

CALIFORNIA COASTAL COMMISSION

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W11b

ADDENDUM

October 1, 2020

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: ADDENDUM TO AGENDA ITEM W11b, Major Amendment Request No. LCP-5-LGB-19-0139-1 (Parking) to the City of Laguna Beach Certified Local Coastal Program for the Commission Meeting of Wednesday, October 7, 2020.

Staff is recommending corrections to Suggested Modification No. 5. Also, staff received one letter of comment from the public. The changes recommended to Suggested Modification No. 5 are below. A response to the comment letter follows that. The public comment letter may be found under the correspondence tab on the agenda website.

A. Correction to Suggested Modification No. 5

Staff is recommending the change below to Suggested Modification No. 5 to revert back to language as originally proposed by the City for a portion of the suggested modification. Suggested Modification No. 5 addresses proposed changes to Section 25.52.012(A) of Title 25 of the certified Implementation Plan. The City has proposed an exception to when evaluation of parking requirements is triggered. This exception would apply when interior division is proposed within an existing commercial structure. The City's proposed language established a minimum square footage for such an interior division. Staff had recommended changing that to a maximum square footage. However, as explained by the City, the intent of establishing a minimum area would prevent over intensive subdividing of commercial spaces that could result in increased parking demand. Staff agrees that the "minimum" square footage best achieves the goals of the proposed "exception." No other changes to the suggested modification are requested by the City or recommended here.

Staff recommends the following change Suggested Modification No. 5:

Changes to the IP proposed by the City are shown in **bold, underline**; and deletions are shown in ~~strike-out~~ text.

The original suggested modification additions are shown in **bold, double underline**; and deletions are shown in ~~bold, double strike-out~~.

The addendum changes to the suggested modification additions are shown in **bold, double underline, highlight**; and deletions are shown in ~~bold, double strike-out, highlight~~.

Suggested Modification No. 5

Section 25.52.012(A), modify as shown below

(A) Minimum Parking Spaces. ~~A minimum of two parking spaces shall be required for all uses/tenancies (excluding multiple family residential uses and~~ **At least the minimum number of parking spaces required shall be provided pursuant to the requirements specified under Municipal Code Section 25.52.012(G)**, unless otherwise specified ~~in this Ordinance~~ **herein**.

Exception: Where an interior division is proposed within an existing commercial structure ~~business, commercial, industrial office, or similar location~~, the amount result of division allowed shall not exceed create more than three additional individual tenant spaces. ~~or~~ Each proposed space shall be less than 500 square feet in size for each proposed space. Subject to Planning Commission review and approval of a Conditional Use Permit and a coastal development permit where required, division of an existing commercial structure ~~business, commercial, office or similar use location~~ can may exceed three additional tenant spaces ~~or be~~ when each space is less than 500 square feet. At the discretion of the Director of Community Development, an engineered parking impact assessment may be required as a component of the Conditional Use Permit and/or Coastal

Development Permit application for a tenant space division. When required, the engineered parking impact assessment must identify measures to offset adverse impacts due to lack of parking.

B. Correspondence Received

Staff received correspondence regarding the subject LCP Amendment (LCP-5-LGB-19-0139-1) on Friday, October 2, 2020 requesting that additional suggested modifications be imposed. Below is staff's response to each of the points raised in the correspondence.

1. Do Not Allow Parking Reductions When the Parking Supply is Insufficient

The correspondent states:

Concern: This LCP amendment allows what may be excessive cumulative impacts to public access because 1) there is nothing requiring a review of cumulative impacts (considering past and possible future requests for parking requirement relaxation); and 2) there is nothing in the plan that addresses the maintenance of a large supply of public parking while allowing new development as recognized in the LCP.

Suggestion: Do not put the cart before the horse by allowing reductions in parking requirements while there is still a lack of supply of public parking alternatives.

Response: The correspondence does not identify specifically what section of the LCPA raises this concern. Nevertheless, staff believes the LCPA, with the suggested modifications, is adequate to consider cumulative impacts of past and future parking requests in that proposed projects that differ from the otherwise required parking standard (i.e. use of in lieu parking certificates or use of innovative parking solutions) are subject to approval of a conditional use permit, a coastal development permit, and also require preparation of a parking demand study.

2. Suggested Modification No. 1

The correspondent states:

Concern: The language 'non-required parking requirements' is contradictory.
Suggestion: strike the portion of the sentence or replace it with 'off-site for additional non-required parking'.

Response: Although the proposed language could be more clear, the language would allow parking in addition to that required by Section 25.52 of the IP to be provided either on-site or off-site via a valet parking plan. The valet plan is subject to approval of a conditional use permit. Staff believes the intent of the language is clear, and thus, no modification is needed.

3. Suggested Modification No. 2

The correspondent states:

Concern: What are 'hardship areas'? There is no known definition in the LCP. How are they designated?

Suggestion: Define 'hardship areas' and the designation process.

Response: As stated in Section 25.52.006(E), hardship areas are designated by the City Council in terms of being able to provide the typical code-required parking. This is existing language in the certified IP, and no changes are proposed to this language. This existing language is intended to allow leeway in requiring all code-required parking for every project, when the City Council finds that central or common parking would be appropriate and adequate to address parking demand. This is consistent with the LUP, which recognizes that there can be various approaches to addressing parking demand, as described in the staff report. To date, the only hardship area recognized by the City Council is the City's Downtown Specific Plan area. Restricting hardship areas to only those designated by the City Council appears to be appropriate. Such an action would require a public hearing. If such a designation would affect the IP, an LCPA would be required, which would also require a public hearing. No change has been requested to this language, and staff does not see a need to make a change at this time.

4. Suggested Modification No. 3

The correspondent states:

Concern: There is no process for public involvement in the review of the innovative parking solutions. The people most likely to be adversely impacted have no avenue to register their input.

Suggestion: Require review of the parking study (at one year and at five years) at a public, noticed hearing. The study should also have a specific and consistent 'baseline' of impacts to pre-project conditions.

Response: The innovative parking solution would be subject to a conditional use permit and a coastal development permit (when required), and so would be subject to a public hearing. The Innovative Parking Solution incentive will expire five years from the date of effectiveness of this LCPA. Retention of the

Innovative Parking Solution incentive requires the City to submit an LCPA request which would include all necessary supporting documentation (i.e. the required one year and five-year parking studies, at a minimum). This too would require a public hearing. Again, this Innovative Parking Solution incentive is intended to find alternate ways to assure public access is provided in ways other than always providing the maximum number of code required parking, which is consistent with the LUP as described in the staff report.

5. Major Remodel

The correspondent states:

Concern: The term 'major remodel' is has [sic] not been adequately described with 'greater specificity' in the municipal as directed by the LUE GLOSSARY entry. Due to this lack, the term is still subject to misinterpretation and inconsistency.

Suggestion: Do not change portions of the LCP related to 'major remodel' until a comprehensive and consistent definition is certified.

Response: Coastal Commission and City staff are currently working on the more specific definition of "major remodel" to be included the IP. However, the change proposed under this LCPA will not preclude application of the more specific definition once added to the IP. The currently proposed change does provide greater clarity in applying the term "major remodel" rather than the language to be deleted ("when more than fifty percent of the gross floor area of an existing building is proposed to be remodeled or reconstructed"). By making this change, it is clear that the definition of major remodel, as it currently exists in the LUE, and as it may be defined in the IP, will apply in terms of its effect on when a project triggers the need to evaluate the parking demand. A future definition of "major remodel" in the IP will necessarily be consistent with the definition currently in the LUE (as that is the standard of review). Thus, while the IP definition may be more specific, it will not be inconsistent with the LUE definition. Staff does not see a need to make a change to the staff recommendation regarding the changes proposed to Section 25.52.004(E)(1)