

## CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA  
245 W. BROADWAY, STE. 380  
P.O. BOX 1450  
LONG BEACH, CA 90802-4416  
(310) 590-5071

Filed: January 11, 1996  
49th Day: February 29, 1996  
180th Day: July 9, 1996  
Staff: John T. Auyong *John*  
Staff Report: January 19, 1996  
Hearing Date: February 6-9, 1996  
Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-95-292

APPLICANT: Tom and Sara Hopper AGENT: Ernest Velarde

PROJECT LOCATION: 74 North La Senda, City of Laguna Beach, County of Orange

PROJECT DESCRIPTION: Addition of 224 square feet of living area to the landward side of the basement level of an existing 20 foot high, 2,679 square foot two-level, single-family residence with attached 482 square foot garage, and add a 263 square foot deck to the second level on the bluffward/seaward side of the home.

Lot area:	11,890 square feet
Building coverage:	2,246 square feet
Pavement coverage:	2,994 square feet
Landscape coverage:	6,650 square feet
Parking spaces:	Four
Zoning:	R-1
Height above grade:	20 feet

LOCAL APPROVALS RECEIVED: City of Laguna Beach Administrative Design Review No. 95-168; City of Laguna Beach Approval-in-Concept

SUBSTANTIVE FILE DOCUMENTS: Geotechnical Investigation by Peter E. Borella dated December 13, 1995 addressed to the California Coastal Commission; Update by Peter E. Borella dated January 9, 1996 addressed to the California Coastal Commission; City of Laguna Beach Local Coastal Program

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development located between the nearest public roadway and the shoreline, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, including the public access and recreation policies of Chapter 3, 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 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

## 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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.
7. 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. Geotechnical Recommendations

Prior to issuance of the coastal development permit, the applicant shall submit, subject to the review and approval of the Executive Director, plans signed by the geotechnical consultant indicating that the recommendations in the Geotechnical Investigation of the subject site dated December 13, 1995 by Peter R. Borella addressed to the California Coastal Commission, and the subsequent update prepared by Peter E. Borella dated January 9, 1996 addressed to the California Coastal Commission, have been incorporated into the plans for the project. The plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading and drainage. Any substantial changes to the plans approved by the Commission which may be required by the consultant shall require an amendment to this permit or a new coastal development permit.

#### IV. Findings and Declarations.

##### A. Project Description

The applicant is proposing to construct a 263 square foot open wood (cedar) spaced deck on the seaward side of the upper level of an existing two-story single-family residence. The applicant is also proposing to add 224 square feet of living area to the lower, basement level by expanding into existing unimproved crawl space under the existing upper level on the landward side of the existing residence. The basement expansion would involve four cubic yards of grading.

##### B. Geologic Recommendations

Section 30253 of the Coastal Act states, in relevant part:

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 a coastal blufftop lot. The proposed development consists of the addition of 224 square feet of living area to the landward side of the basement level of an existing two-level, single-family residence. The proposed basement expansion would be into existing unimproved crawl space under the existing upper level. The proposed expansion would require four cubic yards of grading to lay the foundation for the proposed expansion. The proposed development also involves the addition of a 263 square foot deck to the second level on the bluffward/seaward side of the home.

Seaward encroachment and grading for development on a coastal blufftop lot may result in or contribute to geologic instability. Geologic investigations were performed by geologist Peter Borella to assess the proposed development's effect on geologic instability. The findings are summarized in two letters from Mr. Borella to the Commission dated December 13, 1995 and January 9, 1996 (see Exhibit C).

Regarding the proposed basement level expansion into the crawl space, Mr. Borella found that the proposed expansion area lies ten to twenty feet landward of the 1:1 (horizontal to vertical) setback plane drawn from the base of the bluff. Therefore, Mr. Borella concludes in his January 9, 1996 letter to the Commission that the proposed expansion would not affect geologic stability.

Regarding the proposed deck, the footings for the deck would enter the ground just seaward of the 1:1 (horizontal to vertical) setback plane drawn from the base of the bluff. Mr. Borella's December 13, 1995 letter to the Commission

recommends that the deck footings be deepened to penetrate the ground below the setback plane. Penetrating the setback plane for more stable footing would minimize geological instability.

Mr. Borella also found that the proposed deck would not affect drainage on the subject site. Both the proposed deck and the proposed basement level expansion would not encroach past deck or structural stringlines, and both are setback 25 feet or more from the edge of the bluff.

To assure geologic stability and structural integrity and minimize risks from geologic hazards, however, a special condition must be imposed which requires the submission of plans signed and approved by the geotechnical consultant which incorporate the recommendations of the consultant. Therefore, the Commission finds that the proposed project, as conditioned, would be consistent with Section 30253 of the Coastal Act regarding hazards.

### C. Public Access/Parking

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in relevant 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, . . .
- (b) For purposes of this section, "new development" does not include:
- (3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in seaward encroachment by the structure

The subject site is located between the nearest public roadway and the shoreline in the private community of Three Arch Bay. The proposed development would not change the intensity of use of the structure, would not increase the floor area, height, or bulk of the structure by more than 10 percent, nor block or impede public access. The proposed development would,

however, result in seaward encroachment by the structure due to the proposed deck. Therefore, the proposed development qualifies as new development for the purposes of Section 30212 of the Coastal Act.

The Commission finds that the proposed project would not have a significant adverse impact on coastal access since the proposed project would not result in an intensification of use. Further, adequate access and public recreation opportunities exist at Salt Creek beach to the southeast of Three Arch Bay and 1000 Steps beach to the northwest. The proposed development would not preclude the use of public trust lands nor result in significant adverse impacts to public access and recreation.

Therefore, the Commission finds that the proposed project conforms with Sections 30210, 30211, and 30212 of the Coastal Act regarding public access and recreation.

#### D. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a local coastal program ("LCP") which conforms with the Chapter Three policies of the Coastal Act.

The City of Laguna Beach LCP was effectively certified on January 25, 1993 except for areas of deferred certification including Three Arch Bay, within which the subject site located. The Commission retains permit jurisdiction for areas of deferred certification, and the standard of review in such areas is consistency with the Chapter 3 policies of the Coastal Act.

The proposed project has been conditioned to conform to the hazards policies of the Coastal Act. Therefore, the Commission finds that the proposed development would not prejudice the ability of the City of Laguna Beach to prepare an LCP which is in conformity with the Chapter 3 policies of the Coastal Act for the subject area of deferred certification.

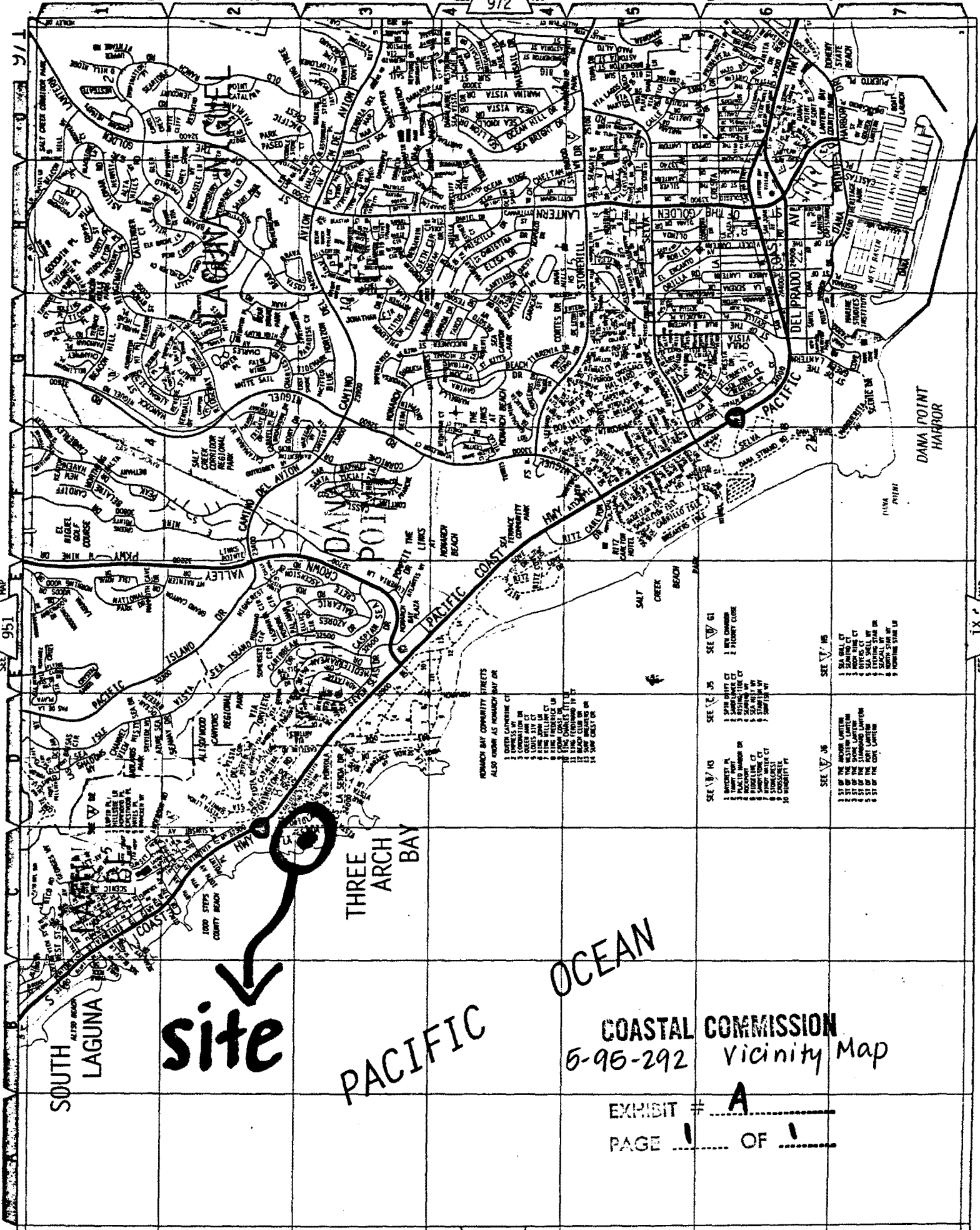
#### E. Consistency with the California Environmental Quality Act (CEQA).

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, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The subject site is in an urban zone. Development already exists on the subject site. Infrastructure necessary to service the subject site exists in the immediate area. The proposed development would not result in an intensification of use. The proposed development would not result in or change drainage patterns on-site.

The proposed project has been conditioned in order to be found consistent with the hazards policies of the Coastal Act. Mitigation measures for submission of plans incorporating the geologist's recommendations, and signed and approved by the geologist, will minimize all adverse impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

6113F:jta



**site**

**PACIFIC OCEAN**

**COASTAL COMMISSION**  
**6-95-292 Vicinity Map**

EXHIBIT # **A**  
 PAGE **1** OF **1**





Section B

Section C

Section D

Section A

Key

Proposed basement level expansion

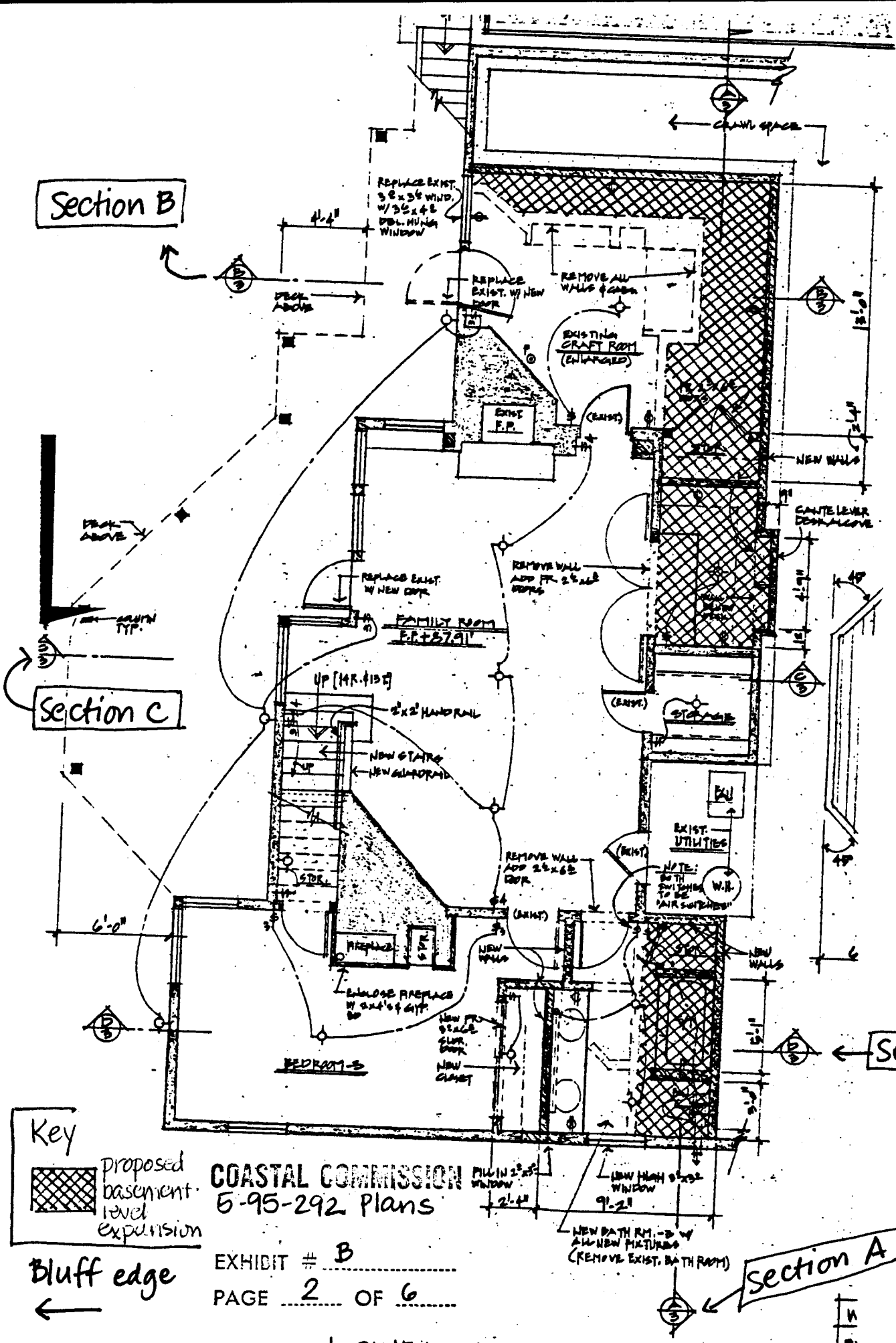
Bluff edge

COASTAL COMMISSION  
5-95-292 Plans

EXHIBIT # B  
PAGE 2 OF 6

LOWER LEVEL

1/4" = 1'-0"



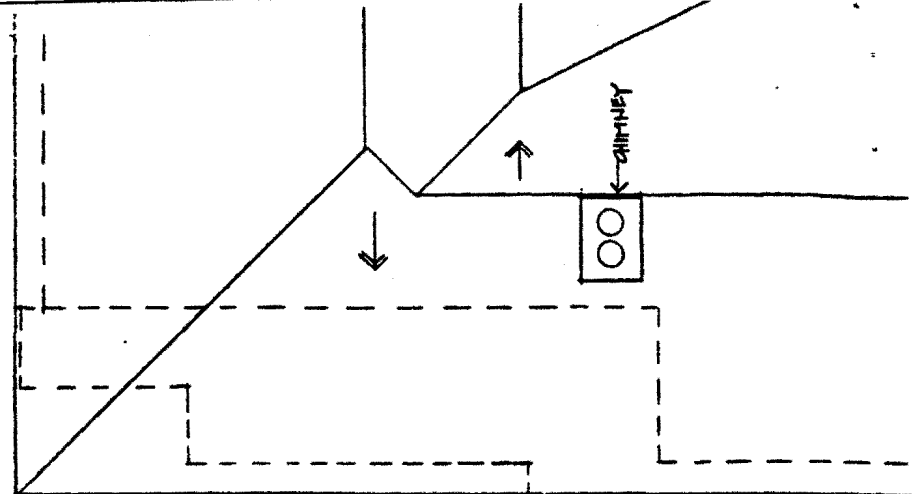
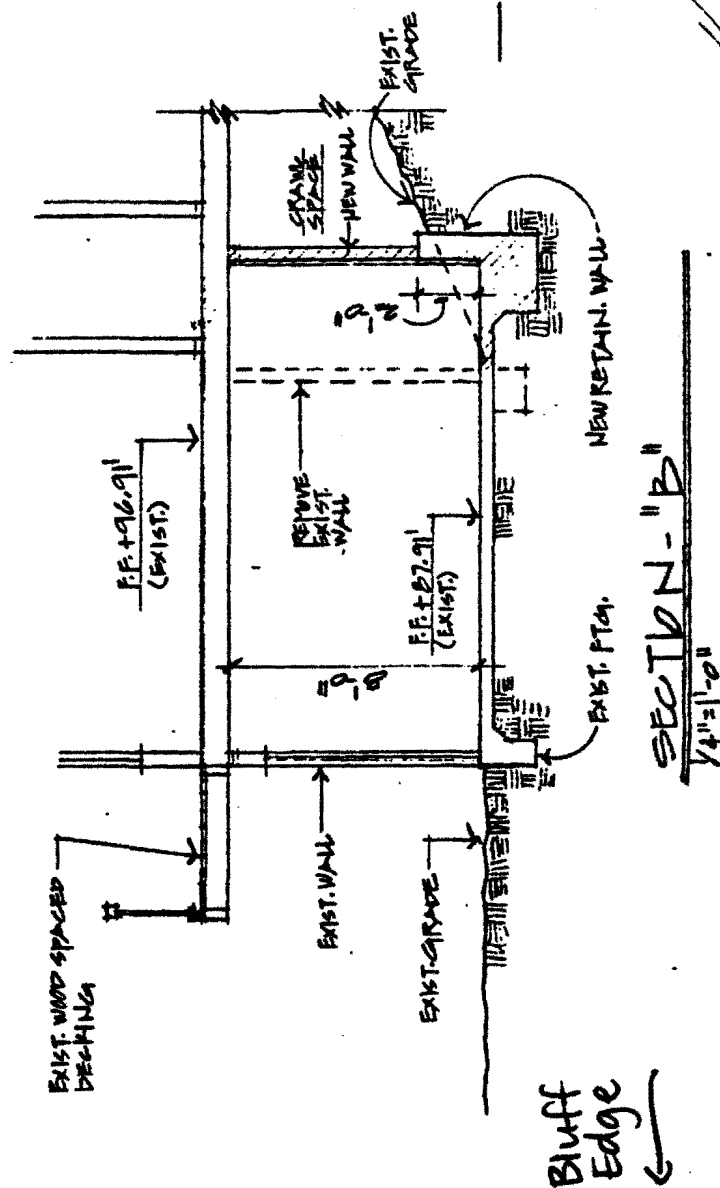


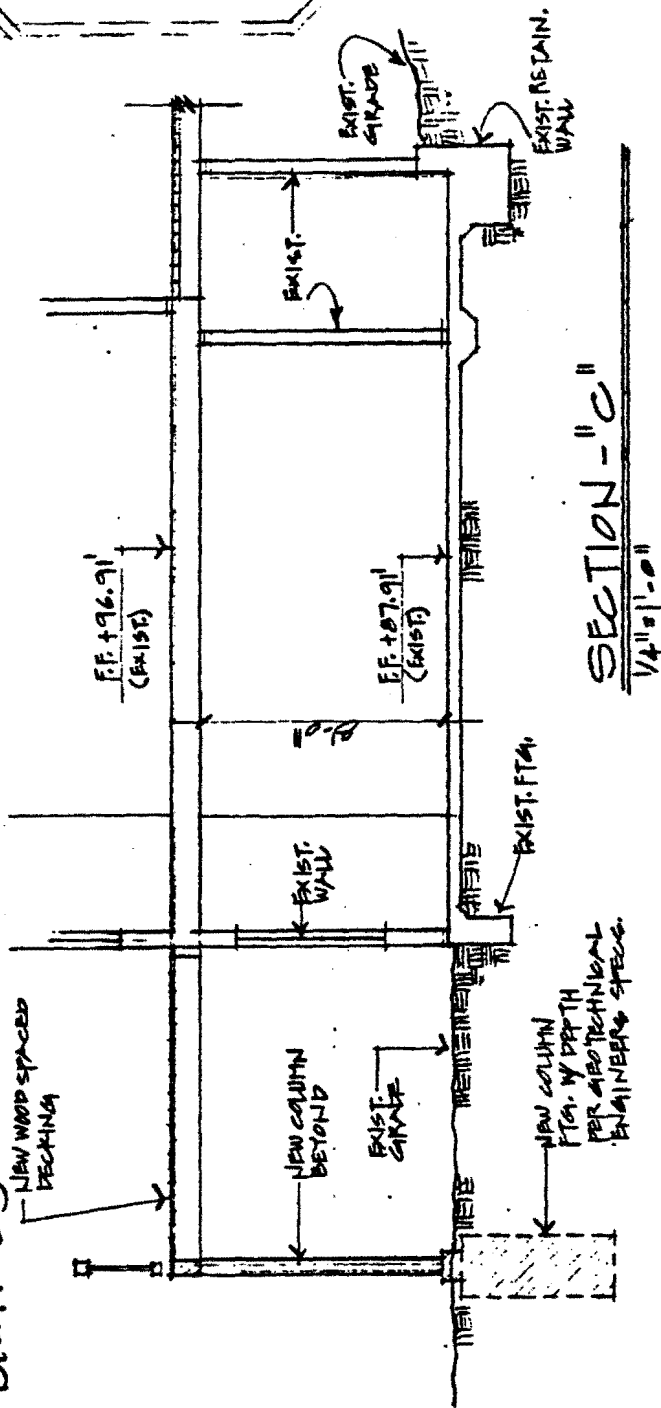
EXHIBIT # B  
PAGE 3 OF 4

SECTION - "A" (looking landward)

## CROSS-SECTIONS



← Bluff Edge



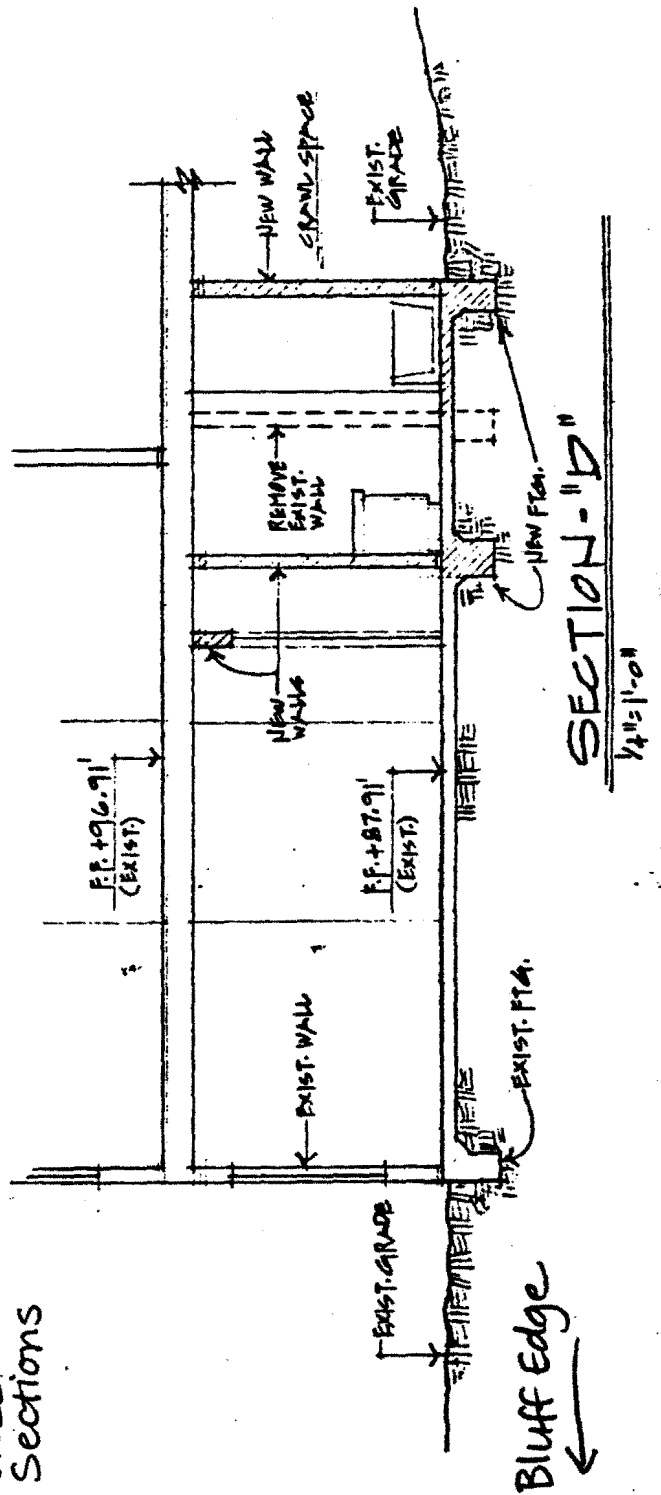
SECTION - "C"  
1/4" = 1'-0"

Cross-  
Sections

COASTAL COMMISSION  
5-95-292 Plans

EXHIBIT # B

PAGE 4 OF 6



SECTION - "D"  
1/4" = 1'-0"

← Bluff Edge

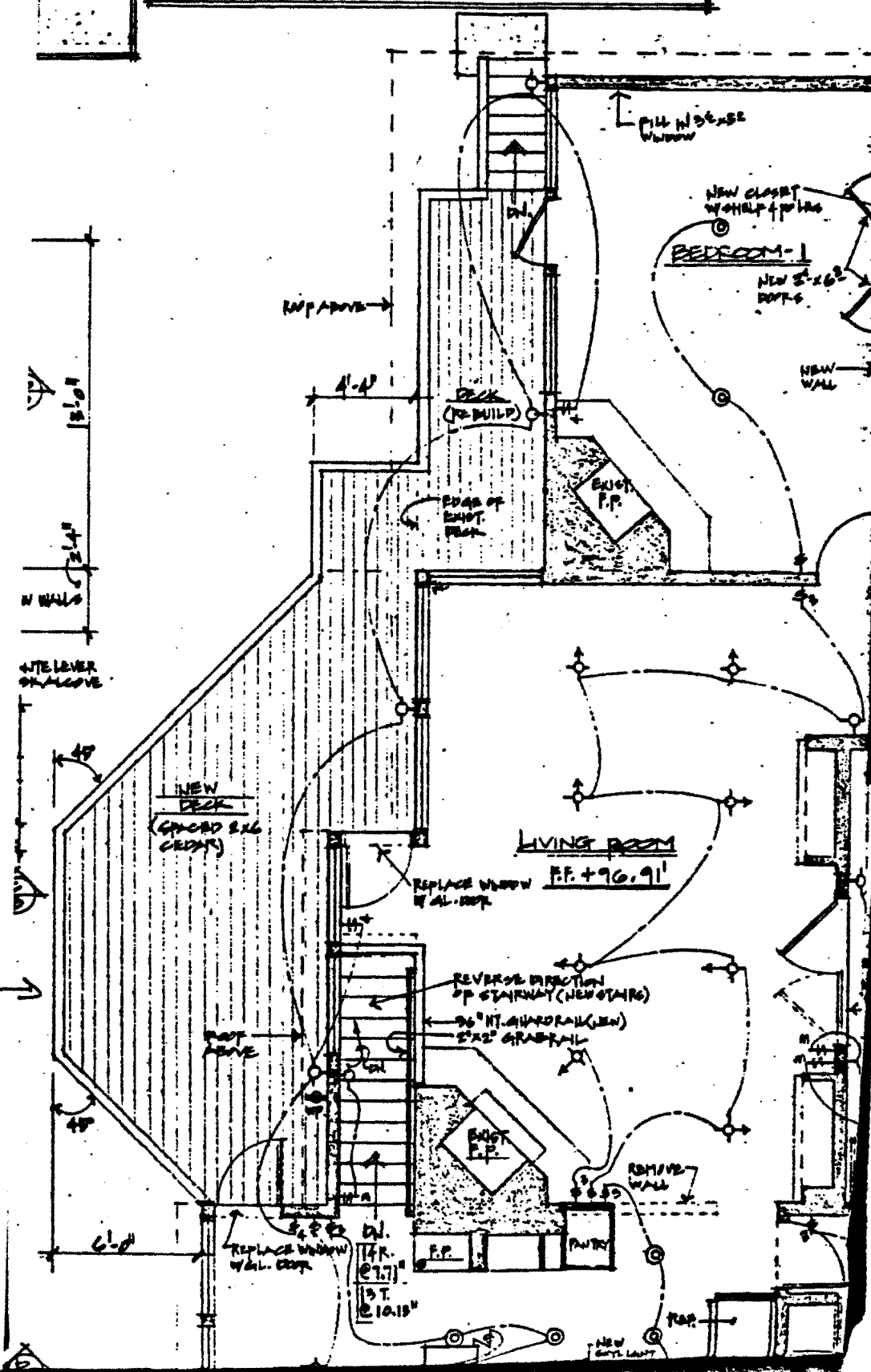
- ⊖ — DUPLEX OUTLET
- ⊙ — FLOOR OUTLET — BRASS FINISH
- ⊖ — WEATHER PROOF OUTLET
- ⊖ — 220 VOLT OUTLET
- ⊙ — CEILING SURFACE LIGHT FIXTURE
- ⊙ — WALL SURFACE LIGHT FIXTURE
- ⊙ — RECESSED ROUND CAN LIGHT (STANDARD) (110 VOLT)
- ⊙ — SURFACE MANDRILL LIGHT DIRECTIONAL

SHOW ON EXISTING  
2) INSTALL IN BATH AND OUT

COASTAL COMMISSION  
5-95-292 Plans

EXHIBIT # B  
PAGE 5 OF 6

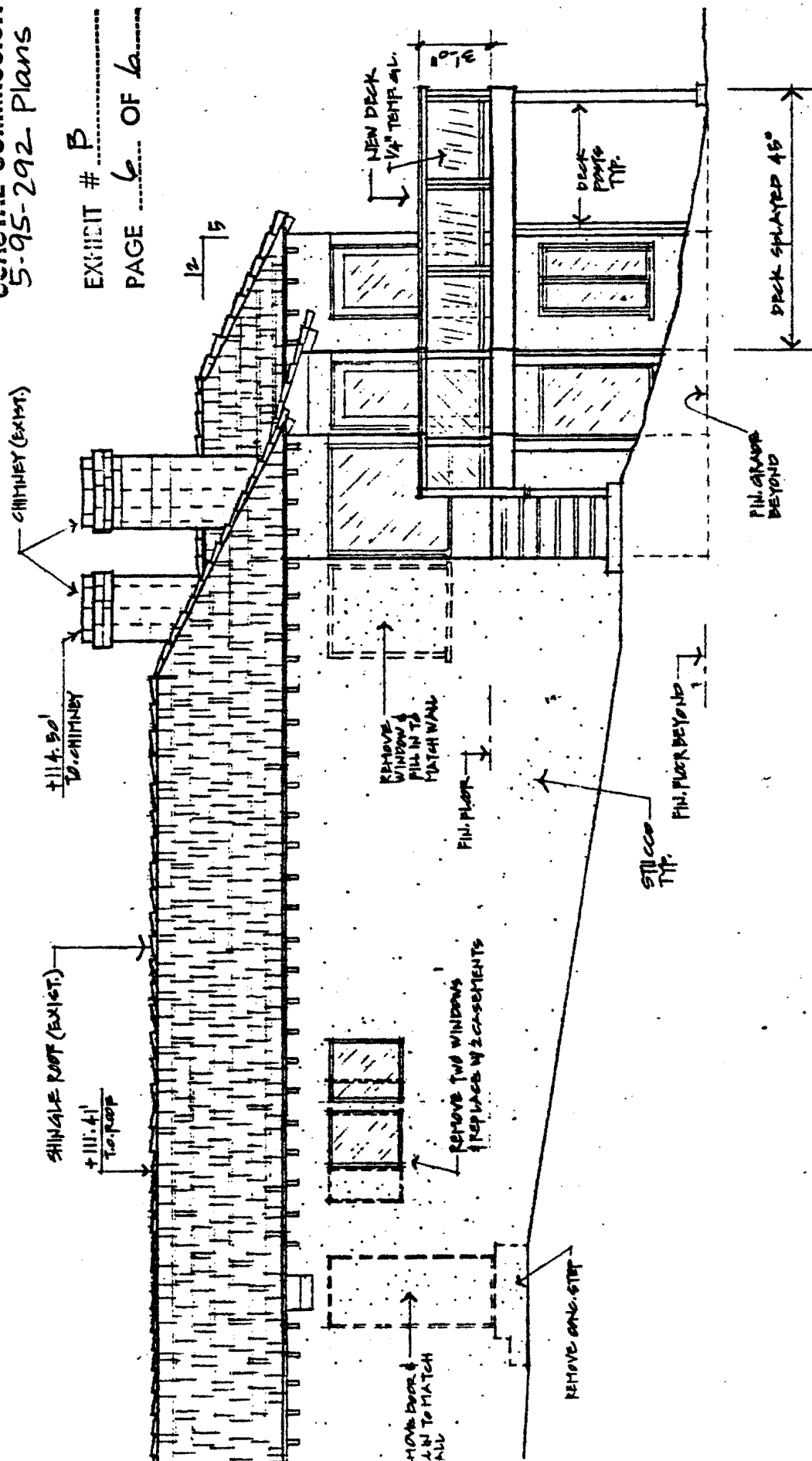
Proposed  
2nd Level  
Wood Frame  
Deck



COASTAL COMMISSION  
5-95-292-Plans

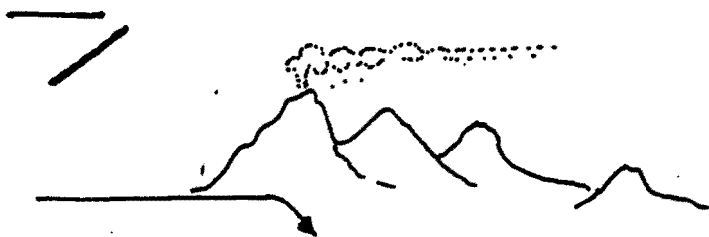
EXHIBIT # B

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NORTH ELEVATION

1/4" = 1' - 0"



Peter E. Borella, Ph.D.  
Consulting Engineering Geologist

COASTAL COMMISSION  
5-95-292  
Letters from Geologist  
EXHIBIT # C  
PAGE 1 OF 3

RECEIVED  
DEC 20 1995  
CALIFORNIA  
COASTAL COMMISSION  
SOL 00 OF 7

December 13, 1995

California Coastal Commission  
245 West Broadway  
Suite 380  
Long Beach, California, 90802

Subject: Impact of Proposed Outside Deck Addition to an Existing  
Residence  
Hopper Residence  
74 North La Senda- Three Arch Bay  
Laguna Beach, California, 92651

5-95-292

Dear Sirs:

At your request, I visited the site to determine what impact the proposed outside deck would have on the geology including the gross and surficial stability of the existing bluff.

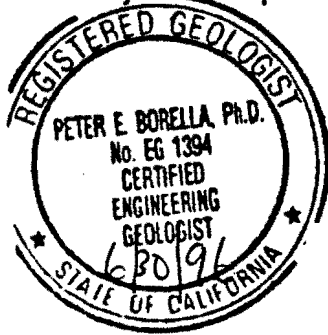
Based on my observations, measurements and experience in the area, the proposed outside deck will have no impact on the overall stability of the existing slope and bluff provided that all drainage from the deck be directed either away from the slope and bluff or into approved drainage pipes or devices that conduct water off site down the bluff in a proper manner.

My conclusion is based on and supported by the following information.

1. The earth materials underneath the site consist of marine and non-marine terrace sediments lying on top of Miocene age San Onofre Breccia. The terrace deposits are composed of sands to silty sands. With the proper setback distance, due to a lack of cohesion, they provide good bearing for lightweight construction. The underlying San Onofre Breccia is composed of sandstone, conglomerate and breccia. In unweathered section, this sedimentary rock is one of the most resistant and competent rock units in the area. It is grossly stable.
2. A review of aerial photographs (1939, 1970) of this property shows that the site has remained stable for at least 56 years.
3. Attached are a site map (fig 1) and a geologic profile (fig. 2). The seaward extent of the deck foundation is approximately 29 feet away from the upper break in the slope. The horizontal distance from the proposed deck to the top of the cliff is approximately 67 feet (fig. 2). In addition, the proposed residence will lie landward of a 2:1 (H:V) or 26° structural setback plane drawn from the terrace-bedrock contact. This is a conservative setback plane. Lastly the proposed structure almost completely lies landward of a 1:1 (H:V) setback plane drawn from the base of the cliff (fig. 2). Based on regional geologic maps in the area, the dip of the bedding within the San Onofre Breccia is approximately 55° to the northwest. Drawn relative to the profile (fig. 2), this dip angle is 45°. Although unlikely, all bedding planes seaward of the 1:1 (H:V) or 45° structural setback plane daylight and thus have a potential to slide. All

bedding planes landward of the 1:1 or 45° setback plane do not daylight and are thus self buttressing. (The chance of the proposed structure to influence the overall stability of the slope is nil. As an added precaution, I would recommend that the outside footings for the deck be deepened to penetrate this 1:1 (H:V) structural setback plane (fig. 2).

If you have any further questions, please feel free to contact me.



Respectfully submitted,

Peter E. Borella, Ph.D.  
C.E.G. #1394

COASTAL COMMISSION

6-95-292  
Letters from Geologist

EXHIBIT # C

PAGE 2 OF 3



Peter E. Borella, Ph.D.  
Consulting Engineering Geologist

JAN 11 1996  
CALIFORNIA COASTAL COMMISSION  
South Coast District  
245 West Broadway Street, Suite 300  
Long Beach, CA 90802-1450

California Coastal Commission  
245 West Broadway  
Suite 380  
P. O. Box 1450  
Long Beach, California, 90802-4416

January 9, 1996

COASTAL COMMISSION  
5-95-292  
Letters from Geologist

EXHIBIT # C

PAGE 3 OF 3

Subject: Response to Coastal Development Permit Application 5-95-292:  
Hopper Residence expansion at 74 North La Senda, City of  
Laguna Beach  
Attention: Mr. John T. Auyong, Staff Analyst

Dear Mr. Auyong:

Following is my response to your review comments addressed to Earnest Velarde, Architect, dated January 5, 1996, that deal with geological and drainage issues.

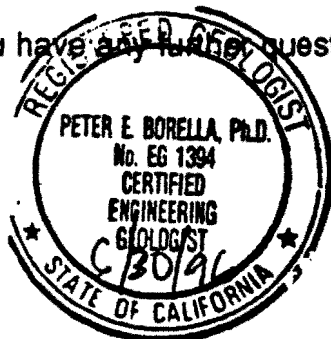
Item #4: The proposed deck will not increased or decrease the amount of water that drains onto the existing lawn or ground. I have been informed by the architect that the proposed outside deck is an open wood spaced deck. There is no way to channel drainage from rains off of this deck. In regards to surface drainage, the proposed deck will not change the stability of the existing bluff top and sea cliff environment.

Item #5: The proposed basement expansion lies within the envelope of the existing residence, which is an additional ten to 20 feet landward of the proposed deck. Thus the basement expansion is well outside of both structural setback planes. For this reason, this basement expansion will have no affect on the present stability of the existing slope.

I might add that I will be monitoring all basement and foundation excavations to insure that my recommendations are incorporated properly into the foundation design.

Item #6: I will sign (wet signature) and stamp all plans for the deck footings, and basement expansion footings as per your request to insure that the project does not contribute any additional geologic instability to the area.

If you have any further questions, please feel free to contact me.



Respectfully submitted,

*Peter E. Borella*  
Peter E. Borella, Ph.D.  
C.E.G. #1394