



City of Laguna Beach

Community Development
Department

INFORMATIONAL GUIDE FOR A

COASTAL DEVELOPMENT PERMIT

Purpose

The primary purpose of a Coastal Development Permit (CDP) is to ensure that development within the Coastal Zone is consistent with all [Local Coastal Program \(LCP\)](#) and the public access and public recreation policies of the Coastal Act. The Coastal Zone is established under the California Coastal Act and is considered to have many special natural and scenic qualities that require protection. This Coastal Zone ([click here](#) to view the map) encompasses all of Laguna Beach except for the Sycamore Hills area (area east of Laguna Canyon Road and north of El Toro Road). Coastal Development Permits are issued by the City because Laguna Beach has a certified LCP. However, the following areas in the City have deferred certification and CDP reviews remain under the Coastal Commission's jurisdiction: Blue Lagoon, Lower Irvine Cove, and Three Arch Bay.

Coastal Development Permit Categories

In accordance with Laguna Beach Municipal Code (LBMC) [Chapter 25.07 Coastal Development Permits \(CDP\)](#), a CDP shall be required for all proposed development within the Coastal Zone except for certain excluded or exempt development. The following four separate CDP categories are described in more detail below: Excluded, Exempt, Minor Development, and Development Subject to a CDP.

Excluded Development: The following types of development within the excludable area ([click here](#) to view the map) do not require a CDP, provided conformity with the LCP. This exclusion does not apply to development in appealable areas (projects appealable to the Coastal Commission); areas subject to a public land trust, such as tide or submerged lands, beaches, lots immediately adjacent to the inland extent of any beach, or the mean high tide line of the sea where there is no beach.

- 1) Commercial interior and exterior changes which do not result in an [intensification](#) of commercial usage.
- 2) Grading projects which do not require a grading permit ([LBMC 22.10.010\(E\)](#)) except for emergency work ([LBMC 22.10.010\(E\)\(5\)](#)) or within areas shown on the [Biological Resources Values Map](#).
- 3) Single family residential development in the following [11 areas](#), except for areas mapped as high and very high slope areas and areas of geologic risk in the City's certified [Land Use Plan](#).
 - Hillcrest and High, located north of Laguna Canyon Road and inland of North Coast Highway
 - Skyline, Highschool, Temple Hills, Summit, Alta Vista, Portafina, Arch Beach Heights, and Top of the World, all located south of Laguna Canyon Road and inland of South Coast Highway
 - South Laguna Village Community located in the South Laguna area inland of Coast Highway
- 4) Signs that comply with [Title 25](#).

Exempt Development: The following types of development are considered to be without risk of adverse environmental effect on coastal resources, including public access, and therefore do not require a CDP:

- 1) Interior improvements only, with no changes to the exterior (i.e. roof and building exterior) and/or the foundation or seawall.

- 2) Repair and Maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of such repair and maintenance activities, unless classified under [LBMC 25.07.008\(A\)\(3\)](#). Examples of repair and maintenance include, but are not limited to, reroofing; exterior material repair or replacement; window and door replacements; and, deck guardrail replacements.

Repair and maintenance work located in a **Coastal Commission appealable area**, environmentally sensitive area (ESA), any sand area, within 50 feet of the edge of a coastal bluff or ESA; or within 20 feet of any coastal waters or streams may be exempt if none of the following are involved:

- Placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials.
- Presence, whether temporary or permanent, of mechanized equipment (excluding small hand tools, such as power saws, hand drills, nail guns) or outdoor storage of construction materials within the areas environmentally sensitive area, any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive area; or within 20 feet of any coastal waters or streams.

“Environmentally sensitive area” means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development.

- 3) Improvements to single-family dwellings and mobile homes, including associated structures, such as garages, swimming pools, fences, storage sheds, and landscaping; and structures other than single-family dwellings, unless classified under [LBMC 25.07.008\(A\)\(1\) and \(2\)](#).
- 4) Utility Connections. The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to [LBMC Chapter 25.07 CDP](#), provided that the City may require reasonable conditions for mitigation measures for any impacts on coastal resources, including scenic resources.
- 5) Destroyed Structures. The replacement of any structure, other than a public works facility, destroyed by natural disaster, provided such replacement structure is designed and intended for the same use as the destroyed structure and further, such replacement structure does not exceed the floor area, height or bulk of the destroyed structure by more than 10% and is sited in the same location on the same building site as the destroyed structure.
- 6) Temporary events on beach areas pursuant to [LBMC 25.07.008\(A\)\(6\)](#).

A Notice of Exemption is required to be mailed to the Coastal Commission and interested parties, which may be appealed within 10-working days. If a timely appeal is not submitted to the Coastal Commission, the work can be approved over-the-counter by a Planner as part of Building Division plan check submittal.

Minor Development (Administrative CDP): Projects that may fall under this category include exterior improvements to structures on a beach, in a wetland or stream, seaward of the main high tide line, within 50' of the bluff edge, in an environmentally sensitive area, and/or in an area designated as highly scenic.

To qualify, the project must satisfy all of the following requirements to be considered “minor development.”

- 1) Consistent with the certified Local Coastal Program;
- 2) Requires no discretionary approvals other than a coastal development permit; and
- 3) Has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast.

Examples of eligible projects include developments that typically require a building permit with over-the-counter Planning/Zoning approval, such as mechanical units, fences and gates, pilasters, etc.

A public hearing may be waived for “minor development”. A Notice of Public Hearing Waiver is required to be issued to the applicant, persons who have requested such notice, property owners within 100’ (300’ for non-appealable area) of the proposed project, and residents within 100’ of the proposed project. This notice allows any person to request a public hearing within 15-days of sending the notice. If no request for public hearing is received, the permit is deemed approved for Building Division plan check submittal. Applicant must provide [public notification materials](#).

Development Subject to a CDP: All proposed projects that do not fall under the categories above, requires a CDP. The CDP will be processed concurrently with other required permits for the project. The submittal of a Development Review Application, applicable items listed in the [Zoning Review Submittal Checklist](#), and appropriate fees are required. A staff planner will be assigned to review the material and notify the applicant within 30-days as to whether the application is complete for processing or if additional information is required.

Projects in this category must comply with the City’s [Local Coastal Program](#). To ensure compliance with the City’s Local Coastal Program, the applicant is advised to consider and provide the following:

- Determine whether the project is classified as a [Major Remodel](#).
- [California Environmental Quality Act \(CEQA\)](#) thresholds of significance.
- Geologic/soils/geotechnical study that identifies the coastal bluff edge location (as defined in the [Land Use Element PDF page 92 Definitions 101 and 102](#)), any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains statements that the project site is suitable for the proposed development and that the development will be safe from geologic hazard for its economic life. For development on oceanfront bluffs, such reports shall include slope stability analyses and estimates of the long-term average bluff retreat/erosion rate over the expected life of the development. Reports are to be prepared/signed by a licensed professional Engineering Geologist or Geotechnical Engineer.
- Identification of unpermitted, obsolete, and nonconforming structures.
- Impacts to any existing bluff/shoreline protection devices.
- Impacts to coastal and canyon views.
- Wave uprush and impact report that considers seasonally eroded beach combined with long-term (75 years) erosion; high tide conditions, combined with long-term (75 year) projections for sea level rise; and storm waves from a 100-year event or a storm that compares to the 1982/83 El Niño event, prepared by a licensed civil engineer with expertise in coastal processes. In particular, an acceleration of the historic rate of sea level rise shall be considered and based upon up-to-date scientific papers and studies, agency guidance (such as the 2010 Sea Level Guidance from the California Ocean Protection Council) and reports by national and international groups such as the National Research Council and the Intergovernmental Panel on Climate Change.

At least one public hearing will be held by the appropriate decision-making body. This decision is then appealable to the City Council or the Coastal Commission pursuant to [LBMC Chapter 25.07](#). If a timely appeal is not filed, the City’s decision is final, and the applicant may proceed with a Building Division plan check submittal.

**For more information contact:
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