



City of Laguna Beach  
**PLANNING COMMISSION**

December 2, 2020

**6:00 PM**

**Meeting Agenda**

**Telephonic and Virtual Public Participation** - *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](mailto:PC@lagunabeachcity.net). Please email your comments at least two days before the meeting.*

*To participate in the meeting click on the following link <https://lagunabeachcity.zoom.us/j/99405314155>. Or, call in from any phone: (669) 900-9128 and enter the ID number 994 0531 4155#. You may comment over the phone or computer during designated public comment periods. When an item you wish to comment on is discussed, click on Raise Hand or press \*9 on your phone to let us know you wish to speak. When it is your turn, staff will unmute your microphone and announce your name, allowing you to proceed with your comment. Time for comments may be limited, so prepare your remarks accordingly.*

*You may also view the hearing live on Cox cable channel 852 or online through the City's website: <http://www.lagunabeachcity.net/agendas>*

**1. CALL TO ORDER**

**2. APPROVAL OF MINUTES FROM PREVIOUS MEETING**

2.1 June 17, 2020 Draft Minutes

[June 17, 2020 Draft Minutes.pdf](#)

2.2 July 1, 2020 Draft Minutes

[July 1, 2020 Draft Minutes .pdf](#)

2.3 November 4, 2020 Draft Minutes for Item No. 4.6 - Las Brisas Restaurant TUP 20-7520 (361 Cliff Drive)

[November 4, 2020 Draft Minutes - Item 4.6 Only.pdf](#)

**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. 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.*

**4.1 Item: Conditional Use Permit 20-6865**

**Location:** 1751 South Coast Highway, Suite A | APN: 644-275-03

**Request:** The applicant requests approval of Conditional Use Permit 20-6865 to establish and operate a tattoo body art and microblading services facility at 1751 South Coast Highway (previously Transparent Utopia).

**CEQA:** This proposal is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article 19 (Categorical Exemptions), Section 15301 (Existing Facilities – Interior or Exterior Alterations).

**CDP:** The proposed project is exempt from the Coastal Development Permit requirements pursuant to Municipal Code Chapter 25.07 and is not appealable to the Coastal Commission.

**Staff Recommendation:** Staff recommends that the Planning Commission approve Conditional Use Permit 20-6865, subject to the conditions in the associated resolution.

[Item No. 4.1 - Staff Report.pdf](#)

[Item No. 4.1 - Public Comments.pdf](#)

**4.2 Item: Conditional Use Permit 20-7579, Planning Commission Design Review 20-7580, and Planning Commission Sign**

## **Permit 20-7581**

- Location:** 225 Forest Avenue, Suite A | APN: 641-251-08
- Request:** The applicant requests approval of Conditional Use Permit 20-7579, amending Conditional Use Permit 15-0342, Planning Commission Design Review 20-7580, and Planning Commission Sign Permit 20-7581 to establish and operate a retail store specializing in women's apparel at 225 Forest Avenue, Suite A (previously Casual). Planning Commission Design Review is required for exterior building and site alterations including a revised building color program, exterior lighting, and built-in seating. A Planning Commission Sign Permit is required to institute a new sign program for the proposed occupant.
- CEQA:** This proposal is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article 19 (Categorical Exemptions), Section 15301(a) (Existing Facilities - Interior or Exterior Alterations).
- CDP:** The project does not require approval of a Coastal Development Permit because the proposed action does not constitute development pursuant to Municipal Code Chapter 25.07. All improvements would be limited to the existing building and developed portions of the site and would not result in a change in the intensity of the retail use.
- Staff Recommendation:** Staff recommends that the Planning Commission approve Conditional Use Permit 20-7579, Planning Commission Design Review 20-7580, and Planning Commission Sign Permit 20-7581, subject to the conditions in the associated resolution.

[Item No. 4.2 - Staff Report.pdf](#)

[Item No. 4.2 - Public Comments.pdf](#)

### **4.3 Item: Introduction to Zoning Ordinance Amendment 20-7713 and Local Coastal Program Amendment 20-7714**

**Location:** Citywide

**Request:** The City is proposing an ordinance to amend Title 11 of the Municipal Code (Streets and Sidewalks) pertaining to the regulation of wireless telecommunications facilities

within the public rights-of-way. Associated clean-up provisions to the Zoning Code and a new exemption from the Coastal Development Permit requirements require a Zoning Ordinance Amendment and Local Coastal Program Amendment. The Planning Commission will receive an introduction to the draft ordinance on December 2nd. The consensus Planning Commission recommendations will be compiled at a hearing of the Planning Commission to be held on January 6, 2021, for the City Council's subsequent consideration and possible adoption of the ordinance.

**CEQA:**

The proposed Municipal Code and Local Coastal Program Amendment have been determined to be an exempted project 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.

**CDP:**

The Coastal Commission's LCP review and approval procedures have been found to be functionally equivalent to the environmental review process.

**Staff Recommendation:**

Staff recommends that the Planning Commission receive an introduction to the draft ordinance and proposed revisions to the Guidelines for Site Selection and Visual Impact and Screening of Wireless Telecommunication Facilities, consider public testimony, begin its preliminary discussions concerning recommendations to the City Council, and continue the review of Zoning Ordinance Amendment 20-7713 and Local Coastal Program 20-7714 to January 6, 2020.

[Item No. 4.3 - Staff Report.pdf](#)

- 4.4 Item:** **Planning Commission Interpretation 20-7776**
- Location:** Citywide
- Request:** Pursuant to Laguna Beach Municipal Code (LBMC) Section 25.06.004 (Interpretations, Purpose, Conflict), City staff is requesting a Planning Commission interpretation regarding Section 25.52.006(H)(1)(a). Staff is making this request now in order to resolve a question raised by an applicant in the course of application review, which will be presented to the Planning Commission at a later date. Staff also has a keen interest in improving its commercial parking regulations when a policy interpretation may provide businesses with additional tools to creatively meet parking requirements, and this interpretation would apply citywide
- CEQA:** Pursuant to CEQA Guidelines Section 15262, CEQA does not apply to projects involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded.
- CDP:** The project 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 affirm staff's interpretation that the use of two off-site parking lots with the service of valet parking from one lot for customer vehicle drop-off/pick-up is consistent with the intent of Municipal Code Sections 25.52.006(D) and 25.52.006(H).

[Item No. 4.4 - Staff Report.pdf](#)

4.5 Formation of Coast Highway pedestrian and Americans with Disabilities Act (ADA) improvements subcommittee.

## 5. COMMITTEE, COMMISSIONERS, AND STAFF REPORTS

5.1 Departmental Reports

5.2 Commissioners' Reports

**6. ADJOURNMENT**

6.1 Adjourn - To the regular Planning Commission meeting on January 6, 2021.

**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.