

**ORDINANCE NO. 1578**

**AN ORDINANCE OF THE CITY COUNCIL OF LAGUNA BEACH,  
CALIFORNIA AMENDING LAGUNA BEACH MUNICIPAL CODE  
CHAPTER 25.44 RELATING TO THREE ARCH BAY DEVELOPMENT  
STANDARDS.**

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The City Council of the City of Laguna Beach does hereby ORDAIN as follows:

**SECTION 1:** Chapter 25.44 (“Three Arch Bay Zone”) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

**Chapter 25.44 THREE ARCH BAY ZONE**

**25.44.010 Intent and Purpose.**

This zone is intended for low-density, single-family residential development within the Three Arch Bay community. Its purpose is to maintain, enhance and promote the unique character of this area, particularly with respect to mass, scale, architectural character, privacy and ocean view preservation, and protection of ocean bluffs and other environmentally sensitive areas.

**25.44.020 Uses Permitted.**

Buildings, structures and land in the Three Arch Bay zone shall be used, and buildings and structures shall hereafter be erected, designed, structurally altered or enlarged only for the following purposes:

- (A) Single-family dwelling;
- (B) Child care, subject to the standards in Chapter 25.08;
- (C) Other uses the planning commission deems, after conducting a public hearing, to be similar to and no more obnoxious or detrimental to the health, safety and welfare of the neighborhood than the permitted uses.

**25.44.030 Uses Permitted Subject to an Administrative Use Permit.**

Family day care home, large, may be permitted in the Three Arch Bay zone, as provided in Section 25.10.005.

**25.44.050 Property Development Standards.**

The development standards as set forth in the R-1 Zone shall apply in the Three Arch Bay Zone with the exception of the following:

- (A) Yards.
  - (1) General Provisions.
    - (a) The general provisions of Chapter 25.50 shall apply except where noted in this Chapter.
    - (b) On street-to-street lots, the front property line shall be defined as that property line adjacent to a street with the lowest average elevation.
  - (2) Front Yard. Single-story garages may be constructed five feet from the front property line, if the garage has an automatic garage-door opener, or vehicular entry to the garage is from the side and the topographic condition for a reduced building setback provided in Section 25.50.004(E)(1) exists on the site.
  - (3) Side yard. The width of each side yard shall be not less than five feet.
  - (4) Rear yard.
    - (a) Each lot shall maintain a rear yard of not less than twenty-five feet.

(b) For building sites with less than twenty feet in grade difference between front and rear lot lines, and less than one hundred feet in length, the minimum setback distance shall be twenty-five percent of lot depth.

(c) See Section 25.44.050(F) for setback restrictions on coastal lots.

(B) Permitted Projections. Eaves, cornices, chimneys, window seats, balconies, patios and decks in excess of thirty inches above the finished grade including patio and deck covers, and other similar architectural features may project a maximum of two and one-half feet into required yards. In addition, chimneys may project beyond the height limit to the minimum extent required by the Uniform Building Code.

(C) Building Site Coverage. The maximum building site coverage (BSC) on any residential lot is between thirty-five (35%) and forty-four percent (44%). The actual percentage allowed is calculated by the following formula:

$$\text{Building Site Coverage (\%)} = 35 + \frac{(6499-A) \times 9}{1499}$$

Where BSC = Building Site Coverage (percentage)

A = Residential Lot Area (square feet)

- (1) Where a lot is determined to be six thousand four hundred ninety-nine (6,499) square feet or greater the building site coverage shall not exceed thirty-five percent (35%). Those lots that have less than five thousand one (5,001) square feet in area shall not exceed forty-four percent (44%) in building site coverage. This requirement may be modified by the Design Review Board when necessary due to neighborhood development patterns or view preservation.
- (2) On bluff-top coastal lots, the net area of the lot shall be considered in calculating the maximum building site coverage allowed. For the purpose of defining building site coverage, a "bluff line" is that line which separates the buildable pad from the bluff top. The "bluff top" shall be defined as an incline greater than the slope of the buildable pad. The "bluff face" is defined as that portion of bluff which slope is forty-five degrees or greater from horizontal, and whose top is ten or more feet above mean sea level. The net area of the lot is the area that extends from the side corner property lines along the bluff line to the front corner property lines.
- (3) The maximum building site coverage and floor area allowed on site includes the square footage of all enclosed space of the main building and accessory structures such as garages, guesthouses, storage facilities and all other similar types of accessory structures including carports and covered patios, whether attached or detached.
  - (a) New detached accessory structures and additions to existing detached accessory structures of the type listed above are prohibited.
  - (b) Except on oceanfront sites, storage area may be allowed within and below the existing building footprint and will not be counted toward the maximum allowable floor if it meets the following criteria: a maximum of one hundred and fifty (150) square feet area with structural floor system, a maximum of six (6) foot clear vertical ceiling height, no more than one switched light, one duplex outlet, no windows and only one interior access door. Oceanfront site means any lot, parcel of land and/or legal building site recognized by the City that is located adjacent to the ocean, including, but not limited to, lots or parcels located along the shoreline, on and/or immediately adjacent to beaches. And on oceanfront bluffs including oceanfront bluff top lots.
- (4) Street easements that either bisect or extend across any portion of a parcel shall be excluded from building site coverage calculations.

(D) Floor Area. The maximum floor area allowed on a residential lot shall not exceed one and one-half times the maximum building site coverage (BSC) percentage established for the lot.

(E) Building Stringline.

(1) All coastal lots are subject to a stringline setback. The building stringline averages the setback of oceanfront buildings on both adjacent sides of coastal lots and is defined as follows: The stringline setback shall be depicted as a line across a parcel that connects the oceanward ends of the nearest adjacent walls of the main buildings on adjacent lots. Posts or columns that extend to grade from upper story decks, balconies, stairways and other types of similar features shall not be used to define the building stringline criteria.

(a) In the event that there is no applicable stringline on adjacent oceanfront lots, the setback shall be at least twenty-five (25) feet from the top of an oceanfront bluff.

(b) Only in such cases where the Design Review Board determines that the stringline is significantly more restrictive than the twenty-five (25) foot setback may the board modify the required building setback, provided it determines that unique conditions relating to landform, lot orientation or excessive building setbacks on an adjacent property prevent or severely restrict residential development that otherwise meets the intent of the zoning code.

(2) In the event that there is no applicable stringline on adjacent oceanfront lots, the setback shall be at least twenty-five (25) feet from the top of an oceanfront bluff.

(3) In no case shall the bluff-top setback be less than twenty-five (25) feet.

(4) Building Projections and Accessory Structures.

(a) Balconies, patios or decks in excess of thirty (30) inches above the finished grade, including patio deck covers and other similar architectural features may project a maximum of five (5) feet beyond the applicable building setback, but in no case shall such projections be closer than ten (10) feet to the top of an oceanfront bluff.

(b) Decks, patios and other similar improvements that are thirty (30) inches or less above finished grade shall not encroach closer than ten (10) feet to the top of an oceanfront bluff.

(c) Pools and spas shall not encroach closer than twenty-five (25) feet to the top of an oceanfront bluff nor shall its accessory equipment be any closer than ten (10) feet to the top of the bluff.

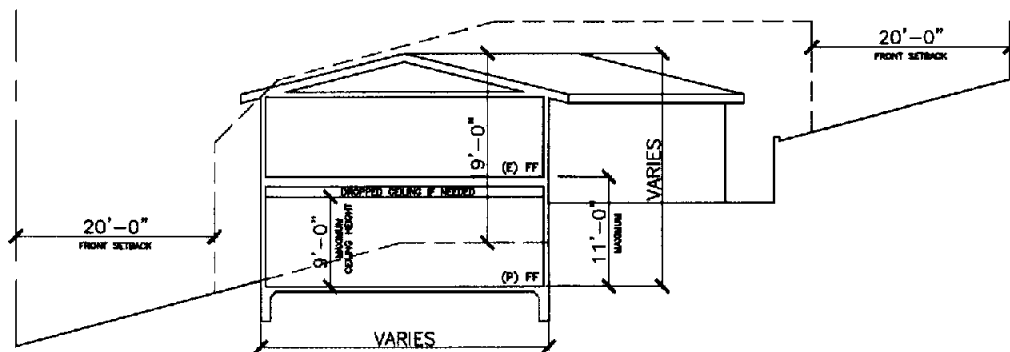
(F) Building Height Standards.

(1) No new building, additions to existing buildings or structures in this zone shall have a height greater than permitted under the following table when measured from the finished or natural grade, or the finished floor of the existing residence, whichever is more restrictive.

<b>Slope in Percent</b>	<b>Height Permitted(in feet)</b>
0 to 15	19
15+ to 20	21
20+ to 25	23
25+ to 30	25
30+ to 35	27
35 and over	29

Except on oceanfront sites, lots with a slope of 0-15 percent, height in excess of 19 feet may be allowed if all of the following conditions are met: a lower-level living area addition is beneath and within the footprint of an existing living space; the roof lines above the same are not modified; and the proposed lower level floor height as vertically measured to the finish floor immediately above does not exceed

eleven (11) feet, with a maximum ceiling height of nine (9) feet, as long as the total height does not exceed thirty six (36) feet. Oceanfront site means any lot, parcel of land and/or legal building site recognized by the City that is located adjacent to the ocean, including, but not limited to, lots or parcels located along the shoreline, on and/or immediately adjacent to beaches. And on oceanfront bluffs including oceanfront bluff top lots.



(2) In addition to Subsection (G)(1) above, building height shall be limited to the following in order to preserve ocean views within Three Arch Bay.

<b>Rear Lot Line above Street (slope in percent)</b>	<b>Height Permitted above Rear Lot Line (in feet)</b>
0 to 5	19
5+ to 10	18
10+ to 25	15
25+ to 30	14
30+ to 35	13
35 and over	12

<b>Through Lot (slope in percent)</b>	<b>Height Permitted above Upper Property Line (in feet). See also Section 25.44.050(A)(1)(b)</b>
0 to 5	19
5+ to 10	18
10+ to 15	17
15+ to 20	16
20+ to 25	15
25+ to 30	14
30+ to 35	13
35 and over	12

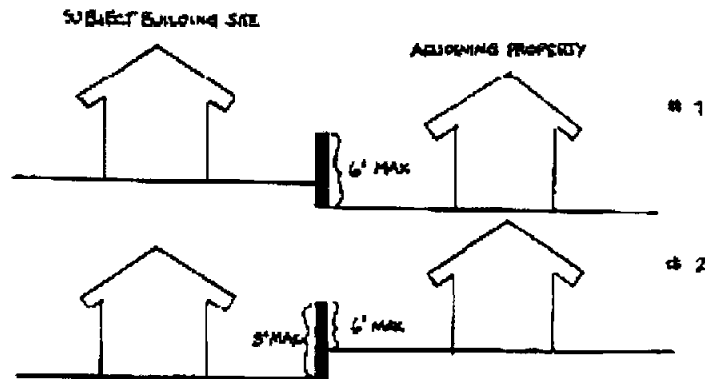
  

<b>Rear Lot Line below Street (slope in percent)</b>	<b>Height Permitted above Upper Property Line (in feet)</b>
0 to 5	19
5+ to 10	18.5

<b>Rear Lot Line below Street (Slope in Percent)</b>	<b>Height Permitted above Upper Property Line (in feet)</b>
10+ to 15	18
15+ to 20	17.5
20+ to 25	17
25+ to 30	16
30+ to 35	15
35 and over	14

- (G) **Parking Standards.** The provisions of Chapter 25.52 shall apply, unless otherwise provided herein. Four (4) off-street parking spaces are required; two (2) spaces shall be covered and two (2) spaces may be uncovered. The uncovered spaces may be located within the front yard or on Three Arch Bay property which abuts the street if a license agreement to do so is entered into by the applicant and Three Arch Bay Association.
- (H) **Access and Improvements Standards.** The provisions of Chapter 25.53 shall apply.
- (I) **Fences, Walls and Hedges.**
  - (1) The maximum height for fences and walls shall be six (6) feet, except within the required front yard, where it shall be kept to a maximum of forty-two (42) inches and thirty-six (36) inches clear horizontal for multiple wall assemblies. On street-to-street lots, the maximum height for a fence or wall shall be forty-two inches and thirty-six (36) inches clear horizontal for multiple wall assemblies within any required yard adjoining a street. Street-to-street lots between Encino and Callecita are exempt from this provision.
  - (2) On vacant lots only, the height of a fence, wall, latticework or screen shall be measured from the top of the structure above the street directly adjacent, or above the natural grade immediately adjacent, whichever allows the higher structure. The height limit shall also apply to the height of a retaining wall, the purpose of which is to create an artificial yard.
  - (3) On developed lots only, where the difference in finished grade between proposed and adjacent property is more than two (2) feet in height, a maximum height of eight (8) feet shall be maintained from the lowest grade elevation at every point along the wall or fence. In no case shall an adjacent property be exposed to a retained-fill wall, wall or fence or any combination of these elements in excess of six (6) feet in height.



- (J) **Design Review.** All buildings, structures and improvements are subject to design review as provided in Section 25.05.040.
- (K) **Signs.** The provisions of Chapter 25.54 shall apply.
- (L) All other applicable sections of Title 25 shall apply, except as modified.

**25.44.060 Architectural Design Criteria.**

**Intent and Purpose.** It is the intent and purpose of this section to establish design review standards and controls over private development in the Three Arch Bay residential community. It is recognized that there are unique design aspects inherent in the community appearance that need to be preserved and enhanced. These design criteria will be utilized for all projects in this zone reviewed by the City. Applicants should note that prior to City review, the Three Arch Bay Community Association will conduct its own plan review. The Association will submit a letter of comment to the City for its consideration and review prior to City approval of the applicant's plans.

The adoption of these design criteria will guide and ensure that all future growth contributes to a preservation of the community character.

- (A) While individuality of architectural style should be achieved, the design should conform to the established small-scale building character which is sensitive to existing topography and view preservation.
- (B) All designs shall protect the privacy and views of neighboring properties especially in side and rear yard areas by providing architectural relief from large blank walls by proper placement of windows, porches, architectural pop-outs and other similar features.
- (C) The minimum roof pitch on any building or structure shall be 3:12. Flat roofs and roof decks are prohibited.
- (D) Roof-mounted solar collectors shall not be visible from any street view; the solar collector shall not exceed the ridge elevation of the roof.
- (E) All development shall strive to be compatible with surrounding homes and the community with respect to architectural character, style, scale, mass and color.
- (F) Walls and fences should tie directly to the main building, enclosing only active use areas. Both wood and wrought iron fencing can be used when the material and color are compatible with the main building.
- (G) All landscape and hardscape plans shall address the functional aspects of landscaping such as drainage, erosion prevention, wind barrier, shade, sound absorption, dust abatement and reduction of glare.
  - (1) Landscaping, as required, shall be provided in accordance with the community design and landscape guidelines as adopted by Resolution No. 89-104 and as hereafter amended.
  - (2) All residential and landscaping design shall preserve surrounding views of the ocean and, whenever possible, utilize trees and other vegetation to complement this viewshed.

**25.44.070 Soils and Geology.**

A geologic and soils report shall be prepared by a registered geologist and/or soils engineer and shall be submitted with all applications for development on a coastal lot or vacant lot. These reports shall be in accordance with Title 14 of this Code.

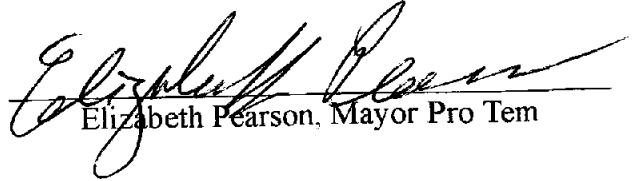
**SECTION 2:** This Ordinance is exempt from compliance with the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

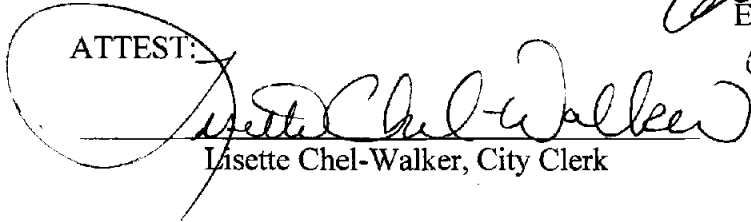
**SECTION 3:** All ordinances and provisions of the Laguna Beach Municipal Code and sections thereof inconsistent herewith shall be hereby repealed to the extent of such inconsistency and no further.

**SECTION 4:** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the validity of this entire Ordinance or any of the remaining portions hereof. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, subdivision, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

**SECTION 5:** 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 on the expiration of thirty (30) days from and after the date of its adoption.

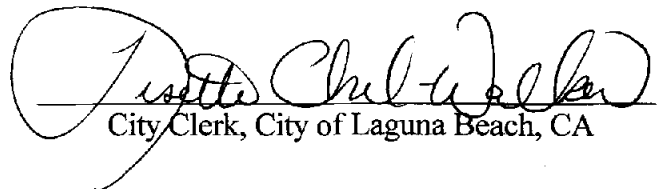
ADOPTED this 3<sup>rd</sup> day of September, 2013.

  
Elizabeth Pearson, Mayor Pro Tem

ATTEST:  
  
Lisette Chel-Walker, City Clerk

I, Lisette Chel-Walker Anderson, City Clerk of the City of Laguna Beach, do hereby certify that the foregoing Ordinance No. 1578 was introduced at a regular meeting of the City Council on August 20, 2013 and was finally adopted at a regular meeting of the City Council of said City held on September 3, 2013 by the following vote:

- AYES: Whalen, Iseman, Dicterow, Boyd
- NOES: None
- ABSTAIN: None
- ABSENT: Pearson

  
City Clerk, City of Laguna Beach, CA