

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
301 East Ocean Blvd., Suite 300
Long Beach, CA 90802
(562) 590-5071

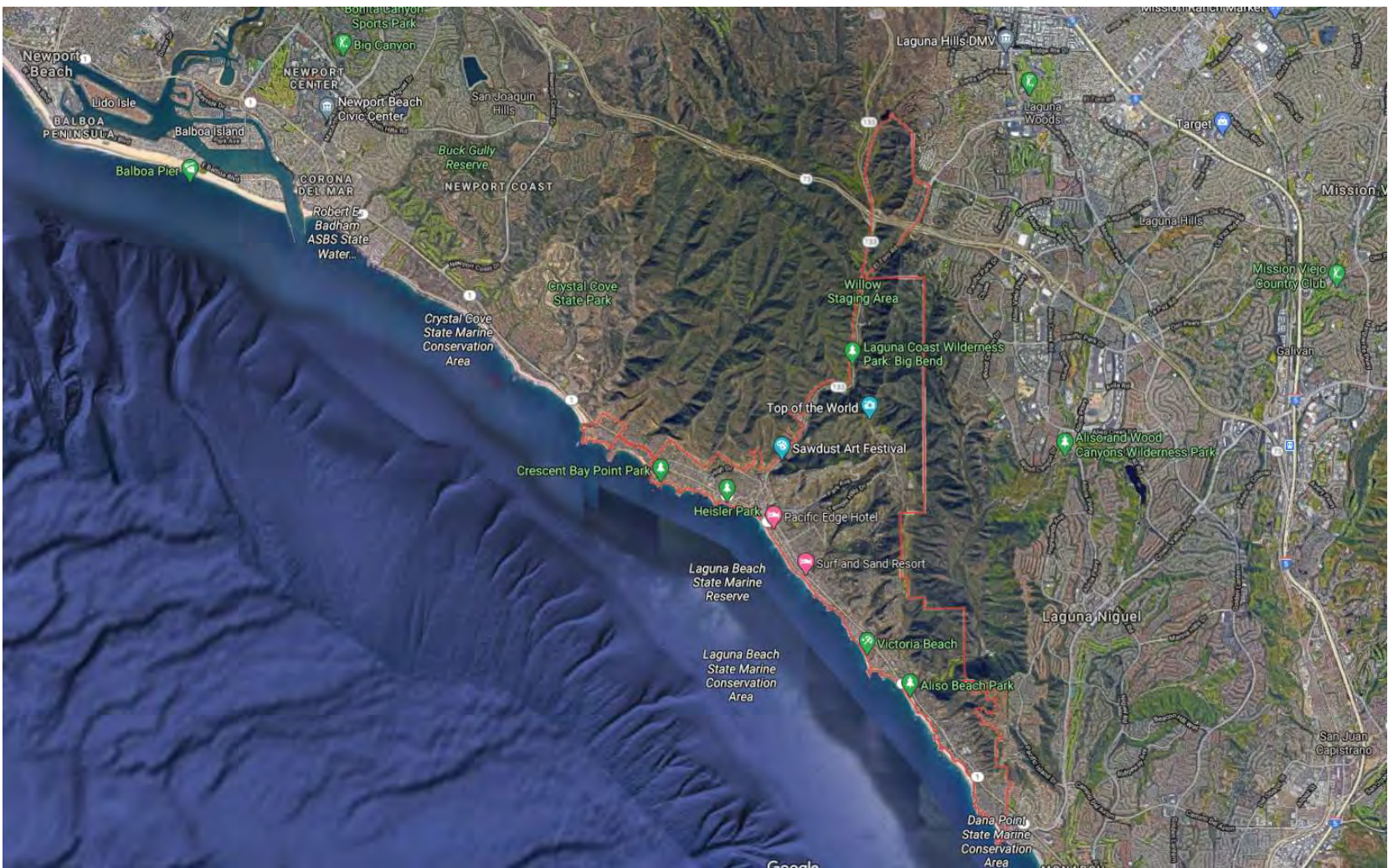


W11b

City of Laguna Beach Major LCP Amendment Request No. LCP-5-LGB-19-0139-1 (Parking) OCTOBER 7, 2020

EXHIBITS

- Exhibit 1 – Vicinity Map
- Exhibit 2 – City Council Resolution No. 19.053
- Exhibit 3 – Ordinance No. 1638 (Final Language as Adopted by City)
- Exhibit 4 - Changes to the LCP IP Proposed by the City (Strike Out/Insert Version)
- Exhibit 5 – Map of Public Parking Lots
- Exhibit 6 – Number of Public Off Street Parking Spaces



City of Laguna Beach
LCP-5-LGB-19-0139-1 (Parking)
Vicinity Map
Exhibit 1a



City of Laguna Beach
LCP-5-LGB-19-0139-1 (Parking)
Vicinity Map
Exhibit 1b

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WHEREAS, after notice duly given pursuant to Government Code Section 65090 and Public Resources Code Sections 30503 and 30510, the Planning Commission conducted a legally noticed public hearing to consider the adoption of Laguna Beach Local Coastal Program Amendment 18-1938 and an Ordinance to amend Sections 25.08.018, 25.52.004, 25.52.006 and 25.52.012 of the Laguna Beach Municipal Code relating to parking requirements; and

WHEREAS, the City Council, after giving notice as prescribed by law, held a public meeting on August 6, 2019 regarding proposed Laguna Beach Local Coastal Program Amendment 18-1938 and an Ordinance to amend provisions of the Laguna Beach Municipal Code relating to parking requirements 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 intends to implement the Local Coastal Program 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 as follows:

SECTION 1. Laguna Beach Local Coastal Program Amendment No 18-1938 is hereby approved, consisting of amendments to Sections 25.08.018, 25.52.004, 25.52.006 and 25.52.012 of the Laguna Beach Municipal Code relating to parking requirements. A copy of Ordinance No. 1638 adopting such amendments is attached hereto as Exhibit "A" and is incorporated by

1 reference as though fully set forth herein.

2 **SECTION 2.** The California Coastal Commission is hereby requested to consider,
3 approve and certify Local Coastal Program Amendment 18-1938.

4 **SECTION 3.** Pursuant to Section 13551(b) of the Coastal Commission Regulations,
5 Laguna Beach Local Coastal Program Amendment No. 18-1938 will take effect automatically
6 upon Coastal Commission approval, as provided in Public Resources Code Sections 30512,
7 30513, and 30519.


8
9 ADOPTED this 6th day of August, 2019.

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11 
12 Bob Whalen, Mayor

12 ATTEST:
13 
14 City Clerk

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16 I, LISETTE CHEL, City Clerk of the City of Laguna Beach, California, do hereby
17 certify that the foregoing Resolution No. 19.053 was duly adopted at a Regular Meeting of
18 the City Council of said City held on August 6, 2019, by the following vote:

19 AYES: COUNCILMEMBER(S): Blake, Iseman, Kempf, Dicterow, Whalen
20 NOES: COUNCILMEMBER(S): None
21 ABSTAIN: COUNCILMEMBER(S): None
22 ABSENT: COUNCILMEMBER(S): None

23
24 
25 City Clerk of the City of Laguna Beach, CA

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Exhibit A

ORDINANCE NO. 1638

AN ORDINANCE OF THE CITY OF LAGUNA BEACH AMENDING SECTIONS 25.08.018, 25.52.004, 25.52.006 AND 25.52.012 OF THE LAGUNA BEACH MUNICIPAL CODE REGARDING PARKING REQUIREMENTS.

WHEREAS, on October 17, 2018, 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 adopt amendments to the provisions of the Laguna Beach Municipal Code relating to parking; and

WHEREAS, on May 21, 2019, July 23, 2019 and August 6, 2019, the City Council conducted legally noticed public hearings and has reviewed and considered all documents, testimony and other evidence presented;

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

SECTION 1. Section 25.08.018 of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

Words beginning with "I."

The following are definitions for words beginning with "I":

"Illuminated" means lighted by means of artificial light the intention of which is to render the object capable of being seen or read;

"Intensification of use" means a use that is changed to a use which has a greater parking requirement and/or the enlargement of the floor area of an existing building.

SECTION 2. Section 25.52.004(E)(1) of the Laguna Beach Municipal Code is

hereby amended to read in its entirety as follows:

(1) When a new building is constructed or when a major remodel is proposed, or a use is changed to a use which has a greater parking requirement, or when the floor area of an existing building is enlarged, then the property owner or applicant shall provide parking or purchase in-lieu parking certificates equivalent to the number of parking spaces required by current parking regulations (up to the maximum allowed in Section 25.52.006(E) for the proposed use having a greater parking requirement, or for the entire building which is enlarged less credit for the following:

- (a) The actual number of parking spaces provided on-site, if any;
- (b) The number of any parking credits granted as described in Section 25.52.006(G);
- (c) The number of previously paid for in-lieu parking certificates for the subject premises, if any; and
- (d) The number of parking spaces that would have been required by the parking regulations in effect in 1958 for the use currently existing on the property, if the building was built prior to that time, minus the actual number of parking spaces provided on-site, if any.

SECTION 3. Section 25.52.006(D) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(D) Valet Parking. Valet parking on a lot, whether proposed on-site or off-site to fulfill parking requirements, requires approval of a conditional use permit. The application shall include a parking plan and program providing the following minimum information:

- (1) Parking space layout, dimension of spaces, drive aisles and valet routes (if the proposed parking is located off-site). Parking lot layout and drive aisle widths shall be subject to review and approval by the fire department;
- (2) Operation information of the lot including whether the valet parking is for the use of employees or customers, including the number of the employees, shift hours and hours that the parking lot would be in use;
- (3) A plan to minimize noise, loitering and trash adjacent to the off-site valet parking lot;
- (4) The drop-off and pick-up areas must be safe from traffic hazards and be adequately posted;
- (5) Valet parking must be off-street and comply with the provisions of Section 25.52.006(A) and (B), regarding common or joint parking areas;
- (6) If an existing approved off-site valet parking area(s) becomes unavailable for any reason, the associated business license, conditional use permit and certificate of use and occupancy shall automatically become null

and void;

(7) Existing off-site valet parking operations not conforming to the provisions of this subsection (D) shall, within six months after receiving appropriate written notice from the community development department, either obtain approval of a conditional use permit or abate such operations. Valet parking currently operating on-site operations as of June 1, 2007, shall continue to be legal nonconforming unless there is a change in intensity or use.

SECTION 4. Section 25.52.006(E) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(E) Special Parking Districts - In-Lieu Parking Certificates. For areas designated by the city council to be hardship areas and for which special districts are formed for the purpose of providing central or common parking facilities and/or improving public transit, the City Council may grant relief from the requirements of this section, to the extent that an individual property owner or lessee participates in or contributes to parking in the central facility and/or improving public transit by acquiring in-lieu parking certificates equivalent to the number of spaces required for his or her individual development. The issuance of parking certificates shall be subject to the following:

(1) For any request of six or more in-lieu parking certificates, a parking demand study shall be completed to evaluate the proposed intensification, potential neighborhood impacts and available nearby off-site and on-street parking when considering issuance of parking certificates and the amount thereof. Proposed intensification shall not negatively impact adjacent

residential neighborhoods, commercial areas and/or coastal access. Mitigations for potential parking impacts shall be incorporated into the parking demand study. A coastal development permit shall be required with issuance of parking certificate(s);

(2) Fees and schedule of payment for such in-lieu parking certificates shall be established by resolution of the city council. The timing of the payment of in-lieu parking certificates shall be paid prior to the issuance of the first business license or building permit unless specified differently by the city council.

SECTION 5. Section 25.52.006(G) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(G) Incentives. The City Council may approve a conditional use permit, upon recommendation by the approval authority, to reduce the parking standards required under this chapter where the proposed use provides for and promotes the use of alternative modes of transportation such as ride-sharing, carpools, vanpools, public transit, bicycles and walking; and where the reduced parking requirement will not adversely impact public access to beaches, parks, open spaces, and trails and one or more of the following conditions apply:

(1) The proposed use is a very low or low income, or disabled housing project;

(2) The proposed use is a sidewalk cafe having outdoor seating available to restaurant customers, which contributes positively to the local pedestrian environment. The parking reduction may be granted on a temporary or seasonal

basis and shall be limited to a maximum of five spaces; and

(3) The proposed use incorporates innovative parking solutions, such as a shuttle service program. Any proposed innovative parking solution shall provide parking mitigation measures at an equivalent ratio to the parking spaces required by Section 25.52.012(G) for the proposed intensification of use. An innovative parking solution shall be described in a detailed program. An example of a program for innovative parking solutions might include, but not limited to, a shuttle service program that indicates the number and capacity of shuttle vehicles, the range of shuttle services, where shuttle vehicles are stored and the hours of shuttle service operation. At the discretion of the Director of Community Development, peer review of such a program may be required and paid by the applicant. Innovative parking solutions shall not reduce the actual number of existing parking spaces.

SECTION 6. Section 25.52.006(H) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(H) Off-Site Parking Spaces. Additional parking that is required for an intensification of nonresidential uses, not involving floor area additions to an existing building envelope, may be satisfied by providing off-site parking spaces subject to the approval of a conditional use permit and compliance with the following minimum standards:

(1) The property providing the off-site parking spaces shall be located on one site and within six hundred feet of the establishment and is restricted in a

form satisfactory to the city (such as a reciprocal parking easement), binding the off-site parking to the use.

(2) The off-site parking spaces shall be available at all times during which the business or commercial use is open or operating;

(3) The proposed off-site parking spaces are not necessary to satisfy the parking requirements of the property on which the parking spaces are located;

(4) The applicant, as part of the application for the conditional use permit, shall submit a detailed parking plan indicating the location of the proposed off-site parking spaces. The off-site parking spaces shall be located so that they safely and adequately serve the purpose for which they are intended. The following factors, among others as deemed appropriate, shall be considered:

(a) Proximity of the off-site parking spaces;

(b) Traffic circulation to and from the off-site parking spaces;

(c) Ease and safety of pedestrian access to and from the off-site parking spaces; and

(d) The type of use of the property on which the off-site parking spaces are located (for example, off-site parking may not be appropriate for high turnover uses such as fast food restaurants and may be problematic).

(5) Appropriate signage shall be required at both the business or commercial use and the off-site parking area. Each off-site parking space shall

be individually and permanently signed indicating the name of the business or commercial use and the operating hours of such use for which those spaces shall be available;

(6) The off-site parking spaces shall be available at no cost to employees, patrons, customers or business-used vehicles of the business or commercial use that is requiring those spaces. The off-site parking spaces may not be used for paid parking purposes during the operating hours of the business or commercial use that is requiring those spaces; and

(7) The applicant and owner of the affected properties (if someone other than the applicant) shall execute and enter into a written agreement in a form satisfactory to the city, and kept on file in the department of community development. The agreement shall ensure the continuous availability of the number and location of the off-site parking spaces required for the duration of the business or commercial use and for the operating hours of such use. Annual proof of the validity of the lease shall be filed with the community development department. The term for the business lease and the off-site parking shall be the same time period. The agreement shall contain an acknowledgment by the applicant that the conditional use permit and any associated business license and/or certificate of use shall automatically be revoked and become null and void if any of the required off-site parking spaces becomes unavailable for any reason without the provision of an equivalent number of replacement on-site parking spaces or approved other off-site parking spaces. Any such revocation

shall be effective upon the applicant's receipt of written notification by the city.

SECTION 7. Section 25.52.012(A) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(A) Minimum Parking Spaces. The minimum parking spaces shall be provided pursuant to the requirements specified under Section 25.52.012(G), unless otherwise specified in this Ordinance.

Exception: Where a division is proposed in an existing business, commercial, industrial office, or similar location, the amount of division allowed shall not exceed three additional individual tenant spaces or be less than 500 square feet in size for each proposed space. Subject to Planning Commission review and approval of a Conditional Use Permit, division of an existing business, commercial, office or similar use location can exceed three additional tenant spaces or be 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 application for a tenant space division.

SECTION 8. Section 25.52.012(D) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(D) Fractional Parking Space. Whenever the computation of the number of parking spaces required by this section results in a fractional parking space, the fractional number shall be rounded up to the nearest whole

number.

Exception: In buildings or complexes (group of two or more commercial establishments, planned, developed, owned and managed as a unit) where the common or joint use of parking areas is proposed and an approved parking allocation plan has been accepted, calculations may result in fractional numbers. When the sum total results in a fractional number, the fractional number shall be rounded to the nearest whole number.

SECTION 9. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") under State CEQA Guideline Sections 15060(c)(2) and 15061(b)(3) in that the proposed amendments are not anticipated to result in a direct or reasonable foreseeable indirect physical change in the environment, nor will the proposed parking provision changes have the potential for causing significant effect on the environment. Pursuant to CEQA Guidelines Section 15382, "Significant effect on the environment" *means "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant."* The proposed Ordinance will not substantially affect or potential substantially affect the City's land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic resources as all potential changes have been thoroughly considered and are anticipated to result in only local economic and business consequences. Additionally,

Public Resources Code Section 21080.5, a provision of CEQA, and Section 15265(c) of the State CEQA Guidelines shift the burden of CEQA compliance to the California Coastal Commission in connection with preparation or amendment to a Local Coastal Program (LCP). The Coastal Commission's LCP review and approval procedures have been found to be functionally equivalent to the environmental review process.

SECTION 10. 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 11. 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.

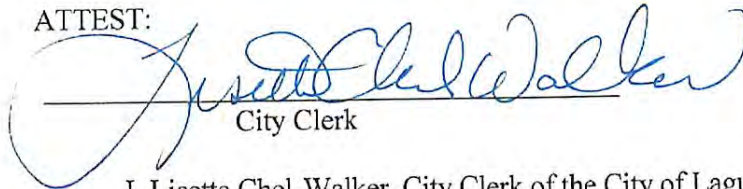
SECTION 12. The City Clerk of the City of Laguna Beach shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published in the manner required by law in the City of Laguna Beach. This Ordinance shall become effective not less than thirty (30) days from and after the date of its adoption by the City Council and upon certification of a corresponding Local Coastal Program Amendment by the California Coastal Commission.

ADOPTED this 6th day of August, 2019.



Mayor

ATTEST:



City Clerk

I, Lisette Chel-Walker, City Clerk of the City of Laguna Beach, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council on July 23, 2019, and was finally adopted at a regular meeting of the City Council of said City held on August 6, 2019, by the following vote:

AYES: COUNCILMEMBER(S): Blake, Iseman, Kempf, Dictterow, Whalen

NOES: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): None



City Clerk of the City of Laguna Beach, CA

ORDINANCE NO. 1638

AN ORDINANCE OF THE CITY OF LAGUNA BEACH AMENDING SECTIONS 25.08.018, 25.52.004, 25.52.006 AND 25.52.012 OF THE LAGUNA BEACH MUNICIPAL CODE REGARDING PARKING REQUIREMENTS.

WHEREAS, on October 17, 2018, 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 adopt amendments to the provisions of the Laguna Beach Municipal Code relating to parking; and

WHEREAS, on May 21, 2019, July 23, 2019 and August 6, 2019, the City Council conducted legally noticed public hearings and has reviewed and considered all documents, testimony and other evidence presented;

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

SECTION 1. Section 25.08.018 of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

Words beginning with “I.”

The following are definitions for words beginning with “I”:

“Illuminated” means lighted by means of artificial light the intention of which is to render the object capable of being seen or read;

“Intensification of use” means a use that is changed to a use which has a greater parking requirement; ~~the subdivision of an existing building or suite by interior walls to accommodate additional uses; and/or; the enlargement~~

of the floor area of an existing building.

SECTION 2. Section 25.52.004(E)(1) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(1) When a new building is constructed or ~~when more than fifty percent of the gross floor area of an existing building is proposed to be remodeled or reconstructed~~ **a major remodel is proposed**, or a use is changed to a use which has a greater parking requirement, or when the floor area of an existing building is enlarged, then the property owner or applicant shall provide parking or purchase in-lieu parking certificates equivalent to the number of parking spaces required by current parking regulations (up to the maximum allowed in Section 25.52.006(E) for the proposed use having a greater parking requirement, or for the entire building which is enlarged less credit for the following:

(a) The actual number of parking spaces provided on-site, if any;

(b) **The number of any parking credits granted as described in Section 25.52.006(G);**

~~(b)~~ (c) The number of any parking credits granted as described in Section 25.52.006(G);

~~(c)~~ (d) The number of previously paid for in-lieu parking certificates for the subject premises, if any; and

(~~de~~) The number of parking spaces that would have been required by the parking regulations in effect in 1958 for the use currently existing on the property, if the building was built prior to that time, minus the actual number of parking spaces provided on-site, if any.

SECTION 3. Section 25.52.006(D) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(D) Valet Parking. Valet parking on a lot, whether proposed on-site or off-site to fulfill parking requirements, or off-site for non-required parking requirements, requires approval of a conditional use permit. The application shall include a parking plan and program providing the following minimum information:

- (1) Parking space layout, dimension of spaces, drive aisles and valet routes (if the proposed parking is located off-site). Parking lot layout and drive aisle widths shall be subject to review and approval by the fire department;
- (2) Operation information of the lot including whether the valet parking is for the use of employees or customers, including the number of the employees, shift hours and hours that the parking lot would be in use;
- (3) A plan to minimize noise, loitering and trash adjacent to the off-site valet parking lot;
- (4) The drop-off and pick-up areas must be safe from traffic hazards and be adequately posted;

(5) Valet parking must be off-street and comply with the provisions of Section 25.52.006(A) and (B), regarding common or joint parking areas;

(6) If an existing approved off-site valet parking area(s) becomes unavailable for any reason, the associated business license, conditional use permit and certificate of use and occupancy shall automatically become null and void;

(7) Existing off-site valet parking operations not conforming to the provisions of this subsection (D) shall, within six months after receiving appropriate written notice from the community development department, either obtain approval of a conditional use permit or abate such operations. Valet parking currently operating on-site operations as of June 1, 2007, shall continue to be legal nonconforming unless there is a change in intensity or use.

SECTION 4. Section 25.52.006(E) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(E) Special Parking Districts - In-Lieu Parking Certificates. For areas designated by the city council to be hardship areas and for which special districts are formed for the purpose of providing central or common parking facilities **and/or improving public transit**, the City Council may grant relief from the requirements of this section, to the extent that an individual property owner or lessee participates in or contributes to parking in the central facility **and/or improving public transit** by acquiring in-lieu parking certificates equivalent to the number of spaces required for his or her individual development, ~~up to a maximum of three certificates for any one site, unless additional~~

~~certificates are approved by the city council as part of a public/private partnership project. More than three in lieu certificates per site shall be allowed only within a special parking district for which a parking and traffic management program is completed and is approved as a local coastal program amendment.~~ **The issuance of parking certificates shall be subject to the following:**

(1) For any request of six or more in-lieu parking certificates, a parking demand study shall be completed to evaluate the proposed intensification, potential neighborhood impacts and available nearby off-site and on-street parking when considering issuance of parking certificates and the number thereof. Proposed intensification shall not negatively impact adjacent residential neighborhoods, commercial areas and/or coastal access. Mitigations for potential parking impacts shall be incorporated into the parking demand study. A coastal development permit shall be required with issuance of parking certificate(s).

~~(12)~~ For any request of six or more in-lieu parking certificates, a parking demand study shall be completed to evaluate the proposed intensification, potential neighborhood impacts and available nearby off-site and on-street parking when considering issuance of parking certificates and the amount thereof. Proposed intensification shall not negatively impact adjacent residential neighborhoods, commercial areas and/or coastal access. Mitigations for potential parking impacts shall be incorporated into the parking demand study. A coastal development permit shall be required with issuance of parking certificate(s);

(2) Fees and schedule of payment for such in-lieu parking certificates shall be established by resolution of the city council. The timing of the payment of in-lieu parking certificates shall be paid prior to the issuance of the first business license or building permit unless specified differently by the city council.

SECTION 5. Section 25.52.006(G) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(G) Incentives. The City Council may approve a conditional use permit, upon recommendation by the approval authority, to reduce the parking standards required under this chapter where the proposed use provides for and promotes the use of alternative modes of transportation such as ride-sharing, carpools, vanpools, public transit, bicycles and walking; and where the reduced parking requirement will not adversely impact public access to beaches, parks, open spaces, and trails and one or more of the following conditions apply:

(1) The proposed use is a very low or low income, or disabled housing project;

~~(2) The proposed use is considered to be equal intensity or less intense than the previous use;~~

~~(3)~~ 2 The proposed use is a sidewalk cafe having outdoor seating available to ~~the general public as well as~~ restaurant customers, which contributes positively to the local pedestrian environment. The parking reduction may be granted on a temporary or seasonal basis and shall be limited to a maximum of ~~five~~ three spaces; **and**

(3) The proposed use incorporates innovative parking solutions, such as a shuttle service program. Any proposed innovative parking solution shall provide parking mitigation measures at an equivalent ratio to the parking spaces required by Section 25.52.012(G) for the proposed intensification of use. An innovative parking solution shall be described in a detailed program. An example of a program for innovative parking solutions might include, but not limited to, a shuttle service program that indicates the number and capacity of shuttle vehicles, the range of shuttle services, where shuttle vehicles are stored and the hours of shuttle service operation. At the discretion of the Director of Community Development, peer review of such a program may be required and paid by the applicant. Innovative parking solutions shall not reduce the actual number of existing parking spaces.

SECTION 6. Section 25.52.006(H) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(H) Off-Site Parking Spaces. Additional parking that is required for an intensification of nonresidential uses, not involving floor area additions to an existing building envelope, may be satisfied by providing off-site parking spaces subject to the approval of a conditional use permit and compliance with the following minimum standards:

(1) The property providing the off-site parking spaces shall ~~either:~~

(a) ~~Be~~ be located on one site and within six hundred feet of the establishment and

is ~~deed~~ restricted in a form satisfactory to the city (such as a reciprocal parking easement), binding the off-site parking to the use. ~~, and recorded with the county clerk recorder ; or,~~

~~(b) For uses in the civic art district only, be owned by the city.~~

(2) The off-site parking spaces shall be available at all times during which the business or commercial use is open or operating;

(3) The proposed off-site parking spaces are not necessary to satisfy the parking requirements of the property on which the parking spaces are located;

(4) The applicant, as part of the application for the conditional use permit, shall submit a detailed parking plan indicating the location of the proposed off-site parking spaces. The off-site parking spaces shall be located so that they safely and adequately serve the purpose for which they are intended. The following factors, among others as deemed appropriate, shall be considered:

(a) Proximity of the off-site parking spaces;

(b) Traffic circulation to and from the off-site parking spaces;

(c) Ease and safety of pedestrian access to and from the off-site parking spaces; and

(d) The type of use of the property on which the off-site parking spaces are located (for example, off-site parking may not be appropriate for high turnover uses such as fast food restaurants and may be problematic).

(5) Appropriate signage shall be required at both the business or commercial use and the off-site parking area. Each off-site parking space shall be individually and permanently signed indicating the name of the business or commercial use and the operating hours of such use for which those spaces shall be available;

(6) The off-site parking spaces shall be available at no cost to employees, patrons, customers or business-used vehicles of the business or commercial use that is requiring those spaces. The off-site parking spaces may not be used for paid parking purposes during the operating hours of the business or commercial use that is requiring those spaces; and

(7) The applicant and owner of the affected properties (if someone other than the applicant) shall execute and enter into a written agreement in a form satisfactory to the city, and kept on file in the department of community development. The agreement shall ensure the continuous availability of the number and location of the off-site parking spaces required for the duration of the business or commercial use and for the operating hours of such use. Annual proof of the validity of the lease shall be filed with the community development department. The term for the business lease and the off-site parking shall be the same time period. The agreement shall contain an acknowledgment by the applicant that the conditional use permit and any associated business license and/or certificate of use shall automatically be revoked and become null and void if any of the required off-site parking spaces becomes unavailable for any

reason without the provision of an equivalent number of replacement on-site parking spaces or approved other off-site parking spaces. Any such revocation shall be effective upon the applicant's receipt of written notification by the city.

SECTION 7. Section 25.52.012(A) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(A) Minimum Parking Spaces. The minimum parking spaces shall be provided pursuant to the requirements specified under Section 25.52.012(G), unless otherwise specified in this Ordinance.

Exception: Where a division is proposed in an existing business, commercial, industrial office, or similar location, the amount of division allowed shall not exceed three additional individual tenant spaces or be less than 500 square feet in size for each proposed space. Subject to Planning Commission review and approval of a Conditional Use Permit, division of an existing business, commercial, office or similar use location can exceed three additional tenant spaces or be 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 application for a tenant space division.

SECTION 8. Section 25.52.012(D) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(D) Fractional Parking Space. Whenever the computation of the number

of parking spaces required by this section results in a fractional parking space, the fractional number shall be rounded up to the nearest whole number.

Exception: In buildings or complexes (group of two or more commercial establishments, planned, developed, owned and managed as a unit) where the common or joint use of parking areas is proposed and an approved parking allocation plan has been accepted, calculations may result in fractional numbers. When the sum total results in a fractional number, the fractional number shall be rounded to the nearest whole number.

SECTION 9. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) under State CEQA Guideline Sections 15060(c)(2) and 15061(b)(3) in that the proposed amendments are not anticipated to result in a direct or reasonable foreseeable indirect physical change in the environment, nor will the proposed parking provision changes have the potential for causing significant effect on the environment. Pursuant to CEQA Guidelines Section 15382, “Significant effect on the environment” *means “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.”* The proposed Ordinance will not substantially affect or potential substantially affect the City’s land, air, water, minerals, flora, fauna, ambient noise, and objects

of historic or aesthetic resources as all potential changes have been thoroughly considered and are anticipated to result in only local economic and business consequences. Additionally, Public Resources Code Section 21080.5, a provision of CEQA, and Section 15265(c) of the State CEQA Guidelines shift the burden of CEQA compliance to the California Coastal Commission in connection with preparation or amendment to a Local Coastal Program (LCP). The Coastal Commission's LCP review and approval procedures have been found to be functionally equivalent to the environmental review process.

SECTION 10. 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 11. 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 12. 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 not less than thirty (30) days from and after the date of its adoption by the City Council and upon certification of a corresponding Local Coastal Program Amendment by the California Coastal Commission.

ADOPTED this 6th day of August, 2019.

Mayor

ATTEST:

City Clerk

I, Lisette Chel-Walker, City Clerk of the City of Laguna Beach, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council on July 23, 2019, and was finally adopted at a regular meeting of the City Council of said City held on August 6, 2019, by the following vote:

AYES: COUNCILMEMBER(S): Blake, Iseman, Kempf, Dieterow, Whalen

NOES: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): None

City Clerk of the City of Laguna Beach, CA



PUBLIC PARKING

- 1 Broadway Lot - 226 Broadway Street
- 2 Peppertree Lot - 322 Forest Avenue
- 3 Ocean Avenue West Lot B - 243 Ocean Avenue
- 4 Ocean Avenue East Lot A - 225 Ocean Avenue
- 5 Mermaid Lot - 348 Glenneyre Street
- 6 Glenneyre Structure - 501 Glenneyre Street
- 7 Treasure Island Surface Lot - 30801 Coast Highway
- 8 Treasure Island Garage - 30993 Coast Highway
- 9 Fred Lang Lot - 21540 Wesley Drive
- 10 Laguna Canyon Road Lot - 635 Laguna Canyon Road
- 11 Forest/Laguna Canyon Lot - 725 Laguna Canyon Road
- 11E Employee Lot - 725 Laguna Canyon Road
(No public parking M - F from 6a to 6p)
- 12 Lumbervyard Lot - 521 Forest Avenue
- 13 Laguna Beach Community and Susi Q Center - 380 Third Street
- 14 Hagan Place Structure - 480 Mermaid Street
- 15 Act V Lot - (Currently Closed)
- 16 Laguna College of Art + Design - (Currently Closed)
- 17 Mission Hospital Lot - 31872 Coast Highway
(Free public parking Fridays after 5p and all day Sat & Sun)
- 19 Seacove Lot - 31681 Coast Highway
- 20 Legion Lot - 303 Legion Street

To I-5 and I-405
To Hwy 73 N

Laguna College of Art + Design
Act V Parking

Festival of Arts/
Pageant of the Masters
The Laguna Playhouse

Transit Depot

Sawdust Art Festival
Laguna Art-A-Fair

Canyon Acres

Pacific Marine
Mammal Center
Dog Park

El Toro / To Hwy 73S

Laguna Cyn

Forest

Ocean

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Mermaid

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Summer Season Parking Lots

Lot	Number of spaces
1	26
2	38
3	24
4	18
5	15
6	215
7	31
8	39
9	29
10	63
11	46
12	79
13	79
14	72
15	25
16	200
17	239
18	154
19	100+
20	10
21	10

Off Season Parking Lots

Lot	Number of spaces
1	26
2	38
3	24
4	18
5	15
6	215
7	31
8	39
9	29
10	63
11	46
12	79
13	79
14	72
15	25
16	200
17	239
20	10
21	10