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**RESOLUTION NO. 21-10611**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF LAGUNA BEACH, CALIFORNIA  
APPROVING DESIGN REVIEW 21-10611 AND  
COASTAL DEVELOPMENT PERMIT 21-10612,  
AT 500 DIAMOND ST TO 2100 CRESTVIEW DR  
(DIAMOND ST UNDERGROUND UTILITY AD 2013-2)**

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WHEREAS, on January 5, 2022, the Planning Commission adopted Resolution No. 21-10611, approving Design Review 21-10611 and Coastal Development Permit 21-10612 to place aboveground utility structures as part of the Diamond St Underground Utility Assessment District project (AD 2013-2); and

WHEREAS, on November 2, 2021, an application was filed by the Public Works Department, requesting Design Review and a Coastal Development Permit to place aboveground utility structures as part of the proposed utility undergrounding project; and

WHEREAS, on December 13, 2021, a public notice announcing the January 5, 2022 Planning Commission meeting was mailed to all property owners within a 300-foot radius and tenants within a 100-foot radius; and

WHEREAS, the Planning Commission carefully considered the oral and documentary evidence and arguments presented at the hearing; and

WHEREAS, the proposed project is exempt from the provisions of the California Environmental Quality Act in accordance with Section 15302 – Replacement or Reconstruction, in that the existing overhead utilities would be replaced with an underground utility network with limited aboveground infrastructure, no expansion to capacity, and located in the same area. Additionally, there is no evidence of any unusual environmental circumstances that might give rise to a reasonable possibility that the project will have a significant effect on the environment; and

WHEREAS, the Planning Commission finds the project consistent with all applicable design review criteria for **Design Review 21-10611:**

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1. Access: The project improves accessibility for emergency responders and for evacuations by removing the event of existing utility poles and overhead wires falling into the roadway due to vehicle-pole collisions or natural events such as earthquakes, winds, or fires.
2. Environmental Context: The project’s natural setting will be maintained as the majority of trenching and excavations occur in the paved roadway. There are no existing heritage trees or significant watercourses in this district. Rock outcroppings and ridgelines will be protected to the extent possible.
3. General Plan Compliance: The project complies with the following policies in the City’s General Plan:
  - a) Policy 4.8 in the “Streetscapes and Parks Element” to support utility undergrounding and aesthetic improvements throughout the city.
  - b) Policy 12D in the “Transportation, Circulation and Growth Management Element” by encouraging property owners to form assessment districts for undergrounding of utilities.
  - c) Action S-1.11a in the “Safety Element” to encourage the undergrounding of utilities in existing developed areas.
4. Landscaping: Landscaped and naturally vegetated areas will only be impacted to accommodate the installation of aboveground utility structures. The project does not propose any landscaping modifications other than repairs to landscaping damaged by the construction activities. To minimize risks to tree health, the City Arborist has been consulted wherever utility improvements would be located in close proximity to a tree’s expected root zone.
5. Lighting and Glare: The two existing street lights in the district will be replaced with two new LED street lights at similar locations to ensure public safety. The new lights will point towards the ground and be outfitted with cut-off lenses to reduce glare.

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6. Pedestrian Orientation: The project will not negatively impact the current pedestrian orientation in Diamond-Crestview. The removal of utility poles and overhead wires will improve the neighborhood aesthetics and enhance the pedestrian experience within the district boundary.

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WHEREAS, the Planning Commission finds the project consistent with the applicable Diamond/Crestview Specific Plan urban design guidelines cited below in that the proposed utility improvements would enhance the rural scenic qualities of the neighborhood by substantially reducing the prominence and visibility of utility improvements throughout the assessment district, placing all utility improvements within or directly adjacent to the improved public right-of-way, and replacing existing street light poles on a one-for-one basis and with luminaire fixtures that comply with the City's Good Neighbor Outdoor Lighting Ordinance:

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1. Building Siting Guideline No. 2: "Unique features of individual sites (e.g., mature trees, rock outcroppings, drainage courses, geologic, hydrologic, environmentally sensitive biologic resources, etc.) shall be preserved to the greatest extent possible."

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2. Building Siting Guideline No. 3: "The preservation of views of coastal and canyon areas from existing residences and public view points should be maximized while respecting rights of property owners proposing new construction."

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3. Lighting Guideline No. 2: "Exterior lighting shall be located and shielded so as not to impact adjacent properties and/or the public viewshed."

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WHEREAS, the Planning Commission has made the following criteria and findings regarding **Coastal Development Permit 21-10612**:

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1. The proposed project complies with the CDP review criteria pursuant to Municipal Code Section 25.07.012(F). Specifically, the proposed project does not encroach upon any existing accessways; does not affect any environmentally sensitive or scenic resources; the proposed alterations occur at along

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3 a stretch of developed roadway and bounded by residential development; and the project replaces  
4 aboveground utilities with an underground network to the extent feasible, with limited  
5 aboveground infrastructure where required.  
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7 2. The project complies with the CDP review findings pursuant to LBMC Section 25.07.012(G).  
8 Specifically, the proposed project conforms with the applicable provisions of the certified Local  
9 Coastal Program as evidenced in previous Municipal Code compliance sections; the project is not  
10 located between the sea and the first public road paralleling the sea; and the project is exempt from  
11 CEQA under the Class 2 categorical exemption.  
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13 NOW, THEREFORE, BE IT RESOLVED that **Design Review 21-10611 and Coastal**  
14 **Development Permit 21-10612** are hereby granted to the following extent:

15 **Approval to install aboveground utility structures as part of the Diamond Street**  
16 **Underground Utility Assessment District project (AD 2013-2).**

17 BE IT FURTHER RESOLVED, that the following condition(s) are set forth to protect the  
18 health, safety and welfare of the community and to assure the intent and purpose of the regulations:

19 1. In the absence of specific provisions or conditions herein to the contrary, the application and all  
20 plans or exhibits attached to the application are relied upon, incorporated and made a part of this  
21 resolution. It is required that such plans or exhibits be complied with and implemented in a consistent  
22 manner with the approved use.  
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24 2. The new street light poles shall comply with the City's ornamental street light design  
25 specifications, if such a standard is adopted prior to construction. The Public Works Department  
26 shall consider design input from the Assessment District residents when selecting from the City's  
27 ornamental pole design options.  
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3. The Cox pedestals and street light meter cabinet shall be finished in a dark green or dark brown

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to visually recede into their setting.

NOW THEREFORE BE IT RESOLVED that the above decision was approved and rendered on January 5, 2022 (the "Effective Date").

ADOPTED this 5th day of January, 2022.

AYES: Commissioner(s) Kellenberg, Sadler, Whitin, Dubin, Goldman  
NOES: Commissioner(s)  
ABSENT: Commissioner(s)

ATTEST:



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Steven Goldman, Chairperson  
Planning Commission  
City of Laguna Beach, California



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Marc Wiener, Director  
Community Development  
City of Laguna Beach, California