

CALIFORNIA COASTAL COMMISSION

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



F9c

A-5-LGB-21-0043 (LOHBACH STUDIOS)
AUGUST 13, 2021

EXHIBITS

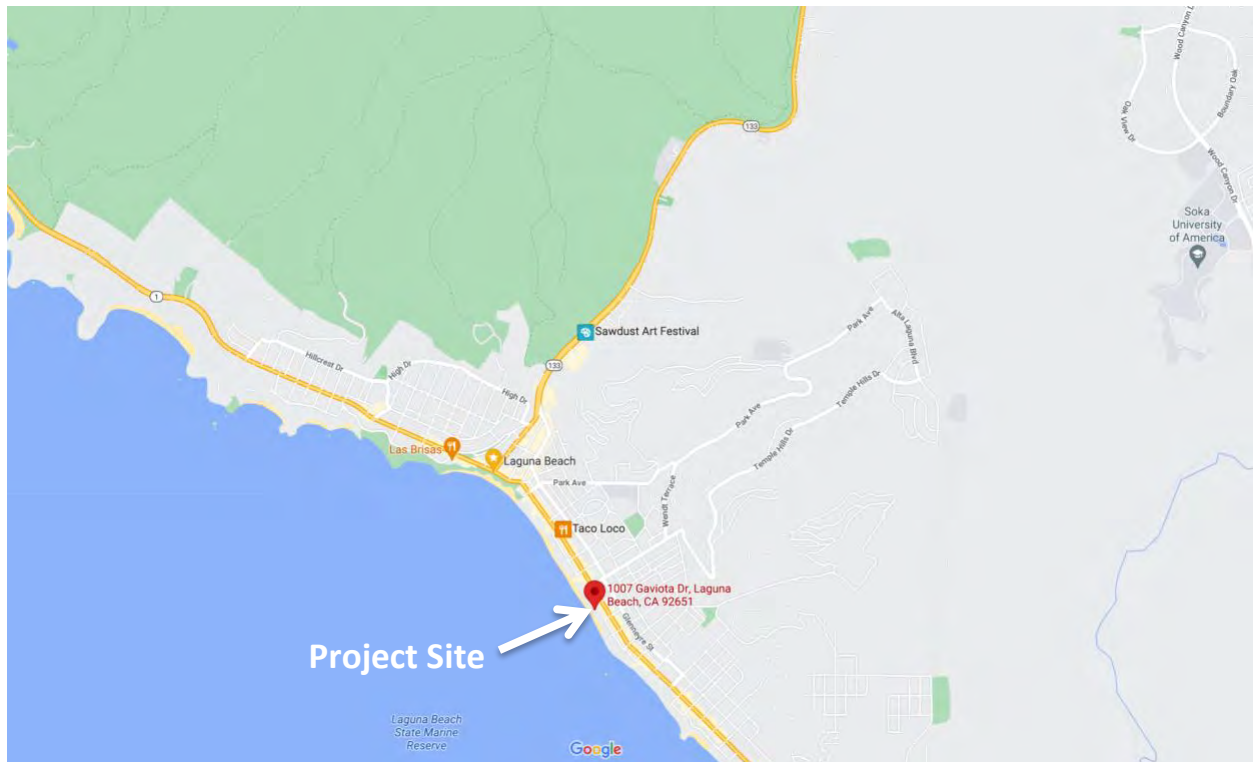
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Exhibit 1 – Project Location and Aerials of Project Site

Exhibit 2 – Project Plans

Exhibit 3 – Appeal

Project Site: 1007 Gaviota Drive, Laguna Beach (APN: 644-076-01)





Coastal Commission
Exhibit 2
Page 1 of 19

Sheet Title:

TITLE SHEET

Sheet No.:

A-0.0



NOTE: Waterbury requires a fee to be paid prior to completing Section C. Please contact them for payment information.

SECTION 4. TO BE COMPLETED BY APPLICANT

Date of Request: 7-26-14 Construction Type: NEW/RENO Square Footage: 4,173

Consent Name: JOHN BELLETTA Project Address: 1067 EAVESDALE

Data Requested by: NA ☒ Fire Protection System Design? ☒ Fire Hybrid Fire Report (Check with agency)

*Square Footage must include all enclosed garages, carports and with clear path coverage

*Include enclosure status (Yes/No) required for Exhaust System: CYNS

SECTION B: TO BE COMPLETED BY LAJARA BEACH FIRE DEPARTMENT

As required by Appendix B of the 2018 CFC, the minimum Hydrant Flow is: 675 GPM for 5 hours at a minimum hydrant pressure of 20 PSI. Completed by: James Brown, Fire Marshal Date: 7/15/2019

Name and Title of LBJF Representative

SECTION C - TO BE COMPLETED BY WATER PURVEYOR

The Well shall be provided from the aquifer located below the same pressure aquifer as the proposed project.
NOTE: All water information is provided only for water purveyor's reference. Applicant, water user, model submitted contains information for company retention. The purveyor provides reference to water user, water user retains information.

Flow Rate Requested in Section A: 0.018 MGD (Min Flow) 0.02 MGD (Max Flow) 0.018 MGD (Average Flow)

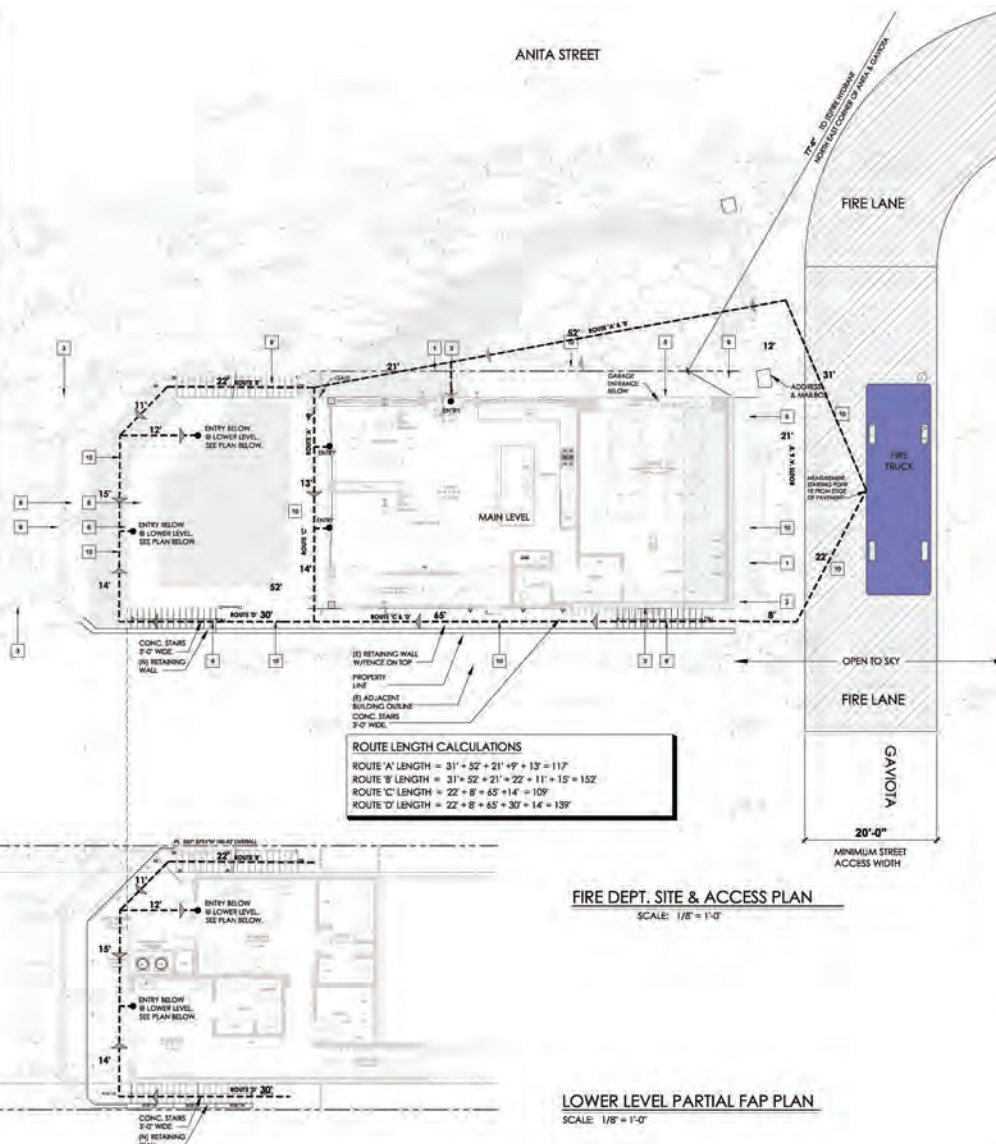
Free Flow Rate Requested by Section A: 28.52 GPM at 25.0 PSI (Min Pressure) 28.52 GPM (Max Pressure)

Artesian/Static Head (water and oil): 700' GAVIOTA DRIVE/LEVEL 50H (NOCC 10-FT-13-566)

Duration of water use and withdrawal: 520

Compared by: Eric Callaghan ENGINEERING TECH Date: 02-12-10

Noted and Approved by: Nancy and David (owner) Water Resources



ANITA STREET

FIRE LANE

F.D. GENERAL NOTES
AND KEYNOTES :

1. USE ACCESS PLAN FOR CLOSEST FIRE HYDRANT LOCATION, WITH DIMENSIONS TO PROJECT TO BE DAILY ENTRY.
2. ANACAPA IS CONSTRUCTED FOR 74,000 LB. FIRE FIGHT LOADING PER HOUR.
3. TYPE OF CONSTRUCTION FOR THIS PROJECT TYPE.
4. THIS PROJECT WILL BE PROVIDED WITH FIRE SPROCKET SYSTEM THROUGHOUT.
5. PROVIDE ANACAPA ROADWAY CLEARANCE AS REQUIRED DURING CONSTRUCTION.
6. A SEPARATE (DEFERRED) SYSTEM FOR DISINFECTION IS REQUIRED. INITIAL DISINFECTION WILL BE REQUIRED BY THE 2014 CALIFORNIA NFA 100 STANDARD. PLANTS MUST BE INSTALLED AND RETAINED TO MEET THE 100 PROTECTION CONTRACTOR. PLANS SHALL BE SUBMITTED TO AND APPROVED BY THE FIRE DEPARTMENT. APPROPRIATE INSPECTIONS CONDUCTED.
7. ALL EXISTING FIRE PLACES AND FIRE FUEL MUST BE GAS FRED ONLY. NO SOLID FUEL OR LUMP FUEL. ALL EXISTING FIRE PLACES AND FIRE FUEL MUST BE A MINIMUM 10 FEET FROM COMBUSTIBLE VEGETATION.
8. MAINTAIN CALIFORNIA SAFETY DURING CONSTRUCTION AS PER CHAPTER 33.3 OF THE 2014 CALIFORNIA FIRE CODE.
9. COMPLETE REQUIREMENTS ACCESS AROUND THE PROJECT REQUIRED AND MUST BE IN COMPLIANCE WITH DED APPROVED PLANS. SEE THE SHEET FOR DETAILS. THIS IS SUBJECT TO THE INSPECTION. APPROVAL REQUIRED APPROVAL PRIOR TO OCCUPANCY.
10. ADDRESS NUMBERS MUST BE PLACED ON THE EXTERIOR FACING THE STREET ACCORDING TO THE ADDRESS NUMBERS. ANY MUST CONTRAST WITH BACKGROUND.
11. FOR FIRE DEPARTMENT INSPECTIONS, CALL (714) 497-0323 AT LEAST 3 DAYS IN ADVANCE TO SCHEDULE INSPECTIONS.

lohrbach

31742 SOUTH COAST HIGHWAY
LAGUNA BEACH CA 92651
TEL 949-461-5058 FAX 949-715-8529

Seal / Signature: _____

Mike and Lori Gray Residence
1007 Gaviota Drive
Laguna Beach California 92651

Revisions:

No.	Date	Revision
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Date: 05/22/20

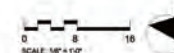
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Planning
Submit: _____ ZONING

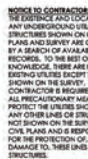
DRB HEARING SUBMITTAL DATE:
06.11.20

Sheet Title: FIRE DEPARTMENT
SITE & ACCESS
PLAN

Sheet No. _____

FD-SAP





DESIGN CONSULTANT
SL LOMBARD
 3700E SOUTH CANTON HWY
 LAURENSBURG, SC 29051
 TEL: 803-785-9988
 FAX: 803-785-0268
 E-MAIL: SLOMBARD@SLLOMBARD.COM

GEOTECHNICAL ENGINEERING
CONCEPT GEOTECHNICAL
 1000 E. CONCHOWACHEE AVE.
 CLEVELAND, OH 44115
 TEL: 216-321-0121

CIVIL ENGINEERING
2000 ANTERIA GROUP, INC.
 1200 ANTERIA GROUP, INC.
 340 COLUMBIA, CA 95020
 408-740-0606
 (MAIL: TOLSON@ANTERIAGROUP.COM)

STRUCTURAL ENGINEER
SLB ENGINEERING
 1825 BUREAU
 BOULDER, CO 80502
 (303) 440-0041
 DANA PETERA, PE
 TEL: 303-440-0041
 FAX: 303-440-0037

LANDSCAPE DESIGN
FOHIO HANLSON DESIGN, INC.
 10801 PARKWAY
 37140 SOUTH CANTON HWY
 LAURENSBURG, SC 29051
 TEL: 803-643-9444
 FAX: 803-713-7578
 (MAIL: HANLSON@FOHIOHANLSON.COM)

INTERIOR DESIGN
DAVIES DUBAY
 2000 E. CONCHOWACHEE, DUBAY/DA
 CLEVELAND, OH 44115

GENERAL CONTRACTOR
J. HADDON
 383 POWER PARKWAY
 383 POWER PARKWAY, SUITE 12
 LAURENSBURG, SC 29051
 TEL: 803-773-5946

ENERGY ANALYSIS ENGINEER
SOLPACER-HEINRY CONSULTANTS
 1000 E. CONCHOWACHEE AVE.
 LAURENSBURG, SC 29051
 (803) 497-3551

1. MAINTAIN 10' TRAVEL LANE FOR PASSING TRAFFIC IN FRONT OF SUBJECT PROPERTY.
2. CONSTRUCTION WORKERS MUST NOT PARK IN FRONT PROPERTY AND PARK IN DESIGNATED PARKING SPOTS ON GAVAZZA OR IN THE BACK OF THE PROPERTY (HAZARD AND/OR EQUIPMENT BEHIND BARRIERS MUST BE OBSERVED THROUGH TRAFFIC ON GAVAZZA WAY AND IYENUE DRIVE).
3. EXCAVATED AREA TO BE REMOVED FROM THE SITE VIA TRUCK TO A TAYLOR ROAD OR GAVAZZA. EQUIPMENT AND TRUCKS TO BE KEPT OUT OF THE SITE. PROPERTY LINE IN AN EFFORT NOT TO INTERFERE WITH METRIC MARK.
4. APPROPRIATE SCREENING FROM ADJACENT DRIVE TO PROTECT MATERIALS AND TO BE PLACED AS NEEDED FOR THE PROTECTION TO DAMAGE OTHER PROPERTIES.
5. MOVEMENT OF EQUIPMENT AND MATERIAL, ALONG WITH TRUCKS MUST BE TRAFFIC AREAS WILL INCLUDE THE USE OF TRAFFIC SIGNS WHEN NECESSARY.
6. ONE WEEK NOTICES TO BE GIVEN BY CONTRACTOR TO RESIDENTS REGARDING THE SCHEDULING OF CONSTRUCTION. SCHEDULING OF CHANGES TO AVOID ADVERSE IMPACT ON THE RESIDENTIAL MOVEMENT.
7. CONTRACTOR TO PROVIDE PROJECT SUPERINTENDENT CONTACT INFORMATION TO THE RESIDENTS FOR ANY INQUIRIES.





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Date:	05/22/20
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 (E) 2 X 4 STUD WALL TO REMAIN
 (E) 2 X 4 STUD TO BE REMOVED
 (N) CONCRETE WALL
 (E) CONCRETE WALL TO REMAIN

Sheet No.:
A-0.2

Mike and Lori Gray Residence
1007 Gaviota Drive
Laguna Beach California 92651

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Planning

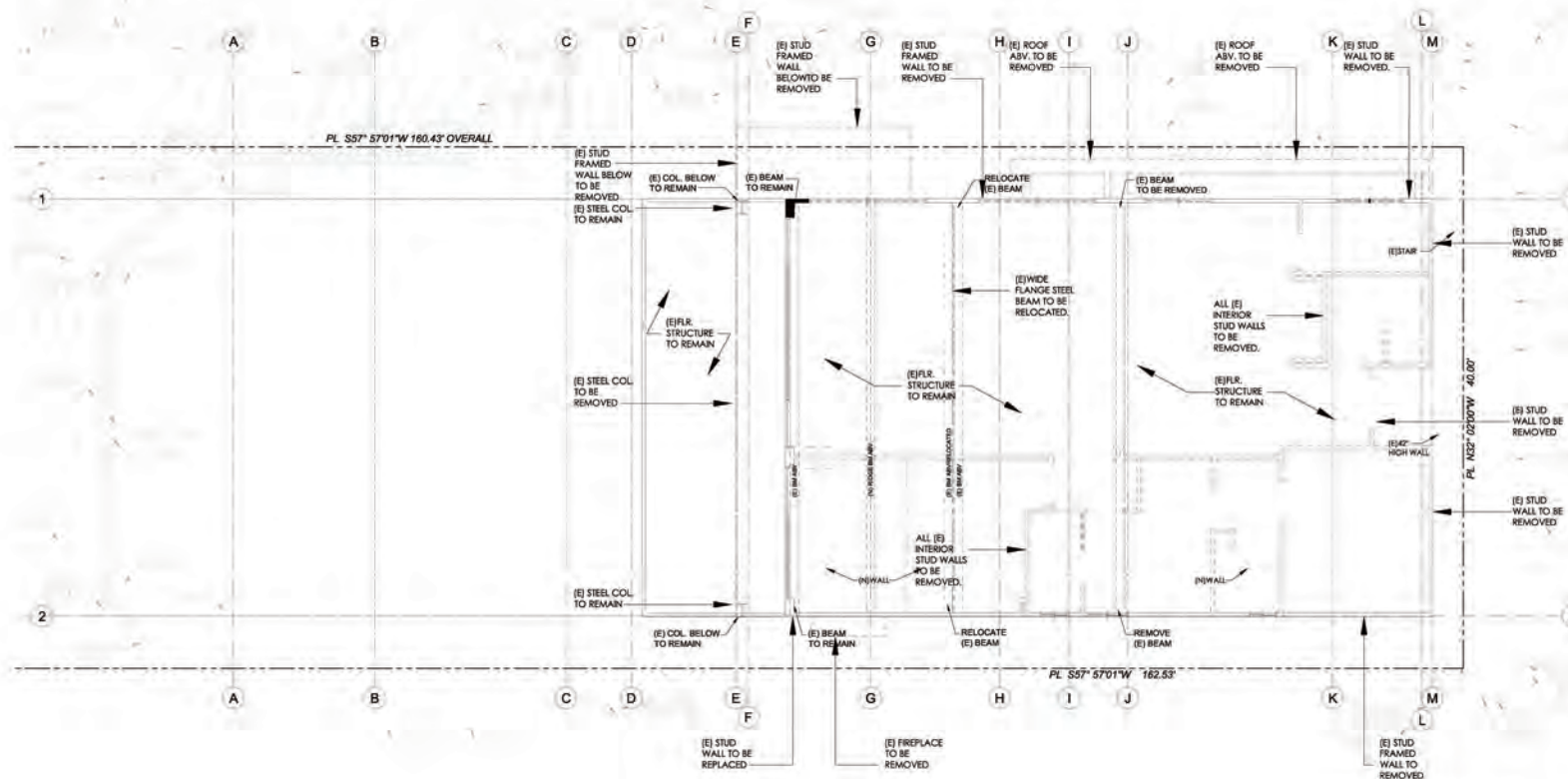
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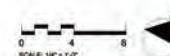
UPPER LEVEL DEMO PLAN

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UPPER LEVEL FLOOR PLAN



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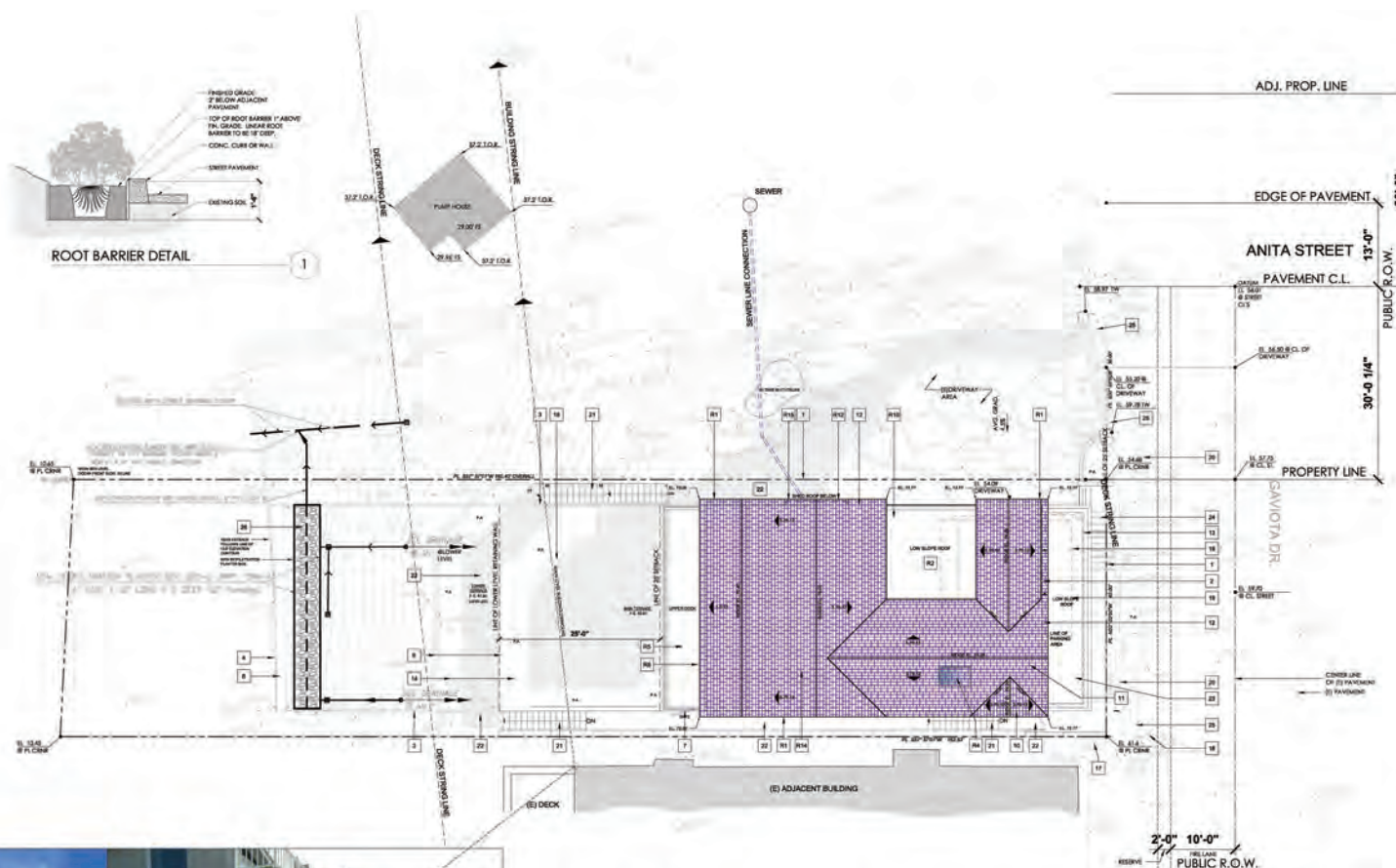
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Sheet Title:

SITE/ROOF
PLAN

Sheet No.:

A-1.0



(E) STRINGLINE PHOTO

BUILDING STRING LINE
IS SOUTH ADJACENT
PROPERTY

ROOF PLAN KEYNOTES :

- [R1] ROOF OUTLINE.
- [R2] LOW SLOPE BLIST UP ROOF. BUMEROID APP MODIFIED BITUMEN MEMBRANE BY 'GAY' MATERIAL CORP., (ICC ESR-1274). SEE ATTACHED DOCUMENT.
- [R3] OUTLINE OF WALL BELOW.
- [R4] INSULATED DAYLIGHT LOW E WITH NIGHT SHADE.
- [R5] CANTILEVERED DECK.
- [R6] CHIMNEY FOR DIRECT VENT GAS FIREPLACE. VENT WITH STAINLESS STEEL CLASS "A" FLUE VERTICALLY.
- [R7] STAINLESS STEEL GUTTER.
- [R8] PITCHED SHADE CANOPY ABOVE DECK.
- [R9] DRAINAGE RIDGE.
- [R10] ROOF DRAIN AND OVERFLOW.
- [R11] CRACKS.
- [R12] BAY WINDOW SHED ROOF BELOW.
- [R13] WOOD TRELLIS.
- [R14] FUTURE SOLAR PANELS.
- [R15] SHED ROOF BELOW.

SITE PLAN KEYNOTES :

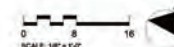
- [1] PROPERTY LINE.
- [2] FRONT YARD SETBACK LINE.
- [3] SIDE YARD SETBACK LINE.
- [4] REAR YARD SETBACK LINE.
- [5] BUILDING FOOTPRINT.
- [6] GARDEN WALL.
- [7] SIDEYARD GATE.
- [8] SHADE CANOPY OVER UPPER LEVEL DECK AREA.
- [9] CONDENSERS TO HAVE A SOUND ATTENUATED CONCRETE BLOCK ENCLOSURE TO MEET LAGUNA BEACH EXTERIOR NOISE REQUIREMENTS FOR A RESIDENCE (7.23.06) EXTERIOR NOISE BANGBARD. CONCRETE WALL TO BE A MAXIMUM OF 4 FEET IN HEIGHT.
- [10] ELECTRICAL METER AND PANEL.
- [11] TRASH AREA IN GARAGE.
- [12] LINE OF WALL BELOW.
- [13] LINE OF GARAGE BELOW.
- [14] PLANTER AREA.
- [15] (2) REQUIRED PARKING SPACES.
- [16] WATER MAIN.
- [17] GAS UTILITY.
- [18] FIRE SLOT (NON-WOOD BURNING FIRE PIT OPENING WITH GAS OUTLET. FLUSH WITH PLANTER HEIGHT).
- [19] LINE OF REQUIRED PARKING AREA.
- [20] EXISTING 4 FT BRICK WALL.
- [21] MINIMUM 3 FT. WIDE STAIRS OF A NON-COMBUSTIBLE CONSTRUCTION AND IN COMPLIANCE WITH CBC CHAPTER 10 REQUIREMENTS AND TO BE OF PREVIOUS MATL.
- [22] MINIMUM 3 FT. WIDE ALL WEATHER PATH FOR PD ACCESS AREAS SHALL NOT HAVE A SLOPE EXCEEDING 10% AND TO BE OF PREVIOUS MATL.
- [23] (N) LOW SLOPING ROOF.
- [24] (E) STEPS TO BE REPAIRED.
- [25] (E) 4" ASPHALT BURM @ ENTRANCE OF DRIVEWAY AREA.
- [26] (N) BIOPLANTER PLANTER BOX - SEE CIVIL PLANS.

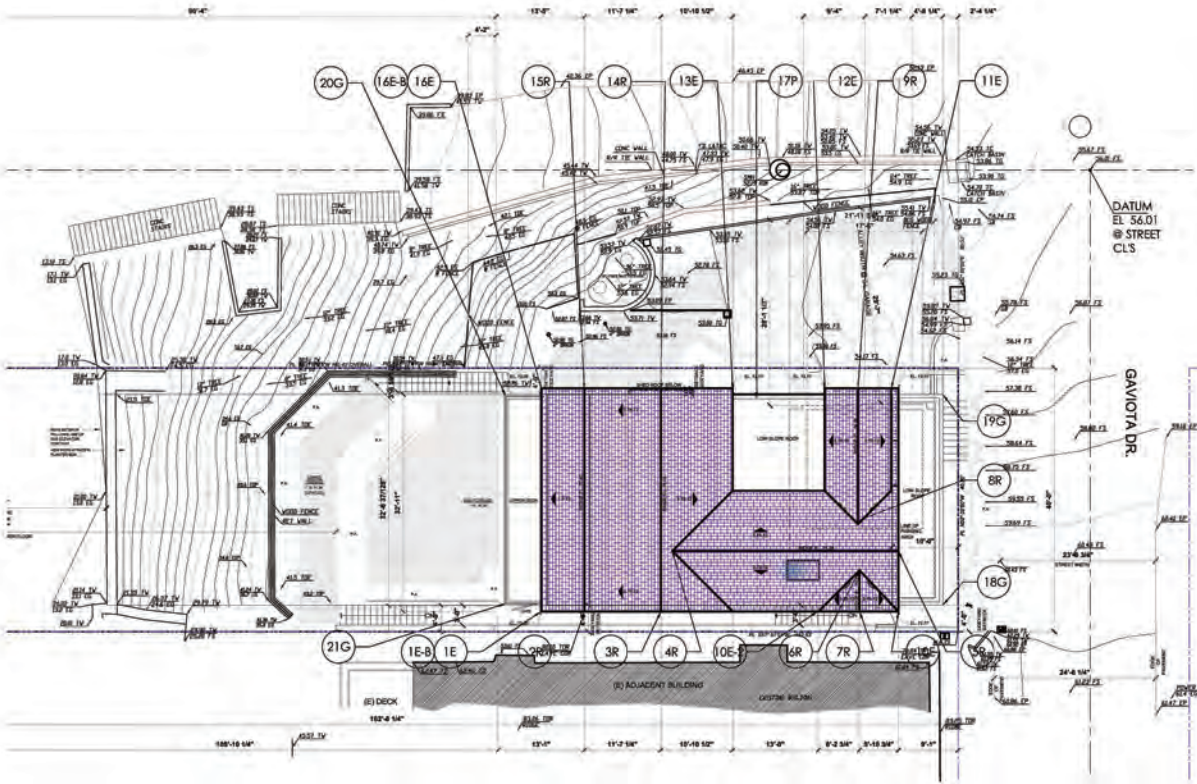
SITE / ROOF PLAN

SCALE: 1/8" = 1'-0"

NOTE:

1. UNDERGROUND ALL UTILITIES TO NEAREST POLE.
2. STAGING OF ON-SITE CONSTRUCTION IS NOT ALLOWED ON THE PROJECT FRONTAGE. ALL STAGING HAS TO BE OUTSIDE OF THE PUBLIC RIGHT OF WAY.





STAKING PLAN
SCALE: 1/8" = 1'-0"

STORY POLE CONSTRUCTION NOTES				
TABLE DATE: _____				
SITE ADDRESS: 1007 GAVIOTA DR., LAGUNA BEACH, CA 92651				
DATUM POINT: EL. 56.01				
DATUM POINT DESIGNATED AS EXISTING FINISH FLOOR.				
SURVEYOR OR ENGINEER: _____				
STAKING PLAN TABLE				
POLE #	DESCRIPTION	HUB ELEVATION	POLE ELEVATION	ELEVATION
15	T.O. EAVE			72.05
15-B	EAVE (BOTTOM)			71.55
28	T.O. RIDGE			72.40
38	T.O. RIDGE			73.02
48	T.O. RIDGE			73.28
58	T.O. RIDGE			73.28
68	T.O. RIDGE			74.29
78	T.O. RIDGE			74.29
88	T.O. RIDGE			73.65
98	T.O. RIDGE			74.29
108	T.O. EAVE			72.77
108-2	T.O. EAVE			72.77
118	T.O. EAVE			72.77
128	T.O. EAVE			72.77
138	T.O. EAVE			72.77
148	T.O. RIDGE			76.03
158	T.O. RIDGE			72.40
168	T.O. EAVE			72.05
168-B	EAVE (BOTTOM)			71.05
178	T.O. PARAPET			72.88
18G	T.O. PARAPET			64.89
19G	T.O. PARAPET			64.89
20G	T.O. GUARDRAIL			66.38
21G	T.O. GUARDRAIL			66.38

I HEREBY CERTIFY THAT THE STORY POLES LOCATED ON THE SITE PLAN ABOVE WERE CONSTRUCTED UNDER MY SUPERVISION AND SURVEY, AND THE STORY POLES ARE IN CONFORMANCE WITH THE DESIGN, HEIGHT, AND LOCATION AS SHOWN ON THE APPROVED STAKING PLAN. I FURTHER CERTIFY THAT THE ATTACHED TABLE IDENTIFYING 1) THE STORY POLE NUMBER, 2) ELEVATIONS OF THE OFFSET HUBS IS TRUE AND CORRECT. I ACKNOWLEDGE AND UNDERSTAND THAT THE REQUIRED PROJECT STAKING IS THE PURPOSE OF INFORMING THE OWNER, ARCHITECT, DESIGNER, CITY STAFF, DESIGN REVIEW AUTHORITY AND THE PUBLIC AS THE ACCURATE LOCATION AND EXTERIOR DIMENSIONS OF THE PROPOSED STRUCTURE OF ADDITION.

Signature of Registered Land Surveyor or Civil Engineer

Name (printed or typed)

Licence No. / Expiration Date

Date

Stamp & sign below



IF STANDARD SURVEY HUBS ARE NOT FEASIBLE BECAUSE OF THE EXISTENCE OF ROCKS OR EXISTING STRUCTURAL IMPROVEMENTS, THEN THE SURVEYOR OR ENGINEER MAY USE AN ALTERNATIVE METHOD OF ESTABLISHING HORIZONTAL AND VERTICAL CONTROL FOR STORY POLES THAT CAN BE OBSERVED IN THE FIELD. THE SURVEYOR OR ENGINEER SHALL DESCRIBE THE CONTROL METHOD USED DIRECTLY ON THE FULL SIZE ROOF PLAN. SUCH ALTERNATIVE METHODS MAY INCLUDE PAINTED MARKINGS OR NAIL WITH INFORMATION TAGS ATTACHED.

NOTE: STORY POLES SHALL BE STRUNG AND CONNECTED WITH RIBBON OR STRING TO DEPICT BUILDING OUTLINE.



lohnbach

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LAGUNA BEACH, CA 92651
TEL: 949-497-1000 FAX: 949-773-0020

Seal / Signature

Mike and Lori Gray Residence
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Laguna Beach, California 92651

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Job No.:		
Planning Submittal: ZONING		
DRB HEARING SUBMITTAL DATE: 06.11.20		

Sheet Title:
STAKING PLAN

Sheet No.:
A-1.1

lohrbach

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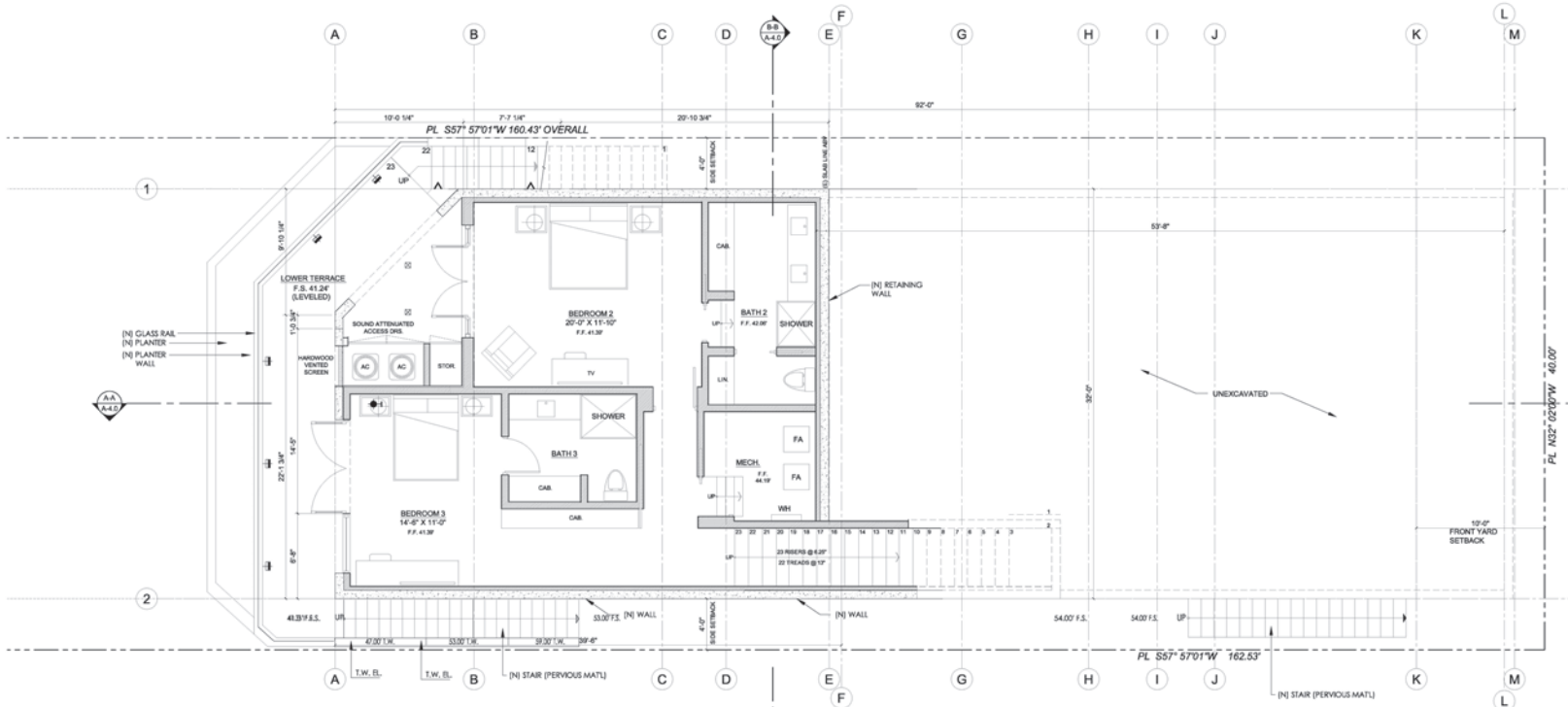
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1007 Gaviota Drive
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DRS HEARING SUBMITTAL DATE:	06.11.20

Sheet Title:	LOWER LEVEL FLOOR PLAN
Sheet No.:	A-2.0



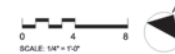
LOWER LEVEL FLOOR PLAN

FLOOR PLAN GENERAL NOTES :

1. REFER TO STRUCTURAL DRAWINGS FOR ALL FRAMING, BEARING AND SHEAR WALLS.
2. PENETRATIONS THROUGH THE WALL OR CEILINGS SEPARATING THE DWELLING UNIT FROM THE GARAGE SHALL BE PROTECTED (SUCH AS THOSE FOR VENTS, PIPE, DUCTS, CABLES AND WIRES) WITH APPROVED MATERIAL TO REST THE FREE PASSAGE OF FLAME AND PRODUCTS OF COMBUSTION. (C.R.C. 8302.2). DUCTS THROUGH GARAGE INTO DWELLING SHALL BE MINIMUM 26-GAUGE GALVANIZED STEEL.
3. THE CONTROL VALVES IN BATHROOMS, WHIRLPOOL BATHROOMS, SHOWERS AND TUB SHOWERS COMBINATIONS MUST BE PRESSURE-BALANCED OR THERMOSTATIC MIXING VALVES. C.P.C. SECTION 414.5 AND 418.0.
4. ALL PLUMB FIXTURES SHALL BE COMPLY WITH THE MAXIMUM FLOW RATES AS NOTED IN THE RESIDENTIAL CONSTRUCTION MINIMUM REQUIREMENTS. SEE SHEET C-11 GENERAL NOTES.

FLOOR PLAN KEYNOTES :

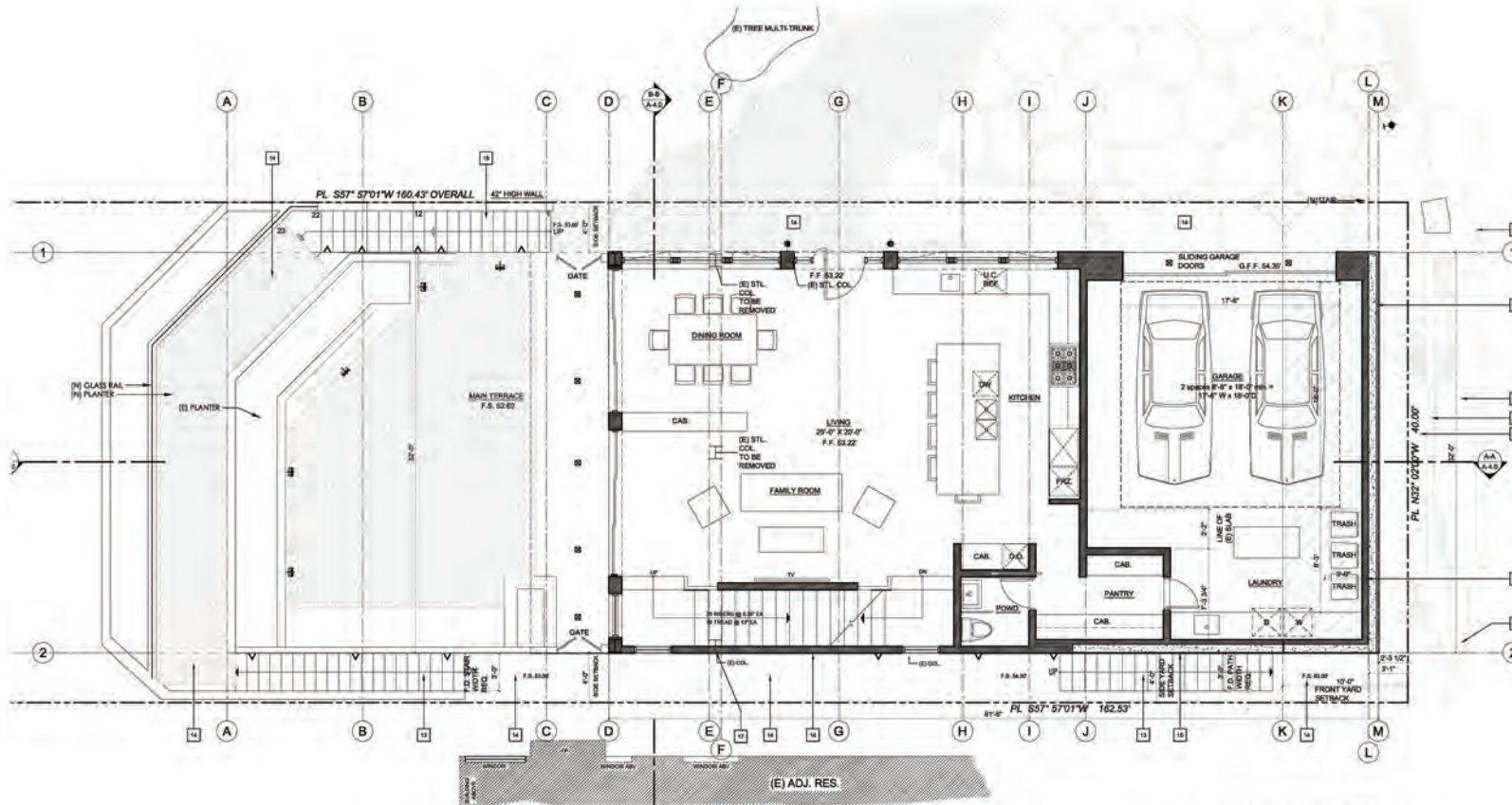
1. 2x4 WOOD FRAMING AT 16" O.C. PER C.R.C. W/ INTERIOR WALL, 8" EXTERIOR PLASTER OVER METAL LATH OVER 2 LAYER GABE 5 BLENDED PAPER PTOT 3/8" PLATE AT CONCRETE SLAB; INSULATION THROUGHOUT ALL INTERIOR WALLS AND FLOOR.
2. 2x4 WOOD FRAMING AT 16" O.C. PER C.R.C. W/ PROVIDE 5/8" TYPE "X" GYPSUM BOARD AT ALL GARAGE WALL, CEILING AND UNDER STAIRS, TAPE AND SAND.
3. WATER CLOSET WITH 30" CLEAR MIN. SPACE IN WIDTH AND 24" SPACE IN FRONT FOR C.P.C. 402.1; WATER CLOSETS AND ASSOCIATED FLUSHOVER VALVES, IF ANY, SHALL USE NO MORE THAN 1.28 GALLONS PER FLUSH AND SHALL MEET PERFORMANCE STANDARDS ESTABLISHED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE AND C.P.C. SECTION 435.5.
4. TEMPERED GLASS SHOWER ENCLOSURE AND DOOR TO 6'-0" ABOVE THE DRAIN, DOOR SHALL SWING OUT, PROVIDE 20" MINIMUM WIDE DOOR, NET AREA OF SHOWER ENCLOSURE SHALL NOT BE LESS THAN 1,024 SQ. INCH (7' 11" x 11' 0") OF FLOOR AREA AND A MINIMUM OF 30 INCHES DIAMETER CIRCLE.
5. TUB/SHOWER OR SHOWER SUBROOF WITH TILE WALLS TADSET WITH CEMENT PLASTER BACKING OVER WATERPROOF (NIP) MEMBRANE TO 1'-0" ABOVE THE DRAIN FOR BLEEDING OF NORTH AMERICA, INSTALL NIP PER C.C. 55A-108, SHOWERHEAD AT 8'-0" A.F.F., DOOR SHALL SWING OUT.
6. LAVATORY WITH COUNTERTOP.
7. APPLIANCES BY OWNER, VERIFY DIMENSIONS WITH MANUFACTURER AND INTERIOR DESIGNER.
8. ISLAND WITH COUNTERTOP.
9. BASE CABINETS WITH COUNTERTOP.
10. STAR HANDRAIL MOUNTED 34"00" ABOVE NOSE OF BEADE, R311.7.2.1 - HANDRAIL WITH CIRCULAR CROSS-SECTIONS SHALL HAVE A DIAMETER OF 1.25 TO 2 INCHES R311.7.2.3 REM 1 - HANDRAILS WITH OTHER THAN CIRCULAR CROSS-SECTIONS SHALL HAVE A MINIMUM DIMENSION OF 4 X 4 INCHES WITH A MAXIMUM CROSS-SECTION OF 2.35 INCHES, R311.7.2.3 REM 1 - HANDRAILS SHALL BE CONTINUOUS WITHOUT INTERRUPTION BY KNEEL POST OR OTHER OBSTRUCTION, EXCEPT AT THE LANDING, VOLUME OF TURN-OUT ON LOWEST FLOOR, R311.7.2.2 EXCEPTION 1 & 2, CLEAR SPACE BETWEEN HANDRAIL AND WALL SHALL BE 1.5 INCHES MAXIMUM, R311.7.2.2.
11. (N) CONDENSER TO HAVE A SOUND ATTENUATED CONCRETE BLOCK ENCLOSURE TO MEET LAGUNA BEACH EXTERIOR NOISE REQUIREMENTS FOR A RESIDENCE, (7.23.04) EXTERIOR NOISE STANDARDS.
12. MINIMUM 3 FT. WIDE STAIRS OF A NON-CUMULATIVE CONSTRUCTION AND IN COMPLIANCE WITH CBC CHAPTER 10 REQUIREMENTS AND TO BE OF PERVIOUS MATL.
13. MINIMUM 3 FT. WIDE ALL WEATHER PATH FOR TO ACCESS AREAS SHALL NOT HAVE A SLOPE EXCEEDING 10%, AND TO BE OF PERVIOUS MATL.
14. (E) CONCRETE RETAINING WALL TO REMAIN.
15. (N) 2 X 4 STUD WALL.
16. (E) STEEL COLUMN TO REMAIN.
17. (N) STEEL COLUMN.
18. (N) CONCRETE RETAINING WALL.
19. (E) BRICK WALL TO REMAIN.
20. (E) STEPS TO BE REPAIRED.
21. (N) LOW SLOPE ROOF.
22. (E) WALL TO BE REPAIRED.
23. (E) WALKWAY TO BE REPAIRED.
24. (N) LOW SLOPE ROOF BELOW.



lohrbach

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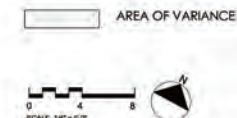
MAIN LEVEL FLOOR PLAN

FLOOR PLAN GENERAL NOTES :

1. REFER TO STRUCTURAL DRAWINGS FOR ALL FRAMING, BEARING AND SHEAR WALLS.
2. PENETRATIONS THROUGH THE WALL OR CEILING SEPARATING THE DWELLING UNIT FROM THE GARAGE SHALL BE PROTECTED (SUCH AS PIPES FOR VENTS, PIPE DUCTS, CABLES AND WIRES WITH AN APPROVED MATERIAL TO REST THE FREE PASSAGE OF FLAME AND PRODUCTS OF COMBUSTION, CPC 503.5.1). DUCTS THROUGH GARAGE INTO DWELLING SHALL BE MINIMUM 26 GAUGE GALVANIZED STEEL.
3. THE CONTROL VALVES IN BATHROOMS, WHIRLPOOL BATHROOMS, SHOWERS AND TUB SHOWERS COMBINATIONS MUST BE PRESSURE-BALANCED OR THERMOSTATIC MIXING VALVES, CPC SECTION 414.5 AND 418.6.
4. ALL PLUMB FIXTURES SHALL BE COMPLY WITH THE MAXIMUM FLOW RATES AS NOTED IN THE RESIDENTIAL CONSTRUCTION MINIMUM REQUIREMENTS. SEE SHEET GN-1 GENERAL NOTES.

FLOOR PLAN KEYNOTES :

1. 2x4 WOOD FRAMING AT 16" O.C. PER C.C.W. INTERIOR WALL. 5/8" GYPSUM BOARD EXTERIOR WALL. 7/8" EXTERIOR PLASTER OVER METAL LATH OVER 1/2" LAYERS GRADE D BUILDING PAPER FOR TELL PLATE AT CONCRETE SLAB INSULATION PER 1-54 SHEET INSULATION THROUGHOUT ALL INTERIOR WALLS AND FLOORS.
2. 2x4 WOOD FRAMING AT 16" O.C. PER C.C.W.
3. PROVIDE 5/8" TYPE "X" GYPSUM BOARD AT ALL GARAGE WALL, CEILING AND INTERIOR STAIRS, JAMBS AND LAND.
4. WATER CLOSET WITH 30" CLEAR AIR SPACE IN WIDTH AND 34" SPACE IN FRONT PER CPC 403.4. WATER CLOSET AND ASSOCIATED FLUSHCISTER VALVES, IF ANY, SHALL BE MORE THAN 1.25 GALLONS PER FLUSH AND SHALL MEET PERFORMANCE STANDARDS ESTABLISHED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE AND CPC SECTION 403.5.
5. TEMPERED GLASS SHOWER ENCLOSURE AND DOOR TO 6'0" ABOVE THE DRINK. DOOR SHALL SWING OUT. PROVIDE 27" MINIMUM HEAD ROOM. NO AREA OF SHOWER ENCLOSURE SHALL BE LESS THAN 1.05M SQ. FOOT (11.32 SQ. FT) OF FLOOR AREA AND MINIMUM OF 30 INCHES DIAMETER CIRCLE.
6. TUB/SHOWER OR SHOWER SURROUND WITH TILE WALLS "LAPPED" WITH CHAIR PLASTER BACKING OVER WATERPROOF WITH MEMBRANE TO 1'0" ABOVE THE DRAIN PER TIL COUNCIL OF NORTH AMERICA. INSTALL W/P PER CCC 508-105B. SHOWER HEAD AT 4'-0" A.F.F. DOOR SHALL SWING OUT.
7. LAVATORY WITH COUNTERTOP.
8. APPLIANCES BY OWNER. VERY DIMENSIONS WITH MANUFACTURER AND INTERIOR DESIGNER.
9. ISLAND WITH COUNTERTOP.
10. BASE CABINETS WITH COUNTERTOP.
11. STAIR HANDRAIL MOUNTED 34"0" ABOVE FINISH OF TREADS. E301.7.7.1 HANDRAIL WITH CIRCULAR CROSS-SECTION SHALL HAVE A DIAMETER OF 1.25 TO 2 INCHES E301.7.7.2 REM 1 HANDRAILS WITH OTHER THAN CIRCULAR CROSS-SECTION SHALL HAVE A MINIMUM DIAMETER OF 4 INCHES WITH A MINIMUM CROSS-SECTION OF 2.38 INCHES. E301.7.7.3 REM 1 HANDRAILS SHALL BE CONTINUOUS WITHOUT INTERRUPTION BY NAIL, POST OR OTHER OBSTRUCTION. EXCEPT AT THE LANDING, VOLUME OF TURN-OUT OR LOSTED TRAIL. E301.7.7.2 EXCEPT 1 & 5. CLEAR SPACE BETWEEN HANDRAIL AND WALL SHALL BE 1.8 INCHES MINIMUM. E301.7.7.2.
12. NO CHIMNEY TO HAVE A 3.00M2 ATTENUATED CONCRETE BLOCK ENCLOSURE TO MEET LAGUNA BEACH EXTERIOR NOISE REQUIREMENTS FOR A RESIDENCE (7.25 (40) EXTERIOR NOISE STANDARDS).
13. MINIMUM 3 FT. WIDE STAIRS OF A NON CLIMBABLE CONSTRUCTION AND IN COMPLIANCE WITH CBC CHAPTER 10 REQUIREMENTS AND TO BE OF PERVIOUS MATL.
14. MINIMUM 3 FT. WIDE ALL WEATHER PATH FOR PD ACCESS AREAS SHALL NOT HAVE A SLOPE EXCEEDING 10% AND TO BE OF PERVIOUS MATL.
15. (E) CONCRETE RETAINING WALL TO REMAIN.
16. (N) 2 X 4 STUD WALL.
17. (E) STEEL COLUMN TO REMAIN.
18. (N) STEEL COLUMN.
19. (N) CONCRETE RETAINING WALL.
20. (E) BRICK WALL TO REMAIN.
21. (E) STEPS TO BE REPAIRED.
22. (E) SLOW SLOPE ROOF.
23. (E) WALL TO BE REPAIRED.
24. (E) WALKWAY TO BE REPAIRED.
25. (N) LOW SLOPE ROOF BELOW.



Revisions:		
No.	Date	Revision
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Date: 05/22/20
Job No.:
Planning Submittal: ZONING

DBS HEARING SUBMITAL DATE: 06.11.20

Sheet Title: MAIN LEVEL FLOOR PLAN
Sheet No.: A-2.1

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Seal / Signature:

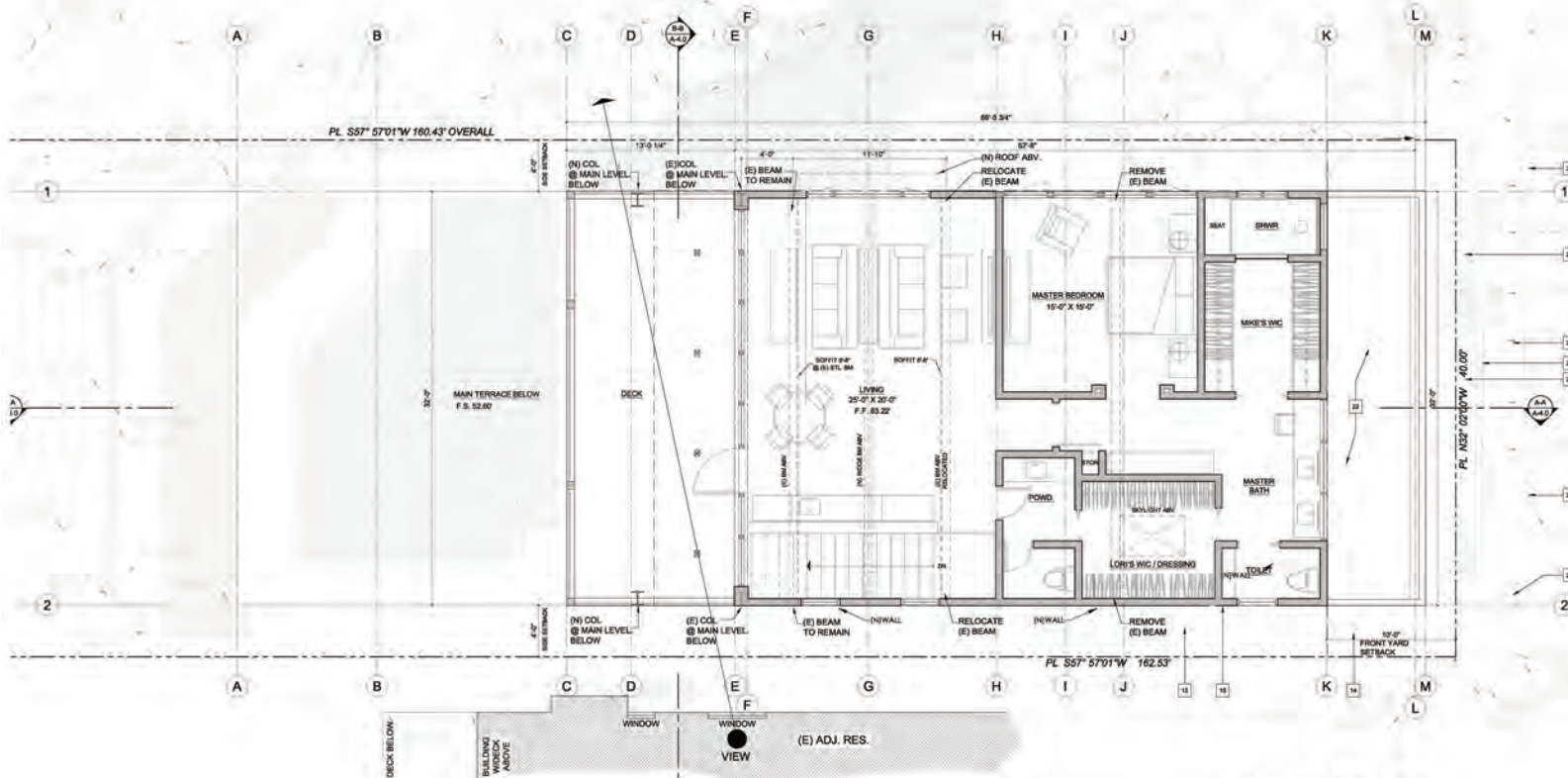
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Revisions:		
No.	Date	Revision

Date: 05/22/20
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Sheet Title:
UPPER LEVEL FLOOR PLAN

Sheet No.:
A-2.2



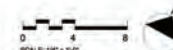
UPPER LEVEL FLOOR PLAN

FLOOR PLAN GENERAL NOTES :

1. REFER TO STRUCTURAL DRAWINGS FOR ALL FRAMING, BEAMING AND SHEAR WALLS.
2. PENETRATIONS THROUGH THE WALL OR CEILING SEPARATING THE DWELLING UNIT FROM THE GARAGE SHALL BE PROTECTED (SUCH AS HOSE FOR VENT, PIPES, DUCTS, CABLES AND WIRES) WITH AN APPROVED MATERIAL TO ESSENTIALLY PREVENT THE PASSAGE OF FLAME AND PRODUCTS OF COMBUSTION. TOPIC 1003.01, DUCTS THROUGH GARAGE INTO DWELLING SHALL BE MINIMUM 24-GAUGE GALVANIZED STEEL.
3. THE CONTROL VALVES IN BATHROOMS, WHIRLPOOL BATH-TUBS, SHOWERED AND TUB-SHOWER COMBINATIONS MUST BE PRESSURE-BALANCED OR THERMOSTATIC MIXING VALVES. CPC SECTION 414.5 AND 416.0.
4. ALL PLUMBING FIXTURES SHALL BE COMPLY WITH THE MAXIMUM FLOW RATES AS NOTED IN THE RESIDENTIAL CONSTRUCTION MINIMUM REQUIREMENTS. SEE SHEET C-017 GENERAL NOTES.

FLOOR PLAN KEYNOTES :

1. 2x4 WOOD FRAMING AT 16" O.C. PER C.C. W/ INTERIOR WALL, 5/8" OPTIMUM BOARD EXTERIOR WALL, 1/2" EXTERIOR PLASTER OVER METAL LATH OVER 2 LAYERS GABRIEL BUILDING PAPER FOR ALL PLUMBING AT CONCRETE SLAB INSULATION NOT 3/4" SHEET INSULATION THROUGHOUT ALL INTERIOR WALLS AND FLOORS.
2. 2x4 WOOD FRAMING AT 16" O.C. PER C.C. W/ INTERIOR WALL, 5/8" OPTIMUM BOARD EXTERIOR WALL, 1/2" EXTERIOR PLASTER OVER METAL LATH OVER 2 LAYERS GABRIEL BUILDING PAPER FOR ALL PLUMBING AT CONCRETE SLAB INSULATION NOT 3/4" SHEET INSULATION THROUGHOUT ALL INTERIOR WALLS AND FLOORS.
3. PROVIDE 1/2" TYPE "X" GYPSUM BOARD AT ALL GARAGE WALLS, CEILING AND UNDER STAIRS, TAPES AND SAND.
4. WATER CLOSET WITH 30" CLEAR AIR SPACE IN HEAD AND 30" SPACE IN FRONT PER CPC 401.2. WATER CLOSET AND ASSOCIATED ROUNDOFFER VALVES, IF ANY, SHALL BE NO MORE THAN 1/2" GALVANIZED PIPE FLUSH AND SHALL MEET PERFORMANCE STANDARDS ESTABLISHED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE AND CPC SECTION 402.0.
5. IMPERVED GLASS SHOWER ENCLOSURE AND DOOR TO 6'-0" ABOVE THE CEILING. DOOR SHALL BEING OUT, PROVIDE 2" MINIMUM WIDE DOOR. NET AREA OF SHOWER ENCLOSURE SHALL NOT BE LESS THAN 1.04 SQ. INCH (7.1 SQ. FT.) OF FLOOR AREA AND A MINIMUM OF 36 INCHES DIAMETER CIRCLE.
6. TUB/SHOWER OR SHOWER SURROUND WITH 1/2" WALLS "NEEDED" WITH GABRIEL PLASTER BACKING OVER WATERPROOF (TWP) MEMBRANE TO 1/2" ABOVE THE DECK FOR THE COUNCIL OF NORTH AMERICA. INSTALL W/P PER CPC 108-1008. SHOWER HEAD AT 18" A.F.A., DOOR SHALL BEING OUT.
7. LAVATORY WITH COUNTERTOP.
8. APPLIANCES BY OWNER. VERIFY DIMENSIONS WITH MANUFACTURER AND INTERIOR DESIGNER.
9. BLAND WITH COUNTERTOP.
10. BASE CABINETS WITH COUNTERTOP.
11. STAR HANDRAIL MOUNTED 34"38" ABOVE FINISH OF FLOOR. RSI 1.2.2.1. HANDRAIL WITH CIRCULAR CROSS SECTIONS SHALL HAVE A DIAMETER OF 1.35 TO 2.35 INCHES. RSI 1.2.2.3. HANDRAIL WITH OTHER THAN CIRCULAR CROSS SECTIONS SHALL HAVE A PERIMETER DIMENSION OF 4 TO 5.5 INCHES WITH A MINIMUM CROSS SECTION OF 2.35 INCHES. RSI 1.2.2.3. HANDRAILS SHALL BE CONTINUOUS WITHOUT INTERRUPTION BY HANDRESTS OR OTHER OBSTRUCTION EXCEPT AT THE LANDING, VOLUTE OR TURNOUT ON LOWEST FLOOR. RSI 1.2.2.3. EXCEPT FOR 1.3.5. CLEAR SPACE BETWEEN HANDRAIL AND WALL SHALL BE 1.5 INCHES MAXIMUM. RSI 1.2.2.2.
12. (N) CONCRETE TO HAVE A SOUND ATTENUATED CONCRETE BLOCK ENCLOSURE TO MEET LAGUNA BEACH EXTERIOR HOSE REQUIREMENTS FOR A RESIDENCE. (7/25/04) EXTERIOR HOSE STANDARDS.
13. MINIMUM 3 FT. WIDE STAIRS OF A NON-COMBUSTIBLE CONSTRUCTION AND IN COMPLIANCE WITH CPC CHAPTER 10 REQUIREMENTS AND TO BE OF PERVIOUS MAT'L.
14. MINIMUM 3 FT. WIDE ALL WEATHER PATH FOR TO ACCESS AREAS SHALL NOT HAVE A SLOPE EXCEEDING 10%, AND TO BE OF PERVIOUS MAT'L.
15. (E) CONCRETE RETAINING WALL TO REMAIN.
16. (N) 2 X 6 STUD WALL.
17. (E) STEEL COLUMN TO REMAIN.
18. (N) STEEL COLUMN.
19. (N) CONCRETE RETAINING WALL.
20. (E) BRICK WALL TO REMAIN.
21. (E) STEPS TO BE REPAIRED.
22. (N) LOW SLOPE ROOF.
23. (E) WALL TO BE REPAIRED.
24. (E) WALKWAY TO BE REPAIRED.
25. (N) LOW SLOPE ROOF BELOW.

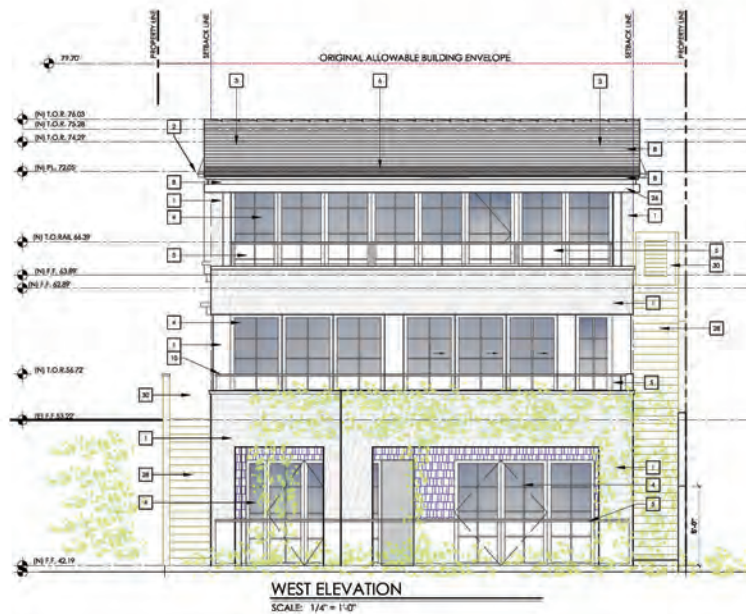
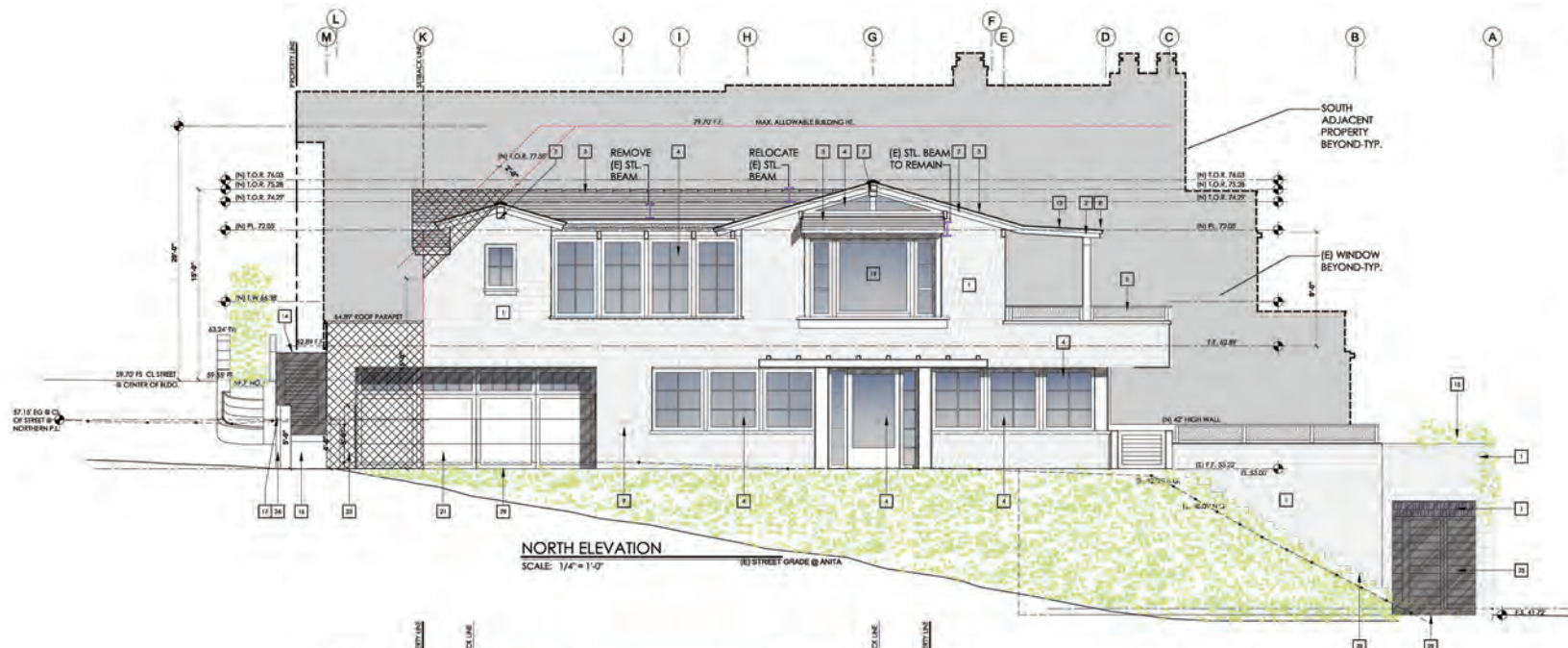


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ELEVATION KEYNOTES :

- 1 EXTERIOR FINISH: WOOD SHINGLES OF 2 LAYERS OF GRADE(S) PAPER OVER SHEATHING, INCLUDING SHAR WALL.
- 2 WOOD FASCIA.
- 3 COMPOSITION ROOF MATERIAL, CLASS 'A' ROOFING MATERIAL.
- 4 NEW HARDWOOD FRAMED WINDOW OR DOOR.
- 5 GLASS GUARDRAIL AT 42" ABOVE FINISH FLOOR. EJECTS. OPENINGS SHALL INCLUDE THE PASSAGE OF A 4 INCH DIAMETER SPHERE. EJECTS.
- 6 SKYLIGHT.
- 7 HARDWOOD BEAMS.
- 8 METAL GUTTER.
- 9 MAIL BOX.
- 10 HARDWOOD GUARDRAIL CAPS.
- 11 ELECTRICAL METER.
- 12 GAS METER.
- 13 LOW PITCHED ROOF CANOPY OVER DECK.
- 14 NEW HARDWOOD GAIL.
- 15 EXISTING PLASTER.
- 16 NOT USED.
- 17 BUILDING ADDRESS PER CITY STANDARDS, MINIMUM 4" HIGH NUMBERS WITH MINIMUM 1/2" INCH SPACING. THE ADDRESS SHALL BE VISIBLE AND USABLE FROM THE STREET OR FRONTAGE ROAD AND OF CONTRASTING COLOR TO THEIR BACKGROUND. OIL RUBBED BRONZE AUTOMATICALLY GUARANTEED. CBC CIVIL, LOMC, 9.16.02.02, TABLE 9.17.
- 18 CHIMNEY FOR DIRECT VENT GAS FIREPLACE. VENT WITH STAINLESS STEEL, CLASS 'A' BLUE VERTICALLY. CHIMNEY SHALL EXTEND AT LEAST 5 FT. HIGHER THAN ANY PORTION OF THE BUILDING WITHIN 10 FT., BUT SHALL NOT BE LESS THAN 5 FT. ABOVE THE HIGHEST POINT WHERE THE CHIMNEY PASSES THROUGH THE ROOF. EJECTS.
- 19 WINDOW HARDWOOD TRIM.
- 20 BRICK WALL AND PLASTER TO BE REPAIRED.
- 21 CUSTOM SECTIONAL OVERHEAD GARAGE DOOR.
- 22 NEW TERRACE WALL.
- 23 IN DRIVEWAY ENTRANCE PLASTER - MAX. 10' OF 4" FT. ABOVE NATURAL GRADE.
- 24 NOT USED.
- 25 IN CONDENSER TO HAVE A SOUND ATTENUATED CONCRETE BLOCK ENCLOSURE TO MEET LAGUNA BEACH EXTERIOR NOISE REQUIREMENTS FOR A RESIDENCE. (7.25.06 EXTERIOR NOISE STANDARDS).
- 26 IN WOOD BEAM.
- 27 IN WOOD COLUMN.
- 28 MINIMUM 3 FT. WIDE STAIRS OF A NON-COMBUSTIBLE CONSTRUCTION AND IN COMPLIANCE WITH CBC CHAPTER 10 REQUIREMENTS.
- 29 MINIMUM 3 FT. WIDE ALL WEATHER PATH FOR PD ACCESS AREAS SHALL NOT HAVE A SLOPE EXCEEDING 10%.
- 30 HARDWOOD SIDE YARD GATE.
- 31 WROUGHT IRON FENCE REPLACED WITH HARDWOOD FENCE.
- 32 IN GRADE LINE.
- 33 IN ROOF PARAPET AREA OF VARIANCE.

0 4 8
SCALE: 1/4" = 1'-0"

Revisions:		
No.	Date	Revision
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Date: 05/22/20
Job No.:
Planning Submittal: ZONING
DRS HEARING SUBMITTAL DATE: 06.11.20

Sheet Title:
EXTERIOR ELEVATIONS

Sheet No.:
A-3.0

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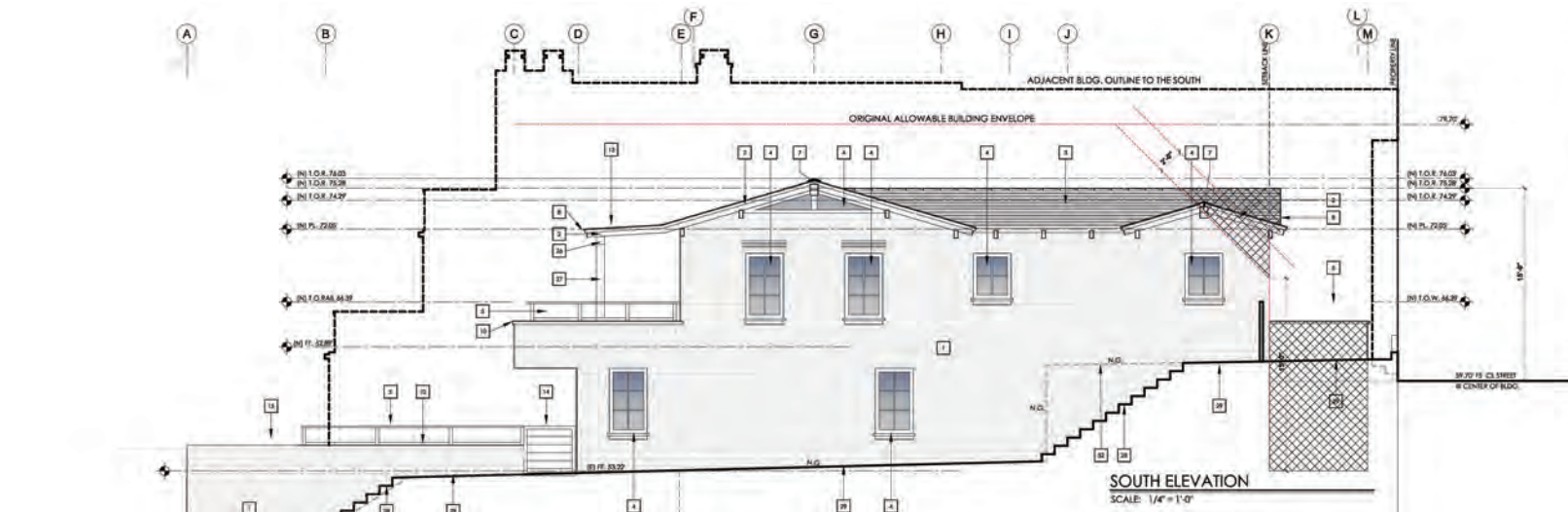
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Date: 05/22/20
Job No.:
Planning:
Submitted: ZONING

DRS HEARING SUBMITTAL DATE:
06.11.20

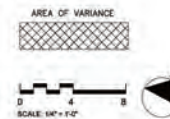
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EXTERIOR
ELEVATIONS

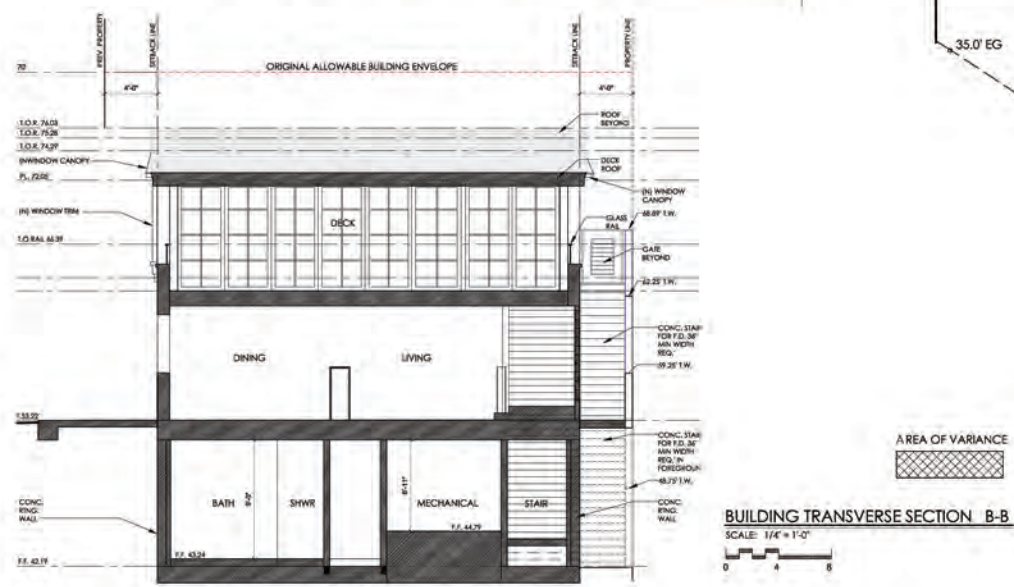
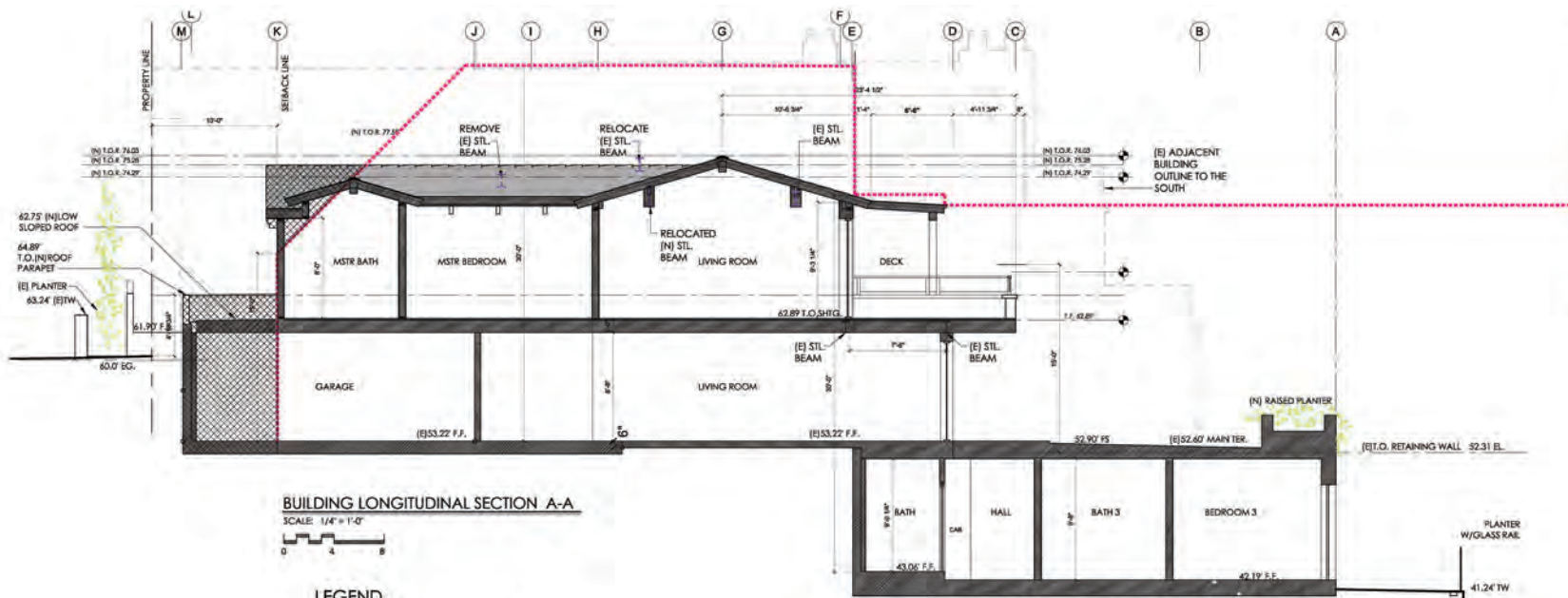
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A-3.1



ELEVATION KEYNOTES:

- 1 EXTERIOR FINISH: WOOD SHINGLES, GUTTERS LAYERS OF GRADE D PAPER OVER DRAINAGE, INCLUDING BEAM WALLS
- 2 WOOD FASCIA
- 3 COMPOSITION ROOF MATERIAL, CLASS 'A' ROOFING MATERIAL
- 4 NEW HARDWOOD FRAMED WINDOW OR DOOR
- 5 GLASS GUARDRAIL AT 42" ABOVE FINISH FLOOR, 8322.3. OPENINGS SHALL PRECLUDE THE PASSAGE OF A 4 INCH DIAMETER SPHERE, 8323.3
- 6 STYLIGHT
- 7 HARDWOOD BEAMS
- 8 METAL CURTAIN
- 9 MAIL BOX
- 10 HARDWOOD GUARDRAIL CAPS
- 11 ELECTRICAL METER
- 12 GAS METER
- 13 LOW PITCHED ROOF: CANOPY OVERBICK
- 14 NEW HARDWOOD CASE
- 15 EXTERIOR PLASTER
- 16 NOT USED
- 17 BUILDING ADDRESS PER CITY STANDARDS, MINIMUM 4" HIGH NUMBERS WITH MINIMUM 1/2" HOLE DRILL. THE ADDRESS SHALL BE VISIBLE AND USABLE FROM THE STREET OR FRONTAGE ROAD AND OF CONTRASTING COLOR TO THEIR BACKGROUND. OR NUMBERS BEING AUTOMATICALLY ILLUMINATED, CFC 8318, LGMC, 6.14.03.03, TABLE 9.10.
- 18 CHIMNEY FOR DIRECT VENT GAS FIREPLACE, VENT WITH STAINLESS STEEL, CLASS 'A' PLUS VENTILATION. CHIMNEY SHALL EXTEND AT LEAST 2 FT. HIGHER THAN ANY PORTION OF THE BUILDING WITHIN 10 FT., BUT SHALL NOT BE LESS THAN 3 FT. ABOVE THE HIGHEST POINT WHERE THE CHIMNEY PASSES THROUGH THE ROOF, 8303.9
- 19 WINDOW HARDWOOD TRIM
- 20 REBRICK WALL AND PLASTER TO BE REPAIRED
- 21 CUSTOM SECTIONAL OVERHEAD GARAGE DOOR
- 22 NEW TERRACE WALL
- 23 NO DRIVEWAY ENTRANCE PLASTER - MAX. 10' OF 4" FT. ABOVE NATURAL GRADE, NOT USED
- 24 (N) CONDENSER TO HAVE A SOUND ATTENUATED CONCRETE BLOCK ENCLOSURE TO MEET LAGUNA BEACH EXTERIOR NOISE REQUIREMENTS FOR A RESIDENCE, 27.25.04.05 EXTERIOR NOISE (24-HOUR)
- 25 (N) WOOD BEAM
- 26 (N) WOOD COLUMN
- 27 MINIMUM 3 FT. WIDE STAIRS OF A NON-COMBUSTIBLE CONSTRUCTION AND IN COMPLIANCE WITH CBC CHAPTER 10 REQUIREMENTS
- 28 MINIMUM 3 FT. WIDE ALL WEATHER PATH FOR TO ACCESS AREAS SHALL NOT HAVE A SLOPE EXCEEDING 10%
- 29 HARDWOOD SIDE YARD GATE
- 30 (E) WROUGHT IRON FENCE REPLACED WITH HARDWOOD FENCE
- 31 (E) GRADE LINE
- 32 (N) ROOF PARAPET





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Revisions:

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Date: 05/22/20
Job No.:
Planning Submittal: ZONING
DRS HEARING SUBMITAL DATE: 06.11.20

Sheet Title:
BUILDING SECTIONS
Sheet No.:
A-4.0

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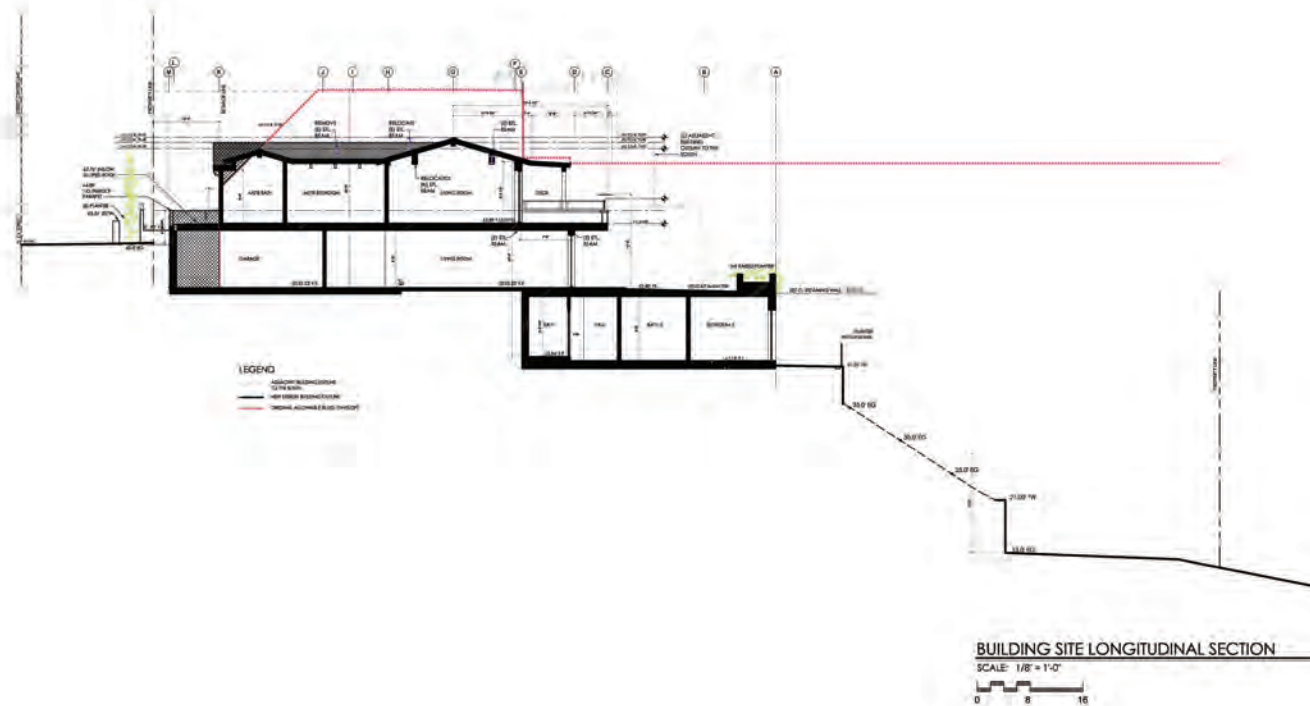
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Date: 05/22/20		
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DRS HEARING SUBMITAL DATE: 06.11.20		

Sheet Title:	BUILDING SITE SECTION
Sheet No.:	A-4.1





AREA LEGEND

	LIVABLE AREA
	GARAGE/MECH. /STOR. AREA
	DECK/TERRACES

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AREA CALCULATIONS

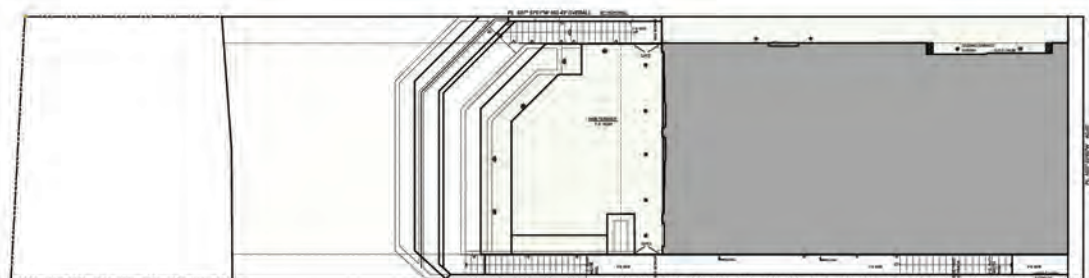
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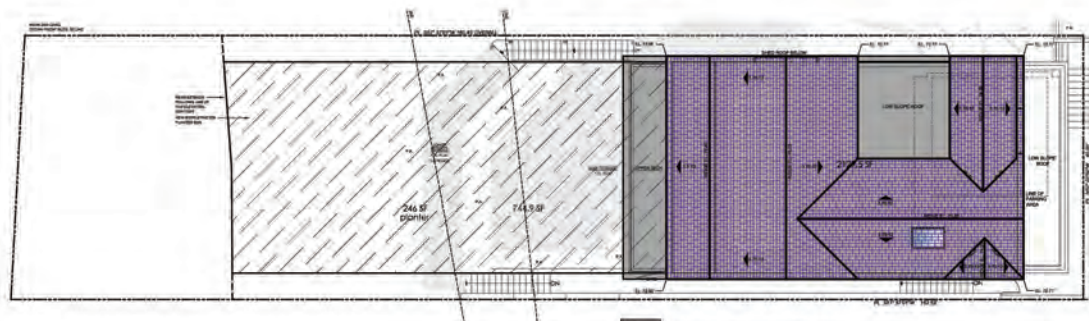
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Laguna Beach, California 92651



IMPERVIOUS SURFACES - PROPOSED
SCALE: 1/8" = 1'-0"

LOT AREA	5181 SF
IMPERVIOUS STRUCTURE	1925 SF (37.2%)
IMPERVIOUS HARDSCAPE	1260 SF (24.3%)
TOTAL IMPERVIOUS	3185 SF (61.5%)
PERVIOUS LANDSCAPE	1992 SF (38.5%)
AREA UNDER 3' SIDE	94 SF (1.8%)

AREA LEGEND	
	PERVIOUS LANDSCAPE
	IMPERVIOUS LANDSCAPE
	IMPERVIOUS STRUCTURE
	AREA UNDER 3' WIDE



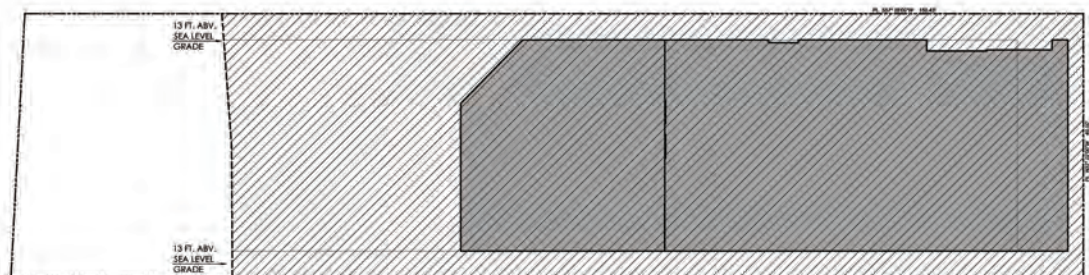
OPEN SPACE - PROPOSED
SCALE: 1/8" = 1'-0"

40% OF GROSS FLOOR AREA = 1433 SF
OPEN SPACE

AREA LEGEND	
	OPEN SPACE AREA
	STRUCTURE

Revisions:		
No.	Date	Revision
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2		
3		

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DRS HEARING SUBMITTAL DATE: 06.11.20



LOT COVERAGE - PROPOSED
SCALE: 1/8" = 1'-0"

LOT AREA	5181 SF
BLDG. AREA	2858 SF
LOT COVERAGE	2858/5181 = 55.2%

AREA LEGEND	
	LOT AREA
	BASED ON MUNICIPAL CODE 25.50.004 (2)
	LIVABLE AREA

Sheet Title:
LOT COVERAGE &
OPEN SPACE
CALCULATIONS

Sheet No.:
AC-1.1

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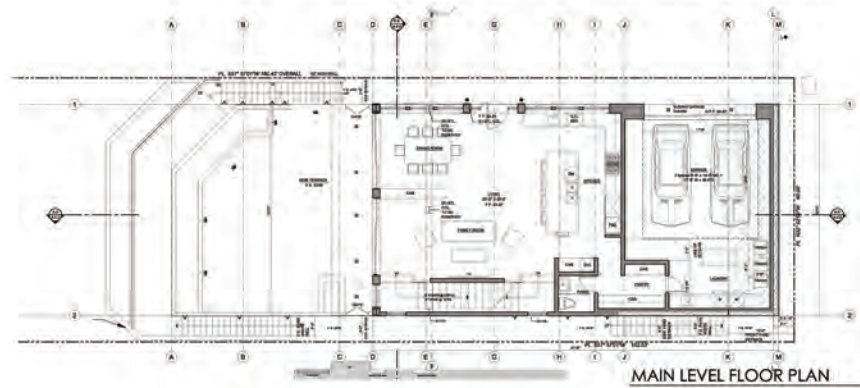
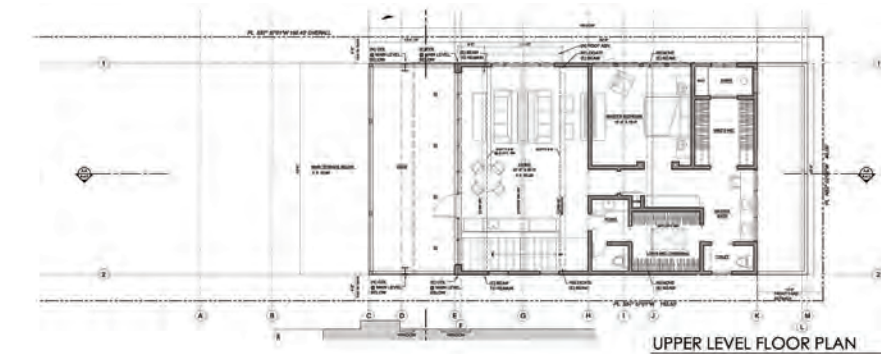
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Laguna Beach California 92651

No.	Date	Revision





Date: 05/22/20
 Job No.:
 Planning Submittal: ZONING
 DRB HEARING SUBMITTAL DATE:
 06.11.20

Sheet Title:
**BUILDING EXTERIOR
LIGHTING**

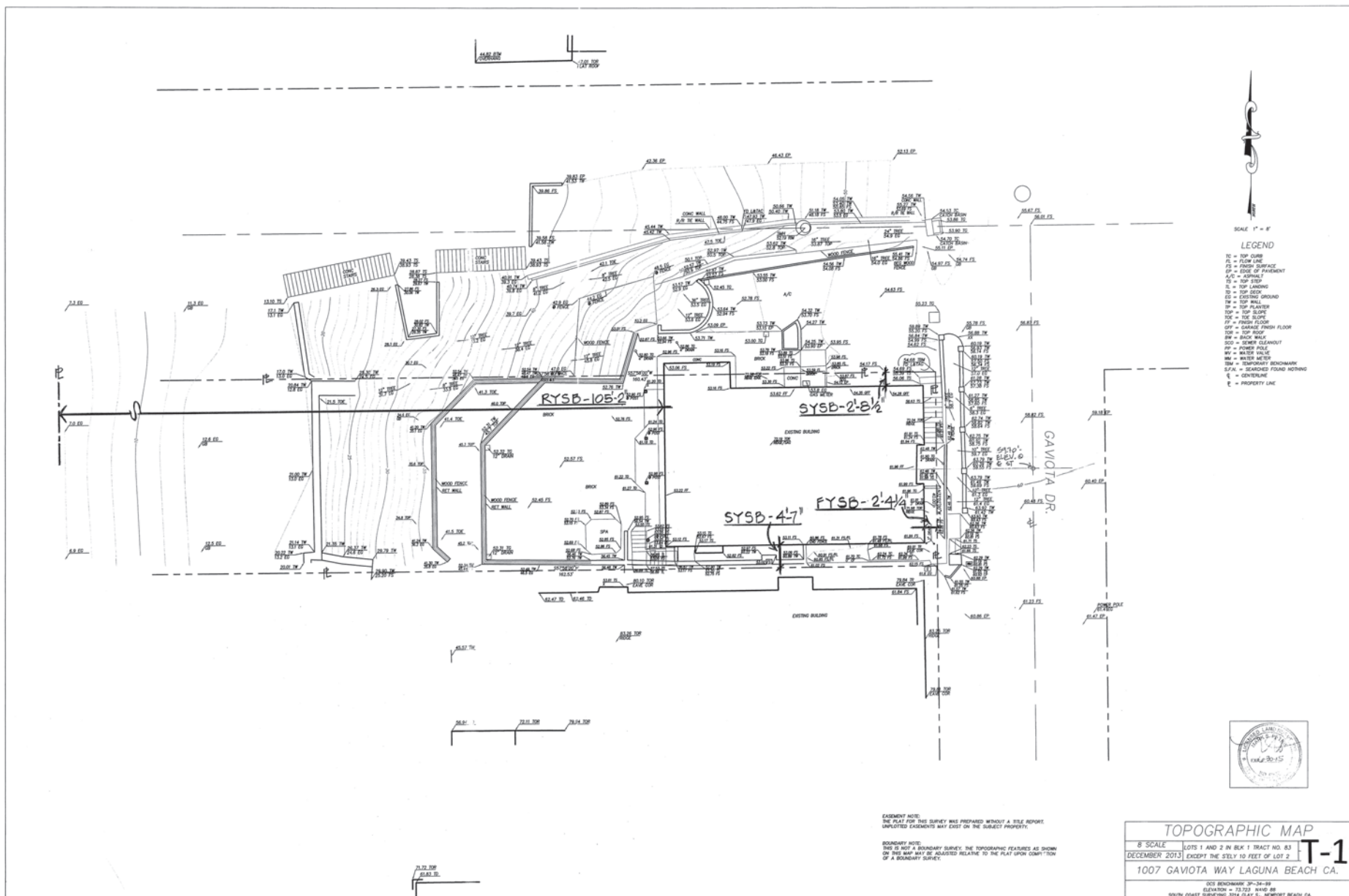
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L-4



BUILDING EXTERIOR LIGHTING LEGEND:

SYM	TYPE	MANUFACTURER	MODEL NUMBER	UNITS	WATTAGE	LUMENS
	EXTERIOR WALL LIGHT	AURORA LIGHT	LYNK25-CB-CIS, CYANOS	7	3 WATTS (CREE XLAMP LED 2700)	800/LUMEN
	RECESSED DOWN LIGHT	AURORA LIGHT	TAGE-1011	13	2 WATTS (CREE XLAMP HIGH INTENSITY (DP-1) LED 2700)	160/LUMEN
	STEP LIGHT	AURORA LIGHT	ARMEDMAN-LED-19H-4	4	1.25 WATTS (CREE XLAMP (DP-2) LED 2700)	130
	PATHWAY LIGHT	AURORA LIGHT	MAGLO-LED-LONG-AH	11	2.5 WATTS (CREE XLAMP (DP-2) LED 2700)	350





CALIFORNIA COASTAL COMMISSION

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SOUTHCOAST@COASTAL.CA.GOV

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

District Office: South Coast

Appeal Number: A-5-LGB-21-0043Date Filed: 6/22/2021Appellant Name(s): Mark & Sharon Fudge**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 North 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:	<u>Mark and Sharon Fudge</u>	<u>George Weiss - City Councilman</u>
Mailing address:	<u>P.O. Box 130 Laguna Beach, 92652</u>	<u>693 Bluebird Cyn Dr, Laguna Beach 92651</u>
Phone number:	<u>949-481-1100</u>	<u>949-295-0832</u>
Email address:	<u>fudge1@cox.net</u>	<u>gweisslaguna@gmail.com</u>

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

Did not participate

Submitted comment

Testified at hearing

Other

Describe: _____

Mark and Sharon Fudge attended multiple hearings since 2016 and submitted comments.

George Weiss cast the single dissenting vote at the City Council hearing that approved the development.

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 for a permit fee. Please see the appeal information sheet for more information.

Appeal of local CDP decision
Page 4

3. Applicant information

Applicant name(s): _____

Applicant Address: _____

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. 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., 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

6. Appellant certifications

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

Print name _____

Signature Mark Ludge Sharon Ludge

Date of Signature _____

7. Representative authorization⁵

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.

Appeal of local CDP decision
Page 5

5. Identification of interested persons

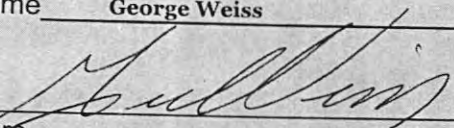
On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making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

Interested persons identified and provided on a separate attached sheet

6. Appellant certifications

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

Print name George Weiss

Signature 

Date of Signature JUNE 21, 2021

7. 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.

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.

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
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 _____

CDP Application or Appeal Number _____

Lead Representative

Name _____

Title _____

Street Address. _____

City _____

State, Zip _____

Email Address _____

Daytime Phone _____

Your Signature _____

Date of Signature _____

Additional Representatives (as necessary)

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Name _____
Title _____
Street Address. _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Your Signature _____

Date of Signature _____

This Project is similar to multiple appeals already brought forward that have been found to present substantial issues. The City's approval of the project allowed for development that is inconsistent with the certified LCP in the following ways:

1. Improper bluff edge determination
2. Allowed new development to rely on an existing shoreline protective device/Did not require a waiver of future shoreline protection.
3. Allowed obsolete structures (three seawalls) to remain at the site in conjunction with new development
4. Allowed for encroachment of private development into public coastal access.
5. Other issues: Un-permitted demolition of a Duplex and replacement with SFR on the Coast. Possibly inconsistent with SB330.

History

This project started out as a 'minor remodel' limited to interior work and a small expansion of the garage in 2014. Over-the-counter building permits were issued. It was "Red Tagged" by the City on December 22, 2014 due to the work exceeding the scope of the permit. Appellants have objected to the project since 2016 when it went before the Design Review Board for its first discretionary permits including the subject CDP. We have spoken at multiple public hearings and have submitted multiple comments to the Design Review Board, the Planning Commission, and the City Council about proposed development at, and adjacent to this site.

In 2018, the City attempted to sell the public's Coastal Access to the applicant for a 'contribution' of \$540,000 through an abandonment of a portion of the unimproved Anita Street right-of-way. Through this action the easement area would revert to the owners of the property at 1007 Gaviota by operation of law according to the Agenda Bill presented to the City Council on 5/22/18. The item was continued to the June 12th Council meeting and was then tabled. The item has not yet returned to the Council.

The applicant, City staff and Coastal Commission staff have had numerous interactions regarding the development proposed at the site and proposed at the Public Beach Access point directly adjacent to the site to the north (Anita Street Beach Access stairs). Despite Coastal staff's specific concerns, comments and recommendations, the applicant, City staff and decision makers have ignored those concerns and recommendations.

1. Bluff edge determination has not been made consistent with the Certified Land Use Element (LUE) definition, and, furthermore, all requirements relating to bluff top development have not been properly assessed (such as minimum required setbacks for development).

Although directed by Coastal Staff (**Exhibit 1**) to use the certified LUE definition to determine the bluff edge, the applicant did not do so, and the City did not require a proper determination. Instead, they relied on the Coastal Commission's previous (1980) calculation when a seawall was allowed to be contracted on the property. This determination was made prior to the certification of the LCP and is irrelevant to the project at hand.

The geologist's last entry in the record (letter dated September 18, 2019) states that in GeoFirm's opinion, that 'no top of bluff is defined and no setbacks are required with respect to the City's review of the project and based on the City definitions in code at that time.' This is due to the original determination being made based on the LBMC §25.50.004 definition of an oceanfront bluff, which has repeatedly been found by the Commission to be superseded by the LUE definition.

Due to this miscalculation, the approved development on the oceanfront bluff does not meet the LCP-required setbacks for new development on oceanfront bluffs, among other site constraints and requirements that apply. These include such restrictions as lot coverage maximums (LBMC 25.50.020), and the removal of non-conforming or obsolete structures which is discussed further below.

A proper bluff edge determination is necessary to properly consider and review the project's consistency with the LCP.

The City's findings do not provide an adequate degree of factual and legal support for its decision to approve the proposed development and grant a Local CDP. Therefore, the Commission should find that the appeal does raise a substantial issue with respect to the projects conformance with the certified LCP.

2. Project approval allowed new development to rely on existing shoreline protective devices. Nor did the City require a waiver of rights to future shoreline protection as a condition of approval.

LUE 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.

The project can not rely on existing shoreline protective devices as the project constitutes new development which is not entitled to bluff or shoreline protection now or at any point in the future. Additionally, the city erred in not requiring a waiver of future shoreline protective devices.

The City's approval of this project with no required waiver of rights to shoreline protection effectively prejudices its certified LCP and could adversely impact surrounding bluff top structures that may be redeveloped in the future. Therefore, these contentions raise a substantial issue.

3. Project approval allowed obsolete structures to remain at the site in conjunction with new development. The existing non-conforming structure was not brought into conformity with the LCP.

The seawalls that were approved by the Coastal Commission in 1980 became obsolete once the existing structure was illegally demolished at the applicant's hand in 2014.

The certified LUP contains the following policy regarding unpermitted and obsolete development which encroach into oceanfront bluffs:

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

Furthermore, LUE Action 7.3.10 states:

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.

The project was originally a 'minor remodel' approved as an over-the-counter building permit application on August 6, 2014. No discretionary permits were sought at the time. The work quickly exceed the scope of the permit, was 'red-tagged' in December of 2014 and required to come before the Design Review Board in 2016 as a "demolition and new development" project. At that point, the Staff Report indicated that the applicant intended to demolish the entire structure and build a new single-family residence. However, the applicant did not demolish the existing structure in its entirety. Due to the nature of the project now being 'new development', or a 'major remodel' pursuant to LUE Glossary Entry 89 (i.e. over 50% has been demolished) it would cause the structure to need to be brought into conformity with the LCP. The current project does not conform with the LCP, therefore, the Commission must find that the appeal presents a substantial issue.

4. Project approval allowed for encroachment of private development into public coastal access.

The City's action approved a revocable encroachment permit into the public right-of-way along Gaviota Drive and Anita Street to construct pilasters, walls, fencing, lighting, irrigation, patio, walkways and a driveway (with gate). The location of this project is directly adjacent to a public beach access way/beach stair at Anita Street.

In 2018, the City considered the abandonment of approximately 1,992 square feet portion of the City's right of way at this site (exempted from the requirement to obtain a CDP) as part of an 'exchange of funds' from the applicant of the 1007 Gaviota project and would have potentially allowed a transfer of public land to a private interest. Coastal Commission staff expressed concerns in a letter to the City dated May 22, 2018 (**Exhibit 2**). This 'vacation' has not been fulfilled, but the Public Works department has not yet finalized their proposal for the updating of the Anita Street Beach Access stair project so it is unknown what the future holds for this area. Regardless, the granting of a revocable encroachment permit that allows for private use of a public space is inappropriate.

Regardless of the Public Works Department's upcoming proposal, the City's approval of the subject permit's encroachment into the public's space is inappropriate. Since the applicant is building a 'new' single-family residence, they should be required to take access off of Gaviota Street as all other residences have been required to. This would allow for the public right of way to be used for the public's benefit and could provide for a parking space, a loading zone, a viewpoint or any one of a number of public amenities.

5. Other issues

- SB330:

Although the application may have been submitted prior to the Housing Crisis Act of 2019, and the applicant may have legal standing to reduce the density of the project from a duplex to a single-family residence in an R-2 Zone - the subject was never discussed in the Record.

The duplex was *illegally* demolished (did not obtain a permit prior to the demolition). The staff report for the subject permit states that the applicant requests a CDP for the demolition of an "existing dwelling", but does not disclose that the existing dwelling was a duplex. This information was available to previous decision makers in previous hearings (2016) but was never highlighted and consistency with State Law and the LCP were never discussed in light of allowable housing density.

- Recordation of irrevocable offer to dedicate an easement for public access and recreational use on and along the beach, pursuant to the CCC issued CDP in 1980:

When the CCC issued a CDP for the installation of 3 seawalls at the site in 1980, a deed restriction was required to grant an irrevocable offer to dedicate an access easement. The City's record reflects that 'it is assumed that the CCC condition was executed', but no further research was done. If the Commission undertakes this permit in a de novo hearing, the easement recordation should be verified.

If the easement recordation has not been executed, the current project would require the same pursuant to Open Space and Conservation Element Policy 3G.

Conclusion

The City Council approved CDP 16-1845 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.

Coastal staff expressly contacted City staff with concern for similar issues covered by our appeal (**Exhibit 3**), yet the City failed to consider them in their deliberations. Instead, City staff and the applicant ignored all such direction. We personally met with the applicant and his representatives multiple times and had over a dozen phone calls to discuss this matter, as well as attending hearings over a period of six years, but nothing persuaded the applicant to comply with the LCP - thus we have written this appeal.

Thank you for the consideration of our concerns. We ask that Staff recommends a finding of Substantial Issue and that Commissioners make that finding and review the project in a de novo hearing.

Sincerely,

Mark and Sharon Fudge

P.O. Box 130, Laguna Beach, CA 92652 (949) 481-1100

Attachments:

1. Email from Coastal Staff dated February 8, 2021
2. Letter from Coastal Staff to City dated May 22, 2018
3. Emails from Coastal Staff to City dated January 10, 2020 and June 10, 2020

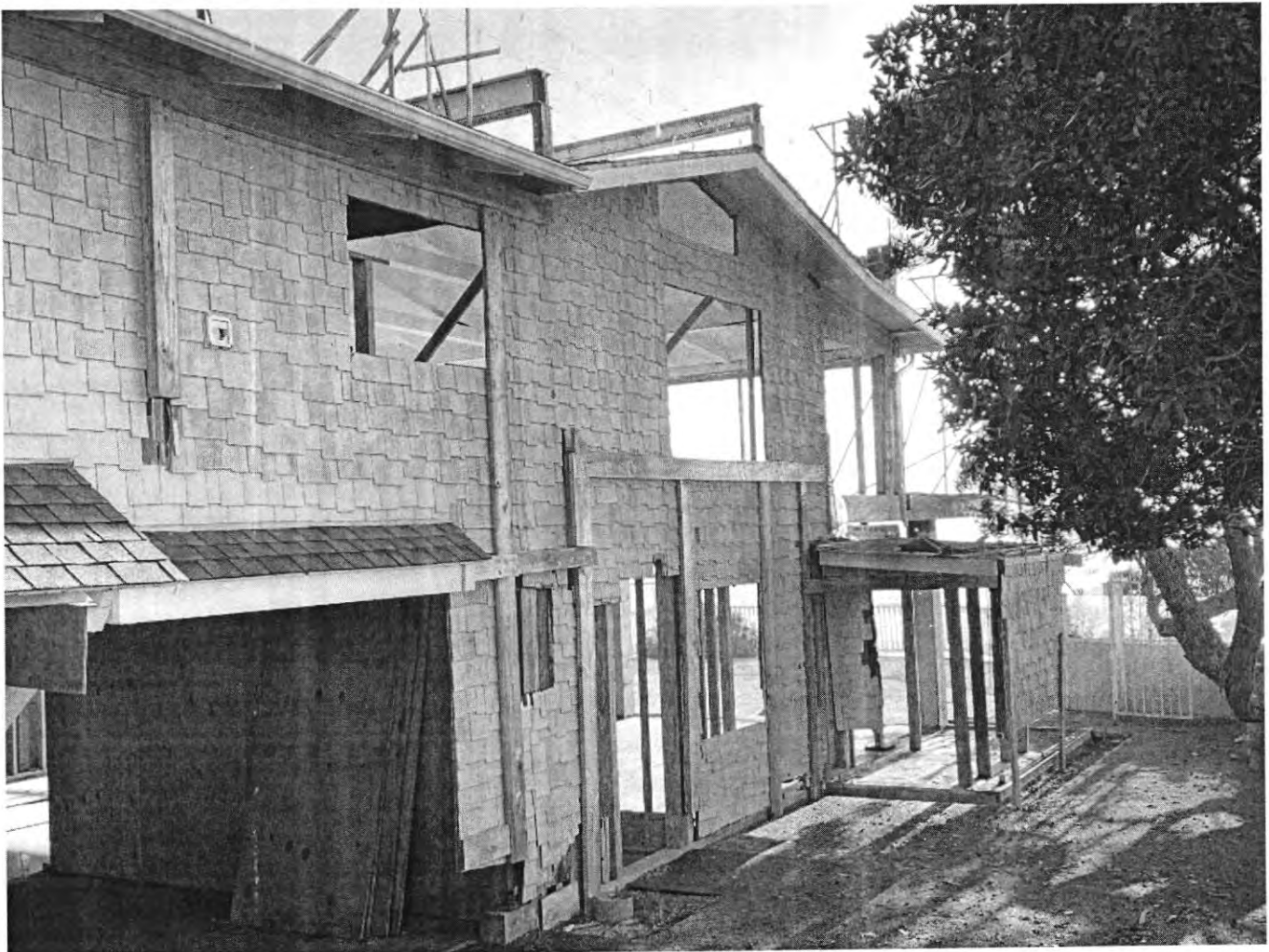
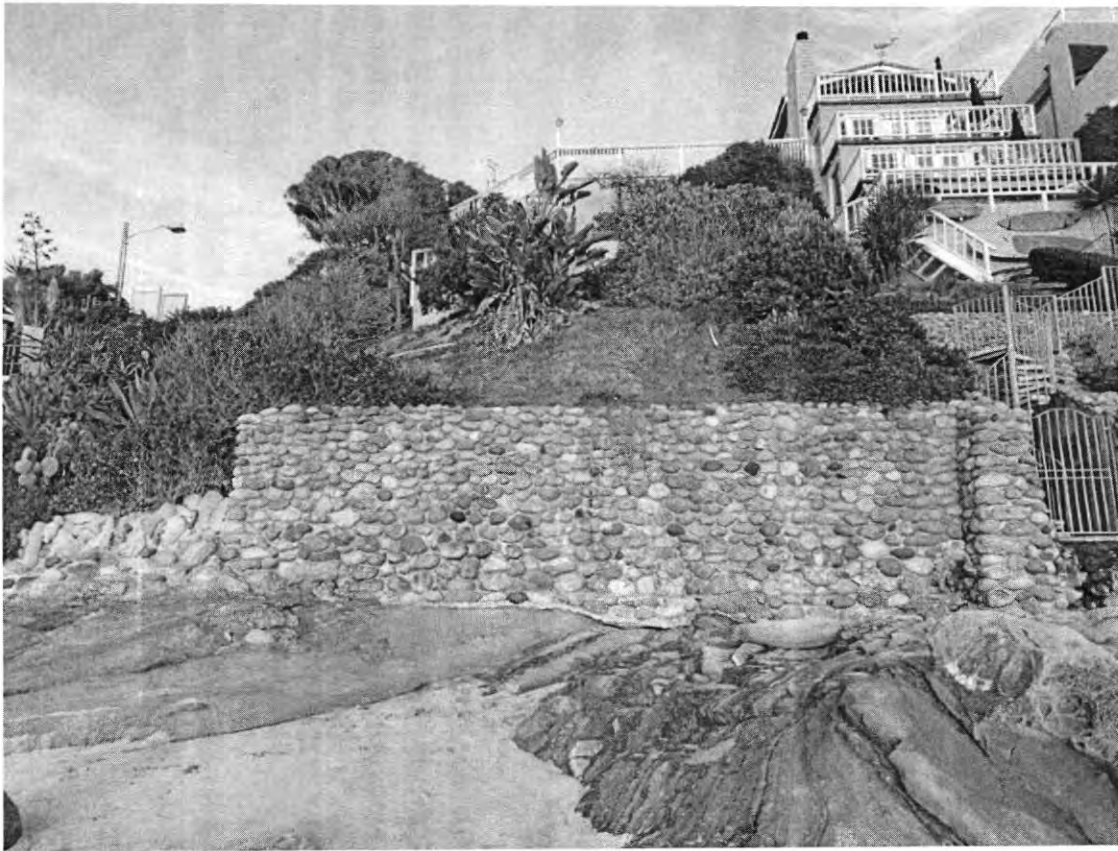
Interested Parties:

Gary and Betsy Jenkins @ 1021 Gaviota Drive, Laguna Beach, CA 92651

Larry Nokes (Jenkins' attorney) - address not in the record minutes

Carter Mudge - (Applicant's attorney) - address not in the record minutes

Steve Kawaratani - (Applicant's representative) - address not in the record minutes



Appeal of 1007 Gaviota,
Laguna Beach

From: Rehm, Zach@Coastal Zach.Rehm@coastal.ca.gov
Subject: Re: 1007 Gaviota, Laguna Beach
Date: February 8, 2021 at 5:53 PM
To: ION Assets, Inc. fudge@ionassetsinc.com, Schwing, Karl@Coastal Karl.Schwing@coastal.ca.gov, Dobson, Amber@Coastal Amber.Dobson@coastal.ca.gov
Cc: markfudge@me.com

ZR

Hi Sharon and Mark,

There was a Zoom meeting on 6/23/20. Commission staff geologist Dr. Joe Street, Marlene, and me attended, along with Marc, So, and Nancy from the City, and the applicant Carter Mudge, representative Steve Kawartani, and geologist Dr. Kevin Trigg.

I did not take notes in the meeting but there was a follow up email exchange where I advised Dr. Trigg: "I'm available for a follow up call if needed. The home should be designed with a 25 foot setback from the bluff edge based on the definition in the Land Use Plan, part of the certified Local Coastal Program."

Dr. Trigg replied: "Thanks. To be clear, I will proceed with the "upper-most termination" as the rule, and take 25' back landward from there."

I have no record of a follow up call or email exchange.

From: ION Assets, Inc. <fudge@ionassetsinc.com>
Sent: Monday, February 8, 2021 5:39 PM
To: Schwing, Karl@Coastal <Karl.Schwing@coastal.ca.gov>; Dobson, Amber@Coastal <Amber.Dobson@coastal.ca.gov>; Rehm, Zach@Coastal <Zach.Rehm@coastal.ca.gov>
Cc: markfudge@me.com <markfudge@me.com>
Subject: 1007 Gaviota, Laguna Beach

Hi all,

The project at 1007 Gaviota will be heard by the DRB on Thursday night. We would like to be able to make some comments about the bluff edge as we believe the determination of "no bluff" by GeoFirm is incorrect. The staff report alternately calls the site with a bluff and without.

The staff report references a virtual meeting held on June 23, 2020 between the City, the applicant team and CCC staff where CCC staff indicated that "the location of the bluff is at the oceanward side of the uppermost terrace wall". Is that correct? Could you please let us know the decisions that were made at that virtual meeting regarding the bluff/bluff edge?

We know that this week is crazy for you guys, and would appreciate a response as soon as possible.

Thanks,
Sharon and Mark

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



May 22, 2018

Laguna Beach City Council
505 Forest Ave
Laguna Beach, CA 92651

Dear Councilmembers and City staff,

Coastal Commission staff appreciates our shared goals of maximizing public access while addressing difficult land use issues in the City's coastal zone, and we also wish to coordinate our efforts in order to reduce the number of appeals and challenges of City actions on important coastal issues. It has come to the attention of Commission staff that on May 22, 2018, the Laguna Beach City Council ("Council") intends to consider whether the proposed abandonment of an approximate 1,992 square foot portion of City of Laguna Beach ("City") right-of-way for Anita Street, located adjacent to 1007 Gaviota Drive, is consistent with the City of Laguna Beach's General Plan and whether to authorize it. This portion of the right-of-way is located between the first public road and the sea; in fact, it abuts an improved public stairway to the beach. While we have not received any official City notice of the proposed change to the right-of-way, our agency is nonetheless commenting on the matter in order to coordinate with the City and avoid any potential problems under the Coastal Act.

Through this letter, we would like to point out that, under the terms of the Coastal Act and the City's Local Coastal Program ("LCP"), as noted below, the vacation at issue requires Coastal Act/LCP authorization.¹ However, we also note that we have concerns regarding the consistency of the proposed vacation with the LCP and the Coastal Act. Thus, if the City intends to process a CDP for the vacation (as it must if the City intends to legally authorize the vacation in compliance with the Coastal Act), we would appreciate the opportunity to discuss our concerns with City staff before the City moves forward with any final action. We have raised these issues with your staff already and look forward to the opportunity to discuss this further.

According to the City Planning Commission staff report dated April 4, 2018 for the proposed vacation, the "Planning Commission determination for General Plan Consistency does not require approval of a CDP because the proposed action does not constitute development pursuant to Municipal Code Chapter 25.07." As explained below, however, the vacation does constitute development and does require a CDP. The Coastal Act and the City's LCP state that any "development", as defined in the Coastal Act and LCP, undertaken within the coastal zone requires a CDP, unless otherwise exempt. Under the Coastal Act, and the City's LCP, the

¹ We understand the City may be considering processing a coastal development permit ("CDP") later for the creation of a new parcel or lot line adjustment to combine area to be vacated with the abutting property. Although we would encourage the City to consider these matters together, if the City does process a separate CDP for that purpose, it should be made clear that the initial action to authorize the right-of-way vacation is not legally effective unless and until that vacation is authorized through its own CDP. Either way we would still have the concerns expressed in this letter about whether such a CDP would be compliant with the LCP and Coastal Act.

vacation or transfer to a private entity of any public land or interest in public land (including a road easement or right-of-way) that may provide public access to the beach/ocean (including pedestrian or vehicular access) is an action that results in a "change in the intensity of use of water, or of access thereto" and constitutes "development" as defined by Section 30106 of the Coastal Act and Municipal Code Section 25.07.006 (which reads the same), and, therefore, requires a CDP pursuant to Section 30600 of the Coastal Act and Section 25.07.004 of the LCP, unless otherwise exempt, which is not the case with this vacation. As a result, the Commission has a long history of requiring CDPs for vacations of right-of-way. In addition, the creation of a new parcel, or a lot line adjustment, that results from a vacation, requires a CDP.

The fact that the City has apparently allowed the owner (or predecessors-in-interest) to encroach into the City's right-of-way for driveway and landscaping purposes is not relevant to the issue of whether vacation of that portion of the right-of-way results in a "change in the intensity of use of water, or of access thereto." The longstanding private encroachment at issue here was apparently authorized by permission of the City (or not, as the case may be, if the private encroachment was not done by City permission) with respect to a right-of-way to be used generally and freely by the public; vacation of the right-of-way fundamentally changes the *ability* of the City to provide public access to the water via the right-of-way in the future. This is so because it would place the vacated property in private ownership, thus allowing the owner of 1007 Gaviota Drive to immediately exclude the public from use of property, upon vacation, that was heretofore part of a public right-of-way leading to the beach and to the ocean. To illustrate the point, the area proposed to be vacated could potentially be used to provide public amenities such as vehicle or bicycle parking, or some other use supporting shoreline access that is not currently contemplated, rather than being vacated.

Furthermore, the April 4, 2018 Planning Commission Staff Report indicates that "[t]he abandonment area would become a part of the 1007 Gaviota Drive property via a concurrently processed lot line adjustment application." Please note that any lot line adjustment ("LLA"), including any vacation of the right-of-way effectuated by a LLA also constitutes development under Section 30106 of the Coastal Act, Chapter 25.07 of the Municipal Code, and established case law. (*See La Fe, Inc. v. Los Angeles County* (1999) 73 Cal.App.4th 231, 223 ["A lot line change constitutes a 'division of land.' The key point is that section 30106 applies to a 'division of land' and such occurred here"].) The City's Director of Community Development recognized as much at the Planning Commission hearing in which the Planning Commission was unable to find General Plan consistency with the proposed vacation.² Thus, as recently as at the Planning Commission stage, City staff was aware of the need for a CDP to legalize the proposed vacation.

As explained above, under the Coastal Act and LCP, the vacation or transfer to a private entity of any public land or interest in such land (including a road easement or right-of-way) that may provide public access to the beach/ocean (including pedestrian or vehicular access) requires the issuance of a CDP. If a public agency would like to vacate or transfer ownership/interest in public lands (including easements and rights-of-way), that agency must first obtain a CDP from either the Commission or from the appropriate local government in the event the land is located

² See Minutes for April 4, 2018 Planning Commission meeting: "Commissioner Sadler asked if the Commission would be reviewing the CDP and lot line adjustment. Mr. Drapkin responded the CDP and lot line adjustment will be reviewed by the City Council. Mr. Pfost noted a lot line adjustment requires a CDP."

in an area where the local government has certified a LCP, such as the case here – the proposed vacation is also located within the Commission’s appeal area. As you are no doubt aware, both the Coastal Act and LCP provide for robust protection of public access to the coast, and, therefore, vacation of a public right-of-way adjacent to the coast would warrant significant scrutiny via the CDP process.³

Our staff looks forward to working with the City to resolve this matter in a manner consistent with the Coastal Act and other relevant laws. As this letter is the Executive Director’s determination that the proposed vacation requires a CDP, we ask that the City formally respond that either, a) the City agrees with the Executive Director’s determination and will process a CDP for the proposed right-of-way vacation, or b) the City does not agree that the vacation requires a CDP and requests that the matter be referred to the Commission for a final determination. (See LCP Section 25.07.012(B)(4).)

Thank you for taking these comments under consideration. Commission staff looks forward to working with City staff to evaluate whether the vacation at issue could be found to be consistent with both the Coastal Act and the City’s LCP, as proposed, or if further conditioned. Please feel free to contact me at (562) 590-5071 if you have any questions about this letter.

Sincerely,



Charles Posner
Supervisor of Planning

cc: Greg Pfost, Director of Community Development
Mark and Sharon Fudge

³ The City of Laguna Beach LCP (Open Space Conservation Element) contains the following Policy 6E: *Discourage the abandonment of dedicated unimproved street rights-of-way, public easements, or other reservations secured by the City, unless such action is in the public interest. The City shall not abandon a street, right-of-way, easement or other reservation if it adversely impacts public access to beaches and trails.*

From: Mark Fudge mark@ionassetsinc.com
Subject: Fwd: 1007 Gaviota Drive
Date: June 19, 2021 at 2:59 PM
To: ION Assets, Inc. fudge@ionassetsinc.com

MF

Begin forwarded message:

From: steve kawatani <plantman2@mac.com>
Subject: Re: 1007 Gaviota Drive
Date: January 14, 2020 at 4:28:07 PM PST
To: "Pechous, Jim CD" <jpechous@lagunabeachcity.net>
Cc: Nancy Csira <ncsira@lagunabeachcity.net>, "Wiener, Marc CD" <mwiener@lagunabeachcity.net>, "Kim, So CD" <skim@lagunabeachcity.net>, Mike Gray <mgray@thepuzzlemakers.com>, Glen Gellatly <glenshir@cox.net>, Steve Dicterow <sdicterow1121@yahoo.com>, John Pietig <jpietig@lagunabeachcity.net>, Carter Mudge <cmudge@terrymudgellp.com>

Thank you very much for the timely response Jim. Your explanation is credible without exception, and I appreciate the fact that Coastal has a heightened scrutiny on any Laguna project within their purview.

Best regards,

Steve

On Tue, 14 Jan 2020 at 4:10 PM (Pechous, Jim CD) <jpechous@lagunabeachcity.net> wrote:

Hi Steve,

Staff prepared an initial study for the project at the request of the Design Review Board. Based on the DRB direction, zoning staff completed an initial study to analyze the project's potential environmental effects and, based on the analysis, prepared a draft mitigated negative declaration (MND). As required by law, the City sent the draft MND to the State Clearing House in compliance with the MND public review requirements. The State Clearing House distributed the draft MND and plans to various State agencies and interested parties, one of which included the Coastal Commission. So it was through the required circulation of the MND and public comment period that Coastal Commission staff obtained a copy of the project plans and came to submit comments.

Jim

From: steve kawatani <plantman2@mac.com>
Sent: Tuesday, January 14, 2020 8:23 AM
To: Pechous, Jim CD <jpechous@lagunabeachcity.net>
Cc: Balmer-Csira, Nancy CD <ncsira@lagunabeachcity.net>; Wiener, Marc CD <mwiener@lagunabeachcity.net>; Kim, So CD <skim@lagunabeachcity.net>; Mike Gray <mgray@thepuzzlemakers.com>; Glen Gellatly <glenshir@cox.net>; Dicterow, Steve <sdicterow1121@yahoo.com>
Subject: Re: 1007 Gaviota Drive

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Thanks Jim,

I understand that we're all busy, however, the missive from Coastal has a profound and chilling impact on Mr. Gray's DRB hearing next week.

I would not have pressed Nancy or you if I had simply received the acknowledgement you just sent. Perhaps the issue is more urgent for the applicant team than the City...

Best,

Steve

On Jan 14, 2020, at 9:11 AM, Pechous, Jim CD <jpechous@lagunabeachcity.net> wrote:

Steve I received your call and will call you today.

From: steve kawatani <plantman2@mac.com>
Sent: Tuesday, January 14, 2020 6:05 AM
To: Balmer-Csira, Nancy CD <ncsira@lagunabeachcity.net>; Pechous, Jim CD <jpechous@lagunabeachcity.net>
Cc: Wiener, Marc CD <mwiener@lagunabeachcity.net>; Kim, So CD <skim@lagunabeachcity.net>; Mike Gray <mgray@thepuzzlemakers.com>; Glen Gellatly <glenshir@cox.net>; Dieterow, Steve <sdieterow1121@yahoo.com>
Subject: Re: 1007 Gaviota Drive

[NOTICE: This message originated outside of City of Laguna Beach -- DO NOT CLICK on links or open attachments unless you are sure the content is safe]
Good morning Nancy and Jim,

I hope you are able to take a little time today from your busy schedules to contact me regarding the Coastal concerns.

Respectfully,

Steve
949.290.0210

On Jan 13, 2020, at 2:44 PM, steve kawatani <plantman2@mac.com> wrote:

Hi Nancy and Jim,

I left a message earlier and I would like to discuss this matter at your earliest convenience. I will have to notify Mr. Gray asap.

Best,

Steve

Begin forwarded message:

From: "Balmer-Csira, Nancy CD" <ncsira@lagunabeachcity.net>
Date: January 13, 2020 at 10:47:15 AM PST
To: Glen Gellatly <glenshir@cox.net>
Subject: 1007 Gaviota Drive

Glen:

See the Coastal Commission concerns below:

NBC

Nancy Csira, Architect
Zoning Administrator
City of Laguna Beach

City of Laguna Beach
505 Forest Avenue
Laguna Beach, CA 92651
(949) 497-0332
ncsira@lagunabeachcity.net

*City Hall Office Hours:
Monday – Thursday 7:30 – 5:30
Every other Friday 7:30 – 4:30
Closed alternating Fridays
Use the **Ask Laguna** feature on the City's
website to find answers to Frequently Asked
Questions 24/7 or submit requests for
information*

From: Rehm, Zach@Coastal
<Zach.Rehm@coastal.ca.gov>
Sent: Friday, January 10, 2020 5:07 PM
To: Balmer-Csira, Nancy CD
<ncsira@lagunabeachcity.net>
Cc: Dominguez, Christian CD
<cdominguez@lagunabeachcity.net>; Seifert,
Chloe@Coastal <chloe.seifert@coastal.ca.gov>
Subject: RE: Coastal Commission Comment
Letter

(NOTICE: This message originated outside of City of Laguna
Beach -- DO NOT CLICK on links or open attachments unless
you are sure the content is safe.)

Hi Nancy, see attached comment letter re: a
pending project at 1061-1065 Gaviota from Chloe-
Seifert of our staff.

I have all of the same concerns about another
project just up the block at 1007 Gaviota:

- Bluff edge determination
- Hazards analysis and findings
- Removal of existing non-conforming conditions, specifically a set of retaining walls going down the bluff and a gabion wall on the beach
- Reduction in density in an R-2 zone (how is this allowed with SB 330 taking effect January 1?)

An additional concern with the 1007 Gaviota project is the applicant appears to be proposing to use City right-of-way for a private driveway and patio. A few feet of encroachment on Gaviota may be consistent with the pattern of development, but no portion of the public access way and public view corridor down Anita Street should be sacrificed for private development. CCC staff met with the property owner on the site about two years ago and identified all of these issues. Please ask the property owner to revise the plans and include findings in the City's record to address these concerns.

Thanks and feel free to call me to discuss either or both projects.

--
Zach Rehm
District Supervisor, Senior Planner
California Coastal Commission
301 E. Ocean Blvd, Suite 300
Long Beach, CA 90802
(562) 590-5071

<image006.jpg>

If you need to submit an appeal, an emergency application, or a PRA request please email: SouthCoast@coastal.ca.gov

From: Seifert, Chloe@Coastal
Sent: Friday, January 10, 2020 4:33 PM
To: cdominguez@lagunabeachcity.net
Cc: Rehm, Zach@Coastal
Subject: Coastal Commission Comment Letter

Dear Mr. Dominguez,

Attached is a comment letter regarding the Notice of Public Hearing for Local CDP Application No. 18-2215. Feel free to call me with any questions at (562) 590-5071

Best,
Chloe Seifert

Chloe Seifert | Coastal Program Analyst

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

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<image010.png>

<image011.png>

From: Rehm, Zach@Coastal Zach.Rehm@coastal.ca.gov
Subject: Fw: Laguna Beach DRB June 11 Agenda Item 12 -1007 Gaviota Drive
Date: June 10, 2020 at 7:13 PM
To: Fudge fudge1@cox.net



From: Rehm, Zach@Coastal
Sent: Wednesday, June 10, 2020 7:03 PM
To: Nancy Csira <ncsira@lagunabeachcity.net>
Cc: So Kim <SoK@rpvca.gov>
Subject: Laguna Beach DRB June 11 Agenda Item 12 -1007 Gaviota Drive

Hi Nancy,

Coastal Commission staff have reviewed the staff report posted on the City's website for tomorrow's DRB meeting. We have the following comments, which are supplemental to the comments provided by email January 20:

1) The site is clearly on a coastal bluff based on a review the topo plans, satellite imagery, and the definition in the Land Use Element of the LCP. The bluff top and bluff edge policies must be applied to new development. Specifically, the home must be set back 25 feet from the bluff edge, accessory structures must be set back 10 feet from the bluff edge, and new development may not rely on existing shoreline protective devices, which must be removed as the pre-existing home has been demolished and they are now obsolete. The site plans are plainly inconsistent with all of these requirements and no variance is referenced for coastal bluff development.

2) The variance to reduce the front (street side) setback may be justified if it can be demonstrated that neighboring properties enjoy the same reduced setback and the variance is necessary to allow the property owner to move the development back from the bluff (as clearly required by the LCP) and still enjoy economic use of the property.

3) Encroachments on Anita Street cannot be justified as it is a public beach accessway. Any undeveloped portion of the right-of-way should be afforded to the public as a view corridor and potentially improved with public parking, public benches, or landscaping - not sold or rented (via encroachment permit) to a private party. Encroachments on Gaviota Drive may be justified if they are mitigated by payment into a fund that improves public access Citywide, if they do not impede any existing public access feature (e.g. sidewalk, public parking space), and they are identified as revocable at any time in the future when the City may elect to improve the public-right-of-way.

4) The staff report references the pre-existing structure as a duplex and the proposed development as a single family home. The loss of housing density is an issue of Statewide concern and does not appear to be consistent with SB 330 (Housing Crisis Act of 2019). The Coastal Commission has also reviewed

(Planning Code / Act of 2015). The Coastal Commission has also reviewed applications for new development for consistency with policies that encourage density to be accommodated in existing developed areas, where allowed by zoning. The Laguna Beach Zoning Code and Implementation Plan portion of the certified LCP appear to designate the site as R-2 (multifamily) and a multifamily dwelling previously existed on the site, so it appears a multifamily dwelling could be accommodated in the subject development. The staff report notes that a previous application was withdrawn when the project was presented to the City Council. If the subject application is a new application, it should maintain the existing density on site. If the CDP is an old application (filed in 2016 and in legal standing for a substantially similar proposed project) that point should be clarified in the staff report and the staff report should identify the relevant standards for consistency with State Law and the LCP.

--

These are initial comments. If the project moves forward at the DRB hearing tomorrow, it should be denied a CDP because it is plainly inconsistent with the LCP. A better course of action would be for the applicant to work with City staff, Coastal Commission staff, and other interested parties to redesign the project so that it is consistent with City requirements, the LCP, and State Law.

Thanks,

--

Zach Rehm
District Supervisor, Senior Planner
California Coastal Commission
301 E. Ocean Blvd, Suite 300
Long Beach, CA 90802
(562) 590-5071



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