

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302
(562) 590-5071



August 25, 2020

W11b

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director
Amber Dobson, District Manager
Zach Rehm, District Supervisor
Marlene Alvarado, Coastal Program Analyst

SUBJECT: Concurrence with the Executive Director's determination that the action by the City of Laguna Beach accepting certification of LCP Amendment No. LCP-5-LGB-20-0004-3 with suggested modifications is legally adequate.

On December 30, 2019 the City of Laguna Beach submitted to the Coastal Commission a request to amend the Implementation Plan (IP) of the City's Local Coastal Program (LCP). The request was submitted with City Council Resolution No. 19-093 and City Council Ordinance No. 1642. The LCP Amendment proposed to correct or clarify ambiguities within the existing language of Title 25, including: 1) provide clarifications to the exemptions provisions of the IP, including but not limited to the existing repair and maintenance provisions; 2) create a new section with procedures for waiver for certain de minimis development; 3) provide clarification on the effective date of a coastal development permit when a project is appealed to, and approved by, the Coastal Commission; 4) create a new section with procedures for administrative review and waiver of public hearings for certain minor development; and 5) eliminate the requirement for all coastal development permit applications to also require design review.

On June 15, 2020, the Commission approved LCP-5-LGB-20-0004-3 with suggested modifications to more clearly identify what constitutes development requiring a CDP, provide for a de minimis waiver and administrative design review process, clarify specific types of development exempt from CDP requirements, and establish the standards and procedures that must be met and implemented, all consistent with Coastal Act and Land Use Plan (LUP) requirements. In addition, the IP, as modified, would maximize public involvement in coastal permitting decisions.

On July 14, 2020, within 180 days of Commission action on the LCP amendment, the Laguna Beach City Council adopted Resolution No. 20.046, approving LCP Amendment No. 19-4969, incorporating the modifications suggested by the Commission pursuant to

its approval. On July 29, 2020, the City submitted Resolution No. 20.046 adopted by the City Council to the Executive Director for a determination that the City's action is consistent with the Commission's June 15, 2020 action (**Exhibit 1**).

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the City of Laguna Beach acknowledging receipt and acceptance of and agreement with the Commission's certification of the above-referenced LCP amendment with suggested modifications 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 a majority of the Commissioners object to the Executive Director's determination, the certification of City of Laguna Beach LCP Amendment No. LCP-5-LGB-20-0004-3 shall become effective upon the filing of the required Notice of Certification with the Secretary of Natural Resources as provided in Public Resources Code Section 21080.5(d)(2)(E).

STAFF RECOMMENDATION

Staff recommends that the Commission concur with the Executive Director's determination that the City's action is legally adequate.