

**CALIFORNIA COASTAL COMMISSION**

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# W12a

## ADDENDUM

DATE: April 10, 2023  
TO: Coastal Commissioners and Interested Parties  
FROM: South Coast District Staff  
SUBJECT: **ADDENDUM TO ITEM W12a, APPEAL NO. A-5-LGB-22-0060 FOR THE COMMISSION MEETING ON WEDNESDAY, APRIL 12, 2023.**

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### I. RESPONSE TO CORRESPONDENCE

The Commission received an undated letter from the City of Laguna Beach on March 13, 2023 in support of the City-approved project, which also rebutted arguments from correspondence from the appellants and the Sierra Club, Orange County Conservation Committee submitted March 3, 2023. The appellants and the Sierra Club each submitted additional comments on April 7, 2023. All letters are included in the "Correspondence" file for this item.

The appellants' and the Sierra Club's letters recite the same contentions as the appeal, that the City's stairway, sewer lift station, and lifeguard station project do not maximize public access. They contend that the stairway project should be expanded to include additional public amenities and ADA accessible viewpoints and ramps. The letters also contend that the City's decision to approve a Revocable Encroachment Permit to the adjacent property owner for development of public amenities and retention of mature trees and native landscaping is inappropriate because it limits the scope of the stairway project.

The City states that their project is a substantial improvement over the current stairway, includes an ADA accessible viewpoint, and will be accessible to more people because it is wider and more gradual than the current design, and utilizes more of the right-of-way than the current design. The City states that the sewer lift station project is an urgent need that will improve the safety and stability of the sewer system and prevent future spills, and that the location of the proposed lift station near the top of the bluff is a constraint upon a potential additional public viewpoint or wider stairway. The City states that an ADA compliant ramp is not technically feasible at the site and notes that ADA accessible facilities are provided at other public beaches in the City wherever they are feasible. The City states that the design of the project is not impacted by the adjacent private

development and that the proposed private improvements to the public right-of-way will complement the project.

The issues raised by the appellants, the Sierra Club, and the City were analyzed in the staff report dated March 30, 2023. The contention regarding inadequate public amenities is addressed in the proposed findings on pages 10-13. The contention regarding the Revocable Encroachment Area granted to the adjacent private property being outside of the project scope but within the public right-of-way is addressed in the proposed findings on pages 14-15. These contentions were also addressed with findings in the City's resolution approving the development and the City's action is supported by evidence in the administrative record provided by the City. Additionally, the appellants and the Sierra Club raise issues regarding the City's sea level rise and slope stability analysis, and the siting of the proposed lifeguard station on the toe of the bluff. These issues were not raised in the appeal submitted to the Commission so they cannot be the basis for a finding by the Commission of substantial issue with the City's action approving the CDP. Nonetheless, there are findings about the City's analysis regarding stairway site design, sewer lift station design, geology, drainage, and sea level rise vulnerability in the project location and description section of the staff report on pages 8-9. Therefore, staff continues to recommend the Commission find that the appeal raises no substantial issue as to conformity with the policies of the City's certified LCP and the public access policies of the Coastal Act.