

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Laguna Beach, CA 90802-4302
(949) 590-5071



January 13, 1999

RECORD PACKET COPY

TO: Coastal Commissioners and Interested Persons

FROM: Deborah Lee, South Coast District Director

SUBJECT: **Concurrence with the Executive Director's determination that the action of the City of Laguna Beach accepting certification with suggested modifications of the City's LCP Amendment 1-98 for the Treasure Island Area of Deferred Certification is legally adequate.**

STAFF RECOMMENDATION

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

BACKGROUND

On August 13, 1998, the Coastal Commission certified an amendment to the City of Laguna Beach's Local Coastal Program (LCP) for the Treasure Island Area of Deferred Certification. Suggested modifications were proposed to bring the LCP Amendment into conformance with the Coastal Act. When the Commission certified the Local Coastal Program for the City of Laguna Beach in 1993, the Treasure Island area was withheld certification since the site did not provide public access to the coast. The Treasure Island Local Coastal Program amendment to the City's certified LCP is a project specific plan. The major component of the Specific Plan approved under this LCP amendment is a resort complex. Public benefits derived from implementing this LCP amendment include the dedication of land into public ownership and public access to the coast through the site.

On November 17, 1998, the City of Laguna Beach accepted, and agreed to the Commission's suggested modifications by passing Resolution No. 98.074, Resolution No. 98.075, and adopting Ordinance 1349 incorporating the Commission's suggested modification into the City's certified Local Coastal Program.

As provided for in Section 13544 of the California Code of Regulations, the Executive Director must determine that 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 the City of Laguna Beach LCP Amendment 1-98 for the Treasure Island Area of Deferred Certification 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)(V).

RECEIVED
South Coast Region

RESOLUTION NO. 98.074

DEC 8 1998

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA BEACH, CALIFORNIA APPROVING MODIFICATIONS
TO THE TREASURE ISLAND DESTINATION RESORT
COMMUNITY LOCAL COASTAL PROGRAM AMENDMENT**

WHEREAS, Treasure Island Associates has filed an application for a Local Coastal Program Amendment (the "LCP Amendment"), which is comprised of a Land Use Plan and Implementing Actions Program (Specific Plan) for the redevelopment of property located at 30801 Coast Highway; and

WHEREAS, on June 2, 1998, the City Council certified the Program Final Environmental Impact Report and conditionally approved the LCP Amendment; and

WHEREAS, on August 13 and November 6, 1998, the California Coastal Commission certified the LCP Amendment to the City's Certified Local Coastal Program subject to modifications as outlined in Exhibit "A" attached hereto; and

WHEREAS, the City Council after conducting a legally noticed public hearing, reviewed and considered all documents, testimony and other evidence presented on the Coastal Commission modifications to the LCP Amendment; and

WHEREAS, the City of Laguna Beach intends to carry out the Local Coastal Program, as amended, in a manner fully consistent with the California Coastal Act;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH does RESOLVE and ORDER that the modifications to the LCP Amendment outlined in Exhibit "A" attached hereto shall be and hereby are approved.

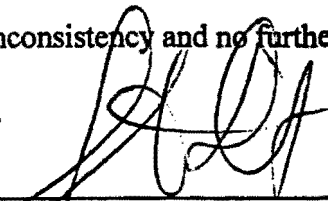
BE IT FURTHER RESOLVED that staff is hereby directed to accurately and consistently amend the text, maps, figures, tables and appendices of the LCP Amendment to reflect the modifications approved of and stipulated in Exhibit "A" of this Resolution.

Plan

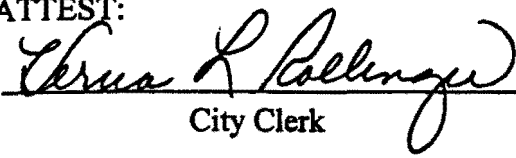
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AND BE IT FURTHER RESOLVED all previous resolutions inconsistent herewith shall be and hereby are repealed to the extent of such inconsistency and no further.

ADOPTED this 17th day of November, 1998.



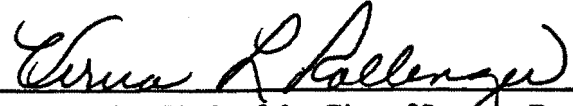
Steven M. Dicterow, Mayor

ATTEST:


City Clerk

I, VERNA L. ROLLINGER, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Resolution No. 98.074 was duly adopted at a Regular Meeting of the City Council of said City held on November 17, 1998 by the following vote:

AYES: COUNCILMEMBER(S): Peterson, Blackburn, Freeman, Dicterow
NOES COUNCILMEMBER(S): Baglin
ABSENT COUNCILMEMBER(S):



City Clerk of the City of Laguna Beach, CA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. 98.075
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA BEACH, CALIFORNIA, APPROVING CHAPTERS 10 AND
14 OF THE TREASURE ISLAND DESTINATION RESORT
COMMUNITY LOCAL COASTAL PROGRAM AS COMPONENTS OF
THE TREASURE ISLAND SPECIFIC PLAN AND REVISING THE
CITY'S LAND USE ELEMENT TO INCORPORATE NEW LAND USE
DESIGNATIONS AND AMEND THE LAND USE MAP REGARDING
THE TREASURE ISLAND SPECIFIC PLAN

WHEREAS, on August 26, 1998, the Planning Commission conducted a legally noticed public hearing and, and after reviewing and considering all documents, testimony and other evidence presented, voted to recommend that the City Council approve Chapters 10 (Resort Development Concept) and 14 (Design Guidelines) of the Treasure Island Destination Resort Community Local Coastal Program as components of the Treasure Island Specific Plan and revise the City's Land Use Element to incorporate new land use designations and amend the Land Use Map regarding the Treasure Island Specific Plan; and

WHEREAS, on November 17, 1998, the City Council conducted a legally noticed public hearing, and reviewed and considered all documents, testimony and evidence presented;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH does RESOLVE and ORDER that Chapters 10 (Resort Development Concept) and 14 (Design Guidelines) of the Treasure Island Destination Resort Community Local Coastal Program, as approved by the City Council on June 2, 1998 and modified by the City Council on November 17, 1998, are hereby approved as components of the Treasure Island Specific Plan as referenced in Municipal Code Chapter 25.27.

BE IT FURTHER RESOLVED that the City's General Plan Land Use Element in Section 7: Land Use Plan Map, Subsection B, Land Use Categories shall be and hereby is amended by adding at the end of that subsection the following Land Use Descriptions:

Plan

1 Open Space, Conservation and Recreation

2 This classification is intended to provide for a variety of public, limited-development land
3 uses that are associated with destination resort communities. These uses are intended to be
4 open and available to the public, except for those instances where uncontrolled public usage
5 may impact ecologically sensitive areas (e.g., State-designated Ecological Reserve) or areas
6 where there is a concern for public safety (e.g., coastal bluffs). Limited development may be
permitted in appropriate areas; however, this development shall be a part of the overall
Destination Resort Community, and open not only to resort guests, but also to the general
public.

7 Resort Development

8 This classification is intended to provide for the development of a coastal world-class
9 destination resort and all related visitor-serving and residential uses, including, but not
10 limited to, a hotel and related overnight accommodations and residences, including single-
11 and multiple-key resort condominiums that may be individually owned and managed as
12 guest/transient occupancy accommodations by the resort hotel operator, restaurants, bars,
13 ballrooms, meeting and convention facilities, retail shops, health spas, gymnasiums, salons,
14 multi-media auditorium, indoor and outdoor recreation facilities, residential units and related
15 uses, and related roads, parking facilities, pedestrian walkways, stairways, ramps and other
16 forms of coastal access. A variety of residential ownership opportunities are permitted,
17 including owner-occupied units and units owned and operated by the resort. In resort
18 development areas adjacent to the Pacific Ocean, coastal access shall be integrated into the
19 design of the resort community.

20 **AND, BE IT FURTHER RESOLVED** that the City's General Plan Land Use
21 Element and Local Coastal Plan Map (Exhibit) shall be and hereby are amended to change
22 the Treasure Island site at 30801 Coast Highway from the Village Medium-Low Density,
23 Public Recreation and Parks, and Open Space Land Use Designations to Resort Development
24 and Open Space, Conservation and Recreation Land Use Designations as depicted by Figure
25 2.1-1 (Land Use Plan) of the Treasure Island Destination Resort Community Local Coastal
26 Program, as approved by the City Council on June 2, 1998 and modified by the City Council
27 on November 17, 1998.
28

ADOPTED this 17th day of November, 1998.



Steven M. Dicterow, Mayor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTEST:

Verna L. Rollinger
City Clerk

I, VERNA L. ROLLINGER, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Resolution No. 98.075 was duly adopted at a Regular Meeting of the City Council of said City held on November 17, 1998, by the following vote:

AYES: COUNCILMEMBER(S): Peterson, Blackburn, Freeman, Dicterow

NOES COUNCILMEMBER(S): Baglin

ABSENT COUNCILMEMBER(S):

Verna L. Rollinger
City Clerk of the City of Laguna Beach, CA

ORDINANCE NO. 1349
AN ORDINANCE OF THE CITY OF LAGUNA BEACH ADDING
CHAPTER 25.27 (TREASURE ISLAND SPECIFIC PLAN) TO THE
LAGUNA BEACH MUNICIPAL CODE
AND APPROVING CHAPTERS 8, 9, 11, 12 AND 13 OF THE
TREASURE ISLAND DESTINATION RESORT COMMUNITY
LOCAL COASTAL PROGRAM AS
COMPONENTS OF THE TREASURE ISLAND SPECIFIC PLAN

WHEREAS, on August 26, 1998, the Planning Commission conducted a legally noticed public hearing, and after reviewing and considering all documents, testimony and other evidence presented, voted to recommend that the City Council approve adding Municipal Code Chapter 25.27 (Treasure Island Specific Plan) and approve Chapters 8, 9, 11, 12 and 13 of the Treasure Island Destination Resort Community Local Coastal Program as components of the Treasure Island Specific Plan (the "Ordinance"); and

WHEREAS, on November 17, 1998, the City Council conducted a legally noticed public hearing and has reviewed and considered all documents, testimony and other evidence presented, including but not limited to, a previously certified Program Final Environmental Impact Report (FEIR) for the Treasure Island Destination Resort Community Project;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH DOES ORDAIN, as follows:

SECTION 1. Chapter 25.27 is hereby added to the City's Municipal Code, and shall read in its entirety as follows:

Chapter 25.27

TREASURE ISLAND SPECIFIC PLAN

Sections:

- 25.27.010 Intent and purpose**
- 25.27.020 Description and application**
- 25.27.030 Development regulations**

25.27.010 Intent and purpose

The intent and purpose of this Chapter is to establish a Specific Plan for the Treasure Island Area pursuant to the authority of Article 9, Chapter 3 of Division 7 of the California Government Code. It is recognized that there is a need for a comprehensive planning program to address the unique issues associated with the redevelopment of Treasure Island Area, and that this need is best served through the establishment of a Specific Plan. The Treasure Island Specific Plan contains goals and policies, design guidelines, land use districts and development standards, all of which form the development regulations for the Specific Plan Area. All other ordinances and sections of the Laguna Beach Municipal Code shall also apply to the Treasure Island Specific Plan Area, unless such standards are inconsistent with the provisions of the Specific Plan, in which case the Specific Plan shall apply.

25.27.020 Description and application

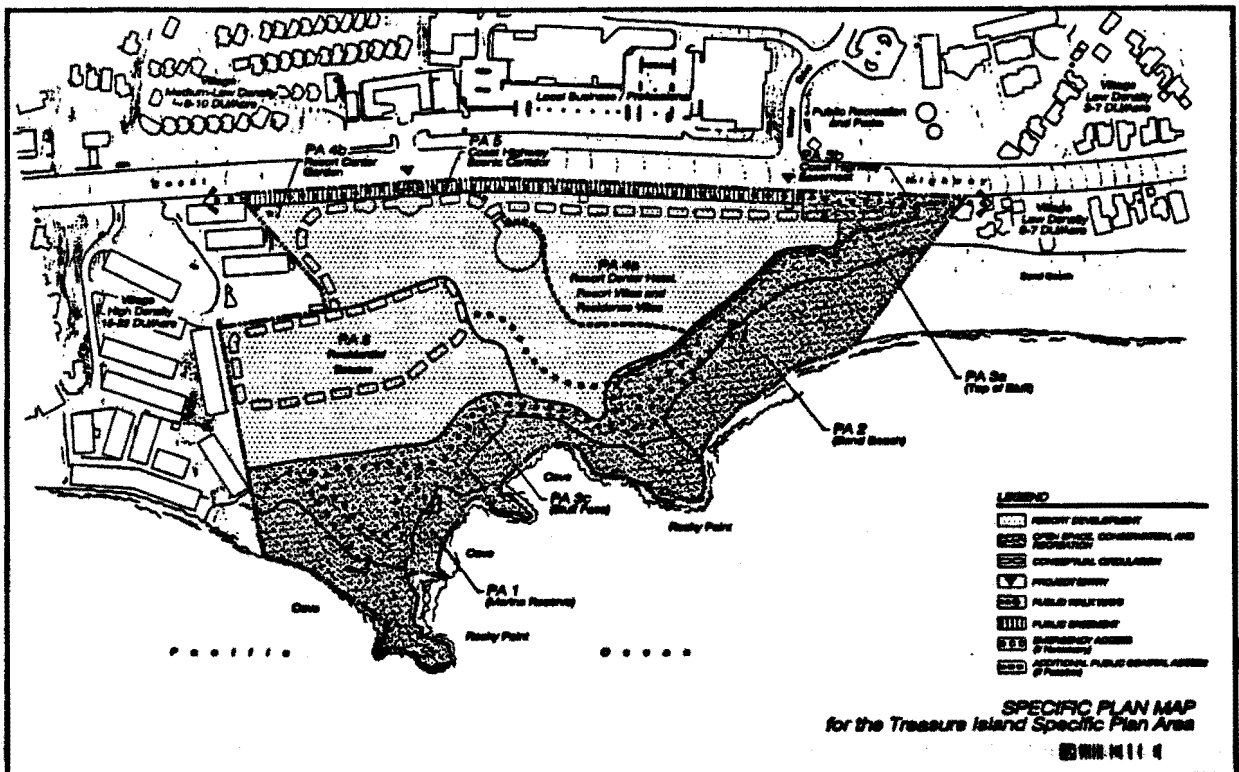
The Specific Plan covers the Treasure Island property in south Laguna and is generally framed by the Blue Lagoon condominiums to the north, the Pacific Ocean to the west, single-family residences to the south and Coast Highway to the east. The physical boundaries of the Treasure Island Specific Plan Area are delineated on Exhibit "A" as shown in this Chapter.

25.27.030 Development regulations

All development regulations for the Specific Plan Area are contained within the text of the Treasure Island Specific Plan. These regulations include goals and policies, design guidelines, land use districts and development standards.

EXHIBIT "A"

**Treasure Island Specific Plan Area
(Municipal Code Chapter 25.27)**



SECTION 2. Chapters 8, 9, 11, 12 and 13 of the Treasure Island Destination Resort Community Local Coastal Program, as approved by the City Council on June 2, 1998 and modified by the City Council on November 17, 1998, are hereby approved as components of the Treasure Island Specific Plan as referenced in Municipal Code Chapter 25.27.

SECTION 3. The adoption of this Ordinance was identified and analyzed as an implementation activity by the certified Program FEIR (SCH No. 96031023) for the Treasure Island Destination Resort Community Project. The contents and consequences of this Ordinance, as a subsequent activity, are adequately described in the Program FEIR and Project Local Coastal Program Amendment documentation, and no new environmental effects could occur and no new mitigation measures would be required as a result of the adoption of this Ordinance. Therefore, pursuant to Section 15168 of the California Environmental Quality Act Guidelines, the adoption of this Ordinance is within the scope of the project covered by the above-referenced Program FEIR, and no new environmental documentation is required or will be prepared.


SECTION 4. The Treasure Island Specific Plan adopted by this Ordinance is found and determined to be consistent with the General Plan of the City of Laguna Beach.

SECTION 5. All ordinances and provisions of the Laguna Beach Municipal Code and sections thereof inconsistent herewith shall be hereby repealed to the extent of such inconsistency and no further.

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 same manner required by law in the City of Laguna Beach. This Ordinance shall become effective


thirty (30) days after the final approval by the City Council.

ADOPTED this 1st day of December, 1998.



Steven M. Dicterow, Mayor

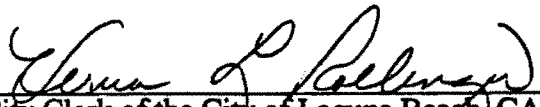
ATTEST:



City Clerk

I, Verna Rollinger, City Clerk of the City of Laguna Beach, do hereby certify that Ordinance 1349 was introduced at a regular meeting of the City Council on November 17, 1998, and was finally adopted at a regular meeting of the City Council of said City held on December 1, 1998, by the following vote:

AYES: COUNCILMEMBER(S): Peterson, Blackburn, Freeman, Dicterow
NOES: COUNCILMEMBER(S): Iseman
ABSENT: COUNCILMEMBER(S): None



City Clerk of the City of Laguna Beach, CA