

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD, SUITE 300
LONG BEACH, CA 90802-4325
VOICE (562) 590-5071
FAX (562) 590-5084



Th10a

A-5-LGB-20-0050 (DORNIN)
NOVEMBER 5, 2020

EXHIBITS

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Exhibit 1—Project Location

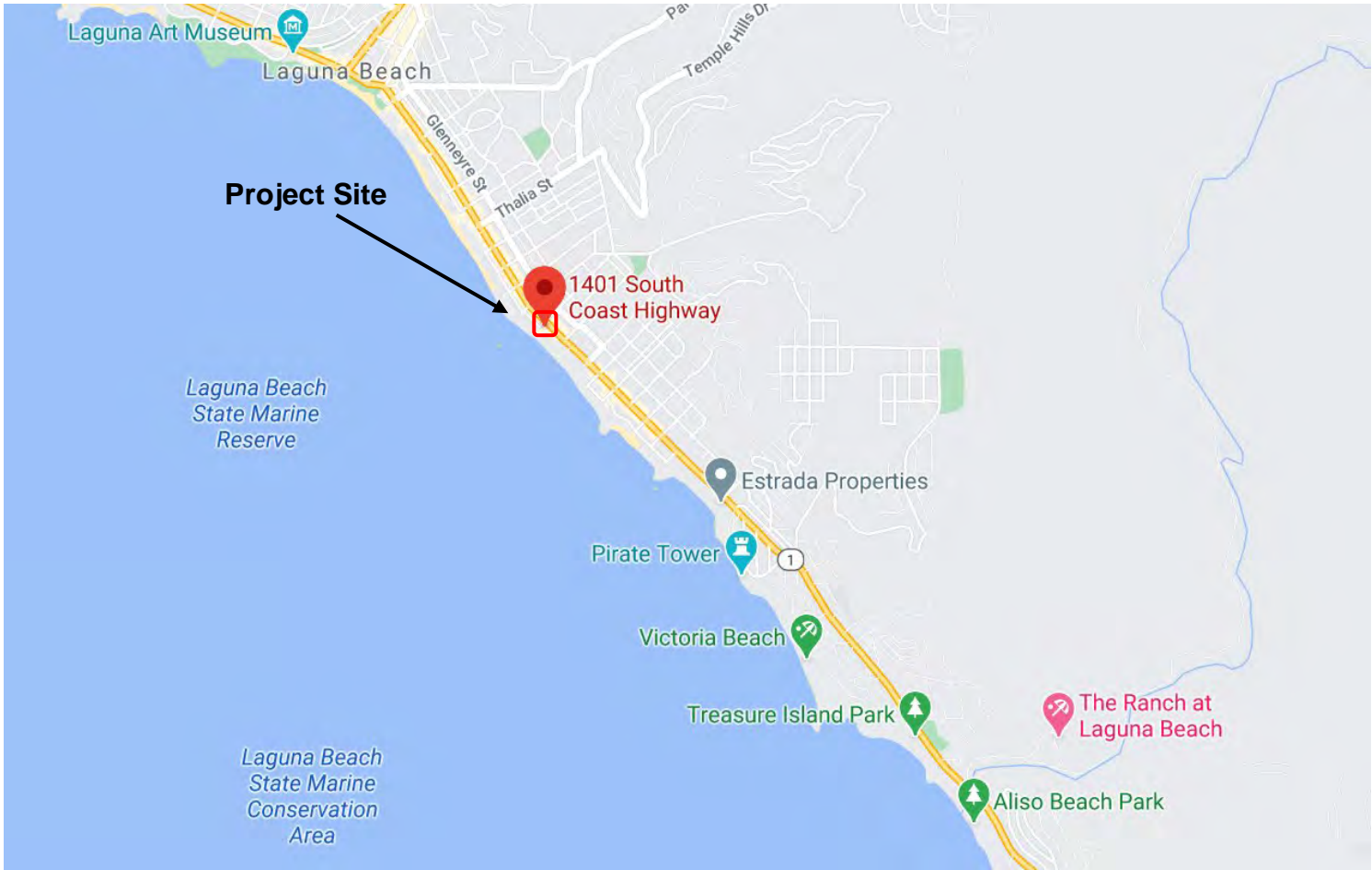


Exhibit 2—Project Plans

COAST INN HOTEL RENOVATION

1401 S. COAST HIGHWAY LAGUNA BEACH, CA 92651

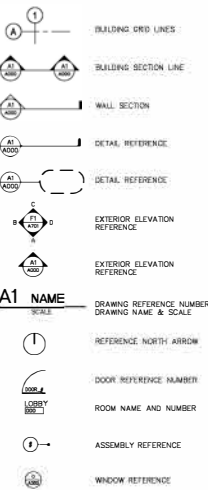
PLANNING/ZONING SUBMITTAL 100% DOCUMENTS

CC REVISION 8.31.2020

TEXT ABBREVIATIONS

AC	Architectural	AD	Architectural Detail	AE	Architectural Elevation
AF	Architectural Foundation	AG	Architectural Ground	AH	Architectural Hatching
AI	Architectural Interior	AL	Architectural Landscape	AM	Architectural Material
AN	Architectural Note	AO	Architectural Outline	AP	Architectural Plan
AR	Architectural Roof	AS	Architectural Section	AT	Architectural Trench
AV	Architectural View	AW	Architectural Wall	AX	Architectural X-section
AY	Architectural Y-section	AZ	Architectural Z-section	BA	Building Area
BB	Building Base	BC	Building Ceiling	BD	Building Deck
BE	Building Elevation	BF	Building Floor	BG	Building Ground
BH	Building Hatching	BI	Building Interior	BJ	Building Joint
BL	Building Landscape	BM	Building Material	BN	Building Note
BO	Building Outline	BP	Building Plan	BQ	Building Quarter
BR	Building Roof	BS	Building Section	BT	Building Trench
BU	Building Unit	BV	Building View	BW	Building Wall
BX	Building X-section	BY	Building Y-section	BZ	Building Z-section
CA	Construction Area	CB	Construction Base	CC	Construction Ceiling
CD	Construction Deck	CE	Construction Elevation	CF	Construction Floor
CG	Construction Ground	CH	Construction Hatching	CI	Construction Interior
CJ	Construction Joint	CK	Construction Landscape	CL	Construction Material
CM	Construction Material	CN	Construction Note	CO	Construction Outline
CP	Construction Plan	CQ	Construction Quarter	CR	Construction Roof
CS	Construction Section	CT	Construction Trench	CU	Construction Unit
CV	Construction View	CW	Construction Wall	CX	Construction X-section
CY	Construction Y-section	CZ	Construction Z-section	DA	Demolition Area
DB	Demolition Base	DC	Demolition Ceiling	DD	Demolition Deck
DE	Demolition Elevation	DF	Demolition Floor	DG	Demolition Ground
DH	Demolition Hatching	DI	Demolition Interior	DJ	Demolition Joint
DL	Demolition Landscape	DM	Demolition Material	DN	Demolition Note
DO	Demolition Outline	DP	Demolition Plan	DQ	Demolition Quarter
DR	Demolition Roof	DS	Demolition Section	DT	Demolition Trench
DU	Demolition Unit	DV	Demolition View	DW	Demolition Wall
DX	Demolition X-section	DY	Demolition Y-section	DZ	Demolition Z-section
EA	Existing Area	EB	Existing Base	EC	Existing Ceiling
ED	Existing Deck	EE	Existing Elevation	EF	Existing Floor
EG	Existing Ground	EH	Existing Hatching	EI	Existing Interior
EJ	Existing Joint	EK	Existing Landscape	EL	Existing Material
EM	Existing Material	EN	Existing Note	EO	Existing Outline
EP	Existing Plan	EQ	Existing Quarter	ER	Existing Roof
ES	Existing Section	ET	Existing Trench	EU	Existing Unit
EV	Existing View	EW	Existing Wall	EX	Existing X-section
EY	Existing Y-section	EZ	Existing Z-section	FA	Foundation Area
FB	Foundation Base	FC	Foundation Ceiling	FD	Foundation Deck
FE	Foundation Elevation	FF	Foundation Floor	FG	Foundation Ground
FH	Foundation Hatching	FI	Foundation Interior	FJ	Foundation Joint
FL	Foundation Landscape	FM	Foundation Material	FN	Foundation Note
FO	Foundation Outline	FP	Foundation Plan	FQ	Foundation Quarter
FR	Foundation Roof	FS	Foundation Section	FT	Foundation Trench
FU	Foundation Unit	FV	Foundation View	FW	Foundation Wall
FX	Foundation X-section	FY	Foundation Y-section	FZ	Foundation Z-section
GA	Grading Area	GB	Grading Base	GC	Grading Ceiling
GD	Grading Deck	GE	Grading Elevation	GF	Grading Floor
GG	Grading Ground	GH	Grading Hatching	GI	Grading Interior
GJ	Grading Joint	GK	Grading Landscape	GL	Grading Material
GM	Grading Material	GN	Grading Note	GO	Grading Outline
GP	Grading Plan	GQ	Grading Quarter	GR	Grading Roof
GS	Grading Section	GT	Grading Trench	GU	Grading Unit
GV	Grading View	GW	Grading Wall	GX	Grading X-section
GY	Grading Y-section	GZ	Grading Z-section	HA	Hatching Area
HB	Hatching Base	HC	Hatching Ceiling	HD	Hatching Deck
HE	Hatching Elevation	HF	Hatching Floor	HG	Hatching Ground
HH	Hatching Hatching	HI	Hatching Interior	HJ	Hatching Joint
HL	Hatching Landscape	HM	Hatching Material	HN	Hatching Note
HO	Hatching Outline	HP	Hatching Plan	HQ	Hatching Quarter
HR	Hatching Roof	HS	Hatching Section	HT	Hatching Trench
HU	Hatching Unit	HV	Hatching View	HW	Hatching Wall
HX	Hatching X-section	HY	Hatching Y-section	HZ	Hatching Z-section
IA	Interior Area	IB	Interior Base	IC	Interior Ceiling
ID	Interior Deck	IE	Interior Elevation	IF	Interior Floor
IG	Interior Ground	IH	Interior Hatching	II	Interior Interior
IJ	Interior Joint	IK	Interior Landscape	IL	Interior Material
IM	Interior Material	IN	Interior Note	IO	Interior Outline
IP	Interior Plan	IQ	Interior Quarter	IR	Interior Roof
IS	Interior Section	IT	Interior Trench	IU	Interior Unit
IV	Interior View	IW	Interior Wall	IX	Interior X-section
IY	Interior Y-section	IZ	Interior Z-section	JA	Joint Area
JB	Joint Base	JC	Joint Ceiling	JD	Joint Deck
JE	Joint Elevation	JF	Joint Floor	JG	Joint Ground
JH	Joint Hatching	JI	Joint Interior	JJ	Joint Joint
JL	Joint Landscape	JM	Joint Material	JN	Joint Note
JO	Joint Outline	JP	Joint Plan	JQ	Joint Quarter
JR	Joint Roof	JS	Joint Section	JT	Joint Trench
JU	Joint Unit	JV	Joint View	JW	Joint Wall
JX	Joint X-section	JY	Joint Y-section	JZ	Joint Z-section
KA	Landscaping Area	KB	Landscaping Base	KC	Landscaping Ceiling
KD	Landscaping Deck	KE	Landscaping Elevation	KF	Landscaping Floor
KG	Landscaping Ground	KH	Landscaping Hatching	KI	Landscaping Interior
KJ	Landscaping Joint	KK	Landscaping Landscape	KL	Landscaping Material
KM	Landscaping Material	KN	Landscaping Note	KO	Landscaping Outline
KP	Landscaping Plan	KQ	Landscaping Quarter	KR	Landscaping Roof
KS	Landscaping Section	KT	Landscaping Trench	KU	Landscaping Unit
KV	Landscaping View	KW	Landscaping Wall	KX	Landscaping X-section
KY	Landscaping Y-section	KZ	Landscaping Z-section	LA	Landscape Area
LB	Landscape Base	LC	Landscape Ceiling	LD	Landscape Deck
LE	Landscape Elevation	LF	Landscape Floor	LG	Landscape Ground
LH	Landscape Hatching	LI	Landscape Interior	LJ	Landscape Joint
LL	Landscape Landscape	LM	Landscape Material	LN	Landscape Note
LO	Landscape Outline	LP	Landscape Plan	LQ	Landscape Quarter
LR	Landscape Roof	LS	Landscape Section	LT	Landscape Trench
LU	Landscape Unit	LV	Landscape View	LW	Landscape Wall
LX	Landscape X-section	LY	Landscape Y-section	LZ	Landscape Z-section
MA	Material Area	MB	Material Base	MC	Material Ceiling
MD	Material Deck	ME	Material Elevation	MF	Material Floor
MG	Material Ground	MH	Material Hatching	MI	Material Interior
MJ	Material Joint	MK	Material Landscape	ML	Material Material
MM	Material Material	MN	Material Note	MO	Material Outline
MP	Material Plan	MQ	Material Quarter	MR	Material Roof
MS	Material Section	MT	Material Trench	MU	Material Unit
MV	Material View	MW	Material Wall	MX	Material X-section
MY	Material Y-section	MZ	Material Z-section	NA	Note Area
NB	Note Base	NC	Note Ceiling	ND	Note Deck
NE	Note Elevation	NF	Note Floor	NG	Note Ground
NH	Note Hatching	NI	Note Interior	NJ	Note Joint
NL	Note Landscape	NM	Note Material	NN	Note Note
NO	Note Outline	NP	Note Plan	NQ	Note Quarter
NR	Note Roof	NS	Note Section	NT	Note Trench
NU	Note Unit	NV	Note View	NW	Note Wall
NX	Note X-section	NY	Note Y-section	NZ	Note Z-section
OA	Outline Area	OB	Outline Base	OC	Outline Ceiling
OD	Outline Deck	OE	Outline Elevation	OF	Outline Floor
OG	Outline Ground	OH	Outline Hatching	OI	Outline Interior
OJ	Outline Joint	OK	Outline Landscape	OL	Outline Material
OM	Outline Material	ON	Outline Note	OO	Outline Outline
OP	Outline Plan	OQ	Outline Quarter	OR	Outline Roof
OS	Outline Section	OT	Outline Trench	OU	Outline Unit
OV	Outline View	OW	Outline Wall	OX	Outline X-section
OY	Outline Y-section	OZ	Outline Z-section	PA	Plan Area
PB	Plan Base	PC	Plan Ceiling	PD	Plan Deck
PE	Plan Elevation	PF	Plan Floor	PG	Plan Ground
PH	Plan Hatching	PI	Plan Interior	PJ	Plan Joint
PL	Plan Landscape	PM	Plan Material	PN	Plan Note
PO	Plan Outline	PP	Plan Plan	PQ	Plan Quarter
PR	Plan Roof	PS	Plan Section	PT	Plan Trench
PU	Plan Unit	PV	Plan View	PW	Plan Wall
PX	Plan X-section	PY	Plan Y-section	PZ	Plan Z-section
QA	Quarter Area	QB	Quarter Base	QC	Quarter Ceiling
QD	Quarter Deck	QE	Quarter Elevation	QF	Quarter Floor
QG	Quarter Ground	QH	Quarter Hatching	QI	Quarter Interior
QJ	Quarter Joint	QK	Quarter Landscape	QL	Quarter Material
QM	Quarter Material	QN	Quarter Note	QO	Quarter Outline
QP	Quarter Plan	QQ	Quarter Quarter	QR	Quarter Roof
QS	Quarter Section	QT	Quarter Trench	QU	Quarter Unit
QV	Quarter View	QW	Quarter Wall	QX	Quarter X-section
QY	Quarter Y-section	QZ	Quarter Z-section	RA	Roof Area
RB	Roof Base	RC	Roof Ceiling	RD	Roof Deck
RE	Roof Elevation	RF	Roof Floor	RG	Roof Ground
RH	Roof Hatching	RI	Roof Interior	RJ	Roof Joint
RL	Roof Landscape	RM	Roof Material	RN	Roof Note
RO	Roof Outline	RP	Roof Plan	RQ	Roof Quarter
RR	Roof Roof	RS	Roof Section	RT	Roof Trench
RU	Roof Unit	RV	Roof View	RW	Roof Wall
RX	Roof X-section	RY	Roof Y-section	RZ	Roof Z-section
SA	Section Area	SB	Section Base	SC	Section Ceiling
SD	Section Deck	SE	Section Elevation	SF	Section Floor
SG	Section Ground	SH	Section Hatching	SI	Section Interior
SJ	Section Joint	SK	Section Landscape	SL	Section Material
SM	Section Material	SN	Section Note	SO	Section Outline
SP	Section Plan	SQ	Section Quarter	SR	Section Roof
SS	Section Section	ST	Section Trench	SU	Section Unit
SV	Section View	SW	Section Wall	SX	Section X-section
SY	Section Y-section	SZ	Section Z-section	TA	Trench Area
TB	Trench Base	TC	Trench Ceiling	TD	Trench Deck
TE	Trench Elevation	TF	Trench Floor	TG	Trench Ground
TH	Trench Hatching	TI	Trench Interior	TJ	Trench Joint
TL	Trench Landscape	TM	Trench Material	TN	Trench Note
TO	Trench Outline	TP	Trench Plan	TQ	Trench Quarter
TR	Trench Roof	TS	Trench Section	TT	Trench Trench
TU	Trench Unit	TV	Trench View	TW	Trench Wall
TX	Trench X-section	TY	Trench Y-section	TZ	Trench Z-section
UA	Unit Area	UB	Unit Base	UC	Unit Ceiling
UD	Unit Deck	UE	Unit Elevation	UF	Unit Floor
UG	Unit Ground	UH	Unit Hatching	UI	Unit Interior
UJ	Unit Joint	UK	Unit Landscape	UL	Unit Material
UM	Unit Material	UN	Unit Note	UO	Unit Outline
UP	Unit Plan	UQ	Unit Quarter	UR	Unit Roof
US	Unit Section	UT	Unit Trench	UU	Unit Unit
UV	Unit View	UW	Unit Wall	UX	Unit X-section
UY	Unit Y-section	UZ	Unit Z-section	VA	View Area
VB	View Base	VC	View Ceiling	VD	View Deck
VE	View Elevation	VF	View Floor	VG	View Ground
VH	View Hatching	VI	View Interior	VJ	View Joint
VL	View Landscape	VM	View Material	VN	View Note
VO	View Outline	VP	View Plan	VQ	View Quarter
VR	View Roof	VS	View Section	VT	View Trench
VU	View Unit	VV	View View	VW	View Wall
VX	View X-section	VY	View Y-section	VZ	View Z-section
WA	Wall Area	WB	Wall Base	WC	Wall Ceiling
WD	Wall Deck	WE	Wall Elevation	WF	Wall Floor
WG	Wall Ground	WH	Wall Hatching	WI	Wall Interior
WJ	Wall Joint	WK	Wall Landscape	WL	Wall Material
WM	Wall Material	WN	Wall Note	WO	Wall Outline
WP	Wall Plan	WQ	Wall Quarter	WR	Wall Roof
WS	Wall Section	WT	Wall Trench	WU	Wall Unit
WV	Wall View	WW	Wall Wall	WX	Wall X-section
WY	Wall Y-section	WZ	Wall Z-section	XA	X-section Area
XB	X-section Base	XC	X-section Ceiling	XD	X-section Deck
XE	X-section Elevation	XF	X-section Floor	XG	X-section Ground
XH	X-section Hatching	XI	X-section Interior	XJ	X-section Joint
XL	X-section Landscape	XM	X-section Material	XN	X-section Note
XO	X-section Outline	XP	X-section Plan	XQ	X-section Quarter
XR	X-section Roof	XS	X-section Section	XT	X-section Trench
XU	X-section Unit	XV	X-section View	XW	X-section Wall
XX	X-section X-section	XY	X-section Y-section	XZ	X-section Z-section
YA	Y-section Area	YB	Y-section Base	YC	Y-section Ceiling
YD	Y-section Deck	YE	Y-section Elevation	YF	Y-section Floor
YG	Y-section Ground	YH	Y-section Hatching	YI	Y-section Interior
YJ	Y-section Joint	YK	Y-section Landscape	YL	Y-section Material
YM	Y-section Material	YN	Y-section Note	YO	Y-section Outline
YP	Y-section Plan	YQ	Y-section Quarter	YR	Y-section Roof
YS	Y-section Section	YT	Y-section Trench	YU	Y-section Unit
YV	Y-section View	YW	Y-section Wall	YX	Y-section X-section
YY	Y-section Y-section	YZ	Y-section Z-section	ZA	Z-section Area
ZB	Z-section Base	ZC	Z-section Ceiling	ZD	Z-section Deck
ZE	Z-section Elevation	ZF	Z-section Floor	ZG	Z-section Ground
ZH	Z-section Hatching	ZI	Z-section Interior	ZJ	Z-section Joint
ZL	Z-section Landscape	ZM	Z-section Material	ZN	Z-section Note
ZO	Z-section Outline	ZP	Z-section Plan	ZQ	Z-section Quarter
ZR	Z-section Roof	ZS	Z-section Section	ZT	Z-section Trench
ZU	Z-section Unit	ZV	Z-section View	ZW	Z-section Wall
ZX	Z-section X-section	ZY	Z-section Y-section	ZZ	Z-section Z-section

ARCHITECTURAL SYMBOLS



PROJECT DIRECTORY

OWNER:
DORNIN INVESTMENT GROUP
1110 GLENVIEW STREET
LAGUNA BEACH, CA 92651
TEL: 949.376.1794
dornin@dniconsultants.com

ARCHITECT:
MARSHALL INNINS DESIGN GROUP, INC.
410 BROADWAY STREET SUITE 2107
LAGUNA BEACH, CA 92651
TEL: 949.376.1794
marin@dniconsultants.com

SURVEYOR:
HENRY SCHNEPP
SOUTH COAST SURVEYING INC.
3214 CLAY ST.
NEWPORT BEACH, CA 92663
TEL: 949.280.9957

SOILS GEOLOGIST:
BORILLA GEOLOGY, INC.
CONSULTING ENGINEERING GEOLOGY
1817 HILLCREST DRIVE
LAGUNA BEACH, CALIFORNIA 92651
(949) 494-3566

LANDSCAPE ARCHITECT:
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MICHAEL D. WILKES - PRINCIPAL
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LAGUNA BEACH, CA 92651
TEL: 949.683.1150
WILKES@NO-WILKES.COM

DRAWING INDEX

COVER
COVER SHEET

CIVIL
C101 EXISTING TOPOGRAPHIC SURVEY

ARCHITECTURAL
A101 SITE PLAN
A102A STAGING PLAN
A102.1A UMBRELLA STAGING PLAN
A102B STRING-LINE DIAGRAM & AERIAL PHOTO
A103 FIRE ACCESS PLAN
A201 DEMO & PROPOSED FLOOR PLAN LEVEL 01
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A201.2 DEMOLITION/REMODEL FOUNDATION LINEAL FOOTAGE
A201.3 WALL DEMOLITION LINEAL FOOTAGE LEVEL 1 AND LEVEL 2
A201.4 WALL DEMOLITION LINEAL FOOTAGE LEVEL 3 AND LEVEL 4
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A203 DEMO & PROPOSED FLOOR PLAN LEVEL 03
A204 DEMO & PROPOSED FLOOR PLAN LEVEL 04
A205 DEMO & PROPOSED FLOOR PLAN LEVEL 05

UMBRELLA PLAN
U-1 ROOF DECK UMBRELLA PLAN
U-1b ROOF DECK FURNITURE PLAN

A301 DEMO & PROPOSED SOUTH ELEVATION (REMODEL JUSTIFICATION)
A302 DEMO & PROPOSED NORTH ELEVATION (REMODEL JUSTIFICATION)
A303 DEMO & PROPOSED EAST/WEST ELEVATION (REMODEL JUSTIFICATION)
A401 EXISTING & PROPOSED SECTION AA
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A405 EXISTING & PROPOSED SECTION EE & FF
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A601 GRADING SECTION AA
A602 GRADING SECTION BB
A603 GRADING SECTION DD
A604 GRADING SECTION FF
A605 GRADING SECTION EE & FF
A606 GRADING PLAN LEVEL 1
A607 GRADING PLAN LEVEL 2
A608 GRADING PLAN LEVEL 3
A701 LIGHTING PLAN LEVEL 01 & 02
A702 LIGHTING PLAN LEVEL 03 & 04
A703 LIGHTING PLAN LEVEL 05

LANDSCAPE
L2.0 LANDSCAPE PLAN SLOPE LANDSCAPE AND LEVEL 1
L2.1 LANDSCAPE PLAN LEVEL 02 & 03
L2.2 LANDSCAPE PLAN ROOF DECK LEVEL

PROJECT DATA

PROJECT DESCRIPTION: HOTEL EXTERIOR AND EXTERIOR RENOVATION
PROJECT HAS RECEIVED A RECOMMENDED "C" RATING FROM LAGUNA BEACH HERITAGE COMMITTEE

LOT DESCRIPTION:

ADDRESS: 1401 S. COAST HIGHWAY
TRACT: A.P. N. 644-217-01

LOT: #1

ZONE TYPE: C1 (LOCAL BUSINESS DISTRICT 25.20.006 (J))

CURRENT CODE REFERENCES:

CHAPTER 25
CITY OF LAGUNA BEACH DESIGN REVIEW DOCUMENT

CODE ANALYSIS

USE: HOTEL, TAVERN
GROUP:</



MARSHALL INNINS DESIGN
ARCHITECTS
PHONE: (949) 276-1794
410 BROADWAY STREET
SUITE 210 LAGUNA BEACH
CALIFORNIA 92651

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1401 South Coast Highway
Laguna Beach, California 92651
DORNIN INVESTMENT GROUP, LLC

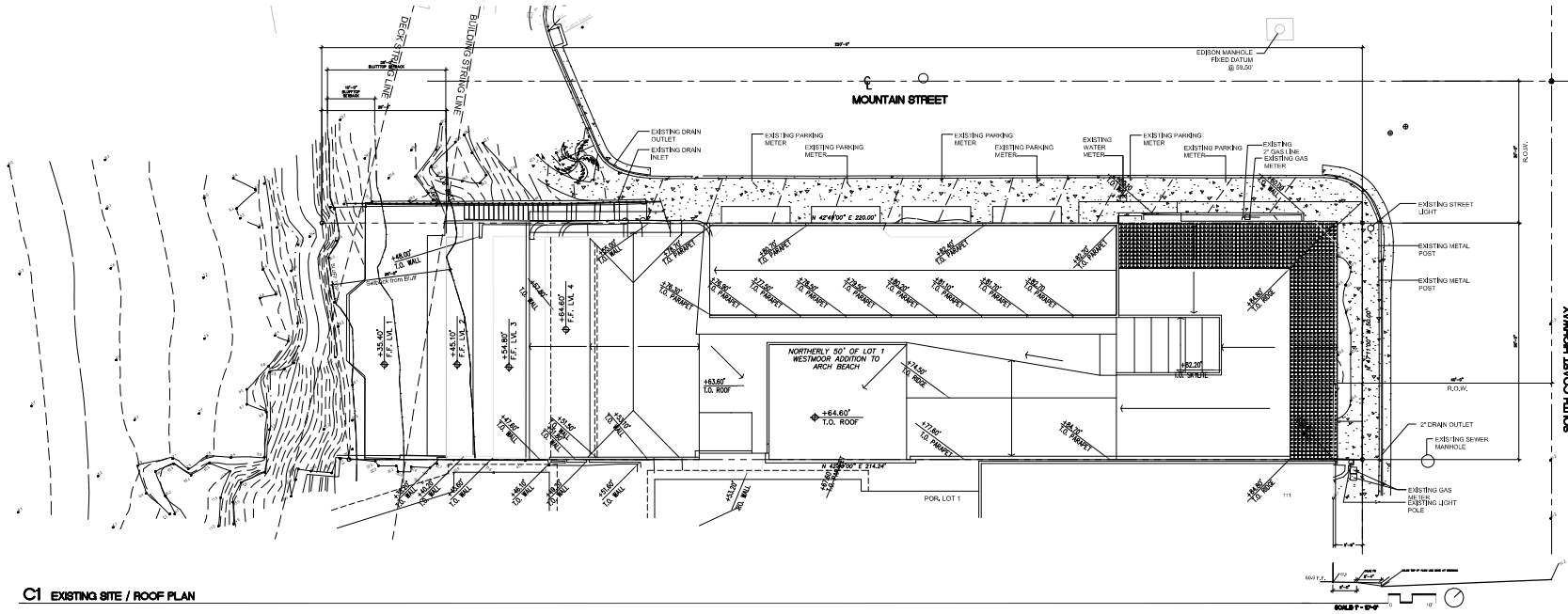


Zoning-Planning Documents

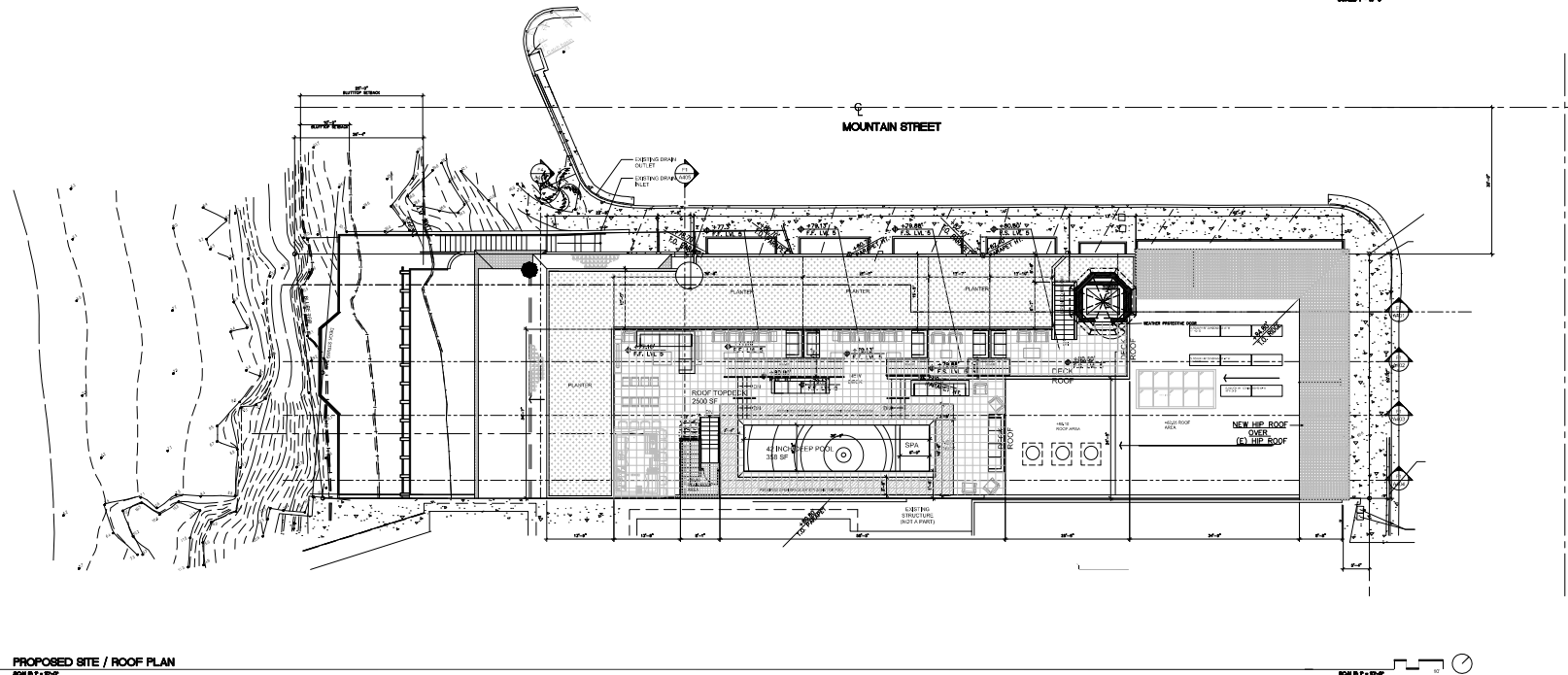
Job No.
Drawn By
Checked By
Date: 08/13/2010
Review

Site Plan
(E) & (N) Roof Plan

Sheet No
A101
Of



C1 EXISTING SITE / ROOF PLAN



F1 PROPOSED SITE / ROOF PLAN

California Coastal Commission

A-5-LGB-20-0050

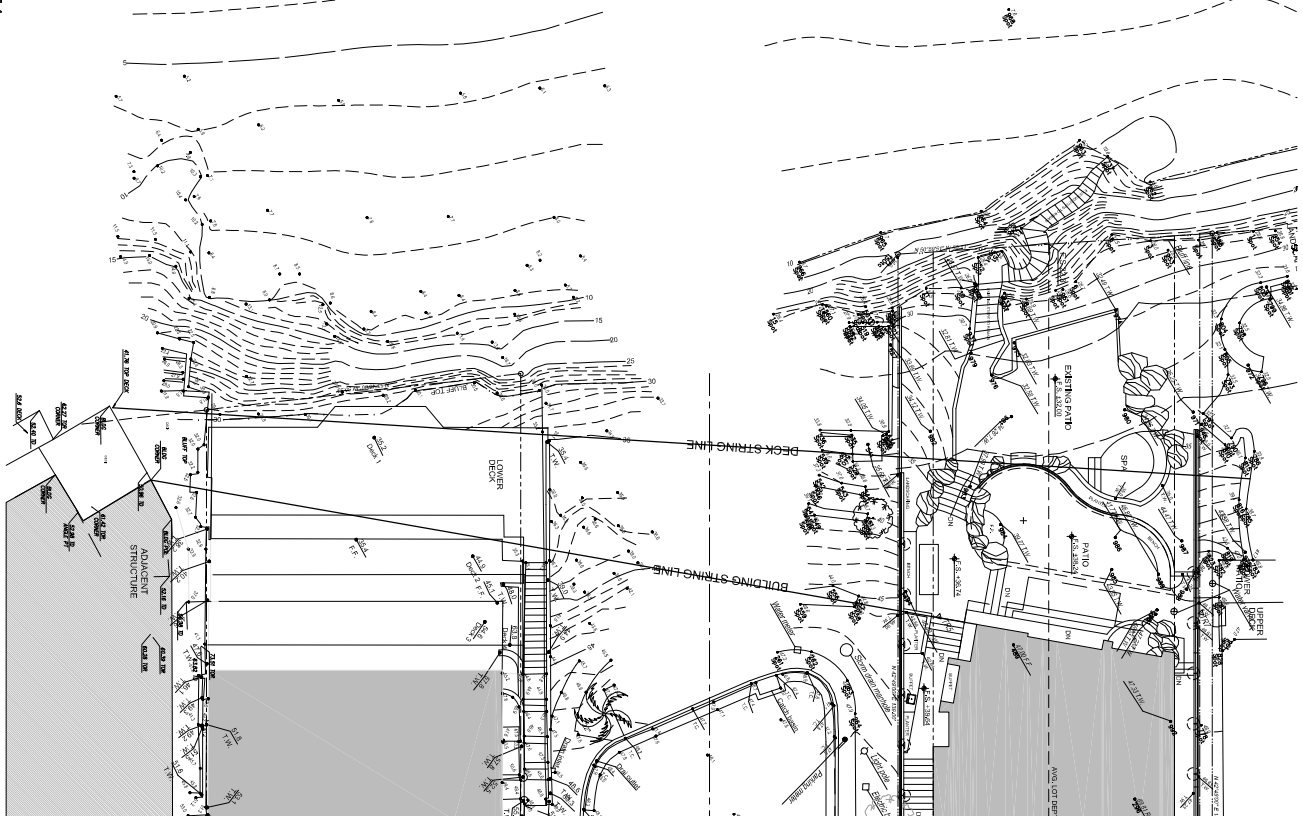
Exhibit 2

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C1 STRINGLINE AERIAL PHOTO



F4 STRINGLINE DIAGRAM



SCALE 1" = 10'

Sheet No
A102B
OF

Stringline Diagram

Job No.
Drawn By
Checked By
Date
Revisions

Zooming/Planning
Documents



Project Name
Coast Inn Renovation
1401 South Coast Highway
Laguna Beach, California 92651
Owners
DORNIN INVESTMENT GROUP, LLC



MARSHALL INNIS DESIGN GROUP
MARSHALL INNIS DESIGN GROUP
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MARSHALLINNISDESIGN.COM

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Coast Inn Renovation
1401 South Coast Highway
Laguna Beach, California 92651
DORNIN INVESTMENT GROUP, LLC

Project Name



Zoning-Planning Documents

By: [Signature]
Checked By: [Signature]
Date of Revision: [Date]
Revisions: [List]

Demo & Proposed Floor Plan Level 01 (Remodel Justification)

Sheet No
A201
Of

LEGEND

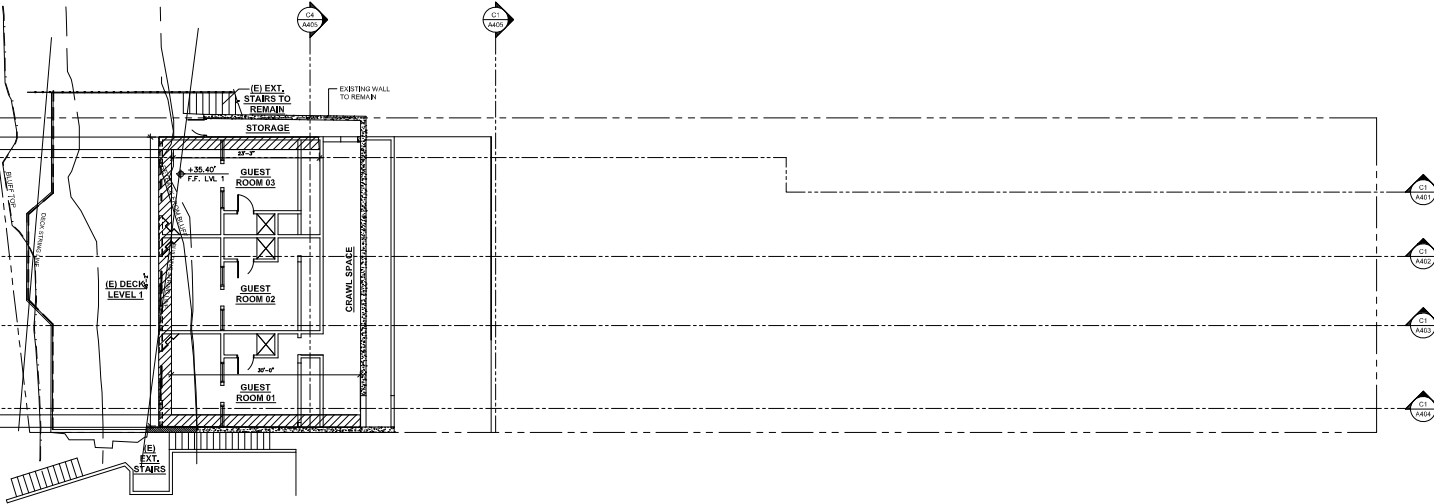
- (N) NEW WALL
- (E) EXISTING STRUCTURE TO REMAIN
- (E) EXISTING FLOOR AREA TO BE REMOVED
- (E) EXISTING DECK AREA TO BE REMOVED
- (E) EXISTING ROOF AREA TO BE REMOVED
- (E) EXISTING MASONRY WALL TO REMAIN
- (N) NEW FLOOR AREA

LEVEL1- REMODEL JUSTIFICATION

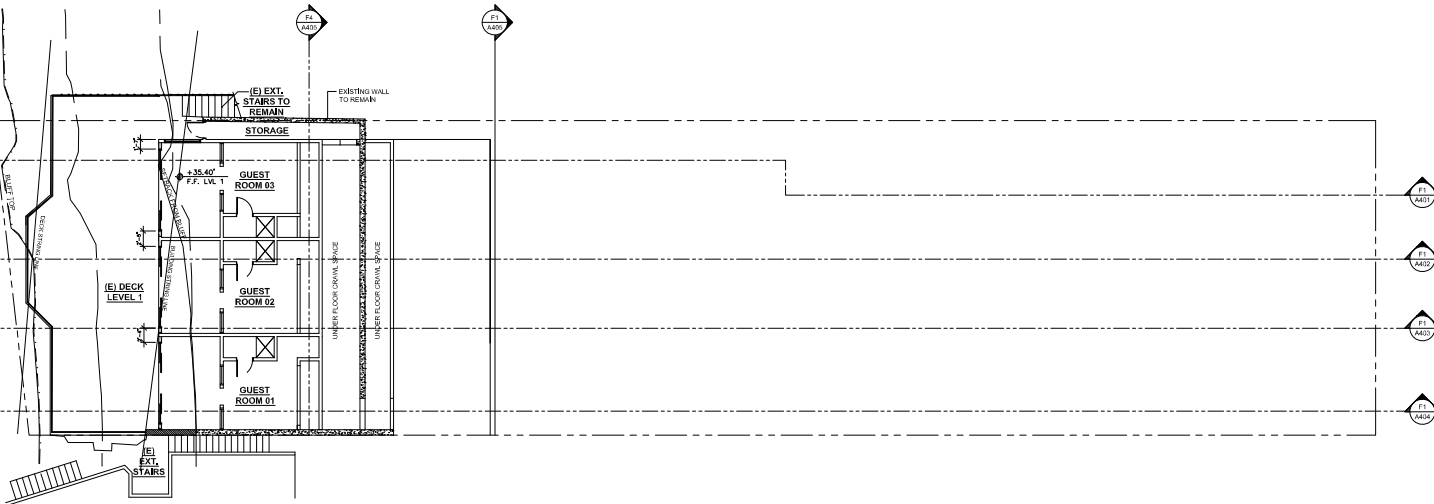
DESIGNATION	AREA SQ. FT.
EXISTING FLOOR AREA	1622.81
AREA OF FLOOR TO BE REMODEL	23.25 -2 -46.50
	46.17 -2 -92.34
	30 -2 -60.00
AREA OF FLOOR REMODEL	-198.84
AREA OF FLOOR TO REMAIN	1423.97
% OF FLOOR TO BE REMODEL	12.25

DESIGNATION	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	TOTAL
EXISTING FLOOR AREA	1622.81	2021	7843.81	5527.47		15042.09
AREA OF FLOOR TO BE REMOVED	-198.84	-109.5	-2036.05	-649.50		-3193.89
AREA OF FLOOR TO REMAIN	1423.97	1851.5	5807.76	4877.97		11861.20
% FLOOR TO BE REMOVED	-12.25	-5.39	-26.09	-11.60		-21.00
PERCENTAGE OF FLOOR REMAINING	87.75	94.61	73.91	88.40		79.00

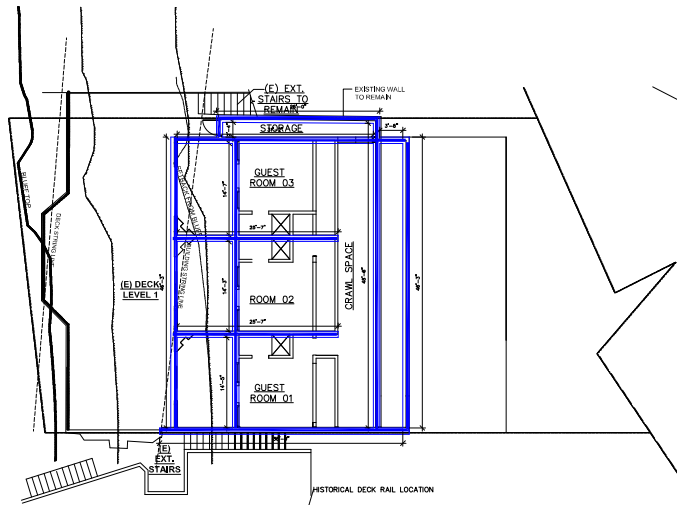
DESIGNATION	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	TOTAL
EXISTING ROOF AREA	2254.00	6636.00	8900.00			17790.00
AREA OF ROOF TO BE REMOVED	-2254.00	-3015.33	-6439.00			-11708.33
AREA OF ROOF TO REMAIN			2460.67			2460.67
PERCENTAGE OF ROOF TO BE REMOVED	-100.00	-45.45	-72.35			-72.35
PERCENTAGE OF ROOF REMAINING			27.65			27.65



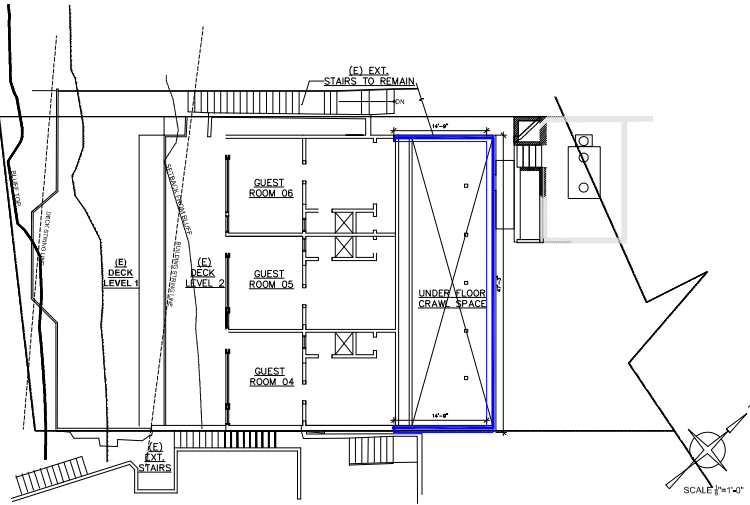
C1 LEVEL 1 - DEMO FLOOR PLAN
SCALE 1/8" = 1'-0"



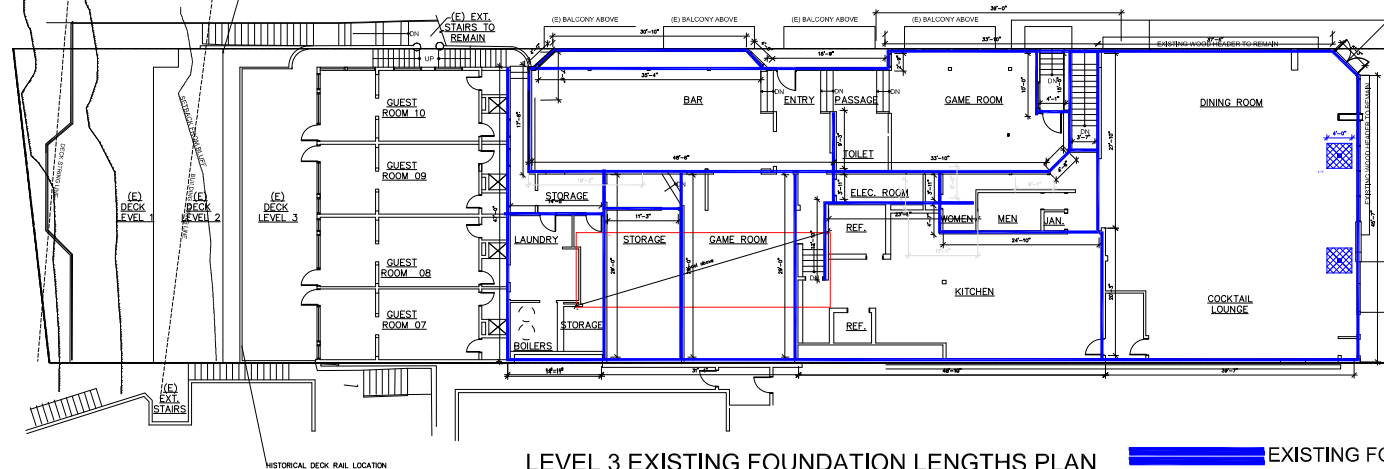
F1 LEVEL 1 - PROPOSED FLOOR PLAN
SCALE 1/8" = 1'-0"



LEVEL 1 EXISTING FOUNDATION LENGTHS PLAN




LEVEL 2 EXISTING FOUNDATION LENGTHS PLAN




LEVEL 3 EXISTING FOUNDATION LENGTHS PLAN ————— EXISTING FOUNDATION

FOUNDATION QUANTITIES	FOUNDATION LENGTH LF
LEVEL ONE	
STORAGE	26.00
ROOM 03	31.17
ROOM 02	14.58
ROOM 01	25.58
DECK	14.25
CRAWL SPACE	25.58
UNDER FLOOR CRAWL SPACE	14.42
STAIRS	38.75
STAIRS	46.25
STAIRS	2.30
STAIRS	48.50
STAIRS	3.67
STAIRS	46.25
SUBTOTAL LEVEL ONE	337.30
LEVEL TWO	
UNDER FLOOR CRAWL SPACE	14.75
UNDER FLOOR CRAWL SPACE	47.25
UNDER FLOOR CRAWL SPACE	14.75
SUBTOTAL LEVEL TWO	76.75
LEVEL THREE	
DINING ROOM	37.33
COCKTAIL LOUNGE	5.25
COCKTAIL LOUNGE	45.58
COCKTAIL LOUNGE	39.58
COCKTAIL LOUNGE	20.25
COCKTAIL LOUNGE	27.83
COCKTAIL LOUNGE	16.00
COCKTAIL LOUNGE	16.00
COCKTAIL LOUNGE	15.42
COCKTAIL LOUNGE	10.00
COCKTAIL LOUNGE	3.58
COCKTAIL LOUNGE	4.50
COCKTAIL LOUNGE	5.00
COCKTAIL LOUNGE	33.83
COCKTAIL LOUNGE	2.75
COCKTAIL LOUNGE	34.33
COCKTAIL LOUNGE	3.92
COCKTAIL LOUNGE	4.58
COCKTAIL LOUNGE	23.67
COCKTAIL LOUNGE	24.83
COCKTAIL LOUNGE	48.83
COCKTAIL LOUNGE	12.83
COCKTAIL LOUNGE	3.92
COCKTAIL LOUNGE	18.75
COCKTAIL LOUNGE	9.25
COCKTAIL LOUNGE	30.83
COCKTAIL LOUNGE	4.00
COCKTAIL LOUNGE	4.00
COCKTAIL LOUNGE	35.33
COCKTAIL LOUNGE	17.50
COCKTAIL LOUNGE	48.50
COCKTAIL LOUNGE	29.00
COCKTAIL LOUNGE	31.33
COCKTAIL LOUNGE	29.00
COCKTAIL LOUNGE	11.20
COCKTAIL LOUNGE	14.82
COCKTAIL LOUNGE	14.42
COCKTAIL LOUNGE	47.00
SUBTOTAL LEVEL THREE	813.74
FOUNDATION ON LENGTH	1227.79



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Coast Inn Hotel Building
Foundation Remodel/ Demo Plan
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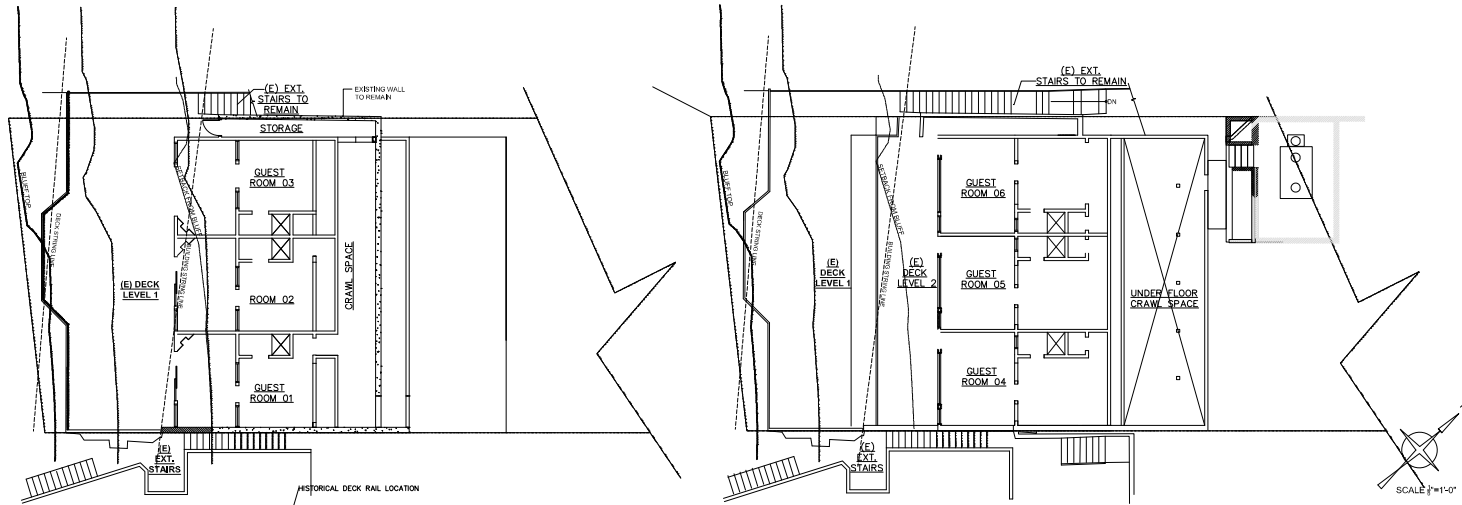


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STATE OF CALIFORNIA

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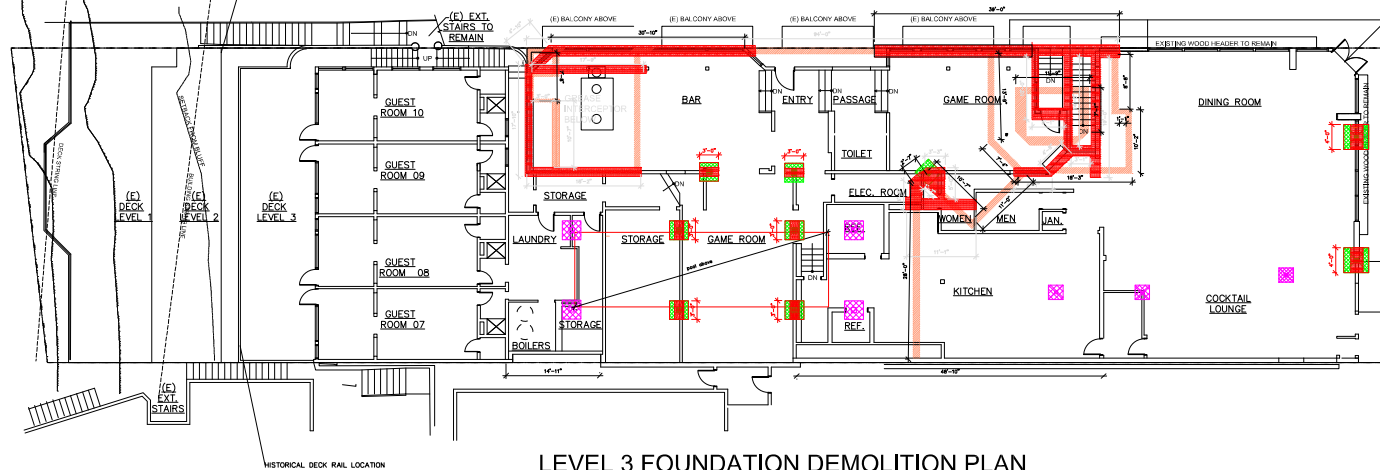
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Date
Revisions
Project Data

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A201.1
Of



LEVEL 1 FOUNDATION DEMOLITION PLAN

LEVEL 2 FOUNDATION DEMOLITION PLAN



LEVEL 3 FOUNDATION DEMOLITION PLAN

FOUNDATION QUANTITIES	FOUNDATION REMODEL DEMOLITION LF	NEW FOUNDATION LF
LEVEL ONE		5.28.2020
STORAGE		
ROOM 03		
ROOM 02		
ROOM 01		
DECK		
CRAWL SPACE		
SUBTOTAL LEVEL ONE	0.00	0.00
LEVEL TWO		
UNDER FLOOR CRAWL SPACE		
SUBTOTAL LEVEL TWO	0.00	0.00
LEVEL THREE		
DINING ROOM	8.67	10.17
COCKTAIL LOUNGE	1.08	1.08
STAIRS	-3.9	4
	-1.9	4
	-14.25	18.25
	-3.08	
	-14.25	
	-4.67	13.75
	-6.08	11.75
	-10	7.08
	-5.08	7.08
	-9	13.75
	-11.08	7.31
	-5	11
	-2.58	10.58
	-4.67	2.58
KITCHEN	-2.58	28
	-3.08	
	-5	
	-11.08	
	-4.67	
BAR	-10.83	94
	-17.75	17.83
	-18.17	18.17
	-17.5	18.17
	-4	10.58
GAME ROOM		9
STORAGE		6
LAUNDRY		9
SUBTOTAL LEVEL THREE	292.40	
(E) FOUNDATION LENGTH (see A101.1)	1227.79	
DEMOLITION FOUNDATION LF	292.4	
REMAINING OF THE (E) FOUNDATION	935.39	
NEW FOUNDATION LENGTH		378.45
FOUNDATION DEMOLITION %	23.82	
FOUNDATION REMAINING %	76.18	

- NEW LF FOUNDATION
- FOOTING TO BE DEMOLISHED
- NEW PAD FOOTINGS UNDER (E) FTG.
- NEW ISOLATED PAD FOOTING (NO FTG. DEMOLITION).

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 marshallinnisdesigngroup.com

Coast Inn Hotel Building
 Foundation Remodel/ Demo Plan
 1401 Coast Highway
 Laguna Beach, California 92651

Project Name
 Owners

REGISTERED PROFESSIONAL
 MARSHALL H. INNIS
 NO. C-23707
 EX. 12-3-31
 STATE OF CALIFORNIA

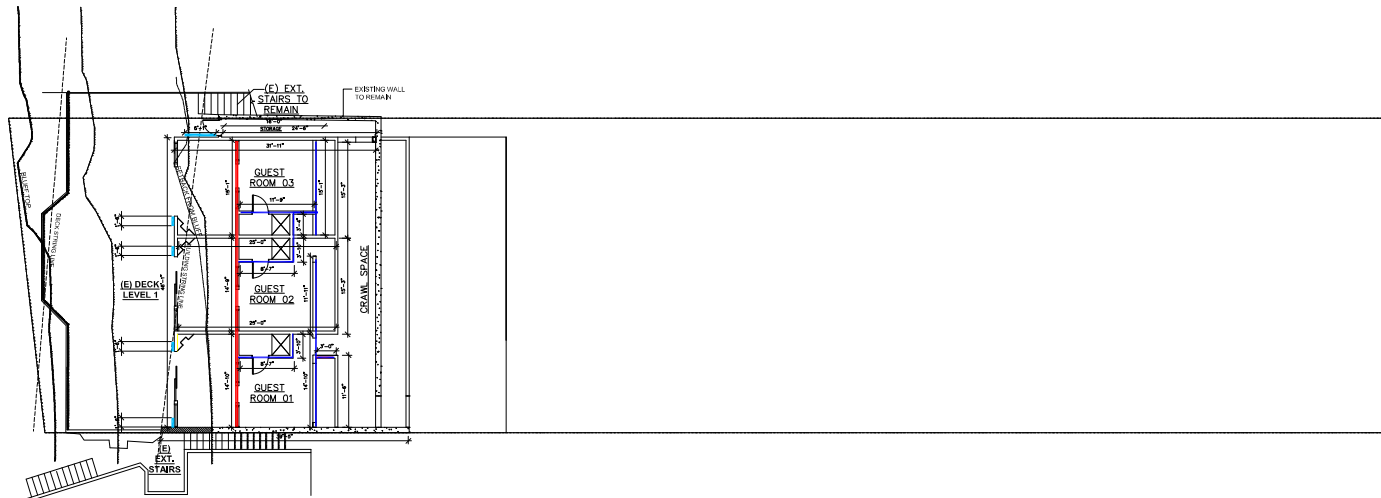
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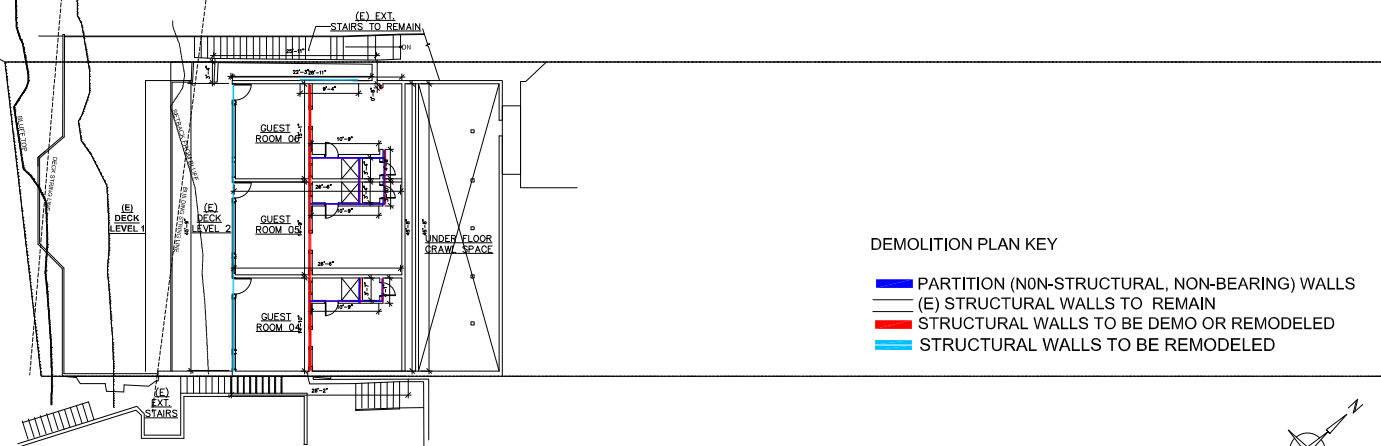
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Project Data

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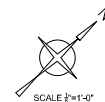
LEVEL 1 EXTERIOR & INTERIOR WALL DEMOLITION PLAN



LEVEL 2 EXTERIOR & INTERIOR WALL DEMOLITION PLAN

DEMOLITION PLAN KEY


- PARTITION (NON-STRUCTURAL, NON-BEARING) WALLS
- (E) STRUCTURAL WALLS TO REMAIN
- STRUCTURAL WALLS TO BE DEMO OR REMODELED
- STRUCTURAL WALLS TO BE REMODELED



5.21.2020	STRUCTURAL WALL LF	EXISTING EXTERIOR WALL LINEAL FOOTAGE	EXISTING INTERIOR STRUCTURAL WALL DEMOLITION/REMODEL LF	EXTERIOR WALL REMODEL LENGTH	INTERIOR PARTITION WALL LF
LEVEL ONE					
ROOM 03	25.67	31.92	-15.08	-1.5	
	11.75	46.08		-1.5	
	15.08	39.42		-1.5	
ROOM 02	25.00		-14.75		15.08
	14.75				3.33
					11.92
ROOM 01	15.25		-14.83		8.58
	25.00				3.83
	14.83				8.58
					3.83
	11.67				14.83
					3.00
SUBTOTAL LEVEL ONE	174.25	117.42	-44.66	-11.08	84.73


LEVEL TWO					
ROOM 06	22.25	3.3	-15.08		10.75
	15.08	3.3		-9.33	4.67
		26.92		-45.75	3.83
	45.67	45.75			
	45.67	28.17			
	0.67	25.92			
ROOM 05	14.75		-14.85		10.75
	26.50				3.33
					3.83
ROOM 04	26.50		-14.83		10.75
	14.83				3.33
					3.83
SUBTOTAL LEVEL TWO	211.92	133.36	-44.76	-55.08	50.74

5.28.2020	EXISTING INTERIOR STRUCTURAL WALL LF	EXISTING EXTERIOR WALL LINEAL FOOTAGE	EXISTING INTERIOR STRUCTURAL WALL DEMOLITION/REMODEL LF	EXTERIOR WALL DEMOLITION/REMODEL LENGTH LF	INTERIOR PARTITION WALL DO NOT COUNT LF
LEVEL ONE					
SUBTOTAL LEVEL ONE	174.25	117.42	-44.66	-11.08	84.73
LEVEL TWO					
SUBTOTAL LEVEL TWO	211.92	133.36	-44.76	-55.08	50.74
LEVEL THREE					
SUBTOTAL LEVEL THREE	675.72	415.17	-333.56	-176.16	127.15
LEVEL FOUR					
SUBTOTAL LEVEL FOUR	512.84	474.75	-229.86	-176.35	281.86
EXISTING INTERIOR WALLS	1,574.73				
INTERIOR PARTITIONS			-642.84		544.48
REMODELED INTERIOR WALLS		1,140.70			
EXTERIOR WALLS				-468.67	
REMODELED EXTERIOR WALLS					
TOTAL WALLS	2,715.43				
TOTAL REMODELED WALLS					-1,111.51
% REMAINING WALLS			59.07		
% REMODELED WALLS			-40.93		



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Coast Inn Hotel Building
EXTERIOR Wall Lengths
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Laguna Beach, California 92651

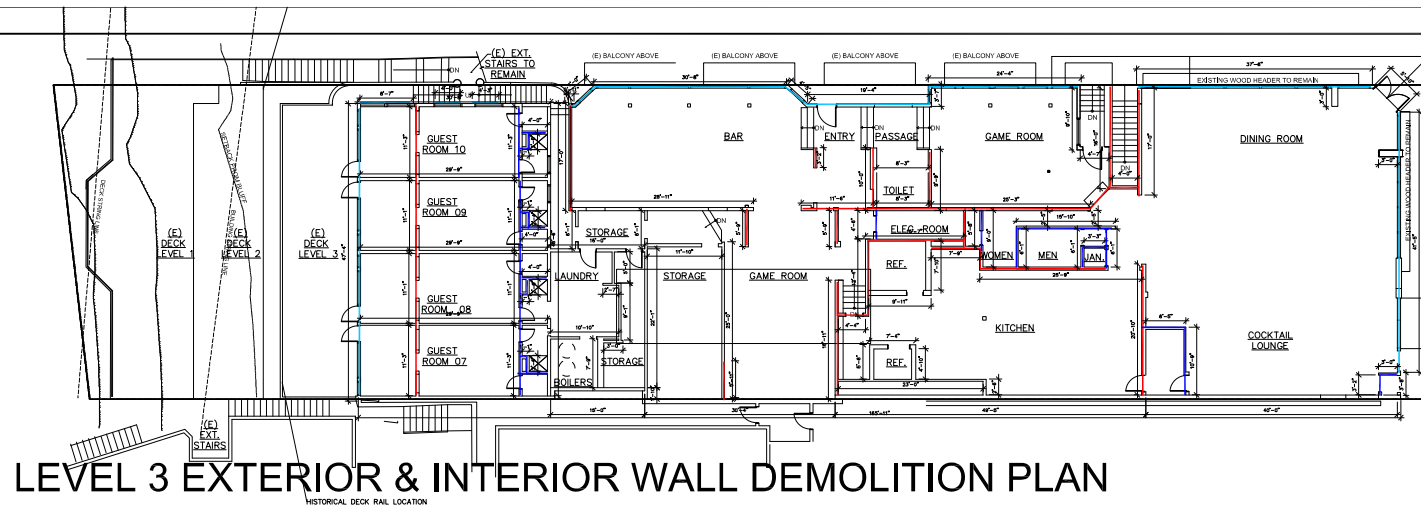


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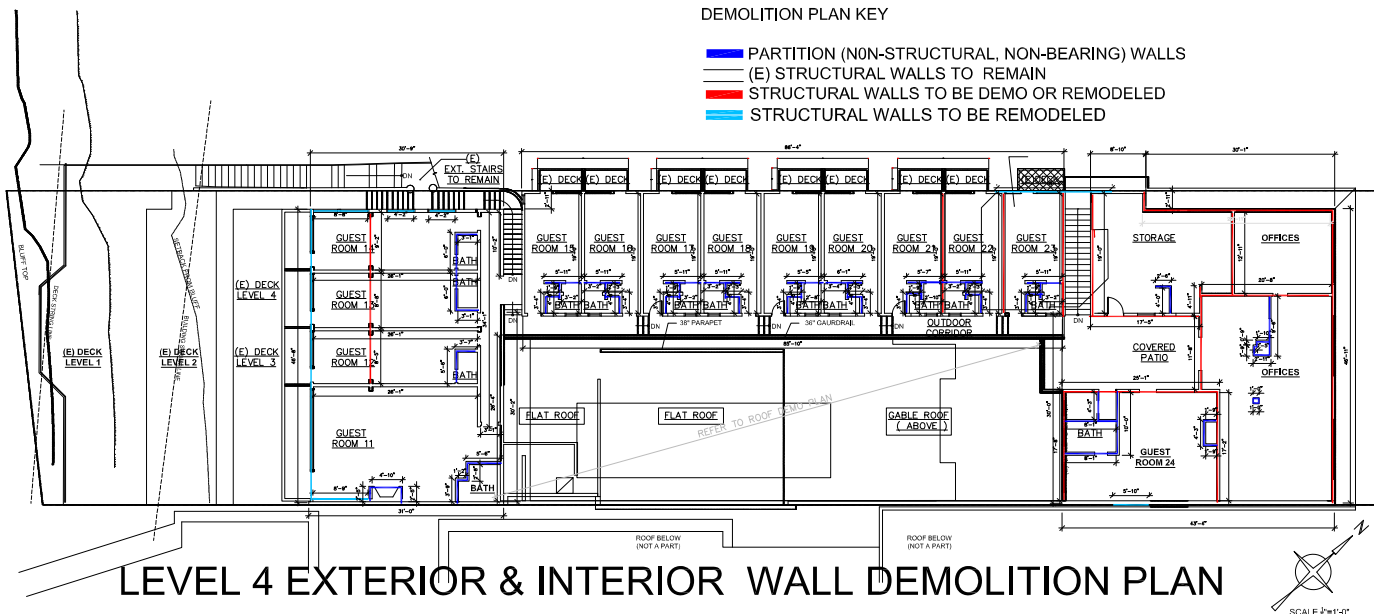
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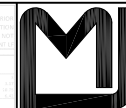
LEVEL 3 EXTERIOR & INTERIOR WALL DEMOLITION PLAN

DEMOLITION PLAN KEY

- PARTITION (NON-STRUCTURAL, NON-BEARING) WALLS
- (E) STRUCTURAL WALLS TO REMAIN
- STRUCTURAL WALLS TO BE DEMO OR REMODELED
- STRUCTURAL WALLS TO BE REMODELED



LEVEL 4 EXTERIOR & INTERIOR WALL DEMOLITION PLAN



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Coast Inn Hotel Building
EXTERIOR Wall Lengths
1401 Coast Highway
Laguna Beach, California 92651

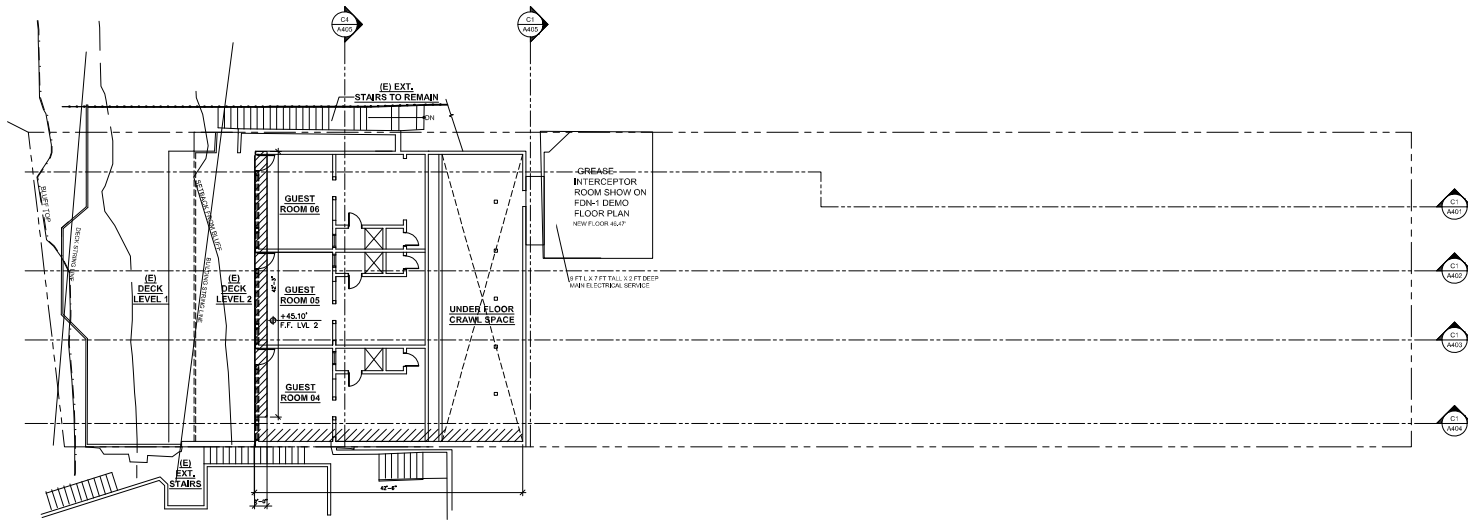
Project Name
Owner



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Drawn By
Checked By
Date
Revisions
Project Data

Sheet No
A201.4
Of



C1 LEVEL 2 - DEMO FLOOR PLAN

LEGEND

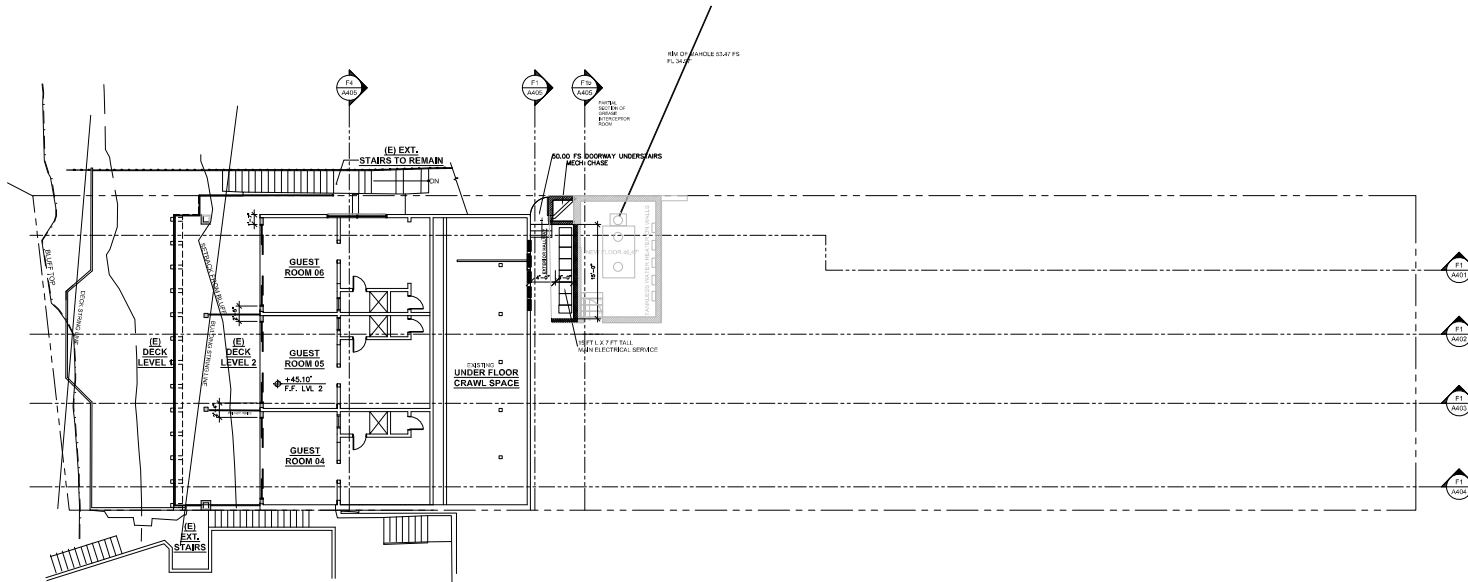
- (N) NEW WALL
- (E) EXISTING STRUCTURE TO REMAIN
- (E) EXISTING STRUCTURE TO BE REMOVED
- (E) EXISTING FLOOR AREA TO BE REMOVED
- (E) EXISTING DECK AREA TO BE REMOVED
- (E) EXISTING ROOF AREA TO BE REMOVED
- (E) EXISTING MASONRY WALL TO REMAIN
- (N) NEW FLOOR AREA
- (N) NEW DECK AREA

LEVEL2- REMODEL JUSTIFICATION

DESIGNATION	AREA SQ. FT.
EXISTING FLOOR AREA	2021.00
AREA OF FLOOR TO BE REMOVED	42.25 -2 -84.50
	42.5 -2 -85.00
AREA OF FLOOR REMODELED	-169.50
AREA OF FLOOR TO REMAIN	1851.50
% OF FLOOR TO BE REMODELED	8.39

FLOOR AND ROOF REMODEL JUSTIFICATION

DESIGNATION	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	TOTAL
EXISTING FLOOR AREA	3402.81	2021	7840.81	5857.47		13042.90
AREA OF FLOOR TO BE REMOVED	-108.84	-480.1	-2685.05	-584.79		-3258.79
AREA OF FLOOR TO REMAIN	3423.97	1860.5	5204.76	4872.77		13403.00
% FLOOR TO BE REMOVED	-3.20	-23.8	-34.37	-10.00		-17.40
PERCENTAGE OF FLOOR REMAINING	96.80	76.2	65.63	89.99		82.60
EXISTING ROOF AREA	2354.00	6066.00	6066.00			14486.00
AREA OF ROOF TO BE REMOVED	2354.00	3054.39	4440.00			9848.39
AREA OF ROOF REMOVED FOR HISTORICAL			1004.67			1004.67
AREA OF ROOF TO REMAIN			5061.33			5061.33
PERCENTAGE OF ROOF TO BE REMOVED	100.00	50.35	73.28			74.63
PERCENTAGE OF ROOF REMAINING	0.00	49.65	26.72			25.37



F1 LEVEL 2 - PROPOSED FLOOR PLAN



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Project Name
Coast Inn Renovation
1401 South Coast Highway
Laguna Beach, California 92651

Owner
DORNIN INVESTMENT GROUP, LLC

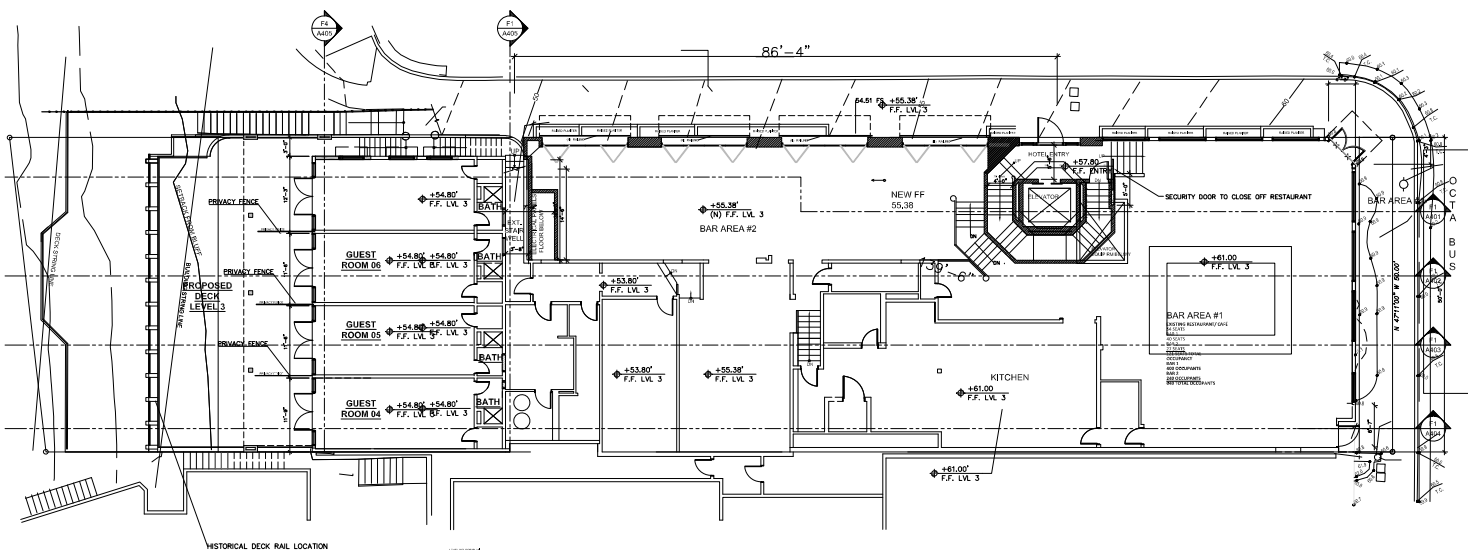
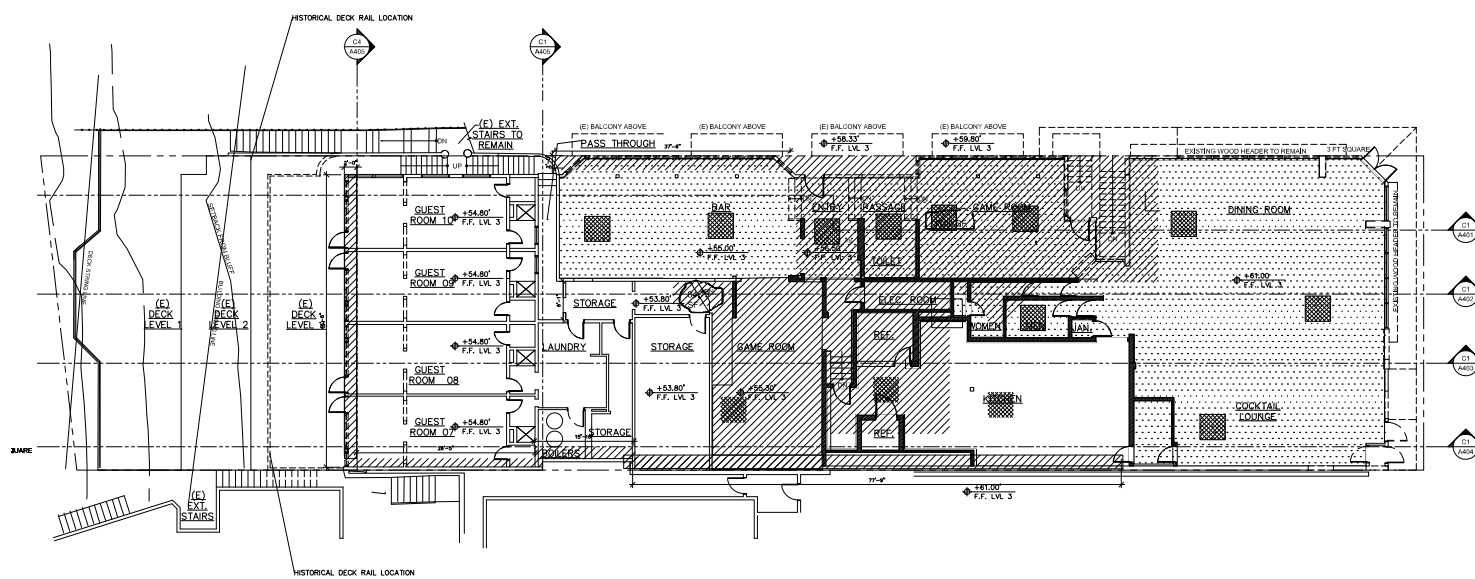









Zoning-Planning Documents

Job No.
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 Date of Revision
 Revision


Demolition and Proposed Floor Plan Level 02 (Remodel Justification)

Sheet No
A202
 Of



LEGEND	
	(H) NEW WALL
	(E) EXISTING STRUCTURE TO REMAIN
	(E) EXISTING STRUCTURE TO BE REMOVED
	(E) EXISTING FLOOR AREA TO BE REMOVED TOTAL FLOOR AREA TO BE REMOVED=104 S.F.
	(E) EXISTING ROOF AREA TO BE REMOVED
	(E) EXISTING MASONRY WALL TO REMAIN
	POSSIBLE PAD FOOTINGS CUT THROUGH (E) FLOOR (4-386)

LEVEL3- REMODEL JUSTIFICATION					
DESIGNATION	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	SO. F. TOTAL
EXISTING FLOOR AREA					7940.0
AREA OF FLOOR TO BE REMODE	46.5	-2			-83.0
	28.42	-2			-56.8
	15.83	-2			-31.6
	77.75	-2			-155.5
	37.5	-2			-75.0
					-84.0
					-1708.0
REMOVED DASH FLOOR					-431.0
AREA OF FLOOR REMODELED					-26.36
AREA OF FLOOR TO REMAIN					5204.0
% OF FLOOR TO BE REMODELED					33.2
FLOOR AND ROOF - REMODEL JUSTIFICATION					
DESIGNATION	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	TOTAL
EXISTING FLOOR AREA	1622.81	201	7940.81	5557.47	8,314.20
AREA OF FLOOR TO BE REMOVED	-288.84	-10.95	-50.05	-584.70	-934.54
AREA OF FLOOR TO REMAIN	1433.97	189.05	3204.36	4972.77	7379.66
FLOOR TO BE REMOVED	-12.85	-8.39	-83.62	-10.52	-21.37
PERCENTAGE OF FLOOR TO REMOVED					0.26
EXISTING ROOF AREA	87.75	91.61	66.38		245.74
AREA OF ROOF TO BE REMOVED				-2854.00	-6036.00
AREA OF ROOF REMOVED FOR HISTORICAL				-2854.00	-6036.00
AREA OF ROOF TO REMAIN					2551.74
PERCENTAGE OF ROOF TO BE REMOVED					24.54
(DO NOT ADD ROOF REMOVAL TO % OF FLOOR REMOVED)					
(DO NOT ADD ROOF REMOVAL TO % OF FLOOR REMOVED)					



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	processing non-identical

renovation
West Highway
California 92651

Coast Inn Real Estate
1401 South Coast Highway
P.O. Box 1000
Long Beach, CA 90801
Tel: 562-595-1111
Fax: 562-595-1112
E-Mail: info@coastinnrealestate.com
Web: www.coastinnrealestate.com

Project Name	Lead	Owner	Date

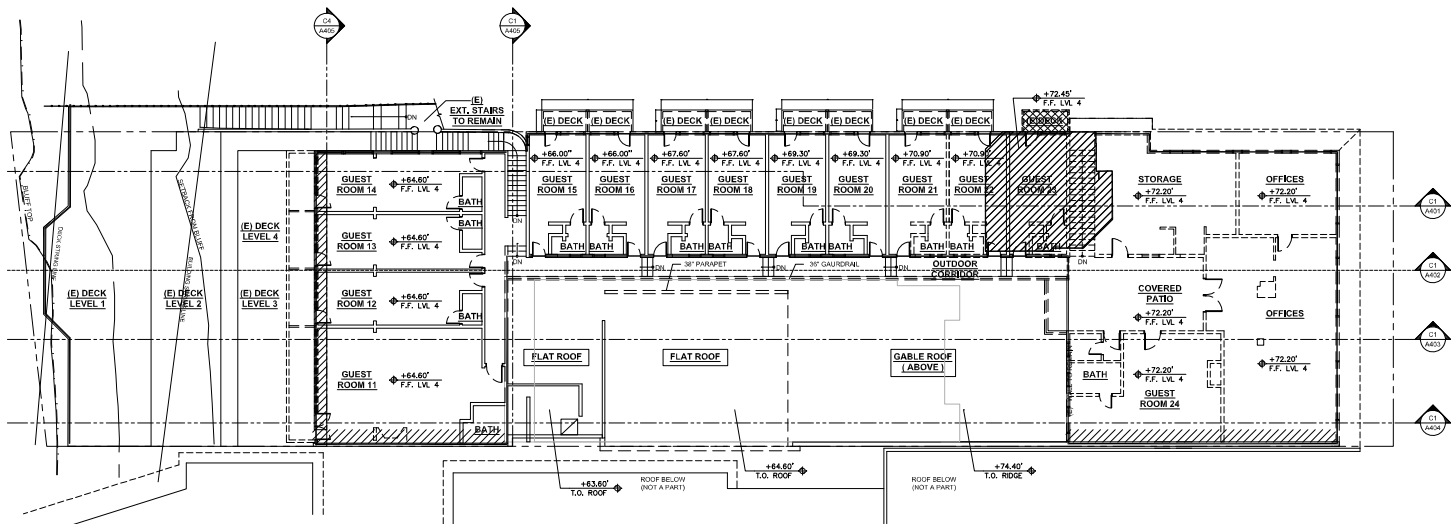
Zoning-Planning Documents

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 Revisions _____

A	B	C	D	E	F
Demo & Proposed Floor Plan Level C (Remodel Justification)					

Sheet No
A203
Of

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Page 10 of



C1 LEVEL 4 - DEMO FLOOR PLAN

- (N) NEW WALL
- (E) EXISTING STRUCTURE TO REMAIN
- (E) EXISTING STRUCTURE TO BE REMOVED
- (E) EXISTING FLOOR AREA TO BE REMOVED
- (E) EXISTING DECK AREA TO BE REMOVED
- (E) EXISTING ROOF AREA TO BE REMOVED
- (N) HOTEL FLOOR AREA TO BE ADDED

LEVEL 4 - REMODEL Justification

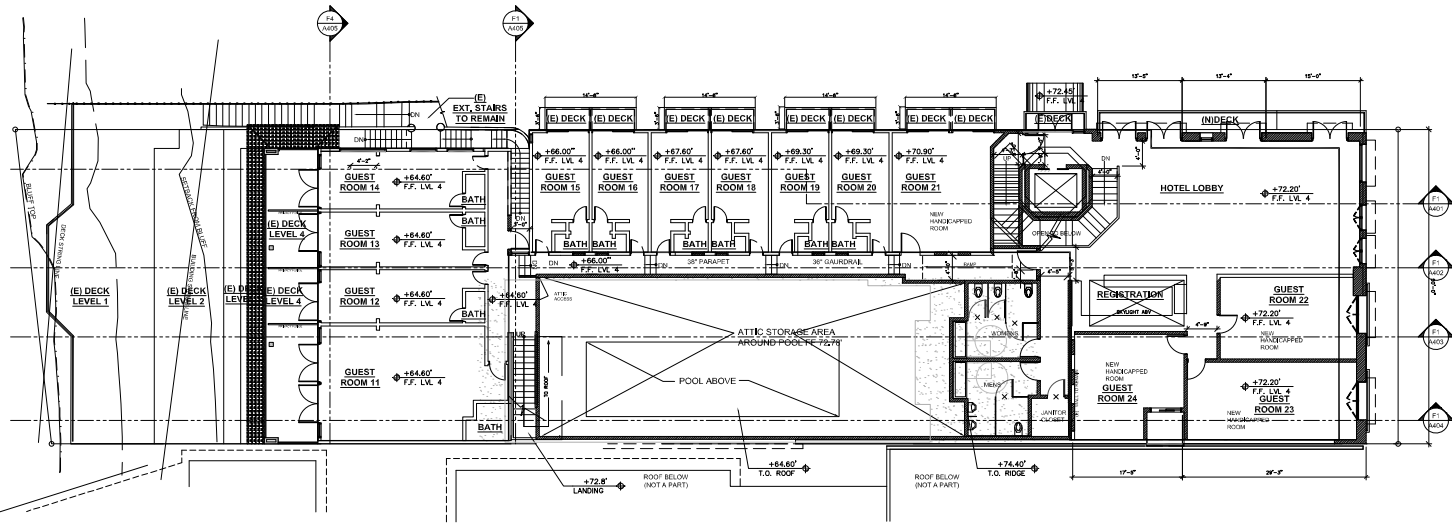
DESIGNATION	AREA	SQ. FT.
EXISTING FLOOR AREA		5557.47
AREA OF FLOOR TO BE REMODEL	43.33	-2
	28.33	-2
	47	-2
NEW ELEVATOR		-347.38
AREA OF FLOOR REMODELED		-584.70
AREA OF FLOOR TO REMAIN		4972.77
% OF FLOOR TO BE REMODELED		10.52
NEW FLOOR AREA	612.66 SF TOTAL	5585.43

LEVEL 4 ROOF AREA
REFER TO ROOF DEMO ON SHEET A205

ROOMS = 14

FLOOR AND ROOF REMODEL JUSTIFICATION	8.31.2020
DESIGNATION	LEVEL 1 LEVEL 2 LEVEL 3 LEVEL 4 LEVEL 5 TOTAL
EXISTING FLOOR AREA	1402.81 2021 2845.85 5557.47 15942.09
AREA OF FLOOR TO BE REMOVED	-198.84 -109.5 -208.05 -584.70 -1389.09
AREA OF FLOOR TO REMAIN	1203.97 1891.5 2637.80 4972.77 13552.99
% FLOOR TO BE REMOVED	-14.18 -5.42 -7.31 -10.52 -8.72
PERCENTAGE OF FLOOR REMAINING	85.82 94.58 92.69 89.48 91.28
EXISTING ROOF AREA	2794.00 3636.00 5990.00
AREA OF ROOF TO BE REMOVED	-2584.00 3016.33 6439.00
AREA OF ROOF REMOVED FOR HISTORICAL	-1388.67
AREA OF ROOF TO REMAIN	7555.00
PERCENTAGE OF ROOF TO BE REMOVED	71.62
PERCENTAGE OF ROOF REMAINING	28.38

(N) NEW ROOF DEMO (N) NEW ROOF DEMO



F1 LEVEL 4 - PROPOSED FLOOR PLAN



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 WWW.MARSHALLINNINSDESIGN.COM

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Coast Inn Renovation
 1401 South Coast Highway
 Laguna Beach, California 92651
 DORNIN INVESTMENT GROUP, LLC

Project Name

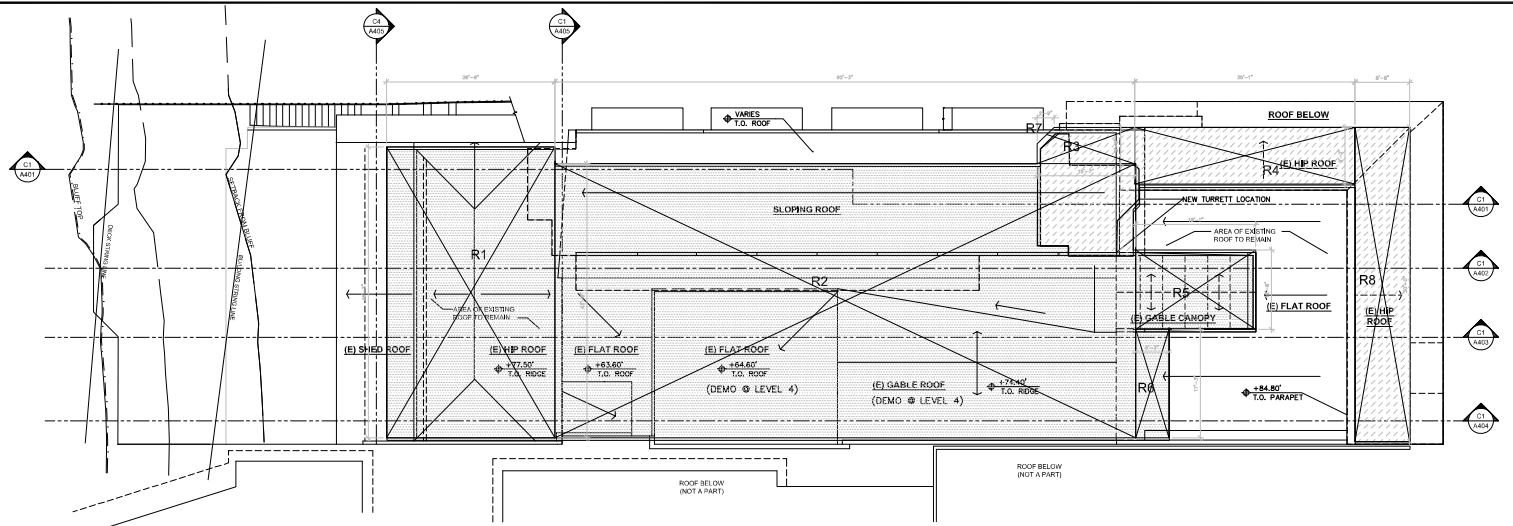


Zoning-Planning Documents

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 Date of Revision 10.10.2020
 Revision

Demolition and Proposed Floor Plan Level 04 (Remodel Justification)

Sheet No
A204
 Of



C1 LEVEL 5 - DEMO FLOOR PLAN
SCALE 1/8" = 1'-0"

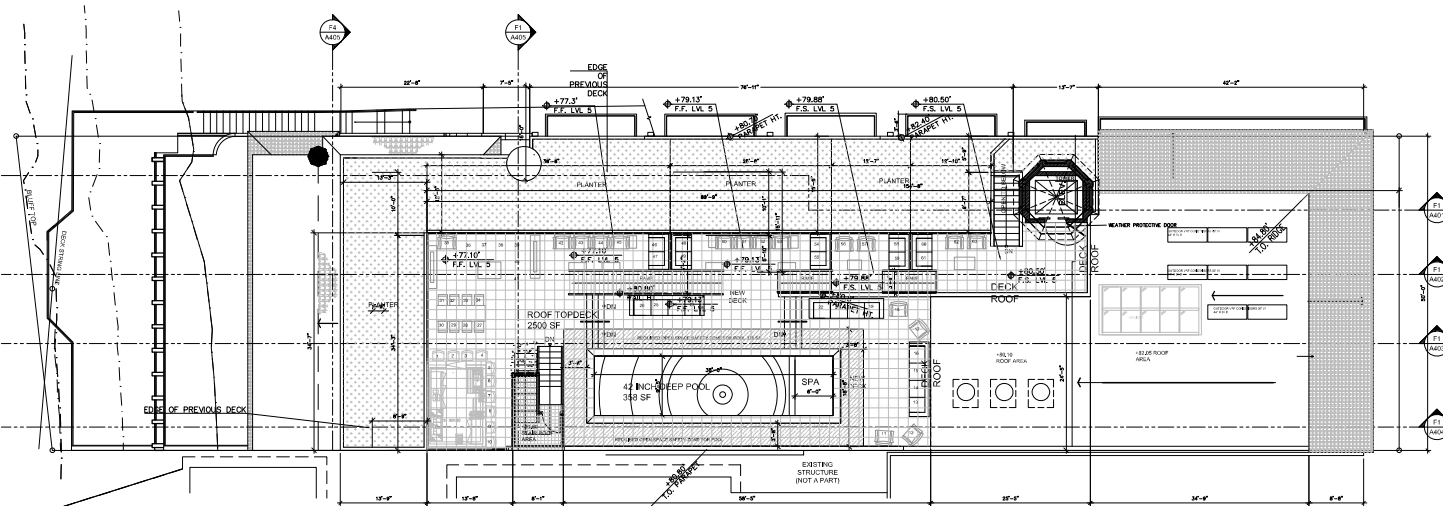
- (N) NEW WALL
- (E) EXISTING STRUCTURE TO REMAIN
- (E) EXISTING STRUCTURE TO BE REMOVED
- (E) EXISTING FLOOR AREA TO BE REMOVED
- (E) LEVEL 4 ROOF AREA TO BE REMOVED
- (E) EXISTING ROOF AREA TO BE REMOVED
- (N) ROOF DECK AREA
- (N) LOW ROOF AT STAIRWELL
- (N) LOW HEIGHT SHRUBS IN PLANTER
- (N) POOL SAFETY ZONE SURROUND
- (E) ROOF TO BE REMOVED TO RESTORE HISTORIC ROOF ELEMENTS

LEVEL 5 - REMODEL JUSTIFICATION

DESIGNATION	AREA
EXISTING ROOF AREA	5,990 S.F.
AREA OF ROOF TO BE REMOVED	(8,439 S.F.)
AREA OF ROOF TO REMAIN	2,551 S.F.
PERCENTAGE OF ROOF TO BE REMOVED	71.62 %
PERCENTAGE OF LEVEL 5 ROOF REMAINING	28.38 %

DESIGNATION	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	TOTAL
EXISTING FLOOR AREA	1522.81	2021	7940.81	5552.47	12042.79	27042.79
AREA OF FLOOR TO BE REMOVED	-208.81	-1081	-2488.00	-584.75	-13453.09	-17910.65
AREA OF FLOOR TO REMAIN	1314.00	940.00	5452.81	4707.72	-1241.30	9953.23
% FLOOR TO BE REMOVED	-13.72	-53.50	-31.33	-10.53	-10.39	-20.00
PERCENTAGE OF FLOOR REMAINING	86.28	46.50	68.67	89.47	89.61	80.00
EXISTING ROOF AREA	2254.00	6680.00	8996.00	2554.00	3056.31	6439.00
AREA OF ROOF TO BE REMOVED	-1308.67	-1308.67	-1308.67	-1308.67	-1308.67	-6439.00
AREA OF ROOF TO REMAIN	1308.67	1308.67	1308.67	1308.67	1308.67	6439.00
PERCENTAGE OF ROOF TO BE REMOVED	-57.83	-57.83	-57.83	-57.83	-57.83	-57.83
PERCENTAGE OF ROOF REMAINING	42.17	42.17	42.17	42.17	42.17	42.17

ROOF AREA DEMOLITION CALCULATION	5.7.2020
R1	26.75
R2	43.67
R3	15.58
R4	35.08
R5	19.08
R6	17.25
R7	2.75
R8	50
TOTAL	6439.00



F1 LEVEL 5 - PROPOSED FLOOR/ROOF PLAN
SCALE 1/8" = 1'-0"



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MARSHALL@INNISDESIGNGROUP.COM

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Coast Inn Renovation
1401 South Coast Highway
Laguna Beach, California 92651
DORNIN INVESTMENT GROUP, LLC

Project Name
Owner



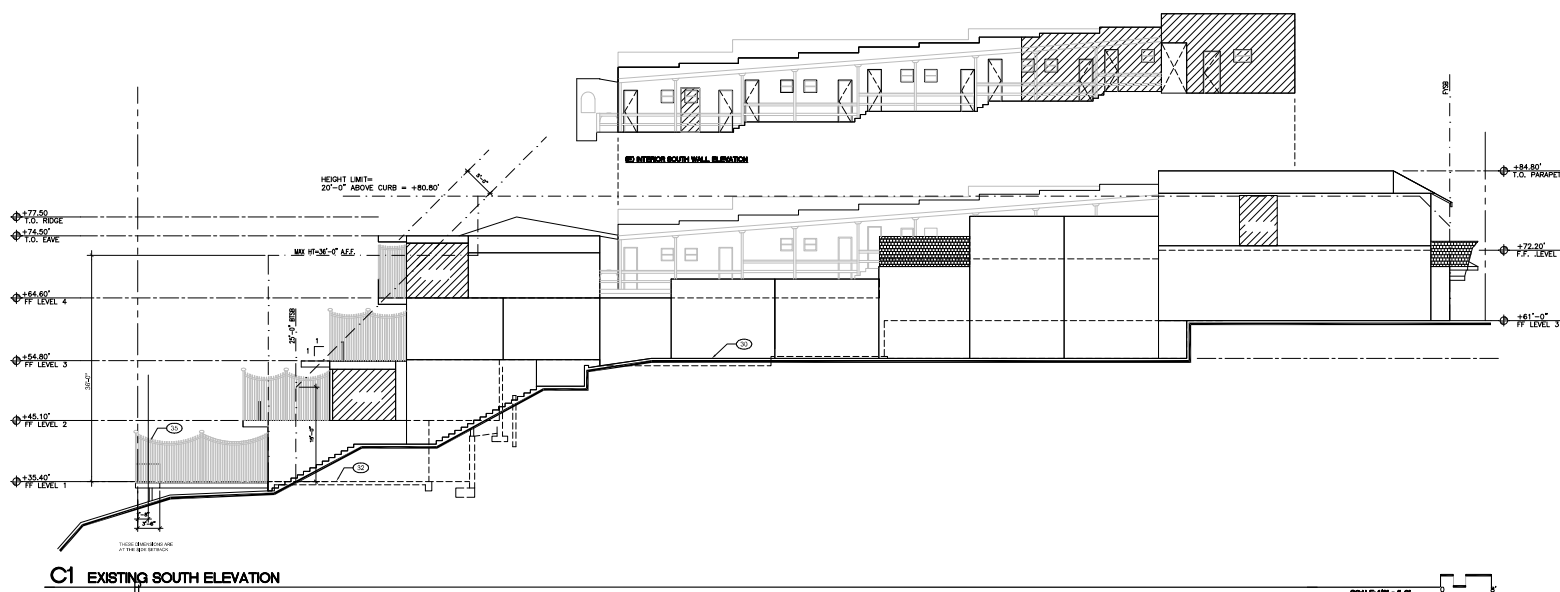
Zoning-Planning Documents

Drawn By
Checked By
Date of Revision
Revisions

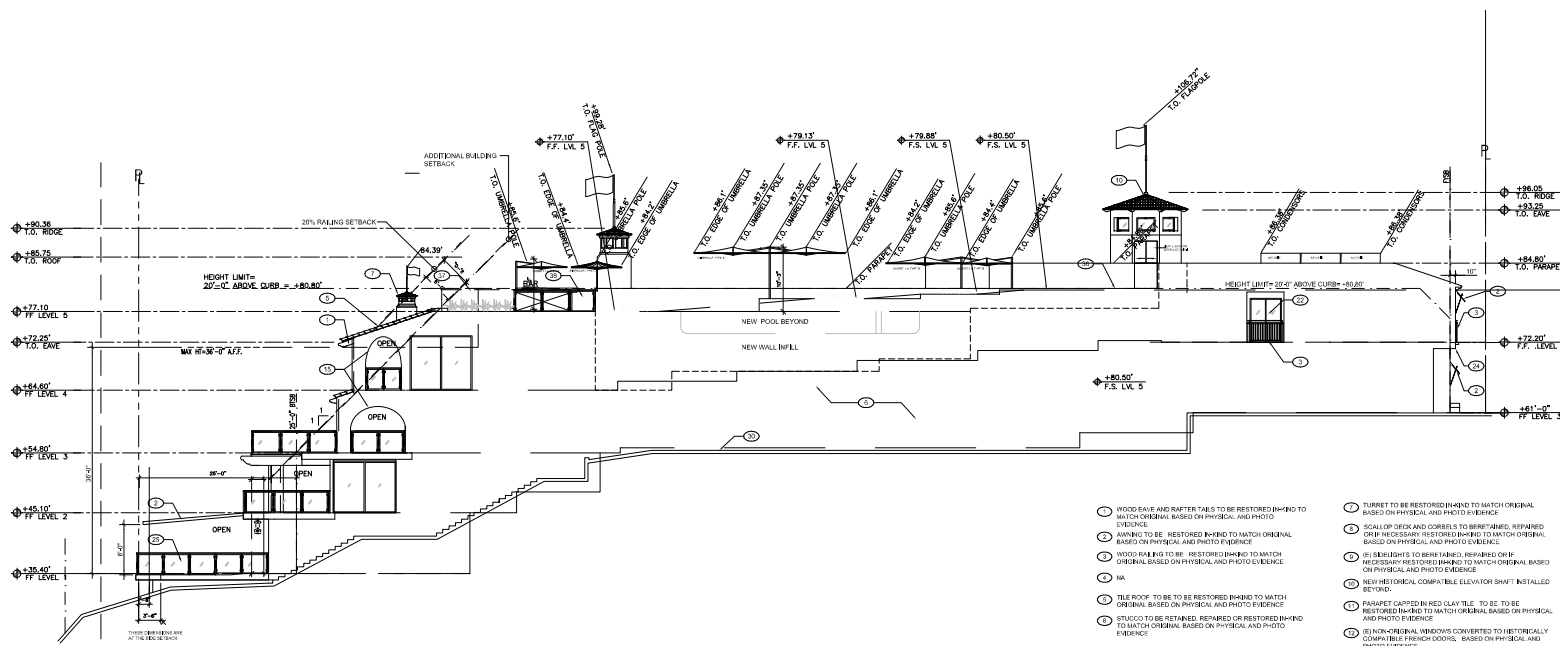
Demo & Proposed Floor Plan Level 05 (Remodel Justification)

Sheet No
A205
Of

California Coastal Commission
A-5-LGB-20-0050



C1 EXISTING SOUTH ELEVATION



F1 PROPOSED SOUTH ELEVATION

LEGEND

(E) EXISTING AREA TO REMAIN

- (1) WOOD EAVE AND RAFTER TAILS TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (2) AWNING TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (3) WOOD RAILING TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (4) NA
- (5) TILE ROOF TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (6) STUCCO TO BE RETAINED, REPAIRED OR RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE

- (7) TURNIT TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (8) SCALLOP DECK AND CORBELS TO BE RETAINED, REPAIRED OR NECESSARY RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (9) (1) REPAIRS TO BE RETAINED, REPAIRED OR NECESSARY RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (10) NEW HISTORICAL COMPATIBLE ELEVATOR SHOWN INSTALLED BEYOND
- (11) PARAPET CAPPED IN RED CLAY TILE TO BE TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (12) (E) NON-ORIGINAL WINDOWS CONVERTED TO HISTORICALLY COMPATIBLE FRENCH DOORS, BASED ON PHYSICAL AND PHOTO EVIDENCE

- (13) (E) ARCHED WINDOW TO BE RETAINED, REPAIRED OR IF NECESSARY RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (14) WINDOWS TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (15) STUCCO ARCH ROOF TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (16) DOOR TO BE RESTORED DUAL GLAZE CLAD WOOD TO BE HISTORICALLY COMPATIBLE WITH ORIGINAL FEATURES BASED ON PHYSICAL AND PHOTO EVIDENCE
- (17) (E) ARCHED STAIRWAY WILL BE RENOVATED AND RAISED TO ALLOW EXISTING FROM FIRST FLOOR REPAIRS TO BE RETAINED, REPAIRED OR IF NECESSARY RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (18) (E) ARCHED OPENING TO BE RETAINED, REPAIRED OR IF NECESSARY RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (19) TILE ROOF OVERHANG WITH ROOF RIVERS SHALL TO BE TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (20) (N) WOOD RAILING TO BE HISTORICALLY COMPATIBLE WITH ORIGINAL FEATURES BASED ON PHYSICAL AND PHOTO EVIDENCE
- (21) BARREL AWNING TO FACE OF CURB RESTORED IN-KIND TO BE HISTORICALLY COMPATIBLE WITH ORIGINAL FEATURES BASED ON PHYSICAL AND PHOTO EVIDENCE
- (22) (N) DOORS AND WINDOWS SHALL BE DUAL GLAZE CLAD WOOD TO BE HISTORICALLY COMPATIBLE WITH ORIGINAL FEATURES BASED ON PHYSICAL AND PHOTO EVIDENCE
- (23) NON-ORIGINAL BRICK VENEER REMOVED, STUCCO SHOWN AND RESTORED WITH STUCCO CLAD COMPATIBLE PLASTER INCLUDED
- (24) FRONT BUILDING OVERHANG TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (25) (N) IRON AND GLASS RAILING TO BE HISTORICALLY COMPATIBLE WITH ORIGINAL FEATURES BASED ON PHYSICAL AND PHOTO EVIDENCE
- (26) OVERHANG WINDOW OPENING TO BE RETAINED AND MODIFIED TO FRENCH DOORS
- (27) AWNING AT HOTEL LOBBY TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (28) RETRACTABLE AWNING TO BE RESTORED IN-KIND TO MATCH ORIGINAL BASED ON PHYSICAL AND PHOTO EVIDENCE
- (29) (N) IRON AND GLASS RAILING TO BE HISTORICALLY COMPATIBLE WITH ORIGINAL FEATURES BASED ON PHYSICAL AND PHOTO EVIDENCE
- (30) HISTORICAL CLOCK TO REMAIN
- (31) EXISTING EXTERIOR GRADE TO REMAIN
- (32) EXISTING EXTERIOR GRADE TO REMAIN
- (33) EXISTING EXTERIOR GRADE TO REMAIN
- (34) PROPOSED EXTERIOR GRADE
- (35) EXISTING FENCING
- (36) (N) STAR ENCLOSURE BEYOND
- (37) NEW CLEAR GLASS RAILING
- (38) (N) BAR COUNTER BEYOND



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Coast Inn Renovation
1401 South Coast Highway
Laguna Beach, California 92651
 Project Architect
 DORNIN INVESTMENT GROUP, LLC



Zoning/Planning Documents

Demo & Proposed South Elevation (Remodel Justification)

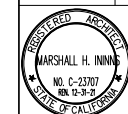
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A301
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F1 PROPOSED NORTH ELEVATION

- [illegible]

Coast Inn Renovation
1401 South Coast Highway
Laguna Beach, California 92651



Zoning-Planning Documents

Job No. _____
Drawn By _____
Checked By _____
Date CT REVIEWED 8/31/2020
REV 01/08/08

Demo & Proposed North Elevation (Remodel Justification)	
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Of



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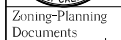
- 29 IRON AND GLASS RAILING TO BE HISTORICALLY COMPATIBLE WITH ORIGINAL FEATURES BASED ON PHYSICAL AND PHOTO EVIDENCE
- 30 HISTORICAL CLOCK TO REMAIN
- 31 EXISTING EXTERIOR GRADE TO REMAIN
- 32 EXISTING EXTERIOR GRADE TO REMAIN
- 33 EXISTING EXTERIOR GRADE TO REMAIN
- 34 PROPOSED EXTERIOR GRADE
- 35 EXISTING FENCING
- 36 (N) STAIR ENCLOSURE BEYOND
- 37 NEW CLEAR GLASS RAILING
- 38 (N) BAR COVER BEYOND

(E) EXISTING AREA TO REMAIN

(N) DECK AREA TO REMAIN
PER HERITAGE APPROVAL



Project Name	Coast Inn Renovation 1401 South Coast Highway Laguna Beach, California 92651 DORNIN INVESTMENT GROUP, LLC
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Demo & Proposed
East-West Elevation
(Remodel
Justification)

Sheet No
A303
Of

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Project Name
Coast Inn Renovation
1401 South Coast Highway
Laguna Beach, California 92651
Owner
DORNIN INVESTMENT GROUP, LLC

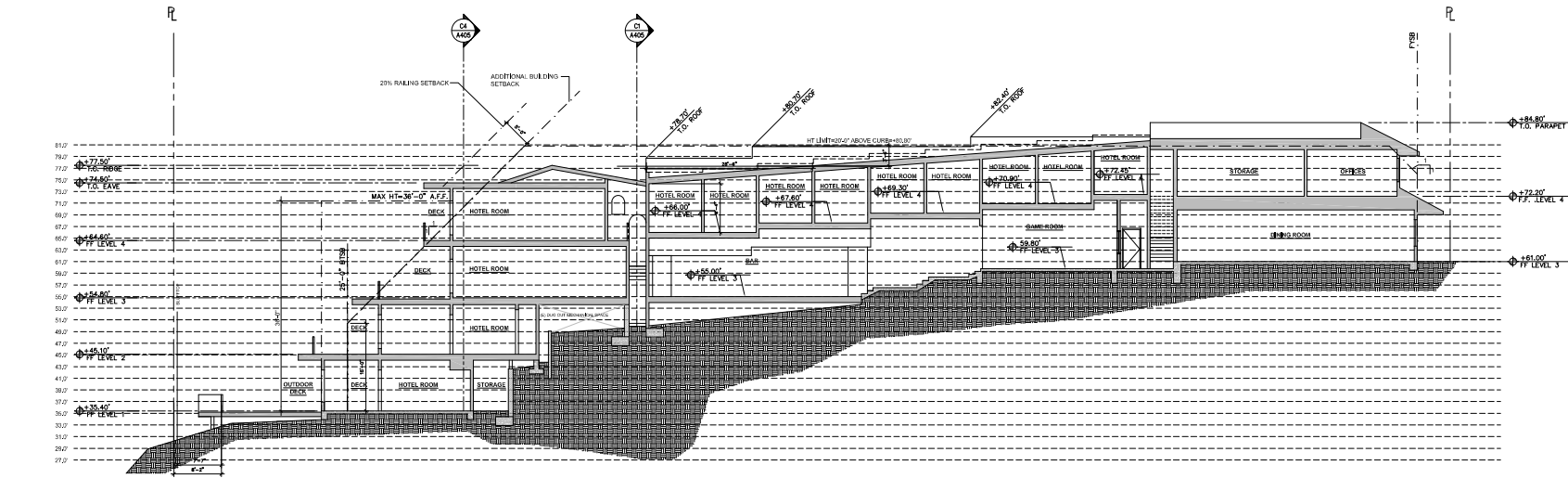


Zoning-Planning Documents

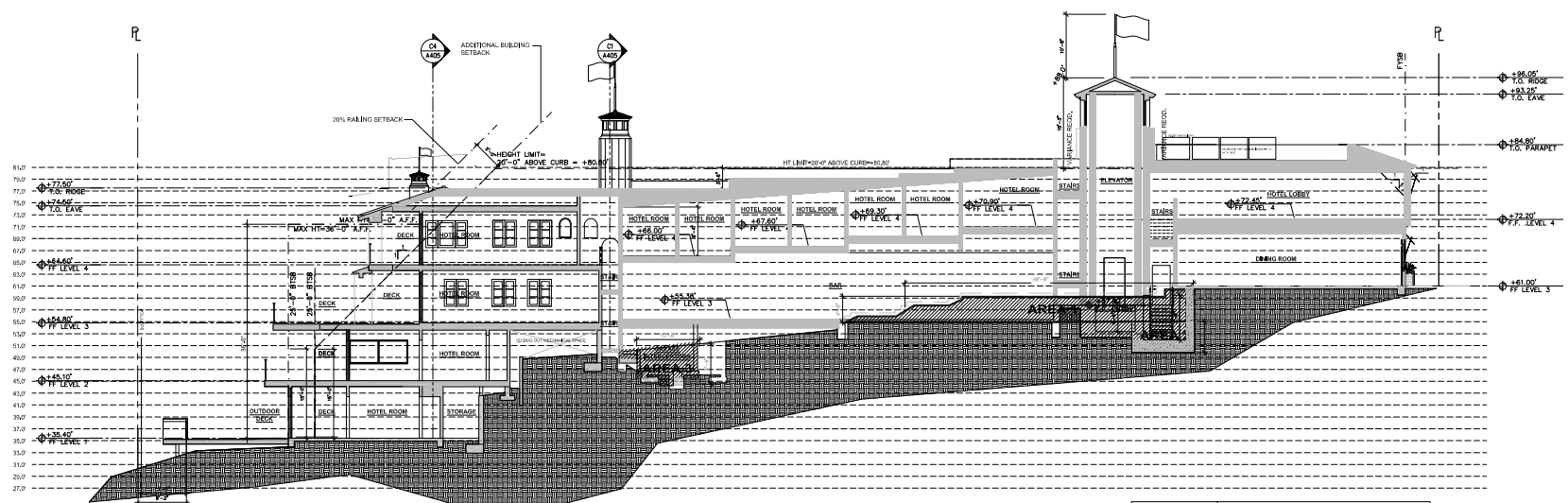
Job No.
Drawn By
Checked By
Revised
Date of Revision

Grading Section AA

Sheet No
A601
Of



C1 EXISTING GRADING SECTION AA



F1 PROPOSED GRADING SECTION AA

LEGEND	TOTAL AREA OF CUT
	AREA 1 = 158.45 CU YD (SEE SHEET A601, A607)
	AREA 2 = 28.29 CU YD (SEE SHEET A601, A602, A607)
	AREA 3 = 72.84 CU YD (SEE SHEET A601, A608)
	TOTAL = 259.58 CU YD
	* SEE SHEET A606 FOR GRADING QUANTITY TOTALS

Exhibit 3—Project Photos



Existing Project Site



Proposed Project Site



1935 Postcard



Archival Photograph

AGENDA BILLNo. **12**Meeting Date: 7/28/20

SUBJECT: CONDITIONAL USE PERMIT 16-2479, DESIGN REVIEW 16-2475, COASTAL DEVELOPMENT PERMIT 16-2480, VARIANCE 16-2482, AND CATEGORICAL EXEMPTIONS FOR A HISTORIC RESTORATION AND REMODEL PROJECT LOCATED AT 1401 SOUTH COAST HIGHWAY (THE COAST INN).

SUMMARY OF THE MATTER

The applicant requests City Council approval of Conditional Use Permit 16-2479, Design Review 16-2475, Coastal Development Permit 16-2480 and Variance 16-2482 to remodel an existing 24-room hotel and restaurant at 1401 South Coast Highway (The Coast Inn). The proposed Design Review request includes, but is not limited to, historic structure restoration, upper level additions, elevated decks, a new 3,707 square-foot rooftop pool/spa and deck area (for registered hotel guest use only), air conditioning equipment, art in public places, and landscaping. A conditional use permit is requested for the proposed hotel remodel, outdoor dining, and the service of alcohol. A variance is requested to exceed the maximum building height and for the proposed rooftop signage.

On October 4, 2017, the Planning Commission recommended that the City Council deny this request. The City Council reviewed the project on January 23, 2018, and continued the project for City Council subcommittee review and recommendation. On February 12, 2018, a two-member subcommittee held a publicly noticed meeting to discuss potential impacts and neighborhood concerns. The applicant has since revised the project in an effort to address identified project issues.

The City Council was scheduled to review the project on June 23, 2020, but continued its consideration to July 28 so that staff could address the applicant's contentions that a conditional use permit could not be required for the restaurant and that a condition limiting occupancy of the restaurant could not be imposed. The applicant subsequently updated the application to clarify that any future food service to the proposed rooftop deck will be served from the hotel and not from the street-level restaurant. Given this clarification, the requested conditional use permit has been revised to only condition the use of the hotel and the rooftop deck. Additionally, the applicant has revised the umbrella plan for the proposed rooftop deck. The updated plan was staked on July 15, 2020.

(Continued)

RECOMMENDATION: It is recommended that the City Council: Review the revised project and consider the action alternatives presented on page 20 of this report.

Appropriations Requested: \$ _____

Submitted By: _____



Marc Wiener,

Director of Community Development

Attachments: 1) Resolution (pgs. 24-46)

2) CC Minutes and Staff Report (pgs. 47-65);

3) PC Minutes and Staff Report 10-4-17 (pgs. 66-84)

4) Heritage Committee Minutes (pgs. 85-90)

5) Technical Reports (pgs. 91-198);

6) Applicant Letters (pgs. 199-222)

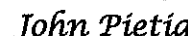
7) Project Plans

Coordinated with: _____



Martina Caron, Senior Planner

Approved: _____



John Pietig, City Council Member

A-5-LGB-20-0050

Exhibit 4

Page 1 of 20

BACKGROUND AND PROJECT REVIEW HISTORY

The Coast Inn project site is located on the ocean side of South Coast Highway at the southwest corner of Mountain Road, is situated in the C-1 (Local Business) zoning district, and has a General Plan Land Use Designation of "Commercial/Tourist Corridor." The parcel is developed with a 17,042-square-foot building, consisting of a 24-room hotel, four commercial office suites, and a ground floor restaurant/bar. A previously presented project included a combined development application for both the Coast Liquor Store and the Coast Inn (1391 and 1401 South Coast Highway, respectively) project sites. The proposed project is now limited to only the Coast Inn property at 1401 South Coast Highway. A separate project application is currently in process for the Coast Liquor Store at 1391 South Coast Highway and is not associated with the hotel remodel.

The currently proposed project has a history spanning several years, which staff has summarized below. For additional project history, please refer to the attached January 23, 2018, City Council Agenda Bill at pgs. 57-59.

Heritage Committee Review: The Heritage Committee reviewed the initially proposed project on three occasions, including a concept review on January 5, 2015, and two formal reviews on November 15, 2015 and December 16, 2015. As part of the application, a historic assessment was submitted indicating that the project was designed in compliance with the Secretary of the Interior's Standards (SOIS). On December 5, 2015, the Heritage Committee voted unanimously to upgrade the historic rating of the structure at 1401 South Coast Highway (Coast Inn) from a "C" to an "E" rating and supported the proposed rehabilitation. The minutes of the Heritage Committee meetings are attached as pgs. 85-90.

Planning Commission Review: The Planning Commission reviewed the initial application on three occasions, including public hearings on December 14, 2016, March 15, 2017, and October 4, 2017. At the last Planning Commission hearing, the Commissioners indicated they were in favor of restoring and upgrading the property; however, they could not make the findings for the requested variances, the overall size of the project was too large, and the potential neighborhood impacts and concerns had not been adequately addressed. Several Commissioners questioned the authenticity of the historic renovation (specifically in regard to the quality of the finishes and building materials) and the appropriateness of the assigned historic rating. The Commissioners were concerned with the proposed rooftop deck and pool, and were concerned that the reconstruction project would not stay below the "major remodel" threshold during construction. The Commission voted unanimously to recommend that the City Council deny the project. City Council review was required because the project included a request for historic parking reductions. The Planning Commission meeting minutes from the October 4, 2017, meeting are attached as pgs. 66-84.

City Council Review: The City Council reviewed the proposed project on January 23, 2018. The Councilmembers noted that they could support redevelopment of the site and the historic restoration; however, certain other issues needed to be addressed. Specifically, the size of the rooftop deck with heaters and umbrellas, and neighborhood issues such as parking, noise and trash delivery were noted by the City Council as concerns. The City Council continued the item to a date uncertain and approved a two-member subcommittee consisting of Mayor Whalen and former Councilmember Zur Schmiede to review the project further at a noticed public meeting. The minutes and the staff report from the January 23, 2018 City Council meeting are attached as pgs. 47-65.

City Council Subcommittee Review: The two-member City Council subcommittee held a publicly noticed meeting on February 12, 2018 to review concerns and issues raised at the January 23, 2018 City Council meeting. Issue topics generally discussed included: (1) California Environmental Quality Act (CEQA) compliance, (2) parking, (3) major remodel thresholds, (4) bluff encroachment, (5) seating occupancy vs. building occupancy, (6) rooftop uses, (7) variances, (8) trash/deliveries, (9) historic designation, (10) neighborhood impacts, and (11) noise impacts. The subcommittee members recommended that the applicant consider the discussion at the meeting, revise the project, and return to the City Council for review.

PROJECT SUMMARY

The proposed project is now limited to the Coast Inn property (located at 1401 South Coast Highway). In summary, the project includes: (1) the historic rehabilitation of the building to reflect the original Spanish Colonial Revival style as shown in a 1930's hotel postcard; (2) a remodel of the 24 hotel rooms and existing restaurant; (3) a new 3,707 square-foot rooftop pool/spa, deck and bar (with outdoor dining and the service of alcohol) for the use of registered hotel guests only; (4) new rooftop signs and (5) rooftop mechanical equipment. The rehabilitation includes plastering the building, the reconstruction of historic turrets, architectural features, decks, railings and roof details, and rooftop signage. Expansions to the existing building and restaurant areas are no longer proposed and the previously requested historic parking credits (nor valet) are required/proposed. The below exhibits show the existing and proposed development.

Exhibit A – Existing Development



Exhibit B – Proposed Rehabilitation



The proposed hotel remodel will maintain the existing 24 rooms, but will reconfigure the guest rooms on the upper level of the structure. A new hotel lobby is proposed to be located on this upper level to provide an area for guest registration. The existing street level restaurant (*previously the Boom Boom Room*) is also proposed to be renovated and remodeled. A new circular staircase and elevator system are proposed within the new historic turret and will provide access to the proposed hotel lobby and rooftop deck. Since the new staircase and elevator areas are proposed within the existing footprint of the structure, a total of 181 square feet of the existing restaurant area is being removed, and the proposed project now results in a total floor area decrease of 81 square feet. The proposed floor plans for the restaurant and upper hotel level are provided in Exhibit C and D below.

Exhibit C – Proposed Restaurant Floor Plan (street level)

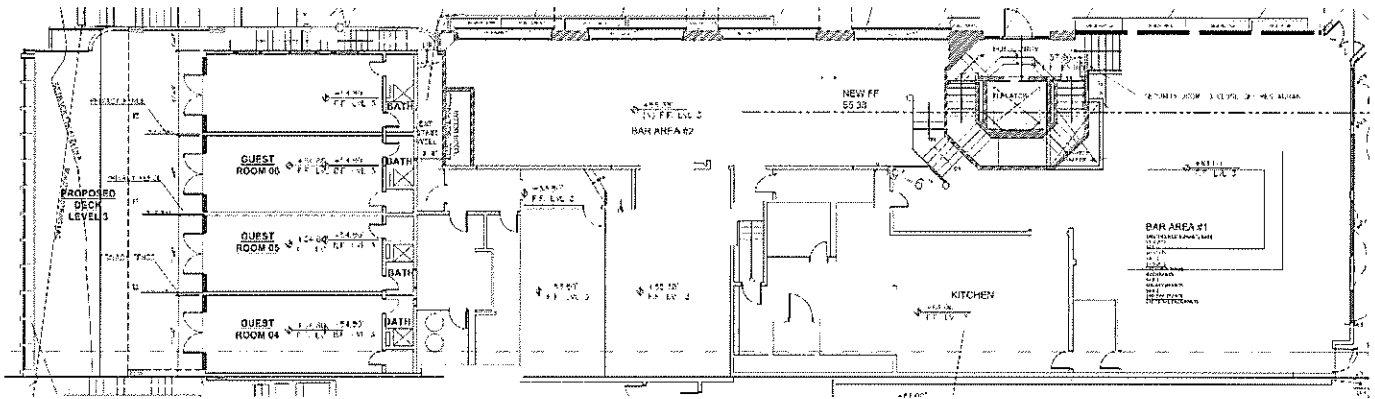
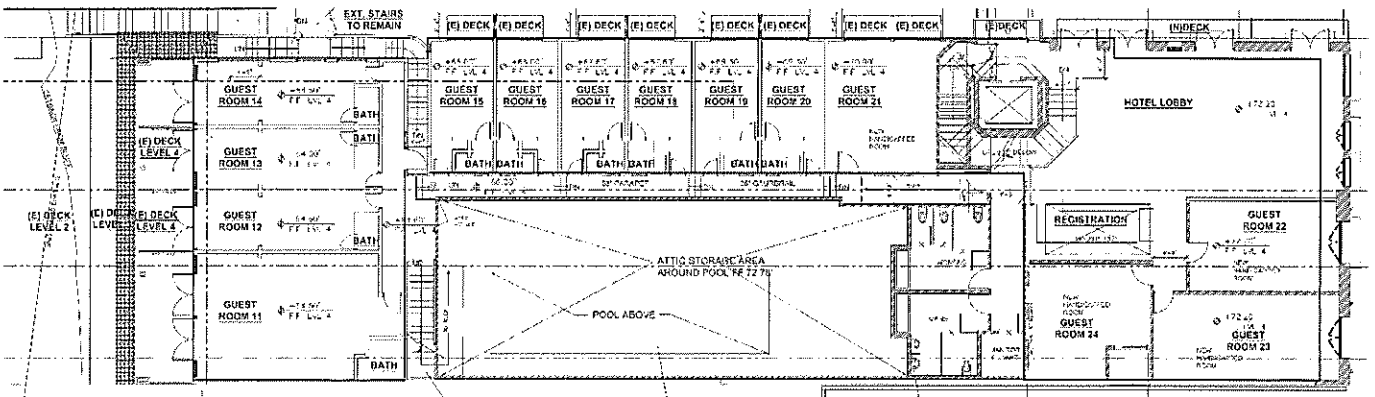
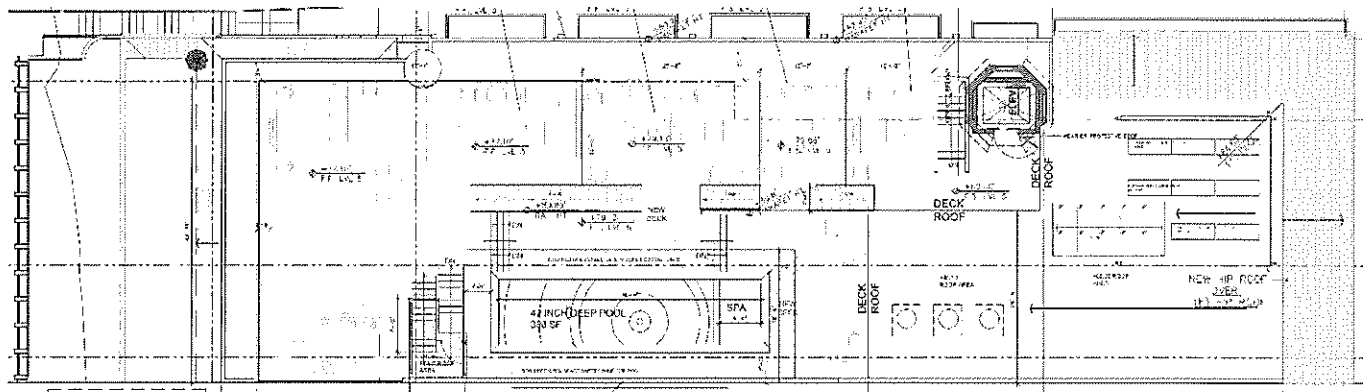


Exhibit D – Proposed Hotel Lobby Floor Plan (upper level)



A new 3,707 square-foot rooftop deck is proposed to be constructed on the roof of the existing building. The proposed rooftop deck will include a pool and spa area, sun deck and a 14-seat bar. The rooftop deck pool and bar areas are proposed to be used by registered hotel guest use only. The rooftop floor plan shows 75 seats and a maximum occupancy of 101 persons (Condition No. 16). The proposed floor plans for the restaurant remodeled upper level and rooftop deck area show below.

Exhibit E – Proposed Rooftop Deck



STAFF ANALYSIS

As noted above, on February 20, 2018, the City Council subcommittee indicated that the applicant should revise the project to address the numerous topics (see page 3 of this report) discussed at that meeting. Anticipated project impacts such as traffic, parking, and occupancy were primarily driven by the proposed intensification of use; however, the applicant has since revised the scope of the project so that operations are proposed only within the existing floor areas/occupancies, and/or for registered hotel guests only. An analysis of the identified topics and the requested entitlements is provided below.

- (1) California Environmental Quality Act (CEQA) compliance: The previous project included an expansion of the uses at both the Coast Inn and the Coast Liquor sites, and a request for a historic parking reduction. The impacts previously associated with the proposed intensification of use did not qualify for a Categorical Exemption and an Initial Study was prepared that resulted in a determination of the need for a Mitigated Negative Declaration. Since that time, the applicant has reduced the project scope, and categorical exemptions from the requirements of CEQA are now being proposed (as discussed further below).

Pursuant to State CEQA Guidelines Sections 15301, 15303, and 15331, the revised project qualifies as an exempted class of development. Section 15301 (Existing Facilities) exempts development from CEQA that consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. As previously indicated, the revised project, with the exception of the proposed rooftop deck, does not include any expansion of use. The proposed rooftop deck/pool area is restricted for registered hotel guest use only and is considered a new amenity of the existing facility.

Municipal Code Section 25.008.018 defines “Intensification of use” as a use that is changed to a use which [1] has a greater parking requirement; [2] the subdivision of an existing building or suite by interior walls to accommodate additional uses; or, [3] the enlargement of the floor area of an existing building.

- [1] The proposed use does not create the need for additional parking as the existing restaurant is not expanding and the rooftop deck is proposed to be an amenity for registered hotel guests only. Conditions No. 16, 19 and 20 are recommended to reflect this limitation.

[2] No subdivision is proposed.

[3] No interior additions are proposed and the addition of a rooftop deck does not constitute an enlargement of floor area. Municipal Code Section 25.008.012 defines “*floor area, gross*” as the sum of the gross horizontal areas of the several floors of a building, excluding areas used for garage purposes, elevators shafts and such other basement, cellar or attic areas as are devoted exclusively to uses accessory to the operation of the building. Horizontal dimensions shall be measured from the face of the building and shall include enclosed porches, stairways and exit balconies. Decks areas are not included in this tabulation and the deck expansion is considered negligible.

In addition, the project qualifies as a Class 3 Categorical Exemption (Accessory Structures), pursuant to State CEQA Guidelines Section 15303, because the project involves the addition of a roof-top deck and pool, which is considered an ancillary (accessory) use for the use of registered hotel guests only.

Further, projects involving historic resources can qualify for a Class 31 Categorical Exemption if the project complies with the Secretary of the Interior’s Standards (SOIS) for Rehabilitation. A historic assessment was prepared by Jan Ostashay and Associates for the project and determined that as previously designed, the project would meet the SOIS and could qualify for a Categorical Exemption with incorporated project conditions. (See recommended Conditions Nos. 24 and 37-48.) During the Planning Commission review of the project, a question arose as to the revised rooftop deck design and its compliance with the SOIS. The historic consultant provided a clarification email on September 21, 2017 and provided comments on the revised rooftop deck design, specifically as it related to the umbrella plan. She stated:

“Under the SOIS, umbrellas may be introduced to a roof top deck area if designed and installed accordingly. The idea to approve the use of umbrellas on the roof is that they should be limited in number, away from highly visible public right-of-way areas, and be non-permanent. Their placement and arrangement should be non-uniform, and their design (including materials, function and features) should complement the architectural style (Spanish Colonial Revival) and historic character of the building. To avoid potential impacts, it is highly recommended that the applicant study the possibility of reducing the number of umbrellas proposed, shifting the location of those umbrellas along the northern parapet/railing wall away from the side street out of the view shed from Mountain Road and Coast Highway, and stagger their placement in order to break up that formal uniformity that is inconsistent with the historic character of the property.

In addition, the size (width) of the umbrellas could also vary (i.e. at least two different sizes), which would further help to break-up that visual uniformity. By staggering, shifting, and/or varying the size of the first few rows of umbrellas along northern parapet/railing wall (Mountain Road) a solid to void pattern would be created thereby avoiding the potential “visual read” of another layer on the building. The currently proposed style, type, and material of the scoped umbrellas should also be reconsidered as they should be more compatible with the historic character and architectural style of the property. If such alternatives are considered and implemented, the proposed work may be considered compliant with the SOIS.” (Pgs. 149-150.)

The applicant has revised the umbrella plan since June 23, 2020 to better comply with the historian's direction. The number of umbrellas has been reduced and the placement of the umbrellas are shown to be staggered and recessed from the deck railing edge, along Mountain Road. Therefore, staff believes that, the project as conditioned (see recommended Conditions Nos. 24, and 37-48) complies with the SOIS and qualifies for a Class 31 Categorical Exemption.

The State CEQA Guidelines Section 15300.2 provides specific instances where exceptions to otherwise applicable categorical exemptions apply. Staff's determination is that none of the exceptions apply to this project. See discussion below.

15300.2(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily significant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project is located in an urbanized area and no environmentally sensitive resources would be impacted by the proposed project. The proposed project includes the rehabilitation and restoration a locally historic resource in a manner consistent with the Secretary of the Interior's Standards and all proposed improvements will occur within a previously disturbed areas.

15300.2(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

A known project at 1391 S. Coast Highway (Coast Market Place) is currently being reviewed by the City. This project does not include a similar use, but includes a remodel to the retail existing mini-mart to establish two retail stores, one food service establishment, and an approximately 2,500-square-foot office. However, even if the adjacent project is considered a similar use at the same location, in 2014, a traffic analysis demonstrated that the combination of these two project would not create significant traffic impacts. Specifically, a traffic study prepared by Michael Baker in 2014 analyzed a previously more intense project which included not only a much more intense development at the project site, but also a similarly proposed site improvements at 1391 S. Coast Highway were reviewed as well. When the proposed trip counts for a more intense use were used in conducting a signal warrant analysis, it was determined that a traffic signal is not warranted at the unsignalized South Coast Highway (SR-1)/Mountain Road intersection for existing or future traffic conditions. Further, several hotel projects are being conceptually reviewed by the City which include changes to the Cleo Hotel, Pacific Edge Hotel, the Hotel Laguna and the Laguna Art Museum Hotel. These hotels projects are not in the same location as the closest of these hotels is located a half a mile away from the project site. Based on these facts, the project is not anticipated to create a cumulative impact of successive projects of the same type in the same location.

15300.2(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There are no unusual circumstances involved with the project or the project site. The project site is developed with an existing 24-room hotel, a restaurant/bar and commercial office spaces in a commercial zone. The prior uses have not been abandoned and neither the requested variances nor the existing non-conforming site conditions constitute an unusual circumstance. The issued 2018 Certificate of Occupancy allow for a maximum occupancy of 640 people and the bar/restaurant has been open and operating with limited hours since. The hotel has been and is currently in operation. The proposed project includes a new rooftop pool and 3,707 square-foot deck area for registered hotel guests only with no intensification of use proposed. Laguna Beach Municipal Code Section 25.008.018 defines "Intensification of use" as a use that is changed to a use which has a greater parking requirement; the subdivision of an existing building or suite by interior walls to accommodate additional uses; or, the enlargement of the floor area of an existing building. The project meets none of these conditions. First, the proposed use does not create the need for additional parking as the existing restaurant is not expanding and the rooftop deck is proposed to be an amenity for registered hotel guests only, so no additional parking is required. Second, no subdivision is proposed. And third, no interior additions are proposed. The addition of a rooftop deck does not constitute an enlargement of floor area because pursuant to the definition of "floor area, gross" listed in Municipal Code Section 25.008.012, deck areas are not included in the floor area tabulation. Therefore, no intensification of use is proposed. Height variances are requested to restore several historic features and to construct a portion of the rooftop deck. These proposed features and the deck, including the rooftop umbrellas and heaters have been staked and are not anticipated to create significant view or environmental impacts.

15300.2(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

South Coast Highway has qualified as a candidate scenic highway and is included in the State Master Plan of Scenic Highways, yet has not received an official State designation. The project would not damage any scenic resources, but instead improves upon the existing conditions through the rehabilitation and preservation of two locally significant historic structures. The project would also provide new landscaping at the highway and within the existing parking lot.

15300.2(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project is not located on a hazardous waste site.

15300.2(f) Historical Resources. A categorical exemption shall not be used for a project which may cause substantial adverse change in the significance of a historical resource.

The proposed project will not create an adverse change in the significance of a historical resource. The proposed project would retain, repair, and rehabilitate the important character-defining features of the Coast Inn building to its prior 1930's appearance. Modest compatible changes will also occur at the rear (west) elevation. The work proposed for this structure follows the intent of the Secretary of the Interior's Standards in that the building would be used as it was historically and historic elements are being restored as part of the project. A historic assessment was prepared by Jan Ostashay, historian, in December of 2016, which reviewed the proposed hotel remodel, rooftop deck and historic restoration plan as it relates to the Secretary of the Interior's Standards. The analysis found that the proposed project would not create an adverse change to the historic resource. The historian has also subsequently reviewed the rooftop umbrella plan and has noted since the umbrellas will be staggered and are pushed back from the edge of the deck, and will not be permanent, no impacts to the historic resource are anticipated. Further, as conditioned, a qualified architectural historian will be retained to review the construction drawings and ensure compliance with the SOI Standards prior to permit issuance and conduct periodic on-site construction monitoring to ensure no adverse change to a historic resource will occur.

It should also be noted that a noise study, a coastal hazards and wave run-up study, a biological assessment, and an ocean-face bluff study were prepared and analyzed as part of the proposed project (pp. 55-71 and 130-157), and none of these reports found any significant impact on the historic structure or the surrounding environment.

- (2) Parking: The existing hotel, office and restaurant use is considered legal nonconforming with regard to required parking and has 98 grandfathered parking spaces based on the 1958 parking standards. If the existing building were to be reconstructed today, the current parking requirement would be 86 parking spaces. The previously proposed project included three public restaurants and the option to host special events in two of these areas, and the required parking totaled 156 spaces. To comply with this parking requirement, a 38% historic parking reduction was previously requested. Although the previous project would meet the parking requirements with approval of historic parking credits, concerns were presented about the proposed intensification of use and the impacts to the surrounding neighborhoods since no physical onsite parking was being provided.

The project was subsequently revised and no additional parking is now required. Additions are no longer proposed to the public restaurant areas, the use of the new rooftop deck/bar is restricted to registered hotel guest use only, and special events are no longer proposed. With these changes, the project no longer requires additional parking and no intensification of use is proposed. Given these changes, staff believes that the previously identified parking concern have been eliminated. See Table 2 below for a summary of the existing, previous and past proposed parking requirements.

Table 2 – Previous and Proposed Project Details

Use Area	Existing Uses			2018 Application				2020 Application			
	Area (s.f.)	Grand-fathered Parking	Current Parking Code	Area (s.f.)	Seats	Special Events	Daily/Event Parking	Area (s.f.)	Seats	Special Events	Daily/Event Parking
Hotel	10,177	12	26	13051.79	0		26.00	11187	0		26.00
Seven Seas (Level 1)	N/A			3034	86	Yes	30.33	n/a	86	No	0.00
Kitchen (Level 4)	N/A			1,321	0	No	13.20	n/a	0	No	0.00
Tap Room (Level 3)	5,755	84	58	2,806	71	No	28.06	5,567	121	No	55.67
Rooftop Deck	N/A			2,812	175	Yes	58.33	3,707	75	No	0*
Office Area	886	2	2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Parking Required	Total	98	86			Total	156			Total	82

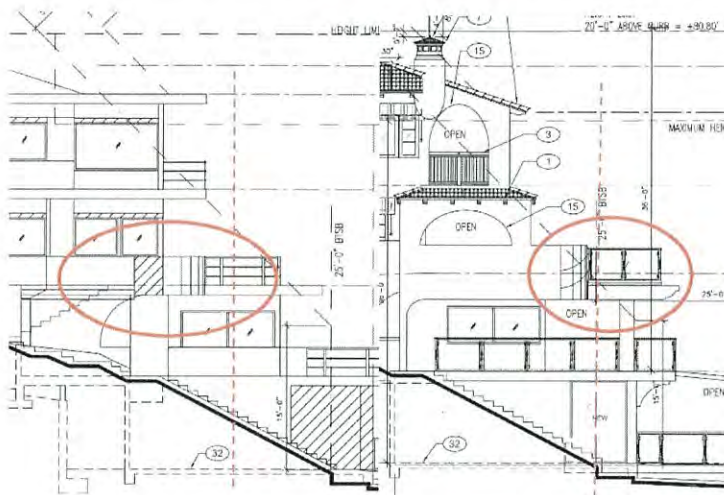
*hotel guest use only

- (3) Major remodel: Pursuant to the Land Use Element of the City’s General Plan, “Major Remodel” is defined as an *alteration of or an addition to an existing building or structure that increases the square footage of the existing building or structure by 50% or more; or demolition, removal, replacement and/or reconstruction of 50% or more of the existing structure; greater specificity shall be provided in the Laguna Beach Municipal Code.*

Since the project was last reviewed by the City Council, the City has been working with the California Coastal Commission to refine the City’s interpretation of this General Plan policy. Under the City’s current interpretation, if a project includes demolition or reinforcement of 50% or more of the exterior walls (measured in linear feet) OR the combined roof/walls/foundation of the structure, the project is considered a major remodel. The applicant has updated the plans to provide demolition calculations based on these parameters, which indicate that a total of 40.9% of the exterior walls and 44% of the combined areas are proposed to be demolished/reinforced. Therefore, staff concludes that the proposed project does not constitute a major remodel.

- (4) Bluff encroachment: The applicant proposes to restore the covered deck area and enlarge the existing deck on level 3 of the Coast Inn to match the historic postcard. This restored deck area is proposed within the 25-foot blufftop setback; however, the proposed deck addition will be in line with the previous deck (as noted in the 1935 postcard) and will not extend beyond the existing structure. The Historic Preservation Ordinance allows additions to historic structures to maintain setbacks up to the line of existing encroachments; therefore, a variance is not required to reconstruct the deck in this area. Staff believes that this deck addition enhances the historic resource and is consistent with the General Plan and the Municipal Code.

Exhibit F- Proposed Deck and Patio Restoration



Existing Condition

Proposed Deck



Historic Postcard

- (5) Seating occupancy vs. building occupancy: Staff had originally proposed to limit the occupancy of the restaurant through a conditional use permit to be more restrictive than what the Building Code might otherwise allow. However, the applicant contends that a use permit is not required of the restaurant because no expansion, enlargement or intensification is being proposed by the current project plans. This issue was discussed at the June 23, 2020 City Council meeting and staff committed to provide information regarding the potential building occupancy.

Municipal Code Chapter 25.52 (Parking Requirements) assigns different parking demand based on the proposed use(s). In this instance, the parking requirements for the proposed hotel and restaurant uses are applicable. Parking is based on the hotel room count and the square footage of the public restaurant area/and or the seat count (whichever is more restrictive). When the Building Official evaluates a project to issue a building permit, occupancy loads are calculated to show the total allowable occupancy that can be safely established within a given area of the building. In 1994, the Building Official indicated that the existing bar and restaurant areas for the street-level restaurant (formally the *Boom Boom Room*) would allow a total occupancy load of 640 people, which was considered to be the established occupancy load for the restaurant. The applicant currently proposes 121 restaurant seats and a maximum occupancy load of 640 people.

Because the lower level is being remodeled and reconfigured, the building occupancy is required to comply with current Building Code standards. To better understand the potential maximum occupancy, the applicant has provided the Building Official two conceptual tenant improve plans to review for the street-level restaurant. The first plan shows a daily operation configuration with table and chairs throughout and the second plan shows a more open floor plan with the tables removed. The Building Official has estimated that for daily restaurant use configuration, with tables placed throughout, the occupancy would be limited to approximately 250 people. The Building Official indicates that if the applicant removes the tables and chairs and stores them in a secure manner to provide clear exiting paths, adequate bathroom facilities and all other safety design features like door hardware, exiting signs and exit corridor widths, then the total occupancy would be increased to approximately 450 people. It is important to note that the final building occupancy load will be determined by the Building Official.

officially established after Building Department review of the tenant improvement plans, and prior to the issuance of a certificate of occupancy for that space. These limitations are not proposed as part of the conditional use permit, because the restaurant is not included in the conditional use permit given that an expansion of the existing restaurant is no longer proposed.

- (6) Rooftop uses: The previous project reviewed by the City Council subcommittee in 2018 included a request for a 2,812 square-foot rooftop deck to accommodate a new pool deck area and restaurant/bar area with 175 seats. This deck was previously proposed to be open to the public and was intended to be used for special events and required 59 parking spaces. In the past Planning Commission and City Council staff reports, staff expressed concerns with the associated visual impacts with a deck of this size and intensity and that the proposed deck would be the largest deck in the city. Table 2 provides an analysis of other rooftop decks within the City.

Table 2 – Approved Rooftop Decks in Laguna Beach

Address	Establishment	Rooftop Square Footage	Seats
680 SCH	Red Dragon	1,473	59
400 SCH	Skyloft	1,348	96
1740 SCH	Mozambique	1,480	56
1296 SCH	Casa del Camino	2,121	100

Although the rooftop uses are proposed to be restricted to registered hotel guests only, staff has been concerned with the potential visual impacts associated with a deck of the proposed size – specifically with regard to the historic consultant’s direction relating to umbrellas and their visibility from the public right-of-way.

Consequently, staff previously recommended that the rooftop deck be reduced to the green area only (with the purple area on the northern side omitted), as shown in Figure F (below). Staff estimates that eliminating the purple deck area will reduce the overall deck size by just over 1,000 square feet to an overall size of 2,700 square feet and will provide an additional buffer to the adjacent residences to the north and would reduce views of the deck from the public right-of-way.

Since the 2018 City Council subcommittee review, the applicant has revised the project to include a larger 3,707 square-foot rooftop deck, including the pool/spa and bar areas; however, this area is now proposed to be limited to overnight hotel guest use only and special events are no longer proposed on the rooftop deck. The rooftop floor plan shows 75 seats and a maximum occupancy of 101 persons. (See recommended Condition No. 16.) The applicant proposes this maximum occupancy for the rooftop based on the assumption of up-to-4 guests in each of the 24 hotel rooms (96 guests), and five employees. Hours of operation for the rooftop and hotel bar areas are proposed from 8 a.m. to 10 p.m. on Sunday-Thursday, and 8:00 a.m. to 11 p.m. on Friday and Saturday. Food service is also proposed, with the food to be prepared in convection ovens in the hotel and roof bar area.

To restrict the rooftop deck to registered hotel guests only, access control for the hotel rooms and roof deck will be by one of the following: electronic key cards, key pad door locks, or through a phone APP access system that cannot be shared and that times-out at the end of the room occupancy. The names of all the guests staying at the hotel will be taken at the time of registration. The hotel manager, bartender, cleaning and/or wait staff will monitor and report to hotel management the roof top occupant counts to ensure the occupancy does not exceed 101 occupants and to ensure that only registered guests are using the rooftop area. Recommended Condition Nos. 16-19 were added to reflect these restrictions.

The applicant is proposing amplified music with a central volume control to provide soft background music. Speakers will be placed in a manner to obtain full sound coverage with no sound impact on the adjacent neighboring businesses or homes. The 2019 Noise Analysis, prepared by Bridgenet International indicates that music of this type will not create any adverse noise impacts.

Because the rooftop deck is now limited to hotel guests only and no additional parking is required, staff believes that the applicant has adequately addressed the previous concerns associated with the prior intensification of use. The description of the applicant's plan for the use and monitoring of the rooftop is included on pg. 200.

Since reviewing the previous deck reduction recommendations in the June 23, 2020 staff report, the applicant has modified the rooftop deck plan and has reduced the number of umbrellas from 27 to 15. The plan also shows that the umbrellas have been shifted five feet further away from the proposed Mountain Road deck railing. This revised umbrella plan was re-staked on July 15, 2020. See Exhibit G below for this revised plan.

Exhibit G – Revised Umbrella Plan

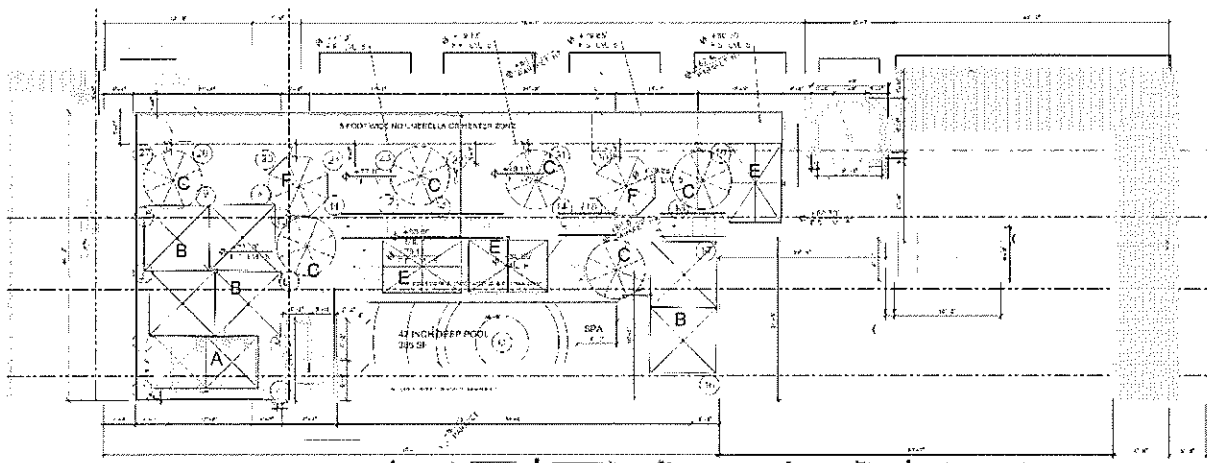
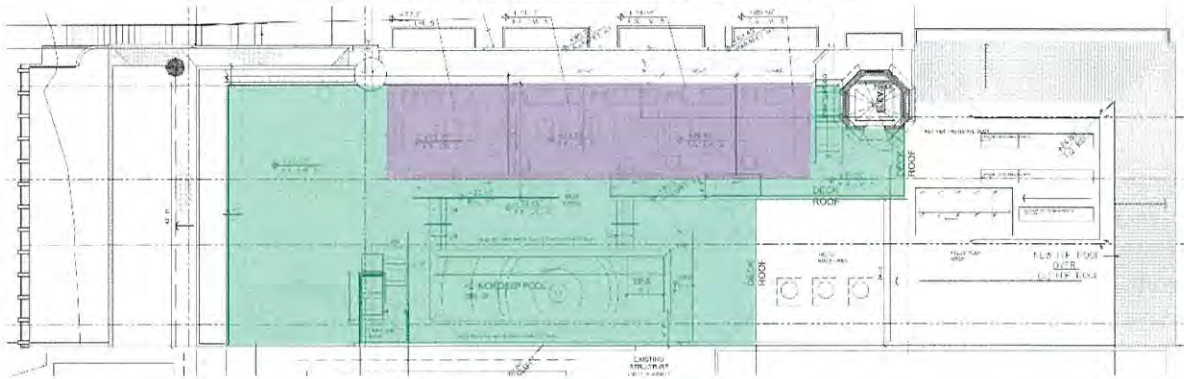


Exhibit H – Reduced Rooftop Deck Area



The City Council should review the proposed rooftop plans and determine if the revised rooftop deck plan (Exhibit G) adequately minimizes visual impacts or if the deck should be reduced to 2,700 square feet as previously recommended and noted in Exhibit H.

- (7) Variances: The previous project included a variance request to exceed the maximum height above the curb and the lowest finished floor, and to not provide the required open space. The height variance was requested for the following improvements: (1) to reconstruct three historic monumental cupola towers; (2) to construct a trellis above the rooftop bar area; (3) a new elevator tower; (4) new signage/flags; and (5) to install a permanent umbrella system on the rooftop deck. Additionally, a portion of the rooftop deck/railings system, elevator shafts, cupola towers, umbrella systems, and staircase towers are proposed to exceed the 36-foot maximum height limit above lowest finished floor. (See Municipal Code Section 25.20.008(D).)

The project has since been revised and the variance for items 2, 3, and 5 (noted above) are no longer required. Additionally, the previously requested variance for open space is not necessary because the project no longer includes an increase in overall interior floor area, and therefore additional open space is no longer required. Further discussion regarding the remaining requested variances is provided in the Variance section of this report (pg. 17).

- (8) Trash Services: The project's trash facilities are currently in the parking lot behind the Coast Liquor store, and the applicant is proposing to maintain this configuration. A will-serve letter has been provided from Waste Management for maintaining the current off-site location (pgs. 197-198). This arrangement will require waste to be moved across Mountain Road from the Coast Inn. The applicant is proposing that waste be transferred from the Coast Inn to the dumpster enclosure between the hours of 7:00 a.m. and 10:00 p.m. daily. Prior staff reports expressed concern with the project's proposed waste program, indicating that it was not consistent with the Policy 5.4 of the Land Use Element of the General Plan, which states:

“Preserve and maintain the residential character and livability of neighborhoods adjacent to commercial districts and/or individual businesses by regulating and minimizing impacts from commercial activities, including but not necessarily limited to deliveries, amplified music, light trespass, alcohol-related impacts, and employee or valet parking. Establishment of any new preferential parking districts in the coastal zone shall be prohibited.”

In an effort to minimize project impacts, staff has recommended Conditions No. 32 and 33 to minimize trash impacts, as follows:

32. Trash from the hotel and rooftop bar may only be transported across Mountain Road to 1391 South Coast Highway between the hours of 8:00 a.m. to 9:00 p.m. daily. Trash must be stored onsite at the Coast Inn outside of these hours. A trash storage and transportation plan must be submitted prior to the issuance of a Building Permit. The trash storage and transportation plan shall require a leak-proof container to be used whenever trash is being transported across public rights-of-way. The trash storage area at 1391 South Coast Highway shall be regularly cleaned and refuse removed daily without creating a public nuisance and without place waste or waste receptacles on the public sidewalks or other public ways. All employees shall be trained on this plan and responsible for its implementation.

33. A “stinger” truck shall maneuver all dumpsters to the full-size trash truck stationed on Mountain Road to limit traffic impacts to Gaviota Drive.

Loading/Delivery services: The applicant proposes to maintain the existing yellow delivery zone located in the public right-of-way on Mountain Road. To minimize delivery and traffic impacts, the applicant proposes to maintain the signs that state: “20-Minute Loading Zone: 7:00 a.m. to 6:00 p.m., Monday to Saturday for Commercial Delivery Vehicles Only and Metered Parking from 6:00 p.m. to 7:00 p.m. Monday to Saturday, 8:00 a.m. to 7:00 p.m. on Sunday and Holidays. (Resolution Condition No. 35). Metered parking is subject to a 3-Hour Parking Limit, on Saturday and Sundays.” Since the project no longer includes an intensification of use, staff believes that using and maintaining the existing delivery zone does not create any additional neighborhood impacts.

- (9) Historic designation: On January 5, 2015, the Heritage Committee reviewed a concept plan for the proposed project, which also included a request to add the property at 1391 South Coast Highway (*Coast Liquor Store*) to the Historic Register, and to upgrade the property at 1401 South Coast Highway (*Coast Inn*) from a “C” to a “K” rating. The Historic Assessment indicated that based on the conceptual restoration work proposed, both the *Coast Inn* and the *Coast Liquor Store* would be eligible for a “K” rating. At that time, the Heritage Committee was generally in support of the request, specifically noting the property’s past cultural significance. However, the Heritage Committee members also encouraged the applicant to remove certain proposed contemporary design elements and to continue to work to better replicate the 1935 Spanish Colonial Revival appearance of the building, in order to obtain a “K” rating.

On November 15, 2015, the applicant returned with a revised design for the Heritage Committee's consideration. Jan Ostashay (the historic consultant) was also present to answer questions about the historic assessment prepared for the project. Overall, the Heritage Committee was primarily supportive of the proposed project; however, Committee members were concerned with the proposed entryway along Mountain Road, and with some of the proposed modern finishes. The Heritage Committee continued the project so that the applicant could provide railing details, and requested that the applicant explore restoring the Olympic Cottage further. It was also noted that if the design and architectural detailing of the Coast Inn were more consistent with the 1935 design, the Heritage Committee could consider an "E" rating at the time of its next review.

A revised project returned to the Heritage Committee for review on December 16, 2015 with an updated historic assessment (referenced on pgs. 92-93). The project then included a request for a 71% parking reduction in conjunction with a request to upgrade the properties to "E" rating. The Heritage Committee voted unanimously to upgrade the historic ratings of the Coast Inn structure to an "E" rating. The Heritage Committee also recommended that the City Council consider up to a 75% parking reduction for the project. The minutes of the Heritage Committee meetings are provided as (pgs. 85-90).

The applicant has worked closely with the historian to identify appropriate areas for restoration that go beyond the previous applications reviewed by the City. For example, the restoration of the towers, the guest room deck designs and the overall entry of the building have been designed to better replicate the 1935 postcard. Given the extent of the restoration efforts, staff believes that the assigned "E" rating is warranted. (It is important to note that because the overall project scope has been reduced, and a historic parking credits are no longer requested, the "E" rating does not afford the project any additional considerations at this time).

(10) Neighborhood Impact: The City Council subcommittee discussion indicated that the proposed project impacts associated with traffic, noise, and parking should be addressed. Given that the project has been reduced in scope, no intensification of use is being proposed, and the deck areas are proposed to be restricted to registered hotel guest use only, staff believes that no significant new neighborhood impacts will be generated by the proposed use.

(11) Noise impacts: To evaluate potential noise impacts, an updated acoustical study (pgs. 175-189) analyzing the proposed operations was prepared and determined that the ambient noise levels generated by Coast Highway traffic will be louder than the patrons and background music during the rooftop hours of operation. Staff believes that the potential noise impacts have been adequately addressed.

Conditional Use Permit: Although a conditional use permit would be required by the current Municipal Code for new hotel and restaurant uses in the C-1 zoning district, the existing hotel and restaurant operating on the site were originally established when a conditional use permit was not required. Therefore, both are considered legal nonconforming insofar as the Municipal Code currently requires a conditional use permit. Because the restaurant is not being enlarged, expanded or intensified, it is not required to obtain a use permit with the proposed remodel. On the other hand, the hotel is proposing to increase the floor area through interior modifications and is also adding a rooftop deck. For these reasons, the City is requiring a conditional use permit for the hotel and associated new rooftop area. The applicant has submitted correspondence disagreeing with the City's determination on this matter.

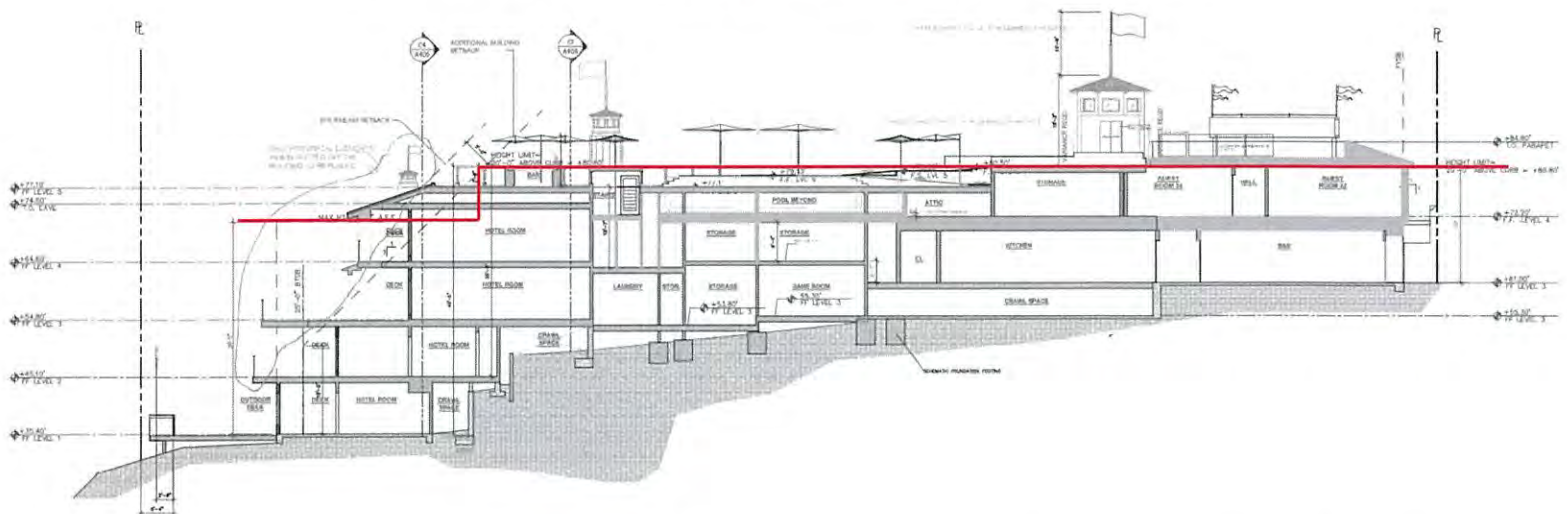
Variance 16-2482

Building Height: The applicant requests a variance to exceed the maximum building height above the curb and the lowest finished floor, and to install a roof-mounted sign. The C-1 (Local Business District) building height standards are based on the average lot slope of a property. The Coast Inn property maintains an average lot slope of 15.74%, and the prescribed maximum building height is limited to 20 feet above the curb (South Coast Highway) and 36 feet above the lowest finished floor, whichever is more restrictive. The existing roofline extends 23.83 feet above the curb and 36.83 feet above the lowest finished floor, and thus is legal nonconforming.

The applicant proposes to: (1) reconstruct three historic monumental cupola towers; (2) reconstruct decks on the back (ocean-facing side) of the building; and (3) install a non-permanent umbrella system on the rooftop deck. These elements are all proposed to exceed the 20-foot maximum building height. Additionally, a portion of the rooftop deck/railings system, ocean-facing decks, cupola towers, umbrella systems, and staircase towers are proposed to exceed the maximum allowed 36-foot height limit above lowest finished floor.

The rooftop bar guardrail is 45'-3" above the lowest finish floor, but meets the maximum height of 20 feet above curb. The proposed tower on Mountain Road also serves as the Hotel entrance and elevator shaft and will be approximately 15 feet above the maximum height limit above the curb. The proposed flag poles would be an additional 10 feet above the turret, and the highest flag would be approximately 45 feet above South Coast Highway. Exhibit I below is a cross-section showing the site topography and proposed remodel, and the maximum building heights in red. For additional details, refer to the provided project plans. In addition, the aforementioned building height elements have been staked, including the flags and umbrellas for public consideration.

Exhibit I – Cross-Section of Existing Site with Proposed Remodel



Rooftop Signage: The rehabilitation of the historic structure includes the reconstruction of the rooftop signage that requires a variance. The Zoning Code prohibits rooftop signage. **California Coastal Commission**
required. The proposed sign will extend approximately 25 feet above the curb elevation, and the sign is **A-5-LGB-20-0050**

mounted flags will also exceed the maximum height limits. Although not permitted under current standards, the sign and flags were a character-defining feature of the historic property and are therefore considered a component of the historic restoration. Exhibit J below provides a rendering of the proposed signage and flags.

Exhibit J – Proposed Rooftop Signage



The applicant proposes a total of three rooftop signs forming a “U” shape. Each sign, including supports, is approximately 65.25 square feet for a total of 196 square feet of proposed sign area. The proposed signage letter height is 24 inches. The signs are proposed to be halo lit with a shielded LED bronze light fixture. Pursuant to the Sign Code, the maximum amount of signage allowed per site shall not exceed 150 square feet and each individual sign is limited to a maximum of 75 square feet, (See Municipal Code Chapter 25.54.) The proposed project signage requires a variance to exceed both the maximum amount of signage allowed per site and for the installation of roof-mounted signage. Since the June 23, 2020 City Council meeting, the applicant has lowered the proposed signage and flags by approximately five feet. Variances are still required for the signs in the lower location.

Variance Findings

Staff believes that there are special circumstances applicable to the property, including lot size and topography, which cause the strict application of the Zoning Ordinance to deprive the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. The proposed rooftop towers, sign, and flags, which exceed the maximum allowable height, can be considered key character-defining features to the historic rehabilitation of the property and thereby constitute a special circumstance uniquely applicable to the site. Therefore, granting a height variance for the proposed project would not constitute a special privilege and that there are special circumstances applicable to the property (as previously mentioned) that would cause the strict application of the Zoning Ordinance to deprive the property of privileges enjoyed by other properties in the vicinity and zone. The Resolution (pgs. 24-46) provides further discussion as it relates to the required variance findings.

General Plan Conformance

Municipal Code Section 25.05.030 includes five mandatory findings that are required to be made for approval of a conditional use permit (CUP). Specifically, Municipal Code Section 25.05.030(F)(4) specifies that “*the proposed use is consistent with the objectives and policies of the City’s General Plan.*” Therefore, staff has compared the proposed application with the applicable objectives and policies of the City’s General Plan. The four General Plan objectives are primarily applicable and have been previously

considered with the proposed project. These provisions include: (1) Land Use Element Action 1.1.13 which states to *“encourage preservation of historic structures and adaptive reuse of buildings”*; (2) Land Use Element Policy 3.3 which states *“encourage the preservation of historically significant buildings and protect the character-defining components of Laguna Beach’s commercial neighborhoods”*; (3) Land Use Element Action 5.1.3 which states *“promote preservation of historic structures and adaptive reuse of existing buildings”*; and (4) Land Use Element Policy 6.2 which states *“preserve and encourage an increase of the City’s stock of affordable motel and hotel rooms available for short-term visitors. Protect, encourage, and where feasible provide, affordable overnight accommodations.”*

As indicated in detail within this report, the proposed project scope includes restoring a City historic resource while preserving 24 of the City’s existing supply of hotel rooms available for short-term visitors, and an existing restaurant. Therefore, staff believes that the project is consistent with Land Use Element Action 1.1.13, Land Use Element Policy 3.3 and Land Use Element Action 5.1.3.

Regarding Land Use Element Policy 6.2, although the restoration efforts associated with this project are significant, the proposed project scope remains below the threshold for the General Plan Land Use Element definition of “Major Remodel.” Last year, the California Coastal Commission acted on an “Appeal – Substantial Issue” request regarding the City’s approval of the hotel renovation at 1555 South Coast Highway (Surf & Sand Resort). On page 9 of the report, the Coastal Commission staff reference the City’s Land Use Element Policy 6.2 and indicate the following *“....when considering hotel uses, the provision of lower cost accommodations be considered. However, typically, such considerations are done in conjunction with new hotel projects or remodels that rise to the level [of] major remodel/new development.”* Thus, since the project does not rise to the level of a major remodel or new development, the consideration of affordable accommodations pursuant to the City’s General Plan is not applicable. Further, the size and location of the existing Coast Inn hotel rooms are generally remaining the same, with modest reconfiguration/relocation proposed primarily to accommodate hotel room accessibility. The number of rooms is staying the same.

Coastal Development Permit 16-2480

A Coastal Development Permit is required because the project proposes improvements within 25 feet of an oceanfront bluff. The proposed project is located within 300 feet of the beach, and therefore also constitutes development that is appealable to the California Coastal Commission. Pursuant to Municipal Code Section 25.07.012(G). The City Council must make all of the following findings to approve a Coastal Development Permit: (1) the project is in conformity with the applicable provisions of the General Plan, including the certified Local Coastal Program and any applicable specific plans; (2) any development located between the sea and the first public road paralleling the sea is in conformity with the certified Local Coastal Program and with the public access and public recreation policies of Chapter 3 of the Coastal Act; and (3) the proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. Staff believes that these findings can be made and are included in the attached Resolution.

California Environmental Quality Act (CEQA)

As noted previously, due to the revised project scope, staff recommends that the project be found categorically exempt from the requirements of CEQA. A Class 1 Categorical Exemption (Existing Facilities) pursuant to State CEQA Guidelines Section 15301 is applicable because the proposed project involves the minor alteration for the rehabilitation of an existing structure with negligible expansion of use. In addition, the project qualifies as a Class 3 Categorical Exemption (Accessory Structures), pursuant to State CEQA Guidelines Section 15303, because the project involves the addition of a roof-top deck and pool, which is ancillary use (accessory) for the use of hotel guests only. The project further qualifies for a Class 31 exemption (Historical Resource Restoration/Rehabilitation), pursuant to State CEQA Guidelines Section 15331, for the reasons discussed in the historic resource report that was prepared for the project.

CEQA Guidelines Section 15300.2 identifies several exceptions to the categorical exemptions. A project must clear these conditions to maintain eligibility for a categorical exemption. As indicated in the table 21 above, staff finds there is no reasonable possibility of a significant effect on the environment due to unusual circumstances, and therefore the project is categorically exempt from CEQA.

CONCLUSION/RECOMMENDATION

Although the Planning Commission recommended denial of the project at the October 4, 2017 public hearing, the project has now been significantly reduced/modified in scope, and is recommended to be conditioned to eliminate potential impacts. (See draft Resolution on pgs. 32-44.) It is also important to note that the project scope includes a significant restoration to a local historic resource that has been vetted by the Heritage Committee. Lastly, staff believes that the project will not result in any environmental impacts pursuant to CEQA and all of the Coastal Development Permit and Variance findings can be made.

Based on the aforementioned analysis and conclusions, the City Council should consider the following available courses of action for Conditional Use Permit 16-2479, Planning Commission Design Review 16-2475, Coastal Development Permit 16-2480, and Variance 16-2482:

- 1) Approve the project as revised, and adopt the draft Resolution (pgs. 24-46);
- 2) Approve the project with modifications, and adopt a revised Resolution;
- 3) Remand the project to the Planning Commission with specific direction to address specific City Council issues; or
- 4) Deny the project and direct staff to prepare a Resolution for denial.

CALIFORNIA COASTAL COMMISSION

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

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South Coast Region

SEP 02 2020



APPEAL FORM CALIFORNIA
COASTAL COMMISSION

Appeal of Local Government Coastal Development Permit

Filing Information (STAFF ONLY)

District Office: South Coast

Appeal Number:

A-5-LGB-20-0050

Date Filed:

09-02-2020

Appellant Name(s):

Terry Meurer

APPELLANTS

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

Note regarding emailed appeals. Please note that emailed appeals are accepted **ONLY** at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Coast district office, the email address is SouthCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>.

Appeal of local CDP decision

Page 2

1. Appellant information¹

Name: Terry Meurer
Mailing address: 1361 Gaviota Drive, Laguna Beach, CA 92651
Phone number: 818-606-0305
Email address: dancaskev@gmail.com

How did you participate in the local CDP application and decision-making process?

☐ Did not participate ☒ Submitted comment ☒ Testified at hearing ☐ Other

Describe: Appellant and her counsel submitted written comments and testified at the City's Planning Commission and City Council public hearings conducted with respect to the Project. They submitted written comments prior to and testified at the City Council July 28, 2020 hearing wherein the Project was approved. The communications identified the Project's inconsistencies with the Coastal Act and LCP.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: N/A

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: Appellant has standing to make this timely appeal. Appellant submitted written comments in connection with and attended and testified at all public hearings at which the project was considered including the City Council hearing conducted on July 28, 2020 wherein the project was approved and the CDP issued.

¹ If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

Appeal of local CDP decision
Page 3

2. Local CDP decision being appealed²

Local government name: City of Laguna Beach
Local government approval body: City Council
Local government CDP application number: 16-2480
Local government CDP decision: ☒ CDP approval ☐ CDP denial³
Date of local government CDP decision: July 28, 2020

Please identify the location and description of the development that was approved or denied by the local government.

Describe: [SEE ATTACHMENT - SECTION 2]

² Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.
³ Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.

Page 4

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., the applicant, other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

[illegible]

**California Coastal Commission
A-5-LGB-20-0050
Exhibit 5
Page 4 of 62**

Appeal of local CDP decision
Page 5

5. Appellant certifications

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Terry Meurer

Signature



Date of Signature

9/02/2020

5. Representative authorizations

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☒ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

^s If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

^a If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400

**DISCLOSURE OF REPRESENTATIVES**

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name TERRY MEURER

CDP Application or Appeal Number 16-2480

Lead Representative

Name TIMOTHY D. CARLYLE

Title ATTORNEY AT LAW

Street Address 3200 PARK CENTER DRIVE, SUITE 950

City COSTA MESA

State, Zip CALIFORNIA 92626

Email Address tcarlyle@sr-firm.com

Daytime Phone 949-757-1600 x115

Your Signature

A handwritten signature in dark ink, appearing to read "Timothy D. Carlyle", written over a horizontal line.

Date of Signature

9/02/2020

ATTACHMENT – SECTION 2

ATTACHMENT – SECTION 2

SECTION 2. LOCAL CDP DECISION BEING APPEALED.

Please identify the location and description of the development that was approved or denied by the local government.

Describe: The subject project (1401 South Coast Highway, Laguna Beach, California) is located on a coastal bluff in Laguna Beach between the first public road and the sea. The site is developed with a 17,042 square foot building, consisting of a 24-room hotel, four commercial offices suites and a ground floor restaurant/bar. A previously presented project included a combined development application for both this site ("Coast Inn") and the Coast Liquor Store ("Coast Liquor") across Mountain Road to the west of the subject site (1391 South Coast Highway). The prior application for the combined project was unanimously denied by the City Planning Commission. The proposed project is now limited to only the Coast Inn property. The Coast Liquor project is being pursued under a new application number.

Pursuant the City Staff Report prepared for the July 28, 2020 City Council hearing (the "Staff Report") the proposed project includes: "(1) the historic rehabilitation of the building to reflect the original Spanish Colonial Revival style as shown in a 1930's hotel postcard; (2) a remodel of the 24 hotel rooms and existing restaurant; (3) a new 3,707 square-foot rooftop pool/spa, deck and bar (with outdoor dining and the service of alcohol) for the use of registered hotel guests only; (4) new rooftop signs and (5) rooftop mechanical equipment. The rehabilitation includes plastering the building, the reconstruction of historic turrets, architectural features, decks, railings and roof details, and rooftop signage. Expansions to the existing building and restaurant areas are no longer proposed and the previously requested historic parking credits (nor valet) are required/proposed... . The proposed hotel remodel will maintain the existing 24 rooms, but will reconfigure the guest rooms on the upper level of the structure... . The existing street level restaurant (*previously the Boom Boom Room*) is also proposed to be renovated and remodeled. A new circular staircase and elevator system are proposed within the new historic turret and will provide access to the proposed hotel lobby and rooftop deck. A new circular staircase and elevator system are proposed within the new historic turret and will provide access to the proposed hotel lobby and rooftop deck. Since the new staircase and elevator areas are proposed within the existing footprint of the structure, a total of 181 square feet of the existing restaurant area is being removed, and the proposed project now results in a total floor area decrease of 81 square feet... . A new 3,707 square-foot rooftop deck is proposed to be constructed on the roof of the existing building. The proposed rooftop deck will include a pool and spa area, sun deck and a 14-seat bar. The rooftop deck pool and bar areas are proposed to be used by registered hotel guest use only. The rooftop floor plan shows 75 seats and a maximum occupancy of 101 persons (Condition NO. 16)... ." See Staff Report pp. 3-4.

Per the Staff Report a Coastal Development Permit is required because the project proposes improvements within 25 feet of an oceanfront bluff. The proposed project is located within 300 feet of the beach and therefore also constitutes development that is appealable to the California Coast

Commission. LBMC 25.07.012(G). In its approval of the Coastal Development Permit the City Council was required to make findings that (1) the project is in conformity with the applicable provisions of the City's General Plan, including the certified Local Coastal Program (2) any development located between the sea and the first public road paralleling the sea is in conformity with the certified Local Coastal Program and with the public access and public recreation policies of Chapter 3 of the Coastal Act; and (3) the proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality act.

The following modifications were made to the approved project:

- Pull the roof-top back from the oceanside to eliminate the need for a Variance, and reduce the size of the rooftop deck from Mountain Street (reduced equally parallel against Mountain Street) to 2,500 square-feet for the total size of the deck;
- The number of roof-top umbrellas will be reduced proportionately to the size of the revised rooftop deck;
- No roof-top sign will be allowed; turrets and flags may remain;
- Revised signage proposal and minimal equipment screening on the roof-top should go before the Planning Commission;
- The applicant will purchase three in-lieu parking certificates, to be paid prior to the issuance of the Certificate of Occupancy; and
- Amend page 8, of the Resolution, Section 1, second sentence should read: "The proposed nonconforming rooftop towers and flags are considered key character-defining features to the historic rehabilitation of the property and constitute a justification for a variance from the standards in the Zoning Ordinance."

Subject to the modifications summarized above, on July 28, 2020 the City Council approved the project including Coastal Development Permit 16-2480.

SECTION 3. IDENTIFICATION OF INTERESTED PERSONS

Section 3. Identification of Interested Persons

Chris Dornin, Owner/Applicant
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Marshall Innins Design Group
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Appellant does not have mailing addresses for the following interested persons:

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ATTACHMENT – SECTION 4. GROUNDS FOR THIS APPEAL

ATTACHMENT – SECTION 4. GROUNDS FOR THIS APPEAL

SECTION 4. GROUNDS FOR THIS APPEAL.

Appellant has standing to make this timely appeal to the California Coastal Commission (“CCC”). Appellant resides in proximity to the proposed project. Appellant and counsel for Appellant have submitted written comments and testified at public hearings over the course of the proposed project’s consideration, in earlier iterations, before the City’s Planning Commission and City Council hearings. Appellant and counsel for Appellant submitted multiple letters and other written communications to the City Council prior to its hearing on July 28, 2020 wherein the project was approved. Appellant and her counsel also testified before the City Council at that hearing. The materials and communications identified the project’s inconsistency with the Coastal Act including with respect to the project’s status as a major remodel/new development, blufftop encroachment, CEQA, lower cost accommodations and public access.

The approved project does not comply with the Coastal Act Public Access provisions or with the City’s certified Local Coastal Program (“LCP”). The reasons Appellant believes the project is not in conformity with the Coastal Act and the LCP include the following grounds for this appeal:

SUBSTANTIAL ISSUES:

1. THE PROJECT IS A MAJOR REMODEL

The project should be evaluated as a major remodel.

The City’s Land Use Element (“LUE”) Glossary includes the following definition of the term “major remodel”:

Major Remodel - Alteration of or an addition to an existing building or structure that increases the square footage of the existing building or structure by 50% or more; or demolition, removal, replacement and/or reconstruction of 50% or more of the existing structure; greater specificity shall be provided in the Laguna Beach Municipal Code.

There is no certified language in the Laguna Beach Municipal Code (“LBMC”) that further specifies the meaning of major remodel beyond that set forth in the Glossary. However, the City has promulgated a standard of interpretation for the Coastal Appealable Area that a project is considered a major remodel if there is: “1. Demolition or reinforcement of 50% or more of the exterior walls OR the combined roof/walls/foundation of the structure.” See City of Laguna Beach, Land Use Element Major Remodel Interpretation; Community Development Department; Last updated March 13, 2020. (the “Standard of Interpretation”). A copy of the Standard of Interpretation is attached hereto as Exhibit “1” for reference purposes. The Standard of Interpretation was provided with the objective of incorporating what the City believes to be the CCC staff calculation methods for the assessment of projects in determining whether the project is a major remodel.

With respect to the project applicant’s calculation of whether the project represents a major remodel it took only the square footage / linear footage of walls, floors, roof and foundations. The staff report

says: "The applicant has updated the plans to provide updated demolition calculations which indicate that a total of 40.9% of the exterior walls and 44% of the combined areas are proposed to be demolished/reinforced. Therefore staff concludes that the proposed project does not constitute a major remodel."

This calculation failed to incorporate any consideration for structural upgrades required for the existing walls, floors and roof of this 94 year old structure which applicant seeks to remodel and which proposed project includes the incorporation of a substantial new roof top deck assembly area featuring a bar, dining area, swimming pool and other improvements to accommodate up to 101 people (ninety-six hotel guests and five employees). In addition the Project Data Sheet shows that the Level 2 deck will be increased by 188 square feet (a 33.76% increase), the Level 3 deck will be increased by 479.37 square feet (a 64% increase) and the Level 4 deck will be increased by 368.16 square feet (a 83.5% increase).

The requirements of the California Building Code were not considered by the applicant or the City when considering whether the project would constitute a major remodel under the Coastal Act or the LUE. The City should have analyzed the project to assure the structural integrity of the old building with the imposition of the massive new roof top deck with its new live and dead loads. The record is devoid of any review or analysis in this regard relative to the integration of the new structure into the existing structure.

Similarly there is no evidence in the record that the reconstruction of the old building to include a substantial new deck assembly area and swimming pool on an old roof will qualify as less than a major remodel under the major remodel standard.

There is no evidence that the proposed work can be done and still comply with the California Building Code, especially as it relates to a seismic upgrade.

Appellant alerted the City to this issue and submitted a letter from Peter Sarkis of Petra Structural Engineers dated July 23, 2020. A copy Appellant's email to the City Council members and accompanying letter is attached hereto as Exhibit "2" for reference purposes. Mr. Sarkis discusses the existing roof weight and the projected increase in weight from the proposed roof top assembly area construction. He observes that the California Existing Building Code (CEBC) allows for 10% increase in seismic loading before triggering the need to upgrade seismic resisting elements. He notes that the increase in roof weight from the proposed project is 46% (for the dead loading). He further discusses certain retrofit and support techniques to support the new deck and pool. He suggests that the new foundation system will require geotechnical input and most likely pile foundations because of the proximity to the bluff. He states that "(a)s shown the development will require a mandatory seismic and gravity upgrade of the entire structural system to current CBC and CEBC requirements." He then describes the work that would be needed to be incorporated.

The need for the structural work described by Mr. Sarkis should have been considered by the City and a determination made related to the extent such work, as it relates to the demolition or reinforcement of the exterior walls or the combined roof/walls/foundation of the structure, should be incorporated into a determination of whether the project is a major remodel.

No peer review was conducted with respect to the applicant's calculations or the one paragraph conclusion of the applicant's structural engineer, Mr. Robert Lawson.

We believe this presents a substantial issue regarding the project's conformance with the LCP and that, as proposed, the project is a major remodel and must be brought into compliance with existing zoning regulations.

2. BLUFF EDGE, BLUFF FACE, SETBACK AREA AND ENCROACHMENTS.

The City did not look at any bluff encroachment issues related to the project other than the Level 3 deck. In the Staff Report it provides: "Bluff encroachment: The applicant proposes to restore the covered deck area and enlarge the existing deck on Level 3 of the Coast Inn to match the historic postcard. This restored deck area is proposed within the 25-foot blufftop setback; however, the proposed deck addition will be in line with the previous deck (as noted in the 1935 postcard) and will not extend beyond the existing structure. The Historic Preservation Ordinance allows additions to historic structures to maintain setbacks up to the line of existing encroachments; therefore, a variance is not required to reconstruct the deck in this area. Staff believes that this deck addition enhances the historic resource and is consistent with the General Plan and the Municipal Code." See City Staff report for July 28, 2020 hearing, pp.10-11.

First, it is noted that the purported historic authorization to extend encroachments into the 25-foot bluff edge setback area is based, not on historic photographic evidence, but on an illustrator's depiction on a postcard from the mid-1930's. This seems like a rather thin reed upon which to base and permit inconsistencies and nonconformities with the LCP, including bluff encroachments.

The City's LUE (Glossary) defines the "Ocean Front Bluff Edge or Coastal Bluff Edge" as follows:

"The California Coastal Act and Regulations define the oceanfront bluff edge as the upper termination of a bluff, cliff, or sea cliff. In cases where the top edge of the bluff is rounded away from the face of the bluff, the bluff edge shall be defined as that point nearest the bluff face beyond which a downward gradient is maintained continuously to the base of the bluff. In a case where there is a step like feature at the top of the bluff, the landward edge of the topmost riser shall be considered the bluff edge. Bluff edges typically retreat over time as a result of erosional processes, landslides, development of gullies, or by grading (cut). In areas where fill has been placed near or over the bluff edge, the original bluff edge, even if buried beneath fill, shall be taken to be the bluff edge."

Determination of the bluff edge is critical. Appellant is advised that the City relied on a determination made by applicant's geologist, Borella Geology, Inc., and reflected in correspondence dated January 19, 2018. The letter includes no reference to the LUE definition and has no sections that show how the slope stability and pseudostatic values were determined. It just simply states that the stated values "...are acceptable values as per current industrial standards and city of Laguna Beach code." No peer review was undertaken to confirm the determinations made by the applicant's geologist. Absent credible confirmation and certification it is possible that the development is actually sited on the bluff face rather than within a blufftop setback area. Further the accurate determination of the blufftop setback area requires a certified accurate determination of the bluff edge.

Applicant's plans show that each of Level 1 guest rooms 1, 2 and 3 are partly within Applicant's designated 25-foot bluff setback. The plans also show new foundations to be constructed within the 25-foot setback. The plans show that the existing Level 1 deck extends out through the balance of the

setback area and actually encroaches across the depicted bluff edge. The plans do not indicate any new footings to support the remodeled Level 1 deck at its westerly oceanward side. It seems likely that the existing small concrete piles sitting on the surface, as referenced in the applicant's abbreviated geological report, and currently supporting the Level 1 deck, would be replaced or reconstructed to support a reconstructed deck. Please see photographs attached hereto as Exhibit "3" showing the Level 1 Deck apparently extending over what appears to be the bluff edge and significant erosion underneath the deck. Similarly the Level 2 deck extends oceanward of the applicant designated setback line and well into the depicted setback area.

Appellant believes that the continuing and expanded encroachment into a purported 25-foot bluff edge setback area is in conflict with LCP policies regarding coastal hazards and development on coastal bluffs. LUE Action 7.3.5 prohibits development on bluff faces, LUE Action 10.2.7 requires a minimum 25-foot setback from the bluff edge for principal and major accessory structures and LUE Action 10.2.8 requires a minimum 10-foot setback from the bluff edge for minor accessory structures (e.g., decks, stairways, and landscaping).

LUE Action 7.3.10 allows improvements to oceanfront and oceanfront bluff homes and commercial structures that are legally nonconforming as to the oceanfront and/or oceanfront bluff edge setbacks unless they increase the size or degree of the non-conformity, in which case, the improvements constitute "new development" and the entire structure must comply with the certified LCP, including bluff edge setbacks required by LUE Actions 10.2.7 and 10.2.8. As noted elsewhere in this Appeal, Appellant believes the proposed project constitutes new development as a major remodel. Further, as noted in the staff report, the proposed project seeks to restore the covered deck area and enlarge the existing deck on Level 3. As earlier noted in this appeal the Project Data Sheet shows that the Level 2 deck will be increased by 188 square feet (a 33.76% increase) and the Level 3 deck will be increased by 479.37 square feet (a 64% increase). The Level 2 deck and Level 3 deck are within applicant's depiction of the 25-foot blufftop setback area. The proposed deck restoration and enlargement within the 25-foot blufftop setback area and the construction of new foundations within the setback area (in part to support the expanded Level 2, 3 and 4 decks) will increase the size or degree of the non-conformity, constituting "new development" under LUE Action 7.3.10 and requires that the entire structure must comply with the City's certified LCP and its setback requirements.

Appellant believes that the proper determination of the bluff edge, the resulting determination of the blufftop setback area, the continued and expanding encroachments on the bluff face and/or within the blufftop set back area and the increases of the size and degree of the nonconformities within those areas, and resulting noncompliance with the LCP, present substantial issues.

Referenced LUE Action Sections

Action 10.2.7 Require all new development located on oceanfront bluffs to be sited in accordance with the string line but not less than 25 feet from the bluff edge. This requirement shall apply to the principal structure and major accessory structures such as guesthouses and pools that require a structural foundation. The setback shall be increased where necessary to ensure geologic safety and stability of the development.

Action 10.2.8 On oceanfront bluffs, require new minor accessory structures such as decks, patios and walkways that do not require structural foundations to be sited in accordance with string line but not less than 10 feet from the bluff edge. Require accessory structures to be removed or relocated landward when threatened by erosion, geologic instability or other coastal hazards.

Action 7.3.10 Allow oceanfront and oceanfront bluff homes, commercial structures, or other principal structures, that are legally nonconforming as to the oceanfront and/or oceanfront bluff edge setback, to be maintained and repaired; however, improvements that increase the size or degree of nonconformity, including but not limited to development that is classified as a major remodel pursuant to the definition in the Land Use Element Glossary, shall constitute new development and cause the pre-existing nonconforming oceanfront or oceanfront bluff structure to be brought into conformity with the LCP.

3. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The City is the lead agency for the purposes of CEQA review. On July 28, 2020, the Laguna Beach City Council found that the proposed project was exempt from CEQA review under Categorical Exemptions under State CEQA Guidelines Sections 15301(a) (Existing Facilities), 15303(e) (Accessory Structure) and 15331 (Historic Resource Restoration/Rehabilitation). Although the City cited these three exemptions the Public Notice for the June 23, 2020 hearing cited exemptions under Section 15301(a) and Section 15331.

The applicability of the Existing Facilities exemption presents a substantial issue as neither the wording of the exemption or any case interpreting this exemption has considered a circumstance such as the proposed project which involves an addition of a total of 4301.91 square feet of previously non-existent outdoor deck space and which involves wholly new structures on the existing rooftop as well as a new outdoor bar, dining and pool area and uses that have never been made at this property. These substantial additions not only constitute a physical expansion of the existing structure but will involve historically new and previously non-existent outdoor uses.

Similarly an exemption under Section 15331 should not apply. This exemption provides that the following types of projects are exempt from CEQA compliance:

Projects limited to maintenance, repair, stabilization, rehabilitation, preservation, conservation or reconstruction of historical resources *in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties* with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Cal. Code Regs., tit. 14, § 15331.)

The proposed project however includes, among other things, the wholesale new construction of a rooftop pool and deck, with a dining and bar area, which has not ever previously existed. It now also includes food preparation equipment including an oven as food service will not be provided by any restaurant operating on the property. The project also includes the construction of an elevator shaft for travel to the rooftop deck that would stand above the roof deck enclosure. The Secretary of the Interior's Standards for the Treatment of Historic Properties and guidelines there for indicate in no uncertain terms that this sort of rooftop addition to a historic property is *rarely*, if ever, appropriate. If a rooftop addition to a historic property is appropriate, it is only where the additions would have only a minimal impact on the existing visibility. As the attached photographs demonstrate, the proposed rooftop additions here would make the Coast Inn taller than every surrounding building and would substantially alter the visibility for all of the surrounding buildings. (See Letter from William MacRostie (May 18, 2020) submitted with this appeal as Exhibit "4".)

Although not part of the public notice, the City also applied a Class 3(e) Categorical Exemption (Accessory Structures) pursuant to CEQA Guidelines Section 15303, which allows the construction of an addition to an existing facility provided the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. This exemption likewise is inapplicable to the project. Although the deck area was reduced in area to 2500 square feet the plan's data sheet shows additional roof areas, not considered to be the "deck", including the pool safety area of 525.34 square feet, the roof ADA ramps with an area of 157.64 square feet, the new pool surface of 361 square feet and new roof planters of 757.93 (totaling 4301.91 square feet).

Even if any of the stated exemptions applied Appellant cited multiple exceptions to Class 1 and/or Class 31 exemptions which render the use of a categorical exemption a violation of CEQA.

Specifically, neither the Class 1 nor the Class 31 Categorical Exemption may be used under CEQA if there is substantial evidence of a fair argument that the proposed project (1) may have an adverse impact to a historical resource; (2) may, together with other recently approved and/or reasonably foreseeable projects of the same type and in the same general location result in impacts that would be cumulatively significant; or (3) have potentially significant effects on the environment due to unusual circumstances. Each of these three exceptions precluded reliance on the Class 1 or Class 31 Categorical Exemption.

As noted the proposed project had been recently separated from the nearby Coast Liquor portion of a combined project. In the prior iteration of the project, involving the two properties, the City determined that a higher level of CEQA review was required – a mitigated negative declaration. That prior iteration of the consolidated project also required new parking, and several other plans related to traffic flow and safety. Additionally, it is asserted for both projects that they will have zero traffic impacts, and that the deliveries and trash services for the commercial uses of both properties will not need to change and will in no way inhibit traffic. Substantial evidence was submitted at the hearings on the combined project that contradict such assertions.

Appellant believes the proposed project represents improper "piecemealing" wherein the project applicant divides a larger project (i.e., Coast Inn and Coast Liquor) into many smaller ones, each with arguably minimal potential impact on the environment but which cumulatively have a material impact and which projects avoid the proper level of environmental review.

Appellant believes the use of the stated exemptions and the piecemealing of the project present substantial issues under CEQA.

4. LOWER COST ACCOMMODATIONS

LUE Policy 6.2 provides as follows: *"Preserve and encourage an increase of the City's stock of affordable motel and hotel rooms available for short-term visitors. Protect, encourage, and where feasible provide, affordable overnight accommodations."* The Staff Report determined that consideration of lower cost accommodations was not applicable because "...the project does not rise to the level of a major remodel or new development..." Page 19. The City's position was based on a Coastal Commission staff comment for an unrelated project which said that the consideration was "typically" related to major remodel or new development. Even if such a limitation for the consideration is so "typically" limited, as noted elsewhere herein the project most certainly does rise to the level of a major remodel or new

development. The project has not been operated as a hotel for many years. It is operated as an Airbnb with no employees on site. Further the project incorporates the rearranging and remodeling of the hotel rooms. Will that have an effect on the affordability of the room? Appellant informed the City that the existing rates for rooms at the Coast Inn ranged from \$100 to approximately \$172. Appellant repeatedly asked the City to obtain proposed room rate data from the applicant. It was never provided. Appellant assumes the City never sought such information. Since an assumed intention of the project is to improve the quality of the hotel it is reasonable to assume that the rates will be set at a higher level to help cover the costs of the improvements. In fact, Marshall Innins, the applicant/project architect at the July 28, 2020 City Council hearing wherein the project and related CDP were approved, told the City Council, in his rebuttal to public comments, the following: "The hotel is a 24-room hotel. It's going to be, you know, an amenities-driven hotel. The idea of having a roof deck and having a swimming pool—these are amenities that make it so they can charge more for the rooms." See City Council July 28, 2020 Hearing Video at 4:32:40 through 4:32:55. Even in the face of this extraordinary statement by the project applicant the City Staff and the City Council ignored LUE Policy 6.2. The LCP and the Coastal Act (California Public Resources Code §§ 30000-30900) require there to be lower cost visitor-serving uses along the Coast. The Coastal Act section 30213 requires permitted development to protect, encourage, and, where feasible, provide lower cost visitor and recreational facilities. As admitted by the project applicant the proposed project could potentially replace an historic low cost overnight accommodation with a significantly higher cost option, thereby restricting the public's access to coastal resources in violation of Coastal Act section 30213. The City's failure to adequately consider the Coastal Act and the LCP's LUE Policy 6.2 present substantial issues regarding the project's conformance with the Coastal Act or the LCP.

5. PUBLIC ACCESS; CONGESTION/CIRCULATION

The failure to require that the project provide adequate parking facilities or substitute means of serving the development with public transportation consistent with the requirements of the Coastal Act under Coastal Act Section 30252(4) is a failure to protect Public Access as it will result in severe vehicular congestive impacts to the intersections of South Coast Highway, Mountain Road and Gaviota Drive. There is no passenger loading/unloading zone—hotel guests currently park in the middle of Mountain Road to load and unload their cars (kids, dogs, luggage, beach equipment) blocking access to the metered parking places, and creating traffic circulation issues. All deliveries and trash pickups are planned for one single 19' loading zone on Mountain Road. Applicant advised the City that "Smaller delivery truck and vans will be able to unload in the Coast Liquor parking lot." However the Coast Liquor parking lot is not a part of the applicant's project. Coast Liquor is a separate site and alleged by applicant to be a separate project under a separate application. It should not therefore be properly considered as a project facility. Further there are no ADA accommodations. All hotel guests, restaurant customers, office workers, Uber and Lyft drivers, delivery trucks, and trash trucks will be required to exit through Gaviota Drive, which is a very narrow one-way alleyway. This narrow alley and Mountain Road, each with a significant amount of beach visiting pedestrian traffic, cannot possibly absorb or support all the traffic generated by the operations of a 121 seat restaurant, alternative 640 person occupancy load, 24 room (98 guests) hotel and employees and support staff. The Coastal Act requirement that Public Access be protected was not properly considered.

6. PUBLIC ACCESS DURING CONSTRUCTION

Chapter 3 of the Coastal Act requires that public access be protected. The CDP was not conditioned to assure continued Public Access during the construction period. The permit does not address construction staging or its effects along South Coast Highway, Mountain Road (which provides access to the beach stairway) or the narrow heavily pedestrian trafficked Gaviota Drive alleyway. There was no discussion by the City Council of any aspect of the construction project's effect on Public Access, including how it might be protected. A project of the magnitude proposed will materially impact these streets and access ways likely clogging them with construction related vehicles, trucks, equipment and deliveries. There was no consideration expressed relative to the fate of the public parking spaces on South Coast Highway or Mountain Road. The City's election to disregard Public Access gives rise to a substantial issue. Again, the Coastal Act requirement that Public Access be protected was not properly considered.

EXHIBIT “1”

“STANDARD OF INTERPRETATION”



LAND USE ELEMENT MAJOR REMODEL INTERPRETATION

Community Development Department

(last updated March 13, 2020)

The City's Land Use Element defines "Major Remodel" as the alteration of or an addition to an existing building or structure that increases the square footage of the existing building or structure by 50% or more; or demolition, removal, replacement, and/or reconstruction of 50% or more of the existing structure; greater specificity shall be provided in the Laguna Beach Municipal Code (LBMC). As there is no certified language in the LBMC that further specifies the meaning of Major Remodel, the California Coastal Commission (CCC) and City staff have had differing interpretations of the term, which has led to numerous City-approved projects being appealed to the CCC.

While a Municipal Code amendment is in process to achieve a long-term resolution, City staff will begin interpreting "major remodel" in a manner similar to that of the CCC staff for properties located in the appealable area of the coastal zone. It should be emphasized that while City staff does not agree with the CCC staff's threshold for a major remodel, and specifically the CCC staff's interpretation of the elements that count toward demolition, the City staff desires to reduce the number of appeals and to minimize the number of appeals found to raise a substantial issue.

Provided below are the calculation methods that City staff believes the CCC staff uses for their assessment of projects in determining whether a project is a major remodel. Please note that the language below is City staff's best attempt in interpreting CCC staff's analysis based on their previous appeal reports. As such, these calculation methods have not been approved by the CCC staff; and therefore, the City cannot guarantee that the CCC staff will apply the identical interpretation.

Coastal Appealable Areas

- a. Foundation – (linear feet of foundation to be removed/reinforced) ÷ (linear feet of existing foundation) x 100. For caissons, use the diameter to calculate linear feet and include any associated grade beams.
- b. Interior and Exterior Walls – (linear feet of walls to be removed/reinforced for all floors) ÷ (linear feet of existing walls of all floors) x 100. Removal and/or reinforcement of load bearing interior walls count. Removal of non-bearing walls, drywall, stucco, etc. does not count. Window and door change-outs within the same window openings do not count towards removal. Filling in window and door openings do not count as demolition unless additional structural support is required or proposed.
- c. Roof – (square feet of roof area to be removed/reinforced, including roof eaves) ÷ (square feet of existing roof) x 100.

A Project is Considered a Major Remodel if:

1. Demolition or reinforcement of 50% or more of the exterior walls OR the combined roof/walls/foundation of the structure.
2. An addition to an existing primary dwelling unit or the construction of any detached structure that individually, or when combined with prior additions, results in greater than a 50% expansion of the existing structure. "Existing structure" for the purposes of this section means the primary dwelling unit, the garage, and all enclosed detached structures that legally existed on the site up to January 13, 1993.
3. The construction and remodeling of accessory dwelling units are exempt.



Non-Coastal Appealable Areas

City staff will be using a less expansive calculation method as these areas are not subject to CCC review.

- a. Exterior Walls – (linear feet of walls to be removed for all floors) ÷ (linear feet of existing walls of all floors) x 100. Window and door change-outs within the same window openings do not count towards removal. Filling in window and door openings do not count as demolition unless additional structural support is required or proposed.
- b. Roof – (square footage of roof area to be removed, including roof eaves) ÷ (square footage of existing roof) x 100.

A Project is Considered a Major Remodel if:

1. Demolition of 50% or more of the exterior walls **OR** the combined roof/walls of the structure.
2. An addition to an existing primary dwelling unit or the construction of any detached structure that individually, or when combined with prior additions, results in greater than a 50% expansion of the existing structure. "Existing structure" for the purposes of this section means the primary dwelling unit, the garage, and all enclosed detached structures that legally existed on the site up to January 13, 1993.
3. The construction and remodeling of accessory dwelling units are exempt.

EXHIBIT "2"

JULY 23, 2020

**APPELLANT E-MAIL & PETER SARKIS/PETRA
STRUCTURAL ENGINEERS LETTER**

Timothy D. Carlyle

From: Terry Meurer <dancaskev@gmail.com>
Sent: Thursday, July 23, 2020 4:02 PM
To: Whalen, Bob; Iseman, Toni; Kempf, Sue; steve dicterow; pblake@lagunabeachcity.net
Cc: Caron, Martina CD; Drapkin, Scott CD; Wiener, Marc CD; Chel, Lisette CC
Subject: Coast Inn structural analysis
Attachments: Coast Inn draft report 07-23-2020.pdf

Dear Mayor Whalen and members of the City Council--

I was concerned when I saw Bob Lawson's one-paragraph structural analysis of the Coast Inn, and felt you might want a more detailed analysis to review prior to Tuesday's hearing. Attached please find a structural analysis of the Coast Inn, based on Peter Sarkis's (Petra Structural Engineers) review of the current plans. As you will see, the amount of structural work required for this property will surely result in the project being classified as a major remodel.

Best,
Terry Meurer



July 23, 2020

To: Terry Meurer

Re: Coast Inn development review
Laguna Beach, CA

Dear Terry,

Petra Structural Engineers (PSE) has been retained to provide a structural engineering opinion regarding the development proposed to the Coast Inn resort in Laguna Beach. We understand that your property is adjacent to the proposed development and that you would like to understand the feasibility of such project and implications.

Please note that PSE has not contacted the developer /owner or architect for the property. We understand from our review of the documentation provided that a structural engineer Mr Robert Lawson reviewed a limited number of sheets provided (A201.1 to A201.4) and determined that the foundation demolition is under 50%.

As we discussed PSE has reviewed the public documents provided on the city website and have the following comments from a structural design standpoint alone:

Proposed Remodel and Discussion

PSE has reviewed the provided documents and limited our review on items that we believe need attention and will require seismic improvements.

A) Increase in Live Load on the roof

A review of the staff report prepared for the July 28th meeting indicated that "A new 3,707 square-foot rooftop deck is proposed to be constructed on the roof of the existing building. The proposed rooftop deck will include a pool and spa area, sun deck and a 14-seat bar. The rooftop deck pool and bar areas are proposed to be used by registered hotel guest use only. The rooftop floor plan shows 75 seats and a maximum occupancy of 101 persons (Condition No. 16)"

Discussion

The original roof was designed for a live load of 20 psf (California Building Code (CBC) Table 1607.1 (included)). The new roof (CBC Table 1607.1) has to be designed for 100psf live load. The load increase (not including floor finishes,..) is 500%. California Existing Building Coded (CEBC) section 402.3 allows for 5% increase in gravity loading before triggering upgrade of the gravity carrying elements. The change in the gravity carrying elements must track the load to the foundation. The increase load to the foundation will not be 500% but will be significant enough to increase the foundation under the entire floor plate impacted by the increase in live load on the roof.

B) Change in occupancy:

The roof area has changed occupancy from unoccupied roof to Assembly area- A-2 minimum occupancy per CBC. Assembly areas are a higher risk area than unoccupied roof.

Discussion

A review of CEBC section 407 requires compliance with higher occupancy loads and compliance with current code though analysis using ASCE 41 Tier 3 analysis as a minimum.

C) Increase in roof weight (mass):

A review of the staff report prepared for the July 28th meeting indicated that "A new 3,707 square-foot rooftop deck is proposed to be constructed on the roof of the existing building. The proposed rooftop deck will include a pool and spa area. Architectural drawings sheet A101 indicate that the pool will cover 386 sf and will be 42 inches deep (3.5 ft). The roof area indicated on sheet CS is 8990 sf.

Discussion

The existing roof weighs 20 pounds per square foot(psf) (typical) the original roof weighs $8990 \times 20 = 180,000$ lbs. The weight of the pool is $386 \text{sf} \times 3.5 \times 62$ (Weight of water, disregarding the structural weight of the pool)= 83,000lbs. which comes up to 215psf over the area of the pool.

The increase in roof weight is conservatively $83,000/180,000=46\%$

California Existing Building Coded (CEBC) section 402.4 allows for 10% increase in seismic loading before triggering upgrade of the seismic resisting elements. Based on our review the addition of a pool will trigger a seismic upgrade. Since the seismic upgrade is at the roof, it will inevitably need to be tracked down to the foundation and impact all the levels below the roof.

Furthermore, the load is such that PSE does not believe that it is feasible to retrofit and support the pool without introducing steel moment frames or a similar system that will impact the levels below. The new foundation system will require geotechnical input and most likely pile foundation because of the proximity to the bluff.

D) Removal of walls:

A review of the provided plans sheets A201.3 and A201.4 indicate alterations to the existing structural walls.

Discussion

The plans do not indicate the level of impact, however comparing the existing plans to the renovated plans sheet 104 A through 104E, the impact is more than the 10% allowed under CEBC section 402.4. The 10% allowance is for the length of solid wall (not including openings) that is impacted.

A review of the provided sheets A 401 to A404 indicates that the walls are not continuous to the foundation. A seismic upgrade requirement will have to be tracked to the foundation; this will impact all the levels throughout the length of the building based on plans provided.

The building was constructed before all the current seismic requirements were in place, as such when triggering seismic upgrades the floor systems as well as the walls/moment frames and foundation will have to be retrofitted to current code level forces and detailing. As an example, we do not anticipate the building to have plywood sheathing, sheathing cannot be added without adding significant weight to the building and will require removal of the floor planks that we expect to be present. PSE anticipates that the floor systems will be mostly removed and replaced.

Conclusion:

In conclusion, to minimize work in the building and foundation, design should be geared towards avoiding mandatory seismic upgrades; with a mandatory upgrade all the elements of the building that are being affected will require compliance with current code. Elements of the building being affected will vary depending on the location of the modifications. For example a modification of the first floor will only affect the first floor, a modification on the roof will affect all the levels below that modification down to the foundation.

As shown the development will require a mandatory seismic and gravity upgrade of the entire structural system to current 2019 CBC and CEBC requirements.

The development as shown is possibly feasible if the following work is incorporated:

- Removal of most of the floor diaphragm/ sheathing, strengthening of most of the joists.
- New foundation will have to be excavated to resist the current code level forces (the building foundation is most likely inadequate as it was designed without these forces in mind).
- Based on our experience, the studs supporting the façade walls are marginally supporting the façade loads and will most likely need replacement.
- New plywood sheathing, strapping, hold-downs will need to be added throughout the building.
- Change of the roof area from unoccupied to A-2 occupancy will trigger a seismic upgrade per CEBC section 407
- Should a pool be added at the roof level, the building gravity and lateral force resisting system will have to be designed for the resulting load.

If you have any questions, please do not hesitate to contact me at 949-748-7170

Peter Sarkis
S.E.

Attachments

CEBC Section 407_ Change of use
CEBC Section 402.3 and 402.4_ Weight and mass increase
CBC Table 1607.1_ Live Load
CBC Occupancy

SECTION 406 GLASS REPLACEMENT AND REPLACEMENT WINDOWS

406.1 Replacement glass. The installation or replacement of glass shall be as required for new installations.

406.2 Replacement window opening control devices. In Group R-2 or R-3 buildings containing dwelling units, window opening control devices complying with ASTM F 2090 shall be installed where an existing window is replaced and where all of the following apply to the replacement window:

1. The window is operable;
2. The window replacement includes replacement of the sash and the frame;
3. The top of the sill of the window opening is at a height less than 36 inches (915 mm) above the finished floor;
4. The window will permit openings that will allow passage of a 4-inch-diameter (102 mm) sphere when the window is in its largest opened position; and
5. The vertical distance from the top of the sill of the window opening to the finished grade or other surface below, on the exterior of the building, is greater than 72 inches (1829 mm).

The window opening control device, after operation to release the control device allowing the window to fully open, shall not reduce the minimum net clear opening area of the window unit to less than the area required by Section 1029.2 of the *California Building Code*.

Exceptions:

1. Operable windows where the top of the sill of the window opening is located more than 75 feet (22 860 mm) above the finished grade or other surface below, on the exterior of the room, space or building, and that are provided with window fall prevention devices that comply with ASTM F 2006.
2. Operable windows with openings that are provided with window fall prevention devices that comply with ASTM F 2090.

406.3 Replacement window emergency escape and rescue openings. Where windows are required to provide emergency escape and rescue openings in Group R-2 and R-3 occupancies, replacement windows shall be exempt from the requirements of Sections 1030.2, 1030.3 and 1030.5 provided the replacement window meets the following conditions:

1. The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window shall be permitted to be of the same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.
2. The replacement of the window is not part of a change of occupancy.

SDS about 1.6 here. so
this does not apply

SECTION 407 CHANGE OF OCCUPANCY

407.1 Conformance. No change shall be made in the use or occupancy of any building unless such building is made to comply with the requirements of the *California Building Code* for the use or occupancy. Changes in use or occupancy in a building or portion thereof shall be such that the existing building is no less complying with the provisions of this code than the existing building or structure was prior to the change. Subject to the approval of the building official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all of the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

Exception: The building need not be made to comply with the seismic requirements for a new structure unless required by Section 407.4.

407.1.1 Change in the character of use. A change in occupancy with no change of occupancy classification shall not be made to any structure that will subject the structure to any special provisions of the applicable *California Codes*, without approval of the building official. Compliance shall be only as necessary to meet the specific provisions and is not intended to require the entire building be brought into compliance.

407.2 Certificate of occupancy. A certificate of occupancy shall be issued where it has been determined that the requirements for the new occupancy classification have been met.

407.3 Stairways. An existing stairway shall not be required to comply with the requirements of Section 1011 of the *California Building Code* where the existing space and construction does not allow a reduction in pitch or slope.

[BS] 407.4 Structural. When a change of occupancy results in a structure being reclassified to a higher risk category, the structure shall conform to the seismic requirements for a new structure of the higher risk category. For purposes of this section, compliance with ASCE 41, using a Tier 3 procedure and the two-level performance objective in Table 301.1.4.1 for the applicable risk category, shall be deemed to meet the requirements of Section 1613 of the *California Building Code*.

Exceptions:

1. Specific seismic detailing requirements of Section 1613 of the *California Building Code* for a new structure shall not be required to be met where the seismic performance is shown to be equivalent to that of a new structure. A demonstration of equivalence shall consider the regularity, overstrength, redundancy and ductility of the structure.
2. When a change of use results in a structure being reclassified from Risk Category I or II to Risk Category III and the structure is located where the seismic coefficient, SDS, is less than 0.33, compliance

with the seismic requirements of Section 1613 of the *California Building Code* is not required.

3. [BSC] For state-owned buildings, including those owned by the University of California and the California State University and the Judicial Council, the performance level requirements of Section 407.4 are replaced with the performance level requirements of Section 317.5.

407.4.1 Structural. [HCD] When a change of occupancy results in a structure being reclassified to a higher risk category, the structure shall conform to the seismic requirements for a new structure of the higher risk category.

Exceptions:

1. Specific seismic detailing requirements of Section 1613 of the *California Building Code* for a new structure shall not be required to be met where the seismic performance is shown to be equivalent to that of a new structure. A demonstration of equivalence shall consider the regularity, overstrength, redundancy and ductility of the structure.
2. When a change of use results in a structure being reclassified from Risk Category I or II to Risk Category III and the structure is located where the seismic coefficient, SDS, is less than 0.33, compliance with the seismic requirements of Section 1613 of the *California Building Code* is not required.

**SECTION 408
HISTORIC BUILDINGS**

408.1 Historic buildings. The provisions of this code that require improvements relative to a building's existing condition or, in the case of repairs, that require improvements relative to a building's predamage condition, shall not be mandatory for historic buildings unless specifically required by this section.

408.2 Life safety hazards. The provisions of this code shall apply to historic buildings judged by the building official to constitute a distinct life safety hazard.

[BS] **408.3 Flood hazard areas.** Within flood hazard areas established in accordance with Section 1612.3 of the *California Building Code*, or Section R322 of the *California Residential Code*, as applicable, where the work proposed constitutes substantial improvement, the building shall be brought into compliance with Section 1612 of the *California Building Code*, or Section R322 of the *California Residential Code*, as applicable:

Exception: Historic buildings need not be brought into compliance that are:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places;
2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical signifi-

cance of a registered historic district or a district preliminarily determined to qualify as an historic district; or

3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

**SECTION 409
MOVED STRUCTURES**

409.1 Conformance. Structures moved into or within the jurisdiction shall comply with the provisions of this code for new structures.

Exception: [HCD 1 & HCD 2] After July 1, 1978, local ordinances or regulations for moved apartment houses and dwellings shall permit the retention of existing materials and methods of construction, provided the apartment house or dwelling complies with the building standards for foundations applicable to new construction and does not become or continue to be a substandard building. For additional information, see Health and Safety Code Section 17958.9.

**SECTION 410
ACCESSIBILITY FOR EXISTING BUILDINGS**

[DSA-AC] Buildings or facilities where accessibility is required for applications listed in Title 24, Part 2, *California Building Code*, Chapter 1, Section 1.9.1 regulated by the Division of the State Architect-Access Compliance shall comply with Title 24, Part 2, *California Building Code*, Chapter 11A or Chapter 11B, as applicable.

410.1 Scope. The provisions of Sections 410.1 through 410.9 apply to maintenance, change of occupancy, additions and alterations to existing buildings, including those identified as historic buildings.

410.2 Maintenance of facilities. A facility that is constructed or altered to be accessible shall be maintained accessible during occupancy.

410.3 Extent of application. An alteration of an existing facility shall not impose a requirement for greater accessibility than that which would be required for new construction. Alterations shall not reduce or have the effect of reducing accessibility of a facility or portion of a facility.

410.4 Change of occupancy. Existing buildings that undergo a change of group or occupancy shall comply with this section.

Exception: Type B dwelling or sleeping units required by Section 1107 of the *California Building Code* are not required to be provided in existing buildings and facilities undergoing a change of occupancy in conjunction with alterations where the work area is 50 percent or less of the aggregate area of the building.

410.4.1 Partial change in occupancy. Where a portion of the building is changed to a new occupancy classification,

Accessory religious educational rooms and religious auditoriums with occupant loads of less than 100 are not considered separate occupancies.

303.2 Assembly Group A-1. Assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures including, but not limited to:

Motion picture and television production studio sound stages, approved production facilities and production locations (with live audiences).

Motion picture theaters

Symphony and concert halls

Television and radio studios admitting an audience

Theaters

303.3 Assembly Group A-2. Assembly uses intended for food and/or drink consumption including, but not limited to:

Banquet halls

Casinos (gaming areas)

Nightclubs

Restaurants, cafeterias and similar dining facilities
(including associated commercial kitchens)

Taverns and bars

ing building or structure was prior to the addition. An existing building together with its additions shall comply with the height and area provisions of Chapter 5 of the *California Building Code* or the height provisions of Chapter 3 of the *California Residential Code*, as applicable.

Exception: [BSC] For state-owned buildings, including those owned by the University of California and the California State University and the Judicial Council, the requirements of Sections 402.3 and 402.4 are replaced by the requirements of Sections 317 through 322.

402.2 Flood hazard areas. For buildings and structures in flood hazard areas established in Section 1612.3 of the *California Building Code*, or Section R322 of the *California Residential Code*, as applicable, any addition that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

For buildings and structures in flood hazard areas established in Section 1612.3 of the *California Building Code*, or Section R322 of the *California Residential Code*, as applicable, any additions that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.

[BS] 402.3 Existing structural elements carrying gravity load. Any existing gravity load-carrying structural element for which an addition and its related alterations cause an increase in design gravity load of more than 5 percent shall be strengthened, supplemented, replaced or otherwise altered as needed to carry the increased gravity load required by the *California Building Code* for new structures. Any existing gravity load-carrying structural element whose gravity load-carrying capacity is decreased shall be considered an altered element subject to the requirements of Section 403.3. Any existing element that will form part of the lateral load path for any part of the addition shall be considered an existing lateral load-carrying structural element subject to the requirements of Section 402.4.

[BS] 402.3.1 Design live load. Where the addition does not result in increased design live load, existing gravity load-carrying structural elements shall be permitted to be evaluated and designed for live loads approved prior to the addition. If the approved live load is less than that required by Section 1607 of the *California Building Code*, the area designed for the nonconforming live load shall be posted with placards of approved design indicating the approved live load. Where the addition does result in increased design live load, the live load required by Section 1607 of the *California Building Code* shall be used.

[BS] 402.4 Existing structural elements carrying lateral load. Where the addition is structurally independent of the existing structure, existing lateral load-carrying structural elements shall be permitted to remain unaltered. Where the addi-

tion is not structurally independent of the existing structure, the existing structure and its addition acting together as a single structure shall be shown to meet the requirements of Sections 1609 and 1613 of the *California Building Code*. For purposes of this section, compliance with ASCE 41, using a Tier 3 procedure and the two-level performance objective in Table 301.1.4.1 for the applicable risk category, shall be deemed to meet the requirements of Section 1613.

Exception: Any existing lateral load-carrying structural element whose demand-capacity ratio with the addition considered is no more than 10 percent greater than its demand-capacity ratio with the addition ignored shall be permitted to remain unaltered. For purposes of calculating demand-capacity ratios, the demand shall consider applicable load combinations with design lateral loads or forces in accordance with Sections 1609 and 1613 of the *California Building Code*. For purposes of this exception, comparisons of demand-capacity ratios and calculation of design lateral loads, forces and capacities shall account for the cumulative effects of additions and alterations since original construction.

402.4.1 Existing structural elements carrying lateral load. [HCD] Where the addition is structurally independent of the existing structure, existing lateral load-carrying structural elements shall be permitted to remain unaltered. Where the addition is not structurally independent of the existing structure, the existing structure and its addition acting together as a single structure shall be shown to meet the requirements of Sections 1609 and 1613 of the *California Building Code*.

Exception: Any existing lateral load-carrying structural element whose demand-capacity ratio with the addition considered is no more than 10 percent greater than its demand-capacity ratio with the addition ignored shall be permitted to remain unaltered. For purposes of calculating demand-capacity ratios, the demand shall consider applicable load combinations with design lateral loads or forces in accordance with Sections 1609 and 1613 of the *California Building Code*. For purposes of this exception, comparisons of demand-capacity ratios and calculation of design lateral loads, forces and capacities shall account for the cumulative effects of additions and alterations since original construction.

402.5 Smoke alarms in existing portions of a building. Where an addition is made to a building or structure of a Group R or I-1 occupancy, the existing building shall be provided with smoke alarms in accordance with Section 1103.8 of the *California Fire Code*.

402.6 Carbon monoxide detection in existing portions of a building. [HCD] Where an addition is made to a Group R occupancy, located in a building with a fuel-burning appliance, fireplace, forced-air furnace, or an attached garage, the existing portion of the building, where no construction is taking place, shall be provided with carbon monoxide detection in accordance with Section 915 of the *California Build-*

TABLE 1607.1
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, L_D
AND MINIMUM CONCENTRATED LIVE LOADS^a

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (pounds)
1. Apartments (see residential)	—	—
2. Access floor systems		
Office use	50	2,000
Computer use	100	2,000
3. Armories and drill rooms	150 ^m	—
4. Assembly areas		
Fixed seats (fastened to floor)	60 ^m	—
Follow spot, projections and control rooms	50	—
Lobbies	100 ^m	—
Movable seats	100 ^m	—
Stage floors	150 ^a	—
Platforms (assembly)	100 ^m	—
Other assembly areas	100 ^m	—
5. Balconies and decks ^b	1.5 times the live load for the area served, not required to exceed 100	—
6. Catwalks	40	300
7. Cornices	60	—
8. Corridors		
First floor	100	—
Other floors	Same as occupancy served except as indicated	—
9. Dining rooms and restaurants	100 ^m	—
10. Dwellings (see residential)	—	—
11. Elevator machine room and controlroom grating (on area of 2 inches by 2 inches)	—	300
12. Finish light floor plate construction (on area of 1 inch by 1 inch)	—	200
13. Fire escapes	100	—
On single-family dwellings only	40	—
14. Garages (passenger vehicles only)	40 ^m	Note a
Trucks and buses	See Section 1607.7	
15. Handrails, guards and grab bars	See Section 1607.8	
16. Helipads	See Section 1607.6	
17. Hospitals		
Corridors above first floor	80	1,000
Operating rooms, laboratories	60	1,000
Patient rooms	40	1,000
18. Hotels (see residential)	—	—
19. Libraries		
Corridors above first floor	80	1,000
Reading rooms	60	1,000
Stack rooms	150 ^{a, m}	1,000
20. Manufacturing		
Heavy	250 ^a	3,000
Light	125 ^a	2,000
21. Marquees, except one- and two-family dwellings	75	—
22. Office buildings		
Corridors above first floor	80	2,000
File and computer rooms shall be designed for heavier loads based on anticipated occupancy	—	—
Lobbies and first-floor corridors	100	2,000
Offices	50	2,000

(continued)

TABLE 1607.1—continued
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, L_D
AND MINIMUM CONCENTRATED LIVE LOADS^a

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (pounds)
23. Penal institutions		
Cell blocks	40	—
Corridors	100	—
24. Recreational uses:		
Bowling alleys, poolrooms and similar uses	75 ^m	—
Dance halls and ballrooms	100 ^m	—
Gymnasiums	100 ^m	—
Ice skating rink	250 ^a	—
Reviewing stands, grandstands and bleachers	100 ^{c, m}	—
Roller skating rink	100 ^m	—
Stadiums and arenas with fixed seats (fastened to floor)	60 ^{c, m}	—
25. Residential		
One- and two-family dwellings		
Uninhabitable attics without storage ¹	10	—
Uninhabitable attics with storage ^{1, 1.1}	20	—
Habitable attics and sleeping areas ¹	30	—
Canopies, including marquees	20	—
All other areas	40	—
Hotels and multifamily dwellings		
Private rooms and corridors serving them	40	—
Public rooms and corridors serving them	100	—
26. Roofs		
All roof surfaces subject to maintenance workers		300
Awnings and canopies:		
Fabric construction supported by a skeleton structure	5 ^m	—
All other construction, except one- and two-family dwellings	20	—
Ordinary flat, pitched, and curved roofs (that are not occupiable)	20	—
Primary roof members exposed to a work floor		
Single panel point of lower chord of roof trusses or any point along primary structural members supporting roofs over manufacturing, storage warehouses, and repair garages		2,000
All other primary roof members		300
Occupiable roofs:		
Roof gardens	100	—
Assembly areas	100 ^a	—
All other similar areas	Note 1	Note 1
27. Schools		
Classrooms	40	1,000
Corridors above first floor	80	1,000
First-floor corridors	100	1,000
28. Scutles, skylight ribs and accessible ceilings	—	200
29. Sidewalks, vehicular driveways and yards, subject to trucking	250 ^{1.1, c}	8,000 ^c

(continued)

TABLE 1607.1—continued
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, L_o ,
AND MINIMUM CONCENTRATED LIVE LOADS^a

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (pounds)
30. Stairs and exits One- and two-family dwellings All other	40 100	300 ^f 300 ^f
31. Storage warehouses (shall be designed for heavier loads if required for anticipated storage) Heavy Light	250 ^g 125 ^g	—
32. Stores Retail First floor Upper floors Wholesale, all floors	100 75 125 ^h	1,000 1,000 1,000
33. Vehicle barriers	See Section 1607.9	
34. Walkways and elevated platforms (other than exitways)	60	—
35. Yards and terraces, pedestrians	100 ^h	—
36. [OSHPD 1R, 2 & 5] Storage racks and wall-hung cabinets.	Total loads ⁱ	—

For SI: 1 inch = 25.4 mm, 1 square inch = 645.16 mm²,
1 square foot = 0.0929 m², 1 pound per square foot = 0.0479 kN/m²,
1 pound = 0.004448 kN, 1 pound per cubic foot = 16 kg/m³.

- a. Floors in garages or portions of buildings used for the storage of motor vehicles shall be designed for the uniformly distributed live loads of this table or the following concentrated loads: (1) for garages restricted to passenger vehicles accommodating not more than nine passengers, 3,000 pounds acting on an area of 4½ inches by 4½ inches; (2) for mechanical parking structures without slab or deck that are used for storing passenger vehicles only, 2,250 pounds per wheel.
- b. The loading applies to stack room floors that support nonmobile, double-faced library book stacks, subject to the following limitations:
 1. The nominal book stack unit height shall not exceed 90 inches.
 2. The nominal shelf depth shall not exceed 12 inches for each face.
 3. Parallel rows of double-faced book stacks shall be separated by aisles not less than 36 inches wide.
- c. Design in accordance with ICC 300.
- d. Other uniform loads in accordance with an approved method containing provisions for truck loadings shall be considered where appropriate.
- e. The concentrated wheel load shall be applied on an area of 4.5 inches by 4.5 inches.
- f. The minimum concentrated load on stair treads shall be applied on an area of 2 inches by 2 inches. This load need not be assumed to act concurrently with the uniform load.
- g. Where snow loads occur that are in excess of the design conditions, the structure shall be designed to support the loads due to the increased loads caused by drift buildup or a greater snow design determined by the building official (see Section 1608).
- h. See Section 1604.8.3 for decks attached to exterior walls.
- i. Uninhabitable attics without storage are those where the maximum clear height between the joists and rafters is less than 42 inches, or where there are not two or more adjacent trusses with web configurations capable of accommodating an assumed rectangle 42 inches in height by 24 inches in width, or greater, within the plane of the trusses. This live load need not be assumed to act concurrently with any other live load requirements.

(continued)

TABLE 1607.1—continued
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, L_o ,
AND MINIMUM CONCENTRATED LIVE LOADS^a

- j. Uninhabitable attics with storage are those where the maximum clear height between the joists and rafters is 42 inches or greater, or where there are two or more adjacent trusses with web configurations capable of accommodating an assumed rectangle 42 inches in height by 24 inches in width, or greater, within the plane of the trusses.

The live load need only be applied to those portions of the joists or truss bottom chords where both of the following conditions are met:

- i. The attic area is accessible from an opening not less than 20 inches in width by 30 inches in length that is located where the clear height in the attic is not less than 30 inches.
- ii. The slopes of the joists or truss bottom chords are not greater than two units vertical in 12 units horizontal.

The remaining portions of the joists or truss bottom chords shall be designed for a uniformly distributed concurrent live load of not less than 10 pounds per square foot.

- k. Attic spaces served by stairways other than the pull-down type shall be designed to support the minimum live load specified for habitable attics and sleeping rooms.

- l. Areas of occupiable roofs, other than roof gardens and assembly areas, shall be designed for appropriate loads as approved by the building official. Unoccupied landscaped areas of roofs shall be designed in accordance with Section 1607.13.3.

- m. Live load reduction is not permitted.

- n. Live load reduction is only permitted in accordance with Section 1607.11.1.2 or Item 1 of Section 1607.11.2.

- o. Live load reduction is only permitted in accordance with Section 1607.11.1.3 or Item 2 of Section 1607.11.2.

- p. [OSHPD 1R, 2 & 5] The minimum vertical design live load shall be as follows:

Paper media:

- 12-inch-deep (305 mm) shelf 33 pounds per lineal foot (482 N/m)
15-inch-deep (381 mm) shelf 41 pounds per lineal foot (598 N/m), or
33 pounds per cubic foot (5183 N/m³) per total volume of the rack or cabinet, whichever is less.

Film media:

- 18-inch-deep (457 mm) shelf 100 pounds per lineal foot (1459 N/m), or
50 pounds per cubic foot (7853 N/m³) per total volume of the rack or cabinet, whichever is less.

Other media:

- 20 pounds per cubic foot (311 N/m³) or 20 pounds per square foot (958 Pa), whichever is less, but not less than actual loads.

1607.7.3 Heavy vehicle garages. Garages designed to accommodate vehicles that exceed a 10,000-pound (4536 kg) gross vehicle weight rating, shall be designed using the live loading specified by Section 1607.7.1. For garages the design for impact and fatigue is not required.

Exception: The vehicular live loads and load placement are allowed to be determined using the actual vehicle weights for the vehicles allowed onto the garage floors, provided that such loads and placement are based on rational engineering principles and are approved by the building official, but shall be not less than 50 psf (2.9 kN/m²). This live load shall not be reduced.

1607.7.4 Forklifts and movable equipment. Where a structure is intended to have forklifts or other movable equipment present, the structure shall be designed for the

EXHIBIT "3"

**COAST INN
LEVEL 1 DECK IMAGES
JUNE 2020**





EXHIBIT "4"

MAY 18, 2020

LETTER FROM WILLIAM MACROSTIE



MacRostie Historic Advisors LLC

Bringing equity, strategy, and experience
to historic building development

May 18, 2020

Ms. Terry Meurer
1361 Gaviota Drive
Pasadena, CA 91105

RE: Coast Inn, Laguna Beach, California

Dear Ms. Meurer:

I am writing at your request to provide an opinion regarding the appropriateness of a rooftop addition planned for the Coast Inn in Laguna Beach. As you know, our firm specializes in historic tax credit certifications under federal and state tax law and have had a national practice in this area for more than three decades. At the beginning of my career, I was a project reviewer for the historic tax credit program at the National Park Service here in Washington and reviewed scores of projects using the Secretary of the Interior's *Standards for Rehabilitation*. Since then, our firm has obtained hundreds of Certifications of Rehabilitation for projects seeking historic tax credits, all of which have been reviewed by state and federal regulatory agencies against the Secretary's *Standards*.

It has been our consistent experience that rooftop additions are allowed under the Secretary *Standards* only where the height of the historic building and setback of the addition allow the new construction to have at most minimal visibility and impact on the existing building. In fact, the National Park Service's Interpreting the Secretary of the Interior's Standards for Rehabilitation (Number 36, June 2006), states:

Rooftop additions are almost never appropriate for buildings that are less than four stories high. Generally, rooftop additions should not be more than one story in height, and are more compatible on buildings that are adjacent to taller buildings or dense urban environments. Rooftop additions that do not meet these principles generally will not meet the Standards.

Having reviewed the photographs you sent of the rooftop mock-ups for the current proposal for the Coast Inn project, it is my professional opinion that the rooftop addition proposed for the building clearly would not meet the Secretary's *Standards* as applied by any State Historic Preservation Office anywhere in the country or the National Park Service. Especially when viewed from or east of Coast Highway it would simply be too large, too visible, and have too great an impact on the existing character of the building.

Please let me know if I can provide any further information at this time.

Sincerely,

William MacRostie
Founder & Senior Partner

macrostiehistoric.com

1400 16th Street NW
Suite 420
Washington, DC 20036

T 202.483.2020
F 202.483.2060

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CA 90802-4416

VOICE (562) 590-5071 FAX (562) 590-5084



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Mark & Sharon Fudge

Mailing Address: P.O. Box 130

City: Laguna Beach CA 92652

Phone: 949-481-1100

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Laguna Beach

2. Brief description of development being appealed:

To renovate one of the lowest cost accommodations in Laguna Beach - an existing motel/AirBnb known as the Coast Inn. The project includes the addition of a rooftop pool and bar as well as the re-establishment of a restaurant and bar.

3. Development's location (street address, assessor's parcel no., cross street, etc.):
Coast Inn 1401 S. Coast Hwy., Laguna Beach CA 92651 APN 644-217-01

4. Description of decision being appealed (check one):

☒ Approval; no special conditions

☐ Approval with special conditions:

Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

DATE FILED:

DISTRICT:

**California Coastal Commission
A-5-LGB-20-0050**

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APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

5. Decision being appealed was made by (check one):

X

Planning Director/Zoning Administrator

City Council/Board of Supervisors

Planning Commission

Other - Design Review Board

6. Date of local government's decision: July 28, 2020

7. Local government's file number (if any): CDP 16-2480

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Marshall Innins, 410 Broadway Ste. 210 Laguna Beach CA 92651

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

Terry Meurer
1361 Gaviota Drive
Laguna Beach CA 92651

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SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

California Coastal Commission
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Basis for Appeal

We have standing to make this timely appeal to the California Coastal Commission as follows: We presented a letter prior to the July 28, 2020 City Council hearing expressing our concerns about bluff top determination and protections as well as comments and appearances at previous hearings.

The project approval does not comply with the certified LCP and the Coastal Act as follows:

The City's approval of the permit does not comply with the General Plan or the Municipal Code, and therefore the Local Coastal Program, specifically as it relates to new development (Major Remodel), non-conforming development, bluff edge determination, bluff face development and oceanfront development. Additionally, the City did not assess the possibility of providing affordable/lower cost overnight accommodations or related in lieu fees. Nor did it consider parking constraints and construction staging and impacts of each of those on public access to the beach.

The City did not adequately condition the permit despite its probability of causing adverse effects to coastal resources and the environment if allowed without mitigations.

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Summary of Appeal points

- The City's finding that this project was *not* a **Major Remodel/New Development** is not supported in the record.
- What a determination of Major Remodel/New Development means with regards to **non-conforming development** at the site.
- The **bluff-edge determination** was not made pursuant to the LUE definition.
- Proper **Bluff top/oceanfront protections and restrictions** were not enacted.
- No consideration of project's effect on **Lower Cost Accommodations** in the City.
- **Public access** was not properly protected for either construction activities or the operation of the motel - specially related to inadequate parking. CUP allows continued nonconforming restaurant (abandoned use of more than decade.)
- **Unpermitted Development and Violations** present at the site.
- Failure to assess **Cumulative Effects**.

Background

Some Commissioners and Staff may remember this hotel from when the Commission found Substantial Issue on appeals from two commissioners and a member of the public a decade ago for a similar application at this site (A-5-LGB-10-166).

At nearly one hundred years old, this non-conforming structure has run its useful life. The building was first permitted prior to the Coastal Act but has undergone multiple renovations and remodels since then. This non-conforming building and use has a history of applying for over reaching development that has ultimately been denied time and time again. Until now.

The Coast Inn was built in 1929 as a 33 room hotel with a 4-room apartment upstairs for the owner and family to occupy. The location was at the end of the paved Pacific Coast Highway in Laguna Beach. Almost immediately after the original construction, it was evident that more rooms would be necessary and in 1932, 10 additional rooms were added to the second story making it a 43 room plus apartment configuration. The timeline available at <http://www.coastinnhistory.com/coast-inn-timeline/> gives an excellent history of the hotel. Here you can see that there were extensive improvements to the hotel in 1950 to the lobby connecting with a bar and a new coffee shop. Here you can also see articles pertaining to a fire in 1956 which caused significant damage to the hotel resulting in it being rebuilt. It is unclear when the hotel was changed from a 43 room hotel to its current count of 24 rooms, but it may have been in 1950 during the 'extensive improvements' mentioned above.

Since the stated intention of this project is to improve the quality of the hotel for guests, it follows that the applicant would intend to then raise the prices to cover the costs of the improvements to the customer experience. These costs include the upgrades to the hotel facilities (such as a new rooftop deck and pool) as well as the increased ratio of service employees/guests. These intensifications of use may have adverse impacts to the environment unless properly conditioned.

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Substantial Issues

New development (i.e. Major Remodel)

The City's certified LCP contains a definition of "Major Remodel" in the Glossary of the Land Use Element:

LUE Glossary Entry 89. *Major Remodel - Alteration of or an addition to an existing building or structure that increases the square footage of the existing building or structure by 50% or more; or demolition, removal, replacement and/or reconstruction of 50% or more of the existing structure; greater specificity shall be provided in the Laguna Beach Municipal Code.*

The 'greater specificity' provided in the Laguna Beach Municipal Code (LBMC) however, is very limited. It is actually only specified in one place in the code where it clearly states the the measurement of a major remodel is based on the *original gross floor area* of the structure.

LBMC 25.10.008(O) ... *A major remodel is a structural renovation and/or addition, which equals or exceeds fifty percent (50%) of the original gross floor area of the structure on the lot. ... (emphasis added)*

In other words, in Laguna Beach the cumulative alterations to a structure are calculated from the size of original structure itself, not from the date of the Coastal Act, or the certification of the LCP (such as the discussion has been in other jurisdictions, i.e. San Clemente).

Because the City's calculations failed to include previous work done on the original 33 room hotel + apartment structure from the date it was built in 1929 - such as the addition of 10 rooms and a second story in 1932, the change from rooms to a restaurant and bar in the early 1950's, and the rebuilding of significant portions of the hotel after a fire in 1956 - the demolition and reconstruction figures given to the City Council do not represent a cumulative total of how much work has been done to structurally renovate the building over it's lifespan. The City only reviewed the work as presented by the applicant for *this* project to determine that a 'major remodel' has not occurred. This is inconsistent with the certified LCP and Substantial Issue should be found.

Even if only the current proposal were being considered, the project would still be qualify as a Major Remodel pursuant to the LCP definition. Based on the figures submitted by the applicant, over 75% of the roof will be demolished. On the plans the foundational system is shown to be demolished at a rate of approximately 25%. However, there is nothing in the plans that shows how much will be added and the foundations that are existing do not appear to be bolted to the framing members. The remodel will require hold down bolts and foundational bolts connecting framing and shear panels to foundation systems which are not shown on the plans provided. This indicates it is likely that the foundation upgrades will involve 100% of the foundation to be fortified. The addition of a pool on the new roof top deck will necessitate new structure to support the weight. The entire ocean-facing (west) elevation is going to have every existing window and door removed and those headers, posts and supports, etc. which likely require replacement with a structural 'moment frame' to meet the requirements of today's codes. The entirety of this building will undergo some form of demolition, removal, replacement and/or reconstruction.

Photos of the current state of the building can be found in the 'Violations' section of this appeal.

California Coastal Commission
A-5-LGB-20-0050

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Non-conformities

The City's LCP has determined that a 'major remodel' (among other things) constitutes 'new development' which in turn opens a project to multiple requirements in the Land Use Element related to protecting bluff edges, bluff faces and the oceanfront. When an existing structure is non-conforming (as is the case here), those non-conformities must be brought into conformance if a major remodel or new development occurs.

***LUE Action 7.3.10** Allow oceanfront and oceanfront bluff homes, commercial structures, or other principal structures, that are legally nonconforming as to the oceanfront and/or oceanfront bluff edge setback, to be maintained and repaired; however, improvements that increase the size or degree of nonconformity, including but not limited to development that is classified as a major remodel pursuant to the definition in the Land Use Element Glossary, shall constitute new development and cause the pre-existing nonconforming oceanfront or oceanfront bluff structure to be brought into conformity with the LCP. (emphasis added)*

If the properly calculated figures of demolition and reconstruction reveal that this project constitutes a 'major remodel' or 'new construction' the non-conforming structure will have to be brought into conformity with bluff top setbacks, other setbacks, height limitations and will need to provide parking. The existing development is placed within the 25 foot bluff edge, and on the bluff face itself. The motel does not conform to bluff setbacks (among other non-conformities such as parking deficiencies, height limits, etc.) and does not conform to prohibitions of bluff face/beach sand development (unless for the public good as per LUE Action 7.3.5).

Additionally, The City failed to review the non-conforming portions of the project subject to LBMC 25.56.009 which reads: *If any part of a nonconforming portion of the structure is substantially removed or modified in such a way that it compromises the structural integrity of the building, that portion must be rebuilt in conformance with zoning regulations.*

If the changes to the proposed development here compromises the structural integrity of the building, then it would need to be rebuilt in conformance with zoning regulations such as bluff top setbacks. The 'expansion' of the roof into a rooftop deck will pool and bar qualifies as 'new development' and would require portions of structures to be rebuilt in conformance with zoning regulations. We believe that approximately 40% of the structure sits seaward of the blufftop edge setbacks (discussed further below) and that a substantial amount of the work proposed will compromise the structural integrity of the building. Thus those portions would need to be rebuilt in conformance with zoning regulations as required by 25.56.009.

25.56.008 Adding to or enlarging nonconforming structure.

A legal nonconforming structure may be enlarged or expanded if:

- (A) *The enlargement or expansion complies in every respect with all applicable provisions of this Title 25 Laguna Beach Zoning Code; and*
- (B) *(B) When Design Review is required, the approval authority finds that the proposed enlargement or expansion and the project as a whole complies with the Design Review Ordinance Intent and Purpose Section 25.05.040(A) and Design Review Criteria as set forth in Section 25.05.040(H). (The existing nonconformities shall be identified in the public hearing notice.); and*

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(C) The required number of parking spaces is provided per Chapter 25.52, Parking Requirements. However, existing single-family dwellings that have a nonconforming number of required parking spaces may be enlarged or expanded without complying with the required number of spaces, if the total gross floor area of the residential structure, including the proposed enlargement or addition, does not exceed fifteen hundred square feet and at least one parking space is provided on the property. (Ord. 1515 § 6, 2009; Ord. 1416 § 22, 2002; Ord. 1282 § 1, 1994).

In this instance, the enlargements proposed (exceeding height limits and encroaching into the bluff top setbacks ¹⁾) do not comply with Title 25. Therefore their approval is inconsistent with the LCP.

The overarching purpose of the IP's nonconforming use codes and the LCP Actions for nonconforming development is to provide for the control, improvement, *and termination* of uses or structures which do not conform to current regulations. However, the City-approved project will result in the indefinite continuation of the nonconforming structures by allowing increases to the nonconformity at this critically important oceanfront/bluff top location. Such approval raises substantial questions regarding LCP consistency that require evaluation by the Commission.

The Commission has made findings in the past (11 Lagunita CCC-18-CD-02/CCC-18-AP-02 (Katz)) that support our contention that the proposed work constitutes an increase in the degree of non-conformity as it will allow the motel to exist at the site many decades longer than if would had it not been completely remodeled. The City improperly determined that the work did not constitute new development.

Excerpt from 11 Lagunita staff report dated 7-27-18 (CCC-18-CD-02):

Further, the Permit findings (at 18) make clear that this condition was adopted based, in part, on Section 7.3.10 of the Land Use Element , which states that, for non-conforming oceanfront blufftop homes:

Improvements that increase the size or degree of nonconformity, including but not limited to development that is classified as a major remodel...shall constitute new development.

The oceanfront blufftop house here is non-conforming as to the oceanfront blufftop setbacks and the development "stringline." The improvements have replaced the non-conforming original house and now, a non-conforming new house exists and is inconsistent with the Permit. Moreover, absent some action to bring it into compliance with the Permit and Coastal Act, it will continue to exist at the site in its non-conformity state for many decades longer than it would have had it not been completely reconstructed. Therefore, it has increased the degree of non-conformity and "constitutes new development." Thus, new development has occurred here and the house must be brought into conformity with oceanfront blufftop setbacks and the stringline.

Photo at right shows the proposed expansion of the non-conforming decks on the bluff face at the Coast Inn:



¹ The proposal also does not correct the lack of parking which will be discussed in the Public Access portion of the appeal below.

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Determination of the Bluff Top Edge was not done properly.

The Land Use Element (Glossary) Entry 101 defines the “Ocean Front Bluff Edge or Coastal Bluff Edge”:

“The California Coastal Act and Regulations define the oceanfront bluff edge as the upper termination of a bluff, cliff, or sea cliff. In cases where the top edge of the bluff is rounded away from the face of the bluff, the bluff edge shall be defined as that point nearest the bluff face beyond which a downward gradient is maintained continuously to the base of the bluff. In a case where there is a step like feature at the top of the bluff, the landward edge of the topmost riser shall be considered the bluff edge. Bluff edges typically retreat over time as a result of erosional processes, landslides, development of gullies, or by grading (cut). In areas where fill has been placed near or over the bluff edge, the original bluff edge, even if buried beneath fill, shall be taken to be the bluff edge.”

The Land Use Element (Glossary) Entry 102 defines an “Oceanfront Bluff/Coastal Bluff”:

“A bluff overlooking a beach or shoreline or that is subject to marine erosion. Many oceanfront bluffs consist of a gently sloping upper bluff and a steeper lower bluff or sea cliff. The term “oceanfront bluff” or “coastal bluff” refers to the entire slope between a marine terrace or upland area and the sea. The term ‘sea cliff’ refers to the lower, near vertical portion of an oceanfront bluff.”



Photos above and on the next page show the appellant's depiction of bluff edge in red.
Blue line above indicates the approximate location of the bluff edge as determined by the appellant.

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The 1941 aerial shot above (from the developer's own website) shows one perspective of where the bluff edge is located. The red line in the second photograph depicts the appellant's estimation of the bluff edge.

Based on the definitions above, the bluff edge for this site has not been properly located as depicted in the Applicant's planning documents (seaward of which a downward gradient is maintained continuously to the base of the bluff). The area where the downward gradient exists continuously is the bluff face. The major update to the Land Use Plan, which made clear the definition of bluff edge, was certified on May 9, 2012, yet the applicant did not use this definition to make a determination.

In the materials provided for the subject Agenda Bill is a letter dated May 1, 2019 from Borella Geology "Site visits and Visual observation of Ocean Bluff Face (return visit and observations)". In this letter the applicant's geologist states that "The coastal bluff is approximately 18-20 feet high ..." and that "Immediately adjacent to the cliff top is an existing deck. As we **California Coastal Commission** is to remain and is not part of the proposed development." The geologist's letter does not reference **AS-LGB-20-0050**

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the LUE definition of a bluff edge. His statement that the bluff is approximately 18-20 feet high is unsupported by facts. His statement that an existing deck is immediately adjacent to the cliff top may indicate that his assessment of the location of the bluff edge is actually where the edge of the sea cliff lies rather than the bluff edge. However, the sea cliff edge is irrelevant to making calculations of setbacks, etc.

The correct determination of the bluff edge is critical. It is needed to determine the extent of the bluff face and consider what actions to condition (restoration, removal of structures etc.). Also, according to 25.50.004(B)(4) (below), "*no improvements shall be closer than twenty-five feet to the top of an oceanfront bluff*".

Historic photos below show other perspectives of the bluff:



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Bluff top/oceanfront protections and restrictions were not enacted

The City's action is inconsistent with the LCP because it approved development on an oceanfront bluff face, without regard to its effect and without mitigation or monitoring. In its action, it failed to protect an area of unique scenic quality and public views as required by Open Space/Conservation Element Policy 7K. The first sentence in Land Use Element Action 7.3.5 explicitly prohibits this type of private development on oceanfront bluff faces. The project may constitute 'new development' as it is an 'improvement that increases the size or degree of nonconformity' as well as a 'major remodel' (see Action 7.3.10).

LUE Action 7.3.5 prohibits development on oceanfront bluff faces (except public improvements providing public access, protecting coastal resources or providing for public safety). Instead of prohibiting new development on the oceanfront bluff face, the City instead granted variances to allow for the expansion of non-conformities. This alone requires a finding of Substantial Issue with our appeal.

LUE Action 10.2.6 requires that all new development must maintain a minimum factor of safety against landsliding of 1.5 (static) or 1.2 (pseudostatic, $k+0.15$ or determined through analysis by the geotechnical engineer) for the economic life of the structure. The May 1, 2019 letter from Borella Geology simply states that their original stability analyses ² indicated a 'Factor of safety in excess of 1.5 and 1.1 were determined respectively' - however, the required factor of safety for pseudostatic is 1.2, not 1.1. The Geologist was using the incorrect minimum measure.

In its approval, the City did not impose conditions requiring the applicant to waive the right to future shoreline protective device(s) as required by LUE Action 7.3.9. It did not require a strong construction best management practices plan to minimize runoff from the building site. It did not require the incorporation of drainage improvements or other aspects of vegetation controls as required by LUE 7.3.6. Because it did not condition its approval to minimize landform alteration in the form of erosion, runoff, and potential future shoreline protective device(s), the City's action was inconsistent with its certified LCP.

The Municipal Code (IP portion of the certified LCP) also requires:

LBMC 25.50.004 Building setback lines.

(B) Building Setbacks on or Adjacent to the Pacific Ocean and Beaches. There is established building setback lines along the ocean frontage of all property within the city fronting up and adjacent to the Pacific Ocean and its beaches, as provided in this subsection, and no building, structure or improvements shall be erected or constructed after the effective date of the ordinance codified in this section on the sandy portion of any beach except that which is determined by the city council to be necessary for the public health, safety and welfare. In addition, no building, structure or improvement shall be erected or constructed after the effective date of the ordinance codified in this section on the oceanward side of the following building setback lines. (emphasis added).

(4) In addition to (1), (2) and (3) above, no new building, additions to existing buildings, or structures or improvements shall encroach beyond the applicable building stringline or shall be closer than twenty-five feet to the top of an oceanfront bluff; the more restrictive shall apply. Greater setback may be required by the city engineer or building official in order to protect the public health, safety or welfare. Pools and spas shall be no closer than twenty-five feet to the top of bluff. Public accessways shall be exempt from this provision.

² The original stability analysis was not included in the record before the Council at the time of the decision.

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Lower Cost Accommodations

- The City failed to consider LUE Action 6.2 which directs them to “*Preserve and encourage an increase of the City's stock of affordable motel and hotel rooms available for short-term visitors. Protect, encourage, and where feasible provide, affordable overnight accommodations.*”

This project is certainly one of, if not the lowest priced (about \$100/night - Summer 2020)³ hotel properties on the coast in the city of Laguna Beach.

There was no review of the city's stock of accommodations and how this hotel fits into the matrix nor any discussion of the possibility of providing affordable alternatives. The City failed to obtain information from the applicant regarding the current pricing vs future pricing for the rooms. The City also failed to consider any in lieu fees to offset the potential loss of lower cost accommodations. The greater problem is when the very lowest cost accommodations are lost, no amount of mitigation can correct the forever upward shift in the cost matrix for the city in total. The major and far-reaching cumulative effect strikes at the heart of Environmental Justice and the Coastal Act itself.

Due to this lack of review, the City's action did not comply with the certified LCP and this presents a substantial issue.

Public Access was not protected as required by Chapter 3 of the Coastal Act

- The project contains development (including a stairway to level one and level two hotel rooms) that encroaches on public space/public access parcel next door to the property.
- The CDP was not conditioned to assure continued Public Access during construction activities.

The permit does not address the construction staging's effects on the sandy portions of the beach (if any) or effects on traffic flow and parking along PCH or in the adjacent neighborhoods. The Council failed to even discuss this. The trucks and contractors will have to park along Coast Highway (as they always do) and will affect beach parking given that there is no set “tourist season” in Laguna any longer - it occurs throughout the year with high levels of traffic daily. The presence of scaffolding and workmen may affect the public's access to and use of the beach at this established beach access point (Mountain Road).

- The CDP was not conditioned to require adequate parking for the operation of the motel/bar/restaurant.

In this case, the applicant is proposing to remodel or reconstruct more than fifty percent of the gross floor area of the existing building. The entirety of the gross floor area is being remodeled/reconstructed. Therefore the work will trigger an “intensification of use” and the applicant must (shall) provide parking or purchase in-lieu parking certificates equivalent to the number of parking spaces required by current parking regulations. Here, the requirement is for 86 parking spaces (see Agenda Bill p.9). At the hearing the Council added a requirement of the purchase of 3 in-lieu certificates when actually 86 are called for. The decision does not comply with the certified LCP as shown below:

³ according to a search on TripAdvisor website.

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Title 25 ZONING

Chapter 25.52 PARKING REQUIREMENTS

25.52.004 General provisions.

(E) *Intensification of Use.*

(1) *When a new building is constructed or **when more than fifty percent of the gross floor area of an existing building is proposed to be remodeled or reconstructed**, or a use is changed to a use which has a greater parking requirement, or when the floor area of an existing building is enlarged, **then the property owner or applicant shall provide parking or purchase in-lieu parking certificates equivalent to the number of parking spaces required by current parking regulations** (up to the maximum allowed in Section 25.52.006(E) for the proposed use having a greater parking requirement, or for the entire building which is enlarged less credit for the following:*

(a) *The actual number of parking spaces provided on-site, if any;*

(b) *The number of previously paid for in-lieu parking certificates for the subject premises, if any; and*

(c) *The number of parking spaces that would have been required by the parking regulations in effect in 1958 for the use currently existing on the property, if the building was built prior to that time, minus the actual number of parking spaces provided on-site, if any.*

The City's analysis that the project does not constitute an intensification of use due to the new rooftop deck's use being limited to the number of people likely to use the hotel is flawed. The occupancy for the rooftop will be 96 plus 5 employees for a total of 101. However, the 24 rooms of the hotel are extremely small and unlikely to ever see a use by 4 people.

- Non-conforming buildings or uses may only be enlarged or expanded if they meet certain criteria

25.56.008 Adding to or enlarging nonconforming structure.

A legal nonconforming structure may be enlarged or expanded if:

(C) *The required number of parking spaces is provided per Chapter 25.52, Parking Requirements. However, existing single-family dwellings that have a nonconforming number of required parking spaces may be enlarged or expanded without complying with the required number of spaces, if the total gross floor area of the residential structure, including the proposed enlargement or addition, does not exceed fifteen hundred square feet and at least one parking space is provided on the property. (Ord. 1515 § 6, 2009; Ord. 1416 § 22, 2002; Ord. 1282 § 1, 1994).*

Since the required number of parking spaces will not be provided ... zero spaces are being provided on site ... the non-conforming structure may not be enlarged or expanded. The approved proposal allows for the expansion of the building upwards (a new roof top deck and pool) and outwards (the expansion of decks which encroach over bluff face). The project does not meet the criteria needed for approval.

- Non-conforming uses that have been abandoned may not be re-established

LBMC 25.56.006 Change in building use.

If any nonconforming use or portion thereof is abandoned or ceases for a period of twelve or more consecutive months, or is changed to a conforming use, it shall not thereafter be reestablished or reopened.

The Coast Inn previously operated a hotel with a restaurant and bar. It is unclear to the appellant when the restaurant closed down (it has not been in operation for years), but a newspaper article in the Orange County Register memorializes the closing of the famous 'Boom Boom Room' bar on September 2, 2007. In the article it states that the lessees turned down a lease through Spring 2008 for the properties that house the bar and Coast Inn because they felt there was no future.

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at the time (Steven Udar-Hazy) had purchased the hotel in 2005 intending to remodel the site. That project was approved by the City, appealed to the Coastal Commission in 2010 (A-5-LGB-10-166) and ultimately withdrawn. In 2013 Mr. Udar-Hazy sold the site to the current owner and applicant, Mr. Dornin.

On March 26, 2018, appellant (Mark Fudge) wrote a letter to the City Manager regarding the 'grandfathered' parking spaces that were related to previous nonconforming uses that had been abandoned for more than a year, if not many years. The letter asserted that since the nonconforming use had not been maintained that the City's Municipal Code deems it abandoned and that the use shall not be reestablished. This meant that the grandfathered parking spaces had disappeared. The City Manager responded to this letter on March 29, 2018 and stated that the building has not been vacant and operates as a hotel with periodic operation of the bar area for special events. He also noted that California court decisions have indicated that the passage of time alone likely is insufficient to support a determination that an approved use permit has been abandoned. However, here, there was never an approved use permit associated with the operations at the hotel, bar or restaurant. The project approved at the City on July 28, 2020 granted the first ever use permit for operations at the site. Additionally, the 'periodic operation of the bar area for special events' amounts to two Temporary Use Permits that were granted for the Democratic Party Headquarters, not for restaurant/bar purposes.

The complete and total lack of parking at the site adversely impacts public access because the patrons of the businesses at the site will be competing for street parking spaces with beach-goers at the Mountain Road beach access point which is directly to the north of the site.

Visual Resources were not properly protected.

Viewing the plan sheets that show the West elevations, you can see that the approved project involves the addition of excessive glazing on the oceanfront. Glass railings have also been approved. This amount of glazing not only constitutes issues with visual resources at the coast, but also may present a danger of bird strikes. Neither of these were taken into consideration by the City.

LUE Policy 10.2 Design and site new development to protect natural and environmentally sensitive resources such as areas of unique scenic quality, public views, and visual compatibility with surrounding uses and to minimize landform alterations. (Same as Policy 7.3)

Open Space/Conservation Element : Visual Resources

7K Preserve as much as possible the natural character of the landscape (including coastal bluffs, hillsides and ridgelines) by requiring proposed development plans to preserve and enhance scenic and conservation values to the maximum extent possible, to minimize impacts on soil mantle, vegetation cover, water resources, physiographic features, erosion problems, and require re-contouring and replanting where the natural landscape has been disturbed.

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Unpermitted Development/Violations

- The applicant has already undertaken construction for this project without benefit of a Coastal Development Permit. The entirety of the interior of the street level (which is shown as level 3 on the plans) has been stripped to the studs for a remodel for the new restaurant lessee. It has also been reported that the lessee (Bear Flag Fish Company) has been granted business permits as well as a dancing/entertainment permit. These new uses constitute an intensification of use of the previously abandoned spaces and require a CDP.

Photos below were taken by Mark Fudge on July 30, 2020 from the exterior of the building:



- The stairs that provide access to the lower levels of the hotel are located outside of the property boundaries and instead encroach onto public land at the public beach access point. These may need to be removed pursuant to the LCP:

LUE Action 7.3.8 *On oceanfront bluff sites, require applications where applicable, to identify and remove all unpermitted and/or obsolete structures, including but not limited to protective devices, fences, walkways and stairways, which encroach into oceanfront bluffs.*

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Cumulative Effects

Coastal Act Section 30105.5 Cumulatively; cumulative effect

"Cumulatively" or "cumulative effect" means the incremental effects of an individual project shall be reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The applicant has bifurcated the project. Critical aspects (such as deliveries and trash collection) of this project were not heard but have been deferred to another project about to be heard across the street at Coast Liquor (1391 S. Coast Highway) (common owner). The two projects were tied together for the majority of the City's approval process but were separated this year into two projects. The Coast Liquor site will provide the space for trash collection as the Coast Inn property does not have adequate facilities to provide the service. However, the Coast Liquor proposal itself does not provide adequate parking nor does it comply with the certified LCP. Deliveries must be made on the public street - at the entrance to a beach public access point.

Also, the effects of other upcoming projects - such as the Casa Del Camino (one block to the north), the Hotel Laguna and all other Laguna Beach Company proposals - have not been factored into the equation of cumulative impacts to the community, community character or environmental justice. All of the hotel projects will involve additions to accommodations that are not classified as lower cost, but will instead tip the scales to more high cost accommodations in the City unless assessed properly at this point in time.

Conclusion

The City Council approved the CDP without the support to make required findings per LBMC 25.07.012(G):

1. The project is in conformity with all the applicable provisions of the General Plan, including the Certified Local Coastal Program and any applicable specific plans;
2. Any development located between the sea and the first public road paralleling the sea is in conformity with the certified local coastal program and with the public access and public recreation policies of Chapter 3 of the Coastal Act;
3. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

The evidence in the record shows a lack of factual *conformity with all the applicable provisions of the general plan, including the certified local coastal program...* (LBMC 25.07.12G(1)). The project as approved is not in conformance with the *public access and public recreation policies of Chapter 3 of the Coastal Act* (LBMC 25.07.12G(2)). Unless properly conditioned, the project most certainly will have *'significant adverse impacts on the environment'* (LBMC 25.07.12G(3)). Substantial Issue should be found and the project should be reviewed in accordance with the certified LCP in a de novo hearing.

Thank you for the consideration of our concerns. We ask that Staff recommends a finding of Substantial Issue.

Mark and Sharon Fudge

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Relevant Policies include:

Open Space/Conservation Element

Water Quality and Conservation Policies:

4A Development Planning and Design Best Management Practices (BMPs)

Ensure that development plans and designs incorporate appropriate Site Design, Source Control and Structural Treatment Control Best Management Practices (BMPs), where feasible, to reduce to the maximum extent practicable, pollutants and runoff from the proposed development. Structural Treatment Control BMPs shall be implemented when a combination of Site Design and Source Control BMPs are not sufficient to protect water quality.

4C Minimize Volume and Velocity of Runoff

Ensure that development is designed and managed to minimize the volume and velocity of runoff (including both stormwater and dry weather runoff) to the maximum extent practicable, to avoid excessive erosion and sedimentation.

4D Minimize Introduction of Pollutants

Ensure that development and existing land uses and associated operational practices minimize the introduction of pollutants into coastal waters (including the ocean, estuaries, wetlands, rivers and lakes) to the maximum extent practicable.

4G Minimize Construction Impacts

Ensure that all development minimizes erosion, sedimentation and other pollutants in runoff from construction-related activities to the maximum extent practicable. Ensure that development minimizes land disturbance activities during construction (e.g., clearing, grading and cut-and-fill), especially in erosive areas (including steep slopes, unstable areas and erosive soils), to minimize the impacts on water quality.

Visual Resources

7K Preserve as much as possible the natural character of the landscape (including coastal bluffs, hillsides and ridgelines) by requiring proposed development plans to preserve and enhance scenic and conservation values to the maximum extent possible, to minimize impacts on soil mantle, vegetation cover, water resources, physiographic features, erosion problems, and require re-contouring and replanting where the natural landscape has been disturbed.

Natural Hazards

10A Require that plan review procedures recognize and avoid geologically unstable areas, flood-prone lands, and slopes subject to erosion and slippage.

10C Require projects located in geological hazard areas to be designed to avoid the hazards, where feasible. Stabilization of hazard areas for purposes of development shall only be permitted where there is no other alternative location or where such stabilization is necessary for public safety. The more unstable areas should be left ungraded and undeveloped, utilizing land use designations such as Open Space.

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*10E Development in the areas designated "Residential/Hillside Protection" on the Land Use Plan Map or within potential geologic hazard areas identified on the Geological Conditions Map of the Open Space/Conservation Element shall not be permitted unless a comprehensive geological and soils report is prepared pursuant to Title 14 of the City's Municipal Code, and adequate mitigation measures have been approved and implemented by the City's geologist. **For projects located in areas subject to hazards as identified on the Geologic Conditions Map or subject to erosion, landslide or mudslide, earthquake, flooding or wave damage hazards confirmed by a geologic assessment, as a condition of approval or new development a waiver of liability shall be required through a deed restriction.** (emphasis added).*

Geologic Hazards

Policy 3D Maintain and enforce bluff and hillside protection measures which address control of runoff and erosion by vegetation management, control of access, site planning for new development and major remodels, including directing water to the street and compliance with blufftop setbacks.

In this case, the property is located in a mapped 'Seismic Hazard Landslide Area' and "Seismic Hazard Liquefaction Area'. The City failed to consider these or require conditions or mitigations for the construction of the project despite concerns.

Land Use Element

LUE Policy 7.3 Design and site new development to protect natural and environmentally sensitive resources, such as areas of unique scenic quality, public views, and visual compatibility with surrounding uses and to minimize natural landform alterations.

LUE Action 7.3.3 Design and site new development to avoid hazardous areas and minimize risks to life and property from coastal and other hazards.

LUE Action 7.3.4 Require new development to 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.

LUE Action 7.3.5 Prohibit development on oceanfront bluff faces, except public improvements providing public access, protecting coastal resources, or providing for public safety. Permit such improvements only when no feasible alternative exists and when designed and constructed to minimize landform alteration of the oceanfront bluff face, to not contribute to further erosion of the oceanfront bluff face, and to be visually compatible with the surrounding area to the maximum extent feasible. (emphasis added)

LUE Action 7.3.6 Require new development on oceanfront bluff top lots to incorporate drainage improvements, removal of and/or revisions to irrigation systems, and/or use of native or drought-tolerant vegetation into the design to minimize threats to oceanfront bluff recession.

LUE Action 7.3.10 Allow oceanfront and oceanfront bluff homes, commercial structures, or other principal structures, that are legally nonconforming as to the oceanfront setback, to be maintained and repaired; however, improvements that increase the size or degree of California Coastal Commission
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nonconformity, including but not limited to development that is classified as a major remodel pursuant to the definition in the Land Use Element Glossary, shall constitute new development and cause the pre-existing nonconforming oceanfront or oceanfront bluff structure to be brought into conformity with the LCP. (emphasis added)

LUE Policy 7.7 Requires the City to “[p]rotect marine resources by implementing methods to minimize runoff from building sites and streets to the City’s storm drain system (e.g., on-site water retention).”

LUE Policy 10.2 Design and site new development to protect natural and environmentally sensitive resources such as areas of unique scenic quality, public views, and visual compatibility with surrounding uses and to minimize landform alterations. (Same as Policy 7.3)

LUE Action 10.2.5 On bluff sites, require applications where applicable, to include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains statements that the project site is suitable for the proposed development and that the development will be safe from geologic hazard for its economic life. For development on oceanfront bluffs, such reports shall include slope stability analyses and estimates of the long-term average bluff retreat/erosion rate over the expected life of the development. Reports are to be prepared/signed by a licensed professional Engineering Geologist or Geotechnical Engineer.

LUE Action 10.2.6 Require all new development located on an oceanfront bluff top to be setback from the oceanfront bluff edge a sufficient distance to ensure stability, ensure that it will not be endangered by erosion, and to avoid the need for protective devices during the economic life of the structure (75 years). Such setbacks must take into consideration expected long-term bluff retreat over the next 75 years, as well as slope stability. The predicted bluff retreat shall be evaluated considering not only historical bluff retreat data, but also acceleration of bluff retreat made possible by continued and accelerated sea level rise, future increase in storm or El Nino events, and any known site-specific conditions. To assure stability, the development must maintain a minimum factor of safety against landsliding of 1.5 (static) or 1.2 (pseudostatic, $k=0.15$ or determined through analysis by the geotechnical engineer) for the economic life of the structure.

LUE Policy 10.3 Ensure that all new development, including subdivisions, the creation of new building sites and remodels that involve building additions, is evaluated to ascertain potential negative impacts on natural resources, ESHA and existing adjacent development. Proposed development shall emphasize ESHA impact avoidance over impact mitigation. Any mitigation required due to an unavoidable negative impact should be located on-site rather than off-site, where feasible. Any off-site mitigation should be located within the City’s boundaries and in close proximity to the project. (Similar to Policies 7.4 and 5.2.)


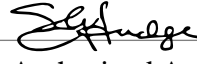
CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CA 90802-4416

VOICE (562) 590-5071 FAX (562) 590-5084

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

Signature of Appellant(s) or Authorized Agent

Date: September 8, 2020

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____