

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD., SUITE 300  
LONG BEACH, CA 90802-4830  
(562) 590-5071



# Th10b

**LCP-5-LGB-22-0021-2 (City of Laguna Beach)**

**September 7, 2023**

## EXHIBITS

Exhibit 1 – City of Laguna Beach LCP Amendment No. 21-9984  
and Zoning Ordinance Amendment No. 1673

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**RESOLUTION NO. 22.033**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, APPROVING LOCAL COASTAL PROGRAM AMENDMENT 21-9984 TO AMEND PORTIONS OF CHAPTERS 25.18 (LOCAL BUSINESS-PROFESSIONAL ZONE), 25.19 (C-N COMMERCIAL-NEIGHBORHOOD ZONE), 25.20 (LOCAL BUSINESS DISTRICT), 25.21 (CH-M COMMERCIAL HOTEL-MOTEL ZONE), 25.25 (SLV, SOUTH LAGUNA VILLAGE COMMERCIAL ZONE), 25.28 (I INSTITUTIONAL ZONE), AND 25.32 (M-1A LIGHT INDUSTRIAL ZONE) OF THE LAGUNA BEACH MUNICIPAL CODE, AND REQUESTING ITS CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION**

---

**WHEREAS**, most commercial zones currently exempt subterranean parking garage floor levels from the applicable building height measurements only if the garage access ramp begins its descent within the ground floor building footprint; and

**WHEREAS**, broadening this allowance to also apply to subterranean garages designed with an access ramp outside of the building footprint would create design flexibility and improve the City's ability to promote the development of below-grade parking as an alternative to more visually impactful parking facilities such as tuck-under parking and surface parking lots; and

**WHEREAS**, in 2020, the Planning Commission formed a subcommittee to investigate concerns raised by a downtown property owner regarding this commercial building height standard; and

**WHEREAS**, the subcommittee presented their recommendations to the Planning Commission at a public hearing on July 1, 2020, at which time the Planning Commission directed staff to request City Council authorization to continue its work on this effort; and

**WHEREAS**, on October 13, 2020, the City Council granted the Planning Commission's request to proceed with a proposed amendment to the Zoning Ordinance and Local Coastal Program; and

**WHEREAS**, in accordance with City Council direction, staff has drafted amendments to the Zoning Ordinance that expand the building height exemption for subterranean parking garage floor levels, irrespective of how the access ramp is designed; and

**WHEREAS**, the subject Zoning Ordinance Amendment and associated Local Coastal

1 Program (LCP) Amendment are consistent with the City’s General Plan, certified Local Coastal  
2 Program, and Chapter 6 of the California Coastal Act; and

3 **WHEREAS**, on October 6, 2021 and January 5, 2022, the Planning Commission held duly  
4 noticed public hearings and voted unanimously to recommend that the City Council approve LCP  
5 Amendment 21-9984 to amend portions of Chapters 25.18 (Local Business-Professional Zone), 25.19  
6 (C-N Commercial-Neighborhood Zone), 25.20 (Local Business District), 25.21 (CH-M Commercial  
7 Hotel-Motel Zone), 25.25 (SLV South Laguna Village Commercial Zone), 25.28 (I Institutional Zone),  
8 and 25.32 (M-1A Light Industrial Zone) of the Municipal Code, and establish the Guidelines for  
9 Commercial Garage Design (the “Guidelines”); and

10 **WHEREAS**, on April 26, 2022, the City Council held a duly noticed public hearing and  
11 introduced Ordinance No. 1673 and LCP Amendment 21-9984 to amend portions of Chapters 25.18  
12 (Local Business-Professional Zone), 25.19 (C-N Commercial-Neighborhood Zone), 25.20 (Local  
13 Business District), 25.21 (CH-M Commercial Hotel-Motel Zone), 25.25 (SLV South Laguna Village  
14 Commercial Zone), 25.28 (I Institutional Zone), and 25.32 (M-1A Light Industrial Zone) of the  
15 Municipal Code and establish the Guidelines, and passed it to a second reading; and

16 **WHEREAS**, on May 10, 2022, the City Council approved the second reading of and adopted  
17 Ordinance No. 1673 to amend portions of Chapters 25.18 (Local Business-Professional Zone), 25.19  
18 (C-N Commercial-Neighborhood Zone), 25.20 (Local Business District), 25.21 (CH-M Commercial  
19 Hotel-Motel Zone), 25.25 (SLV South Laguna Village Commercial Zone), 25.28 (I Institutional Zone),  
20 and 25.32 (M-1A Light Industrial Zone) of the Municipal Code and establish the Guidelines; and

21 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH**  
22 **DOES RESOLVE AND ORDER** as follows:

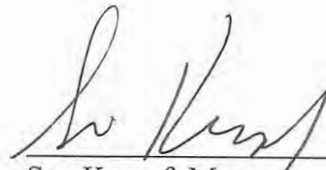
23 **SECTION 1.** LCP Amendment 21-9984 is hereby approved, amending portions of Chapters  
24 25.18 (Local Business-Professional Zone), 25.19 (C-N Commercial-Neighborhood Zone), 25.20  
25 (Local Business District), 25.21 (CH-M Commercial Hotel-Motel Zone), 25.25 (SLV South Laguna  
26 Village Commercial Zone), 25.28 (I Institutional Zone), and 25.32 (M-1A Light Industrial Zone) of the  
27 Municipal Code and establishing the Guidelines. A copy of Ordinance No. 1673 adopting such  
28 amendments is attached hereto as Exhibit “A” and incorporated by reference as though fully set forth

1 herein.

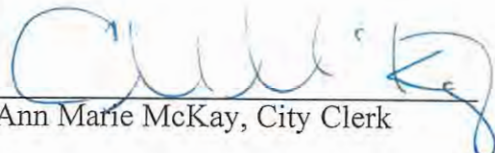
2 **SECTION 2.** The California Coastal Commission is hereby requested to consider, approve,  
3 and certify LCP Amendment 21-9984.

4 **SECTION 3.** Pursuant to Section 13551(b) of the Coastal Commission Regulations in Title  
5 14 of the California Code of Regulations, Laguna Beach LCP Amendment 21-9984 will take effect  
6 automatically upon Coastal Commission approval, as provided in Public Resources Code Sections  
7 30512, 30513, and 30519.

8 ADOPTED this 10<sup>th</sup> day of May, 2022.

9  
10   
11 Sue Kempf, Mayor

12 ATTEST:

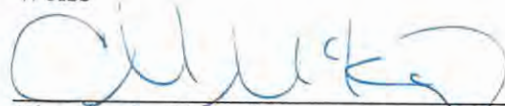
13   
14 Ann Marie McKay, City Clerk

15  
16 I, Ann Marie McKay, City Clerk of the City of Laguna Beach, certify that the foregoing  
17 Resolution No. 22.033 was duly adopted at a regular meeting of the City Council of said City held  
18 on May 10, 2022, by the following vote:

19  
20 AYES: COUNCILMEMBERS: Blake, Iseman, Whalen, Kempf

21 NOES: COUNCILMEMBERS: None

22 ABSTAIN: COUNCILMEMBERS: Weiss

23   
24 City Clerk, City of Laguna Beach, California  
25  
26  
27  
28

**ORDINANCE NO. 1673**

**AN ORDINANCE OF THE CITY OF LAGUNA BEACH, CALIFORNIA,  
AMENDING LAGUNA BEACH MUNICIPAL CODE CHAPTERS  
25.18, 25.19, 25.20, 25.21, 25.25, 25.28, AND 25.32 RELATING TO  
BUILDING HEIGHT ALLOWANCES FOR COMMERCIAL  
STRUCTURES PROVIDING SUBTERRANEAN PARKING  
FACILITIES**

---

**WHEREAS**, most commercial zones currently exempt subterranean parking garage floor levels from the applicable building height measurements only if the garage access ramp begins its descent within the ground floor building footprint; and

**WHEREAS**, broadening this allowance to also apply to subterranean garages designed with an access ramp outside of the building footprint would create design flexibility and improve the City's ability to promote the development of below-grade parking as an alternative to more visually impactful parking facilities such as tuck-under parking and surface parking lots; and

**WHEREAS**, in 2020, the Planning Commission formed a subcommittee to investigate concerns raised by a downtown property owner regarding this commercial building height standard; and

**WHEREAS**, the subcommittee presented their recommendations to the Planning Commission at a public hearing on July 1, 2020, at which time the Planning Commission directed staff to request City Council authorization to continue its work on this effort; and

**WHEREAS**, on October 13, 2020, the City Council granted the Planning Commission's request to proceed with a proposed amendment to the Zoning Ordinance and Local Coastal Program; and

**WHEREAS**, in accordance with City Council direction, staff has drafted amendments to the Zoning Ordinance that expand the building height exemption for subterranean parking garage

floor levels, irrespective of how the access ramp is designed; and

**WHEREAS**, the subject Zoning Ordinance Amendment and associated Local Coastal Program (LCP) Amendment is consistent with the City's General Plan and certified Local Coastal Program; and

**WHEREAS**, on October 6, 2021 and January 5, 2022, the Planning Commission held duly noticed public hearings and voted unanimously to recommend that the City Council approve Zoning Ordinance Amendment 21-9983 and LCP 21-9984 to amend portions of Chapters 25.18 (Local Business-Professional Zone), 25.19 (C-N Commercial-Neighborhood Zone), 25.20 (Local Business District), 25.21 (CH-M Commercial Hotel-Motel Zone), 25.25 (SLV South Laguna Village Commercial Zone), 25.28 (I Institutional Zone), and 25.32 (M-1A Light Industrial Zone) of the Municipal Code, and establish the Guidelines for Commercial Garage Design (the "Guidelines"); and

**WHEREAS**, on April 26, 2022, the City Council held a duly noticed public hearing to consider the Planning Commission's recommendation and the testimony and evidence presented to the City Council;

**WHEREAS**, at a regular meeting conducted on May 10, 2022, the City Council adopted Zoning Ordinance Amendment 21-9983 and LCP 21-9984;

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

**SECTION 1.** Section 25.18.008(F)(2) ("Local Business-Professional Zone, Property Development Standards – Building Height Standards") of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(F) Building Height Standards. The following building height limits represent the maximum heights permitted and may be reduced as determined appropriate by the design review authority.

(2) The height of any building (per the “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet. This thirty-six foot height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. The following shall be exempt from the maximum height measurement:

a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.

b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

**SECTION 2.** Section 25.19.008(E)(2) (“C-N Commercial-Neighborhood Zone, Property Development Standards – Building Height Standards”) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(E) Building Height Standards. The following building height limits represent the maximum heights permitted and may be reduced as determined appropriate by the design review authority.

(2) The height of any building (per the “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty feet and two floors. The thirty-foot

height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosures, elevator shafts, stairways and other such structural elements required for the operation of the building. Subterranean floors shall also be exempt from the two floor limit. The following shall be exempt from the maximum height measurement and two-story limit:

- a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.
- b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

**SECTION 3.** Section 25.20.008(D)(2) (“C-1 Local Business District, Property Development Standards – Building Height Standards”) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(D) Building Height Standards. The following building height limits represent the maximum heights permitted and may be reduced as determined appropriate by the design review authority.

(2) The height of any building (per the “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet. This thirty-six-foot height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. The following shall be exempt from the maximum height measurement:



- a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.
- b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

**SECTION 4.** Section 25.21.006(D)(2) (“CH-M Commercial Motel-Hotel Zone, Property Development Standards – Building Height Standards”) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(D) Building Height Standards. The following building height limits represent the maximum heights permitted and may be reduced as determined appropriate by the design review authority.

(2) The height of any building (per the “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet. The thirty-six-foot height limit includes roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. The following shall be exempt from the maximum height measurement:

- a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.
- b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor

levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

**SECTION 5.** Section 25.25.008(F)(2) (“SLV South Laguna Village Commercial Zone, Property Development Standards – Building Height Standards”) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(F) Building Height Standards.

(2) Building height shall be limited to two stories, not to exceed the above height limits or twenty-two feet, excluding roof, as measured from the curb, whichever is more restrictive. No point of the building elevation height shall exceed thirty feet as measured from natural or finished grade, whichever is more restrictive. These building heights represent the maximum permitted and may be reduced as determined appropriate by the design review board. The following shall be exempt from the maximum height measurement and two-story limit:

- a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.
- b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

**SECTION 6.** Section 25.28.030(D) (“I Institutional Zone, Property Development Standards – Building Height Standards”) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(D) Building Height Standards.

(1) The maximum overall height of any building (per the “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet. This thirty-six-foot height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. The following shall be exempt from the maximum height measurement:

- a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.
- b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

**SECTION 7.** Section 25.32.005(C) (“M-1A Light Industrial Zone, Property Development Standards – Building Height Standards”) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(C) Building Height Standards.

(1) The maximum height of any building (per the “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet. This thirty-six-foot height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. The following shall be exempt from the maximum height measurement:

- a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.
- b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

**SECTION 8.** The City Council finds that this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3) in that the proposed amendments are not anticipated to result in a direct or reasonably foreseeable indirect physical change in the environment, nor will the proposed changes have the potential for causing a significant effect on the environment. Additionally, Public Resources Code Section 21080.5, a provision of the California Environmental Act (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.

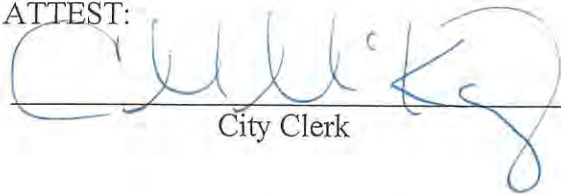
All ordinances and provisions of the Laguna Beach Municipal Code and Sections thereof inconsistent shall be and the same are hereby repealed to the extent of such inconsistency and no further.

**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 10<sup>th</sup> day of May, 2022.

  
\_\_\_\_\_  
Sue Kempf, Mayor

ATTEST:

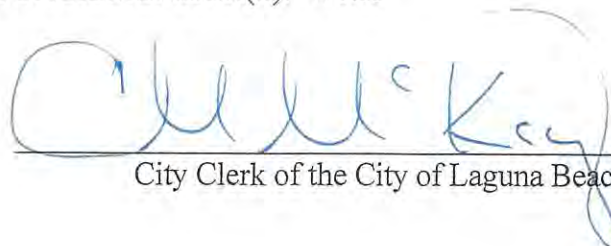
  
\_\_\_\_\_  
City Clerk

I, Ann Marie McKay, 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 April 26, 2022, and was finally adopted at a regular meeting of the City Council of said City held on May 10, 2022, by the following vote:

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

NOES: COUNCILMEMBER(S): None

ABSTAIN: COUNCILMEMBER(S): Weiss

  
\_\_\_\_\_  
City Clerk of the City of Laguna Beach, CA

Modifications to Section 25.18.008(F), Local Business-Professional Zone, Property Development Standards – Building Height Standards

**25.18.008(F) Building Height Standards.**

(F) Building Height Standards. The following building height limits represent the maximum heights permitted and may be reduced as determined appropriate by the design review authority.

(1) The height of any building shall not exceed the applicable height limits shown below measured vertically to any point along the applicable reference line that creates a horizontal plane longitudinally over the entire lot:

<b>Rear Lot Line Above Street (slope in percent)</b>	<b>Height Permitted Above Rear Lot Line Elevation (at every point along the rear lot line)</b>
0 to 5	22 ft.
5+ to 10	17 ft.
over 10	12 ft.

<b>Through Lot (slope in percent)</b>	<b>Height Permitted Above Upper Curb or Street Elevation</b>
0 to 5	25 ft.
5+ to 10	22.5 ft.
Over 10	20 ft.

<b>Rear Lot Line Below Street (slope in percent)</b>	<b>Height Permitted Above Upper Curb or Street Elevation</b>
0 to 5	25 ft.
5+ to 10	22.5 ft.
Over 10	20 ft.

(2) The height of any building (per the ~~building height~~ “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet ~~, including parking garage floor levels with access ramps located outside the structure’s ground floor footprint. Notwithstanding the building height definition Exception (4);~~ This thirty-six foot height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. ~~Per the building height definition, subterranean floors are exempt from the height measurement limit. The following shall be exempt from the maximum height measurement:~~

a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.

b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

(3) The provisions of Section 25.50.004(D) pertaining to additional building setbacks shall apply to the front and rear setbacks.

(4) Notwithstanding the front lot line definition and exception process of Section 25.08.022, the front lot line shall be the property line abutting the most primary or highest capacity road classification.

## Modifications to Section 25.19.008(E), C-N Commercial-Neighborhood Zone, Property Development Standards – Building Height Standards

### 25.19.008(E) Building Height Standards.

(E) Building Height Standards. The following building height limits represent the maximum heights permitted and may be reduced as determined appropriate by the design review authority.

(1) The height of any building shall not exceed the applicable height limits shown below measured vertically to any point along the applicable reference line that creates a horizontal plane longitudinally over the entire lot:

<b>Rear Lot Line Above Street (slope in percent)</b>	<b>Height Permitted Above Rear Lot Line Elevation (at every point along the rear lot line)</b>
0 to 5	22 ft.
5+ to 10	17 ft.
Over 10	12 ft.

<b>Through Lot (slope in percent)</b>	<b>Height Permitted Above Upper Curb or Street Elevation</b>
0 to 5	27 ft.
5+ to 10	25 ft.
Over 10	20 ft.

<b>Rear Lot Line Below Street (slope in percent)</b>	<b>Height Permitted Above Upper Curb or Street Elevation</b>
0 to 5	27 ft.

5+ to 10	25 ft.
Over 10	20 ft.

(2) The height of any building (per the ~~building height~~ “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty feet and two floors, ~~including parking garage floor levels with access ramps located outside the structure’s ground floor footprint. Notwithstanding the building height definition Exception (4),~~ The thirty-foot height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosures, elevator shafts, stairways and other such structural elements required for the operation of the building. ~~Per the building height definition, subterranean floors are exempt from the height measurement limit. Subterranean floors shall also be exempt from the two floor limit. The following shall be exempt from the maximum height measurement and two-story limit:~~

- a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.
- b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

(3) The provisions of Section 25.50.004(D) pertaining to additional building setbacks shall apply to the front and rear setbacks.

(4) Notwithstanding the front lot line definition and exception process of Section 25.08.022, the front lot line shall be the property line abutting the most primary or highest capacity road classification.

## Modifications to Section 25.20.008(D), C-1 Local Business District, Property Development Standards – Building Height Standards

### 25.20.008(D) Building Height Standards.

(D) Building Height Standards. The following building height limits represent the maximum heights permitted and may be reduced as determined appropriate by the design review authority.

(1) The height of any building shall not exceed the applicable height limits shown below measured vertically to any point along the applicable reference line that creates a horizontal plane longitudinally over the entire lot:

<b>Rear Lot Line Above Street (slope in percent)</b>	<b>Height Permitted Above Rear Lot Line (at every point along the rear lot line)</b>
0 o 5	22 ft.
5+ to 10	17 ft.



Over 10 12 ft.

**Through Lot (slope in percent)**

**Height Permitted Above Upper Curb  
or Street Elevation**

0 to 5	30 ft.
5+ to 10	25 ft.
Over 10	20 ft.

**Rear Lot Line Below Street (slope in percent)**

**Height Permitted Above Upper Curb  
or Street Elevation**

0 to 5	30ft.
5+ to 10	25 ft.
Over 10	20 ft.

(2) The height of any building (per the ~~building height~~ “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet, ~~including parking garage floor levels with access ramps located outside the structure’s ground floor footprint.~~ This thirty-six-foot height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. ~~Per the building height definition, subterranean floors are exempt from the height measurement limit.~~ The following shall be exempt from the maximum height measurement:

- a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.
- b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

(3) The provisions of Section 25.50.004(D) pertaining to additional building setbacks shall apply to the front and rear setbacks.

(4) Notwithstanding the front lot line definition and exception process of Section 25.08.022, the front lot line shall be the property line abutting the most primary or highest capacity road classification.

Modifications to Section 25.21.006(D), CH-M Commercial Hotel-Motel Zone, Property Development Standards – Building Height Standards

**25.21.006(D). Building Height Standards.**

(D) Building Height Standards. The following building height limits represent the maximum heights permitted and may be reduced as determined appropriate by the design review authority.

(1) The height of any building shall not exceed the applicable height limits shown below measured vertically to any point along the applicable reference line that creates a horizontal plane longitudinally over the entire lot:

<b>Rear Lot Line Above Street (slope in percent)</b>	<b>Height Permitted Above Rear Lot Line (at every point along the rear lot line)</b>
0 to 5	22 ft.
5+ to 10	17 ft.
Over 10	12 ft.

<b>Through Lot (slope in percent)</b>	<b>Height Permitted Above Upper Curb or Street Elevation</b>
0 to 5	30 ft.
5+ to 10	25 ft.
Over 10	20 ft.

<b>Rear Lot Line Below Street (slope in percent)</b>	<b>Height Permitted Above Upper Curb or Street Elevation</b>
0 to 5	30 ft.
5+ to 10	25 ft.
Over 10	20 ft.

(2) The height of any building (per the ~~building height~~ “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet, ~~including parking garage floor level with access ramps located outside the structure’s ground floor footprint.~~ The thirty-six-foot height limit includes roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. ~~Per the building height definition, subterranean floors are exempt from the height measurement limit.~~ The following shall be exempt from the maximum height measurement:

- a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.
- b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

(3) The provisions of Section 25.50.004(D) pertaining to additional building setbacks shall apply to the front and rear setbacks.

(4) Notwithstanding the front lot line definition and exception process of Section 25.08.022, the front lot line shall be the property line abutting the most primary or highest capacity road classification.

## Modifications to Section 25.25.008(F), SLV South Laguna Village Commercial Zone, Property Development Standards – Building Height Standards

### 25.25.008(F). Building Height Standards.

(F) Building Height Standards.

(1) No building or structure in this zone shall have a height greater than the following:

<b>Rear Lot Line Above Street (slope in percent)</b>	<b>Maximum Height Permitted Above Rear Lot Line (in feet)</b>
0 to 5	22 ft.
5+ to 10	17 ft.
Over 10	12 ft.

**Through Lot (slope in percent)**                      **Height Permitted Above Upper Curb Elevation**  
Or

<b>Rear Lot Line Below Street (slope in percent)</b>	<b>Maximum Height Permitted Above Curb Elevation (in feet)</b>
0 to 5	27 ft.
5+ to 10	25 ft.
Over 10	20 ft.

(2) Building height shall be limited to two stories, not to exceed the above height limits or twenty-two feet, excluding roof, as measured from the curb, whichever is more restrictive. No point of the building elevation height shall exceed thirty feet as measured from natural or finished grade, whichever is more restrictive. These building heights represent the maximum permitted and may be reduced as determined appropriate by the design review board. The following shall be exempt from the maximum height measurement and two-story limit:

a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.

b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

(3) Refer to Chapter 25.51 for other standards related to building height. The provisions of Section 25.50.004(D) pertaining to additional building setbacks shall apply only to the rear setback.

## Modifications to Section 25.28.030(D), I Institutional Zone, Property Development Standards – Building Height Standards

### 25.28.030(D). Building Height Standards.

(D) Building Height Standards.

(1) The maximum overall height of any building (per the **building height** “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet, ~~including parking garage floor levels with access ramps located outside the structure’s ground floor footprint.~~ This thirty-six-foot height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. ~~Per the building height definition, subterranean floors are exempt from the height measurement limit. The following shall be exempt from the maximum height measurement:~~

a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.

b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.

(2) Notwithstanding the front lot line definition and exception process of Section 25.08.022, the front lot line shall be the property line abutting the most primary or highest capacity road classification.

## Modifications to Section 25.32.005(C), M-1A Light Industrial Zone, Property Development Standards – Building Height Standards

### 25.32.005(C). Building Height Standards.

(C) Building Height Standards.

(1) The maximum height of any building (per the **building height** “Height, building” definition in Municipal Code Section 25.08.016) shall not exceed thirty-six feet, ~~including parking garage floor levels with access ramps located outside the structure’s ground floor footprint.~~ This thirty-six-foot height limit shall include roof chimneys, vents, mechanical equipment, mechanical enclosure, elevator shafts, stairways and other such structural elements required for the operation of the building. ~~Per the building~~

~~height definition, subterranean floors are exempt from the height measurement limit. The following shall be exempt from the maximum height measurement:~~

- ~~a) Subterranean floors that are entirely below the natural or finished grade, whichever is more restrictive.~~
- ~~b) Subterranean garages with access ramps located outside or within the building footprint of the floor level above, leading to subterranean garage floor levels, subject to satisfying the criteria published by the City in the Guidelines for Commercial Garage Design.~~

(2) Notwithstanding the front lot line definition and exception process of Section 25.08.022, the front lot line shall be the property line abutting the most primary or highest capacity road classification.