

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear below of their intention to circulate the petition within the City of Laguna Beach for the purpose of amending the Municipal Code to require voter approval for major development projects. A statement of reasons for the proposed action as contemplated in the petition is as follows:

Laguna Beach is in a unique location, at the mouth of a canyon opening onto the ocean, served only by Coast Highway and Laguna Canyon Road; therefore increases in traffic are of paramount concern for community issues such as public safety, public health, and the quality of life. Due to the natural limitations of the physical size of the city and proximity to the beach, the current level of development dictates the need for careful management of further intensification of land use in the city. The look and feel of Laguna Beach - including rural and eclectic Laguna Canyon, walkable commercial districts, tree-lined streets, and a variety of low-scale buildings, all of which work together to create a welcoming atmosphere for visitors and residents alike - requires protection. Over the years, Laguna Beach has developed unique commercial districts consisting of an "Organic Mosaic" of individual buildings that were built and then redeveloped at different times by different owners. The years have left Laguna with a pleasing and eclectic pattern of development that should be preserved by continuing essential elements of the current height and density zoning provisions of development. As the city evolves and changes with the times, major development should:

- Be unique; not part of large, monolithic developments;
- Be responsible, so that each development project mitigates the impact it has on its neighbors, Laguna residents, and visitors including traffic, parking, scale, public safety, and aesthetic impacts;
- Be innovative in finding ways to honor the celebrated value of Laguna Beach's look and feel.

Therefore, we submit **"An Initiative to Create the Beautiful Laguna Overlay Zoning District and Require Voter Approval for Major Development Projects"**

Original Signed by:
David Raber
Gene Felder
Merrill Anderson

**INITIATIVE MEASURE TITLE AND
SUMMARY PREPARED BY CITY ATTORNEY
PURSUANT TO ELECTIONS CODE SECTION
9203**

Title:

An Ordinance Creating an Overlay Zoning District and Requiring Voter Approval of Major Development Projects

Summary:

This initiative, if adopted by a majority of the Laguna Beach electorate voting on the matter, and if subsequently certified by the California Coastal Commission as a Local Coastal Program Amendment, would amend the Laguna Beach Municipal Code to create a “Beautiful Laguna Overlay Zoning District” designation (Overlay District).

The proposed Overlay District covers all property in the City located within 750 feet of the centerline of either State Route 1 (Coast Highway) or State Route 133 (Laguna Canyon Road/Broadway).

The initiative would establish special requirements for any “Major Development Project” within the Overlay District. A “Major Development Project” is defined to mean improvements or changes to improvements on a property, including change of use, that significantly increase density, traffic, or intensity of use by having one or more of the following effects:

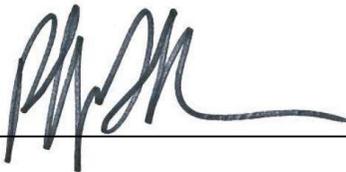
- 1) Exceeds 22,000 square feet of total gross floor area;
- 2) Worsens traffic by causing 200 or more additional “Average Daily Trips” (as is further defined);
- 3) Worsens parking by providing fewer than the “Reasonably Necessary Number of Parking Spaces” (as is further defined);
- 4) Exceeds the height standards in the Overlay District;
- 5) Combines two or more contiguous lots to create a single parcel exceeding 7,500 square feet of lot area, or exceeding 6,000 square feet of lot area within the Downtown Specific Plan, with exceptions; or
- 6) Causes a “Cumulative Effect,” defined as when considered together with other “Cumulative Properties” (as is further defined) will cause more than 800 “Average Daily Trips” or the construction of more than 88,000 square feet of gross floor area.

The initiative would require every “Major Development Project” within the Overlay District to be submitted to the voters for approval at either a regular or a special election after the City Council has first approved a zone change for the purpose of removing the subject property from the requirements of the Overlay District. The City Council’s approval must include a finding that the benefits of the “Major Development Project” to the City outweigh the

protections of the Overlay District. A description of the scope and main features of the project would need to be included in the sample ballot materials provided to the voters.

Properties within the Overlay District would retain their underlying zone designation and any development of those properties would be required to meet specified new standards – including maximum standards for density, development intensity, development size, parking, and height – in addition to meeting the development standards of the underlying zone.

The requirements of the Overlay District would not apply to the following: single-family residential projects; exclusively residential projects of nine or fewer units; 100% affordable housing projects; public or private schools; hospitals; museums; houses of worship; the in-kind repair, replacement, restoration or reconstruction of existing buildings damaged by a disaster; projects approved before the effective date of the initiative if a vested right to complete the project has been acquired; or a “Minor Modification to a Major Development Project” (as is further defined).

A handwritten signature in black ink, appearing to read 'P. D. Kohn', is written over a solid horizontal line.

Philip D. Kohn, City Attorney

Dated: July 28, 2021