

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIFORNIA 90802-4830
(562) 590-5071 FAX
WWW.COASTAL.CA.GOV



W12

Prepared April 29, 2024 (for the May 08, 2024 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 2024**

The following coastal development permit (CDP) waivers, CDP extensions for the South Coast District Office are being reported to the Commission on May 08, 2024. 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 8th.

With respect to the May 8th 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 08, 2024 (see attached)

Waivers

- 5-23-0395-W, Garage Remodel & ADU Addition (Seal Beach)
- 5-23-0913-W, Single-family residence with ADU (San Clemente)
- 5-24-0132-W, Addition and new ADU to single-family residence (San Clemente)

CDP Extensions

- 5-11-178-E10, New bulkhead (Newport Beach)
- 5-20-0598-E2, Expansion of Restaurant (San Clemente)

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April 22, 2024

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: 5-23-0395-W

Applicant: Casey & Stacina Mungo

Location: 1003 Seal Way, Seal Beach, Orange County (APN: 199-104-15)

Proposed Development: Remodel of an existing 407 sq. ft. one-story, two-car garage including: 1) demolition of an existing 2nd floor deck and trellis over the garage, 2) demolition of an existing 2nd floor cat walk/deck bridge connecting to a 1,992 sq. ft. two-unit, two story, residential structure and existing garage, and 3) construction of a new 407 sq. ft. 2nd floor Accessory Dwelling Unit (ADU) above the existing garage with a new exterior staircase for access to the ADU. Post project, the overall height of the garage and ADU structure will be 22 ft. above grade.

Rationale: The proposed project is located on a 2,700 sq. ft. beach fronting lot and is designated as residential high density in the City of Seal Beach Zoning Code. An Approval-In-Concept was obtained from the City of Seal Beach Planning Department dated February 28, 2023. The highest high tide in the project area is +7.0 ft. NAVD88 and the proposed Finished Floor Elevation is +12.50 ft. NAVD88. Based on the project's estimated 75-year design life, the project site may be subject to approximately 3. (lower risk aversion) to 7 ft. (higher risk aversion) of sea level rise. The proposed project's Finished Floor Elevation would be located at +12.50 ft. NAVD88. However, due to the possibility of flooding and other coastal hazards at the project site, the applicants have acknowledged that they have chosen to build in this location despite those risks, and they assume the risks of development in a hazardous area. No shoreline protective device is proposed to protect the development subject to the application. The proposed ADU would be located on top of an existing accessory structure, the garage; no parking is required for the ADU, but the garage will continue to

Coastal Development Permit Waiver
5-23-0395-W

provide parking for the primary structure. Rooftop drainage is directed to a biotreatment area onsite. The proposed project design is compatible with the character of surrounding development and does not have any negative effects on visual or coastal resources, public recreation, or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions 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 8-10, 2024** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Dr. Kate Huckelbridge
Executive Director

Original on File signed by:

Fernie Sy
Coastal Program Analyst

cc: Commissioners/File

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April 24, 2024

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: 5-23-0913-W

Applicant: Ian Dyer

Location: 7 Via Jazmin, San Clemente, Orange County (APN: 060-303-20)

Proposed Development: After-the-fact approval for the construction of a 2,729 sq. ft. two-story, approximately 25 ft. high, single-family residence, as well as approval for the conversion of 1,000 sq. ft. of the first floor living area to an attached Accessory Dwelling Unit (ADU) within the existing building footprint, new interior wall in garage, and minor interior work. No landscaping is proposed.

Rationale: The subject site is a 8,276 sq. ft. lot located in an urbanized neighborhood approximately ¼ mile inland of the beach and is between the sea and first public road in the private gated community of Cyprus Shore. The lot is designated 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 land use. The project would maintain one residential unit onsite. There will be no impacts to public coastal views in the area, and the development is consistent with the character of the surrounding development. Three onsite parking spaces would be provided, consistent with the certified LUP's parking requirements. Best Management Practices including erosion and runoff controls will be implemented during the construction phase of the project. After-the-fact applications are subject to additional fees equaling up to 5 times the total fee that would apply to a regular application. This fee can be reduced by the Executive Director if it is determined that either: the ATF permit application can be processed by staff without significant additional review time (as compared to the time required for the processing of a regular permit), or the owner did not undertake the development for which the owner is seeking the ATF permit. In this case both criteria for reduction are met; therefore, the Executive Director has authorized an after-the-fact fee of 2 times the total permit fee for this project. The applicant paid the after-the-fact fee on April 7, 2024.

Coastal Development Permit De Minimis Waiver
5-23-0913-W

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 City of San Clemente's ability to prepare a Local Coastal Program that is consistent with the Chapter 3 Coastal Act policies.

This waiver will not become effective until reported to the Commission at its **May 8-10, 2024** 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 24, 2024

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: 5-24-0132-W

Applicant: Josh Jones

Location: 1702 S. Ola Vista, San Clemente, Orange County, (APN: 692-312-38)

Proposed Development: Addition of approximately 430 sq. ft. to the existing first floor 2-car garage, and addition of a 727 sq. ft. attached Accessory Dwelling Unit (ADU) to the second floor over the proposed garage of the existing 23-ft. high, 2-story, 2,354 sq. ft. single family residence.

Rationale: The project site is located on a developed 13,050 sq. ft. lot located approximately 1/3 mile inland of the ocean, landward of the first public road parallel to the sea, and in an urbanized residential neighborhood. The lot is designated 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 land use. Adequate measures to address water quality have been incorporated into the design and construction of the project. 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 8-10, 2024** 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.

Coastal Development Permit De Minimis Waiver
5-24-0132-W

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Mandy Revell
Coastal Program Analyst

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April 18, 2024

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

Notice is hereby given that 2808 Lafayette Property, LLC has applied for a tenth one-year extension of Coastal Development Permit No. 5-11-178 granted by the California Coastal Commission on March 6, 2013.

For: The installation of a new concrete bulkhead associated with an existing business/commercial building on a property fronting Newport Bay. The new bulkhead would be installed 10-feet into the bay from the existing property and would extend the width of the property for approximately 60-feet, with a return wall at each terminus.

At: 2808 Lafayette Road, Newport Beach, Orange County (APN: 047-023-06)

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,

Dr. Kate Huckelbridge
Executive Director

Chloe Seifert
Coastal Program Analyst

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April 22, 2024

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

Notice is hereby given that McKinley Family Trust has applied for a second 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. This determination shall be reported to the Commission. The permit expiration date shall be extended for one year from the date the permit would otherwise have expired if "(1) no written objection to the executive director's determination is received within 10 working days after mailing notice, and (2) three [or more] commissioners do not object to the executive director's determination." If an objection is received, the executive director shall review such objection to determine whether the objection identifies a changed circumstance that may affect the development's consistency with the Coastal Act. If the executive director concludes that no such circumstance is identified, the determination and conclusion shall be reported to the Commission along with copies of such objections. If three or more Commissioners do not object to the determination, the time for commencement of development shall be extended for one year from the expiration date of the permit.

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.

Dr. Kate Huckelbridge
Executive Director

Emily Greer
Coastal Program Analyst

cc: Commissioners/File