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RESOLUTION NO. 22-1404

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LAGUNA BEACH, CALIFORNIA
APPROVING DESIGN REVIEW 22-1404
FOR WOODS COVE UNDERGROUND
UTILITY ASSESSMENT DISTRICT 2014-2**

WHEREAS, on September 7, 2022, the Planning Commission adopted Resolution No. 22-1404, approving Design Review 22-1404 to place aboveground utility structures associated with the proposed Woods Cove Underground Utility Assessment District (AD 2014-2); and

WHEREAS, on May 23, 2022, an application was filed by the Public Works Department, requesting Design Review to place aboveground utility structures as part of the proposed utility undergrounding project; and

WHEREAS, on August 12, 2022, a public notice announcing the September 7, 2022, Planning Commission meeting was mailed to all property owners within a 300-foot radius and tenants within a 100-foot radius, all affected utilities, and others who have requested notification; 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 Class 2, Replacement and 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. Furthermore, 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 22-1404**:

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4 1. Access. The project improves the access to properties within the proposed district for
5 emergency responders and for the public during an evacuation by removing the potential of
6 existing utility poles or overhead wires falling into the roadway due to vehicle-pole collisions or
7 natural events such as earthquakes, winds, or fires.

8 2. Environmental Context. The project's setting will be improved with the removal of overhead
9 utilities and related poles. Disruptions to existing vegetation are minimized because most trenching
10 and excavations required for the project occur in the paved roadway. There are seven existing
11 heritage trees within the district boundary. The proposed improvements will not impact these
12 trees which will be preserved in place. There are several significant watercourses in this district.
13 The utility undergrounding work will not impact these watercourses as work primarily occurs
14 within the streets. The project crosses the Lower Bluebird drainage course at Bluebird Park.
15 Trenching will be limited to the developed park area only and will not encroach into the natural
16 creek.
17

18 3. General Plan Compliance. The project complies with the following policies in the City's
19 General Plan:

20 a) Policy 4.8 in the "Landscape and Scenic Highways Element" to support utility
21 undergrounding and aesthetic improvements throughout the City.

22 b) Policy 12D in the "Transportation, Circulation and Growth Management Element" by
23 encouraging property owners to form assessment districts for the undergrounding of
24 utilities.
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26 c) Action S-1.11a in the "Safety Element" to encourage the undergrounding of utilities in
27 existing developed areas.

28 4. Landscaping. Landscaped and naturally vegetated areas will only be impacted to accommodate

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3 the installation of aboveground utility structures. The project does not propose any landscaping
4 modifications beyond repairing or replacing landscape damaged by construction activities.

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6 5. Lighting and Glare. Existing streetlights in the district will be replaced with new ornamental
7 LED streetlights at similar locations to maintain sufficient lighting in the neighborhood. The
8 proposed lights are consistent with the City of Laguna Beach Street Light standards and the
9 Guidelines for Street Light Design. These approved streetlights point towards the ground and are
10 outfitted with cut-off lenses to reduce glare and light intrusion to surrounding properties.

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12 6. Pedestrian Orientation. The project will not negatively impact the current pedestrian
13 orientation in the Woods Cove neighborhood. The removal of utility poles and overhead wires
14 will improve the neighborhood aesthetics and enhance the pedestrian experience within the
15 district boundary.

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17 7. View Equity. The project will not negatively impact views. The removal of the utility poles and
18 overhead wires has the potential to improve views for the neighborhood.

19
20 NOW, THEREFORE, BE IT RESOLVED that **Design Review 22-1404** is hereby granted
21 to the following extent:

22
23 **Approval to place aboveground utility structures associated with the proposed**
24 **Woods Cove Underground Utility Assessment District (AD 2014-2).**

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

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1. In the absence of specific provisions or conditions herein to the contrary, the application and all
plans or exhibits attached to the application are relied upon, incorporated, and made a part of this
resolution. It is required that such plans or exhibits be complied with and implemented in a consistent
manner with the approved use and other conditions of approval. Such plans and exhibits for which

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3 this Design Review has been granted shall not be substantially changed or substantially amended
4 except pursuant to a subsequent Design Review or Variance as might otherwise be required or
5 granted pursuant to the terms of Title 25 of the City of Laguna Beach Municipal Code.
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7 NOW THEREFORE BE IT RESOLVED that the above decision was approved and
8 rendered on September 7, 2022 (the "Effective Date").

9 ADOPTED this 7th day of September, 2022.

10
11 AYES: Commissioner(s) Kellenberg, Whitin, Sadler, Dubin

12 NOES: Commissioner(s)

13 ABSENT: Commissioner(s) Goldman

14
15 ATTEST:

Jorg R. Dubin

Jorg R. Dubin (Sep 15, 2022 08:01 PDT)

Jorg Dubin, Chairperson
Planning Commission
City of Laguna Beach, California

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17
18 *Amber Dobson*
Amber Dobson (Sep 15, 2022 08:30 PDT)

19 Amber Dobson
20 Planning Manager
21 City of Laguna Beach, California
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