



# AGENDA REPORT

Consent

6

Meeting Date  
January 23, 2024

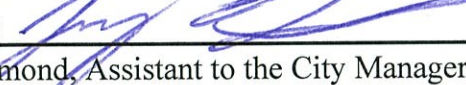
**SUBJECT: CONSIDERATION TO APPROVE RIVIAN'S REQUEST TO UTILIZE A PORTION OF MAIN BEACH PARK FOR A HALF DAY PUBLIC EVENT**

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**RECOMMENDATION:** It is recommended that the City Council:

1. Approve Rivian's request to utilize a portion of Main Beach Park for its event on March 7, 2024; and
2. If authorizing the use of public space, direct the City Manager to provide written approval of the event, per Laguna Beach Municipal Code 18.04.018, to Rivian and the Community Development Director, and direct staff to condition the event with a temporary use permit.

**Appropriation:** \_\_\_\_\_ **Fund Name:** \_\_\_\_\_

**Submitted By:**  \_\_\_\_\_ **Approved:**  \_\_\_\_\_  
Jeremy Frimond, Assistant to the City Manager Sean Joyce, Interim City Manager

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## SUMMARY OF THE MATTER

Rivian is an American electric vehicle manufacturer specializing in the production of electric trucks and SUVs. The company's mission is to offer sustainable transportation solutions for both commercial and non-commercial users.

After an extensive historical rehabilitation of the downtown Laguna Beach Movie Theatre, Rivian reopened the building in early 2024 as the 'Rivian Theatre.' It now serves as the company's brand awareness headquarters. The theatre is open to the public for entertainment purposes and as a meeting space for mission-aligned non-profit community organizations.

Rivian is planning to host its worldwide product launch event at the Rivian Theatre in March 2024. The company has requested the use of a portion of Main Beach Park to support the product launch, providing an opportunity for the public to participate. A map of the proposed event is included as Attachment 1.

While it has not been the City's regular practice to authorize public space for business or exhibition events historically, the Laguna Beach Municipal Code (LBMC) does allow the City Council to consider and approve such events. Recent examples include the Craft Guild, the Main Beach Volleyball Tournament, and the City's outdoor dining program. While the LBMC generally prohibits any person from engaging in business or commercial activities while on City property, including beaches, the City Manager may approve a person with a business license to engage in any business or commercial activity while on City property, including beaches. (See LBMC 18.04.018.)

For policy reasons, City staff is referring Rivian's request to engage in business or commercial activities on a portion of Main Park Beach to the City Council for its consideration and direction. If the City Manager is directed by the City Council to approve the activity, on the condition that any necessary entitlements are obtained, the Community Development Director will review Rivian's request under provisions of the municipal code relating to a temporary use permit and coastal development permit.

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**DISCUSSION**

**Summary of Rivian’s Event Request**

Rivian has submitted a request to utilize the grass area in front of the Main Beach Lifeguard Tower for showcasing its vehicles. The display is scheduled for March 7, 2024, from 3:45 PM until sunset, and it will complement the simultaneous product launch inside the Rivian Theatre. Importantly, there are no plans to use amplified sound or additional lighting during this event. Complimentary light refreshments will be provided.

The vehicles will be on display for informational purposes only and will not be available for sale. The public is cordially invited to come and learn more about Rivian vehicles.

**Findings Related to the Proposed Event**

LBMC 18.04.018 Business on City Property

*“No person shall in any manner while on city property, including beaches and parks, sell any product or service or engage in any other business or commercial activity without obtaining a business license and the prior written approval of the city manager, or duly authorized representative; provided, however, that this section does not apply to any concession operated under authority granted by the city council, nor to any other activity specifically authorized, regulated, or exempted by order or resolution of the city council.*”

The City Council, in accordance with LBMC 18.04.018, has the prerogative to review and grant authority to Rivian. The review includes evaluating whether to make an exception to the prohibition of commercial activity for this specific event. Moreover, the City Council has the option to instruct the City Manager to issue written approval for said event.

LBMC 25.07.008(A)(6)(a) [Coastal Development Permit] Temporary Events on Beach Areas.

*“Temporary events on beach areas are exempt from coastal development permit requirements except those which meet all of the following criteria:*

- 1. Are held between Memorial Day weekend and Labor Day; and*
- 2. Occupy all or a portion of a sandy beach area; and*
- 3. Involve a charge for general public admission or seating where no fee is currently charged for use of the same area (not including booth or entry fees).”*

Based on the findings outlined in LMBC 25.07.008(6)(a), staff believes that the event is exempt from a coastal development permit. These findings include:

1. The event is scheduled outside the timeframe between Memorial Day weekend and Labor Day.
  2. The event will be confined to the grassy area within Main Beach Park, without encroaching on any sandy beach areas.
  3. The event is open to the public, with no associated fees or limitations on access to Main Beach Park.
- These considerations demonstrate that the event aligns with the specified criteria for exemption, as established by LMBC 25.07.008(6)(a).

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LBMC 25.05.035 Temporary Use Permits

*(F) Approvals*

- 1. The Director of Community Development shall approve, approve in part, conditionally approve or deny applications for Temporary Use Permits in the R-1 zone and for short-term events (five days or less) deemed minor by the Director of Community Development in any zone. Applications for temporary parking lots are excluded. At the discretion of the Director of Community Development, Temporary Use Permit applications may be referred to the Planning Commission. Determination shall be made within 20 business days of receipt of the application unless the matter is referred to public hearing.*

The LBMC authorizes the Community Development Director to grant approval for single-day temporary use permit requests. If approved, the Community Development Director would assess Rivian's request and may impose conditions in alignment with the issuance of a one-day temporary use permit. This action would be supported by written approval from the City Manager, as established per LBMC 18.04.018, and previously outlined in this report.

Administrative approval in this manner will furnish Rivian with official confirmation, affording them the necessary time to prepare for the March event. This streamlined process ensures efficient planning and execution of the event while adhering to regulatory requirements.

**Fleet Electrification**

It should be noted that Rivian has generously offered to donate two vehicles to the City for a three-year term at no cost. This donation is part of a separate and ongoing discussion with Rivian regarding the electrification of the City’s fleet. Staff believes that Rivian’s event request, as outlined in this report, merits favorable consideration, regardless of the donation offer.

**FINANCIAL ANALYSIS**

The recommended action has no financial impact. Rivian will be required to assume costs for setup and returning the area to pre-event conditions.

**ENVIRONMENTAL ANALYSIS**

This project is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines section 15304 (Class 4), which consists of “minor public or private alteration in the condition of land, water, and/or vegetation,” such as minor temporary uses of land having negligible or no permanent effects on the environment, including carnivals and sales of Christmas trees. The proposed project consists of a half day event by Rivian using a portion of the Main Beach Park to stage several vehicles and a stage with a projection screen. This project will not involve any major or permanent alterations to the Main Beach Park, and will be temporary. There will be no removal of mature, scenic trees. Therefore, the Class 4 categorical exemption applies to this project, and no further environmental review is required.

**ATTACHMENTS**

1. Proposed Rivian Site Map (Pg. 5)

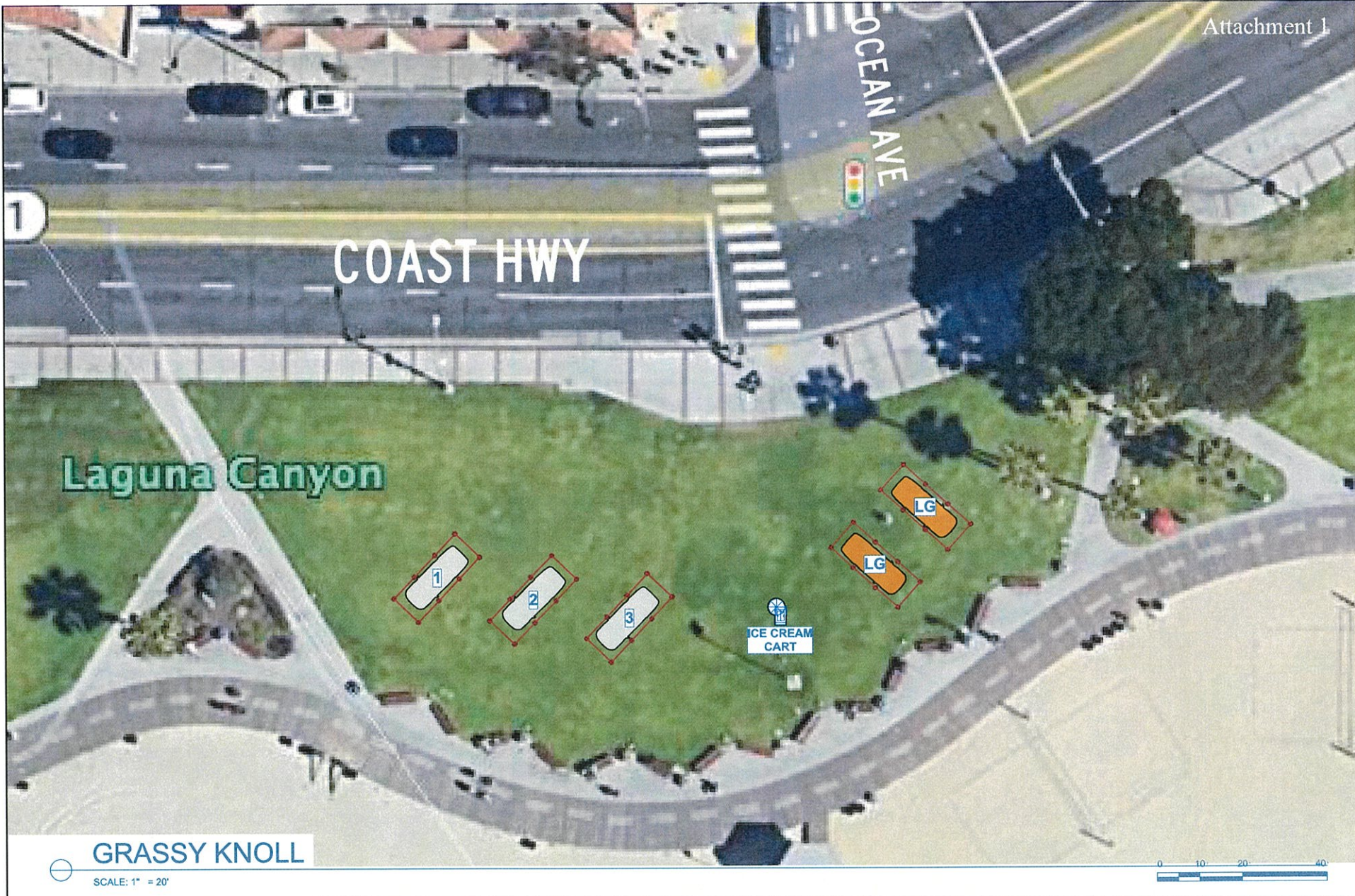
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**Report Prepared By:**

Jeremy Frimond, Assistant to the City Manager

**Coordinated With:**

Marc Wiener, Director Community Development  
Michael Litchi, Director of Transit & CS  
Jane Abzug, Of Counsel



1

COAST HWY

OCEAN AVE

Laguna Canyon

1

2

3

ICE CREAM  
CART

LG

LG

GRASSY KNOLL

SCALE: 1" = 20'



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Revision Date: 11/17/24  
Drawn by: Ed Haynes

RIVIAN R2 LAUNCH V11.pln  
Grassy Knoll

RIVIAN  
AS LAUNCH EVENT

best