

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Th 21a

May 21, 2009

**TO:** Commissioners and Interested Persons**FROM:** Peter Douglas, Executive Director
Sherilyn Sarb, Deputy Director
Karl Schwing, Supervisor, Regulation & Planning, Orange County Area
Meg Vaughn, Staff Analyst**SUBJECT:** Concurrence with the Executive Director's determination that the action of the City of Laguna Beach accepting certification with suggested modifications of Major LCP Amendment No. 1-08B (Parking) is legally adequate. For Commission review at its June 10-12, 2009 meeting in Marina del Rey.**STAFF RECOMMENDATION**

Staff recommends that the Commission concur with the Executive Director's determination that the City's action is legally adequate.

BACKGROUND

On January 28, 2008 the City of Laguna Beach submitted major Local Coastal Program (LCP) Amendment Request No. 1-08 for Commission certification pursuant to City Council Resolution No. 07-040. LCPA 1-08 was segmented into two parts. Part A was approved separately as a minor amendment. Laguna Beach LCPA 1-08B makes various changes throughout the, Chapter 25.52 (Parking Requirements) of Title 25 of the City's certified Implementation Plan. On February 5, 2009, the amendment was approved by the Coastal Commission with suggested modifications which were necessary to assure continued consistency between the certified LUP and the IP as amended.

The issues raised by the amendment that needed to be addressed with suggested modifications pertained to public access and visitor serving issues. As submitted, the amendment 1) contained language that would have inappropriately relaxed the trigger for a development to provide parking; 2) contained language that expanded the City's ability to issue in-lieu parking certificates under certain circumstances but without foreseeable plans to construct replacement parking; and 3) relaxed parking requirements for uses the City is trying to encourage (i.e. incentive uses). The Commission suggested modifications that re-established an appropriate trigger for the provision of parking in new development; require a parking and traffic management program that would identify how in-lieu fees will be used to address parking and traffic management deficiencies before the City allows a use to obtain more than three in-lieu certificates; and requires implementation of transportation demand measures before relaxing parking requirements for incentive uses. A complete copy of the suggested modifications is attached.

On April 7, 2009, the Laguna Beach City Council adopted Resolution No. 09.031 accepting the modifications to LCPA 1-08B and adopted Ordinance No. 1501 incorporating the suggested modifications approved by the Coastal Commission into the City's certified Implementation Plan. The City has submitted the modifications to the Executive Director for a determination that they are consistent with the Commission's action on February 5, 2009 (see attachment).

As provided in Section 13544 of the California Code of Regulations, the Executive Director must determine whether the City's action is legally adequate and report that determination to the Commission. In this case, the Executive Director has determined that the City's action is legally adequate. Unless the Commission objects to the Executive Director's determination, the certification of Laguna Beach LCP Amendment No. 1-08B shall become effective upon the filing of the required Notice of Certification with the Secretary of Resources as provided in Public Resources Code Section 21080.5(d)(2)(E).

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RESOLUTION NO. 09.031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, ADOPTING LOCAL COASTAL PROGRAM AMENDMENT 1-08B AND REQUESTING ITS CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

WHEREAS, after notice duly given pursuant to Government Code Section 65090 and Public Resources Code Sections 30503 and 30510, the Planning Commission of the City of Laguna Beach held at least one public hearing to consider the adoption of Laguna Beach **Local Coastal Program Amendment 1-08B**; and

WHEREAS, the City Council, after giving notice as prescribed by law, held at least one public meeting regarding the proposed **Laguna Beach Local Coastal Program Amendment 1-08B**, and the City Council finds that the proposed amendment is consistent with the Certified Laguna Beach Coastal Land Use Plan and Chapter 6 of the California Coastal Act; and

WHEREAS, the City Council of the City of Laguna Beach intends to implement the Local Coastal Program in a manner fully consistent and in conformance with the California Coastal Act;

NOW, THEREFORE, the City Council of the City of Laguna Beach does hereby resolve as follows:


SECTION 1: That the **Laguna Beach Local Coastal Program Amendment 1-08B** is hereby approved, consisting of Ordinance No. 1501 pertaining to amendments to Municipal Code Section 25.52, relating to parking requirements. A copy of the aforesaid Ordinance is attached hereto as Exhibit A, and is incorporated by this reference as though fully set forth herein.

[Handwritten signatures and notes at the bottom of the page]

SECTION 2: That the California Coastal Commission is hereby requested to consider, approve and certify **Laguna Beach Local Coastal Program Amendment No. 1-08B.**

SECTION 3: That pursuant to Section 13551(b) of the Coastal Commission Regulations, **Laguna Beach Local Coastal Program Amendment No. 1-08B** will automatically take effect immediately upon California Coastal Commission approval, as provided in Public Resources Code Sections 30512, 30513 and 30519.

ADOPTED this 7th day of April, 2009.



Kelly Boyd, Mayor

ATTEST:



City Clerk

I, MARTHA ANDERSON, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Resolution No. 09.031 was duly adopted at a Regular Meeting of the City Council of said City held on April 7, 2009, by the following vote:

AYES: COUNCILMEMBER(S): Pearson, Iseman, Egly, Boyd

NOES: COUNCILMEMBER(S): None

ABSTAIN: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): Rollinger



City Clerk of the City of Laguna Beach, CA

ORDINANCE NO. 1501

AN ORDINANCE OF THE CITY OF LAGUNA BEACH READOPTING AND MODIFYING CHAPTER 25.52 OF THE LAGUNA BEACH MUNICIPAL CODE, RELATING TO PARKING.

The City Council of the City of Laguna Beach does hereby ORDAIN as follows:

SECTION 1: Section 25.25.004 ("General provisions") of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

25.52.004 General provisions.

- (A) **Minimum Requirements.** The parking requirements established are to be considered as the minimum necessary for such uses permitted within the respective zones and where discretionary permits are required. These requirements may be increased upon determination that the parking standards are inadequate for a specific project because that project requires an intense parking demand including, but not limited to, increased use of employees or operational standards. The submission of operational information of a proposed use, such as the number of employees for shifts, when the greatest number of employees is on duty, the hours of operation and the amount of area devoted to particular uses shall be submitted with all Conditional Use Permit applications. These requirements may be decreased subject to the provisions of Section 25.52.006(G).
- (B) **Location of Parking.**
 - (1) Required parking spaces for residential uses shall be located on the same building site and shall be directly accessible from a street or alley improved to subdivision standards or from a usable vehicular right-of-way of record.
 - (2) Required parking spaces for nonresidential uses, including hotels, shall be provided on-site unless approved according to Subsection 25.52.006(H) regarding Off-Site Parking.
 - (3) Property within the right-of-way of a street (either public or private) shall not be used to provide the minimum parking requirements or loading facilities.
- (C) **Accessibility and Usability.**
 - (1) All required parking spaces for commercial and industrial uses shall be designed and maintained so as to be fully and independently usable and accessible during hours of operation. Required parking areas, including residential parking, shall not be used for any purpose which would preclude the use of the area for the parking of motor vehicles. The storage of materials, motor vehicles for sale, recreational vehicles, wrecked or inoperable vehicles or the repair of vehicles in areas designated for off-street parking is prohibited.
 - (2) No required parking area or parking space shall be eliminated, reduced or converted in any manner unless equivalent facilities approved by the City are provided elsewhere in conformity with this chapter.
- (D) **Parking Spaces for the Physically Handicapped.** Handicapped parking spaces shall be provided in accordance with the requirements set forth in the state building code and other applicable laws and regulations and shall be counted in fulfilling parking requirements.
- (E) **Intensification of Use.**
 - (1) When a new building is constructed or when more than 50% of the gross floor area of an existing building is proposed to be remodeled or reconstructed, or a use is changed to a use which has a greater parking requirement, or when the floor area of an existing building is enlarged, then the property owner or applicant shall provide parking or purchase in-lieu parking certificates equivalent to the number of parking spaces required by current parking regulations (up to the maximum allowed in Section 25.52.006(E)) for the

proposed use having a greater parking requirement, or for the entire building which is enlarged less credit for the following:

- (a) The actual number of parking spaces provided on-site, if any;
 - (b) The number of previously paid for in-lieu parking certificates for the subject premises, if any; and
 - (c) The number of parking spaces that would have been required by the parking regulations in effect in 1958 for the use currently existing on the property, if the building was built prior to that time, minus the actual number of parking spaces provided on-site, if any.
- (2) When an enlargement results in the creation of no more than ten percent additional square footage of floor area and does not exceed five hundred square feet, additional parking shall be required for the enlarged area only.
 - (3) When an intensification of use is proposed, and when such use and/or building is a portion of a larger premises for which parking spaces are already provided and/or in-lieu parking certificates have been issued and paid for, then any credit for such parking and/or certificates shall be allocated proportionately on a gross square footage basis.
 - (4) In-lieu parking certificates, referenced above, are allowed only as described in Section 25.52.006(E) Special Parking Districts – In-lieu Parking Certificates.

SECTION 2: Section 25.25.006 (“Special provisions”) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

25.52.006 Special provisions.

- (A) **Common Parking Areas.** Common parking facilities may be provided to satisfy the on-site requirements contained herein if the sum of the spaces in the common facility equals the sum of the spaces required for the individual developments/uses, subject to the following minimum conditions:
 - (1) A parking allocation plan shall be approved by the approval authority showing all common parking areas and shall be kept on file in the Department of Community Development.
 - (2) Where more than one business occurs and common parking areas are utilized, each business must have access to its proportional allotment of the spaces, i.e., no allocation or validation program will be allowed which prevents any tenant from the use of his proportionate allocation of parking.
 - (3) A reciprocal parking easement in a form satisfactory to the City shall be executed by the parties involved and by the owner of the property where the parking spaces are located and shall be kept on file in the Department of Community Development. Such agreement shall ensure the continued availability of the number of spaces allocated to each use.
- (B) **Joint Use of Parking Spaces.** Two or more uses with different hours of operation may utilize the same parking spaces to satisfy their respective parking requirements subject to the granting of a Conditional Use Permit and the following minimum conditions:
 - (1) There shall be no conflict or overlap between the hours of operation for each use utilizing the same parking spaces;
 - (2) A parking allocation plan showing all jointly used parking shall be submitted prior to approval of the Conditional Use Permit by the approval authority and shall be kept on file in the Department of Community Development;
 - (3) A reciprocal parking easement in a form satisfactory to the City shall be executed by the parties involved and by the owner of the property where the spaces are located and shall be kept on file in the Department of Community Development. Such agreement shall ensure the continued availability of the number of spaces designated for joint use at the periods of time indicated.
 - (4) Non-required parking spaces leased by an existing business at an off-site location for use by customers and/or employees of that business that does not conflict with the business hours of the uses, if any, located at the off-site location shall be exempt from these provisions.

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Approved: [Signature]
Date: 1/14/11

- (C) Shared Parking. A reduction from parking space requirements as specified in Section 25.52.012, may be allowed for certain mixed use developments which have different peak hours of operation or intensity of use subject to the granting of a Conditional Use Permit and the following minimum conditions:
- (1) A shared parking study prepared by a licensed traffic engineer with experience in performing shared parking studies shall be submitted which demonstrates that the development will result in a more efficient use of proposed or provided parking because the combined peak parking demand is less than the normal standards due to different, offsetting parking activity or intensity patterns of the businesses in the development, or there is a relationship among the uses that results in the attraction of patrons or customers to two or more uses with a single auto trip to the development.
 - (2) A shared parking allocation plan showing all shared parking shall be submitted as part of the Conditional Use Permit application. The number of spaces required for an approved shared parking plan shall be based on the number of spaces estimated to be the combined use peak parking demand. In addition, a well balanced mixture of uses within the development must be demonstrated.
- (D) Valet Parking. Valet parking on a lot, whether proposed on-site to fulfill parking requirements, or off-site for non-required parking requirements, requires approval of a Conditional Use Permit. The application shall include a parking plan and program providing the following minimum information:
- (1) Parking space layout, dimension of spaces, drive aisles and valet routes (if the proposed parking is located off-site). Parking lot layout and drive aisle widths shall be subject to review and approval by the Fire Department.
 - (2) Operation information of the lot including whether the valet parking is for the use of employees or customers, including the number of the employees, shift hours and hours that the parking lot would be in use.
 - (3) A plan to minimize noise, loitering and trash adjacent to the off-site valet parking lot.
 - (4) The drop-off and pick-up areas must be safe from traffic hazards and be adequately posted.
 - (5) Valet parking must be off-street and comply with the provisions of Section 25.52.006(A) and (B), regarding common or joint parking areas.
 - (6) If an existing approved off-site valet parking area(s) becomes unavailable for any reason, the associated Business License, Conditional Use Permit and Certificate of Use and Occupancy shall automatically become null and void.
 - (7) Existing off-site valet parking operations not conforming to the provisions of this Subsection (D) shall, within six (6) months after receiving appropriate written notice from the Community Development Department, either obtain approval of a Conditional Use Permit or abate such operations. Valet parking currently operating on-site operations as of June 1, 2007, shall continue to be legal non-conforming unless there is a change in intensity or use.
- (E) Special Parking Districts - In-Lieu Parking Certificates. For areas designated by the City Council to be hardship areas and for which special districts are formed for the purpose of providing central or common parking facilities, the City Council may grant relief from the requirements of this section, to the extent that an individual property owner or lessee participates in or contributes to parking in the central facility by acquiring in-lieu parking certificates equivalent to the number of spaces required for his or her individual development, up to a maximum of three certificates for any one site, unless additional certificates are approved by the City Council as part of a public/private partnership project. More than three in-lieu certificates per site shall be allowed only within a Special Parking District for which a parking and traffic management program is completed and is approved as a Local Coastal Program amendment. Fees and schedule of payment for such in-lieu parking certificates shall be established by resolution of the City Council. The timing of the payment of in-lieu parking certificates shall be paid prior to the issuance of the first business license or building permit unless specified differently by the City Council.
- (F) Spaces for Bicycles. The approval authority may require the provision of bicycle racks or bicycle parking facilities in any development submitted for development

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review. If such bicycle parking facilities are required, the location and design of such facilities shall be shown on the site plans and shall be subject to approval.

- (G) Incentives. The City Council may approve a Conditional Use Permit, upon recommendation by the approval authority, to reduce the parking standards required under this chapter where the proposed use provides for and promotes the use of alternative modes of transportation such as ride-sharing, carpools, vanpools, public transit, bicycles and walking; and where the reduced parking requirement will not adversely impact public access to beaches, parks, open spaces, and trails and one or more of the following conditions apply:

- (1) The proposed use is a very low or low income, or disabled housing project;
- (2) The proposed use is considered to be equal intensity or less intense than the previous use;
- (3) The proposed use is a sidewalk cafe having outdoor seating available to the general public as well as restaurant customers, which contributes positively to the local pedestrian environment. The parking reduction may be granted on a temporary or seasonal basis and shall be limited to a maximum of three spaces.

- (H) Off-Site Parking Spaces. Additional parking that is required for an intensification of nonresidential uses may be satisfied by providing off-site parking spaces subject to the approval of a Conditional Use Permit and compliance with the following minimum standards:

- (1) The property providing the off-site parking spaces shall either:
 - (a) be under identical ownership as the property on which the business or commercial use is located; is within six hundred (600) feet of the establishment; and for the properties under identical ownership, is deed restricted in a form satisfactory to the City, binding the off-site parking to the use, and recorded with the County Clerk-Recorder; or
 - (b) for uses in the Civic Art District only, be owned by the City.
- (2) The off-site parking spaces shall be available at all times during which the business or commercial use is open or operating.
- (3) The off-site parking spaces shall not be used or counted to satisfy the parking requirements of the property on which the parking spaces are located.
- (4) The applicant, as part of the application for the Conditional Use Permit, shall submit a detailed parking plan indicating the location of the proposed off-site parking spaces. The off-site parking spaces shall be located so that they safely and adequately serve the purpose for which they are intended. The following factors, among others as deemed appropriate, shall be considered:
 - (a) Proximity of the off-site parking spaces;
 - (b) Traffic circulation to and from the off-site parking spaces;
 - (c) Ease and safety of pedestrian access to and from the off-site parking spaces; and
 - (d) The type of use of the property on which the off-site parking spaces are located (for example, off-site parking on property with high turnover uses, such as fast food restaurants, may be problematic).
- (5) Appropriate signage shall be required at both the business or commercial use and the off-site parking area. Each off-site parking space shall be individually and permanently signed indicating the name of the business or commercial use and the operating hours of such use for which those spaces shall be available.
- (6) The off-site parking spaces shall be available at no cost to employees, patrons, customers or business-used vehicles of the business or commercial use that is requiring those spaces. The off-site parking spaces may not be used for paid parking purposes during the operating hours of the business or commercial use that is requiring those spaces.
- (7) The applicant and the owner of the affected properties (if someone other than the applicant) shall execute and enter into a written agreement in a form satisfactory to the City, and which shall be recorded and kept on file in the

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Department of Community Development. The agreement shall ensure the continuous availability of the number and location of the off-site parking spaces required for the duration of the business or commercial use and for the operating hours of such use. The term for the business lease and the off-site parking shall be the same time period. The agreement shall contain an acknowledgment by the applicant that the Conditional Use Permit and any associated business license and/or certificate of use shall automatically be revoked and become null and void if any of the required off-site parking spaces becomes unavailable for any reason without the provision of an equivalent number of replacement on-site parking spaces or approved other off-site parking spaces. Any such revocation shall be effective upon the applicant's receipt of written notification by the City.

- (I) Commercial Parking Lots. Any commercial parking lot (to mean and include a place maintained for parking of vehicles where such parking is permitted upon payment of a fee), including those that are part of a commercial development and/or center and charging a fee for use of required off-street parking, shall obtain approval of a Conditional Use Permit subject to the following minimum requirements:
 - (1) A parking study prepared by a licensed traffic engineer with experience in performing parking studies shall be submitted that includes the following minimum information:
 - (a) Demonstrate that the commercial parking lot will result in a more efficient use of proposed or provided parking.
 - (b) Demonstrate that the combined peak parking demand is equal to or less than the normal standards due to different, off-setting parking activity or intensity patterns of the businesses in the development.
 - (2) Parking spaces determined to be in excess of those required for the existing uses on-site, if any, may be leased to persons other than those visiting the commercial business at the site. The spaces for the businesses and the spaces leased to others must be clearly identified on the plan.
 - (3) All existing commercial pay lots and businesses offering parking for a fee not conforming to the provisions of this Subsection (I) shall, within six (6) months after receiving appropriate written notice from the Community Development Department, either obtain approval of a Conditional Use Permit or cease the operation.

SECTION 3: Section 25.25.012(E) ("Parking Spaces Required for Specific Uses") of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

- (E) Parking Spaces Required for Specific Uses. No structure or use shall be permitted or constructed unless off-street parking spaces, with adequate provisions for safe ingress and egress, are provided in accordance with the provisions of this Chapter. The following is a categorization of the various types of uses and their associated minimum parking requirements which may be increased by the approval authority if it is determined that the parking standards are inadequate for a specific project.

SECTION 4: This Ordinance is exempt from compliance with the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.


LAGB LCRA FDSR

Attachment 1

SECTION 5: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the validity of this entire Ordinance or any of the remaining portions hereof. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, subdivision, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional or otherwise invalid.


SECTION 6: The City Clerk of the City of Laguna Beach shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in the manner required by law in the City of Laguna Beach. This Ordinance shall become effective on the expiration of thirty (30) days from and after the date of its adoption.

ADOPTED this 7th day of April, 2009.



Kelly Boyd, Mayor

ATTEST:



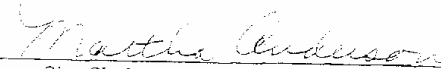
Martha Anderson, City Clerk

I, MARTHA ANDERSON, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Ordinance No. 1501 was introduced, passed and adopted at a regular meeting of the City Council on April 7, 2009 by the following vote:

AYES: COUNCILMEMBER(S): Pearson, Iseman, Egly, Boyd

NOES: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): Rollinger



City Clerk, of the City of Laguna Beach, CA

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Martha Anderson
City Clerk
April 7, 2009

Laguna Beach LCPA 1-08B Parking
Approved (2/5/09) Suggested Modifications

II. SUGGESTED MODIFICATIONS

Certification of City of Laguna Beach LCP Amendment Request No. 1-08B is subject to the following modifications.

The Commission's suggested additions are shown in **bold, italic, double-underlined text**.

The Commission's suggested deletions are shown in **bold, italic, double-underlined, strike out text**.

The City's proposed additions are shown in **bold, underline**.

The City's proposed deletions are shown in **bold, underline, strike out**.

1. Suggested Modification No. 1

Delete the last sentence of Section 25.52.004(A) as follows:

(A) Minimum Requirements. The parking requirements established are to be considered as the minimum necessary for such uses permitted within the respective zones and where discretionary permits are required. These requirements may be increased upon determination that the parking standards are inadequate for a specific project because that project requires an intense parking demand including, but not limited to, increased use of employees or operational standards. The submission of operational information of a proposed use, such as the number of employees for shifts, when the greatest number of employees is on duty, the hours of operation and the amount of area devoted to particular uses, shall be submitted with all Conditional Use Permit applications. These requirements may be decreased subject to the provisions of Section 25.52.006(G). **The parking requirements of Chapter 25.52 are only applicable to allowed uses which are considered to be an intensification of use.**

2. Suggested Modification No. 2

Replace proposed Section 25.52.004 General Provisions (E)(1) and (2) with the currently certified version, as reflected below:

(E) Intensification of Use.

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Laguna Beach Local Coastal Program Amendment 1-08B (Parking)
Approved Suggested Modifications
Page 2

(1) When a *new building is constructed or when more than 50% of the gross floor area of an existing building is proposed to be remodeled or reconstructed, or a* use is changed to a use which has a greater parking requirement *or when the floor area within an existing building or suite is subdivided by interior walls to accommodate additional uses,* or when the floor area of an existing building is enlarged, then the property owner or applicant shall provide parking or purchase in-lieu parking certificates equivalent to the number of parking spaces required by current parking regulations *(up to the maximum allowed in Section 25.52.006(E))* for the proposed use having a greater parking requirement *for the uses proposed in the pre-subdivided suite or building,* or for the entire building which is enlarged less credit for the following:

- (a) no change
- (b) no change
- (c) no change
- (2) no change
- (3) no change

(4) In-lieu parking certificates, referenced above, are allowed only as described in Section 25.52.006(E) Special Parking Districts – In-Lieu Parking Certificates.

3. **Suggested Modification No. 3**

Make the following changes to Section 25.52.006 Special Provisions (E) Special Parking Districts – In Lieu Parking Certificates:

(E) Special Parking Districts – In Lieu Parking Certificates. For areas designated by the City Council to be hardship areas and for which special districts are formed for the purpose of providing central or common parking facilities, the City Council may grant relief from the requirements of this section, to the extent that an individual property owner or lessee participates in or contributes to parking in the central facility by acquiring in-lieu parking certificates equivalent to the number of spaces required for his or her individual development, up to a maximum of three certificates for any one site, **unless additional certificates are approved by the City Council as part of a public/private partnership project. More than three in-lieu certificates per site shall be allowed only within a Special Parking District for which a parking and traffic management program is completed and is approved as a Local Coastal Program amendment.** {Fee and schedule of payment for such in-lieu parking certificates shall be established by resolution of the City Council.} **All The timing of the payment of** in-lieu parking certificates shall be paid prior to the issuance of the first business license or building permit **unless specified differently by the City Council.**

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Amendment
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Laguna Beach Local Coastal Program Amendment 1-08B (Parking)
Approved Suggested Modifications
Page 3

4. Suggested Modification No. 4

Replace proposed Section 25.52.006(G) General Provisions with the currently certified version, as reflected below:

Incentives. The City Council may approve a Conditional Use Permit, upon recommendation by the planning commission approval authority, to reduce the parking standards required under this chapter where the proposed use provides for and promotes the use of alternative modes of transportation such as ride-sharing, carpools, vanpools, public transit, bicycles and walking; and where the reduced parking requirement will not adversely impact public access to beaches, parks, open spaces, and trails and one or more of the following conditions apply:

- (1) The proposed use is a very low or low income, or disabled housing project;
- (2) The proposed use is considered to be of equal intensity or less intense than the previous use;
- (3) ~~The proposed use provides for or promotes the use of alternative modes of transportation such as ride-sharing, carpools, vanpools, public transit, bicycles and walking;~~
- (3) The proposed use is a sidewalk café having outdoor seating available to the general public as well as restaurant customers, which contributes positively to the local pedestrian environment. The parking reduction may be granted on a temporary or seasonal basis and shall be limited to a maximum of three spaces.

5. Suggested Modification No. 5

Replace proposed Section 25.52.012 Parking Spaces Required (E) Parking Spaces Required for Specific Uses with the currently certified version (with the two changes proposed by the City), as reflected below:

(E) Parking Spaces Required for Specific Uses. No structure or use shall be permitted or constructed unless off-street parking spaces, with adequate provisions for safe ingress and egress, are provided in accordance with the provisions of this Chapter. The parking requirements of Chapter 25.52 are only applicable to allowed uses which are considered to be an intensification of use. The following is a categorization of various types of uses and their associated minimum parking requirements which may be

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Laguna Beach Local Coastal Program Amendment 1-08B (Parking)
Approved Suggested Modifications
Page 4

increased by the ~~Planning Commission or the Design Review Board~~
approval authority if it is determined that the parking standards are
inadequate for a specific project.

LGB LCPA 1-08B Parking appd sugmods 2.5.09 mv

LGB LCPA 1-08B

Amendment B
approved

