

**CALIFORNIA COASTAL COMMISSION**

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**F14b**

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Staff: Karl Schwing-LB  
Staff Report: June 23, 2010

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-09-208**APPLICANT:** William de la Pena**AGENTS:** Greg Abel Design; McCabe & Associates**PROJECT LOCATION:** 111 South La Senda, Laguna Beach (Three Arch Bay)  
(Orange County)

**DESCRIPTION:** Substantial demolition and reconstruction of an existing 3,916 sq. ft. single-story single-family residence with attached 2-car garage, and addition of new semi-subterranean, 813 sq. ft. lower level (requiring 469.5 cu. yds. cut grading) within the footprint of the existing residence; addition of a lower level bluff-side doorway and landing with paver stones and retaining wall to provide exit/entry for new lower level; replacement of existing 218 sq. ft. bluff-side wood balcony deck; replacement of doors and windows, replacement of stucco façade, front courtyard improvements including new courtyard pool; landscape and drainage improvements; and request for after-the-fact approval of substantial demolition of walls, doors, windows, installation of new caisson and grade beam foundation system beneath the residence, and grading for courtyard pool. The applicant is also proposing to restore slopes that were graded in conjunction with the foundation work to pre-existing grades. The completed home will have 4,323 sq.ft. of living space and interior storage, plus 406 sq.ft. garage (total 4,729 sq.ft.), and 218 sq.ft. deck.

Lot Area	54,696 square feet
Building Coverage	3,935 square feet
Pavement Coverage	2,971 square feet
Landscape Coverage	1,500 square feet
Unimproved Area	46,290 square feet
Parking Spaces	2
Zoning	Three Arch Bay
Planning Designation	Low Density Residential
Ht above final grade	24.7 feet

**SUMMARY OF STAFF RECOMMENDATION:**

Commission staff is recommending **APPROVAL** of the proposed project with **Twelve (12) Special Conditions** regarding: 1) assumption of risk; 2) no future blufftop or shoreline protective devices; 3) future development; 4) submittal of revised final plans; 5) submittal of final drainage plan; 6) submittal of final as-built caisson foundation plans; 7) construction best management practices; 8) landscaping; 9) condition compliance, 10) pool protection plan, 11) bird strike

prevention, and 12) a deed restriction against the property; referencing all of the Special Conditions contained in this staff report.

The applicant is proposing a major remodel that results in almost complete replacement of the existing structure and addition of semi-subterranean living space to an existing single level single-family residence comprising extensive demolition and re-construction of exterior walls/windows/doors, complete first level remodel, a new 813 sq. ft. lower level/semi-subterranean addition (581 sq.ft. livable space and 232 sq. ft. mechanical room) below and within the footprint of the pre-existing structure, drainage improvements, hardscape improvements to both the bluff-side and street facing side of the lot and a request for after-the-fact approval of substantial demolition, grading for a new courtyard pool and installation of a new caisson and grade beam foundation beneath the residence. Also proposed is reconstruction of the bluff seaward of the lower level to pre-existing conditions to address unauthorized grading associated with installation of the foundation and for construction access. The proposed new construction constitutes new development for the purposes of Sections 30235 and 30253. Because the proposed project includes new development, it can only be found consistent with Section 30253 of the Coastal Act if a shoreline/bluff protective device is not expected to be needed in the future.

The proposed development is located on a bluff top site subject to wave action. The geotechnical study of the site deems the site is grossly stable under current and proposed conditions. The primary issue with the proposed development is conformance with bluff edge setbacks. The existing pre-Coastal Act residence does not conform to the structural or deck stringline of the adjacent structures and does not meet the normally required 25-foot bluff edge setback. The existing secondary structures are also non-conforming with a 0-foot bluff edge setback. The proposed semi-subterranean addition will remain within the footprint of the existing structure, and the deck to be reconstructed on the seaward side of the home will remain in its current location. The proposed development appears to be safe from erosion on the basis of available information provided by the applicant and is therefore consistent with Coastal Act section 30253(a). The Commission's geologist has reviewed the geologic information and visited the site and determined that the existing/proposed location is safe and will remain so over the anticipated life of the development.

The topography/landform characteristics of this site are very different from other sites in Three Arch Bay where the Commission has issued permits for bluff top residential development. Unlike other nearby properties where there are sheer bluffs that descend from the developed bluff top, this site has an elongated promontory that stretches seaward of the existing and proposed development. The bluff edge (as defined by the Coastal Act and regulations) is located at or very close to the edge of the pad the existing house occupies. The ground slopes down and seaward of the bluff edge to an elongated steplike feature that is relatively flat, and then ultimately dips again to a sheer cliff. The site is stable and the proposed development is located in an area that is proven to be resistant to erosion (i.e. the presence of the rock peninsula fronting the residence demonstrates that areas resistance to erosion). Furthermore, the development would be separated from the shoreline by 135 to 448 feet of hard rock that is demonstrably unchanged over the last 60+ years. These characteristics set this site apart from all others in Three Arch Bay and bluff top development to the south. The proposed development will not be located any further seaward than existing development on the site, and the Commission's geologist has agreed with the applicant's geologist's conclusion that the proposed location will be safe over the 75-year anticipated life of the development.

**SUBSTANTIVE FILE DOCUMENTS:** *Geotechnical Feasibility Investigation for Proposed Remodel/Addition to a Single Family Residence, 111 South La Senda, Laguna Beach, CA* prepared by Geofirm, dated February 12, 2008; *Preliminary Geotechnical Investigation For*

*Proposed Remodel of the Existing Single Family Residence, 111 South La Senda, Laguna Beach, CA* prepared by Geofirm, dated October 9, 2008; *Geotechnical Review of Foundation Plans* prepared by Geofirm, dated October 21, 2008; *Geotechnical Recommendations for Additional Underpinning Caissons, 111 South La Senda, Laguna Beach, CA* prepared by Geofirm, dated March 25, 2009; *Response to California Coastal Commission Notice of Incomplete Application, 111 South La Senda, Laguna Beach, CA* prepared by Geofirm, dated November 5, 2009; City of Laguna Beach certified Local Coastal Program (as guidance only); Coastal Development Permit 5-95-047(Norberg); 5-02-345(Markland); 5-04-414(Swartz); 5-06-165(Hibbard); 5-06-258(Stranton); 5-07-163(Hammond); 5-99-332 A1(Frahm); P-80-7431(Kinard); 5-93-254-G(Arnold); 5-88-177(Arnold); and 5-09-105(Norberg).

**LOCAL APPROVALS RECEIVED:** City of Laguna Beach Approval in Concept, dated 10/26/09.

### **LIST OF EXHIBITS**

1. Location Map
  2. Property Boundary and Adjacent Areas/
  3. Site Aerial Photograph
  4. Project Plans
  5. Site Plan Depicting Bluff Setbacks
  6. Geologic Plot Plan and Cross-Sections
  7. On-Site Photographs
  8. Detailed revised plans for restoration of bluff edge and face and landing with pavers on seaward side of new semi-subterranean level
  9. Visual simulation of seaward side of proposed development
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### **STAFF RECOMMENDATION:**

**MOTION:**            *I move that the Commission approve Coastal Development Permit No. 5-09-208 pursuant to the staff recommendation.*

### **STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## II. STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

## III. SPECIAL CONDITIONS

### 1. Assumption of Risk, Waiver of Liability and Indemnity

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from bluff and slope instability, erosion, landslides, waves, and sea level rise; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

### 2. No Future Blufftop or Shoreline Protective Devices

- A. By acceptance of this Permit, the applicant agrees, on behalf of himself and all successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-09-208 including, but not limited to, the residence, foundations, patios, balconies and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, sea level rise or other natural coastal hazards in the future. By acceptance of this Permit, the applicant/landowner hereby waives, on behalf of himself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

- B. By acceptance of this Permit, the applicant/landowner further agrees, on behalf of himself and all successors and assigns, that the landowner(s) shall remove the development authorized by this Permit, including the residence, foundations, patios, balconies and any other future improvements if any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.
- C. In the event the edge of the bluff recedes to within five (5) feet of the principal residence along the southwest bluff section on the project site and in the event the edge of the bluff recedes to within two (2) feet of the principal residence along the southeast bluff section on the project site (please refer to the site location map, Exhibit 5 of the staff report dated June 23, 2010) but no government agency has ordered that the structures are not to be occupied, a geotechnical investigation shall be prepared by a licensed coastal engineer and geologist retained by the applicants, that addresses whether any portions of the residence are threatened by bluff and slope instability, erosion, landslides or other natural hazards. The report shall identify all those immediate or potential future measures that could stabilize the principal residence without bluff protection, including but not limited to removal or relocation of portions of the residence. The report shall be submitted to the Executive Director and the appropriate local government official within 10 days of its completion. If the geotechnical report concludes that the residence or any portion of the residence is unsafe for occupancy, the permittee shall, within 90 days of submitting the report, apply for a coastal development permit amendment to remedy the hazard which shall include removal of the threatened portion of the structure.

### **3. Future Development**

This permit is only for the development described in coastal development permit 5-09-208. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by the coastal development permit 5-09-208. Accordingly, any future improvements to the structures authorized by this permit shall require an amendment to permit 5-09-208 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

### **4. Submittal of Revised Final Plans**

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, two (2) sets of revised, final construction, grading, drainage, and landscaping plans that substantially conform with the plans with the City's approval in concept dated 10/26/09, and basement foundation plans that substantially conform with the plans dated 10/23/09, and grading plans that substantially conform with the plans attached as Exhibit 8 to the staff report dated June 23, 2010, and shall be consistent with the following:
- (1) .As proposed, no portion of any living space or associated development such as any deepened foundation system/caissons shall be located seaward of the pre-existing

- living space or the proposed residential footprint, and no portion of any accessory development shall be located seaward of the pre-existing accessory development;
- (2) As proposed, the only development permitted seaward of the proposed lower level living space is a) grading at least 5 feet inland of the bluff edge to construct a landing for a doorway at the lower level living space and pavers; b) construction of a 0 to 5 foot tall retaining wall at least 5 feet inland of the bluff edge to support slopes seaward of the wall to be reconstructed to pre-existing grade; c) grading of approximately 1.8 cubic yards of soil in the area between the bluff edge and the area up to 5 feet inland of the bluff edge to transition between pre-existing natural contours and the proposed landing; d) no development shall occur seaward of the bluff edge except for minor grading to reconstruct the bluff to pre-existing contours as depicted on Exhibit 8, and placement of native vegetation appropriate to the habitat type to restore areas disturbed by construction.
  - (3) Depiction of all existing and approved proposed development on a complete project site plan, including, but not limited to, the existing chain link fence on the bluff face as depicted in the topographic survey by Toal Engineering dated 9/6/06. The existing chain link fence on the bluff face shall be shaded and clearly marked “this element not permitted by any coastal development permit” on the project site plan;
  - (4) The applicant shall submit, for the Executive Director's review and approval, evidence that an appropriate certified engineering geologist has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the geologic evaluation approved by the California Coastal Commission for the project site.
- B. The permittee shall undertake the development authorized by the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

5. **Conform with Proposed Drainage Plan**

The applicant shall conform to the proposed drainage plan identified in the document approved by the City of Laguna Beach building division on 5/14/2010 and received in the Commission's office on 5/17/2010 titled Grading and Drainage Plan, prepared by Toal Engineering, that depicts site drainage being collected and pumped to the street by a storm water lift station. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. **Submittal of Final As-Built Caisson Foundation Plans**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, two (2) sets of final as-built caisson foundation plans that substantially conform with the plans dated 8/19/09 and demonstrate that an appropriate certified engineering geologist has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the geologic evaluation approved by the City of Laguna Beach and the California Coastal Commission for the project site.

7. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris**

The permittee shall comply with the following construction-related requirements:

- (a) No construction materials, debris, or waste shall be placed or stored where it may enter the storm drain system leading to the Pacific Ocean;
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
- (c) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and a pre-construction meeting to review procedural and BMP guidelines;
- (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Debris shall be disposed of outside the coastal zone, as proposed by the applicant.

8. **Landscaping – Drought Tolerant, Non-Invasive Plants**

Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>).

9. **Condition Compliance**

Within 90 days of Commission action on this coastal development permit application, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit, including the recordation of the deed restriction. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

10. **Pool Protection Plan**

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and approval of the Executive Director, two (2) full size sets of a pool protection plan prepared by an appropriately licensed professional that incorporates mitigation of the potential for geologic instability caused by leakage from the proposed pool. The pool protection plan shall incorporate and identify on the plans the following measures, at a minimum: 1) installation of a pool leak detection system such as, but not

limited to, leak detection system/moisture sensor with alarm and/or a separate water meter for the pool which is separate from the water meter for the house to allow for the monitoring of water usage for the pool; 2) use of materials and pool design features, such as but not limited to double linings, plastic linings or specially treated cement, to be used to waterproof the undersides of the pool and spa to prevent leakage, along with information regarding the past and/or anticipated success of these materials in preventing leakage; and where feasible 3) installation of a sub drain or other equivalent drainage system under the pool that conveys any water leakage to an appropriate drainage outlet. The applicant shall comply with the final pool plan approved by the Executive Director.

- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**11. Bird Strike Prevention**

- A. Ocean front deck railing systems, fences, screen walls and gates subject to this permit shall use materials designed to minimize bird-strikes with the deck railing, fence, or gate. Such materials may consist, all or in part, of wood; wrought iron; frosted or partially-frosted glass, Plexiglas or other visually permeable barriers that are designed to prevent creation of a bird strike hazard. Clear glass or Plexiglas shall not be installed unless appliques (e.g. stickers/decals) designed to reduce bird-strikes by reducing reflectivity and transparency are also used. Any appliques used shall be installed to provide coverage consistent with manufacturer specifications (e.g. one applique for every 3 foot by 3 foot area) and the recommendations of the Executive Director. Use of opaque or partially opaque materials is preferred to clean glass or Plexiglas and appliques. All materials and appliques shall be maintained throughout the life of the development to ensure continued effectiveness at addressing bird strikes and shall be maintained at a minimum in accordance with manufacturer specifications and as recommended by the Executive Director. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit final revised plans showing the location, design, height and materials of fences, screen walls and gates for the review and approval of the Executive Director. Said plans shall reflect the requirements of this special condition.
- B. The permittee shall undertake development in accordance with the approval final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**12. Deed Restriction**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the landowners have executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The



deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

#### **IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

##### **A. PROJECT DESCRIPTION AND LOCATION**

###### Project Location

The subject site is located within the private gated community of Three Arch Bay in the City of Laguna Beach (Exhibit #1). The residence is on coastal bluff top lot that includes a rock promontory. The site is a 1.3 acre property fronting the southern side of the South La Senda cul-de-sac and extends southerly 450 feet to the rear property line located beyond the edge of the rock promontory. The site can be described by four distinct topographic elements: a gently seaward sloping terrace house pad, an irregularly rocky south, east and westward sloping erosional rocky promontory, steep southern sea cliffs and submerged rocky shoreline (Exhibits 2 and 3).

Laguna Beach has a certified Local Coastal Program (LCP) except for the four areas of deferred certification: Irvine Cove, Blue Lagoon, Hobo Canyon, and Three Arch Bay. Certification of the Three Arch Bay area was deferred due to access issues arising from the gated nature of the community. The proposed development needs a coastal development permit from the Coastal Commission because it is located in the Three Arch Bay area of deferred certification.

###### Project Description

The proposed project involves substantial demolition and re-construction of an existing 3,510 sq. ft. single-family residence with attached 406 sq. ft. garage (total 3,916 sq.ft.) and 218 sq. ft. balcony deck including; 469.5 cu. yds. cut to construct a semi-subterranean 813 sq. ft. (581 sq. ft. livable space and 232 sq.ft. mechanical room) new lower level within the footprint of the existing residence, resulting in a 4,323 sq. ft., two-level single-family residence with attached 406 sq. ft. garage; addition of a lower level bluff-side doorway and landing with paver stones to provide exit/entry for the new lower level; replacement of existing 218 sq. ft. rear-yard wood balcony deck (cantilevered from the existing first floor on the seaward side of the house), replacement of all doors and windows (including some relocation), replacement of stucco façade and interior plaster, replacement of all utilities, replacement of the roof, front courtyard improvements including new courtyard pool and landscaping, drainage improvements; and request for after-the-fact approval of demolition work, installation of a new caisson and grade beam foundation under the existing residence and grading for courtyard pool (see Exhibit 4). Although the footprint and overall design of the house will not change, upon completion of the proposed development, most the pre-existing house will have been replaced by new materials, resurfaced, and/or reinforced, all of which will substantially extend the life of the structure.

**B. GEOLOGIC STABILITY**

Coastal bluff development is inherently hazardous and poses potential adverse impacts to the geologic stability of coastal bluffs, shoreline processes, and to the stability of residential structures. Bluff stability has been an issue of historic concern throughout the City of Laguna Beach. The Commission has traditionally followed a set of setback and string-line policies as a means of limiting the encroachment of development seaward toward the bluff edges on coastal bluffs and preventing the need for construction of revetments and other engineered structures to protect new development on coastal bluffs. The existing single-family residence and balcony deck appear to have been constructed close to and at the bluff edge prior to passage of the Coastal Act. The residence is located approximately 4-feet from the bluff edge at the closest point and as much as 12-feet from the farthest point, the approximately 218 sq. ft. balcony deck extends from the residence to the bluff edge, and partly over the bluff edge. The balcony deck cantilevers from the structure and is not on grade, it overhangs an area that was previously disturbed when the house was originally constructed. The applicant is requesting after-the-fact approval for substantial demolition and replacement of the existing house and deck in the same location and configuration as the pre-existing structures. The applicant also proposes addition of a new semi-subterranean 813 sq. ft. lower level entirely within the footprint of the existing residence. The applicant is proposing a new doorway and landing on the seaward side of the new lower level addition in the area previously disturbed during the original construction of the home and where the new lower level structure would daylight. The new landing would be located at least 5 feet inland of the bluff edge and have stone pavers instead of concrete slab. The landing would be partly enclosed by a maximum 5 foot tall, approximately 5 foot long retaining wall, also at least 5 feet inland of the bluff edge, that is necessary to support a portion of the bluff face that the applicant is proposing to re-construct seaward of the landing. Some additional grading is proposed between the new landing and the bluff edge and seaward of the bluff edge to restore an area to pre-existing conditions that was graded to install the new foundation. Finally, the project includes new front courtyard hardscape improvements consisting of a new pool, landscaping and fencing.

Coastal Act Policies

Section 30251 of the Coastal Act states, in pertinent part:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms...*

Section 30253 of the Coastal Act states:

*New development shall:*

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The subject site is an irregular rectangular-like shaped 1.3 acre oceanfront bluff top lot. The southern side of the lot fronts the S. La Senda cul-de-sac and extends southerly 450 feet to the rear property boundary extending to the rocky promontory. The site can be defined by four

distinct topographic elements: a gently seaward sloping terrace house pad near the street, an irregularly rocky south, east and westward sloping erosional rocky promontory, steep southern sea cliffs and submerged rocky shoreline. The bluff has an overall maximum relief of 81+/- feet from the shoreline to S. La Senda, the frontage road (See Exhibit 6). The toe of the bluff is subject to marine erosion. Offsite within the rocky shoreline inlet, a sea cave extends northward into the erosional surface from below the western edge of the lot. The site is underlain by thickly interbedded cemented bedrock strata which is overlain by marine terrace deposits, non-marine terrace and possibly thin fill. No exposures of weakened siltstone or claystone beds occur within the sea cliff.

The topography/landform characteristics of this site are very different from other sites in Three Arch Bay where the Commission has issued permits for bluff top development. Unlike other nearby properties where there are sheer bluffs that descend from the developed bluff top, this site has an elongated promontory that stretches seaward of the existing and proposed development. As described more fully below, the bluff edge (as defined by the Coastal Act and regulations) is located at or very close to the edge of the pad the existing house occupies. The ground slopes down and seaward of the bluff edge to an elongated steplike feature that is relatively flat, and then ultimately dips again to a sheer cliff. The applicant's geologist describes the site as follows<sup>1</sup>: "Stability and resistance to erosion are the geologic elements that have formed the rock peninsula fronting the residence. The western portion of the residence is separated from the shoreline by 135 to 448 feet of hard rock that is demonstrably unchanged over the last 60+ years. No other properties in Three Arch Bay are similarly setback from the active shoreline and are as naturally armored by the rocky cliff materials..."

#### Project Site Geotechnical Report

The applicant submitted numerous geotechnical studies from 2008 conducted by Geofirm. The geotechnical investigation consisted of the review of available geologic literature, maps, aerial photographs, geotechnical reports and other geotechnical data for the site and surrounding area; geotechnical analysis of subsurface conditions as related to slope stability, foundation design, and construction recommendations.

Based on the results of stability analyses provided by Geofirm in the October 9, 2008 geologic report, the site is considered to be grossly stable, with a 1.5 factor of safety. Wave erosion along the base of the slope and lateral retreat of the bedrock seacliff was considered unlikely over the next 75 years and no faults were located on the property. The report states that due to the hard and cemented character of the bedrock materials of the bluff face, the rate of surface erosion is very slow and it appears that little or no retreat or reduction in the promontory has occurred since 1947. No measureable retreat could be observed from the photographs reviewed and an estimation of the long term bluff retreat could not be established with meaningful accuracy. Geofirm suggests it is conservative to assume the development is adequately setback for the 75 year anticipated life span of the proposed development and that shoreline protection of the sea cliff is not anticipated during the life span of the residence.

#### Foundation Repair/Caisson Installation

The applicant is requesting after-the-fact approval for foundation "repair" comprising of the installation of 13 caissons and approximately 77 linear feet of grade beams. Regardless of the applicant's characterization, this is new development and a new foundation requiring a coastal development permit and is not considered repair and maintenance. The October 9, 2008, Geofirm report states, "The bottom of all footings should be set back a minimum of H/3 from the

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<sup>1</sup> Quotation from letter by GeoFirm dated April 28, 2010, regarding bluff top and setback delineation, 111 South La Senda.

slope face, where H is the slope height, with a minimum setback of 10 feet. Underpinning of existing footings along the bluff edge is anticipated.” An October 21, 2008 letter report from Geofirm confirms their review of foundation plans and that they are considered geotechnically acceptable for the proposed construction. The caissons were not recommended for stability considerations, but rather to satisfy the 2007 California Building Code required footing setbacks which requires that footings adjacent to descending slopes be set back a distance of H/3. As the existing footings were inadequate to meet current Code requirements, caisson underpinning with new grade beams was recommended as part of the overall residence reconstruction. A second letter from Geofirm dated March 25, 2009 recommended additional underpinning caissons at the bluff-facing side of the residence in the area of the proposed semi-subterranean addition. The submitted site plan (Exhibit 4, page 4) depicts the location of the 13 caissons along bluff-facing portion of the residence. **Special Condition 6** requires submittal of final as-built caisson foundation plans along with evidence that an appropriate certified engineering geologist has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the geologic evaluation approved by the City of Laguna Beach and the California Coastal Commission for the project site.

#### Site Drainage

Regarding drainage on the site, the geotechnical report states, “Natural sheet flow runoff occurs throughout the erosional surface on the promontory. No evidence of significant uncontrolled, concentrated, erosive runoff onto or from the pad area of the property has been observed. Surface drainage from the site is generally directed toward the bluff top. Proposed development may modify future discharge which must be controlled and conducted offsite by appropriate engineering design to preclude bluff erosion or soil saturation.”

The applicant is proposing engineered drainage improvements consisting of a new trench drain at the garage driveway, new deck drains within the interior courtyard, new pipe drain system around the bluff perimeter of the single-family residence, all of which connects to a storm water lift station and force main designed to pump drain water to the street where it will discharge at the curb and be collected by a nearby existing community storm drain inlet (that ultimately discharges to the ocean). There is also an overflow pipe extending from the lift station that connects to an existing 4” pipe that discharges at a rocky area on the bluff face where water will be discharged in the event that flows overwhelm the lift station, or in the event of a pump failure. The drainage plan was reviewed the Commission’s staff geologist and deemed to be adequate. **Special Condition 5** requires the applicant to conform with the plan submitted.

#### Bluff Setbacks

In the project vicinity, the Commission typically imposes either a minimum bluff edge setback of 25 feet for primary structures (e.g. the enclosed living area of residential structures) and minimum 5 to 10 foot setback for secondary structures (e.g., patios, decks, garden walls) or requires conformance with the stringline setbacks. Consistently applying an appropriate bluff edge setback provides equitability for developments within the same general area. A stringline is the line formed by connecting the nearest adjacent corners of the adjacent residences. A stringline setback allows an applicant to have a setback that averages the setback of the adjacent neighbors provided it is otherwise consistent with Coastal Act policies. This allows equity among neighbors and recognizes existing patterns of development. The structural stringline setback applies to enclosed structural area and the deck stringline applies to minor development such as patios and decks. These setbacks are typically found acceptable within the Three Arch Bay community based on the relatively stable, underlying bedrock. The intent of the setback is to substantially reduce the likelihood of proposed development becoming threatened given the inherent uncertainty in predicting geologic processes in the future, and to allow for potential

changes in bluff erosion rates as a result of rising sea level.

The applicant initially identified a bluff edge generally located along the 75-78 foot elevation contour line (see Exhibit 5) providing the existing residence with as little as a 4-foot setback from the bluff edge at the closest point and as much as a 12-foot setback at the farthest point (also see Exhibit 6). The existing residential structure at the location of the proposed subterranean addition has approximately a 9-foot setback from the bluff edge. The bluff edge drawn was based on the bluff edge definition contained in Section 13577 of the California Code of Regulations which states, in part, *"The edge shall be defined as that point nearest the cliff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the cliff"*; the Commission's geologist visited the subject site and agreed that the applicant's bluff edge determination was consistent with the definition contained in Section 13577 of the regulations (see Exhibit 5, "Section 13577" bluff edge). The Commission also finds that bluff edge to be consistent with the regulations. Some drawings provided by the applicant also depict a more seaward 'bluff edge' that is based on the City's definition of bluff edge; the Commission does not concur with that bluff edge characterization.

Subsequent to the bluff edge determination noted above, the applicant's current geologist, GeoFirm, submitted a new bluff edge determination. This is contained in letters by GeoFirm dated April 14, 2010, and April 28, 2010. GeoFirm places the bluff edge more seaward of the line previously drawn, generally following the edge of the elongated steplike feature that is located seaward of the house pad. GeoFirm suggests that this bluff edge is consistent with Section 13577 of the regulations in that it represents the "...point nearest the cliff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the cliff." However, using this line as the bluff edge would also ignore the next requirement in the definition that states "...In a case where there is a steplike feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge..." Since there is such a steplike feature, the Commission's geologist rejected this line by GeoFirm as being the bluff edge, as does the Commission. The bluff edge initially submitted to the Commission and depicted on Exhibit 5 as the "Section 13577" bluff edge is the bluff edge accepted by the Commission for this site.

The existing residence was built in the 1950's and does not meet the structural stringline setback, nor is it setback 25 feet from the bluff edge. The proposed subterranean room additions (entirely within the footprint of the existing residence) also would not comply with the minimum 25 foot bluff edge setback for structures, but would remain at least 9 feet landward of the bluff edge as does the existing residence in this area. The subject site is stable and the proposed development is located in an area that is proven to be resistant to erosion. Furthermore, the development would be separated from the shoreline by hundreds of feet of hard rock. These characteristics set this site apart from all others in Three Arch Bay and bluff top development to the south. The proposed development will not be located any further seaward than existing development on the site, and the Commission's geologist agrees with the applicant's geologist's conclusion that the proposed location will be safe over the 75-year anticipated life of the development.

Due to the geologic stability present on-site, the geotechnical report indicates the existing residence will be safe and not require shoreline protection in a projected 75 year lifespan. The proposed development is essentially a new home no further seaward than the existing structure; therefore, the Commission finds that a minimal geologic setback for the new development is acceptable in this particular case. Application of the usual 25-foot bluff edge setback or stringline setback (Exhibit #4) would substantially reduce the developable area of a site already constrained by the location of the bluff edge; and, in this case, there would be no demonstrable gain in stability or safety from erosion by requiring adherence to these stricter setbacks. In this particular case, perpetuation of the development in the non-conforming location, as conditioned,

will not result in the need for future shoreline protective devices and is consistent with Section 30253 of the Coastal Act.

Additionally, the Commission typically imposes a setback for hardscape/patio type development. Hardscape/patio type improvements can be moved away from hazards more readily than primary structures, therefore, required setbacks for that kind of development is usually less than for the primary structure (usually a 5 to 10 foot setback in Three Arch Bay). The applicant is requesting after-the-fact approval for demolition and reconstruction of an existing wood balcony deck that partly overhangs the bluff edge at the 75-foot contour line. Given the minimal rate of erosion, the overall site stability, and the unusually large distance between the bluff edge and the water at this site, the Commission finds the proposed location of the deck, which remains within the existing footprint and results in no seaward encroachment of development, to be safe.

Finally, the proposed new semi-subterranean living space will daylight on the seaward side of the residence, just below the existing balcony (but no further seaward than the seaward face of the existing residence). Prior to the applicant's commencement of reconstruction of the residence, there was some vacant area below the deck (i.e. the deck was cantilevered) and the bluff face was graded several feet beneath the deck (see Exhibit 3). During installation of the foundation reinforcements (for which the applicant is now requesting after-the-fact approval), there was some additional grading below the deck to expose the foundation under the house and to provide construction access. That work resulted in some additional grading of the bluff edge and seaward of the bluff edge. The applicant was originally requesting after-the-fact approval of that grading, plus some additional grading to allow for the construction of a new concrete slab patio below the existing 218 sq. ft. wood balcony deck for the new semi-subterranean living space. Commission staff opposed that plan because of the bluff edge and bluff face grading. Now, in lieu of that plan, the applicant is proposing to restore the pre-existing grades, and to scale down the patio area to be just a landing with rock pavers for a doorway for the lower level (see Exhibit 8 & 9). The proposed landing is located at least five feet inland of the re-constructed bluff edge. The proposed grading will restore pre-existing grades between the landing and the bluff edge and the area seaward of the bluff edge. A small retaining wall will be located between the landing and the restored grades seaward of the landing to support the restored grades. That retaining wall will be located at least 5 feet from the bluff edge. The applicant is also proposing to revegetate the areas disturbed by construction with native plants. The applicant has provided preliminary plans for these revisions, however, they will need to be incorporated into the final plans. Therefore, the Commission imposes **Special Condition 4** requiring revised final plans.

#### Future Bluff and Shoreline Protection

The subject site is a bluff top oceanfront lot. In general, bluff top lots are inherently hazardous. It is the nature of bluffs to erode. Bluff failure can be episodic, and bluffs that seem stable now may not be so in the future. Even when a thorough professional geotechnical analysis of a site concludes that a proposed development is expected to be safe from bluff retreat hazards for the life of the project, it has been the experience of the Commission that in some instances, unexpected bluff retreat episodes that threaten development during the life of a structure sometimes do occur (e.g. coastal development permits 5-99-332 A1(Frahm); P-80-7431(Kinard); 5-93-254-G(Arnold); 5-88-177(Arnold)) (all of which are examples in Three Arch Bay). In the Commission's experience, geologists cannot predict with absolute certainty if or when bluff failure on a particular site may take place, and cannot predict if or when a residence or property may become threatened by natural coastal processes.

Section 30253 of the Coastal Act requires that new permitted development shall not require construction of protective devices that would substantially alter natural landforms along bluffs and

cliffs. The proposed development could not be recommended for approval and deemed consistent with Section 30253 of the Coastal Act *if* projected bluff retreat would affect the proposed development and necessitate construction of a protection device. A protective device may be a seawall at the base of the bluff, or a rock anchor system, or shotcrete wall on the bluff face. If new development necessitates future protection, the landform and shoreline processes could be dramatically altered by the presence of the protective system.

The Coastal Act limits construction of these protective devices because they have a variety of negative impacts on coastal resources including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach. Under Coastal Act Section 30235, a shoreline protective structure must be approved if: (1) there is an existing principal structure in imminent danger from erosion; (2) shoreline altering construction is required to protect the existing threatened structure; and (3) the required protection is designed to eliminate or mitigate the adverse impacts on shoreline sand supply.

The Commission has generally interpreted Section 30235 to require the Commission to approve shoreline protection for residential development only for existing principal structures. The construction of a shoreline protective device to protect a new residential development would not be required by Section 30235 of the Coastal Act. In addition, the construction of a shoreline protective device to protect new residential development would conflict with Section 30251 of the Coastal Act which states that permitted development shall minimize the alteration of natural land forms, including coastal bluffs which would be subject to increased erosion from such a device.

The proposed development includes substantial demolition and replacement of exterior walls/windows/doors, complete first level interior remodel, new caisson and grade beam foundation, new roof, new electrical, new front courtyard hardscape and landscape, and new 813 sq. ft. lower level/semi-subterranean addition within the footprint of the existing structure. In effect, the project results in a new single-family residence within the footprint of the previously pre-Coastal Act structure. The proposed new expansion area and substantial reconstruction constitute new development for the purposes of Sections 30235 and 30253. Because the proposed project includes new development, it can only be found consistent with Section 30253 of the Coastal Act if a shoreline/bluff protective device is not expected to be needed in the future.

The applicant's geotechnical consultant has indicated that the site is grossly stable, that the project should be safe for the life of the project (75 years), and that no shoreline protection devices will be needed. If not for the information provided by the applicant that the site is safe for development, the Commission could not conclude that the proposed development will not in any way "require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs." The proposed development appears to be safe from erosion on the basis of available information and is therefore consistent with Coastal Act section 30253(a). Nonetheless, the proposed reconstruction and addition would increase the amount of development close to the bluff edge (i.e., lower level addition) and prolong the life of a structure in this location. As stated above, the record of coastal development permit applications and Commission actions has also shown that geologic conditions change over time and that predictions based upon the geologic sciences are inexact. Even though there is evidence that geologic conditions change, the Commission must rely upon, and hold the applicant to their information which states that the site is safe for development without the need for protective devices. To minimize the project's potential future impact on shoreline processes, **Special Condition 2** prohibits construction of any future bluff or shoreline protective device(s) to protect the development approved pursuant to Coastal Development Permit No. 5-09-208 including, but not limited to, the residence, foundations, patios, balconies and any other future improvements in

the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, sea level rise or other natural coastal hazards in the future. Special Condition 2 prevents the construction of future blufftop or shoreline protective devices such as revetments, seawalls, caissons, cliff retaining walls, shotcrete walls, and other such construction that armors or otherwise substantially alters the bluff face. **Special Condition 2** does not preclude the applicant from applying for future coastal development permits for maintenance of existing development or future improvements to the site (other than blufftop or shoreline protective devices) including landscaping and drainage improvements aimed to prevent slope and bluff instability. The Commission or, after an LCP is approved for the Three Arch Bay community, the City of Laguna Beach would determine the consistency of such proposals with the Coastal Act in its review of such applications.

The imposition of a “no future shoreline protective device” condition on new residential construction projects and for projects consisting of additions to existing residences in Three Arch Bay is fairly typical. For example, in Three Arch Bay, the following actions in the last decade have included such conditions: CDP 5-02-345 at 88 N. La Senda, remodel and addition of 1,132 sq ft to an existing two-level (including basement) single family residence; CDP 5-04-414(Swartz) at 1 Barranca Way, substantial demolition and reconstruction resulting in a 2,925 sq ft, two-story, 22 ft high, single family residence; CDP 5-06-165(Hibbard) at 36 N. La Senda Dr, remodel and 586 sq ft addition to an existing 2,015 sq ft, single-family residence and ancillary improvements; CDP 5-06-258(Stranton) at 50 N. La Senda Dr., remodel and 1,021 sq ft addition to an existing two-story, 2,701 sq ft single-family residence, new pool, spa, hardscape improvements and landscaping; CDP 5-07-163(Hammond) at 58 N. La Senda Dr., remodel and addition to an existing single family residence resulting in a two level, 25 feet high, 6,135 sq ft residence with one attached 425 sq ft, 2-car garage and a second 400 sq ft 2-car garage; and CDP 5-09-105 (Norberg) at 86 S. La Senda, for substantial addition to an existing single-story single-family residence consisting of 307 cu. yds. cut/fill grading to construct a semi-subterranean, 860 sq. ft. new lower level within the footprint of the existing residence.

Section 30251 of the Coastal Act requires that permitted development be sited and designed to minimize the alteration of natural land forms. Development, which may require a protective device in the future cannot be allowed due to the adverse impacts such devices have upon, among other things, visual resources and shoreline processes. Therefore, only as conditioned does the project conform to Sections 30253 and 30251(2) of the Coastal Act.

#### Future Development

The proposed development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The proposed addition is entirely within the footprint of the existing residence. However, the proposed project raises concerns that future development at the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. In order to ensure that development on the site does not occur which could potentially adversely impact the geologic stability concerns expressed in this staff report, the Commission imposes **Special Condition 3**. This condition informs the applicant that future development at the site requires an amendment to this permit (5-09-208) or a new coastal development permit. Future development includes, but is not limited to, structural additions, landscaping, fencing and shoreline protective devices.

#### Pool Protection Plan

The proposed project includes a new pool. If water from the proposed pool is not properly controlled there is a potential for bluff failure due to the infiltration of water into the bluff. With



regard to pools, spas and other water features, this can be controlled by various methods, including having the pool double lined to prevent leakage, installing appropriate drainage under these various water bodies to capture any water that could leak despite preventative efforts, and installing a leak detection system so that leaks can be identified and addressed. Therefore, Special Condition 10 requires that prior to the issuance of this permit, the applicant must submit a pool protection plan for review and approval by the Executive Director. The plan must incorporate mitigation of the potential for geologic instability caused by leakage from the proposed pool.

### Deed Restriction

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes **Special Condition 12** requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development, including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

As conditioned, the project is required to prohibit construction of protective devices (such as blufftop or shoreline protective devices) in the future; and to require that the landowner and any successor-in-interest assume the risk of undertaking the development. Only as conditioned, does the Commission find that the development conforms to the requirements of Section 30253 of the Coastal Act regarding the siting of development in a hazardous location.

### **C. BIOLOGICAL RESOURCES**

Section 30230 of the Coastal Act states:

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states:

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges- and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Section 30240 of the Coastal Act states:

- (a) *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those*

*resources shall be allowed within those areas.*

- (b) *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

## 1. Landscaping

Native terrestrial habitat in the area is located along the bluff. A mixture of native and non-native plants are present in the yards of adjacent homes. The applicant is proposing to incorporate landscaping using a mix of native and non-native non-invasive plants and has designed the landscaping to minimize water use. To ensure that the project maintains drought tolerant non-invasive vegetation, Special Condition No. 8 is required by the Commission. Only native plants appropriate to the habitat type should be used on the bluff face in the area where the applicant is proposing revegetation.

## 2. Plexiglas or Glass Wind Screens

The proposed project includes a new railing around the reconstructed deck on the seaward side of the home. Glass railing systems, walls or wind screens are known to have adverse impacts upon a variety of bird species. Birds are known to strike these glass walls causing their death or stunning them which exposes them to predation. Some authors report that such bird strikes cause between 100 million to 1 billion bird deaths per year in North America alone. Birds strike the glass because they either don't see the glass, or there is some type of reflection in the glass which attracts them (such as the reflection of bushes or trees that the bird might use for habitat)<sup>2</sup> This is of particular concern at this location since the site is adjacent to a Marine Protected Area (just offshore of the site) and there is vegetation and other perching/landing areas at the site on the promontory that are attractive to birds.

There are a variety of methods available to address bird strikes against glass. For instance, glass can be frosted or etched in a manner that renders the glass more visible and less reflective. Where clear glass is used, appliqués (e.g.) stickers can be affixed to the glass that have a pattern that is visible to birds. Some appliqués incorporate features that allow humans to see through the glass, but which are visible to birds. Usually appliqués must be replaced with some frequency in order to retain their effectiveness. In the case of fences or walls, alternative materials can be used, such as wood, stone, or metal (although this approach isn't usually palatable when there is a desire to see through the wall). Use of frosted or etched glass, wood, stone or metal material is preferable to appliqués because of the lower maintenance and less frequent replacement that is required.

As a special condition of this permit (Special Condition No. 11) the applicant is required to use a material for the new railing that is designed to prevent creation of a bird strike hazard.

## Conclusion

The Commission, therefore, finds that, as conditioned to require non-invasive drought tolerant landscaping and native landscaping on the bluff face, and to incorporate glass walls or

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<sup>2</sup> Daniel Klem, Jr. (1989) Bird-Window Collisions. *Wilson Bulletin* 101: 606-620; Daniel Klem, Jr. (1990) Collisions Between Birds and Windows: Mortality and Prevention. *Journal of Field Ornithology*, 1990, 61:120-128; Fatal Light Awareness Program (FLAP), <http://www.flap.org/>

windscreens that will prevent bird strikes, the development will be consistent with Section 30230, 30231 and 30240 of the Coastal Act.

**D. PUBLIC ACCESS**

Section 30212(a)(2) of the Coastal Act states, in pertinent part:

- (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*  
*(2) adequate access exists nearby*

The proposed project is located within an existing locked gate community located between the sea and the first public road paralleling the sea. Public access through this locked gate community does not currently exist in the immediate vicinity of the project site. The nearest public access exists at 1000 Steps County Beach. The proposed development, basement level addition and remodel to a single-family residence on an existing residential lot, will not affect the existing public access conditions. It is the locked gate community, not this home that impedes public access. As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

**E. VISUAL RESOURCES**

Section 30251 of the Coastal Act states that:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation.*

Section 30251 of the Coastal Act requires that scenic and visual qualities of coastal areas be protected and that development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of surrounding areas. Setting development further back from the edge of a coastal bluff decreases the project's visibility from beaches below and from other more distant vantages. As noted above, there can also be geologic reasons for setting development back from the bluff edge. For these reasons, the Commission typically requires that development be setback from bluff edges and in alignment with adjacent development.

The proposed development will be located within the footprint of the pre-existing structure and will not result in any change to visual conditions in the area. The development is located on the landwardmost portion of the site and is substantially in alignment with the adjacent homes. Furthermore, as described in the geologic hazards section more fully, the applicant is proposing to restore the bluff landform to pre-existing conditions. Therefore, the Commission finds the proposed development to be consistent with Section 30251 of the Coastal Act.

**F. UNPERMITTED DEVELOPMENT**

Development has occurred on the subject site without benefit of the required coastal development permit, including installation of a caisson and grade beam foundation system beneath the residence, demolition of approximately 48% of exterior walls, grading for foundation work including additional grading below the cantilevered deck to expose the foundation under the house and to provide construction access, grading for the proposed courtyard pool, demolition and partial re-construction of a 218 sq. ft. balcony deck, and structural wood re-framing. All work occurred on the bluff face or within 50 feet of the edge of a coastal bluff. Consequently, even though some of the work may have been considered improvements normally associated with a single-family residence, due to the proximity to the coastal bluff, the work that was undertaken constitutes development that requires a coastal development permit.

Additionally, **Special Condition 4** addresses a chain link fence around the rock promontory depicted on the topographic survey but not on the applicant's partial site plans which haven't received Commission approval by requiring the fence be shaded and clearly marked "this element not permitted by any coastal development permit." **Special Condition 6** requires submittal of final as-built caisson foundation plans per geotechnical report requirements. **Special Condition 12** is imposed to require the applicant to record a deed restriction against the property so as to notify all prospective future property owners of the terms and conditions of approval to which they will also be required to adhere. It thus ensures that future owners of the property will be informed of the conditions as well as of the risks and the Commission's immunity for liability.

Additionally, to ensure that the unpermitted development components of this application are resolved in a timely manner, **Special Condition 9** requires that the applicant satisfy all conditions of this permit which are prerequisite to the issuance of this permit within 90 days of Commission action. The Executive Director may grant additional time for good cause.

Consideration of the permit application by the Commission has been based solely on the consistency of the proposed development with the policies of Chapter 3 of the Coastal Act. The certified Laguna Beach LCP was used as guidance by the Commission in reaching its decision. Approval of this permit does not constitute a waiver of any legal action with regard to the alleged unpermitted development, nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit. The Commission's enforcement division will evaluate further actions to address unpermitted development not resolved under this permit.

**G. LOCAL COASTAL PROGRAM**

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3.

The City of Laguna Beach Local Coastal Program was certified with suggested modifications, except for the areas of deferred certification, in July 1992. In February 1993 the Commission concurred with the Executive Director's determination that the suggested modification had been properly accepted and the City assumed permit issuing authority at that time.

The subject site is located within the Three Arch Bay area of deferred certification. Certification in this area was deferred due to issues of public access arising from the locked gate nature of the community. However, as discussed above, the proposed development will not further decrease

or impact public access within the existing locked gate community. Therefore the Commission finds that approval of this project, as conditioned, will not prevent the City of Laguna Beach from preparing a total Local Coastal Program for the areas of deferred certification that conforms with and is adequate to carry out the Chapter 3 policies of the Coastal Act.

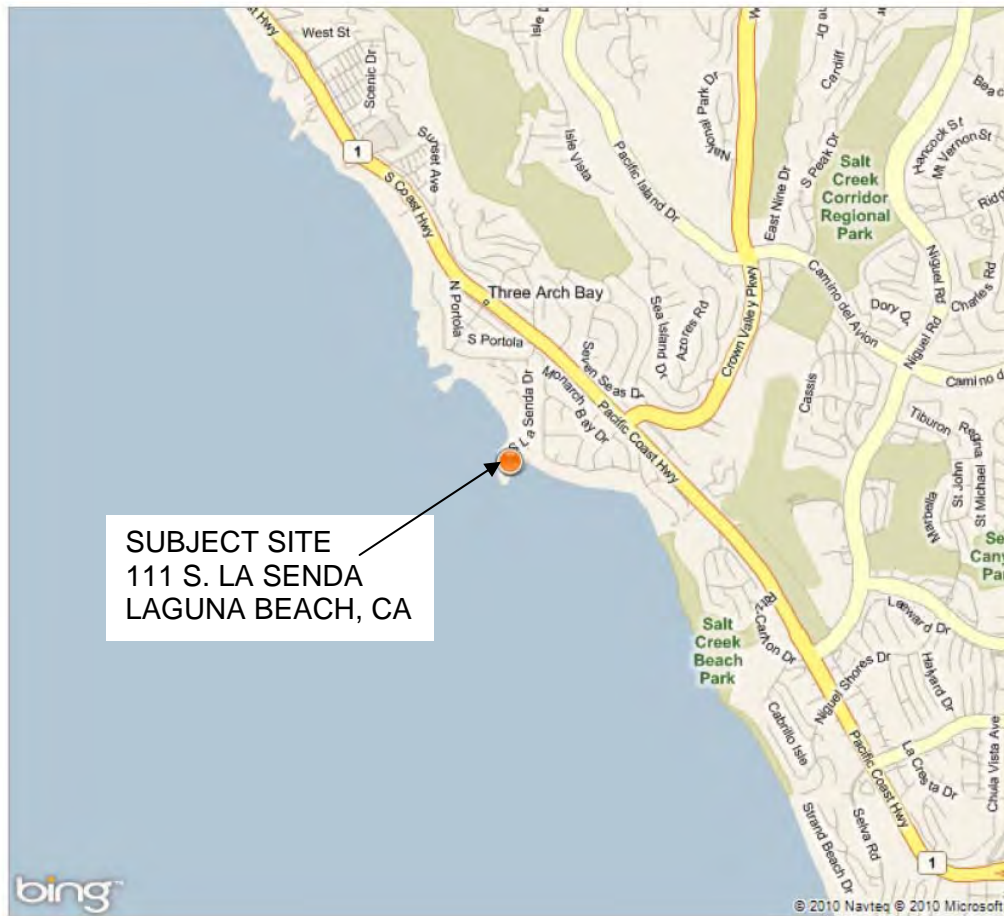
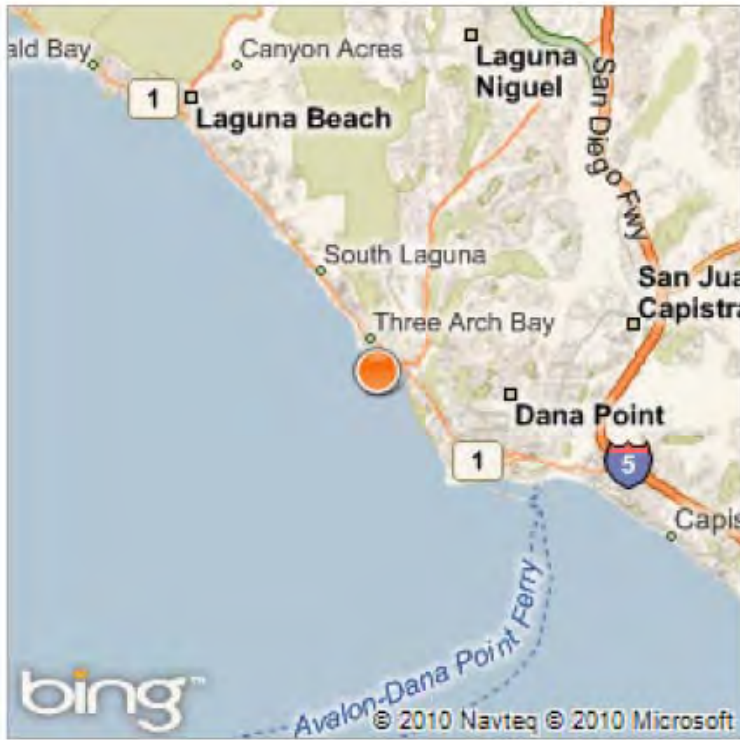
#### **H. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA).

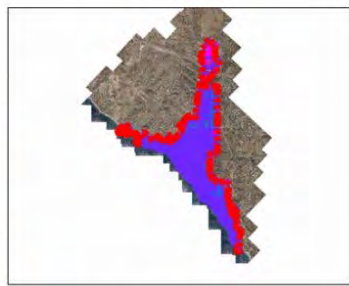
The City of Laguna Beach is the lead agency for purposes of CEQA compliance. As determined by the City, this project is categorically exempt from CEQA as a Class 3-A (construction of single-family residence) and Class 5-A (minor alteration of land-use limitations) exemption. As such, the project is exempt for CEQA's requirements regarding consideration of mitigation measures and alternatives. The Commission, however, has conditioned the proposed project in order to ensure its consistency with Coastal Act requirements regarding geologic hazards. These special conditions require: 1) assumption of risk; 2) no future blufftop or shoreline protective devices; 3) future development; 4) submittal of revised final plans; 5) conformance with proposed drainage plan; 6) submittal of final as-built caisson foundation plans; 7) construction best management practices; 8) landscaping; 9) condition compliance, 10) pool protection plan; 11) bird strike prevention, and 12) a deed restriction against the property; referencing all of the Special Conditions contained in this staff report.

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project is consistent with the requirements of the Coastal Act and CEQA.





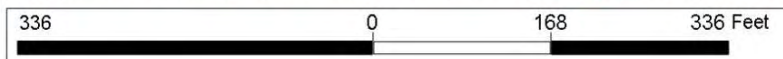
# De La Pena Property - 111 S. La Senda, Laguna Beach, CA



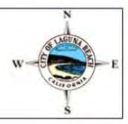
- Legend**
- City Limits
  - ▭ Parcels
  - 2008 Color Aerial Orthophotos
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3
  - ▭ 2008 Building Footprints

**EXHIBIT# 2**  
 Page 1 of 1  
 Application Number:  
**5 - 0 9 - 2 0 8**  
 California Coastal Commission

1:2,016

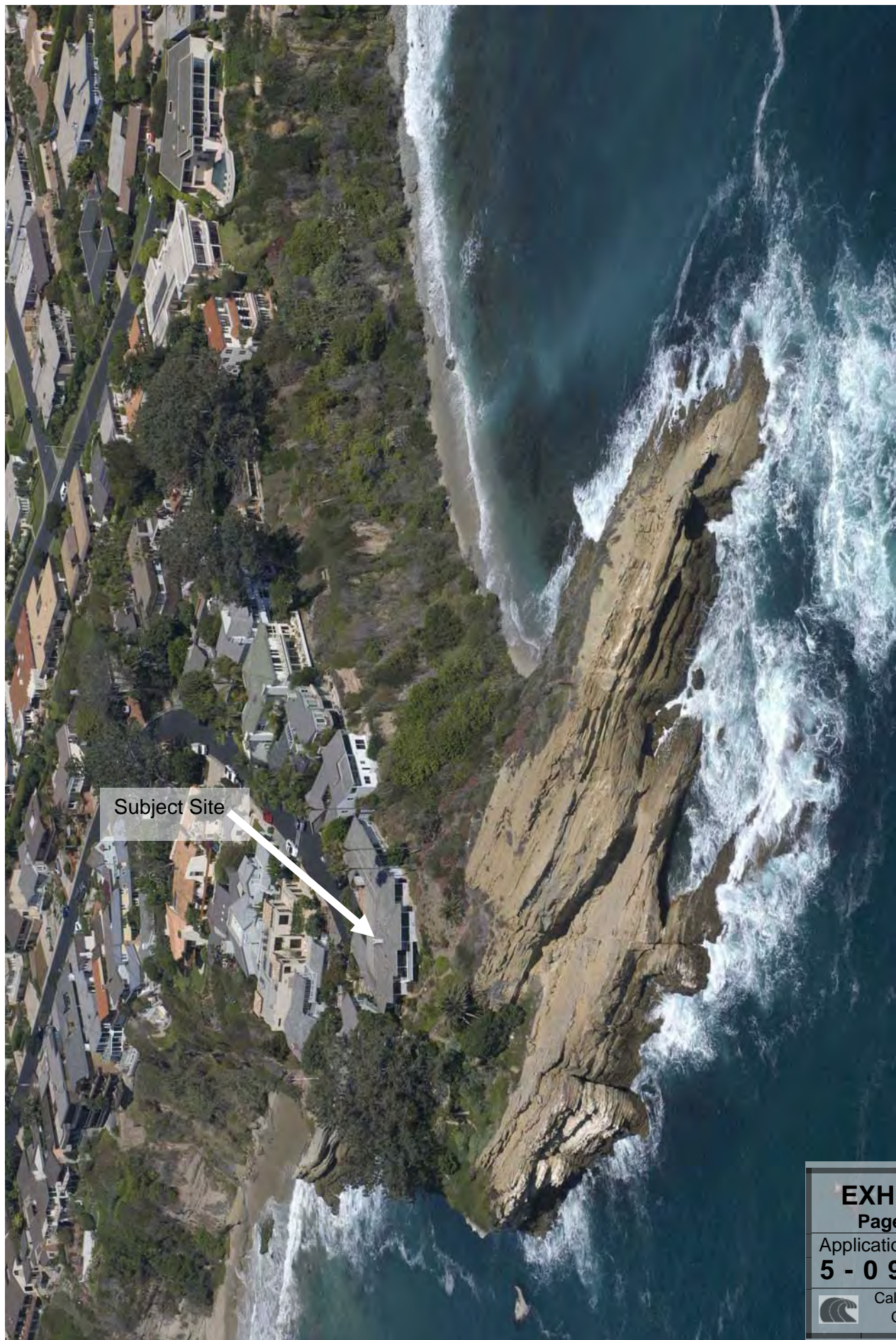


Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



**Notes**  
 Enter Map Description





Subject Site

**EXHIBIT#3**

Page 1 of 2

Application Number:

**5 - 0 9 - 2 0 8**



California Coastal  
Commission

CALIFORNIA COASTAL RECORDS PROJECT PHOTO,  
Image 200803545 taken Fri Sep 19 13:33:27 2008  
Photograph courtesy of californiacoastline.org



**EXHIBIT#3**

Page 2 of 2

Application Number:

**5 - 0 9 - 2 0 8**



California Coastal  
Commission

CALIFORNIA COASTAL RECORDS PROJECT PHOTO,  
Image 200803545 taken Fri Sep 19 13:33:27 2008  
Photograph courtesy of californiacoastline.org

A REMODEL FOR  
**WILLIAM AND ROBIN DE LA PEÑA**  
 111 S. LA SENDA, LAGUNA BEACH, CA

CCC CLARIFICATION NEW UPPER LEVEL FLOOR PLAN

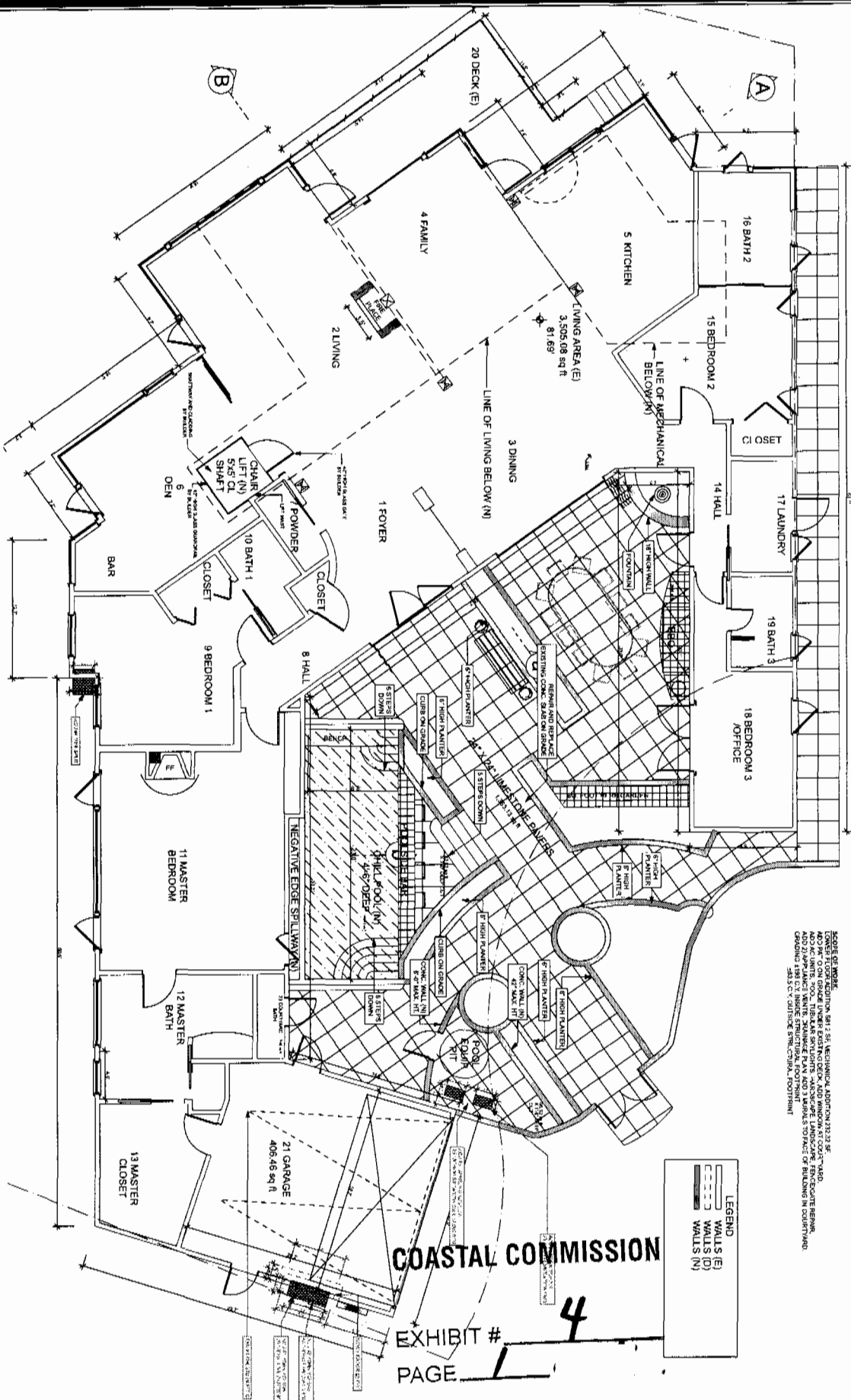
3/15/10

Sheet:  
**1**

NEW UPPER LEVEL FLOOR PLAN

**GREGORY CHRISTIAN ABEL**  
 designer  
 1100 South Coast Hwy. Ste. 206, Laguna Beach, CA 92651 (404) 497-3442

1/4" = 1'-0"



COASTAL COMMISSION

EXHIBIT # **4**  
 PAGE **1**

WILLIAM AND ROBIN DE LA PEÑA, 111 S. LA SENDA, LAGUNA BEACH, CA

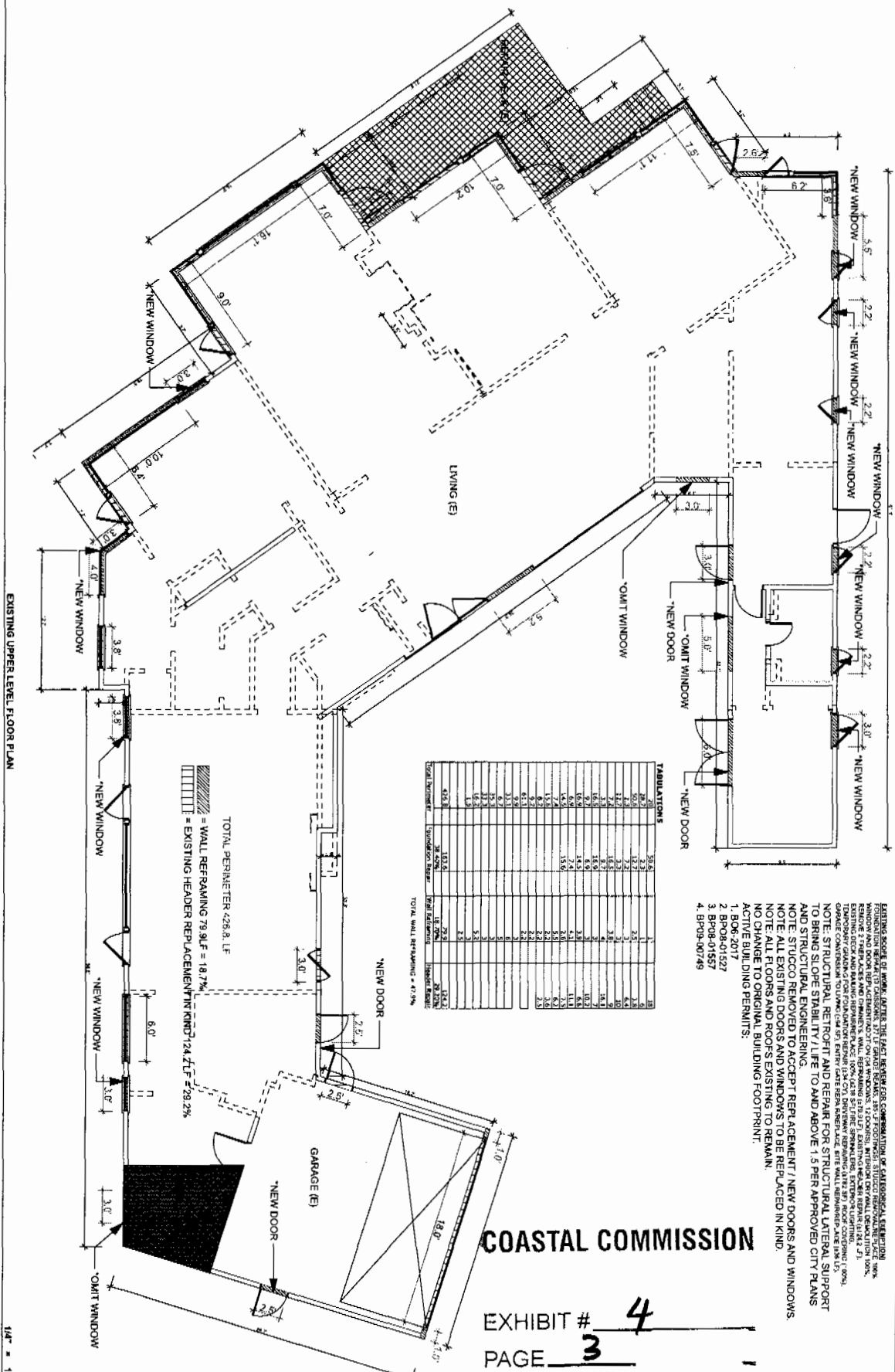


A REMODEL FOR  
**WILLIAM AND ROBIN DE LA PEÑA**  
 111 S. LA SENDA, LAGUNA BEACH, CA

CCC CLARIFICATION EXISTING UPPER LEVEL FLOOR PLAN

3/16/70

Sheet: **3**



**TABLATIONS**

NO.	DESCRIPTION	AMOUNT	UNIT	TOTAL
1	WALL REFRAMING	79.91	LF	79.91
2	EXISTING HEADER REPLACEMENT	24.17	LF	24.17
3	NEW DOOR	1	EA	1
4	NEW WINDOW	12	EA	12
5	OMIT WINDOW	1	EA	1
6	OMIT DOOR	1	EA	1
7	NEW DOOR	1	EA	1
8	NEW WINDOW	1	EA	1
9	NEW WINDOW	1	EA	1
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99	NEW WINDOW	1	EA	1
100	NEW WINDOW	1	EA	1

**COASTAL COMMISSION**

EXHIBIT # 4  
 PAGE 3

WILLIAM AND ROBIN DE LA PEÑA, 111 S. LA SENDA, LAGUNA BEACH, CA

**GREGORY CHRISTIAN ABEL**  
 designer

1100 South Coast Hwy, Ste. 206, Laguna Beach, CA 92651 (949) 497-1442



EXISTING UPPER LEVEL FLOOR PLAN

1/4" = 1'-0"

**A REMODEL FOR  
WILLIAM AND ROBIN DE LA PEÑA** SITE PLAN  
111 S. LA SENDA, LAGUNA BEACH, CA

sheet:  
**A1**

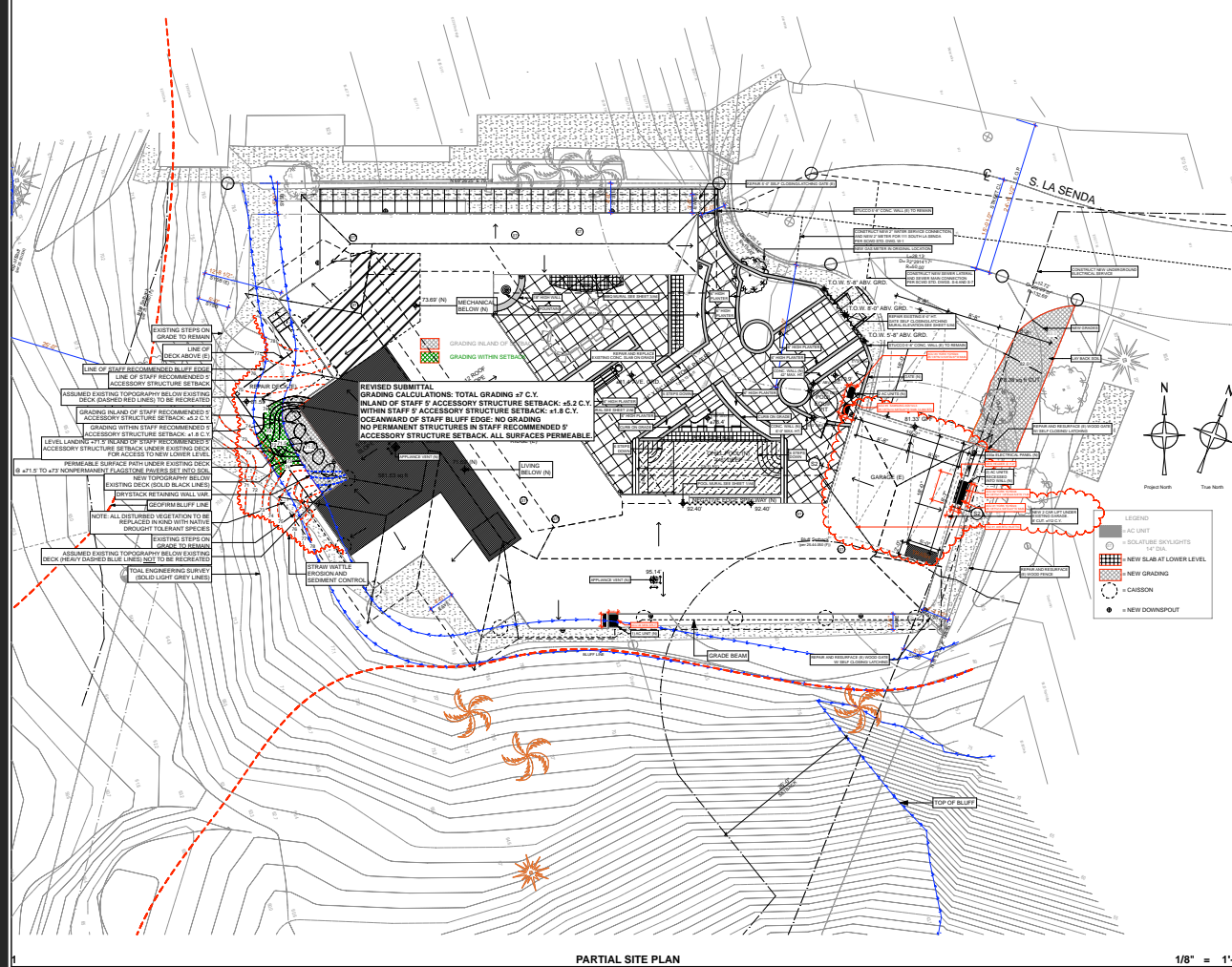
6/17/10



**REVISED SCOPE OF WORK:**  
INTERIOR AND EXTERIOR REMODEL/REPAIR.  
FOUNDATION REPAIR. REPLACE DOORS AND WINDOWS. ADD WINDOWS AND DOORS.  
DECK REPAIR. ADD MURALS AT COURTYARD. ADD 2 CAR LIFTS UNDER EXISTING GARAGE.  
LOWER FLOOR ADDITION 681.2 SF. MECHANICAL ADDITION 232.32 SF.  
RESTORE GRADE UNDER EXISTING DECK. ADD AC UNITS, POOL, TUBULAR SKYLIGHTS.  
HARDSCAPE, LANDSCAPE, FENCE/CLIMATE REPAIR. ADD 2 APPLIANCE VENTS.  
GRADING ±116 C.Y. INSIDE STRUCTURAL FOOTPRINT  
±55 C.Y. OUTSIDE STRUCTURAL FOOTPRINT

**GRADING CALCULATIONS:**  
±355 C.Y. LOWER ROOM/MECHANICAL CLOSET  
±111 C.Y. CAR LIFTS  
±6.5 C.Y. DRIVEWAY  
± 23.3 C.Y. POOL  
±6.8 C.Y. POOL BAR  
±7 C.Y. UNDER DECK

**NOTE:** ALL ROOFS EXISTING TO BE RE-ROOFED WITH DIAMOND SHAPED METAL SHINGLES.  
**NOTE:** ALL EXISTING DOORS AND WINDOWS REPLACED IN KIND.



**PROJECT SUMMARY TABLES**

Address: 111 SOUTH LA SENDA APMN 056-193-34

DESCRIPTION	ZONING STANDARDS			CONFORMS (Y/N)
	REQUIRED	EXISTING	PROPOSED	
USE	RES	RES	RES	YES
ZONE	R108	R108	R108	YES
LOT AREA (SQ. FT.)	6000	6000	6000	YES
LOT WIDTH (FT.)	25	152.0'	NC	YES
LOT DEPTH (FT.)	82	483.0'	NC	YES
LOT SLOPE (%)	12.0	12.2%	NC	YES
MAX. BUILDING HEIGHT (FT.)	12.0	14.0'	14.0'	YES
MAX. SETBACK FROM GRADE (LOWEST FIN. FLOOR)	21.0'	14.0'	24.7'	NO
SETBACKS:				
Front Yard	22'	3.88'	NC	NO
Side Yard	22'	12.0'	NC	NO
Back Yard	22'	4.0'	NC	NO
LOT COVERAGE	25%	40.1%	41.3%	NO
FAR	4497.2	3807.8	4657.0	YES

DESCRIPTION	PROJECT DATA			TOTAL
	EXISTING	PROPOSED	NET	
Living Area	3597.75	127.25	3725.00	
Upper Floor	0	681.2	681.2	
Lower Floor	3597.75	0	3597.75	
Total	3597.75	681.2	4279.0	
Garage	406.48	NC	406.48	
Mechanical	0	232.32	232.32	
Deck Area	218.16	NC	218.16	

SITE WORK			
GRADING	OUTSIDE STRUCTURAL FOOTPRINT	INSIDE STRUCTURAL FOOTPRINT	TOTAL
EXIST	0	0	0
NEW	±355 C.Y.	±116 C.Y.	±471 C.Y.

IMPERVIOUS SURFACES	SQUARE FOOTAGE	% OF LOT (3000 AREA)
STRUCTURES	3907	65.1%
HARDSCAPE (including driveway)	2168	36.3%
TOTAL	6075	101.4%

**NOTE:** TITLE 24 REQUIREMENTS HAVE BEEN TAKEN INTO CONSIDERATION.  
**NOTE:** RESIDENTIAL FIRE SPRINKLERS ARE REQUIRED.  
**NOTE:** WALKING FLAGMAN ESCORT FOR ALL EXPORT/IMPORT ACTIVITY.

*GREGORY CHRISTIAN ABEL*  
designer

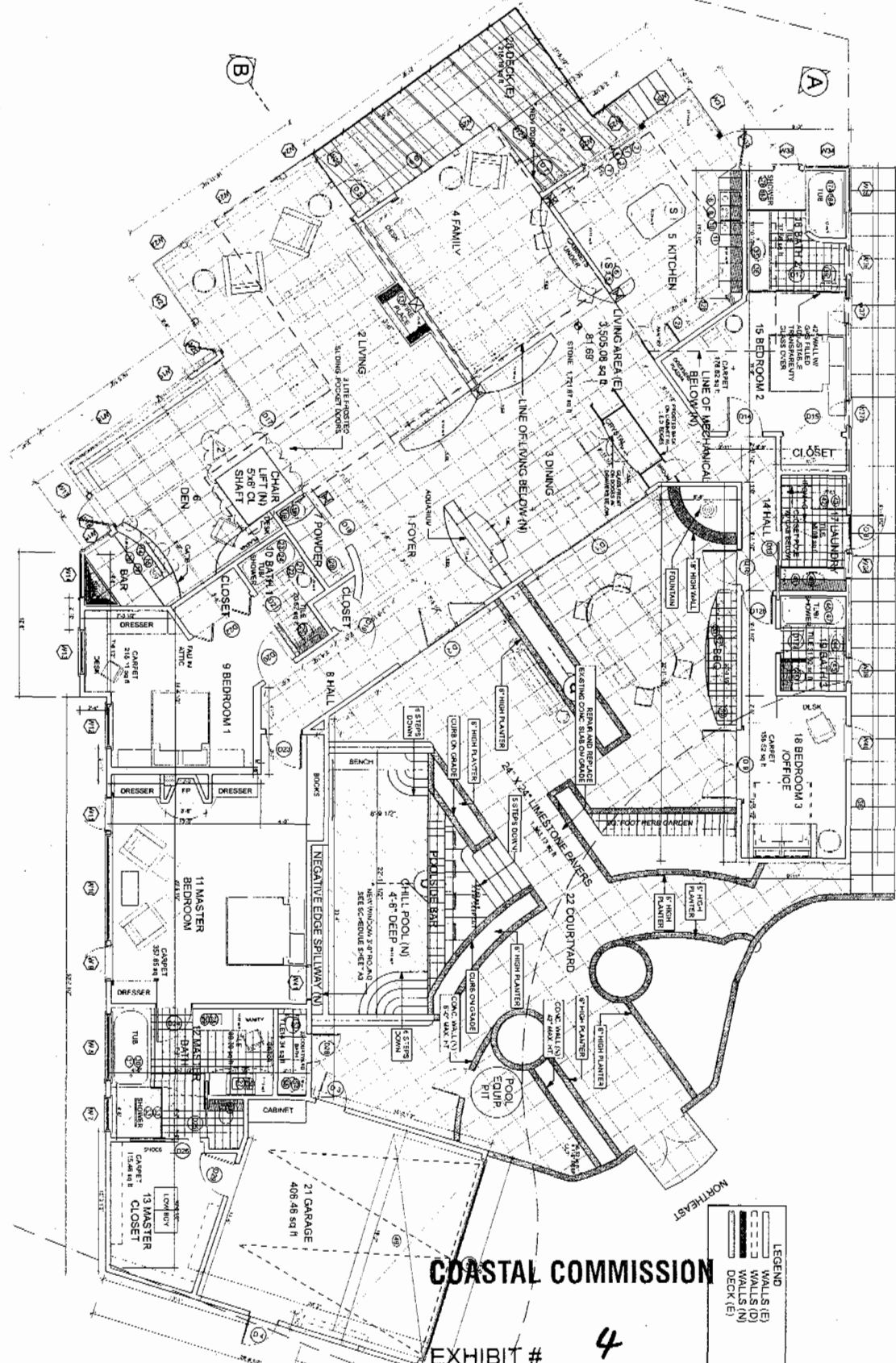
1100 South Coast Hwy, Ste. 206, Laguna Beach, CA 92651 (949) 497-3443

WILLIAM AND ROBIN DE LA PEÑA, 111 S. LA SENDA, LAGUNA BEACH, CA  
ISSUE DATE 6/17/10

A REMODEL FOR  
 WILLIAM AND ROBIN DE LA PEÑA  
 111 S. LA SENDA, LAGUNA BEACH, CA

UPPER FLOOR PLAN

UPPER FLOOR PLAN



LEGEND

(Symbol: Dashed line)	WALLS (E)
(Symbol: Solid line)	WALLS (D)
(Symbol: Dotted line)	WALLS (N)
(Symbol: Solid line with dots)	DECK (E)

COASTAL COMMISSION

EXHIBIT # 4  
 PAGE 5

ISSUE DATE 6/30/09

WILLIAM AND ROBIN DE LA PEÑA, 111 S. LA SENDA, LAGUNA BEACH, CA

10/26/09

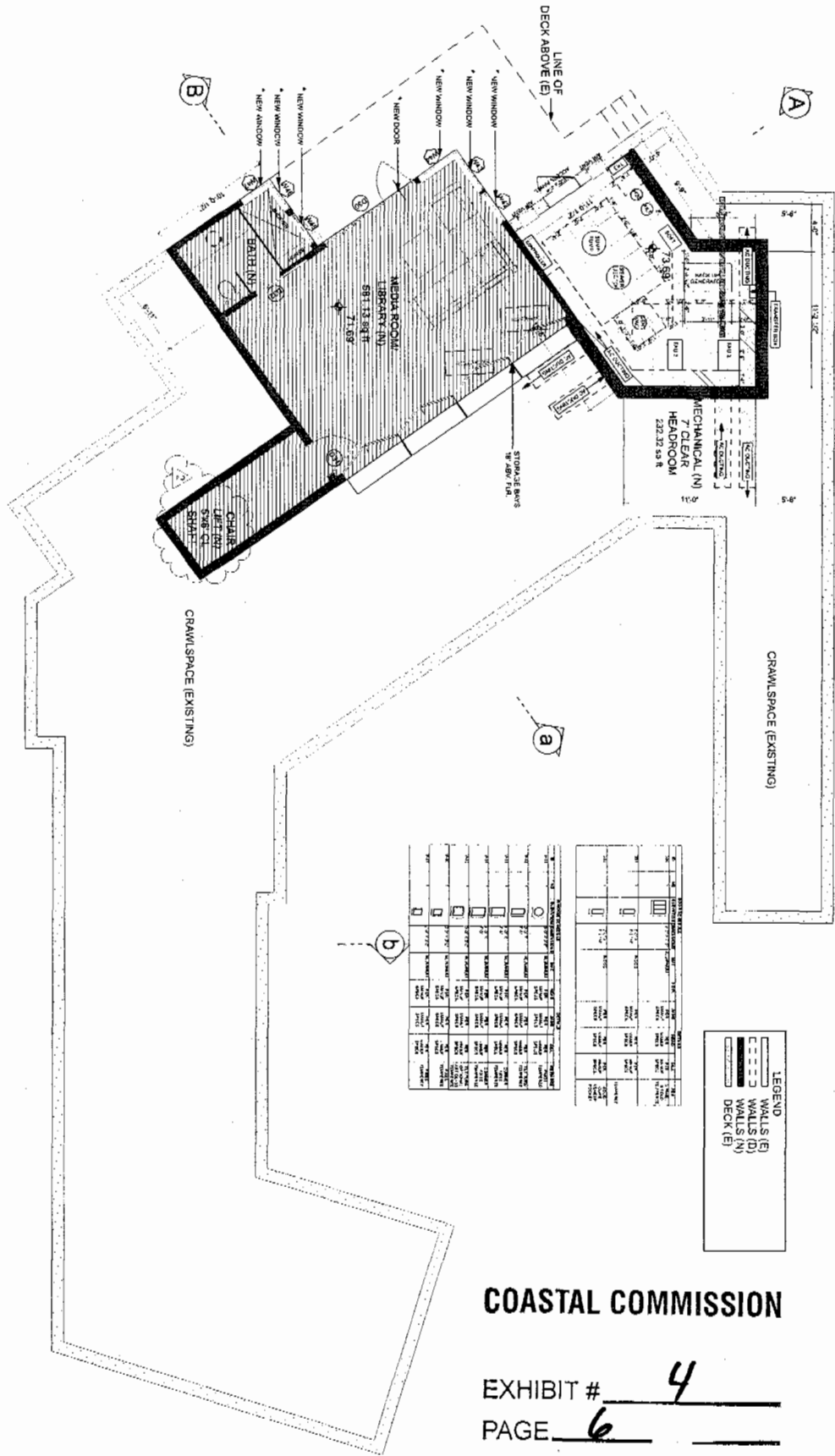
Sheet: A2

GREGORY CHRISTIAN ABEL  
 designer  
 1100 South Coast Hwy, Ste. 200, Laguna Beach, CA 92651 (949) 497-3443

A REMODEL FOR  
 WILLIAM AND ROBIN DE LA PEÑA  
 111 S. LA SENDA, LAGUNA BEACH, CA

LOWER FLOOR PLAN

LOWER FLOOR PLAN



NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CEILING	1	SQ. FT.	1.00	1.00
2	FLOOR	1	SQ. FT.	1.00	1.00
3	WALL	1	SQ. FT.	1.00	1.00
4	DOOR	1	EA.	1.00	1.00
5	WINDOW	1	EA.	1.00	1.00
6	MECHANICAL	1	EA.	1.00	1.00
7	BATH	1	EA.	1.00	1.00
8	CHAIR LIFT	1	EA.	1.00	1.00
9	STORAGE BINS	1	EA.	1.00	1.00
10	MECHANICAL	1	EA.	1.00	1.00
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49	MECHANICAL	1	EA.	1.00	1.00
50	MECHANICAL	1	EA.	1.00	1.00

LEGEND

---	WALLS (E)
---	WALLS (D)
---	WALLS (N)
---	DECK (E)

COASTAL COMMISSION

EXHIBIT # 4  
 PAGE 6

GREGORY CHRISTIAN ABEL  
 designer  
 1100 South Coast Hwy, Ste 206, Laguna Beach, CA 92653 (949) 497-2442

1/8" = 1'-0"  
 ISSUE DATE 6/30/09

WILLIAM AND ROBIN DE LA PEÑA, 111 S. LA SENDA, LAGUNA BEACH, CA

Sheet: A3  
 10/28/09

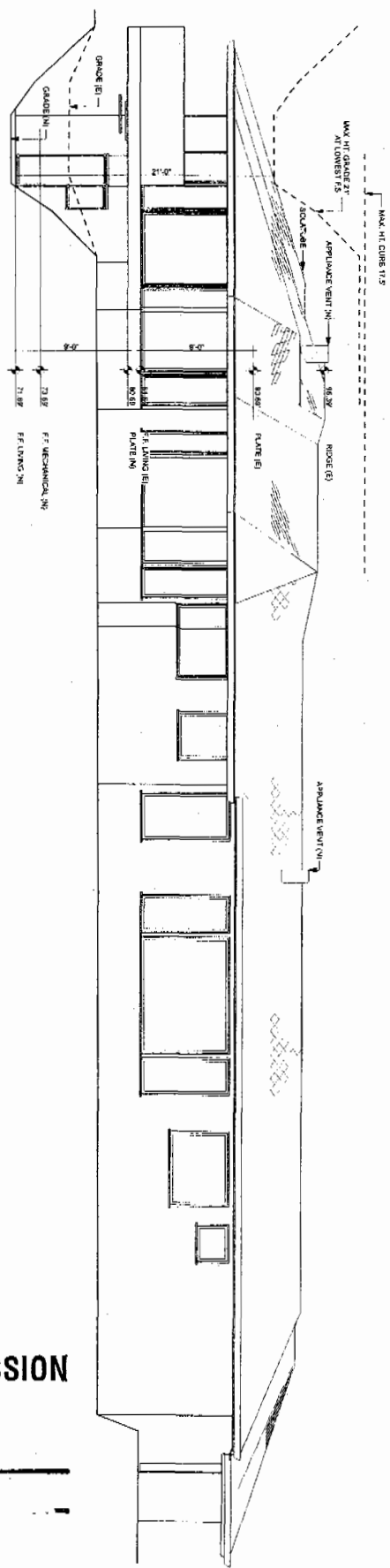


A REMODEL FOR  
 WILLIAM AND ROBIN DE LA PEÑA  
 111 S. LA SENDA, LAGUNA BEACH, CA

ELEVATIONS

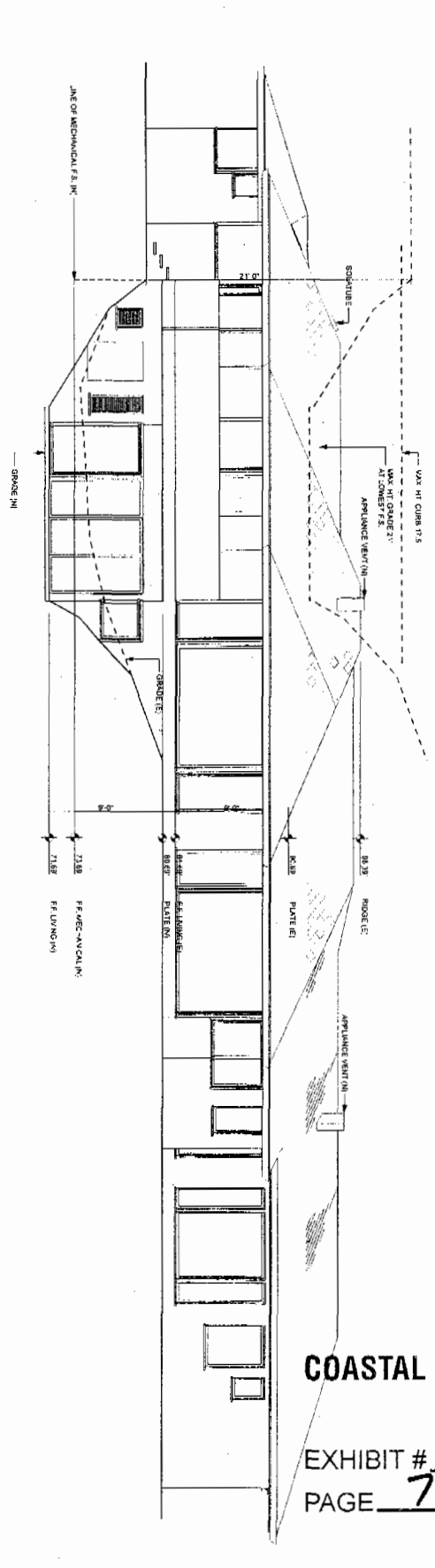
8/19/09

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 A4



SOUTH ELEVATION

1/4" = 1'-0"



SOUTHWEST ELEVATION

1/4" = 1'-0"

COASTAL COMMISSION

EXHIBIT # 4  
 PAGE 7

GREGORY CHRISTIAN ABEL  
 designer

110 South Coast Hwy, Ste 206, Laguna Beach, CA 92651 (949) 497-3442

ISSUE DATE 6/30/09

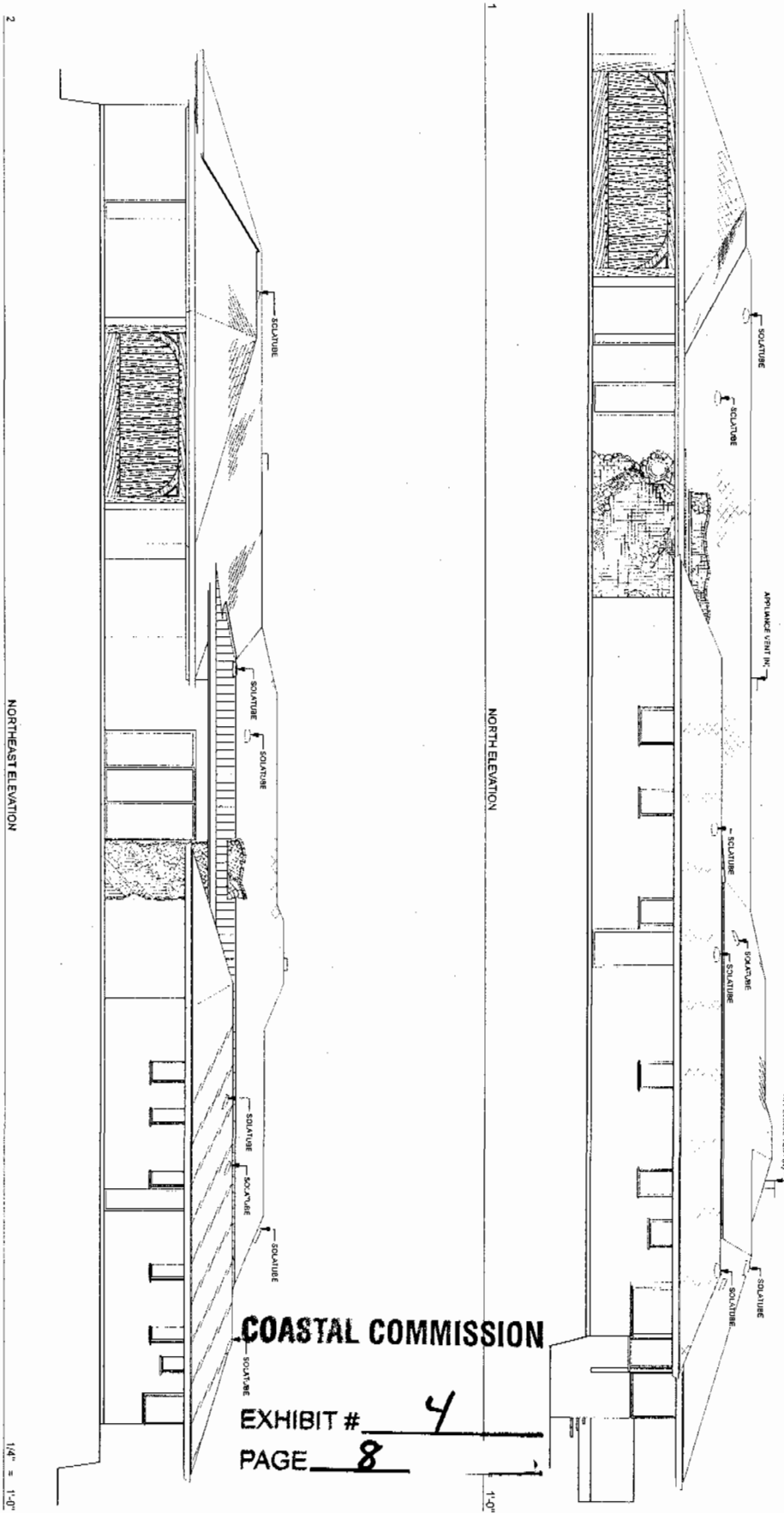
WILLIAM AND ROBIN DE LA PEÑA, 111 S. LA SENDA, LAGUNA BEACH, CA

A REMODEL FOR  
WILLIAM AND ROBIN DE LA PEÑA  
111 S. LA SENDA, LAGUNA BEACH, CA

ELEVATIONS

8/19/08

Sheet:  
A5



COASTAL COMMISSION

EXHIBIT # 4  
PAGE 8

GREGORY CHRISTIAN ABEL  
designer

1100 South Coast Hwy, Ste 206, Laguna Beach, CA 92653 (949) 497-3442

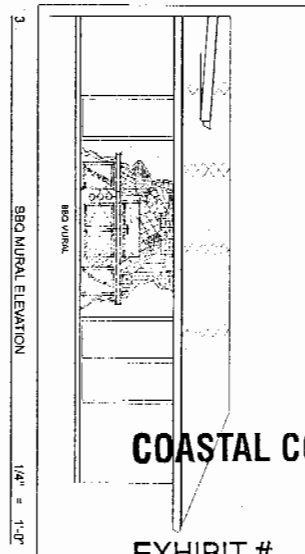
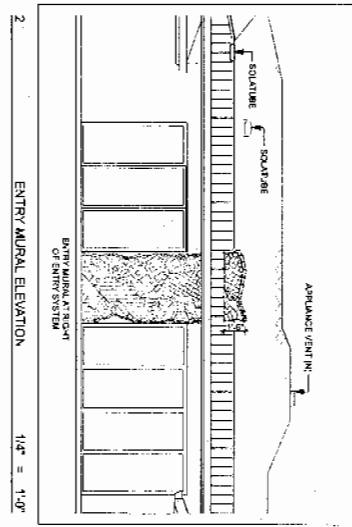
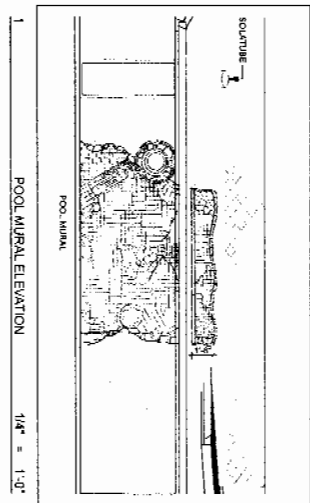
ISSUE DATE 6/30/09

WILLIAM AND ROBIN DE LA PEÑA, 111 S. LA SENDA, LAGUNA BEACH, CA

A REMODEL FOR  
**WILLIAM AND ROBIN DE LA PEÑA**  
 111 S. LA SENDA, LAGUNA BEACH, CA  
 COURTYARD ELEVATIONS/SECTIONS

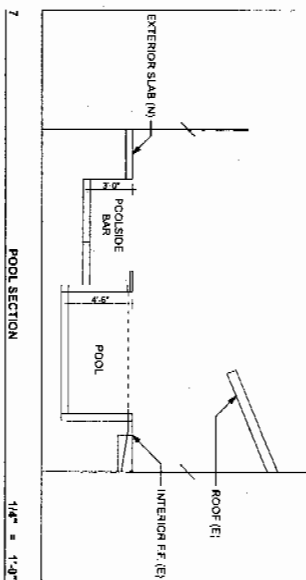
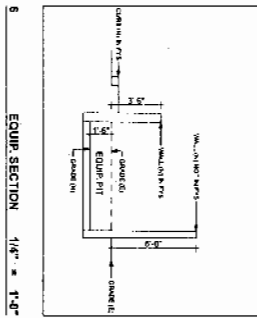
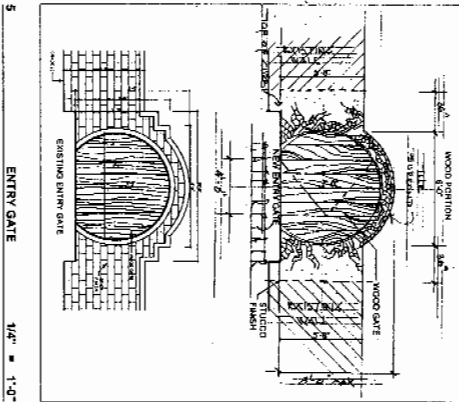
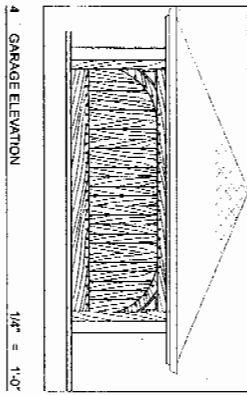
8/19/09

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**COASTAL COMMISSION**

EXHIBIT # 4  
 PAGE 9



ISSUE DATE 8/30/09

WILLIAM AND ROBIN DE LA PEÑA, 111 S. LA SENDA, LAGUNA BEACH, CA

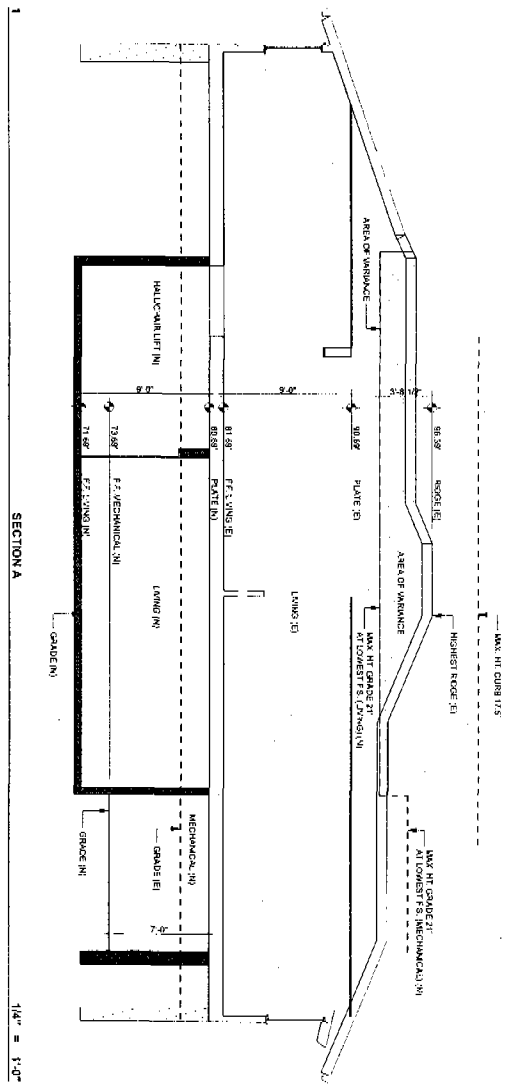
**GREGORY CHRISTIAN ABEL**  
 designer  
 1100 South Coast Hwy, Ste. 206, Laguna Beach, CA 92651 (949) 497-1412

A REMODEL FOR  
**WILLIAM AND ROBIN DE LA PEÑA**  
111 S. LA SENDA, LAGUNA BEACH, CA

SECTIONS

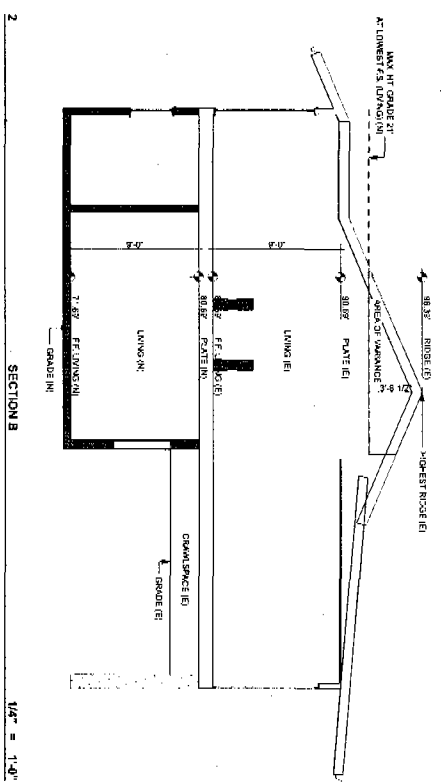
8/13/09

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SECTION A

1/4" = 1'-0"



SECTION B

1/4" = 1'-0"

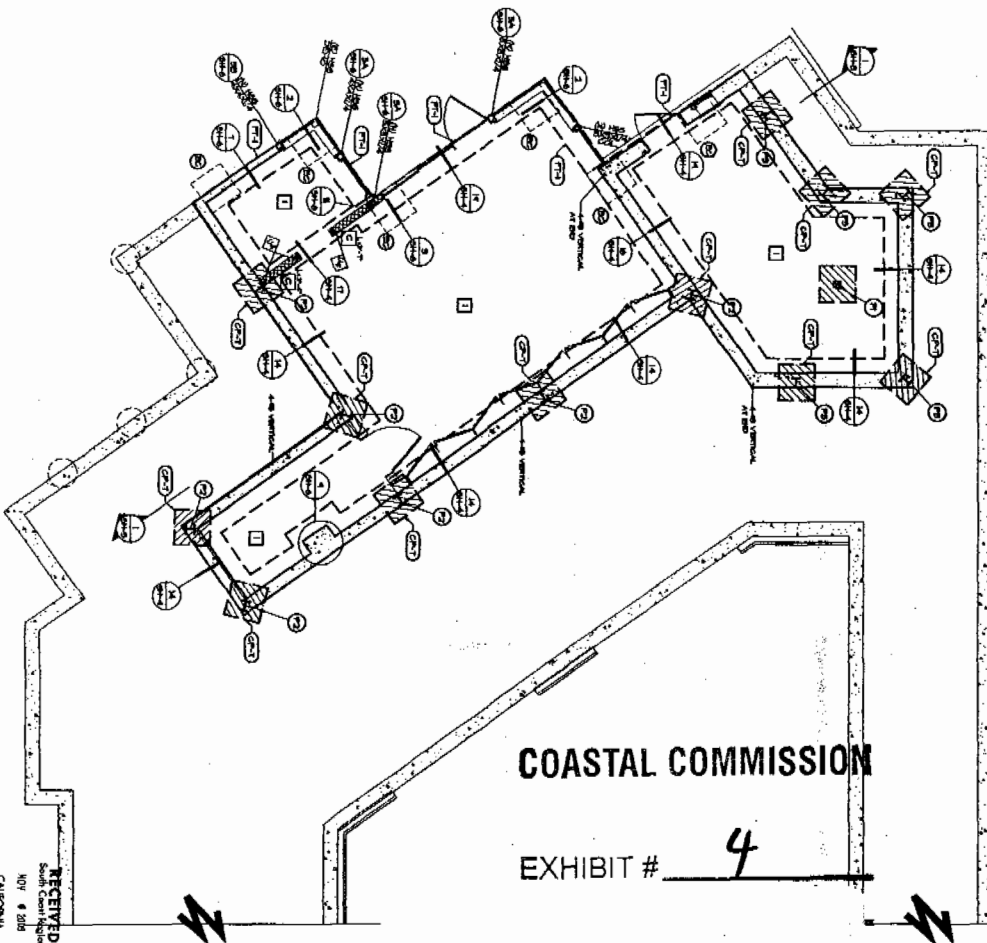
**COASTAL COMMISSION**

EXHIBIT # 4  
PAGE 10

ISSUE DATE 6/30/09

WILLIAM AND ROBIN DE LA PEÑA, 111 S. LA SENDA, LAGUNA BEACH, CA

*GREGORY CHRISTIAN ABEL*  
designer  
1100 South Coast Hwy. Ste. 208 Laguna Beach, CA 92653 (949) 427-4410



**BASEMENT FOUNDATION**

NOTE:  
SEE PLAN NOTES AND SHEET SH-2


SCALE: 1/4" = 1'-0"

PRELIMINARY SET  
NOT FOR CONSTRUCTION

RECEIVED  
CALIFORNIA  
COUNTY OF ORANGE  
South Coast Region  
MAY 4 2018

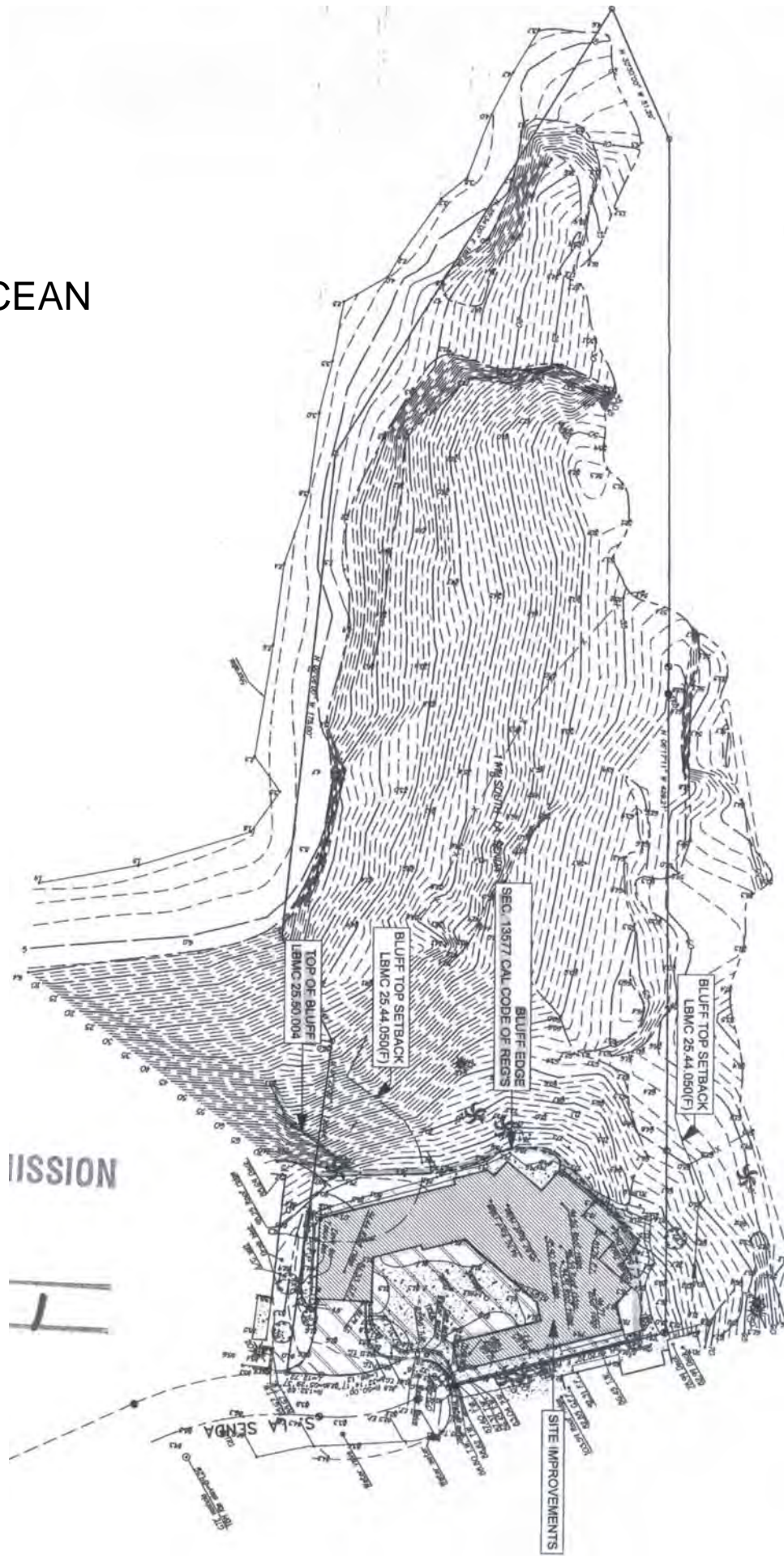
**COASTAL COMMISSION**

EXHIBIT # 4

SHEET # <b>SH-1</b>	DATE 08-28-18	DRAWN BY CHECKED BY DESIGNED BY	<b>BASEMENT FOUNDATION PLAN</b>	<b>DE LA PENA RESIDENCE</b> <b>111 SOUTH LA SENDA</b> <b>LAGUNA BEACH, CA</b>	 <b>STRUCTURBS</b> A CONSULTING COMPANY <small>2850 SOUTH COAST HWY          LAGUNA BEACH, CA 92651          PHONE NUMBER (949) 715-0775</small>	REVIEWER DATE

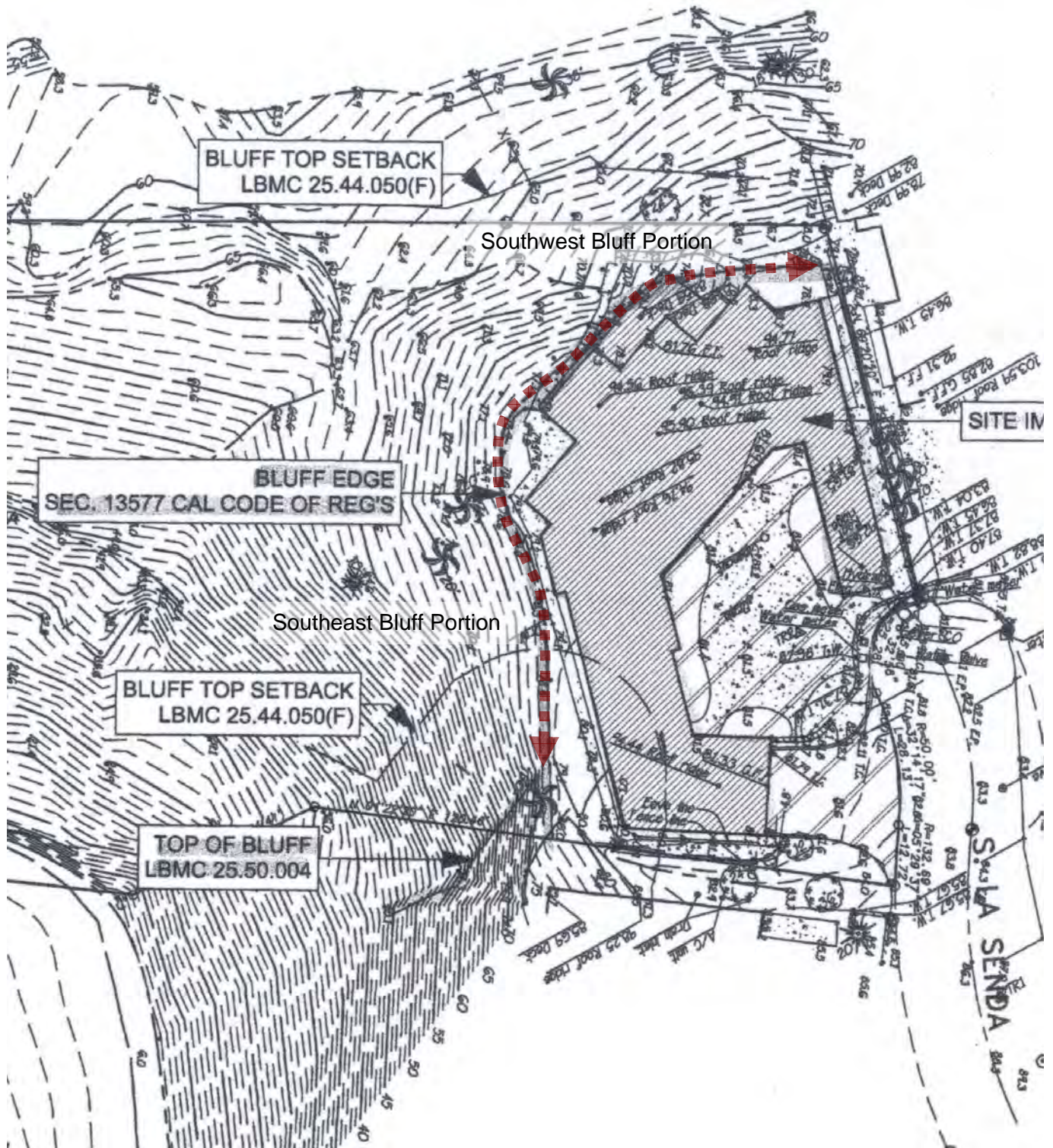
OCEAN

OCEAN



TOAL ENGINEERING TOPO SURVEY WITH BLUFF EDGE PLOTTED

<b>EXHIBIT#5</b>
Page 2 of 2
Application Number: <b>5 - 0 9 - 2 0 8</b>
 California Coastal Commission



= Bluff Edge

<b>EXHIBIT#5</b>
Page 2 of 2
Application Number: <b>5 - 0 9 - 2 0 8</b>
 California Coastal Commission

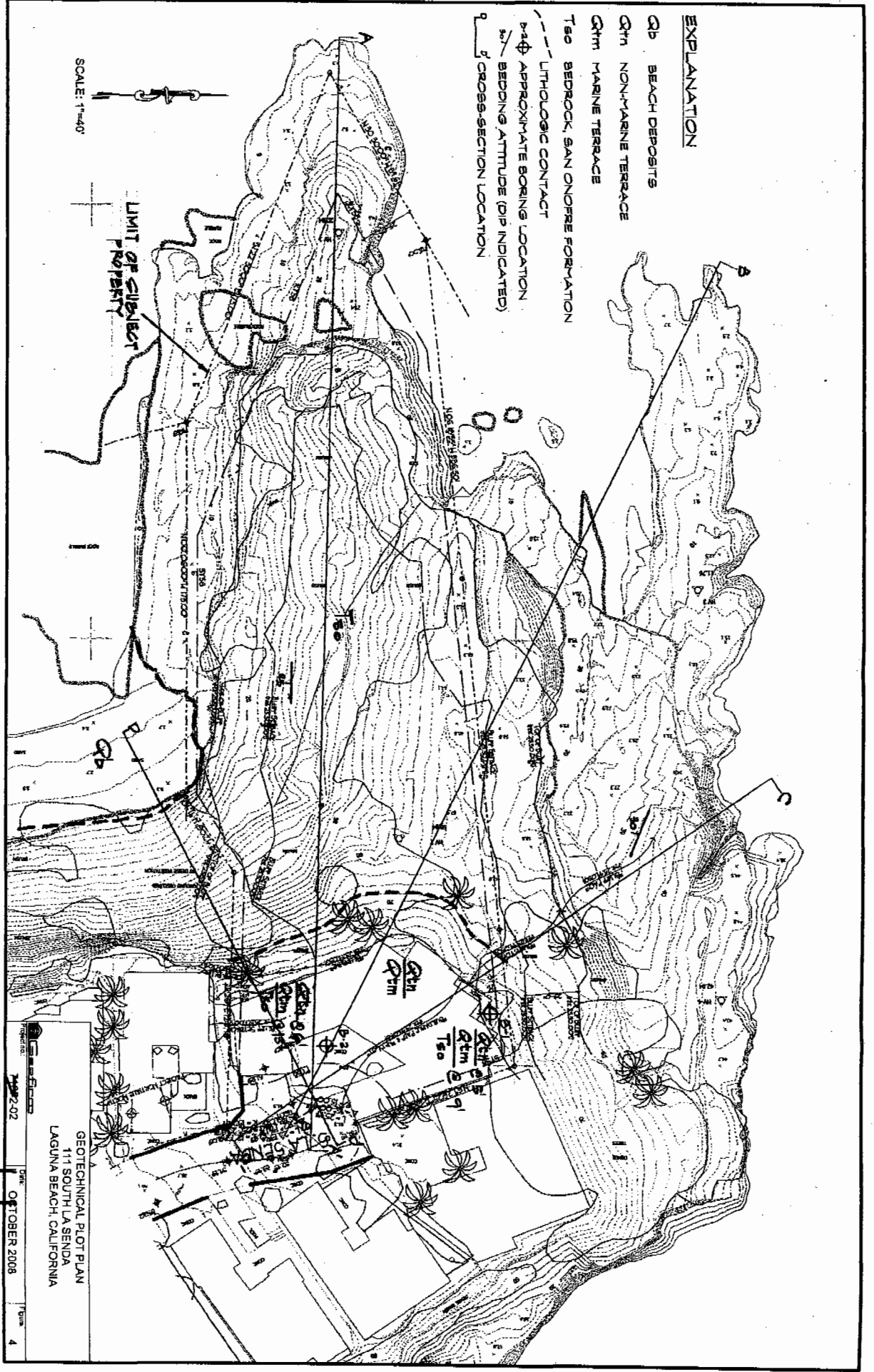
**EXPLANATION**

- Qb BEACH DEPOSITS
- Qm NON-MARINE TERRACE
- Qtm MARINE TERRACE
- Tso BEDROCK, SAN ONOFRE FORMATION
- LITHOLOGIC CONTACT
- ⊕ APPROXIMATE BORING LOCATION
- ⊕ BEDDING ATTITUDE (DIP INDICATED)
- ⊕ CROSS-SECTION LOCATION

SCALE: 1"=40'



LIMIT OF SUBJECT PROPERTY

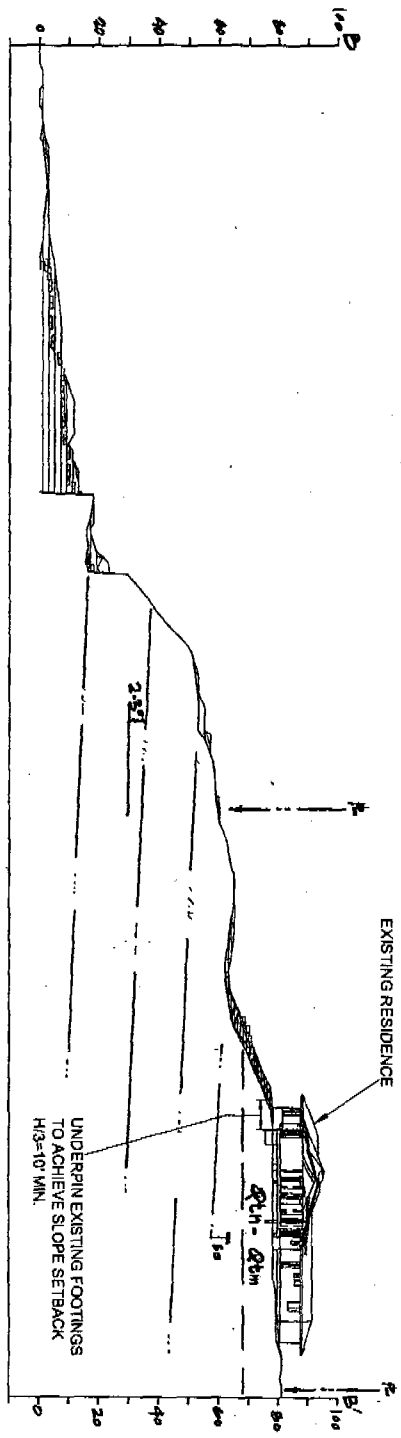
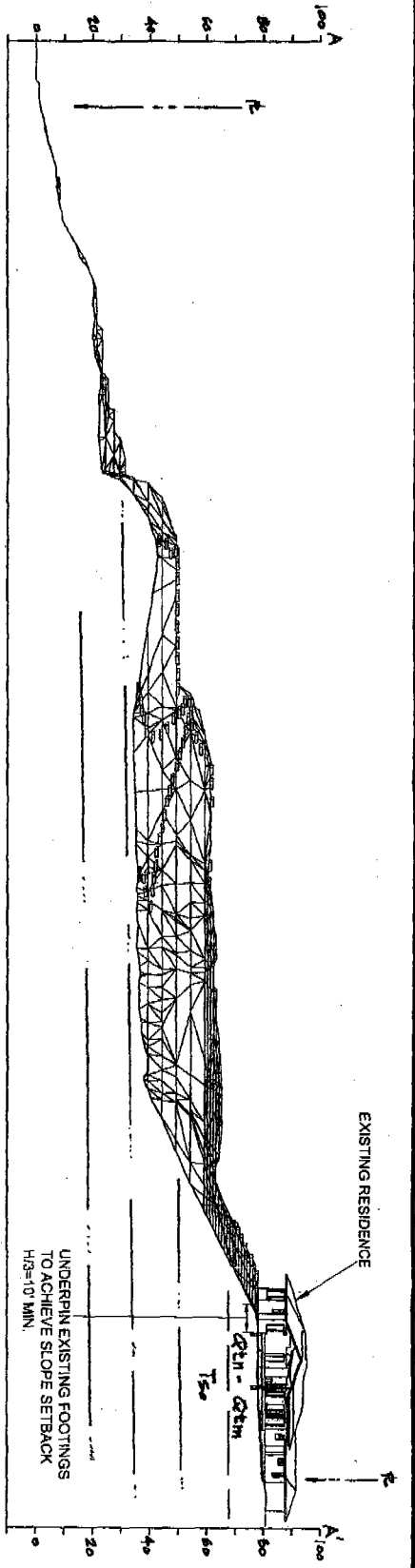


COASTAL COMMISSION


EXHIBIT # **6**  
PAGE **1** OF **3**

PROJECT: 2002-02  
DATE: OCTOBER 2008  
FIGURE: 4  
GEO-TECHNICAL PLOT PLAN  
111 SOUTH LA SENDA  
LAGUNA BEACH, CALIFORNIA



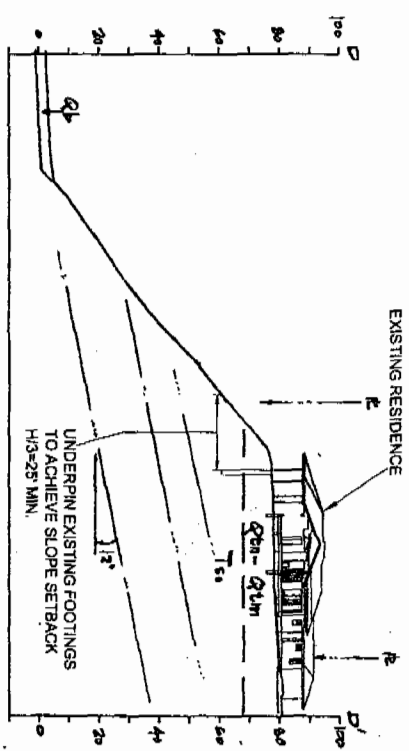
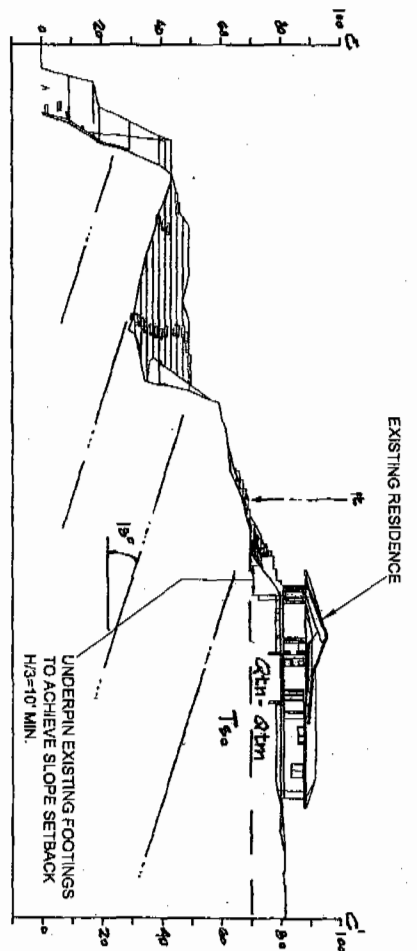


SCALE: 1" = 40'


  
 PROJECT NO: 7187202  
 DATE: OCTOBER 2008  
 SHEET NO: 5  
 GEOTECHNICAL CROSS SECTIONS A-A & B-B  
 111 SOUTH LA SENDA  
 LAGUNA BEACH, CALIFORNIA

COASTAL COMMISSION

EXHIBIT # 6  
 PAGE 2 OF 3



SCALE: 1" = 40'

  
 GEOTECHNICAL CROSS SECTIONS C-C' & D-D'  
 111 SOUTH LA SENDA  
 LAGUNA BEACH, CALIFORNIA  
 Report No: 71672-02 Date: OCTOBER 2008 Page: 6

COASTAL COMMISSION

EXHIBIT # 6  
 PAGE 3 OF 3



STAFF PHOTOGRAPHS OF SITE ON 6/2/2010



STAFF PHOTOGRAPHS OF SITE ON 6/2/2010



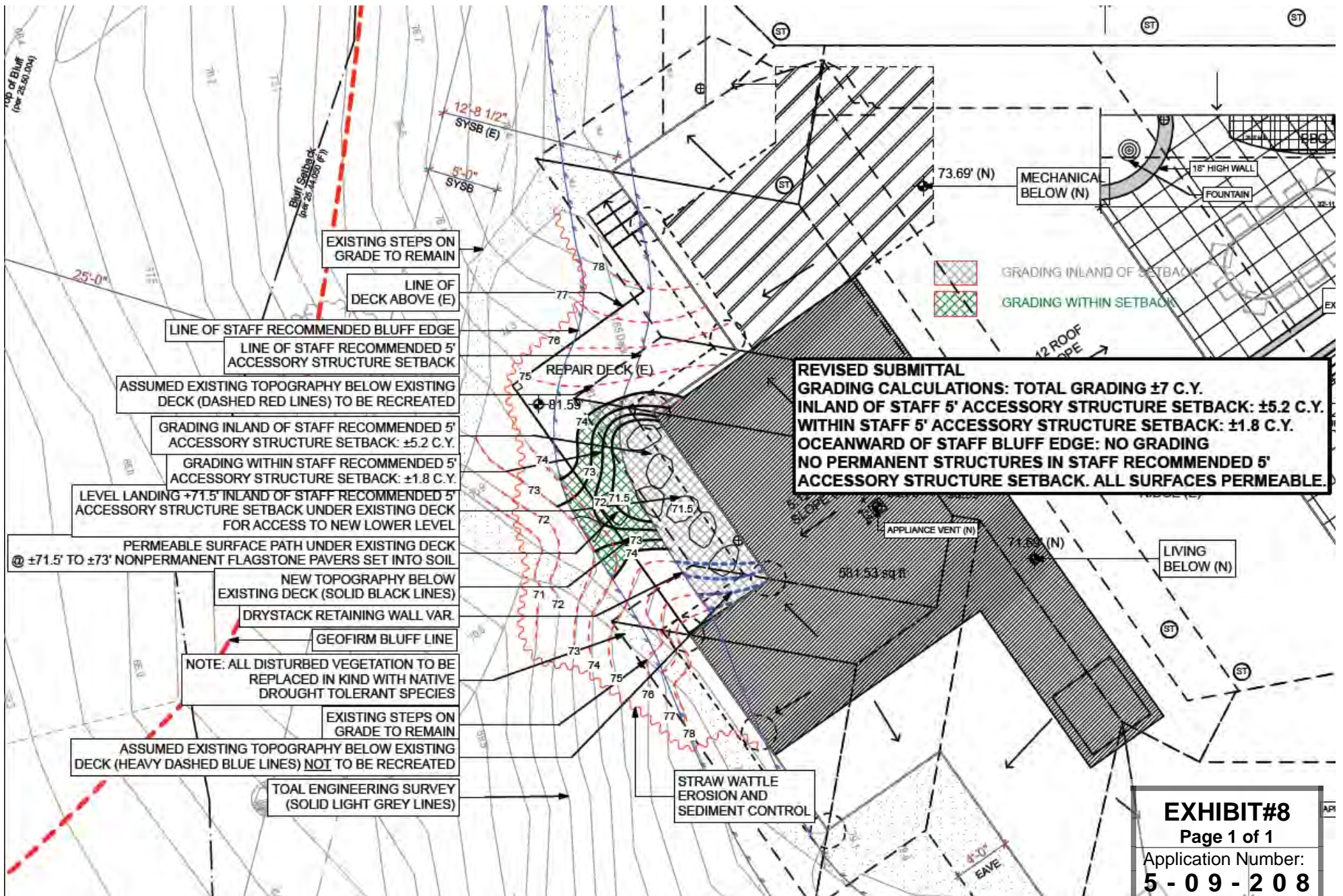
STAFF PHOTOGRAPHS OF SITE ON 6/2/2010



STAFF PHOTOGRAPHS OF SITE ON 6/2/2010



STAFF PHOTOGRAPHS OF SITE ON 6/2/2010



PLANS (6/17/2010) TO RESTORE GRADES AND INSTALL LANDING WITH PAVERS UNDERNEATH RECONSTRUCTED DECK ON THE SEAWARD SIDE OF THE RESIDENCE

**EXHIBIT#8**  
 Page 1 of 1  
 Application Number:  
**5 - 0 9 - 2 0 8**  
 California Coastal Commission



**REVISED SUBMITTAL**  
**GRADING CALCULATIONS: ±7 C.Y. TOTAL CUT**  
**±5.2 C.Y. CUT INLAND OF STAFF 5' ACCESSORY STRUCTURE SETBACK**  
**±1.8 C.Y. WITHIN STAFF 5' ACCESSORY STRUCTURE SETBACK**  
**NO GRADING OCEANWARD OF STA BLUFF EDGE**



**ACCESS DOOR TO  
NEW LOWER ROOM**

**DECK (E) ABOVE NEW LANDING  
AND STEPS**

**NONPERMANENT STEPS ON GRADE  
UNDER EXISTING DECK FOR ACCESS  
TO NEW LOWER ROOM**

<b>EXHIBIT# 9</b>
Page 1 of 1
Application Number: <b>5 - 0 9 - 2 0 8</b>
 California Coastal Commission