

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

RECORD PACKET COPY

October 25, 2001



TO: Coastal Commissioners and Interested Persons

FROM: Deborah Lee, Deputy Director

TU10a

SUBJECT: Concurrence with the Executive Director's determination that the action of the City of Huntington Beach in accepting certification with suggested modifications of Local Coastal Program Amendment 3-99 (Coastal Element) is legally adequate.

STAFF RECOMMENDATION

Staff recommends that the Commission concur with the Executive Director's determination that the City's action is legally adequate.

BACKGROUND

On June 14, 2001, the Coastal Commission certified Local Coastal Program Amendment 3-99 (Coastal Element) with suggested modifications. This Local Coastal Program Amendment affected both the certified Land Use Plan (Coastal Element) and certified Implementation Program. The land use portion of the LCP amendment was approved with suggested modifications. The implementation portion (Zoning District Maps) was approved by the Commission as submitted. The effect of this LCP amendment was the replacement of the Coastal Element in its entirety and the deletion of twenty Zoning District Maps outside the coastal zone from the City's LCP.

On September 4, 2001, the City of Huntington Beach accepted, and agreed to the Commission's suggested modifications to the Coastal Element by passing Resolutions No. 2001-57 and 2001-58 incorporating the Commission's suggested modifications into the City's certified Local Coastal Program.

As provided for in Section 13544 of the California Code of Regulations, the Executive Director must determine that the City's action is legally adequate and report that determination to the Commission. In this case, the Executive Director has determined that the City's action is legally adequate. Unless the Commission objects to the Executive Director's determination, the certification of the Local Coastal Program Amendment 3-99 (Coastal Element) shall become effective upon the filing of the required notice of certification with the Secretary of Resources as provided in Public Resources Code Section 21080.5(d)(2)(V).

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RESOLUTION NO. 2001-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH, CALIFORNIA
CALIFORNIA WHICH ACKNOWLEDGES RECEIPT OF THE COASTAL COMMISSION
ACTION AND ACCEPTS AND AGREES TO LOCAL COASTAL PROGRAM AMENDMENT
NO. 3-99 AS MODIFIED

WHEREAS, the California Coastal Commission reviewed and approved Huntington Beach Local Coastal Program Amendment No. 3-99 as modified at the June 14, 2001 Coastal Commission hearing; and

Section 13537 of Title 14 of the California Code of Regulations requires the local government to accept and agree to the modification by resolution within six (6) months, or the certification will expire; and

Upon the City Council action staff will forward Resolution No. 2001-57 for final Coastal Commission certification;

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

1. That the City Council accepts and agrees to the Coastal Commission's approval of Local Coastal Program Amendment 3-99 by modifying the updated Coastal Element of the certified Local Coastal Program as suggested by the Coastal Commission in the letter dated June 25, 2001 attached hereto as Exhibit "A" and incorporated by this reference as though fully set forth herein. Said suggested modifications shall be certified and become effective pursuant to Section 13544.5 of Title 14 of the California Code of Regulations on the date when the following two conditions have been met:

- i. Commission concurrence with the Executive Director's determination that the City's action is legally adequate; and
- ii. The Notice of Certification has been filed with the Secretary of Resources.

2. That the City Council certifies that the amended Local Coastal Program is intended to be carried out in a manner in full conformance with the California Coastal Act.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 4th day of September, 2001.

Sam Julien Houston

Mayor

ATTEST:

Connie Brockway

City Clerk 09-07-01

APPROVED AS TO FORM:

[Signature] 8/22/01
City Attorney *jr* 8/21/01

REVIEWED AND APPROVED:

[Signature]

City Administrator

INITIATED AND APPROVED:

[Signature] 8/22/01
Director of Planning *jr*

RESOLUTION NO. 2001-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HUNTINGTON BEACH, CALIFORNIA, AMENDING THE LOCAL
COASTAL PROGRAM BY AMENDING THE COASTAL ELEMENT

WHEREAS, pursuant to the State Planning and Zoning Law, the Huntington Beach City Council has held a public hearing relative to Local Coastal Program Amendment 3-99 wherein all information presented at said hearing was carefully considered, and after due consideration of the findings and all evidence presented to the City Council, the City Council found that such amendment to the Coastal Element was proper, and consistent with the Huntington Beach General Plan and Huntington Beach Local Coastal Program; and

Pursuant to the California Coastal Act, Local Coastal Program Amendment No. 3-99 was referred to the Coastal Commission for its consideration and certification; and

The Coastal Commission has certified Local Coastal Program Amendment No. 3-99 with suggested modifications; and

The City Council wishes to accept and approve said modification is in accordance with the provisions of the California Coastal Act,

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

SECTION 1. The Local Coastal Program Amendment No. 3-99 consisting of proposed modifications to the Coastal Element as identified on the attached Exhibit A and incorporated by this reference as though fully set forth herein, is hereby adopted and approved.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 4th day of September, 2001.

ATTEST:

Connie Brockway
City Clerk 09-07-01

Sam Julien Houston
Mayor

REVIEWED AND APPROVED:

Ray Salas
City Administrator
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APPROVED AS TO FORM:

P. J. ... 7/11/01
City Attorney

INITIATED AND APPROVED:

[Signature]
Director of Planning

SEP 7 2001
CALIFORNIA
COASTAL COMMISSION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, CONNIE BROCKWAY, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **regular** meeting thereof held on the **4th day of September, 2001** by the following vote:

AYES: Green, Boardman, Cook, Julien Houchen, Garofalo, Dettloff,
 Bauer
NOES: None
ABSENT: None
ABSTAIN: None

Connie Brockway

City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, CONNIE BROCKWAY, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **regular** meeting thereof held on the **4th day of September, 2001** by the following vote:

AYES: Green, Boardman, Cook, Julien Houchen, Garofalo, Dettloff,
 Bauer
NOES: None
ABSENT: None
ABSTAIN: None

Connie Brockway

City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California

