

ORDINANCE NO. 1692

**AN ORDINANCE OF THE CITY OF LAGUNA BEACH,
CALIFORNIA, AMENDING CHAPTER 25.95 OF THE LAGUNA
BEACH MUNICIPAL CODE REGULATING SINGLE-FAMILY
RESIDENTIAL ONE- AND TWO-UNIT DEVELOPMENTS AND
URBAN LOT SPLITS PURSUANT TO CALIFORNIA SENATE BILL
9 (SB 9)**

WHEREAS, on September 16, 2021, Governor Gavin Newsom signed into law Senate Bill 9 (SB 9), which became effective on January 1, 2022, adding Government Code Sections 65852.21 and 66411.7, and amending Government Code Section 66452.6; and

WHEREAS, SB 9 requires jurisdictions allow for certain one- or two-unit housing developments and urban lot splits to be approved ministerially in single-family residential zones; and

WHEREAS, SB 9 allows local agencies to impose objective zoning, subdivision, and design review standards in compliance with Government Code Sections 65852.21 and 66411.7; and

WHEREAS, the City of Laguna Beach, pursuant to the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 *et seq.*) and State CEQA Guidelines (Title 14 the California Code of Regulations, Sections 15000 *et seq.*) has determined that this Ordinance is exempt from the provisions of CEQA because this Ordinance is not considered a “project” pursuant to Government Code Section 65852.21(j) and Government Code Section 66411.7(n) and because it can be seen with certainty that this Ordinance will not have an effect on the environment pursuant to CEQA Guidelines Section 15061; and

WHEREAS, the City desires to amend its local regulatory scheme to comply with Government Code Sections 65852.21, 66411.7, and 66452.6 to appropriately regulate projects governed by SB 9; and

WHEREAS, on March 15, 2022, the City Council unanimously adopted an urgency ordinance for a term of 45 days (Ordinance No. 1668) adding Chapter 25.95 to the Laguna Beach Municipal Code regulating residential one- and two-unit developments and urban lot splits in single-family residential zones pursuant to SB 9; and

WHEREAS, on April 26, 2022, the City Council unanimously adopted an extension of the urgency ordinance for a term of 10 months and 15 days (Ordinance No. 1671); and

WHEREAS, the City Council desires to adopt a permanent ordinance implementing SB 9 and adopting objective zoning, subdivision, and design review standards applicable thereunder; and

WHEREAS, on September 21, 2022, a draft permanent ordinance was presented to the Planning Commission for comments and recommendations, and the Planning Commission expressed its support for the proposed amendments; and

WHEREAS, on September 28, 2022, the Housing and Human Services Committee considered the draft permanent ordinance, provided comments and recommendations to revise the draft permanent ordinance, and expressed its support for the proposed amendments; and

WHEREAS, on November 2, 2022, the Planning Commission held a duly noticed public hearing and voted unanimously to recommend that the City Council approve Zoning Ordinance Amendment 22-1548 and Local Coastal Program Amendment 22-1630 to amend Chapter 25.95 of the Laguna Beach Municipal Code with minor revisions; and

WHEREAS, on January 10, 2023, the City Council held a duly noticed public hearing to consider the Planning Commission’s recommendation and the testimony and evidence presented to the City Council and directed staff to address Council’s comments and return the ordinance for Council’s consideration at a future hearing; and

WHEREAS, on August 8, 2023, the City Council held a duly noticed public hearing to consider the revised draft ordinance and the testimony and evidence presented to the City Council and approved the introduction and first reading of the Ordinance No. 1692 and LCP Amendment 22-1630 to amend Chapter 25.95 of the Laguna Beach Municipal Code regulating Single-Family Residential One- and Two-Unit Developments and Urban Lot Splits Pursuant to California Senate Bill 9 (SB 9). The first reading was adopted with the modification that the R/HP zone does not meet state statutory requirements to qualify for SB 9 One- and Two-Unit Developments and Urban Lot Splits, based on the following findings: 1) pursuant to the General Plan Residential/Hillside Protection Land Use Designation, the R/HP-Residential/Hillside Protection zone is primarily intended for preservation of open space and for other nonresidential uses, with limited residential development, and is not primarily a single-family residential zone; 2) the R/HP-Residential/Hillside Protection zone is characterized by steep topography and constrained roadways, and intensification of development presents a public health and safety hazard as it relates to wildfire and ability to evacuate, as well as hazards related to geological stability and potential for landslides; and passed it to a second reading.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 25.95 (entitled “Single-Family Residential One- and Two-Unit Developments and Urban Lot Splits”) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

CHAPTER 25.95

SINGLE-FAMILY RESIDENTIAL ONE- AND TWO-UNIT DEVELOPMENTS AND URBAN LOT SPLITS

Sections:

- 25.95.010 Intent and purpose
- 25.95.020 Definitions
- 25.95.030 SB 9 housing development and lot split applicability
- 25.95.040 Standards and criteria for SB 9 housing development
- 25.95.050 Standards and criteria for urban lot splits

25.95.010 Intent and purpose

In accordance with California Government Code Sections 65852.21, 66411.7, and 66452.6, the City intends for this Chapter to regulate Senate Bill 9 (SB 9) one- or two- residential unit development and SB 9 urban lot splits to the greatest extent permitted under California housing law, while retaining the character of the City's single-family neighborhoods. In order to ensure that no avoidable adverse impacts on the public health, safety, and general welfare result from the creation of multiple residential units on what previously only permitted a single-family dwelling, this Chapter prescribes standards and limitations for the approval of SB 9 one- or two- residential unit developments and SB 9 urban lot splits. If any of the provisions of this Ordinance are preempted pursuant to any applicable State or Federal law, the provisions of the State or Federal law prevail.

25.95.020 Definitions

The following terms used in this Chapter shall have the meanings indicated below:

“SB 9 housing development” means the development of one- or two- residential units, but no more than two residential units on a parcel, meeting the requirements for ministerial approval subject to the requirements of this Chapter and Government Code Section 65852.21.

“SB 9 unit” means a residential unit developed as SB 9 housing development.

“Urban lot split” means a subdivision of an existing legal parcel in a single-family residential zone to create no more than two new parcels of approximately equal lot area, subject to the requirements of this Chapter and Government Code Section 66411.7.

For the purposes of this Chapter, “unit” means any dwelling unit, including, but not limited to, a unit or units created pursuant to Government Code Section 65852.21, a primary dwelling, an

accessory dwelling unit (ADU) as defined in Government Code Section 65852.2, or a junior accessory dwelling unit (JADU) as defined in Government Code Section 65852.22.

25.95.030 SB 9 housing development and lot split applicability

This Chapter shall only apply to parcels within the R-1 Residential Low-Density Zone, Diamond/Crestview Specific Plan (DCSP) Zone, Lagunita Zone, and Three Arch Bay Zone. SB 9 housing development and urban lot splits are not permitted in any other zone.

Proposed SB 9 housing development and urban lot splits shall be considered ministerially, without discretionary review or hearing, if the proposed SB 9 housing development and/or urban lot split meets all of the following requirements:

- A. The parcel is not located on a site that is any of the following:
 - 1. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Government Code Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Public Resources Code Section 4202. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
 - 2. A hazardous waste site that is listed pursuant to Government Code Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section 25356, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
 - 3. Within a delineated earthquake fault zone, unless the development complies with applicable seismic protection building code standards.
 - 4. Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps, unless:
 - a. The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the City; or
 - b. The site meets the Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.

5. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan; lands under conservation easement; or habitats for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act, the California Endangered Species Act, or the Native Plant Protection Act.
 6. Any other applicable requirements specified in subparagraphs (B) to (K), inclusive of paragraph (6) of subdivision (a) of California Government Code Section 65913.4.
- B. The proposed SB 9 housing development and/or urban lot split would not require demolition or alteration of any of the following types of housing:
1. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 2. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
 3. Housing that has been occupied by a tenant in the last three years.
- C. The parcel is not one on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Government Code Section 7060) of Division 7 of Title I of the Government Code to withdraw accommodations from rent or lease within fifteen (15) years before the date that the applicant submits an application for SB 9 housing development and/or an urban lot split.
- D. The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.
- E. Only individual property owners may apply for an urban lot split. "Individual property owner" means a person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, LP, LLC, C Corp, S Corp, etc.) except for a community land trust (as defined by Rev. & Tax Code SS 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Rev. & Tax Code §214.15). This Paragraph E shall not apply if the parcel owner records a deed restriction against one (1) of the parcels requiring that a minimum of one (1) of the housing units on one (1) of the resulting parcels be restricted to occupancy by a low-, very-low-, or extremely-low- income

household at an affordable rent for a period of ten (10) years, as those terms are defined in the California Health and Safety Code.

- F. Nothing in this Chapter shall be construed to supersede or in any way alter or lessen the effect or application of the City of Laguna Beach Local Coast Plan (LCP) or California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the City shall not be required to hold public hearings for coastal development permit applications for proposed SB 9 housing development and/or urban lot splits pursuant to this Chapter. Proposed SB 9 housing development and urban lot splits which would require a coastal development permit pursuant to Section 25.07.004 of this Code shall require an administrative coastal development permit pursuant to Section 25.07.013 of this Code, except that the Director of Community Development shall issue an administrative coastal development permit if the application meets the requirements in Section 25.07.013 (A), and Paragraphs (B)(1) and (2) related to public notice and hearings shall not apply.

25.95.040 Standards and criteria for SB 9 housing development

The following standards and criteria shall apply to all SB 9 housing development permitted under this Chapter. If an applicant submits plans showing that any of the objective standards in this Section would have the effect of physically precluding the construction of up to two (2) units or would physically preclude either of the two (2) units from being at least 800 square feet in floor area, the Community Development Director or his/her designee shall ministerially permit the minimum deviation of the objective standards shown to physically preclude the construction necessary to physically allow the SB 9 housing development project. However, in no event shall the minimum rear and side setback requirements contained in this Section be waived or modified.

- A. **Setbacks.** SB 9 units shall maintain the front yard setback for the applicable zoning district in which the parcel is located. SB 9 units shall maintain a minimum four (4) foot setback on the side and rear yards. No setback shall be required for an existing structure or structure constructed in the same location and to the same dimensions as an existing structure.
- B. **Parking.** A minimum of one (1) off-street parking space shall be required for each SB 9 unit. However, this requirement shall not apply if the parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code, or if there is a car share vehicle located within one block of the parcel.
- C. **Building separation, landscaping, and lot coverage requirements.** Unless otherwise specified in this Chapter, an SB 9 housing development shall comply with the building separation, landscaping, and lot coverage standards of the applicable zoning district in which the lot is located. The building lot coverage limitation shall include all structures, including primary residential dwelling units, any SB 9 units,

any ADU or JADU, garages, etc. The totality of the structure(s) on the lot shall not exceed the allowable building lot coverage specified in the zone in which the parcel is located.

- D. Short term rentals prohibited. SB 9 units shall only be rented or leased for a term longer than 30 days. A deed restriction prepared by the City shall be recorded on the subject property prior to issuance of building permits for the SB 9 housing development stating that any SB 9 units shall only be rented or leased for a term longer than thirty (30) days and that the deed restriction runs with the land, and will be enforced against future owners of the property.
- E. Occupancy. A deed restriction prepared by the City shall be recorded on the subject parcel prior to issuance of building permits for any SB 9 housing development stating that the property owner shall occupy one of the SB 9 units for a period of three (3) years from the date of approval of the SB 9 housing development as his or her principal residence and that the deed restriction runs with the land, with the provision that this will be enforced against future owners of the property for a period of three (3) years from the date of approval of the SB 9 housing development. This Paragraph E shall not apply if the parcel owner records a deed restriction against the parcel requiring that a minimum of one (1) of the SB 9 housing units be restricted to occupancy by a low-, very-low-, or extremely-low- income household at an affordable rent for a period of ten (10) years, as those terms are defined in the California Health and Safety Code.
- F. Permanent foundation. All SB 9 units shall be constructed upon a permit foundation. SB 9 housing development shall not consist of a recreational vehicle.
- G. Unit size. Each SB 9 unit must be a minimum of 800 square feet and no greater than 1,000 square feet.
- H. Maximum height. SB 9 units shall be subject to a height limitation of sixteen (16) feet, and no new roof decks or balconies shall be located on a new structure.
- I. Building site. Any proposed SB 9 housing development must be on a parcel which is a building site, as that term is defined in Section 25.08.004 of this Code.
- J. Materials, finishes, and dominant roof pitch shall match existing buildings on the site (if any exist) and if two (2) SB 9 units are proposed on a single parcel, the materials, finishes, and dominant roof pitch shall match between the SB 9 units. The “dominant roof pitch” is the roof slope shared by the largest portion of the roof.
- K. Comply with all provisions. Unless otherwise specified by the provisions of this Chapter or State law, SB 9 housing development shall be required to comply with all objective provisions of the underlying zoning designation and all regulations required for a primary single-family dwelling unit, including but not limited to all applicable building and construction requirements.

- L. Additional units. When SB 9 housing development is proposed on a parcel not created pursuant to an urban lot split, or proposed to be divided pursuant to an urban lot split, the parcel is eligible to receive ADUs and/or JADUs as it ordinarily would under applicable law. When SB 9 housing development is proposed on a parcel created pursuant to an urban lot split, or proposed to be divided pursuant to an urban lot split, in no event shall either parcel contain more than two (2) units (including any residential dwelling units, SB 9 units, ADUs, and JADUs).
- M. Non-permitted use. No SB 9 housing development shall be established on any parcel which has an existing non-permitted use with respect to the City's current use standards.
- N. Health and Safety. The City's ministerial review of each SB 9 housing development application shall include review for any other issues related to the impact of the proposed SB 9 housing development on public health and safety, including the adequacy of water or sewer services, and/or the impact of the proposed development on traffic flow.
- O. Additional Requirements.
 - 1. SB 9 units shall include sufficient permanent provisions for living, sleeping, eating, cooking, and sanitation, including but not limited to interior washer and dryer hookups and kitchen facilities.
 - 2. SB 9 units shall have separate utility connections and separate utility meters.
 - 3. Each SB 9 unit shall be connected to the public sewer, and that connection shall be subject to a connection fee, or capacity charge, or both.
 - 4. SB 9 housing development must meet the requirements of all Uniform Codes, including but not limited to the California Building Code and the California Fire Code, as such codes have been adopted and amended by the City of Laguna Beach Municipal Code.
 - 5. Two-unit SB 9 housing development may be either freestanding or attached. Internal connections between units are prohibited. Each unit shall provide an independent exterior entrance, kitchen, bathroom, and washer and dryer hookups.
 - 6. All exterior mechanical equipment such as air conditioners, water heaters and the like must meet Laguna Beach Municipal Code requirements for setbacks, noise, and screening.

7. If trees larger than six-inch diameter trunks are removed to construct an SB 9 housing development, the trees must be replaced with approved landscaping at a two-to-one ratio.
 8. All new and existing windows, doors, decks, patios, or entrances in direct line of sight from SB 9 development to adjoining residences shall be screened with fencing, walls, landscaping, or privacy glass to maintain the greatest degree of privacy to adjacent residential units.
- P. Denial. The City may deny a proposed SB 9 housing development if the proposed SB 9 housing development does not comply with this Chapter or any other applicable law, or if the City's building official makes a written finding, based upon a preponderance of the evidence, that the proposed SB 9 housing development would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- Q. Deviations from objective standards. Proposed SB 9 housing units that deviate from the standards of this Chapter may still be permitted in the City in some circumstances but shall not qualify for ministerial review pursuant to this Chapter. Such applications shall be submitted pursuant to the City's standard code provisions related to housing development, and shall be subject to applicable design review, variance, coastal development permit, and other entitlements pursuant to Title 25.

25.95.050 Standards and criteria for urban lot splits

The following criteria apply to urban lot splits. If an applicant submits plans showing that any of the objective standards in this Section would have the effect of physically precluding the construction of up to two (2) units on either of the resulting parcels or would physically preclude either of the two (2) units from being at least 800 square feet in floor area, the Community Development Director or his/her designee shall ministerially permit the minimum deviation of the objective standards shown to physically allow the urban lot split.

- A. Parcel map. The parcel map shall subdivide an existing parcel to create no more than two (2) new parcels of approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.
- B. Parcel size. Both newly created parcels shall be no less than 1,200 square feet.
- C. Prohibition against subsequent urban lot splits. Parcels created from an urban lot split may not be further subdivided pursuant to an urban lot split.

- D. Prohibition against adjacent urban lot splits. Neither the owner of the parcel being subdivided nor any person acting in concert with the owner may subdivide an adjacent parcel using an urban lot split.
- E. Comply with all provisions. An urban lot split shall comply with all applicable objective requirements of the Subdivision Map Act unless otherwise specified in this Chapter or State law.
- F. Public services. No dedications of right-of-way or construction of off-site improvements may be required for parcels being created by urban lot splits. However, the City may require easements for the provision of public services and facilities.
- G. Parking. A minimum of one (1) off-street parking space shall be required for each unit on parcels created through an urban lot split. The parking space(s) shall be located on the same parcel as the unit it serves. However, this requirement shall not apply if the parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code, or if there is a car share vehicle located within one block of the parcel.
- H. Street frontage. Both parcels created by an urban lot split shall contain a minimum of 19 feet of street frontage to provide for vehicle access to the public right-of-way which complies with all applicable laws, including the objective provisions of this Code. The required street frontage shall not be provided from an alley unless that is the only access to the existing parcel.
- I. Building site. A proposed urban lot split must be on a parcel which is a building site, as that term is defined in Section 25.08.004 of this Code.
- J. Long-term residential uses. Any parcel created by an urban lot split shall be limited to residential uses. No unit on a parcel created pursuant to an urban lot split shall be rented or leased for a term of thirty (30) days or shorter.
- K. Affidavit. As required by Government Code Section 66411.7(g), an applicant for an urban lot split shall sign an affidavit stating that the applicant intends to occupy one of the units upon one of the parcels created by the urban lot split as his or her principal residence for a minimum of three (3) years from the date of the approval of the urban lot split.
- L. Deed restriction. A deed restriction prepared by the City shall be recorded on the parcel proposed to be divided by an urban lot split prior to the City's approval of the urban lot split stating the following:

1. That rental or lease of any unit constructed or existing upon parcels subject to the urban lot split shall be required to be rented or leased for a term longer than 30 days;
2. That the property owner shall occupy one of the dwelling units upon one of the parcels created by the urban lot split for a period of three (3) years from the date of approval of the urban lot split as his or her principal residence; and
3. That the deed restriction runs with the land and each provision therein may be enforced against future owners of the property.

In the event the City ministerially denies a proposed urban lot split, or the applicant decides not to pursue the lot split, the applicant may submit a request to the Community Development Department to pursue a rescission or other amendment of the deed restriction required herein, which shall be approved upon the City's determination that the proposed urban lot split will not occur. The Director of Community Development shall have the authority to rescind or otherwise amend the deed restriction required by this Paragraph.

- M. Associated permits. If an application for an urban lot split triggers the requirement for a discretionary or ministerial permit or approval other than an urban lot split and/or a building permit (including but not limited to a Design Review and/or Conditional Use Permit), those associated permits must be applied for and obtained prior to application for an urban lot split. The process for obtaining the associated permit(s) shall be as set forth in Chapter 25.05 of this Title.
- N. Permitted units. A maximum of two (2) units, including any residential dwelling units, SB 9 units, ADUs, and JADUs, shall be permitted on parcels created pursuant to an urban lot split. In no event shall an urban lot split result in an ADU or a JADU being on a parcel without a primary residential dwelling unit (a single-family residence or SB 9 unit).
- O. Tentative map. Except as stated in this Paragraph, the tentative map for an urban lot split shall comply with all applicable, objective requirements of Chapter 21.08 of this Code. There shall be no public hearing for a tentative map for an urban lot split, and no review by the Planning Commission or City Council pursuant to Section 21.02.090 or otherwise. The Community Development Director shall ministerially approve the tentative map for an urban lot split if it meets the requirements of this Chapter.
- P. Final map. The final map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor and shall be in a form approved by the City Engineer. Except as stated in this Paragraph, the final map for an urban lot split shall comply with all applicable, objective requirements of Chapter 21.16 of this Code. There shall be no public hearing for a final map for an urban lot split, and

no review by the Planning Commission or City Council. The Community Development Director shall ministerially approve the final map for an urban lot split if it meets the requirements of this Chapter.

- Q. Denial. The City may deny a proposed urban lot split if the proposed urban lot split does not comply with this Chapter or any other applicable law, or if the City's building official makes a written finding, based upon a preponderance of the evidence, that the proposed urban lot split would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

- R. Deviations from objective standards. Proposed urban lot splits that deviate from the standards of this Chapter may still be permitted in the City in some circumstances but shall not qualify for ministerial review pursuant to this Chapter. Such applications shall be submitted pursuant to the City's standard code provisions related to subdivisions, and shall be subject to applicable design review, variance, coastal development permit, and other entitlements pursuant to Title 25.


SECTION 2. The City Council does hereby determine and find that this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Government Code Section 65852.21(j) and Section 66411.7(n) because it is not considered a "project" under Division 13 (commencing with Section 21000) of the Public Resources Code. A Local Coastal Program Amendment is required because all amendments to the City's certified Local Coastal Plan Implementation Program, which includes Municipal Code Title 25, require Coastal Commission approval. In accordance with the California Environmental Quality Act (CEQA) Guidelines, the proposed Municipal Code and Local Coastal Program amendments have been determined to be an exempt project pursuant to State CEQA Guidelines Section 15061(b)(3) (no possible significant effect on the environment). The action is also exempt pursuant to State CEQA Guidelines Section 15265(c), which shifts the burden of CEQA compliance to the California Coastal Commission in connection with preparation or amendment to a Local Coastal Program. The Coastal Commission's LCP review and approval procedures have been found to be functionally equivalent to the environmental review process.

SECTION 3. If any portion of this Ordinance, or the application of any such provision to any person or circumstance, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, of the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

SECTION 4. This Ordinance is intended to be of Citywide effect and application. All ordinances and provisions of the Laguna Beach Municipal Code and Sections thereof inconsistent shall be and the same are hereby repealed to the extent of such inconsistency and no further.

SECTION 5. The City Clerk of the City of Laguna Beach shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published in the manner required by law in the City of Laguna Beach. This Ordinance shall become effective not less than thirty (30) days from and after the date of its adoption by the City Council and upon certification of a corresponding Local Coastal Program Amendment by the California Coastal Commission.

ADOPTED this 22nd day of August, 2023.



Bob Whalen, Mayor

ATTEST:



Ann Marie McKay, City Clerk

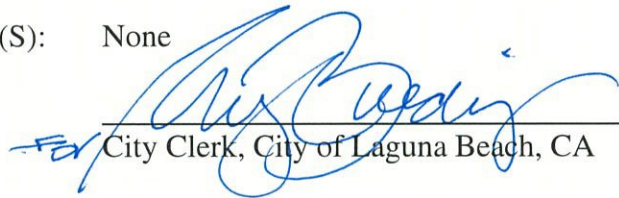
I, Ann Marie McKay, City Clerk of the City of Laguna Beach, California, DO HEREBY CERTIFY that the foregoing Ordinance was introduced at a regular meeting of the City Council of said City on the 8th day of August, 2023, and was adopted by the City Council of said City at a regular meeting of said City Council held on the 22nd day of August, 2023 and that it was so adopted by called vote as follows:

AYES: COUNCILMEMBER(S): Orgill, Rounaghi, Weiss, Kempf, Whalen

NOES: COUNCILMEMBER(S): None

ABSTAIN: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): None



City Clerk, City of Laguna Beach, CA

Sold To:

City Of Laguna Beach-City Clerk - CA11070010
505 Forest Ave
Laguna Beach,CA 92651-2332

Bill To:

City Of Laguna Beach-City Clerk - CA11070010
505 Forest Ave
Laguna Beach,CA 92651-2332

CITY OF LAGUNA BEACH:

ADOPTION OF **ORDINANCE NO. 1692**

AMENDING LAGUNA BEACH MUNICIPAL CODE
CHAPTER 25.95 REGARDING REGULATION OF
SINGLE-FAMILY RESIDENTIAL ONE- AND TWO-UNIT
DEVELOPMENTS AND URBAN LOT SPLITS
PURSUANT TO CALIFORNIA SENATE BILL 9

Adoption of Ordinance No. 1692 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, AMENDING CHAPTER 25.95 OF THE LAGUNA BEACH MUNICIPAL CODE REGULATING SINGLE-FAMILY RESIDENTIAL ONE- AND TWO-UNIT DEVELOPMENTS AND URBAN LOT SPLITS PURSUANT TO CALIFORNIA SENATE BILL 9 (SB 9)," was introduced at the City Council meeting of August 8, 2023, and adopted on August 22, 2023, on the following 5-0 vote: AYES: Orgill, Rounaghi, Weiss, Kempf, Whalen; NOES: None; ABSENT: None. Ann Marie McKay, City Clerk