



To preserve and enhance the unique village character of Laguna Beach

July 11, 2022

City Council
505 Forest Avenue
Laguna Beach, CA 92651

Re: Agenda for July 12, 2022, #13

Dear Councilmembers,

Village Laguna opposes approval of this measure. The ordinance that staff has prepared to compete with the Laguna Residents First initiative on the November ballot only increases the concerns about lack of transparency and meaningful citizen participation in planning that precipitated that initiative. It seems to be an end run around normal zoning code amendment procedures and a way to legitimize the controversial rooftop decks and make improper changes to the required variance findings. We wonder why a ballot measure is necessary when the City Council is empowered within the normal planning process to make changes like these as it sees fit (with normal public hearings). There is nothing about these provisions that requires voter approval in a ballot measure.

At the same time, the proposed changes don't accomplish what they purport to do. They don't discourage threats to Laguna's small-scale village character. The maximum size of a lot combination proposed is too large to have prevented some of the recent projects that residents have already judged oversized, and the standards suggested for areas where the maximum doesn't apply are simply routine gestures in the direction of the appearance of small scale. The overdevelopment that residents are concerned about includes the parking, traffic, and cumulative implications of intensification of use in addition to scale and aesthetics.

In addition to not doing enough to protect the village, the proposed ordinance would ease the way for the approval of rooftop decks that violate the 36-foot height limit. This would be inconsistent with the purpose of the ordinance by encouraging both oversized buildings and the intensification of use. If a rooftop deck can be approved to "enhance accessibility and improve compliance with the building code" (by creating elevators and stairs) and may include "fixed shade structures," we're well on our way to the supposedly prohibited "expansion or creation of floors that exceed the allowed height limit."

Also important and perhaps setting a dangerous precedent is that the ordinance incorrectly suggests that a variance to violate the 36-foot height limit for a rooftop deck can be granted if the project meets certain design criteria. Under state law, variances are granted only on a case-by-case basis in response to particular site conditions that create a hardship. The proposed additions to the zoning code are tacked onto a list of the different kinds of variances the Planning Commission is authorized to consider, calling attention to the fact that they have no proper place in a discussion of the variance process.

Please don't adopt these modifications.

Sincerely,
Anne Caenn



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Anne Casini
President, Village Laguna