioners/File

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April 28, 2023

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

Notice is hereby given that Berk Workshop, LLC has applied for a one year extension of A-5-DPT-18-0046 granted by the California Coastal Commission on February 10, 2021.

for: Demolition of a 10,400 sq. ft. restaurant (Cannons Seafood Grill) and construction of a 44,164 sq. ft., 100-room resort hotel, with a restaurant, café, spa, and associated parking facilities on a coastal bluff lot overlooking Dana Point Harbor. The project also includes a 10 ft. wide by approximately 360 ft. long paved blufftop public walkway along the seaward edge of the property, a Tentative Tract Map to consolidate five underlying legal lots, and conversion of an existing service structure on an adjacent City property into a public viewing area.

at: 34344 Green Lantern St, Dana Point (Orange County) (APN(s): 672-232-06)

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,

Kate Huckelbridge, PhD
Executive Director

Original on File signed by:

Fernie Sy
Coastal Program Analyst

cc: Commissioners/File