

CALIFORNIA COASTAL COMMISSION

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**W17a**

March 28, 2013

TO: COMMISSIONERS AND INTERESTED PERSONS

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SUBJECT: Major Amendment Request No. 2-11 to the City of Huntington Beach Certified Local Coastal Program (For Public Hearing and Commission Action at the April 10-12, 2013 meeting in Santa Barbara).

SUMMARY OF LCP AMENDMENT REQUEST NO. 2-11

Request by the City of Huntington Beach to amend the Implementation Plan (IP) portion of the Local Coastal Program (LCP) by making eight zoning text changes and one zoning map change. The Implementation Plan amendment is proposed via City Council Resolution No. 2011-97 and is reflected in the following Ordinance Nos.: 3826 (Signs), 3842 & 3843 (Massage Establishments), 3867-3873 (Design Review Board/Signs), 3856-3861 (Emergency Shelters/ Transitional Housing), 3881 (Political Signs), 3927 (Political Signs), 3909 (Kennels), and 3874 (Zoning Map Amendment for Beach and Edinger Corridors Specific Plan), each of which is attached to the submittal resolution. Local Coastal Program Amendment 2-11 affects only the Implementation Plan portion of the certified LCP. No changes are proposed to the Land Use Plan. The amendment is described in greater detail in the body of this staff report.

Only changes proposed to Chapter 233 *Signs* raise issue regarding conformance with the certified Land Use Plan (LUP). Staff is recommending suggested modifications to bring this section of the proposed Implementation Plan amendment into conformity with the policies of the certified Land Use Plan. The changes recommended are summarized further below.

The majority of the proposed changes raise no issue with regard to conformance with and adequacy to carry out the City's certified Land Use Plan. The following proposed changes raise no issue with regard to consistency with the City's certified LUP. Chapter 204 *Use Classifications* is proposed to be modified to reclassify massage businesses as a Personal Services use and to require massage professionals to obtain certification by the State. Chapter 244 *Design Review* is proposed to be modified by changing the composition and scope of the five-member Design Review Board (DRB) by eliminating City staff (Director of Planning and Director of Public Works or their designees) from the make-up of the DRB and by adding a requirement that one member of the DRB be a representative from the Historic Resources Board. The proposed amendment would make changes addressing regulation of emergency shelters, transitional housing including changes to Chapter 203 *Definitions*, Chapter 204 *Use Classifications*, and Chapter 230 *Site Standards* to establish special site development standards for emergency shelters. The zoning map in the area of the Beach and Edinger Corridors Specific Plan is proposed to be modified. However, none of the properties affected by the proposed Zoning Map Amendment are located within the coastal zone. Chapter 203 *Definitions* is proposed to be modified such that the definition of "kennel" will exclude single-family residences with a maximum of four dogs from being classified as a kennel, provided that one of the dogs is a specially-trained service, signal, or guide dog as defined by State law. Although the LCPA submittal originally included Ordinance 3845 (Flood Ordinance Revisions), that has been withdrawn by the City in order to allow additional time for Commission and City staffs to resolve issues related to the submittal. In addition, the LCPA submittal also included Ordinance No. 3788 regarding Medical Marijuana Dispensaries. However, that ordinance proposed to repeal an ordinance that had never been added to the LCP, and so is moot.

SUMMARY OF STAFF RECOMMENDATION:

The changes proposed to Chapter 222 *Signs* are intended to bring it into conformance with recent court rulings that content based sign regulations need to be changed to be content neutral and to create consistency throughout the Chapter by revising various sections for consistency with the City's General Plan. Other changes to the sign code are proposed to provide further clarification regarding sign type and permitted location of temporary signs, to increase the allowable square footage of menu board signs, and to modify requirements regarding the posting of political signs. Of the changes proposed by LCPA 2-11, only the changes proposed to Chapter 233 *Signs* (Ordinance Nos. 3666, 3826, 3881, and 3927) raise issue with regard to consistency with and adequacy to carry out the City's certified Land Use Plan. Changes proposed to Chapter 233 *Signs* raise issue with the certified LUP policies regarding maximizing public access and protection of public views. As proposed the sign ordinance will not prohibit signs that could interfere with public access or adversely impact public views. Further, the proposed ordinance does not clearly draw in the procedures governing coastal development permits in the review of signs on public service items (such as trash receptacles, bicycle racks, bus benches, transit shelters and telephone booths) within the coastal zone. Such signs could have a visual or public access impact that should be addressed through the coastal development permit (CDP) process. The proposed sign ordinance does not assure protection of public access and coastal views through the CDP process. Staff is recommending suggested modifications to address these issues and bring the proposed amendment into conformance with the City's certified Land Use Plan.

STANDARD OF REVIEW

The standard of review for the proposed amendment to the LCP Implementation Plan is conformance with and adequacy to carry out the provisions of the certified Huntington Beach Land Use Plan.

SUMMARY OF PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in Local Coastal Program development. It states:

During the preparation, approval, certification, and amendment of any local coastal program, the public, as well as all affected governmental agencies, including special districts, shall be provided maximum opportunities to participate. Prior to submission of a local coastal program for approval, local governments shall hold a public hearing or hearings on that portion of the program which has not been subjected to public hearings within four years of such submission.

The City Council held public hearings on City Council Resolution No. 2011-97 on the December 19, 2011. In addition, numerous public hearings were held for each of the ordinances attached to the Resolution (See Exhibit 10). The City made all staff reports related to this LCPA available for public review in the Planning and Building Department and the Huntington Beach Public Library. No public comments were received for the following Ordinance Nos.: 3826 (Signs), 3842 & 3843 (Massage Establishments), 3856 – 3861 (Emergency Shelters/Transitional Housing), 3881 & 3927 (Political Sign), and 3909 (Kennels). Regarding Ordinance Nos. 3867 – 3873 (Design Review Board/Signs) two people spoke of the importance of having an Historic Resources Board representative on the Design Review Board, and one person supported integration of parking and traffic flow pattern into Design Review Board purview. Regarding Ordinance No. 3874 (Beach and Edinger Corridors Specific Plan) comments were received in general support of the new Specific Plan, concerns were raised regarding density, building height, restrictive development standards, parking, traffic and transit (see Exhibit 11). The Beach and Edinger Corridors Specific Plan is located outside the coastal zone.

ADDITIONAL INFORMATION

Copies of the staff report are available on the Commission's website at www.coastal.ca.gov and at the South Coast District office, 200 Oceangate, Suite 1000, Long Beach, 90802. To obtain copies of the staff report by mail, or for additional information, contact Meg Vaughn in the Long Beach office at (562) 590-5071. The City of Huntington Beach contact for this LCPA is Jennifer Villasenor who can be contacted at (714) 536-5271.

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EXHIBITS

In order to conserve resources, the print version of this staff report only includes certain exhibits, or excerpts therefrom, identified below. The electronic on-line version contains the entirety of the exhibits.

- Exhibit 1a – City of Huntington Beach City Council Resolution No. 2011-97 (print and online)
- Exhibit 1b – Summary of Ordinances (print and on-line)
- Exhibit 2 – Ordinance No. 3826 (Signs) (print and on-line)
- Exhibit 3 - Ordinance No. 3881 (Political Signs) (print and on-line)
- Exhibit 4 - Ordinance No. 3927 (Political Signs) (print and on-line)
- Exhibit 5 – Ordinance Nos. 3842 & 3843 (Massage Establishments) (excerpts in print edition; on-line)
- Exhibit 6 – Ordinance Nos. 3867-3873 (Design Review Board/Signs) (excerpts in print edition; on-line)
- Exhibit 7 – Ordinance Nos. 3856-3861 (Emergency Shelters/Transitional Housing) (excerpts in print edition; on-line)
- Exhibit 8 – Ordinance No. 3909 (Kennels) (print and on-line only)
- Exhibit 9 – Ordinance No. 3874 (Zoning Map Amendment for Beach and Edinger Corridors Specific Plan) (print and on-line only)
- Exhibit 10 – Summary of Public Hearings (print and on-line)
- Exhibit 11 – Summary of Public Comments from Local Hearings (print and on-line)

I. STAFF RECOMMENDATION

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings.

A. Denial of the IP Amendment as Submitted

MOTION: *I move that the Commission reject the Implementation Plan Amendment No. 2-11 for the City of Huntington Beach as submitted.*

Staff Recommendation Of Rejection:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution To Deny Certification Of The Implementation Plan As Submitted:

The Commission hereby denies certification of the Implementation Plan Amendment No. 2-11 submitted for the City of Huntington Beach and adopts the findings set forth below on grounds that the Implementation Plan amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Plan as submitted

B. Approval of the IP Amendment with Suggested Modifications

MOTION: *I move that the Commission certify the Implementation Plan Amendment No. 2-11 for the City of Huntington Beach if it is modified as suggested by staff.*

Staff Recommendation:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Plan with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution To Certify The Implementation Plan With Suggested Modifications:

The Commission hereby certifies the Implementation Plan Amendment 2-11 for the City of Huntington Beach if modified as suggested and adopts the findings set forth below on grounds that the Implementation Plan amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

II. SUGGESTED MODIFICATIONS

Certification of City of Huntington Beach LCP Amendment Request No. 2-11 is subject to the following modifications.

The Commission's suggested additions are shown in **bold, underlined text**.

The Commission's suggested deletions are shown in underlined, strike out text.

SUGGESTED MODIFICATIONS TO CHAPTER 233 SIGNS

Modify Section 233.10 M (Prohibited Signs) as follows:

- M. Signs located on public property, including signs affixed to utility poles, trees or projecting onto the public right-of-way, except political signs and those required by law. This section shall not prohibit the placement of advertising panels on public service items including, but not limited to, trash receptacles, bicycle racks, bus benches, transit shelters, and telephone booths, within public rights-of-way or in publicly-operated beaches or parks provided such items are placed in accord with an agreement granted by the City Council, **and for such signs proposed in the coastal zone, subject to approval of a coastal development permit unless otherwise exempt.**

Add the following new subsections to Section 233.10 M (Prohibited Signs), re-letter and re-order as appropriate:

- O. Within the coastal zone, signs that limit or prohibit public access to public coastal areas, public accessways and/or to public parks except, subject to approval of a coastal development permit, when necessary for public safety, no other feasible alternative exists, the signs are consistent with all other applicable local coastal program requirements, and are subject to a requirement that the signs shall be removed as soon as the public safety issue is resolved.**
- P. Within the coastal zone, signs that adversely affect scenic and visual qualities of coastal areas and public parks shall be prohibited except, subject to approval of a coastal development permit, when necessary for public safety, no other feasible alternative exists, the signs are consistent with all other applicable local coastal program requirements, and are subject to a requirement that the signs shall be removed as soon as the safety issue is resolved.**

III. FINDINGS

The following findings support the Commission's denial as submitted and approval of the proposed LCP Implementation Plan amendment if modified. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION

The City of Huntington Beach has requested an amendment to the Implementation Plan (IP) portion of the certified Local Coastal Program (LCP). The primary document comprising the City's certified Implementation Plan is the City's Zoning and Subdivision Ordinance (ZSO), but the certified IP also includes a number of specific plans. All changes proposed under this amendment effect the ZSO. The City's current amendment submittal is intended to incorporate seven independent text changes and one zoning map change to the City's ZSO portion of the IP as well as changes to one of the City's Specific Plans. The Chapters referenced below are chapters of the ZSO. The changes proposed to the LCP Implementation Plan are described more specifically below.

Signs

The proposed amendment would modify Chapter 233 *Signs* (Ordinance No. 3826, Zoning Text Amendment No. 08-003)(**Exhibit 2**) which identifies certain permit requirements, for both temporary and permanent signs, and standards for signs, such as maximum quantity, height and size. Most of the proposed changes address temporary and promotional activity signs such as those used by the real estate and construction industries, as well as political signs, and signs that do not normally require a building permit. The changes clarify that such signs are not to be restricted as to content. That is, the proposed amendment intends to convert the existing zoning language from content-based regulations to content-neutral. Temporary sign regulations are proposed to be consolidated to make them easier to use. In addition, the allowable square footage of menu boards is proposed to be increased from 10 square feet to 32 square feet. Language is also proposed to clarify requirements regarding the location and type of temporary signs allowed. Regarding this aspect of the proposed changes to the Sign ordinance, the City staff report prepared for the ordinance states: "The amendment, including the existing sign code regulations, are preventative measures intended to restrict placement and location of signs that could potentially cause a traffic safety hazard while improving the aesthetics for signs citywide." In addition, Ordinance Nos. 3881 (Zoning Text Amendment No. 10-003) and 3927 (Zoning Text Amendment No. 11-001) propose to amend Chapter 233 *Signs* by limiting the length of time political signs may be posted, prohibit such signs within street medians and dividers, eliminate restrictions on the maximum number of political or campaign signs and, for such signs posted on public property, allow their removal by any member of the public beginning the first Friday after the election (**Exhibit 3 & 4**). Taken all together, the proposed changes to the Sign ordinance constitute a comprehensive update to the sign ordinance, which applies to both temporary and permanent signs.

Massage Establishment

The proposed amendment would modify Chapter 204 *Use Classifications* (Ordinance No. 3842, Zoning Text Amendment No. 09-003)(**Exhibit 5**). Chapter 204 is proposed to be modified to reclassify massage businesses as a Personal Services use as that term is defined in the ZSO and to require massage professionals to obtain certification by the State. A minor change is also proposed to Chapter 212 *Industrial Districts*, Section 212.04 *Land Use Controls* by deleting a cross reference to a section of the Municipal Code regarding the *sex oriented businesses* use within the Industrial District.

Design Review Board

The proposed amendment would modify Chapter 244 *Design Review* (Ordinance No. 3873) & Related Changes in Chapters 210, 211, 212, 213, and 214 (Ordinance Nos. 3367-3372), all covered in Zoning Text amendment 07-001 (**Exhibit 6**). This portion of the proposed amendment would change the composition and scope of the five-member Design Review Board (DRB) by eliminating City staff (Director of Planning and Director of Public Works or their designee) from the make-up of the DRB and by adding a requirement that one member of the DRB be a representative from the Historic Resources Board.

Currently DRB review is required for, among other cases, projects that are located adjacent to Public Semipublic zones. This reference to Public Semipublic zones is proposed to be deleted and instead DRB review will be required for projects including: City facilities projects, projects adjoining City facilities, projects adjoining Open Space Parks and Recreation and Open Space Shoreline zones, and at primary and secondary City entry nodes. The projects and zones listed above are proposed to be newly added to the design review requirement and would replace the requirement for DRB review of projects adjacent to areas zoned Public-Semipublic. The intent is to require design review of projects in visually sensitive areas such as public parks and along the shoreline. The proposed new areas to be subject to design review better capture that goal. The Public-Semipublic district includes all City facilities, but not all are visually sensitive. For example, the Public-Semipublic district includes uses such as schools and religious assembly, which are not intended to be subject to the design review unless located in visually sensitive areas. The proposed altered and expanded list of projects that will be subject to design review is more inclusive and more accurately reflects the types of uses (public parks, beaches, etc.) where visual impacts are more sensitive and should be subject to a higher level of review.

The amendment would also eliminate DRB review of parking, driveways, traffic and “other potential impacts upon the environment” (**Exhibit 6**, page 87). The City has indicated this component is proposed to be deleted from the purview of the DRB because DRB members are not required to have any expertise in these areas, but rather are intended to focus on aesthetics. Additional changes are proposed in Chapters 210, 211, 212, 213, and 214 so that each section under “Review of Plans” would reference Chapter 244 *Design Review* consistently. No changes to parking standards are proposed.

The proposed changes to Chapter 244 *Design Review* will have no effect on local review of coastal development permits per Chapter 245 *Coastal Development Permits*.

Emergency Shelters/Transitional Housing

The proposed amendment would make changes addressing regulation of emergency shelters, transitional housing (Ordinance Nos. 3856 – 3861; Zoning Text Amendment No. 09-009)(**Exhibit 7**) including changes to Chapter 203 *Definitions*, Chapter 204 *Use Classifications*, and Chapter 230 *Site Standards*. The following definitions are proposed to be added to Chapter 203 *Definitions*: emergency shelter; supportive housing; target population; and transitional housing (**Exhibit 7**, pages 6, 15 & 19) which target housing needs of persons with low income having one or more disability. Supportive housing and transitional housing are proposed as two new use classifications to be added to Chapter 204 *Use Classifications* under existing subsection 204.06 *Residential Use Classifications*. A new subsection is proposed to be added to Chapter 230 *Site Standards*: Section 230.52 which establishes site development standards for emergency shelters. In addition, supportive and transitional housing are proposed to be added to the list of residential uses allowed in Chapter 210 *Residential Districts* and new Additional Provision L-7 is proposed to be added to clarify that these two new uses are subject only to the same restrictions that apply to other types of residential development within the residential zone. Emergency kitchens and emergency shelters are currently allowed uses within the General Commercial district, but are not currently nor are they proposed to be allowed in the Office Commercial or Visitor Commercial districts. However, Chapter 211 *Commercial Districts* would be amended to add to the text of existing *Additional Provision L-2* a cross reference to the site development standards for emergency shelters proposed to be added to Chapter 230.52. Chapter 212 *Industrial Districts* currently allows emergency shelters in both the General and Light Industrial zones subject approval by the Planning Commission and subject to *Additional Provision (L)*. The proposed amendment would allow those uses outright within those districts and would add to the existing language of *Additional Provision (L)*, which is a cross reference the new *Site Standards* for emergency shelters proposed as new subsection 230.52.

Beach and Edinger Corridors Specific Plan (BECSP)

Properties located within the Beach Boulevard and Edinger Avenue Corridors Specific Plan (BECSP) were rezoned via Ordinance No. 3874 (Zoning Map Amendment No. 08-002)(**Exhibit 9**). The proposed amendment would modify the zoning map in the area of the Beach and Edinger Corridors Specific Plan. None of the properties affected by the proposed Zoning Map Amendment are located within the coastal zone. However, because the BECSP is depicted on a zoning map that includes area within the coastal zone, the map is part of the IP and thus a change to the map necessitates LCP IP amendment review by the Coastal Commission.

A small portion of the Specific Plan is located at the southeast portion of the intersection of Beach Boulevard and Atlanta Avenue, directly across the street from/east of the inland extent of the coastal zone boundary in the area. This segment nearest the coastal zone is separated from the rest of the Specific Plan area. The majority of the Specific Plan area is located near the 405 Freeway, significantly inland of the coastal zone. The Specific Plan also stretches south along either side of Beach Boulevard to Indianapolis Avenue, then there is the gap until the segment just south of Atlanta Avenue. The City staff report dated 1/12/10 for this portion of the Specific Plan identifies this small portion of the BECSP that is adjacent to the coastal zone as Residential Parkway and describes the area as follows:

“Residential Parkway: In the most southern portion of the Specific Plan, this area is located along Beach Blvd from Adams Avenue to the southern Specific Plan boundary, near Atlanta. Infill and replacement development in this area will be directed to primarily replicate and improve upon the best features of the existing pattern. The general planning approach to this particular area is preservation, as the majority of development along this segment is composed of existing residential uses.”

No adverse impacts within the coastal zone are expected from the proposed changes to the BECSP.

Kennels

The proposed amendment would modify Chapter 203 *Definitions* (Ordinance No. 3909, Zoning Text Amendment No. 10-005)(**Exhibit 8**). This change would modify the current definition of “kennel” to exclude single-family residences with a maximum of four dogs from being classified as a kennel provided that one of the dogs is a specially-trained service, signal, or guide dog as defined by State law.

B. FINDINGS FOR DENIAL OF IMPLEMENTATION PLAN AMENDMENT 2-11 AS SUBMITTED

The standard of review for amendments to the Implementation Plan (IP) of a certified Local Coastal Program (LCP) is whether the Implementation Plan, as amended by the proposed amendment, will be in conformance with and adequate to carry out, the policies of the certified Land Use Plan (LUP).

The City’s certified LUP contains the following policies¹:

Public Access, Goal C2

Provide coastal resource access opportunities for the public where feasible and in accordance with the California Coastal Act requirements.

Public Access, Objective C 2.5

Maintain and enhance, where feasible, existing shoreline and coastal resource access sites.

¹ The LUP includes goals, objectives, and policies. Goals are described as general in nature and not necessarily quantifiable. Objectives are described as measurable goals. Policies are described as a specific statement guiding actions and implying clear commitment.

Public Access, Objective C 2.6

Promote and provide, where feasible, additional public access including handicap access, to the shoreline and other coastal resources.

Visual Resources, Goal C 4

Preserve, and, where feasible, enhance and restore the aesthetic resources of the City's coastal zone, including natural areas, beaches, harbors, bluffs and significant public views.

Visual Resources, Objective C 4.1.1

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect public views to and along the ocean and scenic coastal areas.

Visual Resources, Objective C 4.2

Promote the protection of the Coastal Zone's visual and aesthetic resources through design review and development requirements.

Visual Resources, Objective C 4.5

Minimize the negative aesthetic impacts of signage in the Coastal Zone.

Visual Resources, Policy C 4.5.1

Prohibit new billboards within the Coastal Zone and require the removal of all existing billboards along Pacific Coast Highway as properties are developed, or improved. (I-C2. I-C)

Visual Resources, Policy C 4.5.2

Establish special regulations for on-premise signs within the Coastal Zone that may include but will not be limited to: (I-C 11g)

- a) Prohibition of signs that do not display information related to an activity, service or commodity available on the premises including direction signage and informational signage for beach areas.*
- b) Limits to the height, size, design and materials of signs.*
- c) Prohibition of rooftop signs.*
- d) Restrictions on the use of lights and moving parts in signs.*
- e) Enforcement of maintenance controls.*

Visual Resources, Policy C 4.5.3

Coordinate the design of public and private signs and graphics in the coastal zone. (I-C 22g)

a) Prepare and implement a coordinated public/private sign program that foster a cohesive image and includes the following:

- 1. Sign standards that identify public places, recreational opportunities and tourist destinations;*
 - 2. Design standards for public monument signage and public banners for street light standards along the major arterials;*
 - 3. Identification sign designs for each of the residential districts;*
 - 4. Design standards for primary and secondary entry node signage; and*
 - 5. Improved street signage that incorporates such elements as city logos or local design elements.*
- b) Develop a major arterials public signage installation program.*
- c) Consider developing guidelines for private monument signage that incorporates a consistent public identification device such as a City logo or a logo for the business' location, i.e. Beach Boulevard.*

Chapter 233 Signs

The LCP amendment proposes a number of changes to Chapter 233 *Signs*. These proposed changes are reflected in Ordinance No. 3826/ZTA No. 08-003; Ordinance No. 3881/ZTA No. 10-003; Ordinance No. 3927/ZTA No. 11-001; Ordinance No. 3666/ZTA No. 07-001; which each make varying degrees of changes to Chapter 233 *Signs*, which, taken all together, constitute a comprehensive update to the certified Implementation Plan's Sign ordinance. These changes are described in greater detail previously in this staff report. Most of the proposed changes raise no issue with regard to conformance with and adequacy to carry out the policies of the certified Land Use Plan.

However, as proposed, Chapter 233 *Signs* will not prohibit signs that could interfere with public access. Signs that would adversely impact public access include, but are not limited to, no trespassing signs in areas where legal public access exists, no parking or limited parking signs, and/or signs that limit hours of beach use. The same is true for signs that may limit public access to public parks and Huntington Harbour areas.

Oftentimes placement of a sign is not required to obtain a coastal development permit. This may be appropriate when a sign is attached to an existing feature such as a building or fence or is otherwise exempt from the need to obtain a coastal development permit. However, as defined in both the Coastal Act and the City's certified LCP, development includes "*change in the intensity of use of water, or of access thereto*". Placement of a sign that has the effect of limiting public access constitutes development, and would not be exempt from the need to obtain a coastal development permit.

Furthermore, except when necessary for public safety and when no other feasible alternative exists, such limitations on public access would not be consistent with the public access policies of the certified LUP which require that public access be maximized. Without prohibition on signs that limit public access, the proposed amendment cannot be found to maximize public access as required by the LUP and therefore could not be found to be in conformance with or adequate to carry out the public access policies of the certified LUP.

Additionally, as proposed, Chapter 233 *Signs* will not prohibit signs that could adversely impact public views, including views to and along the coast and to coastal resource sites such as public parks. The certified LUP includes policies that require protection of public views. Without prohibition on signs that adversely impact public views, the proposed amendment cannot be found to conform with or be adequate to carry out the public access policies of the certified LUP.

Proposals to install signs on existing structures constitutes development and thus require a coastal development permit if such a proposal involves the placement or erection of any solid material or structure on the existing structure; however, in some cases, placement of signage on an existing structure may be exempt from coastal development permit requirements. Both the existing and proposed sign ordinance, do not make clear that some advertising signs on public service items (such as trash receptacles, bicycle racks, bus benches, transit shelters and telephone booths) within the coastal zone that constitute development, and do not meet the criteria for an exemption, may only be permitted subject to approval of a coastal development permit to address, at a minimum, visual resource impacts. Requiring a coastal development permit for such signs within the coastal zone will allow that signage to be reviewed for consistency with the LUP policies regarding protection of visual resources and coastal access among others. It is important to consider whether adverse impacts will accrue from different signage proposals. For example, while signs on trash receptacles already placed on public beaches may not introduce new visual impacts, signs on a larger scale such as on the outside walls of public restroom facilities, may be inconsistent with previously imposed visual treatment requirements (e.g. color, texture) and introduce new adverse visual impacts. Thus, such signs within the coastal zone would need to be evaluated for adverse impacts. Only those projects found to avoid impacts, or to provide appropriate mitigation such as using certain color schemes on the sign to minimize the negative aesthetic impacts of signage in the coastal zone, would then be approved via a coastal development permit.

However, the proposed sign ordinance includes a section addressing Prohibited Signs, but does not prohibit signs that adversely impact public access and scenic quality in coastal areas and public parks within the coastal zone. Thus, the proposed amendment cannot be found to be consistent with or adequate to carry out the public access and public view protection policies of the certified Land Use Plan. Therefore, the proposed amendment must be denied as submitted.

C. Findings for Approval of Implementation Plan Amendment 2-11 if Modified as Recommended

Incorporation of Findings for Denial of Implementation Plan Amendment 2-11 as submitted

The findings for denial of the Implementation Plan amendment as submitted are incorporated as though fully set forth herein.

Proposed Changes That Are Consistent Only If Modified

Most of the changes the City has proposed via Local Coastal Program amendment No. 2-11 to the City's certified Implementation Plan (submitted for Commission action via City Council Resolution No. 2011-97) raise no issue with regard to consistency with and adequacy to carry out the policies of the City's certified Land Use Plan. With the exception of changes proposed to the Sign ordinance, these are the changes described in detail earlier in this staff report under the heading Amendment Description. No modifications are suggested to any of these proposed changes. However, as described immediately above, changes proposed to Chapter 233 *Signs* do raise issue with regard to consistency with and adequacy to carry out the policies of the City's certified Land Use Plan. Below is a discussion of modifications that could be made to the amendment as proposed that would bring it into conformity with and make it adequate to carry out the policies of the certified LUP.

Signs

The changes proposed to Chapter 233 are described in greater detail previously in this staff report. With the exception of the issues discussed below, the proposed changes to the sign ordinance raise no issue with regard to consistency with and adequacy to carry out the policies of the certified Land Use Plan.

However, neither the existing nor the proposed sign ordinance prohibits signs that could interfere with public access. As this amendment represents a comprehensive update of the sign ordinance, it is an appropriate time to clarify that such signs are inconsistent with the public access policies of the certified LUP and so should be prohibited. Signs that may adversely impact public access may include, but are not limited to, no trespassing signs in areas where legal public access exists, no parking or limited parking signs where legal, unlimited public parking exists, and/or signs that limit hours of beach use where legal, unlimited public beach use exists. The same is true for signs that may limit public access to public parks and Huntington Harbour areas. Signs limiting public access would not be consistent with the public access policies of the certified LUP which require that public access be maximized; however such signs may be allowable when necessary for public safety, no other feasible alternative exists, the signs can be found consistent with all other applicable requirements, and are subject to a requirement they be removed as soon as the public safety issue is resolved,. Without prohibition on signs that limit public access, the proposed amendment cannot be found to be consistent with or adequate to carry out the public access policies of the certified LUP.

Additionally, as discussed previously, as proposed, Chapter 233 *Signs* will not prohibit signs that could adversely impact public views, including views to and along the coast and to coastal resource sites such as public parks. The certified LUP includes policies that require protection of public views. Without prohibition on signs that adversely impact public views, the proposed amendment cannot be found to conform with or be adequate to carry out the view protection policies of the certified LUP.

In addition, as mentioned above, some proposals to install advertising signs on existing structures may require a coastal development permit. When a permit is required, the review should determine if the proposal would have adverse impacts on scenic coastal resources and/or public views and, if approved, conditions of approval to mitigate potential adverse impacts should be required. As currently worded, both the existing and proposed sign ordinance do not make clear that some advertising signs on public service items (such as trash receptacles, bicycle racks, bus benches, transit shelters and telephone booths) within the coastal zone may not meet the criteria for an exemption, and therefore may only be permitted subject to approval of a coastal development permit. Requiring a coastal development permit for such signs within the coastal zone will allow that signage to be reviewed for consistency with the LUP policies regarding protection of visual resources and coastal access, among others. .

Conclusion

The modifications suggested to accomplish these goals are contained in Section II of this staff report, and would require that signs that adversely impact public access and public views be prohibited (unless necessary for demonstrated public safety, no other feasible alternative exists, the signs can be found consistent with all other applicable requirements, and are subject to a requirement that the signs shall be removed as soon as the public safety issue is resolved). In addition a modification is suggested that would clarify that some signs within the coastal zone may only be allowed subject to approval of a coastal development permit. If these modifications are made as suggested, the proposed amendment could be found to be consistent with and adequate to carry out certified LUP policies requiring maximizing public access and protection of public views.

IV. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 21080.9 of the California Public Resources Code – and the California Environmental Quality Act (CEQA) - exempts local governments from the requirement of preparing environmental impact reports (EIRs), among other things, in connection with their activities and approvals necessary for the preparation and adoption of local coastal programs (LCPs). The Commission’s LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an EIR for each LCP. Nevertheless, the Commission is required, in approving an LCP submittal, to find that the proposal does conform with the provisions of CEQA, and to base any certification on a specific factual finding supporting the conclusion that the proposal “meets the requirements of [CEQA] Section 21080.5(d)(2)(i) ... , which requires that an activity will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.” 14 C.C.R. Sections 13555(b), 13542(a), and 13540(f). The City of Huntington Beach LCP amendment 2-11 consists of an amendment to the Implementation Plan (IP) only.

As outlined in this staff report, the proposed Implementation Plan amendment as submitted could potentially result in impacts from adverse impacts to public access and recreation, and public views. However, if modified as suggested, the IP amendment is in conformity with and adequate to carry out the coastal resource protection policies of the certified LUP. Therefore, the Commission finds that approval of the Implementation Plan amendment as modified will not result in significant adverse environmental impacts under the meaning of CEQA. Therefore, the Commission certifies City of Huntington Beach LCP amendment request 2-11 if modified as suggested herein.

RECEIVED
South Coast Region

DEC 20 2011

RESOLUTION NO. 2011-97

CALIFORNIA
COASTAL COMMISSION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HUNTINGTON BEACH ADOPTING LOCAL COASTAL PROGRAM
AMENDMENT NO. 11-001 AND REQUESTING ITS CERTIFICATION BY
THE CALIFORNIA COASTAL COMMISSION**

WHEREAS, after notice duly given pursuant to *Government Code* Section 65090 and *Public Resources Code* Sections 30503 and 30510, the Planning Commission of the City of Huntington Beach held public hearings to consider the adoption of the entitlements included in Huntington Beach Local Coastal Program Amendment No. 11-001, and such amendment was recommended to the City Council for adoption; and

The City Council, after giving notice as prescribed by law, held at least one public meeting on the entitlements included in the proposed Huntington Beach Local Coastal Program Amendment No. 11-001, and the City Council finds that the proposed amendment is consistent with the Huntington Beach General Plan, the Certified Huntington Beach Coastal Land Use Plan and Chapter 6 of the California Coastal Act.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

SECTION 1. That the Huntington Beach Local Coastal Program Amendment No. 11-001 is hereby approved, consisting of certain Ordinances pertaining to Zoning Text Amendments (ZTA) and one Zoning Map Amendment (ZMA) as listed below:

<u>Exhibit</u>	<u>Ordinance</u>	<u>Subject</u>	<u>Description</u>
A.	No. 3788	ZTA No. 07-003	Medical Marijuana Dispensaries (NOT A PART)
B.	No. 3826	ZTA No. 08-003	Signs
C.	No. 3842 & 3843	ZTA No. 09-003	Massage Establishments
D.	No. 3845	ZTA No. 09-001	Flood Ordinance Revisions (NOT A PART-WITHDRAWN)
E.	No. 3867 - 3873	ZTA No. 07-001	Design Review Board/Signs
F.	No. 3856 - 3861	ZTA No. 09-009	Emergency Shelters/Transitional Housing
G.	No. 3881	ZTA No. 10-003	Political Signs
H.	No. 3927	ZTA No. 11-001	Political Signs

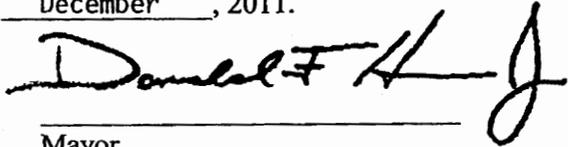
<u>Exhibit</u>	<u>Ordinance</u>	<u>Subject</u>	<u>Description</u>
I.	No. 3909	ZTA No. 10-005	Kennels
J.	No. 3874	ZMA No. 08-002	Beach and Edinger Corridors Specific Plan

Copies of the aforesaid ordinances and resolutions are attached hereto as Exhibits A through J, respectively, and are incorporated by this reference as though fully set forth herein.

SECTION 2. That the California Coastal Commission is hereby requested to consider, approve and certify Huntington Beach Local Coastal Program Amendment No. 11-001.

SECTION 3. That pursuant to Section 13551(b) of the Coastal Commission Regulations, Huntington Beach Local Coastal Program Amendment No. 11-001 will take effect automatically upon Coastal Commission approval, as provided in *Public Resources Code* Sections 30512, 30513, and 30519.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held on the 19th day of December, 2011.



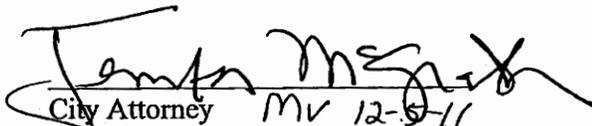
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney MV 12-5-11

REVIEWED AND APPROVED:



City Manager

INITIATED AND APPROVED:



Planning and Building Director

ATTACHMENT NO. 2

SUMMARY OF ENTITLEMENTS

LCPA NO. 11-001

1. ~~**ZONING TEXT AMENDMENT NO. 07-003 (MEDICAL MARIJUANA):** This application deletes all references to medical marijuana dispensaries from the Huntington Beach Zoning and Subdivision Ordinance to be consistent with federal law, which determined medical marijuana dispensaries to be illegal. No additional land use controls or development standards were changed by Zoning Text Amendment No. 07-003.~~ NOT A PART
2. **ZONING TEXT AMENDMENT NO. 08-003 (SIGNS):** This application amends the Huntington Beach Zoning and Subdivision Ordinance to revise content-based sign regulations to be content-neutral in order to conform to court decisions, increases maximum sign area for menu boards, and clarifies requirements for temporary signs relative to location and type.
3. **ZONING TEXT AMENDMENT NO. 09-003 (MASSAGE BUSINESSES):** This application reclassifies massage establishments as a *Personal Service* use in the Huntington Beach Zoning and Subdivision Ordinance and requires massage professionals to obtain certification by the State. The changes would bring the City's regulations pertaining to massage establishments into compliance with State law.
4. ~~**ZONING TEXT AMENDMENT NO. 09-001 (FLOOD ORDINANCE):** This application amends Chapter 222 (Floodplain Overlay District) of the Huntington Beach Zoning and Subdivision Ordinance to bring the ordinance into compliance with Federal Emergency Management Agency (FEMA) requirements. The changes to Chapter 222 are based on a review of the existing ordinance by FEMA.~~ NOT A PART
WITHDRAWN
5. **ZONING TEXT AMENDMENT NO. 07-001 (DRB):** This application amends the composition and scope of the Design Review Board to include three At-large members, one Planning Commissioner, and one Historic Resources Board member. Zoning Text Amendment No. 07-001 also requires Design Review Board review for projects at or near City facilities (eg., parks) and projects in or abutting Open Space designated areas, projects located in the General Plan primary and secondary entry nodes, and eliminates Design Review Board review for projects in Public Semi-Public (PS) districts and signs in redevelopment areas.
6. **ZONING TEXT AMENDMENT NO. 09-009 (EMERGENCY SHELTERS/ TRANSITIONAL HOUSING):** This application amends the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to allow *Emergency Shelters* in Industrial districts with no requirement for a Conditional Use Permit and defines *Supportive Housing*, *Transitional Housing* and *Target Population* and permits these uses pursuant to the same regulations as other residential uses. Zoning Text

Amendment No. 09-009 would bring the HBZSO into compliance with State law and is identified as a housing program in the City's adopted Housing Element.

7. **ZONING MAP AMENDMENT NO. 08-002 (BECSP):** This application rezoned properties located within the Beach Boulevard and Edinger Avenue Corridors as part of the adoption of the Beach and Edinger Corridors Specific Plan (BECSP). The properties on Beach Boulevard that were rezoned with the BECSP designation generally extend from the intersection of Beach Boulevard and Edinger Avenue south to the intersection of Beach Boulevard and Atlanta Avenue. None of the BECSP properties is located within the coastal zone. However, any zoning map amendment affecting property in one of the District Maps (Zoning Maps) in the Local Coastal Program (LCP) Implementing Ordinances must be forwarded to the Coastal Commission even if the property is not in the Coastal Zone. Only those District Maps that include property within the Coastal Zone are included in the LCP.
8. **ZONING TEXT AMENDMENT NO. 10-003 (POLITICAL SIGNS – NUMBER):** This application prohibits placement of political signs in street medians and dividers and eliminates restrictions on the maximum number of political or campaign signs.
9. **ZONING TEXT AMENDMENT NO. 10-005 (KENNELS):** This application amends the definition of a kennel to exclude single-family residences with a maximum of four dogs from being classified as a kennel provided that one of the dogs is a specially-trained service, signal or guide dog as defined by State law and a Residential Animal Permit is obtained from the City.
10. **ZONING TEXT AMENDMENT NO. 11-001 (POLITICAL SIGNS – TIME):** This application amends the Huntington Beach Zoning and Subdivision Ordinance to clarify the length of time political signs may be displayed before and after an election and permits any member of the public to remove political/election signs within the public right-of-way or on public property following an election.

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Ordinance No. 3826

LEGISLATIVE DRAFT

Chapter 233 Signs

(3334-6/97, 3360-12/97, 3527-2/02, 3711-06/05)

Sections:

- 233.02 Reserved
- 233.04 Permits Required
- 233.06 Permitted Signs
- 233.08 Exempt Signs
- 233.10 Prohibited Signs
- 233.12 Electronic Readerboards
- 233.14 Readerboard Signs-Multiple Users
- 233.16 Subdivisional Directional Signs
- 233.18 Promotional Activity Signs
- 233.20 Planned Sign Program
- 233.22 Miscellaneous Signs and Provisions
- 233.24 Nonconforming Signs
- 233.26 Code Compliance
- 233.28 Definitions

233.02 Reserved

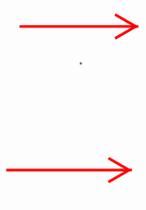
233.04 Permits Required

Sign permits are required for all signs, unless expressly exempted under Section 233.08 or otherwise provided by this Code. A sign permit (building permit) building permit application for a new sign or change in sign panel/face shall be ~~obtained from the~~ approved by the Planning Department prior to installation and issuance of a building permit by the Building and Safety Department and Building and Safety Departments prior to installation. (3360-12/97, 3527-2/02)

A. Sign Permit. A complete sign application shall include the following information: (3334-6/97)

1. Two sets of fully-dimensioned plans drawn to scale. The plans shall include the following: (3334-6/97, 3360-12/97)
 - a. Site plan indicating the location of all proposed signs, as well as the size and location of existing signs on the site. Photographs should be submitted if available. (3334-6/97, 3360-12/97)
 - b. Sign elevations, indicating overall square footage and letter/figure dimensions, letter style, color (indicate standard color number if applicable), materials, proposed copy and illumination method. (3334-6/97)

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- c. Dimensioned building elevations with existing and proposed signs depicted: (3334-6/97, 3360-12/97)
 - 2. Property owner approval in the form of a letter or signature on the plans, approving the proposed signs and authorizing submission of the sign application. (3334-6/97, 3360-12/97)
 - 3. For wall signs, method of attachment; for freestanding signs, foundation plan, sign support and attachment plan. (3334-6/97)
 - 4. Type and method of electrical insulation devices, where applicable. (3334-6/97)
 - 5. Any design modification from the requirements of this chapter that have been approved shall be noted, and compliance with the ~~planned sign program~~ Planned Sign Program, limited sign permit, or sign code exception shall be demonstrated. (3334-6/97, 3360-12/97)
- B. Planned Sign Program. Review and Approval of a planned- ~~Planned sign program~~ Sign Program pursuant to Section 233.20 ~~shall be is~~ required prior to application for a sign permit for the following requests: (3334-6/97)
- 1. A site with five or more non-residential businesses or uses. (3334-6/97, 3360-12/97)
 - 2. A site with two or more freestanding identification signs where there is a request for a new freestanding sign. (3334-6/97, 3360-12/97)
 - 3. Commercial properties with 1,300 feet or more on one street frontage requesting more freestanding signs than allowed pursuant to Section 233.06. (3360-12/97)
 - 4. Consolidated subdivision directional signs identifying multiple projects on multiple sign panels. (3360-12/97)
 - 5. Service stations. (3334-6/97)
 - 6. Wall signs for second floor businesses with exterior access. (3360-12/97)
 - 7. Wall signs installed on a building wall not adjacent to the business suite. (3360-12/97)
- C. Sign Code Exception: The Director may grant approval for a sign code exception of not more than 20% in sign height or sign area. Ten (10) working days prior to submittal for a building permit, applicant shall notice adjacent property owners and tenants by first class mail. Notice of application shall include the following: (3527-2/02, 3711-6/05)
- 1. Name of applicant. (3527-2/02)
 - 2. Location of planned development or use, including address. (3527-2/02)
 - 3. Nature of the proposed development shall be fully disclosed in the notice. (3527-2/02)
 - 4. Planning Department phone number and address of City Hall shall be provided in the notice to call for viewing plans. (3527-2/02)

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5. The date by which any comments must be received in writing by the Planning Department. (3527-2/02)
6. Planning Director shall receive entire list including name and address of those receiving the mailing. (3527-2/02)

The Design Review Board shall review and render a recommendation to the Director for sign code exception requests of more than 20% in sign height or sign area supergraphics, three-dimensional signs, and relief from the strict application of Section 233.06. Neighborhood Notification required pursuant to Chapter 241. The following findings shall be made prior to approval of any sign code exception: (3334-6/97, 3360-12/97, 3527-2/02, 3711-06/05)

1. The sign is compatible with the character of the area and is needed due to special circumstances defined by the applicant and applicable to the property. (3334-6/97, 3360-12/97)
2. The sign will not adversely affect other signs in the area. (3334-6/97)
3. The sign will not be detrimental to properties located in the vicinity. (3334-6/97)
4. The sign will not obstruct vehicular or pedestrian traffic visibility and will not be a hazardous distraction. (3334-6/97)

D. Limited Sign Permit: The owner of a sign which does not conform to the provisions of Section 233.06 may file an application for a limited sign permit to the Director for permission to change the face or copy of such sign. A limited sign permit cannot be processed for ~~an illegal-Illegal signs-Sign~~ or ~~a Prohibited signs-Sign~~ listed as prohibited in Section 233.10. The Director may approve the face change and extend a sign's use for a time period deemed appropriate, not to exceed two (2) years. A sign permit shall be obtained pursuant to Section 233.04(A) prior to installation of the new sign panel/face. (3334-6/97, 3360-12/97)

A cash bond in an amount determined by the Director to reflect the cost of removal based on information provided by a sign company shall be required to guarantee the sign's removal upon expiration of the limited sign permit. Approval shall be subject to the following findings: (3334-6/97)

1. Due to unique circumstances, the sign's immediate removal will result in a substantial hardship for the applicant. (3334-6/97)
2. The sign will not adversely affect other lawfully erected signs in the area. (3334-6/97)
3. The sign will not be detrimental to properties located in the vicinity. (3334-6/97)
4. The sign will be in keeping with the character of the surrounding area. (3334-6/97)
5. The sign will not obstruct vehicular or pedestrian traffic visibility and will not be a hazardous distraction. (3334-6/97)

E. Design Review Board. ~~When authorized by the provisions of this code, the~~The Design Review Board (DRB) shall review and render a recommendation to the appropriate decision maker (Zoning Administrator, Director, Planning Commission, etc.) on the following items prior to ~~application-~~issuance of a permit

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→ | by the Planning and/or the Building & Safety Departments for a sign permit to the Building Department the following: (3360-12/97, 3527-2/02)

1. Electronic Readerboard Signs. (3360-12/97, 3527-2/02)
2. Signs on properties within the following areas: (3360-12/97, 3527-2/02)
 - a. Redevelopment Agency project areas; (3360-12/97, 3527-2/02)
 - b. Areas subject to specific plans which do not include ~~design-specific~~ guidelines for signs; (3360-12/97, 3527-2/02)
 - c. OS-PR (Open Space-Parks and Recreation) and OS-S (Open Space-Shoreline districts); and (3360-12/97, 3711-06/05)
 - d. Any other Areas-area designated by the City Council. (3360-12/97, 3711-

06/05)

F. Temporary Sign Permits. The Director may issue a temporary sign permit valid for up to 30 days, if it is found that the temporary sign is necessary to establish or maintain identity until a permanent sign can be erected. Extensions of the 30 day permit may be granted at the discretion of the Director. The Director may also approve a temporary sign permit for the following temporary signs provided the signs conform with the standards defined in Section 233.06: (3334-6/97, 3360-12/97)

1. Signs necessary to avoid a dangerous condition, including directional signs during construction. (3360-12/97)
2. Signs pertaining to a use permitted by a temporary use permit. (3360-12/97)
3. Promotional activity ~~non-exempt~~ signs, ~~a maximum of 90 days per calendar year pursuant to that comply with~~ Section 233.18 are permitted up to a maximum of 90 days per calendar year. (3360-12/97)

233.06 Permitted Signs

All signs shall be governed by the following schedule, except if addressed elsewhere in this chapter. The schedule lists maximum standards for number, area, and height of allowed signs which does not necessarily ensure architectural compatibility. Therefore, in addition to the enumerated standards, consideration shall be given to building setbacks, visibility of attached signing on the site, and the proposed sign's relationship to the overall appearance of the property, to the surrounding neighborhood, and to community goals. Compatible design, simplicity, sign effectiveness and adherence to the objectives and policies in the Urban Design Element of the General Plan shall be used as guidelines for sign approval. Nothing in this chapter shall preclude public access signage. (3334-6/97, 3360-12/97)

→ | The ~~Planning Commission~~City may, in addition, from time to time adopt policies regarding sign standards. Such policies may include separate standards or provisions for specific areas of the community. (3334-6/97)

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A. COMMERCIAL DISTRICTS

1. FREESTANDING SIGNS ON ADAMS AVE., BEACH BLVD., BROOKHURST ST., EDINGER AVE., GOLDENWEST ST. AND WARNER AVE.

	LOT FRONTAGE	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIGN HEIGHT	MAXIMUM SIGN AREA
a.	Interior lots with less than 200 feet of street frontage	One	10 ft. +5 ft. for Bonus	50 sq. ft. +25 sq.ft. for Bonus
b.	Interior lots with min. 200 feet but less than 400 feet	One	15 ft. +5 ft. for Bonus	70 sq. ft. +30 sq.ft. for Bonus
c.	Corner lots with the greatest street frontage less than 400 feet	One per street frontage	7 ft. +3 ft. for Bonus	30 sq. ft. +15 sq.ft. for Bonus
d.	Interior lots with min. 400 feet of frontage AND Corner lots with min. 400 feet on one street frontage	One primary (P) and two secondary (S) signs per street	20 ft. (P) +5 ft. for (P) Bonus 7 ft. (S)	100 sq. ft. (P) +25 sq. ft. (P) Bonus 30 sq. ft. (S)
e.	Regional Mall Identification Sign	One per street frontage	25 ft.	100 sq. ft.
		One freeway sign	25 ft. above freeway	200 sq. ft.

2. FREESTANDING SIGNS ON ALL OTHER ARTERIALS NOT LISTED ABOVE

	LOT FRONTAGE	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIGN HEIGHT	MAXIMUM SIGN AREA
a.	Interior lots with less than 400 feet of street frontage	One	7 ft. +1 ft. for Bonus	50 sq. ft. +10 sq. ft. for Bonus
b.	Corner lots with the greatest street frontage less than 400 feet	One per street	7 ft. +1 ft. for Bonus	30 sq. ft. +10 sq. ft. for Bonus
c.	Interior lots with min. 400 feet of frontage AND Corner lots with min. 400 feet on one street frontage	One primary (P) and two secondary (S) signs per street	15 ft. (P) +0.5 ft. for Bonus 7 ft. (S)	70 sq. ft. (P) + 10 ft. for Bonus 30 sq. ft. (S)

- Bonus signs (B) shall have an opaque background, internal illumination for items of information only.
- Multi-tenant panels are permitted provided the panels are minimum 10 inches in height, with a minimum 6 inch letter height. They shall be restricted to one uniform background color and two colors for the sign copy, with the exception that the Center Identification may have a separate background color. Sign copies shall be limited to the company name or one generic item of information. Major tenant identification shall be encouraged by being placed on the largest panel.
- Secondary signs (S) are in addition to the Primary (P) sign. Secondary sign copy shall be limited to business identification only.
- Street addresses shall be included on all freestanding signs with minimum six (6) inch numerals.

OTHER LOCATIONAL CRITERIA FOR FREESTANDING COMMERCIAL SIGNS

- No business shall have more than one freestanding sign facing each frontage.
- Freestanding signs on the same site shall be located a minimum of 150 feet apart unless approved by a planned sign program.
- A freestanding sign shall not be permitted in an area between the building and right-of-way when that portion of the building is located at the minimum setback.
- Signs shall be located in a landscape planter a minimum of 2 feet wider than the sign itself. Square poles or other architectural treatment shall be required, except if the sign is 8 feet or less in height, it shall be of monument type, with a minimum 2 foot base. Placement shall conform with Diagram A.
- No freestanding sign shall be located along a local street.

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A. COMMERCIAL DISTRICTS (CONTINUED)
3. WALL SIGNS

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	OTHER STANDARDS
<u>Individual Business Identification</u>	wall	One per street or parking lot frontage for each separate business on the ground floor Signs for second floor businesses with exterior access may be permitted by Planned Sign Program	1.5 sq. ft per linear ft. of business frontage. <u>Business <50,000 sq. ft. Max. total= 200 sq.ft.*</u> <u>Business 50,000+ sq. ft. No Max.*</u> * No sign shall exceed 200 sq. ft. or 1.5 sq. ft. per linear ft. of the wall upon which it is placed. <u>Channel letter signs: 15% bonus after above calculation.</u>	<ol style="list-style-type: none"> Channel letter signs required on all sites consisting of 5 or more uses. Signs over 50 sq. ft. shall have an opaque background and internal illumination for items of information only or shall be of channel letter design. Multi-business consolidated wall signs shall be permitted provided the signs do not exceed the allowable sign area. Placement shall conform to Diagram B. One nameplate may be placed at each door, loading dock, or other entrance facing a public street; max. 6 sq. ft. Signs on projecting canopies/awnings shall be considered wall signs. Raceways shall only be permitted when unable to place electrical components within wall/parapet.
	under canopy	One per business	8 sq. ft.	<ol style="list-style-type: none"> Canopy signs shall be attached perpendicular to the building face, centered above the store entrance or lease length. Minimum 8 ft. ground clearance. Signs shall not be illuminated.

4. CHANGEABLE COPY SIGNS

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM HEIGHT	OTHER STANDARDS
<u>Hotel with Convention Facility</u>	f/s	One per site	30% of allowable f/s area	See A.1. <u>Freestanding Signs (a-d) above</u>	To be combined with permitted sign.
<u>Live Entertainment</u>	f/s	One per site	30% of allowable f/s area	See A.1. <u>Freestanding Signs (a-d) above</u>	To be combined with permitted sign.
<u>Tenant Directory</u>	f/s	One per site	30 sq. ft.	7 ft.	Low intensity illumination, oriented toward pedestrians and motorists on site. Min. 30 ft. from exterior property lines, and 25 ft. from other freestanding signs.
<u>Menu Board</u>	f/s or wall	One per drive-thru lane	40 <u>32</u> sq. ft.	7 ft.	May be in addition to permitted sign.
<u>Electronic Readerboards</u> (See Sections 233.12 and 233.14 for specifications)					

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B. INDUSTRIAL DISTRICTS

1. FREESTANDING SIGNS

<u>SITE CRITERIA</u>	<u>MAXIMUM NUMBER</u>	<u>MAXIMUM SIGN AREA</u>	<u>MAXIMUM SIGN HEIGHT</u>	<u>OTHER STANDARDS</u>
<u>Industrial/ Mixed Uses</u>	One business identification sign per site	Under 1 acre: 32 sq. ft. Industrial centers over 1 acre: 50 sq. ft.	7 ft.	<ol style="list-style-type: none"> 1. Sign copy shall be limited to center or single business identification only. No multi-tenant panels shall be permitted. 2. Freestanding signs shall conform to Diagram A, and shall be located in a landscaped planter a minimum of 2 feet wider than the sign itself. 3. All freestanding signs shall have the street address included on the sign. 4. Signs shall be monument type. 5. Internally illuminated signs shall be designed as bonus signs.
<u>Mixed Use Businesses with Frontages on Gothard Street</u>	One per street frontage	Under 1 acre: 32 sq. ft. Industrial centers over 1 acre: 50 sq. ft.	10 ft.	<ol style="list-style-type: none"> 1. Multi-tenant panels are permitted provided the panels are minimum 10 inches in height with minimum 6 inch high letters. They shall be restricted to one uniform background color and two colors for the sign copy, with the exception that the Center Identification may have a separate background color. Sign copies shall be limited to the company name or one generic item of information. 2. Major tenant identification shall be encouraged by being placed on the largest panel. 3. Signs eight (8) feet or less shall be monument type. 4. Internally illuminated signs shall be designed as bonus signs.

2. WALL SIGNS

<u>SITE CRITERIA</u>	<u>MAXIMUM NUMBER</u>	<u>MAXIMUM SIGN AREA</u>	<u>MAXIMUM SIGN HEIGHT</u>	<u>OTHER STANDARDS</u>
<u>All Industrial/ Mixed Uses</u>	One per street or parking lot frontage for each separate business	1 sq. ft. per linear ft. of building frontage. Channel letter signs receive a 10% bonus after the above calculation. Max. 100 sq. ft. per business for all wall signs.	Below roofline	<ol style="list-style-type: none"> 1. One nameplate may be placed at each door, loading dock, or other entrance facing a public street; max. 6 sq. ft. 2. Internally illuminated signs shall be designed as bonus signs. 3. Raceways shall only be permitted when unable to place electrical components within wall/parapet.

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C. RESIDENTIAL

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Neighborhood Identification</u>	f/s	1 per street entrance	1 sq. ft. per unit, max. 50 sq. ft.	6 ft.	1. Signs shall be affixed to perimeter wall or placed within a landscaped planter. 2. Sign copy shall be limited to 18 inches in height, name of development only. 3. Freestanding signs shall be set back 20 feet from any interior property line. Placement shall conform to Diagram A.
	OR wall	One on each side of each street entrance	0.5 sq. ft. per unit, max. 25 sq. ft.		
<u>Vacancy Signs for Multi-family Developments</u>	wall	One per street frontage	6 sq. ft.	Below roofline	1. Copy limited to "vacancy," type of unit available, and source of information.

D. CHURCHES, AND SCHOOLS, AND COMMERCIAL RECREATIONAL USES WITHIN PUBLIC PARKS

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Identification</u>	f/s	One per site	32 sq. ft.	7 ft.	1. Freestanding signs shall be completely located within a landscaped planter. 2. Signs shall be monument type. 3. Freestanding signs shall be set back 5 ft. from any interior property line. 4. All freestanding signs shall have the address included on the sign. 5. Raceways shall only be permitted when unable to place electrical components within wall/parapet.
	AND wall	One per site	1 sq. ft. per linear ft. of bldg. frontage Max. 32 sq. ft.	Below roofline	
<u>Changeable Copy</u>	f/s	One per site	30% of allowable f/s area	7 ft.	To be combined with permitted sign.
	wall	One per site	+0-32 sq. ft.		May be in addition to permitted sign.



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E. SERVICE STATIONS

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Business Identification</u>	f/s	One per site	Alternative A: 20 sq. ft. if sign contains only identification and no changeable copy panels for pricing. <u>OR</u> Alternative B: 50 sq. ft. if price information is incorporated on sign. Sign shall contain panels for fuel price only. No detached price signs shall be located elsewhere on the site.	7 ft.	1. Service stations with convenience markets shall use <u>Alternative A</u> . 2. Freestanding signs shall be located in a landscaped planter a minimum of 2 feet wider than the sign itself. 3. Signs shall be monument type. 4. All freestanding signs shall have the address included on the sign.
	wall and/or canopy	One per street frontage One per street frontage	1 sq. ft. per linear foot of building frontage 10 sq. ft.	Below roofline	1. Internal illumination or channel letters only. 2. If canopy fascia signs are used for business ID, no wall signs shall be permitted on bldg. 3. Max. letter height for fascia signs shall be 75% of fascia width. 4. If canopy fascia signs are not provided, a logo may be permitted on each side of canopy column connector (spandrel) in addition to wall signs.
<u>Fuel Price and Credit Information</u>	f/s	One per street frontage in conjunction with <u>Alternative A</u> sign Price signs shall be located a minimum 15 ft. from other freestanding signs.	12 sq. ft.	6 ft.	1. Price signs shall advertise fuel prices only and no other product available. 2. Freestanding signs shall be completely located within a landscaped planter.

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E. SERVICE STATIONS (CONTINUED)

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Pump Instructions or Identification</u>	attached to pump island column	One per canopy column	2 sq. ft.	10 ft.	1. No other signs shall be permitted on the canopy or column except as specified. 2. Point of purchase signs shall be prohibited. 3. State or Federal government required signs encompassed within a fuel pump shall not be regulated by this ordinance.

F. PERMITTED IN ALL DISTRICTS

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Building Identification for Buildings Over 100 Ft. in Height</u>	wall	One per building frontage	3 sq. ft. per foot of bldg. height	Shall be placed within top 25 ft. of bldg.	1. Such sign shall be in addition to that which is permitted elsewhere in this article. 2. Raceways shall only be permitted when unable to place electrical components within wall/parapet.

Promotional Activity Signs (See Section 233.18 for specifications)

<u>Real Estate</u>					
-Residential Districts	f/s	One per site	8 sq. ft.	6 ft.	1. Real estate signs shall be removed immediately after sale or lease, which shall be defined as the close of escrow. 2. Signs shall not be attached to the perimeter walls of residential communities or create any hazards for traffic or pedestrians.
-Commercial Office Districts	<u>OR</u>	One per site	20 sq. ft.	10 ft.	
-Commercial/Industrial Districts	wall	One per site	30 sq. ft.	12 ft.	
-Miscellaneous/ -All Other Districts		One per site	20 sq. ft.	10 ft.	

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F. PERMITTED IN ALL DISTRICTS (CONTINUED)

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Open House Signs and Real Estate Flags</u>	f/s	One Sign	6 sq. ft.	4 ft.	1. Open house signs and flags may be displayed only during daylight hours and when the property is available for inspection. 2. Open house signs may only be placed at the immediate points of access to a residential subdivision from an arterial. Placement shall be in the parkway only and not in street medians or dividers.
		Three flags per site	2.5 sq. ft.	6 ft.	

233.08 Exempt Signs

The following Signs signs are exempt from the sign permit requirements of this chapter Section 233.04 include These signs shall not be restricted by content and no fee, permit or application is required: (3334-6/97)

- A. ~~Corner stones, (including names of buildings, and dates of erection), and citations that are made an integral part of the structure. (3334-6/97)~~
- B. ~~Credit card, trading stamp, or trade association signs Signs not exceeding 0.5 square feet each posted by commercial establishments. (3334-6/97)~~
- C. ~~Governmental flags Flags of posted by any governmental agency not used for commercial promotional purposes. (3334-6/97)~~
- D. ~~Neighborhood Watch signs Signs posted by neighborhood safety organizations. (3334-6/97)~~
- E. ~~Notices posted by a utility or other quasi-public agent in the performance of a public duty or by any person giving due legal notice. (3334-6/97)~~
- F. ~~Official Signs or notices of posted by any court, public body or officer. (3334-6/97)~~
- G. ~~Oil operations signs consistent with Title 15 of the Municipal Code. Signs posted by property owners on private property, as required by law (including no trespass and legal notices). (3334-6/97)~~
- H. ~~One construction sign per street frontage with a maximum sign area of 32 square feet located on a construction site during the course of construction. Removal is required prior to issuance of a certificate of occupancy or final inspection, whichever comes first. (3334-6/97)~~
- II. ~~One name platesign, not over six (6) square feet in area, displaying the name and/or profession of the occupant of the building and/or the address, may be placed posted at each door, loading dock, or other entrance facing a public street. (3334-6/97)~~

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- ~~J.~~ On-premise parking and other directional signs, not exceeding one ~~One~~ double-faced sign per each commercial parking entrance, not exceeding two (2) square feet in area and four (4) feet in height. ~~Such signs shall not include business identification, product, or logo.~~ (3334-6/97)
- ~~K.~~ Open house signs, not to exceed six (6) square feet and four (4) feet in height, may be displayed adjacent to the entrance of a property for sale or rent during daylight hours when the property is open for inspection. ~~(3334-6/97)~~
- ~~L.~~ Pennants corresponding to a City sponsored event or theme. The pennants shall be on light standards located on private property, a maximum of 30 square feet per pennant, with a minimum eight (8) foot clearance from the ground. Written text shall be restricted to the name and dates of the event. Pennants shall be removed within five (5) working days upon the completion of the event. ~~(3360-12/97)~~
- ~~M.~~ Political campaign signs which do not pose a traffic or safety hazard, are not erected more than 75 days prior to or remain more than 15 days after an election, and have been granted permission of the property owner for display. Political signs shall be prohibited in street medians and dividers. ~~(3334-6/97, 3360-12/97)~~
- ~~N.~~ Promotional Activity Signs for Vehicle Sales Dealerships provided they comply with the provisions set forth in Section 233.18 G. ~~(3360-12/97)~~
- ~~OJ.~~ Public transit seating signs and public information, directional, and warning signs ~~Signs~~ erected by a public agency. (3334-6/97)
- ~~P.~~ Real estate signs provided they comply with the provisions set forth in Section 233.06 F. ~~(3360-12/97)~~
- ~~QK.~~ Signs manufactured as a standard, integral part of a mass-produced product accessory to a commercial or public or semi-public use, or display structure including telephone booths, vending machines, automated teller machines, and gasoline pumps. (3334-6/97)
- ~~RL.~~ Signs within a building not visible from a public street and window signs not exceeding 20 percent of the visible area of a window (50% during December). No window sign shall be displayed above the second story. (3334-6/97, 3360-12/97)
- ~~SM.~~ Signs required by the Americans with Disabilities Act (ADA). (3360-12/97)
- ~~T.N~~ Street address numerals ~~Two (2) signs (including, but not limited to, street numerals and "no solicitation" notices), not exceeding two (2) square feet each, placed on any part of a building facing a public street.~~ (3334-6/97)
- ~~UO.~~ No-trespassing signs posted a minimum of 100 feet apart. Temporary signs. In any residential zone, the owner of a lot shall be allowed to post temporary signage on the lot itself, but not off-site in street medians, dividers, and other public rights-of-way. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, and home construction or remodeling, etc. Signage shall be allowed for each lot as follows:

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<u>Site Criteria</u>	<u>Type</u>	<u>Maximum Number</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Other Standards</u>
<u>Election Signs or Political Signs</u>	<u>F/S or Wall</u>	<u>One per site</u>	<u>N/A</u>	<u>N/A</u>	<u>1. Cannot create traffic or safety hazards.</u> <u>2. May be erected no more than seventy five (75) days prior to an election and must be removed within fifteen (15) days after an election.</u>
<u>Real Estate Residential</u>	<u>F/S or Wall</u>	<u>One per site</u>	<u>8 sq. ft.</u>	<u>6 ft.</u>	<u>1. Cannot create traffic or safety hazards.</u> <u>2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement.</u> <u>3. No sign may be attached to the perimeter walls of residential communities.</u>
<u>Real Estate Commercial Office Dist.</u>	<u>F/S or Wall</u>	<u>1 per site</u>	<u>20 sq. ft.</u>	<u>10 ft.</u> <u>12 ft.</u>	<u>1. Cannot create traffic or safety hazard</u> <u>2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow.</u>
<u>Real Estate Commercial Industrial</u>	<u>F/S or Wall</u>	<u>1 per site</u>	<u>30 sq. ft.</u>	<u>12 ft.</u>	<u>1. Cannot create traffic or safety hazards.</u> <u>2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow.</u>
<u>Real Estate All other</u>	<u>F/S or Wall</u>	<u>1 per site</u>	<u>20 sq. ft.</u>	<u>10 ft.</u>	<u>1. Cannot create traffic or safety hazards.</u>



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<u>Site Criteria</u>	<u>Type</u>	<u>Maximum Number</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Other Standards</u>
<u>Districts</u>					<p><u>2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow.</u></p> <p><u>3. Signs shall not be attached to the perimeter walls of residential communities.</u></p>
<u>Construction Signs</u>	<u>F/S or Wall</u>	<u>1 per site</u>	<u>32 sq. ft.</u>	<u>None</u>	<u>1. Is erected no earlier than the date a building permit is issued for the property, and is removed prior to issuance of a certificate of occupancy or final inspection, whichever comes first.</u>
<u>Open House Signs</u>	<u>F/S or Wall</u>	<u>1 per site</u>	<u>6 sq. ft.</u>	<u>4 ft.</u>	<p><u>1. Sign must be displayed adjacent to the entrance of a property or in the case of a residential subdivision at the immediate points of access to the property from an arterial, and is removed by sunset on any day it is erected.</u></p> <p><u>2. Placement shall not be in street medians, dividers, on street signs, traffic control devices and shall not obstruct the public right-of-way.</u></p>
<u>Open House Sign</u>	<u>Flags</u>	<u>3 per site</u>	<u>2.5 sq. ft.</u>	<u>6 ft.</u>	<u>1. Must be displayed at the immediate points of access to a property or, in the case of a residential subdivision, from the immediate point of access from an arterial.</u>
<u>Pennants</u>			<u>30 sq. ft.</u>		<p><u>1. Must be placed on light standards located on private property</u></p> <p><u>2. Must have an eight (8) foot clearance from the ground.</u></p> <p><u>3. Must be removed within five (5) business days of the completion of the City-sponsored event or theme.</u></p>

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→ | **233.10 Prohibited Signs**

- A. Canvas signs, banners, pennants, streamers, balloons or other temporary signs except as provided in Sections 233.08 (Exempt Signs), 233.16 (Subdivision Directional Signs) or 233.18 (Promotional Activity Signs). (3334-6/97, 3360-12/97)
- B. Mobile, A-frame, and frame, and portable signs and those of a similar nature which are not permanently attached to the ground or building except as provided in Sections 233.18 or 233.20. (3334-6/97)
- C. Roof signs except those permitted under Section 233.18(4). (3334-6/97)
- D. Signs which resemble any official marker erected by the city, state, or any governmental agency, or which, by reason of position, shape, color or illumination would conflict with the proper functioning of any traffic sign or signal or would be a hazard to vehicular or pedestrian traffic. (3334-6/97)
- E. Signs which produce odor, sound, smoke, fire or other such emissions. (3334-6/97)
- F. Flashing, moving, pulsating, or intermittently lighted signs, mechanical movement signs, including searchlights, except electronic readerboards and public service signs such as those for time and temperature. (3334-6/97)
- G. Animals or human beings, live or simulated, utilized as signs. (3334-6/97)
- H. Projecting signs, except canopy or awning signs and under-canopy signs, subject to subsections 233.06(A) and 233.06(E). (3334-6/97, 3360-12/97)
- I. Signs which constitute a nuisance or hazard due to their intensity of light. (3334-6/97)
- J. Signs visible from and within 100 feet of an R district which are illuminated between the hours of 10:00 PM and 7:00 AM unless they identify an establishment open for business during those hours. (3360-12/97)
- K. Off-premises signs, including billboards or advertising structures installed for the purpose of advertising a project, subject or business unrelated to the premises upon which the sign is located, except ~~subdivision directional signs and multiple user electronic readerboards~~ as permitted pursuant to Sections 233.14 (Readerboard Signs-Multiple Users) and 233.16 (Subdivision Directional Signs). (3334-6/97)
- L. Abandoned signs and signs which no longer identify a bona fide business conducted on the premises. Such signs shall be removed by the property owner within 60 days of the business' closing date. The sign panel may be turned over (blank side out) if the sign complies with code. (3334-6/97, 3360-12/97)
- M. Signs located on ~~any~~ public property, including signs affixed to utility poles, trees or projecting onto the public right-of-way, except political signs and those required by law. This section shall not prohibit the placement of advertising panels on public service items including, but not limited to, trash receptacles, bicycle racks, bus benches, transit shelters, and telephone booths, within public rights-of-way or in publicly-operated beaches or parks provided such items are placed in accord with an agreement granted by the City Council. (3334-6/97, 3360-12/97)

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- | N. Vehicle signs, signs affixed to automobiles, trucks, trailers or other vehicles on public or private property for the ~~basic~~ purpose of advertising, identifying or providing direction to a use or activity not related to the lawful use of the vehicle for delivering merchandise or rendering service. Any such vehicle signs which have as their primary purpose to serve as a non-moving or moving display are prohibited. (3334-6/97)

233.12 Electronic Readerboards

→ | Electronic readerboards ~~may be~~ are permitted subject to the review by the Design Review Board, and approval of a conditional use permit by the Zoning Administrator. (3334-6/97, 3360-12/97, 3711-06/05)

- A. Required Findings: Prior to approving a conditional use permit to allow an electronic readerboard sign, the Zoning Administrator shall make the following findings: (3334-6/97, 3711-06/05)
1. The proposed electronic readerboard sign conforms with the standards and criteria as set forth in this chapter; (3334-6/97)
 2. The proposed electronic readerboard sign is compatible with other signs on the site and in the vicinity; (3334-6/97)
 3. The proposed electronic readerboard sign will not adversely impact traffic circulation in adjacent rights-of-way or create a hazard to vehicular or pedestrian traffic; and (3334-6/97)
 4. The proposed electronic readerboard sign shall not have adverse visual impacts on adjoining commercial and/or residential neighborhoods. (3334-6/97)
- B. Readerboard Sign Criteria: (3360-12/97)
1. Electronic readerboards may be freestanding or wall type signs. (3334-6/97)
 2. The maximum number of electronic readerboards shall be one per site. (3334-6/97)
 3. The maximum sign area shall be 115 square feet; 90 square feet for message center; and 25 feet for other information. (3334-6/97)
 4. The maximum height of a freestanding electronic readerboard sign shall be 25 feet. (3334-6/97, 3360-12/97)
 5. The electronic readerboard shall have cylinders, a shade screen and a photocell for reducing the intensity of lighting at night. (3334-6/97)
 6. The maximum measurable light output of the electronic readerboard shall not exceed 50 foot-candles at any property line. (3334-6/97)
- C. Location Requirements: (3334-6/97)
1. Electronic readerboards shall only be allowed on parcels abutting a freeway and on parcels abutting Beach Boulevard, excluding the portion along Beach

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Boulevard designated as a landscape corridor south of Adams to Pacific Coast Highway. (3334-6/97)

2. Minimum lot frontage: 200 feet. (3334-6/97)
3. Minimum distance between electronic readerboards: 150 feet. (3334-6/97)
4. Minimum distance to any residence: 150 feet. (3334-6/97)

D. Other Standards: (3334-6/97)

1. Where a site has an electronic readerboard, temporary banners, balloons, flags, etc. shall be permitted a maximum of 15 days per calendar year. (3334-6/97)
2. Hours of operation: 6:30 AM to 10:30 PM. At least 10 percent of the message time, or any percentage deemed necessary by the City for emergency conditions, shall be used for public service announcements. (3334-6/97)
3. Messages in an electronic readerboard shall be no faster than one message every four seconds, and the minimum interval between messages shall be at least one second. Continuous motion of messages is not permitted. (3334-6/97)
4. Light intensity changes (other than between day and night uses) are not permitted. (3334-6/97)
5. In addition to the electronic readerboard sign, one monument sign, maximum of seven (7) feet in height and a maximum fifty (50) square feet in sign area, may be permitted and all other signage shall be brought into conformance with this chapter. (3334-6/97)

233.14 Readerboard Signs - Multiple Users

Off-site electronic readerboard signs may be permitted subject to the review by the Design Review Board and approval of a conditional use permit approval by the Zoning Administrator. Approval of electronic readerboard signs shall be subject to the following: (3334-6/97, 3711-06/05)

- A. Required Findings: Prior to approving a conditional use permit to allow a multiple user electronic readerboard sign, the Zoning Administrator shall make the following findings: (3334-6/97)
 1. The proposed electronic readerboard sign conforms with the standards and criteria as set forth in the Huntington Beach Zoning and Subdivision Ordinance; (3334-6/97, 3360-12/97)
 2. The proposed electronic readerboard sign will not adversely impact traffic circulation in adjacent right-of-way or create a hazard to vehicle or pedestrian traffic. (3334-6/97, 3360-12/97)

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B. Multiple User Readerboard Sign Criteria: (3360-12/97)

1. Multiple user electronic readerboard signs may be located at a site which is not the location of any of the parties using the sign for advertising. (3334-6/97)
2. Multiple user electronic readerboard shall be freestanding. (3334-6/97)
3. The maximum sign area shall be twelve hundred (1200) square feet. (3334-6/97)
4. The maximum height of a multiple user readerboard sign shall be eighty-five (85) feet. (3334-6/97)
5. The multiple user readerboard shall have cylinders or directional incandescent lamps and have a shade screen or louver system, a shade screen and a photocell for reducing the intensity of lighting at night. (3334-6/97)

C. Lighting Standards: (3334-6/97)

1. The maximum night time light intensity and illuminance shall conform to the following: (3334-6/97)

MAXIMUM NIGHT TIME INTENSITY

Height from Ground (in feet)	5	10	20	30	50	70	85
Maximum Intensity (x 1000 lumens)	125	130	145	170	250	370	490

(3334-6/97, 3360-12/97)

MAXIMUM NIGHT TIME ILLUMINANCE

Land Use at Receptor Site	Residential	Commercial	Other
Maximum Illuminance (foot-candles)	0.3	2.0	1.0

(3334-6/97)

The maximum night time illuminance shall be measured at the receptor site, at ground level, by a direct reading, portable light meter. Measurements shall not be made within one hour after sunset or before sunrise. (3334-6/97)

2. Illuminance shall be determined by the difference between a reading taken with the sign on and another reading taken within three (3) minutes with the sign off. (3334-6/97)
3. An illuminance chart shall be prepared by a licensed engineer and submitted to the Director for approval prior to installation. Conformance with this ordinance shall be verified by actual measurements made, as specified herein, after installation. The method of measurement and results shall be subject to approval of the Director. (3334-6/97)

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D. Location Requirements: (3334-6/97)

1. A multiple user readerboard shall be located no farther than two hundred (200) feet from a freeway. (3334-6/97)
2. The minimum distance between multiple user readerboards shall be one thousand (1,000) feet. (3334-6/97)
3. The sign shall be a minimum distance of 600 feet from residential properties. (3360-12/97)

E. Other Standards: (3334-6/97)

1. No off-site electronic readerboard will be permitted except for multiple users. (3334-6/97)
2. At least twenty percent (20%) of the message time, or any percentage deemed necessary by the City for emergency conditions shall be used for public service announcements. (3334-6/97)
3. Messages in a multiple user sign shall be no faster than one message every four (4) seconds and the minimum interval between messages shall be at least one second. (3334-6/97)
4. Light intensity changes (other than between day and night uses) are not permitted. (3334-6/97)

233.16 Subdivision Directional Signs

Subdivision directional signs shall contain only the name of a development, the developer, price information, and directional information for land development projects located within the cityCity. ~~No land development project shall be permitted more than~~ Sign permits for off-site subdivision directional signs for land development projects shall be limited to no more than six off-site ~~subdivision directional~~ signs, and approval for such signs shall be subject to the following standards: (3334-6/97)

A. Location requirements: (3334-6/97)

1. Signs shall not be located within any street medians, divides or other public rights-of-way or on any property developed with residential uses other than that of the subdivision identified. (3334-6/97)
2. Signs located on the same side of the street shall be a minimum of 600 feet from any other subdivision directional sign except a sign may be permitted on each corner of the intersection of arterial highways. (3334-6/97)
3. Maximum area and height: (3334-6/97)
 - a. 64 square feet in area and 15 feet high provided there is a minimum 50 foot distance from any adjacent developed property. (3334-6/97)
 - b. 32 square feet in area and 8 feet high provided there is a minimum 25 foot distance from any adjacent developed property. (3334-6/97)

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- B. Permit expiration: Sign Permits issued for subdivision directional signs shall expire either one year from the date of issuance or on the date 90 percent of the project's units have all been sold, leased, or rented for the first time, whichever is sooner. Annual renewals may be granted for such time as units still exist for sale; however, no more than one directional sign is allowed after 90 percent of the units are sold, leased or rented. (3334-6/97)
- C. Street widening: When a sign conflicts with street widening or construction, it shall be removed upon written notice at no cost to any public agency. (3334-6/97)
- D. Required bond: Prior to the issuance of a building permit, the applicant shall file a cash bond in an amount set by resolution of the City Council. The full bond amount shall be refunded if the sign structure is removed and the site restored to its original condition within 15 days after the expiration of the permit. If the sign structure is not removed, the City shall remove the sign and its supporting structure with the cost deducted from the cash bond, and any remainder refunded. (3334-6/97)

233.18 Promotional Activity Signs

- A. Promotional activity signs may be placed on a site subject to the ~~approval of~~ issuance of a temporary sign permit by the Director, and provided that temporary such signs comply with all of the standards set forth in this sectionSection, and provided such signs do not create safety hazards or block signs identifying adjoining establishments. (3334-6/97)
- B. A temporary sign permit for a promotional activity sign, banners, pennant or pennants, unless otherwise specified, shall be valid for a maximum of ninety (90) days in any calendar year and shall not be renewable. (3334-6/97, 3360-12/97)
- C. ~~A promotional~~ Promotional activity banner or banners shall not exceed one square foot of banner area for each linear foot of building frontage and in no case shall the total banner area exceed 100 square feet. Pennants shall be limited to a maximum of one square foot for each pennant. (3334-6/97, 3360-12/97)
- D. ~~A temporary sign permit for grand opening promotional activities shall be allowed for ninety (90) days, and the permit is not renewable.~~ A promotional activity banner, as permitted above, shall not be affected by the issuance of a grand opening promotional activity sign permit during the same calendar year. The size of a grand opening promotional activity banner shall not exceed the size specified in Section 233.18 C. (3334-6/97, 3360-12/97)
- E. Promotional ~~activity signs~~signs, banners and pennants shall ~~not be maintained and not be~~ in a condition of disrepair. Disrepair shall include torn, faded or sagging signs. (3334-6/97)
- F. ~~Sites~~ The Director may approve a temporary sign permit for a promotional sign, to be displayed on a site with electronic readerboards shall be permitted to have promotional activity signs displayed up to a maximum of fifteen (15) days per calendar year. (3334-6/97)
- G. ~~Vehicle sales businesses on Beach Boulevard shall be exempt from these limitations on promotional activity signs provided they comply with the following:~~ (3334-6/97, 3360-12/97) Vehicle sales businesses and automobile dealerships located on Beach Boulevard may, without first obtaining a temporary use permit from the Director, display promotional activity signs, banners, pennants, and car-top signs that comply with the following standards:

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1. Eighteen inch (18") non-metallic helium balloons and large non-metallic inflatables may be displayed on the weekends (Friday 9:00 AM through Sunday 12:00 Midnight), provided they do not project over the public right-of-way. (3334-6/97)
2. Automobile dealerships on Beach Boulevard shall be permitted to display flags, pennants, banners and car-top signs throughout the year. (3334-6/97)

H. Vehicle sales businesses and automobile dealerships located on Beach Boulevard shall obtain a temporary sign permit for the use of large displays and inflatables larger than eighteen inches (18") in diameter. The displays and inflatables shall be affixed directly to the ground or roof of a building; ~~the displays and inflatables shall not be elevated up in the air.~~ The displays and inflatables shall be limited to a maximum of twelve (12) weekends per calendar year. (3360-12/97)

233.20 Planned Sign Program

A ~~planned sign program~~ Planned Sign Program shall be submitted to the Director when required by Section 233.04 B. Such program shall be reviewed and approved by the Director prior to issuance of any building permit for signs. The purpose of the ~~planned sign program~~ Planned Sign Program is to encourage coordinated and quality sign design as well as to permit more flexible sign standards for commercial and industrial centers. (3334-6/97, 3360-12/97, 3527-2/02)

The standards of Section 233.06 shall be used as a guide in the design of a ~~planned sign program~~ Planned Sign Program. The property owner shall designate a person or firm as the primary liaison with the City for the purpose of submitting sign permit requests in conformance with the approved ~~planned sign program~~ Planned Sign Program. (3334-6/97, 3360-12/97)

- A. Planned sign program applications shall be submitted to the Planning Division and shall include the following: (3334-6/97)
 1. A site plan, drawn to scale, depicting the precise locations of all buildings and signs; (3334-6/97, 3360-12/97)
 2. Drawings and/or sketches indicating the exterior surface details of all buildings on the site on which wall signs, directory signs, or projecting signs are proposed; (3334-6/97)
 3. Written text describing the specific sign criteria for the property. The program shall, at minimum, include provisions regulating sign height, area, sign type, colors, design and location. (3360-12/97)
 4. A statement of the reasons for any requested modifications to the provisions or standards of this chapter; and (3334-6/97)
 5. The name, address, and telephone number of the person or firm responsible for administering the ~~planned sign program~~ Planned Sign Program. (3334-6/97)
- B. A ~~planned sign program~~ Planned Sign Program may include more than one freestanding sign per parcel or other deviations from the standards of this chapter, provided that the total sign area does not exceed the area otherwise permitted by Section 233.06 by more than 10 percent, or by 30% for multiple automobile franchises occupying the same lot, and commercial businesses with 50,000 square feet or more of floor area. In approving a ~~planned sign program~~ Planned Sign Program, the Director shall find: (3334-6/97, 3360-12/97)

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1. That the proposed signs are compatible with the style or character of existing improvements on the site and are well related to each other, reflecting a common theme and design style. (3334-6/97)

→ C. The Director may require any reasonable conditions necessary to carry out the intent of the ~~planned sign program~~ Planned Sign Program. For developments with existing signs, a schedule or phasing plan for bringing such signs into conformance with the ~~planned sign program~~ Planned Sign Program shall be submitted and become part of the approval of the Planned Sign Program. A cash bond may be required to guarantee their modification or removal. (3334-6/97, 3360-12/97)

233.22 Miscellaneous Signs and Provisions

→ A. Signs within the Downtown Specific Plan or located in any other specific plan areas shall comply with any additional requirements outlined within the plan itself and any applicable design guidelines. (3334-6/97)

B. Non-commercial murals, non-commercial large graphic designs, and statuary shall be subject to review by the Director for the sole purpose of ensuring that such displays will not pose a hazard to public health, safety or welfare. (3334-6/97)

→ C. No window or contiguous window panes shall be covered by paper or painting signs ~~which that~~ exceed 20 percent of the total area of that window ~~at any time~~ however; ~~Exception:~~ Windows windows may be covered up to 50% during the month of December. (3334-6/97, 3360-12/97)

233.24 Nonconforming Signs

→ A. Continuation of Use. ~~Any A~~ nonconforming ~~on-site~~ sign may be maintained on site after the effective date of the ordinance codified in this title, provided that the nonconforming sign is not: (3334-6/97, 3360-12/97)

1. Changed to another nonconforming sign; or (3334-6/97)

2. Structurally altered so as to extend its useful life; or (3334-6/97)

3. Expanded or altered as defined in Section 233.28, except that a change of sign panel/face may be permitted provided the items of information on the sign (i.e., business name) remain the same; or (3334-6/97, 3360-12/97)

4. Reestablished after discontinuance for ninety (90) days or more; or (3334-6/97, 3360-12/97)

5. Reestablished after damage or destruction of more than fifty percent (50%) of the sign value at the time of such damage or destruction. (3334-6/97, 3360-12/97)

→ B. Signs replaced or requested to be modified at the owner's initiative shall comply with all current provisions of this chapter unless granted the Director approves a sign code exception Sign Code Exception a, ~~limited sign permit~~ Limited Sign Permit or ~~planned sign program~~ Planned Sign Program. (3334-6/97, 3360-12/97)

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233.26 Code Compliance

Signs shall be subject to the provisions of this chapter, the Uniform Building Code and National Electric Code, as adopted by the City. (3334-6/97, 3360-12/97)

Any sign by design, location or configuration that violates this Chapter or creates a pedestrian or vehicle hazard is deemed to be a public nuisance and subject to enforcement under this Code and/or the Huntington Beach Municipal Code.

Penalty. No person, firm, corporation or other legal entity shall maintain, place, erect, or permit any sign to be displayed in violation of this chapter. Violations are a misdemeanor and are punishable as provided in Chapter 249 Enforcement of the Huntington Beach Zoning and Subdivision Ordinance. (3360-12/97)

233.28 Definitions

The following definitions shall apply to the provisions in this Chapter. General definitions are contained in Chapter 203. (3334-6/97)

- A. Abandoned Sign: a sign which no longer directs, advertises or identifies a legal business establishment, product or activity on the premises where such sign is displayed. (3334-6/97)
- B. Alteration: any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign. (3334-6/97)
- C. Animated Sign: any sign which is designed to give a message through a sequence of progressive changes of parts or lights or degree of lighting. (3334-6/97)
- D. Area of Sign: (3334-6/97)
 - 1. The area included within the outer dimensions of a sign (excluding structural supports). (3334-6/97, 3360-12/97)
 - 2. For freestanding signs, sign area shall be calculated on one (1) face of the sign, provided a sign face on a double-sided sign is not separated from the opposite side of the sign by more than 12 inches at any point. (3334-6/97, 3360-12/97)
 - 3. For illuminated awning or canopy signs, sign area shall be calculated around the sign copy only. (3334-6/97, 3360-12/97)
 - 4. For signs without a border or frame (channel or skeleton letters), the area shall be within a rectangle or eight (8) continuous straight lines (with right angles) formed around the extreme outer limits of the sign message, including all figures and any background or color which is an integral part of the sign. (3334-6/97, 3360-12/97)



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- E. Awning: a shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework. (3334-6/97)
- F. Awning Sign: a sign painted on, printed on, or attached flat against the surface of an awning. (3334-6/97)
- G. Banner Sign: a temporary sign composed of fabric or flexible material with no enclosing frame. (3334-6/97)
- H. Bonus Sign: an internally illuminated freestanding sign designed with opaque sign faces/panels, and illumination for items of information only. (3360-12/97)
- I. Business Identification Sign: a sign which serves to identify only the name and address of the premises, business, building or portion of building upon which it is located and includes no other advertising such as product lists, phone numbers and hours of operation. Logos may also be permitted. (3334-6/97)
- J. Building Frontage: the linear extent of a building or business which has frontage on either a street or parking area. Only one side of the building facing the street or parking area shall be used to determine the maximum sign area. (3334-6/97, 3360-12/97)
- K. Canopy: a permanent roof-like structure which extends along and projects beyond the wall of a building, or is freestanding as common in service stations, and is generally designed and constructed to provide protection from the weather. (3334-6/97, 3360-12/97)
- L. Changeable Copy Sign: a sign or portion thereof with characters, letters or illustrations that can be changed manually or electrically without altering the face or surface of the sign. (3334-6/97)
- M. Channel letters: individual letters or figures, illuminated or non-illuminated, affixed to a building or freestanding sign structure. (3334-6/97)
- N. Construction Sign: a temporary sign identifying the persons, firms or businesses directly connected with a construction or development project and may include the name of the future site occupant. (3334-6/97)
- O. Directional Sign: an on-premise incidental sign designed to guide or direct pedestrian or vehicular traffic. (3334-6/97)
- P. Electronic Readerboard: a changeable message sign consisting of a matrix of lamps which are computer controlled. (3334-6/97)
- Q. Exposed Neon: neon tubing used for lighting in signs and other building identification such as raceways and accent lighting. (3360-12/97)
- R. Exposed Raceway: visible tube or box behind a wall sign used to house electrical wiring for the wall sign. (3360-12/97)
- S. Flashing Sign: an illuminated sign which contains an intermittent or sequential flashing light source or any other such means to attract attention. This definition is not intended to include "changeable copy signs" or "animated signs." (3334-6/97)
- T. Freestanding Sign: a sign permanently attached to the ground and which does not have a building as its primary structural support. This includes ground signs, pole signs and monument signs. (3334-6/97)

- U. Grand Opening: a promotional activity not exceeding ninety (90) calendar days used by newly established businesses to inform the public of their location and services. (3334-6/97)
- V. Ground Sign: see Freestanding Sign. (3334-6/97)
- W. Illegal Sign: a sign which was erected without ~~the benefit of~~obtaining a permit as required by this Chapter, that does not meet the requirements of this ordinance, or has not received legal nonconforming status. (3334-6/97, 3360-12/97)
- X. Incidental Sign: a small sign pertaining to goods, products, services or facilities which are available on the premises where the sign occurs and intended primarily for the convenience of the public. (3334-6/97)
- Y. Indirect Illumination: a light cast on the surface of a sign from an exterior source. (3334-6/97)
- Z. Industrial Center: any site containing three (3) or more industrial activities. (3360-12/97)
- AA. Integrated Development: a development or site comprised of one or more parcels served by common access ways, driveways, parking and landscaping. (3334-6/97)
- BB. Interior illumination: any sign face which is artificially lit from the inside. (3334-6/97)
- CC. Item of information: each word, design, symbol, or figure. (3334-6/97)
- DD. Limited Sign Permit: ~~City approved entitlement allowing the initial modification and~~A permit approved by the Director that permits a temporary sign used to advertise a short-term special activity or sale, i.e., grand opening, under new ownership, fall sale, etc. and maintenance or modification to the face or copy of a nonconforming sign for up to a to extend a use of the sign for a time period deemed appropriate by the Director, but not to exceed a two (2) years period. (3360-12/97)
- EE. Logo: a trademark or company name symbol. (3334-6/97)
- FF. Marquee: see Canopy. (3334-6/97)
- GG. Mansard: a sloped roof or roof-like facade. (3334-6/97)
- HH. Monument Sign: a free standing sign with a solid base. (3334-6/97)
- II. Moving Sign: any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement. (3334-6/97)
- JJ. Name Plate Sign: an attached sign which designates the names and/or address of a business, and/or the words "entrance" or "exit." (3334-6/97)
- KK. Nonconforming Sign: a sign which was erected legally but does not comply with provisions of the current sign ordinance provisions. (3334-6/97, 3360-12/97)
- LL. Off-Site Sign: any sign which advertises goods, products, services or facilities not sold, produced, manufactured or furnished on the premises on which the sign is located. These signs are also known as outdoor advertising, billboards, and poster panels. (3334-6/97)

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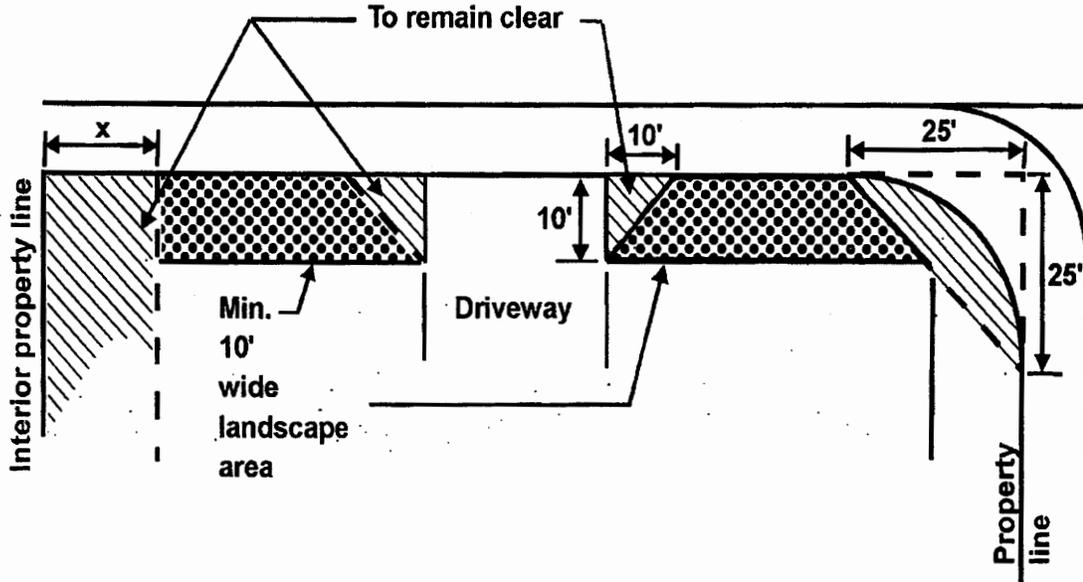
- MM. On-Site Sign: a sign which pertains to the use(s) of the site on which it is located. (3334-6/97)
- NN. Open House Sign: a sign which identifies a building for sale or lease which is open and available for inspection, ~~and sets forth no other advertisement.~~ (3334-6/97)
- OO. Planned Sign Program: ~~City approved entitlement which~~ A required component for certain sign permits that incorporates coordinated and quality sign design elements ~~and is reviewed and approved by the Director.~~ (3360-12/97)
- PP. Point of Purchase Display: advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser. (3334-6/97)
- QQ. Pole Sign: see Freestanding Sign. (3334-6/97)
- RR. Political Sign: a sign identifying either a candidate for public office or an issue relating to a forthcoming election. (3334-6/97)
- SS. Portable Sign: any sign not permanently attached to the ground or a building. (3334-6/97)
- TT. Projecting Sign: a sign which is attached to and projects from the wall of the building more than 18 inches and which has its display surface perpendicular to such wall, to the structure to which it is attached. (3334-6/97)
- UU. Promotional Activity Sign: a temporary sign used to advertise a short term special activity or sale, i.e., grand opening, under new ownership, fall sale, etc. (3334-6/97)
- VV. Public Access Signage: signage that directs the general public to the coast or sea and/or public amenities available for general public use. (3360-12/97)
- WW. Public Service Information Sign: any sign intended primarily to promote items of general interest to the community such as time, temperature, date, atmospheric conditions, news or traffic control, etc. (3334-6/97)
- XX. Real Estate Sign: any temporary sign indicating that the premises on which the sign is located is for sale, lease or rent. (3334-6/97)
- YY. Roof Sign: an attached sign constructed upon or over a roof, or placed so as to extend above the visible roofline; or a freestanding sign which is greater in height than the building it serves to identify. (3334-6/97)
- ZZ. Rotating Sign: any sign or portion thereof which physically revolves about an axis. (3334-6/97)
- AAA. Sign: any medium for visual communication, including its structure and component parts, which is used or intended to be used to attract attention. (3334-6/97)
- BBB. Sign Height: measurement from the adjacent sidewalk or curb to the highest portion of the sign, including architectural elements. (3360-12/97)
- CCC. Sign Code Exception: ~~City approved entitlement granting a deviation to~~ some of the specifications set forth in this chapter that is approved by the Director. (3360-12/97)

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- DDD. Sign Copy: any words, letters, numbers, figures, designs or other symbolic representation incorporated into a sign for the purpose of attracting attention. (3334-6/97)
- EEE. Site: one or more parcels of land identified by the assessor's records where an integrated building development has been approved or proposed. The site shall include all parcels of land contained within or a part of the development application. (3334-6/97)
- FFF. Site Frontage: the length of a lot or parcel of land along or fronting a street. (3334-6/97, 3360-12/97)
- GGG. Special Events Sign: a temporary sign advertising or pertaining to any civic, patriotic, or special event of a general public interest taking place within the city. (3334-6/97)
- HHH. Subdivision Directional Sign: a sign providing direction to a land development project pursuant to this chapter. (3334-6/97)
- III. Supergraphic: a painted design which covers an area greater than ten percent of a wall, building facade, or other structure. (3334-6/97)
- JJJ. Temporary Sign: a sign which is installed for a limited time and is not constructed or intended for long-term use. (3334-6/97)
- KKK. Temporary Window Sign: a sign painted or constructed of paper or other lightweight material and affixed to the interior or exterior side of a window or glass area on a building for a limited time. (3334-6/97)
- | LLL. Vehicle Sales Dealerships
- | ~~LLL~~MMM. Wall Sign: any sign which is attached or erected on the exterior, posted, or painted or suspended from or otherwise affixed to a wall of a building including the parapet, with the display surface of the sign parallel to the building wall, and which does not project more than eighteen (18) inches from the building, or project above the height of the wall or parapet. (3334-6/97)

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→ | ~~MMMNNN~~. Window Sign: a sign in which the name, address, phone number, or hours of operation are applied directly to the window of a business, or a sign visible through the window from the street. (3334-6/97)



Sign Type		Setback
x	Pole	40'
	Monument	Subject to Director review

DIAGRAM A

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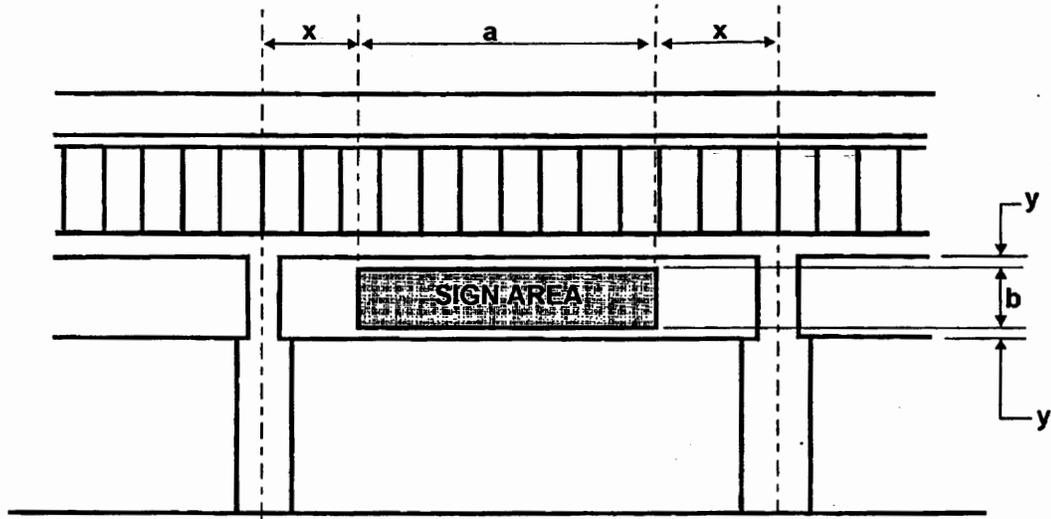


DIAGRAM B

a	70% Leasehold - Max. Width
b	75% Fascia - Max. Height
x	Equal Dimensions
y	Equal Dimensions

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LEGISLATIVE DRAFT

E SERVICE STATIONS (CONTINUED)

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Pump Instructions or Identification</u>	attached to pump island column	One per canopy column	2 sq ft	10 ft	1 No other signs shall be permitted on the canopy or column except as specified 2 Point of purchase signs shall be prohibited 3 State or Federal government required signs encompassed within a fuel pump shall not be regulated by this ordinance

F PERMITTED IN ALL DISTRICTS

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Building Identification for Buildings Over 100 Ft. in Height</u>	wall	One per building frontage	3 sq ft per foot of bldg height	Shall be placed within top 25 ft of bldg	1 Such sign shall be in addition to that which is permitted elsewhere in this article 2 Raceways shall only be permitted when unable to place electrical components within wall/parapet
<u>Promotional Activity Signs</u>		Repealed (3826 4/09)			

233 08 Exempt Signs

The following signs are exempt from the sign permit requirements of Section 233 04 These signs shall not be restricted by content and no fee permit or application is required (3334 6/97 3826 4/09)

- A Cornerstones (including names of buildings and dates of erection), and citations that are made an integral part of the structure (3334 6/97 3826 4/09)
- B Signs not exceeding 0 5 square feet each posted by commercial establishments (3334 6/97 3826 4/09)
- C Flags posted by any governmental agency (3334 6/97 3826 4/09)
- D Signs posted by neighborhood safety organizations (3334 6/97 3826 4/09)
- E Notices posted by a utility or other quasi-public agent in the performance of a public duty (3334 6/97 3826 4/09)
- F Signs or notices posted by any court, public body or officer (3334 6/97 3826 4/09)
- G Signs posted by property owners on private property, as required by law (including no trespass and legal notices) (3334 6/97 3826 4/09)

- H One sign, not over six (6) square feet in area, may be posted at each door, loading dock, or other entrance facing a public street (3334 6/97 3826 4/09)
- I One double faced sign per each commercial parking entrance, not exceeding two (2) square feet in area and four (4) feet in height (3334 6/97 3826 4/09)
- J Signs erected by a public agency (3334 6/97 3826 4/09)
- K Signs manufactured as a standard integral part of a mass-produced product accessory or display structure including telephone booths vending machines, automated teller machines, and gasoline pumps (3334 6/97 3826 4/09)
- L Signs within a building not visible from a public street and window signs not exceeding 20 percent of the visible area of a window (50% during December) No window sign shall be displayed above the second story (3334 6/97 3360 12/97 3826 4/09)
- M Signs required by the Americans with Disabilities Act (ADA) (3360 12/97 3826 4/09)
- N Two (2) signs (including, but not limited to street numerals and “no solicitation” notices) not exceeding two (2) square feet each, placed on any part of a building facing a public street (3334 6/97 3826 4/09)
- O Temporary signs ~~In any residential zone, the owner of a lot shall be allowed to post~~ ~~Temporary signages on the lot itself, but not off site are permitted where the property owner has granted permission for its display~~ **Temporary signs are permitted in public rights-of-way, but not permitted in street medians or dividers, and other public rights-of-way** This signage shall not be restricted by content but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, and home construction or remodeling, etc **In addition, signage shall be allowed for each lot permitted as follows** (3334 6/97 3826 4/09)

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS (3826-4/09)
<u>Election Signs or Political Signs</u>	F/S or Wall	One per site	N/A	N/A	1 Cannot create traffic or safety hazards 2 May be erected no more than seventy five (75) days prior to an election and must be removed within fifteen (15) days after an election (3826 4/09)
<u>Real Estate</u> Residential	F/S or Wall	One per site	8 sq ft	6 ft	1 Cannot create traffic or safety hazards 2 May be erected no earlier than the date the property is placed on the market for sale lease or rental and is removed immediately after the sale lease or rental of the property which is defined as the close of escrow or execution of lease or rental agreement 3 No sign may be attached to the perimeter

					walls of residential communities (3826 4/09)
<u>Real Estate</u> Commercial Office Dist	F/S or Wall	1 per site	20 sq ft	10 ft 12 ft	1 Cannot create traffic or safety hazards 2 May be erected no earlier than the date the property is placed on the market for sale lease or rental and is removed immediately after the sale lease or rental of the property which is defined as the close of escrow or execution of lease or rental agreement (3826 4/09)
<u>Real Estate</u> Commercial Industrial	F/S or Wall	1 per site	30 sq ft	12 ft	1 Cannot create traffic or safety hazards 2 May be erected no earlier than the date the property is placed on the market for sale lease or rental and is removed immediately after the sale lease or rental of the property which is defined as the close of escrow or execution of lease or rental agreement (3826 4/09)
<u>Real Estate</u> All other Districts	F/S or Wall	1 per site	20 sq ft	10 ft	1 Cannot create traffic or safety hazards 2 May be erected no earlier than the date the property is placed on the market for sale lease or rental and is removed immediately after the sale lease or rental of the property which is defined as the close of escrow or execution of lease or rental agreement 3 Signs shall not be attached to the perimeter walls of residential communities (3826 4/09)
<u>Construction</u> <u>Signs</u>	F/S or Wall	1 per site	32 sq ft	None	1 Is erected no earlier than the date a building permit is issued for the property and is removed prior to issuance of a certificate of occupancy or final inspection whichever comes first (3826 4/09)
<u>Open House</u> <u>Signs</u>	F/S or Wall	1 per site	6 sq ft	4 ft	1 Sign must be displayed adjacent to the entrance of a property or in the case of a residential subdivision at the immediate points of access to the property from an arterial and is removed by sunset on any day it is erected 2 Placement shall not be in street medians dividers on street signs traffic control devices and shall not obstruct the public right of way (3826 4/09)
<u>Open House</u> <u>Sign</u>	Flags	3 per site	2.5 sq ft	6 ft	1 Must be displayed at the immediate points of access to a property or in the case of a residential subdivision from the immediate point of access from an arterial (3826 4/09)
<u>Pennants</u>			30 sq ft		1 Must be placed on light standards located on private property 2 Must have an eight (8) foot clearance from the ground

					3 Must be removed within five (5) business days of the completion of the City sponsored event or theme (3826 4/09)
--	--	--	--	--	---

233 10 Prohibited Signs

- A Canvas signs banners, pennants, streamers balloons or other temporary signs except as provided in Sections 233 08 (Exempt Signs) 233 16 (Subdivision Directional Signs) or 233 18 (Promotional Activity Signs) (3334 6/97 3360 12/97)
- B Mobile A-frame, and portable signs and those of a similar nature which are not permanently attached to the ground or building except as provided in Sections 233 18 or 233 20 (3334 6/97)
- C Roof signs except those permitted under Section 233 18(4) (3334 6/97 3826 4/09)
- D Signs which resemble any official marker erected by the city state or any governmental agency, or which by reason of position, shape color or illumination would conflict with the proper functioning of any traffic sign or signal or would be a hazard to vehicular or pedestrian traffic (3334 6/97)
- E Signs which produce odor, sound, smoke, fire or other such emissions (3334 6/97)
- F Flashing, moving, pulsating, or intermittently lighted signs, mechanical movement signs including searchlights, except electronic readerboards and public service signs such as those for time and temperature (3334 6/97)
- G Animals or human beings, live or simulated, utilized as signs (3334 6/97)
- H Projecting signs except canopy or awning signs and under canopy signs, subject to subsections 233 06(A) and 233 06(E) (3334 6/97 3360 12/97)
- I Signs which constitute a nuisance or hazard due to their intensity of light (3334 6/97)
- J Signs visible from and within 100 feet of an R district which are illuminated between the hours of 10 00 PM and 7 00 AM unless they identify an establishment open for business during those hours (3360 12/97)
- K Off-premises signs, including billboards or advertising structures installed for the purpose of advertising a project subject or business unrelated to the premises upon which the sign is located except as permitted pursuant to Sections 233 14 (Readerboard Signs-Multiple Users) and 233 16 (Subdivision Directional Signs) (3334 6/97 3826 4/09)
- L Abandoned signs and signs which no longer identify a bona fide business conducted on the premises Such signs shall be removed by the property owner within 60 days of the business' closing date The sign panel may be turned over (blank side out) if the sign complies with code (3334 6/97 3360 12/97)
- M Signs located on public property, including signs affixed to utility poles, trees or projecting onto the public right of-way except political signs and those required by law This section shall not prohibit the placement of advertising panels on public service items including, but not limited to, trash receptacles, bicycle racks, bus benches, transit shelters and telephone booths, within public rights-of way or in publicly-operated beaches or parks provided such items are placed in accord with an agreement granted by the City Council (3334 6/97 3360 12/97 3826 4/09)

- N Vehicle signs signs affixed to automobiles, trucks, trailers or other vehicles on public or private property for the purpose of advertising, identifying or providing direction to a use or activity not related to the lawful use of the vehicle for delivering merchandise or rendering service Any such vehicle signs which have as their primary purpose to serve as a non-moving or moving display are prohibited (3334 6/97 3826 4/09)

233 12 Electronic Readerboards

Electronic readerboards are permitted subject to the review by the Design Review Board, and approval of a conditional use permit by the Zoning Administrator (3334 6/97 3360 12/97 3711 06/05 3826 4/09)

- A Required Findings Prior to approving a conditional use permit to allow an electronic readerboard sign the Zoning Administrator shall make the following findings (3334 6/97 3711 06/05)

- 1 The proposed electronic readerboard sign conforms with the standards and criteria as set forth in this chapter, (3334 6/97)
- 2 The proposed electronic readerboard sign is compatible with other signs on the site and in the vicinity (3334 6/97)
- 3 The proposed electronic readerboard sign will not adversely impact traffic circulation in adjacent rights-of-way or create a hazard to vehicular or pedestrian traffic, and (3334 6/97)
- 4 The proposed electronic readerboard sign shall not have adverse visual impacts on adjoining commercial and/or residential neighborhoods (3334 6/97)

- B Readerboard Sign Criteria (3360 12/97)

- 1 Electronic readerboards may be freestanding or wall type signs (3334 6/97)
- 2 The maximum number of electronic readerboards shall be one per site (3334 6/97)
- 3 The maximum sign area shall be 115 square feet, 90 square feet for message center, and 25 feet for other information (3334 6/97)
- 4 The maximum height of a freestanding electronic readerboard sign shall be 25 feet (3334 6/97 3360 12/97)
- 5 The electronic readerboard shall have cylinders, a shade screen and a photocell for reducing the intensity of lighting at night (3334 6/97)
- 6 The maximum measurable light output of the electronic readerboard shall not exceed 50 foot candles at any property line (3334 6/97)

- C Location Requirements (3334 6/97)

- 1 Electronic readerboards shall only be allowed on parcels abutting a freeway and on parcels abutting Beach Boulevard excluding the portion along Beach Boulevard designated as a landscape corridor south of Adams to Pacific Coast Highway (3334 6/97)
- 2 Minimum lot frontage 200 feet (3334 6/97)

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ORDINANCE NO. 3927

LEGISLATIVE DRAFT
(changes to subsection O. Election Signs or Political Signs only)

233.08 Exempt Signs

The following signs are exempt from the sign permit requirements of Section 233.04. These signs shall not be restricted by content and no fee, permit or application is required: (3334-6/97, 3826-4/09)

- A. Cornerstones (including names of buildings and dates of erection), and citations that are made an integral part of the structure. (3334-6/97, 3826-4/09)
- B. Signs not exceeding 0.5 square feet each posted by commercial establishments. (3334-6/97, 3826-4/09)
- C. Flags posted by any governmental agency. (3334-6/97, 3826-4/09)
- D. Signs posted by neighborhood safety organizations. (3334-6/97, 3826-4/09)
- E. Notices posted by a utility or other quasi-public agent in the performance of a public duty. (3334-6/97, 3826-4/09)
- F. Signs or notices posted by any court, public body or officer. (3334-6/97, 3826-4/09)
- G. Signs posted by property owners on private property, as required by law (including no trespass and legal notices). (3334-6/97, 3826-4/09)
- H. One sign, not over six (6) square feet in area, may be posted at each door, loading dock, or other entrance facing a public street. (3334-6/97, 3826-4/09)
- I. One double-faced sign per each commercial parking entrance, not exceeding two (2) square feet in area and four (4) feet in height. (3334-6/97, 3826-4/09)
- J. Signs erected by a public agency. (3334-6/97, 3826-4/09)
- K. Signs manufactured as a standard, integral part of a mass-produced product accessory or display structure including telephone booths, vending machines, automated teller machines, and gasoline pumps. (3334-6/97, 3826-4/09)
- L. Signs within a building not visible from a public street and window signs not exceeding 20 percent of the visible area of a window (50% during December). No window sign shall be displayed above the second story. (3334-6/97, 3360-12/97, 3826-4/09)
- M. Signs required by the Americans with Disabilities Act (ADA). (3360-12/97, 3826-4/09)

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- N. Two (2) signs (including, but not limited to, street numerals and "no solicitation" notices), not exceeding two (2) square feet each, placed on any part of a building facing a public street. (3334-6/97, 3826-4/09)
- O. Temporary signs. Temporary signs are permitted where the property owner has granted permission for its display. Temporary signs are permitted in public rights-of-way, but not permitted in street medians or dividers. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, and home construction or remodeling, etc. In addition, signage shall be permitted as follows: (3334-6/97, 3826-4/09, 3881-8/10)

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS (3826-4/09)
<u>Election Signs or Political Signs</u>	F/S or Wall	N/A (3881-8/10)	N/A	N/A	1. Cannot create traffic or safety hazards. 2. May be erected no more than seventy five (75) days prior to an election and must be removed within fifteen (15) days after an election <u>For November elections occurring in even number years, political signs may first be posted the first Tuesday after Labor Day (first Monday of September) and must be taken down by midnight on Sunday immediately following the Election Day. Signs on public property may be removed by anyone beginning the Friday after Election Day. For all other elections, political signs may be posted no sooner than 60 days before an election and must be taken down no later than 10 days after the Election Day.</u> (3826-4/09)
<u>Real Estate</u> Residential	F/S or Wall	One per site	8 sq. ft.	6 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. No sign may be attached to the perimeter walls of residential communities. (3826-4/09)



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<u>Real Estate</u> <u>Commercial</u> <u>Office Dist.</u>	F/S or Wall	1 per site	20 sq. ft.	10 ft. 12 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease rental, and is removed immediately after the sale, lease, or rental of the property which is defined the close of escrow or execution of lease or rental agreement. (3826-4/09)
<u>Real Estate</u> <u>Commercial</u> <u>Industrial</u>	F/S or Wall	1 per site	30 sq. ft.	12 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease rental, and is removed immediately after the sale, lease, or rental of the property which is defined the close of escrow or execution of lease or rental agreement. (3826-4/09)
<u>Real Estate</u> <u>All other</u> <u>Districts</u>	F/S or Wall	1 per site	20 sq. ft.	10 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease rental, and is removed immediately after the sale, lease, or rental of the property which is defined the close of escrow or execution of lease or rental agreement. 3. Signs shall not be attached to the perimeter walls of residential communities. (3826-4/09)
<u>Construction</u> <u>Signs</u>	F/S or Wall	1 per site	32 sq. ft.	None	1. Is erected no earlier than the date a building permit is issued for the property, and is removed prior to issuance of a certificate of occupancy or final inspection, whichever comes first. (3826-4/09)
<u>Open House</u> <u>Signs</u>	F/S or Wall	1 per site	6 sq. ft.	4 ft.	1. Sign must be displayed adjacent to the entrance of a property or in the case of a residential subdivision at the immediate points of access to the property from an arterial, and is removed by sunset on any day it is erected. 2. Placement shall not be in street medians, dividers, on street signs, traffic control devices and shall not obstruct the public right-of-way. (3826-4/09)
<u>Open House</u> <u>Sign</u>	Flags	3 per site	2.5 sq. ft.	6 ft.	1. Must be displayed at the immediate points of access to a property or, in the case of a residential subdivision, from the immediate point of access

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					from an arterial. (3826-4/09)
<u>Pennants</u>			30 sq. ft.		1. Must be placed on light standards located on private property. 2. Must have an eight (8) foot clearance from ground. 3. Must be removed within five (5) business days of the completion of the City-sponsored event of theme. (3826-4/09)

Legislative Draft

ORDINANCE NO. 3842

Chapter 204 Use Classifications

(3334-6/97, 3378-2/98, 3521-2/02, 3568-9/02, 3669-12/04, Emergency Ord. 3703-3/05, 3724-02/06, 3757-1/07, 3774-9/07)

(Note: Ordinance No. 3774-9/07 is subject to approval by the California Coastal Commission, 3788-12/07)

Sections:

204.02	Applicability
204.04	Uses Not Classified
204.06	Residential Use Classifications
204.08	Public and Semipublic Use Classifications
204.10	Commercial Use Classifications
204.12	Industrial Use Classifications
204.14	Accessory Use Classifications
204.16	Temporary Use Classifications

204.02 Applicability

Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The Director shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this Title. The Director may determine that a specific use shall not be deemed to be within a classification, if its characteristics are substantially different than those typical of uses named within the classification. The Director's decision may be appealed to the Planning Commission. (3334-6/97)

204.04 Uses Not Classified

Any new use, or any use that cannot be clearly determined to be in an existing use classification, may be incorporated into the zoning provisions by a Zoning and Subdivision Ordinance text amendment, as provided in Chapter 247. Such an incorporation shall not be effective unless certified by the Coastal Commission as a Local Coastal Program amendment. (3334-6/97)

204.06 Residential Use Classifications

- A. Day Care, Limited (or Small-Family). Non-medical care and supervision of six or fewer persons, or eight or fewer persons if two of the persons are six years of age or older, on a less than 24-hour basis. Children under the age of 10 years who reside in the home shall be counted for purposes of these limits. This classification includes nursery schools, preschools, and day-care centers for children and adults. (3334-6/97, 3669-12/04)
- B. Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes boarding houses, but excludes residential hotels or motels. (3334-6/97)
- C. Multifamily Residential. Two or more dwelling units on a site. This classification includes manufactured homes. (3334-6/97)

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- D. Residential Alcohol Recovery, Limited. Twenty-four-hour care for no more than six persons suffering from alcohol problems in need of personal services, supervision, protection or assistance. This classification includes only those facilities licensed by the State of California. (3334-6/97)
- E. Residential Care, Limited. Twenty-four-hour non-medical care for 6 or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California. (3334-6/97)
- F. Single-Family Residential. Buildings containing one dwelling unit located on a single lot. This classification includes manufactured homes. (3334-6/97)

204.08 Public and Semipublic Use Classifications

- A. Cemetery. Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes. Cemetery purposes include columbariums, crematoriums, mausoleums, and mortuaries operated in conjunction with the cemetery, business and administrative offices, chapels, flower shops, and necessary maintenance facilities. (3334-6/97)
- B. Clubs and Lodges. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs and youth centers. (3334-6/97)
- C. Community and Human Service Facilities.
 - 1. Drug Abuse Centers. Facilities offering drop-in services for persons suffering from drug abuse, including treatment and counseling without provision for on-site residence or confinement. (3334-6/97)
 - 2. Primary Health Care. Medical services, including clinics, counseling and referral services, to persons afflicted with bodily or mental disease or injury without provision for on-site residence or confinement. (3334-6/97)
 - 3. Emergency Kitchens. Establishments offering food for the "homeless" and others in need. (3334-6/97)
 - 4. Emergency Shelters. Establishments offering food and shelter programs for "homeless" people and others in need. This classification does not include facilities licensed for residential care, as defined by the State of California, which provide supervision of daily activities. (3334-6/97)
 - 5. Residential Alcohol Recovery, General. Facilities providing 24-hour care for more than six persons suffering from alcohol problems, in need of personal services, supervision, protection or assistance. These facilities may include an inebriate reception center as well as facilities for treatment, training, research, and administrative services for program participants and employees. This classification includes only those facilities licensed by the State of California. (3334-6/97)

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6. Residential Care, General. Twenty-four-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed by the State of California. (3334-6/97)
- D. Convalescent Facilities. Establishments providing care on a 24-hour basis for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services. (3334-6/97)
- E. Cultural Institutions. Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries. (3334-6/97)
- F. Day Care, Large-Family. Non-medical care and supervision for 7 to 12 persons, or up to 14 persons if two of the persons are six years of age or older on a less than 24-hour basis. Children under the age of 10 years who reside in the home shall be counted for purposes of these limits. (3334-6/97, 3669-12/04)
- G. Day Care, General. Non-medical care for 13 or more persons on a less than 24-hour basis. This classification includes nursery schools, preschools, and day-care centers for children or adults. (3334-6/97, 3669-12/04)
- H. Emergency Health Care. Facilities providing emergency medical service with no provision for continuing care on an inpatient basis. (3334-6/97)
- I. Government Offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles. (3334-6/97)
- J. Heliports. Pads and facilities enabling takeoffs and landings by helicopter. (3334-6/97)
- K. Hospitals. Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for out-patient treatment, as well as training, research, and administrative services for patients and employees. (3334-6/97)
- L. Maintenance and Service Facilities. Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers, and similar facilities. (3334-6/97)
- M. Marinas. A boat basin with docks, mooring facilities, supplies and equipment for small boats. (3334-6/97)
- N. Park and Recreation Facilities. Noncommercial parks, playgrounds, recreation facilities, and open spaces. (3334-6/97)

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- O. Public Safety Facilities. Facilities for public safety and emergency services, including police and fire protection. (3334-6/97)
- P. Religious Assembly. Facilities for religious worship and incidental religious education, but not including private schools as defined in this section. (3334-6/97)
- Q. Schools, Public or Private. Educational institutions having a curriculum comparable to that required in the public schools of the State of California. (3334-6/97)
- R. Utilities, Major. Generating plants, electrical substations, above-ground electrical transmission lines, switching buildings, refuse collection, transfer, recycling or disposal facilities, flood control or drainage facilities, water or wastewater treatment plants, transportation or communications utilities, and similar facilities of public agencies or public utilities. (3334-6/97)
- S. Utilities, Minor. Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, underground water and sewer lines, and recycling and collection containers. (3334-6/97)

204.10 Commercial Use Classifications

- A. Ambulance Services. Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles as regulated by Chapter 5.20. (3334-6/97, 3378-2/98)
- B. Animal Sales and Services.
 - 1. Animal Boarding. Provision of shelter and care for small animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care, and kennels. (3334-6/97)
 - 2. Animal Grooming. Provision of bathing and trimming services for small animals on a commercial basis. This classification includes boarding for a maximum period of 48 hours. (3334-6/97)
 - 3. Animal Hospitals. Establishments where small animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (maximum 30 days) boarding of animals are included, if incidental to the hospital use. (3334-6/97)
 - 4. Animals: Retail Sales. Retail sales and boarding of small animals, provided such activities take place within an entirely enclosed building. This classification includes grooming, if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of 48 hours. (3334-6/97)
 - 5. Equestrian Centers. Establishments offering facilities for instruction in horseback riding, including rings, stables, and exercise areas. (3334-6/97)

ATTACHMENT NO. 3.4

Legislative Draft

6. Pet Cemetery. Land used or intended to be used for the burial of animals, ashes or remains of dead animals, including placement or erection of markers, headstones or monuments over such places of burial. (3334-6/97)
- C. Artists' Studios. Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft. (3334-6/97)
- D. Banks and Savings and Loans. Financial institutions that provide retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money. It also includes businesses offering check-cashing facilities. (3334-6/97, 3378-2/98)
 1. With Drive-up Service. Institutions providing services accessible to persons who remain in their automobiles. (3334-6/97)
- E. Building Materials and Services. Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' yards, but excludes establishments devoted exclusively to retail sales of paint and hardware, and activities classified under Vehicle/Equipment Sales and Services. (3334-6/97, 3378-2/98)
- F. Catering Services. Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption. (See also Eating and Drinking Establishments.) (3334-6/97, 3378-2/98)
- G. Commercial Filming. Commercial motion picture or video photography at the same location more than six days per quarter of a calendar year. (See also Chapter 5.54, Commercial Photography) (3334-6/97, 3378-2/98)
- H. Commercial Recreation and Entertainment. Provision of participant or spectator recreation or entertainment. This classification includes theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors and poolrooms as regulated by Chapter 9.32; dance halls as regulated by Chapter 5.28; ice/roller skating rinks, golf courses, miniature golf courses, scale-model courses, shooting galleries, tennis/racquetball courts, health/fitness clubs, pinball arcades or electronic games centers, cyber café having more than 4 coin-operated game machines as regulated by Chapter 9.28; card rooms as regulated by Chapter 9.24; and fortune telling as regulated by Chapter 5.72. (3334-6/97, 3378-2/98, 3669-12/04)
 1. Limited. Indoor movie theaters, game centers and performing arts theaters and health/fitness clubs occupying less than 2,500 square feet. (3334-6/97)
- I. Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding Utilities (Major). This classification includes radio, television, or recording studios; telephone switching centers; telegraph offices; and wireless communication facilities. (3334-6/97, 3378-2/98, 3568-9/02)

ATTACHMENT NO. 3.5

Legislative Draft

- J. Eating and Drinking Establishments. Businesses serving prepared food or beverages for consumption on or off the premises. (3334-6/97, 3378-2/98)
1. With Fast-Food or Take-Out Service. Establishments where patrons order and pay for their food at a counter or window before it is consumed and may either pick up or be served such food at a table or take it off-site for consumption. (3334-6/97)
 - a. Drive-through. Service from a building to persons in vehicles through an outdoor service window. (3334-6/97)
 - b. Limited. Establishments that do not serve persons in vehicles or at a table. (3334-6/97)
 2. With Live Entertainment/Dancing. An eating or drinking establishment where dancing and/or live entertainment is allowed. This classification includes nightclubs subject to the requirements of Chapter 5.44 of the Municipal Code. (3334-6/97)
- K. Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens. Establishments at which 20 percent or more of the transactions are sales of prepared food for on-site or take-out consumption shall be classified as Catering Services or Eating and Drinking Establishments. (3334-6/97, 3378-2/98)
1. With Alcoholic Beverage Sales. Establishments where more than 10 percent of the floor area is devoted to sales, display and storage of alcoholic beverages. (3334-6/97)
- L. Food Processing. Establishments primarily engaged in the manufacturing or processing of food or beverages for human consumption and wholesale distribution. (3334-6/97, 3378-2/98)
- M. Funeral and Interment Services. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries. (3334-6/97, 3378-2/98)
- N. Horticulture. The raising of fruits, vegetables, flowers, trees, and shrubs as a commercial enterprise. (3334-6/97, 3378-2/98)
- O. Laboratories. Establishments providing medical or dental laboratory services; or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. Other laboratories are classified as Limited Industry. (3334-6/97, 3378-2/98)
- P. Maintenance and Repair Services. Establishments providing appliance repair, office machine repair, or building maintenance services. This classification excludes maintenance and repair of vehicles or boats; see (Vehicle/Equipment Repair). (3334-6/97)

ATTACHMENT NO. 3.6

Legislative Draft

- Q. Marine Sales and Services. Establishments providing supplies and equipment for shipping or related services or pleasure boating. Typical uses include chandleries, yacht brokerage and sales, boat yards, boat docks, and sail-making lofts. (3334-6/97, 3378-2/98)
- R. Reserved. (3788-12/07)
- S. Nurseries. Establishments in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only. (3334-6/97, 3378-2/98)
- T. Offices, Business and Professional. Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, graphic design, interior design, real estate, insurance, investment, legal, veterinary, and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations. (3334-6/97, 3378-2/98)
- U. Pawn Shops. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property and subject to Chapter 5.36 of the Municipal Code. (3334-6/97, 3378-2/98)
- V. Personal Enrichment Services. Provision of instructional services or facilities, including photography, fine arts, crafts, dance or music studios, driving schools, business and trade schools, and diet centers, reducing salons, fitness studios, **and** yoga or martial arts studios, ~~and massage in conjunction with Personal Services business.~~ (3334-6/97, 3378-2/98, 3669-12/04)
- W. Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, seamstresses, tailors, shoe repair shops, dry-cleaning businesses (excluding large-scale bulk cleaning plants), photo-copying, ~~and self-service laundries,~~ **and massage as regulated by Chapter 5.24.** (3334-6/97, 3378-2/98)
- X. Research and Development Services. Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electron research firms or pharmaceutical research laboratories, but excludes manufacturing, except of prototypes, or medical testing and analysis. (3334-6/97, 3378-2/98)
- Y. Retail Sales. The retail sale of merchandise not specifically listed under another use classification. This classification includes department stores, drug stores, clothing stores, and furniture stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies, medical supplies and equipment, electronic equipment, records, sporting goods, surfing boards and equipment, kitchen utensils, hardware, appliances, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation). (3334-6/97, 3378-2/98)

ATTACHMENT NO. 3-7

Legislative Draft

- Z. Secondhand Appliances and Clothing Sales. The retail sale of used appliances and clothing by secondhand dealers who are subject to Chapter 5.36. This classification excludes antique shops primarily engaged in the sale of used furniture and accessories other than appliances, but includes junk shops. (3334-6/97, 3378-2/98)
- AA. Sex Oriented Businesses. Establishments as regulated by Chapter 5.70; ~~baths, sauna baths and massage establishments, as regulated by Chapter 5.24;~~ and figure model studios as regulated by Chapter 5.60. (3378-2/98)
- BB. Swap Meets, Indoor/Flea Markets. An occasional, periodic or regularly scheduled market held within a building where groups of individual vendors offer goods for sale to the public. (3334-6/97)
- CC. Swap Meets, Recurring. Retail sale or exchange of handcrafted or secondhand merchandise for a maximum period of 32 consecutive hours, conducted by a sponsor on a more than twice yearly basis. (3334-6/97)
- DD. Tattoo Establishment. Premises used for the business of marking or coloring the skin with tattoos as regulated by Chapter 8.70. (3334-6/97)
- EE. Travel Services. Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies. (3334-6/97)
- FF. Vehicle/Equipment Sales and Services.
1. Automobile Rentals. Rental of automobiles, including storage and incidental maintenance, but excluding maintenance requiring pneumatic lifts. (3334-6/97)
 2. Automobile Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles. (3334-6/97)
 3. Commercial Parking Facility. Lots offering short-term or long-term parking to the public for a fee. (3334-6/97)
 4. Service Stations. Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and accessories. This classification includes incidental maintenance and minor repair of motor vehicles, but excluding body and fender work or major repair of automobiles, motorcycles, light and heavy trucks or other vehicles. (3334-6/97)
 5. Vehicle/Equipment Repair. Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, transmission shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire retreading or recapping. (3334-6/97)
 - a. Limited. Light repair and sale of goods and services for vehicles, including brakes, muffler, tire shops, oil and lube, and accessory uses, but excluding body and fender shops, upholstery, painting, and rebuilding or reconditioning of vehicles. (3334-6/97)

ATTACHMENT NO. 3-8

Legislative Draft

6. Vehicle/Equipment Sales and Rentals. Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, manufactured homes, boats, and similar equipment, including storage and incidental maintenance. (3334-6/97)
7. Vehicle Storage. The business of storing or safekeeping of operative and inoperative vehicles for periods of time greater than a 24 hour period, including, but not limited to, the storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles, but not including vehicle dismantling. (3334-6/97, 3757-1/07)

GG. Visitor Accommodations.

1. Bed and Breakfast Inns. Establishments offering lodging on a less than weekly basis in a converted single-family or multi-family dwelling or a building of residential design, with incidental eating and drinking service for lodgers only provided from a single kitchen. (3334-6/97)
2. Hotels and Motels. Establishments offering lodging on a weekly or less than weekly basis. Motels may have kitchens in no more than 25 percent of guest units, and "suite" hotels may have kitchens in all units. This classification includes eating, drinking, and banquet service associated with the facility. (3334-6/97)
3. Condominium – Hotel. Facility providing overnight visitor accommodations where ownership of at least some of the individual guestrooms (units) within the larger building or complex is in the form of separate condominium ownership interests, as defined in California Civil Code section 1351(f). The primary function of the Condominium-Hotel is to provide overnight transient visitor accommodations within every unit that is available to the general public on a daily basis year-round, while providing both general public availability and limited owner occupancy of those units that are in the form of separate condominium ownership interests. (3774-9/07 - subject to approval by the California Coastal Commission)
4. Fractional Ownership Hotel. Facility providing overnight visitor accommodations where at least some of the guestrooms (units) within the facility are owned separately by multiple owners on a fractional time basis. A fractional time basis means that an owner receives exclusive right to use of the individual unit for a certain quantity of days per year and each unit available for fractional ownership will have multiple owners. (3774-9/07 - subject to approval by the California Coastal Commission)

HH. Warehouse and Sales Outlets. Businesses which store large inventories of goods in industrial-style buildings where these goods are not produced on the site but are offered to the public for sale. (3334-6/97)

II. Quasi Residential

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1. Residential Hotels. Buildings with 6 or more guest rooms without kitchen facilities in individual rooms, or kitchen facilities for the exclusive use of guests, and which are intended for occupancy on a weekly or monthly basis. (3334-6/97)
2. Single Room Occupancy. Buildings designed as a residential hotel consisting of a cluster of guest units providing sleeping and living facilities in which sanitary facilities and cooking facilities are provided within each unit; tenancies are weekly or monthly. (3334-6/97)
3. Timeshare. Any arrangement, plan, or similar program, other than an exchange program, whereby a purchaser receives ownership rights in or the right to use accommodations for a period of time less than a full year during any given year, on a recurring basis for more than one year, but not necessarily for consecutive years. (3334-6/97, 3774-9/07 - subject to approval by the California Coastal Commission)

204.12 Industrial Use Classifications

- A. Industry, Custom. Establishments primarily engaged in on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment. (3334-6/97)
 1. Small-scale. Includes mechanical equipment not exceeding 2 horsepower or a single kiln not exceeding 8 kilowatts and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, candle-making shops, and custom jewelry manufacture. (3334-6/97)
- B. Industry, General. Manufacturing of products, primarily from extracted or raw materials, or bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes chemical manufacture or processing, food processing and packaging, laundry and dry cleaning plants, auto dismantling within an enclosed building, stonework and concrete products manufacture (excluding concrete ready-mix plants), small animal production and processing within an enclosed building, and power generation. (3334-6/97)
- C. Industry, Limited. Manufacturing of finished parts or products, primarily from previously prepared materials; and provision of industrial services, both within an enclosed building. This classification includes processing, fabrication, assembly, treatment, and packaging, but excludes basic industrial processing from raw materials and Vehicle/Equipment Services, but does allow food processing for human consumption. (3334-6/97)
- D. Industry, Research and Development. Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but prohibits uses that may be objectionable in the opinion of the Director, by reason of production of offensive odor, dust, noise, vibration, or in the opinion of the Fire Chief by reason of storage of hazardous materials. Uses include aerospace and biotechnology firms, and non-toxic computer component manufacturers. (3334-6/97)

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This classification also includes assembly, testing and repair of components, devices, equipment, systems, parts and components such as but not limited to the following: coils, tubes, semi-conductors; communication, navigation, guidance and control equipment; data processing equipment; filing and labeling machinery; glass edging and silvering equipment; graphics and art equipment; metering equipment; optical devices and equipment; photographic equipment; radar, infrared and ultraviolet equipment; radio and television equipment. (3334-6/97)

This classification also includes the manufacture of components, devices, equipment, parts and systems which includes assembly, fabricating, plating and processing, testing and repair, such as but not limited to the following: machine and metal fabricating shops, model and spray painting shops, environmental test, including vibration analysis, cryogenics, and related functions, plating and processing shops, nuclear and radioisotope. (3334-6/97)

This classification also includes research and development laboratories including biochemical and chemical development facilities for national welfare on land, sea, or air; and facilities for film and photography, metallurgy; pharmaceutical, and medical and x-ray research. (3334-6/97)

- E. Wholesaling, Distribution and Storage. Storage and distribution facilities without sales to the public on-site or direct public access except for recycling facilities and public storage in a small individual space exclusively and directly accessible to a specific tenant. This classification includes mini-warehouses. (3334-6/97)

204.14 Accessory Use Classifications

Accessory Uses and Structures. Uses and structures that are incidental to the principal permitted or conditionally permitted use or structure on a site and are customarily found on the same site. This classification includes detached or attached garages, home occupations, caretakers' units, and dormitory type housing for industrial commercial workers employed on the site, and accessory dwelling units. (3334-6/97)

204.16 Temporary Use Classifications

- A. Animal Shows. Exhibitions of domestic or large animals for a maximum of seven days. (3334-6/97)
- B. Festivals, Circuses and Carnivals. Provision of games, eating and drinking facilities, live entertainment, animal exhibitions, or similar activities in a tent or other temporary structure for a maximum of seven days. This classification excludes events conducted in a permanent entertainment facility. (3334-6/97, 3521-2/02)
- C. Commercial Filming, Limited. Commercial motion picture or video photography at a specific location six or fewer days per quarter of a calendar year. (See also Chapter 5.54, Commercial Photography) (3334-6/97)
- D. Personal Property Sales. Sales of personal property by a resident ("garage sales") for a period not to exceed 48 consecutive hours and no more than once every six months. (3334-6/97)

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- E. Real Estate Sales. An office for the marketing, sales, or rental of residential, commercial, or industrial development. This classification includes "model homes." (3334-6/97)
- F. Retail Sales, Outdoor. Retail sales of new merchandise on the site of a legally established retail business for a period not to exceed 96 consecutive hours (four days) no more than once every 3 months. (3334-6/97, 3669-12/04)
- G. Seasonal Sales. Retail sales of seasonal products, including Christmas trees, Halloween pumpkins and strawberries. (3334-6/97)
- H. Street Fairs. Provision of games, eating and drinking facilities, live entertainment, or similar activities not requiring the use of roofed structures. (3334-6/97)
- I. Trade Fairs. Display and sale of goods or equipment related to a specific trade or industry for a maximum period of five days per year. (3334-6/97)
- J. Temporary Event. Those temporary activities located within the coastal zone that do not qualify for an exemption pursuant to Section 245.08. (3334-6/97)
- K. Tent Event. Allows for the overflow of any assembly for a period not to exceed 72 consecutive hours and not more than once every 3 months. (3521-2/02, 3724-02/06)

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Chapter 212 I Industrial Districts

(3254-10/94, 3378-2/98, 3523-2/02, 3568-9/02, Emergency Ord. 3703-3/21/05, 3708-6/05, 3724-02/06, 3788-12/07)

Sections:

- 212.02 Industrial Districts Established
- 212.04 IG and IL Districts: Land Use Controls
- 212.06 IG and IL Districts: Development Standards
- 212.08 Review of Plans

212.02 Industrial Districts Established (3254-10/94)

Two (2) industrial zoning districts are established by this chapter as follows: (3254-10/94)

- A. The IG General Industrial District provides sites for the full range of manufacturing, industrial processing, resource and energy production, general service, and distribution. (3254-10/94)
- B. The IL Limited Industrial District provides sites for moderate- to low-intensity industrial uses, commercial services and light manufacturing. (3254-10/94)

212.04 IG and IL Districts: Land Use Controls (3254-10/94, 3788-12/07)

In the following schedules, letter designations are used as follows: (3254-10/94)

"P" designates use classifications permitted in the I districts. (3254-10/94)

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" which follow. (3254-10/94)

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission. (3254-10/94)

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator. (3254-10/94)

"TU" designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator. (3254-10/94)

"P/U" for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use. (3254-10/94)

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to requirements following the schedule or located elsewhere in this ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading. (3254-10/94)

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IG AND IL DISTRICTS: LAND USE CONTROLS	P - Permitted L - Limited (see <u>Additional Provisions</u>) PC - Conditional use permit approved by Planning Commission ZA - Conditional use permit approved by Zoning Administrator TU - Temporary Use Permit P/U - Requires conditional use permit on site of conditional use - - Not Permitted
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	IG	IL	Additional Provisions
Residential			
Group Residential	PC	PC	(J)
Public and Semipublic			
Community and Human Service Facilities			(A)(M)(3708-6/05, 3724-02/06)
Day Care, General	PC	PC	(L) (3708-6/05, 3724-02/06)
Heliports	ZA	ZA	(3523-2/02)
Maintenance & <u>Service</u> Facilities	PC	PC	(O)
Public Safety Facilities	ZA	ZA	(3708-6/05)
Religious Assembly	P	P	
Schools, Public or Private	ZA	ZA	(3724-02/06)
Utilities, Major	L-6	L-6	
Utilities, Minor	PC	PC	
	L-7	L-7	(P)
Commercial Uses			
Ambulance Services			(D)(M)
Animal Sales and Services	ZA	ZA	
Animal Boarding	ZA	ZA	(3523-2/02)
Animal Hospitals	ZA	ZA	(3523-2/02)
Artists' Studios	P	P	
Banks and Savings and Loans	L-1	L-1	
Building Materials and Services	P	P	
Catering Services	-	P	
Commercial Filming	ZA	ZA	
Commercial Recreation and Entertainment	L-2	L-2	
Communication Facilities	L-12	L-12	(3568-9/02)
Eating & Drinking Establishments w/Live Entertainment	L-3	L-3	
Food & Beverage Sales	ZA	ZA	(S)(U) (3523-2/02)
Hospitals and Medical Clinics	ZA	ZA	(3523-2/02)
Laboratories	-	PC	
Maintenance & Repair Services	P	P	
Marine Sales and Services	P	P	
Nurseries	P	P	
Offices, Business & Professional	L-1	L-1	(H)

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IG AND IL	P - Permitted
DISTRICTS:	L - Limited (see <u>Additional Provisions</u>)
LAND USE	PC - Conditional use permit approved by Planning Commission
CONTROLS	ZA - Conditional use permit approved by Zoning Administrator
	TU - Temporary Use Permit
	P/U - Requires conditional use permit on site of conditional use
	- Not Permitted

	IG	IL	Additional Provisions
Personal Enrichment	L-9	L-9	(U) (3523-2/02)
Personal Services	L-1	L-1	
Quasi Residential	PC	PC	(K) (3708-6/05)
Research & Development Services	P	P	
Sex Oriented Businesses (regulated by HBMC Chapter 5.70)	L-11	L-11	(3378-2/98)
Sex Oriented Businesses (regulated by HBMC Chapters 5.24 & 5.60)	PC	PC	(R) (3378-2/98)
Swap Meets, Indoor/Flea Markets	PC	PC	(Q) (3378-2/98)
Vehicle/Equipment Sales & Services			
Service Stations	L-4	L-4	
Vehicle/Equipment Repair	P	P	
Vehicle/Equip. Sales/Rentals	L-5	L-5	
Vehicle Storage	P	ZA	(I)
Visitor Accommodations	ZA	ZA	(3708-6/05)
Warehouse and Sales Outlets	L-8	L-8	
Industrial (See Chapter 204)			(B)(M)(N)
Industry, Custom	P	P	
Industry, General	P	P	
Industry, Limited	P	P	
Industry, R & D	P	P	
Wholesaling, Distribution & Storage	P	P	
Accessory Uses			
Accessory Uses and Structures	P/U	P/U	(C)
Temporary Uses			
Commercial Filming, Limited	P	P	(T) (3523-2/02)
Real Estate Sales	P	P	(3
		523-2/02,3708-6/05)	
Trade Fairs	P	P	(E) (3708-6/05)
Nonconforming Uses			(F)



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IG AND IL Districts: Additional Provisions

- L-1 Only allowed upon approval of a conditional use permit by the Zoning Administrator for a mixed use project, subject to the following requirements: (3254-10/94, 3708-6/05)
- Minimum site area: 3 acres (3254-10/94)
- Maximum commercial space: 35 percent of the gross floor area and 50 percent of the ground floor area of buildings fronting on an arterial highway. (3254-10/94)
- Phased development: 25 percent of the initial phase must be designed for industrial occupancy. For projects over 500,000 square feet, the initial phase must include 5 percent of the total amount of industrial space or 50,000 square feet of industrial space, whichever is greater. (3254-10/94)
- L-2 Allowed upon approval of a conditional use permit by the Zoning Administrator when designed and oriented for principal use by employees of the surrounding industrial development or when designed for general public use, after considering vehicular access and parking requirements. (3254-10/94, 3708-6/05)
- L-3 Allowed upon approval of a conditional use permit by the Zoning Administrator when in a free-standing structure or as a secondary use in a building provided that no more than 20 percent of the floor area is occupied by such a use. (3254-10/94, 3523-2/02)
- L-4 Only stations offering services primarily oriented to businesses located in an I District are allowed with a conditional use permit by the Planning Commission. (3254-10/94)
- L-5 No new or used automobile, truck or motorcycle retail sales are permitted. (3254-10/94)
- L-6 Only schools offering higher education curriculums are allowed with conditional use permit approval by the Planning Commission. No day care, elementary or secondary schools are permitted. (3254-10/94)
- L-7 Recycling Operations as an accessory use are permitted; recycling operations as a primary use are allowed upon approval of a conditional use permit by the Zoning Administrator. (3254-10/94, 3708-6/05)
- L-8 Allowed upon conditional use permit approval by the Planning Commission when a single building with a minimum area of 100,000 square feet is proposed on a site fronting an arterial. The primary tenant shall occupy a minimum 95% of the floor area and the remaining 5% may be occupied by secondary tenants. (3254-10/94)
- L-9 Permitted if the space is 5,000 square feet or less; allowed by Neighborhood Notification pursuant to Chapter 241 if the space is over 5,000 square feet. (3254-10/94, 3523-2/02, 3708-6/05)
- L-10 RESERVED (3254-10/94, 3523-2/02, 3724-02/06)

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IG AND IL Districts: Additional Provisions (continued)

L-11 Allowed subject to the following requirements: (3378-2/98)

- A. A proposed sex oriented business shall be at least five hundred feet (500') from any residential use, school, park and recreational facility, or any building used for religious assembly (collectively referred to as a "sensitive use") and at least seven hundred fifty feet (750') from another sex oriented business. For purposes of these requirements, all distances shall be measured from the lot line of the proposed sex oriented business to the lot line of the sensitive use or the other sex oriented business. The term "residential use" means any property zoned RL, RM, RMH, RH, RMP, and any properties with equivalent designations under any specific plan. (3378-2/98)

To determine such distances the applicant shall submit for review a straight line drawing depicting the distances from the lot line of the parcel of land on which the sex oriented business is proposed which includes all the proposed parking and:
(3378-2/98)

1. the lot line of any other sex oriented business within seven hundred fifty feet (750') of the lot line of the proposed sex oriented business; and (3378-2/98)
 2. the lot line of any building used for religious assembly, school, or park and recreational facility within five hundred (500') feet of the lot line of the proposed sex oriented business; and (3378-2/98)
 3. the lot line of any parcel of land zoned RL, RM, RMH, RH, and RMP and any parcels of land with equivalent designations under any specific plans within five hundred feet (500') of the lot line of the proposed sex oriented business. (3378-2/98)
- B. The front facade of the building, including the entrance and signage, shall not be visible from any major, primary or secondary arterial street as designated by the Circulation Element of the General Plan adopted May, 1996, with the exception of Argosy Drive.
(3378-2/98)
- C. Prior to or concurrently with applying for a building permit and/or a certificate of occupancy for the building, the applicant shall submit application for Planning Department Staff Review of a sex oriented business zoning permit with the drawing described in subsection A, a technical site plan, floor plans and building elevations, and application fee. Within ten (10) days of submittal, the Director shall determine if the application is complete. If the application is deemed incomplete, the applicant may resubmit a completed application within ten (10) days. Within thirty days of receipt of a completed application, the Director shall determine if the application complies with the applicable development and performance standards of the

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IG AND IL Districts: Additional Provisions (continued)

Huntington Beach Zoning and Subdivision Ordinance. Said standards include but are not limited to the following: (3378-2/98)

1. Chapter 203, Definitions; Chapter 212, Industrial Districts; Chapter 230, Site Standards; Chapter 231, Off-Street Parking & Loading Provisions; Chapter 232, Landscape Improvements; and Chapter 236, Nonconforming Uses and Structures. (3378-2/98)
 2. Chapter 233.08(b), Signs. Signage shall conform to the standards of the Huntington Beach Zoning and Subdivision Ordinance Code except
 - a. that such signs shall contain no suggestive or graphic language, photographs, silhouettes, drawings, statues, monuments, sign shapes or sign projections, or other graphic representations, whether clothed or unclothed, including without limitation representations that depict "specified anatomical areas" or "specified sexual activities"; and (3378-2/98)
 - b. only the smallest of the signs permitted under Chapter 233.08(b) shall be visible from any major, primary or secondary arterial street, such streets shall be those designated in the Circulation Element of the General Plan adopted May, 1996, with the exception of Argosy Drive.
 3. Compliance with Huntington Beach Municipal Code Chapter 5.70. (3378-2/98)
- D. The Director shall grant or deny the application for a sex oriented business zoning permit for a sex oriented business. There shall be no administrative appeal from the granting or denial of a permit application thereby permitting the applicant to obtain prompt judicial review. (3378-2/98)
- E. Ten (10) working days prior to submittal of an application for a sex oriented business zoning permit for Staff Review, the applicant shall: (i) cause notice of the application to be printed in a newspaper of general circulation; and (ii) give mailed notice of the application to property owners within one thousand (1000') feet of the proposed location of the sex oriented business; and the City of Huntington Beach, Department of Community Development by first class mail. (3378-2/98)

The notice of application shall include the following: (3378-2/98)

1. Name of applicant; (3378-2/98)
2. Location of proposed sex oriented business, including street address (if known) and/or lot and tract number; (3378-2/98)
3. Nature of the sex oriented business, including maximum height and square footage of the proposed development; (3378-2/98)

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4. The City Hall telephone number for the Department of Community Development to call for viewing plans; (3378-2/98)

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IG AND IL Districts: Additional Provisions (continued)

5. The date by which any comments must be received in writing by the Department of Community Development. This date shall be ten (10) working days from staff review submittal; and (3378-2/98)
6. The address of the Department of Community Development. (3378-2/98)
- F. A sex oriented business may not apply for a variance pursuant to Chapter 241 nor a special sign permit pursuant to Chapter 233. (3378-2/98)
- G. A sex oriented business zoning permit shall become null and void one year after its date of approval unless: (3378-2/98)
 1. Construction has commenced or a Certificate of Occupancy has been issued, whichever comes first; or (3378-2/98)
 2. The use is established. (3378-2/98)
- H. The validity of a sex oriented business zoning permit shall not be affected by changes in ownership or proprietorship provided that the new owner or proprietor promptly notifies the Director of the transfer. (3378-2/98)
- I. A sex oriented business zoning permit shall lapse if the exercise of rights granted by it is discontinued for 12 consecutive months. (3378-2/98)
- L-12 For wireless communication facilities see section 230.96 Wireless Communication Facilities. All other communication facilities permitted. (3568-9/02)
- (A) Repealed. (3254-10/94, 3708-6/05)
- (B) A conditional use permit from the Zoning Administrator is required for any new use or enlargement of an existing use, or exterior alterations and additions for an existing use located within 150 feet of an R district. The Director may waive this requirement if there is no substantial change in the character of the use which would affect adjacent residential property in an R District. (3254-10/94)
- (C) Accessory office uses incidental to a primary industrial use are limited to 10 percent of the floor area of the primary industrial use. (3254-10/94)
- (D) Adjunct office and commercial space, not to exceed 25 percent of the floor area of the primary industrial use, is allowed with a conditional use permit from the Zoning Administrator, provided that it is intended primarily to serve employees of the industrial use, no exterior signs advertise the adjunct use, the adjunct use is physically separated from the primary industrial use, any retail sales are limited to goods manufactured on-site, and the primary industrial fronts on an arterial. (3254-10/94)
- (E) See Section 241.22: Temporary Use Permits. (3254-10/94)

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(F) See Chapter 236: Nonconforming Uses and Structures. (3254-10/94)

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IG AND IL Districts: Additional Provisions (continued)

- (H) Medical/dental offices, insurance brokerage offices, and real estate brokerage offices, except for on-site leasing offices, are not permitted in any I District. (3254-10/94)
- Administrative, management, regional or headquarters offices for any permitted industrial use, which are not intended to serve the public, require a conditional use permit from the Zoning Administrator to occupy more than 10 percent of the total amount of space on the site of the industrial use. (3254-10/94)
- (I) Automobile dismantling, storage and/or impound yards may be permitted subject to the approval of a conditional use permit by the Planning Commission and the following criteria: (3254-10/94)
- (a) The site shall not be located within 660 feet of an R district. (3254-10/94)
 - (b) All special metal cutting and compacting equipment shall be completely screened from view. (3254-10/94)
 - (c) Storage yards shall be enclosed by a solid 6-inch concrete block or masonry wall not less than 6 feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained. (3254-10/94)
 - (d) Items stacked in the storage yard shall not exceed the height of the screening walls or be visible from adjacent public streets. (3254-10/94)
- (J) Limited to facilities serving workers employed on-site. (3254-10/94)
- (K) Limited to: Single Room Occupancy uses (See Section 230.46). (3254-10/94, 3708-6/05)
- (L) Limited to Emergency Shelters. (3254-10/94)
- (M) Development of vacant land and/or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Planning Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic). (3254-10/94, 3523-2/02)
- (N) Major outdoor operations require conditional use permit approval by the Planning Commission. Major outside operations include storage yards and uses utilizing more than 1/3 of the site for outdoor operation. (3254-10/94)
- (O) See Section 230.40: Helicopter Takeoff and Landing Areas. (3254-10/94)
- (P) See Section 230.44: Recycling Operations. (3254-10/94)
- (Q) See Section 230.50: Indoor Swap Meets/Flea Markets (3254-10/94)

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(R) See L-11(A) relating to locational restrictions. (3254-10/94, 3378-2/98)

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IG AND IL Districts: Additional Provisions (continued)

- (S) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit. (3523-2/02)
- (T) Subject to approval by the Police Department, Public Works Department, and Fire Department and the Planning Director. (3523-2/02)
- (U) Neighborhood notification requirements when no entitlement required pursuant to Chapter 241. (3523-2/02, 3708-6/05)

212.06 IG AND IL Districts: Development Standards

The following schedule prescribes development standards for the I Districts. The first two columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Requirements" column reference requirements following the schedule or located elsewhere in this ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions. (3254-10/94)

	IG	IL	Additional Requirements
Residential Development			(M)
Nonresidential Development			
Minimum Lot Area (sq. ft.)	20,000	20,000	(A)(B) (3708-06/05)
Minimum Lot Width (ft.)	100	100	(A)(B)
Minimum Setbacks			(A)(C)
Front (ft.)	10;20	10;20	(D)
Side (ft.)	0	15	(E)(F) (3708-06/05)
Street Side (ft.)	10	10	
Rear (ft.)	0	0	(E) (3708-06/05)
Maximum Height of Structures (ft.)	40	40	(G)
Maximum Floor Area Ratio (FAR)	0.75	0.75	
Minimum Site Landscaping (%)	8	8	(H)(I)
	IG	IL	Additional Requirements
Fences and Walls	See Section 230.88		
Off-Street Parking and Loading	See Chapter 231		(J)
Outdoor Facilities	See Section 230.74		
Screening of Mechanical Equipment	See Section 230.76		(K)
Refuse Storage Area	See Section 230.78		
Underground Utilities	See Chapter 17.64		
Performance Standards	See Section 230.82		(L)
Nonconforming Uses and Structures	See Chapter 236		
Signs	See Chapter 233		

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IG AND IL Districts: Additional Development Standards

- (A) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots. (3254-10/94)
- (B) Smaller lot dimensions for new parcels may be permitted by the Zoning Administrator with an approved development plan and tentative subdivision map. (3254-10/94)
- (C) See Section 230.68: Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage. (3254-10/94)
- (D) The minimum front setback shall 10 feet and the average setback 20 feet, except for parcels fronting on local streets where only a 10 foot setback is required. (3254-10/94)

All I Districts: An additional setback is required for buildings exceeding 25 feet in height (1 foot for each foot of height) and for buildings exceeding 150 feet in length (1 foot for each 10 feet of building length) up to a maximum setback of 30 feet. (3254-10/94)

- (E) In all I districts, a 15-foot setback is required abutting an R district and no openings in buildings within 45 feet of an R district. (3254-10/94)
- (F) A zero-side yard setback may be permitted in the I districts, but not abutting an R district, provided that a solid wall at the property line is constructed of maintenance-free masonry material and the opposite side yard is a minimum of 30 feet. (3254-10/94)

Exception. The Zoning Administrator or Planning Commission may approve a conditional use permit to allow a 15-foot interior side yards opposite a zero-side yard on one lot, if an abutting side yard at least 15 feet wide is provided and access easements are recorded ensuring a minimum 30-foot separation between buildings. This 30-foot accessway must be maintained free of obstructions and open to the sky, and no opening for truck loading or unloading shall be permitted in the building face fronting on the accessway unless a 45-foot long striped areas is provided solely for loading and unloading entirely within the building. (3254-10/94)

- (G) See Section 230.70: Measurement of Height. Within 45 feet of an R district, no building or structure shall exceed a height of 18 feet. (3254-10/94)
- (H) Planting Areas. Required front and street-side yards adjacent to a public right-of-way shall be planting areas except for necessary drives and walks. A 6-foot wide planting area shall be provided adjacent to an R district and contain one tree for each 25 lineal feet of planting area. (3254-10/94)
- (I) See Chapter 232: Landscape Improvements. (3254-10/94)
- (J) Truck or rail loading, dock facilities, and the doors for such facilities shall not be visible from or be located within 45 feet of an R district. (3254-10/94)
- (K) See Section 230.80: Antennae. (3254-10/94)
- (L) Noise. No new use shall be permitted, or exterior alterations and/or additions to an existing use allowed, within 150 feet of an R district until a report prepared by a California state-licensed

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acoustical engineer is approved by the Director. This report shall include recommended noise mitigation measures for the industrial use to ensure that noise levels will conform with Chapter 8.40 of the Municipal Code. The Director may waive this requirement for change of use or addition or exterior alteration to an existing use if it can be established that there had been no previous noise offense, that no outside activities will take place, or if adequate noise mitigation measures for the development are provided. (3254-10/94)

- (M) Group residential or accessory residential uses shall be subject to standards for minimum setbacks and height of the RH District. (3254-10/94)

212.08 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be required as follows: (3254-10/94, 3708-6/05)

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects including a zero-side yard exception; projects on substandard lots. (3254-10/94)
- B. Design Review Board. Projects within redevelopment project areas and areas within 500 feet of a PS district; see Chapter 244. (3254-10/94)
- C. Planning Commission. Projects requiring a conditional use permit from the Commission. (3254-10/94)
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245. (3254-10/94)

LEGISLATIVE DRAFT

Chapter 210 Residential Districts

(3268-12/94, 3334-6/97, 3410-3/99, 3455-5/00, 3568-9/02, 3706-6/05, 3724-02/06, 3761-2/07, 3832-7/09)

Sections:

210.02	Residential Districts Established
210.04	RL, RM, RMH, RH, and RMP Districts: Land Use Controls
210.06	RL, RM, RMH, RH, and RMP Districts: Property Development Standards
210.08	Development Standards for Senior Projects
210.10	Modifications for Affordable Housing
210.12	Planned Unit Development Supplemental Standards and Provisions
210.14	RMP District Supplemental Development Standards
210.16	Review of Plans

210.02 Residential Districts Established

The purpose of the residential districts is to implement the General Plan and Local Coastal Program Land Use Plan residential land use designations. Five (5) residential zoning districts are established by this chapter as follows: (3334-6/97)

- A. The RL Low Density Residential District provides opportunities for single-family residential land use in neighborhoods, subject to appropriate standards. Cluster development is allowed. Maximum density is seven (7) units per acre.
- B. The RM Medium Density Residential District provides opportunities for housing of a more intense nature than single-family detached dwelling units, including duplexes, triplexes, town houses, apartments, multi-dwelling structures, or cluster housing with landscaped open space for residents' use. Single-family homes, such as patio homes, may also be suitable. Maximum density is fifteen (15) units per acre.
- C. The RMH Medium High Density Residential District provides opportunities for a more intensive form of development than is permitted under the medium density designation while setting an upper limit on density that is lower than the most intense and concentrated development permitted in the City. One subdistrict has been identified with unique characteristics where separate development standards shall apply: RMH-A Small Lot. Maximum density is twenty-five (25) units per acre.
- D. The RH High Density Residential District provides opportunities for the most intensive form of residential development allowed in the City, including apartments in garden type complexes and high rise where scenic and view potential exists, subject to appropriate standards and locational requirements. Maximum density is thirty-five (35) units per acre.
- E. The RMP Residential Manufactured Home Park District provides sites for mobile home or manufactured home parks, including parks with rental spaces and parks where spaces are individually owned. Maximum density is nine (9) spaces per acre.

210.04 RL, RM, RMH, RH, and RMP Districts: Land Use Controls

In the following schedules, letter designations are used as follows:

"P" designates use classifications permitted in residential districts.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" that follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

"TU" designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator. (3334-6/97, 3410-3/99)

"P/U" designates that accessory uses are permitted, however, accessory uses are subject to approval of a conditional use permit if the primary use requires a conditional use permit. (3334-6/97, 3410-3/99)

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the zoning ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

(Rest of page not used)

**RL, RM, RMH, RH, and RMP DISTRICTS:
LAND USE CONTROLS**

- P = Permitted
- L = Limited (see Additional Provisions) (3334-6/97)
- PC = Conditional use permit approved by Planning Commission
- ZA = Conditional use permit approved by Zoning Administrator
- TU = Temporary Use Permit
- P/U = Requires conditional use permit on site of conditional use
- = Not Permitted

	RL	RM	RMH RH	RMP	Additional Provisions	
Residential Uses					(A)(M)(Q)	(3334-6/97, 3410-3/99)
Day Care, Ltd.	P	P	P	P		
Group Residential	-	-	PC	-		
Multi-family Residential					(B)(C)(D)(R)	(3410-3/99, 3455-5/00)
2 - 4 units	ZA	P	P	-		(3334-6/97, 3410-3/99)
5 - 9 units	ZA	ZA	ZA	-		(3334-6/97, 3410-3/99)
10 or more units	PC	PC	PC	-		(3334-6/97, 3410-3/99)
Manufactured Home Parks	ZA	ZA	-	ZA	(E)(F)	
Residential, Alcohol Recovery, Ltd.	P	P	P	P		
Residential Care, Limited	P	P	P	P		
Single-Family Residential	P	P	P	P	(B)(D)(F)(P)(R)(S)	(3334-6/97, 3410-3/99, 3455-5/00, 3832-7/09)
Public and Semipublic					(A)(O)	(3334-6/97, 3410-3/99)
Clubs & Lodges	PC	PC	ZA	ZA		(3334-6/97, 3410-3/99)
Day Care, Large-family	L-6	L-6	L-6	L-6		(3334-6/97, 3781-2/07)
Day Care, General	L-1	ZA	ZA	ZA		(3334-6/97, 3410-3/99)
Park & Recreation Facilities	L-2	L-2	L-2	L-2		(3334-6/97, 3410-3/99)
Public Safety Facilities	PC	PC	PC	PC		
Religious Assembly	L-3	PC	PC	PC		(3334-6/97, 3410-3/99)
Residential Care, General	-	L-1	PC	PC		(3334-6/97, 3410-3/99)
Schools, Public or Private	PC	PC	PC	PC		
Utilities, Major	PC	PC	PC	PC		
Utilities, Minor	P	P	P	P		
Commercial						
Communication Facilities	L-5	L-5	L-5	L-5		(3568-9/02)
Horticulture	ZA	ZA	ZA	ZA		(3410-3/99)
Nurseries	ZA	ZA	ZA	ZA		(3410-3/99)
Visitor Accommodations						
Bed and Breakfast Inns	-	-	L-4	-		(3334-6/97, 3410-3/99)
Accessory Uses	P/U	P/U	P/U	P/U	(A)(G)(H)(I)(L)(M)	(3334-6/97, 3410-3/99)
Temporary Uses					(J)(M)	(3334-6/97, 3410-3/99)
Commercial Filming, Limited	P	P	P	P		
Real Estate Sales	P	P	P	P	(N)	(3334-6/97, 3410-3/99, 3706-6/05)
Personal Property Sales	P	P	P	P		
Street Fairs	TU	TU	TU	TU		
Nonconforming Uses					(K)(L)	

RL, RM, RMH, RH, and RMP Districts: Additional Provisions

- L-1 A conditional use permit from the Planning Commission is required and only allowed on lots 1.0 acre (gross acreage) or greater fronting an arterial in RL District- (3410-3/99)
- L-2 Public facilities permitted, but a conditional use permit from the Zoning Administrator is required for private noncommercial facilities, including swim clubs and tennis clubs. (3334-6/97, 3410-3/99)
- L-3 A conditional use permit from the Planning Commission is required, and only schools operating in conjunction with religious services are permitted as an accessory use. A General Day Care facility may be allowed as a secondary use, subject to a conditional use permit, if the Planning Commission finds that it would be compatible with adjacent areas and not cause significant traffic impacts. (3334-6/97, 3410-3/99, 3724-02/06)
- L-4 A conditional use permit from the Zoning Administrator is required and only allowed on lots 10,000 sq. ft. or greater in RMH-A subdistrict. See also Section 230.42: Bed and Breakfast Inns. (3334-6/97, 3410-3/99, 3706-6/05)
- L-5 Only wireless communication facilities permitted subject to section 230.96 Wireless Communication Facilities. (3568-9/02)
- L-6 Neighborhood notification is required pursuant to Section 241.24. No architectural plans shall be required. (3761-2/07)
- (A) Any addition or modification subsequent to the original construction that would result in an increase in the amount of building area, or a structural or architectural alteration to the building exterior, shall require an amendment to the previously approved conditional use permit, if any, or approval of a new conditional use permit. (3334-6/97, 3410-3/99, 3761-2/07)
- (B) A conditional use permit from the Planning Commission is required for residential uses requesting reduction in standards for senior citizens (See Section 210.08), for affordable housing (See Sections 210.10 and 230.14), or for density bonus (See Section 230.14).
- (C) A conditional use permit from the Zoning Administrator is required for any multiple family residential development that:
- (1) abuts an arterial highway;
 - (2) includes a dwelling unit more than 150 feet from a public street; or
 - (3) includes buildings exceeding 25 feet in height. (3334-6/97, 3410-3/99)
- (D) See Section 210.12: Planned Unit Development Supplemental Standards. In addition, a conditional use permit is required for condominium conversion pursuant to Chapter 235.
- (E) See Section 210.14: RMP District Supplemental Standards. In addition, Neighborhood Notification pursuant to Chapter 241 is required for the addition of manufactured home space(s) to an existing Manufactured Home Park. (3334-6/97, 3410-3/99, 3706-6/05)
- (F) See Section 230.16: Manufactured Homes.
- (G) See Section 230.12: Home Occupation in R Districts.
- (H) See Section 230.08: Accessory Structures.

- (I) See Section 230.10: Accessory Dwelling Units.

RL, RM, RMH, RH, and RMP Districts: Additional Provisions

- (J) See Section 241.20: Temporary Use Permits.
- (K) See Chapter 236: Nonconforming Uses and Structures.
- (L) See Chapter 233: Signs.
- (M) Tents, trailers, vehicles, or temporary structures shall not be used for dwelling purposes. (3334-6/97, 3410-3/99)
- (N) See Section 230.18: Subdivision Sales Offices and Model Homes. (3334-6/97, 3410-3/99)
- (O) Limited to facilities on sites of fewer than 2 acres. (3334-6/97, 3410-3/99)
- (P) See Section 230.22: Residential Infill Lot Developments. (3334-6/97, 3410-3/99)
- (Q) See Section 230.20: Payment of Parkland Dedication In-Lieu Fee. (3410-3/99)
- (R) Small lot development standards for RM, RMH, and RH Districts. A conditional use permit from the Planning Commission is required for small lot residential subdivisions, including condominium maps for detached single family dwellings. See also Section 230.24: Small Lot Development Standards. (3455-5/00)
- (S) See Coastal Element Land Use Plan, Table C-2, for permitted uses, development requirements and restrictions applicable to development within Subarea 4K as depicted in Figures C-6a and C-10 of the Coastal Element Land Use Plan. Subdivision design and development within Subarea 4K shall incorporate the information from the plans and studies required in Table C-2 for development of that Subarea. If there is a conflict between the requirements and restrictions of Table C-2 and other provisions of the Zoning and Subdivision Ordinance, the requirements and restrictions included in Table C-2 shall prevail. (3832-7/09)

210.06 RL, RM, RMH, RH, and RMP Districts: Property Development Standards

The following schedule prescribes development standards for residential zoning districts and subdistricts designated on the zoning map. The columns establish basic requirements for permitted and conditional uses; letters in parentheses in the "Additional Provisions" column refer to "Additional Development Standards" following the schedule.

In calculating the number of units permitted on the site, density is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number except that one dwelling unit may be allowed on a legally created lot complying with minimum lot area. All required setbacks shall be measured from ultimate right-of-way and in accordance with the definitions set forth in Chapter 203, Definitions.

Any new parcel created pursuant to Title 25, Subdivisions, shall comply with the minimum building site requirements of the district in which the parcel is located unless approved as a part of a Planned Unit Development.

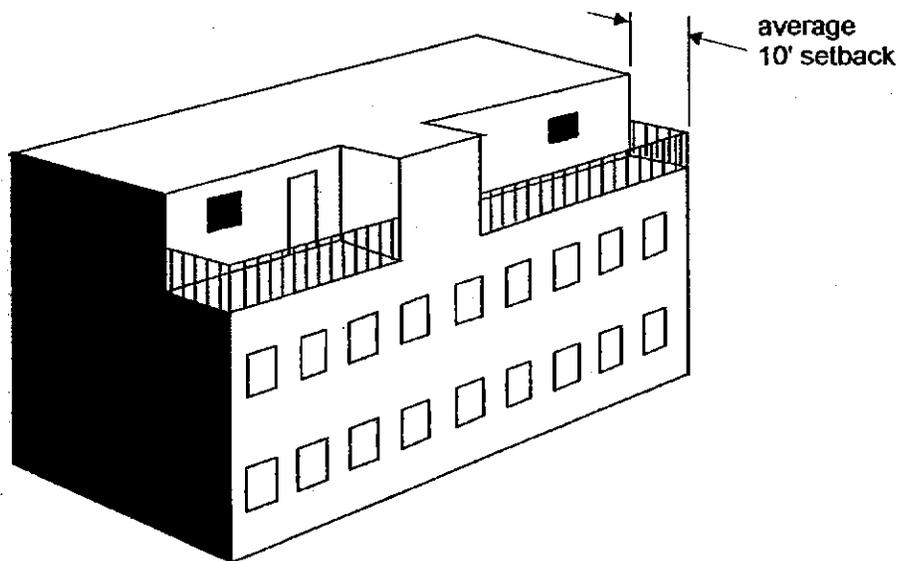
Property Development Standards for Residential Districts

	RL	RM	RMH-A Subdistrict	RMH	RH	RMP	Additional Provisions	
Minimum Building Site Width (ft.)	6,000	6,000	2,500	6,000	6,000	10 ac.	(A)(B)(C)	(3410-399)
Cul de sac frontage	60	60	25	60	60	N/A		(3334-6/97, 3410-3/99)
	45	45	-	45	45	N/A		(3334-6/97, 3410-3/99)
Minimum Setbacks							(D)(R)	(3334-6/97, 3410-3/99)
Front (ft.)	15	15	12	10	10	10	(E)(F)	(3334-6/97, 3410-3/99)
Side (ft.)	3;5	3;5	3;5	3;5	3;5	-	(G)(I)(J)	(3334-6/97, 3410-3/99)
Street Side (ft.)	6;10	6;10	5	6;10	6;10	10	(H)	(3334-6/97, 3410-3/99)
Rear (ft.)	10	10	7.5	10	10	-	(I)(J)	
Accessory Structure							(U)	(3334-6/97, 3410-3/99)
Garage							(K)	(3334-6/97, 3410-3/99)
Projections into Setbacks							(L)(R)	(3334-6/97, 3410-3/99)
Maximum Height (ft.)								
Dwellings	35	35	35	35	35	20	(M)	(3334-6/97, 3410-3/99)
Accessory Structures	15	15	15	15	15	15	(M)(R)	(3410-3/99)
Maximum Floor Area Ratio (FAR)	-	-	1.0	-	-	-		(3334-6/97, 3410-3/99)
Minimum Lot Area per Dwelling Unit (sq. ft.)	6,000	2,904	*	1,742	1,244	-		(3410-3/99)
Maximum Lot Coverage (%)	50	50	50	50	50	75	(V)	(3334-6/97, 3410-3/99)
Minimum Floor Area							(N)	(3334-6/97, 3410-3/99)
Minimum Usable Open Space							(O)	
Courts							(P)	(3334-6/97, 3410-3/99)
Accessibility within Dwellings							(Q)	(3410-3/99)
Waterfront Lots							(R)	(3334-6/97, 3410-3/99)
Landscaping			See Chapter 232				(S)	(3334-6/97, 3410-3/99)
Fences and Walls			See Section 230.88					
Lighting							(T)	(3334-6/97, 3410-3/99)
Underground Utilities			See Chapter 17.64					
Screening of Mechanical Equipment			See Section 230.76					
Refuse Storage Areas			See Section 230.78					(3410-3/99)
Antenna			See Section 230.80					(3410-3/99)
Performance Standards			See Section 230.82					
Off-Street Parking and Loading			See Chapter 231					
Signs			See Chapter 233					
Nonconforming Structures			See Chapter 236					
Accessory Structures			See Chapter 230.08					(3706-6/05)

- * Lots 50 feet or less in width = 1 unit per 25 feet of frontage
- Lots greater than 50 feet in width = 1 unit per 1,900 square feet
- N/A = Not applicable

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (A) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots.
- (B) See Section 230.66: Development on Lots Divided by District Boundaries.
- (C) The minimum lot area shall be 12,000 square feet for General Day Care, General Residential Care, and Public or Private Schools, except minimum lot area for General Day Care in the RL district shall be one (1) gross acre. (3334-6/97, 3410-3/99)
- (D) Building Separation. The minimum spacing between buildings including manufactured home units shall be 10 feet. (3334-6/97, 3410-3/99)
- (E) Variable Front Setback for Multi-family Projects. Projects with more than 4 units in the RM District, more than 8 units in the RMH District, or more than 14 units in the RH District shall provide a minimum setback of 15 feet from any public right-of-way. Minimum 50% of the garages shall be set back 20 feet from the front property line. (See Section 210.12B.) (3334-6/97, 3410-3/99)
- (F) Upper-story Setbacks for Multi-family Structures. The covered portion of all stories above the second story in any multi-family structure shall be set back an average of 10 feet from the second floor front facade (see Exhibit). (3334-6/97, 3410-3/99)



210-UPSS.PCX

UPPER STORY SETBACK

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

(G) Interior Side Setback

- (1) In the RL, RM, RMH, including RMH-A subdistrict, and RH Districts, interior side setbacks shall be minimum 10% of lot width, but not less than 3 feet and need not exceed 5 feet, except as stated below. (3334-6/97, 3410-3/99)
- (2) For projects in the RM, RMH, including RMH-A subdistrict, and RH Districts adjoining an RL District, interior side setbacks shall be at least:
 - (a) 10 feet for units in single-story or two-story buildings.
 - (b) 14 feet for units above two stories.

Subject to approval of a conditional use permit, the Zoning Administrator or the Planning Commission, may approve upper-story setbacks in lieu of an increased side setback if the second and third stories are set back the required distance. (3334-6/97, 3410-3/99)

(H) Street Side Setbacks

- (1) In the RL, RM, RMH (excluding RMH-A subdistrict), and RH districts, the street side yard shall be 20 percent of the lot width, minimum 6 feet and need not exceed 10 feet. (3334-6/97, 3410-3/99)
- (2) In the RMH-A subdistrict, street side setback shall be minimum 5 feet. (3410-3/99)
- (3) For projects with 10 or more multi-family units (including RMH-A subdistrict), the street side setback shall be the same as the front setback. (3334-6/97, 3410-3/99)

- (I) Building Walls Exceeding 25 Feet in Height. The required interior side or rear setback adjoining a building wall exceeding 25 feet in height, excluding any portion of a roof, and located on a lot 45 feet wide or greater, shall be increased three feet over the basic requirement. (3334-6/97, 3410-3/99)

(J) Zero Side or Rear Setback.

- (1) A zero interior side setback may be permitted provided that the opposite side setback on the same lot is minimum 20% of the lot width, not less than 5 feet, and need not exceed 10 feet, and shall be subject to the requirements listed in subsection (3) below. (3334-6/97, 3410-3/99)
- (2) A zero rear setback may be permitted provided that the opposite rear setback for the adjacent lot is either zero or a minimum of 10 feet, and subject to the requirements listed in subsection (3) below. (3334-6/97, 3410-3/99)

(Rest of page not used)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (3) A zero side or rear setback may be permitted subject to the following requirements: (3334-6/97, 3410-3/99)
- (a) The lot adjacent to the zero side or rear setback shall either be held under the same ownership at the time of application or a deed restriction or agreement approved as to form by the City Attorney shall be recorded giving written consent of the adjacent property owner. (3334-6/97)
 - (b) A maintenance easement, approved as to form by the City Attorney, shall be recorded between the property owner and the owner of the adjacent lot to which access is required in order to maintain and repair a zero lot line structure. Such easement shall be an irrevocable covenant running with the land. No building permits shall be issued until such recorded maintenance easement has been submitted. (3334-6/97)
 - (c) Separation between the proposed structure and any structure on an adjacent lot shall either be zero or a minimum of 5 feet. (3334-6/97, 3410-3/99)
 - (d) No portion of the dwelling or any architectural features shall project over the property line. (3334-6/97)
 - (e) The zero setback shall not be adjacent to a public or private right-of-way. (3334-6/97)
 - (f) Exposure protection between structures shall be provided as specified by the Fire Department and Building Division. (3334-6/97)
- (4) Double zero side setbacks may be permitted for planned unit development projects subject to approval of a conditional use permit and compliance with Section 210.12 B. (3334-6/97, 3410-3/99)

(K) Garage Setbacks. Setbacks for the main dwelling shall apply, except as specifically stated below:

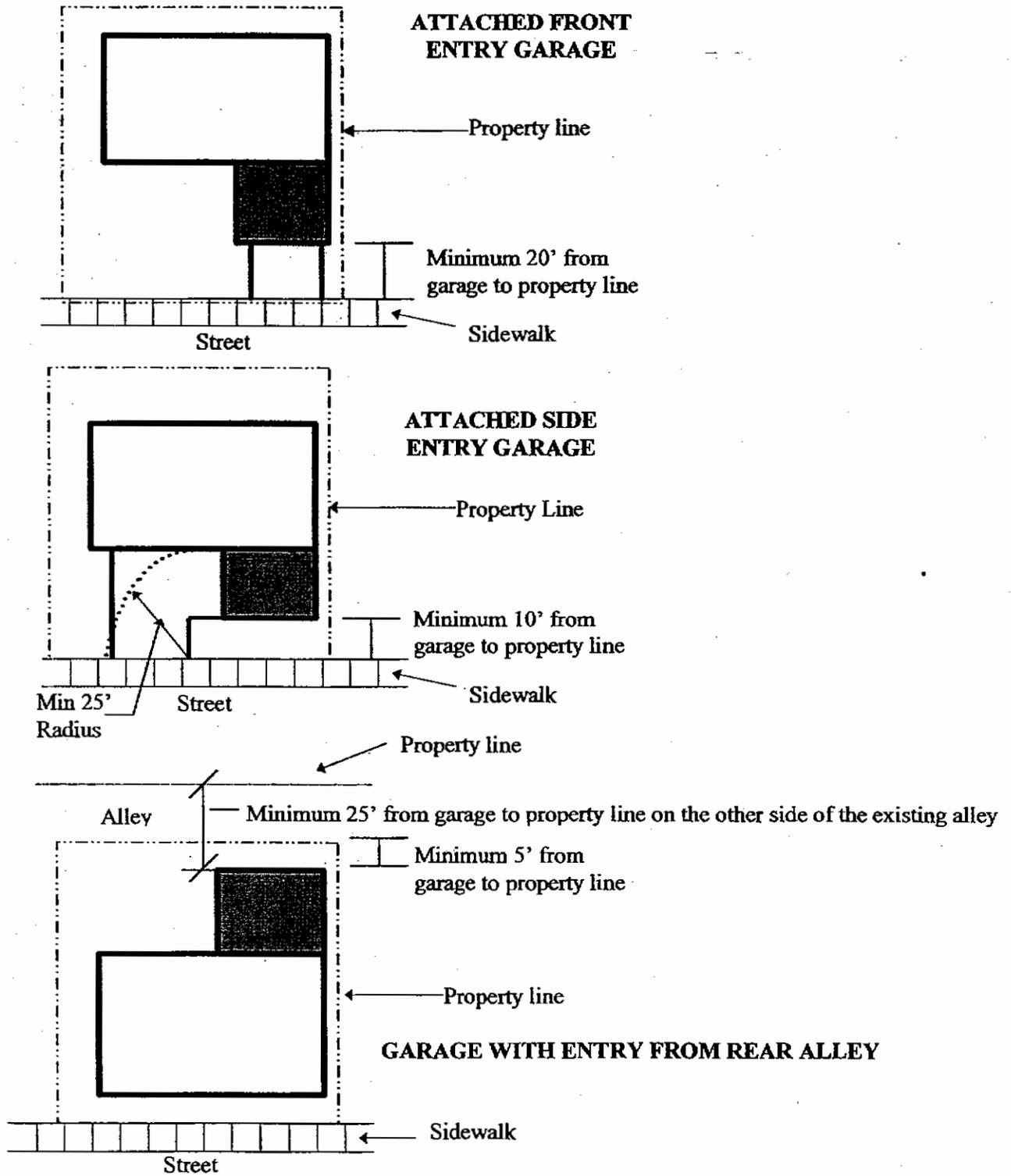
- (1) Front entry garage - 20 feet
- (2) Side entry garage - 10 feet
- (3) Garage with alley access - 5 feet

For garages with rear vehicular access from an alley and located on a lot 27 feet wide or less, the side setback adjacent to a street or another alley may be reduced to 3 feet.

A minimum 25 foot turning radius is required from the garage to the opposite side of the street, alley, drive aisle or driveway. (3334-6/97, 3410-3/99)

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RL, RM, RME, RH, and RMP Districts: Additional Development Standards



RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

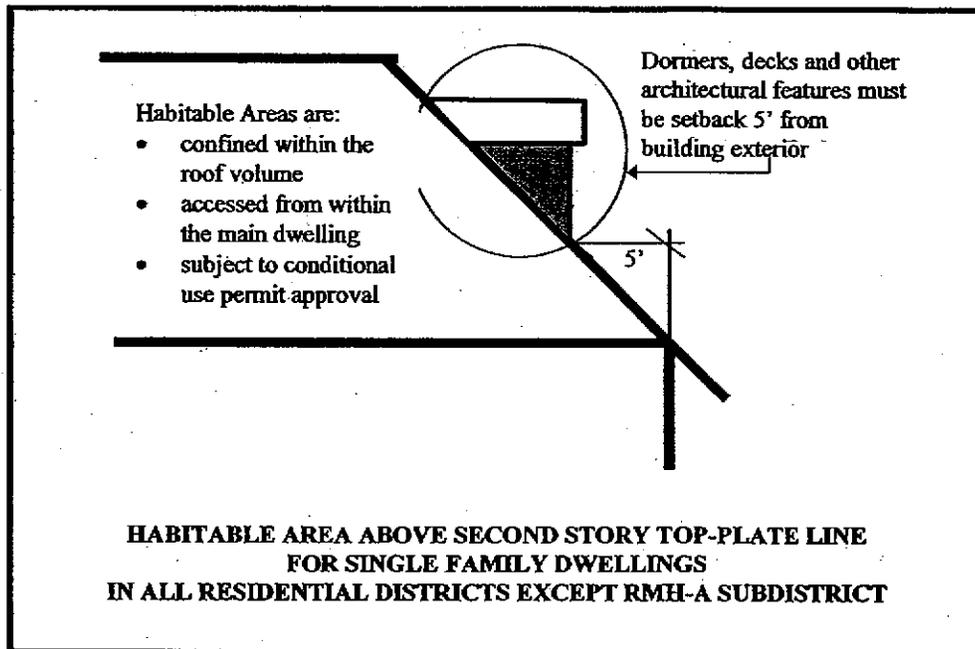
(L) Projections into Setbacks.

- (1) See Section 230.68: Building Projections into Yards.
- (2) Balconies and bay windows may project into required setbacks and usable open space areas subject to Section 230.68, provided that balconies have open railings, glass, or architectural details with openings to reduce visible bulk. Balconies composed solely of solid enclosures are not allowed to project into required setbacks. (3334-6/97, 3410-3/99)

(M) Height Requirements. See Section 230.70 Measurement of Height, and Section 230.72 Exceptions to Height Limits.

- (1) Single Family Dwellings in all residential districts, except lots in the RMH-A subdistrict with less than 50 feet of frontage shall comply with the following standards: (3334-6/97, 3410-3/99)
 - (a) Second story top plate height shall not exceed twenty-five (25) feet measured from the top of the subfloor/slab directly below. (3334-6/97, 3410-3/99)
 - (b) Roofs shall have a minimum 5/12 pitch if building height exceeds thirty (30) feet. (3334-6/97, 3410-3/99)
 - (c) Maximum building height for Main Dwellings shall be thirty-five (35) feet; however, Main Dwellings exceeding thirty (30) feet in height shall require approval of a Conditional Use Permit by the Zoning Administrator. (3268-12/94)(3334-6/97)
 - (d) Habitable area, which includes rooftop decks and balconies, above the second story top plate line shall require approval of a conditional use permit by the Zoning Administrator. Habitable area above the second story plate line shall be within the confines of the roof volume, with the following exceptions: (3334-6/97, 3410-3/99)
 - (1) Dormers, decks and other architectural features may be permitted as vertical projections above the roof volume provided the projections are set back five (5) feet from the building exterior and do not exceed the height limits as stated above. (3334-6/97)
 - (2) Windows and deck areas above the second story plate line shall orient toward public rights-of-way only. (3334-6/97, 3410-3/99)

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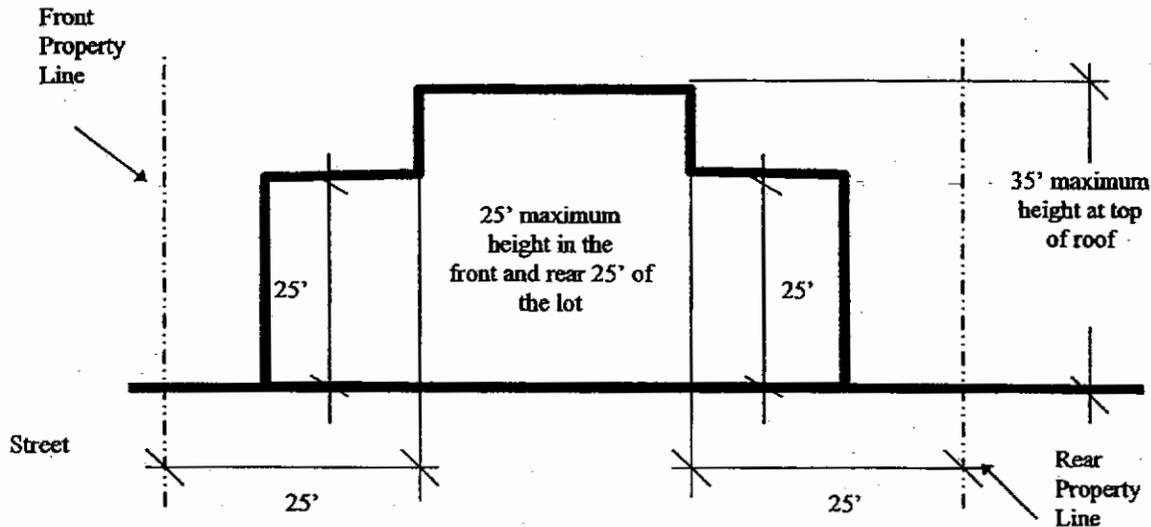


(3410-3/99)

- (e) Access to any habitable area above the second story top plate line shall be provided within the Main Dwelling and shall be consistent with internal circulation. Exterior stairways between the ground floor and a habitable area above the second story plate line shall be prohibited. (3334-6/97, 3410-3/99)

Two vertical cross-sections through the property (front-to-back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within 5 feet of the property line shall be submitted in order to determine compliance with this subsection. (3334-6/97, 3410-3/99)

- (2) Single Family Dwellings in the RMH-A subdistrict on lots with less than 50 feet of frontage shall comply with the following standards: (3334-6/97, 3410-3/99)
- Second story top plate height shall not exceed twenty-five (25) feet measured from the top of the subfloor/slab directly below. (3334-6/97, 3410-3/99)
 - Roofs shall have a minimum 5/12 pitch if building height exceeds thirty (30) feet. (3334-6/97)
 - In the front and rear 25 feet of the lot, maximum building height for all structures, including railings and architectural features, shall be 25 feet. Otherwise, maximum building height shall be 35 feet. (3334-6/97, 3410-3/99)



**MAXIMUM BUILDING HEIGHT FOR SINGLE FAMILY DWELLINGS
ON LOTS LESS THAN 50 FEET WIDE IN RMH-A SUBDISTRICT**

- (d) Access to any habitable area above the second story top plate line shall be provided within the Main Dwelling and shall be consistent with internal circulation. Exterior stairways between the ground floor and a habitable area above the second story plate line shall be prohibited. (3334-6/97, 3410-3/99)

Two vertical cross-sections through the property (front-to-back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within 5 feet of the property line shall be submitted in order to determine compliance with this subsection. (3334-6/97, 3410-3/99)

- (3) Accessory Structures: See Section 230.08: Accessory Structures. Accessory structures located on projecting decks abutting a waterway shall comply with the height established in subsection (R). (3334-6/97, 3410-3/99)
- (4) Recreation Buildings: The maximum height of a recreation building for multi-family, planned residential, and mobile home park projects shall be established by the conditional use permit. (3334-6/97)

(N) Minimum Floor Area. Each dwelling unit in a multi-family building and attached single family dwellings shall have the following minimum floor area.

Unit Type	Minimum Area (Square Feet)
Studio	500
one bedroom	650
two bedrooms	900
three bedrooms	1,100
four bedrooms	1,300

All detached single family dwellings shall have a minimum 1,000 square feet of floor area not including the garage and shall be a minimum of 17 feet in width. (3334-6/97)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

(O) Open Space Requirements.

(1) The minimum open space area (private and common) for multi-family residential projects in RM, RMH, including RMH-A subdistrict, and RH Districts shall be 25% of the residential floor area per unit (excluding garages). (3334-6/97, 3410-3/99, 3706-06/05)

(2) Private Open Space.

(a) Private open space shall be provided in courts or balconies within which a horizontal rectangle has no dimension less than 10 feet for courts and 6 feet for balconies. A minimum patio area of 70 square feet shall be provided within the court. (3334-6/97)

(b) The following minimum area shall be provided:

Unit Type	Minimum Area (Sq.Ft.) Ground Floor Units	Units Above Ground Floor
Studio/1 bedroom	200	60
2 bedrooms	250	120
3 bedrooms	300	120
4 or more bedrooms	400	120

(3334-6/97)

(c) Private open space shall be contiguous to the unit and for the exclusive use of the occupants. Private open space shall not be accessible to any dwelling unit except the unit it serves and shall be physically separated from common areas by a wall or hedge exceeding 42 inches in height. (3334-6/97, 3410-3/99)

(d) A maximum of 50% of the private open space requirement, may be on open decks above the second story subject to approval of a conditional use permit by the Zoning Administrator, provided that no portion of such deck exceeds the height limit. (3410-3/99, 3706-6/05)

(e) Patio and balcony enclosures within existing planned developments or apartment complexes shall be subject to the following conditions: (3706-6/05)

1. A maximum of one enclosure per unit shall be allowed. (3706-6/05)
2. The existing balcony or patio area shall not be enlarged. (3706-6/05)
3. The balcony or patio enclosure shall comply with the current setback and height requirements for the district in which the site is located. (3706-6/05)
4. The enclosure shall consist entirely of transparent materials, i.e., no solid walls or opaque walls, except an existing solid roof may be part of the enclosure. (3706-6/05)
5. No structural change shall occur to the interface wall and doorway between the enclosure and the adjacent inside room of the building, unless the balcony/patio is replaced with equivalent unenclosed area for use as private open space. (3706-6/05)

6. The enclosed area shall be considered as private open space and may be counted toward current private open space requirements. (3706-6/05)

7. Required egress for fire escape routes shall be maintained. (3706-6/05)

(3) Common Open Space.

(a) Common open space, provided by interior side yards, patios, and terraces, shall be designed so that a horizontal rectangle has no dimension less than 10 feet, shall be open to the sky, and shall not include driveways, parking areas, or area required for front or street side yards. (3334-6/97, 3410-3/99, 3706-06/05)

(b) Projects with more than 20 units shall include at least one amenity, such as a clubhouse, swimming pool, tennis court, volleyball court, outdoor cooking facility, or other recreation facility. (3334-6/97, 3410-3/99, 3706-06/05)

(4) The Director may allow a reduction in the open space requirement to 10% of the livable area per unit for projects with less than 10 units and located within walking distance of 1,000 feet of a public park or beach. (3334-6/97, 3410-3/99)

(P) Courts Opposite Windows in RM, RMH, and RH Districts (excluding the RMH-A sub-district). Courts shall be provided in all multi-family projects in the RM, RMH, and RH Districts subject to the following requirements: (3334-6/97, 3410-3/99)

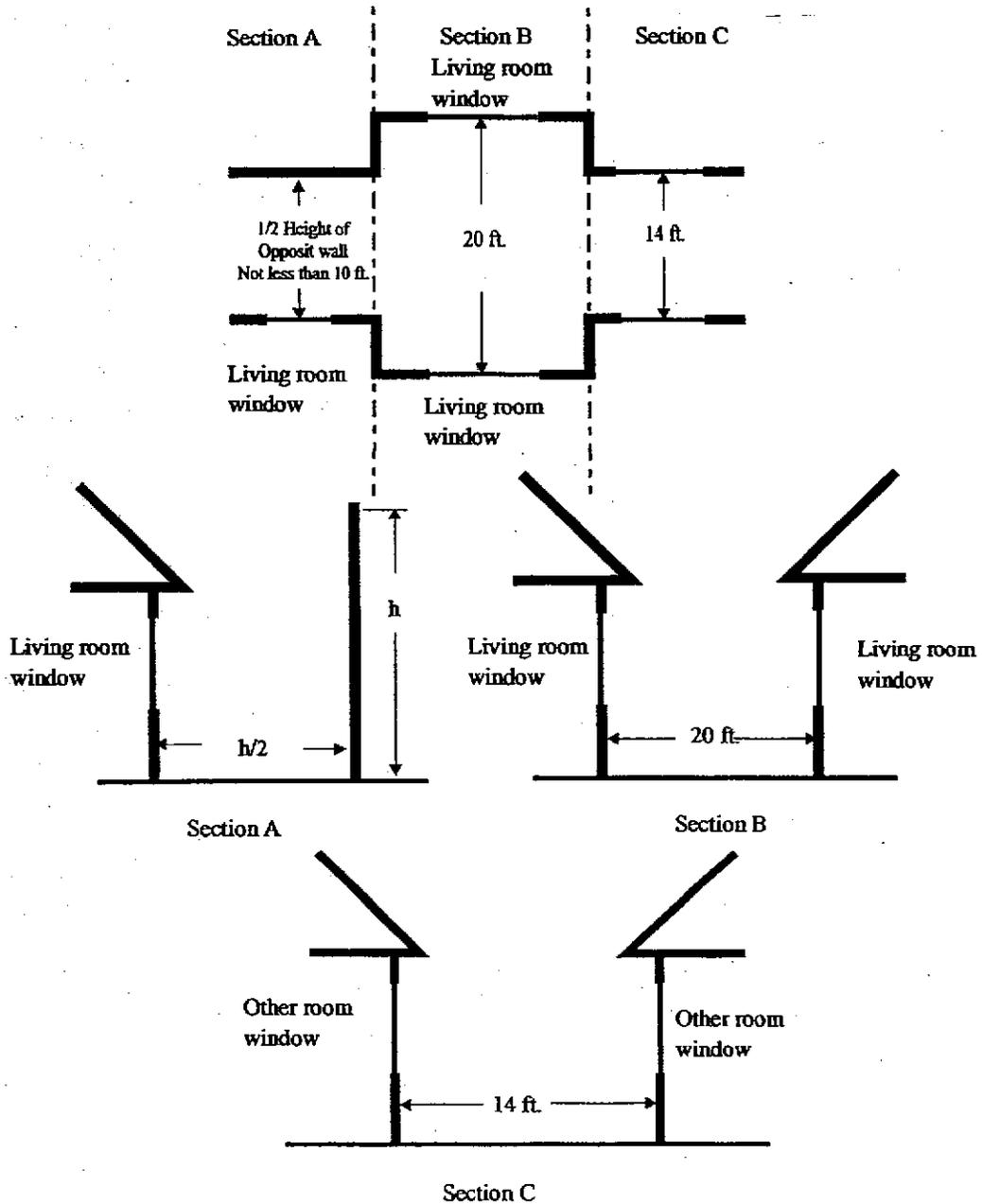
(1) Courts Opposite Walls on the Same Site: The minimum depth of a court shall be one-half the height of the opposite wall but not less than 20 feet opposite a living room and 14 feet opposite a required window for any other habitable room (see diagrams below). (3334-6/97, 3410-3/99)

(2) Courts Opposite Interior Property Line: The minimum distance between a required window of a habitable room and a property line shall be 10 feet. (3334-6/97, 3410-3/99)

(3) Court Dimensions: Courts shall be minimum 20 feet wide (minimum 10 feet on either side of the centerline of the required window) and shall be open to the sky. Eaves may project a maximum 2 feet into a court. (3334-6/97, 3410-3/99)

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RL, RM, RMH, RH, and RMP Districts: Additional Development Standards



COURTS OPPOSITE WINDOWS
(3334-6/97)

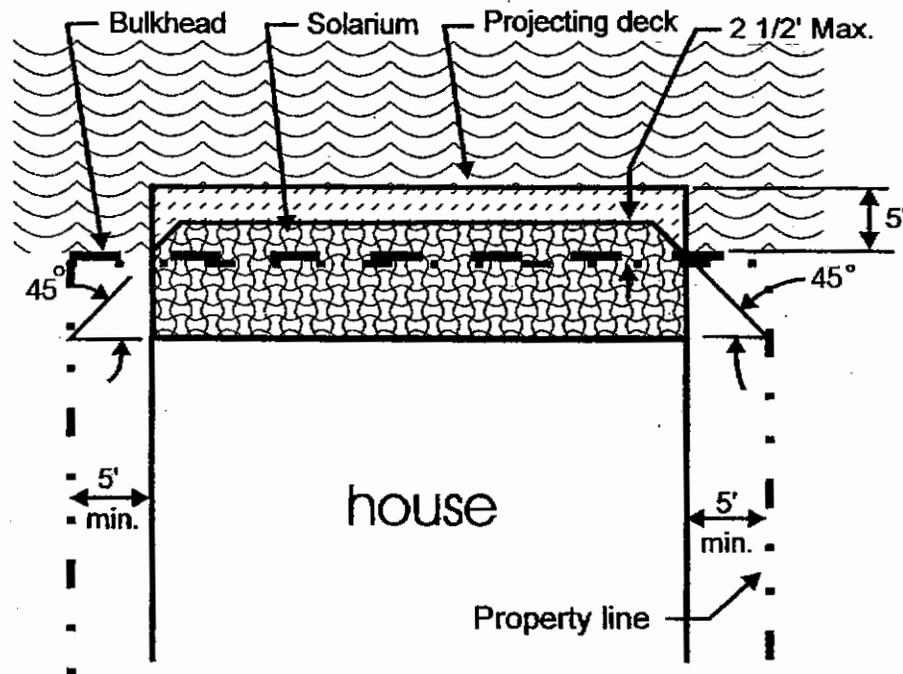
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RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (Q) All habitable rooms in a dwelling unit must be accessible from within the dwelling. (3334-6/97, 3410-3/99)
- (R) Waterfront Lots. Projecting decks, windscreens, fencing, patio covers and solariums on waterfront lots may be permitted subject to the development standards set forth in this Chapter, Chapter 245, Chapter 17.24, and the following requirements: (3334-6/97)
- (1) Projecting Decks. Decks on waterfront lots may project 5 feet beyond the bulkhead provided the decks comply with the side setbacks required for the main dwelling. (3334-6/97, 3410-3/99)
 - (2) Windscreens. Windscreens may be permitted if constructed of light-weight materials such as plastic, canvas, fiberglass, tempered glass or metal, except for necessary bracing and framing. The maximum height for windscreens shall be 7 feet above the finished surface of the deck at the bulkhead line. (3334-6/97)
 - (3) Fencing. All portions of fencing within the required rear setback area shall comply with Chapter 230.88 and the visibility provisions below. (3334-6/97, 3410-3/99)
 - (4) Solariums. Solariums (patio enclosures) may project a maximum of 30 inches over the bulkhead. In all cases, the solarium shall maintain a 45 degree (45°) visibility angle as measured from the main dwelling building line extended to the side property line. The maximum height shall not exceed the top of the first floor ceiling joist. (3334-6/97, 3410-3/99)
 - (5) Patio Covers. Patio covers (including eaves) may be permitted to project 5 feet into the rear yard setback, however, construction materials shall allow compliance with visibility provisions below. (3334-6/97, 3410-3/99)
 - (6) Visibility. The portion of any windscreen, fence or patio cover in the rear yard setback or solarium above 36 inches in height shall be composed of materials and design which allow a minimum of 85% transmission of light and visibility through the structure in each direction when viewed from any angle. (3334-6/97)
 - (7) Removal. Decks, solariums and windscreens projecting over waterways which do not comply with the above provisions may be removed by the city upon 30-days' written notice. Such projections are declared to be a privilege which can be revoked for noncompliance and not a vested right. (3334-6/97)

(Rest of page not used)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards



210-14b(17)

WATERFRONT LOT PROJECTIONS

(3334-6/97)

(S) Landscaping

- (1) A minimum 40% of the front yard shall be landscaped. For single family residences in the RMH-A subdistrict, a minimum 3 foot wide landscape planter along the front property line (excluding max. 5 ft. wide walkway) may be provided in lieu of the 40% requirement. A maximum 18 inch high planter wall may be constructed along the front property line. (3334-6/97, 3410-3/99)
- (2) All required trees specified in Chapter 232 shall be provided. (3410-3/99)
- (3) All subdivisions shall provide a minimum 5 foot wide landscaped area along arterial street/highway property lines. The actual required width shall be determined during the planning process. Maintenance of said landscaped area shall be by a homeowners association, property owner or other method approved by the City of Huntington Beach. (3334-6/97, 3410-3/99)

- (T) Lighting.** A lighting system shall be provided in all multi-family projects along all vehicular access ways and major walkways. Lighting shall be directed onto the driveways and walkways within the development and away from adjacent properties. A lighting plan shall be submitted for approval by the Director. (3334-6/97)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (U) See Section 230.08: Accessory Structures (3334-6/97, 3410-3/99)
- (V) Solid patio covers open on at least 2 sides may be permitted an additional 5% site coverage. Open lattice patio covers are exempted from site coverage standards. (3410-3/99)

210.08 Development Standards for Senior Projects

This section establishes development standards for Senior Residential Projects that may be permitted by the Planning Commission. (3334-6/97, 3410-3/99)

- A. Minimum Floor Area. Each dwelling unit shall have a minimum floor area of 450 square feet. (3334-6/97, 3410-3/99)
- B. Minimum Setbacks. The project shall comply with the minimum setback requirements of the district applicable to the site. (3334-6/97)
- C. Minimum Distance between Buildings. Minimum building separation shall be 10 feet. (3334-6/97, 3410-3/99)
- D. Building Design. No structure shall exceed 180 feet in length. To provide variation in building facades, two of the following architectural elements are required as part of each building: sloped roofs; bay windows; awnings; roof eaves; cornices; balconies; or patios. (3334-6/97)
- E. Open Space Requirements. (3334-6/97, 3410-3/99)
 - 1. Private Open Space: A minimum of 60 square feet of private open space for studios or one bedroom units and 120 square feet for two or more bedrooms, with minimum dimensions of 6 feet. (3334-6/97, 3410-3/99)
 - 2. Common Open Space: A minimum of 2,500 square feet for the first 50 units, and an additional 50 square feet for each unit over 50. (3334-6/97, 3410-3/99)
 - 3. Community Club House: An enclosed community or clubhouse facility containing minimum 7 square feet per unit, and a total area of minimum 400 square feet, may satisfy up to 50% of the common open space requirement. The clubhouse shall include handicapped bathrooms and kitchen facilities to be used by project residents and their guests only. (3334-6/97, 3410-3/99)
- F. Elevators. Buildings with more than 2 levels, including living areas or parking, shall have elevators. (3334-6/97)
- G. Parking. Parking shall comply with Chapter 231. Any parking space over and above the one space per unit shall be marked for guest use. (3334-6/97)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

210.10 Modifications for Affordable Housing

The Planning Commission may approve a conditional use permit modifying the minimum property development standards in this chapter for affordable housing, as provided in Section 230.14. The proposed modifications shall be requested in writing by the applicant, accompanied by a detailed pro-forma, rental guidelines, deed restrictions, financial subsidies, and other types of documentation which will serve to demonstrate the need for a reduction of development standards. Modifications to the standards may include, but are not limited to, the parking requirements and open space. The specific standard(s) from which the applicant is requesting relief shall be identified and alternative development standard(s) proposed. (3334-6/97, 3410-3/99)

210.12 Planned Unit Development Supplemental Standards and Provisions

This section establishes supplemental development standards and provisions that shall apply to all planned unit developments. (3334-6/97)

- A. Maps. A tentative and final or parcel map shall be approved pursuant to Title 25, Subdivisions. (3334-6/97)
- B. Project Design.
 1. Driveway parking for a minimum of fifty percent of the units shall be provided when units are attached side by side. (3334-6/97)
 2. A maximum of six units may be attached side by side and an offset on the front of the building a minimum of four (4) feet for every two units shall be provided. (3334-6/97)
 3. A minimum of one-third of the roof area within a multi-story, multi-unit building shall be one story less in height than the remaining portion of the structure's roof area. (3334-6/97)
- C. Common Areas. Every owner of a lot or dwelling unit shall own as an appurtenance to such unit or lot either an undivided interest in the common areas and facilities or a share in the corporation, community association, or limited partnership owning the common areas and facilities. (3334-6/97)
- D. Covenants. The developer shall submit a covenant setting forth a plan or manner of permanent care and maintenance of all common areas and communal facilities. Such covenant shall be included in the Covenant, Conditions, and Restrictions (CC&R's) applying to the property and shall be approved by the City Attorney and Director. The CC&R's shall be approved prior to final or parcel map approval and when approved, shall be recorded in the office of the Orange County Recorder. (3334-6/97)
- E. Maintenance. The corporation, community association, or limited partnership shall have the responsibility of maintaining the common areas and facilities as shown on the final development plans, the buildings and use of property for planned unit development. (3334-6/97)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- F. Sale of Lots. No dwelling unit or lot shall be sold or encumbered separately from an interest in the common areas and facilities in the development which shall be appurtenant to such dwelling unit or lot. No lot shall be sold or transferred in ownership from the other lots in the total development or approved phase of the development unless all approved community buildings, structures and recreational facilities for the total development, or approved phase thereof, have been completed, or completion is assured, by bonding or other method satisfactory to the City. (3334-6/97)

- G. Management Agreement. No lot or dwelling unit in the development shall be sold unless a corporation, community association, or limited partnership has been formed with the right to assess all those properties which are jointly owned with interests in the common areas and facilities in the development to meet the expenses of such entity, and with authority to control, and the duty to maintain, all of said mutually available features of the development. Said entity shall operate under recorded CC&R's which shall include compulsory membership of all owners of lots and/or dwelling units, and flexibility of assessments to meet changing costs of maintenance, repairs and services. The developer shall submit evidence of compliance with this requirement to and receive approval of the City prior to making any such sale. This condition shall not apply to land dedicated to the City for public purposes. (3334-6/97)

210.14 RMP District Supplemental Development Standards

This section establishes supplemental standards for the development of manufactured home parks. (3334-6/97)

- A. Individual space setbacks for manufactured homes and accessory structures shall be landscaped and are as follows:

Front	minimum 5 feet
Side	10 feet aggregate, minimum 3 feet on any side
Rear	minimum 5 feet

(3334-6/97, 3410-3/99)

- B. Each space shall be provided with a minimum 150 cubic feet of enclosed, usable storage space. (3334-6/97, 3410-3/99)

- C. The undercarriage of all manufactured homes shall be screened from view on all sides. (3334-6/97)

- D. A six foot high concrete or masonry wall shall be provided along all interior property lines of the manufactured home park. In addition, a 20 foot wide landscaped berm or a 10 foot wide landscaped area and a 6 foot high wall shall be located at the minimum front setback line. (3334-6/97, 3410-3/99)

- E. A boat or trailer storage area shall be provided and screened from view by a 6 foot high fence or wall. (3334-6/97, 3410-3/99)

- F. Maximum site coverage for each individual manufactured home space shall be 75%. (3334-6/97, 3410-3/99)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- G. Projects in the RMP district shall provide a minimum common open space area of 200 square feet per manufactured home space. (3410-3/99)

210.16 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the ~~Community Development~~ **Planning** Department for review. Discretionary review shall be required as follows: (3334-6/97) ←

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots; see Chapter 241. (3334-6/97, 3410-3/99)
- B. Design Review Board. See Chapter 244. (3334-6/97, 3410-3/99)
- C. Planning Commission. Projects requiring a conditional use permit from the Planning Commission; see Chapter 241. (3334-6/97, 3410-3/99)
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245. (3334-6/97)

LEGISLATIVE DRAFT

Chapter 211 C Commercial Districts

(3285-6/95, 3341-10/96, 3334-6/97, 3482-12/00, 3522-2/02, 3553-5/02, 3568-9/02, 3707-6/05, 3774-9/07)

(Note: Ordinance No. 3774-9/07 is subject to approval by the California Coastal Commission)

Sections:

211.02	Commercial Districts Established
211.04	CO, CG, and CV Districts: Land Use Controls
211.06	CO, CG and CV Districts: Development Standards
211.08	Review of Plans

211.02 Commercial Districts Established

The purpose of the Commercial districts is to implement the General Plan and Local Coastal Program commercial land use designations. Three (3) commercial zoning districts are established by this chapter as follows: (3334-6/97)

- A. The CO Office Commercial District provides sites for offices for administrative, financial, professional, medical and business needs.
- B. The CG General Commercial District provides opportunities for the full range of retail and service businesses deemed suitable for location in Huntington Beach.
- C. The CV Visitor Commercial District implements the Visitor Serving Commercial land use designation within the coastal zone and provides uses of specific benefit to coastal visitors. More specifically, the CV district provides opportunities for visitor-oriented commercial activities, including specialty and beach related retail shops, restaurants, hotels, motels, theaters, museums, and related services. (3334-6/97)

211.04 CO, CG, and CV Districts: Land Use Controls

In the following schedules, letter designations are used as follows:

"P" designates use classifications permitted in commercial districts.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" that follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

"TU" designates use classifications allowed upon approval of a temporary use permit.

"P/U" for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use.

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the Zoning Ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

	P	=	Permitted
CO, CG, and CV Districts Land Use Controls	L	=	Limited (see <u>Additional Provisions</u>)
	PC	=	Conditional use permit approved by Planning Commission
	ZA	=	Conditional use permit approved by Zoning Administrator
	TU	=	Temporary Use Permit
	P/U	=	Requires conditional use permit on site of conditional use
	-	=	Not Permitted

	CO	CG	CV	Additional Provisions
Residential				(J)(Q)(R)(V) (3334-6/97)
Group Residential	PC	PC	PC	(3334-6/97)
Multifamily Residential	-	-	PC	(3334-6/97)
Public and Semipublic				(J)(Q)(R)(V) (3334-6/97, 3553-5/02)
Clubs and Lodges	P	P	-	(3334-6/97, 3707-6/05)
Community and Human Services				
Drug Abuse Centers	-	PC	-	
Primary Health Care	L11	L11	-	(3522-2/02)
Emergency Kitchens	-	L-2	-	
Emergency Shelters	-	L-2	-	
Residential Alcohol Recovery, General	-	PC	-	
Residential Care, General	ZA	ZA	-	(3707-06/05)
Convalescent Facilities	ZA	ZA	-	(3707-06/05)
Cultural Institutions	PC	PC	PC	
Day Care, General	L-3	L-3	-	(3707-06/05)
Day Care, Large-Family	P	P	-	(Y) (3522-2/02)
Emergency Health Care	L-2	L-2	-	(3334-6/97)
Government Offices	P	P	PC	(3334-6/97)
Heliports	PC	PC	PC	(B)
Hospitals	PC	PC	-	(3334-6/97)
Park & Recreation Facilities	L-9	L-9	L-9	
Public Safety Facilities	PC	PC	PC	
Religious Assembly	ZA	ZA	-	(3522-2/02) (3522-2/02)
Schools, Public or Private	PC	PC	-	
Utilities, Major	PC	PC	PC	
Utilities, Minor	P	P	P	(L)

	P	=	Permitted
CO, CG, and CV	L	=	Limited (see <u>Additional Provisions</u>)
Districts	PC	=	Conditional use permit approved by Planning Commission
Land Use	ZA	=	Conditional use permit approved by Zoning Administrator
Controls	TU	=	Temporary Use Permit
	P/U	=	Requires conditional use permit on site of conditional use
	-	=	Not Permitted

	CO	CG	CV	Additional Provisions
Commercial Uses				(J)(Q)(R) (3341-096)
Ambulance Services	-	ZA	-	
Animal Sales & Services				
Animal Boarding	-	ZA	-	(3522-202)
Animal Grooming	-	P	-	
Animal Hospitals	-	ZA	-	(3522-202)
Animals: Retail Sales	-	P	-	
Equestrian Centers (CG Zone)	-	PC	-	(S) (3707-605)
Pet Cemetery	-	PC	-	
Artists' Studios	P	P	P	
Banks and Savings & Loans	P	P	P	
With Drive-Up Service	P	P	P	(3522-202)
Building Materials and Services	-	P	-	
Catering Services	P	P	P	
Commercial Filming	P	P	P	(F)
Commercial Recreation and Entertainment	-	PC	PC	(D)
Communication Facilities	L-13	L-13	L-13	(3568-902)
Eating and Drinking Estab.	L-4	L-4	L-4	(3522-202, 3707-605)
W/Alcohol	ZA	ZA	ZA	(N)(Y) (3522-202)
W/Drive Through	-	P	P	(3522-202, 3707-605)
W/Live Entertainment	ZA	ZA	ZA	(W)(Y) (3522-202)
W/Dancing	PC	PC	PC	(H)
W/Outdoor Dining	ZA	ZA	ZA	(X)(Y) (3522-202)
Food & Beverage Sales	-	P	L-2	
W/Alcoholic Beverage Sales	-	ZA	ZA	(N)
Funeral & Internment Services	-	ZA	-	
Laboratories	L-1	L-1	-	
Maintenance & Repair Services	-	P	-	
Marine Sales and Services	-	P	P	
Nurseries	-	ZA	-	
Offices, Business & Professional	P	P	P	(3334-697)
Pawn Shops	-	ZA	-	
Personal Enrichment Services	L-10	L-10	-	(Y) (3522-202)
Personal Services	P	P	P	
Research & Development Services	L-1	ZA	-	
Retail Sales	-	P	P	(U)(V) (3285-695, 3334-697, 3462-1200)
Secondhand Appliances/Clothing	-	P	-	
Swap Meets, Indoor/Flea Markets	-	PC	-	(T)
Swap Meets, Recurring	-	ZA	-	
Tattoo Establishments	-	PC	-	
Travel Services	P	P	P	

	P	=	Permitted
CO, CG, and CV Districts Land Use Controls	L	=	Limited (see <u>Additional Provisions</u>)
	PC	=	Conditional use permit approved by Planning Commission
	ZA	=	Conditional use permit approved by Zoning Administrator
	TU	=	Temporary Use Permit
	P/U	=	Requires conditional use permit on site of conditional use
	-	=	Not Permitted

	CO	CG	CV	Additional Provisions
Vehicle Equipment/Sales & Services				
Automobile Rentals	-	L-8	L-8	L-12
Automobile Washing	-	ZA	-	(3707-605)
Commercial Parking	-	ZA	ZA	(P) (3707-605)
Service Stations	-	PC	PC	(E)
Vehicle Equip. Repair	-	L-5	-	
Vehicle Equip. Sales & Rentals	ZA	ZA	-	L-12 (3522-202)
Vehicle Storage	-	ZA	-	(3707-605)
Visitor Accommodations				
Bed & Breakfast Inns	PC	PC	PC	(K) (3707-605, 3774-907 subject to approval by the CA Coastal Commission)
Hotels, Motels	-	PC	PC	(I) (3334-697, 3707-605, 3774-907 - subject to approval by the CA Coastal Commission)
Condominium – Hotel	-	-	PC	(Z) (3774-907, 3707-907 subject to approval by the CA Coastal Commission)
Fractional Ownership Hotel				(3774-907 - subject to approval by the CA Coastal Commission)
Quasi Residential				
Timeshares	-	PC	-	(I)(J) (3334-697, 3774-907 subject to approval by the CA Coastal Commission))
Residential Hotel	-	PC	-	(J) (3334-697, 3774-907 subject to approval by the CA Coastal Commission))
Single Room Occupancy	-	PC	-	(3774-907, 3774-907 subject to approval by the CA Coastal Commission))
Industrial				
Industry, Custom	-	L-6	L-6	(J)(Q)(R)(V) (3334-697)
Accessory Uses				
Accessory Uses & Structures	P/U	P/U	P/U	(J)(V) (3334-697)
Temporary Uses				(F)(J)(V) (3334-697)

Animal Shows	-	TU	-		
Circus and Carnivals and Festivals	-	TU	-		(3522-2102)
Commercial Filming, Limited	-	P	P	(M)	
Real Estate Sales	P	P	P		(3522-2102, 3707-6105)
Retail Sales, Outdoor	-	TU	TU	(M)	(3522-2102)
Seasonal Sales	TU	TU	TU	(M)	(3522-2102)
Tent Event	-	P	-		(3522-2102, 3707-6105)
Trade Fairs	-	P	-		(3707-6105)
Nonconforming Uses				(G)(J)(V)	(3334-6197)

(Rest of page not used)

CO, CG, and CV Districts: Additional Provisions

- L-1 Permitted if the space is 5,000 square feet or less; allowed with Neighborhood Notification pursuant to Chapter 241 if the laboratory space exceeds 5,000 square feet. (3707-6/05)
- L-2 Allowed with a conditional use permit from the Zoning Administrator if the space is 5,000 square feet or less; allowed with a conditional use permit from the Planning Commission if the space exceeds 5,000 square feet. (3707-6/05)
- L-3 Allowed with a conditional use permit from the Zoning Administrator if the space is 2,500 square feet or less; allowed with a conditional use permit from the Planning Commission if the space exceeds 2,500 square feet. (3334-6/97, 3707-6/05)
- L-4 Permitted if greater than 300 feet from residential zone or use; if 300 feet or less from residential zone or use neighborhood notification is required pursuant to Chapter 241. (3522-2/02, 3707-6/05)
- L-5 Only "limited" facilities are allowed subject to approval of a conditional use permit from the Zoning Administrator, and body and fender shops are permitted only as part of a comprehensive automobile-service complex operated by a new vehicle dealer.
- L-6 Only "small-scale" facilities, as described in Use Classifications, are permitted with a maximum 7 persons employed full time in processing or treating retail products, limited to those sold on the premises. (3522-2/02)
- L-7 Repealed. (3707-6/05)
- L-8 On-site storage limited to two rental cars or two cars for lease. (3707-6/05)
- L-9 Public facilities permitted, but a conditional use permit from the Zoning Administrator is required for commercial facilities.
- L-10 Permitted if the space is 5,000 square feet or less; allowed with conditional use permit approval from the Zoning Administrator if space exceeds 5,000 square feet. (3522-2/02, 3707-6/05)

In addition, Personal Enrichment uses within a retail building parked at a ratio of one (1) space per 200 square feet, shall require no additional parking provided the use complies with the following: (3522-2/02)

- Maximum number of persons per classroom does not exceed the number of parking spaces allocated to the suite based upon the square footage of the building; and (3522-2/02)
- The instruction area does not exceed 75 percent of total floor area of the personal enrichment building area. (3522-2/02)

- L-11 Permitted if the space is 5,000 square feet or less; allowed with a conditional use permit from the Zoning Administrator if the space exceeds 5,000 square feet. (3522-2/02, 3707-6/05)

- L-12 Permitted for existing facilities proposing to expand up to 20% of existing floor area or display area. (3522-2/02, 3707-6/05)
- L-13 For wireless communication facilities see Section 230.96 Wireless Communication Facilities. All other communication facilities permitted. (3568-9/02)
- (A) Reserved. (3553-5/02)
- (B) See Section 230.40: Helicopter Takeoff and Landing Areas.
- (C) Repealed (3378-2/98)
- (D) See Section 230.38: Game Centers; Chapter 5.28: Dance Halls; Chapter 9.24: Card Rooms; Chapter 9.32: Poolrooms and Billiards; and Chapter 9.28: Pinball Machines.
- (E) See Section 230.32: Service Stations.
- (F) See Section 241.20: Temporary Use Permits
- (G) See Chapter 236: Nonconforming Uses and Structures.
- (H) For teen dancing facilities, bicycle racks or a special bicycle parking area shall be provided. These may not obstruct either the public sidewalk or the building entry. See also Chapter 5.28: Dancing Halls; Chapter 5.44: Restaurants - Amusement and Entertainment Premises, and Chapter 5.70: Adult Entertainment Businesses. (3341-10/96)
- (I) Only permitted on a major arterial street, and a passive or active outdoor recreational amenity shall be provided. (3707-6/05)
- (J) In the CV District the entire ground floor area and at least one-third of the total floor area shall be devoted to visitor-oriented uses as described in the certified Local Coastal Program Land Use Plan. Any use other than visitor serving commercial shall be located above the ground level, and a conditional use permit from the Planning Commission or the Zoning Administrator is required. Any use other than visitor serving commercial uses shall only be permitted if visitor serving uses are either provided prior to the other use or assured by deed restriction as part of the development. No office or residential uses shall be permitted in any visitor serving designation seaward of Pacific Coast Highway. (3334-6/97, 3707-6/05)
- (K) See Section 230.42: Bed and Breakfast Inns.
- (L) See Section 230.44: Recycling Operations.
- (M) Subject to approval by the Police Department, Public Works Department, Fire Department and the Director. See also Section 230.86 Seasonal Sales.
- (N) The following businesses proposing to sell alcoholic beverages for on-site or off-site consumption are exempt from the conditional use permit process:

- (1) Retail markets with no more than 10 percent of the floor area devoted to sales, display, and storage of alcoholic beverages provided the sale of alcoholic beverages is not in conjunction with the sale of gasoline or other motor vehicle fuel. (3522-2/02)
- (2) Restaurants, Bars and Liquor stores located 300 feet or more from any R or PS district, public or private school, church, or public use. (3522-2/02)
- (3) Florist shops offering the sale of a bottle of an alcoholic beverage together with a floral arrangement.
- (O) See Section 230.46: Single Room Occupancy.
- (P) See Chapter 231 for temporary and seasonal parking.
- (Q) Development of vacant land or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Planning Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic). (3522-2/02)
- (R) Projects within 500 feet of a PS District see Chapter 244.
- (S) See Section 230.48: Equestrian Centers
- (T) See Section 230.50: Indoor Swap Meets/Flea Markets
- (U) See Section 230.94: Carts and Kiosks (3248-6/95, 3334-6/97, 3482-12/00)
- (V) In the coastal zone, the preferred retail sales uses are those identified in the Visitor Serving Commercial land use designation which provide opportunities for visitor-oriented commercial activities including specialty and beach related retail shops, restaurants, hotels, motels, theaters, museums, and related services.
- (W) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit. (3522-2/02)
- (X) Outdoor dining with alcohol sales shall be permitted with a conditional use permit to the Zoning Administrator. Outdoor dining without alcohol sales that is 400 square feet or less shall be permitted without a conditional use permit. If over 400 square feet with no alcohol sales, Neighborhood Notification shall be required pursuant to Chapter 241. (3522-2/02, 3707-6/05)
- (Y) Neighborhood Notification requirements pursuant to Chapter 241. (3522-2/02, 3707-6/05)
- (Z) In the CV District, Condominium-Hotels and/or Fractional Interest Hotels are allowed only at the Pacific City (Downtown Specific Plan District 7) and Waterfront (Downtown Specific Plan District 9) sites. Refer to Downtown Specific Plan. (3774-9/07 subject to approval by the CA Coastal Commission)

211.06 CO, CG and CV Districts: Development Standards

The following schedule prescribes development standards for the CO, CG and CV districts. The first three columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Requirements" column refer to standards following the schedule or located elsewhere in the zoning ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions.

(Rest of page not used)

**CO, CG and CV DISTRICTS
DEVELOPMENT STANDARDS**

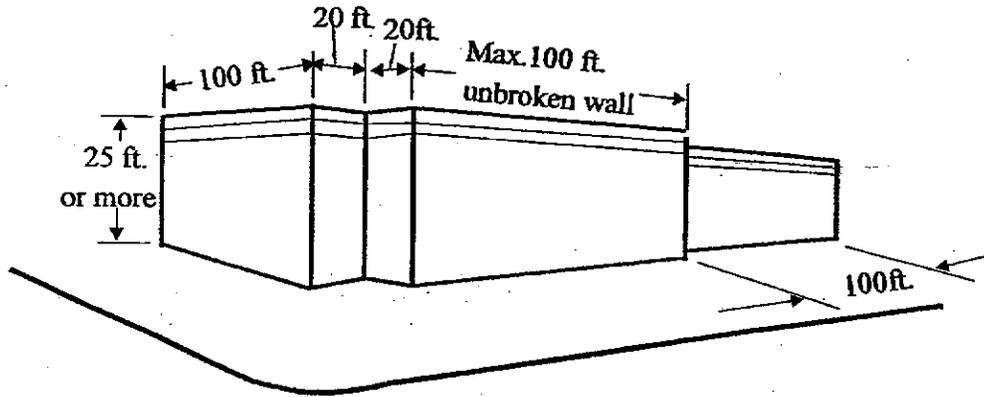
	CO	CG	CV	Additional Requirements
Residential Development				(A)(B)
Nonresidential Development				(B)
Minimum Lot Area (sq. ft.)	10,000	10,000	10,000	(C)
Minimum Lot Width (ft.)	100	100	100	
Minimum Setbacks				
Front (ft.)	10	10	0	(D)(E)(O) (3707-605)
Side (ft.)	5	0	0	(F) (3707-605)
Street Side (ft.)	10	10	0	(E) (3707-605)
Rear (ft.)	5	0	0	(F) (3707-605)
Maximum Height of Structures (ft.)	40	50	50	(F)(G)
Maximum Wall Dimensions				(N)
Maximum Floor Area Ratio (FAR)	1.0	1.5	1.5	
Minimum Site Landscaping (%)	8	8	8	(H)(I)
Building Design Standards				(O)
Fences and Walls				(J)(K)
Off-Street Parking/Loading				(L)
Outdoor Facilities		See Section 230.74		(M) (3707-605)
Screening of Mechanical Equipment		See Section 230.76		(M)
Refuse Storage Areas		See Section 230.78		
Underground Utilities		See Chapter 17.64		
Performance Standards		See Section 230.82		
Nonconforming Structures		See Chapter 236		
Signs		See Chapter 233		

CO, CG, and CV Districts: Additional Development Standards

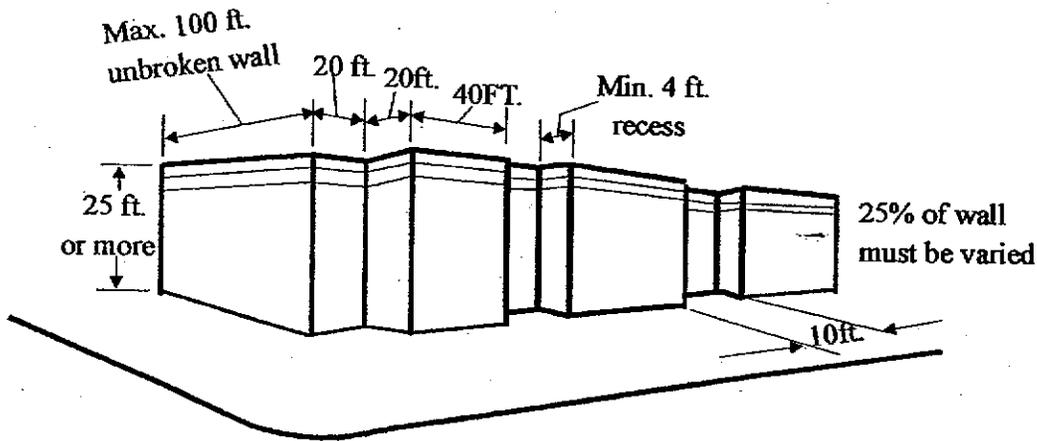
- (A) Dwelling units shall be subject to the standards for minimum setbacks, height limits, maximum density, open space, balconies and bay windows, and parking for the RMH District. The setback standards shall apply only to the stories of a building that are intended for residential use.
- (B) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots.
- (C) The minimum site area for a hotel or motel is 20,000 square feet.
- (D) See Section 230.68: Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage.
- (E) A minimum 50-foot setback is required along Beach Boulevard, Pacific Coast Highway and Edinger Avenue or 25-foot setback with the setback area entirely landscaped.

- (F) Along a side or rear property line abutting an R district, a 10-foot setback is required, and structures within 45 feet of the district boundary shall not exceed 18 feet in height.
- (G) See Section 230.70: Measurement of Height and Section 230.72: Exceptions to Height Limits.
- (H) Planting Areas:
 - (1) Required front and street side yards shall be planting areas except properties with 50 foot setback shall provide a minimum 10 foot wide planting area along street frontages.
 - (2) Required side and rear yards shall be planting areas or shall be enclosed by a solid concrete or masonry wall at least 6 feet in height.
 - (3) Hotels and Motels. A 15-foot wide landscaped strip shall be provided along all street frontages, except for necessary driveways and walks.
- (I) See Chapter 232: Landscape Improvements.
- (J) See Section 230.88: Fencing and Yards.
- (K) A solid masonry or concrete wall at least 6 feet in height shall adjoin the site of an existing ground-floor residential use. However, where the portion of the site within 10 feet of the front property line is occupied by planting area or by a building having no openings except openings opposite a street property line, the Director may grant an exception to this requirement. A wall within 15 feet of a street property line shall not exceed 3.5 feet in height.
- (L) See Chapter 231: Off-Street Parking and Loading.
- (M) See Section 230.44: Recycling Operations and Section 230.80: Antennae.
- (N) A front or street side wall surface shall be no longer than 100 feet without a break, a recess or offset measuring at least 20 feet in depth and one-quarter of the building length, or a series of offsets, projections or recesses at intervals of not more than 40 feet that vary the depth of the building wall by a minimum of 4 feet. The Director may grant exceptions or allow these standards to be modified for exceptional or unique structures subject to Design Review, Chapter 244.

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Single Horizontal Offsets: 20ft.



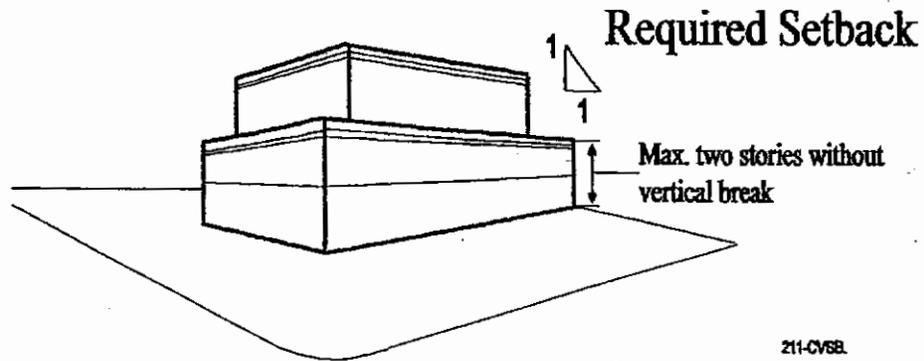
Variable Offsets: 20 ft. and 4 ft.

211-OFFS

MAXIMUM WALL LENGTH AND REQUIRED BREAK

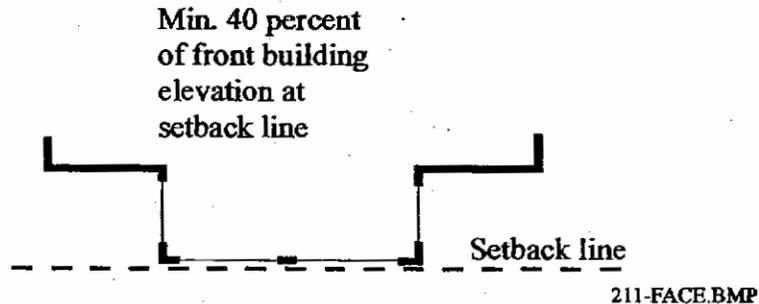
- (O) Two building design standards are established to make commercial areas more attractive and provide a unified streetscape:
 - (1) In the CV District a 10-foot minimum upper-story setback is required above the second story along street frontages. (3707-605)

(Rest of page not used)



CV DISTRICT: UPPER-STORY SETBACK

- (2) In the CO and CV Districts, and on frontages adjacent to major or primary arterials in the CG District at least 40 percent of a building surface may be located at the minimum setback line if additional landscaping is provided on the site.



BUILDING FACE AT SETBACK LINE

211.08 Review of Plans

All applications for new construction, initial establishment of use, exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be required as follows: (3522-202)

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots; see Chapter 241.
- B. Design Review Board. ~~Projects within redevelopment project areas and areas subject to specific plans; projects within 500 feet of a PS District; s~~See Chapter 244. ←
- C. Planning Commission. Projects requiring a conditional use permit from the Planning Commission; see Chapter 241.
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245.

LEGISLATIVE DRAFT

Chapter 212 Industrial Districts

(3254-10/94, 3378-2/98, 3523-2/02, 3568-9/02, Emergency Ord. 3703-3/21/05, 3708-6/05, 3724-02/06, 3788-12/07)

Sections:

- 212.02 Industrial Districts Established
- 212.04 IG and IL Districts: Land Use Controls
- 212.06 IG and IL Districts: Development Standards
- 212.08 Review of Plans

212.02 Industrial Districts Established (3254-10/94)

Two (2) industrial zoning districts are established by this chapter as follows: (3254-10/94)

- A. The IG General Industrial District provides sites for the full range of manufacturing, industrial processing, resource and energy production, general service, and distribution. (3254-10/94)
- B. The IL Limited Industrial District provides sites for moderate- to low-intensity industrial uses, commercial services and light manufacturing. (3254-10/94)

212.04 IG and IL Districts: Land Use Controls (3254-10/94, 3788-12/07)

In the following schedules, letter designations are used as follows: (3254-10/94)

"P" designates use classifications permitted in the I districts. (3254-10/94)

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" which follow. (3254-10/94)

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission. (3254-10/94)

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator. (3254-10/94)

"TU" designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator. (3254-10/94)

"P/U" for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use. (3254-10/94)

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to requirements following the schedule or located elsewhere in this ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading. (3254-10/94)

LEGISLATIVE DRAFT

IG AND IL DISTRICTS:
LAND USE CONTROLS

P - Permitted
L - Limited (see Additional Provisions)
PC - Conditional use permit approved by Planning Commission
ZA - Conditional use permit approved by Zoning Administrator
TU - Temporary Use Permit
P/U - Requires conditional use permit on site of conditional use
- - Not Permitted

	IG	IL	Additional Provisions
Residential			
Group Residential	PC	PC	(J)
Public and Semipublic			(A)(M)(3708-6/05, 3724-02/06)
Community and Human Service Facilities	PC	PC	(L) (3708-6/05, 3724-02/06)
Day Care, General	ZA	ZA	(3523-2/02)
Heliports	PC	PC	(O)
Maintenance & Service Facilities	ZA	ZA	(3708-6/05)
Public Safety Facilities	P	P	
Religious Assembly	ZA	ZA	(3724-02/06)
Schools, Public or Private	L-6	L-6	
Utilities, Major	PC	PC	
Utilities, Minor	L-7	L-7	(P)
Commercial Uses			(D)(M)
Ambulance Services	ZA	ZA	
Animal Sales and Services			
Animal Boarding	ZA	ZA	(3523-2/02)
Animal Hospitals	ZA	ZA	(3523-2/02)
Artists' Studios	P	P	
Banks and Savings and Loans	L-1	L-1	
Building Materials and Services	P	P	
Catering Services	-	P	
Commercial Filming	ZA	ZA	
Commercial Recreation and Entertainment	L-2	L-2	
Communication Facilities	L-12	L-12	(3568-9/02)
Eating & Drinking Establishments w/Live Entertainment	L-3	L-3	
Food & Beverage Sales	ZA	ZA	(S)(U) (3523-2/02)
Hospitals and Medical Clinics	ZA	ZA	(3523-2/02)
Laboratories	-	PC	
Laboratories	P	P	
Maintenance & Repair Services	P	P	
Marine Sales and Services	P	P	
Nurseries	P	P	
Offices, Business & Professional	L-1	L-1	(H)

LEGISLATIVE DRAFT

IG AND IL	P - Permitted
DISTRICTS:	L - Limited (see <u>Additional Provisions</u>)
LAND USE	PC - Conditional use permit approved by Planning Commission
CONTROLS	ZA - Conditional use permit approved by Zoning Administrator
	TU - Temporary Use Permit
	P/U - Requires conditional use permit on site of conditional use
	- Not Permitted

	IG	IL	Additional Provisions
Personal Enrichment	L-9	L-9	(U) (3523-2/02)
Personal Services	L-1	L-1	
Quasi Residential	PC	PC	(K) (3708-6/05)
Research & Development Services	P	P	
Sex Oriented Businesses (regulated by HBMC Chapter 5.70)	L-11	L-11	(3378-2/98)
Sex Oriented Businesses (regulated by HBMC Chapters 5.24 & 5.60)	PC	PC	(R) (3378-2/98)
Swap Meets, Indoor/Flea Markets	PC	PC	(Q) (3378-2/98)
Vehicle/Equipment Sales & Services			
Service Stations	L-4	L-4	
Vehicle/Equipment Repair	P	P	
Vehicle/Equip. Sales/Rentals	L-5	L-5	
Vehicle Storage	P	ZA	(I)
Visitor Accommodations	ZA	ZA	(3708-6/05)
Warehouse and Sales Outlets	L-8	L-8	
Industrial (See Chapter 204)			(B)(M)(N)
Industry, Custom	P	P	
Industry, General	P	P	
Industry, Limited	P	P	
Industry, R & D	P	P	
Wholesaling, Distribution & Storage	P	P	
Accessory Uses			
Accessory Uses and Structures	P/U	P/U	(C)
Temporary Uses			
Commercial Filming, Limited	P	P	(T) (3523-2/02)
Real Estate Sales	P	P	(3)
Trade Fairs	P	P	(E) (3708-6/05)
Nonconforming Uses			(F)

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions

- L-1 Only allowed upon approval of a conditional use permit by the Zoning Administrator for a mixed use project, subject to the following requirements: (3254-10/94, 3708-6/05)
- Minimum site area: 3 acres (3254-10/94)
- Maximum commercial space: 35 percent of the gross floor area and 50 percent of the ground floor area of buildings fronting on an arterial highway. (3254-10/94)
- Phased development: 25 percent of the initial phase must be designed for industrial occupancy. For projects over 500,000 square feet, the initial phase must include 5 percent of the total amount of industrial space or 50,000 square feet of industrial space, whichever is greater. (3254-10/94)
- L-2 Allowed upon approval of a conditional use permit by the Zoning Administrator when designed and oriented for principal use by employees of the surrounding industrial development or when designed for general public use, after considering vehicular access and parking requirements. (3254-10/94, 3708-6/05)
- L-3 Allowed upon approval of a conditional use permit by the Zoning Administrator when in a free-standing structure or as a secondary use in a building provided that no more than 20 percent of the floor area is occupied by such a use. (3254-10/94, 3523-2/02)
- L-4 Only stations offering services primarily oriented to businesses located in an I District are allowed with a conditional use permit by the Planning Commission. (3254-10/94)
- L-5 No new or used automobile, truck or motorcycle retail sales are permitted. (3254-10/94)
- L-6 Only schools offering higher education curriculums are allowed with conditional use permit approval by the Planning Commission. No day care, elementary or secondary schools are permitted. (3254-10/94)
- L-7 Recycling Operations as an accessory use are permitted; recycling operations as a primary use are allowed upon approval of a conditional use permit by the Zoning Administrator. (3254-10/94, 3708-6/05)
- L-8 Allowed upon conditional use permit approval by the Planning Commission when a single building with a minimum area of 100,000 square feet is proposed on a site fronting an arterial. The primary tenant shall occupy a minimum 95% of the floor area and the remaining 5% may be occupied by secondary tenants. (3254-10/94)
- L-9 Permitted if the space is 5,000 square feet or less; allowed by Neighborhood Notification pursuant to Chapter 241 if the space is over 5,000 square feet. (3254-10/94, 3523-2/02, 3708-6/05)
- L-10 RESERVED (3254-10/94, 3523-2/02, 3724-02/06)

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions (continued)

L-11 Allowed subject to the following requirements: (3378-2/98)

- A. A proposed sex oriented business shall be at least five hundred feet (500') from any residential use, school, park and recreational facility, or any building used for religious assembly (collectively referred to as a "sensitive use") and at least seven hundred fifty feet (750') from another sex oriented business. For purposes of these requirements, all distances shall be measured from the lot line of the proposed sex oriented business to the lot line of the sensitive use or the other sex oriented business. The term "residential use" means any property zoned RL, RM, RMH, RH, RMP, and any properties with equivalent designations under any specific plan. (3378-2/98)

To determine such distances the applicant shall submit for review a straight line drawing depicting the distances from the lot line of the parcel of land on which the sex oriented business is proposed which includes all the proposed parking and:
(3378-2/98)

1. the lot line of any other sex oriented business within seven hundred fifty feet (750') of the lot line of the proposed sex oriented business; and (3378-2/98)
 2. the lot line of any building used for religious assembly, school, or park and recreational facility within five hundred (500') feet of the lot line of the proposed sex oriented business; and (3378-2/98)
 3. the lot line of any parcel of land zoned RL, RM, RMH, RH, and RMP and any parcels of land with equivalent designations under any specific plans within five hundred feet (500') of the lot line of the proposed sex oriented business. (3378-2/98)
- B. The front facade of the building, including the entrance and signage, shall not be visible from any major, primary or secondary arterial street as designated by the Circulation Element of the General Plan adopted May, 1996, with the exception of Argosy Drive.
(3378-2/98)
- C. Prior to or concurrently with applying for a building permit and/or a certificate of occupancy for the building, the applicant shall submit application for Planning Department Staff Review of a sex oriented business zoning permit with the drawing described in subsection A, a technical site plan, floor plans and building elevations, and application fee. Within ten (10) days of submittal, the Director shall determine if the application is complete. If the application is deemed incomplete, the applicant may resubmit a completed application within ten (10) days. Within thirty days of receipt of a completed application, the Director shall determine if the application complies with the applicable development and performance standards of the

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions (continued)

Huntington Beach Zoning and Subdivision Ordinance. Said standards include but are not limited to the following: (3378-2/98)

1. Chapter 203, Definitions; Chapter 212, Industrial Districts; Chapter 230, Site Standards; Chapter 231, Off-Street Parking & Loading Provisions; Chapter 232, Landscape Improvements; and Chapter 236, Nonconforming Uses and Structures. (3378-2/98)
2. Chapter 233.08(b), Signs. Signage shall conform to the standards of the Huntington Beach Zoning and Subdivision Ordinance Code except
 - a. that such signs shall contain no suggestive or graphic language, photographs, silhouettes, drawings, statues, monuments, sign shapes or sign projections, or other graphic representations, whether clothed or unclothed, including without limitation representations that depict "specified anatomical areas" or "specified sexual activities"; and (3378-2/98)
 - b. only the smallest of the signs permitted under Chapter 233.08(b) shall be visible from any major, primary or secondary arterial street, such streets shall be those designated in the Circulation Element of the General Plan adopted May, 1996, with the exception of Argosy Drive.
3. Compliance with Huntington Beach Municipal Code Chapter 5.70. (3378-2/98)
- D. The Director shall grant or deny the application for a sex oriented business zoning permit for a sex oriented business. There shall be no administrative appeal from the granting or denial of a permit application thereby permitting the applicant to obtain prompt judicial review. (3378-2/98)
- E. Ten (10) working days prior to submittal of an application for a sex oriented business zoning permit for Staff Review, the applicant shall: (i) cause notice of the application to be printed in a newspaper of general circulation; and (ii) give mailed notice of the application to property owners within one thousand (1000') feet of the proposed location of the sex oriented business; and the City of Huntington Beach, Department of Community Development by first class mail. (3378-2/98)

The notice of application shall include the following: (3378-2/98)

1. Name of applicant; (3378-2/98)
2. Location of proposed sex oriented business, including street address (if known) and/or lot and tract number; (3378-2/98)
3. Nature of the sex oriented business, including maximum height and square footage of the proposed development; (3378-2/98)
4. The City Hall telephone number for the Department of Community Development to call for viewing plans; (3378-2/98)

LEGISLATIVE DRAFT

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions (continued)

5. The date by which any comments must be received in writing by the Department of Community Development. This date shall be ten (10) working days from staff review submittal; and (3378-2/98)
 6. The address of the Department of Community Development. (3378-2/98)
 - F. A sex oriented business may not apply for a variance pursuant to Chapter 241 nor a special sign permit pursuant to Chapter 233. (3378-2/98)
 - G. A sex oriented business zoning permit shall become null and void one year after its date of approval unless: (3378-2/98)
 1. Construction has commenced or a Certificate of Occupancy has been issued, whichever comes first; or (3378-2/98)
 2. The use is established. (3378-2/98)
 - H. The validity of a sex oriented business zoning permit shall not be affected by changes in ownership or proprietorship provided that the new owner or proprietor promptly notifies the Director of the transfer. (3378-2/98)
 - I. A sex oriented business zoning permit shall lapse if the exercise of rights granted by it is discontinued for 12 consecutive months. (3378-2/98)
- L-12 For wireless communication facilities see section 230.96 Wireless Communication Facilities. All other communication facilities permitted. (3568-9/02)
- (A) Repealed. (3254-10/94, 3708-6/05)
 - (B) A conditional use permit from the Zoning Administrator is required for any new use or enlargement of an existing use, or exterior alterations and additions for an existing use located within 150 feet of an R district. The Director may waive this requirement if there is no substantial change in the character of the use which would affect adjacent residential property in an R District. (3254-10/94)
 - (C) Accessory office uses incidental to a primary industrial use are limited to 10 percent of the floor area of the primary industrial use. (3254-10/94)
 - (D) Adjunct office and commercial space, not to exceed 25 percent of the floor area of the primary industrial use, is allowed with a conditional use permit from the Zoning Administrator, provided that it is intended primarily to serve employees of the industrial use, no exterior signs advertise the adjunct use, the adjunct use is physically separated from the primary industrial use, any retail sales are limited to goods manufactured on-site, and the primary industrial fronts on an arterial. (3254-10/94)
 - (E) See Section 241.22: Temporary Use Permits. (3254-10/94)
 - (F) See Chapter 236: Nonconforming Uses and Structures. (3254-10/94)

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions (continued)

- (H) Medical/dental offices, insurance brokerage offices, and real estate brokerage offices, except for on-site leasing offices, are not permitted in any I District. (3254-10/94)
- Administrative, management, regional or headquarters offices for any permitted industrial use, which are not intended to serve the public, require a conditional use permit from the Zoning Administrator to occupy more than 10 percent of the total amount of space on the site of the industrial use. (3254-10/94)
- (I) Automobile dismantling, storage and/or impound yards may be permitted subject to the approval of a conditional use permit by the Planning Commission and the following criteria: (3254-10/94)
- (a) The site shall not be located within 660 feet of an R district. (3254-10/94)
 - (b) All special metal cutting and compacting equipment shall be completely screened from view. (3254-10/94)
 - (c) Storage yards shall be enclosed by a solid 6-inch concrete block or masonry wall not less than 6 feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained. (3254-10/94)
 - (d) Items stacked in the storage yard shall not exceed the height of the screening walls or be visible from adjacent public streets. (3254-10/94)
- (J) Limited to facilities serving workers employed on-site. (3254-10/94)
- (K) Limited to: Single Room Occupancy uses (See Section 230.46). (3254-10/94, 3708-6/05)
- (L) Limited to Emergency Shelters. (3254-10/94)
- (M) Development of vacant land and/or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Planning Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic). (3254-10/94, 3523-2/02)
- (N) Major outdoor operations require conditional use permit approval by the Planning Commission. Major outside operations include storage yards and uses utilizing more than 1/3 of the site for outdoor operation. (3254-10/94)
- (O) See Section 230.40: Helicopter Takeoff and Landing Areas. (3254-10/94)
- (P) See Section 230.44: Recycling Operations. (3254-10/94)
- (Q) See Section 230.50: Indoor Swap Meets/Flea Markets (3254-10/94)
- (R) See L-11(A) relating to locational restrictions. (3254-10/94, 3378-2/98)

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IG AND IL Districts: Additional Provisions (continued)

- (S) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit. (3523-2/02)
- (T) Subject to approval by the Police Department, Public Works Department, and Fire Department and the Planning Director. (3523-2/02)
- (U) Neighborhood notification requirements when no entitlement required pursuant to Chapter 241. (3523-2/02, 3708-6/05)

212.06 IG AND IL Districts: Development Standards

The following schedule prescribes development standards for the I Districts. The first two columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Requirements" column reference requirements following the schedule or located elsewhere in this ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions. (3254-10/94)

	IG	IL	Additional Requirements
Residential Development			(M)
Nonresidential Development			
Minimum Lot Area (sq. ft.)	20,000	20,000	(A)(B) (3708-06/05)
Minimum Lot Width (ft.)	100	100	(A)(B)
Minimum Setbacks			(A)(C)
Front (ft.)	10;20	10;20	(D)
Side (ft.)	0	15	(E)(F) (3708-06/05)
Street Side (ft.)	10	10	
Rear (ft.)	0	0	(E) (3708-06/05)
Maximum Height of Structures (ft.)	40	40	(G)
Maximum Floor Area Ratio (FAR)	0.75	0.75	
Minimum Site Landscaping (%)	8	8	(H)(I)

	IG	IL	Additional Requirements
Fences and Walls	See Section 230.88		
Off-Street Parking and Loading	See Chapter 231		(J)
Outdoor Facilities	See Section 230.74		
Screening of Mechanical Equipment	See Section 230.76		(K)
Refuse Storage Area	See Section 230.78		
Underground Utilities	See Chapter 17.64		
Performance Standards	See Section 230.82		(L)
Nonconforming Uses and Structures	See Chapter 236		
Signs	See Chapter 233		

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IG AND IL Districts: Additional Development Standards

- (A) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots. (3254-10/94)
- (B) Smaller lot dimensions for new parcels may be permitted by the Zoning Administrator with an approved development plan and tentative subdivision map. (3254-10/94)
- (C) See Section 230.68: Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage. (3254-10/94)
- (D) The minimum front setback shall 10 feet and the average setback 20 feet, except for parcels fronting on local streets where only a 10 foot setback is required. (3254-10/94)

All I Districts: An additional setback is required for buildings exceeding 25 feet in height (1 foot for each foot of height) and for buildings exceeding 150 feet in length (1 foot for each 10 feet of building length) up to a maximum setback of 30 feet. (3254-10/94)

- (E) In all I districts, a 15-foot setback is required abutting an R district and no openings in buildings within 45 feet of an R district. (3254-10/94)
- (F) A zero-side yard setback may be permitted in the I districts, but not abutting an R district, provided that a solid wall at the property line is constructed of maintenance-free masonry material and the opposite side yard is a minimum of 30 feet. (3254-10/94)

Exception. The Zoning Administrator or Planning Commission may approve a conditional use permit to allow a 15-foot interior side yards opposite a zero-side yard on one lot, if an abutting side yard at least 15 feet wide is provided and access easements are recorded ensuring a minimum 30-foot separation between buildings. This 30-foot accessway must be maintained free of obstructions and open to the sky, and no opening for truck loading or unloading shall be permitted in the building face fronting on the accessway unless a 45-foot long striped areas is provided solely for loading and unloading entirely within the building. (3254-10/94)

- (G) See Section 230.70: Measurement of Height. Within 45 feet of an R district, no building or structure shall exceed a height of 18 feet. (3254-10/94)
- (H) Planting Areas. Required front and street-side yards adjacent to a public right-of-way shall be planting areas except for necessary drives and walks. A 6-foot wide planting area shall be provided adjacent to an R district and contain one tree for each 25 lineal feet of planting area. (3254-10/94)
- (I) See Chapter 232: Landscape Improvements. (3254-10/94)
- (J) Truck or rail loading, dock facilities, and the doors for such facilities shall not be visible from or be located within 45 feet of an R district. (3254-10/94)
- (K) See Section 230.80: Antennae. (3254-10/94)
- (L) Noise. No new use shall be permitted, or exterior alterations and/or additions to an existing use allowed, within 150 feet of an R district until a report prepared by a California state-licensed acoustical engineer is approved by the Director. This report shall include recommended noise mitigation measures for the industrial use to ensure that noise levels will conform with Chapter

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8.40 of the Municipal Code. The Director may waive this requirement for change of use or addition or exterior alteration to an existing use if it can be established that there had been no previous noise offense, that no outside activities will take place, or if adequate noise mitigation measures for the development are provided. (3254-10/94)

- (M) Group residential or accessory residential uses shall be subject to standards for minimum setbacks and height of the RH District. (3254-10/94)

212.08 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be required as follows: (3254-10/94, 3708-6/05)

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects including a zero-side yard exception; projects on substandard lots. (3254-10/94)
- B. Design Review Board. ~~Projects within redevelopment project areas and areas within 500 feet of a PS district; s~~Sec Chapter 244. (3254-10/94) ←
- C. Planning Commission. Projects requiring a conditional use permit from the Commission. (3254-10/94)
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245. (3254-10/94)

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Chapter 213 OS Open Space District

(3334-6/97, 3568-9/02)

Sections:

- 213.02 Open Space District Established
- 213.04 Applicability
- 213.06 OS District: Land Use Controls
- 213.08 OS District: Development Standards
- 213.10 Review of Plans

213.02 Open Space District Established

An Open Space District is established by this Chapter. This district provides areas for public or private use and areas for preservation and enhancement. Three subdistricts have been identified. (3334-6/97)

Subdistricts of the OS District include:

- A. OS-PR Open Space - Parks and Recreation Subdistrict.
- B. OS-S Open Space - Shoreline.
- C. OS-WR Open Space - Water Recreation Subdistrict. (3334-6/97)

213.04 Applicability

The OS district shall be the base district for the use classifications listed in Section 213.06 where these classifications have a minimum contiguous site area of 2 acres, including alleys, streets or other rights-of-way. Open-space use classifications on sites of less than 2 acres shall be subject to the provisions of the base and overlay districts in which they are located.

213.06 OS District: Land Use Controls

In the following schedule, letter designations are used as follows:

"P" designates use classifications permitted in the OS district.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" which follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

"TU" designate use classifications permitted on approval of a temporary use permit.

"P/U" for an accessory use means that the use is permitted on the site of a permitted use, but requires a use permit on the site of a conditional use.

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the Zoning Ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

OS DISTRICT	P = Permitted
LAND USE CONTROLS	L = Limited (see <u>Additional Provisions</u>)
	PC = Conditional use permit approved by Planning Commission
	ZA = Conditional use permit approved by Zoning Administrator
	TU = Temporary Use Permit
	P/U = Requires conditional use permit on site of conditional use
	= Not Permitted

	OS-PR	OS-S	OS-WR	Additional Provisions
Public and Semipublic				(F)
Marinas	-	-	PC	
Park & Recreation Facilities	PC	PC	-	
Public Safety Facilities	-	PC	-	
Utilities, Major	-	-	-	
Utilities, Minor	ZA	-	ZA	
Commercial Uses				(F)
Animal Sales and Services				(E)
Equestrian Centers	PC	-	-	
Commercial Recreation and Entertainment	PC	-	-	
Communication Facilities	L-4			(3568-902)
Eating & Drinking Establishments	L1	L1	-	
With Take-Out Service, Limited	L1	L3	-	
Vehicle/Equipment Sales and Services			-	
Commercial Parking Facility	L2	L2	-	
Accessory Uses				(A)(D)
Accessory Uses and Structures	P/U	P/U	P/U	
Temporary Uses				(B)
Animal Shows	TU	-	-	
Circuses and Carnivals	TU	-	-	
Commercial Filming	TU	TU	TU	
Nonconforming Uses				(C)
(3334-6/97)				

OS District: Additional Provisions

- L1** Allowed with a conditional use permit approval by the Zoning Administrator only as an ancillary use that is compatible with and part of a park or recreational facility. Only in the coastal zone overlay district, in public parks in both the Parks and Recreation and the Shoreline Subdistricts, only the following type of eating and drinking establishment shall be permitted: (3334-6/97)
- (a) Take-out service establishments where patrons order and pay for their food at a counter or window before it is consumed and may either pick up or be served such food at a table or take it off-site for consumption; and persons are not served in vehicles. (3334-6/97)
- L2** Public parking is permitted, but commercial parking facilities on City-owned land require a conditional use permit approval by the Planning Commission. Recreational vehicle overnight parking is limited to 10 percent of available public parking. No encroachment onto sandy beach area shall be permitted. (3334-6/97)
- L3** Beach concession stands for sale of refreshments and sundries (not to exceed 2,500 square feet) must be located a minimum 1,000 feet apart. Beach concession structures shall be located within or immediately adjacent to paved parking or access areas. (3334-6/97)
- L-4** Only wireless communication facilities permitted subject to Section 230.96 Wireless Communication Facilities. (3568-9/02)
- (A) Limited to facilities incidental to an open space use.
- (B) See Section 241.22: Temporary Use Permits.
- (C) See Chapter 236: Nonconforming Uses and Structures.
- (D) Private cantilevered decks abutting residential uses; private boat ramps, slips, docks, windscreen and boat hoists in conjunction with adjacent single family dwellings. See Residential Districts and Chapter 17.24.
- (E) See Section 230.48: Equestrian Centers.
- (F) The permitted uses for recreation areas on the Huntington Beach mesa shall be limited to low-intensity uses including picnic grounds, arboretums, bird sanctuaries, trails. High-intensity uses such as tennis courts, athletic fields, stables, campgrounds or other commercial or recreation uses shall be conditional only, and shall be located in nodes adjacent to existing developed areas or roads and shall avoid adverse impacts on environmentally sensitive habitats. (3334-6/97)

213.08 OS District: Development Standards

The following schedule prescribes development standards for the OS-PR, OS-S and OS-WR subdistricts. The first three columns prescribe basic requirements for permitted and conditional uses in each subdistrict. Letters in parentheses in the "Additional Requirements" column refer to standards following the schedule or located elsewhere in the zoning ordinance. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions. (3334-6/97)

**OS-PR, OS-S and OS-WR DISTRICTS
DEVELOPMENT STANDARDS**

	OS-PR	OS-S	OS-WR	Additional Requirements
Nonresidential Development				
Minimum Lot Area (sq. ft.)	5 ac	-	-	
Minimum Lot Width (ft.)	100	-	-	
Minimum Setbacks				
Front (ft.) -	25	50	-	
Side (ft.) -	25	-	-	
Street Side (ft.)	-	25	-	
Rear (ft.) -	25	20	-	
Maximum Height of Structures (ft.)	45	20	-	(A)(E)
Maximum Lot Coverage (%)	25	-	-	
Minimum Site Landscaping	See Chapter 232			(B)(F)
Building Design				(A)(C)
Fences and Walls	See Section 230.88			
Off-Street Parking/Loading	See Chapter 231			
Outdoor Facilities	See Section 230.74			
Screening of Mechanical Equipment	See Section 230.76			
Refuse Storage Areas	See Section 230.78			
Underground Utilities	See Chapter 17.64			(D)
Performance Standards	See Section 230.82			
Nonconforming Structures	See Chapter 236			
Signs	See Chapter 233			

(3334-6/97)

OS District: Additional Development Standards

(A) All development shall be compatible with the established physical scale of the area and shall not encroach on major view corridors. Public visual resources within the coastal zone shall be preserved and enhanced. Maximum height limit for development within the coastal zone in the Open Space Recreation Subdistrict shall be 35 feet. (3334-6/97)

- (B) To the extent feasible, mature trees, shall be protected. Development shall assure maximum protection of native vegetation and sensitive wildlife habitats. (3334-6/97)
- (C) All buildings and structures shall be sited and designed to assure stability and structural integrity for their expected economic life span and to minimize alterations to natural landforms.
- (D) Underground utilities shall be provided unless underground installation would have a substantial adverse impact on the environment.
- (E) Facilities necessary for public safety may exceed maximum height.
- (F) All setback areas along street frontages in OS-PR shall be fully landscaped.

213.10 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the ~~Community Development~~ **Planning** Department for review. Discretionary review shall be required as follows:

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots.
- B. Design Review Board. ~~Projects within redevelopment project areas, OS-PR and OS-S districts and areas within 500 feet of a PS district; s~~See Chapter 244. 
- C. Planning Commission. Projects requiring a conditional use permit from the Commission.
- D. Projects in the Coastal Zone. A Coastal Development pPermit is required unless the project is exempt; see Chapter 245.

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Chapter 214 PS Public-Semipublic District

(3334-6/97, 3524-2/02, 3553-5/02, 3568-9/02, 3673-12/04)

Sections:

214.02	Public-Semipublic District Established
214.04	Applicability
214.06	PS District: Land Use Controls
214.08	PS District: Development Standards
214.10	Review of Plans

214.02 Public-Semipublic District Established

The PS Public-Semipublic District is established by this chapter. This district provides areas for large public or semipublic uses. The intent of this district in the coastal zone is to implement the Public, Quasi-Public, and Institutional land use designation of the certified Local Coastal Program Land Use Plan. (3334-6/97)

214.04 Applicability

The PS District shall be the base district for the use classifications listed in Section 214.06 where these have a contiguous site area of 2 acres or more, including alleys, streets, or other rights-of-way. This requirement does not apply to Public-Semipublic use classifications in commercial districts. Public-semipublic use classifications on sites of less than 2 acres shall be subject to the provisions of the base and overlay districts in which they are located. (3553-5/02)

214.06 PS District: Land Use Controls

In the following schedule, letter designations are used as follows:

"P" designates use classifications permitted in PS districts.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" which follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"TU" designates use classifications allowed on approval of a temporary use permit.

"P/U" for an accessory use mean that the use is permitted on the site of a permitted use but requires a conditional use permit on the site of a conditional use.

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the zoning ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

PS DISTRICT:	P = Permitted
LAND USE CONTROLS	L = Limited (see <u>Additional Provisions</u>)
	PC = Conditional use permit approved by Planning Commission
	TU = Temporary Use Permit
	P/U = Requires conditional use permit on site of a conditional use

	PS	Additional Provisions
Public and Semipublic		
Cemetery	PC	
Cultural Institutions	PC	
Day Care, General	PC	
Government Offices	L-1	
Hospitals	PC	
Maintenance & Service Facilities	L-1	
Park & Recreation Facilities	PC	
Public Safety Facilities	PC	
Religious Assembly	ZA	(3524-2/02)
Residential Care, General	PC	
Schools, Public or Private	PC	
Utilities, Major	PC	
Utilities, Minor	P	
Commercial Uses		
Commercial Parking Facility	L-3	
Communication Facilities	L-4	(3568-9/02)
Eating and Drinking Establishments	L-2	
Vehicle/Equipment Sales and Services	L-1	
Accessory Uses		
Accessory Uses and Structures	P/U	
Temporary Uses		
Animal Shows	TU	(A)
Circuses and Carnivals	TU	
Commercial Filming, Limited	TU	
Trade Fairs	P	(3673-12/04)
Nonconforming Uses		
		(B)

PS District: Additional Provisions

- L-1 City-owned facilities are permitted; all other facilities require a conditional use permit from the Zoning Administrator. (3673-12/04)
 - L-2 Permitted as an accessory use in a cultural, educational, hospital, or medical institution occupying no more than 5,000 square feet, only if there is no separate entrance or sign.
 - L-3 Public parking permitted, but commercial parking facilities on City-owned land require a conditional use permit from the Zoning Administrator. (3673-12/04)
 - L-4 Only wireless communication facilities permitted subject to Section 230.96 Wireless Communication Facilities. (3568-9/02)
 - (A) See Section 241.20: Temporary Use Permits.
 - (B) See Chapter 236: Nonconforming Uses and Structures.
-

214.08 PS District: Development Standards

The following schedule prescribes development standards for the PS district. The first column prescribes basic requirements for permitted and conditional uses in the district. Letters in parentheses in the "Additional Requirements" column refer to standards following the schedule or located elsewhere in the zoning ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203 Definitions.

(Rest of page not used)

**PS DISTRICT
DEVELOPMENT STANDARDS**

	PS	Additional Requirements
Nonresidential Development		(A)
Minimum Lot Area	2 ac	
Minimum Lot Width (ft.)	100	
Minimum Setbacks		
Front (ft.)	10	(B)(C)(M)
Side (ft.)	0	(D) (3673-12/04)
Street Side (ft.)	10	(C)
Rear (ft.)	0	(D) (3673-12/04)
Maximum Height of Structures (ft.)	50	(D)(E)(N) (3334-6/97)
Maximum Floor Area Ratio (FAR)	1.5	
Minimum Site Landscaping (%)	8	(F)(G)
Building Design Standards		(L)(M)
Fences and Walls		(H)(I)
Off-Street Parking/Loading		(J)
Outdoor Facilities	See Section 230.74	(K)
Screening of Mechanical Equipment	See Section 230.76	(K)
Refuse Storage Areas	See Section 230.78	
Underground Utilities	See Chapter 17.64	
Performance Standards	See Section 230.82	
Nonconforming Structures	See Chapter 236	
Signs	See Chapter 233	

PS District: Additional Development Standards

- (A) See Section 230.62: Building Site Required.
- (B) See Section 230.68: Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage.
- (C) A minimum 50-foot setback is required along Beach Boulevard, Edinger Avenue, and Pacific Coast Highway or 25 foot setback with the setback area entirely landscaped.
- (D) Along a side or rear property line abutting an R district, a 10-foot setback is required, and structures within 45 feet of the district boundary shall not exceed 18 feet in height.
- (E) See Section 230.70: Measurement of Height and Section 230.72: Exceptions to Height Limits.

(F) **Planting Areas:**

- (1) Required side and rear yards shall be planting areas or shall be enclosed by a solid concrete or masonry wall at least 6 feet in height.
- (2) A 10-foot wide landscaped strip shall be provided along all street frontages, except for necessary driveways and walks.

(G) See Chapter 232: Landscape Improvements.

(H) See Section 230.88: Fencing and Yards.

(I) A solid masonry or concrete wall at least 6 feet in height shall adjoin the site of an existing ground-floor residential use. However, where the portion of the site within 10 feet of the front property line is occupied by planting area or by a building having no openings except openings opposite a street property line, the Director may grant an exception to this requirement. A wall within 15 feet of a street property line shall not exceed 3.5 feet in height.

(J) See Chapter 231: Off-Street Parking and Loading.

(K) See Section 230.44 Recycling Operations and Section 230.80: Antennae

(L) A front or street side wall surface shall be no longer than 100 feet without a break, a recess or offset measuring at least 20 feet in depth and one-quarter of the building length, or a series of offsets, projections or recesses, at intervals of not more than 40 feet that vary the depth of the building wall by a minimum of 4 feet. The Director may grant exceptions or allow these standards to be modified for exceptional or unique structures subject to Design Review, Chapter 244.

(M) On frontages adjacent to major or primary arterials at least 40 percent of a building surface may be located at the minimum setback line if additional landscaping is provided on the site.

(N) In the coastal zone, the maximum allowable height of structures shall be reduced as necessary to retain compatibility with the established physical scale of the area and to preserve and enhance public visual resources. (3334-6/97)

214.10 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the **Planning** Department for review. Discretionary review shall be required for projects requiring conditional use permits. Design Review shall be required for all projects except temporary uses pursuant to Chapter 244. A Coastal Development Permit is required for projects in the Coastal Zone unless the project is exempt (see Chapter 245).

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Chapter 233 Signs

(3334-6/97, 3360-12/97, 3527-2/02, 3711-06/05, 3826-4/09)

Sections:

233.02	Reserved
233.04	Permits Required
233.06	Permitted Signs
233.08	Exempt Signs
233.10	Prohibited Signs
233.12	Electronic Readerboards
233.14	Readerboard Signs-Multiple Users
233.16	Subdivisional Directional Signs
233.18	Promotional Activity Signs
233.20	Planned Sign Program
233.22	Miscellaneous Signs and Provisions
233.24	Nonconforming Signs
233.26	Code Compliance
233.28	Definitions

233.02 Reserved

233.04 Permits Required

Sign permits are required for all signs, unless expressly exempted under Section 233.08 or otherwise provided by this Code. A building permit application for a new sign or change in sign panel/face shall be approved by the Planning Department prior to installation and issuance of a building permit by the Building and Safety Department. (3360-12/97, 3527-2/02, 3826-4/09)

A. Sign Permit. A complete sign application shall include the following information:
(3334-6/97)

1. Two sets of fully-dimensioned plans drawn to scale. The plans shall include the following: (3334-6/97, 3360-12/97)
 - a. Site plan indicating the location of all proposed signs, as well as the size and location of existing signs on the site. Photographs should be submitted if available. (3334-6/97, 3360-12/97)
 - b. Sign elevations, indicating overall square footage and letter/figure dimensions, letter style, color (indicate standard color number if applicable), materials, proposed copy and illumination method.
(3334-6/97)
 - c. Dimensioned building elevations with existing and proposed signs depicted. (3334-6/97, 3360-12/97)
2. Property owner approval in the form of a letter or signature on the plans, approving the proposed signs and authorizing submission of the sign application. (3334-6/97, 3360-12/97)

3. For wall signs, method of attachment; for freestanding signs, foundation plan, sign support and attachment plan. (3334-6/97)
 4. Type and method of electrical insulation devices, where applicable. (3334-6/97)
 5. Any design modification from the requirements of this chapter that have been approved shall be noted, and compliance with the Planned Sign Program, limited sign permit, or sign code exception shall be demonstrated. (3334-6/97, 3360-12/97, 3826-4/09)
- B. Planned Sign Program. Review and approval of a Planned Sign Program pursuant to Section 233.20 is required for a sign permit for the following requests: (3334-6/97, 3826-4/09)
1. A site with five or more non-residential businesses or uses. (3334-6/97, 3360-12/97)
 2. A site with two or more freestanding identification signs where there is a request for a new freestanding sign. (3334-6/97, 3360-12/97)
 3. Commercial properties with 1,300 feet or more on one street frontage requesting more freestanding signs than allowed pursuant to Section 233.06. (3360-12/97)
 4. Consolidated subdivision directional signs identifying multiple projects on multiple sign panels. (3360-12/97)
 5. Service stations. (3334-6/97)
 6. Wall signs for second floor businesses with exterior access. (3360-12/97)
 7. Wall signs installed on a building wall not adjacent to the business suite. (3360-12/97)
- C. Sign Code Exception: The Director may grant approval for a sign code exception of not more than 20% in sign height or sign area. Ten (10) working days prior to submittal for a building permit, applicant shall notice adjacent property owners and tenants by first class mail. Notice of application shall include the following: (3527-2/02, 3711-6/05)
1. Name of applicant. (3527-2/02)
 2. Location of planned development or use, including address. (3527-2/02)
 3. Nature of the proposed development shall be fully disclosed in the notice. (3527-2/02)
 4. Planning Department phone number and address of City Hall shall be provided in the notice to call for viewing plans. (3527-2/02)
 5. The date by which any comments must be received in writing by the Planning Department. (3527-2/02)
 6. Planning Director shall receive entire list including name and address of those receiving the mailing. (3527-2/02)

The Design Review Board shall review and render a recommendation to the Director for sign code exception requests of more than 20% in sign height or sign area supergraphics, three-dimensional signs, and relief from the strict application of

Section 233.06. Neighborhood Notification required pursuant to Chapter 241. The following findings shall be made prior to approval of any sign code exception: (3334-6/97, 3360-12/97, 3527-2/02, 3711-06/05)

1. The sign is compatible with the character of the area and is needed due to special circumstances defined by the applicant and applicable to the property. (3334-6/97, 3360-12/97)
2. The sign will not adversely affect other signs in the area. (3334-6/97)
3. The sign will not be detrimental to properties located in the vicinity. (3334-6/97)
4. The sign will not obstruct vehicular or pedestrian traffic visibility and will not be a hazardous distraction. (3334-6/97)

D. Limited Sign Permit: The owner of a sign which does not conform to the provisions of Section 233.06 may file an application for a limited sign permit to the Director for permission to change the face or copy of such sign. A limited sign permit cannot be processed for an Illegal Sign or a Prohibited Sign listed in Section 233.10. The Director may approve the face change and extend a sign's use for a time period deemed appropriate, not to exceed two (2) years. A sign permit shall be obtained pursuant to Section 233.04(A) prior to installation of the new sign panel/face. (3334-6/97, 3360-12/97, 3826-4/09)

A cash bond in an amount determined by the Director to reflect the cost of removal based on information provided by a sign company shall be required to guarantee the sign's removal upon expiration of the limited sign permit. Approval shall be subject to the following findings: (3334-6/97)

1. Due to unique circumstances, the sign's immediate removal will result in a substantial hardship for the applicant. (3334-6/97)
2. The sign will not adversely affect other lawfully erected signs in the area. (3334-6/97)
3. The sign will not be detrimental to properties located in the vicinity. (3334-6/97)
4. The sign will be in keeping with the character of the surrounding area. (3334-6/97)
5. The sign will not obstruct vehicular or pedestrian traffic visibility and will not be a hazardous distraction. (3334-6/97)

E. Design Review Board. The Design Review Board (DRB) shall review and render a recommendation to the appropriate decision maker (Zoning Administrator, Director, Planning Commission, etc.) on the following items prior to issuance of a permit by the Planning and/or Building & Safety Departments for the following: (3360-12/97, 3527-2/02, 3826-4/09)

1. Electronic Readerboard Signs. (3360-12/97, 3527-2/02)
2. Signs on properties within the following areas: (3360-12/97, 3527-2/02)
 - a. ~~Redevelopment Agency project areas;~~ (3360-12/97, 3527-2/02, 3826-4/09) ←

- ba. Areas subject to specific plans which do not include specific guidelines for signs; (3360-12/97, 3527-2/02, 3826-4/09)
- eb. OS-PR (Open Space-Parks and Recreation) and OS-S (Open Space-Shoreline districts); and (3360-12/97, 3711-06/05)
- dc. Any other area designated by the City Council. (3360-12/97, 3711-06/05, 3826-4/09)

3. **DRB review or approval shall not be required for signs in Redevelopment Agency project areas.** ←

- F. **Temporary Sign Permits.** The Director may issue a temporary sign permit valid for up to 30 days, if it is found that the temporary sign is necessary to establish or maintain identity until a permanent sign can be erected. Extensions of the 30 day permit may be granted at the discretion of the Director. The Director may also approve a temporary sign permit for the following temporary signs provided the signs conform with the standards defined in Section 233.06: (3334-6/97, 3360-12/97)
 - 1. Signs necessary to avoid a dangerous condition, including directional signs during construction. (3360-12/97)
 - 2. Signs pertaining to a use permitted by a temporary use permit. (3360-12/97)
 - 3. Promotional activity signs that comply with Section 233.18 are permitted up to a maximum of 90 days per calendar year. (3360-12/97, 3826-4/09)

233.06 Permitted Signs

All signs shall be governed by the following schedule, except if addressed elsewhere in this chapter. The schedule lists maximum standards for number, area, and height of allowed signs which does not necessarily ensure architectural compatibility. Therefore, in addition to the enumerated standards, consideration shall be given to building setbacks, visibility of attached signing on the site, and the proposed sign's relationship to the overall appearance of the property, to the surrounding neighborhood, and to community goals. Compatible design, simplicity, sign effectiveness and adherence to the objectives and policies in the Urban Design Element of the General Plan shall be used as guidelines for sign approval. Nothing in this chapter shall preclude public access signage. (3334-6/97, 3360-12/97)

The City may, in addition, from time to time adopt policies regarding sign standards. Such policies may include separate standards or provisions for specific areas of the community. (3334-6/97, 3826-4/09)

A. COMMERCIAL DISTRICTS

1. FREESTANDING SIGNS ON ADAMS AVE., BEACH BLVD., BROOKHURST ST., EDINGER AVE., GOLDENWEST ST. AND WARNER AVE.

	STREET FRONTAGE	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIGN HEIGHT	MAXIMUM SIGN AREA
a.	Interior lots with less than 200 feet of street frontage	One	10 ft. +5 ft. for Bonus	50 sq. ft. +25 sq.ft. for Bonus
b.	Interior lots with min. 200 feet but less than 400 feet	One	15 ft. +5 ft. for Bonus	70 sq. ft. +30 sq.ft. for Bonus
c.	Corner lots with the greatest street frontage less than 400 feet	One per street frontage	7 ft. +3 ft. for Bonus	30 sq. ft. +15 sq.ft. for Bonus
d.	Interior lots with min. 400 feet of frontage AND Corner lots with min. 400 feet on one street frontage	One primary (P) and two secondary (S) signs per street	20 ft. (P) +5 ft. for (P) Bonus 7 ft. (S)	100 sq. ft. (P) +25 sq. ft. (P) Bonus 30 sq. ft. (S)
e.	Regional Mall Identification Sign	One per street frontage One freeway sign	25 ft. 25 ft. above freeway	100 sq. ft. 200 sq. ft.

2. FREESTANDING SIGNS ON ALL OTHER ARTERIALS NOT LISTED ABOVE

	STREET FRONTAGE	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIGN HEIGHT	MAXIMUM SIGN AREA
a.	Interior lots with less than 400 feet of street frontage	One	7 ft. +1 ft. for Bonus	50 sq. ft. +10 sq. ft. for Bonus
b.	Corner lots with the greatest street frontage less than 400 feet	One per street	7 ft. +1 ft. for Bonus	30 sq. ft. +10 sq. ft. for Bonus
c.	Interior lots with min. 400 feet of frontage AND Corner lots with min. 400 feet on one street frontage	One primary (P) and two secondary (S) signs per street	15 ft. (P) +0.5 ft. for Bonus 7 ft. (S)	70 sq. ft. (P) + 10 ft. for Bonus 30 sq. ft. (S)

1. **Bonus signs (B)** shall have an opaque background, internal illumination for items of information only.
2. **Multi-tenant panels** are permitted provided the panels are minimum 10 inches in height, with a minimum 6 inch letter height. They shall be restricted to one uniform background color and two colors for the sign copy, with the exception that the Center Identification may have a separate background color. Sign copies shall be limited to the company name or one generic item of information. Major tenant identification shall be encouraged by being placed on the largest panel.
3. **Secondary signs (S)** are in addition to the Primary (P) sign. Secondary sign copy shall be limited to business identification only.
4. **Street addresses** shall be included on all freestanding signs with minimum six (6) inch numerals.

OTHER LOCATIONAL CRITERIA FOR FREESTANDING COMMERCIAL SIGNS

1. No business shall have more than one freestanding sign facing each frontage.
2. Freestanding signs on the same site shall be located a minimum of 150 feet apart unless approved by a planned sign program.
3. A freestanding sign shall not be permitted in an area between the building and right-of-way when that portion of the building is located at the minimum setback.
4. Signs shall be located in a landscape planter a minimum of 2 feet wider than the sign itself. Square poles or other architectural treatment shall be required, except if the sign is 8 feet or less in height, it shall be of monument type, with a minimum 2 foot base. Placement shall conform with Diagram A.
5. No freestanding sign shall be located along a local street.

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A. COMMERCIAL DISTRICTS (CONTINUED)

3. WALL SIGNS

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	OTHER STANDARDS
<u>Individual Business Identification</u>	wall	One per street or parking lot frontage for each separate business on the ground floor Signs for second floor businesses with exterior access may be permitted by Planned Sign Program	1.5 sq. ft per linear ft. of business frontage. <u>Business <50,000 sq. ft. Max. total= 200 sq. ft.*</u> <u>Business 50,000+ sq. ft. No Max.*</u> * No sign shall exceed 200 sq. ft. or 1.5 sq. ft. per linear ft. of the wall upon which it is placed. <u>Channel letter signs: 15% bonus after above calculation.</u>	<ol style="list-style-type: none"> 1. Channel letter signs required on all sites consisting of 5 or more uses. 2. Signs over 50 sq. ft. shall have an opaque background and internal illumination for items of information only or shall be of channel letter design. 3. Multi-business consolidated wall signs shall be permitted provided the signs do not exceed the allowable sign area. 4. Placement shall conform to Diagram B. 5. One nameplate may be placed at each door, loading dock, or other entrance facing a public street; max. 6 sq. ft. 6. Signs on projecting canopies/awnings shall be considered wall signs. 7. Raceways shall only be permitted when unable to place electrical components within wall/parapet.
	under canopy	One per business	8 sq. ft.	<ol style="list-style-type: none"> 1. Canopy signs shall be attached perpendicular to the building face, centered above the store entrance or lease length. 2. Minimum 8 ft. ground clearance. 3. Signs shall not be illuminated.

4. CHANGEABLE COPY SIGNS

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM HEIGHT	OTHER STANDARDS
<u>Hotel with Convention Facility</u>	f/s	One per site	30% of allowable f/s area	See A.1. Freestanding Signs (a-d) above	To be combined with permitted sign.
<u>Live Entertainment</u>	f/s	One per site	30% of allowable f/s area	See A.1. Freestanding Signs (a-d) above	To be combined with permitted sign.
<u>Tenant Directory</u>	f/s	One per site	30 sq. ft.	7 ft.	Low intensity illumination, oriented toward pedestrians and motorists on site. Min. 30 ft. from exterior property lines, and 25 ft. from other freestanding signs.
<u>Menu Board</u>	f/s or wall	One per drive-thru lane	32 sq. ft. (3826-4/09)	7 ft.	May be in addition to permitted sign.
<u>Electronic Readerboards</u> (See Sections 233.12 and 233.14 for specifications)					

B. INDUSTRIAL DISTRICTS

1. FREESTANDING SIGNS

SEE CRITERIA	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Industrial/ Mixed Uses</u>	One business identification sign per site	Under 1 acre: 32 sq. ft. Industrial centers over 1 acre: 50 sq. ft.	7 ft.	<ol style="list-style-type: none"> 1. Sign copy shall be limited to center or single business identification only. No multi-tenant panels shall be permitted. 2. Freestanding signs shall conform to Diagram A, and shall be located in a landscaped planter a minimum of 2 feet wider than the sign itself. 3. All freestanding signs shall have the street address included on the sign. 4. Signs shall be monument type. 5. Internally illuminated signs shall be designed as bonus signs.
<u>Mixed Use Businesses with Frontages on Gothard Street</u>	One per street frontage	Under 1 acre: 32 sq. ft. Industrial centers over 1 acre: 50 sq. ft.	10 ft.	<ol style="list-style-type: none"> 1. Multi-tenant panels are permitted provided the panels are minimum 10 inches in height with minimum 6 inch high letters. They shall be restricted to one uniform background color and two colors for the sign copy, with the exception that the Center Identification may have a separate background color. Sign copies shall be limited to the company name or one generic item of information. 2. Major tenant identification shall be encouraged by being placed on the largest panel. 3. Signs eight (8) feet or less shall be monument type. 4. Internally illuminated signs shall be designed as bonus signs.

2. WALL SIGNS

SEE CRITERIA	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>All Industrial/ Mixed Uses</u>	One per street or parking lot frontage for each separate business	1 sq. ft. per linear ft. of building frontage. Channel letter signs receive a 10% bonus after the above calculation. Max. 100 sq. ft. per business for all wall signs.	Below roofline	<ol style="list-style-type: none"> 1. One nameplate may be placed at each door, loading dock, or other entrance facing a public street; max. 6 sq. ft. 2. Internally illuminated signs shall be designed as bonus signs. 3. Raceways shall only be permitted when unable to place electrical components within wall/parapet.

C. RESIDENTIAL

SITE CATEGORIES	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Neighborhood Identification</u>	f/s	1 per street entrance	1 sq. ft. per unit, max. 50 sq. ft.	6 ft.	<ol style="list-style-type: none"> 1. Signs shall be affixed to perimeter wall or placed within a landscaped planter. 2. Sign copy shall be limited to 18 inches in height, name of development only. 3. Freestanding signs shall be set back 20 feet from any interior property line. Placement shall conform to Diagram A.
	OR wall	One on each side of each street entrance	0.5 sq. ft. per unit, max. 25 sq. ft.		
<u>Vacancy Signs for Multi-family Developments</u>	wall	One per street frontage	6 sq. ft.	Below roofline	<ol style="list-style-type: none"> 1. Copy limited to "vacancy," type of unit available, and source of information.

D. CHURCHES, AND SCHOOLS, AND COMMERCIAL RECREATIONAL USES WITHIN PUBLIC PARKS

SITE CATEGORIES	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Identification</u>	f/s	One per site	32 sq. ft.	7 ft.	<ol style="list-style-type: none"> 1. Freestanding signs shall be completely located within a landscaped planter. 2. Signs shall be monument type. 3. Freestanding signs shall be set back 5 ft. from any interior property line. 4. All freestanding signs shall have the address included on the sign. 5. Raceways shall only be permitted when unable to place electrical components within wall/parapet.
	AND wall	One per site	1 sq. ft. per linear ft. of bldg. frontage Max. 32 sq. ft.	Below roofline	
<u>Changeable Copy</u>	f/s	One per site	30% of allowable f/s area	7 ft.	<p>To be combined with permitted sign.</p> <p>May be in addition to permitted sign.</p>
	wall	One per site	32 sq. ft. (3826-4/09)		

E. SERVICE STATIONS

TYPE OF SIGN	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	SIGN HEIGHT	OTHER STANDARDS
<u>Business Identification</u>	f/s	One per site	<p><u>Alternative A:</u> 20 sq. ft. if sign contains only identification and no changeable copy panels for pricing.</p> <p><u>OR</u></p> <p><u>Alternative B:</u> 50 sq. ft. if price information is incorporated on sign. Sign shall contain panels for fuel price only. No detached price signs shall be located elsewhere on the site.</p>	7 ft.	<ol style="list-style-type: none"> 1. Service stations with convenience markets shall use <u>Alternative A.</u> 2. Freestanding signs shall be located in a landscaped planter a minimum of 2 feet wider than the sign itself. 3. Signs shall be monument type. 4. All freestanding signs shall have the address included on the sign.
	wall and/or canopy	<p>One per street frontage</p> <p>One per street frontage</p>	<p>1 sq. ft. per linear foot of building frontage</p> <p>10 sq. ft.</p>	Below roofline	<ol style="list-style-type: none"> 1. Internal illumination or channel letters only. 2. If canopy fascia signs are used for business ID, no wall signs shall be permitted on bldg. 3. Max. letter height for fascia signs shall be 75% of fascia width. 4. If canopy fascia signs are not provided, a logo may be permitted on each side of canopy column connector (spandrel) in addition to wall signs.
<u>Fuel Price and Credit Information</u>	f/s	<p>One per street frontage in conjunction with <u>Alternative A</u> sign</p> <p>Price signs shall be located a minimum 15 ft. from other freestanding signs.</p>	12 sq. ft.	6 ft.	<ol style="list-style-type: none"> 1. Price signs shall advertise fuel prices only and no other product available. 2. Freestanding signs shall be completely located within a landscaped planter.

E. SERVICE STATIONS (CONTINUED)

SIGN CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Pump Instructions or Identification</u>	attached to pump island column	One per canopy column	2 sq. ft.	10 ft.	<ol style="list-style-type: none"> 1. No other signs shall be permitted on the canopy or column except as specified. 2. Point of purchase signs shall be prohibited. 3. State or Federal government required signs encompassed within a fuel pump shall not be regulated by this ordinance.

F. PERMITTED IN ALL DISTRICTS

SIGN CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Building Identification for Buildings Over 100 Ft. in Height</u>	wall	One per building frontage	3 sq. ft. per foot of bldg. height	Shall be placed within top 25 ft. of bldg.	<ol style="list-style-type: none"> 1. Such sign shall be in addition to that which is permitted elsewhere in this article. 2. Raceways shall only be permitted when unable to place electrical components within wall/parapet.
<u>Promotional Activity Signs</u>		Repealed: (3826-4/09)			

233.08 Exempt Signs

The following signs are exempt from the sign permit requirements of Section 233.04. These signs shall not be restricted by content and no fee, permit or application is required: (3334-6/97, 3826-4/09)

- A. Cornerstones (including names of buildings and dates of erection), and citations that are made an integral part of the structure. (3334-6/97, 3826-4/09)
- B. Signs not exceeding 0.5 square feet each posted by commercial establishments. (3334-6/97, 3826-4/09)
- C. Flags posted by any governmental agency. (3334-6/97, 3826-4/09)
- D. Signs posted by neighborhood safety organizations. (3334-6/97, 3826-4/09)
- E. Notices posted by a utility or other quasi-public agent in the performance of a public duty. (3334-6/97, 3826-4/09)
- F. Signs or notices posted by any court, public body or officer. (3334-6/97, 3826-4/09)
- G. Signs posted by property owners on private property, as required by law (including no trespass and legal notices). (3334-6/97, 3826-4/09)

- H. One sign, not over six (6) square feet in area, may be posted at each door, loading dock, or other entrance facing a public street. (3334-6/97, 3826-4/09)
- I. One double-faced sign per each commercial parking entrance, not exceeding two (2) square feet in area and four (4) feet in height. (3334-6/97, 3826-4/09)
- J. Signs erected by a public agency. (3334-6/97, 3826-4/09)
- K. Signs manufactured as a standard, integral part of a mass-produced product accessory or display structure including telephone booths, vending machines, automated teller machines, and gasoline pumps. (3334-6/97, 3826-4/09)
- L. Signs within a building not visible from a public street and window signs not exceeding 20 percent of the visible area of a window (50% during December). No window sign shall be displayed above the second story. (3334-6/97, 3360-12/97, 3826-4/09)
- M. Signs required by the Americans with Disabilities Act (ADA). (3360-12/97, 3826-4/09)
- N. Two (2) signs (including, but not limited to, street numerals and "no solicitation" notices), not exceeding two (2) square feet each, placed on any part of a building facing a public street. (3334-6/97, 3826-4/09)
- O. Temporary signs. In any residential zone, the owner of a lot shall be allowed to post temporary signage on the lot itself, but not off-site in street medians, dividers, and other public rights-of-way. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, and home construction or remodeling, etc. Signage shall be allowed for each lot as follows: (3334-6/97, 3826-4/09)

TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS	
<u>Election Signs or Political Signs</u>	F/S or Wall	One per site	N/A	N/A	1. Cannot create traffic or safety hazards. 2. May be erected no more than seventy five (75) days prior to an election and must be removed within fifteen (15) days after an election. (3826-4/09)
<u>Real Estate</u> Residential	F/S or Wall	One per site	8 sq. ft.	6 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. No sign may be attached to the perimeter walls of residential communities. (3826-4/09)

<u>Real Estate</u> Commercial Office Dist.	F/S or Wall	1 per site	20 sq. ft.	10 ft. 12 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. (3826-4/09)
<u>Real Estate</u> Commercial Industrial	F/S or Wall	1 per site	30 sq. ft.	12 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. (3826-4/09)
<u>Real Estate</u> All other Districts	F/S or Wall	1 per site	20 sq. ft.	10 ft.	1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. Signs shall not be attached to the perimeter walls of residential communities. (3826-4/09)
<u>Construction</u> <u>Signs</u>	F/S or Wall	1 per site	32 sq. ft.	None	1. Is erected no earlier than the date a building permit is issued for the property, and is removed prior to issuance of a certificate of occupancy or final inspection, whichever comes first. (3826-4/09)
<u>Open House</u> <u>Signs</u>	F/S or Wall	1 per site	6 sq. ft.	4 ft.	1. Sign must be displayed adjacent to the entrance of a property or in the case of a residential subdivision at the immediate points of access to the property from an arterial, and is removed by sunset on any day it is erected. 2. Placement shall not be in street medians, dividers, on street signs, traffic control devices and shall not obstruct the public right-of-way. (3826-4/09)
<u>Open House</u> <u>Sign</u>	Flags	3 per site	2.5 sq. ft.	6 ft.	1. Must be displayed at the immediate points of access to a property or, in the case of a residential subdivision, from the immediate point of access from an arterial. (3826-4/09)
<u>Pennants</u>			30 sq. ft.		1. Must be placed on light standards located on private property. 2. Must have an eight (8) foot clearance from the ground. 3. Must be removed within five (5) business days of the completion of the City-sponsored event or theme. (3826-4/09)

233.10 Prohibited Signs

- A. Canvas signs, banners, pennants, streamers, balloons or other temporary signs except as provided in Sections 233.08 (Exempt Signs), 233.16 (Subdivision Directional Signs) or 233.18 (Promotional Activity Signs). (3334-6/97, 3360-12/97)
- B. Mobile, A-frame, and portable signs and those of a similar nature which are not permanently attached to the ground or building except as provided in Sections 233.18 or 233.20. (3334-6/97)
- C. Roof signs except those permitted under Section 233.18(4). (3334-6/97, 3826-4/09)
- D. Signs which resemble any official marker erected by the city, state, or any governmental agency, or which, by reason of position, shape, color or illumination would conflict with the proper functioning of any traffic sign or signal or would be a hazard to vehicular or pedestrian traffic. (3334-6/97)
- E. Signs which produce odor, sound, smoke, fire or other such emissions. (3334-6/97)
- F. Flashing, moving, pulsating, or intermittently lighted signs, mechanical movement signs, including searchlights, except electronic readerboards and public service signs such as those for time and temperature. (3334-6/97)
- G. Animals or human beings, live or simulated, utilized as signs. (3334-6/97)
- H. Projecting signs, except canopy or awning signs and under-canopy signs, subject to subsections 233.06(A) and 233.06(E). (3334-6/97, 3360-12/97)
- I. Signs which constitute a nuisance or hazard due to their intensity of light. (3334-6/97)
- J. Signs visible from and within 100 feet of an R district which are illuminated between the hours of 10:00 PM and 7:00 AM unless they identify an establishment open for business during those hours. (3360-12/97)
- K. Off-premises signs, including billboards or advertising structures installed for the purpose of advertising a project, subject or business unrelated to the premises upon which the sign is located, except as permitted pursuant to Sections 233.14 (Readerboard Signs-Multiple Users) and 233.16 (Subdivision Directional Signs). (3334-6/97, 3826-4/09)
- L. Abandoned signs and signs which no longer identify a bona fide business conducted on the premises. Such signs shall be removed by the property owner within 60 days of the business' closing date. The sign panel may be turned over (blank side out) if the sign complies with code. (3334-6/97, 3360-12/97)
- M. Signs located on public property, including signs affixed to utility poles, trees or projecting onto the public right-of-way, except political signs and those required by law. This section shall not prohibit the placement of advertising panels on public service items including, but not limited to, trash receptacles, bicycle racks, bus benches, transit shelters, and telephone booths, within public rights-of-way or in publicly-operated beaches or parks provided such items are placed in accord with an agreement granted by the City Council. (3334-6/97, 3360-12/97, 3826-4/09)

- N. Vehicle signs, signs affixed to automobiles, trucks, trailers or other vehicles on public or private property for the purpose of advertising, identifying or providing direction to a use or activity not related to the lawful use of the vehicle for delivering merchandise or rendering service. Any such vehicle signs which have as their primary purpose to serve as a non-moving or moving display are prohibited. (3334-6/97, 3826-4/09)

233.12 Electronic Readerboards

Electronic readerboards are permitted subject to the review by the Design Review Board, and approval of a conditional use permit by the Zoning Administrator. (3334-6/97, 3360-12/97, 3711-06/05, 3826-4/09)

- A. Required Findings: Prior to approving a conditional use permit to allow an electronic readerboard sign, the Zoning Administrator shall make the following findings: (3334-6/97, 3711-06/05)
1. The proposed electronic readerboard sign conforms with the standards and criteria as set forth in this chapter; (3334-6/97)
 2. The proposed electronic readerboard sign is compatible with other signs on the site and in the vicinity; (3334-6/97)
 3. The proposed electronic readerboard sign will not adversely impact traffic circulation in adjacent rights-of-way or create a hazard to vehicular or pedestrian traffic; and (3334-6/97)
 4. The proposed electronic readerboard sign shall not have adverse visual impacts on adjoining commercial and/or residential neighborhoods. (3334-6/97)
- B. Readerboard Sign Criteria: (3360-12/97)
1. Electronic readerboards may be freestanding or wall type signs. (3334-6/97)
 2. The maximum number of electronic readerboards shall be one per site. (3334-6/97)
 3. The maximum sign area shall be 115 square feet; 90 square feet for message center; and 25 feet for other information. (3334-6/97)
 4. The maximum height of a freestanding electronic readerboard sign shall be 25 feet. (3334-6/97, 3360-12/97)
 5. The electronic readerboard shall have cylinders, a shade screen and a photocell for reducing the intensity of lighting at night. (3334-6/97)
 6. The maximum measurable light output of the electronic readerboard shall not exceed 50 foot-candles at any property line. (3334-6/97)
- C. Location Requirements: (3334-6/97)
1. Electronic readerboards shall only be allowed on parcels abutting a freeway and on parcels abutting Beach Boulevard, excluding the portion along Beach Boulevard designated as a landscape corridor south of Adams to Pacific Coast Highway. (3334-6/97)
 2. Minimum lot frontage: 200 feet. (3334-6/97)

3. Minimum distance between electronic readerboards: 150 feet. (3334-6/97)
4. Minimum distance to any residence: 150 feet. (3334-6/97)

D. Other Standards: (3334-6/97)

1. Where a site has an electronic readerboard, temporary banners, balloons, flags, etc. shall be permitted a maximum of 15 days per calendar year. (3334-6/97)
2. Hours of operation: 6:30 AM to 10:30 PM. At least 10 percent of the message time, or any percentage deemed necessary by the City for emergency conditions, shall be used for public service announcements. (3334-6/97)
3. Messages in an electronic readerboard shall be no faster than one message every four seconds, and the minimum interval between messages shall be at least one second. Continuous motion of messages is not permitted. (3334-6/97)
4. Light intensity changes (other than between day and night uses) are not permitted. (3334-6/97)
5. In addition to the electronic readerboard sign, one monument sign, maximum of seven (7) feet in height and a maximum fifty (50) square feet in sign area, may be permitted and all other signage shall be brought into conformance with this chapter. (3334-6/97)

233.14 Readerboard Signs - Multiple Users

Off-site electronic readerboard signs may be permitted subject to review by the Design Review Board and approval of a conditional use permit by the Zoning Administrator. Approval of electronic readerboard signs shall be subject to the following: (3334-6/97, 3711-06/05, 3826-4/09)

- A. Required Findings: Prior to approving a conditional use permit to allow a multiple user electronic readerboard sign, the Zoning Administrator shall make the following findings: (3334-6/97)
 1. The proposed electronic readerboard sign conforms with the standards and criteria as set forth in the Huntington Beach Zoning and Subdivision Ordinance; (3334-6/97, 3360-12/97)
 2. The proposed electronic readerboard sign will not adversely impact traffic circulation in adjacent right-of-way or create a hazard to vehicle or pedestrian traffic. (3334-6/97, 3360-12/97)
- B. Multiple User Readerboard Sign Criteria: (3360-12/97)
 1. Multiple user electronic readerboard signs may be located at a site which is not the location of any of the parties using the sign for advertising. (3334-6/97)
 2. Multiple user electronic readerboard shall be freestanding. (3334-6/97)
 3. The maximum sign area shall be twelve hundred (1200) square feet. (3334-6/97)
 4. The maximum height of a multiple user readerboard sign shall be eighty-five (85) feet. (3334-6/97)

5. The multiple user readerboard shall have cylinders or directional incandescent lamps and have a shade screen or louver system, a shade screen and a photocell for reducing the intensity of lighting at night. (3334-6/97)

C. Lighting Standards: (3334-6/97)

1. The maximum night time light intensity and illuminance shall conform to the following: (3334-6/97)

MAXIMUM NIGHT TIME INTENSITY

Height from Ground (in feet)	5	10	20	30	50	70	85
Maximum Intensity (x 1000 lumens)	125	130	145	170	250	370	490

(3334-6/97, 3360-12/97)

MAXIMUM NIGHT TIME ILLUMINANCE

Land Use at Receptor Site	Residential	Commercial	Other
Maximum Illuminance (foot-candles)	0.3	2.0	1.0

(3334-6/97)

The maximum night time illuminance shall be measured at the receptor site, at ground level, by a direct reading, portable light meter. Measurements shall not be made within one hour after sunset or before sunrise. (3334-6/97)

2. Illuminance shall be determined by the difference between a reading taken with the sign on and another reading taken within three (3) minutes with the sign off. (3334-6/97)
3. An illuminance chart shall be prepared by a licensed engineer and submitted to the Director for approval prior to installation. Conformance with this ordinance shall be verified by actual measurements made, as specified herein, after installation. The method of measurement and results shall be subject to approval of the Director. (3334-6/97)

D. Location Requirements: (3334-6/97)

1. A multiple user readerboard shall be located no farther than two hundred (200) feet from a freeway. (3334-6/97)
2. The minimum distance between multiple user readerboards shall be one thousand (1,000) feet. (3334-6/97)
3. The sign shall be a minimum distance of 600 feet from residential properties. (3360-12/97)

E. Other Standards: (3334-6/97)

1. No off-site electronic readerboard will be permitted except for multiple users. (3334-6/97)

2. At least twenty percent (20%) of the message time, or any percentage deemed necessary by the City for emergency conditions shall be used for public service announcements. (3334-6/97)
3. Messages in a multiple user sign shall be no faster than one message every four (4) seconds and the minimum interval between messages shall be at least one second. (3334-6/97)
4. Light intensity changes (other than between day and night uses) are not permitted. (3334-6/97)

233.16 Subdivision Directional Signs

Subdivision directional signs shall contain only the name of a development, the developer, price information, and directional information for land development projects located within the City. Sign permits for off-site subdivision directional signs for land development projects shall be limited to no more than six off-site signs, and approval for such signs shall be subject to the following standards: (3334-6/97, 3826-4/09)

A. Location requirements: (3334-6/97)

1. Signs shall not be located within any street medians, divides, or other public rights-of-way or on any property developed with residential uses other than that of the subdivision identified. (3334-6/97, 3826-4/09)
2. Signs located on the same side of the street shall be a minimum of 600 feet from any other subdivision directional sign except a sign may be permitted on each corner of the intersection of arterial highways. (3334-6/97)
3. Maximum area and height: (3334-6/97)
 - a. 64 square feet in area and 15 feet high provided there is a minimum 50 foot distance from any adjacent developed property. (3334-6/97)
 - b. 32 square feet in area and 8 feet high provided there is a minimum 25 foot distance from any adjacent developed property. (3334-6/97)

B. Permit expiration: Sign Permits issued for subdivision directional signs shall expire either one year from the date of issuance or on the date 90 percent of the project's units have all been sold, leased, or rented for the first time, whichever is sooner. Annual renewals may be granted for such time as units still exist for sale; however, no more than one directional sign is allowed after 90 percent of the units are sold, leased or rented. (3334-6/97, 3826-4/09)

C. Street widening: When a sign conflicts with street widening or construction, it shall be removed upon written notice at no cost to any public agency. (3334-6/97)

D. Required bond: Prior to the issuance of a building permit, the applicant shall file a cash bond in an amount set by resolution of the City Council. The full bond amount shall be refunded if the sign structure is removed and the site restored to its original condition within 15 days after the expiration of the permit. If the sign structure is not removed, the City shall remove the sign and its supporting structure with the cost deducted from the cash bond, and any remainder refunded. (3334-6/97)

233.18 Promotional Activity Signs

- A. Promotional activity signs may be placed on a site subject to the issuance of a temporary sign permit by the Director, and provided that such signs comply with all

of the standards set forth in this Section, and provided such signs do not create safety hazards or block signs identifying adjoining establishments. (3334-6/97, 3826-4/09)

- B. A temporary sign permit for a promotional activity sign, banners, pennant or pennants, unless otherwise specified, shall be valid for a maximum of ninety (90) days in any calendar year and shall not be renewable. (3334-6/97, 3360-12/97, 3826-4/09)
- C. Promotional activity banners shall not exceed one square foot of banner area for each linear foot of building frontage and in no case shall the total banner area exceed 100 square feet. Pennants shall be limited to a maximum of one square foot for each pennant. (3334-6/97, 3360-12/97, 3826-4/09)
- D. A promotional activity banner, as permitted above, shall not be affected by the issuance of a grand opening promotional activity sign permit during the same calendar year. The size of a grand opening promotional activity banner shall not exceed the size specified in Section 233.18 C. (3334-6/97, 3360-12/97, 3826-4/09)
- E. Promotional activity signs, banners, and pennants shall be maintained and not be in a condition of disrepair. Disrepair shall include torn, faded or sagging signs. (3334-6/97, 3826-4/09)
- F. The Director may approve a temporary sign permit for a promotional sign, to be displayed on a site with electronic readerboards up to a maximum of fifteen (15) days per calendar year. (3334-6/97, 3826-4/09)
- G. Vehicle sales businesses and automobile dealerships located on Beach Boulevard may, without first obtaining a temporary use permit from the Director, display promotional activity signs, banners, pennants, and car-top signs that comply with the following standards: (3334-6/97, 3360-12/97, 3826-4/09)
 - 1. Eighteen inch (18") non-metallic helium balloons and large non-metallic inflatables may be displayed on the weekends (Friday 9:00 AM through Sunday 12:00 Midnight), provided they do not project over the public right-of-way. (3334-6/97)
 - 2. Automobile dealerships on Beach Boulevard shall be permitted to display flags, pennants, banners and car-top signs throughout the year. (3334-6/97)
- H. Vehicle sales businesses and automobile dealerships located on Beach Boulevard shall obtain a temporary sign permit for the use of large displays and inflatables larger than eighteen inches (18") in diameter. The displays and inflatables shall be affixed directly to the ground or roof of a building. The displays and inflatables shall be limited to a maximum of twelve (12) weekends per calendar year. (3360-12/97, 3826-4/09)

233.20 Planned Sign Program

A Planned Sign Program shall be submitted to the Director when required by Section 233.04 B. Such program shall be reviewed and approved by the Director prior to issuance of any building permit. The purpose of the Planned Sign Program is to encourage coordinated and quality sign design as well as to permit more flexible sign standards for commercial and industrial centers. (3334-6/97, 3360-12/97, 3527-2/02, 3826-4/09)

The standards of Section 233.06 shall be used as a guide in the design of a Planned Sign Program. The property owner shall designate a person or firm as the primary liaison with the City for the purpose of submitting sign permit requests in conformance with the approved Planned Sign Program. (3334-6/97, 3360-12/97, 3826-4/09)

- A. Planned sign program applications shall be submitted to the Planning Division and shall include the following: (3334-6/97)
1. A site plan, drawn to scale, depicting the precise locations of all buildings and signs; (3334-6/97, 3360-12/97)
 2. Drawings and/or sketches indicating the exterior surface details of all buildings on the site on which wall signs, directory signs, or projecting signs are proposed; (3334-6/97)
 3. Written text describing the specific sign criteria for the property. The program shall, at minimum, include provisions regulating sign height, area, sign type, colors, design and location. (3360-12/97)
 4. A statement of the reasons for any requested modifications to the provisions or standards of this chapter; and (3334-6/97)
 5. The name, address, and telephone number of the person or firm responsible for administering the Planned Sign Program. (3334-6/97, 3826-4/09)
- B. A Planned Sign Program may include more than one freestanding sign per parcel or other deviations from the standards of this chapter, provided that the total sign area does not exceed the area otherwise permitted by Section 233.06 by more than 10%, or by 30% for multiple automobile franchises occupying the same lot, and commercial businesses with 50,000 square feet or more of floor area. In approving a Planned Sign Program, the Director shall find: (3334-6/97, 3360-12/97, 3826-4/09)
1. That the proposed signs are compatible with the style or character of existing improvements on the site and are well related to each other, reflecting a common theme and design style. (3334-6/97)
- C. The Director may require any reasonable conditions necessary to carry out the intent of the Planned Sign Program. For developments with existing signs, a schedule or phasing plan for bringing such signs into conformance with the Planned Sign Program shall be submitted and become part of the approval of the Planned Sign Program. A cash bond may be required to guarantee their modification or removal. (3334-6/97, 3360-12/97, 3826-4/09)

233.22 Miscellaneous Signs and Provisions

- A. Signs within the Downtown Specific Plan or located in any other specific plan areas shall comply with any additional requirements outlined within the plan itself and any applicable design guidelines. (3334-6/97, 3826-4/09)
- B. Non-commercial murals, non-commercial large graphic designs, and statuary shall be subject to review by the Director for the sole purpose of ensuring that such displays will not pose a hazard to public health, safety or welfare. (3334-6/97)
- C. No window or contiguous window panes shall be covered by paper or painting signs that exceed 20% of the total area of that window, however, windows may be covered up to 50% during the month of December. (3334-6/97, 3360-12/97, 3826-4/09)

233.24 Nonconforming Signs

- A. Continuation of Use. A nonconforming sign may be maintained on site after the effective date of the ordinance codified in this title, provided that the nonconforming sign is not: (3334-6/97, 3360-12/97, 3826-4/09)
1. Changed to another nonconforming sign; or (3334-6/97)
 2. Structurally altered so as to extend its useful life; or (3334-6/97)
 3. Expanded or altered as defined in Section 233.28, except that a change of sign panel/face may be permitted provided the items of information on the sign (i.e., business name) remain the same; or (3334-6/97, 3360-12/97)
 4. Reestablished after discontinuance for ninety (90) days or more; or (3334-6/97, 3360-12/97)
 5. Reestablished after damage or destruction of more than fifty percent (50%) of the sign value at the time of such damage or destruction. (3334-6/97, 3360-12/97)
- B. Signs replaced or requested to be modified at the owner's initiative shall comply with all current provisions of this chapter unless the Director approves a Sign Code Exception, a Limited Sign Permit or Planned Sign Program. (3334-6/97, 3360-12/97, 3826-4/09)

233.26 Code Compliance

Signs shall be subject to the provisions of this chapter, the Uniform Building Code and National Electric Code, as adopted by the City. (3334-6/97, 3360-12/97)

Any sign by design, location or configuration that violates this Chapter or creates a pedestrian or vehicle hazard is deemed to be a public nuisance and subject to enforcement under this Code and/or the Huntington Beach Municipal Code. (3826-4/09)

Penalty. No person, firm, corporation or other legal entity shall maintain, place, erect, or permit any sign to be displayed in violation of this chapter. Violations are a misdemeanor and are punishable as provided in Chapter 249 Enforcement of the Huntington Beach Zoning and Subdivision Ordinance. (3360-12/97)

233.28 Definitions

The following definitions shall apply to the provisions in this chapter. General definitions are contained in Chapter 203. (3334-6/97)

- A. Abandoned Sign: a sign which no longer directs, advertises or identifies a legal business establishment, product or activity on the premises where such sign is displayed. (3334-6/97)
- B. Alteration: any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign. (3334-6/97)
- C. Animated Sign: any sign which is designed to give a message through a sequence of progressive changes of parts or lights or degree of lighting. (3334-6/97)
- D. Area of Sign: (3334-6/97)
 1. The area included within the outer dimensions of a sign (excluding structural supports). (3334-6/97, 3360-12/97)

2. For freestanding signs, sign area shall be calculated on one (1) face of the sign, provided a sign face on a double-sided sign is not separated from the opposite side of the sign by more than 12 inches at any point. (3334-6/97, 3360-12/97)
3. For illuminated awning or canopy signs, sign area shall be calculated around the sign copy only. (3334-6/97, 3360-12/97)
4. For signs without a border or frame (channel or skeleton letters), the area shall be within a rectangle or eight (8) continuous straight lines (with right angles) formed around the extreme outer limits of the sign message, including all figures and any background or color which is an integral part of the sign. (3334-6/97, 3360-12/97)



- E. Awning: a shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework. (3334-6/97)
- F. Awning Sign: a sign painted on, printed on, or attached flat against the surface of an awning. (3334-6/97)
- G. Banner Sign: a temporary sign composed of fabric or flexible material with no enclosing frame. (3334-6/97)
- H. Bonus Sign: an internally illuminated freestanding sign designed with opaque sign faces/panels, and illumination for items of information only. (3360-12/97)
- I. Business Identification Sign: a sign which serves to identify only the name and address of the premises, business, building or portion of building upon which it is located and includes no other advertising such as product lists, phone numbers and hours of operation. Logos may also be permitted. (3334-6/97)
- J. Building Frontage: the linear extent of a building or business which has frontage on either a street or parking area. Only one side of the building facing the street or parking area shall be used to determine the maximum sign area. (3334-6/97, 3360-12/97)
- K. Canopy: a permanent roof-like structure which extends along and projects beyond the wall of a building, or is freestanding as common in service stations, and is generally designed and constructed to provide protection from the weather. (3334-6/97, 3360-12/97)
- L. Changeable Copy Sign: a sign or portion thereof with characters, letters or illustrations that can be changed manually or electrically without altering the face or surface of the sign. (3334-6/97)
- M. Channel letters: individual letters or figures, illuminated or non-illuminated, affixed to a building or freestanding sign structure. (3334-6/97)
- N. Construction Sign: a temporary sign identifying the persons, firms or businesses directly connected with a construction or development project and may include the name of the future site occupant. (3334-6/97)

- O. Directional Sign: an on-premise incidental sign designed to guide or direct pedestrian or vehicular traffic. (3334-6/97)
- P. Electronic Readerboard: a changeable message sign consisting of a matrix of lamps which are computer controlled. (3334-6/97)
- Q. Exposed Neon: neon tubing used for lighting in signs and other building identification such as raceways and accent lighting. (3360-12/97)
- R. Exposed Raceway: visible tube or box behind a wall sign used to house electrical wiring for the wall sign. (3360-12/97)
- S. Flashing Sign: an illuminated sign which contains an intermittent or sequential flashing light source or any other such means to attract attention. This definition is not intended to include "changeable copy signs" or "animated signs." (3334-6/97)
- T. Freestanding Sign: a sign permanently attached to the ground and which does not have a building as its primary structural support. This includes ground signs, pole signs and monument signs. (3334-6/97)
- U. Grand Opening: a promotional activity not exceeding ninety (90) calendar days used by newly established businesses to inform the public of their location and services. (3334-6/97)
- V. Ground Sign: see Freestanding Sign. (3334-6/97)
- W. Illegal Sign: a sign which was erected without obtaining a permit as required by this Chapter, that does not meet the requirements of this ordinance, or has not received legal nonconforming status. (3334-6/97, 3360-12/97, 3826-4/09)
- X. Incidental Sign: a small sign pertaining to goods, products, services or facilities which are available on the premises where the sign occurs and intended primarily for the convenience of the public. (3334-6/97)
- Y. Indirect Illumination: a light cast on the surface of a sign from an exterior source. (3334-6/97)
- Z. Industrial Center: any site containing three (3) or more industrial activities. (3360-12/97)
- AA. Integrated Development: a development or site comprised of one or more parcels served by common access ways, driveways, parking and landscaping. (3334-6/97)
- BB. Interior illumination: any sign face which is artificially lit from the inside. (3334-6/97)
- CC. Item of information: each word, design, symbol, or figure. (3334-6/97)
- DD. Limited Sign Permit: A permit approved by the Director that permits a temporary sign used to advertise a short-term special activity or sale, i.e., grand opening, under new ownership, fall sale, etc. and maintenance or modification to the face or copy of a nonconforming sign to extend a use of the sign for a time period deemed appropriate by the Director, but not to exceed two (2) years. (3360-12/97, 3826-4/09)
- EE. Logo: a trademark or company name symbol. (3334-6/97)
- FF. Marquee: see Canopy. (3334-6/97)
- GG. Mansard: a sloped roof or roof-like facade. (3334-6/97)

- HH. Monument Sign: a free standing sign with a solid base. (3334-6/97)
- II. Moving Sign: any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement. (3334-6/97)
- JJ. Name Plate Sign: an attached sign which designates the names and/or address of a business, and/or the words "entrance" or "exit." (3334-6/97)
- KK. Nonconforming Sign: a sign which was erected legally but does not comply with provisions of the current sign ordinance. (3334-6/97, 3360-12/97, 3826-4/09)
- LL. Off-Site Sign: any sign which advertises goods, products, services or facilities not sold, produced, manufactured or furnished on the premises on which the sign is located. These signs are also known as outdoor advertising, billboards, and poster panels. (3334-6/97)
- MM. On-Site Sign: a sign which pertains to the use(s) of the site on which it is located. (3334-6/97)
- NN. Open House Sign: a sign which identifies a building for sale or lease which is open and available for inspection. (3334-6/97, 3826-4/09)
- OO. Planned Sign Program: A required component for certain sign permits that incorporates coordinated and quality sign design elements and is reviewed and approved by the Director. (3360-12/97, 3826-4/09)
- PP. Point of Purchase Display: advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser. (3334-6/97)
- QQ. Pole Sign: see Freestanding Sign. (3334-6/97)
- RR. Political Sign: a sign identifying either a candidate for public office or an issue relating to a forthcoming election. (3334-6/97)
- SS. Portable Sign: any sign not permanently attached to the ground or a building. (3334-6/97)
- TT. Projecting Sign: a sign which is attached to and projects from the wall of the building more than 18 inches and which has its display surface perpendicular to such wall, to the structure to which it is attached. (3334-6/97)
- UU. Promotional Activity Sign: a temporary sign used to advertise a short term special activity or sale, i.e., grand opening, under new ownership, fall sale, etc. (3334-6/97)
- VV. Public Access Signage: signage that directs the general public to the coast or sea and/or public amenities available for general public use. (3360-12/97)
- WW. Public Service Information Sign: any sign intended primarily to promote items of general interest to the community such as time, temperature, date, atmospheric conditions, news or traffic control, etc. (3334-6/97)
- XX. Real Estate Sign: any temporary sign indicating that the premises on which the sign is located is for sale, lease or rent. (3334-6/97)
- YY. Roof Sign: an attached sign constructed upon or over a roof, or placed so as to extend above the visible roofline; or a freestanding sign which is greater in height than the building it serves to identify. (3334-6/97)

- ZZ. Rotating Sign: any sign or portion thereof which physically revolves about an axis. (3334-6/97)
- AAA. Sign: any medium for visual communication, including its structure and component parts, which is used or intended to be used to attract attention. (3334-6/97)
- BBB. Sign Height: measurement from the adjacent sidewalk or curb to the highest portion of the sign, including architectural elements. (3360-12/97)
- CCC. Sign Code Exception: a deviation to some of the specifications set forth in this chapter that is approved by the Director. (3360-12/97, 3826-4/09)
- DDD. Sign Copy: any words, letters, numbers, figures, designs or other symbolic representation incorporated into a sign for the purpose of attracting attention. (3334-6/97)
- EEE. Site: one or more parcels of land identified by the assessor's records where an integrated building development has been approved or proposed. The site shall include all parcels of land contained within or a part of the development application. (3334-6/97)
- FFF. Site Frontage: the length of a lot or parcel of land along or fronting a street. (3334-6/97, 3360-12/97)
- GGG. Special Events Sign: a temporary sign advertising or pertaining to any civic, patriotic, or special event of a general public interest taking place within the city. (3334-6/97)
- HHH. Subdivision Directional Sign: a sign providing direction to a land development project pursuant to this chapter. (3334-6/97)
- III. Supergraphic: a painted design which covers an area greater than ten percent of a wall, building facade, or other structure. (3334-6/97)
- JJJ. Temporary Sign: a sign which is installed for a limited time and is not constructed or intended for long-term use. (3334-6/97)
- KKK. Temporary Window Sign: a sign painted or constructed of paper or other lightweight material and affixed to the interior or exterior side of a window or glass area on a building for a limited time. (3334-6/97)
- LLL. Wall Sign: any sign which is attached or erected on the exterior, posted, or painted or suspended from or otherwise affixed to a wall of a building including the parapet, with the display surface of the sign parallel to the building wall, and which does not project more than eighteen (18) inches from the building, or project above the height of the wall or parapet. (3334-6/97)
- MMM. Window Sign: a sign in which the name, address, phone number, or hours of operation are applied directly to the window of a business, or a sign visible through the window from the street. (3334-6/97)

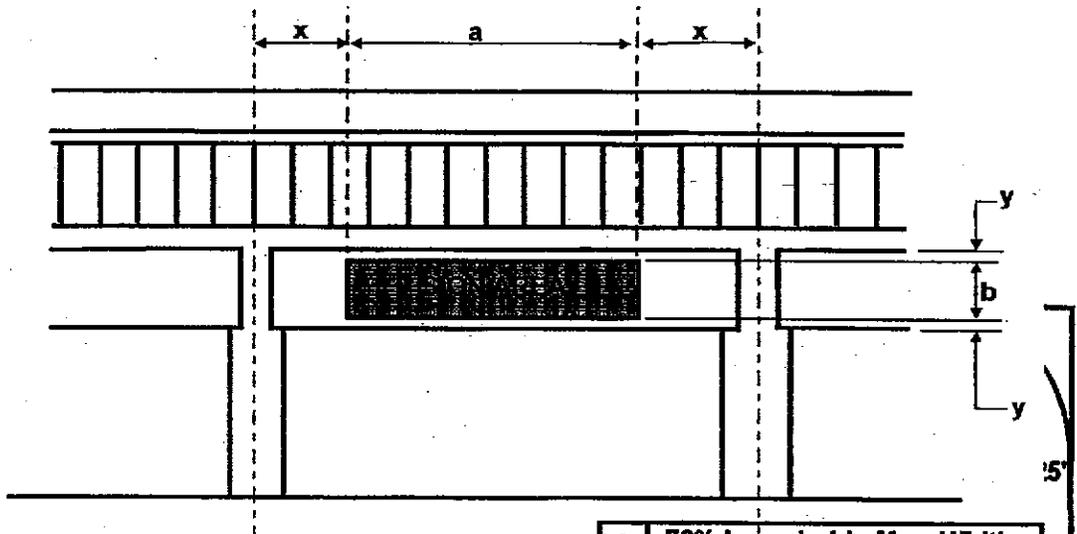


DIAGRAM B

a	70% Leasehold - Max. Width
b	75% Fascia - Max. Height
x	Equal Dimensions
y	Equal Dimensions

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Property
line

DIAGRAM A

Sign Type		Setback
x	Pole	40'
	Monument	Subject to Director review

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ORDINANCE NO. 3873
LEGISLATIVE DRAFT

Chapter 244 Design Review

(3529-2/02, 3680-12/04)

Sections:

- 244.02 Applicability
- 244.04 Duties of the Design Review Board
- 244.06 Scope of Review
- 244.08 Required Plans and Materials
- 244.09 Time Limit; Transferability, Discontinuance

244.02 Applicability

Design review is required for projects pursuant to any other provision of this Zoning and Subdivision Ordinance and for projects located within in redevelopment areas, and applicable specific plans as applicable, areas designated by the City Council, and for City facilities, or projects abutting or adjoining City facilities, projects in or abutting or adjoining PSOS-PR and OS-S districts, and General Plan primary and secondary entry nodes. (3529-2/02, 3680-12/04)

244.04 Duties of the Design Review Board

The Design Review Board shall assist the Director, Planning Commission and Zoning Administrator in reviewing development plans and architectural drawings within designated geographic areas of the City and to undertake such other review and approval as provided by this code.

A. **Organization.** The Board shall consist of five members appointed by and responsible to the City Council. The membership shall consist of the following:

1. ~~Two (2) At large members, consisting of current City residents chosen by the City Council. Alternate City residents may be designated by the City Council. No person is eligible for membership on the Board unless that person is a resident of the City at the time of appointment to the Board. If during a term of office, a member moves his or her place of residence outside of the City limits, his office shall immediately become vacant.~~
2. One (1) current Planning Commissioner chosen by the Planning Commission. An alternate Commissioner may be designated by the Planning Commission.
3. ~~The Director of his/her designee.~~ At least four of the five members shall have training, education or work experience in design-related fields including, but not limited to, architecture, landscaping, art, urban/environmental design and aesthetics.
4. ~~The Public Works Director or his/her designee.~~ One (1) current member of the Historic Resources Board chosen by the Historic Resources Board. An alternate may be designated by the Historic Resources Board.

LEGISLATIVE DRAFT

5. **The City Council may designate alternate members as it deems necessary so long as the alternate members meet all membership requirements.**

B. Terms of Office.

1. At-large Members. The term of office for At-large members shall be four (4) years **from the date of appointment by City Council**, except as hereinafter provided. ~~One At-large member shall be appointed in 1994, and each fourth year thereafter. One At-large member shall be appointed in 1994 for a two year term, and each fourth year thereafter.~~ No At-large member shall serve more than two (2) consecutive terms, ~~except that the current At-large member may be appointed for the two year term mentioned herein.~~ At-large members may serve until their respective successors are appointed and qualified. An At-large member may be removed prior to the expiration of his/her term by a motion adopted by the City Council.

2. Planning Commission Member. The term of the Planning Commission member shall expire when such member ceases to be a member of the Planning Commission. A Planning Commission member may be removed prior to the expiration of his/her term by a motion adopted by the Planning Commission. Members may serve until their respective successors are appointed and qualified.

3. Historic Resources Board Member. **The term of the Historic Resources Board member shall expire when such member ceases to be a member of the Historic Resources Board. A Historic Resources Board member may be removed prior to the expiration of his/her term by a motion adopted by the Historic Resources Board. Members may serve until their respective successors are appointed and qualified.**

C. Powers and Duties. It shall be the duty of the Board to review sketches, layouts, site plans, structural plans, signs, and architectural drawings in connection with any matter before the Board. The Board shall have authority to confer with the applicant or property owner concerning modifications of the proposal, or conditions necessary to approval, and may approve, disapprove, or conditionally approve the proposal. The Board may recommend any matter before them to the discretionary body for consideration of the project.

244.06 Scope of Review

A. In making its determination, the Board shall review and consider

1. The arrangement and relationship of proposed structures and signs to one another and to other developments in the vicinity;
2. Whether that relationship is harmonious and based on good standards of architectural design;
3. The compatibility in scale and aesthetic treatment of proposed structures with public district areas;

LEGISLATIVE DRAFT

4. The adequacy of proposed landscaping, ~~parking spaces, driveways, potential on-site and off-site parking and traffic impacts and other potential impacts upon the environment;~~
 5. Elements of design affecting the performance characteristics of the proposed development; and
 6. Whether energy conservation measures have been proposed and the adequacy of such measures, including, but not limited to, the use of active and passive solar energy systems.
- B. The Board may impose and/or recommend any conditions deemed reasonable and necessary to the approval of the proposed development plan.

244.09 Time Limit; Transferability, Discontinuance,

A. ~~Time Limit~~ A Design Review Board recommendation shall become null and void one year after its date of Director approval. If the initial application is in association with another discretionary permit said permit shall become null and void one year after the final action of the hearing body. (3680-12/04)

RECENT CITY COUNCIL DIRECTION & STAFF RECOMMENDATION

Recent City Council direction was to include an HRB member on the DRB; the City Council has not considered the other proposed changes.

ORDINANCE NO. 3856

LEGISLATIVE DRAFT

Chapter 203 Definitions

(3248-6/95, 3334-6/97, 3482-12/00, 3520-2/02, 3568-9/02, 3705-6/05, 3756-1/07, 3774-9/07)
 (Note: Ordinance No. 3774-9/07 is subject to approval by the California Coastal Commission)

Sections:

- 203.02 Applicability
- 203.04 Rules for Construction of Language
- 203.06 Definitions

203.02 Applicability

The meaning and construction of words and phrases defined in this chapter shall apply throughout the zoning and subdivision ordinance, except where the context clearly indicates a different meaning or construction.

203.04 Rules for Construction of Language

In addition to the General Provisions Chapter 1.04 of the Municipal Code, the following rules of construction shall apply:

- A. The particular shall control the general.
- B. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - 1. "And" indicates that all connected words or provisions shall apply.
 - 2. "Or" indicates that the connected words or provisions apply singly.
 - 3. "Either . . . or" indicates that the connected words or provisions shall apply singly but not in combination.
 - 4. "And/or" indicates that the connected words or provisions may apply singly or in any combination.
- C. In case of conflict between the text and a diagram, the text shall control.
- D. All references to departments, commissions, boards, or other public agencies are to those of the City of Huntington Beach, unless otherwise indicated.
- E. All references to public officials are to those of the City of Huntington Beach, and include designated deputies of such officials, unless otherwise indicated.
- F. All references to days are to calendar days unless otherwise indicated. If a deadline falls on a weekend or City holiday, it shall be extended to the next working day.

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- G. Chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any section hereof.
- H. The words "activities" and "facilities" include any part thereof.

203.06 Definitions

Abutting. Having district boundaries or lot lines or combinations thereof in common.

Access, Lateral. Public access along the coast.

Access, Vertical. Public access from the nearest public roadway to the shoreline.

Alley. A public or private way having an ultimate width of not less than 20 feet permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

Alter. To make a change in the exterior appearance or the supporting members of a structure, such as bearing walls, columns, beams, or girders, that will prolong the life of the structure.

Amendment. A change in the wording, context or substance of this ordinance, or a change in the district boundaries on the zoning map.

Animal, Exotic. Any wild animal not customarily confined or cultivated by man for domestic or commercial purposes but kept as a pet or for display.

Animal, Large. An animal larger than the largest breed of dogs. This term includes horses, cows, and other mammals customarily kept in corrals or stables.

Animal, Small. An animal no larger than the largest breed of dogs. This term includes fish, birds, and mammals customarily kept in kennels.

Antenna. Any structure, including but not limited to a monopole, tower, parabolic and/or disk shaped device in single or multiple combinations of either solid or mesh construction, intended for the purposes of receiving or transmitting communications to or from another antenna, device or orbiting satellite, as well as all supporting equipment necessary to install or mount the antenna.

Antenna, Amateur Radio. An antenna array and its associated support structure, such as a mast or tower, that is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur station licensed by the Federal Communications Commission.

Antenna, Communication. All types of receiving and transmitting antenna, except satellite dish antenna, including but not limited to cable television antenna, wireless communication antenna, FM digital communication antenna, microwave telephone communication antenna, amateur radio antenna, and short-wave communication antenna and other similar antenna. (3568-9/02)

Antenna Height. The distance from the property's grade to the highest point of the antenna and its associated support structure when fully extended.

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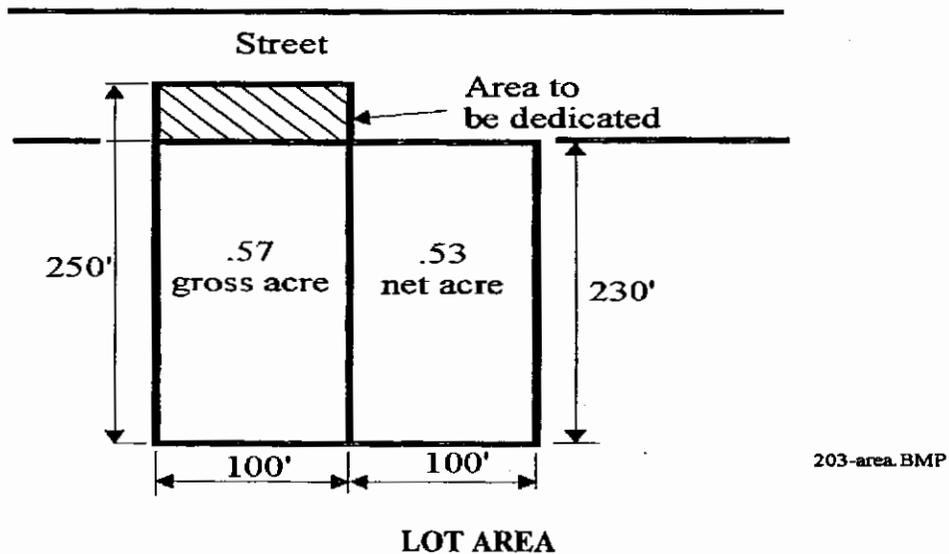
Antenna, Satellite Dish. An antenna for the purpose of receiving or transmitting communications to or from an orbiting satellite.

Antenna Whip. An antenna and its support structure consisting of a single, slender, rod-like element which is supported only at or near its base.

Approach-Departure Path. The flight track of the helicopter as it approaches or departs from a designated takeoff and landing area, including a heliport, helipad, or helistop.

Architectural Projections or Appurtenances. Features on a building which provide visual variation and/or relief but do not serve as interior or exterior living or working space.

Area, Net Lot. The total horizontal area within the property lines of a parcel of land exclusive of all rights-of-way or easements which physically prohibit the surface use of that portion of the property for other than vehicular ingress and egress.



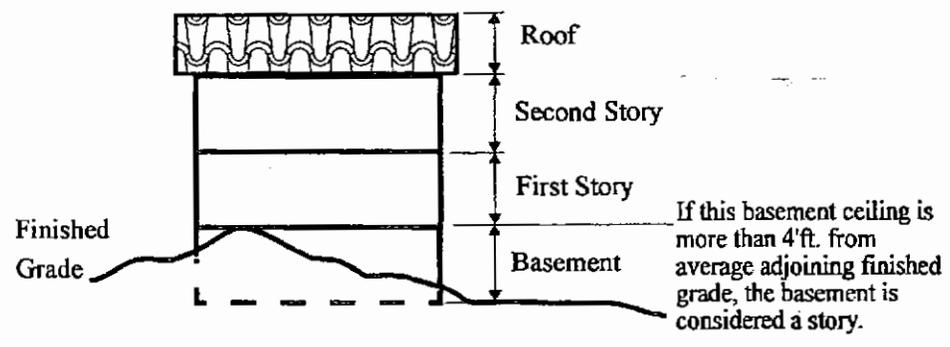
Arterial. Any street, highway or road designated as an arterial street in the General Plan.

Attached Structures. Two or more structures sharing a common wall or roof.

Balcony. A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail balustrade or parapet.

Basement. A story partly underground and having at least one-half of its height above the average adjoining grade. A basement shall be considered as a story if the vertical distance from the average adjoining grade to the ceiling is over four feet.

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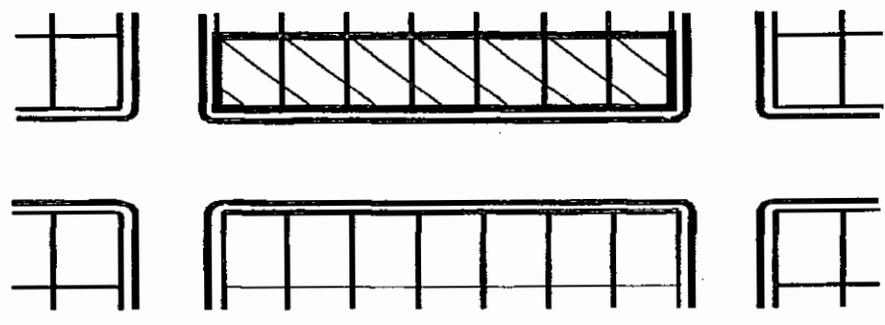
BASEMENT

203-BASE

Bay Window. A window that projects out from an exterior wall.

Bedroom. The term bedroom includes any room used principally for sleeping purposes, an all-purpose room, a study, a den, a room having 100 square feet or more of floor area or less than 50 percent of one wall open to an adjacent room or hallway.

Blockface. The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse, or city boundary.



BLOCKFACE

203-BLK

Boarding House. A building with not more than five guest rooms where lodging and meals are provided for not more than 10 persons, but shall not include rest homes or convalescent homes. Guest rooms numbering six or over shall be considered a hotel.

Building. Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or property of any kind.

Caretaker's quarters. A dwelling unit on the site of a commercial, industrial, public, or semipublic use, occupied by a guard or caretaker.

Carport. A permanent roofed accessory structure with not more than two enclosed sides intended for vehicle storage.

Cart/Kiosk. Any portable, non motorized unit used by a vendor as described in Section 230.94. (3248-6/95, 3334-6/97, 3482-12/00)

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City. The City of Huntington Beach.

Clinic. An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one or more of a group of physicians, dentists, optometrists, psychologists, or social workers practicing together.

Coastal Zone. A geographic zone adjacent to the shoreline, the boundaries of which are determined by the California Coastal Act of 1976, as amended.

Collection Containers. Containers or buildings with a gross floor area of 500 square feet or less used for the deposit and storage of household articles or recyclables.

Commission. The Huntington Beach Planning Commission.

Community Apartment Project. A project in which an individual interest in land is coupled with the right exclusively to occupy an individual unit, as provided in Section 11004 of the California Business and Professions Code.

Completely Rebuilt. Rebuilding the nonconforming structure or use as it had legally existed immediately prior to its destruction.

Conditional Use. A use of land that, due to the specific nature and unique characteristics of the use, requires special standards and discretionary review.

Condominium. An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interior space in a residential, industrial or commercial building on the real property, such as an apartment, office or store. A condominium may include, in addition, a separate interest in other portions of the real property.

Conforming Building. A building that fully meets the requirements of Title 17 (Building Regulations) and also conforms to all property-development regulations and requirements prescribed for the district in which it is located.

Convenience Market. A retail use in conjunction with gasoline sales in which the sales room exceeds 200 square feet.

Court. An outdoor, unenclosed area intended to provide light, air, and privacy for individual dwelling units in multi-family projects.

Coverage, Lot or Site. The percentage of a lot or site covered by roofs, balconies, fireplaces, architectural projections, or overhangs extending more than 2.5 feet from a wall, decks more than 42 inches in height above grade, and stairs.

Deck. A platform, either free-standing or attached to a building, but without a roof, that is supported by pillars, posts, or walls (see also Balcony).

Demolition. The deliberate removal or destruction of the frame or foundation of any portion of a building or structure for the purpose of preparing the site for new construction or otherwise.

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Density Bonus. An increase in the proposed number of units of twenty-five percent (25%) or greater over the number permitted pursuant to the current zoning and general plan designation on the property.

Director. The Director of Planning or his or her designee. (3520-2/02)

Distribution Line. An electric power line bringing power from a distribution substation to consumers.

District. A portion of the city within which the use of land and structures and the location, height, and bulk of structures are governed by this ordinance. The zoning ordinance establishes "base zoning districts" for residential, commercial, industrial, public and open space uses, and "overlay districts," which modify base district provisions and standards.

Drilling. The digging or boring of a new well into the earth for the purpose of exploring for, developing or producing oil, gas or other hydrocarbons, or for the purpose of injecting water, steam or any other substance into the earth.

Dwelling, Multiple Unit. A building or buildings designed with two (2) or more dwelling units.

Dwelling, Single Unit. A detached building designed primarily for use as a single dwelling, no portion of which is rented as a separate unit, except as permitted by this Code. Attached single family dwellings shall be considered as multi-family.

Dwelling, Accessory Unit. A fully equipped dwelling unit which is ancillary and subordinate to a principle dwelling unit located on the same lot in the RL zone. Also known as second dwelling unit or "granny unit."

Dwelling, Studio Unit. A dwelling unit consisting of 1 kitchen, 1 bathroom, and 1 combination living room and sleeping room. The gross floor area shall not exceed 500 square feet, or it shall be considered as a one bedroom unit. Also known as a single, a bachelor, or an efficiency unit.

Dwelling Unit. One or more habitable rooms with only one kitchen, and designed for occupancy as a unit by one or more persons living as a household unit with common access to all living, kitchen, and bathroom areas.

Emergency Shelter. ~~Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.~~

Energy Facility. Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other sources of energy.

Environmental Impact Report (EIR). A report complying with the requirements of the California Environmental Quality Act (CEQA) and its implementing guidelines.

Environmentally Sensitive (habitat) Area. A wetland or any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.



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Exemption, Categorical. An exception from the requirements of the California Environmental Quality Act (CEQA) for a class of projects, which have been determined to not have a significant effect on the environment.

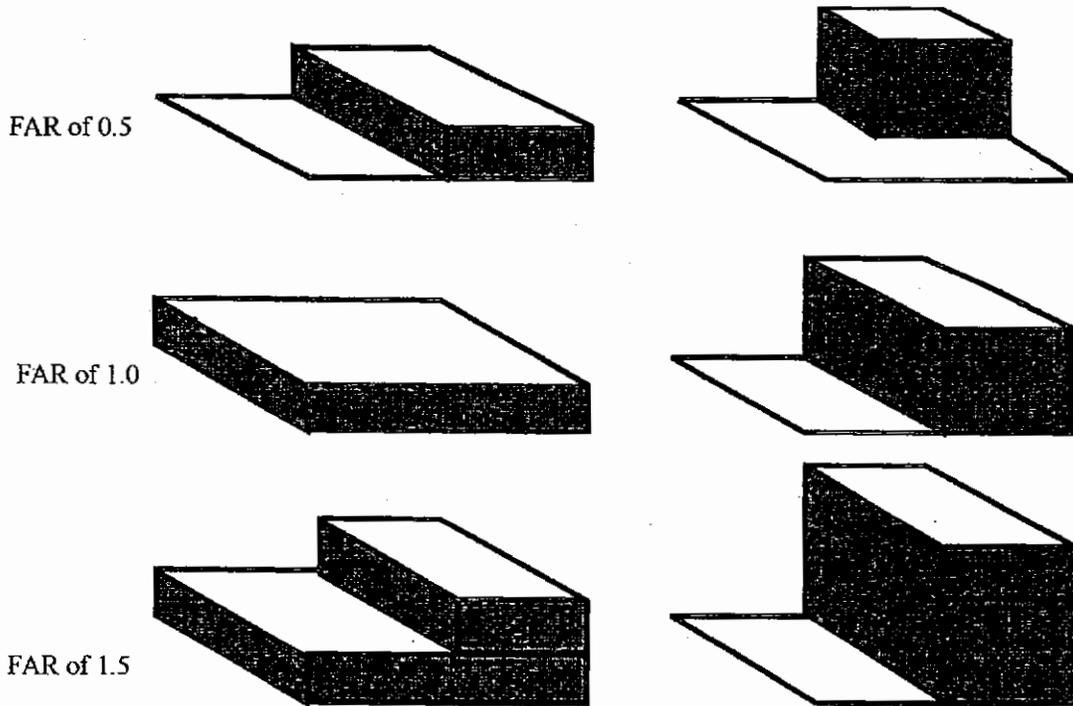
Family. A single individual or two or more persons living together as a single housekeeping unit in a dwelling unit.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
(3334-6/97)

Floor Area, Gross. The total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, and including halls, stairways, elevators shafts at each floor level, service and mechanical equipment rooms, and habitable basement or attic areas, but excluding area for vehicle parking and loading.

Floor Area Ratio (FAR). Determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

FLOOR AREA RATIO



FAR

203-FAR

Frontage. The linear length of a building which contains a public entrance or a lot measured along the property line adjacent to a street or easement.

Functional Capacity. The ability of an environmentally sensitive area to be self-sustaining and to maintain natural species diversity.

General Plan. The City of Huntington Beach General Plan.

Grade, Existing. The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this ordinance.

Grade, Street. The top of the curb, or the top of the edge of the pavement or traveled way where no curb exists.

Guest House. Living quarters within a main or an accessory building for the sole purpose of providing for persons employed on the premises, or for temporary use by guests of the occupants of the premises. Such quarters shall have no kitchen facilities, and shall be limited to one room, no greater than 500 square feet in size with no more than three plumbing fixtures.

Height of Building. A vertical dimension measured from the top of the highest roof to the top of the subfloor/slab directly underneath. (See Section 230.72.)

Helipad or Helistop. A heliport without auxiliary facilities such as waiting room, helicopter parking, fueling and maintenance equipment.

Heliport. An area, either at ground level or elevated on a structure, that is used or intended to be used for the takeoff and landing of helicopters, and includes some or all the various facilities useful to helicopter operations, including helicopter parking, waiting room, fueling and maintenance equipment.

Home Occupation. Business activity conducted in a dwelling unit in a residential district that is incidental to the principal residential use of a lot or site.

Hotel Owner/Operator. The entity that owns and operates a hotel. If the hotel operator is separate from the hotel owner both are jointly and severally responsible for ensuring compliance with the requirements described in this LCP and/or recorded against the property, as well as jointly and severally liable for violations of said requirements and restrictions. (3774-9/07 - subject to approval by the California Coastal Commission)

Infill Lot Development. A lot contiguous to one or more existing single family residential units, excluding parcels separated by streets, a vacant parcel intended for single family development, or a parcel with an existing residential structure, which will have 50 percent or more square footage of habitable area removed in order to remodel or construct a detached single family unit. (3705-6/05)

Illumination, Direct. Illumination by means of light that travels directly from its source to the viewer's eye.

Illumination, Indirect. Illumination by means only of light cast upon an opaque surface from a concealed source.

Incentives. Policies, programs or actions taken by the City designed to ensure that a development will be produced at a lower cost.

Junk Yard. The use of a lot, or contiguous lots, or any portion thereof for the storage of junk, including scrap metal, or other scrap materials, and/or for the dismantling or wrecking of automobiles or other vehicles or machinery.

Kennel. Any premises where four or more dogs or cats at least four months of age are kept for any purpose.

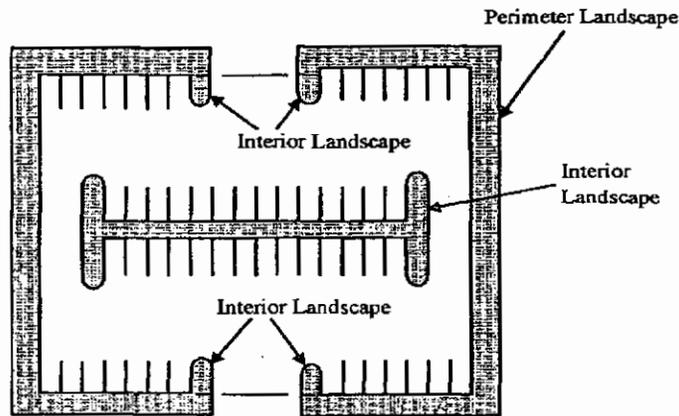
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Kitchenette or Kitchen. Any room or part of a room which is designed, built, used, or intended to be used for food preparation and dishwashing; but not including a bar, or similar room adjacent to or connected with a kitchen.

Landscaping. An area devoted to or developed and maintained with native or exotic plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. Plants on rooftops, porches or in boxes attached to buildings are not considered landscaping.

Landscaping, Interior. A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

Landscaping, Perimeter. A landscaped area adjoining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways which provide access to the facility.



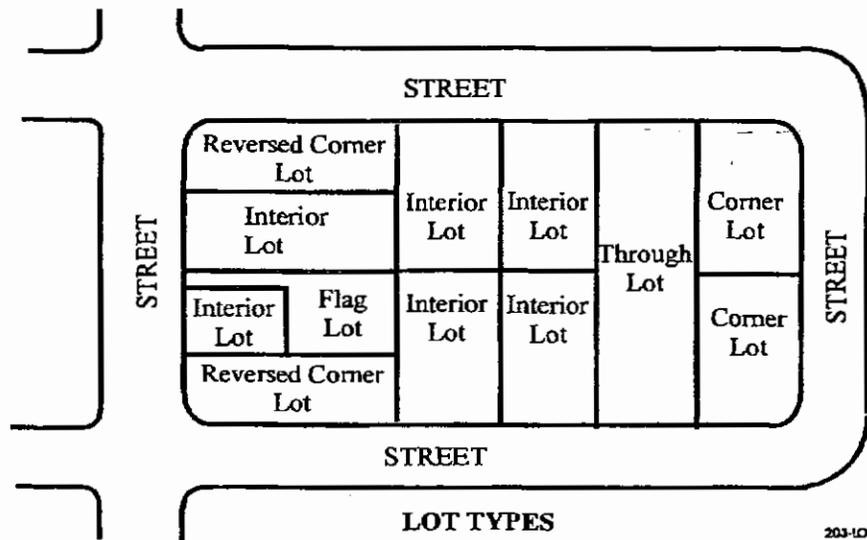
LANDSCAPING: PERIMETER INTERIOR

Limited Use Overnight Visitor Accomodations. Any hotel, motel, or other similar facility that provides overnight visitor accommodations wherein a purchaser receives the right in perpetuity, for life, or a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room (s), or segment of the facility, annually or on some other seasonal or periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the facility has been divided and shall include, but not be limited to Timeshare, Condominium-Hotel, Fractional Ownership Hotel, or uses of a similar nature. (3774-9/07 - subject to approval by the California Coastal Commission)

Lodger. Any person other than a member of a family renting a room for living or sleeping purposes.

Lot. Any numbered or lettered parcel shown on a recorded final map, record of survey pursuant to an approved division of land, or a parcel map and abuts a street, alley or recorded access easement.

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Lot, Corner. A site bounded by two or more adjacent street lines that have an angle of intersection of not more than 135 degrees.

Lot Depth. The horizontal distance from the midpoint of the front-lot line to the midpoint of the rear-lot line, or to the most distant point on any other lot line where there is no rear-lot line.

Lot, Flag. A lot with developable area connected to a street by a narrow strip of land that includes a driveway.

Lot or Property Line, Rear. A lot line, not a front lot line, that is parallel or approximately parallel to the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line.

Lot or Property Line, Front. The street property line adjacent to the front yard.

Lot or Property Line, Interior. A lot line not abutting a street.

Lot or Property Line, Side. Any lot line that is not a front lot line or a rear lot line.

Lot or Property Line, Street. A lot line abutting a street.

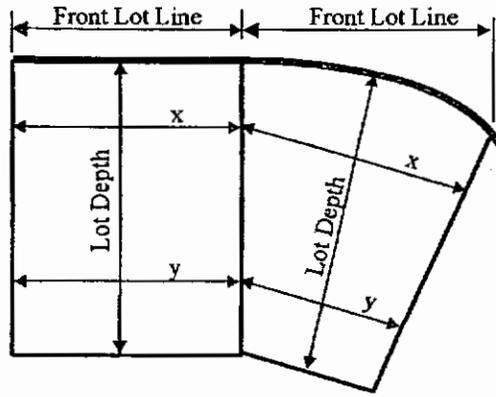
Lot, Reverse Corner. A corner lot, the side line of which is substantially a continuation of the front lot line of the lot to its rear.

Lot, Street-Alley. An interior lot having frontage on a street and an alley.

Lot, Through. A lot having frontage on two dedicated parallel or approximately parallel streets.

Lot Width. The mean of the horizontal distance between the side lot lines measured at right angles to the lot depth at mid-points 20 feet from the front lot line and 20 feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.

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Lot Width = $(x + y) / 2$

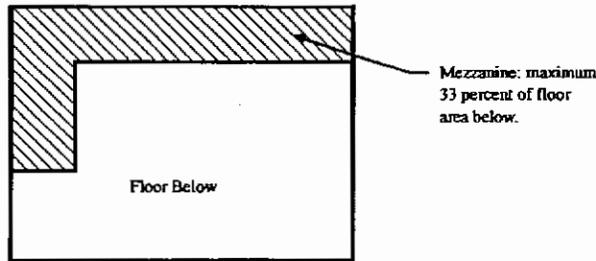
LOT WIDTH

203-LOTW

Lower Income Household. A household whose annual income is at or below eighty percent (80%) of Orange County median income as defined by the State of California Department of Housing and Community Development.

Manufactured Home. A structure transportable in sections which is a minimum of 8 feet in width and 40 feet in length, built on a permanent chassis, and designed to be a dwelling with or without a permanent foundation. Manufactured home includes mobilehome.

Mezzanine. An intermediate floor within a room containing not more than 33 percent of the floor area of the room.



MEZZANINE

Moderate Income Household. A household whose annual income is at or below one hundred twenty (120%) percent of Orange County median income as defined by the State of California Department of Housing and Community Development.

Municipal Code. The Municipal Code of the City of Huntington Beach.

Negative Declaration. A written statement briefly describing the reasons that a proposed project will not have a significant impact on the environment which meets the requirements of the California Environmental Quality Act. (3334-6/97)

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Neighborhood Notification. Notification process pursuant to Chapter 241 when no entitlements are required and the use requires such notification as stated in the Zoning and Subdivision Ordinance. (3705-6/05)

Net Site Area. See Area, Net Lot.

New Well. A new well bore or well hole established at the ground surface. Redrilling from the well bore or well hole of an existing well greater than 150 feet from the existing well bore shall constitute a new well.

Nonconforming Structure. A structure that was lawfully erected but which does not conform with the current development standards.

Nonconforming Use. A use of a structure or land that was lawfully established and maintained, but which does not conform with the current zoning ordinance.

Off-Street Loading Facilities. A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Off-Street Parking Facilities. A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Oil operation. The use or maintenance of any installation, facility, or structure used, either directly or indirectly, to carry out or facilitate one or more of the following functions: drilling, rework, repair, redrilling, production, processing, extraction, assisted recovery, stimulation storage or shipping of oil gas or hydrocarbons from the subsurface of the earth.

Oil operation site. The physical location where an oil operation is conducted.

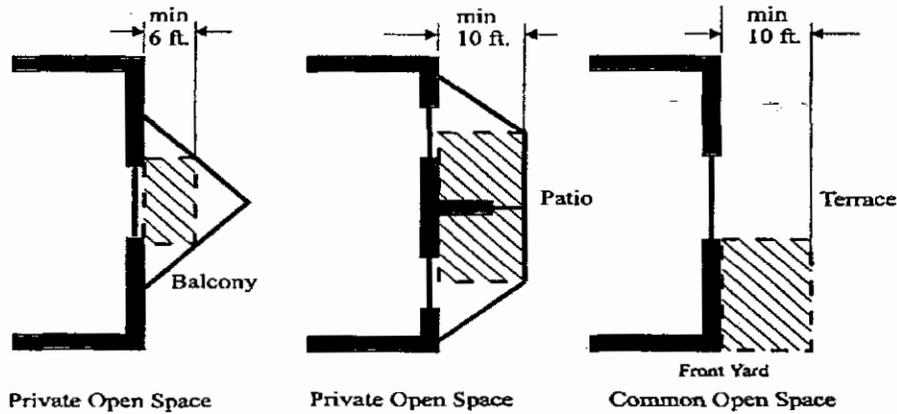
Open Space, Common. A usable open space within a residential development reserved for the exclusive use of residents of the development and their guests.

Open Space, Private. A usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space, Total. The sum of private and common open space.

Open Space, Usable. Outdoor or unenclosed area on the ground, or on a balcony, deck, porch or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping. Usable open space does not include parking facilities, driveways, utility or service areas, any required front or street side yard, any space with a dimension of less than 6 feet in any direction or an area of less than 60 square feet.

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USABLE OPEN SPACE

Oversize Vehicle. Any vehicle which exceeds twenty-five (25) feet in length, seven (7) in width, seven (7) in height, or a weight of 10,000 pounds, motorized or nonmotorized. Oversize vehicle also includes any equipment or machinery regardless of size.

Parking Structure. A structure used for parking or vehicles where parking spaces, turning radius, and drive aisles are incorporated within the structure.

Patio. A paved court open to the sky.

Permitted Use. A use of land that does not require approval of a conditional use permit or temporary use permit.

Planned Unit Development (PUD). A large scale development of a parcel or of a combination of related parcels to be developed by a single owner or group of owners acting jointly, involving a related group of uses, planned as an entity and having a predominant developmental feature which serves to unify or organize development.

Porch. An open or covered platform, usually having a separate roof, at an entrance to a dwelling, or an open or enclosed gallery or room, which is not heated or cooled, that is attached to the outside of a building.

Private Property. Property owned in fee by an individual, corporation, partnership, or a group of individuals as opposed to public property. (3249-6/95, 3334; 3482-12/00)

Project. Any proposal for new or changed use, or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this ordinance.

Public Property. Property dedicated through acquisition or easement for public use which includes but is not limited to streets, alleys, parks, public right-of-ways, and sidewalks. (3249-6/95, 3334-6/97; 3482-12/00)

Qualifying Senior Resident. A person who is 62 years of age or older. (Section 51.2 of the California Civil Code.)

Remodel. The upgrade of the interior or exterior faces of a building or structure without altering to any degree the structural integrity.

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Residential Infill Lot. A residential infill lot is a parcel of land which, at the time of application for a building permit, is contiguous to one (1) or more existing developed single family residential properties and is: (3301-11/95, 3334-6/97)

1. A vacant parcel intended for detached single family development, or (3301-11/95, 3334-6/97)
2. A parcel with an existing residential structure which will have fifty percent (50%) or more square footage of the habitable area removed in order to construct a remodeled or new multistory detached single family dwelling unit. (3301-11/95, 3334-6/97)

Room, Habitable. A room meeting the requirements of the Uniform Building Code for sleeping, living, cooking, or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, attics, foyers, storage spaces, utility rooms, garages, and similar spaces.

Senior Housing. Housing for a family in which at least one person per unit is 60 years old or older, or for a single person who is 60 years old or older.

Setback Line. A line across the front, side, rear of any private or public property which delineates an area adjoining a property line in which erection of a building, fence, or other structure is prohibited except as otherwise provided in the zoning ordinance.

Significant Disruption. Having a substantial adverse effect upon the functional capacity.

Single Ownership. Holding record title, possession under a contract to purchase, or possession under a lease, by a person, firm, corporation, or partnership, individually, jointly, in common, or in any other manner where the property is or will be under unitary or unified control.

Site. A lot, or group of contiguous lots not divided by an alley, street, other right-of-way, or city limit, that is proposed for development in accord with the provisions of this ordinance, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Specific Event. A short term temporary use of public property as defined in Section 5.68.010. (3249-6/95, 3334-6-97; 3482-12/00)

Specific Plan. A plan for a defined geographic area that is consistent with the General Plan and with the provisions of the California Government Code, Section 65450 et seq. (Specific Plans).

Stock Cooperative. A corporation formed for the primary purpose of holding title to, either in fee simple or for a term of years, any real property where the shareholders of the corporation receive a right of exclusive occupancy in a portion of such real property and where the right of occupancy is only transferable by the transfer of shares of stock in the corporation.

Story. That portion of a building included between the surface of any floor and the surface of the floor or finished undersurface of the roof directly above it.

Structure. Anything constructed or erected that requires a location on the ground, excluding patios, walks, access drives, or similar paved areas. (3705-6/05)

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Structure, Accessory. A structure that is appropriate, subordinate and customarily incidental to the main structure of the site and which is located on the same site as the main structure, including swimming pools, garages, gazebos and patio covers. (3705-6/05)

Structure, Minor Accessory. An accessory structure that does not exceed 64 square feet in floor area, 80 square feet in roof area and a height of six feet, including storage sheds, pet shelters, playhouses, and decorative elements. (3705-6/05)

Supportive Housing. ~~Housing with no limit on length of stay that is occupied by the target population and is linked to on-site or off-site services that assist residents retain the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. On-site or off-site services may include, but are not limited to, after-school tutoring, child care, and career counseling.~~



Takeoff and Landing Area. That area of the helicopter facility where the helicopter actually lands and takes off.

Target Population. ~~Person with low income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Development Disabilities Services Act (Division 4.5 commencing with Section 4500 of the Welfare and Institutions Code) and may include, among other populations, adults, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.~~



Transitional Housing. ~~Buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.~~



Transmission Line. An electric power line bringing power to a receiving or distribution substation.

Usable Satellite Signals. Satellite signals from all major communication satellites that, when viewed on a conventional television set, are at least equal in picture quality to those received from local commercial television stations or by way of cable televisions.

Use, Accessory. A use that is appropriate, subordinate, and customarily incidental to the main use of the site and which is located on the same site as the main use.

Value. The monetary worth of a structure determined by the valuation figures used by the Director for the purpose of calculating building permit fees.

Vehicle Storage. The business of storing or safekeeping of operative and inoperative vehicles for periods of time greater than a 24 hour period. (3756-1/07)

Very Low Income Household. A household whose annual income is at or below fifty (50%) percent of Orange County median income as defined by the State of California Department of Housing and Community Development.

Wetbar. A fixed installation within a dwelling unit providing cold and/or hot water to a single sink without a garbage disposal at a location other than a kitchen or laundry. A wetbar area shall not include a stove, range, or similar appliance usually found in a kitchen, and if such wetbar is located in a room or a portion of a room with a stove, hot plate, range, oven or other type of kitchen facility, it shall be deemed a separate kitchen.

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Wetland. Lands within the coastal zone which maybe covered periodically or permanently with shallow water and include salt water marshes, fresh water marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

Window, Required. An exterior opening in a habitable room meeting the area requirements of the Uniform Building Code.

Yard. An open space on the same site as a structure, unoccupied and unobstructed by structures from the ground upward except as otherwise provided in this ordinance, including a front yard, side yard, or rear yard.

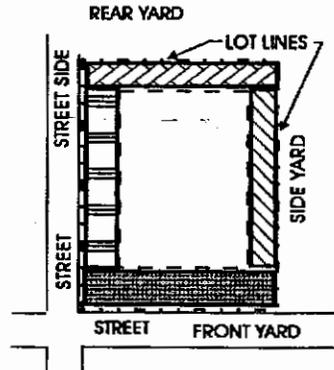
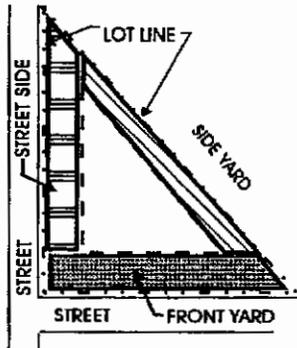
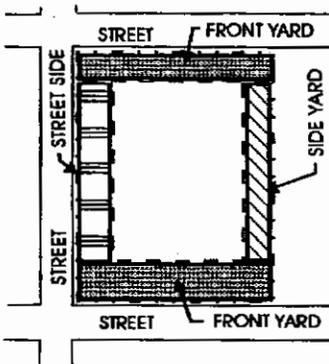
Yard, Front. An area between the front lot line and the front setback line extending across the full width of a site. The front yard of a corner lot shall adjoin the shortest street property line along its entire length. Where one street property line is at least 75 percent of the length of the other street property line, the Director shall determine the location of the front yard.

Yard, Rear. An area between the rear lot line and the rear setback line extending across the full width of a site. On a corner lot the rear yard shall extend only to the side yard abutting the street.

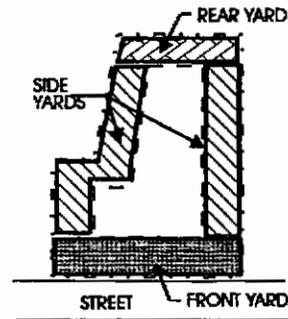
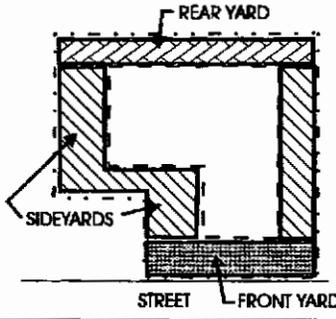
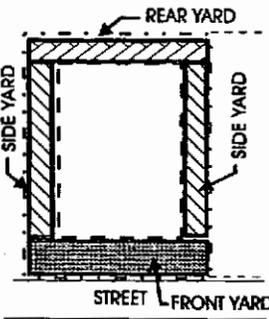
Yard, Side. An area between the rear setback line and the front setback line and between the side property line and side setback line. The side yard on the street side of a corner lot shall extend to the rear lot line.

Zoning Ordinance. The Zoning Ordinance of the City of Huntington Beach.

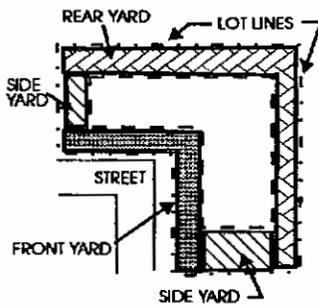
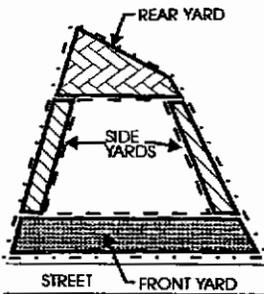
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CORNER LOT EXAMPLES



INTERIOR LOT EXAMPLES



LEGEND
 - - - - - BUILDING (ZONING) ENVELOPE
 (TWO DIMENSIONAL)
 - - - - - LOT LINES

ODD - SHAPED LOT EXAMPLES

REQUIRED YARDS

LEGISLATIVE DRAFT

Chapter 204 Use Classifications

(3334-6/97, 3378-2/98, 3521-2/02, 3568-9/02, 3669-12/04, Emergency Ord. 3703-3/05, 3724-02/06, 3757-1/07, 3774-9/07)
 (Note: Ordinance No. 3774-9/07 is subject to approval by the California Coastal Commission, 3788-12/07)

Sections:

- 204.02 Applicability
- 204.04 Uses Not Classified
- 204.06 Residential Use Classifications
- 204.08 Public and Semipublic Use Classifications
- 204.10 Commercial Use Classifications
- 204.12 Industrial Use Classifications
- 204.14 Accessory Use Classifications
- 204.16 Temporary Use Classifications

204.02 Applicability

Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The Director shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this Title. The Director may determine that a specific use shall not be deemed to be within a classification, if its characteristics are substantially different than those typical of uses named within the classification. The Director's decision may be appealed to the Planning Commission. (3334-6/97)

204.04 Uses Not Classified

Any new use, or any use that cannot be clearly determined to be in an existing use classification, may be incorporated into the zoning provisions by a Zoning and Subdivision Ordinance text amendment, as provided in Chapter 247. Such an incorporation shall not be effective unless certified by the Coastal Commission as a Local Coastal Program amendment. (3334-6/97)

204.06 Residential Use Classifications

- A. Day Care, Limited (or Small-Family). Non-medical care and supervision of six or fewer persons, or eight or fewer persons if two of the persons are six years of age or older, on a less than 24-hour basis. Children under the age of 10 years who reside in the home shall be counted for purposes of these limits. This classification includes nursery schools, preschools, and day-care centers for children and adults. (3334-6/97,3669-12/04)

- B. Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes boarding houses, but excludes residential hotels or motels. (3334-6/97)

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- C. Multifamily Residential. Two or more dwelling units on a site. This classification includes manufactured homes. (3334-6/97)
- D. Residential Alcohol Recovery, Limited. Twenty-four-hour care for no more than six persons suffering from alcohol problems in need of personal services, supervision, protection or assistance. This classification includes only those facilities licensed by the State of California. (3334-6/97)
- E. Residential Care, Limited. Twenty-four-hour non-medical care for 6 or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California. (3334-6/97)
- F. Single-Family Residential. Buildings containing one dwelling unit located on a single lot. This classification includes manufactured homes. (3334-6/97)
- G. Supportive Housing. Housing with no limit on length of stay that is occupied by the target population and is linked to on-site or off-site services that assist residents retain the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. On-site or off-site services may include, but are not limited to, after-school tutoring, child care, and career counseling. Supportive housing uses are subject only to those restrictions and processing requirements that apply to other residential dwellings of the same type in the same zone.
- H. Transitional Housing. Temporary housing (generally six months to two years) for a homeless individual or family who is transitioning to permanent housing. This type of housing includes multi-family unit developments and often includes a supportive services component to allow individuals to gain necessary life skills in support of independent living. Transitional housing uses are subject only to those restrictions and processing requirements that apply to other residential dwellings of the same type in the same zone.

204.08 Public and Semipublic Use Classifications

- A. Cemetery. Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes. Cemetery purposes include columbariums, crematoriums, mausoleums, and mortuaries operated in conjunction with the cemetery, business and administrative offices, chapels, flower shops, and necessary maintenance facilities. (3334-6/97)
- B. Clubs and Lodges. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs and youth centers. (3334-6/97)
- C. Community and Human Service Facilities.
 - 1. Drug Abuse Centers. Facilities offering drop-in services for persons suffering from drug abuse, including treatment and counseling without provision for on-site residence or confinement. (3334-6/97)

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2. Primary Health Care. Medical services, including clinics, counseling and referral services, to persons afflicted with bodily or mental disease or injury without provision for on-site residence or confinement. (3334-6/97)
 3. Emergency Kitchens. Establishments offering food for the "homeless" and others in need. (3334-6/97)
 4. Emergency Shelters. Establishments offering food and shelter programs for "homeless" people and others in need. This classification does not include facilities licensed for residential care, as defined by the State of California, which provide supervision of daily activities. (3334-6/97)
 5. Residential Alcohol Recovery, General. Facilities providing 24-hour care for more than six persons suffering from alcohol problems, in need of personal services, supervision, protection or assistance. These facilities may include an inebriate reception center as well as facilities for treatment, training, research, and administrative services for program participants and employees. This classification includes only those facilities licensed by the State of California. (3334-6/97)
 6. Residential Care, General. Twenty-four-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed by the State of California. (3334-6/97)
- D. Convalescent Facilities. Establishments providing care on a 24-hour basis for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services. (3334-6/97)
 - E. Cultural Institutions. Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries. (3334-6/97)
 - F. Day Care, Large-Family. Non-medical care and supervision for 7 to 12 persons, or up to 14 persons if two of the persons are six years of age or older on a less than 24-hour basis. Children under the age of 10 years who reside in the home shall be counted for purposes of these limits. (3334-6/97, 3669-12/04)
 - G. Day Care, General. Non-medical care for 13 or more persons on a less than 24-hour basis. This classification includes nursery schools, preschools, and day-care centers for children or adults. (3334-6/97, 3669-12/04)
 - H. Emergency Health Care. Facilities providing emergency medical service with no provision for continuing care on an inpatient basis. (3334-6/97)
 - I. Government Offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles. (3334-6/97)
 - J. Heliports. Pads and facilities enabling takeoffs and landings by helicopter. (3334-6/97)

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- K. Hospitals. Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for out-patient treatment, as well as training, research, and administrative services for patients and employees. (3334-6/97)
- L. Maintenance and Service Facilities. Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers, and similar facilities. (3334-6/97)
- M. Marinas. A boat basin with docks, mooring facilities, supplies and equipment for small boats. (3334-6/97)
- N. Park and Recreation Facilities. Noncommercial parks, playgrounds, recreation facilities, and open spaces. (3334-6/97)
- O. Public Safety Facilities. Facilities for public safety and emergency services, including police and fire protection. (3334-6/97)
- P. Religious Assembly. Facilities for religious worship and incidental religious education, but not including private schools as defined in this section. (3334-6/97)
- Q. Schools, Public or Private. Educational institutions having a curriculum comparable to that required in the public schools of the State of California. (3334-6/97)
- R. Utilities, Major. Generating plants, electrical substations, above-ground electrical transmission lines, switching buildings, refuse collection, transfer, recycling or disposal facilities, flood control or drainage facilities, water or wastewater treatment plants, transportation or communications utilities, and similar facilities of public agencies or public utilities. (3334-6/97)
- S. Utilities, Minor. Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, underground water and sewer lines, and recycling and collection containers. (3334-6/97)

204.10 Commercial Use Classifications

- A. Ambulance Services. Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles as regulated by Chapter 5.20. (3334-6/97, 3378-2/98)
- B. Animal Sales and Services.
 - 1. Animal Boarding. Provision of shelter and care for small animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care, and kennels. (3334-6/97)
 - 2. Animal Grooming. Provision of bathing and trimming services for small animals on a commercial basis. This classification includes boarding for a maximum period of 48 hours. (3334-6/97)

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- 3. Animal Hospitals. Establishments where small animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (maximum 30 days) boarding of animals are included, if incidental to the hospital use. (3334-6/97)
- 4. Animals; Retail Sales. Retail sales and boarding of small animals, provided such activities take place within an entirely enclosed building. This classification includes grooming, if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of 48 hours. (3334-6/97)
- 5. Equestrian Centers. Establishments offering facilities for instruction in horseback riding, including rings, stables, and exercise areas. (3334-6/97)
- 6. Pet Cemetery. Land used or intended to be used for the burial of animals, ashes or remains of dead animals, including placement or erection of markers, headstones or monuments over such places of burial. (3334-6/97)
- C. Artists' Studios. Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft. (3334-6/97)
- D. Banks and Savings and Loans. Financial institutions that provide retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money. It also includes businesses offering check-cashing facilities. (3334-6/97, 3378-2/98)
 - 1. With Drive-up Service. Institutions providing services accessible to persons who remain in their automobiles. (3334-6/97)
- E. Building Materials and Services. Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' yards, but excludes establishments devoted exclusively to retail sales of paint and hardware, and activities classified under Vehicle/Equipment Sales and Services. (3334-6/97, 3378-2/98)
- F. Catering Services. Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption. (See also Eating and Drinking Establishments.) (3334-6/97, 3378-2/98)
- G. Commercial Filming. Commercial motion picture or video photography at the same location more than six days per quarter of a calendar year. (See also Chapter 5.54, Commercial Photography) (3334-6/97, 3378-2/98)
- H. Commercial Recreation and Entertainment. Provision of participant or spectator recreation or entertainment. This classification includes theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors and poolrooms as regulated by Chapter 9.32; dance halls as regulated by Chapter 5.28; ice/roller skating rinks, golf courses, miniature golf courses, scale-model courses, shooting galleries, tennis/racquetball courts, health/fitness clubs, pinball arcades or electronic games centers, cyber café having more than 4 coin-operated game machines as regulated by Chapter

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9.28; card rooms as regulated by Chapter 9.24; and fortune telling as regulated by Chapter 5.72. (3334-6/97, 3378-2/98, 3669-12/04)

1. Limited. Indoor movie theaters, game centers and performing arts theaters and health/fitness clubs occupying less than 2,500 square feet. (3334-6/97)
- I. Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding Utilities (Major). This classification includes radio, television, or recording studios; telephone switching centers; telegraph offices; and wireless communication facilities. (3334-6/97, 3378-2/98, 3568-9/02)
- J. Eating and Drinking Establishments. Businesses serving prepared food or beverages for consumption on or off the premises. (3334-6/97, 3378-2/98)
1. With Fast-Food or Take-Out Service. Establishments where patrons order and pay for their food at a counter or window before it is consumed and may either pick up or be served such food at a table or take it off-site for consumption. (3334-6/97)
 - a. Drive-through. Service from a building to persons in vehicles through an outdoor service window. (3334-6/97)
 - b. Limited. Establishments that do not serve persons in vehicles or at a table. (3334-6/97)
 2. With Live Entertainment/Dancing. An eating or drinking establishment where dancing and/or live entertainment is allowed. This classification includes nightclubs subject to the requirements of Chapter 5.44 of the Municipal Code. (3334-6/97)
- K. Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens. Establishments at which 20 percent or more of the transactions are sales of prepared food for on-site or take-out consumption shall be classified as Catering Services or Eating and Drinking Establishments. (3334-6/97, 3378-2/98)
1. With Alcoholic Beverage Sales. Establishments where more than 10 percent of the floor area is devoted to sales, display and storage of alcoholic beverages. (3334-6/97)
- L. Food Processing. Establishments primarily engaged in the manufacturing or processing of food or beverages for human consumption and wholesale distribution. (3334-6/97, 3378-2/98)
- M. Funeral and Interment Services. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries. (3334-6/97, 3378-2/98)
- N. Horticulture. The raising of fruits, vegetables, flowers, trees, and shrubs as a commercial enterprise. (3334-6/97, 3378-2/98)

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- O. Laboratories. Establishments providing medical or dental laboratory services; or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. Other laboratories are classified as Limited Industry. (3334-6/97, 3378-2/98)
- P. Maintenance and Repair Services. Establishments providing appliance repair, office machine repair, or building maintenance services. This classification excludes maintenance and repair of vehicles or boats; see (Vehicle/Equipment Repair). (3334-6/97)
- Q. Marine Sales and Services. Establishments providing supplies and equipment for shipping or related services or pleasure boating. Typical uses include chandleries, yacht brokerage and sales, boat yards, boat docks, and sail-making lofts. (3334-6/97, 3378-2/98)
- R. Reserved. (3788-12/07)
- S. Nurseries. Establishments in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only. (3334-6/97, 3378-2/98)
- T. Offices, Business and Professional. Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, graphic design, interior design, real estate, insurance, investment, legal, veterinary, and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations. (3334-6/97, 3378-2/98)
- U. Pawn Shops. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property and subject to Chapter 5.36 of the Municipal Code. (3334-6/97, 3378-2/98)
- V. Personal Enrichment Services. Provision of instructional services or facilities, including photography, fine arts, crafts, dance or music studios, driving schools, business and trade schools, and diet centers, reducing salons, fitness studios, yoga or martial arts studios, and massage in conjunction with Personal Services business. (3334-6/97, 3378-2/98, 3669-12/04)
- W. Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, seamstresses, tailors, shoe repair shops, dry-cleaning businesses (excluding large-scale bulk cleaning plants), photo-copying, and self-service laundries. (3334-6/97, 3378-2/98)
- X. Research and Development Services. Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electron research firms or pharmaceutical research laboratories, but excludes manufacturing, except of prototypes, or medical testing and analysis. (3334-6/97, 3378-2/98)
- Y. Retail Sales. The retail sale of merchandise not specifically listed under another use classification. This classification includes department stores,

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drug stores, clothing stores, and furniture stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies, medical supplies and equipment, electronic equipment, records, sporting goods, surfing boards and equipment, kitchen utensils, hardware, appliances, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).
(3334-6/97, 3378-2/98)

- Z. Secondhand Appliances and Clothing Sales. The retail sale of used appliances and clothing by secondhand dealers who are subject to Chapter 5.36. This classification excludes antique shops primarily engaged in the sale of used furniture and accessories other than appliances, but includes junk shops. (3334-6/97, 3378-2/98)

- AA Sex Oriented Businesses. Establishments as regulated by Chapter 5.70; baths, sauna baths and massage establishments, as regulated by Chapter 5.24; and figure model studios as regulated by Chapter 5.60. (3378-2/98)

- BB. Swap Meets, Indoor/Flea Markets. An occasional, periodic or regularly scheduled market held within a building where groups of individual vendors offer goods for sale to the public. (3334-6/97)

- CC. Swap Meets, Recurring. Retail sale or exchange of handcrafted or secondhand merchandise for a maximum period of 32 consecutive hours, conducted by a sponsor on a more than twice yearly basis. (3334-6/97)

- DD. Tattoo Establishment. Premises used for the business of marking or coloring the skin with tattoos as regulated by Chapter 8.70. (3334-6/97)

- EE. Travel Services. Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies. (3334-6/97)

- FF. Vehicle/Equipment Sales and Services.
 - 1. Automobile Rentals. Rental of automobiles, including storage and incidental maintenance, but excluding maintenance requiring pneumatic lifts. (3334-6/97)

 - 2. Automobile Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles. (3334-6/97)

 - 3. Commercial Parking Facility. Lots offering short-term or long-term parking to the public for a fee. (3334-6/97)

 - 4. Service Stations. Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and accessories. This classification includes incidental maintenance and minor repair of motor vehicles, but excluding body and fender work or major repair of automobiles, motorcycles, light and heavy trucks or other vehicles. (3334-6/97)

 - 5. Vehicle/Equipment Repair. Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts.

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This classification includes auto repair shops, body and fender shops, transmission shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire retreading or recapping. (3334-6/97)

- a. Limited. Light repair and sale of goods and services for vehicles, including brakes, muffler, tire shops, oil and lube, and accessory uses, but excluding body and fender shops, upholstery, painting, and rebuilding or reconditioning of vehicles. (3334-6/97)
 6. Vehicle/Equipment Sales and Rentals. Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, manufactured homes, boats, and similar equipment, including storage and incidental maintenance. (3334-6/97)
 7. Vehicle Storage. The business of storing or safekeeping of operative and inoperative vehicles for periods of time greater than a 24 hour period, including, but not limited to, the storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles, but not including vehicle dismantling. (3334-6/97, 3757-1/07)
- GG. Visitor Accommodations.
1. Bed and Breakfast Inns. Establishments offering lodging on a less than weekly basis in a converted single-family or multi-family dwelling or a building of residential design, with incidental eating and drinking service for lodgers only provided from a single kitchen. (3334-6/97)
 2. Hotels and Motels. Establishments offering lodging on a weekly or less than weekly basis. Motels may have kitchens in no more than 25 percent of guest units, and "suite" hotels may have kitchens in all units. This classification includes eating, drinking, and banquet service associated with the facility. (3334-6/97)
 3. Condominium – Hotel. Facility providing overnight visitor accommodations where ownership of at least some of the individual guestrooms (units) within the larger building or complex is in the form of separate condominium ownership interests, as defined in California Civil Code section 1351(f). The primary function of the Condominium-Hotel is to provide overnight transient visitor accommodations within every unit that is available to the general public on a daily basis year-round, while providing both general public availability and limited owner occupancy of those units that are in the form of separate condominium ownership interests. (3774-9/07 - subject to approval by the California Coastal Commission)
 4. Fractional Ownership Hotel. Facility providing overnight visitor accommodations where at least some of the guestrooms (units) within the facility are owned separately by multiple owners on a fractional time basis. A fractional time basis means that an owner receives exclusive right to use of the individual unit for a certain quantity of days per year and each unit available for fractional

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ownership will have multiple owners. (3774-9/07 - subject to approval by the California Coastal Commission)

HH. Warehouse and Sales Outlets. Businesses which store large inventories of goods in industrial-style buildings where these goods are not produced on the site but are offered to the public for sale. (3334-6/97)

II. Quasi Residential

1. Residential Hotels. Buildings with 6 or more guest rooms without kitchen facilities in individual rooms, or kitchen facilities for the exclusive use of guests, and which are intended for occupancy on a weekly or monthly basis. (3334-6/97)
2. Single Room Occupancy. Buildings designed as a residential hotel consisting of a cluster of guest units providing sleeping and living facilities in which sanitary facilities and cooking facilities are provided within each unit; tenancies are weekly or monthly. (3334-6/97)
3. Timeshare. Any arrangement, plan, or similar program, other than an exchange program, whereby a purchaser receives ownership rights in or the right to use accommodations for a period of time less than a full year during any given year, on a recurring basis for more than one year, but not necessarily for consecutive years. (3334-6/97, 3774-9/07 - subject to approval by the California Coastal Commission)

204.12 Industrial Use Classifications

- A. Industry, Custom. Establishments primarily engaged in on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment. (3334-6/97)
 1. Small-scale. Includes mechanical equipment not exceeding 2 horsepower or a single kiln not exceeding 8 kilowatts and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, candle-making shops, and custom jewelry manufacture. (3334-6/97)
- B. Industry, General. Manufacturing of products, primarily from extracted or raw materials, or bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes chemical manufacture or processing, food processing and packaging, laundry and dry cleaning plants, auto dismantling within an enclosed building, stonework and concrete products manufacture (excluding concrete ready-mix plants), small animal production and processing within an enclosed building, and power generation. (3334-6/97)
- C. Industry, Limited. Manufacturing of finished parts or products, primarily from previously prepared materials; and provision of industrial services, both within an enclosed building. This classification includes processing, fabrication, assembly, treatment, and packaging, but excludes basic

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industrial processing from raw materials and Vehicle/Equipment Services, but does allow food processing for human consumption. (3334-6/97)

- D. Industry, Research and Development. Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but prohibits uses that may be objectionable in the opinion of the Director, by reason of production of offensive odor, dust, noise, vibration, or in the opinion of the Fire Chief by reason of storage of hazardous materials. Uses include aerospace and biotechnology firms, and non-toxic computer component manufacturers. (3334-6/97)

This classification also includes assembly, testing and repair of components, devices, equipment, systems, parts and components such as but not limited to the following: coils, tubes, semi-conductors; communication, navigation, guidance and control equipment; data processing equipment; filing and labeling machinery; glass edging and silvering equipment; graphics and art equipment; metering equipment; optical devices and equipment; photographic equipment; radar, infrared and ultraviolet equipment; radio and television equipment. (3334-6/97)

This classification also includes the manufacture of components, devices, equipment, parts and systems which includes assembly, fabricating, plating and processing, testing and repair, such as but not limited to the following: machine and metal fabricating shops, model and spray painting shops, environmental test, including vibration analysis, cryogenics, and related functions, plating and processing shops, nuclear and radioisotope. (3334-6/97)

This classification also includes research and development laboratories including biochemical and chemical development facilities for national welfare on land, sea, or air; and facilities for film and photography, metallurgy; pharmaceutical, and medical and x-ray research. (3334-6/97)

- E. Wholesaling, Distribution and Storage. Storage and distribution facilities without sales to the public on-site or direct public access except for recycling facilities and public storage in a small individual space exclusively and directly accessible to a specific tenant. This classification includes mini-warehouses. (3334-6/97)

204.14 Accessory Use Classifications

Accessory Uses and Structures. Uses and structures that are incidental to the principal permitted or conditionally permitted use or structure on a site and are customarily found on the same site. This classification includes detached or attached garages, home occupations, caretakers' units, and dormitory type housing for industrial commercial workers employed on the site, and accessory dwelling units. (3334-6/97)

204.16 Temporary Use Classifications

- A. Animal Shows. Exhibitions of domestic or large animals for a maximum of seven days. (3334-6/97)
- B. Festivals, Circuses and Carnivals. Provision of games, eating and drinking facilities, live entertainment, animal exhibitions, or similar activities in a tent

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or other temporary structure for a maximum of seven days. This classification excludes events conducted in a permanent entertainment facility. (3334-6/97, 3521-2/02)

- C. Commercial Filming, Limited. Commercial motion picture or video photography at a specific location six or fewer days per quarter of a calendar year. (See also Chapter 5.54, Commercial Photography) (3334-6/97)
- D. Personal Property Sales. Sales of personal property by a resident ("garage sales") for a period not to exceed 48 consecutive hours and no more than once every six months. (3334-6/97)
- E. Real Estate Sales. An office for the marketing, sales, or rental of residential, commercial, or industrial development. This classification includes "model homes." (3334-6/97)
- F. Retail Sales, Outdoor. Retail sales of new merchandise on the site of a legally established retail business for a period not to exceed 96 consecutive hours (four days) no more than once every 3 months. (3334-6/97, 3669-12/04)
- G. Seasonal Sales. Retail sales of seasonal products, including Christmas trees, Halloween pumpkins and strawberries. (3334-6/97)
- H. Street Fairs. Provision of games, eating and drinking facilities, live entertainment, or similar activities not requiring the use of roofed structures. (3334-6/97)
- I. Trade Fairs. Display and sale of goods or equipment related to a specific trade or industry for a maximum period of five days per year. (3334-6/97)
- J. Temporary Event. Those temporary activities located within the coastal zone that do not qualify for an exemption pursuant to Section 245.08. (3334-6/97)
- K. Tent Event. Allows for the overflow of any assembly for a period not to exceed 72 consecutive hours and not more than once every 3 months. (3521-2/02, 3724-02/06)

ORDINANCE NO. 3858

LEGISLATIVE DRAFT

Chapter 210 Residential Districts

(3268-12/94, 3334-6/97, 3410-3/99, 3455-5/00, 3568-9/02, 3706-6/05, 3724-02/06, 3761-2/07, 3832-7/09)

Sections:

- 210.02 Residential Districts Established
- 210.04 RL, RM, RMH, RH, and RMP Districts: Land Use Controls
- 210.06 RL, RM, RMH, RH, and RMP Districts: Property Development Standards
- 210.08 Development Standards for Senior Projects
- 210.10 Modifications for Affordable Housing
- 210.12 Planned Unit Development Supplemental Standards and Provisions
- 210.14 RMP District Supplemental Development Standards
- 210.16 Review of Plans

210.02 Residential Districts Established

The purpose of the residential districts is to implement the General Plan and Local Coastal Program Land Use Plan residential land use designations. Five (5) residential zoning districts are established by this chapter as follows: (3334-6/97)

- A. The RL Low Density Residential District provides opportunities for single-family residential land use in neighborhoods, subject to appropriate standards. Cluster development is allowed. Maximum density is seven (7) units per acre.
- B. The RM Medium Density Residential District provides opportunities for housing of a more intense nature than single-family detached dwelling units, including duplexes, triplexes, town houses, apartments, multi-dwelling structures, or cluster housing with landscaped open space for residents' use. Single-family homes, such as patio homes, may also be suitable. Maximum density is fifteen (15) units per acre.
- C. The RMH Medium High Density Residential District provides opportunities for a more intensive form of development than is permitted under the medium density designation while setting an upper limit on density that is lower than the most intense and concentrated development permitted in the City. One subdistrict has been identified with unique characteristics where separate development standards shall apply: RMH-A Small Lot. Maximum density is twenty-five (25) units per acre.
- D. The RH High Density Residential District provides opportunities for the most intensive form of residential development allowed in the City, including apartments in garden type complexes and high rise where scenic and view potential exists, subject to appropriate standards and locational requirements. Maximum density is thirty-five (35) units per acre.
- E. The RMP Residential Manufactured Home Park District provides sites for mobile home or manufactured home parks, including parks with rental spaces and parks where spaces are individually owned. Maximum density is nine (9) spaces per acre.

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210.04 RL, RM, RMH, RH, and RMP Districts: Land Use Controls

In the following schedules, letter designations are used as follows:

"P" designates use classifications permitted in residential districts.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" that follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

"TU" designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator. (3334-6/97, 3410-3/99)

"P/U" designates that accessory uses are permitted, however, accessory uses are subject to approval of a conditional use permit if the primary use requires a conditional use permit. (3334-6/97, 3410-3/99)

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the zoning ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

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RL, RM, RMH, RH, and RMP DISTRICTS: LAND USE CONTROLS

P = Permitted
 L = Limited (see Additional Provisions) (3334-6/97)
 PC = Conditional use permit approved by Planning Commission
 ZA = Conditional use permit approved by Zoning Administrator
 TU = Temporary Use Permit
 P/U = Requires conditional use permit on site of conditional use
 - = Not Permitted

	RL	RM	RMH RH	RMP	Additional Provisions	
Residential Uses					(A)(M)(Q)	(3334-6/97, 3410-3/99)
Day Care, Ltd.	P	P	P	P		
Group Residential	-	-	PC	-		
Multi-family Residential					(B)(C)(D)(R)	(3410-3/99, 3455-5/00)
2 - 4 units	ZA	P	P	-		(3334-6/97, 3410-3/99)
5 - 9 units	ZA	ZA	ZA	-		(3334-6/97, 3410-3/99)
10 or more units	PC	PC	PC	-		(3334-6/97, 3410-3/99)
Manufactured Home Parks	ZA	ZA	-	ZA	(E)(F)	
Residential, Alcohol Recovery, Ltd.	P	P	P	P		
Residential Care, Limited	P	P	P	P		
Single-Family Residential	P	P	P	P	(B)(D)(F)(P)(R)(S)	(3334-6/97, 3410-3/99, 3455-5/00, 3832-7/09)
Supportive Housing	<u>L-7</u>	<u>L-7</u>	<u>L-7</u>	<u>L-7</u>		
Transitional Housing	<u>L-7</u>	<u>L-7</u>	<u>L-7</u>	<u>L-7</u>		
Public and Semipublic					(A)(O)	(3334-6/97, 3410-3/99)
Clubs & Lodges	PC	PC	ZA	ZA		(3334-6/97, 3410-3/99)
Day Care, Large-family	L-6	L-6	L-6	L-6		(3334-6/97, 3761-2/07)
Day Care, General	L-1	ZA	ZA	ZA		(3334-6/97, 3410-3/99)
Park & Recreation Facilities	L-2	L-2	L-2	L-2		(3334-6/97, 3410-3/99)
Public Safety Facilities	PC	PC	PC	PC		
Religious Assembly	L-3	PC	PC	PC		(3334-6/97, 3410-3/99)
Residential Care, General	-	L-1	PC	PC		(3334-6/97, 3410-3/99)
Schools, Public or Private	PC	PC	PC	PC		
Utilities, Major	PC	PC	PC	PC		
Utilities, Minor	P	P	P	P		
Commercial						
Communication Facilities	L-5	L-5	L-5	L-5		(3568-9/02)
Horticulture	ZA	ZA	ZA	ZA		(3410-3/99)
Nurseries	ZA	ZA	ZA	ZA		(3410-3/99)
Visitor Accommodations						
Bed and Breakfast Inns	-	-	L-4	-		(3334-6/97, 3410-3/99)
Accessory Uses	P/U	P/U	P/U	P/U	(A)(G)(H)(I)(L)(M)	(3334-6/97, 3410-3/99)
Temporary Uses					(J)(M)	(3334-6/97, 3410-3/99)
Commercial Filming, Limited	P	P	P	P		
Real Estate Sales	P	P	P	P	(N)	(3334-6/97, 3410-3/99, 3706-6/05)
Personal Property Sales	P	P	P	P		
Street Fairs	TU	TU	TU	TU		
Nonconforming Uses					(K)(L)	



RL, RM, RMH, RH, and RMP Districts: Additional Provisions

- L-1 A conditional use permit from the Planning Commission is required and only allowed on lots 1.0 acre (gross acreage) or greater fronting an arterial in RL District. (3410-3/99)
- L-2 Public facilities permitted, but a conditional use permit from the Zoning Administrator is required for private noncommercial facilities, including swim clubs and tennis clubs. (3334-6/97, 3410-3/99)
- L-3 A conditional use permit from the Planning Commission is required, and only schools operating in conjunction with religious services are permitted as an accessory use. A General Day Care facility may be allowed as a secondary use, subject to a conditional use permit, if the Planning Commission finds that it would be compatible with adjacent areas and not cause significant traffic impacts. (3334-6/97, 3410-3/99, 3724-02/06)
- L-4 A conditional use permit from the Zoning Administrator is required and only allowed on lots 10,000 sq. ft. or greater in RMH-A subdistrict. See also Section 230.42: Bed and Breakfast Inns. (3334-6/97, 3410-3/99, 3706-6/05)
- L-5 Only wireless communication facilities permitted subject to section 230.96 Wireless Communication Facilities. (3568-9/02)
- L-6 Neighborhood notification is required pursuant to Section 241.24. No architectural plans shall be required. (3761-2/07)
- L-7 Supportive Housing and Transitional Housing shall be considered a residential use of property and shall be subject only to those restrictions and processing requirements that apply to other residential dwellings of the same type in the same zone.**
- (A) Any addition or modification subsequent to the original construction that would result in an increase in the amount of building area, or a structural or architectural alteration to the building exterior, shall require an amendment to the previously approved conditional use permit, if any, or approval of a new conditional use permit. (3334-6/97, 3410-3/99, 3761-2/07)
- (B) A conditional use permit from the Planning Commission is required for residential uses requesting reduction in standards for senior citizens (See Section 210.08), for affordable housing (See Sections 210.10 and 230.14), or for density bonus (See Section 230.14).
- (C) A conditional use permit from the Zoning Administrator is required for any multiple family residential development that:
- (1) abuts an arterial highway;
 - (2) includes a dwelling unit more than 150 feet from a public street; or
 - (3) includes buildings exceeding 25 feet in height. (3334-6/97, 3410-3/99)
- (D) See Section 210.12: Planned Unit Development Supplemental Standards. In addition, a conditional use permit is required for condominium conversion pursuant to Chapter 235.
- (E) See Section 210.14: RMP District Supplemental Standards. In addition, Neighborhood Notification pursuant to Chapter 241 is required for the addition of manufactured home space(s) to an existing Manufactured Home Park. (3334-6/97, 3410-3/99, 3706-6/05)
- (F) See Section 230.16: Manufactured Homes.

- (G) See Section 230.12: Home Occupation in R Districts.
- (H) See Section 230.08: Accessory Structures.
- (I) See Section 230.10: Accessory Dwelling Units.

RL, RM, RMH, RH, and RMP Districts: Additional Provisions

- (J) See Section 241.20: Temporary Use Permits.
- (K) See Chapter 236: Nonconforming Uses and Structures.
- (L) See Chapter 233: Signs.
- (M) Tents, trailers, vehicles, or temporary structures shall not be used for dwelling purposes. (3334-6/97, 3410-3/99)
- (N) See Section 230.18: Subdivision Sales Offices and Model Homes. (3334-6/97, 3410-3/99)
- (O) Limited to facilities on sites of fewer than 2 acres. (3334-6/97, 3410-3/99)
- (P) See Section 230.22: Residential Infill Lot Developments. (3334-6/97, 3410-3/99)
- (Q) See Section 230.20: Payment of Parkland Dedication In-Lieu Fee. (3410-3/99)
- (R) Small lot development standards for RM, RMH, and RH Districts. A conditional use permit from the Planning Commission is required for small lot residential subdivisions, including condominium maps for detached single family dwellings. See also Section 230.24: Small Lot Development Standards. (3455-5/00)
- (S) See Coastal Element Land Use Plan, Table C-2, for permitted uses, development requirements and restrictions applicable to development within Subarea 4K as depicted in Figures C-6a and C-10 of the Coastal Element Land Use Plan. Subdivision design and development within Subarea 4K shall incorporate the information from the plans and studies required in Table C-2 for development of that Subarea. If there is a conflict between the requirements and restrictions of Table C-2 and other provisions of the Zoning and Subdivision Ordinance, the requirements and restrictions included in Table C-2 shall prevail. (3832-7/09)

210.06 RL, RM, RMH, RH, and RMP Districts: Property Development Standards

The following schedule prescribes development standards for residential zoning districts and subdistricts designated on the zoning map. The columns establish basic requirements for permitted and conditional uses; letters in parentheses in the "Additional Provisions" column refer to "Additional Development Standards" following the schedule.

In calculating the number of units permitted on the site, density is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number except that one dwelling unit may be allowed on a legally created lot complying with minimum lot area. All required

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setbacks shall be measured from ultimate right-of-way and in accordance with the definitions set forth in Chapter 203, Definitions.

Any new parcel created pursuant to Title 25, Subdivisions, shall comply with the minimum building site requirements of the district in which the parcel is located unless approved as a part of a Planned Unit Development.

Property Development Standards for Residential Districts

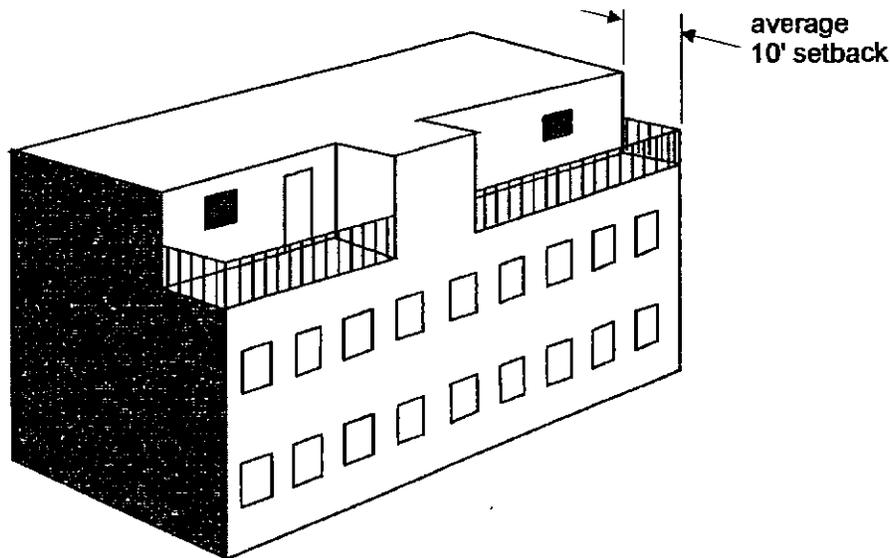
	RL	RM	RMH-A Subdistrict	RMH	RH	RMP	Additional Provisions	
Minimum Building Site	6,000	6,000	2,500	6,000	6,000	10 ac.	(A)(B)(C)	(3410-399)
Width (ft.)	60	60	25	60	60	N/A		(3334-697, 3410-399)
Cul de sac frontage	45	45	-	45	45	N/A		(3334-697, 3410-399)
Minimum Setbacks							(D)(R)	(3334-697, 3410-399)
Front (ft.)	15	15	12	10	10	10	(E)(F)	(3334-697, 3410-399)
Side (ft.)	3;5	3;5	3;5	3;5	3;5	-	(G)(I)(J)	(3334-697, 3410-399)
Street Side (ft.)	6;10	6;10	5	6;10	6;10	10	(H)	(3334-697, 3410-399)
Rear (ft.)	10	10	7.5	10	10	-	(I)(J)	
Accessory Structure							(U)	(3334-697, 3410-399)
Garage							(K)	(3334-697, 3410-399)
Projections into Setbacks							(L)(R)	(3334-697, 3410-399)
Maximum Height (ft.)								
Dwellings	35	35	35	35	35	20	(M)	(3334-697, 3410-399)
Accessory Structures	15	15	15	15	15	15	(M)(R)	(3410-399)
Maximum Floor Area Ratio (FAR)	-	-	1.0	-	-	-		(3334-697, 3410-399) (3410-399)
Minimum Lot Area per Dwelling Unit (sq. ft.)	6,000	2,904	*	1,742	1,244	-		(3334-697, 3410-399)
Maximum Lot Coverage (%)	50	50	50	50	50	75	(V)	(3334-697, 3410-399)
Minimum Floor Area							(N)	(3334-697, 3410-399)
Minimum Usable Open Space Courts							(O) (P)	(3334-697, 3410-399)
Accessibility within Dwellings							(Q)	(3410-399)
Waterfront Lots							(R)	(3334-697, 3410-399)
Landscaping			See Chapter 232				(S)	(3334-697, 3410-399)
Fences and Walls			See Section 230.88					
Lighting							(T)	(3334-697, 3410-399)
Underground Utilities			See Chapter 17.64					
Screening of Mechanical Equipment			See Section 230.76					
Refuse Storage Areas			See Section 230.78					(3410-399)
Antenna			See Section 230.80					(3410-399)
Performance Standards			See Section 230.82					
Off-Street Parking and Loading			See Chapter 231					
Signs			See Chapter 233					
Nonconforming Structures			See Chapter 236					
Accessory Structures			See Chapter 230.08					(3706-605)

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- * Lots 50 feet or less in width = 1 unit per 25 feet of frontage
- Lots greater than 50 feet in width = 1 unit per 1,900 square feet
- N/A = Not applicable

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (A) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots.
- (B) See Section 230.66: Development on Lots Divided by District Boundaries.
- (C) The minimum lot area shall be 12,000 square feet for General Day Care, General Residential Care, and Public or Private Schools, except minimum lot area for General Day Care in the RL district shall be one (1) gross acre. (3334-6/97, 3410-3/99)
- (D) Building Separation. The minimum spacing between buildings including manufactured home units shall be 10 feet. (3334-6/97, 3410-3/99)
- (E) Variable Front Setback for Multi-family Projects. Projects with more than 4 units in the RM District, more than 8 units in the RMH District, or more than 14 units in the RH District shall provide a minimum setback of 15 feet from any public right-of-way. Minimum 50% of the garages shall be set back 20 feet from the front property line. (See Section 210.12B.) (3334-6/97, 3410-3/99)
- (F) Upper-story Setbacks for Multi-family Structures. The covered portion of all stories above the second story in any multi-family structure shall be set back an average of 10 feet from the second floor front facade (see Exhibit). (3334-6/97, 3410-3/99)



210-UPSS.PCX

UPPER STORY SETBACK

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RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

(G) Interior Side Setback

- (1) In the RL, RM, RMH, including RMH-A subdistrict, and RH Districts, interior side setbacks shall be minimum 10% of lot width, but not less than 3 feet and need not exceed 5 feet, except as stated below. (3334-6/97, 3410-3/99)
- (2) For projects in the RM, RMH, including RMH-A subdistrict, and RH Districts adjoining an RL District, interior side setbacks shall be at least:
 - (a) 10 feet for units in single-story or two-story buildings.
 - (b) 14 feet for units above two stories.

Subject to approval of a conditional use permit, the Zoning Administrator or the Planning Commission, may approve upper-story setbacks in lieu of an increased side setback if the second and third stories are set back the required distance. (3334-6/97, 3410-3/99)

(H) Street Side Setbacks

- (1) In the RL, RM, RMH (excluding RMH-A subdistrict), and RH districts, the street side yard shall be 20 percent of the lot width, minimum 6 feet and need not exceed 10 feet. (3334-6/97, 3410-3/99)
- (2) In the RMH-A subdistrict, street side setback shall be minimum 5 feet. (3410-3/99)
- (3) For projects with 10 or more multi-family units (including RMH-A subdistrict), the street side setback shall be the same as the front setback. (3334-6/97, 3410-3/99)

(I) Building Walls Exceeding 25 Feet in Height. The required interior side or rear setback adjoining a building wall exceeding 25 feet in height, excluding any portion of a roof, and located on a lot 45 feet wide or greater, shall be increased three feet over the basic requirement. (3334-6/97, 3410-3/99)

(J) Zero Side or Rear Setback.

- (1) A zero interior side setback may be permitted provided that the opposite side setback on the same lot is minimum 20% of the lot width, not less than 5 feet, and need not exceed 10 feet, and shall be subject to the requirements listed in subsection (3) below. (3334-6/97, 3410-3/99)
- (2) A zero rear setback may be permitted provided that the opposite rear setback for the adjacent lot is either zero or a minimum of 10 feet, and subject to the requirements listed in subsection (3) below. (3334-6/97, 3410-3/99)

(Rest of page not used)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (3) A zero side or rear setback may be permitted subject to the following requirements: (3334-6/97, 3410-3/99)
- (a) The lot adjacent to the zero side or rear setback shall either be held under the same ownership at the time of application or a deed restriction or agreement approved as to form by the City Attorney shall be recorded giving written consent of the adjacent property owner. (3334-6/97)
 - (b) A maintenance easement, approved as to form by the City Attorney, shall be recorded between the property owner and the owner of the adjacent lot to which access is required in order to maintain and repair a zero lot line structure. Such easement shall be an irrevocable covenant running with the land. No building permits shall be issued until such recorded maintenance easement has been submitted. (3334-6/97)
 - (c) Separation between the proposed structure and any structure on an adjacent lot shall either be zero or a minimum of 5 feet. (3334-6/97, 3410-3/99)
 - (d) No portion of the dwelling or any architectural features shall project over the property line. (3334-6/97)
 - (e) The zero setback shall not be adjacent to a public or private right-of-way. (3334-6/97)
 - (f) Exposure protection between structures shall be provided as specified by the Fire Department and Building Division. (3334-6/97)
- (4) Double zero side setbacks may be permitted for planned unit development projects subject to approval of a conditional use permit and compliance with Section 210.12 B. (3334-6/97, 3410-3/99)

(K) Garage Setbacks. Setbacks for the main dwelling shall apply, except as specifically stated below:

- (1) Front entry garage - 20 feet
- (2) Side entry garage - 10 feet
- (3) Garage with alley access - 5 feet

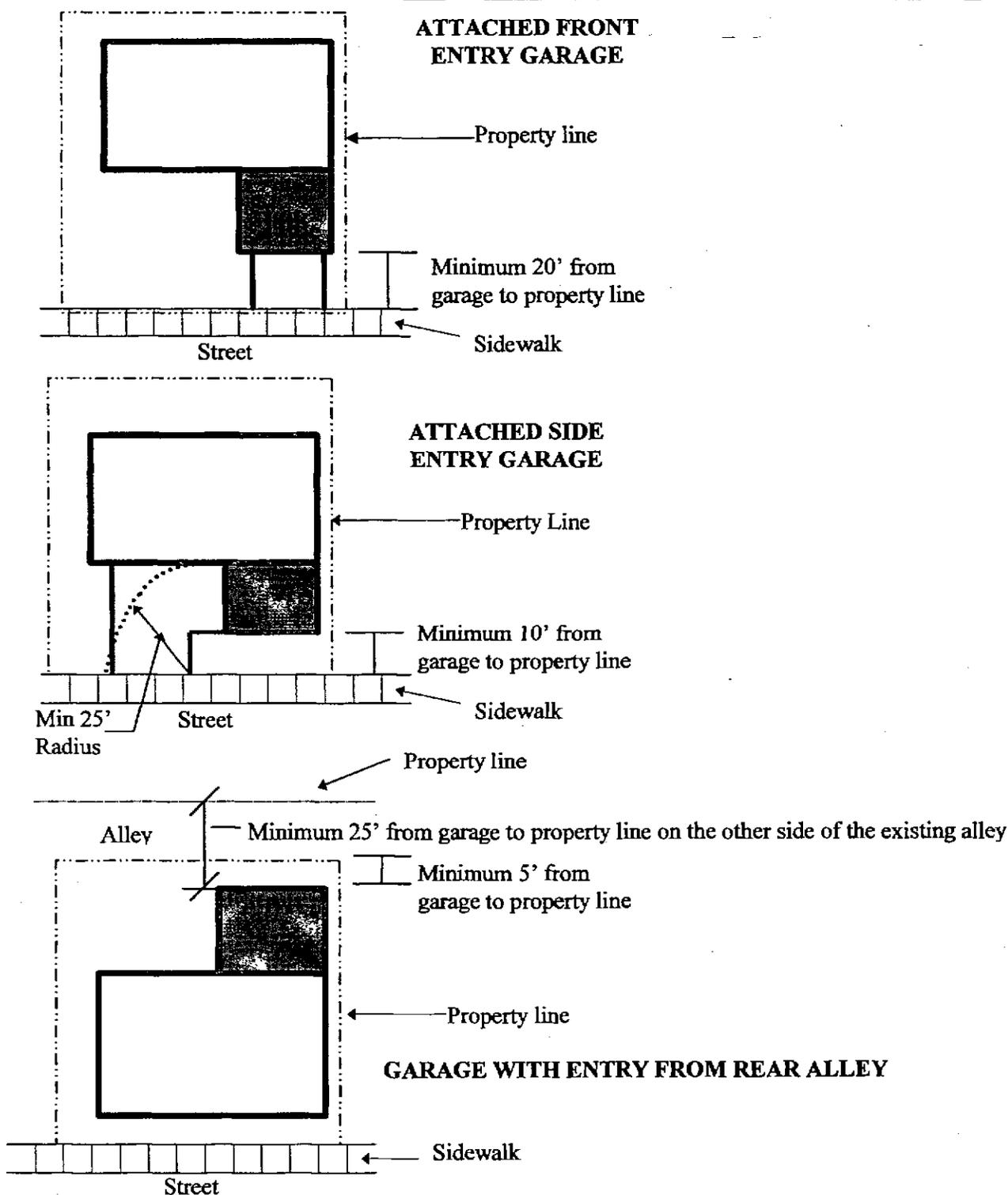
For garages with rear vehicular access from an alley and located on a lot 27 feet wide or less, the side setback adjacent to a street or another alley may be reduced to 3 feet.

A minimum 25 foot turning radius is required from the garage to the opposite side of the street, alley, drive aisle or driveway. (3334-6/97, 3410-3/99)

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RL, RM, RMH, RH, and RMP Districts: Additional Development Standards



RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

(L) Projections into Setbacks.

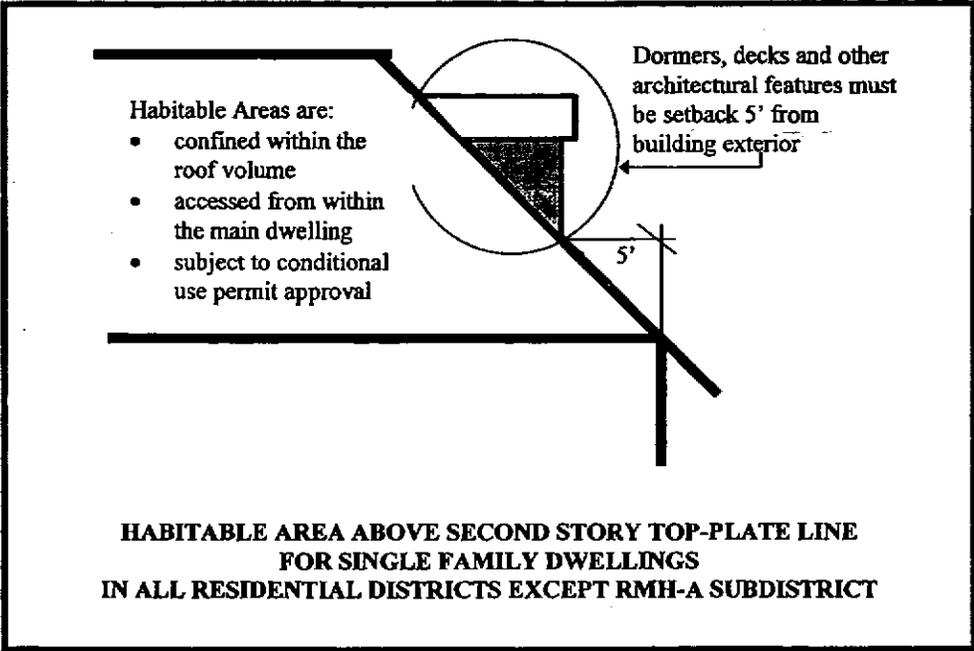
- (1) See Section 230.68: Building Projections into Yards.
- (2) Balconies and bay windows may project into required setbacks and usable open space areas subject to Section 230.68, provided that balconies have open railings, glass, or architectural details with openings to reduce visible bulk. Balconies composed solely of solid enclosures are not allowed to project into required setbacks. (3334-6/97, 3410-3/99)

(M) Height Requirements. See Section 230.70 Measurement of Height, and Section 230.72 Exceptions to Height Limits.

- (1) Single Family Dwellings in all residential districts, except lots in the RMH-A subdistrict with less than 50 feet of frontage shall comply with the following standards: (3334-6/97, 3410-3/99)
 - (a) Second story top plate height shall not exceed twenty-five (25) feet measured from the top of the subfloor/slab directly below. (3334-6/97, 3410-3/99)
 - (b) Roofs shall have a minimum 5/12 pitch if building height exceeds thirty (30) feet. (3334-6/97, 3410-3/99)
 - (c) Maximum building height for Main Dwellings shall be thirty-five (35) feet; however, Main Dwellings exceeding thirty (30) feet in height shall require approval of a Conditional Use Permit by the Zoning Administrator. (3268-12/94)(3334-6/97)
 - (d) Habitable area, which includes rooftop decks and balconies, above the second story top plate line shall require approval of a conditional use permit by the Zoning Administrator. Habitable area above the second story plate line shall be within the confines of the roof volume, with the following exceptions: (3334-6/97, 3410-3/99)
 - (1) Dormers, decks and other architectural features may be permitted as vertical projections above the roof volume provided the projections are set back five (5) feet from the building exterior and do not exceed the height limits as stated above. (3334-6/97)
 - (2) Windows and deck areas above the second story plate line shall orient toward public rights-of-way only. (3334-6/97, 3410-3/99)

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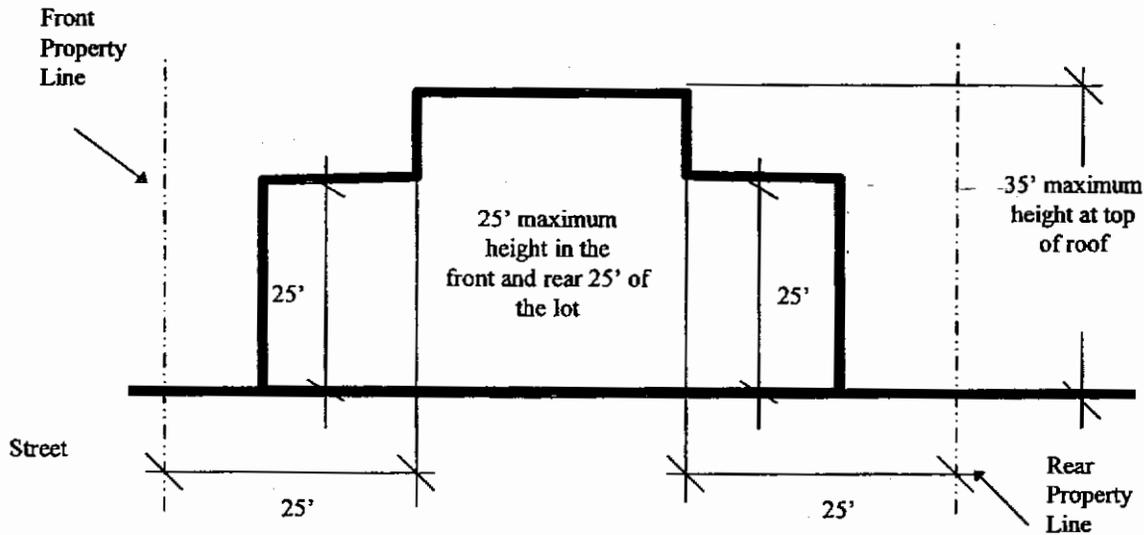
(3410-3/99)

- (e) Access to any habitable area above the second story top plate line shall be provided within the Main Dwelling and shall be consistent with internal circulation. Exterior stairways between the ground floor and a habitable area above the second story plate line shall be prohibited. (3334-6/97, 3410-3/99)

Two vertical cross-sections through the property (front-to-back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within 5 feet of the property line shall be submitted in order to determine compliance with this subsection. (3334-6/97, 3410-3/99)

- (2) Single Family Dwellings in the RMH-A subdistrict on lots with less than 50 feet of frontage shall comply with the following standards: (3334-6/97, 3410-3/99)
- (a) Second story top plate height shall not exceed twenty-five (25) feet measured from the top of the subfloor/slab directly below. (3334-6/97, 3410-3/99)
 - (b) Roofs shall have a minimum 5/12 pitch if building height exceeds thirty (30) feet. (3334-6/97)
 - (c) In the front and rear 25 feet of the lot, maximum building height for all structures, including railings and architectural features, shall be 25 feet. Otherwise, maximum building height shall be 35 feet. (3334-6/97, 3410-3/99)

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**MAXIMUM BUILDING HEIGHT FOR SINGLE FAMILY DWELLINGS
 ON LOTS LESS THAN 50 FEET WIDE IN RMH-A SUBDISTRICT**

- (d) Access to any habitable area above the second story top plate line shall be provided within the Main Dwelling and shall be consistent with internal circulation. Exterior stairways between the ground floor and a habitable area above the second story plate line shall be prohibited. (3334-6/97, 3410-3/99)

Two vertical cross-sections through the property (front-to-back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within 5 feet of the property line shall be submitted in order to determine compliance with this subsection. (3334-6/97, 3410-3/99)

- (3) Accessory Structures: See Section 230.08: Accessory Structures. Accessory structures located on projecting decks abutting a waterway shall comply with the height established in subsection (R). (3334-6/97, 3410-3/99)
- (4) Recreation Buildings: The maximum height of a recreation building for multi-family, planned residential, and mobile home park projects shall be established by the conditional use permit. (3334-6/97)

(N) Minimum Floor Area. Each dwelling unit in a multi-family building and attached single family dwellings shall have the following minimum floor area.

Unit Type	Minimum Area (Square Feet)
Studio	500
one bedroom	650
two bedrooms	900
three bedrooms	1,100
four bedrooms	1,300

All detached single family dwellings shall have a minimum 1,000 square feet of floor area not including the garage and shall be a minimum of 17 feet in width. (3334-6/97)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

(O) Open Space Requirements.

(1) The minimum open space area (private and common) for multi-family residential projects in RM, RMH, including RMH-A subdistrict, and RH Districts shall be 25% of the residential floor area per unit (excluding garages). (3334-6/97, 3410-3/99, 3706-06/05)

(2) Private Open Space.

(a) Private open space shall be provided in courts or balconies within which a horizontal rectangle has no dimension less than 10 feet for courts and 6 feet for balconies. A minimum patio area of 70 square feet shall be provided within the court. (3334-6/97)

(b) The following minimum area shall be provided:

Unit Type	Minimum Area (Sq.Ft.) Ground Floor Units	Units Above Ground Floor
Studio/1 bedroom	200	60
2 bedrooms	250	120
3 bedrooms	300	120
4 or more bedrooms	400	120

(3334-6/97)

(c) Private open space shall be contiguous to the unit and for the exclusive use of the occupants. Private open space shall not be accessible to any dwelling unit except the unit it serves and shall be physically separated from common areas by a wall or hedge exceeding 42 inches in height. (3334-6/97, 3410-3/99)

(d) A maximum of 50% of the private open space requirement, may be on open decks above the second story subject to approval of a conditional use permit by the Zoning Administrator, provided that no portion of such deck exceeds the height limit. (3410-3/99, 3706-6/05)

(e) Patio and balcony enclosures within existing planned developments or apartment complexes shall be subject to the following conditions: (3706-6/05)

1. A maximum of one enclosure per unit shall be allowed. (3706-6/05)
2. The existing balcony or patio area shall not be enlarged. (3706-6/05)
3. The balcony or patio enclosure shall comply with the current setback and height requirements for the district in which the site is located. (3706-6/05)
4. The enclosure shall consist entirely of transparent materials, i.e., no solid walls or opaque walls, except an existing solid roof may be part of the enclosure. (3706-6/05)
5. No structural change shall occur to the interface wall and doorway between the enclosure and the adjacent inside room of the building, unless the balcony/patio is replaced with equivalent unenclosed area for use as private open space. (3706-6/05)

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- 6. The enclosed area shall be considered as private open space and may be counted toward current private open space requirements. (3706-6/05)
- 7. Required egress for fire escape routes shall be maintained. (3706-6/05)

(3) Common Open Space.

- (a) Common open space, provided by interior side yards, patios, and terraces, shall be designed so that a horizontal rectangle has no dimension less than 10 feet, shall be open to the sky, and shall not include driveways, parking areas, or area required for front or street side yards. (3334-6/97, 3410-3/99, 3706-06/05)
 - (b) Projects with more than 20 units shall include at least one amenity, such as a clubhouse, swimming pool, tennis court, volleyball court, outdoor cooking facility, or other recreation facility. (3334-6/97, 3410-3/99, 3706-06/05)
- (4) The Director may allow a reduction in the open space requirement to 10% of the livable area per unit for projects with less than 10 units and located within walking distance of 1,000 feet of a public park or beach. (3334-6/97, 3410-3/99)

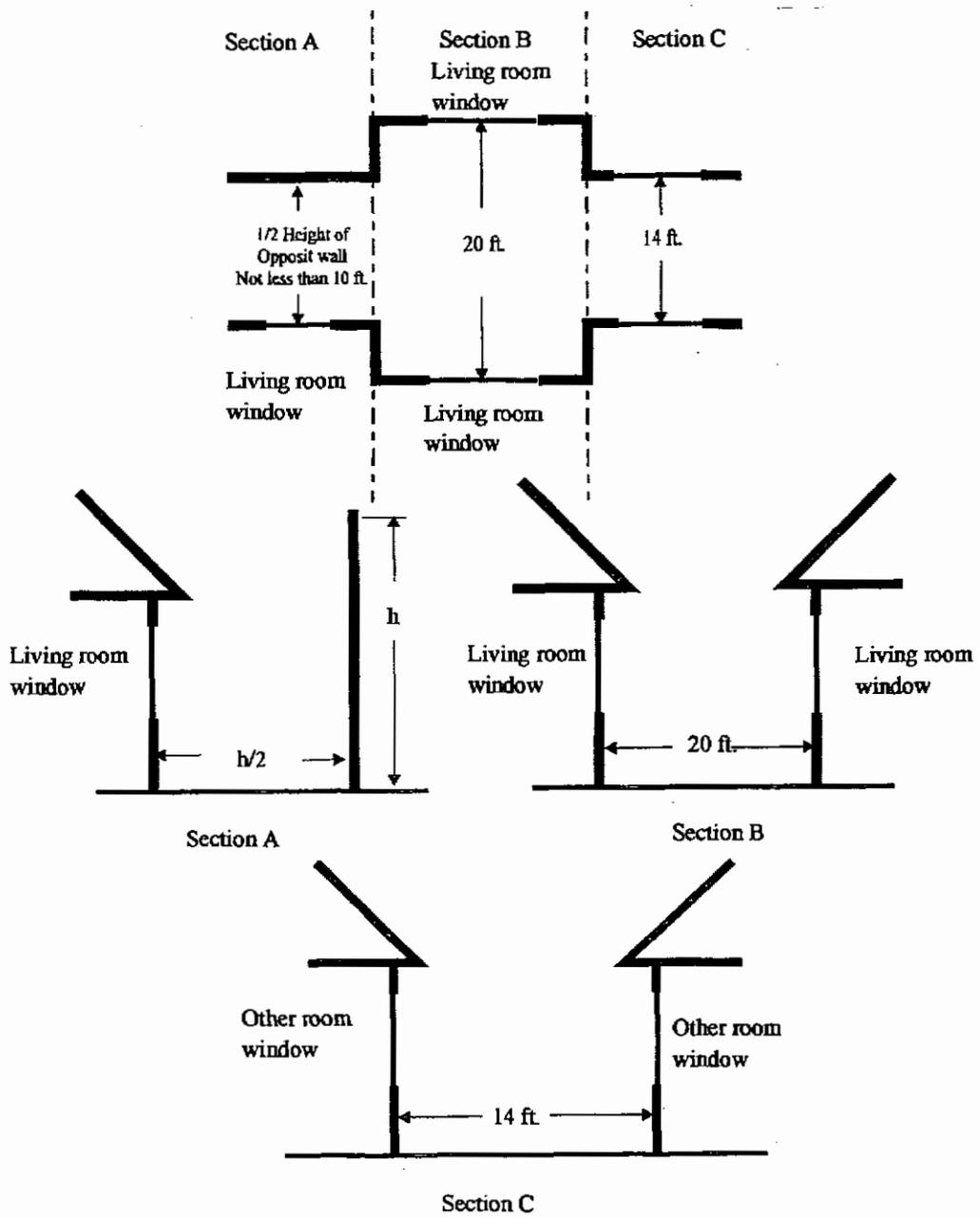
(P) Courts Opposite Windows in RM, RMH, and RH Districts (excluding the RMH-A sub-district). Courts shall be provided in all multi-family projects in the RM, RMH, and RH Districts subject to the following requirements: (3334-6/97, 3410-3/99)

- (1) Courts Opposite Walls on the Same Site: The minimum depth of a court shall be one-half the height of the opposite wall but not less than 20 feet opposite a living room and 14 feet opposite a required window for any other habitable room (see diagrams below). (3334-6/97, 3410-3/99)
- (2) Courts Opposite Interior Property Line: The minimum distance between a required window of a habitable room and a property line shall be 10 feet. (3334-6/97, 3410-3/99)
- (3) Court Dimensions: Courts shall be minimum 20 feet wide (minimum 10 feet on either side of the centerline of the required window) and shall be open to the sky. Eaves may project a maximum 2 feet into a court. (3334-6/97, 3410-3/99)

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RL, RM, RMH, RH, and RMP Districts: Additional Development Standards



COURTS OPPOSITE WINDOWS
 (3334-6/97)

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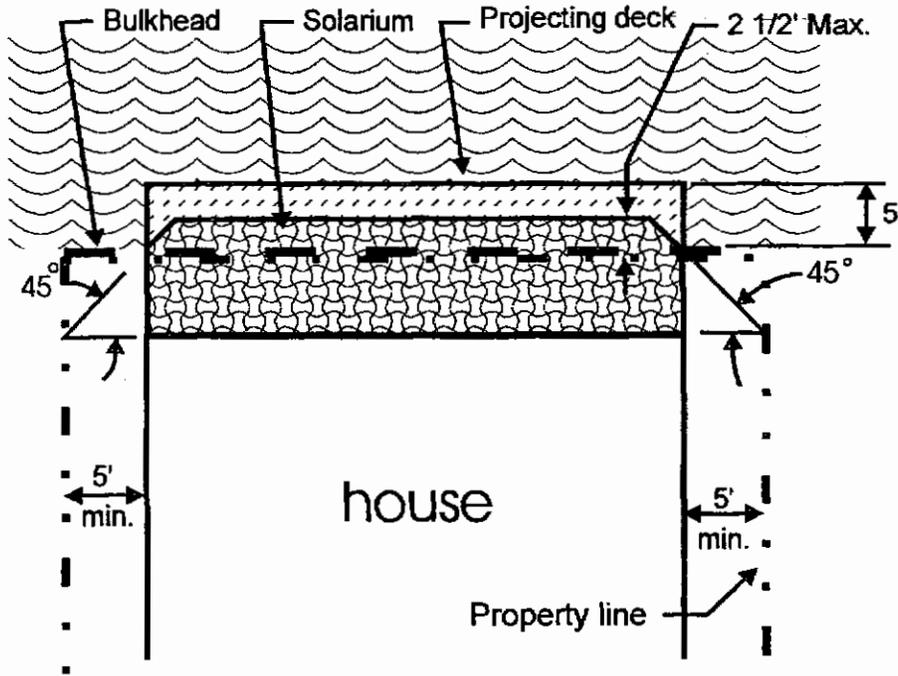
RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (Q) All habitable rooms in a dwelling unit must be accessible from within the dwelling. (3334-6/97, 3410-3/99)
- (R) Waterfront Lots. Projecting decks, windscreens, fencing, patio covers and solariums on waterfront lots may be permitted subject to the development standards set forth in this Chapter, Chapter 245, Chapter 17.24, and the following requirements: (3334-6/97)
- (1) Projecting Decks. Decks on waterfront lots may project 5 feet beyond the bulkhead provided the decks comply with the side setbacks required for the main dwelling. (3334-6/97, 3410-3/99)
 - (2) Windscreens. Windscreens may be permitted if constructed of light-weight materials such as plastic, canvas, fiberglass, tempered glass or metal, except for necessary bracing and framing. The maximum height for windscreens shall be 7 feet above the finished surface of the deck at the bulkhead line. (3334-6/97)
 - (3) Fencing. All portions of fencing within the required rear setback area shall comply with Chapter 230.88 and the visibility provisions below. (3334-6/97, 3410-3/99)
 - (4) Solariums. Solariums (patio enclosures) may project a maximum of 30 inches over the bulkhead. In all cases, the solarium shall maintain a 45 degree (45°) visibility angle as measured from the main dwelling building line extended to the side property line. The maximum height shall not exceed the top of the first floor ceiling joist. (3334-6/97, 3410-3/99)
 - (5) Patio Covers. Patio covers (including eaves) may be permitted to project 5 feet into the rear yard setback, however, construction materials shall allow compliance with visibility provisions below. (3334-6/97, 3410-3/99)
 - (6) Visibility. The portion of any windscreen, fence or patio cover in the rear yard setback or solarium above 36 inches in height shall be composed of materials and design which allow a minimum of 85% transmission of light and visibility through the structure in each direction when viewed from any angle. (3334-6/97)
 - (7) Removal. Decks, solariums and windscreens projecting over waterways which do not comply with the above provisions may be removed by the city upon 30-days' written notice. Such projections are declared to be a privilege which can be revoked for noncompliance and not a vested right. (3334-6/97)

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RL, RM, RMH, RH, and RMP Districts: Additional Development Standards



WATERFRONT LOT PROJECTIONS
(3334-6/97)

(S) Landscaping

- (1) A minimum 40% of the front yard shall be landscaped. For single family residences in the RMH-A subdistrict, a minimum 3 foot wide landscape planter along the front property line (excluding max. 5 ft. wide walkway) may be provided in lieu of the 40% requirement. A maximum 18 inch high planter wall may be constructed along the front property line. (3334-6/97, 3410-3/99)
- (2) All required trees specified in Chapter 232 shall be provided. (3410-3/99)
- (3) All subdivisions shall provide a minimum 5 foot wide landscaped area along arterial street/highway property lines. The actual required width shall be determined during the planning process. Maintenance of said landscaped area shall be by a homeowners association, property owner or other method approved by the City of Huntington Beach. (3334-6/97, 3410-3/99)

- (T) Lighting. A lighting system shall be provided in all multi-family projects along all vehicular access ways and major walkways. Lighting shall be directed onto the driveways and walkways within the development and away from adjacent properties. A lighting plan shall be submitted for approval by the Director. (3334-6/97)

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RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (U) See Section 230.08: Accessory Structures (3334-6/97, 3410-3/99)
- (V) Solid patio covers open on at least 2 sides may be permitted an additional 5% site coverage. Open lattice patio covers are exempted from site coverage standards. (3410-3/99)

210.08 Development Standards for Senior Projects

This section establishes development standards for Senior Residential Projects that may be permitted by the Planning Commission. (3334-6/97, 3410-3/99)

- A. Minimum Floor Area. Each dwelling unit shall have a minimum floor area of 450 square feet. (3334-6/97, 3410-3/99)
- B. Minimum Setbacks. The project shall comply with the minimum setback requirements of the district applicable to the site. (3334-6/97)
- C. Minimum Distance between Buildings. Minimum building separation shall be 10 feet. (3334-6/97, 3410-3/99)
- D. Building Design. No structure shall exceed 180 feet in length. To provide variation in building facades, two of the following architectural elements are required as part of each building: sloped roofs; bay windows; awnings; roof eaves; cornices; balconies; or patios. (3334-6/97)
- E. Open Space Requirements. (3334-6/97, 3410-3/99)
 - 1. Private Open Space: A minimum of 60 square feet of private open space for studios or one bedroom units and 120 square feet for two or more bedrooms, with minimum dimensions of 6 feet. (3334-6/97, 3410-3/99)
 - 2. Common Open Space: A minimum of 2,500 square feet for the first 50 units, and an additional 50 square feet for each unit over 50. (3334-6/97, 3410-3/99)
 - 3. Community Club House: An enclosed community or clubhouse facility containing minimum 7 square feet per unit, and a total area of minimum 400 square feet, may satisfy up to 50% of the common open space requirement. The clubhouse shall include handicapped bathrooms and kitchen facilities to be used by project residents and their guests only. (3334-6/97, 3410-3/99)
- F. Elevators. Buildings with more than 2 levels, including living areas or parking, shall have elevators. (3334-6/97)
- G. Parking. Parking shall comply with Chapter 231. Any parking space over and above the one space per unit shall be marked for guest use. (3334-6/97)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

210.10 Modifications for Affordable Housing

The Planning Commission may approve a conditional use permit modifying the minimum property development standards in this chapter for affordable housing, as provided in Section 230.14. The proposed modifications shall be requested in writing by the applicant, accompanied by a detailed pro-forma, rental guidelines, deed restrictions, financial subsidies, and other types of documentation which will serve to demonstrate the need for a reduction of development standards. Modifications to the standards may include, but are not limited to, the parking requirements and open space. The specific standard(s) from which the applicant is requesting relief shall be identified and alternative development standard(s) proposed. (3334-6/97, 3410-3/99)

210.12 Planned Unit Development Supplemental Standards and Provisions

This section establishes supplemental development standards and provisions that shall apply to all planned unit developments. (3334-6/97)

- A. Maps. A tentative and final or parcel map shall be approved pursuant to Title 25, Subdivisions. (3334-6/97)
- B. Project Design.
 - 1. Driveway parking for a minimum of fifty percent of the units shall be provided when units are attached side by side. (3334-6/97)
 - 2. A maximum of six units may be attached side by side and an offset on the front of the building a minimum of four (4) feet for every two units shall be provided. (3334-6/97)
 - 3. A minimum of one-third of the roof area within a multi-story, multi-unit building shall be one story less in height than the remaining portion of the structure's roof area. (3334-6/97)
- C. Common Areas. Every owner of a lot or dwelling unit shall own as an appurtenance to such unit or lot either an undivided interest in the common areas and facilities or a share in the corporation, community association, or limited partnership owning the common areas and facilities. (3334-6/97)
- D. Covenants. The developer shall submit a covenant setting forth a plan or manner of permanent care and maintenance of all common areas and communal facilities. Such covenant shall be included in the Covenant, Conditions, and Restrictions (CC&R's) applying to the property and shall be approved by the City Attorney and Director. The CC&R's shall be approved prior to final or parcel map approval and when approved, shall be recorded in the office of the Orange County Recorder. (3334-6/97)
- E. Maintenance. The corporation, community association, or limited partnership shall have the responsibility of maintaining the common areas and facilities as shown on the final development plans, the buildings and use of property for planned unit development. (3334-6/97)

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- F. Sale of Lots. No dwelling unit or lot shall be sold or encumbered separately from an interest in the common areas and facilities in the development which shall be appurtenant to such dwelling unit or lot. No lot shall be sold or transferred in ownership from the other lots in the total development or approved phase of the development unless all approved community buildings, structures and recreational facilities for the total development, or approved phase thereof, have been completed, or completion is assured, by bonding or other method satisfactory to the City. (3334-6/97)

- G. Management Agreement. No lot or dwelling unit in the development shall be sold unless a corporation, community association, or limited partnership has been formed with the right to assess all those properties which are jointly owned with interests in the common areas and facilities in the development to meet the expenses of such entity, and with authority to control, and the duty to maintain, all of said mutually available features of the development. Said entity shall operate under recorded CC&R's which shall include compulsory membership of all owners of lots and/or dwelling units, and flexibility of assessments to meet changing costs of maintenance, repairs and services. The developer shall submit evidence of compliance with this requirement to and receive approval of the City prior to making any such sale. This condition shall not apply to land dedicated to the City for public purposes. (3334-6/97)

210.14 RMP District Supplemental Development Standards

This section establishes supplemental standards for the development of manufactured home parks. (3334-6/97)

- A. Individual space setbacks for manufactured homes and accessory structures shall be landscaped and are as follows:

Front	minimum 5 feet
Side	10 feet aggregate, minimum 3 feet on any side
Rear	minimum 5 feet

(3334-6/97, 3410-3/99)

- B. Each space shall be provided with a minimum 150 cubic feet of enclosed, usable storage space. (3334-6/97, 3410-3/99)

- C. The undercarriage of all manufactured homes shall be screened from view on all sides. (3334-6/97)

- D. A six foot high concrete or masonry wall shall be provided along all interior property lines of the manufactured home park. In addition, a 20 foot wide landscaped berm or a 10 foot wide landscaped area and a 6 foot high wall shall be located at the minimum front setback line. (3334-6/97, 3410-3/99)

- E. A boat or trailer storage area shall be provided and screened from view by a 6 foot high fence or wall. (3334-6/97, 3410-3/99)

- F. Maximum site coverage for each individual manufactured home space shall be 75%. (3334-6/97, 3410-3/99)

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RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- G. Projects in the RMP district shall provide a minimum common open space area of 200 square feet per manufactured home space. (3410-3/99)

210.16 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the Community Development Department for review. Discretionary review shall be required as follows: (3334-6/97)

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots; see Chapter 241. (3334-6/97, 3410-3/99)
- B. Design Review Board. See Chapter 244. (3334-6/97, 3410-3/99)
- C. Planning Commission. Projects requiring a conditional use permit from the Planning Commission; see Chapter 241. (3334-6/97, 3410-3/99)
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245. (3334-6/97)

ORDINANCE NO. 3859

LEGISLATIVE DRAFT

Chapter 211 Commercial Districts

(3285-6/95, 3341-10/96, 3334-6/97, 3482-12/00, 3522-2/02, 3553-5/02, 3568-9/02, 3707-6/05, 3774-9/07)

(Note: Ordinance No. 3774-9/07 is subject to approval by the California Coastal Commission)

Sections:

211.02	Commercial Districts Established
211.04	CO, CG, and CV Districts: Land Use Controls
211.06	CO, CG and CV Districts: Development Standards
211.08	Review of Plans

211.02 Commercial Districts Established

The purpose of the Commercial districts is to implement the General Plan and Local Coastal Program commercial land use designations. Three (3) commercial zoning districts are established by this chapter as follows: (3334-6/97)

- A. The CO Office Commercial District provides sites for offices for administrative, financial, professional, medical and business needs.
- B. The CG General Commercial District provides opportunities for the full range of retail and service businesses deemed suitable for location in Huntington Beach.
- C. The CV Visitor Commercial District implements the Visitor Serving Commercial land use designation within the coastal zone and provides uses of specific benefit to coastal visitors. More specifically, the CV district provides opportunities for visitor-oriented commercial activities, including specialty and beach related retail shops, restaurants, hotels, motels, theaters, museums, and related services. (3334-6/97)

211.04 CO, CG, and CV Districts: Land Use Controls

In the following schedules, letter designations are used as follows:

"P" designates use classifications permitted in commercial districts.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" that follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

"TU" designates use classifications allowed upon approval of a temporary use permit.

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"P/U" for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use.

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the Zoning Ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

	P	=	Permitted
CO, CG, and CV Districts Land Use Controls	L	=	Limited (see <u>Additional Provisions</u>)
	PC	=	Conditional use permit approved by Planning Commission
	ZA	=	Conditional use permit approved by Zoning Administrator
	TU	=	Temporary Use Permit
	P/U	=	Requires conditional use permit on site of conditional use
	-	=	Not Permitted

	CO	CG	CV	Additional Provisions
Residential				(J)(Q)(R)(V) (3334-6/97)
Group Residential	PC	PC	PC	(3334-6/97)
Multifamily Residential	-	-	PC	(3334-6/97)
Public and Semipublic				(J)(Q)(R)(V) (3334-6/97, 3553-6/02)
Clubs and Lodges	P	P	-	(3334-6/97, 3707-6/06)
Community and Human Services				
Drug Abuse Centers	-	PC	-	
Primary Health Care	L11	L11	-	(3522-2/02)
Emergency Kitchens	-	L-2	-	
Emergency Shelters	-	L-2	-	
Residential Alcohol Recovery, General	-	PC	-	
Residential Care, General	ZA	ZA	-	(3707-06/05)
Convalescent Facilities	ZA	ZA	-	(3707-06/05)
Cultural Institutions	PC	PC	PC	
Day Care, General	L-3	L-3	-	(3707-06/05)
Day Care, Large-Family	P	P	-	(Y) (3522-2/02)
Emergency Health Care	L-2	L-2	-	(3334-6/97)
Government Offices	P	P	PC	(3334-6/97)
Heliports	PC	PC	PC	(B)
Hospitals	PC	PC	-	(3334-6/97)
Park & Recreation Facilities	L-9	L-9	L-9	
Public Safety Facilities	PC	PC	PC	
Religious Assembly	ZA	ZA	-	(3522-2/02) (3522-2/02)
Schools, Public or Private	PC	PC	-	
Utilities, Major	PC	PC	PC	
Utilities, Minor	P	P	P	(L)

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CO, CG, and CV Districts Land Use Controls	P = Permitted
	L = Limited (see <u>Additional Provisions</u>)
	PC = Conditional use permit approved by Planning Commission
	ZA = Conditional use permit approved by Zoning Administrator
	TU = Temporary Use Permit
	P/U = Requires conditional use permit on site of conditional use
	- = Not Permitted

	CO	CG	CV	Additional Provisions
Commercial Uses				(J)(Q)(R) (3341-0/96)
Ambulance Services	-	ZA	-	
Animal Sales & Services				
Animal Boarding	-	ZA	-	(3522-2/02)
Animal Grooming	-	P	-	
Animal Hospitals	-	ZA	-	(3522-2/02)
Animals: Retail Sales	-	P	-	
Equestrian Centers (CG Zone)	-	PC	-	(S) (3707-6/05)
Pet Cemetery	-	PC	-	
Artists' Studios	P	P	P	
Banks and Savings & Loans	P	P	P	
With Drive-Up Service	P	P	P	(3522-2/02)
Building Materials and Services	-	P	-	
Catering Services	P	P	P	
Commercial Filming	P	P	P	(F)
Commercial Recreation and Entertainment	-	PC	PC	(D)
Communication Facilities	L-13	L-13	L-13	(3568-9/02)
Eating and Drinking Estab.	L-4	L-4	L-4	(3522-2/02, 3707-6/05)
W/Alcohol	ZA	ZA	ZA	(N)(Y) (3522-2/02)
W/Drive Through	-	P	P	(3522-2/02, 3707-6/05)
W/Live Entertainment	ZA	ZA	ZA	(W)(Y) (3522-2/02)
W/Dancing	PC	PC	PC	(H)
W/Outdoor Dining	ZA	ZA	ZA	(X)(Y) (3522-2/02)
Food & Beverage Sales	-	P	L-2	
W/Alcoholic Beverage Sales	-	ZA	ZA	(N)
Funeral & Internment Services	-	ZA	-	
Laboratories	L-1	L-1	-	
Maintenance & Repair Services	-	P	-	
Marine Sales and Services	-	P	P	
Nurseries	-	ZA	-	
Offices, Business & Professional	P	P	P	(3334-6/97)
Pawn Shops	-	ZA	-	
Personal Enrichment Services	L-10	L-10	-	(Y) (3522-2/02)
Personal Services	P	P	P	
Research & Development Services	L-1	ZA	-	
Retail Sales	-	P	P	(U)(V) (3285-6/95, 3334-6/97, 3462-12/00)
Secondhand Appliances/Clothing	-	P	-	
Swap Meets, Indoor/Flea Markets	-	PC	-	(T)
Swap Meets, Recurring	-	ZA	-	
Tattoo Establishments	-	PC	-	
Travel Services	P	P	P	

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	P	=	Permitted
CO, CG, and CV Districts Land Use Controls	L	=	Limited (see <u>Additional Provisions</u>)
	PC	=	Conditional use permit approved by Planning Commission
	ZA	=	Conditional use permit approved by Zoning Administrator
	TU	=	Temporary Use Permit
	P/U	=	Requires conditional use permit on site of conditional use
	-	=	Not Permitted

	CO	CG	CV	Additional Provisions
Vehicle Equipment/Sales & Services				
Automobile Rentals	-	L-8	L-8	L-12
Automobile Washing	-	ZA	-	(3707-6/05)
Commercial Parking	-	ZA	ZA	(P) (3707-6/05)
Service Stations	-	PC	PC	(E)
Vehicle Equip. Repair	-	L-5	-	
Vehicle Equip. Sales & Rentals	ZA	ZA	-	L-12 (3522-2/02)
Vehicle Storage	-	ZA	-	(3707-6/05)
Visitor Accommodations				
Bed & Breakfast Inns	PC	PC	PC	(K) (3707-6/05, 3774-9/07 subject to approval by the CA Coastal Commission)
Hotels, Motels	-	PC	PC	(I) (3334-6/97, 3707-6/05, 3774-9/07 - subject to approval by the CA Coastal Commission)
Condominium – Hotel	-	-	PC	(Z) (3774-9/07, 3707-9/07 subject to approval by the CA Coastal Commission)
Fractional Ownership Hotel				(3774-9/07 - subject to approval by the CA Coastal Commission)
Quasi Residential Timeshares	-	PC	-	(I)(J) (3334-6/97 subject to approval by the CA Coastal Commission)
Residential Hotel	-	PC	-	(J) (3334-6/97, 3774-9/07 subject to approval by the CA Coastal Commission)
Single Room Occupancy	-	PC	-	(3774-9/07, 3774-9/07 subject to approval by the CA Coastal Commission)
Industrial Industry, Custom	-	L-6	L-6	(J)(Q)(R)(V) (3334-6/97)
Accessory Uses Accessory Uses & Structures	P/U	P/U	P/U	(J)(V) (3334-6/97)

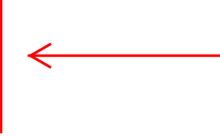
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Temporary Uses				(F)(J)(V)	(3334-6/97)
Animal Shows	-	TU	-		
Circus and Carnivals and Festivals	-	TU	-		(3522-2/02)
Commercial Filming, Limited	-	P	P - (M)		
Real Estate Sales	P	P	P		(3522-2/02, 3707-6/05)
Retail Sales, Outdoor	-	TU	TU (M)		(3522-2/02)
Seasonal Sales	TU	TU	TU (M)		(3522-2/02)
Tent Event	-	P	-		(3522-2/02, 3707-6/05)
Trade Fairs	-	P	-		(3707-6/05)
Nonconforming Uses				(G)(J)(V)	(3334-6/97)

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CO, CG, and CV Districts: Additional Provisions

- L-1 Permitted if the space is 5,000 square feet or less; allowed with Neighborhood Notification pursuant to Chapter 241 if the laboratory space exceeds 5,000 square feet. (3707-6/05)
 - L-2 Allowed with a conditional use permit from the Zoning Administrator if the space is 5,000 square feet or less; allowed with a conditional use permit from the Planning Commission if the space exceeds 5,000 square feet. (See Section 230.52 Emergency Shelters.) (3707-6/05) 
 - L-3 Allowed with a conditional use permit from the Zoning Administrator if the space is 2,500 square feet or less; allowed with a conditional use permit from the Planning Commission if the space exceeds 2,500 square feet. (3334-6/97, 3707-6/05))
 - L-4 Permitted if greater than 300 feet from residential zone or use; if 300 feet or less from residential zone or use neighborhood notification is required pursuant to Chapter 241. (3522-2/02, 3707-6/05)
 - L-5 Only "limited" facilities are allowed subject to approval of a conditional use permit from the Zoning Administrator, and body and fender shops are permitted only as part of a comprehensive automobile-service complex operated by a new vehicle dealer.
 - L-6 Only "small-scale" facilities, as described in Use Classifications, are permitted with a maximum 7 persons employed full time in processing or treating retail products, limited to those sold on the premises. (3522-2/02)
 - L-7 Repealed. (3707-6/05)
 - L-8 On-site storage limited to two rental cars or two cars for lease. (3707-6/05)
 - L-9 Public facilities permitted, but a conditional use permit from the Zoning Administrator is required for commercial facilities.
 - L-10 Permitted if the space is 5,000 square feet or less; allowed with conditional use permit approval from the Zoning Administrator if space exceeds 5,000 square feet. (3522-2/02, 3707-6/05)
- In addition, Personal Enrichment uses within a retail building parked at a ratio of one (1) space per 200 square feet, shall require no additional parking provided the use complies with the following: (3522-2/02)
- Maximum number of persons per classroom does not exceed the number of parking spaces allocated to the suite based upon the square footage of the building; and (3522-2/02)
 - The instruction area does not exceed 75 percent of total floor area of the personal enrichment building area. (3522-2/02)
- L-11 Permitted if the space is 5,000 square feet or less; allowed with a conditional use permit from the Zoning Administrator if the space exceeds 5,000 square feet. (3522-2/02, 3707-6/05)

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- L-12 Permitted for existing facilities proposing to expand up to 20% of existing floor area or display area. (3522-2/02, 3707-6/05)
- L-13 For wireless communication facilities see Section 230.96 Wireless Communication Facilities. All other communication facilities permitted. (3568-9/02)
- (A) Reserved. (3553-5/02)
- (B) See Section 230.40: Helicopter Takeoff and Landing Areas.
- (C) Repealed (3378-2/98)
- (D) See Section 230.38: Game Centers; Chapter 5.28: Dance Halls; Chapter 9.24: Card Rooms; Chapter 9.32: Poolrooms and Billiards; and Chapter 9.28: Pinball Machines.
- (E) See Section 230.32: Service Stations.
- (F) See Section 241.20: Temporary Use Permits
- (G) See Chapter 236: Nonconforming Uses and Structures.
- (H) For teen dancing facilities, bicycle racks or a special bicycle parking area shall be provided. These may not obstruct either the public sidewalk or the building entry. See also Chapter 5.28: Dancing Halls; Chapter 5.44: Restaurants - Amusement and Entertainment Premises, and Chapter 5.70: Adult Entertainment Businesses. (3341-10/96)
- (I) Only permitted on a major arterial street, and a passive or active outdoor recreational amenity shall be provided. (3707-6/05)
- (J) In the CV District the entire ground floor area and at least one-third of the total floor area shall be devoted to visitor-oriented uses as described in the certified Local Coastal Program Land Use Plan. Any use other than visitor serving commercial shall be located above the ground level, and a conditional use permit from the Planning Commission or the Zoning Administrator is required. Any use other than visitor serving commercial uses shall only be permitted if visitor serving uses are either provided prior to the other use or assured by deed restriction as part of the development. No office or residential uses shall be permitted in any visitor serving designation seaward of Pacific Coast Highway. (3334-6/97, 3707-6/05)
- (K) See Section 230.42: Bed and Breakfast Inns.
- (L) See Section 230.44: Recycling Operations.
- (M) Subject to approval by the Police Department, Public Works Department, Fire Department and the Director. See also Section 230.86 Seasonal Sales.
- (N) The following businesses proposing to sell alcoholic beverages for on-site or off-site consumption are exempt from the conditional use permit process:

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- (1) Retail markets with no more than 10 percent of the floor area devoted to sales, display, and storage of alcoholic beverages provided the sale of alcoholic beverages is not in conjunction with the sale of gasoline or other motor vehicle fuel. (3522-2/02)
- (2) Restaurants, Bars and Liquor stores located 300 feet or more from any R or PS district, public or private school, church, or public use. (3522-2/02)
- (3) Florist shops offering the sale of a bottle of an alcoholic beverage together with a floral arrangement.
- (O) See Section 230.46: Single Room Occupancy.
- (P) See Chapter 231 for temporary and seasonal parking.
- (Q) Development of vacant land or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Planning Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic). (3522-2/02)
- (R) Projects within 500 feet of a PS District see Chapter 244.
- (S) See Section 230.48: Equestrian Centers
- (T) See Section 230.50: Indoor Swap Meets/Flea Markets
- (U) See Section 230.94: Carts and Kiosks (3248-6/95, 3334-6/97, 3482-12/00)
- (V) In the coastal zone, the preferred retail sales uses are those identified in the Visitor Serving Commercial land use designation which provide opportunities for visitor-oriented commercial activities including specialty and beach related retail shops, restaurants, hotels, motels, theaters, museums, and related services.
- (W) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit. (3522-2/02)
- (X) Outdoor dining with alcohol sales shall be permitted with a conditional use permit to the Zoning Administrator. Outdoor dining without alcohol sales that is 400 square feet or less shall be permitted without a conditional use permit. If over 400 square feet with no alcohol sales, Neighborhood Notification shall be required pursuant to Chapter 241. (3522-2/02, 3707-6/05)
- (Y) Neighborhood Notification requirements pursuant to Chapter 241. (3522-2/02, 3707-6/05)
- (Z) In the CV District, Condominium-Hotels and/or Fractional Interest Hotels are allowed only at the Pacific City (Downtown Specific Plan District 7) and Waterfront (Downtown Specific Plan District 9) sites. Refer to Downtown Specific Plan. (3774-9/07 subject to approval by the CA Coastal Commission)

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211.06 CO, CG and CV Districts: Development Standards

The following schedule prescribes development standards for the CO, CG and CV districts. The first three columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Requirements" column refer to standards following the schedule or located elsewhere in the zoning ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions.

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**CO, CG and CV DISTRICTS
DEVELOPMENT STANDARDS**

	CO	CG	CV	Additional Requirements
Residential Development				(A)(B)
Nonresidential Development				(B)
Minimum Lot Area (sq. ft.)	10,000	10,000	10,000	(C)
Minimum Lot Width (ft.)	100	100	100	
Minimum Setbacks				
Front (ft.)	10	10	0	(D)(E)(O) (3707-6.05)
Side (ft.)	5	0	0	(F) (3707-6.05)
Street Side (ft.)	10	10	0	(E) (3707-6.05)
Rear (ft.)	5	0	0	(F) (3707-6.05)
Maximum Height of Structures (ft.)	40	50	50	(F)(G)
Maximum Wall Dimensions				(N)
Maximum Floor Area Ratio (FAR)	1.0	1.5	1.5	
Minimum Site Landscaping (%)	8	8	8	(H)(I)
Building Design Standards				(O)
Fences and Walls				(J)(K)
Off-Street Parking/Loading				(L)
Outdoor Facilities		See Section 230.74		(M) (3707-6.05)
Screening of Mechanical Equipment		See Section 230.76		(M)
Refuse Storage Areas		See Section 230.78		
Underground Utilities		See Chapter 17.64		
Performance Standards		See Section 230.82		
Nonconforming Structures		See Chapter 236		
Signs		See Chapter 233		

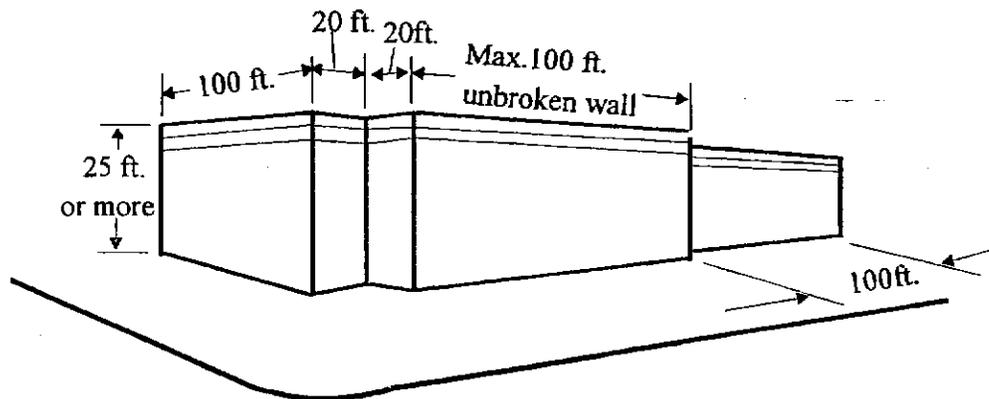
CO, CG, and CV Districts: Additional Development Standards

- (A) Dwelling units shall be subject to the standards for minimum setbacks, height limits, maximum density, open space, balconies and bay windows, and parking for the RMH District. The setback standards shall apply only to the stories of a building that are intended for residential use.
- (B) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots.
- (C) The minimum site area for a hotel or motel is 20,000 square feet.
- (D) See Section 230.68: Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage.
- (E) A minimum 50-foot setback is required along Beach Boulevard, Pacific Coast Highway and Edinger Avenue or 25-foot setback with the setback area entirely landscaped.

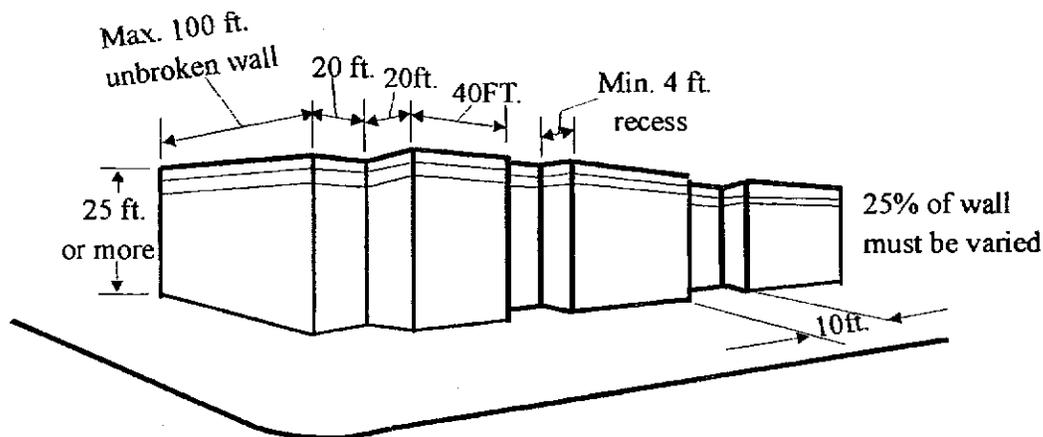
- (F) Along a side or rear property line abutting an R district, a 10-foot setback is required, and structures within 45 feet of the district boundary shall not exceed 18 feet in height.
- (G) See Section 230.70: Measurement of Height and Section 230.72: Exceptions to Height Limits.
- (H) Planting Areas:
 - (1) Required front and street side yards shall be planting areas except properties with 50 foot setback shall provide a minimum 10 foot wide planting area along street frontages.
 - (2) Required side and rear yards shall be planting areas or shall be enclosed by a solid concrete or masonry wall at least 6 feet in height.
 - (3) Hotels and Motels. A 15-foot wide landscaped strip shall be provided along all street frontages, except for necessary driveways and walks.
- (I) See Chapter 232: Landscape Improvements.
- (J) See Section 230.88: Fencing and Yards.
- (K) A solid masonry or concrete wall at least 6 feet in height shall adjoin the site of an existing ground-floor residential use. However, where the portion of the site within 10 feet of the front property line is occupied by planting area or by a building having no openings except openings opposite a street property line, the Director may grant an exception to this requirement. A wall within 15 feet of a street property line shall not exceed 3.5 feet in height.
- (L) See Chapter 231: Off-Street Parking and Loading.
- (M) See Section 230.44: Recycling Operations and Section 230.80: Antennae.
- (N) A front or street side wall surface shall be no longer than 100 feet without a break, a recess or offset measuring at least 20 feet in depth and one-quarter of the building length, or a series of offsets, projections or recesses at intervals of not more than 40 feet that vary the depth of the building wall by a minimum of 4 feet. The Director may grant exceptions or allow these standards to be modified for exceptional or unique structures subject to Design Review, Chapter 244.

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Single Horizontal Offsets: 20ft.



Variable Offsets: 20 ft and 4 ft.

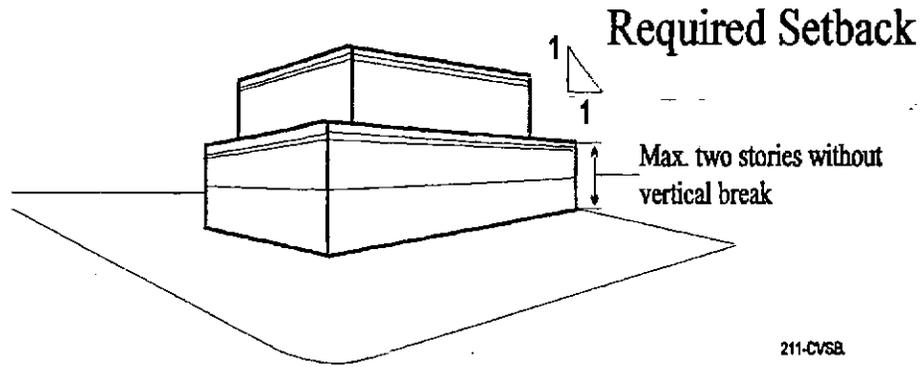
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MAXIMUM WALL LENGTH AND REQUIRED BREAK

- (O) Two building design standards are established to make commercial areas more attractive and provide a unified streetscape:
 - (1) In the CV District a 10-foot minimum upper-story setback is required above the second story along street frontages. (3707-6/05)

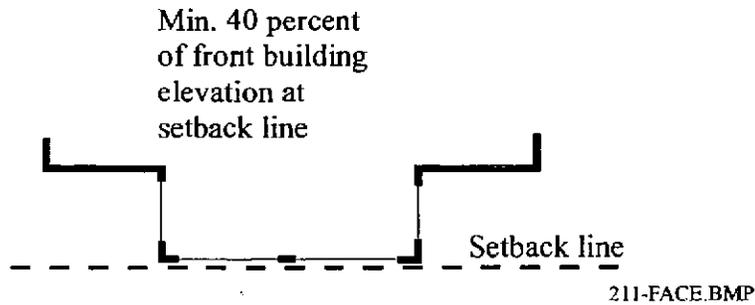
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CV DISTRICT: UPPER-STORY SETBACK

- (2) In the CO and CV Districts, and on frontages adjacent to major or primary arterials in the CG District at least 40 percent of a building surface may be located at the minimum setback line if additional landscaping is provided on the site.



BUILDING FACE AT SETBACK LINE

211.08 Review of Plans

All applications for new construction, initial establishment of use, exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be required as follows: (3522-2/02)

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots; see Chapter 241.
- B. Design Review Board. Projects within redevelopment project areas and areas subject to specific plans; projects within 500 feet of a PS District; see Chapter 244.
- C. Planning Commission. Projects requiring a conditional use permit from the Planning Commission; see Chapter 241.
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245.

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ORDINANCE NO. 3860

LEGISLATIVE DRAFT

Chapter 212 I Industrial Districts

(3254-10/94, 3378-2/98, 3523-2/02, 3568-9/02, Emergency Ord. 3703-3/21/05, 3708-6/05, 3724-02/06, 3788-12/07)

Sections:

- 212.02 Industrial Districts Established
- 212.04 IG and IL Districts: Land Use Controls
- 212.06 IG and IL Districts: Development Standards
- 212.08 Review of Plans

212.02 Industrial Districts Established (3254-10/94)

Two (2) industrial zoning districts are established by this chapter as follows: (3254-10/94)

- A. The IG General Industrial District provides sites for the full range of manufacturing, industrial processing, resource and energy production, general service, and distribution. (3254-10/94)
- B. The IL Limited Industrial District provides sites for moderate- to low-intensity industrial uses, commercial services and light manufacturing. (3254-10/94)

212.04 IG and IL Districts: Land Use Controls (3254-10/94, 3788-12/07)

In the following schedules, letter designations are used as follows: (3254-10/94)

"P" designates use classifications permitted in the I districts. (3254-10/94)

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" which follow. (3254-10/94)

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission. (3254-10/94)

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator. (3254-10/94)

"TU" designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator. (3254-10/94)

"P/U" for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use. (3254-10/94)

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to requirements following the schedule or located elsewhere in this ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading. (3254-10/94)

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LEGISLATIVE DRAFT

IG AND IL DISTRICTS: P - Permitted
LAND USE CONTROLS: L - Limited (see Additional Provisions)
 PC - Conditional use permit approved by Planning Commission
 ZA - Conditional use permit approved by Zoning Administrator
 TU - Temporary Use Permit
 P/U - Requires conditional use permit on site of conditional use
 - - Not Permitted

	IG	IL	Additional Provisions
Residential			
Group Residential	PC	PC	(J)
Public and Semipublic			(A)(M)(3708-6/05, 3724-02/06)
Community and Human Service Facilities	PC	PC	(L) (3708-6/05; 3724-02/06)
Day Care, General	ZA	ZA	(3523-2/02)
Heliports	PC	PC	(O)
Maintenance & Service <u>Service Facilities</u>	ZA	ZA	(3708-6/05)
Public Safety Facilities	P	P	
Religious Assembly	ZA	ZA	(3724-02/06)
Schools, Public or Private	L-6	L-6	
Utilities, Major	PC	PC	
Utilities, Minor	L-7	L-7	(P)
Commercial Uses			(D)(M)
Ambulance Services	ZA	ZA	
Animal Sales and Services			
Animal Boarding	ZA	ZA	(3523-2/02)
Animal Hospitals	ZA	ZA	(3523-2/02)
Artists' Studios	P	P	
Banks and Savings and Loans	L-1	L-1	
Building Materials and Services	P	P	
Catering Services	-	P	
Commercial Filming	ZA	ZA	
Commercial Recreation and Entertainment	L-2	L-2	
Communication Facilities	L-12	L-12	(3568-9/02)
Eating & Drinking Establishments w/Live Entertainment	L-3	L-3	
	ZA	ZA	(S)(U) (3523-2/02)
Food & Beverage Sales	ZA	ZA	(3523-2/02)
Hospitals and Medical Clinics	-	PC	
Laboratories	P	P	
Maintenance & Repair Services	P	P	
Marine Sales and Services	P	P	
Nurseries	P	P	
Offices, Business & Professional	L-1	L-1	(H)

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LEGISLATIVE DRAFT

IG AND IL	P - Permitted
DISTRICTS:	L - Limited (see <u>Additional Provisions</u>)
LAND USE	PC - Conditional use permit approved by Planning Commission
CONTROLS	ZA - Conditional use permit approved by Zoning Administrator
	TU - Temporary Use Permit
	P/U - Requires conditional use permit on site of conditional use
	- Not Permitted

	IG	IL	Additional Provisions
Personal Enrichment	L-9	L-9	(U) (3523-2/02)
Personal Services	L-1	L-1	
Quasi Residential	PC	PC	(K) (3708-6/05)
Research & Development Services	P	P	
Sex Oriented Businesses (regulated by HBMC Chapter 5.70)	L-11	L-11	(3378-2/98) (3378-2/98)
Sex Oriented Businesses (regulated by HBMC Chapters 5.24 & 5.60)	PC	PC	(R) (3378-2/98) (3378-2/98)
Swap Meets, Indoor/Flea Markets	PC	PC	(Q)
Vehicle/Equipment Sales & Services			
Service Stations	L-4	L-4	
Vehicle/Equipment Repair	P	P	
Vehicle/Equip. Sales/Rentals	L-5	L-5	
Vehicle Storage	P	ZA	(I)
Visitor Accommodations	ZA	ZA	(3708-6/05)
Warehouse and Sales Outlets	L-8	L-8	
Industrial (See Chapter 204)			(B)(M)(N)
Industry, Custom	P	P	
Industry, General	P	P	
Industry, Limited	P	P	
Industry, R & D	P	P	
Wholesaling, Distribution & Storage	P	P	
Accessory Uses			
Accessory Uses and Structures	P/U	P/U	(C)
Temporary Uses			
Commercial Filming, Limited	P	P	(T) (3523-2/02)
Real Estate Sales	P	P	(3)
		523-2/02, 3708-6/05	
Trade Fairs	P	P	(E) (3708-6/05)
Nonconforming Uses			(F)

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LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions

- L-1 Only allowed upon approval of a conditional use permit by the Zoning Administrator for a mixed use project, subject to the following requirements: (3254-10/94, 3708-6/05)

Minimum site area: 3 acres (3254-10/94)

Maximum commercial space: 35 percent of the gross floor area and 50 percent of the ground floor area of buildings fronting on an arterial highway. (3254-10/94)

Phased development: 25 percent of the initial phase must be designed for industrial occupancy. For projects over 500,000 square feet, the initial phase must include 5 percent of the total amount of industrial space or 50,000 square feet of industrial space, whichever is greater. (3254-10/94)
- L-2 Allowed upon approval of a conditional use permit by the Zoning Administrator when designed and oriented for principal use by employees of the surrounding industrial development or when designed for general public use, after considering vehicular access and parking requirements. (3254-10/94, 3708-6/05)
- L-3 Allowed upon approval of a conditional use permit by the Zoning Administrator when in a free-standing structure or as a secondary use in a building provided that no more than 20 percent of the floor area is occupied by such a use. (3254-10/94, 3523-2/02)
- L-4 Only stations offering services primarily oriented to businesses located in an I District are allowed with a conditional use permit by the Planning Commission. (3254-10/94)
- L-5 No new or used automobile, truck or motorcycle retail sales are permitted. (3254-10/94)
- L-6 Only schools offering higher education curriculums are allowed with conditional use permit approval by the Planning Commission. No day care, elementary or secondary schools are permitted. (3254-10/94)
- L-7 Recycling Operations as an accessory use are permitted; recycling operations as a primary use are allowed upon approval of a conditional use permit by the Zoning Administrator. (3254-10/94, 3708-6/05)
- L-8 Allowed upon conditional use permit approval by the Planning Commission when a single building with a minimum area of 100,000 square feet is proposed on a site fronting an arterial. The primary tenant shall occupy a minimum 95% of the floor area and the remaining 5% may be occupied by secondary tenants. (3254-10/94)
- L-9 Permitted if the space is 5,000 square feet or less; allowed by Neighborhood Notification pursuant to Chapter 241 if the space is over 5,000 square feet. (3254-10/94, 3523-2/02, 3708-6/05)
- L-10 RESERVED (3254-10/94, 3523-2/02, 3724-02/06)

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IG AND IL Districts: Additional Provisions (continued)

L-11 Allowed subject to the following requirements: (3378-2/98)

- A. A proposed sex oriented business shall be at least five hundred feet (500') from any residential use, school, park and recreational facility, or any building used for religious assembly (collectively referred to as a "sensitive use") and at least seven hundred fifty feet (750') from another sex oriented business. For purposes of these requirements, all distances shall be measured from the lot line of the proposed sex oriented business to the lot line of the sensitive use or the other sex oriented business. The term "residential use" means any property zoned RL, RM, RMH, RH, RMP, and any properties with equivalent designations under any specific plan. (3378-2/98)

To determine such distances the applicant shall submit for review a straight line drawing depicting the distances from the lot line of the parcel of land on which the sex oriented business is proposed which includes all the proposed parking and:
(3378-2/98)

1. the lot line of any other sex oriented business within seven hundred fifty feet (750') of the lot line of the proposed sex oriented business; and (3378-2/98)
 2. the lot line of any building used for religious assembly, school, or park and recreational facility within five hundred (500') feet of the lot line of the proposed sex oriented business; and (3378-2/98)
 3. the lot line of any parcel of land zoned RL, RM, RMH, RH, and RMP and any parcels of land with equivalent designations under any specific plans within five hundred feet (500') of the lot line of the proposed sex oriented business. (3378-2/98)
- B. The front facade of the building, including the entrance and signage, shall not be visible from any major, primary or secondary arterial street as designated by the Circulation Element of the General Plan adopted May, 1996, with the exception of Argosy Drive.
(3378-2/98)
- C. Prior to or concurrently with applying for a building permit and/or a certificate of occupancy for the building, the applicant shall submit application for Planning Department Staff Review of a sex oriented business zoning permit with the drawing described in subsection A, a technical site plan, floor plans and building elevations, and application fee. Within ten (10) days of submittal, the Director shall determine if the application is complete. If the application is deemed incomplete, the applicant may resubmit a completed application within ten (10) days. Within thirty days of receipt of a completed application, the Director shall determine if the application complies with the applicable development and performance standards of the

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions (continued)

Huntington Beach Zoning and Subdivision Ordinance. Said standards include but are not limited to the following: (3378-2/98)

1. Chapter 203, Definitions; Chapter 212, Industrial Districts; Chapter 230, Site Standards; Chapter 231, Off-Street Parking & Loading Provisions; Chapter 232, Landscape Improvements; and Chapter 236, Nonconforming Uses and Structures. (3378-2/98)
 2. Chapter 233.08(b), Signs. Signage shall conform to the standards of the Huntington Beach Zoning and Subdivision Ordinance Code except
 - a. that such signs shall contain no suggestive or graphic language, photographs, silhouettes, drawings, statues, monuments, sign shapes or sign projections, or other graphic representations, whether clothed or unclothed, including without limitation representations that depict "specified anatomical areas" or "specified sexual activities"; and (3378-2/98)
 - b. only the smallest of the signs permitted under Chapter 233.08(b) shall be visible from any major, primary or secondary arterial street, such streets shall be those designated in the Circulation Element of the General Plan adopted May, 1996, with the exception of Argosy Drive.
 3. Compliance with Huntington Beach Municipal Code Chapter 5.70. (3378-2/98)
- D. The Director shall grant or deny the application for a sex oriented business zoning permit for a sex oriented business. There shall be no administrative appeal from the granting or denial of a permit application thereby permitting the applicant to obtain prompt judicial review. (3378-2/98)
- E. Ten (10) working days prior to submittal of an application for a sex oriented business zoning permit for Staff Review, the applicant shall: (i) cause notice of the application to be printed in a newspaper of general circulation; and (ii) give mailed notice of the application to property owners within one thousand (1000') feet of the proposed location of the sex oriented business; and the City of Huntington Beach, Department of Community Development by first class mail. (3378-2/98)

The notice of application shall include the following: (3378-2/98)

1. Name of applicant; (3378-2/98)
2. Location of proposed sex oriented business, including street address (if known) and/or lot and tract number; (3378-2/98)
3. Nature of the sex oriented business, including maximum height and square footage of the proposed development; (3378-2/98)

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4. The City Hall telephone number for the Department of Community Development to call for viewing plans; (3378-2/98)

IG AND IL Districts: Additional Provisions (continued)

5. The date by which any comments must be received in writing by the Department of Community Development. This date shall be ten (10) working days from staff review submittal; and (3378-2/98)
6. The address of the Department of Community Development. (3378-2/98)
- F. A sex oriented business may not apply for a variance pursuant to Chapter 241 nor a special sign permit pursuant to Chapter 233. (3378-2/98)
- G. A sex oriented business zoning permit shall become null and void one year after its date of approval unless: (3378-2/98)
1. Construction has commenced or a Certificate of Occupancy has been issued, whichever comes first; or (3378-2/98)
 2. The use is established. (3378-2/98)
- H. The validity of a sex oriented business zoning permit shall not be affected by changes in ownership or proprietorship provided that the new owner or proprietor promptly notifies the Director of the transfer. (3378-2/98)
- I. A sex oriented business zoning permit shall lapse if the exercise of rights granted by it is discontinued for 12 consecutive months. (3378-2/98)
- L-12 For wireless communication facilities see section 230.96 Wireless Communication Facilities. All other communication facilities permitted. (3568-9/02)
- (A) Repealed. (3254-10/94, 3708-6/05)
- (B) A conditional use permit from the Zoning Administrator is required for any new use or enlargement of an existing use, or exterior alterations and additions for an existing use located within 150 feet of an R district. The Director may waive this requirement if there is no substantial change in the character of the use which would affect adjacent residential property in an R District. (3254-10/94)
- (C) Accessory office uses incidental to a primary industrial use are limited to 10 percent of the floor area of the primary industrial use. (3254-10/94)
- (D) Adjunct office and commercial space, not to exceed 25 percent of the floor area of the primary industrial use, is allowed with a conditional use permit from the Zoning Administrator, provided that it is intended primarily to serve employees of the industrial use, no exterior signs advertise the adjunct use, the adjunct use is physically separated from the primary industrial use, any retail sales are limited to goods manufactured on-site, and the primary industrial fronts on an arterial. (3254-10/94)

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- (E) See Section 241.22: Temporary Use Permits. (3254-10/94)
- (F) See Chapter 236: Nonconforming Uses and Structures. (3254-10/94)

IG AND IL Districts: Additional Provisions (continued)

- (H) Medical/dental offices, insurance brokerage offices, and real estate brokerage offices, except for on-site leasing offices, are not permitted in any I District. (3254-10/94)

 Administrative, management, regional or headquarters offices for any permitted industrial use, which are not intended to serve the public, require a conditional use permit from the Zoning Administrator to occupy more than 10 percent of the total amount of space on the site of the industrial use. (3254-10/94)
- (I) Automobile dismantling, storage and/or impound yards may be permitted subject to the approval of a conditional use permit by the Planning Commission and the following criteria: (3254-10/94)
 - (a) The site shall not be located within 660 feet of an R district. (3254-10/94)
 - (b) All special metal cutting and compacting equipment shall be completely screened from view. (3254-10/94)
 - (c) Storage yards shall be enclosed by a solid 6-inch concrete block or masonry wall not less than 6 feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained. (3254-10/94)
 - (d) Items stacked in the storage yard shall not exceed the height of the screening walls or be visible from adjacent public streets. (3254-10/94)
- (J) Limited to facilities serving workers employed on-site. (3254-10/94)
- (K) Limited to: Single Room Occupancy uses (See Section 230.46). (3254-10/94, 3708-6/05)
- (L) Limited to Emergency Shelters. (See Section 230.52 Emergency Shelters.) (3254-10/94)
- (M) Development of vacant land and/or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Planning Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic). (3254-10/94, 3523-2/02)
- (N) Major outdoor operations require conditional use permit approval by the Planning Commission. Major outside operations include storage yards and uses utilizing more than 1/3 of the site for outdoor operation. (3254-10/94)
- (O) See Section 230.40: Helicopter Takeoff and Landing Areas. (3254-10/94)



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- (P) See Section 230.44: Recycling Operations. (3254-10/94)
- (Q) See Section 230.50: Indoor Swap Meets/Flea Markets (3254-10/94)
- (R) See L-11(A) relating to locational restrictions. (3254-10/94, 3378-2/98)

IG AND IL Districts: Additional Provisions (continued)

- (S) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit. (3523-2/02)
- (T) Subject to approval by the Police Department, Public Works Department, and Fire Department and the Planning Director. (3523-2/02)
- (U) Neighborhood notification requirements when no entitlement required pursuant to Chapter 241. (3523-2/02, 3708-6/05)

212.06 IG AND IL Districts: Development Standards

The following schedule prescribes development standards for the I Districts. The first two columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Requirements" column reference requirements following the schedule or located elsewhere in this ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions. (3254-10/94)

	IG	IL	Additional Requirements
Residential Development			(M)
Nonresidential Development			
Minimum Lot Area (sq. ft.)	20,000	20,000	(A)(B) (3708-06/05)
Minimum Lot Width (ft.)	100	100	(A)(B)
Minimum Setbacks			(A)(C)
Front (ft.)	10;20	10;20	(D)
Side (ft.)	0	15	(E)(F) (3708-06/05)
Street Side (ft.)	10	10	
Rear (ft.)	0	0	(E) (3708-06/05)
Maximum Height of Structures (ft.)	40	40	(G)
Maximum Floor Area Ratio (FAR)	0.75	0.75	
Minimum Site Landscaping (%)	8	8	(H)(I)

	IG	IL	Additional Requirements
Fences and Walls	See Section 230.88		
Off-Street Parking and Loading	See Chapter 231		(J)

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Outdoor Facilities	See Section 230.74	
Screening of Mechanical Equipment	See Section 230.76	(K)
Refuse Storage Area	See Section 230.78	
Underground Utilities	See Chapter 17.64	
Performance Standards	See Section 230.82	(L)
Nonconforming Uses and Structures	See Chapter 236	
Signs	See Chapter 233	

IG AND IL Districts: Additional Development Standards

- (A) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots. (3254-10/94)
- (B) Smaller lot dimensions for new parcels may be permitted by the Zoning Administrator with an approved development plan and tentative subdivision map. (3254-10/94)
- (C) See Section 230.68: Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage. (3254-10/94)
- (D) The minimum front setback shall 10 feet and the average setback 20 feet, except for parcels fronting on local streets where only a 10 foot setback is required. (3254-10/94)

All I Districts: An additional setback is required for buildings exceeding 25 feet in height (1 foot for each foot of height) and for buildings exceeding 150 feet in length (1 foot for each 10 feet of building length) up to a maximum setback of 30 feet. (3254-10/94)

- (E) In all I districts, a 15-foot setback is required abutting an R district and no openings in buildings within 45 feet of an R district. (3254-10/94)
- (F) A zero-side yard setback may be permitted in the I districts, but not abutting an R district, provided that a solid wall at the property line is constructed of maintenance-free masonry material and the opposite side yard is a minimum of 30 feet. (3254-10/94)

Exception. The Zoning Administrator or Planning Commission may approve a conditional use permit to allow a 15-foot interior side yards opposite a zero-side yard on one lot, if an abutting side yard at least 15 feet wide is provided and access easements are recorded ensuring a minimum 30-foot separation between buildings. This 30-foot accessway must be maintained free of obstructions and open to the sky, and no opening for truck loading or unloading shall be permitted in the building face fronting on the accessway unless a 45-foot long striped areas is provided solely for loading and unloading entirely within the building. (3254-10/94)

- (G) See Section 230.70: Measurement of Height. Within 45 feet of an R district, no building or structure shall exceed a height of 18 feet. (3254-10/94)
- (H) Planting Areas. Required front and street-side yards adjacent to a public right-of-way shall be planting areas except for necessary drives and walks. A 6-foot wide planting area shall be provided adjacent to an R district and contain one tree for each 25 lineal feet of planting area. (3254-10/94)
- (I) See Chapter 232: Landscape Improvements. (3254-10/94)

LEGISLATIVE DRAFT

- (J) Truck or rail loading, dock facilities, and the doors for such facilities shall not be visible from or be located within 45 feet of an R district. (3254-10/94)
- (K) See Section 230.80: Antennae. (3254-10/94)
- (L) Noise. No new use shall be permitted, or exterior alterations and/or additions to an existing use allowed, within 150 feet of an R district until a report prepared by a California state-licensed acoustical engineer is approved by the Director. This report shall include recommended noise mitigation measures for the industrial use to ensure that noise levels will conform with Chapter 8.40 of the Municipal Code. The Director may waive this requirement for change of use or addition or exterior alteration to an existing use if it can be established that there had been no previous noise offense, that no outside activities will take place, or if adequate noise mitigation measures for the development are provided. (3254-10/94)
- (M) Group residential or accessory residential uses shall be subject to standards for minimum setbacks and height of the RH District. (3254-10/94)

212.08 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be required as follows: (3254-10/94,3708-6/05)

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects including a zero-side yard exception; projects on substandard lots. (3254-10/94)
- B. Design Review Board. Projects within redevelopment project areas and areas within 500 feet of a PS district; see Chapter 244. (3254-10/94)
- C. Planning Commission. Projects requiring a conditional use permit from the Commission. (3254-10/94)
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245. (3254-10/94)

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ORDINANCE NO. 3861

LEGISLATIVE DRAFT

Chapter 230 Site Standards

(3249-6/95, 3301-11/95, 3334-6/97, 3410-3/99, 3455-5/00, 3482-12/00, 3494-5/01, 3525-2/02, 3568-9/02, EMG 3594-11/02, EMG 3596-12/02, Resolution No. 2004-80-9/04, 3687-12/04, 3710-6/05, 3724-02/06, 3730-03/06, Interim Urgency Ordinance 3748-8/06, Resolution No. 2006-62-9/06, 3764-3/07, 3779-10/07, 3827-4/09, 3829-6/09, 3835-7/09, Resolution No. 2009-36 –effective 9/09 (per California Coastal Commission certification)

Note: Ordinance No. 3827, effective from 4/15/09 to 4/15/10 unless extended by the City Council, temporarily defers the payment of certain Development Impact Fees.

Sections:

230.02 Applicability

Residential Districts

- 230.04 Front and Street Side Yards in Developed Areas
- 230.06 (Deleted) (3724-02/06)
- 230.08 Accessory Structures
- 230.10 Accessory Dwelling Units
- 230.12 Home Occupation in R Districts
- 230.14 Affordable Housing Density Bonus
- 230.16 Manufactured Homes
- 230.18 Subdivision Sales Offices and Model Homes
- 230.20 Payment of Park Fee
- 230.22 Residential Infill Lot Developments
- 230.24 Small Lot Development Standards
- 230.26 Affordable Housing
- 230.28 (Reserved)
- 230.30 (Reserved)

Non-Residential Districts

- 230.32 Service Stations
- 230.34 Housing of Goods
- 230.36 Transportation Demand Management
- 230.38 Game Centers
- 230.40 Helicopter Takeoff and Landing Areas
- 230.42 Bed and Breakfast Inns
- 230.44 Recycling Operations
- 230.46 Single Room Occupancy
- 230.48 Equestrian Centers
- 230.50 Indoor Swap Meets/Flea Markets
- 230.52 (Reserved)Emergency Shelters
- 230.54 (Reserved)
- 230.56 (Reserved)
- 230.58 (Reserved)
- 230.60 (Reserved)



230.52 (Reserved) Emergency Shelters

Emergency Shelters may be permitted subject to the following requirements:

- A. A single Emergency Shelter for 50 occupants, or a combination of multiple shelters with a combined capacity not to exceed 50 occupants, shall be permitted. Religious Assembly uses within an Industrial zone may establish Emergency Shelters for up to 30 occupants provided they meet the minimum development standards of the zone in which they are located.
- B. Stays at the Emergency Shelter facility shall be on a first-come first-serve basis with clients housed on-site. Clients must vacate the facility by 8:00 am each day and have no guaranteed bed for the next night.
- C. Maximum stay at the facility shall not exceed 120 days in a 365-day period.
- D. A minimum distance of 300 feet shall be maintained from any other Emergency Shelter, as measured from the property line.
- E. An on-site client intake and waiting area shall be provided in a location not adjacent to the public right-of-way, be fully screened from public view, and provide consideration for weather events including shade and rain cover. The waiting area shall contain a minimum area of 10 square feet per bed.
- F. Any provision of on-site outside storage shall be fully screened from public view.
- G. Exterior lighting shall be provided for the entire outdoor area of the site consistent with the Huntington Beach Zoning and Subdivision Ordinance.
- H. A minimum of one staff person per 15 beds shall be awake and on duty during facility hours of operation.
- I. On-site parking shall be provided at the ratio of 1 space per staff member, plus 1 space for every five (5) beds and an additional ½ space for each bedroom designated for families with children.
- J. A Safety and Security Plan shall be submitted to the Director of Planning for review and approval. The site-specific Safety and Security Plan shall describe the following:
 - 1. Both on and off-site needs, including, but not limited to, the separation of individual male and female sleeping areas, provisions of family sleeping areas, and associated provisions of management.
 - 2. Specific measures targeting the minimizing of client congregation in the vicinity of the facility during hours that clients are not allowed on-site. Goals and objectives are to be established to avoid disruption of adjacent and nearby uses.
 - 3. Provisions of a system of management for daily admittance and discharge procedures.
 - 4. Any counseling programs are to be provided with referrals to outside assistance agencies, and provide an annual report on a facility's activity to the City.
 - 5. Clients are to be appropriately screened for admittance eligibility.
 - 6. Refuse collections schedule to provide the timely removal of associated client litter and debris on and within the vicinity of the facility.

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K. A proposed Emergency Shelter offering immediate and short-term housing may provide supplemental services to homeless individuals or families. These services may include, but are not limited to, the following:

1. An indoor and/or outdoor recreation area.
2. A counseling center for job placement, educational, health care, legal or mental services, or similar services geared toward homeless clients.
3. Laundry facilities to serve the number of clients at the shelter.
4. Kitchen for the preparation of meals.
5. Dining hall.
6. Client storage area (i.e. for the overnight storage of bicycles and personal items).

230.54 (Reserved)

230.56 (Reserved)

230.58 (Reserved)

230.60 (Reserved)

All Districts

230.62 Building Site Required

No building or structure shall be erected or moved onto any parcel of land in the city except on a lot certified in compliance with the Subdivision Map Act and local subdivision and zoning provisions at time of creation or on a parcel created as a result of a public taking. No building or structure shall be altered or enlarged to increase the gross floor area by more than 50 percent within any one-year period except on a legal building site.

230.64 Development on Substandard Lots

Development on substandard lots shall be subject to approval of a conditional use permit by the Zoning Administrator. A legally created lot having a width or area less than required for the base district in which it is located may be occupied by a permitted or conditional use if it meets the following requirements or exceptions:

- A. The lot must have been in single ownership separate from any abutting lot on the effective date of the ordinance that made it substandard. Two or more contiguous lots held by the same owner shall be considered as merged if one of the lots does not conform to the minimum lot size or width for the base district in which it is located.
- B. A substandard lot shall be subject to the same yard and density requirements as a standard lot, provided that in an R district, one dwelling unit may be located on a substandard lot that meets the requirements of this section.

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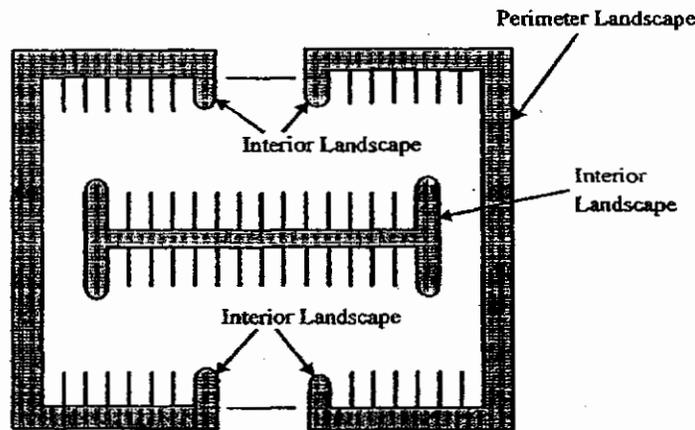
Kennel. Any premises where four or more dogs or cats at least four months of age are kept or maintained for any purpose, ~~except veterinary clinics and hospitals~~. For purposes of this section, a detached single-family residence with a maximum of four dogs shall not be considered a kennel when at least one of the dogs is a specially-trained guide dog, signal dog or service dog, as defined in Penal Code Section 365.5, and complies with Section 7.12.60 of the Huntington Beach Municipal Code.

Kitchenette or Kitchen. Any room or part of a room which is designed, built, used, or intended to be used for food preparation and dishwashing; but not including a bar, or similar room adjacent to or connected with a kitchen.

Landscaping. An area devoted to or developed and maintained with native or exotic plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. Plants on rooftops, porches or in boxes attached to buildings are not considered landscaping.

Landscaping, Interior. A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

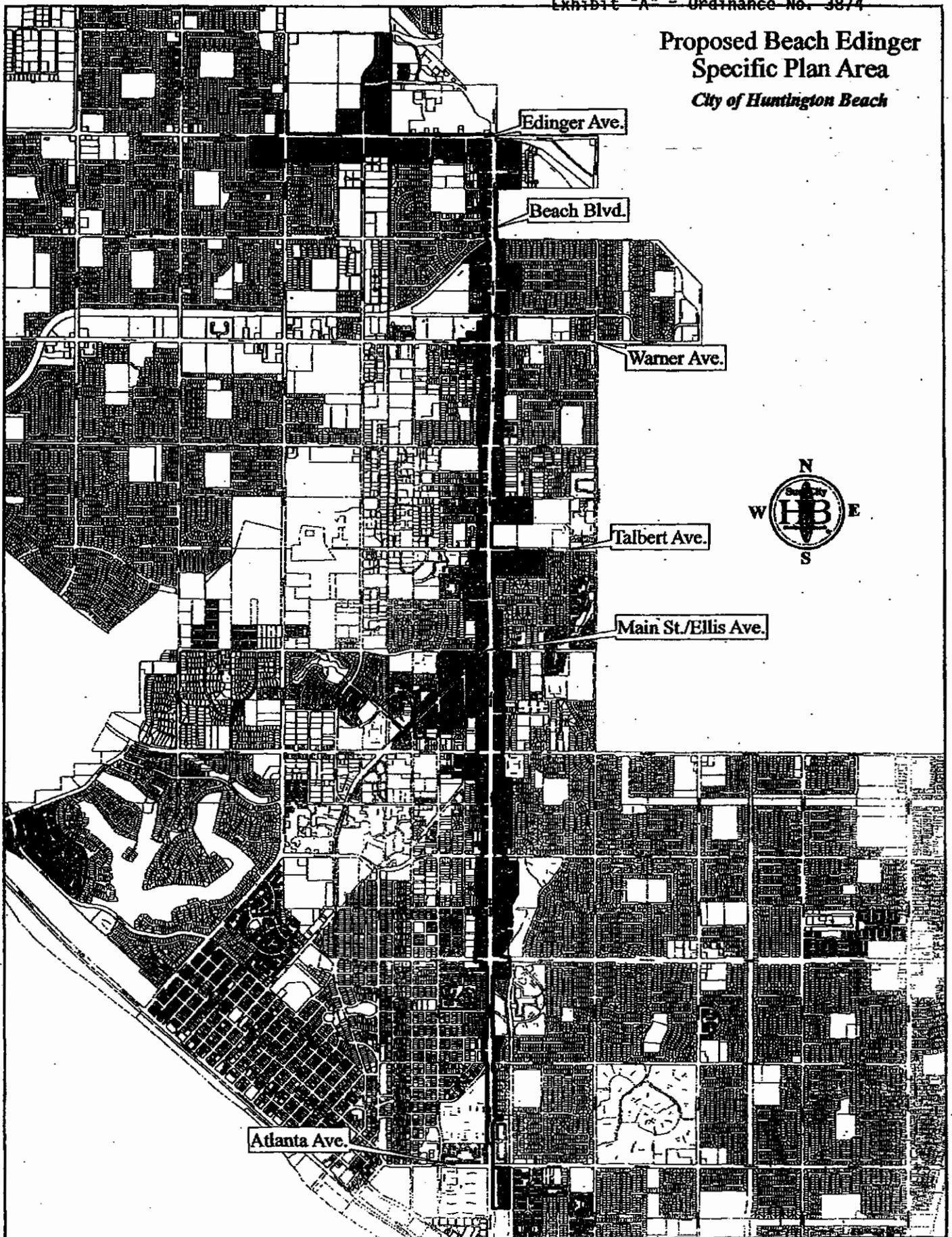
Landscaping, Perimeter. A landscaped area adjoining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways which provide access to the facility.



LANDSCAPING: PERIMETER INTERIOR

Limited Use Overnight Visitor Accommodations. Any hotel, motel, or other similar facility that provides overnight visitor accommodations wherein a purchaser receives the right in perpetuity, for life, or a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room (s), or segment of the facility, annually or on some other seasonal or periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the facility has been divided and shall include, but not be limited to Timeshare, Condominium-Hotel, Fractional Ownership Hotel, or uses of a similar nature. (3774-9/07 - subject to approval by the California Coastal Commission)

**Proposed Beach Edinger
Specific Plan Area**
City of Huntington Beach



ATTACHMENT NO. 4

ENCLOSURE LOG

ENCLOSURES	DATES
1. Zoning Text Amendment No. 07-003: Citywide – Medical Marijuana Dispensaries	
Ordinance No. 3788	November 19, 2007
City Council Minutes (page 16)	November 5, 2007
City Council RCA	November 5, 2007
Notice of Public Hearing and Mailing Labels	November 5, 2007
Planning Commission Staff Report	September 25, 2007
Planning Commission Minutes (page 3)	September 25, 2007
Notice of Public Hearing	September 25, 2007
2. Zoning Text Amendment No. 08-003: Citywide – Sign Ordinance	
Ordinance No. 3826	March 2, 2009
City Council Minutes (page 6)	February 2, 2009
City Council RCA	February 2, 2009
Notice of Public Hearing and Mailing Labels	February 2, 2009
Planning Commission Staff Report	December 9, 2008
Planning Commission Minutes (page 13)	December 9, 2008
Notice of Public Hearing	December 9, 2008
3. Zoning Text Amendment No. 09-003: Citywide – Massage Establishments	
Ordinance Nos. 3842 & 3843	October 19, 2009
City Council Minutes (page 8)	October 5, 2009
City Council RCA	October 5, 2009
Notice of Public Hearing and Mailing Labels	October 5, 2009
Planning Commission Minutes (page 18)	September 9, 2009
Planning Commission Staff Report	September 9, 2009
Notice of Public Hearing	September 9, 2009
4. Zoning Text Amendment No. 09-001: Citywide – Flood Ordinance Revisions	
Ordinance No. 3845	November 2, 2009
City Council Minutes (page 5)	October 19, 2009
City Council RCA	October 19, 2009
Notice of Public Hearing and Mailing Labels	October 19, 2009
Planning Commission Staff Report	September 22, 2009
Planning Commission Minutes (page 5)	September 22, 2009
Notice of Public Hearing	September 22, 2009
5. Zoning Text Amendment No. 07-001: Design Review Board/Signs	
Ordinance Nos. 3867 - 3873	March 1, 2010
City Council Minutes (page 9)	February 16, 2010
City Council RCA	February 16, 2010
Notice of Public Hearing and Mailing Labels	February 16, 2010
Planning Commission Staff Report	November 24, 2009
Planning Commission Minutes (page 4)	November 24, 2009
Notice of Public Hearing	November 24, 2009

6. Zoning Text Amendment No. 09-009: Citywide – Emergency Shelters/Transitional Housing	
Ordinance 3856 -3861	January 19, 2010
City Council Minutes (page 9)	December 21, 2009
City Council RCA	December 21, 2009
Notice of Public Hearing and Mailing Labels	December 21, 2009
Planning Commission Staff Report	November 24, 2009
Planning Commission Minutes (page 7)	November 24, 2009
Notice of Public Hearing	November 24, 2009
7. Zoning Map Amendment No. 08-002: Beach and Edinger Corridors Specific Plan	
Ordinance No. 3874	March 15, 2010
City Council Minutes (page 6)	March 1, 2010
City Council RCA	March 1, 2010
Notice of Public Hearing and Mailing Labels	March 1, 2010
Planning Commission Staff Report	January 12, 2010
Planning Commission Minutes (page 6)	January 12, 2010
Notice of Public Hearing	January 12, 2010
8. Zoning Text Amendment No. 10-003: Citywide – Political Signs (Number)	
Ordinance No. 3881	July 19, 2010
City Council Minutes (page 16)	June 21, 2010
City Council RCA	June 21, 2010
Notice of Public Hearing and Mailing Labels	June 21, 2010
Planning Commission Staff Report	N/A
Planning Commission Minutes	N/A
Notice of Public Hearing	N/A
9. Zoning Text Amendment No. 10-005: Citywide – Kennels	
Ordinance No. 3909	March 7, 2011
City Council Minutes (page 11)	February 22, 2011
City Council RCA	February 22, 2011
Notice of Public Hearing and Mailing Labels	February 22, 2011
Planning Commission Staff Report	January 11, 2011
Planning Commission Minutes (page 3)	January 11, 2011
Notice of Public Hearing	January 11, 2011
10. Zoning Text Amendment No. 11-001: Citywide – Political Signs (Time)	
Ordinance No. 3927	December 5, 2011
City Council Minutes (page 9)	November 21, 2011
City Council RCA	November 21, 2011
Notice of Public Hearing and Mailing Labels	November 21, 2011
Planning Commission Staff Report	October 25, 2011
Planning Commission Minutes	October 25, 2011
Notice of Public Hearing	October 25, 2011

ATTACHMENT NO. 3
SUMMARY OF PUBLIC COMMENTS
CITY COUNCIL MEETINGS FOR EACH OF THE 10 AMENDMENTS

1. ZONING TEXT AMENDMENT NO. 07-003 (MEDICAL MARIJUANA)

- Members of the public raised the following issues:
 - 5 people spoke in support of allowing medical marijuana dispensaries in the City.

2. ZONING TEXT AMENDMENT NO. 08-003 (SIGNS)

- No members of the public spoke on this item.

3. ZONING TEXT AMENDMENT NO. 09-003 (MASSAGE BUSINESSES)

- No members of the public spoke on this item.

4. ZONING TEXT AMENDMENT NO. 09-001 (FLOOD ORDINANCE)

- No members of the public spoke on this item.

5. ZONING TEXT AMENDMENT NO. 07-001 (DRB)

- Members of the public raised the following issues:
 - 2 people spoke of the importance of having Historic Resources Board representative on Design Review Board.
 - 1 person supported integration of parking and traffic flow pattern into Design Review Board purview.

**6. ZONING TEXT AMENDMENT NO. 09-009 (EMERGENCY SHELTERS/
TRANSITIONAL HOUSING)**

- No members of the public spoke on this item.

7. ZONING MAP AMENDMENT NO. 08-002 (BECSP)

- Members of the public raised the following issues:
 - 8 members of the public spoke in general support of the new Specific Plan and felt that it would help redevelop properties on the Beach and Edinger Corridors.
 - 10 people, including several of the 8 people mentioned above, raised issues with certain requirements relative to density, building height, restrictive development standards, and parking.
 - 5 members of the public raised issues related to traffic and transit.

8. ZONING TEXT AMENDMENT NO. 10-003 (POLITICAL SIGNS – NUMBER)

- No members of the public spoke on this item.

9. ZONING TEXT AMENDMENT NO. 10-005 (KENNELS)

- No members of the public spoke on this item.

10. ZONING TEXT AMENDMENT NO. 11-001 (POLITICAL SIGNS – TIME)

- No members of the public spoke on this item.