

December 11, 2025

William Chen, AICP, Senior Regional Planner
Coastal Development Services

**SUBJECT: REQUEST FOR INFORMATION FOR PROJECT NUMBER PRJ2025-000276-(3),
CONDITIONAL USE PERMIT RPPL2025000384**

Dear Mr. Chen,

Project Number PRJ2025-000276-(3) is scheduled for public hearing on December 16, 2025. After reviewing the Hearing Officer package for the item, I have the following comments. Please be prepared to address these comments at the hearing. I ask that you forward this memo to the applicant/owner and ensure this memo is posted on the public website for the item. Additional questions may follow depending on responses at the hearing.

- The staff analysis and Finding #7 references the prior A-1 zoning as the reason for the CUP requirement. However, the proper citation should be Section 22.44.810.J, specifically subsections 1 and 3, since the previous County-issued approval was a CUP in 2010 (prior to the certification of the LCP in 2014).

22.44.810 - Permit Required.

J. 1. Where a use permit containing a termination date, such as a conditional use permit, is in effect at the time of this LCP's effective date, such permit shall continue to authorize the use until the permit expires if no new development, as defined in this LCP, is proposed.

...

3. When a use permit expires, and the use remains unchanged from its previous approval, a replacement use permit of the same type with the same conditions may be granted only if both of the following apply:

- a. All development that was constructed on the site after the effective date of the Coastal Act was approved in a Coastal Commission-issued CDP (or the CDP requirement was waived by the Executive Director); and
- b. No new development is proposed, including, but not limited to, any change in intensity of use.

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- Please clarify whether the Coastal Commission issued a CDP for the 2019 modification, or if the CDP requirement was waived by the Executive Director, as required by subsection 3.a. of Section 22.44.810.J.
- The draft conditions of approval should also include a reference to subsection 4 of Section 22.44.810.J, which limits the functions of a new CUP.

Sincerely,

A handwritten signature in cursive script that reads "Tina Fung".

Tina Fung
Hearing Officer