

CALIFORNIA COASTAL COMMISSION

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W12a

ADDENDUM

March 7, 2022

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM W12a, CDP Application No. A-5-LGB-21-0060 (Highgate Hotels, Laguna Beach) for the Commission Meeting of Wednesday, March 9, 2022.**

I. CHANGES TO STAFF REPORT

Commission staff recommends changes to the staff report dated February 24, 2022 to provide more detailed requirements within the special condition to record a lateral public access easement along the beach fronting the proposed development. Language to be added the staff report is identified in underlined text and language to be deleted from the staff report is identified by ~~strike-out~~.

Changes to Special Condition 13 on page 14:

Lateral Public Access Easement.

PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY
COMMENCEMENT OF CONSTRUCTION, the permittee shall execute and record a document, in a form and content acceptable to the Executive Director, dedicating to the City of Laguna Beach a permanent lateral public access easement along the shoreline of the resort, from the mean high tide line to the seaward edge of the development, identified in Exhibit C (metes and bounds description of the easement) and C-1 (graphic depiction of the easement) ~~in substantial conformance with the document submitted to the Commission on 2/22/22 and in compliance with Laguna Beach Municipal Code Section 25.53.022(F),~~ attached to Exhibit 4 to the staff report. This dedication does not include that area adjacent to the Villa property (627 Sleepy Hollow Lane), where such lateral public access presently exists, pursuant to the Lateral Public Access Easement dedicated to the City of

Laguna Beach and recorded as Instrument No. 2010000215182 in the Official Records of the Orange County Recorder. The recorded document shall include a legal description and corresponding graphic depiction of the legal parcel subject to this permit and a metes and bounds legal description and a corresponding graphic depiction, drawn to scale, of the perimeter of the easement area prepared by a licensed surveyor based on an on-site inspection of the easement area.

The permittee shall submit to the Executive Director for review and approval a preliminary title report demonstrating that the permittee/landowner has executed and recorded the document.

B. The direct dedication shall be recorded free of prior liens and any other encumbrances that the Executive Director determines may affect the interest being conveyed. The document shall provide that the direct dedication shall not be used or construed to allow anyone to interfere with any rights of public access acquired through use which may exist on the property.

C. The direct dedication shall run with the land in favor of the People of the State of California, binding successors and assigns of the applicant or landowner in perpetuity.

II. CORRESPONDANCE

The Commission received a letter in support of the staff recommendation from Unite Here Local 11 dated March 4, 2022. The letter is posted in the correspondence tab for this item on the Commission's website.