

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.: 5-18-0508

Applicants: Ronald and Cindy McMackin

Agent: C.J. Light Associates

Project Location: 2566 Monaco Drive, Laguna Beach, Orange County

Project Description: Remodel and 1,430 sq. ft. addition to a 4,780 sq. ft. single-family residence, a 66 sq. ft. elevated deck, and 65 sq. ft. garage addition resulting in a 6,210 sq. ft., single-story 15-ft. tall (above finished grade) single-family residence with 945 sq. ft. 3-car garage; grading, hardscape and landscape improvements, including drainage improvements, and re-configuration of pool/spa and garden retaining walls on an inland lot adjacent to open space.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The subject application requests approval of a remodel of an existing single-family residence on an inland hillside area of Laguna Beach adjacent to undisturbed open space. The major Coastal Act issues associated with the proposed development are its proximity to undisturbed open space raising concerns about impacts to biological productivity, water quality and potential fire hazards.

Commission staff recommends **approval** of coastal development permit application 5-18-0508 with **five (5) Special Conditions** regarding: **1)** requiring the applicant submit evidence of approval by the City of Laguna Beach Fire Department; **2)** revised final landscape plans; **3)** conformance with preliminary grading/drainage plan; **4)** construction best management practices; **5)** an assumption of risk; and **5)** future improvements condition.

The City of Laguna Beach has a certified Local Coastal Program (“LCP”). However, the proposed project is located in the gated community of Irvine Cove, which is an area of deferred certification. Therefore, pursuant to Section 30519 of the Coastal Act, the standard of review is the Chapter 3 policies of the Coastal Act. The certified LCP may be used for guidance in evaluating the proposed project for consistency with the Chapter 3 policies of the Coastal Act.

TABLE OF CONTENTS

I.	MOTION AND RESOLUTION	4
II.	STANDARD CONDITIONS	4
III.	SPECIAL CONDITIONS	5
IV.	FINDINGS AND DECLARATIONS	8
	A. PROJECT LOCATION AND DESCRIPTION	8
	B. LAND RESOURCES.....	8
	C. HAZARDS.....	10
	D. WATER QUALITY.....	11
	D. PUBLIC ACCESS.....	12
	E. LOCAL COASTAL PROGRAM.....	12
	F. CALIFORNIA ENVIRONMENTAL QUALITY ACT.....	13

APPENDICES

Appendix A – Substantive File Documents

EXHIBITS

Exhibit 1 – Location Map/Project Site

Exhibit 2 – Project Plans

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 5-18-0508 pursuant to the staff recommendation.*

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:

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 will substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following 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 on which the Commission voted on the application. 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. **City of Laguna Beach Fire Department Approval.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, a permit issued by the Laguna Beach Fire Department, or letter of permission authorizing the proposed development, or a written determination that no permit or permission is required. The applicants shall inform the Executive Director of any changes to the project required by the Laguna Beach Fire Department's review. Such changes shall not be incorporated into the project until the applicants obtain a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.
2. **Revised Final Landscape Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, in a form and content acceptable to the Executive Director, two (2) full size sets of a revised final landscaping plan. The plan shall substantially conform to the preliminary landscape plans prepared by MDZA dated December 19, 2017 and revised as follows:
 - (1) The plans shall demonstrate that:
 - (a) All planting shall provide 90 percent coverage within 90 days and shall be repeated if necessary to provide such coverage;
 - (b) All plantings shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan;
 - (c) Landscaped areas not occupied by hardscape shall be planted and maintained for slope stability and erosion control. To minimize the need for irrigation and minimize encroachment of non-native plant species into adjacent or nearby native plant areas, all landscaping shall consist of native and drought tolerant plant species native to coastal Orange County and appropriate to the habitat type. 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.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>);

- (d) Hand removal of existing invasive plant species located along the backyard slope as identified on the Landscaping Plan by MDZA dated December 19, 2017 will be accompanied by revegetation and restoration of the area on the slope according to the specifics identified above in this condition; and
- (e) Any proposed in-ground irrigation system shall be via drip irrigation with programmable controllers.

(2) The plan shall include, at a minimum, the following components:

- (a) A map showing the type, size, and location of all plant materials that will be on the developed site, the irrigation system, topography of the developed site, and all other landscape features, and
- (b) a schedule for installation of plants.

B. The permittees shall undertake development in accordance with the approved 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.

3. **Conformance with Preliminary Grading/Drainage Plan.** The applicants shall conform to the site grading and drainage details depicted on the Preliminary Grading Plan for McMackin Residence May 29, 2018 and received in the Commission's office on May 31, 2018 indicating a trench drain the width of the driveway and all downspouts connected to proposed drain lines that gravity flow to low-flow filter boxes which outlet onto the frontage road. 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.

4. **Construction Best Management Practices.** The permittee shall comply with the following construction-related requirements:

- (1) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, rain, or tidal erosion and dispersion;
- (2) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;

- (3) 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;
- (4) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMP's shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into coastal waters; and
- (5) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

Best Management Practices (BMP's) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the onset of such activity. Selected BMP's shall be maintained in a functional condition throughout the duration of the project. Such measures shall be used during construction:

- (1) The applicant shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible;
 - (2) The applicant shall develop and implement spill prevention and control measures;
 - (3) The applicant shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50 feet away from a storm drain, open ditch or surface water; and
 - (4) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.
5. **Assumption of Risk.** By acceptance of this permit, the applicant acknowledges and agrees (i) that the site is located adjacent to hillside open space in an area of high fire hazards and may be subject to hazards from wildfire, erosion, and slope instability or failure; (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.

6. **Future Improvements.** This permit is only for the development described in Coastal Development Permit No. 5-18-0508. 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 Coastal Development Permit No. 5-18-0508. Accordingly, any future improvements to the single-family residence authorized by this permit, including but not limited to improvements to the residence, hardscape, landscape, and repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-18-0508 from the Commission or shall require an additional coastal development permit from the Commission.

IV. FINDINGS AND DECLARATIONS:

A. PROJECT LOCATION AND DESCRIPTION

The subject site is located at 2566 Monaco Drive in Laguna Beach. The subject site is an interior lot in Irvine Cove, a locked gate community in north Laguna Beach. The lot area is 21,635 square feet. The subject site abuts an undeveloped area covered primarily with native vegetation owned by the Irvine Cove Community Association. The rear of the subject site slopes uphill to Abalone Hill and abuts this area of native vegetation.

The applicant proposes an addition and remodel to a 4,780 square foot, one-story, 15 foot tall (above finished grade) single family residence and attached 880 square foot garage with a pool and hardscape. The proposed 1,430 sq. ft. addition would result in a 6,210 sq. ft. single-story, 23 foot tall, one-story residence; the demolition of the 3-car garage and construction of a subterranean 945 square foot 3-car garage with a single story above; a reconfigured pool and new spa; new landscaping and hardscape including drainage improvements, new driveway, and new retaining walls along the front and rear yards. Grading consisting of 375 cubic yards of cut and 25 cubic yards of fill (350 net export) is proposed.

B. HAZARDS

Section 30253 of the Coastal Act states, in part:

New development shall do all of the following:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

Fire Hazards

The Coastal Act requires new development to minimize risks to life and property in areas of high fire risk. The project site is located adjacent to, and at the foot of, Abalone Hill, a hillside open space in Laguna Beach that is [describe recreational value] in an area that has experienced significant wildfires in the past [describe fire risk in this area].

Here, the proposed project can be found to minimize risks to life and property in an area of high fire risk. The location of the project, surrounding topography, and proposed construction indicate that the risk of damage to the redeveloped residence from wildfire is reduced. The rear-yard slopes up to the open space area and fire tends to run uphill (i.e. away from the proposed development). The topographic situation at the site means that in the event of fire on Abalone Hill, even when driven by winds from the north/northeast (Santa Ana winds), the fire will be primarily a backing fire, creeping down the slope exhibiting low flame lengths and low fire intensity. This type of backing fire is typically less intense and poses less threat to structures. In addition, Abalone Hill is somewhat isolated from the wildlands to the north (i.e. separated from them by Pacific Coast Highway and other development). Also, it is sparsely vegetated and naturally mimics a Zone C, thinned fuel modification zone. Furthermore, its coastal location will result in higher humidity and lower temperatures for most of the year. When Santa Ana winds blow in the fall, humidity may drop and temperatures rise, but the area will still be relatively more humid and cooler than more inland locations, providing an “insulating” effect that helps reduce the likelihood of catastrophic wildfire generally. Also, the existing and new roof material is slate, which is considered to be noncombustible, therefore preventing embers from penetrating into structures, a leading cause for structure loss from wildland urban interface fires. To assure that the proposed development minimizes risks to life and property from potential fire hazards as much as possible, **Special Condition 1** requires evidence of Laguna Beach Fire Department review and approval of the proposed plans, or evidence that their review is not required.

Geologic Hazards

The proposed project is not located in an area of high geologic hazard. According to the Geotechnical Engineering Investigation Report by Coast Geotechnical, Inc. dated September 11, 2017, the subject site is irregular in shape with topography that rises from the street to a near level building pad to the ascending hillside slope of Abalone Hill along the rear property line (see **Exhibit 2**). The toe of the hillside slope is defined by a varied height retaining wall and or the level rear yard. The slope is about ninety feet in height with an approximate 2:1 (H:V) gradient. The site is underlain by artificial fill, terrace deposits and bedrock. No groundwater was encountered within the exploratory excavations made.

Proposed rear-yard improvements include expansion of toe of the hillside slope retaining walls to extend the level rear yard area to the north side yard. The work to extend the retaining walls consists does not require extensive grading or construction. Moreover, as this is an inland site, not located on a bluff, Coastal Act provisions prohibiting the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs is not at issue. As no major grading or construction is proposed on the hillside slope, no stability analysis was conducted as part of the geotechnical investigation. The report states that the site slopes and offsite hillside slope are opinioned to have adequate gross geologic stability in their current state and that for the conditions present a stability analysis was not required. Therefore, the

development is not located in a geologically hazardous area and there are no significant geologic stability issues related to the proposed development.

Nevertheless, the project site is located adjacent to, and at the bottom of, Abalone Hill. Thus, regardless of the current condition of the site, there are inherent risks associated with development at the bottom of a hillside, including potential erosion, slope failure, and, as discussed above, wildfire. Accordingly, the Commission imposes **Special Condition 5** requiring the applicant acknowledge and agree to assume the risks of developing on a site subject to hazards due to erosion, slope failure and wildfire.

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 6**. This condition informs the applicant that future development at the site requires an amendment to this permit (5-18-0508) or a new coastal development permit. Future development includes, but is not limited to, structural additions, fencing/retaining walls, and landscaping.

C. LAND RESOURCES/ESHA

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.*

Section 30107.5 of the Coastal Act states:

“Environmentally sensitive area” means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activity and developments.”

Section 30253 of the Coastal Act states, in part:

New development shall do all of the following:

- (a) *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

Section 30240 of the Coastal Act protects areas designated as environmentally sensitive habitat areas (ESHA) and requires development in areas adjacent to ESHA and parks and recreation areas to be sited and designed to prevent impacts that would significantly degrade those areas, and that development be compatible with the continuance of those habitat and recreation areas. Development within and adjacent to open space and biological resources threatens the quality of the resource due to fuel modification/brush management required to protect those structures from fire hazards. Certain habitat avoidance measures must be implemented in order to avoid impacts to sensitive plant and animal species, specifically due to fuel modification around the proposed new structures.

As discussed above, the project site is located adjacent to hillside open space in an area vulnerable to wildfires. There is no known ESHA on the project site. The applicant included a proposed landscape plan in their CDP application submittal. Sheet LP-1 of the landscape plans included in **Exhibit 3** depicts existing and proposed plants and indicates the back slope within the subject property contains Aleppo Pines, Golden Wattle, Ficus, Flax Leaf Paperbark, and Brazilian Pepper trees. None of which are native to this coastal region of Orange County and Brazilian Pepper trees which are a known invasive. A biological survey of the adjacent undisturbed open space habitat of Abalone Hill was not included in the submittal, thus it is not possible to determine whether the biological resources on the adjacent open space rise to the level of ESHA. No work is proposed beyond the applicant's property lines. The applicant proposes to leave all mature trees on their rear yard slope but remove large masses of Brazilian Pepper seedlings across the entire slope. No re-vegetation of the rear slope is proposed. Though it is not known that the adjacent open space area contains habitat designated as ESHA, it is at least possible, therefore, the project must be designed to prevent impacts that would "significantly degrade" the open space and must be compatible with the continuation of the open space. Thus, there is at least the potential for fuel modification work necessary to protect the proposed development to adversely impact the adjacent open space and potentially ESHA.

Although the City did not require a fuel modification plan for the proposed development, it appears from the landscape plans submitted with the permit application that the backyard slope area is designated as a "Fuel Mod Zone A Setback - Irrigated Zone." Thus, expansion of this fuel modification zone into the adjacent open space in order to protect components of the proposed development could adversely impact adjacent open space and biological resources, contrary to section 30240(b). However, the proposed additions of interior living space are located along the front of the residence, not the rear-yard, and only hardscape improvements are proposed along the rear-side of the property. Thus, the proposed expansion of hardscape improvements along the rear side of the property would not require an expansion of the current Fuel Mod Zone A (as depicted on the landscape plan) further into the adjacent open space area. Therefore, impacts to the adjacent open space and any potential biological resources are unlikely and the project can be found consistent with section 30240 of the Coastal Act.

As previously noted, the applicant's landscape plans included in **Exhibit 3** depict existing and proposed plants. The applicant proposes to leave all mature trees on the slope but remove large masses of the invasive Brazilian Pepper tree seedlings across the entire slope, however, re-vegetation of the rear slope is not proposed. Revegetation of disturbed areas are necessary to prevent invasive plants from spreading into the adjacent undisturbed open space. Therefore, the

Commission imposes **Special Condition 2** requiring revision of the landscape plan along the rear yard slope to ensure that the removal of existing invasive plant species is performed in a manner that protects the slope utilizing hand tools instead of heavy equipment and requiring slope revegetation and restoration with native, drought tolerant plant species native to coastal Orange County and appropriate to the adjacent habitat type.

Therefore, as conditioned, the Commission finds that the development conforms to the requirements of Section 30240 of the Coastal Act regarding the protection of environmentally sensitive habitat areas, parks and recreation areas.

D. WATER QUALITY

Section 30230 of the Coastal Act states, in pertinent part:

Marine resources shall be maintained, enhanced, and where feasible, restored...

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.

The protection of water quality is an important aspect of the Coastal Act. Due to the proposed project's location near the Pacific Ocean, construction activities may have adverse impacts upon water quality and the marine environment. Storage or placement of construction materials, debris, or waste in a location subject to wave erosion and dispersion would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of heavy machinery along roads near coastal waters may result in the release of lubricants or oils that are toxic to marine life.

In order to minimize adverse construction-related impacts upon marine resources, staff imposes **Special Condition 4** providing for the safe storage of construction materials, the safe disposal of construction debris and construction best management practices (BMP). The applicant will be required to implement BMPs designed to avoid temporary construction impacts by minimizing erosion and preventing debris from entering coastal waters. This condition requires the applicant to remove any and all debris resulting from construction activities within 24 hours of completion of the project. Additionally, **Special Condition 3** addresses water quality concerns for the life of the project by requiring conformance with the preliminary grading/drainage plan indicating a trench drain the width of the driveway and all downspouts connected to proposed drain lines that gravity flow to low-flow filter boxes which outlet onto the frontage road.

As proposed and conditioned, the proposed development will minimize possible adverse impacts on coastal waters to such an extent that it will not have a significant impact on marine resources, biological productivity or coastal water quality. Therefore, the Commission finds that the proposed development, as conditioned, conforms to Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to protect marine resources, promote the biological productivity of coastal waters and to protect human health.

E. 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 the existing locked gate community of Irvine Cove located between the sea and the first public road (Coast Hwy) 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 approximately a half mile north of Irvine Cove at Crystal Cove State Park/Beach (Exhibit 1). The proposed development, remodel of 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.

F. 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 Irvine Cove 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.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 effect which the activity may have on the environment.

The City of Laguna Beach is the lead agency for purposes of CEQA compliance. The City determined the project Categorically Exempt from CEQA requirements as a Class 3(a) exemption. Additionally, the proposed development has been conditioned to assure the proposed project is consistent with the resource protection policies of the Coastal Act. The conditions also serve to mitigate significant adverse impacts under CEQA. The Commission imposed conditions are as follows: 1) proof of approval by the City of Laguna Beach Fire Department; 2) revised final landscape plans; 3) conformance with preliminary grading/drainage plan; 4) construction best management practices; 5) an assumption of risk; and 5) future improvements condition.

There are no other feasible alternatives or mitigation measures available which will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

City of Laguna Beach LCP (as guidance)

Geotechnical Engineering Investigation for Residential Remodel, Additions and Potential Rear Yard Improvements at 2566 Mona Drive, Laguna Beach, California, W.O 538817-01, by Coast Geotechnical, Inc. dated September 11, 2017

CDP 5-13-093(Day) for 2590 Monaco Drive, Laguna Beach, Orange County