

## Laguna Beach Historic Preservation Coalition

31423 Coast Highway #28  
Laguna Beach, CA 92651

Sept. 23, 2024

Orange County Planning Commission  
Via email

Re: Item # 2, Appeal of Planning Application PA22-0227, 211 Emerald Bay, Laguna Beach

Dear Members of the Orange County Planning Commission:

I write on behalf of the LBHPC to ask you either to reject the proposed project at 211 Emerald Bay or continue the item until the State Historical Resources Commission has a chance to review the nomination and determine whether the property is eligible for the California Register of Historical Resources, which would make it a mandatory historic resource under the California Environmental Quality Act.

This is an update of the letter I submitted shortly before the Zoning Administrator Hearing on June 20, 2024. I do not believe that letter is included in the file before you or is referenced in the Staff Report.

The Laguna Beach Historic Preservation Coalition advocates to preserve the historic fabric of Laguna Beach. Our only interest in this matter is with the protection of a historically significant property. The Coalition routinely addresses committees, boards, commissions, and Council within the City of Laguna Beach on preservation issues. In addition to serving as Coalition president, I am a tenured professor in the Division of Humanities and Social Sciences at Caltech, where I teach courses in heritage studies and film history. Until recently, after moving out of the City of Glendale, I served on its Historic Preservation Commission, and I have years of experience evaluating environmental clearance documents and projects involving designated and potential historic resources. I am qualified under the Secretary of the Interior's Standards Professional Qualification Standards in History.

There is substantial evidence in the record that the property at 211 Emerald Bay qualifies as a historic resource. As the Staff Report notes, there is a historical resource exception to any exemptions from CEQA review: "A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource" Cal. Code Regs. Tit. 14 § 13500(f). It is undisputed that physical demolition of a historic resource qualifies as substantial adverse change.

I take issue with the Planning Report's implication that the historic resources assessment prepared by ESA was not "conducted fully in compliance with applicable professional standards and state procedures" because the consultant was not granted "full access to the structure [sic] and the property" (Sept. 25, 2024, p. 11). It is commonplace for evaluations to be prepared without full access to the property in cases where the owner seeks to demolish a historic resource and thus has a vested interest in withholding access to the property. Nor is it generally necessary to access the interior of a private residence to evaluate it. And there is no "state procedure" of which I am aware that requires full access to prepare an evaluation. To call ESA's 46-page Department of Parks and Recreation (DPR) form 523 a "windshield survey" is laughable (Staff Report, p. 11). It is a detailed, intensive evaluation of the property under California Register criteria using all available information and data including images of the property included in the report prepared by the owner's consultant Urbana.

Further, it is not quite correct for the Report to state that because the property owner's consultant has concluded "the structure did not qualify under the applicable standards as an historic structure," "Thus, the use of a Category 3 exemption is permitted under the CEQA Guidelines" (p. 11, emphasis added). The local agency must weigh the evidence and exercise its discretion and consider whether the property qualifies as a historic resource.

The Coalition agrees with ESA's conclusion that the property is eligible for the California Register under Criterion 3. We believe it is also eligible under Criterion 1, for its association with the early development of Emerald Bay and as a rare remaining example of its original architectural priorities, as described in a previous version of ESA's evaluation. We assume the change is based on feedback from State Office of Historic Preservation staff, who agree with the finding of eligibility under architecture and design (Criterion 3) but are not persuaded of its associative significance for the early development of the area.

There is an egregious flaw in Urbana's report, as noted in the ESA Memo of June 18, 2024: the failure to consider the historical significance of the beach cottage. The Beach Cottage style is an important vernacular building type indigenous to Laguna Beach and found in other California coastal towns. The beach cottage at 211 Emerald Bay possesses the materials, form, and simplicity of the style and appears to possess high integrity. The Urbana evaluation completely discounts it, which is fatal to its assertion that the property does not qualify as a historic resource. We also agree with ESA that the main residence is an excellent example of a Mediterranean Revival-style coastal residence, and that the lattices are an important character-defining feature.

Urbana notes that the residence has been altered since its initial construction, but alterations are not in themselves disqualifying. The one-story addition of 1975 is subordinate to the main building and is compatible with it in design and materials, as is the detached garage, which appears to date from the property's period of significance 1931 – 1945 and thus could be considered to have achieved historical significance in its own right. Moreover, the street-facing elevation, which, despite Urbana's "assert[ions]" (p. 61), should be considered the primary elevation, maintains its historic character. We agree with ESA that the property has sufficient integrity to communicate its historical significance as an example of the Mediterranean Revival style that was so important to the architectural history of Emerald Bay and as an example of the beach cottage.

There is substantial evidence in the record to find that the Historical Resources exception defeats the categorical exemptions proposed by staff and that an Environmental Impact Report must be prepared, because the project involves demolition of a property that is eligible for the California Register of Historical Resources.

Thank you for your consideration.

Sincerely,



Catherine Jurca, President  
Laguna Beach Historic Preservation Coalition

Cc: Cindy Salazar, Planning Division Manager  
Kevin Canning, Contract Planner