



LAND USE ELEMENT MAJOR REMODEL INTERPRETATION

Community Development Department

(last updated March 13, 2020)

The City's Land Use Element defines "Major Remodel" as the alteration of or an addition to an existing building or structure that increases the square footage of the existing building or structure by 50% or more; or demolition, removal, replacement, and/or reconstruction of 50% or more of the existing structure; greater specificity shall be provided in the Laguna Beach Municipal Code (LBMC). As there is no certified language in the LBMC that further specifies the meaning of Major Remodel, the California Coastal Commission (CCC) and City staff have had differing interpretations of the term, which has led to numerous City-approved projects being appealed to the CCC.

While a Municipal Code amendment is in process to achieve a long-term resolution, City staff will begin interpreting "major remodel" in a manner similar to that of the CCC staff for properties located in the appealable area of the coastal zone. It should be emphasized that while City staff does not agree with the CCC staff's threshold for a major remodel, and specifically the CCC staff's interpretation of the elements that count toward demolition, the City staff desires to reduce the number of appeals and to minimize the number of appeals found to raise a substantial issue.

Provided below are the calculation methods that City staff believes the CCC staff uses for their assessment of projects in determining whether a project is a major remodel. Please note that the language below is City staff's best attempt in interpreting CCC staff's analysis based on their previous appeal reports. As such, these calculation methods have not been approved by the CCC staff; and therefore, the City cannot guarantee that the CCC staff will apply the identical interpretation.

Coastal Appealable Areas

- a. Foundation – (linear feet of foundation to be removed/reinforced) ÷ (linear feet of existing foundation) x 100. For caissons, use the diameter to calculate linear feet and include any associated grade beams.
- b. Interior and Exterior Walls – (linear feet of walls to be removed/reinforced for all floors) ÷ (linear feet of existing walls of all floors) x 100. Removal and/or reinforcement of load bearing interior walls count. Removal of non-bearing walls, drywall, stucco, etc. does not count. Window and door change-outs within the same window openings do not count towards removal. Filling in window and door openings do not count as demolition unless additional structural support is required or proposed.
- c. Roof – (square feet of roof area to be removed/reinforced, including roof eaves) ÷ (square feet of existing roof) x 100.

A Project is Considered a Major Remodel if:

1. Demolition or reinforcement of 50% or more of the exterior walls **OR** the combined roof/walls/foundation of the structure.
2. An addition to an existing primary dwelling unit or the construction of any detached structure that individually, or when combined with prior additions, results in greater than a 50% expansion of the existing structure. "Existing structure" for the purposes of this section means the primary dwelling unit, the garage, and all enclosed detached structures that legally existed on the site up to January 13, 1993.
3. The construction and remodeling of accessory dwelling units are exempt.



Non-Coastal Appealable Areas

City staff will be using a less expansive calculation method as these areas are not subject to CCC review.

- a. Exterior Walls – (linear feet of walls to be removed for all floors) ÷ (linear feet of existing walls of all floors) x 100. Window and door change-outs within the same window openings do not count towards removal. Filling in window and door openings do not count as demolition unless additional structural support is required or proposed.
- b. Roof – (square footage of roof area to be removed, including roof eaves) ÷ (square footage of existing roof) x 100.

A Project is Considered a Major Remodel if:

1. Demolition of 50% or more of the exterior walls **OR** the combined roof/walls of the structure.
2. An addition to an existing primary dwelling unit or the construction of any detached structure that individually, or when combined with prior additions, results in greater than a 50% expansion of the existing structure. "Existing structure" for the purposes of this section means the primary dwelling unit, the garage, and all enclosed detached structures that legally existed on the site up to January 13, 1993.
3. The construction and remodeling of accessory dwelling units are exempt.