

## CALIFORNIA COASTAL COMMISSION

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

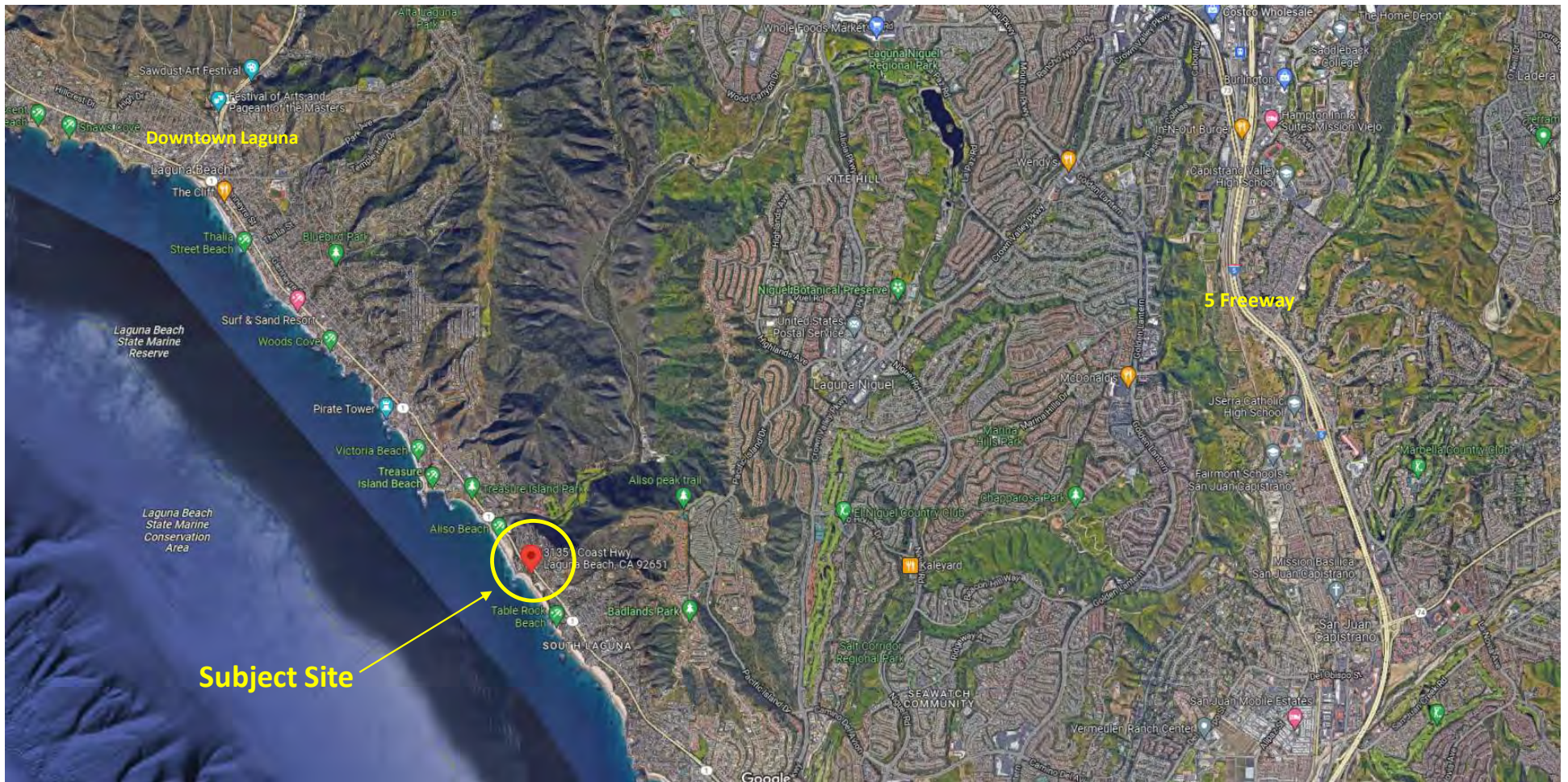


# W12b

## A-5-22-LGB-0061 (CORWIN) April 12, 2023

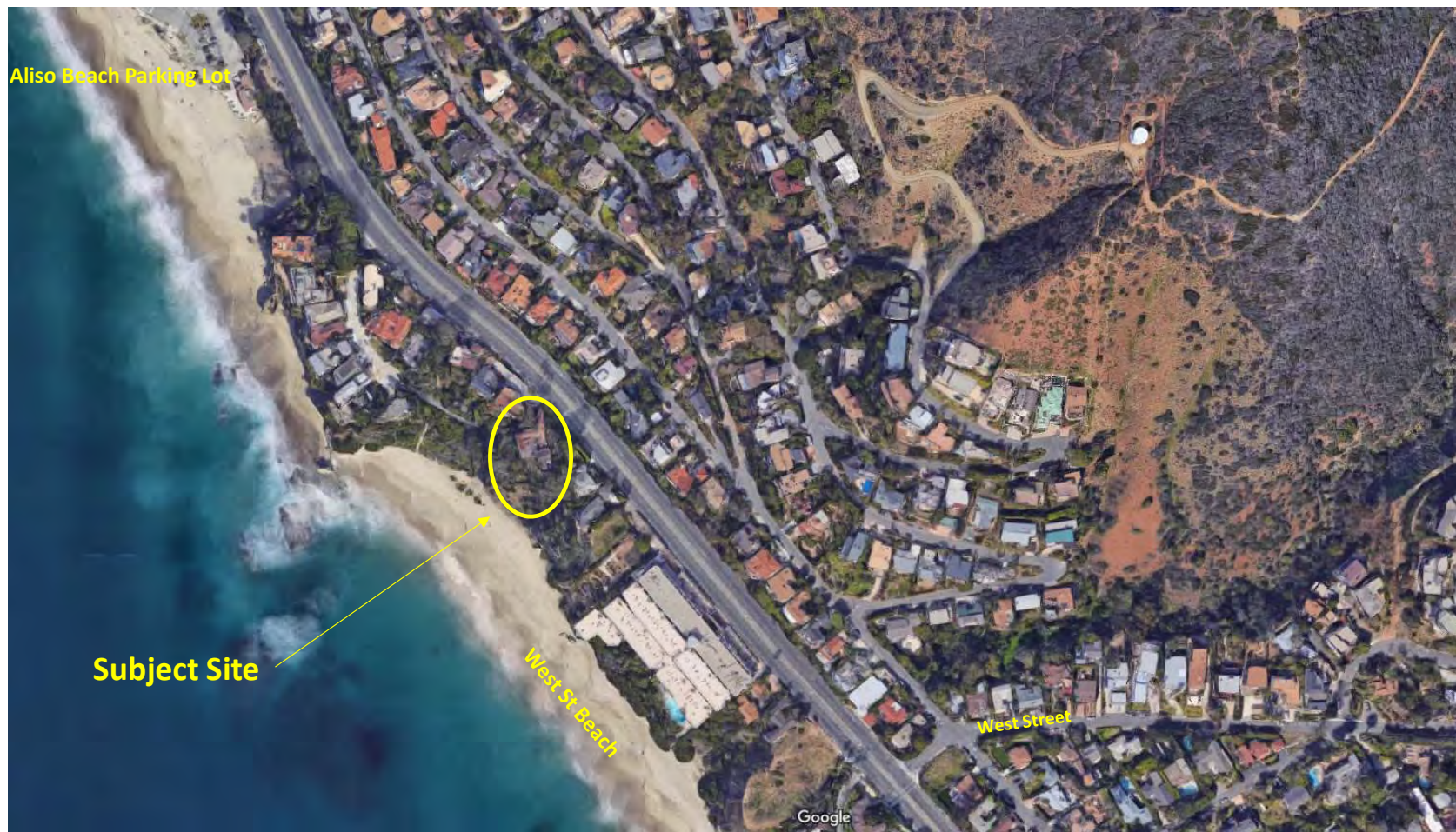
### EXHIBITS

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Project Plans
- Exhibit 3 – Design Review Board Resolution No. 19-4320 Approving Project With Conditions
- Exhibit 4 – Appeal of CDP 19-4321 by Mark Fudge
- Exhibit 5 – Coastal Commission Staff Geologist Memo
- Exhibit 6 – Local Hearing Public Comments
- Exhibit 7 – Letter from Applicant's Attorney Nokes & Quinn (with attached Police Report information attached)
- Exhibit 8 – Stone Steps Photo and Site Plan
- Exhibit 9 – Tract 831 Map
- Exhibit 10 – 49 Day Waiver
- Exhibit 11 – Public Comments Received on December 2022 Staff Report
- Exhibit 12 - Coastal Commission Staff Geologist Memo, March 2023



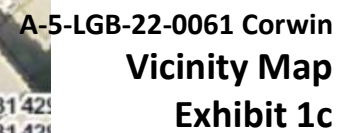
**A-5-LGB-22-0061 Corwin  
Vicinity Map  
Exhibit 1a**





**A-5-LGB-22-0061 Corwin  
Vicinity Map  
Exhibit 1b**





**A-5-LGB-22-0061 Corwin  
Vicinity Map  
Exhibit 1c**



A-5-22-LGB-0061 (Corwin)

# **EXHIBIT 2**

Project Plans

(3 pages)



31351 COAST HWY  
LAGUNA BEACH, CA 92651  
(INCLUDES 31355 COAST HIGHWAY)

## SITE



\_\_\_\_\_

### PROJECT DESCRIPTION:

NEW METAL FENCING AND  
METAL VEHICULAR GATES;  
31351 COAST HIGHWAY  
31355 COAST HIGHWAY

LEGAL DESCRIPTION:

LEGAL DESCRIPTION:  
A-TRACT

A. P. 056-032-04 &  
056-032-07

CLASSIFICATIONS:

ZONE	R-1
TYPE OF CONST.	R-3/U-1
OCCUPANCY	VB

APPLICABLE CODES:

2019	C.B.C.	2019	C.P.C.
2019	C.R.C.	2019	C.F.C.
2019	C.G.B.S.C.	2019	B.E.E.
2019	C.M.C.	2019	C.E.B.
2019	C.E.C.		

APPROVALS:

APPROVALS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## SHEET INDEX

<b>ARCHITECTURAL</b>	
CS-1	COVER SHEET
SP-1	SITE PLAN
C-1	SURVEY

## ABBREVIATIONS

[illegible]

## MATERIALS / SYMBOLS LEGEND

	WOOD, FINISH		ROOM IDENTIFICATION ROOM NUMBER
	WOOD, ROUGH THROUGH MEMBER		PLAN / ELEVATION KEYNOTES
	WOOD, ROUGH INTERRUPTED MEMBER		DOOR SYMBOL NUMBER
	PLYWOOD		WINDOW SYMBOL NUMBER
	INSULATION, BATT		PROPERTY LINE
	INSULATION, RIGID		EXISTING CONTOUR LINE
	MASONRY		NEW CONTOUR LINE
	TILE IN SECTION		PROPERTY LINE CORNER
	CONCRETE, SAND OR STUCCO / PLASTER		SPOT ELEVATION FINISH GRADE / EXISTING GRADE
	CONCRETE IN SECTION		WORK, CONTROL, DATUM OR ELEVATION POINT
	ROCK OR GRAVEL FILL		MATCH LINE
	EARTH		COLUMN LINE COORDINATE
	COMPACTED SOIL		FLOOR MATERIAL CHANGE
	BEDROCK		DETAIL DETAIL NUMBER/ SHEET NUMBER
	ASPHALTIC CONCRETE		SECTION SECTION REFERENCE / SHEET NUMBER
	METAL		REVISION SYMBOL CLOUD AROUND REVISION
	ACOUSTICAL TILE OR BOARD		

## WATER QUALITY NOTES

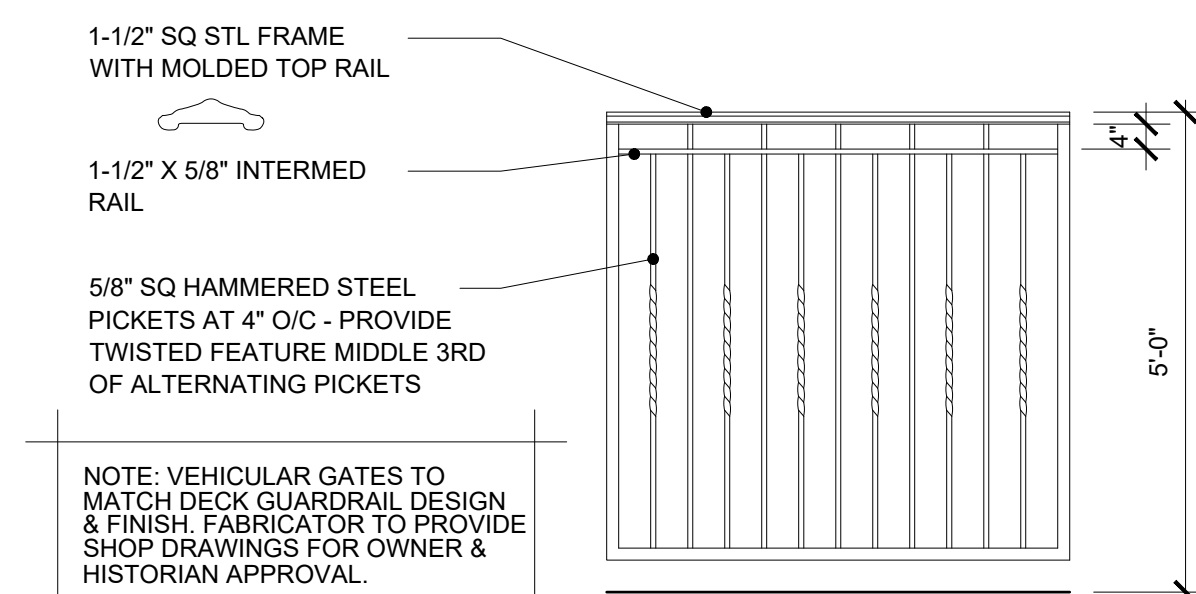
1. SEDIMENT FROM AREAS DISTURBED BY CONSTRUCTION SHALL BE RETAINED ON SITE USING STRUCTURAL DRAINAGE CONTROLS TO THE MAXIMUM EXTENT PRACTICABLE.
2. STOCKPILES OF SOIL SHALL BE PROPERLY CONTAINED TO MINIMIZE SEDIMENT TRANSPORT FROM THE SITE TO STREETS, DRAINAGE FACILITIES OR ADJACENT PROPERTIES VIA RUNOFF, VEHICLE TRACKING, OR WIND.
3. CONSTRUCTION-RELATED MATERIALS, WASTES, SPILLS, OR RESIDUES SHALL BE RETAINED ON SITE TO MINIMIZE TRANSPORT FROM THE SITE TO STREETS, DRAINAGE FACILITIES, OR ADJOINING PROPERTY BY WIND OR RUNOFF.
4. RUNOFF FROM EQUIPMENT AND VEHICLE WASHING SHALL BE CONTAINED AT CONSTRUCTION SITE UNLESS TREATED TO REMOVE SEDIMENT AND OTHER POLLUTANTS.
5. ALL CONSTRUCTION CONTRACTOR AND SUBCONTRACTOR PERSONNEL ARE TO BE MADE AWARE OF THE REQUIRED BEST MANAGEMENT PRACTICES AND GOOD HOUSEKEEPING MEASURES FOR THE PROJECT SITE AND ANY ASSOCIATED CONSTRUCTION STAGING AREAS.
6. AT THE END OF EACH DAY OF CONSTRUCTION ACTIVITIES, ALL CONSTRUCTION DEBRIS AND WASTE MATERIAL SHALL BE COLLECTED AND PROPERLY DISPOSED IN TRASH OR RECYCLE BINS.
7. CONSTRUCTION SITES SHALL BE MAINTAINED IN SUCH A CONDITION THAT AN ANTICIPATED STORM DOES NOT CARRY WASTES OR POLLUTANTS OFF THE SITE. DISCHARGES OF MATERIAL OTHER THAN STORM-WATER ARE ALLOWED ONLY WHEN NECESSARY FOR PERFORMANCE AND COMPLETION OF CONSTRUCTION PRACTICES AND WHERE THEY DO NOT CAUSE OR CONTRIBUTE TO VIOLATION OF ANY WATER QUALITY STANDARDS; CAUSE OR THREATEN TO CAUSE POLLUTION, CONTAMINATION OR NUISANCE OR WHERE A HAZARDOUS SUBSTANCE IN A QUANTITY REPORTABLE UNDER FEDERAL REGULATIONS 40 CFR PARTS 117 AND 302.
8. POTENTIAL POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO: SEDIMENTS, CEMENT PRODUCTS, SOLID OR LIQUID CHEMICAL SPILLS; WASTES FROM PAINTS, STAINS, SEALANTS, GLUES, LIME, PESTICIDES, HERBICIDES, FUEL PRESERVATIVES, AND SOLVENTS, ASBESTOS FIBERS, PAINT FLAKES OR STUCCO FRAGMENTS, WOODS, OILS, LUBRICANTS, AND HYDRAULIC, RADIATOR OR BATTERY FLUIDS, CONCRETE, DETERGENT, OR FLOATABLE WASTES; WASTES FROM ANY ENGINEERING, CONSTRUCTION, OR CLEANING OR MAINTENANCE OF EQUIPMENT OR OPERATING EQUIPMENT, INCLUDING LINE FLUSHING.
9. DURING CONSTRUCTION, DISPOSAL OF MATERIALS AND POTENTIAL POLLUTANTS SHALL OCCUR IN A SPECIFIED AND CONTROLLED TEMPORARY AREA ON-SITE PHYSICALLY SEPARATED FROM POTENTIAL STORM-WATER RUNOFF, WITH ULTIMATE DISPOSAL IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS.
10. DEWATERING OF CONTAMINATED GROUNDWATER, OR DISCHARGING CONTAMINATED SOILS VIA SURFACE EMISSION IS PROHIBITED. TRUE DEWATERING OF NON-CONTAMINATED GROUNDWATER REQUIRES A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FROM THE RESPECTIVE STATE REGIONAL WATER QUALITY CONTROL BOARD.

## CONSULTANTS / CONTACTS

OWNER:  
JACK CORWIN  
31351 COAST HIGHWAY  
LAGUNA BEACH, CA 92651

**ARCHITECT:**  
TODD SKENDERIAN ARCHITECT  
**CONTACT:** TODD SKENDERIAN  
1100 S. COAST HWY., SUITE 316  
LAGUNA BEACH, CA 92651  
**TEL:** (949) 715-5461  
**FAX:** (949) 715-5986  
**EMAIL:** todd@tsarchitectslb.com

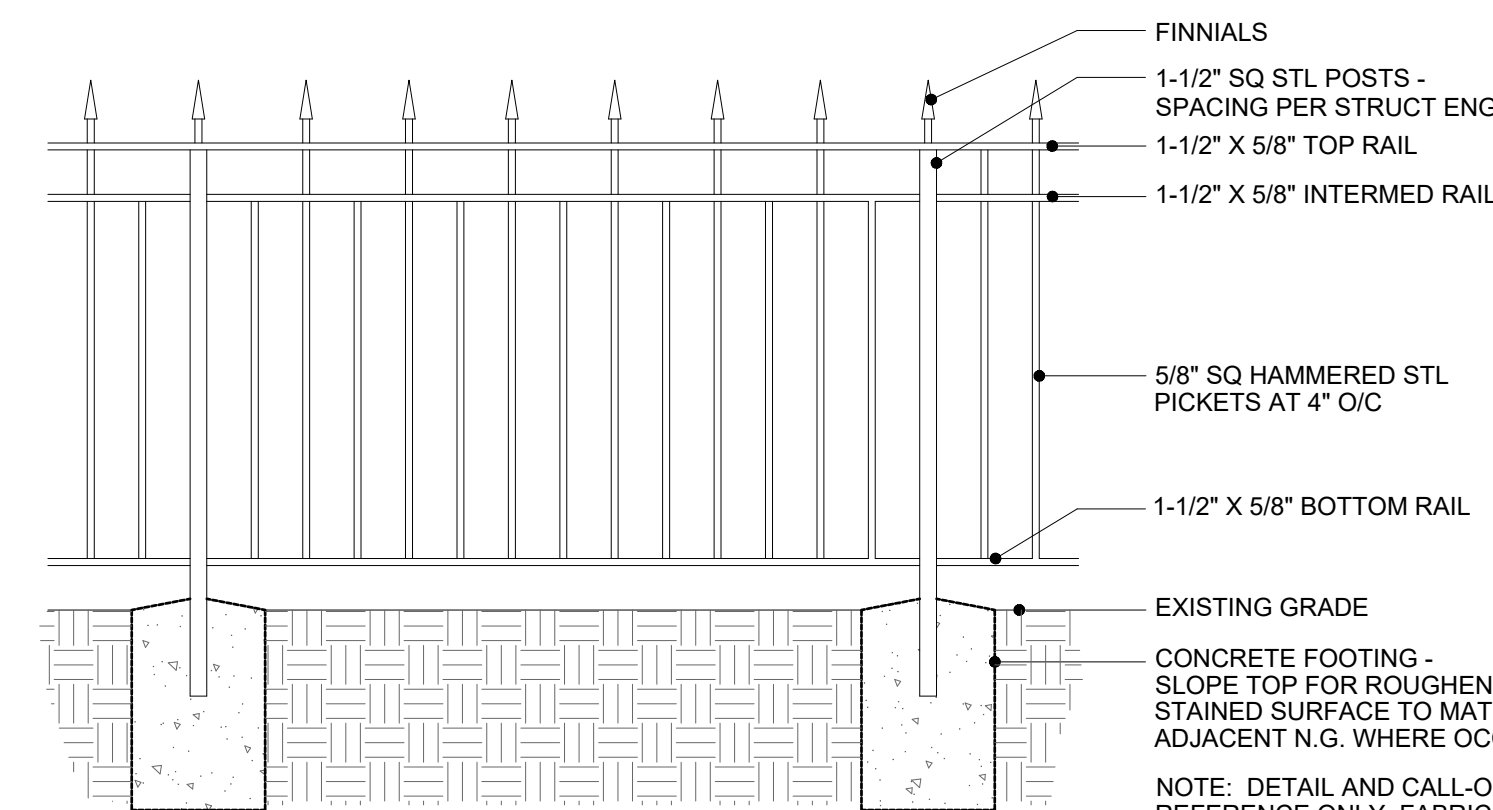
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99	10.00
100	10.00



## VEHICULAR GATE SECTION

$$1/2" = 1'-0"$$

## FENCE ELEVATION



## STEEL FENCE

1/2" = 1'-0"

[illegible]

ALL DRAWINGS & WRITTEN MATERIAL  
APPEARING HEREIN CONSTITUTE  
ORIGINAL & UNPUBLISHED WORK OF  
TODD SKENDERIAN ARCHITECT AND  
MAY NOT BE DUPLICATED, USED OR  
DISCLOSED WITHOUT THEIR WRITTEN  
CONSENT.

**ARCHITECT**  
LA BEACH, CA 92651  
FAX (949) 715-5986

**TODD SKENDERIAN**  
1100 S. COAST HWY., #316  
OFFICE (949) 715-5461

# COVER SHEET

SUBMITTAL SET: ZONING SET 3.0

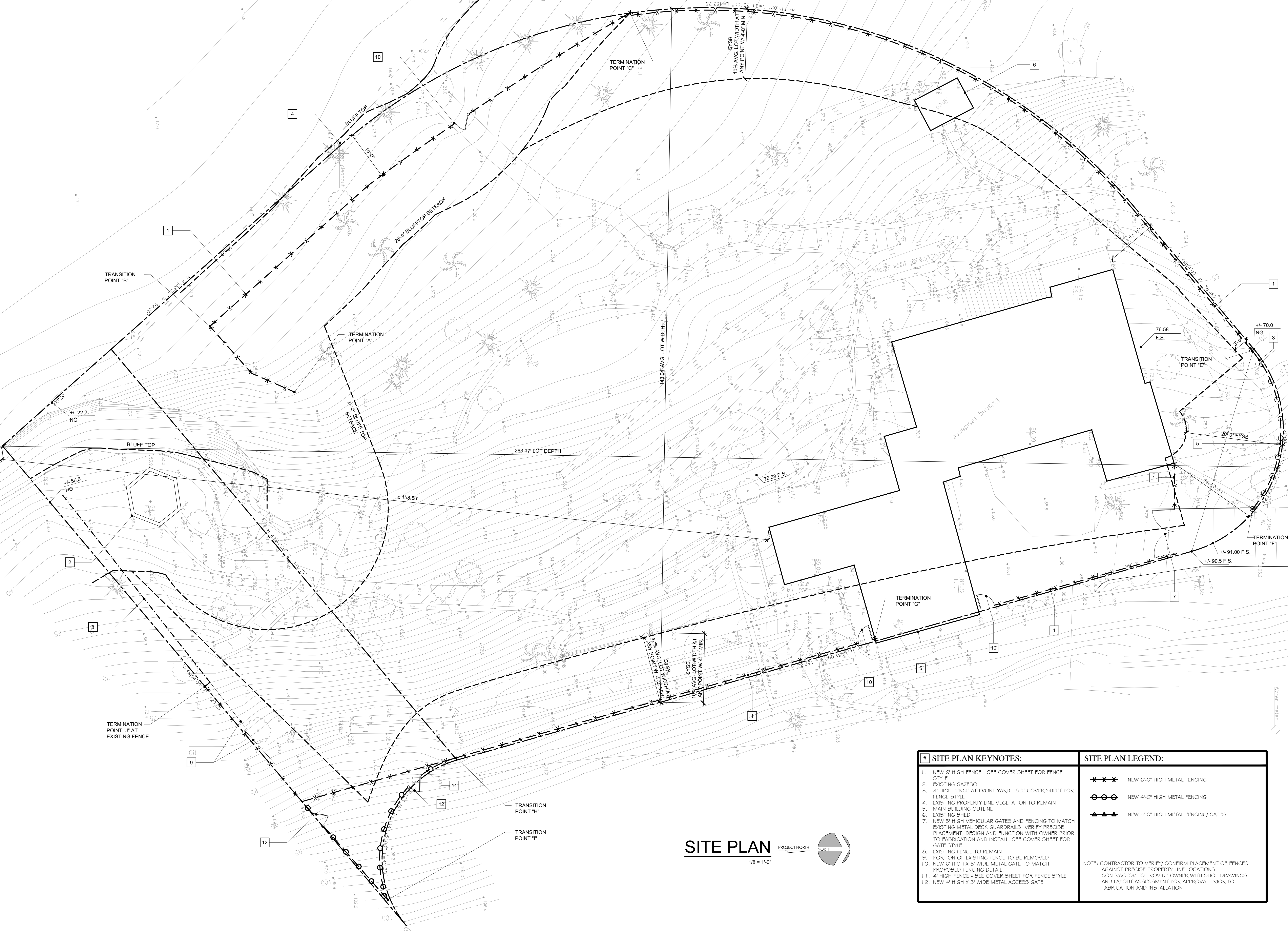
**CORWIN RESIDENCE**  
31351 COAST HIGHWAY  
LAGUNA BEACH, 92651

DRAWN BC
CHECKED TS
DATE 6-14-22
SCALE
JOB NO. ----
SHEET

CS-1

OF 1 SHEETS





#	SITE PLAN KEYNOTES:	SITE PLAN LEGEND:
1.	NEW 6' HIGH FENCE - SEE COVER SHEET FOR FENCE STYLE	*** NEW 6'-0" HIGH METAL FENCING
2.	EXISTING GAZEBO	--- NEW 4'-0" HIGH METAL FENCING
3.	4' HIGH FENCE AT FRONT YARD - SEE COVER SHEET FOR FENCE STYLE	--- NEW 5'-0" HIGH METAL FENCING/ GATES
4.	EXISTING PROPERTY LINE VEGETATION TO REMAIN	
5.	MAIN BUILDING OUTLINE	
6.	EXISTING SHED	
7.	NEW 5' HIGH VEHICULAR GATES AND FENCING TO MATCH EXISTING METAL DECK GUARDRAILS. VERIFY PRECISE PLACEMENT, DESIGN AND FUNCTION WITH OWNER PRIOR TO FABRICATION AND INSTALL. SEE COVER SHEET FOR GATE STYLE.	
8.	EXISTING FENCE TO REMAIN	
9.	PORTION OF EXISTING FENCE TO BE REMOVED	
10.	NEW 6' HIGH X 3' WIDE METAL GATE TO MATCH PROPOSED FENCING DETAIL.	
11.	4' HIGH FENCE - SEE COVER SHEET FOR FENCE STYLE	
12.	NEW 4' HIGH X 3' WIDE METAL ACCESS GATE	
		NOTE: CONTRACTOR TO VERIFY/CONFIRM PLACEMENT OF FENCES AGAINST PRECISE PROPERTY LINE LOCATIONS. CONTRACTOR TO PROVIDE OWNER WITH SHOP DRAWINGS AND LAYOUT ASSESSMENT FOR APPROVAL PRIOR TO FABRICATION AND INSTALLATION

REVISIONS	BY

ALL DRAWINGS & WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE ORIGINAL & UNPUBLISHED WORK OF TODD SKENDERIAN ARCHITECT AND MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THEIR WRITTEN CONSENT.

**TODD SKENDERIAN ARCHITECT**  
1100 S. COAST HWY., #316 LAGUNA BEACH, CA 92651  
OFFICE (949) 715-5461 FAX (949) 715-5986

**SITE PLAN**  
SUBMITTAL SET: ZONING SET 3.0

**CORWIN RESIDENCE**  
31351 COAST HIGHWAY  
LAGUNA BEACH, 92651

DRAWN  
BC  
CHECKED  
TS  
DATE  
6-14-22  
SCALE  
NOTED  
JOB NO.  
SHEET

**SP-1**  
OF 1 SHEETS







A-5-22-LGB-0061 (Corwin)

## **EXHIBIT 3**

Design Review Board Resolution No. 10-4321

(4 pages)



## **DRB RESOLUTION 19-4320**

### **A RESOLUTION OF THE OF THE DESIGN REVIEW BOARD OF THE CITY OF LAGUNA BEACH, CALIFORNIA APPROVING DESIGN REVIEW 19-4320 AND COASTAL DEVELOPMENT PERMIT 19-4321 FOR FENCING, DRIVEWAY VEHICULAR FENCING AND GATES, AND PEDESTRIAN GATES AND APPROVING CATEGORICAL EXEMPTION PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

31351 and 31355 Coast Highway | APNs: 056-032-04 and 056-032-07

WHEREAS, on August 30, 2022, a notice was mailed to all property owners within a 300' radius and tenants within a 100' radius announcing the September 22, 2022, public hearing of the Design Review Board for the proposed project; and

WHEREAS, on September 22, 2022, 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 19-4320 and Coastal Development Permit 19-4321 for fencing, driveway vehicular fencing and gates, and pedestrian gates (“Proposed Project”) is approved. 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 Laguna Beach Municipal Code Title 25 development standards and guidelines as outlined in the Zoning Review section of the Staff Report.

**Section 3:** The proposed project is consistent with the Design Review criteria related to access, design articulation, design integrity, environmental context, general plan compliance, landscaping, lighting, neighborhood compatibility, privacy, sustainability, and view equity as outlined in the Design Review section of the Staff Report.

**Section 4:** The Coastal Development Permit criteria and findings can be made for the Proposed Project for the reasons and factual basis set forth in the Coastal Development Permit section of the Staff Report.

**Section 5:** The project is in conformity with all the applicable provisions of the general plan and any applicable specific plans for the reasons and factual basis set forth in Exhibit A of the Staff Report.

**Section 6:** 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 7:** 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 a 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 8:** Plan Reliance and Modification Restriction. In the absence of specific provisions or conditions herein to the contrary, the attached Staff Report and its Exhibits 'A', 'B', 'C', and 'D' are incorporated and made a part of this Resolution. It is required that the Exhibits 'B', 'C' and 'D' 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 9:** Grounds for Revocation or Modification. Failure to abide by and faithfully comply with Exhibits 'B', 'C', and 'D' attached to the granting of the proposed project may constitute grounds for revocation or modification of the permit.

**Section 10:** Right of Appeal and 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, barring any appeal period to the California Coastal Commission. For Design Review Board decisions on Coastal Development Permits within the appeal jurisdiction of the coastal zone, the decision will be effective after conclusion of the 10-day Coastal Commission appeal period.

**Section 11:** For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and records of proceedings, the Design Review Board of the City of Laguna Beach hereby approves the proposed project, subject to the conditions of approval and plans in the attached Exhibits 'B', 'C', and 'D.'

PASSED on September 22, 2022, by the following vote:

AYES: SHERIDAN, THALMAN, GANNON, WEIL

NOES: NEEV

ABSENT:

ABSTAIN:

ATTEST:



Don Sheridan (Oct 6, 2022 18:15 PDT)

Don Sheridan, Chair



Russell W. Bunim, AICP, Planning Manager



**EXHIBIT 'B'**  
**CONDITIONS OF APPROVAL**

**Standard Conditions:**

1. The conditions of approval shall be and hereby are obligations of and binding upon the applicant and his/her heirs, successors, assigns, agents and representatives. The conditions shall constitute a covenant running with and binding the land in accordance with the provisions of California Civil Code Section 1468. Failure to comply with such conditions, and each of them, and any other related federal, state and local regulations may be grounds for revocation of the approval, in addition to other remedies that may be available to the City.
2. The applicable Certificate of Use and/or Certificate of Occupancy shall not be issued until City staff has verified compliance with all conditions of approval.
3. Prior to Building Permit issuance, the owner, his architect/designer/structural engineer, and contractor of the subject property shall sign an Affidavit of Plan Consistency, whereby the signees affirm that the structural plans are consistent with the Zoning Division-approved set of plans and any modification will require subsequent review and approval.
4. In the absence of specific provisions or conditions herein to the contrary, the application and all relevant plans and exhibits are incorporated and made a part of this approval. It is required that such plans and exhibits be complied with and implemented in a consistent manner with the approved use and other conditions of approval. Such plans and exhibits for which this approval has been granted shall not be substantially changed or substantially amended except pursuant to a subsequent approval as might otherwise be required or granted pursuant to the terms of Title 25 of the City of Laguna Beach Municipal Code.
5. 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 this approval, 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 be required by a court to pay as a result of such claim, action or proceeding.
6. Expiration. This approval shall lapse and become void two years following the effective date if the privileges authorized by design review are not executed or utilized or, if construction work is involved, such work is not commenced within such two-year period and diligently pursued to completion. The approval authority may grant a two-year extension of time and, after that initial extension of time, a final one-year extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the beginning two-year approval period or a subsequently approved extension of time.
7. Reapplication Waiting Period. After denial of a project, no application for a project located on the same parcel or building site may be filed or accepted for filing for two months.

**Special Conditions:**

1. Assumption of Risk and Waiver of Liability

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm events, flooding and erosion; (ii) to assume the risks to the applicant and the property that is subject of this permit of injury and damage from such hazards in connection with

this permitted development; and (iii) to unconditionally waive any claim of damage or liability against the City its officers, agents and employees for injury or damage from such hazards.

2. No Future Shoreline Protective Device

(a) By acceptance of this permit, the applicant agrees, on behalf of itself and all successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the improvements approved pursuant to this Coastal Development Permit, fencing and gates, in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides or natural hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

(b) By acceptance of this permit, the applicant further agrees, on behalf of itself and all successors and assigns, that the permittee and/or landowner shall remove the development authorized by this permit, if significantly damaged due to the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

3. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris

The permittee shall comply with the following construction-related requirements:

- (a) No construction materials, debris or waste shall be placed or stored where it may enter a storm drain or coastal waters, or be subject to wind erosion and dispersion.
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction.
- (c) Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction related materials, sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the construction of the project.
- (d) Construction debris and sediment shall be removed from the construction areas each day that construction occurs to prevent accumulation of sediment and other debris which may be discharged into coastal waters. Debris shall be disposed at a debris disposal site outside the coastal zone.

**Design Review Board Conditions:**

- 1. The fence design shall be modified to remove the finials and incorporate steel pickets as shown on the revised documents submitted at the hearing attached as Exhibit 'D.'
- 2. Eliminate a portion of the proposed 4-foot fencing and two pedestrian gates within the triangular portion of parcel APN: 056-032-07 as shown on the revised documents submitted at the hearing attached as Exhibit 'D.'

A-5-22-LGB-0061 (Corwin)

## **EXHIBIT 4**

**Appeal of CDP 19-4321 by Mark Fudge**  
(13 pages)



**CALIFORNIA COASTAL COMMISSION**

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

**Received****South Coast Region****10/24/2022****California Coastal Commission****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](mailto: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 information<sup>1</sup>

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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<sup>1</sup> 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 appealed<sup>2</sup>

Local government name: \_\_\_\_\_

Local government approval body: \_\_\_\_\_

Local government CDP application number: \_\_\_\_\_

Local government CDP decision: CDP approval CDP denial<sup>3</sup>

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: \_\_\_\_\_  
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<sup>2</sup> 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.

<sup>3</sup> Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.

## Page 4

Applicant name(s): \_\_\_\_\_

Applicant Address: \_\_\_\_\_

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

[illegible]

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 \_\_\_\_\_

Date of Signature \_\_\_\_\_

#### 7. Representative authorization<sup>6</sup>

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.

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

<sup>6</sup> 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.

.... 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 \_\_\_\_\_  
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Name \_\_\_\_\_  
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State, Zip \_\_\_\_\_  
Email Address \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

Your Signature \_\_\_\_\_

Date of Signature \_\_\_\_\_

To: Coastal Commissioners and Staff  
From: Mark Fudge  
Date: October 24, 2022  
Re: CDP 19-4321 at 31351/31355 Coast Highway, Laguna Beach

Dear Commissioners and Staff,

I'm appealing the City of Laguna Beach's approval of development proposed at 31351/31355 Coast Highway in Laguna Beach because the bluff edge determination was incorrect. This incorrect placement of the bluff edge in turn allowed for development (a new fence) to be placed seaward of the proper bluff edge, and on the bluff face which is expressly prohibited by the City's certified LCP.

If this decision is allowed to stand, it will create a negative precedent to development decisions not only in this area, and in Laguna Beach, but could also impact bluff face development statewide.

The topic of bluff edge determinations has been one that has been successfully appealed multiple times, each resulting in a finding of 'substantial issue', yet neither the City nor the experts have ever corrected their calculations to include the entirety of the certified language of the LCP, which states:

***Land Use Element Glossary Entry 101. Oceanfront Bluff Edge or Coastal Bluff Edge*** - *The California Coastal Act and Regulations define the oceanfront bluff edge as the upper termination of a bluff, cliff, or sea cliff. In cases where the top edge of the bluff is rounded away from the face of the bluff, the bluff edge shall be defined as that point nearest the bluff face beyond which a downward gradient is maintained continuously to the base of the bluff. In a case where there is a step like feature at the top of the bluff, the landward edge of the topmost riser shall be considered the bluff edge. Bluff edges typically retreat over time as a result of erosional processes, landslides, development of gullies, or by grading (cut). In areas where fill has been placed near or over the bluff edge, the original bluff edge, even if buried beneath fill, shall be taken to be the bluff edge.*

In the subject determination, both the applicant and the City's peer review failed to include the entire bluff slope between the marine terrace or upland area and the sea (pursuant to Glossary Entry 102), and instead calculated the location of the steeper sea cliff edge, *not* the bluff edge. This is strikingly similar to the erroneous determination made at a property just two parcels to the north of the subject parcel (see A-5-LGB-18-0071 staff report's analysis by Dr. Joseph Street: W14a-12-2020).

Attached is a historical photograph (1929) included in another appeal (A-5-LGB-12-0091) that shows the subject parcel in a natural state. I believe this will be very helpful in determining that the natural bluff edge is not located at the position approved by the City, but is actually much more landward, closer to the current location of Pacific Coast Highway.

The applicant desires to place a new fence approximately along the seaward property line in order to "keep as much usable enclosed space as possible for his personal use" (see meeting minutes - attached). However, the LUE Policy 7.3.5 expressly prohibits development on a bluff face unless it is a public improvement or for public safety. The placement of this fence in the approved location is inconsistent with this policy.



I ask that Staff recommends a finding of 'substantial issue' and that the Commission makes that finding so a proper bluff edge determination can be made, and the appropriate development approved to ensure protection of our coastline.

I am available for any questions or further information that might be helpful.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Mark Fudge". The signature is written in a cursive, flowing style.

Mark Fudge  
P.O. Box 130  
Laguna Beach, CA 92652-0130  
949-481-1100

Attachments:

1. 1929 photograph of the site
2. DRB draft meeting minutes - 9/22/22

13

1929

Red line shows approximate location of subject parcels at 31351/31355 Coast Highway

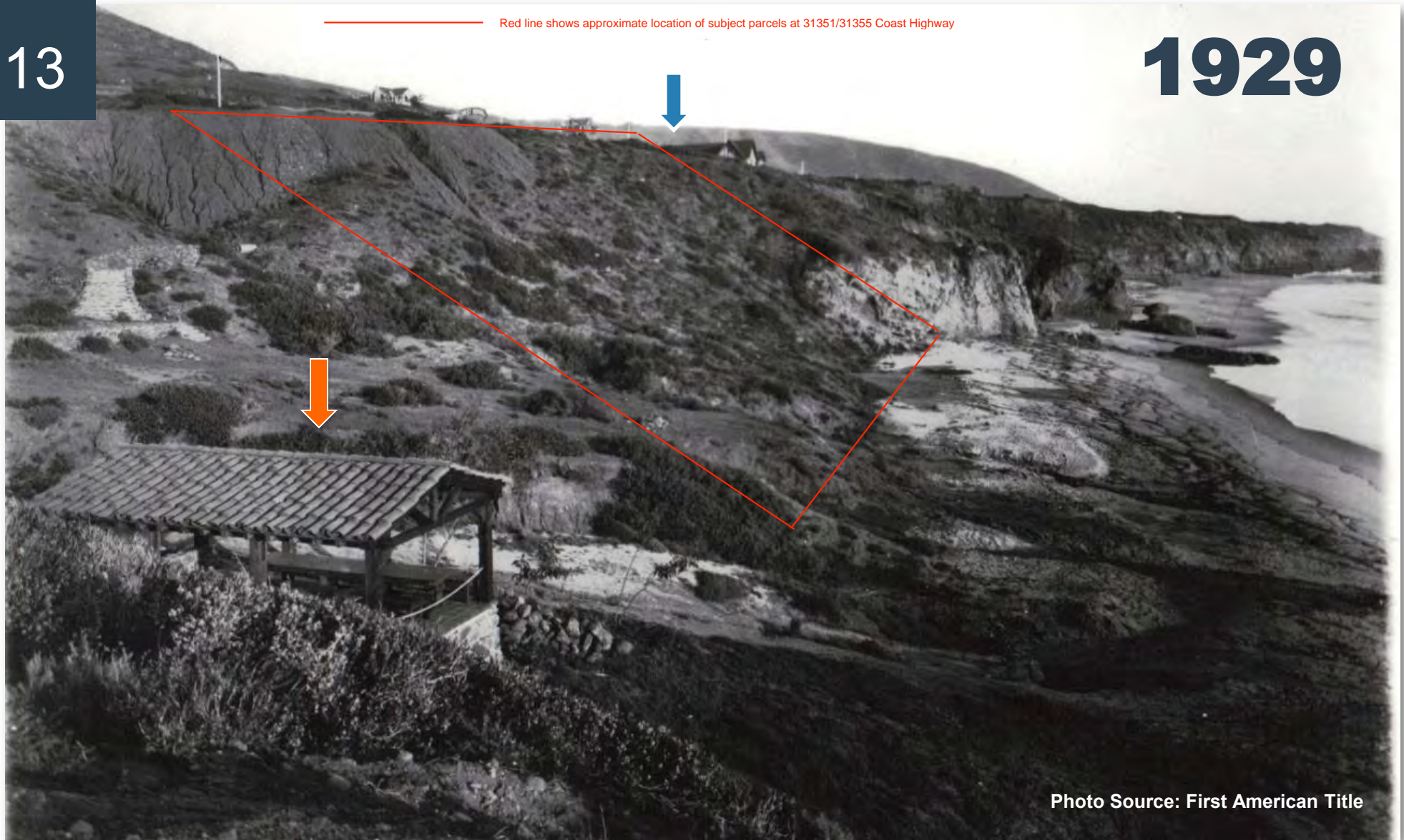


Photo Source: First American Title

Blue arrow indicates 31381 Coast Highway looking south from picnic shelter (orange arrow).

Slide Source: W13a-3-2014 staff report p.179  
A-5-LGB-12-0091



Early **1900s**

Photo taken looking north from approximate location of 31381 Coast Highway. The orange arrows indicate lot 1 of the Coast Royal bankrupt subdivision and a picnic shelter.



4.2. **31351-31355 COAST HIGHWAY (CORWIN), APN 056-032-04 AND 056-032-07**  
**CONDITIONALLY APPROVED**

DESIGN REVIEW 19-4320, COASTAL DEVELOPMENT PERMIT 19-4321, AND CATEGORICAL EXEMPTION [Section 15303].

City Staff: Wendy Jung, Principal Planner (949) 497-0321 [wjung@lagunabeachcity.net](mailto:wjung@lagunabeachcity.net)

Project Applicant: Todd Skenderian, Architect (949) 533-5984 [todd@tsarchitectslb.com](mailto:todd@tsarchitectslb.com)

The applicant requests design review and a coastal development permit to install fencing, driveway vehicular fencing and gates, and pedestrian gates at a single-family residence in the R-1 (Residential Low Density) zone, located between the sea and the first public roadway paralleling the sea and within 50 feet of a coastal bluff edge.

**Disclosures:** Mr. Weil spoke to Mr. Skenderian and Mr. Nokes. Ms. Gannon visited the site with Mr. Skenderian and spoke to Mr. Nokes. Ms. Thalman spoke to Mr. and Mrs. Marshall, Mr. Fuente, Mr. Skenderian, and Mr. Nokes. Ms. Neev visited the site with Mr. Skenderian and spoke to Mr. Nokes and Mr. and Mrs. Marshall. Mr. Sheridan visited the site and spoke to Mr. and Mrs. Marshall, Mr. Nokes, Mr. Skenderian, and Mr. Fuente.

**Staff Presentation:** Principal Planner, Wendy Jung, summarized the staff report.

**Project Representative:** Architect, Mr. Skenderian, and Lawyer, Larry Nokes, presented the project.

**Public Testimony:** Mr. Munche stated that with the removal of the spears and triangular gated area impeding their beach access, they fully supported the project.

→ Mr. Fudge believed that the bluff edge determination did not meet the LCP standards of where the bluff edge is.

Mr. Marshall stated they supported the project and agreed the fence was necessary for security purposes as public frequently trespassed onto the property and consequently onto theirs.

**Rebuttal:** Mr. Nokes stated that the Coastal Development Permit findings were prepared by the City and were in agreeance with the findings. He stated that the bluff edge determination was prepared by GeoSoils and the peer reviewer agreed with the determination. Mr. Corwin stated he respected the comments made and expressed the varying instances of trespassing, vandalism, loitering, and littering he experiences on his property.

**Board Questions:** Ms. Thalman confirmed with Mr. Skenderian that the proposed fence was 10-feet from the property line and the bluff edge was determined to be at the property line. Ms. Thalman confirmed with Mr. Nokes that they did not want horizontal bars on the fencing due to its ladder-like affect.

Ms. Gannon confirmed with Ms. Jung and staff that minor accessory structures with no structural foundation could be proposed 10-feet from the bluff edge.



Ms. Neev confirmed with Mr. Skenderian that there was a portion of fencing on the property that was to remain a combination of chain link and chicken wire due to the proximity to the bluff edge. Ms. Neev confirmed with staff that the fence could be proposed 10-feet from the bluff edge due to the lack of structural foundation in the design. Ms. Neev confirmed with Mr. Nokes that the homeowner would prefer the fencing remain 10-feet from the bluff edge. Mr. Skenderian stated that fencing would be considerably less at the proposed location, rather than it being closer to the home due to the lot shape.

→ Ms. Thalman confirmed with Mr. Nokes that Mr. Corwin would like to keep as much usable enclosed space as possible for his personal use.

**Board Comments:** Mr. Weil stated he was supportive of the project with the proposed changes and believed fencing should be erected for concern of safety and was supportive of the location.

Ms. Gannon concurred with the comments stated by Mr. Weil and supported staff's findings for the Coastal Development Permit and design guidelines.

Mr. Sheridan stated he supported staff's recommendation and appreciated the work the applicant team put in to mitigate all the neighborhood concerns.

→ Ms. Neev stated she was not comfortable with the proximity of the proposed fence to the bluff edge and was afraid of the precedent it would set.

→ Ms. Thalman stated she would support the project but shared similar concerns stated by Ms. Neev. She believed it was not neighborhood compatible as fencing like the proposed was not common. Ms. Thalman stated the design of the fencing felt prison-like and hoped for something more coastal-like but understood the safety and security concerns to which led her to support the project.

Mr. Sheridan made a motion, seconded by Ms. Gannon, to conditionally approve Design Review 19-4320 and Coastal Development Permit 19-4321 at 31351-31355 Coast Highway with the findings as outlined in the staff report, and to adopt the categorical exemption pursuant to state CEQA with the condition to change the fencing design and to eliminate the gate in the triangular area adjacent to the Marshall and Fuente property. The motion carried unanimously, 4-1.

Motion   DS   Second   JG   Action   **CONDITIONALLY APPROVED**

Gannon   Y   Sheridan   Y   Thalman   Y   Neev   N   Weil   Y  

→

A-5-22-LGB-0061 (Corwin)

# **EXHIBIT 5**

**Coastal Commission Staff Geologist Memo**

(6 pages)

**CALIFORNIA COASTAL COMMISSION**

455 MARKET STREET, SUITE 228  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400



December 1, 2022

**BLUFF EDGE REVIEW MEMORANDUM**

To: Meg Vaughn, Coastal Program Analyst  
From: Joseph Street, Ph.D., P.G., Staff Geologist *Joseph Street*  
Re: 31351-31355 Coast Highway, Laguna Beach (Corwin Residence),  
Appeal No. A-5-LGB-22-0061

In connection with the above-referenced appeal, I have reviewed the following document directly related to the subject property:

- 1) GeoSoils, Inc., 2022, "Updated Discussion of Geomorphology and Bluff Edge Determination, 31351 Coast Highway, Laguna Beach, Orange County, California", report dated June 2, 2022, and signed by J. P. Franklin and D. W. Skelly.

I have also consulted oblique aerial photographs of the site provided by the California Coastal Records Project (<https://www.californiacoastline.org>) and the two-foot contour topographic maps maintained by Orange County Public Works (OCPW) (<https://www.ocgis.com/ocpw/landrecords/>). The purpose of this memorandum is to evaluate the position of the bluff edge, as defined in the City of Laguna Beach Local Coastal Program (LCP) Land Use Element (LUE), on the subject property.

**Site Description**

As described in Ref. (1), the coastal bluff at the site is composed of Tertiary-aged sandstone and conglomerate bedrock known as the San Onofre Breccia, overlain by Quaternary-aged marine and non-marine paralic deposits (often called "terrace deposits"). Across much of the site, however, the lower (seaward) portion of the bluff is covered by a thick layer of colluvium<sup>1</sup> and talus eroded over time from the slopes above (**Figs. 1 and 2**, attached). Minor amounts of artificial fill are indicated on the upper (inland) portion of the subject lot; this fill does not greatly modify the bluff topography. The bluff slope extends from the back beach at approximately +20 ft elevation<sup>2</sup> to approximately +88 ft at the inland property line, and to approximately +100 – 110 ft at Coast Hwy (depending on location). At the bottom of the slope, the toe of the colluvium has been eroded by wave action into a relatively steep (60° – 65°; ~0.5:1 horizontal:vertical, h:v) bank or sea cliff, while on the southernmost portion of the site the San Onofre breccia is exposed and forms a sea cliff with a similar slope. As shown in **Figs. 1 and 2**, the lower slope of the colluvium is relatively gentle, with slopes ranging from 10° – 20°, but steepens (to 30° – 40°) moving

<sup>1</sup> Colluvium generally refers to a loose, heterogenous mass of soil or talus material deposited by rainwash, slope wash or slow downslope creep, often accumulating at the base of slopes or hillsides.

<sup>2</sup> No vertical datum was indicated in Ref. 1; elevations are assumed to be relative to mean sea level.



inland, where the mantle of colluvium covers the former bedrock sea cliff. On the upper part of the subject site, above approximately +60 ft in elevation, the bluff slope is approximately 30° (1.5:1 to 2:1 h:v).

As a general matter, the Laguna Beach coastline is characterized by a narrow coastal terrace that has been modified by the geologically recent and rapid uplift of the San Joaquin Hills. The area immediately inland of the subject site is characterized by a narrow, gently sloping terrace which steepens moving inland, where it transitions to the lower slopes of an arm of Aliso Peak. Based on the OCPW topographic maps, the inclined terrace/upland area immediately inland of the subject site has an average slope of approximately 10 degrees (6:1 h:v).

### **Bluff Edge Determination**

The Land Use Element (LUE) of the City of Laguna Beach's certified LCP provides direction on determining the bluff edge, including the following definition of "Oceanfront Bluff Edge or Coastal Bluff Edge" (Glossary Definition 101):

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

This definition is similar, though not identical to the definition of "bluff edge" contained in the Coastal Commission's regulations (Cal. Code Reg. Title 14, §13577(h)). The LUE (in Definition 102) further clarifies that a coastal bluff encompasses the entire slope between the upland area and the beach, and not just the steepest portion of the slope:

**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.

The subject site is somewhat unusual in the Laguna Beach area in that the "intact" portion of the bluff, consisting of San Onofre Breccia overlain by younger marine and non-marine terrace deposits, is largely covered by a thick mantle of colluvium extending some 80 - 100 feet seaward of the face of the bedrock. Across much of the site the seaward toe of the colluvium has been eroded by wave action into a steeper bank, the top of which is at elevations of approximately +22 - 23 feet. The bluff edge determination submitted by the applicant (Ref. 1) identifies the top of this lower bank as the bluff edge, except in the southernmost part of the site, where the bluff edge is identified as the top of the San Onofre Breccia sea cliff (**Figs. 1, 2**). However, as noted above, the LUE definition of "Oceanfront/Coastal Bluff" expressly includes the entire slope between the upland area and the sea, not just the lower sea cliff. The applicant's analysis does not account for the considerable elevation change that occurs between the identified bluff edge (at ~22 – 23 ft elevation), the inland edge of the subject lot (at ~88 ft) and Coast Highway (at ~100 – 110

ft), nor the significant slope of the upper bluff, which based on the applicant's topographic survey averages about 25° on the northern part of the lot and 30° on southern part of the lot, with portions of the bluff approaching 40°. <sup>3</sup> The upper bluff slope at the site significantly exceeds the general slope of the upland/terrace area (~10°, 6:1 h:v) immediately inland, as estimated from the OCPW topographic data.

At the subject site, the coastal bluff is affected by both marine erosion at the toe and subaerial processes on the upper bluff, resulting in a bluff that, to variable degrees, is "rounded away from the face of the bluff", such that the LUE defined by the points "nearest the bluff face beyond which a downward gradient is maintained continuously to the base of the bluff." Considering the topographically variable and inclined bluff top in this location, my approach to defining the bluff edge has been to determine the average slope of the upland area immediately inland of the subject site (generally between Coast Hwy and Brooks St.), and to identify where the slope of the bluff exceeds this average slope (~10 degrees, 6:1 h:v). As shown in in **Fig. 3**, this slope break occurs inland of the subject site, between elevations of approximately +100 – 110 feet.

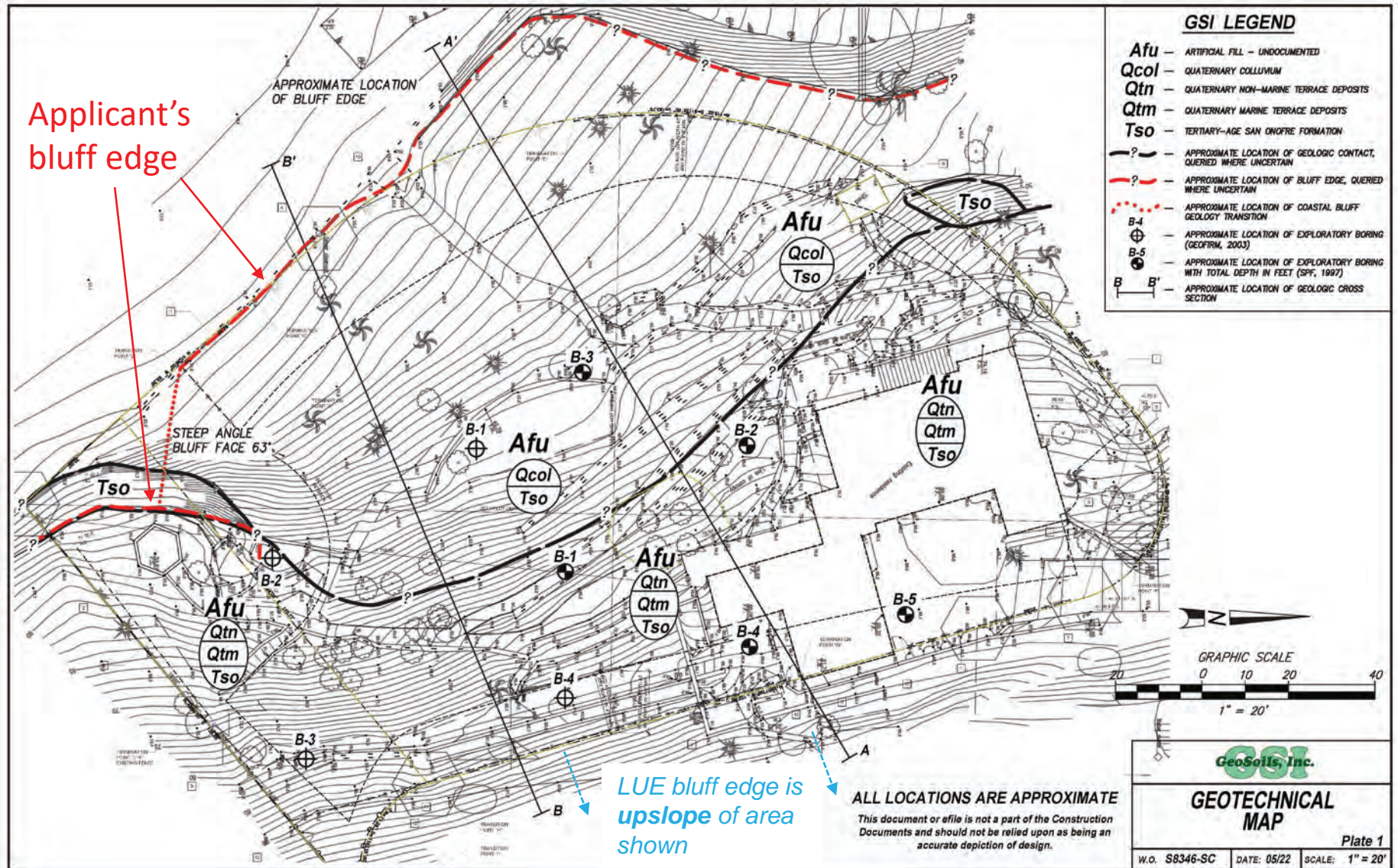
The LUE Coastal Bluff Edge definition additionally indicates that grading cuts – such as occurred during the construction of Coast Highway -- can cause the bluff edge to retreat, but that the placement of artificial fill does not push the bluff edge seaward. Along the northern portion of the site, it is unclear whether grading cuts associated with Coast Highway affected the position of the bluff edge. Additionally, I do not have any geologic information indicating the location or extent of artificial fill inland of the subject lot, such as along the margins of the road (the geologic information provided in Ref. 1 indicates that only a minor amount of fill is present on the subject lot itself). For these reasons, the bluff edge delineation provided here should be considered approximate.

### **Attachments: Figures 1 – 3**

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<sup>3</sup> These slope values are roughly consistent with an upper bluff slope of approximately 33 degrees (1.5:1 h:v) between elevations 20 – 120 ft indicated in the 1885 U.S. Coast and Geodetic Survey T-Sheet map cited by Ref. (1).

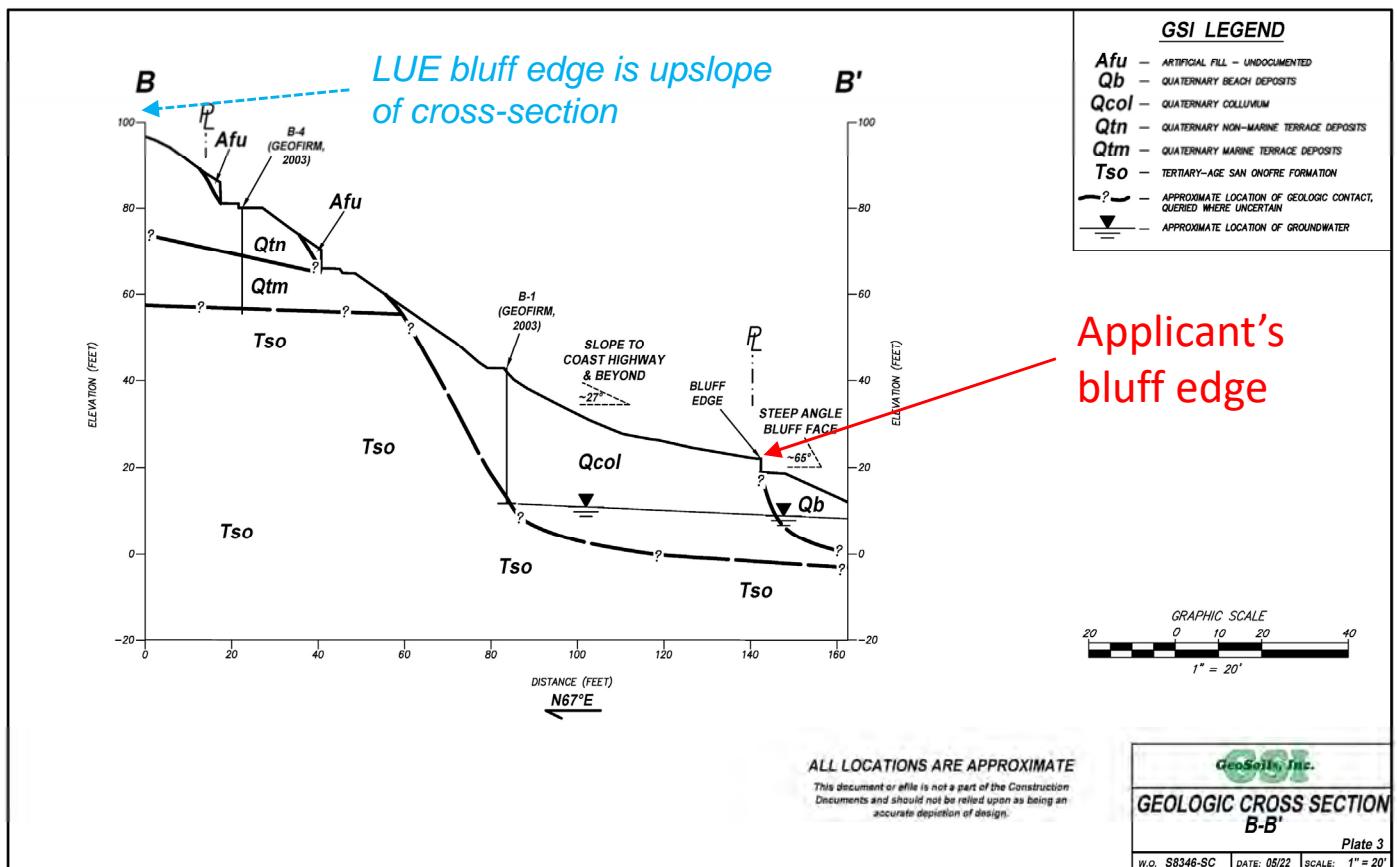
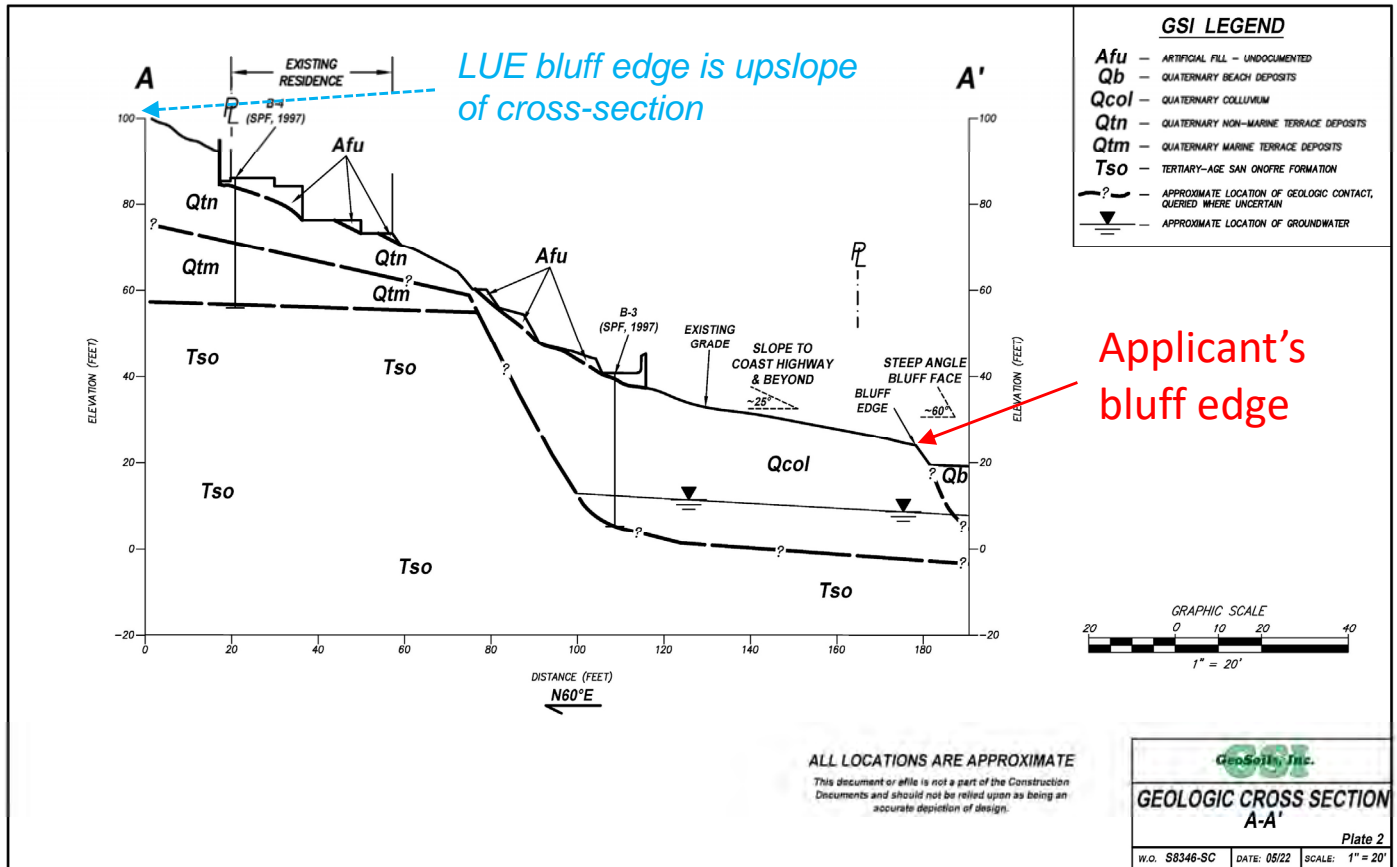
Bluff Edge Review Memo -- Figure 1



Modified from GeoSoils 6/2/2022

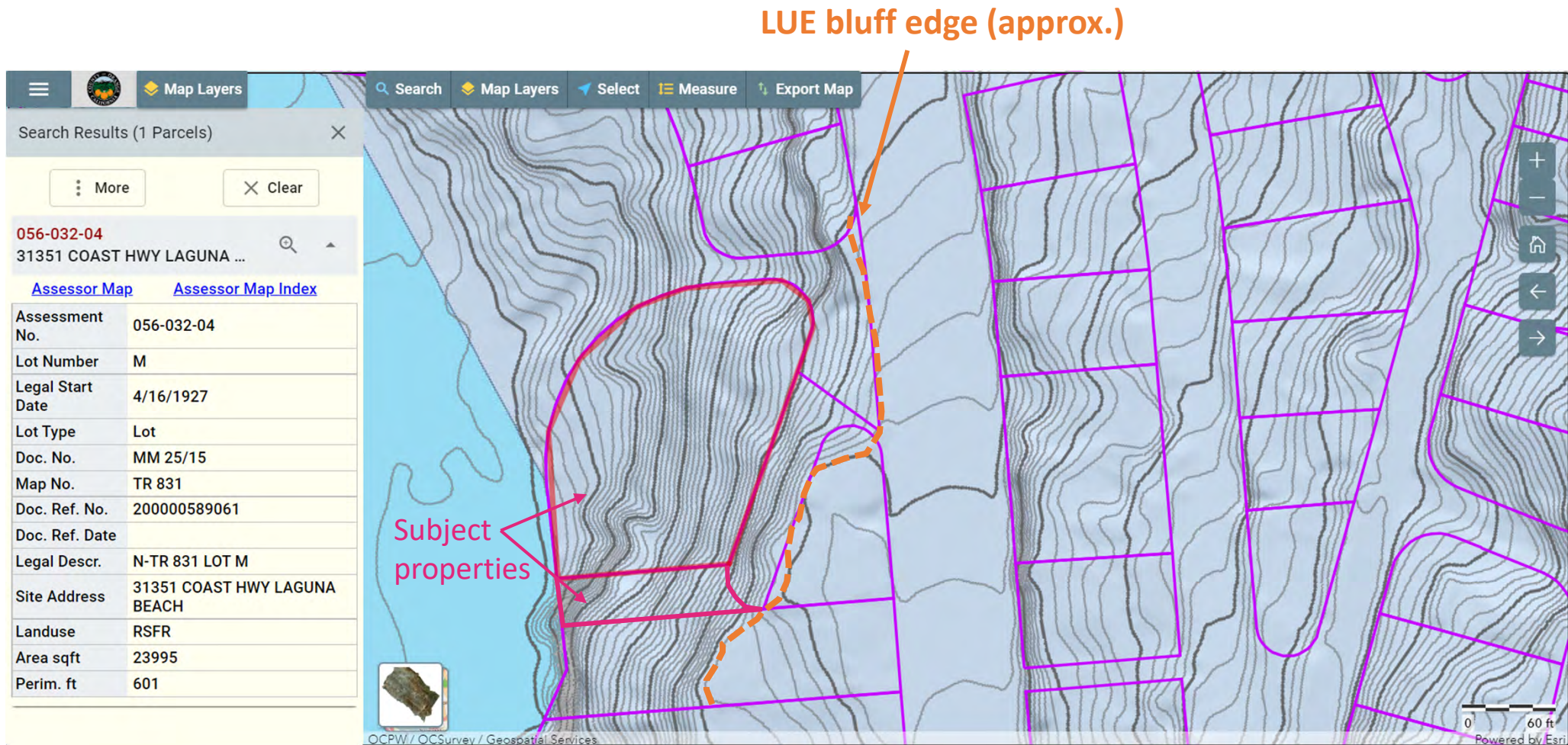


# Bluff Edge Review Memo -- Figure 2





## Bluff Edge Review Memo -- Figure 3



Modified from Orange County Public Works (OCPW) (<https://www.ocgis.com/ocpw/landrecords/>)

A-5-22-LGB-0061 (Corwin)

# **EXHIBIT 6**

**Local Hearing Public Comments**

(4 pages)

-----Original Message-----

From: Debbie Marshall <debbiemarshall@cox.net>  
Sent: Saturday, September 17, 2022 4:31 PM  
To: Jung, Wendy CD <wjung@lagunabeachcity.net>  
Cc: Bunim, Russell CD <rbunim@lagunabeachcity.net>  
Subject: Corwin fencing at 31351 Coast Highway

[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.]

Dear Design Review Board,

My name is Debbie Marshall and I live at 31365 Coast Highway. I have been lucky enough to call this my home for 22 years. I would like to take a moment to thank the design review people who visit in my home with regard to the above hearing.

For the past 22 years I have used the parkway adjacent to my property that gives me beach access to West Street beach. When I first moved into my house that Parkway was owned by the state. A few years ago they try to give it to Laguna Beach but Laguna was not interested and so they offered it to my two neighbors Mr. Schiffmann and Mr. Corwin. Mr. Schiffmann made the highest offer and it was excepted by the city.

We soon found out that Mr. Corwin had a small pie shaped piece of property that crossed that parkway. At today's hearing his representative Mr. Skenderian is proposing fencing that pie shaped piece of property and putting two gates where it crosses the Parkway. This would mean that anytime I take my grandchildren to the beach along with sand toys, beach chairs and of course an umbrella I would have to stop and open the first gate proceed a few feet and stop and open a second gate. I am now 77 years old and I am sure I would have to put all my paraphernalia down to open these gates. There is absolutely no reason for these two gates. I am asking you the design review board to abandon the idea of these two gates. I have had a prescriptive easement to this Parkway for over 22 years and the people who owned this property previously had that same prescriptive easement. I dare say that everyone who has lived in this house since it was built in 1948 has used this parkway with no obstructions.

There is absolutely no security issue with this Parkway and Mr. Corwin's house and therefore in my opinion no need for these gates. Furthermore California law indicates that if a person has used a piece of property repeatedly for at least five years they have a prescriptive access to that property. It worries me that there could be a possibility that someday after a design review is no longer involved that Mr. Corwin or another owner of his property we decide to lock those gates.

Sincerely,

Deborah Marshall  
31365 Coast Hwy.  
Laguna Beach  
949 500 3050

---

**From:** Ron Marshall <ronaldmarshall@cox.net>  
**Sent:** Saturday, September 17, 2022 4:45 PM  
**To:** Bunim, Russell CD <rbunim@lagunabeachcity.net>  
**Subject:** Public Comment for a Project

[**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.]

I live at 31365 Coast Highway and my comments regard the proposed fence at 31351 Coast Highway on the agenda for Design Review on September 22.

I am okay with the fence with the exception of the portion that comes up a triangular sliver of his property across our beach access trail and ending at the juncture of our property line and our neighbor Mr Schiffmann. We have used this beach trail for 22 years and understand that it has existed for over 70 years. This portion of the fence is 4 feet high and gives Mr Corwin no added security from the general public. Putting a fence in this area serves no purpose and would obstruct views from our nearby master bedroom.

I am even more opposed to the proposed gates across the trail. The gates could later be locked or a new owner could object to us going through them. They serve no purpose and probably illegal on a historic public easement trail to the beach. This tiny area has never been posted and I doubt the owner knew it existed as 95% of the trail goes through Mr Schiffmann's property.

Ron Marshall  
31365 CoastHwy  
949 500 3050



-----Original Message-----

From: Algis Ratkelis <aratkelis@gmail.com>

Sent: Wednesday, September 21, 2022 3:12 PM

To: Jung, Wendy CD <wjung@lagunabeachcity.net>

Subject: DESIGN REVIEW 19-4320

[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.]

MY NAME IS ALGIS RATKELIS, I AM THE OWNER OF THE RESIDENCE AT 31341 COAST HWY- NEXT TO 31351, LAGUNA BEACH. I HAVE REVIEWED THE PROPOSED FENCE INSTALLATION AND I AM VERY HAPPY TO SEE IT DONE AS PROPOSED.

SINCERELY,

ALGIS RATKELIS

### 30 Reports Issued by Laguna Beach PD of Trespassing, Vandalism and Burglary at 31351 South Coast Highway

1. Burglary 3.13.19
2. Burglary 5.08.19
3. Vandalism 5.24.18
4. Vandalism 6.12.22
5. Other Property Damage Report 6.21.19 \*
6. Trespassing 6.24.17
7. Other Property Damage Report 7.30.18
8. Bonfire 8.02.18
9. Vandalism 8.17.19
10. Vandalism (Mafia Style) 8.07.19
11. Vandalism 8.09.18
12. Burglary 8.21.19
13. Other Property Damage Report 9.14.18
14. Other Property Damage Report 9.28.19
15. Other Property Damage Report 12.05.19
16. Burglary 12.22.18
17. Vandalism 12.28.17
18. Burglary 3.13.19
19. Vandalism 7.26.09 Vehicle Alarm Triggered
20. Felony Burglary 08.09.09
21. Burglary 9.3.09
22. Burglary 2.5.10
23. Burglary 7.17.10
24. Possible Break-In (Alarm triggered) 06.01.11
25. Trespassing 8.31.13
26. Vandalism 9.11.13 (Cutting of 20 Trees)
27. Trespassing 1.06.15
28. Report 1.8.15 Mentions issues with transients Trespassing
29. 4.23.15 Trespassing (Fires being started in the Home)
30. Vandalism 8.02.15 (Cutting down of 20 additional trees) Some 80 years old and deemed Historic

Quote from 6.21.19 Report:

Spoke with house manager in regards to possible 602 on property. Manager has found multiple items out of place/left behind on property, such as trash, cigarette butts, etc. Manager stated chain link fence is the only barrier keeping people off of property. Contaged gardeners for residence and they stated the damage to sprinklers could have been caused by them, could not confirm or deny. RP requests PC's for W2 between the hours of 0000 and 0500 for 602 / Sleepers. RP provided a copy of event number.

PRINTED FOR BRIEFING

A-5-22-LGB-0061 (Corwin)

## **EXHIBIT 7**

Nokes & Quinn (with attached Police Report information attached)

(13 pages)





January 18, 2023

**VIA ELECTRONIC MAIL ONLY**

Marc Wiener  
Director of Community Development  
CITY OF LAGUNA BEACH

[mwiener@lagunabeachcity.net](mailto:mwiener@lagunabeachcity.net)

Re: ***31351-31355 Coast Highway***

Dear Marc:

This letter is a follow up to our discussion and my letter to you dated December 27, 2022. As we discussed, it is Mr. Corwin's desire to install his Design Review Board-approved fence. The delay in construction is not the fault of Mr. Corwin but is a result of the reflexive challenge of the City-approved CDP to the Coastal Commission by serial appellant, Mark Fudge. Mr. Fudge accuses the City of misapplying its own LCP in determining the location of the bluff edge. If the Coastal Commission finds substantial issue - and subsequently denies Mr. Corwin's CDP as recommended by Coastal Commission staff - the matter will negatively impact the ability of coastal landowners within the City's jurisdiction to secure their properties with fences.

Mr. Corwin has offered to install – at considerable expense – a new, temporary fence pending resolution of the Coastal Commission appeal of the City-approved perimeter security fence at his property. However, after you and I spoke about the issue, the alternative of leaving the existing temporary fence in place for additional time (one year) was agreed to be more efficient.

We also discussed dismissal, without prejudice, of the current criminal proceedings the City commenced against Mr. Corwin. Additionally, if the CDP issue is not concluded during the one-year period, then the City would entertain a request by Mr. Corwin for an additional extension of time to maintain the temporary fence. However, if the City determines that the CDP request is an impossibility based on the position of the Coastal Commission, the City will request removal of the temporary fence, and Mr. Corwin will comply. If Mr. Corwin fails to remove the temporary fence after a request by the City, the City may recommence its criminal action.

With that said, in consideration of the City's desire to promptly have the temporary fence removed, and Mr. Corwin's desire to install his Design Review Board-approved fence, compounded by the uncertainty of the timing of a Coastal Commission proceeding, we want to explore with you, as part of this agreement, the alternative of the City issuing a Notice and Order to Abate under LBMC § 7.24.070.

NOKES & QUINN, LLP

410 Broadway Street, Suite 200, Laguna Beach, CA 92651 • Phone: 949/376-3500 • FAX: 949/376-3070  
website: [www.nokesquinn.com](http://www.nokesquinn.com)

Unenclosed, the property is in a condition that rises to the level of a public nuisance as defined under LBMC § 7.24.020-.030. The proposed Order would describe the events referenced in the LBPD incident reports and require abatement by way of installation of the fence and gate recently approved by the Design Review Board and unanimously supported by the adjacent neighbors. Under these circumstances, the fence and gate would not require a CDP, so that the City's approval would be final. *Citizens of Better Eureka v. California Coastal Commission* (2011) 196 Cal.App.4<sup>th</sup> 1577, 1580:

“[W]here a local government properly declares a nuisance and requires abatement measures that are narrowly targeted at abating the declared nuisance, those measures do not require a CDP.”; Pub. Res. Code s. 30005 (“No provision of this division is a limitation on . . . the power of any city or county . . . to declare, prohibit, and abate nuisances.”)

The circumstances of this case are acute because of the exposure of this property to unfettered access from the public beach. This property does not enjoy the natural protection afforded by the bluff features on other beach-adjacent properties; this has resulted in numerous incidents of trespass, vandalism, burglary and fire. LBPD produced over 30 incident reports relating to this property (see attached reports and timeline) including multiple incidents of vandalism, trespassing including transients, building of campfires, depositing trash, holding parties and events, burglarizing the dwelling, removal of trees and vegetation, and even the conduct of wedding ceremonies without permission from the owner.

The Design Review Board unanimously determined that a perimeter fence at the property is necessary to protect against repeated criminal activity that has occurred over the years, including numerous fires set by trespassers on the property. Unenclosed, Mr. Corwin's property is an inviting target for vandals and trespassers, posing a serious risk of harm to the lives and properties, not just of Mr. Corwin, but of surrounding neighbors as well. Consider, for example, the risks created by a fire, such as the 1992 fire, which spread rapidly through the City. With the dry conditions we have typically experienced, this risk is particularly evident. The historic criminal activity at the unenclosed property has also had a detrimental effect on Mr. Corwin's adjoining neighbors – one of whom testified as such at the Design Review Board hearing.

As for the City, its Police Department has been taxed by repeated calls to the property associated with criminal incidents at the site. A security system and cameras have long been installed at the property, to no avail. Additionally, Mr. Corwin has been advised by his landscape architect, Michael Wilkes, that the planting of cacti would take at least 10 years to mature sufficiently and act as an effective barrier. In summary, nothing but adequate fencing will abate the problem described above.

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Permitting of the Design Review Board-approved fence pursuant to the City's nuisance-abatement power—without a CDP—would expedite construction of the new fence and gate, thereby resulting in the temporary fence being removed in less than a year. It's a benefit to Mr. Corwin, the City, and the neighbors.

The declaration of nuisance would be a legitimate recognition of the problems faced by the homeowner, by property owners in the vicinity, and by Laguna Beach law enforcement. I would expect you would inform the Coastal Commission of taking this action as a result of the City's concerns as expressed by the findings of the Design Review Board and Staff that a fence is needed at this property.

I look forward to your response.

Best regards,



Laurence P. Nokes

LPN/dkc  
Attachment

cc: Client  
Todd Skenderian  
Wendy Jung



### **30 Reports Issued by Laguna Beach PD of Trespassing, Vandalism and Burglary at 31351 South Coast Highway**

1. Burglary 3.13.19
2. Burglary 5.08.19
3. Vandalism 5.24.18
4. Vandalism 6.12.22
5. Other Property Report 6.21.19
6. Trespassing 6.24.17
7. Other Property Damage Report 7.30.18
8. Bonfire 8.02.18
9. Vandalism 8.07.2015
10. Vandalism (Mafia Style) 8.07.2019
11. Vandalism 8.09.18
12. Burglary 8.21.19
13. Other Property Report 9.14.18
14. Other Property Report 9.28.2021
15. Other Property Report 12.05.2021
16. Burglary 12.22.18
17. Vandalism 12.28.17
18. Burglary 3.13.19
19. Vandalism 7.26.09 Vehicle Alarm Triggered
20. Felony Burglary 08.09.09
21. Burglary 9.3.09
22. Burglary 2.5.10
23. Burglary 7.17.10
24. Possible Break-In (Alarm triggered) 06.01.11
25. Trespassing 8.31.13
26. Vandalism 9.11.13 (Cutting of 20 Trees)
27. Trespassing 1.16.15
28. Report 1.8.15 Mentions issues with transients Trespassing
29. 4.23.15 Trespassing (Fires being started in the Home)
30. Vandalism 8.02.15 (Cutting down of 20 additional trees) Some 80 years old and deemed Historic

Calls For Service Report    Call ID: E19011717				Printed: June 27, 2022	
1. Agency LBDP	2. Person Received Complaint Chavez, Lizette	3. Date/Time Received 03/13/2019... 12:09 4. Time Dispatched 12:19	5. Time Arrived 12:23 6. Time Complete 12:28	7. Case # -	
8. Nature Of Incident	BURGLARY				
9. Location Of Incident	31351 COAST HWY, LAGUNA BEACH, CA				
10. Victim or Caller	CALIBER SECURITY				
11. Classification	12. How Received 'PHONE' I/CAD...	13. Disposition EMPLOYEE ACTIVATED	14. Officer Kraus, Wade	15. Date Submitted 03/13/2019...	

Notes: \*\* LOI search completed at 03/13/19 12:09:34  
 RESD                    / COV ZONE 10 GLASS BREAK / ACT 1205 HRS / RESP PENDING / INSIDE NONE

Calls For Service Report			Call ID: E19022735		Printed: June 27, 2022	
1. Agency LBPB	2. Person Received Complaint Neuenschwander,...	3. Date/Time Received 05/08/2019... 07:18	5. Time Arrived 07:28	7. Case # -		
		4. Time Dispatched 07:18	6. Time Complete 07:37			
8. Nature Of Incident	BURGLARY					
9. Location Of Incident	31351 COAST HWY, LAGUNA BEACH, CA					
10. Victim or Caller	CALBER SECURITY					
11. Classification	12. How Received 'PHONE' I/CAD...	13. Disposition EMPLOYEE ACTIVATED	14. Officer Martinez, Zach	15. Date Submitted 05/08/2019...		

**Notes:** GARAGE GLASS BREAK  
 CORWIN RES - NO NUMBER LISTED  
 RESET TIME - NONE  
 \*\* LOI search completed at 05/08/19 07:18:45  
 131 - CONSTRUCTION CREW 97  
 131 - OPEN DOOR FROM THE GARAGE INTO THE RES - CHECKING  
 INSIDE 10-33 GRN 2  
 CODE 4...10-34 GRN 2  
 OUT W/CONSTRUCTION WORKER

<b>Calls For Service Report</b> Call ID: <b>E18020765</b>			Printed: June 27, 2022	
<b>1. Agency</b> LSPD	<b>2. Person Received Complaint</b> Romero, Carolina	<b>3. Date/Time Received</b> 05/24/2018... 08:15 <b>4. Time Dispatched</b> 08:26	<b>5. Time Arrived</b> 08:26 <b>6. Time Complete</b> 09:03	<b>7. Case #</b> -
<b>8. Nature Of Incident</b>	VANDALISM			
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA			
<b>10. Victim or Caller</b>				
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> NO PAPER TAKEN	<b>14. Officer</b> Wagner, Rock	<b>15. Date Submitted</b> 05/24/2018...

**Notes:** WINE BOTTLE THROWN AND DAMAGED RPS WINDOW  
UNK LOSS, ONGOING ISSUE, POSS RPS NEIGH  
RP WILL BE INS RES

\*\* LOI search completed at 05/24/18 08:15:31

EVENT ONLY, NO DAMAGE, BRKN BOTTLE ONLY, NO 594, BUT RP WIL CHK WTH OWNR JACK TO  
REVIEW EXT VIDEO FOR MORE INVEST., 602, OPTNL.



<b>Calls For Service Report</b>			<b>Call ID: E22024121</b>		<b>Printed: June 27, 2022</b>
<b>1. Agency</b> LBPD	<b>2. Person Received Complaint</b> Chavez, Lizette	<b>3. Date/Time Received</b> 06/12/2022... 12:41	<b>5. Time Arrived</b> 13:03	<b>7. Case #</b> .	<b>4. Time Dispatched</b> 12:58
<b>8. Nature Of Incident</b>	VANDALISM				
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>	/				
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> NO PAPER TAKEN	<b>14. Officer</b> Manzano, Antonio	<b>15. Date Submitted</b> 06/12/2022...	

**Notes:** \*\* LOI search completed at 06/12/22 12:41:52  
 UNK SUBJS CAME ONTO PROPERTY AND CUT DOWN A TREE  
 \*\* Event held for 5 minutes and unit 133  
 133 -- HAVE RP STEP  
 RP STEPPING OUT  
 133 -- OUT W RP

Calls For Service Report    Call ID: E19031012				Printed: June 27, 2022	
1. Agency LBPD	2. Person Received Complaint Laser, Lana	3. Date/Time Received 06/21/2019 08:26 4. Time Dispatched 08:56	5. Time Arrived 09:00 6. Time Complete 09:16	7. Case #	
8. Nature Of Incident	ATT TO CONTACT				
9. Location Of Incident	31351 COAST HWY, LAGUNA BEACH, CA				
10. Victim or Caller					
11. Classification	12. How Received PHONE / CAD	13. Disposition NO PAPER TAKEN	14. Officer Kraus, Wade	15. Date Submitted 06/21/2019	

**Notes:** RP CALLING ON BEHALF OF HIS EMPLOYER - THE LOC IS THEIR SUMMER HOUSE  
 NO ONE CURRENTLY STAYING AT THE HOME  
 LEAKAGE FROM THE SPRINKLERS  
 WATER RUNNING 24 HRS A DAY PER THE WATER COMPANY  
 WIRES CUT FROM THE SPRINKLER SYSTEM  
 \*\* LOI search completed at 06/21/19 08:26:46  
 SECURITY CAMERAS ON PROPERTY BUT COULDN'T SEE THE SPRINKLER LOC ON THE CAMERAS  
 WATER HAS BEEN TEMPORARILY SHUT OFF  
 NO ONE WILL BE ON PROPERTY UNTIL MONDAY - RP WILL CALL AT THAT TIME FOR AN OFFICER TO RESPOND  
 EVENT # GIVEN  
 RP NOW AT LOCATION FOR POSSIBLE 594 REPORT  
 \*\* Event E19031012 has been reopened at: 06/24/19 08:53:33  
 \*\* by: LIZETTE CHAVEZ on terminal: pd-disp2  
 \*\* LOI search completed at 06/24/19 08:53:34  
 RP WANTS A REPORT DUE TO SO MUCH WATER LOST  
 STATES THEY HAD A COMPANY CLEAN THE YARD FOR WEEDS AND NOTICED A WHILE AFTER JOB WAS COMPLETED IS WHEN THE WATER POSSIBLY BEGAN TO SPILL  
 \*\* Event Type changed from 594(REPORT) to ATC at: 06/24/19 08:57:08  
 \*\* Event Priority changed from 3 to 2 at: 06/24/19 08:57:08  
 \*\* by: LIZETTE CHAVEZ on terminal: pd-disp2  
 \*\* by: LIZETTE CHAVEZ on terminal: pd-disp2  
 Spoke with house manager in regards to possible 602 on property. Manager has found multiple items out of place left behind on property, such as trash, cigarette butts, etc. Manager stated chain link fence is the only barrier keeping people off of property. Contaged gardeners for residence and they staed the damage to sprinklers could have been caused by them, could not confirm or deny. RP requests PC s for W2 between the hours of 0000 and 0500 for 602 / Sleepers. RP provided a copy of event number.  
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<b>Calls For Service Report</b> Call ID: <b>E17026899</b>			Printed: June 27, 2022	
<b>1. Agency</b> LCPD	<b>2. Person Received Complaint</b> Cleveland, Angela	<b>3. Date/Time Received</b> 06/24/2017... 14:31 <b>4. Time Dispatched</b> 14:39	<b>5. Time Arrived</b> 14:47 <b>6. Time Complete</b> 14:53	<b>7. Case #</b> -
<b>8. Nature Of Incident</b>	TRESPASSING			
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA			
<b>10. Victim or Caller</b>				
<b>11. Classification</b>	<b>12. How Received</b> 'ANIMAL' 1/CAD...	<b>13. Disposition</b> GONE ON ARRIVAL	<b>14. Officer</b> Michaud, James A	<b>15. Date Submitted</b> 06/24/2017...

**Notes:** \*\* LOI search completed at 06/24/17 14:31:36  
 GROUP OF TEENS TRESPASSED ONTO PROPERTY UNDER CONSTRUCTION  
 NFD, RP PHONE CUTTING OUT, BAD SIGNAL

<b>Calls For Service Report</b> Call ID: <b>E18033514</b>				Printed: June 27, 2022	
<b>1. Agency</b> LBDP	<b>2. Person Received Complaint</b> Querry, Jennifer	<b>3. Date/Time Received</b> 07/30/2018 09:34 <b>4. Time Dispatched</b> 09:37	<b>5. Time Arrived</b> 09:37 <b>6. Time Complete</b> 09:37	<b>7. Case #</b> -	
<b>8. Nature Of Incident</b>	INFORMATION ONLY				
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>					
<b>11. Classification</b>	<b>12. How Received</b> "PHONE" I/CAD...	<b>13. Disposition</b> CANCEL CALL	<b>14. Officer</b>	<b>15. Date Submitted</b> 07/30/2018...	

**Notes:** \*\* LOI search completed at 07/30/18 09:34:07  
 RP REPORTING ANOTHER INCIDENT FOR WHICH HE BELIEVES THE NEIGHBOR IS  
 RESPONSIBLE...BROKEN WINE BOTTLE FOUND ON THE DRIVEWAY OF THE PROPERTY.  
 ONGOING NEIGHBOR ISSUES, RP WANTED DOCUMENTATION OF THE INCIDENT AND EVENT #  
 GIVEN



<b>Calls For Service Report</b> Call ID: <b>E18034165</b>			Printed: June 27, 2022	
<b>1. Agency</b> LBPD	<b>2. Person Received Complaint</b> Gilstrap, Kaley	<b>3. Date/Time Received</b> 08/02/2018 21:16 <b>4. Time Dispatched</b> 21:43	<b>5. Time Arrived</b> 21:46 <b>6. Time Complete</b> 22:32	<b>7. Case #</b> -
<b>8. Nature Of Incident</b>	CHECK ON CONDIT.			
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA			
<b>10. Victim or Caller</b>				
<b>11. Classification</b>	<b>12. How Received</b> "PHONE" I/CAD...	<b>13. Disposition</b> ADVISED/COMPLIED	<b>14. Officer</b> Michaud, James A	<b>15. Date Submitted</b> 08/02/2018...

**Notes:** OPEN FLAME BONFIRE ON THE PROPERTY OF 31351 RP WOULD LIKE THE BEACH CHECKED TO MAKE SURE IT IS CONTAINED SAYS SMOKE IS COMING INTO HIS HOUSE  
 \*\* LOI search completed at 08/02/18 21:16:43  
 \*\* Event Type changed from LBMC(BON-FIRE) to CHECON at: 08/02/18 21:17:16  
 \*\* >>>> by: KALEY GILSTRAP on terminal: pd-disp3  
 CAMEL POINT BEACH  
 OUT W/ RP  
 2C4- CHECKING BEACH, WILL ADV ON A FOLLOW THRU THE RPS GARAGE  
 2C4 -- CODE 4  
 OUT W/ 6  
 \*\* PER search completed at 08/02/18 22:06:49  
 \*\* LOI information for Event # E18034165 was viewed at: 08/02/18 22:06:51  
 \*\* >>>> by: ALICIA L. GUTIERREZ on terminal: pd-disp2  
 \*\* LOI information for Event # E18034165 was viewed at: 08/02/18 22:07:05  
 \*\* >>>> by: KALEY GILSTRAP on terminal: pd-disp3  
 \*\* Event Type changed from CHECON to PC at: 08/02/18 22:21:07  
 \*\* >>>> by: STEVEN MCDOWELL on terminal: pd-disp1  
 \*\* Event Priority changed from 3 to 4 at: 08/02/18 22:21:08  
 \*\* >>>> by: STEVEN MCDOWELL on terminal: pd-disp1  
 A group of locals on the property, which did not belong to them.  
 rp said homeowner was not home.  
 rp advised of notes on call in case of issues  
 \*\* Event Type changed from PC to CHECON at: 08/02/18 22:32:05  
 \*\* Event Priority changed from 4 to 3 at: 08/02/18 22:32:05  
 \*\* >>>> by: STEVEN MCDOWELL on terminal: pd-disp1  
 \*\* >>>> by: STEVEN MCDOWELL on terminal: pd-disp1

<b>Calls For Service Report</b>			<b>Call ID: E15033082</b>		<b>Printed: August 25, 2022</b>
<b>1. Agency</b> LBPD	<b>2. Person Received Complaint</b> Cleveland, Angela	<b>3. Date/Time Received</b> 08/07/2015... 13:37	<b>5. Time Arrived</b> 13:37	<b>7. Case #</b> 1503-015	
		<b>4. Time Dispatched</b> 13:37	<b>6. Time Complete</b> 14:16		
<b>8. Nature Of Incident</b>	VANDALISM				
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>					
<b>11. Classification</b>	<b>12. How Received</b> 'OFFICER' I/CAD...	<b>13. Disposition</b> CLDS	<b>14. Officer</b> Gomez, Jose	<b>15. Date Submitted</b> 08/07/2015...	

**Notes:** \*\* LOI search completed at 08/07/15 13:37:18 \*\* Event Type changed from 488 to 484G at: 08/07/15 13:37:27 \*\* Event Priority changed from 1 to 2 at: 08/07/15 13:37:27 \*\* >>>> by: ANGELA CLEVELAND on terminal: pd-idisp2 \*\* >>>> by: ANGELA CLEVELAND on terminal: pd-idisp2 \*\* Event Type changed from 484G to 488 at: 08/07/15 13:38:30 \*\* >>>> by: ANGELA CLEVELAND on terminal: pd-idisp2 \*\* Event Priority changed from 2 to 1 at: 08/07/15 13:38:31 \*\* >>>> by: ANGELA CLEVELAND on terminal: pd-idisp2 CITIZEN HAIL TO B2 \*\* Case number C1503015 has been assigned \*\* >>>> by: JENNIFER QUERRY on terminal: pd-idisp1 20 TREES REMOVED / TOTAL \$50,000 WORTH OF DAMAGE \*\* Event Type changed from 488 to 594(REPORT) at: 08/07/15 14:16:52 \*\* Event Priority changed from 1 to 3 at: 08/07/15 14:16:52 \*\* >>>> by: ANGELA CLEVELAND on terminal: pd-idisp2 \*\* >>>> by: ANGELA CLEVELAND on terminal: pd-idisp2

<b>Calls For Service Report</b> Call ID: <b>E19041321</b>				Printed: June 27, 2022	
<b>1. Agency</b> LBDP	<b>2. Person Received Complaint</b> Romero, Carolina	<b>3. Date/Time Received</b> 08/07/2019... 09:55 <b>4. Time Dispatched</b> 09:59	<b>5. Time Arrived</b> 09:59 <b>6. Time Complete</b> 10:09	<b>7. Case #</b> -	
<b>8. Nature Of Incident</b>	VANDALISM				
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>					
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> NO PAPER TAKEN	<b>14. Officer</b> Leal, Natalie	<b>15. Date Submitted</b> 08/07/2019...	

**Notes:** DEAD RAT IN A PLASTIC BAG LEFT TO THE FRONT OF THE DOOR  
 THE SPRINKLERS WERE CUT  
 NFD  
 \*\* LOI search completed at 08/07/19 09:55:21  
 133 - SPOKE WITH HIM VIA PHONE, NOT A CRIMINAL ISSUE\



Calls For Service Report			Call ID: E18035571		Printed: June 27, 2022
1. Agency LBPB	2. Person Received Complaint Crisostomo, Daisy	3. Date/Time Received 08/09/2018... 13:34	5. Time Arrived 00:00	7. Case # -	
		4. Time Dispatched 00:00	6. Time Complete 08:59		
8. Nature Of Incident	VANDALISM				
9. Location Of Incident	31351 COAST HWY, LAGUNA BEACH, CA				
10. Victim or Caller					
11. Classification	12. How Received 'PHONE' I/CAD...	13. Disposition NO PAPER TAKEN	14. Officer Wagner, Rock	15. Date Submitted 08/09/2018...	

Notes: \*\* LOI search completed at 08/09/18 13:34:46

LAST NIGHT

GLASS BOTTLES THROWN AT LOC ....RP WORKS AT LOC AND IS CALING ON BEHALF OF OWNER

ATT TO CALL THE RP BACK FOR FURTHER

SO FAR AFTER SEVERAL ATT NO ANSWER, MESSAGE LEFT

133 -- MESSAGE LEFT FOR THE RP

\*\* LOI search completed at 08/09/18 15:29:33

\*\* Event E18035571 has been reopened at: 08/09/18 15:29:33

\*\* >>>> by: JENNIFER NEUENSCHWANDER on terminal: pd-disp2

133 -- APPEARS RP IS GOA

NO ANSWER ON 10-21 AGAIN, ANOTHER MESSAGE LEFT

133 WILL ATT TO CALL HIM AGAIN BEFORE EOW

\*\* LOI search completed at 08/10/18 08:02:14

\*\* Event E18035571 has been reopened at: 08/10/18 08:02:14

\*\* >>>> by: JENNIFER NEUENSCHWANDER on terminal: pd-disp2

133 -- CODE 4

IAN BELIEVES HIS NGHBR FISHMAN AT 31361 TO THE SOUTH, IS RESPONSBL FOR THROWING WINE BOTTLES, 6-7 WITHN PAST MONTHS, NOT SEEN, NO VID, ONGOING NGHBR DISPUTE B/T OWNERS, I WIL DOOR KNOCK FISHMAN, NR FOR NOW, NO DAMAGE, LITTER, ATTMPT 594,

\*\* LOI search completed at 08/10/18 08:21:56

133 -- OUT WITH MARK - CODE 4

MARK PUENTE RESIDES WITH TODD SCHIFFMAN, NOT FISHMAN, CONFRMD ONGOING 20 YR DISPUTE OVER PROPRTY, A GAZEBO, NITE PARTIES, FIRES, NAKEDNESS IN GAZEBO ON IANS PROPRTY, MARK DENIED ANY BOTTLE CAPER BY HIM OR TODD

IAN IS PROPRTY MNGR FOR CORWIN OWNER AT 31351

\*\* LOI search completed at 08/10/18 08:36:40

IAN SAID HIS EXT VID CAMERA NOW POINTED AT AREA WHERE BOTTLES GET THROWN NEAR TODDS PROP, GAZEBO ACTVTY IS RARE, NO 602S FROM BEACH, WILL MONITOR

\*\* Event held for 5 minutes and unit 133



<b>Calls For Service Report</b> Call ID: <b>E21041941</b>				Printed: June 27, 2022	
<b>1. Agency</b> LBDP	<b>2. Person Received Complaint</b> Moreno, Karl	<b>3. Date/Time Received</b> 08/21/2021... 16:51 <b>4. Time Dispatched</b> 17:57	<b>5. Time Arrived</b> 18:13 <b>6. Time Complete</b> 18:40	<b>7. Case #</b> 2102-284	
<b>8. Nature Of Incident</b>	BURGLARY				
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>					
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> REPORT TAKEN -ALL TYPES	<b>14. Officer</b> Brooks, Trevor	<b>15. Date Submitted</b> 08/21/2021...	

**Notes:** \*\* LOI search completed at 08/21/21 16:51:56

OCC'D IN THE LAST WEEK, RP IS ONLY AT THE LOC ON THE WEEKENDS  
RP STATES THAT THE TEMP FENCE WAS PUSHED DOWN AND BELIEVES THAT SOMEONE ACCESSED HIS PROPERTY FROM THE BEACH  
PER THE RP THE TEMP FENCE IS DAMAGED, APPROX LOSS \$10,000  
SOMEONE COULD HAVE ENTERED THE RESD, HOWEVER HE DOESNT THINK THEY DID  
RP WANTS A REPORT FOR THE "BREAK IN" SINCE HE THINKS THEY COULD HAVE ENTERED HIS HOME  
OUT W/ RP

\*\* Case number C2102284 has been assigned to event E21041941

\*\* >>>> by: STEVEN MCDOWELL on terminal: pd-disp3  
BROOKS/FILLERS RPT

## Calls For Service Report Call ID: E18041993

Printed: June 27, 2022

1. Agency LBPB	2. Person Received Complaint Gilstrap, Kaley	3. Date/Time Received 09/14/2018... 08:00 4. Time Dispatched 08:00	5. Time Arrived 08:00 6. Time Complete 09:42	7. Case #
8. Nature Of Incident	CITIZEN ASSIST			
9. Location Of Incident	31351 COAST HWY, LAGUNA BEACH, CA			
10. Victim or Caller				
11. Classification	12. How Received "OFFICER" I/CAD...	13. Disposition ADVISED/COM PLIED	14. Officer Wagner, Rock	15. Date Submitted 09/14/2018...

Notes: \*\* LOI search completed at 09/14/18 08:00:48

Field Event

FOR FOLLOW UP

RP WANYTS WAGNER TO GO BACK OUT.. SAYS SURVEY TEAM IS 97 AND IS HAVING 415 WITH A NEIGHBOR... SAYS WAGNER TOLD HIM TO CALL BACK IF HE NEEDED HIM TO RETURN

\*\* Event E18041993 has been reopened at: 09/14/18 08:48:14

\*\* &gt;&gt;&gt;&gt; by: DAISY CRISOSTOMO on terminal: pd-records3

\*\* LOI search completed at 09/14/18 08:48:15

133 -- CODE 4

SO FAR NO 415, PAST ISSUES, SURVEYORS ON SCENE, RP WIL CALL BACK AGN IF NEC, NEGHBR HAS NOT BEEN SEEN YET

<b>Calls For Service Report</b> Call ID: <b>E21048378</b>				Printed: June 27, 2022	
<b>1. Agency</b> LBPB	<b>2. Person Received Complaint</b> Moreno, Karl	<b>3. Date/Time Received</b> 09/28/2021... 16:56	<b>5. Time Arrived</b> 18:16	<b>7. Case #</b> -	
		<b>4. Time Dispatched</b> 18:06	<b>6. Time Complete</b> 18:26		
<b>8. Nature Of Incident</b>	KEEP THE PEACE				
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>					
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> COMPLETED	<b>14. Officer</b> Mcguire, Thomas	<b>15. Date Submitted</b> 09/28/2021...	

**Notes:** \*\* LOI search completed at 09/28/21 16:56:43

RP STATES THAT THE NEIGHBOR HAS WORKERS ON HIS PROPERTY

RP IS REQ AN OFFICER ADV THEM TO LEAVE

HE HAS AN ONGOING EASEMENT ISSUE WITH THE NEIGHBOR AT THIS LOC

HE STATES THAT HE ALREADY CALLED CODE ENFORCEMENT AND BUILDING, THEY ADV HIM TO CALL PD GOT THE 602

THERE IS POSS NOT 602 OCC'ING SINCE THE PROPERTY LINE IS UNDER DISPUTE

RP STATES THAT HE HAS SURVEY DOC'S PROVING HIS PROPERTY LINE AND WANTS TO SHOW

OFFICERS AND HAVE THEM STAY OFF HIS PROPERTY

RP WAS ADV OF SHIFT CHANGE AND POSS EXTENDED ETA

233 - BOTH PARTIES WERE COUNSELED



<b>Calls For Service Report</b>		<b>Call ID: E21058380</b>		<b>Printed: June 27, 2022</b>	
<b>1. Agency</b> LBPB	<b>2. Person Received Complaint</b> Mcdowell, Steven	<b>3. Date/Time Received</b> 12/05/2021... 18:51	<b>5. Time Arrived</b> 19:21	<b>7. Case #</b> -	<b>4. Time Dispatched</b> 18:59
<b>6. Time Complete</b> 19:40					
<b>8. Nature Of Incident</b>	OPEN DOOR				
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>					
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> COMPLETED	<b>14. Officer</b> Diaz, Alejandro	<b>15. Date Submitted</b> 12/05/2021...	

**Notes:** \*\* LOI search completed at 12/05/21 18:51:37

RP IS ON HIS BACK PATIO AND CAN SEE INSIDE HIS NEIGHB'S RES, UPPER OCEAN FACING BALCONY IS OPEN THAT WAS NOT OPEN A WEEK AGO. RP KNOCKED ON THE DOOR TO SEE IF ANYONE WAS THERE AND NO ONE IS THERE. NOTHING HEARD  
 OKAY TO CONT RP TO GAIN ACCESS  
 NEIGHB IS JEFF CORWIN/UNK #  
 EVS - JACK CORWIN  
 VM STATES TO TEXT JACK  
 EVS - 8/21/21 459 REPORT TAKEN  
 EVS STATES TEMP FENCING WAS DAMAGED AND UNCONFIRMED IF INTERIOR ACCESS WAS MADE  
 PER JEFF, THE LATCH IS FAULTY  
 REQ PD CK WHAT WE CAN  
 232 -- CHECKING  
 THERE IS A GATE ON THE RAIL ALONG THE DRIVEWAY, HOP OVER THE RAIL INTO THE COURTYARD  
 JEFF WILL HAVE SOMEONE FIX LATCH TOMORROW  
 232 -- UNLOCKED REAR DOOR  
 231 -- CHECKING INTERIOR 10-33 GRNI  
 232 -- CODE 4  
 10-34  
 232 -- SECURING THE HOUSE  
 231 -- DOWNSTAIRS EXTERIOR DOOR UNABLE TO BE SECURED



<b>Calls For Service Report</b> Call ID: <b>E18058211</b>			Printed: June 27, 2022	
<b>1. Agency</b> LBDP	<b>2. Person Received Complaint</b> Laser, Lana	<b>3. Date/Time Received</b> 12/22/2018... 10:31 <b>4. Time Dispatched</b> 10:31	<b>5. Time Arrived</b> 10:36 <b>6. Time Complete</b> 10:57	<b>7. Case #</b> -
<b>8. Nature Of Incident</b>	BURGLARY			
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA			
<b>10. Victim or Caller</b>	CALIBER SECURITY, 447			
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' 1/CAD...	<b>13. Disposition</b> CHECKED SECURE	<b>14. Officer</b> Bammer, Larry	<b>15. Date Submitted</b> 12/22/2018...

Notes: \*\* LOI search completed at 12/22/18 10:31:43  
 CORWIN RES  
 COVERS GARAGE GLASS BREAK - AUTO 10 MIN RESET  
 NO T21 INSIDE LISTED  
 \*\* LOI information for Event # E18058211 was viewed at: 12/22/18 10:38:29  
 \*\* >>>> by: LANA GROVER on terminal: pd-displ  
 133 - 10-33 GRN 2 - CHECKING THE INSIDE  
 133 - PROPERTY CHECKED - FRONT DOOR SECURED

<b>Calls For Service Report</b> Call ID: <b>E17056925</b>			Printed: June 27, 2022	
<b>1. Agency</b> LBPD	<b>2. Person Received Complaint</b> Romero, Carolina	<b>3. Date/Time Received</b> 12/28/2017... 10:26	<b>5. Time Arrived</b> 10:33	<b>7. Case #</b> 1704-855
		<b>4. Time Dispatched</b> 10:27	<b>6. Time Complete</b> 10:49	
<b>8. Nature Of Incident</b>	VANDALISM			
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA			
<b>10. Victim or Caller</b>				
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> REPORT TAKEN -ALL TYPES	<b>14. Officer</b> Germaine, Darin	<b>15. Date Submitted</b> 12/28/2017...

**Notes:** \*\* LOI search completed at 12/28/17 10:26:24  
 OCC'D AT NIGHT, RPS TREES WERE CUT DOWN, POSS UPSTAIR NEIGHBORS CUT DOWN THE TREES  
 RP WAS CONCERNED SOMEONE TRESPASSED ONTO PROP  
 \*\* Case number C1704855 has been assigned to event E17056925  
 \*\* >>>> by: ANGELA CLEVELAND on terminal: pd-disp2

<b>Calls For Service Report</b> Call ID: <b>E19011717</b>			Printed: June 27, 2022	
<b>1. Agency</b> LBPB	<b>2. Person Received Complaint</b> Chavez, Lizette	<b>3. Date/Time Received</b> 03/13/2019... 12:09 <b>4. Time Dispatched</b> 12:19	<b>5. Time Arrived</b> 12:23 <b>6. Time Complete</b> 12:28	<b>7. Case #</b> -
<b>8. Nature Of Incident</b>	BURGLARY			
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA			
<b>10. Victim or Caller</b>	CALIBER SECURITY			
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> EMPLOYEE ACTIVATED	<b>14. Officer</b> Kraus, Wade	<b>15. Date Submitted</b> 03/13/2019...

**Notes:** \*\* LOI search completed at 03/13/19 12:09:34  
 RESD / COV ZONE 10 GLASS BREAK / ACT 1205 HRS / RESP PENDING / INSIDE NONE



<b>Calls For Service Report</b>		<b>Call ID: E09029633</b>		<b>Printed: August 25, 2022</b>	
<b>1. Agency</b> LBPD	<b>2. Person Received Complaint</b> Smiley, Kristi	<b>3. Date/Time Received</b> 07/26/2009 09:31 <b>4. Time Dispatched</b> 09:43	<b>5. Time Arrived</b> 09:49 <b>6. Time Complete</b> 11:09	<b>7. Case #</b> -	
<b>8. Nature Of Incident</b>	DISTURBANCE				
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>					
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> CLDS	<b>14. Officer</b> Bowman, Julia	<b>15. Date Submitted</b> 07/26/2009	

**Notes:** NEIGHBORS SMOKE DET GOING OFF ALL MORNING UNK WHICH EXACT HOUSE IT IS POSSIBLY ONE OF 3 ADDRESSES (31331, 31341 AND 31351 COAST HWY) ALARM COMES AND GOES PER RP HOME NUMBER \*\* LOI search completed at 07/26/09 09:31:17 \*\* Event Type changed from CHECON to 415 at: 07/26/09 09:31:50 \*\* Event Priority changed from 3 to 2 at: 07/26/09 09:31:50 \*\* >>>> by: KRISTI DUPLANTIS on terminal: pd-idisp3 \*\* >>>> by: KRISTI DUPLANTIS on terminal: pd-idisp3 (\*\*415 NOISE\*\*) 31351 COAST HWY \*\* LOI search completed at 07/26/09 10:04:27 \*\* Event Location changed from "31341 COAST HWY LAB" to "31351 COAST HWY LAB" at: 07/26/09 10:04:27 \*\* >>>> by: KAREN HARVEY on terminal: pd-idisp2 WC CAD 3-17-07 / 911 HANG-UP NUMBER HAS BEEN DISCONNECTED PHONE # IS UNLISTED. ALARM IS COMING FROM THE VEHICLE, NOT THE RES OWNER IS NOT HOME DEALER PLATE #16576 / PHONE NUMBER OF HIS WORK IS MESSAGE WAS LEFT AT x200. OFC ALSO LOCATED AN OPEN DOOR TO THE RES. 133 - TOW REQUEST - PACIFIC TOW \*\* Case number C0902757 has been assigned \*\* >>>> by: KAREN HARVEY on terminal: pd-idisp2 \*\* VEH search completed at 07/26/09 10:29:19 \*\* VEH search completed at 07/26/09 10:31:01 TOW OS \*\* Event Type changed from 415 to 415 (VEHICLE) at: 07/26/09 10:52:24 \*\* Event Priority changed from 2 to 3 at: 07/26/09 10:52:24 \*\* >>>> by: KAREN HARVEY on terminal: pd-idisp2 \*\* >>>> by: KAREN HARVEY on terminal: pd-idisp2 DEALER PLATE 16576(15A) 2005 FERRARI 360 SPIDER CV RED \*\* VIN RECORD NOT ON FILE \*\* VEH WAS NOT TOWED//REGULAR TRUCK AND FLAT BED TOW TRUCK WERE UNABLE TO TOW VEH OUT OF THE DRIVEWAY \*\* Case number C0902757 has been cancelled \*\* >>>> by: KRISTI DUPLANTIS on terminal: pd-idisp3

**Incident/Investigation Report**

Agency: LBPB

Case Number: 09-03205

Date: 08/25/2022 16:14:35

**Incident Information**

Date/Time Reported 08-21-2009 10:54	Date/Time Found 08-09-2009 17:00	Date/Time Found 08-14-2009 20:00	Officer (30962) SENDELE, SPRING
Incident Location 31351 COAST HWY, LAGUNA BEACH, CA 92651			

**Charges**

<b>1</b>	Charge Type State	Description FEL - BURGLARY	Statute 459 PC	UCR 220	<input type="checkbox"/> All <input checked="" type="checkbox"/> com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. 2. 3.
Entry		Exit	Criminal Activity		
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

**Victims**

Seq. # <b>1</b>	Type INDIVIDUAL	Injuries None	Residency Status		Ethnicity Non-Hispanic	
Name (Last, First, MI) CORWIN, JACK B			Race W	Sex M	DOB	Age 57
Address					Home Phone	
Employer Name/Address					Business Phone	
Victim of Crimes 1						

## Incident/Investigation Report

Agency: LBPB

Case Number: 09-03205

Date: 08/25/2022 16:14:35

## Other Persons Involved

Name Code <b>Reporting Party</b>	Seq. # <b>1</b>	Name (Last, First, MI) KENNEDY, CHRISTOPHER BECKER	Race W	Sex M
Address			Home Phone	
Employer Name/Address			Business Phone	

## Property

Seq. # <b>1</b>	Description TELEVISION	Serial Number		Make/Model VIZIO / 22IN FLATSCREEN	
Owner CORWIN, JACK B		License / State		Color BLACK	
Status STOLEN/ETC.	Status Officer (30962) SENDELE, SPRING	Quantity 1.00	Units of Measure DU	Value \$1000.00	
Gun Type	Caliber	Finish	Grip	Gun Stock	
Condition	Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sight Type	
Property Notes					

**Incident/Investigation Report**

Agency: LBPB

Case Number: 09-03205

Date: 08/25/2022 16:14:35

**Notes/Narrative**

On August 21, 2009, at approximately 1120 hours, I responded to 31351 Coast Highway in reference to a burglary report. When I arrived on scene, I contacted the reporting party, Christopher Kennedy.

Kennedy explained he is the interior designer for the residence. He left the property on August 9, at approximately 1700 hours, and believes all of the doors and windows were locked. When he returned on August 14, at approximately 2000 hours, he noticed the sliding door in the master bedroom was ajar. There was sand all over the bed and inside the master bathroom. There were two or three drinking glasses and a half empty bottle of gin left out in the sitting room that is adjacent to the master bedroom. Lastly, Kennedy noticed a 22 inch television set was missing from its mounting brackets on the wall in the exercise room.

Kennedy did not immediately assume there was a burglary, because he thought the owner of the vacation home, Jack Corwin, may have had house guests stay at the residence while he was gone. Kennedy mentioned the incident to Corwin, who stated nobody was authorized to be in the residence during the time of the theft. The approximate loss was \$1,000.00. Although there were several additional television sets and other property of value inside the residence, no other property was missing.

It is unknown where the suspect(s) entered the residence, as the sliding door to the master bedroom leads to a deck that is not accessible without a ladder from the ground level. Kennedy believes the suspect(s) entered through a sliding door into the master bathroom or exercise room because there is direct access to the beach below from a private staircase. The sliding door locks were very old and could easily be opened. No damage or forced entry to any of the sliding doors was observed.

I did not take any photographs or conduct CSI because the door locks had already been replaced and the scene had been contaminated by construction workers.

I gave Kennedy a case number and crime victim information. My contact with him was digitally recorded and later downloaded to the LB Evidence Management System.

*Signature*

*Signature*  
Report: r\_lw1nlfrx



## Incident/Investigation Report

Agency: LBPD

Case Number: 09-03427

Date: 08/25/2022 16:15:03

## Incident Information

Date/Time Reported 09/03/2009 22:07	Date/Time Found 09/03/2009 22:07	Date/Time Found 09/03/2009 22:07	Officer (31127) SHORT, MICHAEL
Incident Location 31351 COAST HWY, LAGUNA BEACH, CA 92651			

## Charges

<b>1</b>	Charge Type State	Description FEL - BURGLARY	Statute 459 PC	UCR 220	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE HOME	Premises Entered	Forced Entry <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry REAR	Exit REAR PATIO SLIDING	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

## Victims

Seq. # <b>1</b>	Type INDIVIDUAL	Injuries None	Residency Status		Ethnicity Non-Hispanic	
Name (Last, First, MI) CORWIN, JACK			Race U	Sex M	DOB	Age 50 - 70
Address 31351 COAST HWY, LAGUNA BEACH, CA 92651					Home Phone	
Employer Name/Address HUNTINGTON HOLDING					Business Phone	
Victim of Crimes 1						

## Incident/Investigation Report

Agency: LBPD

Case Number: 09-03427

Date: 08/25/2022 16:15:03

## Other Persons Involved

Name Code Involved, Other	Seq. # 1	Name (Last, First, MI) KENNEDY, CHRISTOPHER	Race U	Sex M
Address			Home Phone	
Employer Name/Address			Business Phone	
Name Code Involved, Other	Seq. # 2	Name (Last, First, MI) MEDINA, JOSE	Race H	Sex M
Address			Home Phone	
Employer Name/Address			Business Phone	
Name Code Reporting Party	Seq. # 1	Name (Last, First, MI) FOLTYN, HALINA	Race W	Sex F
Address			Home Phone	
Employer Name/Address			Business Phone	

## Property

Seq. # 1	Description FLAT SCREEN TELEVISION		Serial Number		Make/Model VIZIO / 24"
Owner CORWIN, JACK			License / State		Color BLACK
Status STOLEN/ETC.	Status Officer (31127) SHORT, MICHAEL		Quantity 1.00	Units of Measure DU	Value \$500.00
Gun Type	Caliber	Finish	Grip	Gun Stock	
Condition	Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sight Type	
Property Notes					

## Incident/Investigation Report

Agency: LBPB

Case Number: 09-03427

Date: 08/25/2022 16:15:04

## Notes/Narrative

On 09/03/09, at approximately 2207 hours, I was dispatched to 31351 Coast Highway in reference to a burglary report. When I arrived on scene I met with the reporting party, Halina Foltyn, who related the following information.

She works as a caretaker for Jack Corwin who currently owns 31351 Coast Highway. Corwin advised Foltyn he would away on a trip and asked if she could watch his home on 09/03/09. The home has been under construction for the past six months and Corwin had just recently moved back in. Currently there are several people who have access to the home in order to finish the improvements to home. One of these people would be Christopher Kennedy, the interior decorator and Jose Medina, the contractor. From time to time, Kennedy will have one of his associates work in his place as they handle the interior decorations. Foltyn knows all of these people well and says it's a regular occurrence to see them inside.

When Foltyn arrived on 09/03/09, at about 1620 hours, she was greeted by one of the interior decorators. Foltyn was unable to provide his name but stated he has been there on many occasions before outfitting the house for Corwin. As he finished some last minute upgrades, Foltyn decided to check all of the windows and doors to make sure they were all locked. At 1700 hours, the decorator left as she finished securing the house. She also left shortly afterward to go grocery shopping for Corwin.

Foltyn returned home at approximately 1900 hours and put the groceries in the kitchen. After she finished with that, she walked downstairs and organized some flowers she had just purchased for the television room on the second level.

At about 2200 hours, she walked downstairs to check the second level when she noticed the television room's door was closed. Foltyn thought this was odd because that door is always left open. When she walked inside she realized the sheets she had previously left on the couch were now missing. As she inspected the rest of the room she also noticed the master bathroom door had been closed. When she walked inside the bathroom, she noticed an unknown person had recently taken a shower. The shower was extremely filthy with large brown granules of dirt scattered across the shower floor.

As Foltyn continued checking the second level, she walked past the shower towards a fitness room. Again she thought it was odd when she noticed the door to the fitness room had been shut. When she opened it, she immediately discovered that someone had stolen the flat screen television from its wall mount. Cable wires were hanging from the wall outlet which had previously been connected with the television. She also noticed the sheets that were previously set on the couch were in a crumpled mass in the south east corner of the room. She suspected that someone had been sleeping in the sheets on the floor of the fitness room. There was dirt on the sheets and three wadded up pieces of tissue paper were lying next to them. The bathroom door in the fitness room was also left wide open. She inspected the bathroom area and noticed someone had recently used it and forgotten to flush their remnants away.

She was extremely frightened at this point and ran upstairs to notify the police. She is positive that whoever stole the television did so when she was still home. She believes while she was organizing the groceries, a subject entered the house through a guest room on the second level and accessed the fitness room. This is the second time this type of thing has happened and she stated it was most likely due to the fact that Corwin has not installed a security system for the home. She's positive the associate from Christopher Kennedy's office was not the person responsible for stealing the television and leaving the second level in disarray. Foltyn advised she had spoken to Corwin after she discovered the burglary and he stated he was still in Hollywood at the time. They are not desirous of prosecution and only requested this report be taken for documentation purposes. At the time of this report I have still been unable to reach Corwin at home.

Report: r\_lw1nl.rfx

Page 5 of 8

08/25/2022 16:15:04

## Incident/Investigation Report

L. J. Lopez

Agency: LBPD

Case Number: 09-03427

Date: 08/25/2022 16:15:04

Foltyn estimated the television is valued at \$500.00. It was described as a black Vizio flat screen television, approximately 24" in diameter. She was unable to provide any suspect information or any other information regarding the burglary.

I gave her a business card referencing this incident, a Crime Victim Information Bulletin and a Marsy's Right's Bulletin to forward to Corwin.

Our contact was digitally recorded.

## Crime Scene Investigation (CSI):

I took nineteen photographs of the home and the area where the suspect had accessed. I discovered the guestroom in the northwest corner of the second level had a door that was ajar. Foltyn said it had been closed when she secured the home and believed that was where the suspect entered from. Just beyond the doorway is a staircase that leads down to a walkway that connects to Camel Point Beach. I believe this is how the suspect(s) accessed the guest room. The lock is very easy to manipulate from the outside and appeared to have been pushed open by the suspect. After dusting for fingerprints, I was able to find one latent fingerprint from the window pane. Several minutes later I located a second latent fingerprint from the bathroom in the fitness room. I lifted the fingerprint from the lever on the toilet. Both fingerprints were later booked in at the Laguna Beach Police Department as evidence. When I inspected the shower room I was able to locate a small hair near the drainage opening. Due to its size and irregular shape, I assumed the hair was a pubic hair that washed off of the suspect during his or her shower. It was collected and later booked in as evidence.

P. J. Lopez

P. J. Lopez



**Incident/Investigation Report**

Agency: LBPD

Case Number: 09-03427

Date: 08/25/2022 16:15:04

**Supplement Information**

Supplement Date	Supplement Type	Supplement Officer
12/04/2009 09:40:48	FOLLOW UP	(31025) WALLOCH, COLEEN
Contact Name		Supervising Officer
		(25914) CALLUS, LOUISE

**Incident/Investigation Report**

Agency: LBPB

Case Number: 09-03427

Date: 08/25/2022 16:15:04

**Supplement Notes**

REVIEWING MATERIALS - Upon reviewing this case, elimination DNA from victim was never received because of victims refusal to come in, therefore, the lab declined to analyze the pubic hair that was collected in the shower. Case will be closed/inactive.

## Incident/Investigation Report

Agency: LBPB

Case Number: 09-03427

Date: 08/25/2022 16:15:03

Seq. # <b>1</b>	Description HAIR	Serial Number	Make/Model
Owner UNKNOWN, 09-03427		License / State	Color BROWN
Status EVIDENCE	Status Officer (31127) SHORT, MICHAEL	Quantity 1.00	Units of Measure DU
Value \$1.00			
Gun Type	Caliber	Finish	Grip
Gun Stock			
Condition	Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sight Type			
Property Notes			
Seq. # <b>2</b>	Description FINGERPRINTS	Serial Number	Make/Model
Owner UNKNOWN, 09-03427		License / State	Color BLACK
Status EVIDENCE	Status Officer (31127) SHORT, MICHAEL	Quantity 1.00	Units of Measure DU
Value \$1.00			
Gun Type	Caliber	Finish	Grip
Gun Stock			
Condition	Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sight Type			
Property Notes			
Seq. # <b>3</b>	Description FINGERPRINTS	Serial Number	Make/Model
Owner UNKNOWN, 09-03427		License / State	Color BLACK
Status EVIDENCE	Status Officer (31127) SHORT, MICHAEL	Quantity 1.00	Units of Measure DU
Value \$1.00			
Gun Type	Caliber	Finish	Grip
Gun Stock			
Condition	Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sight Type			
Property Notes			

**Incident/Investigation Report**

Agency: LBPD

Case Number: 09-03427

Date: 08/25/2022 16:15:04

**Assisting Officers**

(30952) CALVERT, JEFF

(31037) TORRES, JOE

(31127) SHORT, MICHAEL

(31188) CLASBY, BRIAN



(4)

<b>Calls For Service Report</b> Call ID: E10004668				Printed: August 25, 2022	
<b>1. Agency</b> LBPD		<b>2. Person Received Complaint</b> Harvey, Karen	<b>3. Date/Time Received</b> 02/05/2010... 12:15	<b>5. Time Arrived</b> 12:28	<b>7. Case #</b> -
		<b>4. Time Dispatched</b> 12:22	<b>6. Time Complete</b> 12:42		
<b>8. Nature Of Incident</b>		BURGLARY			
<b>9. Location Of Incident</b>		31351 COAST HWY, LAGUNA BEACH, CA			
<b>10. Victim or Caller</b>					
<b>11. Classification</b>		<b>12. How Received</b> PHONE I/CAD...	<b>13. Disposition</b> CHECKED SECURE	<b>14. Officer</b> Short, Darrel	<b>15. Date Submitted</b> 02/05/2010...

**Notes:** CALLED IN BY NEIGHBOR - GOING OFF SINCE YEST AT 1630 - SHE WENT OVER TO THE HOUSE AND OBTAINED THE ALARM CO NAME (AMERICAN ALARM SYSTEMS), BUT THEY DO NOT SHOW THIS ADDRESS AS ONE OF THEIR LOCATIONS. \*\* LOI search completed at 02/05/10 12:16:01 RP STATES THE OWNERS DO NOT LIVE THERE ALL THE TIME. PERIM C4...NO SIGNS OF FORCED ENTRY

<b>Calls For Service Report</b> Call ID: <b>E10025797</b>			Printed: August 25, 2022	
<b>1. Agency</b> LBDP	<b>2. Person Received Complaint</b> Barbari, Yvette M	<b>3. Date/Time Received</b> 07/17/2010... 07:43 <b>4. Time Dispatched</b> 07:43	<b>5. Time Arrived</b> 07:47 <b>6. Time Complete</b> 07:59	<b>7. Case #</b> -
<b>8. Nature Of Incident</b>	BURGLARY			
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA			
<b>10. Victim or Caller</b>	ALARM SERVICES			
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> EMPLOYEE ACTIVATED	<b>14. Officer</b> Torres, Joe	<b>15. Date Submitted</b> 07/17/2010...

**Notes:** GENERAL BURG ALARM , CORWIN RESIDENCE,                      \*\* LOI search completed at 07/17/10 07:43:19  
 \*\* LOI information for Event # E10025797 was viewed at: 07/17/10 07:44:56 \*\* >>>> by: YVETTE M. BARBARI  
 on terminal: pd-idisp3 \*\* VEH search completed at 07/17/10 07:48:28 \*\* LOI information for Event # E10025797  
 was viewed at: 07/17/10 07:48:38 \*\* >>>> by: YVETTE M. BARBARI on terminal: pd-idisp3 \*\* LOI information  
 for Event # E10025797 was viewed at: 07/17/10 07:49:50 \*\* >>>> by: YVETTE M. BARBARI on terminal: pd-  
 idisp3 \*\* LOI information for Event # E10025797 was viewed at: 07/17/10 07:50:00 \*\* >>>> by: KRISTI  
 DUPLANTIS on terminal: pd-idisp1 CALLING THE RES. -- RECORDING ONLY FOR A BUSINESS CI---OUT  
 W RES ICI -- CODE 4

<b>Calls For Service Report</b> Call ID: E11020166				Printed: August 25, 2022	
1. Agency LBPB	2. Person Received Complaint Rogers, Teri	3. Date/Time Received 06/01/2011... 07:33 4. Time Dispatched 07:34	5. Time Arrived 07:43 6. Time Complete 07:54	7. Case #	
8. Nature Of Incident	DISTURBANCE				
9. Location Of Incident	31351 COAST HWY, LAGUNA BEACH, CA				
10. Victim or Caller					
11. Classification	12. How Received PHONE I/CAD...	13. Disposition CHECKED SECURE	14. Officer Gilbertson, Luke	15. Date Submitted 06/01/2011...	

**Notes:** POSSIBLE AUDIBLE FROM A HOME, SOUTH OF RP CELL M12--BANDSAW HEARD FROM  
ACROSS THE WAY, NO ALARM Inadvertently closed \*\* Event E11020166 has been reopened at: 06/01/11  
07:43:30 \*\* >>>> by: TERI ROGERS on terminal: pd-idisp3 132--SOUNDS LIKE A BIRD IMITATING AN  
ALARM \*\* Event Location changed from "31331 COAST HWY LAB" to "31351 COAST HWY LAB" at: 06/01/11  
07:52:23 \*\* >>>> by: TERI ROGERS on terminal: pd-idisp3 M12--POSSIBLE ALARM CO MAXIMUM  
SECURITY SERVICES 132--LOCATED ALARM AT 31351 COAST, EXTERIOR CHECKS  
SECURE, ATTEMPT RESPONSIBLE ALARM CO WILL ATL RESPONSIBLE AND CALL US BACK

<b>Calls For Service Report</b>			<b>Call ID: E13032718</b>		<b>Printed: August 25, 2022</b>	
<b>1. Agency</b> LBPD		<b>2. Person Received Complaint</b> Barbari, Yvette M		<b>3. Date/Time Received</b> 08/31/2013... 00:37		<b>5. Time Arrived</b> 00:42
				<b>4. Time Dispatched</b> 00:37		<b>6. Time Complete</b> 01:07
<b>8. Nature Of Incident</b>		TRESPASSING				
<b>9. Location Of Incident</b>		31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>						
<b>11. Classification</b>		<b>12. How Received</b> 'PHONE' I/CAD...		<b>13. Disposition</b> GONE ON ARRIVAL		<b>14. Officer</b> Fillers, Zachary
						<b>15. Date Submitted</b> 08/31/2013...

**Notes:** AN ABANDONED HOUSE, ABOUT 10 KIDS ARE PARTYING THERE \*\* LOI search completed at 08/31/13  
 00:37:24 OWNER IS - BEVERLY HILLS RESIDENT THEY ARE ON THE PROPERTY , NOT  
 IN THE HOUSE UNK PHONE NUMBER FOR THE OWNER



⑧

**Incident/Investigation Report**

Agency: LBPD

Case Number: 13-03309

Date: 08/25/2022 16:16:04

**Incident Information**

Date/Time Reported 09/11/2013 07:33	Date/Time Found 09/11/2013 07:33	Date/Time Found 09/11/2013 07:33	Officer (31003) LEAL, NATALIE
Incident Location 31351 COAST HWY, LAGUNA BEACH, CA 92651			

**Charges**

<b>1</b>	Charge Type Municipal	Description MIR - INFORMATIONAL REPORT	Statute MIR	UCR 999	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity			
Bias Motivation	Bias Target	Bias Circumstances	Hate Group		

**Victims**

Seq. # <b>1</b>	Type INDIVIDUAL	Injuries None	Residency Status	Ethnicity Non-Hispanic
Name (Last, First, M) CORWIN, JACK B			Race W	Sex M
Address			DOB	Age 60
Employer Name/Address			Home Phone	
			Business Phone	
Victim of Crimes 1				

**Incident/Investigation Report**

Agency: LBPD

Case Number: 13-03309

Date: 08/25/2022 16:16:05

**Other Persons Involved**

Name Code	Seq. #	Name (Last, First, MI)	Race	Sex
Reporting Party	1	LARDIE, RAYMOND P JR	W	M
Address			Home Phone	
505 FOREST AVE, LAGUNA BEACH, CA 92651				
Employer Name/Address			Business Phone	
505 FOREST AV, LAGUNA BEACH, CA				

**Assisting Officers**

(31003) LEAL, NATALIE

**Incident/Investigation Report**

Agency: LBPB

Case Number: 13-03309

Date: 08/25/2022 16:16:05

**Notes/Narrative**

On 09-11-13, I met with R/P Ray Lardie at the front counter of the Laguna Beach Police Department. Lardie wished to file a report on behalf of property owner Jack Corwin. Corwin is the property owner of 31351 Coast Hwy. The Laguna Beach Fire Department has received complaints about the properties overgrown plants and claim it is a fire hazard. The Fire Department is now involved and has ordered Corwin to trim the vegetation.

Corwin has hired Peterson's Tree Works to clean up the property. Sometime in the last week an unknown suspect has cleared an area of vegetation on the property without permission. Photos of the area were provided and attached to this report. It is unclear from the photos if there is permanent damage to the vegetation. One photo shows several plastic cups and aluminum cans. It appears as though people have been using this area to drink and hide out.

This report was taken for documentation purposes only.

<b>Calls For Service Report</b> Call ID: <b>E13034385</b>				Printed: August 25, 2022	
<b>1. Agency</b> LBDP	<b>2. Person Received Complaint</b> Jensen, Deborah	<b>3. Date/Time Received</b> 09/11/2013... 07:33 <b>4. Time Dispatched</b> 07:34	<b>5. Time Arrived</b> 07:44 <b>6. Time Complete</b> 08:32	<b>7. Case #</b> 1303-309	
<b>8. Nature Of Incident</b>	VANDALISM				
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA				
<b>10. Victim or Caller</b>					
<b>11. Classification</b> Aggravated	<b>12. How Received</b> 'WALK-IN' I/CAD...	<b>13. Disposition</b> REPORT TAKEN -ALL TYPES	<b>14. Officer</b> Leal, Natalie	<b>15. Date Submitted</b> 09/11/2013...	

**Notes:** \*\* LOI search completed at 09/11/13 07:33:38 \*\*\*STATION\*\*\* TREES CUT ON A VACANT PROPERTY \*\*  
Case number C1303309 has been assigned \*\* >>>> by: JENNIFER NEUENSCHWANDER on terminal: pd-idisp2

11. Classification

11. Classification



(9)

<b>Calls For Service Report</b> Call ID: <b>E15001944</b>				Printed: August 25, 2022	
1. Agency LBDP	2. Person Received Complaint Gutierrez, Alicia L	3. Date/Time Received 01/16/2015... 18:42	5. Time Arrived 19:12	7. Case #	
		4. Time Dispatched 18:57	6. Time Complete 19:30		
8. Nature Of Incident	TRESPASSING				
9. Location Of Incident	31351 COAST HWY, LAGUNA BEACH, CA				
10. Victim or Caller					
11. Classification	12. How Received 'PHONE' I/CAD...	13. Disposition NO PAPER TAKEN	14. Officer Fillers, Zachary	15. Date Submitted 01/16/2015...	

**Notes:** VACANT HOUSE, RP IS THE ARCHITECT FOR THE PROPERTY, LIGHT ON INSIDE, ISSUES IN PAST WITH TRESSPASSERS UNK IF THERE IS ANYBODY IN THERE NOW \*\* LOI search completed at 01/16/15 18:42:06 RP WILL BE STANDING BY IN A GOLD COLORED CHEVY TAHOE TOOD WILL BE WEARING A GREEN SHORT SLEEVE SHIRT, BLUE JEANS S6 ADV RP DOES HAVE AT THE ACCESS CODE TO ENTER HOME, WOULD LIKE OFFICER TO CHECK INTERIOR RP ADV'D OF EXTENDED ETA \*\* Event held for 1 minutes and unit K1 231 -- CODE 4 10-34 GRN 2 233 -- CODE 4

HE JMI

<b>Calls For Service Report</b>			<b>Call ID: E15000920</b>		<b>Printed: August 25, 2022</b>	
<b>1. Agency</b> LBPD	<b>2. Person Received Complaint</b> Gutierrez, Alicia L.	<b>3. Date/Time Received</b> 01/08/2015... 18:17	<b>5. Time Arrived</b> 18:18	<b>7. Case #</b>		
		<b>4. Time Dispatched</b> 18:18	<b>6. Time Complete</b> 19:04			
<b>8. Nature Of Incident</b>	SUSPICIOUS					
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA					
<b>10. Victim or Caller</b>						
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> NO PAPER TAKEN	<b>14. Officer</b> Clasby, Brian	<b>15. Date Submitted</b> 01/08/2015...		

**Notes:** \*\* LOI search completed at 01/08/15 18:17:00 RP IS A NEIGHBOR - THIS HOME IS A VACANT HOME - THERE IS A LIGHT ON INSIDE THE HOUSE - THERE SHOULD BE NOBODY THERE PRIOR ISSUES WITH TRANSIENTS TRESSPACING ON PROPERTY THE HOMEOWNER IS OUT OF THE COUNTRY NO VEHs IN THE DRIVEWAY S6 ADV LGITH COMING FROM KITCHEN AREA, TO THE RIGHT OF THE FRONT DOOR, ON THE FIRST LEVEL 232 - APPEARS TO BE A 459 \*LIGHT\* \*\* LOI search completed at 01/08/15 18:27:46 \*\* LOI search completed at 01/08/15 18:27:52 \*\* PER search completed at 01/08/15 18:29:41 233 -- CODE 4 10-34 GRN 2 \*\* LOI search completed at 01/08/15 18:46:11 PROPERTY OWNER WORK NUMBER UNABLE TO CHECK GARAGE AREA. SIGNS OF DAMAGE FROM SUBJECTS SQUATTING INSIDE RESIDENCE. BACK SIDE OF RESIDENCE HAS ACCESS TO CAMEL POINT BEACH UNABLE TO SECURE FRONT DOOR MESSAGE LEFT FOR PROPERTY OWNER

Printed: August 25, 2022

<b>Calls For Service Report</b> Call ID: <b>E15015854</b>				
<b>1. Agency</b> LBPD	<b>2. Person Received Complaint</b> Mancilla, Brenda	<b>3. Date/Time Received</b> 04/23/2015... 10:31	<b>5. Time Arrived</b> 00:00	<b>7. Case #</b> .
		<b>4. Time Dispatched</b> 00:00	<b>6. Time Complete</b> 10:41	
<b>8. Nature Of Incident</b>	PATROL CHECK			
<b>9. Location Of Incident</b>	31351 COAST HWY, LAGUNA BEACH, CA			
<b>10. Victim or Caller</b>				
<b>11. Classification</b>	<b>12. How Received</b> 'PHONE' I/CAD...	<b>13. Disposition</b> TURNED OVER TO	<b>14. Officer</b>	<b>15. Date Submitted</b> 04/23/2015...

**Notes:** RP CALLING ON BEHALF OF HOMEOWNER HOME IS UNDER CONSTRUCTION AND IS  
 BOARDED UP, RP'S CONCERN IS THAT THERE ARE TRANSIENTS SLEEPING INSIDE THE HOME,  
 STARTING FIRES INSIDE THE HOME, VARIOUS ITEMS ARE BEING LEFT, DEFECATION, REQ WE PC  
 DURING NIGHT HOURS \*\* LOI search completed at 04/23/15 10:31:54 PRINTED FOR BRIEFING



## Incident/Investigation Report

Agency: LBPB

Case Number: 15-03015

Date: 08/25/2022 16:16:35

## Incident Information

Date/Time Reported 08/07/2015 13:37	Date/Time Found 07/31/2015 00:00	Date/Time Found 08/02/2015 23:59	Officer (31038) MARTINEZ, ZACH
Incident Location 31351 COAST HWY, LAGUNA BEACH, CA 92651			

## Charges

1	Charge Type State	Description FEL - VANDALISM-DAMAGE PROPERTY	Statute 594 (A)(2) PC	UCR 290	<input type="checkbox"/> All <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

## Victims

Seq. # 1	Type INDIVIDUAL	Injuries None	Residency Status	Ethnicity Non-Hispanic
Name (Last, First, MI) CORWIN, JACK			Race U	Sex M
Address 31351 COAST HWY, LAGUNA BEACH, CA 92651			DOB	Age 50 - 70
Employer Name/Address			Home Phone	
			Business Phone	
Victim of Crimes 1				



## Incident/Investigation Report

Agency: LBPD

Case Number: 15-03015

Date: 08/25/2022 16:16:35

## Suspects

Seq. # <b>1</b>	Type INDIVIDUAL	Name (Last, First, MI) SCHIFFMAN, RES					
AKA		Race W	Sex M	DOB	Age 00	Height	Weight
Address PACIFIC COAST HIGHWAY, LAGUNA BEACH, CA 92651						Home Phone	
Employer Name/Address						Business Phone	
Scars, Marks, Tattoos or other distinguishing features							
Physical Characteristics							

Suspect Details

## Other Persons Involved

Name Code Reporting Party	Seq. # <b>1</b>	Name (Last, First, MI) FLAKE, WILLIAM JAMES	Race W	Sex M
Address LAGUNA BEACH, CA 92651			Home Phone	
Employer Name/Address LAGUNA BEACH, CA 92651			Business Phone	

## Property

## Incident/Investigation Report

Agency: LBPB

Case Number: 15-03015

Date: 08/25/2022 16:16:36

Seq: # <b>1</b>	Description <b>TREES</b>	Serial Number	Make/Model
Owner <b>CORWIN, JACK</b>	License / State	Color	
Status <b>DESTROYED/ DAMAGED/</b>	Status Officer <b>(31038) MARTINEZ, ZACH</b>	Quantity <b>20.00</b>	Units of Measure <b>Value</b> <b>\$50000.00</b>
Gun Type	Caliber	Finish	Grip
Condition	Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Property Notes			

## Assisting Officers

(31345) NGUYEN, KEVIN

Reported by: 11/10/2022

Reported by: 11/10/2022

**Incident/Investigation Report**

Agency: LBPD

Case Number: 15-03015

Date: 08/25/2022 16:16:36

**Notes/Narrative**

On August 7, 2015, at approximately 1337 hours, I was dispatched to 31351 Pacific Coast Highway in reference to a vandalism investigation. I arrived on scene and met with William Flake who is the Project Manager for the property.

Flake stated that between July 31st and August 2nd, someone entered the backyard of the residence and used an unknown type cutting tool and cut down approximately 20 trees. After the trees were cut down, they were left on the property. The trees varied in size and some were more than 80 years old.

31351 Pacific Coast Highway is a historical property, as well as the trees that were cut down.

Flake said the owner at 31361 Pacific Coast Highway, Res Schiffman, has been involved in a dispute with the owner at 31351 Pacific Coast Highway. Schiffman is upset because the trees have been blocking his view of the ocean.

Flake estimated the values of the trees that were cut down to be approximately \$50,000.

I took photographs of the cut trees and they were later downloaded.

I provided Flake with a Crime Victim Information Bulletin.

A-5-22-LGB-0061 (Corwin)

## **EXHIBIT 8**

Fisher Broyles Letter (with GeoSoils report)  
(13 pages)





**Paul Beard II**  
Partner  
paul.beard@fisherbroyles.com  
Direct: 818-216-3988  
4470 W. Sunset Blvd., Suite 93165  
Los Angeles, CA 90027  
www.FisherBroyles.com

January 19, 2023

**VIA EMAIL**

Ms. Meg Vaughn  
California Coastal Commission  
45 Fremont St. Suite 1900  
San Francisco, CA 94105  
Email: Meg.Vaughn@coastal.ca.gov

**Re: 31351-31355 Coast Highway, Laguna Beach (Appeal No. A-5-LGB-22-0061)**

Dear Ms. Vaughn,

We represent the applicant, Jack Corwin, in Mark Fudge's appeal of this project involving construction of a perimeter fence on his property.

The purpose of this letter is to respond to two points raised in your October 24, 2022, staff report, which purport to justify a "substantial issue" determination and denial of a fencing permit.

First, in applying the LCP's definition of "Bluff Edge," the report places the bluff edge *landward* of the applicant's house, near Coast Highway. The report's bluff-edge determination is based on Dr. Street's analysis. But his analysis did not have the benefit of additional information, including historic photographs, showing substantial fill at the site associated with construction of Coast Highway. That fill creates the *appearance* of a steeply sloping bluff and a step-like feature; but the area landward of the applicant's bluff edge is gently sloping and creates no step-like feature. We have attached a detailed memo by the applicant's geologist, enclosing and analyzing that new information, and supporting the bluff-edge determination reviewed and accepted by the City when it approved the project. See Exhibit 1.

Second, the staff report speculates that, instead of constructing a fence, the applicant could use a native plan barrier to protect his and his neighbors' properties from the repeated criminal trespass and other activity that has occurred there, including arson. We have attached, as Exhibit 2, a statement by the applicant's landscape architect explaining why that suggestion is infeasible.

We hope that, after reviewing this additional information, staff will reconsider its "substantial issue" and "permit denial" recommendations. We may have further comments for you and/or the Commissioners when a date certain is set for the appeal hearing and the staff report is reposted.

# Fisher Broyles

January 10, 2023

Page 2 of 2

Very truly yours,

A handwritten signature in blue ink, appearing to read "Paul J. Beard II", with a stylized flourish at the end.

Paul J. Beard II  
Counsel for Jack Corwin

# **EXHIBIT 1**



**Geotechnical • Geologic • Coastal • Environmental**

5741 Palmer Way • Carlsbad, California 92010 • (760) 438-3155 • FAX (760) 931-0915 • [www.geosoilsinc.com](http://www.geosoilsinc.com)

## **M E M O R A N D U M**

**DATE:** January 13, 2023 WO S8346

**TO:** Jack Corwin

**FROM:** David W. Skelly, PE, John P. Franklin, CEG

**SUBJECT:** Discussion of Project Appeal Information Concerning the Bluff Edge Determination at 31351 Coast Highway, City of Laguna Beach, California.

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### **Executive Summary**

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

The bluff edge identified by the applicant’s geologist, GeoSoils Inc.(GSI) meets the LUE definition. The “base of the bluff” is located where the bluff meets beach. The point nearest the bluff face beyond which a downward gradient is continuously maintained to the beach is the point identified as the bluff edge by GSI. The area landward of the bluff edge identified by GSI has a substantially different gradient. In other words, moving seaward from Coast Highway (above the applicant’s property), the downward gradient is not maintained continuously to the beach; the gradient breaks dramatically at the point identified by GSI as the bluff edge.

Coastal staff rests its conclusion on the notion that there is a step like feature from the base of the bluff (at the beach) landward to Coast Highway. However, substantial man-made fill placed in around the area of the site adjacent to Coast Highway has created only the appearance of a step-like feature. Staff has not had the benefit of historic photographs clearly showing only a gently sloping area—no step like feature—that breaks significantly landward from the bluff edge identified by the GSI.

Finally, staff’s reliance on the LUE’s definition of “Oceanfront Bluff/Coastal Bluff” is



misplaced. That definition describes the location of a bluff. It does not describe or otherwise affect the location of a bluff's edge. Even if the area landward of GSI's bluff edge is part of a "bluff" at the applicant's property, that would not alter the analysis. The location of a bluff's edge turns only on two factors: (1) the location of the "base of the bluff"—which, in this case, is undisputedly the point where the bluff meets the beach, and (2) the continuity of the downward gradient to the base of the bluff. Here, the only segment of the bluff that has a downward gradient maintained continuously to the beach lies seaward of the bluff edge identified by GSI; the downward gradient of the area landward of the bluff edge—even if it runs along part of what can be defined as the "bluff"—is not continuously maintained to the base of the bluff.

### Discussion

We have reviewed the staff report, including the October 24, 2022 letter of appeal by Mark Fudge and the California Coastal Commission (CCC) Bluff Edge Review Memorandum, dated December 1, 2022 by Joseph Street, Ph.D. They do **not** support a bluff edge determination for the site that is inland of the residence. Rather, as explained below, historic photographs of the site well establish that, under the City LCP's definition of a bluff edge, the bluff edge is precisely where the City verified it.

The Laguna Beach LUE states:

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

The bluff edge is located where the gradient (or slope) is continuous to the toe of the bluff (in this case the beach). There is an exception to this clear definition of the bluff edge if there is a step like feature (a natural step like feature not a step created by grading or fill).

CCC Staff Geologist, Joseph Street in his December 1, 2022 Bluff Edge Review Memorandum states, "....At the subject site, the coastal bluff edge is determined by both marine erosion at the toe and subaerial processes on the upper bluff, resulting in a bluff that, to varying degrees, is "rounded away from the face of the bluff"; such that the LUE defined by the points 'nearest the bluff face beyond which a downward gradient is maintained continuously to the base of the bluff.'" Considering the topographically variable and inclined bluff top in this location, my approach to defining the bluff edge is to determine the average slope of the upland area immediately inland of the subject site (generally between Coast Hwy. and Brooks Street.)

Dr. Street's determination did not have the benefit of recently obtained historical images of the site, similar to one of which Mr. Fudge provided in his appeal. Figure 1 (below) is an historic photograph dated 1927 (Source, First American Archives) of the site **PRIOR** to the construction of Coast Highway in the 1920s. Figure 1 shows the site with Aliso Point in the background on the left and the development of Leo Goff Bench on the upper right. This image shows that the site slope (gradient) from the beach to about the +20 contour is steep and that from beyond the +20 contour landward the gradient is relatively uniform.

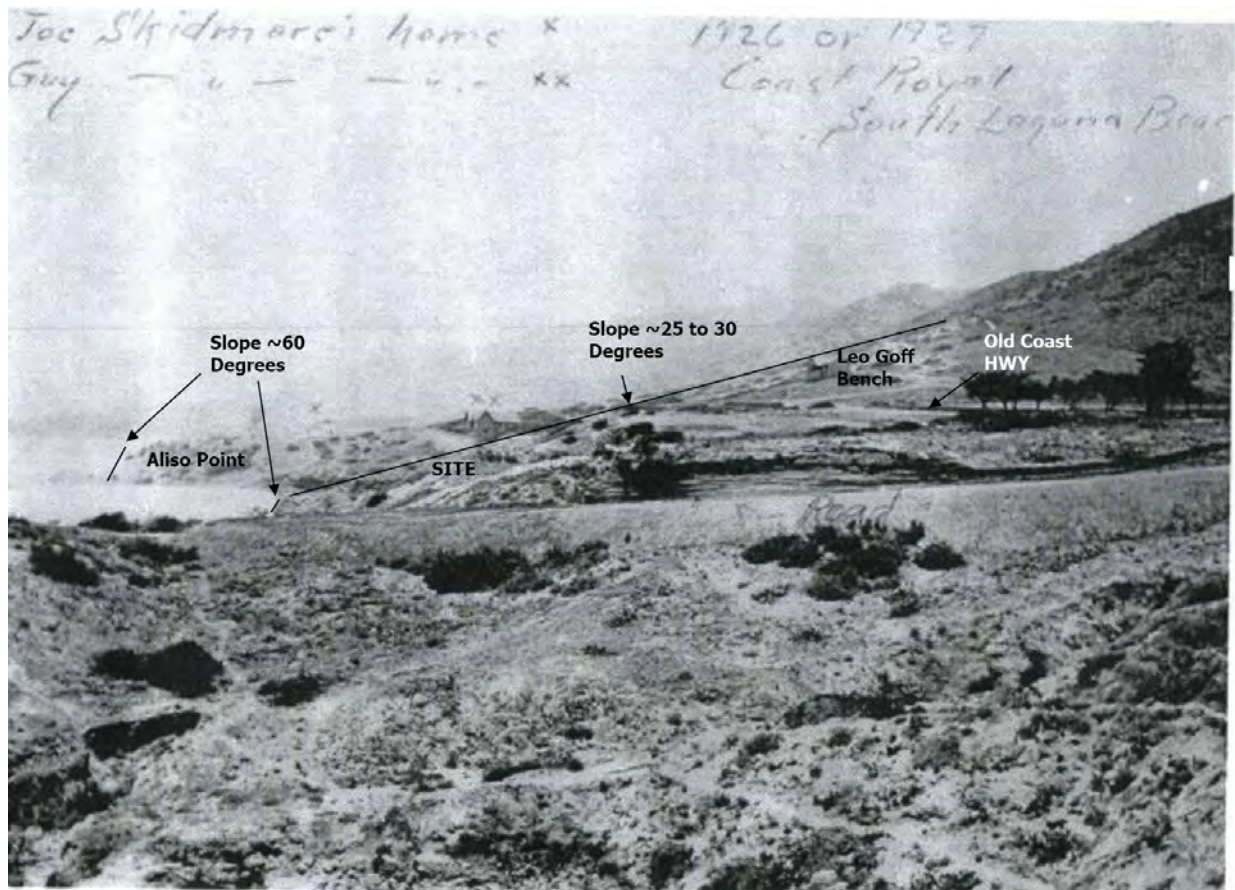


Figure 1. 1926-27 photograph of the site before the grading of Coast Highway. In front of the site is a steep slope to what is the bluff edge (similar to Aliso Point but not as high). The slope on the site, and well inland past Leo Geoff Bench, is continuous from this bluff edge, and is much flatter.

Figure 1 is indicative of the natural land prior to significant alteration by grading and in particular grading of Coast Highway. This image also supports the bluff edge determined in the 1885 USGS T-Sheet of the area, and the site prior to significant grading (development) and the realignment of Coast Highway. Figure 2 is the 1885 T-Sheet image annotated to show the site. The black cross hatching below is where the survey team determined the face of the coastal bluff to be. The landward limit of the black hatching is

the bluff edge. It also shows the relatively constant gradient going inland beyond the old Coast Highway (wagon trail), toward what was historically called Leo Goff Bench (see Figure 1). The 1885s topographic map does not show any step like feature that would result in the bluff edge being any more landward than about the +20 feet contour shown in Figure 2.

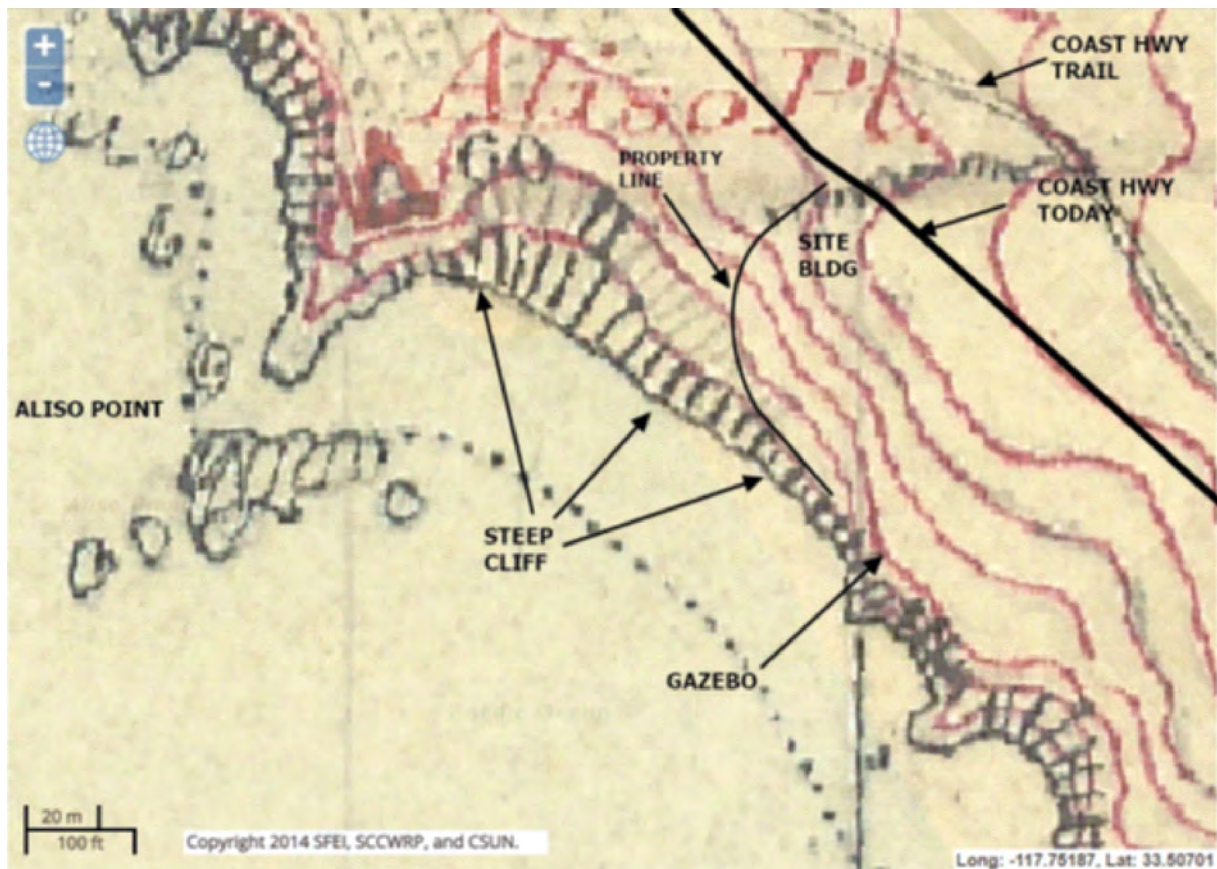


Figure 2. 1885 T Sheet identify the steep cliff face and the top of the bluff (bluff edge) and annotated to show the site. The shoreline is roughly at the black dots on the image.

Figure 1 and Figure 2 document historic, pre-grading, evidence that the bluff edge is as determined by GeoSoils Inc. (GSI) and verified by the city of Laguna Beach. There are other images taken in 1929, possibly from the same photographer as provided in the Fudge Appeal, that verify the steep lower slope at the site, the clear bluff edge, and the more gentle slope from the site bluff edge to well landward of the property. Figure 3 (below) shows the same picnic structure as in the Fudge photo, from a different angle. The photo shows the gentle slope of the site and the steeper slope from the base of the bluff (the beach) to the tope of the bluff, at about elevation 20 feet.





Figure 3. Circa 1929 photo showing the relatively flat site slope and the much steeper slope from the bluff edge down to the base of the bluff (the beach).

Dr. Street analysis goes on to say, “... *The LUE Coastal Bluff Edge definition additionally indicates that grading cuts – such as occurred during the construction of Coast Highway – can cause the bluff edge to retreat, but that the placement of artificial fill does not push the bluff edge seaward. Along the northern portion of the site, it is unclear whether the grading cuts associated with Coast Highway affected the portion of the Bluff Edge. Additionally, I do not have any geologic information indicating the location or extent of the artificial fill inland of the subject lot, such as along the margins of the road (the geologic information provided in Ref. 1 indicates that only a minor amount of fill is present on the subject lot itself). For these reasons, the bluff edge delineation provided here should be considered approximate.*”

The historic photographs of the site from the First American Archives show a significant amount of fill on the site from the grading of Coast Highway in the late 1920s. The fill slope appear to be up to 20 feet high and the cuts in the slope appear to be about 10 to 15 feet high. This is a significant alternation of the natural land form which was clearly just a



gentle slope prior to the highway grading. Figure 5 is a slightly different angle than Figure 4 with additional annotation.



Figure 4 showing the extensive cut and fill grading that occurred at the site as a result of the construction of Coast Highway.

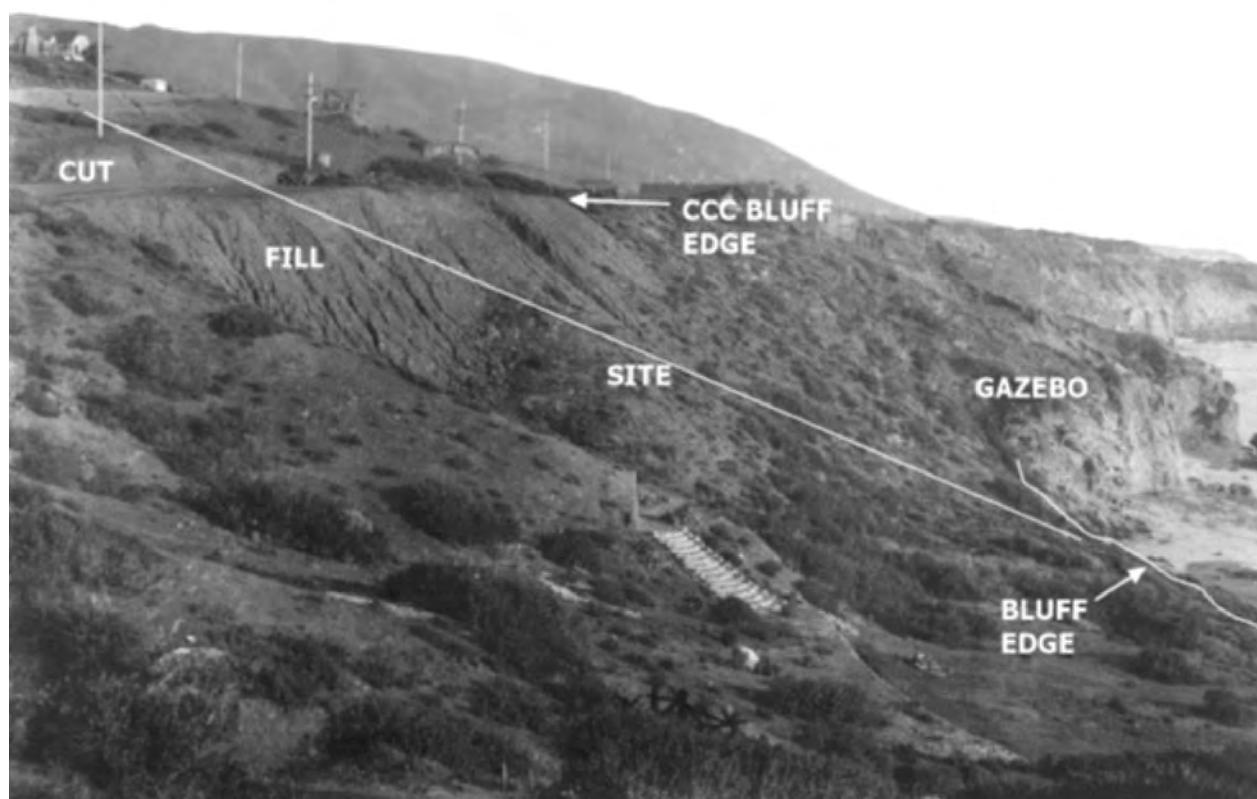


Figure 5. Annotated 1929 photograph of the site.

Dr Street's memo refers to the GSI section provided in our bluff edge determination and presents it with annotation as his memo's Figure 2. The actual geology was from a previous consultant and was based upon a limited subsurface investigation. The investigation did not have the benefit of the recently obtained First American Archive images. These images clearly show that prior to the grading, the site was just a slope at about 30 degrees, and the gradient from the base of the bluff to about the + 20 feet contour was much steeper. The images also clearly show that there was significant grading at the landward side of the site that resulted in an artificial "step like feature." It is at the seaward edge of this artificial step feature that Dr. Street argued is the LUE bluff edge. The purpose of the GSI section was to show what the actual site slopes are. The lower portion of the site from the bluff edge has a continuous gradient to the toe of the bluff. The rest of the site has a somewhat continuous gradient to the artificial step created by Coast Highway construction. Figure 6 (below) uses Dr. Street's Figure 2 and highlights the slopes shown on the section (yellow) which justify the location of the bluff edge (**Applicants bluff edge**) as defined in the LUE. The CCC identified bluff edge (**LUE bluff edge**) is clearly an artificial step and does not meet the LUE bluff edge definition.

## Bluff Edge Review Memo -- Figure 2

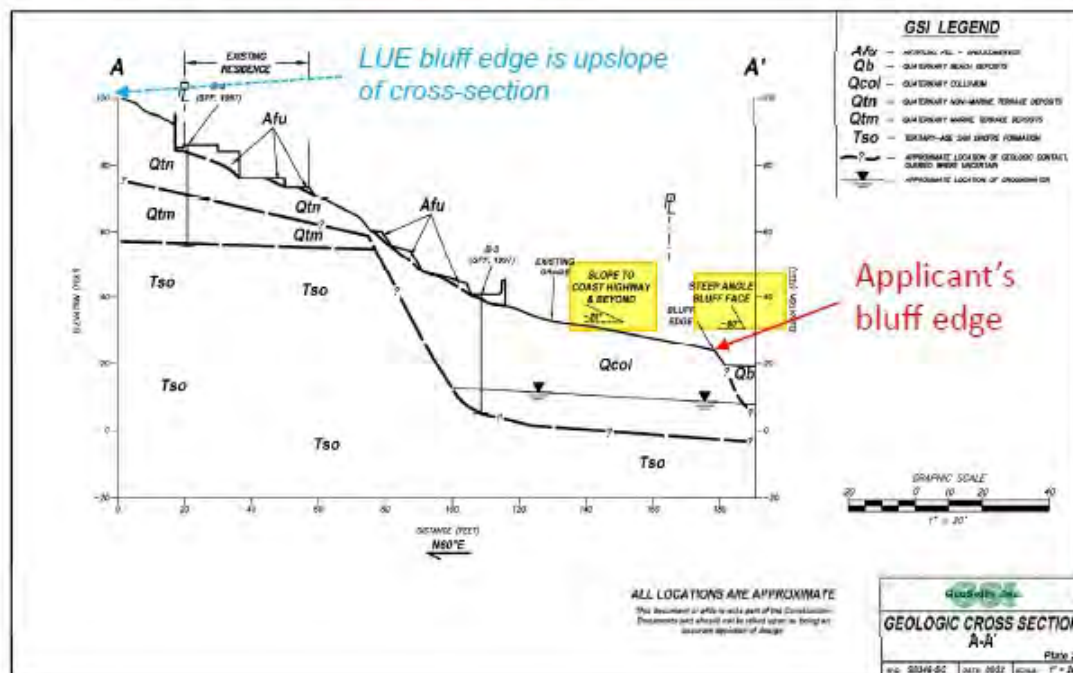


Figure 6. Yellow highlighting of the CCC Memo's Figure 2 to show the slopes on the site. The First American Archives document that there is a significant amount of fill on the site from the construction of Coast Highway.

Finally, we would like to make a comment on the topographic map provided as Figure 3 of Dr. Street's memo. A more careful examination of the contours show that the contour lines in the three streets shown (Coast Highway, Monterey St., and Brooks St.) are essentially perpendicular to the contour lines on the actual parcels. This makes sense because the streets were graded by cutting into the up slope side of the land and placing the cut material (fill) on the down-slope side. The grading and placement of a significant amount of fill is what makes the appearance of a bluff edge at the seaward side of Coast Highway. In reality, it is an anthropic feature and does not meet the LUE definition of a bluff edge.

In conclusion, the bluff edge determined by GSI and verified through a third party review process by the City, meets the LUE definition of the bluff edge. The CCC appeal letter did not have the benefit of the pre-Coast Highway photograph of the site provided herein as Figure 1. It did not have the benefit of the visible land form modification shown in Figure 3, Figure 4, and Figure 5. This memo and the previous GSI bluff edge determination information provided unequivocal evidence that the bluff edge determined by GSI is consistent with the CCC and City of Laguna Beach LUE.

# **EXHIBIT 2**



# MEMO

Date: January 19, 2023

To: Jack Corwin  
31351 South Coast Highway  
Laguna Beach, CA 92651

Regarding: Appeal of City of Laguna Beach Design Review and CDP for new fencing at 31351 South Coast Highway. California Coastal Commission Staff Recommendation of Planting Barrier Alternative.

California Coastal Commission staff has suggested the consideration of *Opuntia basilaris* as a possible native plant barrier instead of the proposed fencing, however this species is not native to, or appropriate for, the coast zone of Southern California. Native cactus species such as *Opuntia littoralis* and *Cylindropuntia prolifera* would be more appropriate however the transplant size of these plants is typically 6" high and it can take up to two years for the transplants to develop new growth. During the establishment period these cuttings are easily trampled and destroyed. Successful transplants can take five to ten years to develop a thick and high enough barrier to deter human trespass.



Michael D. Wilkes  
MD Wilkes Design + Consulting  
Licensed Landscape Architect  
State of California #6094

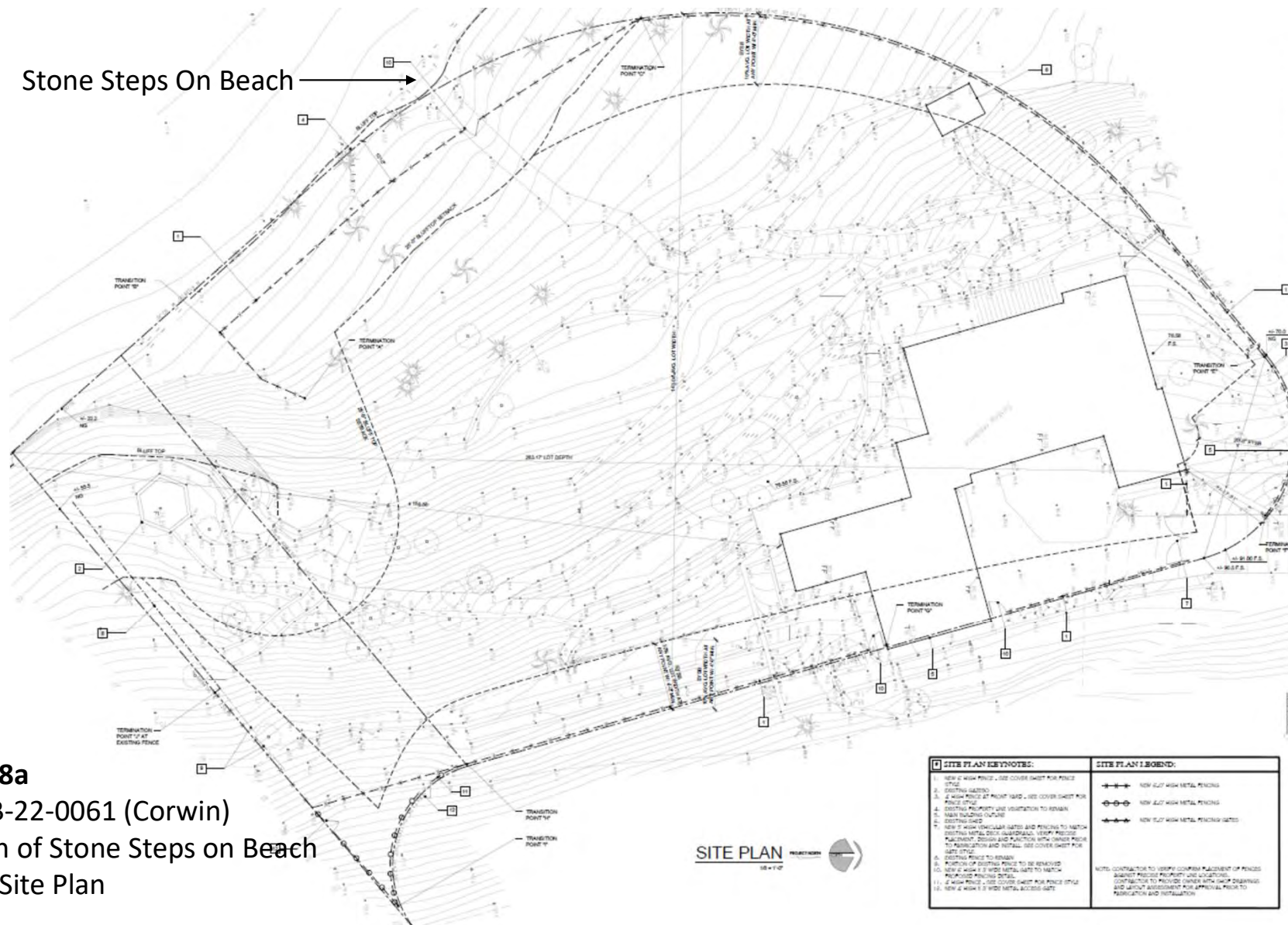
A-5-22-LGB-0061 (Corwin)

# **EXHIBIT 9**

Stone Steps

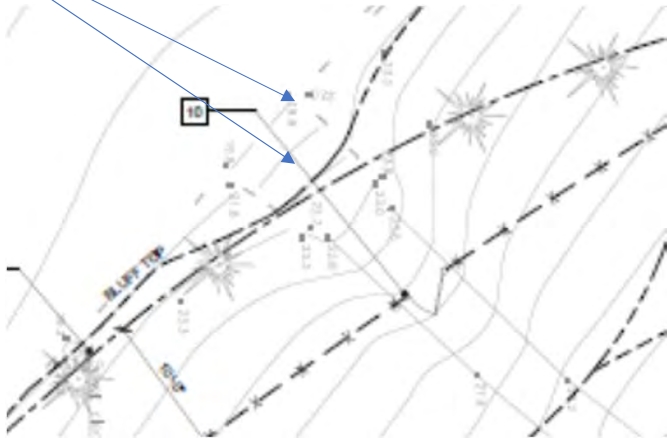
(2 pages)

**Exhibit 8a**  
A-5-LGB-22-0061 (Corwin)  
Location of Stone Steps on Beach  
Project Site Plan



<p><b>CORWIN RESIDENCE</b>          39351 COAST HIGHWAY          LAGUNA BEACH, CA 92651</p>	<p><b>SITE PLAN</b></p>	<p><b>TODD SKENDERIAN ARCHITECT</b>          1110 S. COAST HWY. #316          LAGUNA BEACH, CA 92651          (OFFICE) (949) 715-5461          FAX (949) 715-5986</p>	<p>ALL INFORMATION ON THIS PLAN WAS OBTAINED FROM THE ARCHITECT'S RECORD DRAWINGS AND FIELD SURVEY. THE ARCHITECT HAS CONDUCTED VISUAL VERIFICATION OF THE EXISTING CONDITIONS AND HAS FOUND THEM TO BE AS SHOWN ON THE RECORD DRAWINGS. THE ARCHITECT HAS CONDUCTED VISUAL VERIFICATION OF THE EXISTING CONDITIONS AND HAS FOUND THEM TO BE AS SHOWN ON THE RECORD DRAWINGS. THE ARCHITECT HAS CONDUCTED VISUAL VERIFICATION OF THE EXISTING CONDITIONS AND HAS FOUND THEM TO BE AS SHOWN ON THE RECORD DRAWINGS.</p>
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Stone Steps on Beach



Stone Steps and Temporary Fence

**Exhibit 8b**  
A-5-LGB-22-0061 (Corwin)  
Location of Stone Steps on Beach



A-5-22-LGB-0061 (Corwin)

# **EXHIBIT 10**

Tract 831 Map

(1 page)



A-5-22-LGB-0061 (Corwin)

# **EXHIBIT 11**

49 Day Waiver

(3 pages)

**CALIFORNIA COASTAL COMMISSION**VOICE (415) 904-5200  
FAX (415) 904-5400  
TDD (415) 597-5885**Waiver of the 49 Working Day Rule for an Appeal of  
a Local Government's Final Action on a Coastal  
Development Permit**Local Government Application Number: CDP No. 19-4321Coastal Commission Appeal Number: A-5-22-LGB-0061Applicant Name: Jack CorwinAppeal Filing Date: October 24, 2022

I, the applicant or authorized representative hereby waive my or the Applicant's right to a hearing within 49 working days after the application or appeal has been filed with the Coastal Commission. (Public Resources Code Sections 30621(a), 30625(a).) I request that the referenced application be scheduled:

( ) for consideration at the next possible Commission meeting in Southern California.

☒ for consideration at the next possible Commission meeting in Northern California.

I understand that the application may need to be scheduled without regard to the Southern/Northern California preference.

( ) for consideration after staff and I have had additional time to discuss the project.

I also understand that while the Commission staff will attempt to schedule the appeal expeditiously, the waiver of the 49 working day time limit does not result in the imposition of a new deadline for hearing of the application or the appeal.

**THIS FORM SHALL NOT BE MODIFIED IN ANY MANNER**December 14, 2022  
Date  
Signature of applicant or authorized agent



preliminary title reports, land surveys, legal descriptions, subordination agreements, and other outside agreements will be required prior to issuance of the permit.

In addition, the Commission may adopt or amend regulations affecting the issuance of coastal development permits. If you would like notice of such proposals during the pendency of this application, if such proposals are reasonably related to this application, indicate that desire.....

☒ Yes ☐ No

## SECTION VI. COMMUNICATION WITH COMMISSIONERS

Decisions of the Coastal Commission must be made on the basis of information in the public record available to all commissioners and the public. Permit applicants and interested parties and their representatives may contact individual commissioners to discuss permit matters outside the public hearing (an "ex parte" communication). However, the commissioner must provide a complete description of the communication either in writing prior to the hearing or at the public hearing, to assure that such communication does not jeopardize the fairness of the hearing or potentially result in invalidation of the Commission's decision by a court. Any written material sent to a commissioner should also be sent to the commission's office in San Francisco and the appropriate district office for inclusion in the public record and distribution to other commissioners.

## SECTION VII. CERTIFICATION

1. I hereby certify that I, or my authorized representative, have completed and posted or will post the **Notice of Pending Permit** stock card in a conspicuous place on the property within three days of submitting the application to the Commission office.
2. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application and all attached appendices and exhibits is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the Commission.
3. I hereby authorize representatives of the California Coastal Commission to conduct site inspections on my property. Unless arranged otherwise, these site inspections shall take place between the hours of 8:00 A.M. and 5:00 P.M.

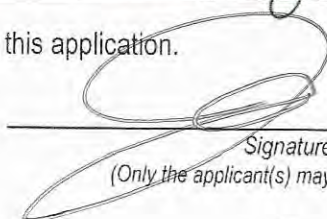


*Signature of Authorized Agent(s) or if no agent, signature of Applicant*

**NOTE: IF SIGNED ABOVE BY AGENT, APPLICANT MUST SIGN BELOW.**

## SECTION VIII. AUTHORIZATION OF AGENT

I hereby authorize Laurence P. Nokes, Esq. to act as my representative and to bind me in all matters concerning this application.



*Signature of Applicant(s)*

*(Only the applicant(s) may sign here to authorize an agent)*



December 7, 2022

**VIA ELECTRONIC MAIL AND FedEx STANDARD OVERNIGHT**

Meg Vaughn  
Staff Analyst  
CALIFORNIA COASTAL COMMISSION  
South Coast District Office  
301 E. Ocean Boulevard, Suite 300  
Long Beach, CA 90802-5084

[Meg.Vaughn@coastal.ca.gov](mailto:Meg.Vaughn@coastal.ca.gov)

Re: **Appeal No:** A-5-LGB-22-0061  
**Hearing Date:** December 14, 2022  
**Applicant:** Jack Corwin  
**Appellant:** Mark Fudge  
**Project Location:** 31351-31355 Coast Hwy., Laguna Beach, CA  
**APN:** 056-032-04 (31351 Coast Hwy.)  
056-032-07 (31355 Coast Hwy.) ,

Dear Ms. Vaughn:

On behalf of my client, Applicant Jack Corwin, please accept this request pursuant to 14 CCR 13073(a) to continue the hearing on the referenced matter.

After review of the appeal and the material set forth in the Staff Report, the Applicant has determined that averments made in the appeal and the evidence proffered in the Staff Report require a response that the Applicant is not prepared to make in time for the December 14, 2022 hearing.

The Applicant hereby waives any applicable time limits for commission action on the application, as required by 14 CCR 13073(c).

Respectfully,

A handwritten signature in blue ink, appearing to read "L. P. Nokes", written over a horizontal line.

Laurence P. Nokes

LPN/dkc  
cc: Client

A-5-22-LGB-0061 (Corwin)

# **EXHIBIT 12**

Public Comments Received  
December 2022 Hearing  
(4 pages)





December 9, 2022

To: Meg Vaughn, Coastal Program Analyst, California Coastal Commission

**Re: Item W12a, Appeal No A-5-LGB-22-0061 Laguna Beach Fence on Coast Highway**

Dear Meg Vaughn,

The Surfrider Foundation South Orange County Chapter strongly supports the Coastal Commission staff recommendation for Appeal No. A-5-LGB-22-0061 to deny the private perimeter fencing on Coast Highway in Laguna Beach. Denial will protect the coastal bluff and help preserve the public's right to access and view ocean vistas along one of California's most iconic shorelines.



*Photo by Mark Fudge December 2, 2022*

The applicant seeks a permit for an already constructed 4 to 6 foot high steel fence, pictured above. As the staff report states, the proposed fence is inconsistent with the local coastal program policies for bluff development and may block a public right of way. Surfrider strongly urges the Commission to deny the fence and order its removal. We also urge staff and the Commission to request additional information from the City and the applicant regarding the lot sales and whether prescriptive access rights may exist at this location.





Access to and along the coast should not be a privilege reserved only for those who can afford to live adjacent to the bluffs and beaches. A major function of the Coastal Act is to prohibit the walling and fencing off of our beloved coast. The coast belongs to all Californians and those who wish to visit and recreate on the coast are entitled to maximum shoreline access. Private complaints about supposed criminal activity should be dealt with by law enforcement – not by restricting the access or degrading coastal bluffs with unpermitted development. Please deny the proposed fence along the Coast Highway property.

Sincerely,

Denise Erkeneff  
Chapter Coordinator  
South Orange County Chapter  
Surfrider Foundation

Mandy Sackett  
California Policy Coordinator  
Surfrider Foundation

## A-5-LGB-22-0061 Corwin - Public Access comments/outstanding violation

Fudge <fudge1@cox.net>

Fri 12/9/2022 12:35 PM

To: Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>

Cc: Haage, Lisa@Coastal <Lisa.Haage@coastal.ca.gov>; Helperin, Alex@Coastal <Alex.Helperin@coastal.ca.gov>; Willis, Andrew@Coastal <Andrew.Willis@coastal.ca.gov>; Mark Fudge <markfudge@icloud.com>; Seifert, Chloe@Coastal <chloe.seifert@coastal.ca.gov>; Dobson, Amber CD <adobson@lagunabeachcity.net>

Good afternoon Meg,

In regards to the staff report's analysis of Public Access (pages 15-17), please review the staff report for an appeal we filed for a project at 31361 Coast Highway (**A-5-LGB-20-0002**). I've attached a copy below. In that appeal, we brought up the unpermitted sale of the "Park" parcel to Mr. Schiffman, the owner of the property at 31361 Coast Highway. The parcel was also unsuccessfully bid on by Mr. Corwin - owner of the subject parcel of this appeal (A-5-LGB-22-0061).

The box below contains a link that will get you to the City's files for the 31351 property. About seventh (7th) on the list is the file related to the abandonment of the parcel by the County of Orange, the quitclaim of the property to the City and the City's subsequent sale of the parcel to the property owner ... all done without benefit of, or even consideration of, a CDP. I do have a copy of the file as a pdf, but it is too large to email. If there's a way for me to upload it to you, and you'd prefer that, I'd be happy to do so.

PublicAccess - CustomQuery Template  
lagunabeachgis.net



As shown below (in an excerpt from the previous appeal staff report), the sale of the "Park" property constitutes a violation of the Coastal Act. I've included Enforcement staff on this email to get an update on where this violation stands as we haven't heard anything about the issue since 2020, and to give them time to prepare in case of any Commissioner inquiries.

A-5-LGB-20-0002 (Schiffman Trust) Appeal – Substantial Issue excerpt:

### VI. COASTAL ACT AND LOCAL COASTAL PROGRAM VIOLATIONS

Violations of the Coastal Act have occurred on property that is located at 31361 Coast Highway and on a vacant parcel owned by the applicant that abuts the property at 31361 Coast Highway. These violations include, but are not necessarily limited to, an unpermitted change in the intensity of use of the vacant parcel noted above. Also, City building permits indicate that unpermitted improvements to the residence 31361 Coast Highway, have been undertaken, including but not necessarily limited to a re-roof, demolition of a kitchen to convert an unpermitted triplex into a duplex, and various other minor improvements.

With regard to the change in intensity of use of the vacant parcel, in 2012 the City vacated the parcel, which had been dedicated to the County of Orange, and accepted, for public park purposes through Tract Map No. 831. The park parcel was subsequently transferred to the City, and after the vacation in 2012, the City transferred the property to the applicant, thus changing its use from public park to private use. City Zoning Code Section 25.07.004 states that any activity defined as "development" within the coastal zone requires a coastal development permit. Under the City Local Coastal Program, an action that results in a "change in the density or intensity of use..." constitutes "development" as defined by City Zoning Code Section 25.07.006 and, therefore, requires a coastal development permit. Commission staff has not located a coastal development permit for the City's vacation of the park parcel. Any unpermitted development that occurs within the Coastal Zone in the City, which is not exempt, constitutes a violation of the Local Coastal Program and the Coastal Act. Furthermore, while liability for Coastal Act violations attaches to the person or persons

originally responsible for said violations (and continues to do so even if they no longer own the property), liability additionally attaches to whomsoever owns the property upon which a Coastal Act violation persists (see *Leslie Salt Co. v. San Francisco Bay Conservation and Development Com.* [1984], 153 Cal. App.3d 605, 622). Therefore, the applicant has assumed liability for, and the duty to correct, the violation on the park parcel.

Commission review and action on this appeal does not constitute a waiver of any legal action with regard to the alleged violations (or any other violations), nor does it constitute an implied statement of the Commission's position regarding the legality of development undertaken on the site without a coastal permit, or of any other development, other than the development addressed herein. The Commission's enforcement division will consider how to address said violations as a separate matter.

The posting of the exhibits for the Schiffman staff report included our appeal, but not our attachments. In our appeal, we included (as Exhibit 5) the paperwork related to the sale of the park. Perhaps you can obtain the attachment from Chloe Siefert (the author of the staff report). I've also attached some paperwork from the city files in a pdf attached below.

Please include our comments in the correspondence portion of the final staff report. Thank you,

Mark and Sharon Fudge  
949-481-1100

A-5-22-LGB-0061 (Corwin)

## **EXHIBIT 13**

CCC Staff Geologist's Memo

April 2023 Hearing

(4 pages)



**CALIFORNIA COASTAL COMMISSION**

455 MARKET STREET, SUITE 228  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400



March 30, 2023

**SUPPLEMENTAL BLUFF EDGE REVIEW MEMORANDUM**

To: Meg Vaughn, Coastal Program Analyst

From: Joseph Street, Ph.D., P.G., Staff Geologist *Joseph Street*

Re: 31351-31355 Coast Highway, Laguna Beach (Corwin Residence),  
Appeal No. A-5-LGB-22-0061

The purpose of this memorandum is to review a new report (GeoSoils 1/13/2023, Ref. 2) submitted by the applicant addressing the location of the bluff edge on the subject property, and to respond to some of the arguments and new information presented in this report. This memo is intended as a supplement to my previous bluff edge memo (dated December 1, 2022), which is attached (along with **Figs. 1 - 3**) for reference. New figures prepared for this supplemental memo are numbered 4 – 6 to avoid confusion.

As noted in my previous memo, the bluff at this property is somewhat unusual in Laguna Beach in that the lower portion of the slope, across the northern portion of the site, is composed of a thick layer of colluvium eroded from the inland areas and deposited along the shoreline over time, either through landsliding or more gradually through slopewash. Whatever the specific erosional processes involved, the colluvium has been deposited in front of the former coastal bluff, composed of San Onofre Breccia bedrock overlain by marine and non-marine paralic deposits (see **Fig. 2** of 12/1/2022 memo). The colluvium has the effect of moderating the steepness of the bluff slope on this portion of the property. This can be seen in comparing cross-sections of the northern part of the site (**Fig. 5, #1-5**) with cross-sections of the southern part of the site (**Fig. 5, #7-8**), where the bedrock seacliff and upper bluff slope are unobscured by colluvium and the bluff slope is significantly steeper. Nonetheless, and as discussed below, even on the northern part of the site the bluff face is topographically distinguishable from the upland area immediately inland of the subject property.

Across much of the site, the bluff edge delineation submitted by the applicant (Ref. 1), and defended by GeoSoils in Ref. 2, runs along the top of a low wave-eroded scarp at the seaward toe of the colluvium, at elevations of approximately 22 – 23 feet<sup>1</sup> (**Fig. 1** of 12/1/23 memo). In Ref. 2, GeoSoils bases this bluff edge delineation in part on a claim that the slope above this scarp is uniform (at ~25 - 27 degrees) all the way inland to Coast Highway and beyond, such that no “bluff face” at higher elevations on the site is distinguishable from the upland area. In the context of the Land Use Element (LUE) bluff

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<sup>1</sup> No vertical datum was indicated in Refs. 1 or 2; elevations are assumed to be relative to present mean sea level.

edge definition, this would suggest that the top edge of the bluff is not “rounded away from the face of the bluff”, and that thus the bluff edge is simply the “upper termination of the bluff, cliff, or seacliff”, in this case the eroded scarp at the toe of the slope. Ref. 2 also states that this scarp is, per the LUE definition, the “point nearest the bluff face beyond which a downward gradient is maintained continuously to the base of the bluff.”

I disagree with GeoSoils’ analysis on both points. First, as can be seen most clearly in cross-sections of the site (**Figs. 2, 5**) (derived from both the applicant’s topographic survey and Orange County topographic maps<sup>2</sup>) bluff slope at the site is not uniform, and can be distinguished from the slope of the upland areas immediately inland of the site and of Coast Highway. The upland area immediately inland of the site is characterized by slopes ranging from 9 – 12 degrees, forming an inclined terrace about 300 – 400 feet in width (approximately between Coast Highway and Brooks Street). On the southern portion of the site and to the south, this more gently sloped blufftop extends seaward of Coast Highway. On the northern and central portions of the site, the lower slope of the colluvium is relatively gentle, with slopes ranging from approximately 10° – 15°, but steepens markedly, to ~25° – 40°, moving inland, where the mantle of colluvium covers the former bedrock sea cliff (see **Fig. 2**). Thus, the slope of middle bluff face, even along the less steep northern cross-sections, significantly exceeds that of the upland areas immediately inland of the site. Along the southern cross sections (**Fig. 5, #7-8**), colluvium is not present, the position of the steep seacliff is evident, and there is a clear slope break between the upper bluff (~27 deg.) and the upland terrace (~10 deg.). Based on this evidence, the point where the slope of the bluff exceeds that of the upland area, is located well above the applicant’s bluff edge as shown in **Fig. 3**. As discussed in my 12/1/2022 memo, this slope break appeared to represent the LUE bluff edge based on topographic considerations; at the time, the geologic composition of this upper slope area was not known (see below).

Second, I disagree with GeoSoils’ contention that the scarp at the bluff toe is the “point nearest the bluff face beyond which a downward gradient is maintained continuously to the base of the bluff.” While the face of this scarp may be the point on the bluff beyond which a *single* gradient (e.g., a slope of ~60 degrees) is maintained continuously to the base of the bluff, it is evident from **Figs. 1 - 5** that the entire project site consists of land with a downward gradient (i.e., it is sloped at some angle), and while the specific gradient varies, it is always downward – moving seaward from Coast Highway, there are no significant “discontinuities” where the land is flat or sloped upward. Indeed, except for the artificial flat areas constructed to allow for roads (Coast Highway and other streets), a continuous downward gradient extends far inland of the project site. In such situations, the Commission’s approach in numerous Laguna Beach cases has been to delineate the bluff edge (the point beyond which a downward gradient is maintained continuously) where the gradient of the coastal slope begins to exceed that of the inland terrace area.

### **Influence of Coast Highway Fill**

In my December 1, 2022, memo I noted that there was uncertainty as to the presence and extent of artificial fill on the slope inland of the subject lot, especially along the margins of Coast Highway. This information is relevant because of the provision in the LUE bluff edge definition indicating that artificial fill does not affect the position of the bluff edge and should be discounted in the bluff edge delineation (“In areas where fill has been placed near or

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<sup>2</sup> Orange County Public Works, <https://www.ocgis.com/ocpw/landrecords/>

over the bluff edge, the original bluff edge, even if buried beneath fill, shall be taken to be the bluff edge.”). In Ref. 2, GeoSoils presents a 1929 photograph (included here as **Fig. 6**) clearly showing a mantle of fill on the upper part of the slope, immediately seaward of Coast Highway. This fill, which was placed during the construction of the highway in its modern alignment, is not continuous across the entire site, but where it is present clearly influences the topography of the upper slope and accentuates the slope break at the seaward edge of the road. As a result, my previous LUE bluff edge delineation (**Fig. 3** of 12/1/2022 memo) may be incorrect, in particular on the northern and central portions of the site (**Fig. 5**, cross-sections 1-6). GeoSoils notes that the fill extends approximately 10 – 20 feet down the face of the bluff. However, the depth of fill and its areal extent moving inland cannot be known from the photograph alone. To accurately determine whether and how the presence of the fill would change the LUE bluff edge delineation, it would first be necessary to conduct a subsurface investigation to better constrain the footprint and depth of the fill at the top of the slope.

However, in attempt to estimate whether the observed fill could change the position of the bluff top, I have constructed multiple topographic cross-sections of the site (**Fig. 5**) and conservatively assumed that the first 20 feet of elevation below the Coast Highway are composed of fill, drawing a straight line from the assumed bottom elevation of fill (i.e., Coast Hwy elevation minus 20 ft) to the approximate midpoint of the road to represent the bottom surface of the fill. I then determined where, if anywhere, the slope of the bluff face exceeded the average slope of the upland area above Coast Highway (~10 degrees). Along the five northern cross-sections (# 1-5), the assumed fill would have influenced my prior bluff edge delineation; the fill accentuates the slope break just seaward of the road. However, in each cross-section there was also a point, at an elevation below the assumed fill, where the slope of the bluff surface exceeded the average slope of the upland area/terrace above Coast Highway. These points are labeled as the “alternate LUE bluff edge” on the **Fig. 5** cross-sections, and occur at elevations between 60 – 86 feet, well above the applicant’s bluff edge delineation.

I did not perform this exercise for the three southern cross-sections (# 6-8), as in these areas the flatter terrace area extends well seaward of the road, and in the 1929 photo there is no indication of fill on this portion of the bluff. Thus, on the southern portion of the site, I see no evidence to support a revision to the bluff edge delineation.

## Conclusion

In summary, it appears likely that the presence of fill seaward of Coast Hwy could influence the LUE bluff edge delineation along the northern and central portions of the project site, but there is currently insufficient information about the depth and extent of the fill to make an accurate assessment. However, based on the analysis described above and illustrated in **Fig. 5**, even accounting for the fill the middle bluff face (below 80 – 85 feet elevation) at the project site is significantly steeper than the upland/terrace area immediately inland. Thus, an alternate LUE bluff edge line could be delineated that is well above the bluff edge provided by the applicant.

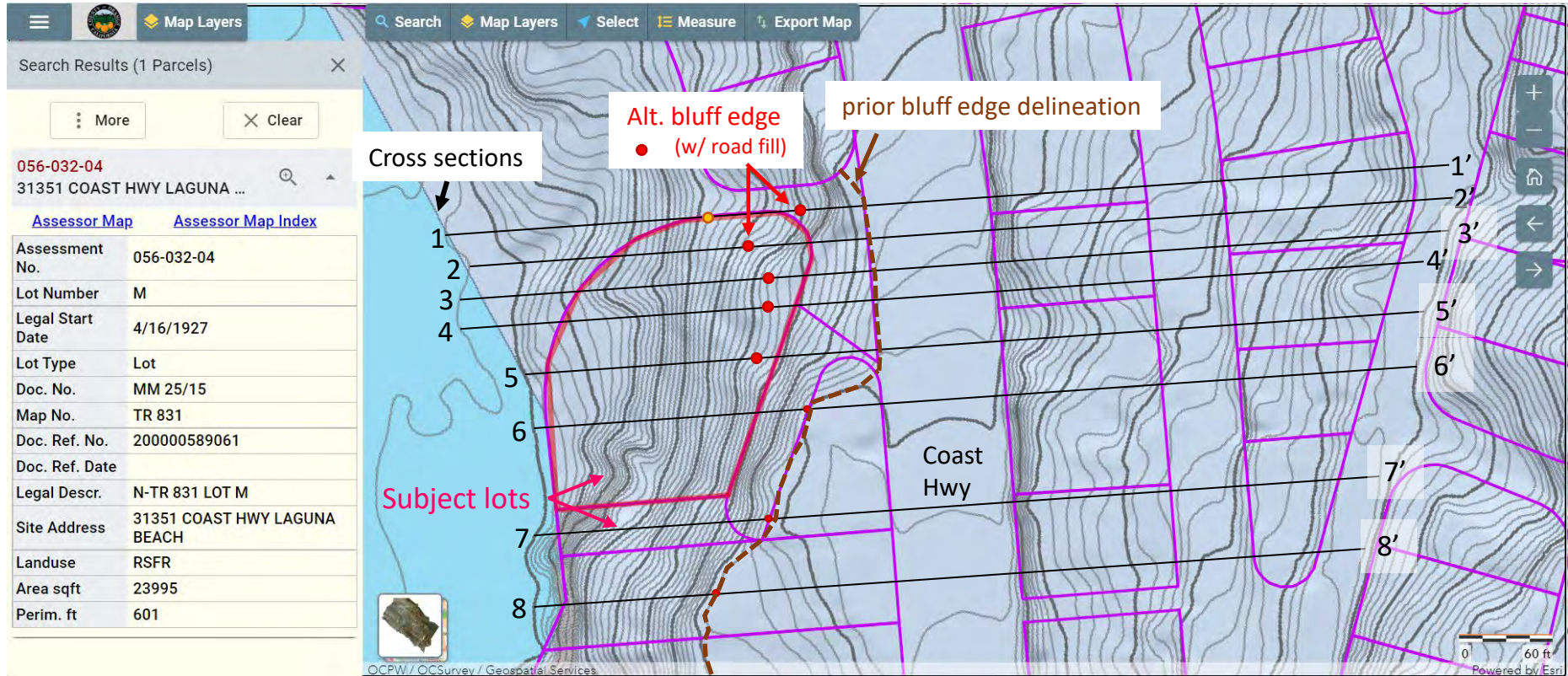
## References

- 1) GeoSoils, Inc., 2022, “Updated Discussion of Geomorphology and Bluff Edge Determination, 31351 Coast Highway, Laguna Beach, Orange County, California”, report dated June 2, 2022, and signed by J. P. Franklin and D. W. Skelly.

- 2) GeoSoils, Inc., 2023, "Discussion of Project Appeal Information Concerning the Bluff Edge Determination at 31351 Coast Highway, City of Laguna Beach, California, memo dated January 13, 2023, by D. W. Skelly and J. P. Franklin.



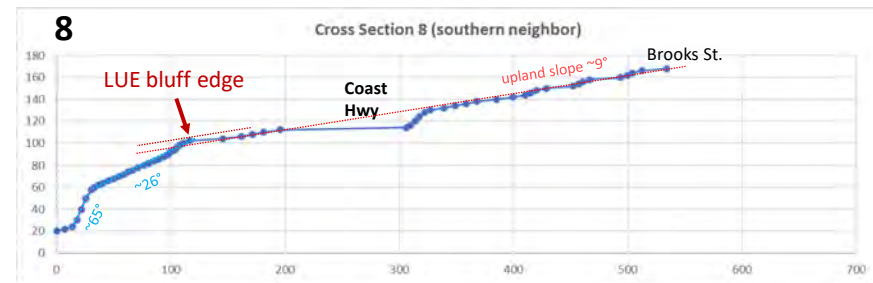
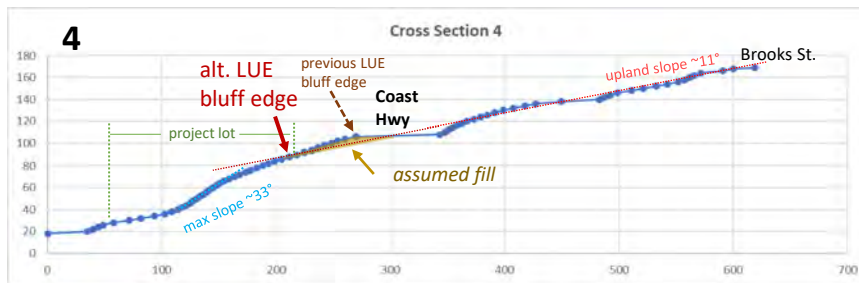
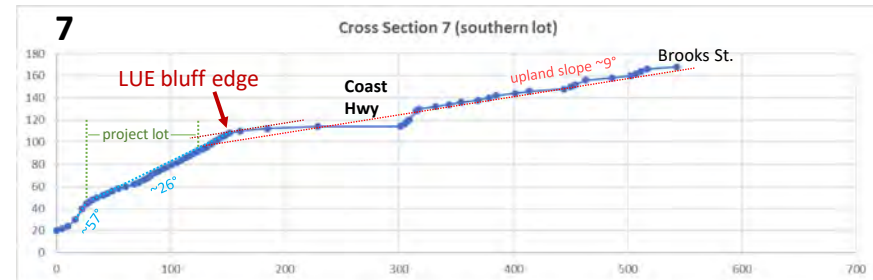
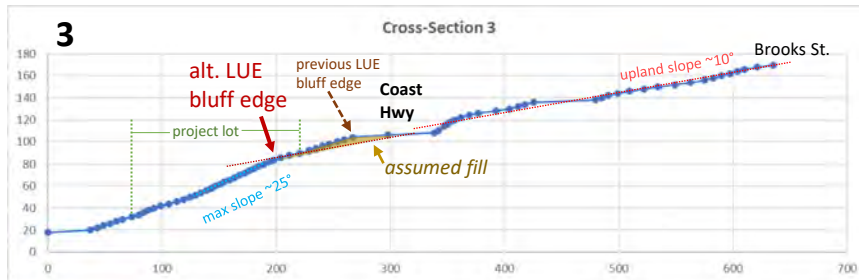
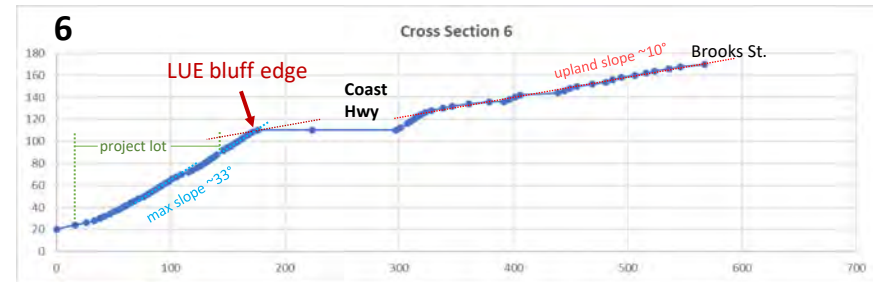
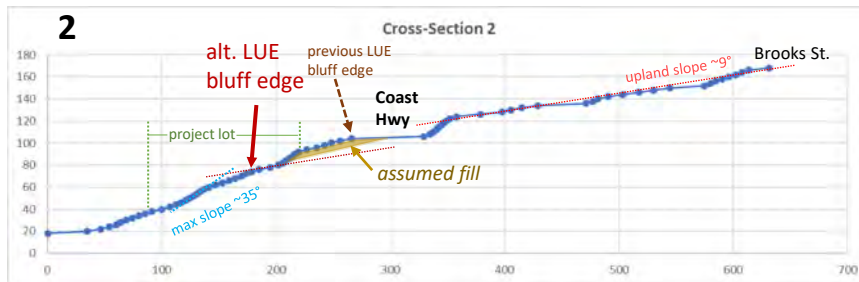
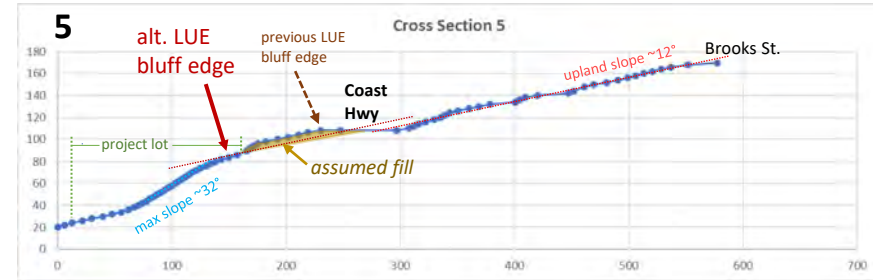
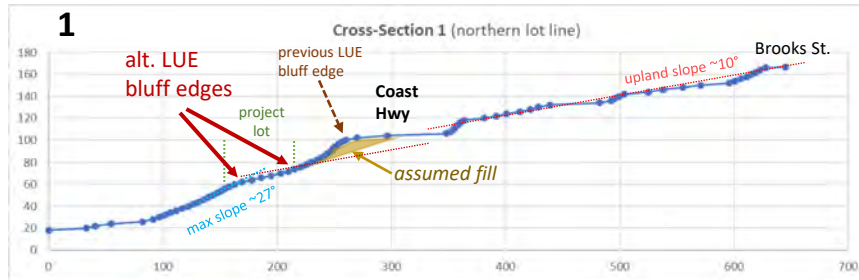
**Figure 4:** Topographic contour map with cross-sections



Base map source: Orange County Public Works, <https://www.ocgis.com/ocpw/landrecords/>

# Figure 5 – Topographic Cross Sections

Elevation (ft)



Horizontal Distance (ft)

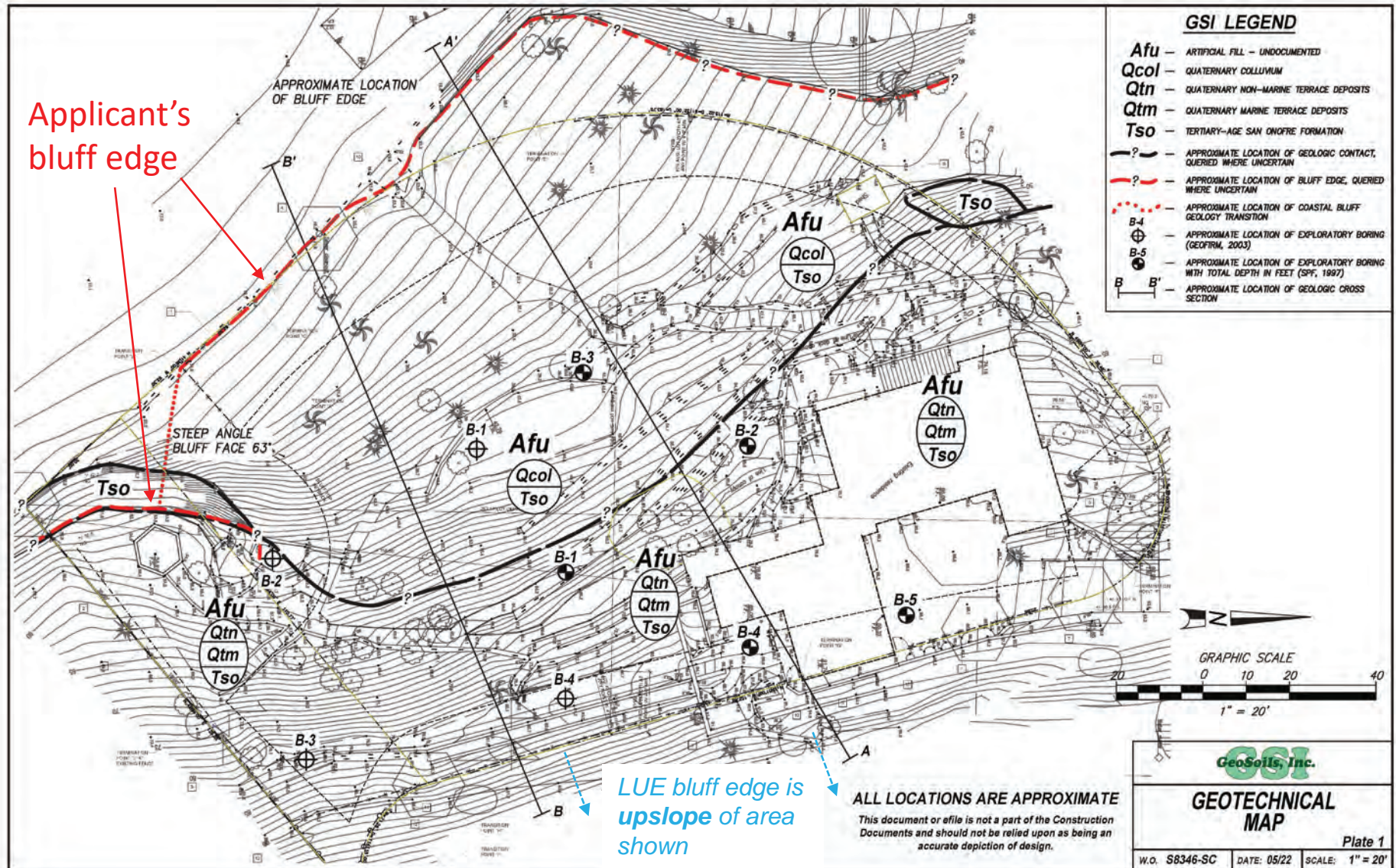
**Figure 6:** 1929 Photograph of project site, including fill seaward of Coast Highway



(from GeoSoils 1/13//23, Ref. 2)

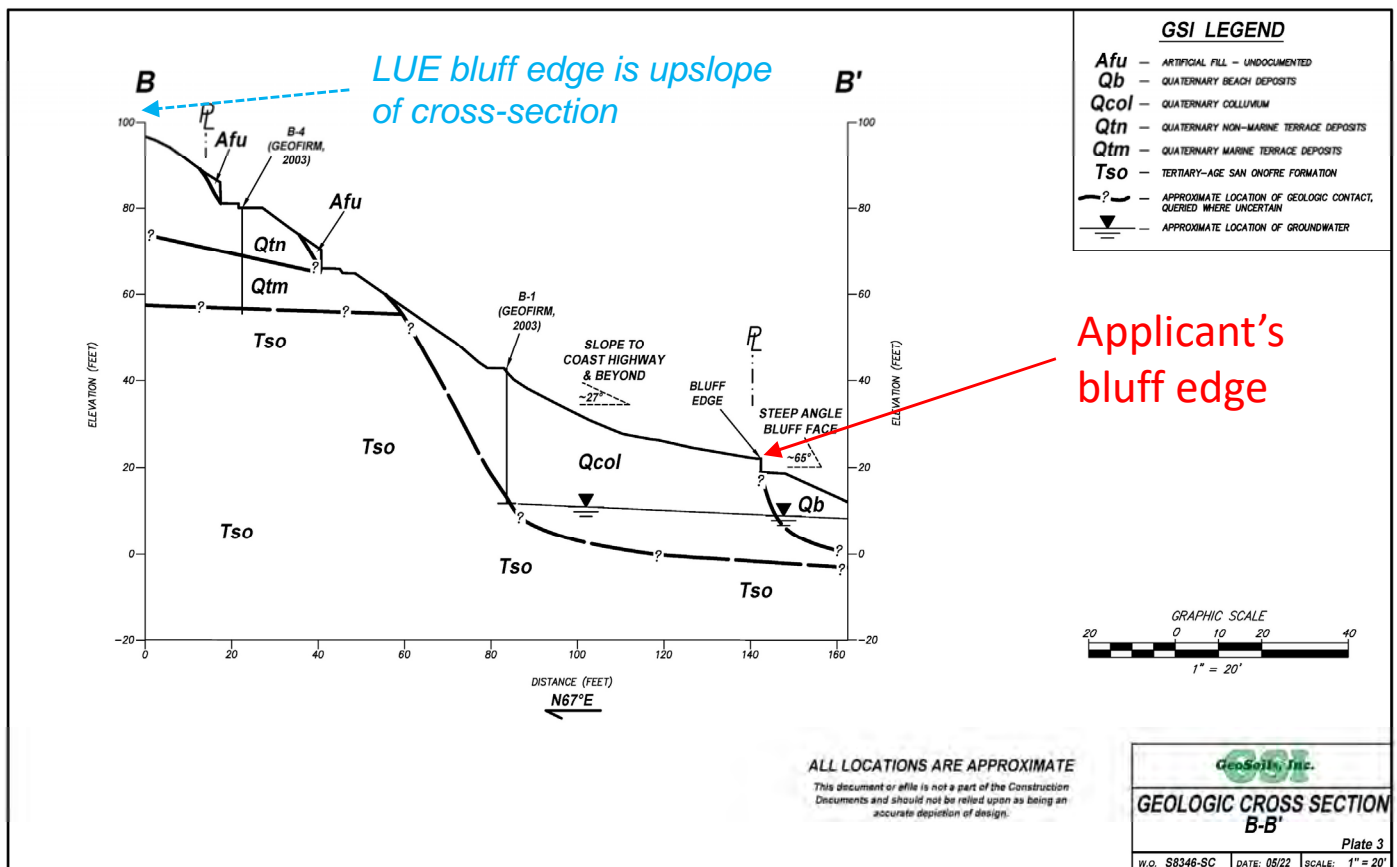
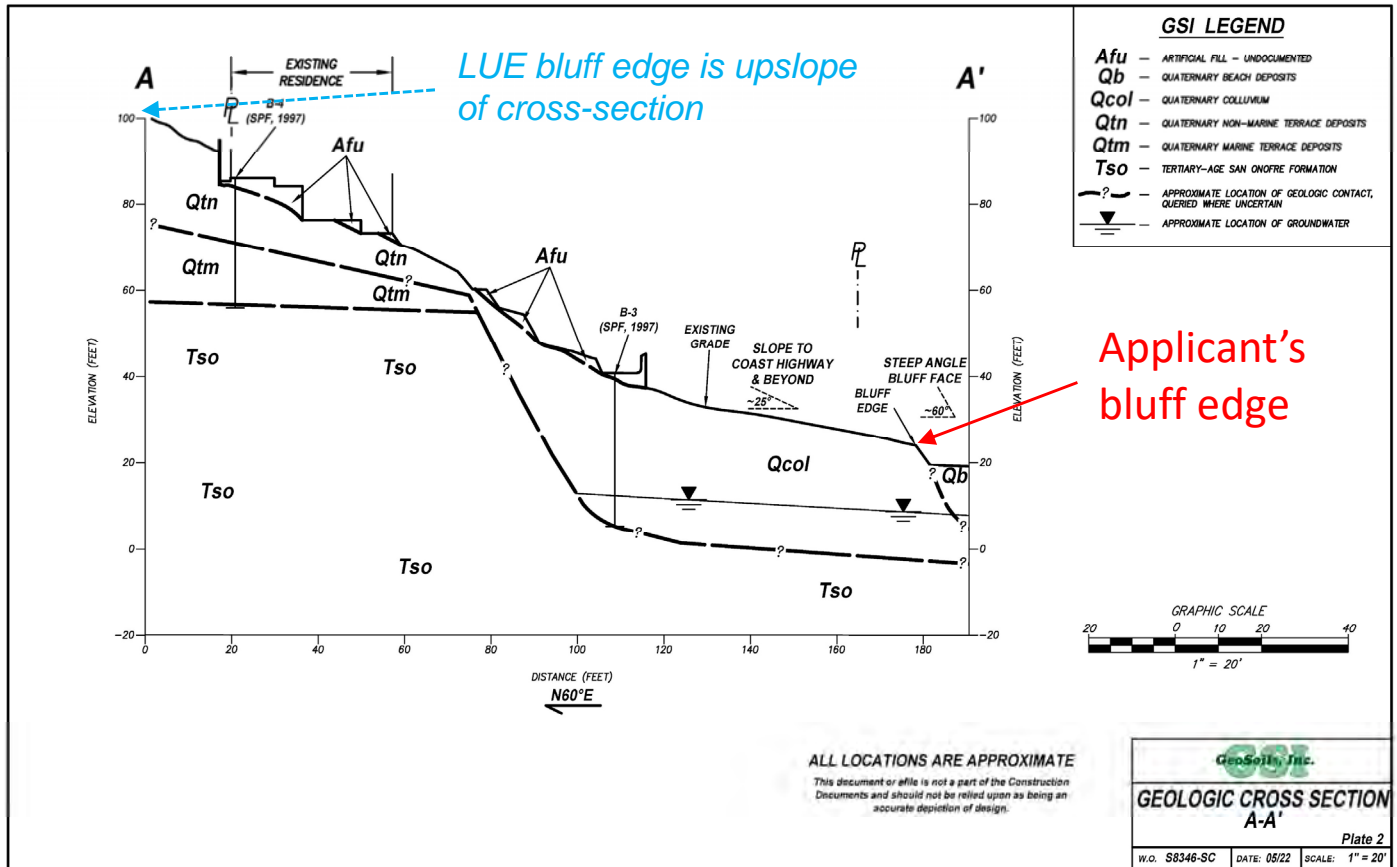


# Bluff Edge Review Memo -- Figure 1



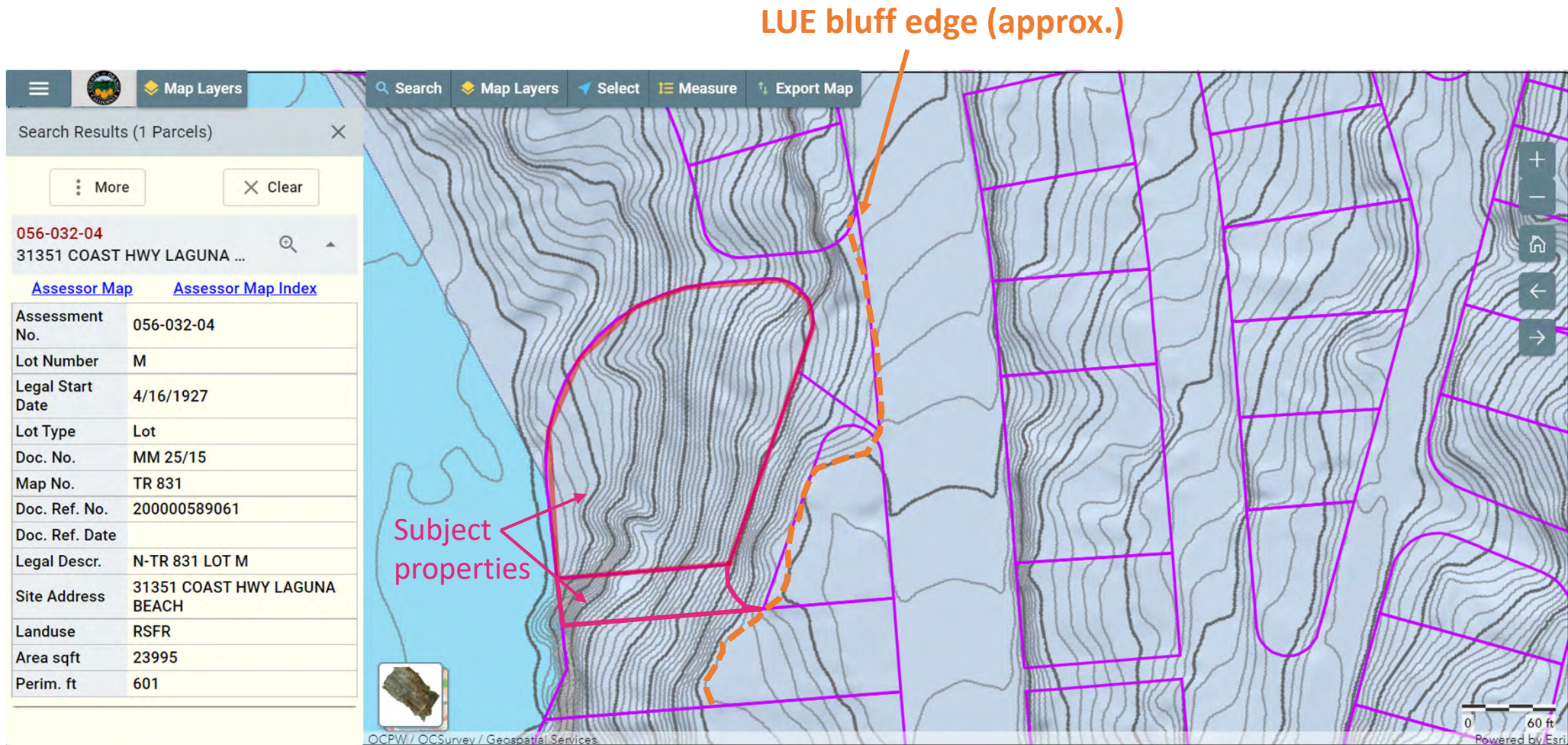
Modified from GeoSoils 6/2/2022

# Bluff Edge Review Memo -- Figure 2





## Bluff Edge Review Memo -- Figure 3



Modified from Orange County Public Works (OCPW) (<https://www.ocgis.com/ocpw/landrecords/>)