

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302
(562) 590-5071



W11a

A-5-LGB-21-0012 (CHEN)
MARCH 10, 2021

EXHIBITS

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Exhibit 1 – Project Location

Exhibit 2 – Project Plans

Exhibit 3 – Appeal

Exhibit 4 – City Resolution for Local CDP No. 20-7748

Project Site: 6 Lagunita, Laguna Beach (County of Orange)

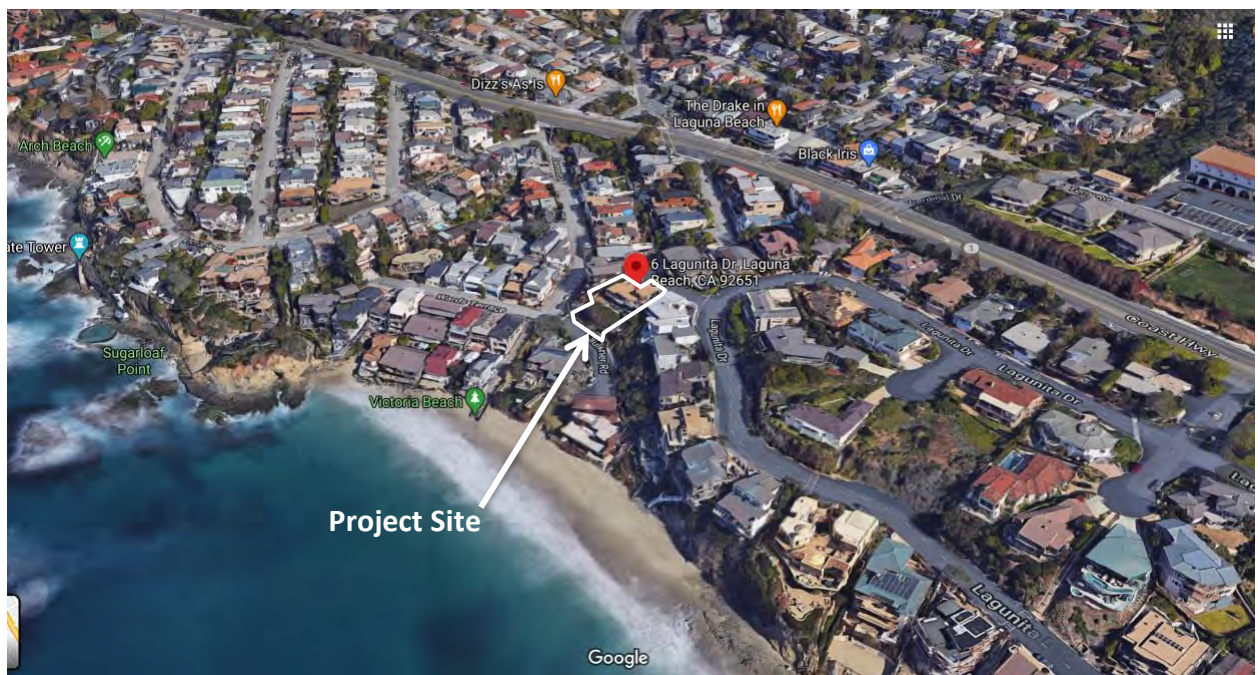
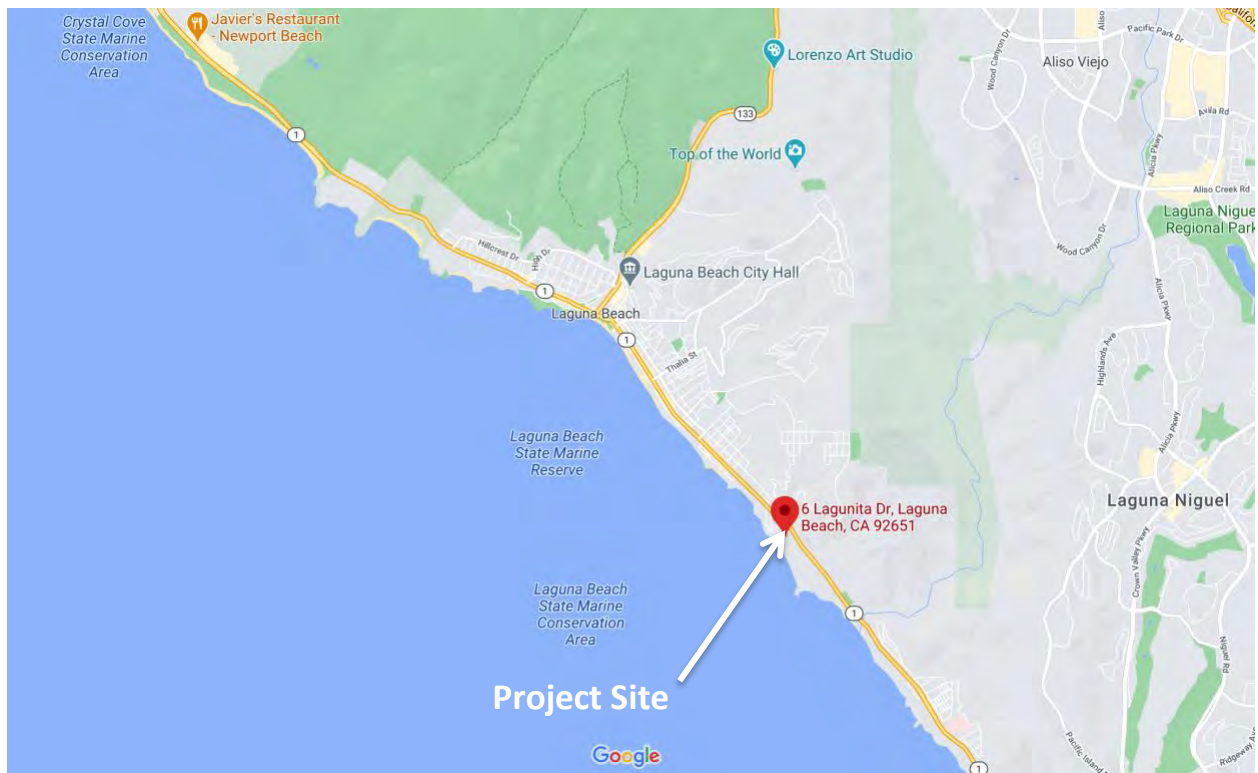
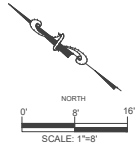


Figure 1 Aerial of the Project Site and Surrounding Development (2013)



Photo Source: Copyright © 2002-2019 Kenneth & Gabrielle Adelman



NOTE: RECORD EASEMENTS ARE NOT PLOTTED IF ANY.
SURVEYOR OR ENGINEER SHALL PERMANENTLY
MONUMENT PROPERTY CORNERS OR OFFSETS
BEFORE STARTING GRADING.

LEGEND	
	DESCRIPTION
(123.45)	MEAS. ELEVATIONS
()	REC. BRG. & DIST.
=	DECK
#	BRICK
—	WALL
—	BUILDING
—	PROPERTY LINE
—	FENCE
•	BENCH MARK
•	NATURAL GRADE
P.P.	POWER POLE
WM	WATER METER
F.F.	FINISH FLOOR
G.F.	GARAGE FLOOR
CONC.	CONCRETE
F.S.	FINISH SURFACE
M.H.	MAN-HOLE
P	PLANTER
A.C.	ASPHALT
T.G.	TOP-GRADE

ADDRESS OF PROJECT:
6 LAGUNITA
LAGUNA BEACH, CA

BENCH MARK:
BENCH MARK # L-783
NAVD 88 DATUM
ELEVATION= 130.515

CHIS. X ELEVATION= 90.68

LEGAL DESCRIPTION:
LOT 6 OF TRACT NO. 1030

OWNER:
JAMES CONRAD

TOPOGRAPHIC SURVEY

JOB: 72-28 DATE: 1/22/19

RdM SURVEYING INC.

RON MIEDEMA L.S. 4653
23016 LAKE FOREST DR. #409
LAGUNA HILLS, CA 92653
(949) 858-2924 OFFICE
(949) 858-3439 FAX
RDMSURVEYING@COX.NET



T-2.0

Notes:

1. Prior to start of construction, property lines and/or corners shall be clearly flagged around the project site.
2. Prior to final inspection, written certification signed by a licensed surveyor shall be provided stating all property corners are monumented per the requirements of the County Surveyor under provisions of the Business and Professions Code of the State of California.
3. Landscaping plans and improvements in the public right-of-way are to be reviewed and approved by Public Works. An encroachment permit will be required from Public Works prior to construction.
4. Staging of onsite construction is not allowed on the project frontage. All staging must be outside of the public right-of-way.
5. Hardscape improvements in the public right-of-way require execution and recording of a revocable license and encroachment permit agreement. Contact Community Development for details on executing the agreement. In addition, an encroachment permit will be from Public Work prior to beginning construction. Contact Tom Sandefur at 949.497.0792 for details.
6. Prior to construction, any existing monuments and/or ties that will be disturbed by demolition and/or construction shall be tied out and reset per regulatory requirements.
7. Direct connection to public storm drain system for water quality systems will not be allowed. All water quality discharges onto public right-of-way are to be visually observable at the finish surface.

Outdoor Fire Place, Fire pits, Torches, Outdoor Barbeques and Grills (Non Fuel Modification Designation) Notes:

- a) Masonry chimneys shall be constructed according to the 2013 California Building Code; factory built chimneys shall be installed in accordance with the California Mechanical Code and the manufactures recommendations. Factory built fireplace shall be listed for use.
- b) Such devices, structures or equipment shall not be used for the disposal of rubbish, trash or combustible material.
- c) Such devices, structures or equipment shall be located within 10' of any combustible structure, combustible material or vegetation.
- d) All exterior flame producing devices, structures or equipment shall be gas burning only.
- e) All outdoor barbeques and grills shall be installed and operated per the manufactures recommendations.

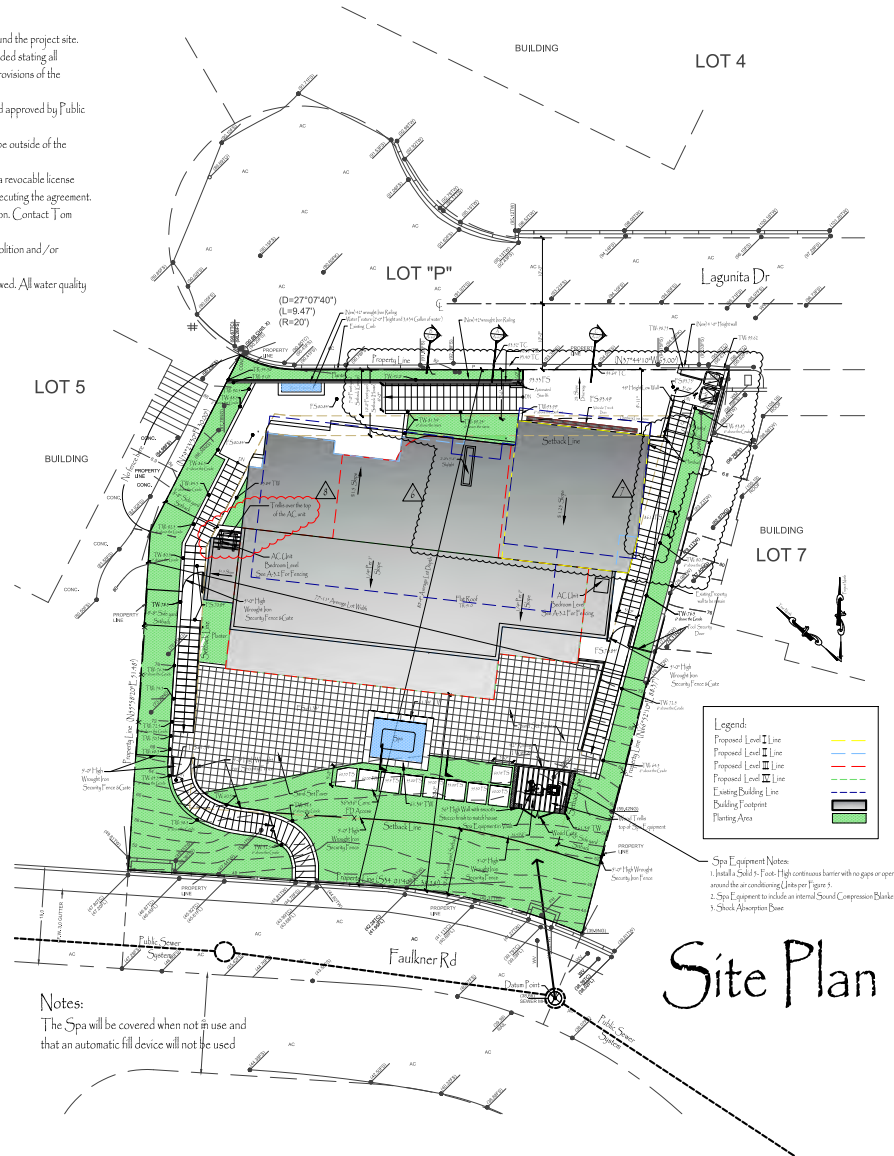
Note:

The A/C unit Condenser must be installed per manufacturer's requirements for free space and clearances around each unit

A/C Condenser Note:

The following noise control measures are recommended to reduce HAVC noise levels to meet the City's Night time Noise Standard of 50 DBA respectively:

1. Install a Solid 5'-Foot-High continuous barrier with no gaps or opening around the air conditioning Units per Figure 5.
2. A/C Condenser to include an internal Sound Compression Blanket
3. Shock Absorption Base



General Notes:

1. Not used
2. All utility lines to be under ground to the nearest service connection box size (18" x 24")
3. Prior to construction all applicable provisions of UFC pertaining to brush clearance shall be fully complied with to the satisfaction of the local fire department.
4. All roof & deck drains to be noncorrosive pipe flowing into 4" min. ABS area drains discharged at the street.
5. All surface water to drain away from and around the building to area drains to discharge into street.
6. Chimneys shall have approved spark arrestors.
7. All weather exposed surfaces shall have a weather resistive barrier to protect the interior wall & ceiling coverings, and exterior openings shall be flashed and counter flashed as needed in such a manner as to make them waterproof. (UFC Section 1701).
8. All horizontal surfaces such as the underside of combustible eaves and deck overhangs shall be one-hour fire resistive construction.
9. All openings in attics, floors and other enclosed are for the purpose of access and ventilation shall be covered with corrosive resistant wire mesh not greater than 1/2" in any direction except where such openings are equipped with sash & doors.
10. The project civil engineer must certify the building pad that the subsequent future floor elevations do not vary more than two-tenths of a foot from the approved elevations prior to start of construction.
11. Provide house street numbers visible and legible from street. numbers shall be non-combustible materials.

Project Data:

Site:
Lot Coverage Area 2,159 SF / 34,238
Proposed Garage Level IV
Garage Area 411 SF
Proposed Living Level III
Living Area 1,757 SF (Excludes Stairways)
Deck Area 141 SF
Proposed Bed Rooms Level II
Living Area 1,312 SF (Excludes Stairways)
Deck Area 71 SF
Proposed Party Level I
Living Area 301 SF (Excludes Stairways)

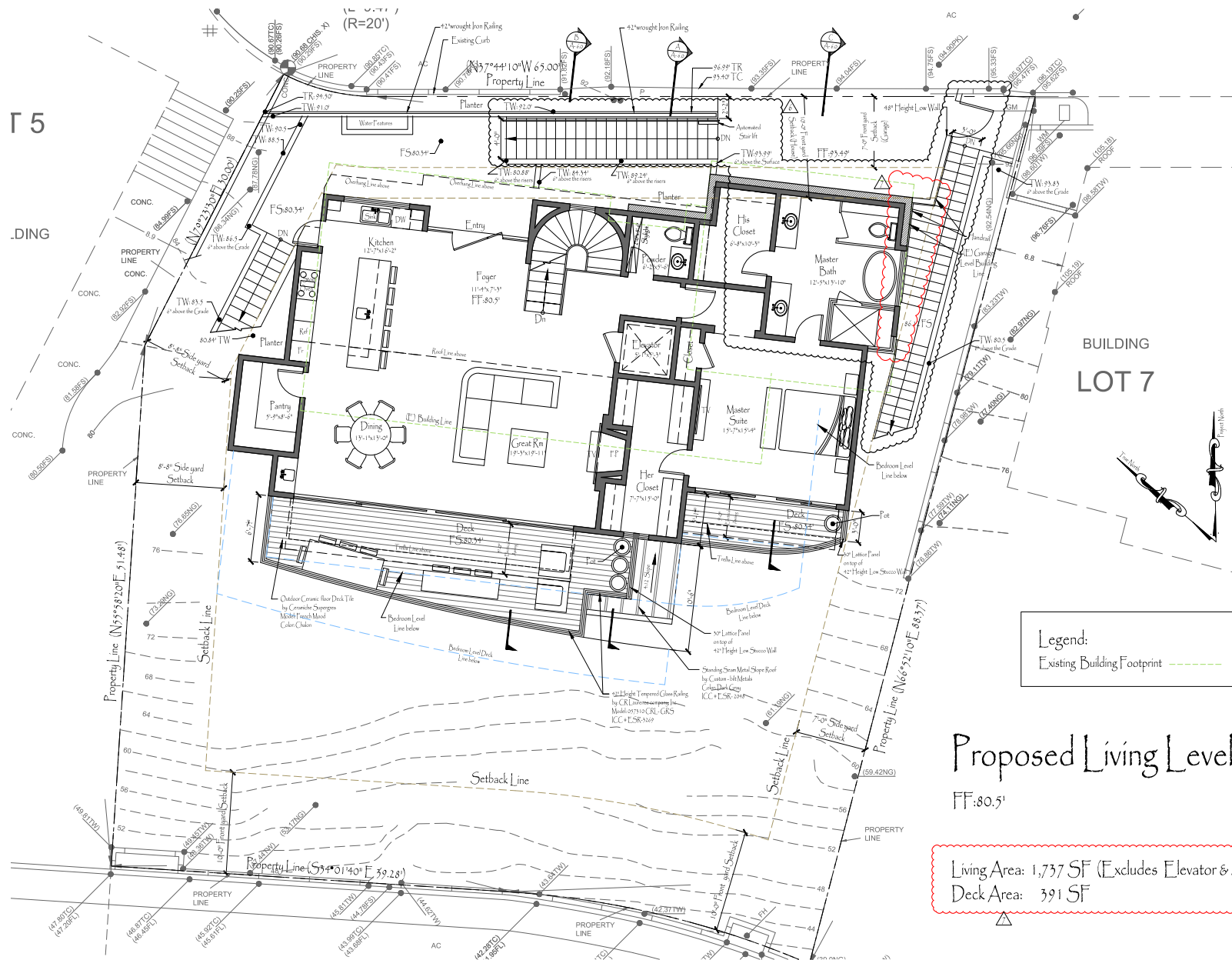
Revisions
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6 Lagunita Residence
Lagunita Dr., Laguna Beach, CA 92651



1550 So. Coast Hwy #201 Lagunita Beach, CA 92651 (949) 497-0200 Office jconrad@gmail.com
James Conrad Architect

Drawn By: AA
Date: 11/11/2019
Scale: 1/8" = 1'-0"
Format: AutoCAD 2019
Sheet # A-1.0



Revisions
City Comments
12/13/2017
Final Check Comments
12/13/2017
Final Check Comments
12/13/2017
Final Check Comments
12/13/2017
Final Check Comments
12/13/2017
Final Check Comments
12/13/2017

6 Lagunita Residence
6 Lagunita Dr., Lagunita Beach, CA 94051



James Conrad Architect
1530 So. Coast Hwy #201
Lagunita Beach, CA 94051
(415) 437-0200 Office
(415) 437-0200 Cell
jconrad@jconradarchitect.com

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Date:
12/13/2017
Scale:
1/8" = 1'-0"
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AutoCAD 2017
Sheet #
A-3.1

BUILDING



FF:61.5'

Living Area: 501 SF (Includes Stairway)

Revisions	
△	City Corrections 27 Oct 2019
△	Plan Check Corrections 30 Dec 2019
△	Plan Check Corrections 9 Feb 2019
△	TRQA Plan Check Corrections 19 May 2020
△	TRQA Second Meeting 24 June 2020
△	TRQA 3rd Meeting 1 Sep 2020
△	
△	
△	
△	

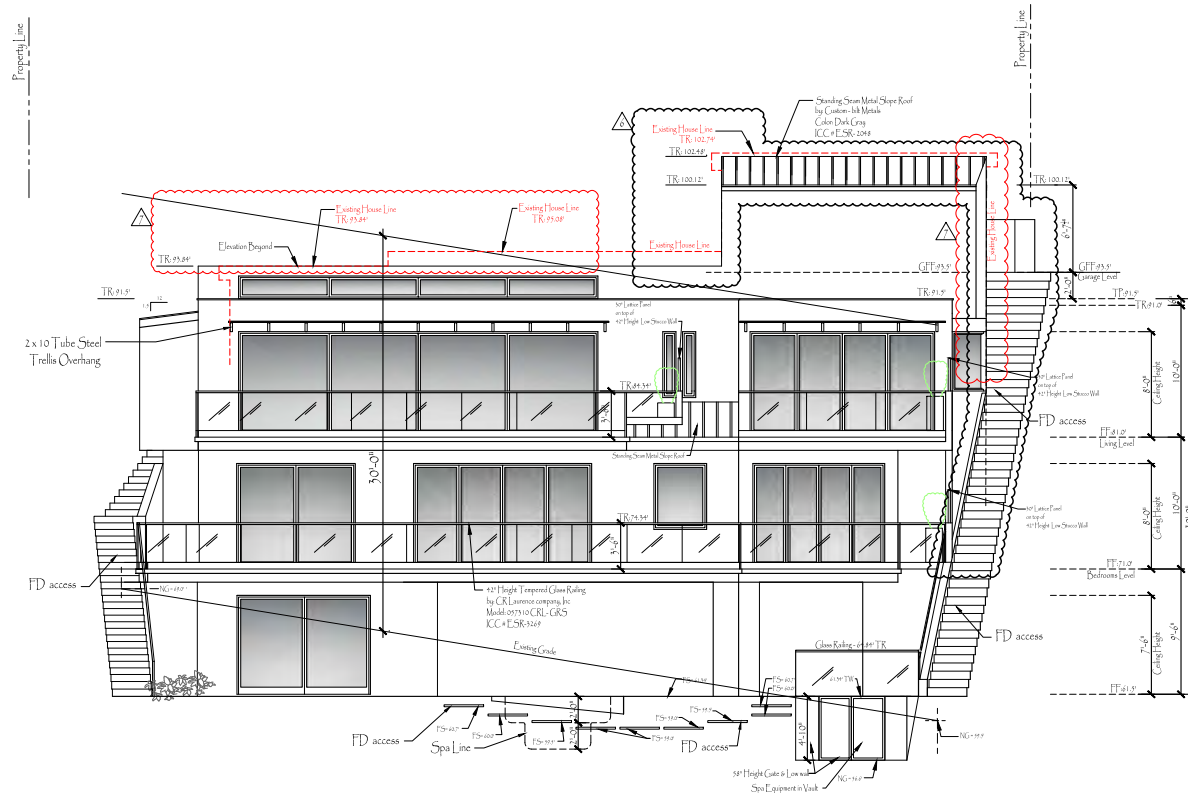
6 Lagunita Residence



1550 So. Coast Hwy #201
Laguna Beach, CA 92651
(949) 497-0200 Office
jconradarc@gmail.com

James
Conrad Architect

Drawn By:
AA
Date:
22 March 2019
Scale:
1/4" = 1'-0"
Format:
Auto Cad 2010
Sheet #
A-3.3



Proposed South Elevation

Note: All Exterior material, finishes & colors submit sampels for approval.

Revisions	
1	City Comments
2	City Comments
3	Plan Check Corrections
4	Plan Check Corrections
5	Plan Check Corrections
6	Plan Check Corrections
7	Plan Check Corrections
8	Plan Check Corrections
9	Plan Check Corrections
10	Plan Check Corrections
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20	Plan Check Corrections

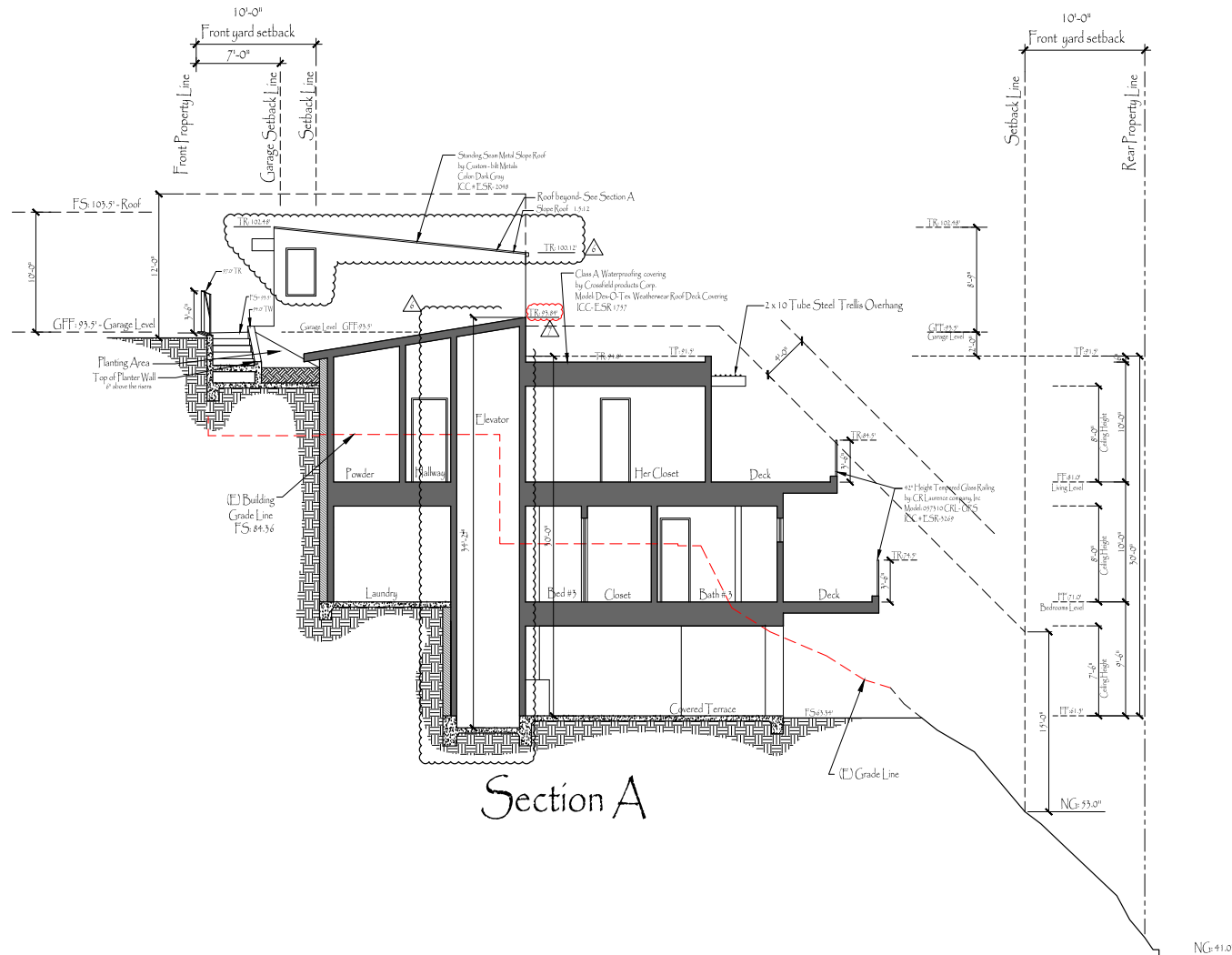
6 Lagunita Residence
6 Lagunita Dr., Laguna Beach, CA 92651



1550 So. Coast Hwy #201
Laguna Beach, CA 92651
(949) 497-0200 Office
jconrad@jconradarchitect.com

James Conrad Architect

Drawn By:	AA
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Section A

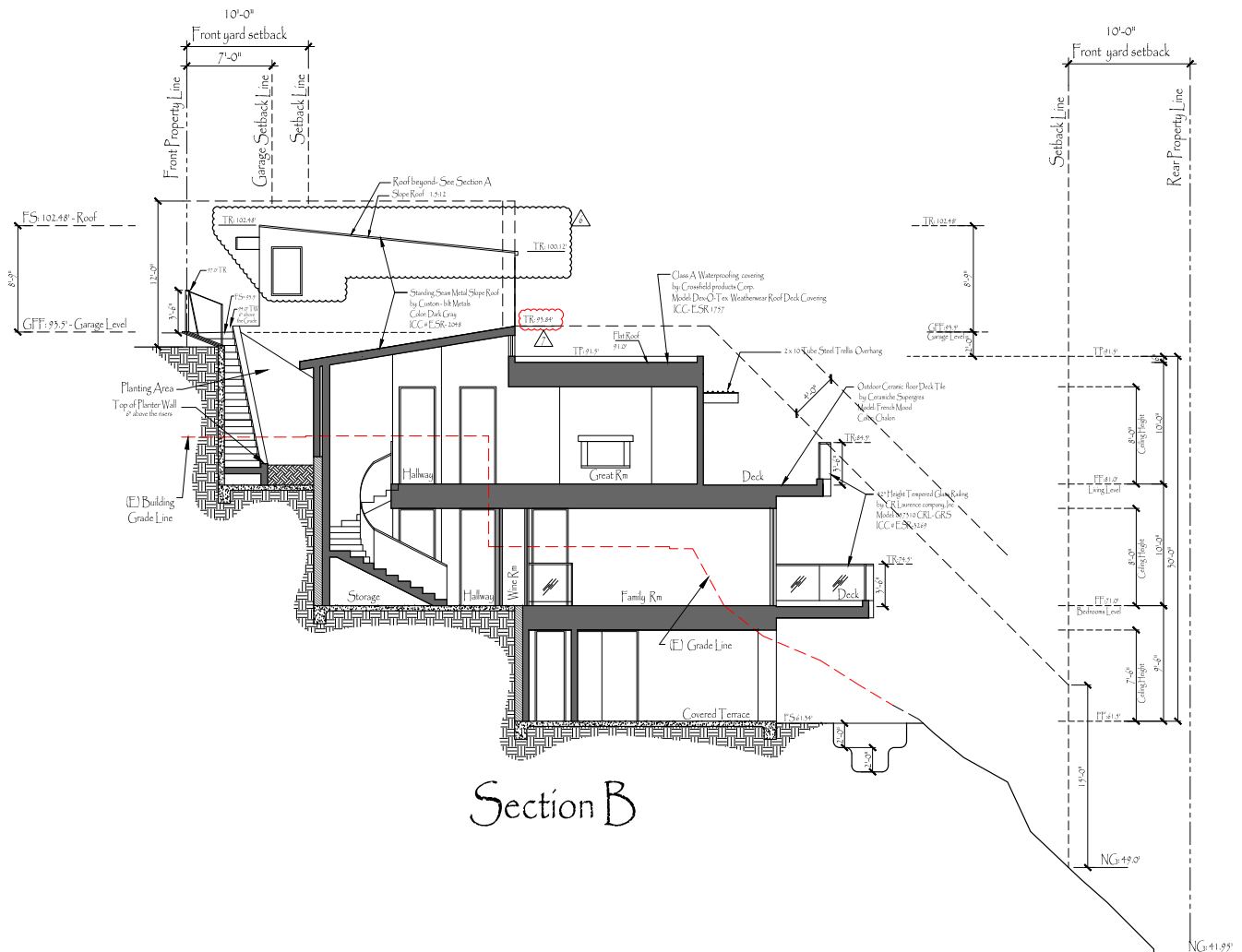
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△	Plan Check Corrections 3/1/2017
△	3/1/2017 Plan Check Corrections 3/1/2017
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△	3/1/2017 Plan Check Corrections 3/1/2017
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6 Lagunita Residence
6 Lagunita Dr., Lagunita Beach, CA 94051



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Lagunita Beach, CA 94051
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jconradarch@gmail.com

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Revisions	
△	City Corrections
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△	Plan Check Corrections
△	10/10/2017
△	CCM Plan Check Corrections
△	10/10/2017
△	CCM Plan Check Corrections
△	10/10/2017
△	CCM Plan Check Corrections
△	10/10/2017
△	CCM Plan Check Corrections
△	10/10/2017
△	CCM Plan Check Corrections
△	10/10/2017

6 Lagunita Residence
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East Elevation



West Elevation

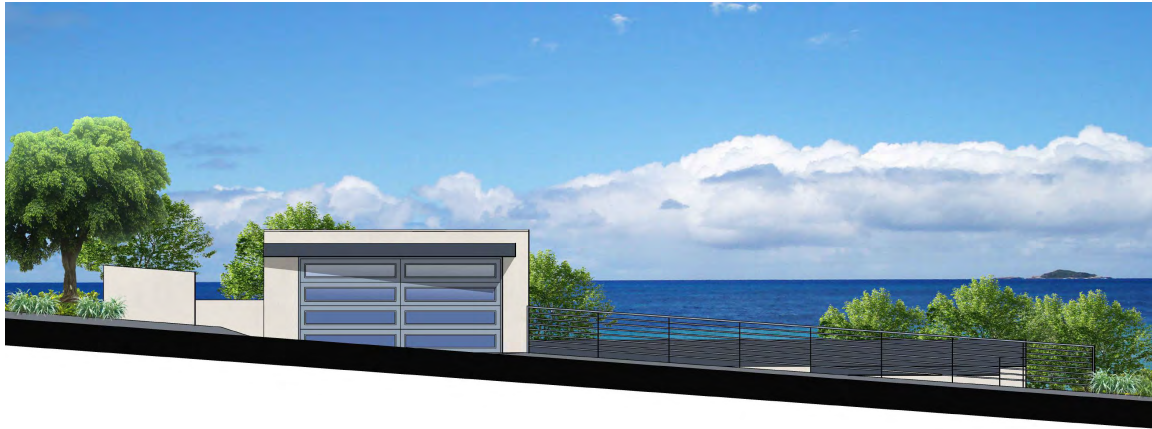
Revisions

6 Lagunita Residence
 6 Lagunita Dr., Laguna Beach, CA 92651



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 1550 So. Coast Hwy #201
 Laguna Beach, CA 92651
 (949) 497-0200 Office
 jconradarch@gmail.com

Drawn By:
AA
Date:
11 March 2019
Scale:
1/8" = 1'-0"
Format:
AutoCAD 2019
Sheet #
A-10.0



North Elevation

Revisions

6 Lagunita Residence
 6 Lagunita Dr., Laguna Beach, CA 92651



James Conrad Architect
 1550 So. Coast Hwy #201
 Laguna Beach, CA 92651
 (949) 497-0200 Office
 jconradarch@gmail.com

Drawn By:
AA
Date:
11 March 2012
Scale:
As Shown
Format:
AutoCAD 2010
Sheet #
A-10.1



South Elevation

CALIFORNIA COASTAL COMMISSION

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

**APPEAL FORM****Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: South Coast

Appeal Number: _____

Date Filed: _____

Appellant Name(s): _____

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: _____

Mailing address: _____

Phone number: _____

Email address: _____

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

Did not participate

Submitted comment

Testified at hearing

Other

Describe: _____

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: _____

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: _____

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: _____

Local government approval body: _____

Local government CDP application number: _____

Local government CDP decision: CDP approval CDP denial³

Date of local government CDP decision: _____

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

Describe: _____

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.

Appeal of local CDP decision

Page 4

3. Identification of interested persons

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.

Interested persons identified and provided on a separate attached sheet

4. Grounds for this appeal⁴

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.

Describe:

⁴ Attach additional sheets as necessary to fully describe the grounds for appeal.


Appeal of local CDP decision

Page 5

5. Appellant certifications⁵

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

Print name _____


Signature _____

Date of Signature _____

5. Representative authorization⁶

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.

⁵ If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

⁶ 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.

Project Description:

Demolition of an existing 1385 square foot ¹ single-family dwelling and construction of a new 3,350 square foot single-family dwelling with and attached 421 square foot two-car garage in the Lagunita Zone. The project includes the new structure, elevated decks (805 square feet), trash enclosure in front setback, spa, grading, retaining walls and landscaping. The preliminary grading plans propose a net export of 1,091 cubic yards of dirt.

Project Location:

The project is located in the guard gated community of Lagunita in Laguna Beach on a “coastal bluff” as defined by the certified LCP. It is directly inland from the house at 11 Lagunita which was previously found by the Commission to be situated on a coastal bluff. ^{2 3}

Appeal:

The basis of this appeal is that the City’s decision to approve this project is inconsistent with the certified LCP’s definition of “Coastal Bluff” and therefore allowed an unpermittable project to proceed.

The certified LCP definition of Coastal Bluff occurs in two places - the Land Use Element and the Municipal Code - which conflict with each other to a certain degree:

***LUE Glossary Entry 102 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.*

***LPMC 25.50.004(B)(4)(a) :** An “oceanfront bluff” is an oceanfront landform having a slope of forty-five degrees or greater from horizontal whose top is ten or more feet above mean sea level.*

(i) In cases where an oceanfront bluff possesses an irregular or multiple slope condition, the setback will be taken from the most inland forty-five degree or greater slope.

(ii) In cases where the landform constitutes an oceanfront bluff whose slope is less than forty-five degrees, a determination as to whether or not the specific landform is subject to this provision shall be made by the director of community development.

In previous Coastal Commission determinations of Coastal Bluffs in Laguna, the Commission has consistently found that the LUE definition supersedes any conflicting definitions in the LCP.

In the context of the subject approval however, the City relied on the applicant’s geologist’s determination that the subject property did not exist on a ‘coastal bluff’, but instead on a

¹ 1,385 Building Living Area (sq. ft.) built in 1956 according to City’s GIS map.

² See staff report for CCC-18-CD-02/CCC-18-AP-02. Specifically page 40.

³ The applicant (James Conrad) is the same for the property at 6 Lagunita and 11 Lagunita and is therefore familiar with the Commission’s findings at 11 Lagunita.

'coastal canyon' - a term that does not appear in the certified Laguna Beach LCP. Due to this error, none of the necessary coastal bluff protections or prohibitions of the certified LCP were implemented or even considered when approving the project.

The most critical of these LCP policies and actions that was ignored is Land Use Element Action 7.3.5, which prohibits private development (such as the proposed new single-family dwelling) on oceanfront bluff faces:

***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.*

Other Land Use Elements policies and actions that protect Coastal Bluffs, such as those below, were not implemented which is inconsistent with the certified LCP:

***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.*

***Action 7.3.6** Require new development on oceanfront blufftop 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.*

***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.*

***Action 7.3.9** Ensure that new development, major remodels and additions to existing structures on oceanfront and oceanfront bluff sites do not rely on existing or future bluff/shoreline protection devices to establish geologic stability or protection from coastal hazards. A condition of the permit for all such new development on bluff property shall expressly require waiver of any such rights to a new bluff/shoreline protection device in the future and recording of said waiver on the title of the property as a deed restriction.*

***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.*

***Action 7.3.12** Site and design new structures to avoid the need for shoreline and/or oceanfront bluff protective devices during the economic life of the structure (75 years).*

***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.

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.*

Action 10.2.7 *Require all new development located on oceanfront bluffs to be sited in accordance with the stringline 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 stringline 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.*

As shown above, the certified LCP in Laguna Beach considers a bluff to be a ‘coastal bluff’ as a bluff that overlooks a beach or shoreline, OR a bluff that is subject to marine erosion. The City accepted the applicant’s assertion that because the bluff in question is not subject to marine erosion it is not a coastal bluff - but this is incorrect.

Additionally, LUE Action 7.3.11 indicates that not all oceanfront bluff properties are subject to wave action (or marine erosion) in that only oceanfront bluff properties that are subject to wave action are required to assess the potential for damage from waves, etc. (a ‘wave uprush study’).

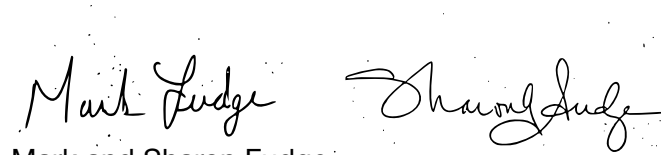
Action 7.3.11 *Require all coastal development permit applications for new development on an oceanfront or on an oceanfront bluff property subject to wave action to assess the potential for flooding or damage from waves, storm surge, or seiches, through a wave uprush and impact report prepared by a licensed civil engineer with expertise in coastal processes. The conditions that shall be considered in a wave uprush study are: a seasonally eroded beach combined with long-term (75 years) erosion; high tide conditions, combined with long-term (75 year) projections for sea level rise; storm waves from a 100-year event or a storm that compares to the 1982/83 El Nino event.*

In a Zoning Plan Check letter dated October 11, 2019, the City instructed the applicant to submit a geological report for the property that be updated to ‘include specific analysis and discussion of how the bluff top location was determined, based on the two definitions provided in the City’s Municipal Code and the General Plan Land Use Element, and the attached documents from the California Coastal Commission. Each of the definitions and documents must be referenced in the bluff top determination discussion.’ Instead of submitting a report

that met these requirements, the applicant submitted a GeoSoils report dated October 14, 2019 (received by the City on November 12, 2019) which failed to address any of the LCP definitions of a coastal bluff in Laguna Beach. Instead, the report relied on San Diego Coastal Bluff and Beaches Guidelines which are irrelevant to the subject property to determine that the property does not sit on a 'coastal bluff', but instead on a 'coastal canyon'. The City erred when it relied on this report, thus there is not evidence in the record that supports their approval of the project.

We ask that the project be **denied** as new construction for private use on a bluff face is inconsistent with the LCP.

Thank you for your consideration. We are available if staff has any questions.



Mark and Sharon Fudge

Interested Parties:

Hanna Struever - 182 Nyes Place, Laguna Beach CA 92651

Mark Ruben - 184 Nyes Place, Laguna Beach CA 92651

Mike Walters - 4 Lagunita, Laguna Beach CA 92651

Mike Sollenberger - 5 Lagunita, Laguna Beach CA 92651

**NOTICE OF FINAL LOCAL ACTION
FOR COASTAL DEVELOPMENT PERMITS**

Date: December 28, 2020

The following project is located within the City of Laguna Beach Coastal Zone:

Location: 6 Lagunita Drive, Laguna Beach, CA 92651

Coastal Development Project No: 20-7748

Project Description: The scope of work involves demolition of an existing home and construct a 3,350 square-foot single-family dwelling with an attached 421 square-foot two-car garage, elevated decks (805 square feet), trash enclosure, skylight, elevator height exception, spa, grading, retaining walls, and landscaping in the Lagunita Zone. The project includes conditions of approval as noted in attached C.D.P. Resolution No. 20.73.

Applicant: James Conrad, Architect (949) 497-0200 jconradarc@gmail.com

Mailing Address: 1550 South Coast Highway #201, Laguna Beach, CA 92651

On December 10, 2020, a coastal development permit application for the project was

- ☐ approved
- ☒ approved with conditions
- ☐ denied

Local appeal period ended December 24, 2020

This action was taken by:

- ☐ Director of Community Development
- ☐ City Council
- ☒ Design Review Board
- ☐ Planning Commission

The action ☐ did ☒ did not involve a local appeal; in any case, the local appeal process has been exhausted. Findings supporting the local government action and any conditions imposed are found in the attached resolution.

This project is

- ☐ not appealable to the Coastal Commission
- ☒ appealable to the Coastal Commission pursuant to Coastal Act Section 30603. An aggrieved person may appeal this decision to the Coastal Commission within 10 working days following Coastal Commission receipt of this notice. Applicants will be notified by the Coastal Commission if a valid appeal is filed. Appeals must be in writing to the appropriate Coastal Commission district office and in accordance with the California Code of Regulation Section 13111. The Coastal Commission may be reached by phone at (562) 590-5071 or by writing to 301 E. Ocean Blvd, Suite 300, Long Beach, CA 90802.

Att: CDP Resolution No. 20.73

D.R.B. RESOLUTION 20.73

A RESOLUTION OF THE OF THE DESIGN REVIEW BOARD OF THE CITY OF LAGUNA BEACH APPROVING DESIGN REVIEW 20-7747 AND COSTAL DEVELOPMENT PERMIT 20-7748 FOR NEW SINGLE-FAMILY DWELLING WITH AN ATTACHED 421 SQUARE-FOOT GARAGE, ELEVATED DECKS, TRASH ENCLOSURE, SPA, GRADING, RETAINING WALLS, AND LANDSCAPING AND APPROVING A CATEGORICAL EXEMPTION PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT.

6 Lagunita Drive (APN: 656-171-13)

WHEREAS, a notice was mailed to all property owners within a 300' radius and tenants within a 100' radius announcing the on Date public hearing of the Design Review Board for the proposed project; and

WHEREAS, on December 10, 2020, the Design Review Board carefully considered the oral and documentary evidence and arguments presented at the duly noticed hearing.

NOW, THEREFORE, THE DESIGN REVIEW BOARD OF THE CITY OF LAGUNA BEACH DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: Design Review (20-7747) and Coastal Development Permit (20-7748) for a single-family dwelling with an attached garage, elevated decks, trash enclosure, skylight, elevator height exception, spa, grading, retaining walls, and landscaping ("Proposed Project") is approved with the following conditions:

- A. The air conditioning enclosure shall include a roof to match the proposed dwelling.
- B. The west corner of the garage shall be beveled at a 45-degree angle by two feet or the greatest extent possible while still providing the minimum depth and width for the required two-car parking spaces in the garage, whichever is less.

The proposed project is exempt from the provisions of the California Environmental Quality Act in accordance with State CEQA Guidelines Section 15303 - New Construction or Conversion of Small Structures, in that the project consists of construction and location of limited numbers of new, small structures.; and

Section 2: The proposed project is consistent with the applicable Title 25 development standards and guidelines.

Section 3: The proposed project is consistent with the Design Review criteria including access, design articulation, design integrity, environmental context, general plan compliance, landscaping, lighting, neighborhood compatibility, privacy, sustainability, and view equity, as evidenced in Staff Report pages 3-5.

Section 4: No Variances are proposed.

Section 5: The proposed project is consistent with the Coastal Development Permit criteria as evidenced in Staff Report pages 5-6.

Section 6: The proposed project is consistent with the required Coastal Development Permit findings as evidenced in Staff Report pages 6-7.

Section 7: The project is in conformity with all the applicable provisions of the general plan and any applicable specific plans, as evidenced in Staff Report Exhibit 'A', pages 8-9.

Section 8: Expiration. The proposed project will expire if development has not commenced within two years from the final action of the approval authority on the application. Development, once commenced, shall be pursued in a diligent manner and completed in a reasonable period of time. An application for extension of the permit must be made prior to the expiration date.

Section 9: Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the approval authority and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

Section 10: Indemnification. The permittee shall defend, hold harmless and indemnify, at his/her/its expense, the City, the City Council and other City bodies and members thereof, officials, officers, employees, agents and representatives (collectively, the City) from and against any and all third-party claims, actions or proceedings to attack, set aside, void or annul the approval of this application for Design Review and Coastal Development Permit, or any associated determination made pursuant to the California Environmental Quality Act. This obligation shall encompass all costs and expenses incurred by the City in defending against any claim, action or proceeding, as well as costs, expenses or damages the City may pay as a result of such claim, action or proceeding. In the event an action or proceeding is filed in court against the City, the Design Review, or any associated determination, the permittee shall promptly be required to execute a formal indemnification agreement with the City, in a form approved by the City Attorney, which shall include, among other things, that the City will be defended by the counsel of its choice, and that the permittee shall deposit with the City sufficient funding, and thereafter replenish the funding, to ensure that the City's defense is fully funded, by the permittee. The deposit amount and replenishment schedule shall be established by the City.

Section 11: Plan Reliance and Modification Restriction. In the absence of specific provisions or conditions herein to the contrary, the attached Staff Report and its Exhibits are incorporated and made a part of this Resolution. It is required that the Exhibits be complied with and implemented in a manner consistent with the approved use and other conditions of approval. Such exhibits for which this permit has been granted shall not be changed or amended except pursuant to a subsequent amendment to the permit or new permit as might otherwise be required or granted pursuant to the terms of Title 25 of the Laguna Beach Municipal Code.

Section 12: Grounds for Revocation or Modification. Failure to abide by and faithfully comply with Exhibit 'B' attached to the granting of the proposed project may constitute grounds for revocation or modification of the permit.

Section 13: Effective Date. The applicant or any other owner of property within three hundred feet of the subject property aggrieved by the Design Review Board's decision or by any portion of this decision may appeal to the City Council. Any appeal shall be in written form filed with the City Clerk within fourteen calendar days of the decision and shall specifically state each and every ground for the appeal and be accompanied by payment of the required appeal fee. If no appeal is filed timely, the Design Review Board decision will be effective 14 calendar days after the date of the decision.

Section 14: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Design Review Board of the City of Laguna Beach hereby approves the proposed project, subject to the plans in the attached Staff Report Exhibit 'B', page 11.

PASSED on December 10, 2020, by the following vote:

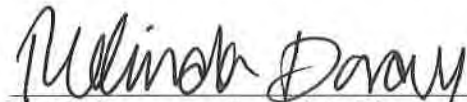
AYES: Gannon, Sheridan, Thalman, Neev, Weil

NOES:

ABSENT:

ABSTAIN:

ATTEST:


Melinda Dacey, Associate Planner


Louis Weil, Chair



RECEIVED
South Coast Region
JAN 08 2021

CALIFORNIA
COASTAL COMMISSION

COASTAL DEVELOPMENT PERMIT EXEMPTION NO PERMIT REQUIRED

Date: December 23, 2020

Case No.: ZPC-20-8060

Applicant Name: James Conrad

Project Location: 31702 Seacliff Drive

Project Description:

☒ Appealable
☐ Non-Appealable

Upgrade electrical panel, move exterior door slightly to accommodate panel.

Pursuant to Municipal Code Section 25.07.008 (Exemptions), the proposed development is without risk of adverse environmental effect on coastal resources, including public access, and therefore do not require a Coastal Development Permit (CDP) for the reason(s) checked below:

- ☐ Improvements to Structures Other Than Single-Family. The proposed improvements to an existing structure (including attached fixtures and landscaping) other than single-family dwellings or public works facilities are not classified as one of the following:
- 1) Nonexemptions (a) through (g) contained in the list above under Improvements to Single-family Homes;
 - 2) Changes the intensity of use of the structure;
 - 3) Conversion of an existing multiple-unit residential structure or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold, including but not limited to a condominium or stock cooperative conversion;
 - 4) Significant alteration of land forms including removal or placement of vegetation on a beach or sand dune, in a wetland or stream, within 100' of the edge of a coastal bluff or stream or in a highly scenic area, and/or in an environmentally sensitive area.
- ☒ Repair and Maintenance. The proposed repair and maintenance activities do not result in an addition to, or enlargement or expansion of, the object of such repair and maintenance activities, and are not classified as one of the following:
- a) Repair or maintenance of a sea wall revetment, bluff retaining wall, breakwater, groin, culvert, outfall or similar shoreline work that involves any of the following:
 1. Substantial alteration of the foundation including pilings and other surface and subsurface structures,
 2. The placement, whether temporary or permanent, of rip-rap, or artificial berms of sand or other beach material, or any other form of solid material, on a beach or in coastal waters, streams, wetlands, estuaries and lakes, or on shoreline protective works,
 3. The replacement of 20% or more of the materials of an existing structure with materials of a different kind,
 4. The presence, whether temporary or permanent, of mechanized construction equipment or materials on any sand area or bluff or environmentally sensitive area or within 20' of coastal waters or streams;
 - b) Replacement of 20% or more of a sea wall revetment, bluff retaining wall, breakwater, groin, or similar protective work under one ownership, unless destroyed by natural disaster;



- c) Any method of routine maintenance dredging that involves:
1. The dredging of 100,000 cubic yards or more within a 12 month period; or in
 2. The placement of dredge spoils of any quantity within an environmentally sensitive area, or any sand area, within 50' of the edge of a coastal bluff or environmentally sensitive area, or within 20' of coastal waters or streams; or
 3. The removal, sale, or disposal of dredge spoils of any quantity that would be suitable for beach nourishment in an area the Coastal Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use;
- d) Any repair or maintenance to facilities or structures or work located in an environmentally sensitive area, any sand area, within 50' of the edge of a coastal bluff or environmentally sensitive area; or within 20' of any coastal waters or streams that include:
1. The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials,
 2. The presence, whether temporary or permanent, of mechanized equipment (excluding small hand tools, such as power saws, hand drills, nail guns) or outdoor storage of construction materials within the areas identified above in this subsection;

☐ Utility Connections. The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development is approved pursuant to Laguna Beach Municipal Code Chapter 25.07.008.

☐ Destroyed Structures. The replacement of any structure, other than a public works facility, destroyed by natural disaster is exempt, provided such replacement structure is designed and intended for the same use as the destroyed structure and further, such replacement structure does not exceed the floor area, height or bulk of the destroyed structure by more than 10% and is sited in the same location on the same building site as the destroyed structure.

☐ Temporary Events on Beach Areas. Temporary events on beach areas that meet all of the following criteria:

1. Held between Memorial Day weekend and Labor Day;
2. Occupy all or a portion of a sandy beach area
3. Involve a charge for general public admission or seating where no fee is currently charged for use of the same area (not including booth or entry fees)

Please be advised that only the project described above is exempt from the permit requirements of the certified Local Coastal Program for Laguna Beach. Any change in the project may cause it to lose its exempt status. This certification is based on information provided by the project applicant. If any of the submitted information is found to be incorrect or incomplete, this exemption will become invalid, and any development occurring at that time must cease until a Coastal Development Permit is obtained.

Exemption determinations are appealable to the Coastal Commission by the applicant or any person who, in person or through a representative, informed the City of the nature of his or her concerns or who for good cause was unable to do either. The appeal shall be filed with the Coastal Commission within 10 working days from the date of the Coastal Commission receipt and filing of a complete record of exemption. The grounds for appeal to the Commission shall be limited to an allegation that the development is not exempt as set forth above.

Community Development Department
City of Laguna Beach
(949) 497-0712



RECEIVED
South Coast Region

JAN 08 2021

CALIFORNIA
COASTAL COMMISSION

COASTAL DEVELOPMENT PERMIT EXEMPTION NO PERMIT REQUIRED

Date: 12/23/2020

Case No.: RBP-2020-6191



☒ Appealable

☐ Non-Appealable

Applicant Name: Malcolm Gapp

Project Location: 2622 Victoria Drive

Project Description:

Re-roof the single-family dwelling with asphalt shingles and replace any damaged sheathing as necessary.

Pursuant to Municipal Code Section 25.07.008 (Exemptions), the proposed development is without risk of adverse environmental effect on coastal resources, including public access, and therefore do not require a Coastal Development Permit (CDP) for the reason(s) checked below:



Improvements to Single-Family Homes. The proposed improvements to single-family dwellings and mobilehomes including ancillary structures and landscaping, are not classified as one of the following:

- a) Guest houses and self-contained accessory dwelling units;
- b) Located on a beach, in a wetland or stream, seaward of the mean high tideline, within fifty feet of a coastal bluff edge, in an environmentally sensitive area, and/or in an area designated as highly scenic in the certified Land Use Plan;
- c) Located between the sea and first public roadway paralleling the sea, or within 300' of the inland extent of any beach, whichever is the greater distance and result in any of the following:
 1. An increase of 10% or more of the internal floor area of the existing structure on the building site or an additional increase in floor area bringing the aggregate increase to 10% or more cumulatively over time,
 2. An increase in height of more than 10% of any structure,
 3. The construction, placement or establishment of a detached structure such as a garage, fence, shoreline protective works, or docks;
- d) Expansion or construction of a water well or septic system;
- e) Located in an area which the Coastal Commission has determined to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use including the construction of any major water-using development not essential to residential use.
- f) An original structure that was issued a coastal development permit that indicates that future additions would require a coastal development permit;
- g) An original structure that was issued a CDP that indicates that future improvements would require a CDP.
- h) Significant alteration of land forms including removal or placement of vegetation on a beach, wetland, or sand dune, or within 50' of the edge of a coastal bluff or stream, or in areas of natural vegetation or in other environmentally sensitive areas



☒ Repair and Maintenance. The proposed repair and maintenance activities do not result in an addition to, or enlargement or expansion of, the object of such repair and maintenance activities, and are not classified as one of the following:

- a) Repair or maintenance of a sea wall revetment, bluff retaining wall, breakwater, groin, culvert, outfall or similar shoreline work that involves any of the following:
 - 1. Substantial alteration of the foundation including pilings and other surface and subsurface structures,
 - 2. The placement, whether temporary or permanent, of rip-rap, or artificial berms of sand or other beach material, or any other form of solid material, on a beach or in coastal waters, streams, wetlands, estuaries and lakes, or on shoreline protective works,
 - 3. The replacement of 20% or more of the materials of an existing structure with materials of a different kind,
 - 4. The presence, whether temporary or permanent, of mechanized construction equipment or materials on any sand area or bluff or environmentally sensitive area or within 20' of coastal waters or streams;
- b) Replacement of 20% or more of a sea wall revetment, bluff retaining wall, breakwater, groin, or similar protective work under one ownership, unless destroyed by natural disaster;
- c) Any method of routine maintenance dredging that involves:
 - 1. The dredging of 100,000 cubic yards or more within a 12 month period; or in
 - 2. The placement of dredge spoils of any quantity within an environmentally sensitive area, or any sand area, within 50' of the edge of a coastal bluff or environmentally sensitive area, or within 20' of coastal waters or streams; or
 - 3. The removal, sale, or disposal of dredge spoils of any quantity that would be suitable for beach nourishment in an area the Coastal Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use;
- d) Any repair or maintenance to facilities or structures or work located in an environmentally sensitive area, any sand area, within 50' of the edge of a coastal bluff or environmentally sensitive area; or within 20' of any coastal waters or streams that include:
 - 1. The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials,
 - 2. The presence, whether temporary or permanent, of mechanized equipment (excluding small hand tools, such as power saws, hand drills, nail guns) or outdoor storage of construction materials within the areas identified above in this subsection;

Please be advised that only the project described above is exempt from the permit requirements of the certified Local Coastal Program for Laguna Beach. Any change in the project may cause it to lose its exempt status. This certification is based on information provided by the project applicant. If any of the submitted information is found to be incorrect or incomplete, this exemption will become invalid, and any development occurring at that time must cease until a Coastal Development Permit is obtained.

Exemption determinations are appealable to the Coastal Commission by the applicant or any person who, in person or through a representative, informed the City of the nature of his or her concerns or who for good cause was unable to do either. The appeal shall be filed within 10 working days from the date of the Coastal Commission receipt and filing of a complete record of exemption. The grounds for appeal to the Commission shall be limited to an allegation that the development is not exempt as set forth above.