

CALIFORNIA COASTAL COMMISSION

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



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STAFF REPORT: REGULAR CALENDAR

Application No.: 5-25-0352

Applicant: Mario Pinel

Agent: Steven Sennikoff, Sennikoff Architects

Location: 141 10th St, Seal Beach (Orange County)
(APN(s): 199-044-04)

Project Description: Construct a 1,761 sq. ft. two-story addition to an existing two-story, duplex with attached two-car garage on a 2,937.5 sq. ft. lot. The existing first floor unit is 370 sq. ft. and the existing second floor unit is 772 sq. ft. The project will result in three units: a 24' 7" high, 1,409 sq. ft. Single Family residence with a 998 sq. ft. attached ADU and a 496 sq. ft. JADU and attached two-car garage. The project proposes new landscaping and drainage plans.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION:

The proposed project is for the construction of an addition to an existing duplex with an attached garage on an inland lot located in Seal Beach, Orange County. As a result of the addition, the structure would undergo a major remodel and the existing duplex would be converted into a single family residence, with an attached Accessory Dwelling Unit (ADU) and a Junior Accessory Dwelling Unit (JADU). A total of three units will be onsite. Commission staff are recommending **approval** with **5 special conditions** to ensure consistency primarily with the hazards and concentration of development policies of the Coastal Act.

During construction, the proposed project has potential for adverse impacts to water quality and marine resources. Therefore, staff recommends the Commission impose **Special Condition 4** which provides standards for the safe storage of construction materials and the safe disposal of construction debris. To ensure drought tolerant conditions are maintained on-site, staff recommends the Commission impose **Special Condition 3** which requires landscaping plans to include native or non-native drought-tolerant plants that are non-invasive, promoting low water use and responsible irrigation.

Seal Beach does not have a certified Local Coastal Plan and therefore, the Chapter 3 policies of the Coastal Act constitute the standard of review for the project. The City of Seal Beach's zoning code is not certified. A concern raised by this project is the inconsistency between the City's zoning code and the Coastal Act policies with regard to the number of units. The Coastal Act encourages the concentration of new development in already developed areas that can accommodate it to avoid cumulative impacts to coastal resources and minimize vehicle miles traveled (Coastal Act sections 30250 and 30253(d)). As the Commission has consistently found, these policies reflect an overarching acknowledgment that concentrated and well-planned residential development supports the long-term preservation of coastal resources. The applicants would not be able to preserve the existing duplex with a major remodel or construct a new duplex according to the City's zoning code. Due to the lot size, under the uncertified zoning code, the maximum number of units that could be constructed is one. Thus, while the City designated this lot multifamily, the density limits in the zoning code conflict with that designation for lots of this size. Therefore, Staff recommends the Commission also impose conditions of approval to ensure that the new units continue to function as independent units.

In addition to the proposed single family and the ADU, the JADU will provide additional dwelling units, beyond the existing two units currently onsite. Lastly, the size of all the new units will be larger than the existing duplex units onsite. The existing first floor unit is 370 sq. ft. and the existing second floor unit is 772 sq. ft. The project will result in a 1,409 sq. ft. residence with a 998 sq. ft. attached ADU and a 496 sq. ft. JADU and attached two-car garage.

Special Condition 1 requires the revised project plans to incorporate two separate utility systems on the site (one for the principal structure and one for the attached ADU), but only with proper approvals from the City of Seal Beach Building Division. **Special Condition 2** requires that both units (the principal structure and the ADU) shall have equal vehicular access and separate pedestrian ingress/egress access to the garage, which shall provide shared parking for both units in perpetuity. Additionally, **Special Condition 2** prohibits conversion of any of the accessory units into portions of the single family. In sum and as conditioned, the new units will essentially function as a duplex, rather than a single-family residence with an ADU.

To ensure that any prospective future owner(s) of the properties are made aware of the applicability of the conditions of this permit, staff recommends the Commission impose **Special Condition 5** which requires the property owner to record a deed restriction against the properties, referencing all of the above special conditions of this permit and

imposing them as covenants, conditions and restrictions on the use and enjoyment of the property.

The applicant is in agreement with the staff recommendation. As conditioned, the proposed project conforms with Chapter 3 of the Coastal Act, which is the standard of review because the City of Seal Beach does not have a certified Local Coastal Program. The motion to approve the CDP application is on **Page 4**. The special conditions begin on **Page 5**.

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APPENDICES

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EXHIBITS

Exhibit 1 - Vicinity Map & Project Location

Exhibit 2 – Existing and Proposed Plans

I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit 5-25-0352 pursuant to the staff recommendation.

Staff Recommendation:

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of Commissioners present.

Resolution:

The Commission hereby approves the Coastal Development Permit for the proposed project and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS:

1. **Revised Final Plans.** PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for review and written approval of the Executive Director, two-full size sets of revised plans. The revised plans shall substantially conform with the plans submitted to the Commission, titled "Duplex Remodel and ADU Addition" by Sennikoff Architects dated 1/31/25 except that they shall be modified to reflect separate utility meters for the single family unit and the attached ADU for all proposed utility services. Should the City of Seal Beach Building Division not approve this change, the applicant must notify the Executive Director immediately in writing.

The permittees shall undertake development in conformance with the approved final revised plans unless the Commission amends this permit or the Executive Director determines that no amendment is legally required for any proposed minor deviations.

2. **Retention of Three Units On-Site.** BY ACCEPTANCE OF THIS PERMIT, the permittee and all assigns/successors agree that:
- A. The development approved by this Coastal Development Permit is for construction of three residential units: a 1,409 sq. ft. residence, a 998 sq. ft. attached ADU, and a 496 sq. ft. JADU. The permittee and all assigns/successors shall maintain a minimum of three separate units. At no point may there be a reduction in the number of units or any units converted to a non-residential use. Ingress and egress (doors) between the three residential units are prohibited.
 - B. A minimum of two parking spaces shall be provided onsite, and the primary single-family residence and the attached ADU shall have vehicular access to the garage in perpetuity. All units shall have separate pedestrian ingress/egress access to the garage in perpetuity.

3. **Landscaping – Drought Tolerant, Non-Invasive Plants.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, in a form and content acceptable to the Executive Director, two (2) full size sets of revised landscaping plans, which shall include and be consistent with the following:

- a. Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on

the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>) and the water use efficiency for each plant species on the plant list shall be reflected on the plans.

- b. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather-based irrigation controllers.

4. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris. The permittee shall comply with the following construction-related requirements:

- A. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion;
- B. No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers;
- C. Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project;
- D. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters;
- E. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day;
- F. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction;
- G. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the Coastal Zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required;
- H. All stockpiles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;

- I. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems;
 - J. The discharge of any hazardous materials into any receiving waters shall be prohibited;
 - K. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible;
 - L. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity; and
 - M. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
 - N. During construction of the project, no runoff, site drainage or dewatering shall be directed from the site into any street, alley or stormdrain, unless specifically authorized by the California Regional Water Quality Control Board.
- 5. Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the landowner(s) has/have executed and recorded against the parcel governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of the property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction recorded against title to the property shall include a legal description of that entire parcel. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS:

A. PROJECT LOCATION & DESCRIPTION

The proposal is for construction of a 1,761 sq. ft. two-story addition to an existing two-story, duplex with attached two-car garage on a 2,937.5 sq. ft. lot (**Exhibit 1**). The existing first floor unit is 370 sq. ft. and the existing second floor unit is 772 sq. ft. The project will result in a major remodel and conversion of the existing duplex into a single family residence with two ADUs. The resulting project consists of three units: a 24' 7" high, 1,409 sq. ft. residence with a 998 sq. ft. attached ADU and a 496 sq. ft. JADU and attached two-car garage. The existing two-car garage will be preserved and continue to be accessed via the alley. The first floor will contain the single family residence. The second floor will contain the new JADU above the garage, and the attached ADU. Both the ADU and the JADU will have access to outdoor deck space and will be accessible via an exterior stairway. Because the garage is accessible via the side yard, all units will have access to the garage.

The project site is located on a developed 2,937.5 square-foot lot about 0.3 miles inland of the public beach, landward of the first public road parallel to the sea, in an urbanized residential neighborhood. The lot is designated Residential High Density (RHD-20) in the City of Seal Beach zoning code, which has not been certified by the Coastal Commission. Surrounding land use consists of residential developments to the north, east, west, and south and the predominant character of the area features one- and two-story residential structures with a mix of single family and multi-family structures, with parking accessed directly from the street through private driveways and public alleyways.

Development near the ocean can be inherently hazardous. The proposed project is an addition and a major remodel to an existing structure. While portions of Seal Beach are subject to coastal flooding, the project site is not located within the first line of development adjacent to the ocean and the site is not located within a vulnerable part of Seal Beach. The project site is located approximately 22 feet above sea level. Commission staff analyzed future sea level rise impacts for the site using the Coastal Commission's Statewide Guidance the U.S. Geologic Survey Coastal Storm Modeling System (CoSMoS). Based on the project's estimated 75-year design life, in 2100, the project site would not be subject to sea level rise flooding (Intermediate to High Scenarios, Los Angeles tide gauge). Here, the applicants are not proposing to construct a shoreline protection device nor is the proposed development expected to require shoreline protection over the life of the development.

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified Local Coastal Program. The City of Seal Beach does not have a certified Local Coastal Program. Therefore, the Coastal Commission is the permit issuing entity, and the standard of review is Chapter 3 of the Coastal Act.

B. DEVELOPMENT

Section 30250 of the Coastal Act states, in pertinent part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Section 30251 of the Coastal Act states, in pertinent part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

Section 30253 of the Coastal Act states, in pertinent part:

New development shall do all of the following:

...

(d) Minimize energy consumption and vehicle miles traveled.

Coastal Act Section 30250 provides that new residential development shall be located in or in close proximity to existing developed areas that are able to accommodate it, or in other areas with adequate public services and where it will not have significant, cumulative adverse effects on coastal resources. Section 30251 requires new development to be designed consistent with the character of the surrounding area. Section 30253 requires that new development minimize energy consumption and vehicle miles traveled. As the Commission has found in prior actions, these policies together encourage “smart” growth by locating new development in appropriate areas that minimizes impacts on coastal resources and discourages residential sprawl into more rural or sparsely populated areas that are not adequately developed to support new residential development and where coastal resources could be threatened.¹ The Commission has become increasingly concerned about the cumulative impacts of development trends that reduce housing units

¹ Findings for CDP No. 5-07-014 (Haugh); CDP No. 5-07-085 (Homes); CDP Appeal No. A-5-MNB-20-0020/A-5-MNB-20-0041 (Corinna Cotsen 1991 Trust); CDP No. 5-20-0541 (South Bay Land.

in existing developed areas able to accommodate it and increase development pressure in other, potentially sensitive, or hazardous areas in the coastal zone.²

The City's zoning code designates this site Residential High Density (RHD-20, up to 20 units per acre). While the site currently supports a non-conforming duplex and the zone is considered multi-family, the zone allows one unit per 2,178 sq. ft. of lot area and therefore, this site can only support the construction of one unit (a single family residence) because the lot is 2,937.5 square-feet. However, current state law with regard to Accessory Dwelling Units also allows for the development of one ADU and one JADU along with single family residences. Therefore, the proposed structure will contain three units, a single family residence, an attached ADU, and a JADU. The size of all of the new units will be larger than the existing duplex units onsite. The existing first floor unit is 370 sq. ft. and the existing second floor unit is 772 sq. ft. The project will result in a 1,409 sq. ft. residence with a 998 sq. ft. attached ADU and a 496 sq. ft. JADU. In addition to the proposed single family and the ADU, the JADU will provide additional density, above the existing two units currently onsite.

The applicants would not be able to preserve the existing duplex with a major remodel or construct a new duplex according to the City's zoning code. Due to the lot size, under the uncertified zoning code, the maximum number of units that could be constructed is one. Thus, while the City designated this lot multifamily, the density limits in the zoning code limit the number of units on lots of this size. Therefore, Staff recommends the Commission also impose conditions of approval to ensure that the new units continue to function as independent units. There are multiple entrances to the ground floor unit, and the second floor ADU and JADU are accessible from an exterior stairway. The proposed project design is compatible with the character of surrounding development, will not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with previous Commission actions in the area and the Chapter 3 policies of the Coastal Act.

Special Condition 1 requires the revised project plans to incorporate two separate utility systems on the site (one for the principal structure and one for the attached ADU), but only with proper approvals from the City of Seal Beach Building Division. The JADU is not required to have a separate utility system. **Special Condition 2** requires that both units (the principal structure and the ADU) shall have equal vehicular access and separate pedestrian ingress/egress access to the garage, which shall provide shared parking for both units in perpetuity. **Special Condition 2** also prohibits conversion of any of the accessory units into portions of the single family. In sum and as conditioned, the new units will essentially function as independent units, rather than a single-family residence with two accessory units.

The proposed maximum height for the addition is 25 feet, which is consistent with allowable maximum height for structures in RHD-20 zone (**Exhibit 2**). The proposed residence is of similar mass and scale as the surrounding development. There are no

² Findings for CDP No. 5-20-0541 (South Bay Land Management and Development Company, LLC); CDP No. 5-20-0650 (Smith); CDP No. 5-21-0756 (Lloyd).

public coastal views within the vicinity of the project site, so the project will not adversely impact coastal views.

As proposed and as conditioned, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking based on the Commission's typically applied standards. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30253 of the Coastal Act.

C. PUBLIC ACCESS

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

The project site is located about 0.3 miles inland of the public beach, landward of the first public road parallel to the sea, in an urbanized residential neighborhood. Access to the garage and driveway is provided by the alley. The nearest bus station is approximately one block north of the site.

There are no existing public access points to the beach or trails from this location. The proposed two-car garage is consistent with the uncertified zoning code's standard of two parking spaces per residential dwelling unit, and the ADUs do not require parking according to State law. Therefore, the development will not rely on public parking resources. Thus, the proposed project will not result in direct adverse impacts, either individually or cumulatively, on vertical or lateral public access. Therefore, the project as proposed is consistent with Sections 30210 and the public access policies of the Coastal Act.

D. WATER QUALITY

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232 of the Coastal Act states:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

The above policies of the Coastal Act require protection of marine resources, including the protection of coastal waters by controlling runoff and preventing spillage of hazardous materials.

The proposed development has the potential of discharge of polluted runoff from the project site into coastal waters. Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain or wind could result in adverse impacts upon the marine environment that could reduce the water quality and biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. Sediment discharged into coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species' ability to see food in the water column. During construction the applicant proposes to implement Best Management Practices such as silt barriers, controlled swales, and sediment traps around disturbed areas, dust and erosion control measures, and regular monitoring and maintenance of stormwater facilities. After construction, onsite runoff from the roof will be directed to permeable areas and landscaped areas, where it can percolate into the ground, with any excess directed to the main storm drain system. The project does not propose any grading.

In order to avoid adverse construction-related impacts to water quality and biological productivity, the Commission imposes **Special Condition 4**, which outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. This condition all construction materials, excluding lumber, shall be covered, and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible. As conditioned to protect water quality and biological productivity through the implementation of requirements for safe storage of construction materials and safe disposal of construction debris, the project is consistent with Sections 30230, 30231 and 30232 of the Coastal Act.

F. DEED RESTRICTION

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes a special condition which requires the property owner to record a deed restriction against the property, referencing all of the above special conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the property. Thus, as conditioned, any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

G. LOCAL COASTAL PROGRAM (LCP)

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The City of Seal Beach has neither a certified LCP nor a certified Land Use Plan. The proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

H. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act ("CEQA"). Section 21080.5(d)(2)(A) of CEQA prohibits approval of a proposed development if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant impacts that the activity may have on the environment. As the lead agency under CEQA, the City of Seal Beach determined the project to be Categorical Exempt under Cal. Code of Regs., tit. 14, div. 6, § 15301 Class 1 (e)(2) on December 16, 2024. The project as conditioned herein incorporates measures necessary to avoid any significant environmental effects under the Coastal Act, and there are no less environmentally damaging feasible alternatives or mitigation measures. Therefore, the proposed project is consistent with CEQA.

Appendix A - Substantive File Documents

- Coastal Development Permit Application No. 5-25-0352 and associated File Documents