



City of Laguna Beach
PLANNING COMMISSION

May 3, 2023
6:00 PM
Meeting Agenda

Public Participation - *Members of the public are invited to observe and participate by one of the following methods:*

1. *You may submit comments on any agenda item or on any item not on the agenda in writing via mail to the Planning Commission at: 505 Forest Avenue, Laguna Beach, CA. 92651 or by email to PC@lagunabeachcity.net. Please email your comments at least two days before the meeting.*
2. *You may view the meeting live on Cox cable channel 852 and online on the City of Laguna Beach website: www.lagunabeachcity.net/agendas.*
3. *You may listen and comment over the phone or computer during designated public comment periods by following the steps below: *Call (669) 900-9128, and wait for instructions. The Webinar ID is 936 9694 2810. * Let us know you want to comment on an item that is being discussed by pressing *9 on your phone. * When you hear from the meeting operator, "your phone is unmuted," please press *6, then proceed with your comment. The time for comments may be limited, so prepare your remarks accordingly. * You can also click on this link from your computer, tablet or smart phone to participate via Zoom: <https://lagunabeachcity.zoom.us/j/93696942810>.*
4. *You may speak in-person in Council Chambers.*

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMUNICATIONS - *At this time, members of the Public may address the Planning Commission regarding any items not on the agenda but within the subject matter jurisdiction of the Planning Commission. No action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three (3) minutes each, unless extended for good cause by the Planning Commission.*

4. CONSENT CALENDAR

4.1 April 19, 2023 Draft Minutes

[April 19, 2023 Draft Minutes](#)

4.2 Item:

Case: Concept Review 23-0256

Staff Contact: Kate Kazama, Associate Planner (949)

497-0748 | kkazama@lagunabeachcity.net

Applicant: Baranof Holdings

Location: 21094-21102 Laguna Canyon Road | APN: 632-071-19 & 632-071-20

Request: The applicant submitted a request for a Concept Review to consider the potential development of an approximately 77,000 square-foot vehicle and self-storage facility. The applicant has withdrawn the application. No action is necessary.

CEQA: Staff recommends the Planning Commission determine that the proposed project is exempt pursuant to the California Environmental Quality Act Guidelines, Section 15262 under the “feasibility and planning studies” statutory exemption, since the proposal is currently in its nascent stages and any direction provided to the applicant at this time will have no legally binding effects on later activities.

CDP: This project is located within a non-appealable area of the Coastal Zone.

[Item No. 4.2 Staff Report](#)

- 5. PUBLIC HEARINGS** - *Members of the public are welcome to address the Planning Commission concerning any issue on the agenda when that item is before the Commission. Please be advised that if you testify at a public meeting and provide your name and address, this information will be incorporated into the Minutes and become part of the official City records. The usual procedure for a public hearing before the Planning Commission is: (1) Staff summarizes the request and gives comments; Commissioners may ask questions of staff. The Commissioners have visited the site unless otherwise noted in the public hearing. (2) Public hearing is declared open and testimony from the floor is heard, beginning with the applicant team and followed by any other interested parties. (3) Planning Commission makes its determination. If in the future, you wish to challenge any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues you (or someone else) raised at the public hearing, or in written correspondence received by the City at, or prior to, the public hearing.*

5.1 Item: **Case: Fiscal Year 2023-2024 Capital Improvement Program Determination of General Plan Consistency**
Staff Contact: Thomas Perez, Assistant Director of Public Works (949) 464-6688 | tperez@lagunabeachcity.net
Applicant: City of Laguna Beach, Public Works Department

Location: Citywide

Request: Government Code Section 65401 requires that the City prepare and present the following to the Planning Commission: (1) a comprehensive list of proposed capital improvement projects for the ensuing fiscal year and (2) a report as to conformity of that plan with the adopted General Plan. The applicant requests a determination that the proposed FY 2023-2024 Capital Improvement Program is in conformance with the City's General Plan.

CEQA: Pursuant to CEQA Guidelines Section 15378(b)(5), the Planning Commission determination for General Plan Consistency of the City's Capital Improvement Program does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), as the request consists of an organizational or administrative activity of government that will not result in direct or indirect changes in the environment. Additionally, the proposed action does not constitute "approval" within the meaning of CEQA - Guidelines Section 15352, as the determination of the City's Capital Improvement Program consistency with the General Plan does not commit the City to a definite course of action in regard to any project.

CDP: The Planning Commission determination for the City's Capital Improvement Program General Plan consistency does not require approval of a CDP because the proposed action does not constitute development pursuant to Municipal Code Chapter 25.07

Staff Recommendation: Staff recommends that the Planning Commission find the FY 2023-2024 Capital Improvement Program to be consistent with the City's General Plan.

[Item No. 5.1 Staff Report](#)
[Exhibit A: 10-Year Capital Improvement Program](#)
[Exhibit B: FY 2023-2024 Project Descriptions](#)
[Exhibit C: General Plan Consistency Evaluation Report](#)

5.2 Item: **Case: Temporary Use Permit 23-0152, Coastal Development Permit 23-0151**
Staff Contact: Arlen Beck, Associate Planner (949) 715-0821 | abeck@lagunabeachcity.net
Applicant: Branden Sjulín

Location: 359 3rd St | APN: 641-264-10

Request: The applicant requests a Temporary Use Permit and a Coastal Development Permit for demolition of an existing structure and construction of a new parking lot and temporary use of the parking lot.

CEQA: Staff recommends the Planning Commission determine that the proposed project is categorically exempt pursuant to the California Environmental Quality Act Guidelines, Section 15301 - Existing Facilities, in that the project consists of the demolition and removal of a single-family residence in an urbanized area, and Section 15311 – Accessory Structures, in that the proposed temporary parking lot is accessory to an existing commercial use.

CDP: This project is located within a non-appealable area of the Coastal Zone.

Staff Recommendation: Staff recommends that the Planning Commission approve Temporary Use Permit 23-0152 and Coastal Development Permit 23-0151, subject to the discussion provided in the staff report and the findings and conditions in the attached Resolution.

[Item No. 5.2 Staff Report](#)
[Exhibit A: TUP Application](#)
[Exhibit B: Project Plans and Photos](#)
[Exhibit C: Historic Assessment](#)
[Resolution](#)

5.3 Item: **Case: Temporary Use Permit 2022-2426 and Coastal Development Permit 2023-0585**
Staff Contact: Kevin Parker, AICP, Associate Planner (949) 464-6632 | kparker@lagunabeachcity.net
Applicant: Marshall Innins, Architect (949) 376-1794 marshall@midgarchitects.com

Location: 104 N. Coast Hwy. APN: 496-012-26 (Mobil Service Station)

Request: The Applicant requests a three-year (May 18, 2023, to May 18, 2026) Planning Commission approved Temporary Use Permit, and Coastal Development Permit to allow for market-rate, public self-parking at an

existing service station located on the northwest corner of Broadway Street and North Coast Highway (104 N. Coast Hwy) within the Coastal Appealable jurisdiction. The request includes the stripping of nine additional parking spaces, as well as the relocation of landscaping. Furthermore, this request will repeal and replace active Temporary Use Permit 21-8142, and Coastal Development Permit 21-8973 for a previously approved valet-operated parking program. Staff finds the application consistent with the intent and purpose of the Downtown Commercial District, as well as the goals and policies of the Downtown Specific Plan and the City's General Plan. Subject to conditions, staff recommends approval based on the analysis below.

CEQA:

Staff recommends that the Planning Commission determines that the proposed project is categorically exempt pursuant to the California Environmental Quality Act Guidelines, Section 15301 - Existing Facilities, in that the project consists of the repair, maintenance, or minor alteration of existing structures or topographical features, involving negligible or not expansion of existing or former use.

CDP:

This project is located within an appealable area of the Coastal Zone.

Staff Recommendation:

Staff recommends that the Planning Commission approve Temporary Use Permit 2023-0511 and Coastal Development Permit 2023-0621, subject to the discussion provided in the staff report and the findings in the attached Resolution.

[Item No. 5.3 Staff Report](#)
[Attachment A- Site Plan](#)
[Attachment B- Letter of Justification](#)
[Attachment C- Public Comment](#)
[Resolution](#)

5.4 Item:

Case: Administrative Use Permit 22-2296
Staff Contact: Kate Kazama, Associate Planner (949) 497-0748 | kkazama@lagunabeachcity.net
Applicant: Megan & Jeremiah Kearns and Nathalie Gravel

Location:

1436 Glenneyre Street | APN: 644-204-15

Request: The applicant requests an Administrative Use Permit for one (1) short-term lodging unit at 1436 Glenneyre Street, located in the LBP (Local Business-Professional) zone. The requested short-term lodging unit is proposed within an existing two (2) bedroom single-family dwelling unit. A short-term lodging unit in a dwelling unit that can be rented to person(s) other than the owner for a period of thirty (30) consecutive calendar days or less. A maximum of four (4) overnight guests would be allowed to occupy a two (2) bedroom home. A public hearing was requested by property owners within 300 feet of the proposed short-term lodging unit.

CEQA: Staff recommends the Planning Commission determine that the proposed project is categorically exempt pursuant to the California Environmental Quality Act Guidelines, Section 15301 - Existing Facilities, in that the project consists of the repair, maintenance, or minor alteration of existing structures or topographical features, involving negligible or not expansion of existing or former use.

CDP: This project is located within a non-appealable area of the Coastal Zone.

Staff Recommendation: Staff recommends that the Planning Commission approve Administrative Use Permit 22-2296, subject to the discussion provided in the staff report and the findings in the attached Resolution.

[Item No. 5.4 Staff Report](#)
[Exhibit A - AUP Application](#)
[Exhibit B - Public Correspondence](#)
[Resolution](#)

5.5 Item: **Case: Road Extension 21-10443 & Coastal Development Permit 22-2071**
Staff Contact: Chris Dominguez, Senior Planner (949) 497-0745 | cdominguez@lagunabeachcity.net
Applicant: Merrick Leckey

Location: 749 Marlin Drive | APN: 656-032-03

Request: The applicant requests approval of a Road Extension and Coastal Development Permit to extend Marlin Drive from its northerly terminus by approximately one foot to allow future residential access at 749 Marlin Drive. Only

the road extension entitlements will be reviewed as part of this application. Discretionary review of a residential dwelling with access from either Alisos Avenue or Marlin Drive will be determined by the Design Review Board at a future public hearing.

CEQA:

An Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA), which analyzed the project from numerous environmental perspectives. Based on the Initial Study and evidence contained in supplemental reports and documents, it has been determined that the project would not have a significant effect on the environment. A Negative Declaration was prepared and the public review comment period for the document was held from January 13, 2023, to February 13, 2023.

CDP:

This project is located within an appealable area of the Coastal Zone.

Staff Recommendation:

Staff recommends that the Planning Commission recommend approval of Road Extension 21-10443 and Coastal Development Permit 22-2071 to the City Council, based on the findings in the attached Resolution. Staff's recommendation is predicated on deferred Design Review Board consideration (including Design Review, Coastal Development Permit review, General Plan consistency, and further CEQA review) of a new single-family residence with access from Marlin Drive.

[Item No. 5.5 Staff Report](#)

[Exhibit A- Application and Project Plans](#)

[Exhibit B- IS ND](#)

[Exhibit C- Biological Assessments](#)

[Exhibit D- Geotechnical Report](#)

[Exhibit E- AM&M](#)

[Resolution](#)

5.6 Item:

Case: General Plan Amendment 2023-0658, Zoning Ordinance Amendment 2023-0659, and Local Coastal Program Amendment 2023-0660

Staff Contact: Louie Lacasella, Senior Administrative Analyst (949) 497-0736 |

llacasella@lagunabeachcity.net

Applicant: City of Laguna Beach

Location: APNs: 632-081-08, 629-031-11, 629-031-12, 629-031-13, 629-031-14, 629-031-15, 629-031-16, 632-041-04, 632-041-05, 632-051-01, 632-081-04, 632-061-17, 632-061-55, 632-041-02, 632-031-04, 632-041-03, 632-061-18, 641-171-06, 632-031-02, 641-152-07, 641-152-08, 641-163-41, 632-081-11, 641-411-01, 641-411-09, 641-411-10, 641-411-11

Request: Staff is requesting that the Planning Commission review and recommend City Council approval of General Plan Amendment 2023-0658, Zoning Ordinance Amendment 2023-0659, and Local Coastal Program Amendment 2023-0660 to amend portions of the General Plan and Laguna Beach Municipal Code pertaining to the Land Use Map and Zoning Map. The proposed change affects only City-owned parcels to change the designation and zoning from Residential (R/HP or R-1/RHP) to Permanent Open Space (Open Space Passive) as required by State funding and grant agreements.

CEQA: The proposed Municipal Code and General Plan Amendment has been determined to be an exempted project pursuant to State CEQA Guideline Sections 15307, Section 15308, 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 changes have the potential for causing effect on the environment. Additionally, 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.

CDP: This project is located within an appealable area of the Coastal Zone. A Local Coastal Program Amendment is required because all amendments to the City's certified Local Coastal Plan Implementation Program require Coastal Commission approval.

Staff Recommendation: Staff recommends that the Planning Commission recommend to the City Council approval of the attached ordinance, which adopts General Plan Amendment 2023-0658, Zoning Ordinance Amendment 2023-0659, and Local Coastal Program Amendment 2023-0660 to amend portions of the General Plan and Laguna Beach

Municipal Code pertaining to the Land Use Map and Zoning Map.

[Item No. 5.6 Staff Report](#)
[Ordinance](#)
[Resolution](#)

6. OTHER BUSINESS

7. COMMITTEE, COMMISSIONERS, AND STAFF REPORTS

8. ADJOURNMENT

ADA ACCOMMODATIONS

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the Community Development Department at (949) 497-0712 (telephone) or (949) 497-0771 (facsimile). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

COMPLIANCE WITH GOVERNMENT CODE SECTION 54957.5

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packets are available for public inspection at the Community Development Department at 505 Forest Avenue, Laguna Beach, California, during normal business hours.