

CALIFORNIA COASTAL COMMISSION

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W10a



April 26, 2021

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director
Amber Dobson, District Manager
Zach Rehm, Supervisor of Planning
Meg Vaughn, Staff Analyst

RE: Concurrence with the Executive Director's determination that the action of the City of Laguna Beach accepting certification with suggested modifications of LCP Amendment No. LCP-5-LGB-19-0139-1 (In lieu Parking Certificates, Innovative Parking Solutions, et al.) is legally adequate. For Commission review at the May 12, 2021 meeting.

On September 4, 2019, the City of Laguna Beach submitted a request to amend its certified Local Coastal Program (LCP) Implementation Plan (IP). The LCPA was submitted pursuant to City Council Resolution No. 19.053 which requests action on Ordinance No. 1638. On September 4, 2019, the Executive Director determined that City of Laguna Beach LCP Amendment Request No. LCP-5-LGB-19-0139-1 was in proper order and legally adequate to comply with the submittal requirements of the Coastal Act and the California Code of Regulations and was deemed complete. On November 13, 2019, the Commission granted a one-year extension of the time limit for action on the LCPA.

City of Laguna Beach LCP Amendment No. LCP-5-LGB-19-0139-1 amended the following sections of Title 25 the City's Zoning Code, one of the components of the certified IP: Chapter 25.08 Definitions: Section 25.08.018 regarding the definition of "intensity"; and Chapter 25.52 Parking Requirements: Sections 25.52.004, 25.52.006, 25.52.012 regarding various parking standards. The LCP amendment modifies requirements regarding the number of parking spaces that must be provided in conjunction with various types of development and defines more specifically when an intensification of use triggers the need for additional parking spaces. More specifically, the changes affect the use of in-lieu parking certificates; add a new incentive (innovative parking solutions) to the existing list of incentives for which a reduction in the number of parking spaces required is allowed; make a change to an existing incentive regarding outdoor cafes; eliminate the previously required minimum number of two parking spaces regardless of type of use; address off-site valet parking; and change the number of parking spaces required for interior divisions within an existing commercial structure.

On October 7, 2020, the Commission approved City of Laguna Beach LCPA No. LCP-5-LGB-19-0139-1 with suggested modifications necessary to preserve public beach access parking for coastal visitors and to clarify that visitor serving uses are the priority type of land use in the portions of the downtown and the rest of the City's coastal zone near the public beaches. The

Executive Director's Determination of Adequacy
City of Laguna Beach LCP No. LCP-5-LGB-19-0139-1

suggested modifications were necessary to bring the LCPA into conformance with the public access and priority of use provisions of the certified Land Use Plan.

On January 12, 2021, the Laguna Beach City Council adopted Resolution No. 21-003 adopting Local Coastal Program Amendment 18-1938 as modified by the Coastal Commission and adopting the Coastal Commission suggested modifications as Exhibit A to the resolution. The City submitted the modifications to the Executive Director with Resolution No. 21-003 on February 10, 2021 for a determination that the City's action is consistent with the Commission's October 7, 2020 action. The City subsequently corrected two clerical errors that appeared in the resolution and provided a copy of the corrected language (see attachment).

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 Implementation Plan Amendment No. LCP-5-LGB-19-0139-1 shall become effective upon the filing of the required Notice of Certification with the Secretary of 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.