

Community Development Workshop & Update

City of Laguna Beach
Tuesday, October 1, 2024
4:00 to 6:00 p.m.
City Council Chambers

Community Development Update

- Meet the CD, CM, CAO Team
- The Backlog and Issues Causing It
- Solutions / Action Steps
 - People-Related
 - Process-Related
- More about process improvements – a multi-step approach:
 - Energov (October – December)
 - Overall update of the Zoning Code (next 24 months)
 - Focus on the Key DRB elements (soon)
 - Improve how we protect historic properties (now -through next 6 months)

What is the current data?

Planning Division Workload Summary						
	8/19/2024	9/2/2024	9/9/2024	9/16/2024	9/23/2024	9/30/2024
Non-ADU Zoning Plan Checks						
Total Applications Pending Review	91	89	81	75	79	67
21+ Days Since Submittal	78	70	74	60	58	45
ADU Zoning Plan Checks						
Total Applications Pending Review	24	25	25	28	30	19
21+ Days Since Submittal	19	24	25	19	21	13
Total ZPC Workload (Incomplete/Under Review)						
Total	192	217	222	243	248	238
Entitlement Process						
Pending Staff Reports	54	45	45	54	56	58
Pending Staff Report Breakdown						
	8/19/2024	9/2/2024	9/9/2024	9/16/2024	9/23/2024	9/30/2024
Planner Preparing Draft Report	28	18	21	32	30	34
Draft Report Under Review	24	17	10	11	12	10
Planner Revising Report	2	10	14	11	14	14
Total	54	45	45	54	56	58

Why is there a Backlog?

People Reasons:

- Staff turnover
- New staff needing additional training
- More accountability needed
- Tough customer interactions

Process Reasons:

- Code is complex
- Aspects of design review seem unnecessarily bureaucratic
- More detail & scope of staff reports w/resolutions and findings for DRB, PC

Addressing the People Reasons

- More training (by BB&K) on:
 - CEQA, Permit Streamlining, more
 - Local Code and practices
- Better mentoring of new staff
- Staff assigned by teams led by experienced planners
- Providing more accountability and being transparent with data
- Limiting telecommuting – but still trying to be a good place to work

Addressing the Process Reasons

- With workload increase:
 - Brought in retired annuitants to help
 - Hiring Limited Term staff
- Staff report template + ways to prepare staff reports more quickly, earlier
 - Our “ask” of designers/architects – tell us how a project complies with DR criteria, we’ll review & determine
- Energov
- Proposed Comprehensive Zoning Code Update
- Proposed Design Review Efficiency Improvements

About Energov

- What is it?
 - Digital submission of plans, more ways to interact & be updated, more ways to understand pacing of review – for customers, staff, and architects/designers.
- Timeline:
 - October – November 2024
 - Piloting new projects with architects / designers
 - Encourage resident enrollment in Energov (coming soon)
 - Move all new applications to Energov (later in 2024)
 - Later into 2025:
 - Move existing applications to Energov

Comprehensive Zoning Code Update (CZCU)

- Council will consider a vendor (following the RFP) on October 8, 2024
- Vendor will begin a 24-month process to review the Zoning Code and modernize it, propose updates in response to State law changes, and in some ways simplify it.
- Will require Coastal Commission review and approval.
- Will have a full public engagement process.

Design Review Efficiency Improvements

- Why?
 - Short term solution to assist with the backlog
 - State law & other codes have changed
 - Intricacy of current DR process hinders productivity
 - After several years of field experience, it's time to look at what triggers DR
 - Current staff has identified tools that are designed to keep the DR spirit and intent but also avoid pitfalls & make the process faster.

Four Buckets of Possible DR Changes

#1 - Common Practice yet Not in Code

- What: Codify aspects of CD Agreed-Upon Interpretations
- Why: Makes current practices more transparent, provides decision continuity as Staff changes

#2 – What Triggers DR

- What: More routine changes & changes that reduce scope/impact of the project don't trigger DR
- Why: Reflects realism and reduces “head shakers” (“Really? This requires DR?”)

#3 - Grouping DR Elements

- What: Group related DR elements in categories, ID where some superseded by other updated codes
- Why: Current rigidity needed for DR findings can lead to mistakes and result in a minor item stalling out a project.

#4 - Other Changes and Clean-Ups

- What: Miscellaneous and other changes.
- Why: Current code language has omissions, duplication, errors.

Bucket 1 – Common Practice, Not in Code

Definitions of “Demolition,” “Improvement,” “Major Remodel,” “Style Change,” etc.

Staking requirements apply to CDPs, too

Concept of Zoning Clearance – where a project moves to building permits after specific Planning review and approval

Bucket #2's Overall Approach / Theme

- PC/DRB Review **Reduced**
 - Instead of everything being subject to DRB/PC unless specifically exempted or excepted, only certain specified items would trigger DRB or PC review
- Admin DR **Expanded**
 - Include option for CDD to waive public hearing upon notice and no request for public hearing (like “minor development” process for CDPs in LBMC, Chapter 25.07)
- Exempt from DR **Expanded**
- If something does not trigger Design Review or Zone Clearance, property owners have discretion w/out City action

Bucket 2 – Modifying what Triggers DR



New Triggers

Major actions to historic resources that do not qualify for Admin DR

Major capital improvement projects, based on the potential to have environmental, aesthetic, or land use effects on the community.



Clarified Triggers:

All new “buildings” (except SB 9 units and ADUs)

A Major Remodel, as now defined

Any “improvement” that exceeds a height of 16 feet



Removed Triggers:

Signs, as specified in Chapter 25.54 (Sign Regulations)

Outlining of the outside of buildings with lights

Bucket 2 – Expanding **Admin DR** to include...



ADMIN DR ONLY

Minor alterations (defined) to historic resources.
Minor CIP Items (minimal effects on the environment/community, including visual or aesthetic environment)
Exterior façade changes (that DO result in a style change)

But CD Director can refer the above to DRB or PC



ADMIN DR ONLY

Certain landscaping and certain hardscape
Decks, slabs or patios elevated >3',
Certain re-roofing projects,
Above-ground utility structures
Certain Telecom facilities

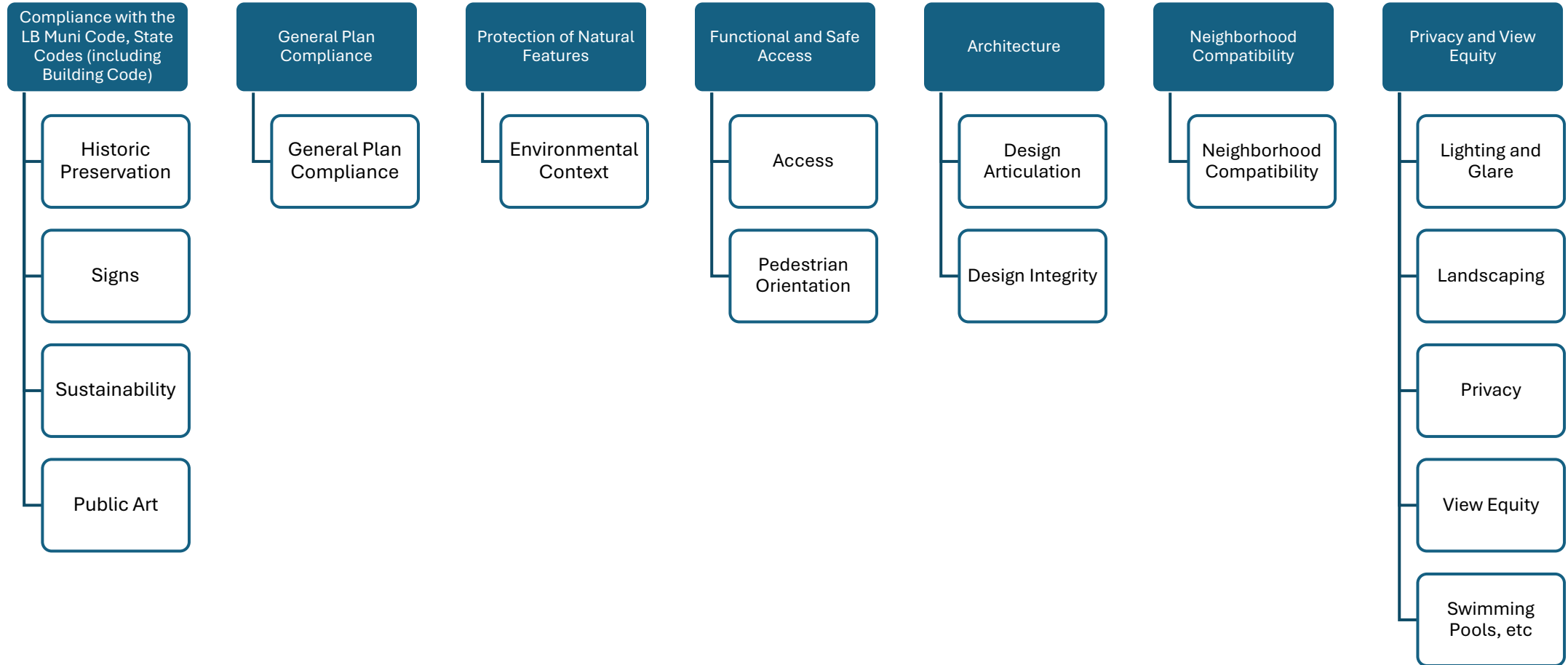
But CD Director can refer the above to DRB or PC

Bucket 2 – Expanding DR Exempt to Include...

The CD Director may authorize minor changes to **an approved permit** without a public hearing upon making certain findings.

If the CD Director cannot make the findings, the change is major – then the change must be considered by the original approval body (DRB or PC)

Bucket #3 – 16 DR Criteria Combined into 7 DR Findings



Bucket 3's Why

- **Problem:** Rigidity of the 16 DR criteria required findings can lead to bureaucratic errors (that seem minor) but that can derail or delay reasonable project approvals made by DRB/PC.
 - **Solution:** Remove rigidity of 16 criteria to create flexibility with more broadly-stated findings – trust the DRB and PC to make decisions.
 - Helps avoid errors
 - DRB/PC can pivot real-time at the hearing to avoid continuances and more versions of staff reports.
- **Problem:** In some cases, State law, local zoning, and local code changes make certain DR findings moot.
 - **Solution:** End the redundancy and more simply note compliance with State law or local regulation (ex: CA Building Code emphasizes green building/sustainable practices, existing Sign Code).

Bucket 4 – Other & Misc Clean-Ups (selected)

Limit to 2 DRB / 2 PC
Hearings

Cannot resubmit on same
parcel for 6 months (versus 2
months today)

Remove some unnecessary and/or
duplicative design review
findings/criteria (but not change
substance/development standards)
for: Lagunita, Three Arch Bay,
Diamond/Crestview, Arch Beach
Heights, Hillside Protection Zone

Remove design guideline
language from code

Next Steps for DR Efficiency Improvements

- Let us know what you think
- Goes to DRB / PC Workshops (November)
- Goes to Council for workshop w/community, DRB, PC input (January)
- Council directs next steps (January)

About Historic Properties in Laguna Beach

The Issues – Register

- There is a Historic Register. It requires owner consent and offers incentives to property owners.
- We need to make sure that all Register properties have appropriate documentation.

Possible Solution(s) - Register

- Review & organize property files for properties on the Register
- Develop / recommend a plan to address anomalies (if they exist).

The Issues - Inventory

- A Historic Resources Inventory was prepared in the 1980s
 - Inventory was a list of about 800 properties along with brief historic context statements for older Laguna neighborhoods
 - Only properties built before 1940 were included.*
 - The City eliminated references to the Inventory from its planning documents and Municipal Code in 2022.
- The City may have evidence of historicity for Inventory and non-Inventory properties within the City.
- Per CEQA, the City may determine whether a property should be treated as a historic resource based on substantial evidence.
- The City may need to assess each property's historic status.

* Plus 2 from 1940 and City Hall

Possible Solution(s) - Inventory

Consultant to:

- Decide how, if, and when to assess the non-Register properties for historical significance.
- If appropriate:
 - Conduct historical assessments for properties not designated on the Register.
 - Communicate draft historicity findings to property owners and the public, allow property owners and the public to respond, file appropriate information in property files.

Other Action Steps (page 2)

- Hire a preservation planner qualified to address historic preservation issues as subject property applications come in (or via Code Enforcement)
- Code changes (on the next slide)
- Longer Term:
 - Review of the Heritage Committee's scope and duties to:
 - Include a Committee Work Program; and
 - Avoid duplicative and unnecessary processes (pending hire of qualified staff member).
 - Consider preparation of a Laguna Beach historic context statement to provide a clear framework for determining historical significance of properties not currently on the register.

Possible Code Changes Re: Altering an Historic Property

- Property Alterations:
 - Minor - Can be approved administratively at a public hearing (@ director level) provided proposed changes are consistent with US Secretary of the Interior's *Standards for Treatment of Historic Properties*.
 - Major - Require Heritage Committee then DRB or PC review only at a public hearing.
- Historic Resource Assessment may be required by the City prior to project review and paid for by ...
 - The City (where City is not confident that the property is a historic resource).
 - The Applicant (where City is confident that the property is a historic resource).
- Code already requires a Pre-Construction Meeting to convey importance of protecting the historic resource.

Comments and Questions