

CALIFORNIA COASTAL COMMISSION

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



June 20, 2014

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TO: Commissioners and Interested Persons

FROM: Sherilyn Sarb, Deputy Director
Charles Posner, Coastal Program Supervisor
Meg Vaughn, Coastal Program Analyst

RE: Minor Amendment Request No. 2-14 (LCP-5-LGB- 14-0818-1) to City of Laguna Beach LCP, for Commission Action at its July 9-11, 2014 meeting in Ventura.

Local Coastal Program Amendment No. 2-14 (Minor)

The City of Laguna Beach is requesting that the Commission certify an amendment to the City of Laguna Beach certified Local Coastal Program (LCP) Implementation Plan. The LCP amendment would modify Chapter 25.43 (Village Community Zone) of the Implementation Plan by correcting a clerical error that was recently brought to the City's attention. Currently, Subsection 25.43.070(C) states:

*(C) Building Site Coverage. The maximum building site coverage and floor area, as specified under **Section 25.43.070 (D) and (E)**, includes the square footage of all enclosed space of the main building and accessory structures such as garages, guesthouses, storage facilities and all other similar types of accessory structures, whether attached or detached, and required off-street parking. [Emphasis added].*

However, the highlighted section above should reference Section 25.43.070 (D) **and (H)** [not (E)]. Subsection (E) describes the required setback from Coast Highway. The correct reference in this subsection should be to Section (H) which describes the required floor area ratio as it relates to Building Site Coverage. The proposed amendment would correct this clerical error. No other changes are proposed.

Local Coastal Program Amendment Request No. 2-14, submitted via City Council Resolution No. 14.031 and reflected in City Council Ordinance No. 1588, does not propose any rezoning or land use changes. The Laguna Beach City Council held public hearings for the LCP amendment on May 6, 2014 and on May 20, 2014. The City Council adopted Resolution No. 14.031 and Ordinance No. 1588 on May 20, 2014 and submitted it to the Commission's South Coast District office for certification.

ANAYLSIS

The Executive Director has determined that the City of Laguna Beach LCP Amendment 2-14 is a minor LCP amendment. The LCP amendment has been determined to be a "minor" LCP amendment because the proposed changes to correct a typographical error would make the zoning

ordinances and the certified IP more specific and would not change the kind, location, intensity or density of any uses. The proposed changes to the certified LCP are attached in Exhibit #1. The proposed LCP amendment corrects a typographical error such that Subsection 25.43.070(C) correctly cross references Subsection (H). The proposed changes will clarify the City's development regulations and will not result in any changes in the kind, location, intensity or density of uses allowed in the Community Village Zone.

Procedures

Pursuant to Section 30514(c) of the Coastal Act and Section 13554(a) of the California Code of Regulations, the Executive Director has determined that the proposed LCP amendment is "minor" in nature. Section 13554(a) of the California Code of Regulations defines a minor LCP amendment as 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 are consistent with the certified LUP.

The proposed LCP amendment will become effective after reporting to the Commission of any written objections received within ten working days of the mailing of notice unless one-third of the appointed members of the Commission request that the LCP amendment be processed and heard as a "major" LCP amendment pursuant to Section 13555 of the California Code of Regulations.

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RESOLUTION NO. 14.031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, ADOPTING LOCAL COASTAL PROGRAM AMENDMENT 14-728 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 14-728; 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 10-01, 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 14-728 is hereby approved, consisting of Ordinance No. 1588 pertaining to amendments to Title 25 – Zoning. Copies of the aforesaid Ordinance are attached hereto as Exhibit A, and are incorporated by this reference as though fully set forth herein.

SECTION 2. That the California Coastal Commission is hereby requested to consider, approve and certify Laguna Beach Local Coastal Program Amendment No. 14-728.

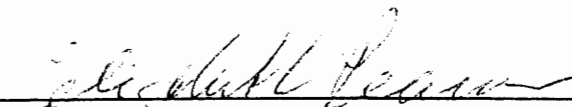
SECTION 3. That pursuant to Section 13551(b) of the Coastal Commission Regulations, Laguna Beach Local Coastal Program Amendment No. 14-728 will automatically

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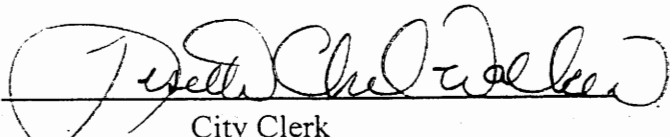
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take effect immediately upon California Coastal Commission approval, as provided in Public Resources Code Sections 30512, 30513 and 30519.

ADOPTED this 20th day of May, 2014.

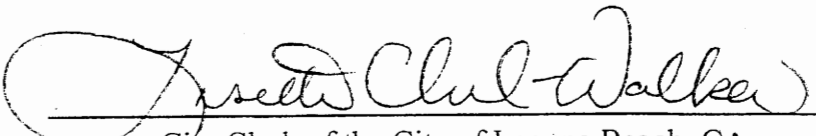

Elizabeth Pearson, Mayor

ATTEST:


City Clerk

I, Lisette Chel-Walker, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Resolution No. 14.031 was duly adopted at a Regular Meeting of the City Council of said City held on May 20, 2014, by the following vote:

AYES: COUNCILMEMBER(S): Boyd, Dicterow, Iseman, Pearson
NOES COUNCILMEMBER(S): None
ABSENT COUNCILMEMBER(S): Whalen


City Clerk of the City of Laguna Beach, CA

ORDINANCE NO. 1588

AN ORDINANCE OF THE CITY OF LAGUNA BEACH CORRECTING SECTION 25.43.070(C) OF THE LAGUNA BEACH MUNICIPAL CODE, RELATING TO BUILDING SITE COVERAGE AND FLOOR AREA REQUIREMENTS IN THE VILLAGE COMMUNITY ZONE

WHEREAS, on October 28, 1992, the Planning Commission conducted a legally noticed public hearing regarding the above topic; and

WHEREAS, on November 17 and December 1, 1992, the City Council conducted legally noticed public hearings and has reviewed and considered all documents, testimony and other evidence presented and adopted the Ordinance 1249, defining building site coverage and floor area in the Village Community Zone;

WHEREAS, it was recently discovered that a clerical error was made in the final adopted version of the definition of "Building Site Coverage" in Section 25.43.070 (C) of the ordinance that necessitates correction;

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

SECTION 1. Section 25.43.070(C) of Chapter 25.43 is hereby amended which reads in its entirety as follows:

(C) Building Site Coverage. The maximum building site coverage and floor area, as specified under Section 25.43.070 (D) and (H), includes the square footage of all enclosed space of the main building and accessory structures such as garages, guesthouses, storage facilities and all other similar types of accessory structures, whether attached or detached, and required off-street parking.

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SECTION 2. This Ordinance is exempt from compliance with the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) of the State CEQA Guidelines, and a Notice of Exemption has been prepared.

SECTION 3. If any portion of this Ordinance, or the application of any such provision to any person or circumstance, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, of the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

SECTION 4. This Ordinance is intended to be of Citywide effect and application. All ordinances and provisions of the Laguna Beach Municipal Code and Sections thereof inconsistent shall be and the same are hereby repealed to the extent of such inconsistency and no further.

SECTION 5. 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 from and after the date of its adoption by the City Council.

ADOPTED this 20th day of May, 2014.


Elizabeth Pearson, Mayor


ATTEST:

Lisette Chel-Walker, City Clerk

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I, Lisette Chel-Walker, City Clerk of the City of Laguna Beach, do hereby certify that Ordinance 1588 was introduced at a regular meeting of the City Council on May 6, 2014 and was finally adopted at a regular meeting of the City Council of said City held on May 20, 2014, by the following vote:

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

NOES: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): Whalen



City Clerk of the City of Laguna Beach, CA

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