

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

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May 21, 2009

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director

SUBJECT: Executive Director's Determination that City of Laguna Beach Local Coastal Program (LCP) Amendment Request No. 1-09 is De Minimis (For Commission Concurrence at its June 10-12, 2009 meeting in Marina del Rey).

DE MINIMIS LCP AMENDMENT

The Coastal Act was amended, effective January 1, 1995, to provide an additional way for the Commission to review amendments to certified Local Coastal Programs. Section 30514(d) was added to allow the Executive Director to make a determination that a proposed LCP amendment is de minimis in nature. The Executive Director must determine that the proposed amendment: 1) would have no impact, either individually or cumulatively, on coastal resources; 2) is consistent with the policies of Chapter 3; and 3) does not propose any change in land use or water use or any change in the allowable use of property. Section 30514(d) requires the local government to notice the proposed de minimis LCP amendment by one of three ways: 1) publication in a newspaper of general circulation; 2) posting on-site and off-site the area affected by the amendment; or 3) direct mailing to owners of contiguous property.

DESCRIPTION OF LCP AMENDMENT REQUEST

City of Laguna Beach LCP Amendment Request No. 1-09, contained in City Ordinance No. 1499, would amend the Implementation Plan portion (IP) of the certified LCP by modifying Section 25.54 (Sign Regulations) in order to regulate interior signs that are positioned primarily for the purpose of being read or visible from the exterior of the building. The amendment would modify the definition of "interior building sign" to clarify that an interior building sign does not include those that are positioned primarily for the purpose of being read or visible from the exterior of the building. The intent of the proposed changes is to preclude these signs from exemption and thus allow the City to regulate these signs. The amendment would also add "light emitting diodes (LED)" and "liquid crystal display (LCD)" to the definition of "animated sign" and "light source". The proposed IP amendment would apply to all properties located within the City's coastal zone, but would directly affect only commercial establishments with interior signs visible from the exterior of the building.

EXECUTIVE DIRECTOR'S DETERMINATION

The Executive Director hereby determines that City of Laguna Beach LCP Amendment Request No. 1-09 is de minimis. Based on the information submitted by the City, the proposed LCP amendment is a procedural change that will have no impact on coastal resources, is consistent with the Chapter 3 policies of the Coastal Act, and does not propose any changes to existing or allowable land or water uses. Additionally, the local government notice of this LCP amendment request was carried out consistent with the notice requirements of Section 30514(d) of the Coastal Act. Therefore, the Executive Director recommends that the Commission concur in the determination that LCP Amendment Request No. 1-09 is de minimis pursuant to Section 30514(d) of the Coastal Act. Unless three or more members of the Commission object to this determination, the amendment shall become part of the certified LCP 10 days after the date of the Commission meeting.