



Scott Kinsey, AICP, Hearing Officer
Zoning Administrator Meeting Minutes of January 8, 2024
Via Zoom Teleconference

At 2:02 PM, Acting Zoning Administrator Scott Kinsey called the meeting to order, provided an overview of ZA hearing body, rules of order, how items are heard, and the appeal process.

Regular Items

- 1) **Application No.** 2308-03 (LCDP23-045)
Address: 53 Rivo Alto Canal
Council District: 3

Project Description: Local Coastal Development Permit to demolish an existing single-family residence and construct a new, two-story, 2,964-square-foot single-family residence with an attached 624-square-foot, two-car garage, and an attached 376-square-foot Accessory Dwelling Unit (ADU) at 53 Rivo Alto Canal in the R-1-S (Single-Family Residential District with Small Lots) Zoning District. Pursuant to California Government Code Section 65852.2, the ADU shall not be subject to a public hearing, so this aspect of the project is included solely for informational purposes; this does not otherwise lessen the effect or application of the California Coastal Act of 1976 to the ministerial review of the ADU (LCDP23-070).

This project **IS** in the Coastal Zone and **IS** appealable to the Coastal Commission.

This project qualifies for a categorical exemption per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines (CE-23-104).

Acting Zoning Administrator Kinsey called the item and introduced Planner Christopher Minniti to give the staff report.

Planner Minniti spoke and provided a PowerPoint presentation.

Ed Gulian, Applicant, spoke.

Acting Zoning Administrator Kinsey asked if applicant received copies of the conditions and agreement and if all findings were met in the positive.

Planner Minniti confirmed with a yes.

Acting Zoning Administrator Kinsey stated there are no code exceptions requested as part of this permit. This is only for a Local Coastal Development Permit (LCDP) to find that the project conforms to the certified Local Coastal Program and the State's Coastal Act.

Acting Zoning Administrator Kinsey advised that typically there is a standard condition of approval that notes no code exceptions are approved and that the permit does not include any type of standard variance or waiver.

Acting Zoning Administrator Kinsey asked Planner Minniti to include that condition in the conditions of approval.

Acting Zoning Administrator Kinsey reiterated there were no public comments and asked for confirmation that the Notice of Public Hearing requirements were carried out.

Planner Minniti confirmed with a yes.

Acting Zoning Administrator Kinsey asked Planner Minniti if zoning development standards were met.

Planner Minniti confirmed with a yes.

Acting Zoning Administrator Kinsey called for public comment on the item.

Public Comments:

There were no public comments on the item.

Acting Zoning Administrator Kinsey asked the applicant if he would accept the additional condition of approval.

Ed Gulian, Applicant, confirmed yes.

Acting Zoning Administrator Kinsey recapped that the item meets the required findings for an LCDP, plans comply with the code requirements, no standard variance or code exceptions would be required, and there are no other special circumstances or conditions that would make this application inconsistent with the Local Coastal Program or the Local Coastal Act.

ACTION: Accepted Categorical Exemption CE-23-104 and approved Local Coastal Development Permit LCDP23-045, subject to conditions.

- 2) **Application No.** 2306-22 (LCDP23-037)
Address:v5505 E Seaside Walk
Council District: 3

Project Description: A Local Coastal Development Permit for the demolition of an existing three-story duplex and the construction of a new three-story duplex with one (1) 3,171-square-foot dwelling, one (1) 373-square-foot dwelling, and an attached 700-square-foot three-car garage at 5505 East Seaside Walk in the R-2-I (Two-Family Residential District with Intensified Development on the Lots) Zoning District. There would be no net loss in density as part of the project proposal.

This project **IS** in the Coastal Zone and **IS** appealable to the Coastal Commission.

This project qualifies for a categorical exemption per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act Guidelines (CE-23-085).

Acting Zoning Administrator Kinsey called the item and introduced Planner Christopher Minniti to give the staff report.

Planner Minniti spoke and provided a PowerPoint presentation.

Planner Minniti advised no public comments were received regarding this project.

Acting Zoning Administrator Kinsey asked questions for clarification on the floor plans that showed balconies and roof top projections.

Acting Zoning Administrator Kinsey added an additional condition noting this is an approval of the Local Coastal Development Permit only and does not include any code exceptions or exemptions.

Ed Gulian, Applicant, spoke.

Acting Zoning Administrator Kinsey asked applicant to confirm the size of the second unit on the property.

Ed Gulian, Applicant, confirmed.

Acting Zoning Administrator Kinsey stated for the record, this was important because the state law called "no net loss"; basically, prohibits the loss of a dwelling unit on the site. Therefore, it is important if a unit is going to be demolished on a site, that it does need to be back at least the size of the one demolished or larger.

Acting Zoning Administrator Kinsey stated it is also important for it to be a principal unit, rather than an accessory dwelling unit. The understanding is that the Coastal Commission is not accepting any accessory dwelling units as a makeup unit for any no net loss purposes.

Acting Zoning Administrator Kinsey called for public comments on the item.

Public Comments:

There were no public comments on the item.

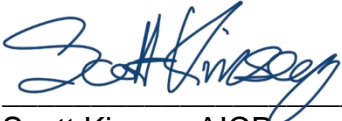
Acting Zoning Administrator Kinsey stated that all findings have been made in the positive and the project conforms to the Local Coastal Permit and the California Coastal Act.

Applicant accepted the additional conditions as requested by the Acting Zoning Administrator.

ACTION: Accepted Categorical Exemption CE-23-085 and approved Local Coastal Development Permit LCDP23-037, subject to conditions.

Acting Zoning Administrator Kinsey spoke.

At 2:35 PM, Acting Zoning Administrator Kinsey declared the meeting adjourned.



Scott Kinsey, AICP
Planner V for Zoning Administrator