

CALIFORNIA COASTAL COMMISSION

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



W6b

March 22, 2007

TO: Commissioners and Interested Persons

FROM: Sherilyn Sarb, Deputy Director
Teresa Henry, District Manager
Karl Schwing, Supervisor, Regulation & Planning, Orange County Area
Meg Vaughn, Staff Analyst

SUBJECT: City of Laguna Beach Minor LCP Amendment No. 1-07 A
Historic Preservation

The City of Laguna Beach is requesting an amendment to its certified Local Coastal Program (LCP) Implementation Plan to modify Chapter 245 (Historic Preservation) of the Zoning and Subdivision Ordinance of the Implementation Plan portion of the City's certified LCP by: 1) clarifying that when a conditional use permit is required, the approval authority for existing parking incentive benefits is the City Council (previously the Design Review Board); and, 2) clarifying that the historic character of the building includes interior features that are visible from outside the structure, if integral to the historic building design.

The Executive Director has determined that the proposed amendment is minor in nature in accordance with Section 13554(a) of the California Code of Regulations because it constitutes a change to the Implementation Plan that involves changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the Executive Director of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.

The purpose of this notice is to advise interested parties of the Executive Director's determination (pursuant to CCR Section 13555) that the proposed LCP amendment is minor. The Executive Director will report this determination to the Coastal Commission at its **April 10-13, 2007** hearing at **Fess Parker's Doubletree Hotel, 633 East Cabrillo Blvd. in Santa Barbara**. The Executive Director will also report any objections to this determination that are received within ten working days of posting of this notice. The proposed minor amendment will be deemed approved and will become effective immediately unless one-third of the appointed members of the Commission request that it be processed as a major LCP amendment (CCR Section 13555(b)).

If you have any questions or need additional information regarding the proposed LCP amendment or the Commission's procedures, please contact Meg Vaughn of the Commission's South Coast District at the address and phone number shown on this letterhead. If you wish to register an objection to the proposed LCP amendment, please do so by **April 6, 2007**.

Attachments:
City Council Resolution No. 04-068
City of Laguna Beach Ordinance No. 1309

Minor LCP Amendment No. 1-06
City of Laguna Beach
Historic Preservation
Page 3

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
	<u>Ord./Reso.</u>	<u>Subject</u>	<u>Description</u>																								
	No. 1303	ZOA/Muni. Code 21.14	R-HP Zone; PRDs																								
	No. 1305	Zoning Ord. Amendment	Parking Incentive for Outdoor Cafes																								
	No. 1306	Zoning Ord. Amendment	Parking Modifications																								
	No. 1309	Zoning Ord. Amendment	Historic Preservation Incentives																								
	No. 1312	Zoning Ord. Amendment	Design Review App. Requirements																								
	No. 1316	Zoning Ord. Amendment	Flood Protection Measures-Downtown																								
	No. 1320	Zoning Ord. Amendment	Telecommunications Facilities																								
	No. 1326	Zoning Ord. Amendment	Prohibition of Mechanical Parking Lifts																								
	No. 1332	Zoning Ord. Amendment	Murals and Sign Definitions																								
	No. 1333	Zoning Ord. Amendment	Parking Related to Food Service																								
	No. 1334	Zoning Ord. Amendment	Administration Chapter and Definitions																								
	No. 1342	ZOA/GPA-Land Use Elemt.	Permanent Open Space until 12/20/28																								
	No. 1344	Muni. Code-Chptr. 12.08	Heritage Trees																								
	No. 1346	Zoning Ord. Amendment	Bed and Breakfast Inns																								
	No. 1347	Zoning Ord. Amendment	Arch Beach Heights – Lot Combinations																								
	No. 1351	Zoning Ord. Amendment	Library Impact Fee																								
	No. 1352	Muni. Code – Title 21	Subdivision Park In-Lieu Fee																								
	No. 1353	Zoning Ord. Amendment	Short-Term Lodging																								
	No. 1354	Zoning Ord. Amendment	Parking for SFR/Duplex and Definitions																								
	No. 1359	Zoning Ord. Amendment	Drive-In/Full Svc./Take-Out Restaurants																								
	No. 1360	Zoning Ord. Amendment	SFR Lot Coverage in R-2 Zone																								
	No. 1361	Zoning Ord. Amendment	Off-site Parking																								
	No. 1373	Zoning Ord. Amendment	Garage Door Size Requirements																								
	No. 1382	Zoning Ord. Amendment	Administration – Automatic Appeals																								
	No. 1386	Zoning Ord. Amendment	Telecommunication Facilities																								
	No. 1390	Zoning Ord. Amendment	Staking Certification Requirements																								
	No. 1400	Zoning Ord. Amendment	Design Review for Pools/Spas																								
	No. 1403	Zoning Ord. Amendment	Tents or Canvas/Plastic Enclosures																								
	No. 1407	Zoning Ord. Amendment	Transportation Demand Management																								
	No. 1408	Zoning Ord. Amendment	Sign Regulations																								
	No. 1415	Zoning Ord. Amendment	Repealing Off-Site and Compact Parking																								
	No. 1416	Zoning Ord. Amendment	Various – Addressing Mansionization																								
	No. 1417	ZOA/Muni. Code - 21	Vehicular Access, Building Site Access																								
	No. 1418	Zoning Ord. Amendment	Hedges Considered Fences in Yards																								
	No. 1419	Muni. Code – Title 21	Subdivision Improvements																								
	No. 1424	Zoning Ord. Amendment	Sign Regulations																								
	No. 1427	Zoning Ord. Amendment	Second Residential Units																								
	No. 1433	Zoning Ord. Amendment	M-1A & M-1B (Annexation Area)																								
	No. 1435	Zoning Ord. Amendment	Special Flood Hazard Areas																								
	No. 1436	Zoning Ord. Amendment	Sign Regulations																								
	No. 95.047	General Plan Amendment	Safety Element Update																								

Copies of the aforesaid Ordinances and Resolution are attached hereto as Exhibits 1 through 45, respectively, and are incorporated by this reference as though fully set forth herein.

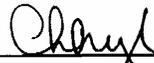
Minor LCP Amendment No. 1-06
City of Laguna Beach
Historic Preservation
Page 4

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SECTION 3. That the California Coastal Commission is hereby requested to consider, approve and certify Local Coastal Program Amendment No. 04-03.

SECTION 4. That pursuant to Section 13551(b) of the Coastal Commission Regulations, Laguna Beach Local Coastal Program Amendment No. 04-03 will take effect automatically upon Coastal Commission approval, as provided in Public Resources Code Sections 30512, 30513 and 30519.

ADOPTED this 6th day of July, 2004.



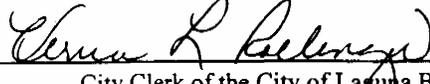
Cheryl Kinsman, Mayor

ATTEST:


City Clerk

I, VERNA L. ROLLINGER, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Resolution No. 04.068 was duly adopted at a Regular Meeting of the City Council of said City held on July 6, 2004 by the following vote:

- AYES: COUNCILMEMBER(S): Dicterow, Baglin, Iseman, Peterson, Kinsman
- NOES: COUNCILMEMBER(S): None
- ABSENT: COUNCILMEMBER(S): None



City Clerk of the City of Laguna Beach, CA

ORDINANCE NO. 95.____

AN ORDINANCE OF THE CITY OF LAGUNA BEACH
AMENDING MUNICIPAL CODE SECTION 25.45.006(A)
WITH REGARD TO THE GRANTING OF
HISTORIC PRESERVATION INCENTIVES

WHEREAS, on July 26 and October 25, 1995 the Planning Commission conducted legally noticed public hearings on Zoning Ordinance Amendment 95-05, and after reviewing all documents and testimony voted to recommend approval of said Ordinance Amendment to the City Council by a __ to __ vote; and

WHEREAS, on _____, 1995, the City Council conducted a legally noticed public hearing on Zoning Ordinance Amendment 95-05, and after reviewing all documents and testimony on said Zoning Ordinance Amendment, desires to approve it.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Laguna Beach does ordain as follows:

Section 1: A Notice of Exemption has been prepared which determined that this ordinance amendment is categorically exempt under Section 15308 of the Guidelines for implementing the California Environmental Quality Act.

Section 2: Municipal Code Section 25.45.006, Subsection (A) shall be amended to read in its entirety as follows:

25.45.006 Historic register preservation incentives.

(A) Parking. The following benefits are subject to Design Review Board approval, ~~except when a Conditional Use Permit is required, in which case the City Council shall be the final approval authority, upon recommendation by the Heritage Committee and the Planning Commission.~~

Minor LCP Amendment No. 1-06
City of Laguna Beach
Historic Preservation
Page 6



Minor LCP Amendment No. 1-06
City of Laguna Beach
Historic Preservation
Page 7

(1) Historic single-family dwellings that are nonconforming due to substandard parking shall not be required to provide parking in accordance with Chapter 25.52 when additions are proposed, provided that such additions do not exceed more than fifty percent of the original square footage of the structure and that at least one covered parking space has been provided on-site. When a second residential unit is being added to a historic structure under the provisions of Chapter 25.17 (Second Residential Units), parking shall be in accordance with the requirements of that chapter unless modified by the ~~design review board~~ City Council for purposes of achieving the goals of the historic preservation ordinance.

(2) Historic multiple-family dwellings that are nonconforming due to substandard parking shall not be required to provide parking in accordance with Chapter 25.52 when additions are proposed, provided that such additions do not exceed more than fifty percent of the original square footage of the structure and that at least half of the parking spaces required in Chapter 25.52 have been provided. ~~When a second unit is being added to a historic structure under the provisions of Chapter 25.17, parking shall be in accordance with the requirements of that chapter, unless modified by the design review board for purposes of achieving the goals of the historic preservation ordinance.~~

(3) "E" rated historic structures located in commercial zones may be granted a Conditional Use Permit to allow a reduction in parking requirements up to a maximum of seventy-five percent based on the degree to which the historic character of the building is preserved and/or enhanced. ~~The historic character of the building shall include visible interior elements from the outside, if integral to the historic building design.~~

(4) Historic structures located in commercial zones and which have "K" or "C"

Minor LCP Amendment No. 1-06
City of Laguna Beach
Historic Preservation
Page 9

ratings may be granted a Conditional Use Permit to allow a reduction in parking requirements up to a maximum of fifty percent based on the degree to which the historic character of the building is preserved and/or enhanced. ~~The historic character of the building shall include visible interior elements from the outside, if integral to the historic building design.~~

Section 3: Municipal Code Section 25.45.008, Subsection (A) shall be amended to read in its entirety as follows:

25.45.008 Procedures for the alteration of historic register structures.

(A) Prior to the issuance of a building permit to remodel or alter any historic structure (with the exception of ~~interior~~ and minor exterior modifications), the Design Review Board shall review the proposed changes in accordance with Section 25.05.065(~~C~~)040 and find the proposal consistent with the following applicable rehabilitation guidelines. ~~Interior changes shall not be reviewed unless the changes involve interior elements which are visible from outside the structure and are integral to the historical building design.~~ Prior to Design Review Board review of any alterations to "E" rated structures, the Heritage Committee shall provide a recommendation on the proposed change(s).

Section 4: 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 thirty (30) days after final approval by the City Council.

Section 5: This Ordinance is intended to be of City-wide effect and application. All ordinances and provisions of the Laguna Beach Municipal Code and Sections thereof



Minor LCP Amendment No. 1-06
City of Laguna Beach
Historic Preservation
Page 11

inconsistent herewith shall be hereby repealed to the extent of such inconsistency and no further.

ADOPTED this __th day of _____, 1995.

Mayor

ATTEST:

City Clerk

I, Verna L. Rollinger, City Clerk of the City of Laguna Beach, certify that the foregoing Resolution was introduced at a regular meeting of the City Council held on September 19, 1995, and was duly adopted at a regular meeting of the City Council of said City held on _____, 1995 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

City Clerk of the City of Laguna Beach,
California

RECEIVED
South Coast Region

JUL 26 2004

Ordinance No. 1309

CALIFORNIA
COASTAL COMMISSION

**AN ORDINANCE OF THE CITY OF LAGUNA BEACH
AMENDING MUNICIPAL CODE SECTION 25.45.006(A)
WITH REGARD TO THE GRANTING OF HISTORIC
PRESERVATION INCENTIVES**

WHEREAS, on July 26 and October 25, 1995 the Planning Commission conducted legally noticed public hearings on Zoning Ordinance Amendment 95-05, and after reviewing all documents and testimony voted to recommend approval of said Ordinance Amendment to the City Council by a 4 to 0 vote; and

WHEREAS, on September 19 and November 21, 1995, the City Council conducted legally noticed public hearings on Zoning Ordinance Amendment 95-05, and after reviewing all documents and testimony on said Zoning Ordinance Amendment, desires to approve it.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Laguna Beach does ordain as follows:

Section 1: A Notice of Exemption has been prepared which determined that this ordinance amendment is categorically exempt under Section 15308 of the Guidelines for implementing the California Environmental Quality Act.

Section 2: Municipal Code Section 25.45.006, Subsection (A) shall be amended to read in its entirety as follows:

25.45.006 Historic register preservation incentives.

(A) Parking. The following benefits are subject to Design Review Board approval, except when a Conditional Use Permit is required, in which case the City Council shall be the final approval authority, upon recommendation by the

Minor LCP Amendment No. 1-06
City of Laguna Beach
Historic Preservation
Page 14

Planning Commission. The Planning Commission shall consider recommendations of the Heritage Committee, unless the Community Development Director determines that an unreasonable delay in the review process would occur.

(1) Historic single-family dwellings that are nonconforming due to substandard parking shall not be required to provide parking in accordance with Chapter 25.52 when additions are proposed, provided that such additions do not exceed more than fifty percent of the original square footage of the structure and that at least one covered parking space has been provided on-site. When a second residential unit is being added to a historic structure under the provisions of Chapter 25.17 (Second Residential Units), parking shall be in accordance with the requirements of that chapter unless modified by the City Council for purposes of achieving the goals of the historic preservation ordinance.

(2) Historic multiple-family dwellings that are nonconforming due to substandard parking shall not be required to provide parking in accordance with Chapter 25.52 when additions are proposed, provided that such additions do not exceed more than fifty percent of the original square footage of the structure and that at least half of the parking spaces required in Chapter 25.52 have been provided.

(3) "E" rated historic structures located in commercial zones may be granted a Conditional Use Permit to allow a reduction in parking requirements up to a maximum of seventy-five percent based on the degree to which the historic

Minor LCP Amendment No. 1-06
City of Laguna Beach
Historic Preservation
Page 15

character of the building is preserved and/or enhanced. The historic character of the building shall include exterior and visible interior elements if, and only if, integral to the historic building design.

(4) Historic structures located in commercial zones and which have "K" or "C" ratings may be granted a Conditional Use Permit to allow a reduction in parking requirements up to a maximum of fifty percent based on the degree to which the historic character of the building is preserved and/or enhanced. The historic character of the building shall include all exterior and visible interior elements if, and only if, integral to the historic building design.

Section 3: Municipal Code Section 25.45.008, Subsection

(A) shall be amended to read in its entirety as follows:

25.45.008 Procedures for the alteration of historic register structures.

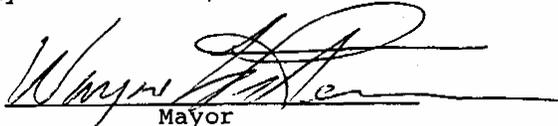
(A) Prior to the issuance of a building permit to remodel or alter any historic structure (with the exception of minor exterior modifications), the Design Review Board shall review the proposed changes in accordance with Section 25.05 and find the proposal consistent with the following applicable rehabilitation guidelines. Interior changes shall not be reviewed unless the changes involve interior elements which are integral to the historical building design. Prior to Design Review Board review of any alterations to "E" rated structures, the Heritage Committee shall provide a recommendation on the proposed change(s).

Minor LCP Amendment No. 1-06
City of Laguna Beach
Historic Preservation
Page 16

Section 4: 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 thirty (30) days after final approval by the City Council.

Section 5: This Ordinance is intended to be of City-wide effect and application. 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.

ADOPTED this 21st day of November, 1995.


Mayor

ATTEST:


City Clerk

I, Verna L. Rollinger, City Clerk of the City of Laguna Beach, certify that the foregoing Resolution was introduced at a regular meeting of the City Council held on September 19, 1995, and was duly adopted at a regular meeting of the City Council of said City held on November 21, 1995 by the following vote:

AYES: COUNCILMEMBERS: Freeman, Dictterow,
Baglin, Peterson,
Blackburn

NOES: COUNCILMEMBERS: None


City Clerk