

**CALIFORNIA COASTAL COMMISSION**

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



DATE: October 30, 2001

TO: Commissioners & Interested Persons

FROM: Peter Douglas, Executive Director  
Deborah Lee, Deputy Director  
Teresa Henry, South Coast District Manager  
Meg Vaughn, Staff Analyst

**TU 10c****RECORD PACKET COPY**

**SUBJECT:** Concurrence with the Executive Director's determination that the action of the City of Laguna Beach accepting the Commission's action with suggested modifications on the City of Laguna Beach's Local Coastal Program Amendment 1-00 is legally adequate. (For Commission review at the November 13-16, 2001 meeting in Los Angeles.)

**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 6, 2001, the Coastal Commission certified an amendment to the Implementation Plan of the City of Laguna Beach Local Coastal Program (LCP) with suggested modifications. The City's total LCP was originally certified by the Commission in 1993. The amendment included revisions to and updating of the City's Downtown Specific Plan. The amendment was intended to maintain and enhance the vitality and unique village character of the downtown area by encouraging resident serving uses as well as visitor serving uses. In addition, the amendment was intended to encourage pedestrian use, and improve general attractiveness and cleanliness in the downtown area. Also, a new Civic Art District was created that applies to the arts festivals, City Hall, and Village Entrance areas. This new district is intended to create an "entrance" to the City, and to focus on arts- and civic-related uses, and to enhance pedestrian access and streetscape. The amendment applies to the area within the boundaries of the City's Downtown Specific Plan.

On October 2, 2001, the Laguna Beach City Council adopted Resolution No.01.058 acknowledging receipt of the Commission's resolution and accepting the suggested modifications.

As provided in Section 13544.5 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 amendment 1-00 to the City of Laguna Beach LCP 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).



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CALIFORNIA  
COASTAL COMMISSION

October 17, 2001

Teresa Henry, District Manager  
South Coast Area Office  
California Coastal Commission  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302

Dear Ms. Henry:

On October 2, 2001, the Laguna Beach City Council approved the suggested modifications for the City of Laguna Beach LCP Amendment No. 1-00. Enclosed for your review is the Resolution of Approval, as well as the Agenda Bill and Recap (abbreviated minutes) for the October 2, 2001 City Council meeting.

I look forward to your final approval of this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Kyle Butterwick".

Kyle D. Butterwick  
Director

enc.

**CERTIFIED COPY**

**RESOLUTION NO. 01.058**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, APPROVING MODIFICATIONS TO THE DOWNTOWN SPECIFIC PLAN/LOCAL COASTAL PROGRAM.**

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**WHEREAS**, the City has filed an application for a Local Coastal Program Amendment which is comprised of the Revised Downtown Specific Plan; and

**WHEREAS**, on March 28, 2000, the City Council conditionally approved the Local Coastal Program Amendment; and

**WHEREAS**, on August 6, 2001, the California Coastal Commission certified the Revised Downtown Specific Plan Local Coastal Program Amendment subject to modifications as outlined in Exhibit "A" attached hereto; and

**WHEREAS**, the City of Laguna Beach acknowledges receipt of the Coastal Commission certification resolution; 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 Local Coastal Program 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 Local Coastal Program 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 of the Revised Downtown Specific Plan Local Coastal Program


1 Amendment to reflect the modifications approved of and stipulated in Exhibit "A" of this  
2 Resolution. 3)

3 **AND BE IT FURTHER RESOLVED** all previous resolutions inconsistent herewith  
4 shall be and hereby are repealed to the extent of such inconsistency and no further.  
5

6 ADOPTED this 2<sup>nd</sup> day of October, 2001.

7  
8   
9 \_\_\_\_\_  
10 Paul P. Freeman, Mayor

11 ATTEST:

12   
13 Deputy City Clerk


14 I, VERNA L. ROLLINGER, City Clerk of the City of Laguna Beach, California, do  
15 hereby certify that the foregoing Resolution No. 01.058 was duly adopted at a Regular  
16 Meeting of the City Council of said City held on October 2, 2001, by the following vote:

17 AYES: COUNCILMEMBER(S): Isman, Freeman

18 NOES: COUNCILMEMBER(S): Dicterow

19 ABSENT: COUNCILMEMBER(S): None

20 ABSTAIN: COUNCILMEMBER(S): Kinsman, Baglin

21   
22 Deputy City Clerk of the City of Laguna Beach, CA

23  
24 The foregoing instrument is a correct copy  
25 of the original on file in this office.

26 Attest 10-15-01  
27 City Clerk of the City of Laguna Beach,  
28 County of Orange, State of California.


By:   
Deputy City Clerk

EXHIBIT "A"

Modifications, as suggested by the California Coastal Commission, to the Revised Downtown Specific Plan

Topic 1 Village Character, Policies, page III-4:

3. ~~Except in the Civic Art District where Design Review will continue to be conducted by the Design Review Board, r~~ Review of proposed uses and physical improvements in the downtown shall be conducted by the Planning Commission, and shall include monitoring of the look and feel of the downtown to ensure continuation and enhancement of the village character. An evaluation of "look and feel" is subjective, but will include consideration of some or all of the following qualities: artistic, historic, pedestrian-friendly, consistent in exterior architectural design and color with neighboring properties, and featuring non-mass produced products. In addition, the Arts Commission will review all art features and provide a recommendation.

Topic 3 Downtown Commercial Uses, Policies, pages III-13 and III-15:

2. Maintain present stock of resident-serving businesses and encourage the establishment of additional resident-serving businesses within the CBD-1 Resident-Serving district.

Delete proposed Policy 20:

20. ~~Establish a resident-only parking area.~~

Add the following revised Policy 20:

20. Prepare a Downtown Specific Plan Parking and Traffic Management Program. A resident-only parking area may be considered as part of this plan only if the needs of visitors and beach goers are adequately provided for. The Downtown Specific Plan Parking and Traffic Management Program shall be incorporated into the Downtown Specific Plan and shall be subject to the review and approval of a Local Coastal Program.

Delete the proposed Policy 21:

21. ~~Consider establishing a downtown employee parking area.~~

Add the following revised Policy 21:

**21. Prepare a Downtown Specific Plan Parking and Traffic Management Program. An employee parking area may be considered as part of this plan only if the needs of visitors and beach goers are adequately provided for. The Downtown Specific Plan Parking and Traffic Management Program shall be incorporated into the Downtown Specific Plan and shall be subject to the review and approval of a Local Coastal Program.**

Topic 5: Parking, Circulation, and Public Transit, Discussion, page III-19, top of page:

**constraints that are specific to the downtown area. Under the current in-lieu fee program, the**

Topic 5: Parking, Circulation, and Public Transit, Discussion, page III-19, first full paragraph:

The adoption of the Downtown Specific Plan in 1989 limited the sale of in-lieu certificates to no more than three per building site. From 1989 through 1998, 74 in-lieu certificates were issued for 10 building sites. Of these 10 building sites, seven sites were issued three or fewer in-lieu certificates. Two other sites, with in-lieu certificates in excess of three, were in accordance with approval granted prior to adoption of the Specific Plan. The last site was granted as an exception due to unusual circumstances, including the removal of street parking. While it is apparent that the limit on in-lieu certificates has been successfully implemented, this limit also restricts the City's ability to assess the full cost of parking to the use that is generating additional parking demand. Further, as long as there are lower cost parking options available, such as off-site parking, business owners have no incentive to purchase in-lieu certificates. **In order to maximize the amount of parking provided with new development, the three certificate per building site limit shall be retained. Issues such as full cost recovery and providing incentives for maximum provision of parking shall be addressed in a new parking development and management system.**

Topic 5: Parking, Circulation, and Public Transit, Policies, pages III-19 and III-20:

1. Locate all-day (~~visitor and employee~~) parking outside the central portion of the downtown.

Add the following new policy after policy 3 and re-number accordingly:

**#. Encourage the establishment of a convenient shuttle service for beach-goers and downtown visitors to encourage use of outlying parking areas. This shuttle service may be combined with the employee shuttle service.**

8. Develop a traffic management plan that will address parking and circulation issues in the Central Business District, including a peripheral parking program for downtown employees, and that addresses all modes of transportation, including walking, biking transit and automobile. **The**

traffic management plan shall be subject to approval of a Local Coastal Program amendment.

10. Require either onsite parking, in-lieu fees (limited to a maximum of 3 per building site), or other fee as may be established through a parking management program, for all parking demands resulting from an intensification of use. A parking management program shall be subject to approval of a Local Coastal Program amendment.

11. Discourage the use of off-site parking to satisfy parking requirements until or unless such parking can be adequately monitored or replaced through a parking management program fee. A parking management program shall be subject to approval of a Local Coastal Program amendment.

12. Provide for convenient resident parking in the Central Business District only when balanced with the need to provide adequate visitor and beach goer parking.

13. Discourage the utilization of metered parking spaces for ~~all-day beach parking~~ or all-day downtown employees, except for all-day parking allowed on Cliff Drive and all-day parking allowed through the Business Parking Permit Program. Providing incentives that discourage all-day beach goer parking from use of metered spaces may be considered when a parking management program is prepared, as long as public access is maximized. A parking management program shall be subject to approval of a Local Coastal Program amendment.

14. Limit the number of in-lieu certificates that can be purchased for an individual building site to three (3) certificates or limit in accordance with a downtown parking management program. A parking management program shall be subject to approval of a Local Coastal Program amendment.

16. Establish a new parking development and management system that reflects policies 1-15, immediately above. The purpose of establishing this new program will be to implement a simple, equitable system that provides more tangible public benefits. In developing this new program, all due consideration should be given to maximizing public access to the coast and to visitor amenities, maximizing convenience for residents, minimizing uncertainty for business property owners, and transferring from landlords to tenants the benefits of any in-lieu parking certificates allowable under the new program. The new parking development and management system shall be subject to approval of a Local Coastal Program amendment.

Topic 10: Civic Art District, Policies, Page III-29:

5. Apply General Plan/Local Coastal Program policies and standards of the Downtown Specific Plan to the Village Entrance site.

