

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Huntington Beach, CA 90802-4302  
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**RECORD PACKET COPY**

May 23, 2001

TO: Commissioners &amp; Interested Persons

*Th 17c*FROM: Deborah Lee, Deputy Director  
Teresa Henry, District Manager  
Meg Vaughn, Staff AnalystSUBJECT: **CITY OF HUNTINGTON BEACH**  
**LOCAL COASTAL PROGRAM AMENDMENT 2-00**

Scheduled for Public Hearing and Commission Action at the meeting of June 12-15, 2001 at the Marriott Los Angeles Airport Hotel, 5855 W. Century Blvd., Los Angeles.

**SUMMARY OF AMENDMENT REQUEST:**

Request by the City of Huntington Beach to amend the Implementation Plan portion of the LCP by modifying the Downtown Parking Master Plan (DPMP) within the Downtown Specific Plan, in the City of Huntington Beach, Orange County. The DPMP is proposed to be amended by increasing the existing development cap from 500,000 to 715,000 square feet, and by revising the DPMP's parking ratios.

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends **denial** of the Implementation Plan amendment **as submitted and approval if modified** as necessary to be in conformity with and adequate to carry out the provisions of the certified Land Use Plan.

Staff is recommending **approval** of the LCP amendment request **only if modified** because the proposed increase in development from 500,000 to 715,000 square feet will work only if the parking supply provided is increased proportionately. The City has indicated that additional parking will be provided with future development as described in the Downtown Parking Master Plan Update prepared by Kaku Associates dated September 2000. As proposed, however, the amendment text does not directly tie in the required additional parking. Increasing the development allowed within the DPMP area without assurances of increased parking would adversely impact public access, making the amendment inconsistent with and inadequate to carry out the public access policies of the City's certified Land Use Plan. Therefore, staff is recommending a suggested modification that will incorporate the requirement for increased parking as described in the parking report into the DPMP. Also, the plan currently specifies that larger projects may be required to provide additional parking on-site. The proposed amendment would eliminate the on-site requirement for larger projects. Staff is suggesting an additional modification to retain the "on-site" language. This suggested modification is also necessary to assure that the LCP as amended will be consistent with and adequate to carry out the City's certified Land Use Plan.

The motions to accomplish this are found on pages 4 & 5.

**Additional Information:**

Copies of the staff report are available at the South Coast District Office of the Coastal Commission. To obtain copies of the staff report by mail, or for additional information, contact Meg Vaughn at the above address and telephone number.

**STANDARD OF REVIEW:**

For the proposed Implementation Plan amendment, the standard of review, pursuant to sections 30513 and 30514(b) of the Coastal Act, shall be 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 of Huntington Beach Planning Commission held public hearings regarding Local Coastal Program Amendment 2-00 on October 10, 17, and 24, 2000. In addition, the City of Huntington Beach City Council held a public hearing regarding Local Coastal Program Amendment 2-00 on November 6, 2000. All legal notices for the public hearings made reference to the future Local Coastal Program Amendment. In addition to the public hearings, on September 27, 2000, the Planning Department also held a community meeting to present the findings and recommendation in the Downtown Parking Master Plan Update prepared by Kaku Associates. The community meeting was attended by nine area property owners and business owners. All staff reports were made available for public review in the City's Planning Department and the Huntington Beach Central Library. Several speakers spoke in opposition to the draft ordinance on the basis that it would lead to a parking deficiency, citing the timing and findings of the parking study completed by the City's consultant.

The letters submitted at the City's hearings are attached as Exhibit G. The letters include concerns that the City carefully consider the impacts of the proposed amendment and its impacts on the performance of the Parking Master Plan and whether it will create a parking shortfall; concern that the amendment should have been the subject of a full EIR; and concerns that the parking study is flawed. The main basis cited for considering the parking study to be flawed is due to the fact that the parking utilization study was done in September 1999 after Labor Day and

because it used City parking data from the summer of 1999, when there were a number of beach closures in the City.

It should be noted that the study was done after Labor Day, which is considered the end of the peak summer use period. The parking consultant collected data after the peak summer use period. However, the timing of the parking study was addressed in the study. The consultant used data collected by the City regarding the use of the City's parking structure. Based on this data the consultant determined an adjustment factor to determine general parking demand throughout the DPMP area during the peak summer period.

The parking demand within the City's parking structure was analyzed by the consultant to determine the appropriate relationship between the demand measured during the utilization surveys in September 1999 and the actual summertime peak that can normally be expected between June and August. Parking demand in the City structure during June, July and August 1998, and June, July and August 1999 was compared to the parking demand in the structure during September 1999 to estimate the relationship. Based on this information the consultant derived an adjustment factor. The adjustment factor was applied to the figures from September 1999 to determine the expected parking utilization for the peak summer use period of 1999 throughout the DPMP area.

One of the letters sent to the City expresses concern that because the beach in the City was closed during a number of days in the summer of 1999, that use of that summer period to derive the adjustment factor has led to erroneous conclusions regarding existing and future parking demand. However the City's 2000 Annual Review and Monitoring Report for the Downtown Parking Master Plan, prepared by the City and dated August 21, 2000, supports the parking consultant's findings. The Annual Review and Monitoring report includes figures from June 1999 through May 2000 which is attached as Exhibit H. In addition, the consultant's parking study includes a graph, titled Monthly Variation in Usage of City Structure (see exhibit I), that indicates use of the City's parking structure was higher in March through September of 1998/1999 than it was during the same period in 1997/1998. Based on this information Commission staff accepts the use of data including the summer of 1999 as a basis in determining an accurate existing and future parking demand.

#### **List of Exhibits**

- A. Vicinity Map
- B. City Council Resolution No. 2000-107
- C. City Council Ordinance No. 3483
- D. Legislative Draft on City Council Action  
(highlights changes proposed by City)
- E. Appendix A of Downtown Huntington Beach Parking Master Plan Update
- F. Table 17 from Downtown Huntington Beach Parking Master Plan Update  
Land Use Forecasts for the Downtown Parking Master Plan Area Buildout Conditions
- G. Letters Received at the City's Public Hearings
- H. Main Promenade Parking Structure Utilization June 1999 through May 2000
- I. Monthly Variation in Usage of City Structure

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**I. MOTIONS AND RESOLUTIONS**

**A. Deny the Amendment to the LCP Implementation Program as submitted**

**MOTION**

*"I move that the Commission reject Amendment Request No. 2-00 to the City of Huntington Beach LCP Implementation Program as submitted."*

Staff recommends a **YES** vote which would result in the rejection of the amendment as submitted and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

**Resolution to reject the Amendment to the LCP Implementation Program as submitted**

*The Commission hereby rejects Amendment Request No. 2-00 to the Implementation Program of the City of Huntington Beach certified Local Coastal Program, as submitted, for the reasons discussed below, and adopts the findings set forth below, on the grounds that the amendment request as submitted does not conform with, or is inadequate to carry out, the provisions of the Land Use Plan as certified. Approval of the Implementation Program Amendment as submitted would not meet the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act in that there are alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effects that the approval of the amendment to the Implementation Program as submitted would have on the environment.*

**B. Approve the Amendment to the LCP Implementation Program if modified**

**MOTION**

*"I move that the Commission certify Amendment Request No. 2-00 to the City of Huntington Beach LCP Implementation Program if it is modified in conformity with the modifications set forth in this staff report."*

Staff recommends a **YES** vote which would result in certification of the amendment with suggested modifications and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

**Resolution to certify Part A of amendment to the LCP Implementing Actions if modified**

*The Commission hereby certifies Amendment Request No. 2-00 to the Implementation Program of the City of Huntington Beach Local Coastal Program, for the reasons discussed below, and adopts the findings set forth below, on the grounds that the amended ordinances, maps, and other implementing actions are consistent with, and adequate to carry out, the provisions of the certified Land Use Plan, as provided in Section 30513 of the Coastal Act, if amended according to the suggested modifications stated in Section II of this report. Approval of the Implementation*

*Program, if modified as suggested, meets the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act in that there are no further feasible alternatives or mitigation measures available that would substantially lessen any significant adverse impact that the approval of the Implementation Program would have on the environment. The Commission further finds that if the local government adopts and transmits its revisions to the amendment to the Implementation Program in conformity with the suggested modifications, then the Executive Director shall so notify the Commission.*

## II. SUGGESTED MODIFICATIONS

Certification of City of Huntington Beach LCP Amendment Request No. 2-00 is subject to the following modifications.

The existing certified LCP policies and standards are shown in regular text.  
The City's proposed additions are identified by underlined text.  
~~The City's proposed deletions are identified by strike out text.~~  
***The suggested modifications are shown in bold italics.***

On page 3 of the legislative draft (see exhibit D) third paragraph, first sentence:

Existing and proposed building square footage and uses identified in the technical background report prepared by Kaku Associates (Sept., 2000), entitled "Downtown Parking Master Plan Update," (Appendix – Existing and Proposed Land Use Analysis Blocks A – I) are parked within the public parking supply within the Downtown Parking Master Plan.

### Suggested Modification No. 1

The above section shall be replaced with the following:

Existing building square footage and uses are parked within ***the DPMP parking supply as inventoried*** in the technical background report prepared by Kaku Associates (Sept. 2000), entitled "Downtown Parking Master Plan Update," (Appendix – Existing and Proposed Land Use Analysis Blocks A – I) (***Kaku Report.***). ***Future parking within the DPMP area shall be provided as described in Appendix A of the Kaku Report. Redevelopment of blocks that result in a loss of existing parking shall be phased with the provision of parking such that adequate parking exists within each DPMP area at all times.***

On page 4 of the Legislative Draft (see exhibit D), Item 1:

1. Require projects over 30,000 sq. ft. or one-half (1/2) block in size provide 50% of the code-required parking identified in Figure 4.2 on-site parking for all projects one half (1/2) block or greater in size.

**Suggested Modification No. 2**

The above sentence shall retain the "on-site" requirement and shall be replaced with the following:

1. Require projects over 30,000 sq. ft. or one-half (1/2) block in size to provide 50% of the code-required parking identified in Figure 4.2 *on site*.

**III. FINDINGS**

The following findings support the Commission's denial of the Implementation Plan amendment as submitted, and approval of the amendment if modified as indicated in Section II (SUGGESTED MODIFICATIONS) of this report.

The Commission hereby finds and declares as follows:

**A. Amendment Description**

The proposed amendment would modify the Downtown Parking Master Plan (DPMP), which is incorporated into the Downtown Specific Plan (DSP). The Downtown Specific Plan is part of the City's certified Implementation Program. The Downtown Parking Master Plan provides the parking standards for the area within the DSP that fall within the DPMP boundaries. The DPMP area is generally bounded by 2nd Street on the east, 6<sup>th</sup> Street on the west, Pacific Coast Highway on the south, and Acacia Avenue on the north (see exhibit C6). The DPMP is located across Pacific Coast Highway, immediately inland of the City's pier, beach and two beach parking lots. The Parking Master Plan area includes the entire downtown area along Main Street but does not include the beach area or the beach parking facilities.

The proposed amendment would increase the existing development cap from 500,000 square feet to 715,000 square feet and the number of parking spaces available within the DPMP area would increase from 1,984 to 2,242 spaces at build out (an increase of 258 spaces). In addition, the amendment would eliminate the difference in parking ratios that currently apply in Area 1 and Area 2 (see exhibit D6). In approving the DPMP in 1995, the Commission accepted the main premise of the DPMP which is that adequate parking is provided to serve development within the Master Plan area without requiring additional parking with each individual new development or expansion. The proposed increase in the development square footage allowed includes a proportionate increase in parking.

The DPMP currently provides that the Planning Commission or City Council may require that projects of one half block or greater provide at least 50% of the required parking on site. The proposed amendment would add new language that would also include new development projects of 30,000 square feet or more in addition to projects one half block in size. But the reference requiring that parking be on site was eliminated. The amendment would also allow the Planning Commission or City Council to require larger projects to utilize on-site attendants during the peak use (summer) season and also to develop a sign program to direct motorist to parking facilities.

The development caps for each of the individual use categories are as follows: restaurant use allowed would increase from 100,000 to 144,000 square feet, office use allowed would increase from 100,000 to 126,000 square feet, retail use allowed would increase from 250,000 to 300,000 square feet, and miscellaneous uses allowed would increase from 50,000 to 145,000 square feet.

**B. Downtown Parking Master Plan Background**

The DPMP was originally approved by the Commission on March 9, 1995. Rather than require each use within the boundaries to provide its own separate code required parking, the DPMP allowed the Downtown area to be viewed as a whole for purposes of parking. This was based on the shared use and captive market concepts. Shared use parking recognizes that in certain circumstances different uses within the same parking vicinity will have different peak use periods. For example, retail shops in the subject area have been shown to have a peak use of 3 p.m., whereas restaurants will have a peak use at 8 p.m. The shared use concept recognizes that providing sufficient parking to meet the combined peak demands of each use would result in surplus parking. The captive market concept recognizes that patrons of the downtown businesses often visit more than one establishment on a single trip. For example, a patron may visit retail shops, eat in a restaurant, and see a movie all in one trip.

Parking studies have been prepared for the original DPMP and the proposed amendment. These studies indicate that the overall parking demand of the uses in the DPMP area is less than the demand that would be created by each use individually. So the parking ratio applied to each use within the DPMP is less than the parking ratios applied for the same uses in the rest of the City. The proposed amendment maintains this concept and would expand on the existing Parking Plan.

**C. Public Access**

Section 30210 of the Coastal Act states:

*In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30252 of the Coastal Act states, in part:

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) Providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, ...(4) providing adequate parking facilities or providing substitute means of serving the development with public transportation ...*

The City's certified Land Use Plan incorporates Coastal Act Section 30210, which requires maximum public access. The LUP also incorporates Coastal Act Section 30252(4), which requires that new development should maintain and enhance public access by providing adequate parking facilities or substitute means of transportation to serve the development. The LUP states

that Huntington Beach beaches are among the most popular in Orange County. Additionally, the LUP states:

*"The ability to accommodate recreational demand also includes the provision of adequate support facilities. ... The provision of adequate parking for beach users is a significant issue."*

1. Provision of Adequate Parking

The City's certified LUP recognizes the importance of the provision of adequate parking in maximizing public access to the Coast. The policies cited above recognize that adequate parking is a critical component in maximizing public access. These LUP parking policies are intended to assure that new development will not interfere with the provision of maximum access which can be caused by lack of parking. A parking shortage in the Downtown Parking Master Plan area would adversely affect public access. If the commercial uses within the downtown area did not provide adequate parking to serve the demand they create, patrons of the business establishments would be forced to seek other parking locations. The downtown area is immediately inland of Pacific Coast Highway and the City's pier. Thus, if enough spaces were not provided in the DPMP area, downtown business patrons would most likely compete with beach goers for the same beach use parking spots in beach lots and on-street spaces along Pacific Coast Highway and the first few blocks inland. In approving the original DPMP, the Commission found that it would not create a parking shortage and so would not result in adverse impacts to public access. The City has monitored the existing DPMP and found that the plan provides adequate parking to serve the downtown businesses. The Downtown Parking Master Plan Annual Review and Monitoring Report prepared by the City and presented to the City Council on August 21, 2000 found "that the existing parking supply continues to accommodate the current mix of uses and activity in the downtown."

In order to determine whether the proposed increase in the development cap from 500,000 to 715,000 was feasible the City retained a consultant to prepare a parking study. The parking study, titled "Downtown Huntington Beach Parking Master Plan Update," was prepared by Kaku Associates and is dated September 27, 2000. The parking study inventoried parking in the downtown area, assessed parking utilization, analyzed existing and future parking demand, and developed strategies and recommendations for the Parking Master Plan.

The parking study supports the original DPMP's use of shared parking and captive market concepts. The study found that the actual peak parking demand currently generated by the four specific land uses in the Master Plan area is 1,406 spaces but the sum of the peak parking demands for each of the individual uses is 1,648 spaces. The current parking supply is 1,870 spaces, adequate to meet the existing demand.

The supply of parking in the downtown area under buildout conditions is based on forecasts of anticipated development in the area. The parking study includes the following information.

*Increases and losses in parking supply are expected to occur as a result of the following:*

*A net increase of 204 spaces from the completion of the Plaza Almeria project.*



*A net increase of 189 spaces from the potential development of Block A with a loss of 214 spaces and an increase of 403 spaces. These figures are for the commercial uses of the site only.*

*A net increase of 30 spaces on 5<sup>th</sup> Street based on 90-degree layout.*

The parking study determined that the future parking supply at buildout will be 2,271 spaces. The parking study used the parking demand characteristics exhibited by the various land use types in the study area under current conditions to estimate future parking demand under Master Plan buildout conditions. (See Exhibit F for a table of Land Use Forecasts for the Downtown Parking Master Plan Area Buildout Conditions.) The parking study determined a future daytime peak demand of 1,915 spaces. Given the supply of 2,271 spaces, the supply will be adequate to meet the daytime peak use demand. However, without the additional spaces, the current 1,870 spaces would not be adequate. The parking study also found a future nighttime peak demand which would occur at 9 p.m. on Friday. The future nighttime peak use demand determined to be 2,401. Given the future supply of 2,271 spaces, a deficit of 130 spaces would occur. However, since this would occur after peak beach goer use, it would not interfere with public access to the shoreline. In addition the peak use is expected to occur only a few times out of the year.

In order for the parking supply to meet the demand as the parking study indicates it will, it is necessary for the additional future spaces to be provided. The City has indicated that the future increase in the parking supply will be provided with future development as shown in Appendix A to the Kaku Report (see exhibit E). The proposed amendment does include language that references Appendix A. However, the proposed language does not require that the additional parking spaces be provided. Nor does it identify when the additional spaces would be provided. Without assurances that the additional spaces necessary to meet the future demand will be provided, a parking shortage could result. As described above, a parking shortage in this area would adversely impact public access to the shoreline. In addition, if the increased square footage allowed by the proposed amendment were developed prior to the provision of the additional parking spaces, an interim parking shortage would result, also adversely impacting public access. In order to assure that the additional future parking spaces are provided in a timely manner, a modification to the amendment is suggested. The suggested modification would add language to specifically tie the increased future development to Appendix A, which identifies by block where the future development and the future parking spaces are to occur. In addition, the suggested modification requires that development not occur before adequate additional parking is provided. This suggested modification would prevent the occurrence of a parking shortfall within the DPMP area.

In addition, the existing DPMP includes a list of provisions that the Planning Commission or City Council may impose when reviewing projects in the DPMP area. Two of the existing seven are proposed to be modified and a new eighth provision is proposed to be added. The new eighth provision would require that a sign program to direct motorists to parking facilities be developed. One of the other modifications proposed would be to modify an existing provision by adding the peak summer season to the time that valet and/or remote parking be may required. Currently this provision may require valet or remote parking only for special events and activities. An additional existing provision allows the City Council or Planning Commission to require that projects that are one-half block in size provide 50% of all code-required parking on site. The final change to this list of provisions would add language so that this provision would also apply to projects over

30,000 square feet in size. However, the "on-site" requirement was inadvertently left out of the proposed revision. The provision will only be effective if the parking is required on-site. Therefore a modification is suggested which would retain the requirement that the parking requirement described in this provision be provided on-site.

Therefore, the Commission finds that only if modified as described above will the proposed amendment to the City's Implementation Program conform with and be adequate to carry out the provisions of the City's certified Land Use Plan.

2. Alternate Transportation

The City's certified LUP includes the following policies:

*City coastal policies are designed to improve recreation and access opportunities by achieving the following objectives:*

*Encouragement of alternatives to the private automobile for transportation to recreation areas.*

*Improved bicycle access to the coast including completion of the Pacific Coast Highway trail and increased signing.*

The City's certified LUP also includes these policies:

*Pursue implementation of a bike trail from the Pier to the southern edge of the Bolsa Chica State Beach parking lot in order to provide a continuous bike trail along the beach within the City.*

*Provide additional bike racks to encourage the use of City and State beaches as a destination point for bicyclists, and encourage the State to do the same.*

The City's certified LUP further states:

*Alternate forms of transportation to recreation areas which do not increase parking requirements are encouraged. Examples of such transportation include public transit, shuttle buses, carpooling/vanpooling and bicycling.*

Section 30252 of the Coastal Act, in addition to requiring that adequate parking be provided, also requires that new development promote alternate forms of transit. This Coastal Act section is expressly incorporated into the City's LUP. In addition, the policies cited above strongly promote the provision of alternate transportation as a means of promoting public access.

The provision of adequate parking facilitates public access. The downtown area is just inland of Coast Highway, immediately across the street from the City's pier, beaches and two beach parking lots. Inadequate parking to meet the demand of downtown businesses would force business patrons to compete with beach goers for beach use parking spaces potentially displacing beach-goers and diminishing beach use.

However, the need to provide adequate parking should not eclipse the LCP's additional requirement of encouraging alternate forms of transportation. As cited above, the certified LCP includes strong provisions promoting alternative transit throughout the entire coastal zone. The emphasis in this amendment on parking does not eliminate the requirement that new development must also be reviewed for the opportunity to provide and/or promote alternative forms of transportation such as shuttle buses, bus turnouts, bicycle racks and carpooling incentives. Currently the downtown area provides numerous bicycle racks and bus stops are located at the periphery.

The effort to assure that the Downtown Parking Master Plan does not allow beach use parking spaces to be usurped by business patrons is one method of promoting public access. Other methods of promoting public access are not abridged by the DPMP. Nothing in the DPMP will prevent the City or Commission on appeal from requiring that a project be consistent with the additional LCP provisions which promote alternative transportation.

### 3. Areas 1 and 2 Parking Ratios

Area 1 of the DPMP is the area south of Orange Avenue along Main Street. Area 1 has the greatest number of visitor-serving and seasonal commercial uses including year round entertainment. Area 2 of the DPMP is the area north of Orange Avenue along Main Street. Area 2 provides commercial uses that cater more to the year round residents. The existing DPMP allows reduced parking ratios compared to what is required in the rest of the City. The reduced parking ratios allowed differed between Area 1 and Area 2. The proposed amendment eliminates the difference between the two areas with respect to the parking ratios. The proposed amendment would provide a single parking ratio requirement for each of the uses allowed in the DPMP area (see exhibit D6). The proposed ratios are stricter in that they will require more parking than what is currently required with the exception of the ratio for retail use. Formerly, retail uses in Area 1 required that parking be provided at a ratio of one parking space for every 250 square feet and Area 2 required a ratio of one space for every 400 square feet. As proposed the retail ratio for the entire DPMP area would be one space for every 333 square feet. This change represents a slightly stricter ratio than had been required in Area 2 and a slightly more lenient ratio than was allowed in Area 1. The remaining uses of restaurant and office will retain the ratio previously required in Area 2, which were stricter than the ratios required in Area 1.

The Downtown Huntington Beach Parking Master Plan Update parking study prepared for this amendment demonstrates that the uses in the downtown area generate a demand based on the combination of uses rather than individual total demand. The change in parking ratios is proposed to more accurately reflect the actual demand generated by overall development in the downtown area. In addition, the revised ratios, except for retail use in Area 1, are the same as or more restrictive than the existing ratios. Even the ratio for retail use (lessened from one space per every 250 square feet to one space per every 333 square feet) is proposed to more accurately reflect actual demand generated, as demonstrated in the parking study. Consequently, this proposed change to the DPMP would not result in parking shortages. Therefore the Commission finds that this portion of the proposed LCP amendment is consistent with and adequate to carry out the provision of the City's certified Land Use Plan.

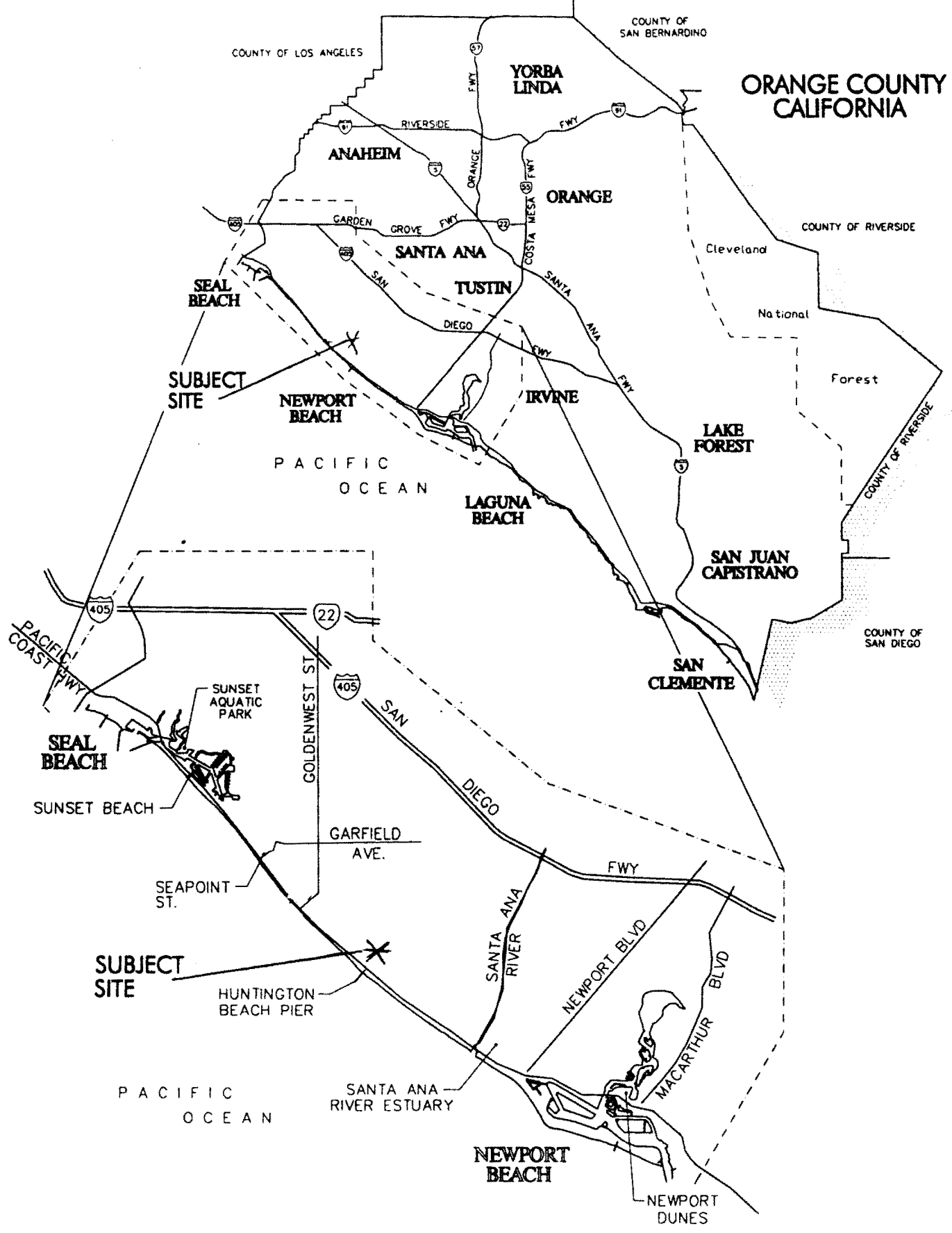
**D. California Environmental Quality Act (CEQA)**

Pursuant to the California Environmental Quality Act (CEQA) and the California Code of Regulations [Title 14, Sections 13540(f), 13542(a), 13555(b)] the Commission's certification of this LCP amendment must be based in part on a finding that it is consistent with CEQA Section 21080.5(d)(2)(A). That section of the Public Resources Code requires that the Commission not approve or adopt an LCP:

...if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The Commission finds that for the reasons discussed in this report, if the LCP amendment is modified as suggested, there are no additional feasible alternatives or feasible mitigation measures available that could substantially reduce any adverse environmental impacts. The Commission further finds that the proposed LCP amendment, if modified as suggested, is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.

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HUNTINGTON BEACH, CA.

LOCATION MAP

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2/20/03 1:00 PM  
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Exhibit A

DEC 7 2000

RESOLUTION NO. 2000-107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH  
ADOPTING LOCAL COASTAL PROGRAM AMENDMENT NO. 2000-2  
AND REQUESTING ITS CERTIFICATION BY THE CALIFORNIA COASTAL  
COMMISSION (DOWNTOWN PARKING MASTER PLAN UPDATE)

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 Huntington Beach Local Coastal Program Amendment No. 2000-2, 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 hearing on the proposed Huntington Beach Local Coastal Program Amendment No. 2000-2, and the City Council finds that the proposed amendment is consistent with the Certified Huntington Beach Coastal Land use Plan and Chapter 6 of the California Coastal Act.

The City Council of the City of Huntington Beach intends to implement the Local Coastal Program in a manner fully consistent with 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. 2000-2 consisting of Zoning Text Amendment No. 99-3, a copy of which is attached hereto as Exhibit A and incorporated by this reference as though fully set forth herein, is hereby approved.

SECTION 2: That the California Coastal Commission is hereby requested to consider, approve and certify Huntington Beach Local Coastal Program Amendment No. 2000-2.

SECTION 3: That pursuant to Section 13551(b) of the Coastal Commission Regulations, Huntington Beach Local Coastal Program Amendment No. 2000-2 will take effect

Exhibit

City Council Resolution B,

automatically upon Coastal Commission approval, as provided in *Public Resources Code* Sections 30512, 30513 and 30519.

SECTION 4: The amendment becomes effective immediately upon certification by the California Coastal Commission.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 6th day of November, 2000.

ATTEST:

Connie Brockway  
City Clerk

REVIEWED AND APPROVED:

Ray Liber  
City Administrator

David Sawyer  
Mayor

APPROVED AS TO FORM:

John Hutton  
City Attorney  
11-19-00

jmp 10/19/00

INITIATED AND APPROVED:

[Signature]  
Planning Director

**EXHIBIT #A**

B<sub>3</sub>



AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH  
AMENDING CHAPTER 4.2 OF THE HUNTINGTON BEACH SPECIFIC PLAN  
RELATING TO THE DOWNTOWN PARKING MASTER PLAN

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 4.2.14 of the Huntington Beach Specific Plan is hereby amended to read as follows:

4.2.14 The Downtown Parking Master Plan

The Downtown Parking Master Plan is based on a shared parking concept. Shared parking in effect allows one (1) parking space to serve two (2) or more individual land uses without conflict. Shared parking relies on the variations in the peak parking demand for different uses. In other words, parking demands will fluctuate in relationship to the mix of uses by hour, day of week, and season. The proper mix will create an interrelationship among different uses and activities which results in a reduction of the demand for parking.

The Downtown core area is centered along the Main Street commercial corridor. This commercial corridor divides into two (2) distinct areas, north and south of Orange. The area which encompasses the Downtown Parking Master Plan is identified on the area map (Figure 4.1).

Area 1 - The area south of Orange Avenue along Main Street provides the greatest amount of public parking opportunities both off-street and on-street. Area 1 has the greatest number of visitor-serving and seasonal commercial uses including year round entertainment. This area also has the greatest concentration of expanded commercial, restaurant and office uses, and therefore, the majority of the public parking spaces are provided in this area.

Expanding commercial activity in this area remains the focus of the Downtown Master Plan, however, no additional parking for new or expanded commercial, restaurant and office uses should be required provided the total square footage and mix of uses do not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

Area 2 - The area north of Orange Avenue along Main Street provides limited amounts of public parking opportunities. This area is still part of the Downtown core. However, the commercial uses in Area 2 cater more to year-round residents, therefore, additional on-street short-term parking is provided. The existing Downtown public parking facilities are not conveniently located for use in this area, thus, a combination of expanded on-street and on-site parking may be necessary for new or expanded commercial uses. The commercial activity remains primarily service-related commercial; the existing supply of on-street and on-site parking should be sufficient for anticipated uses. The mix of commercial and residential activities can justify a parking reduction and additional parking may not be necessary if development does

not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

City-owned and controlled public parking in the Downtown Parking Master Plan (DPMP) area shall be consistent with the City's certified land use plan. The DPMP is structured to protect beach user parking by providing adequate public parking within the Downtown area. The DPMP encourages the use of the City-owned and controlled parking sites within the DPMP area. To encourage the use of the City-owned public parking facilities, parking controls such as time limits, and parking rates may be adjusted to maintain the desired use of these spaces by patrons and employees of the downtown area. A validation program for the City-owned public parking structure has been established as an incentive for the use of the structure by the patrons and employees of the downtown area. Any changes to the program shall be submitted to the Executive Director to determine if an amendment to the Specific Plan is necessary.

The Downtown Parking Master Plan anticipates a total development scenario of approximately 715,000 square feet of commercial activity. The DPMP has development thresholds of 144,000 square feet for restaurant, 300,000 square feet for retail, 126,000 square feet for office and 145,000 square feet for miscellaneous development. Area 1 will contain approximately 626,000 square feet of commercial development, with the remaining 89,000 square feet in Area 2. The Planning Department shall be responsible for monitoring the development square footage per land use and the number of parking spaces within the Downtown Parking Master Plan area.

An annual review and monitoring report of the Downtown Parking Master Plan shall be prepared by the Planning Department and presented for review by the Planning Commission and City Council. Following the review by the City Council, the Downtown Parking Master Plan annual review and monitoring report shall be submitted to the Executive Director of the California Coastal Commission for review.

The Downtown Parking Master Plan annual review and monitoring report shall include, at a minimum:

- 1) amount and type of development square footage approved during the annual review period;
- 2) total amount of square footage in the Downtown Parking Master Plan area;
- 3) an inventory of existing parking spaces;
- 4) a parking utilization study;
- 5) an assessment of parking demand compared with parking supply;
- 6) a determination of whether adequate parking remains to serve development allowed up to the total development cap.

If the Downtown Parking Master Plan annual review and monitoring report indicates that the parking supply is inadequate to serve the approved level of development or if the development square footage exceeds the amount described above (up to 715,000 square feet total), all development within the Downtown Parking Master Plan area shall provide parking consistent with Off-Street Parking and Loading Provisions of the Huntington Beach Zoning and Subdivision Ordinance, unless and until new parking to meet the identified demand is approved and constructed.

Changes between one or more of the individual use categories may be allowed as long as the total square footage does not exceed 715,000 square feet provided there are corresponding changes in the other use categories to assure adequate parking remains.

Parking shall be provided for each Area. If a project is built in Area One that requires more shared parking than is available in Area One, credit from Area Two shall not be used. If a project is built in Area Two that requires more shared parking than is available in Area Two, credit from Area One shall not be used.

Although the Downtown Parking Master Plan distinguishes between the location and type of parking resources available in Area 1 and Area 2, the adjusted parking requirement for both Area 1 and Area 2 is the same (Figure 4.2). The common parking requirement is based on the shared parking concept for the entire master plan area.

Existing and proposed building square footage and uses identified in the technical background report prepared by Kaku Associates (Sept., 2000), entitled "Downtown Parking Master Plan Update," (Appendix - Existing and Proposed Land Use Analysis Blocks A - I) are parked within the public parking supply within the Downtown Parking Master Plan. In the event a property owner demolishes his/her existing building, and rebuilds a new building of equal square footage and use, no additional parking shall be required. Any code required parking spaces provided on-site shall be credited for any expansion of square footage or intensification of use. All required parking shall be calculated based on the reduced requirements of the Downtown Parking Master Plan.

The Planning Commission or City Council may impose one (1), all, or a combination of the following requirements to ensure that adequate parking is provided for each development:

1. Require projects over 30,000 sq. ft. or one-half (1/2) block in size provide 50% of the code-required parking identified in Figure 4.2.
2. Require that any parking in-lieu fees be full cost recovery based on the parking requirement for specific uses. However, allow that these fees be paid over an amortization period, with appropriate security provided by the applicant to guarantee payment.
3. Require valet parking once the maximum build out of restaurant activity has been obtained.
4. Commercial projects greater than 10,000 square feet in size shall be required to submit a parking management plan consistent with the Downtown Parking Master Plan.
5. Require valet and/or remote parking for special events and activities, and during the peak summer season.
6. Require the applicant to provide additional on-site and /or off-site parking for any development.
7. Develop parking options which may generate additional parking for any development.
8. Develop a sign program to direct motorists to primary parking facilities within the Downtown Parking Master Plan.

SECTION 2. Figure 4.2 of the Huntington Beach Specific Plan is hereby amended as follows:

DOWNTOWN PARKING MASTER PLAN  
 CODIFIED PARKING REQUIREMENTS


Land Use	Huntington Beach Code.	New Parking Standard
Retail	1:200	1:333
Restaurant	1:100	1:100
Office	1:250	1:500

Note: At any time it deems necessary, the Planning Commission may require additional on-site parking to meet the parking demands generated by a use or development.

SECTION 3. The Map of the Parking Master Plan is hereby amended as shown on Attachment A hereto.

SECTION 4. This ordinance shall become effective immediately upon certification by the California Coastal Commission.

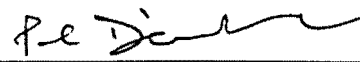
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 20th day of November, 2000.

  
 \_\_\_\_\_  
 Mayor

ATTEST:

  
 \_\_\_\_\_  
 City Clerk

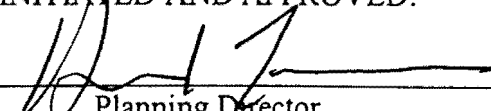
APPROVED AS TO FORM:

  
 \_\_\_\_\_ 11/8/2000  
 City Attorney

REVIEWED AND APPROVED:

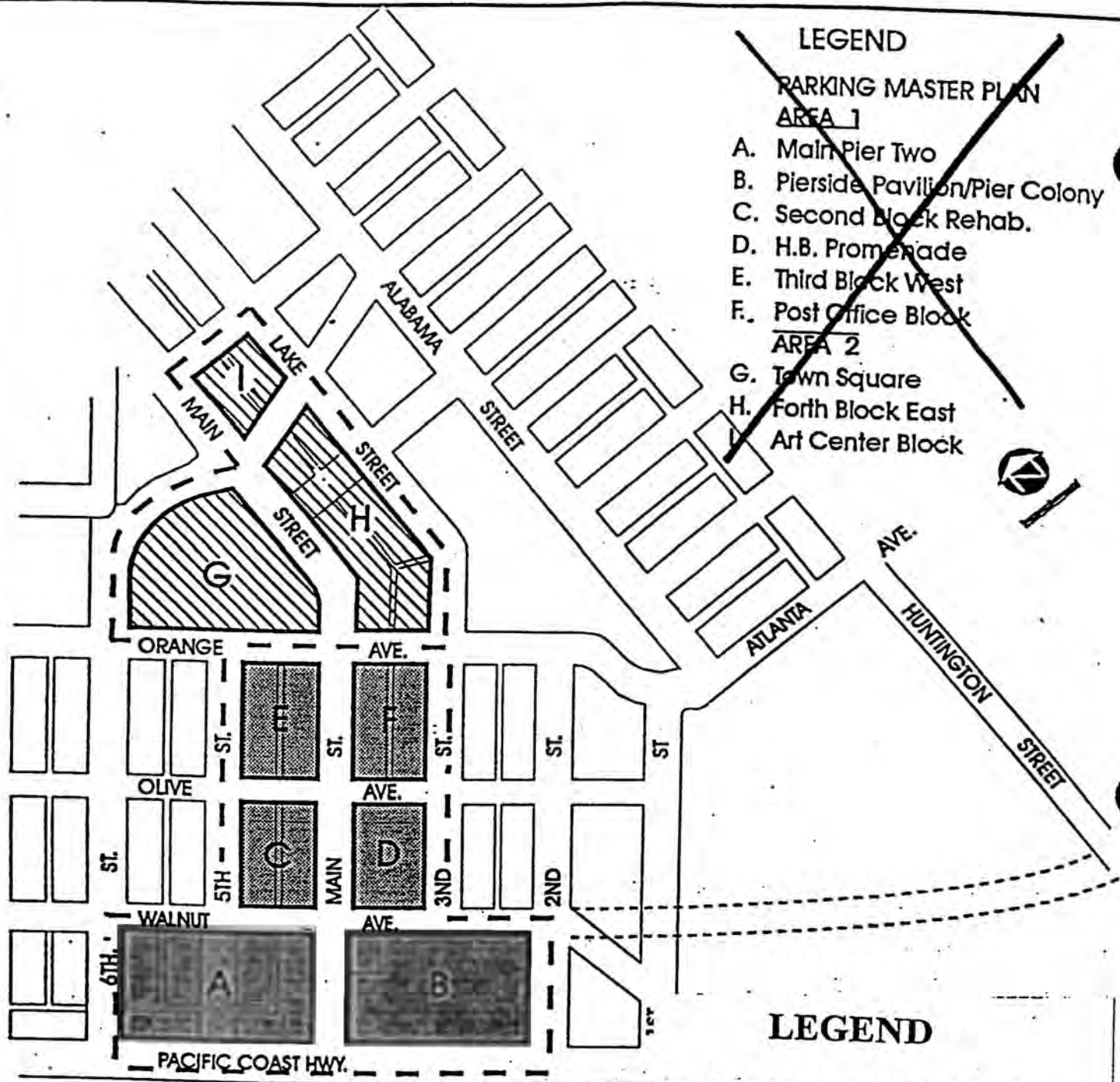
  
 \_\_\_\_\_  
 City Administrator

INITIATED AND APPROVED:

  
 \_\_\_\_\_  
 Planning Director

# ATTACHMENT A

B8



**LEGEND**

**PARKING MASTER PLAN AREA 1**

- A. Main Pier Two
  - B. Pierside Pavilion/Pier Colony
  - C. Second Block Rehab.
  - D. H.B. Promenade
  - E. Third Block West
  - F. Post Office Block
- AREA 2**
- G. Town Square
  - H. Forth Block East
  - I. Art Center Block



**LEGEND**

**PARKING MASTER PLAN**

- A. Blocks 104/105
- B. Pierside Pavilion/Pier Colony
- C. Second Block Rehab
- D. Main Street Promenade
- E. Plaza Almeria
- F. Post Office Block
- G. Town Square
- H. Fourth Block East
- I. Art Center Block

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 ordinance was read to said City Council at a regular meeting thereof held on the 6th day of November, 2000, and was again read to said City Council at a regular meeting thereof held on the 20th day of November, 2000, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Harman, Green, Dettloff, Bauer

NOES: Sullivan

ABSENT: None

ABSTAIN: Julien, Garofalo

I, Connie Brockway CITY CLERK of the City of  
Huntington Beach and ex-officio Clerk of the City Council,  
do hereby certify that a synopsis of this ordinance has been  
published in the Independent on  
\_\_\_\_\_, 2000  
In accordance with the City Charter of said City  
\_\_\_\_\_  
Connie Brockway, City Clerk  
\_\_\_\_\_  
Deputy City Clerk


*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 **6th day of November, 2000** by the following vote:

**AYES:**       Harman, Green, Dettloff, Bauer  
**NOES:**       Sullivan  
**ABSENT:**     None  
**ABSTAIN:**   Julien, Garofalo

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



AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH, CALIFORNIA  
AMENDING CHAPTER 4.2 OF THE HUNTINGTON BEACH COASTAL COMMISSION  
RELATING TO THE DOWNTOWN PARKING MASTER PLAN

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 4.2.14 of the Huntington Beach Specific Plan is hereby amended to read as follows:

4.2.14 The Downtown Parking Master Plan

The Downtown Parking Master Plan is based on a shared parking concept. Shared parking in effect allows one (1) parking space to serve two (2) or more individual land uses without conflict. Shared parking relies on the variations in the peak parking demand for different uses. In other words, parking demands will fluctuate in relationship to the mix of uses by hour, day of week, and season. The proper mix will create an interrelationship among different uses and activities which results in a reduction of the demand for parking.

The Downtown core area is centered along the Main Street commercial corridor. This commercial corridor divides into two (2) distinct areas, north and south of Orange. The area which encompasses the Downtown Parking Master Plan is identified on the area map (Figure 4.1).

Area 1 - The area south of Orange Avenue along Main Street provides the greatest amount of public parking opportunities both off-street and on-street. Area 1 has the greatest number of visitor-serving and seasonal commercial uses including year round entertainment. This area also has the greatest concentration of expanded commercial, restaurant and office uses, and therefore, the majority of the public parking spaces are provided in this area.

Expanding commercial activity in this area remains the focus of the Downtown Master Plan, however, no additional parking for new or expanded commercial, restaurant and office uses should be required provided the total square footage and mix of uses do not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

Area 2 - The area north of Orange Avenue along Main Street provides limited amounts of public parking opportunities. This area is still part of the Downtown core. However, the commercial uses in Area 2 cater more to year-round residents, therefore, additional on-street short-term parking is provided. The existing Downtown public parking facilities are not conveniently located for use in this area, thus, a combination of expanded on-street and on-site parking may be necessary for new or expanded commercial uses. The commercial activity remains primarily service-related commercial; the existing supply of on-street and on-site parking should be sufficient for anticipated uses. The mix of commercial and residential activities can justify a parking reduction and additional parking may not be necessary if development does

not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

City-owned and controlled public parking in the Downtown Parking Master Plan (DPMP) area shall be consistent with the City's certified land use plan. The DPMP is structured to protect beach user parking by providing adequate public parking within the Downtown area. The DPMP encourages the use of the City-owned and controlled parking sites within the DPMP area. To encourage the use of the City-owned public parking facilities, parking controls such as time limits, and parking rates may be adjusted to maintain the desired use of these spaces by patrons and employees of the downtown area. A validation program for the City-owned public parking structure has been established as an incentive for the use of the structure by the patrons and employees of the downtown area. Any changes to the program shall be submitted to the Executive Director to determine if an amendment to the Specific Plan is necessary.

The Downtown Parking Master Plan anticipates a total development scenario of approximately 715,000 square feet of commercial activity. The DPMP has development thresholds of 144,000 square feet for restaurant, 300,000 square feet for retail, 126,000 square feet for office and 145,000 square feet for miscellaneous development. Area 1 will contain approximately 626,000 square feet of commercial development, with the remaining 89,000 square feet in Area 2. The Planning Department shall be responsible for monitoring the development square footage per land use and the number of parking spaces within the Downtown Parking Master Plan area.

An annual review and monitoring report of the Downtown Parking Master Plan shall be prepared by the Planning Department and presented for review by the Planning Commission and City Council. Following the review by the City Council, the Downtown Parking Master Plan annual review and monitoring report shall be submitted to the Executive Director of the California Coastal Commission for review.

The Downtown Parking Master Plan annual review and monitoring report shall include, at a minimum:

- 1) amount and type of development square footage approved during the annual review period;
- 2) total amount of square footage in the Downtown Parking Master Plan area;
- 3) an inventory of existing parking spaces;
- 4) a parking utilization study;
- 5) an assessment of parking demand compared with parking supply;
- 6) a determination of whether adequate parking remains to serve development allowed up to the total development cap.

If the Downtown Parking Master Plan annual review and monitoring report indicates that the parking supply is inadequate to serve the approved level of development or if the development square footage exceeds the amount described above (up to 715,000 square feet total), all development within the Downtown Parking Master Plan area shall provide parking consistent with Off-Street Parking and Loading Provisions of the Huntington Beach Zoning and Subdivision Ordinance, unless and until new parking to meet the identified demand is approved and constructed.

Changes between one or more of the individual use categories may be allowed as long as the total square footage does not exceed 715,000 square feet provided there are corresponding changes in the other use categories to assure adequate parking remains.

Parking shall be provided for each Area. If a project is built in Area One that requires more shared parking than is available in Area One, credit from Area Two shall not be used. If a project is built in Area Two that requires more shared parking than is available in Area Two, credit from Area One shall not be used.

Although the Downtown Parking Master Plan distinguishes between the location and type of parking resources available in Area 1 and Area 2, the adjusted parking requirement for both Area 1 and Area 2 is the same (Figure 4.2). The common parking requirement is based on the shared parking concept for the entire master plan area.

Existing and proposed building square footage and uses identified in the technical background report prepared by Kaku Associates (Sept., 2000), entitled "Downtown Parking Master Plan Update," (Appendix - Existing and Proposed Land Use Analysis Blocks A - I) are parked within the public parking supply within the Downtown Parking Master Plan. In the event a property owner demolishes his/her existing building, and rebuilds a new building of equal square footage and use, no additional parking shall be required. Any code required parking spaces provided on-site shall be credited for any expansion of square footage or intensification of use. All required parking shall be calculated based on the reduced requirements of the Downtown Parking Master Plan.

The Planning Commission or City Council may impose one (1), all, or a combination of the following requirements to ensure that adequate parking is provided for each development:

1. Require projects over 30,000 sq. ft. or one-half (1/2) block in size provide 50% of the code-required parking identified in Figure 4.2.
2. Require that any parking in-lieu fees be full cost recovery based on the parking requirement for specific uses. However, allow that these fees be paid over an amortization period, with appropriate security provided by the applicant to guarantee payment.
3. Require valet parking once the maximum build out of restaurant activity has been obtained.
4. Commercial projects greater than 10,000 square feet in size shall be required to submit a parking management plan consistent with the Downtown Parking Master Plan.
5. Require valet and/or remote parking for special events and activities, and during the peak summer season.
6. Require the applicant to provide additional on-site and /or off-site parking for any development.
7. Develop parking options which may generate additional parking for any development.
8. Develop a sign program to direct motorists to primary parking facilities within the Downtown Parking Master Plan.

SECTION 2. Figure 4.2 of the Huntington Beach Specific Plan is hereby amended as follows:

DOWNTOWN PARKING MASTER PLAN  
CODIFIED PARKING REQUIREMENTS

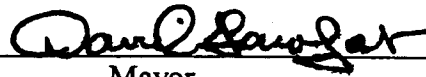
Land Use	Huntington Beach Code	New Parking Standard
Retail	1:200	1:333
Restaurant	1:100	1:100
Office	1:250	1:500

Note: At any time it deems necessary, the Planning Commission may require additional on-site parking to meet the parking demands generated by a use or development.

SECTION 3. The Map of the Parking Master Plan is hereby amended as shown on Attachment A hereto.

SECTION 4. This ordinance shall become effective immediately upon certification by the California Coastal Commission.

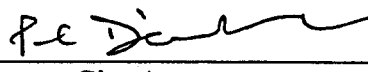
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 20th day of November, 2000.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

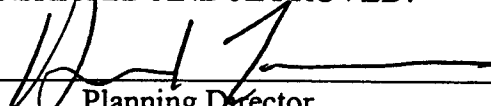
11/8/2000

JB 11/8/00

REVIEWED AND APPROVED:

  
\_\_\_\_\_  
City Administrator

INITIATED AND APPROVED:

  
\_\_\_\_\_  
Planning Director

CA

ATTACHMENT A

C5

**LEGEND**

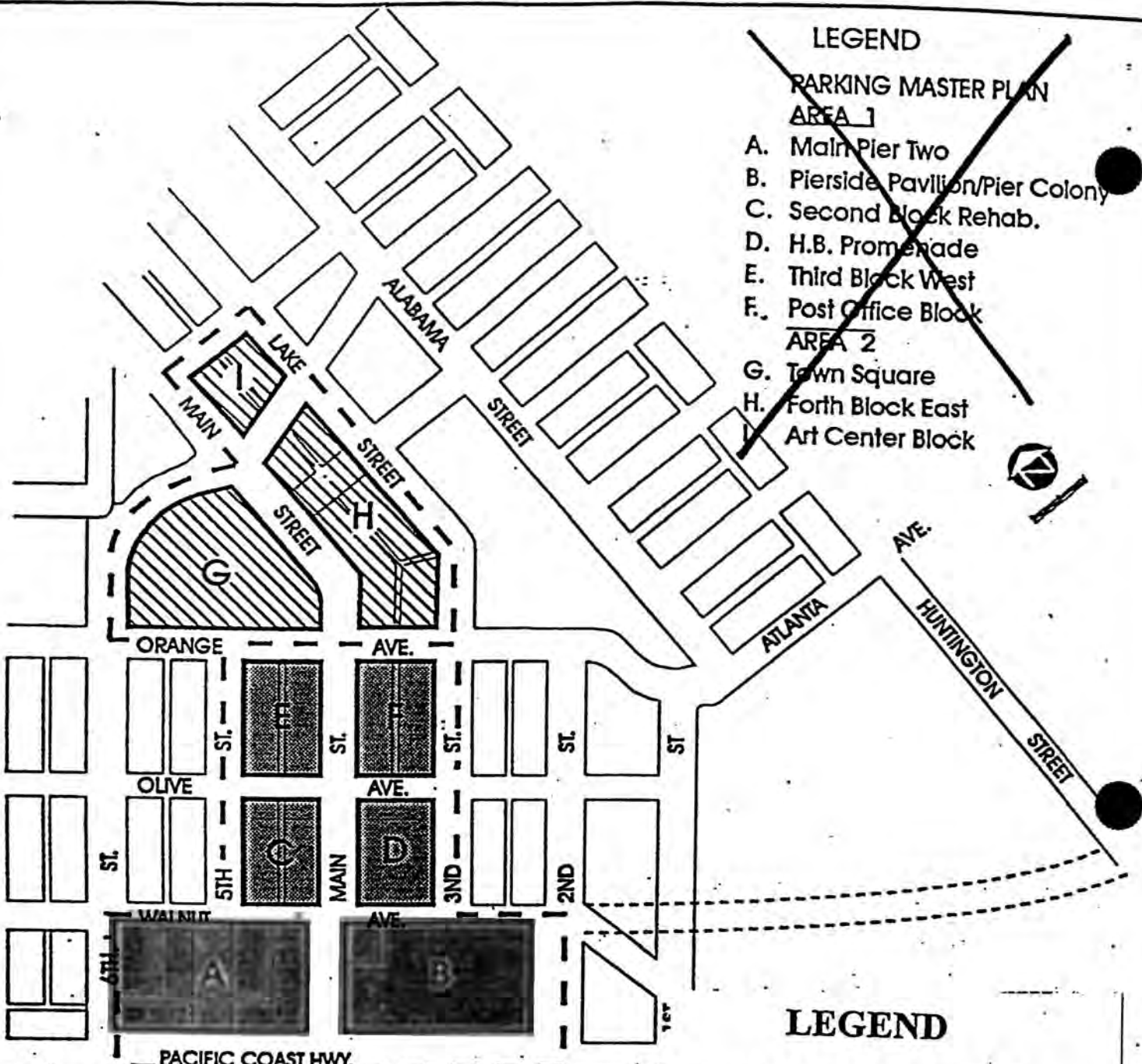
**PARKING MASTER PLAN**

**AREA 1**

- A. Main Pier Two
- B. Pierside Pavilion/Pier Colony
- C. Second Block Rehab.
- D. H.B. Promenade
- E. Third Block West
- F. Post Office Block

**AREA 2**

- G. Town Square
- H. Forth Block East
- I. Art Center Block



**LEGEND**

**PARKING MASTER PLAN**

- A. Blocks 104/105
- B. Pierside Pavilion/Pier Colony
- C. Second Block Rehab
- D. Main Street Promenade
- E. Plaza Almeria
- F. Post Office Block
- G. Town Square
- H. Fourth Block East
- I. Art Center Block

C6

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 ordinance was read to said City Council at a regular meeting thereof held on the 6th day of November, 2000, and was again read to said City Council at a regular meeting thereof held on the 20th day of November, 2000, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

**AYES:** Harman, Green, Dettloff, Bauer

**NOES:** Sullivan

**ABSENT:** None

**ABSTAIN:** Julien, Garofalo

I, Connie Brockway CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Independent on \_\_\_\_\_, 2000  
In accordance with the City Charter of said City  
\_\_\_\_\_  
Connie Brockway, City Clerk  
\_\_\_\_\_  
Deputy City Clerk

*Connie Brockway*  
\_\_\_\_\_  
City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach, California

# LEGISLATIVE DRAFT

## on City Council Action

### 4.2.14 The Downtown Parking Master Plan

The Downtown Parking Master Plan is based on a shared parking concept. Shared parking in effect allows one (1) parking space to serve two (2) or more individual land uses without conflict. Shared parking relies on the variations in the peak parking demand for different uses. In other words, parking demands will fluctuate in relationship to the mix of uses by hour, day of week, and season. The proper mix will create an interrelationship among different uses and activities which results in a reduction of the demand for parking.

The Downtown core area is centered along the Main Street commercial corridor. This commercial corridor divides into two (2) distinct areas, north and south of Orange. The area which encompasses the Downtown Parking Master Plan is as identified on the area map (Figure 4.1).

Area 1 - The area south of Orange Avenue along Main Street provides the greatest amount of public parking opportunities both off-street and on-street. Area 1 ~~will have~~ **has** the greatest number of visitor-serving and seasonal commercial uses including year round entertainment. This area ~~will also have~~ **has** the greatest concentration of expanded commercial, restaurant and office uses, and therefore, the majority of the public parking spaces ~~should be~~ **are** provided in this area.

Expanding commercial activity in this area remains the focus of the Downtown Master Plan, however, no additional parking for new or expanded commercial, restaurant and office uses should be required provided the total square footage and mix of uses do not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

Area 2 - The area north of Orange Avenue along Main Street provides limited amounts of public parking opportunities. This area is still part of the Downtown core. However, the commercial uses in Area 2 ~~will~~ cater more to ~~the~~ year-round residents, therefore, additional on-street short-term parking ~~should be~~ **is** provided. ~~This area will be a mixed use area with a significant amount of residential uses. The amount of commercial and office parking has been reduced.~~ The existing Downtown public parking facilities are not conveniently located for use in this area, thus, a combination of expanded on-street and on-site parking may be necessary for new or expanded commercial uses. The commercial activity remains primarily service-related commercial; the existing supply of on-street and on-site parking should be sufficient for anticipated uses. The mix of commercial and residential activities can justify a parking reduction and additional parking may not be necessary if development does not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

City-owned and controlled public parking in the Downtown Parking Master Plan (DPMP) area shall be consistent with the City's certified land use plan. The DPMP is structured to protect beach user parking by providing adequate public parking within the Downtown area. The DPMP encourages the use of the City-owned and controlled parking sites within the DPMP area. To encourage the use of the City-owned public parking facilities, parking controls such as time limits, and parking rates may be adjusted to maintain the desired use of these spaces by patrons and employees of the downtown area. A validation program for the City-owned public parking structure has been established as an incentive for the use of the structure by the patrons and

Changes as Proposed by City | Exhibit 1  
D1



# LEGISLATIVE DRAFT

## on City Council Action

employees of the downtown area. Any changes to the program shall be submitted to the Executive Director to determine if an amendment to the Specific Plan is necessary.

The Downtown Parking Master Plan anticipates a total development scenario of approximately ~~450,000 to 500,000~~ **715,000** square feet of commercial activity. The ~~Master Plan DPMP~~ has development thresholds of ~~100,000~~ **144,000** square feet for restaurant, ~~250,000~~ **300,000** square feet for retail, ~~100,000~~ **126,000** square feet for office and ~~50,000~~ **145,000** square feet for miscellaneous development. Area 1 will contain approximately ~~350,000 to 400,000~~ **626,000** square feet of **commercial development**, with the remaining ~~50,000 to 100,000~~ **89,000** square feet of activity occurring in Area 2. ~~It shall be the responsibility of the Community Development~~ **The Planning Department shall be responsible for** monitoring the development square footage per land use and the number of parking spaces within the Downtown Parking Master Plan area.

An annual review and monitoring report of the Downtown Parking Master Plan shall be prepared by the **Planning** Department and presented for review by the Planning Commission and City Council. **Following the review by the City Council, the Downtown Parking Master Plan annual review and monitoring report shall be submitted to the Executive Director of the California Coastal Commission for review.**

The Downtown Parking Master Plan annual review and monitoring report shall include, at a minimum:

- 1) amount and type of development square footage approved during the annual review period;
- 2) total amount of square footage in the Downtown Parking Master Plan area;
- 3) an inventory of existing parking spaces;
- 4) a parking utilization study;
- 5) an assessment of parking demand compared with parking supply;
- 6) a determination of whether adequate parking remains to serve development allowed up to the total development cap.

~~The Downtown Parking Master Plan annual review and monitoring report shall be submitted to the Executive Director of the Coastal Commission for review.~~

If the Downtown Parking Master Plan annual review and monitoring report indicates that the parking supply is inadequate to serve the approved level of development or if the development square footage exceeds the amount described above (up to ~~500,000~~ **715,000** square feet total), all development within the Downtown Parking Master Plan area shall provide parking consistent with Off-Street Parking and Loading Provisions of the Huntington Beach **Zoning and Subdivision Ordinance, Code**, unless and until new parking to meet the identified demand is approved and constructed.

Changes between one or more of the individual use categories may be allowed as long as the total square footage does not exceed ~~500,000~~ **715,000** square feet, **and provided** there are corresponding changes in the other use categories to assure adequate parking remains. ~~The existing base square footage shall be as described in the document approved by the Huntington Beach Planning Commission on July 7, 1993 titled Downtown Huntington Beach Parking Master Plan.~~

**Parking shall be provided for each Area. If a project is built in Area One that requires more shared parking than is available in Area One, credit from Area**

D<sub>2</sub>

# LEGISLATIVE DRAFT

## on City Council Action

Two shall not be used. If a project is built in Area Two that requires more shared parking than is available in Area Two, credit from Area One shall not be used.

Although the Downtown Parking Master Plan distinguishes between the location and type of parking resources available in Area 1 and Area 2, ~~the Downtown area recognizes that two different and distinct implementation approaches are necessary for each of the areas.~~ the adjusted parking requirement ~~was calculated~~ for both Area 1 and Area 2 is the same (Figure 4.2). The common parking requirement is based on the shared parking concept for the entire master plan area.

Existing and proposed building square footage and uses identified in the technical background report prepared by Kaku Associates (Sept., 2000), entitled "Downtown Parking Master Plan Update," (Appendix - Existing and Proposed Land Use Analysis Blocks A - I) are parked within the public parking supply within the Downtown Parking Master Plan. In the event a property owner demolishes his/her existing building, and rebuilds a new building of equal square footage and use, no additional parking shall be required. Any code required parking spaces provided on-site shall be credited for any expansion of square footage or intensification of use. All required parking shall be calculated based on the reduced requirements of the Downtown Parking Master Plan.

~~Area 1~~ In Area 1 the restaurant and retail parking requirement was reduced by thirty-three percent and twenty-five percent respectively. The office requirement by seventy-five percent. In addition, the theater parking requirement was reduced from the existing code requirement of one (1) parking space for every third seat to one (1) parking space for every fifth seat. This reduction is based on surveys conducted by the theater industry. These reductions recognize the time differential and captive market concepts. Expanding commercial activity in this area remains the focus of the Downtown Master Plan, however, no additional parking for new or expanded commercial, restaurant and office uses should be required. The majority of public parking opportunities currently exist in this area and the current parking supply exceeds the parking demand. This parking supply will continue to be adequate provided the total square footage of uses do not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

~~Area 2~~ In Area 2 the retail and office requirement was reduced by fifty percent. This recognizes that the retail activity will be primarily convenience commercial catering to local residents on short term shopping trips. The office parking requirement reduction is based on the minimal number of office opportunities and the on-site parking. Restaurant uses were not given a reduction factor. Numerous conflicts are created between restaurant and residential uses, therefore, restaurants should be required to provide one hundred percent of their parking requirement on-site. The existing Downtown public parking facilities are not conveniently located for use in this area, thus, a combination of expanded on-street and on-site parking may be necessary for new or expanded commercial uses. However, providing the commercial activity remains primarily service related commercial, the existing supply of on-street and on-site parking should be sufficient for anticipated uses. All future development projects must be carefully reviewed for parking concerns. The mix of commercial and residential activities can justify a parking reduction and additional parking may not be necessary if development does not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

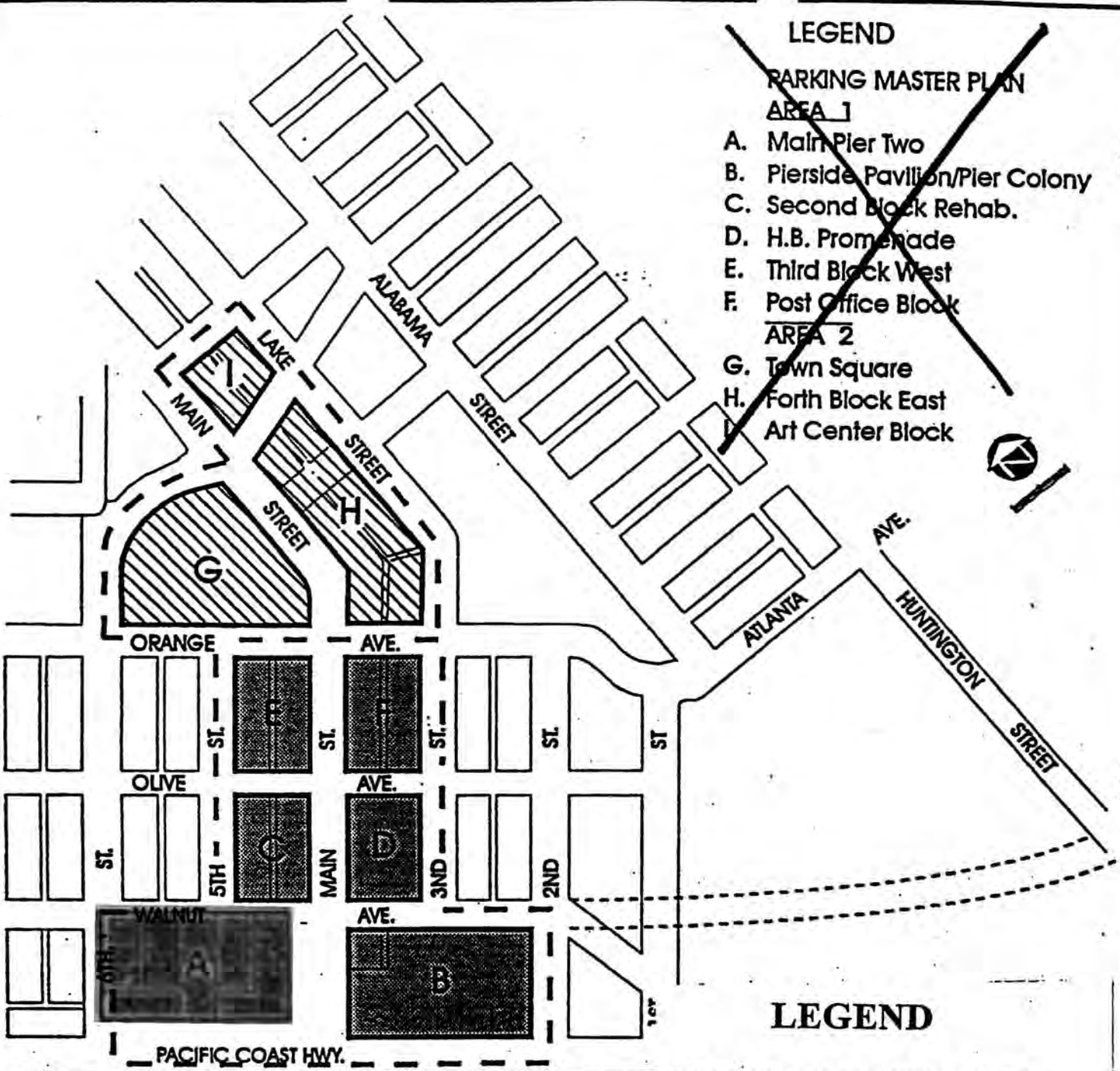
D3

## LEGISLATIVE DRAFT on City Council Action

The Planning Commission or City Council may impose one (1), all, or a combination of the following requirements to ensure that adequate parking is provided for each development:

1. Require **projects over 30,000 sq. ft. or one-half (1/2) block in size provide 50% of the code-required parking identified in Figure 4.2.** ~~on-site parking for all projects one-half (1/2) block or greater in size.~~
2. Require that any parking in-lieu fees be full cost recovery based on the parking requirement for specific uses. However, allow that these fees be paid over an amortization period, with appropriate security provided by the applicant to guarantee payment.
3. Require valet parking once the maximum build out of restaurant activity has been obtained.
4. Commercial projects greater than 10,000 square feet in size shall be required to submit a parking management plan consistent with the Downtown Parking Master Plan.
5. Require valet and/or remote parking for special events and activities, **and during the peak summer season.**
6. Require the applicant to provide additional on-site and /or off-site parking for any development.
7. Develop parking options which may generate additional parking for any development.
8. **Develop a sign program to direct motorists to primary parking facilities within the Downtown Parking Master Plan.**

DA



**LEGEND**

**PARKING MASTER PLAN  
AREA 1**

- A. Main Pier Two
- B. Pierside Pavilion/Pier Colony
- C. Second Block Rehab.
- D. H.B. Promenade
- E. Third Block West
- F. Post Office Block

**AREA 2**

- G. Town Square
- H. Forth Block East
- I. Art Center Block

**LEGEND**

**PARKING MASTER PLAN**

- A. Blocks 104/105
- B. Pierside Pavilion/Pier Colony
- C. Second Block Rehab
- D. Main Street Promenade
- E. Plaza Almeria
- F. Post Office Block
- G. Town Square
- H. Fourth Block East
- I. Art Center Block

D5

## Downtown Parking Master Plan Codified Parking Requirements

		New Parking Standard (Reduction Factor) -	
Land Use	H.B. Code	Area 1 South (Percentage Reduced)	Area 2 North (Percentage Reduced)
Retail	1:200	<del>1:250</del> 1:333 (25%)	<del>1:400</del> (50%)
Restaurant	1:100	<del>1:150</del> 1:100 (33%)	<del>1:100</del> (0%)
Office	1:250	<del>1:1,000</del> 1:500 (75%)	<del>1:500</del> (50%)

**Note:** At any time it deems necessary, the Planning Commission may require additional on-site parking to meet the parking demands generated by a use or development.

Figure 4.2

Dle

**APPENDIX A**  
**EXISTING AND PROPOSED DEVELOPMENT**

Appendix A of  
Downtown Huntington Beach  
Parking Master Plan Update

Prepared by:  
Kaku Associates

Sept. 27, 2000

Exhibit  
E<sub>1</sub>

### Existing and Proposed Development

#### BLOCK A

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)					
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKING
101 Main	Retail	2,500	0	Oceanview Promenade (Abdelmuti)				Oceanview Promenade (Abdelmuti)					
	Residential (13 DU)				Retail	13,953			13,953	2,798	30,299		2
109 Main	Retail	2,500	0		Restaurant	2,798							
111 Main	Retail	2,500	0		Office	30,299	2						
113 Main	Retail	2,500	0										
115 Main	Retail	2,500	0										
	Office	2,500											
406 PCH	Restaurant	2,200	0										
410 PCH	Retail	4,000	10										
117 Main	Restaurant	2,500	0	117-123 Main				Block 104/105					
	Office	2,500			Retail	9,525			89,860	44,210	6,430	103,110	403
119 Main	Retail	2,500	0		Restaurant	4,685						Hotel	
121 Main	Retail	2,500	0		Office	4,050							
123 Main	Retail	1,500	2										
416 PCH	Retail	3,000	12	416 PCH	Retail	3,000	12						
	Residential (4 du)				Residential (4 du)								
122 5th	Auto Sales	12,000	12	122 5th	Auto Sales	12,000	12						
151 5th	Theatre	5,500	50	151 5th	Theatre	5,500	50						
501 Walnut	Office	1,500	0	501 Walnut	Office	1,500	0						
505 Walnut	Residential (1 du)	1,200	0	505 Walnut	Residential (1 du)	1,200	0						
504 PCH	Retail	1,250	0	504 PCH	Retail	1,250	0						
508 PCH	Restaurant	1,250	8	508 PCH	Restaurant	1,250	8						
	Residential (1 du)		2		Residential (1 du)		2						
520 PCH	Retail	1,500	16	520 PCH	Retail	1,500	16						
	Residential (1 du)				Residential (1 du)								
127 Main	Retail	3,500	6	127 Main	Retail	3,500	6	Lane/Terry	5,000				N/A
513 Walnut	Retail	2,500	0	Worthy Project				Worthy Project					
	Residential (12 du)				B & B (12 du)		12					B & B (12 du)	12
519 Walnut	Retail	800	0										
128 6th	Residential (1 du)												
<b>TOTAL:</b>		<b>66,700</b>	<b>118</b>	<b>TOTAL:</b>		<b>96,010</b>	<b>120</b>	<b>TOTAL:</b>	<b>108,813</b>	<b>47,008</b>	<b>36,729</b>	<b>103,110</b>	<b>417</b>

STJ  
9

Existing and Proposed Development

BLOCK B

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)						
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKING	
112 Main	Retail	2,500		Pierside Pavilion				Pierside Pavilion						
114 Main	Retail	2,500			Retail	14,459			14,459	23,773	16,000	30,000	296	
	Residential (4 du)				Restaurant	23,773								
306 PCH	Nite Club	5,500	25		Office	16,000								
302 PCH	Auto Repair	8,250			Theatre	30,000	296							
115 3rd	Auto Repair	4,500	12			(1,750 seats)								
301 Walnut	Office	2,400												
311 Walnut	Office	2,000												
317 Walnut	Retail	1,000												
	Residential (1 du)													
102 PCH			85	Pier Colony				Pier Colony						
112 3rd			24		130 du							130 du		
118 3rd	Res. (2 du)													
120 3rd	Res. (1 du)													
122 3rd	Res. (4 du)													
124 3rd	Res. (1 du)													
217 Walnut	Res. (1 du)													
215 Walnut	Res. (1 du)													
213 Walnut	Res. (1 du)													
127 2nd	Res. (1 du)													
126 Main	Retail/ Res. (6du)	5,875		Standard Market				Standard Market						
					Retail	5,875			5,875	3,000				
					Restaurant	3,000								
116 Main	Retail	2,500		116 Main	Retail	2,500				2,500				
118 Main	Retail	2,500		118 Main	Retail	2,500			2,500					
120 Main	Retail	2,875		120 Main	Retail	2,875				2,500				
122 Main	Retail	1,250		122 Main	Retail	1,250			2,500					
124 Main	Retail	2,125		124 Main	Retail	2,125			2,500					
<b>TOTAL:</b>		<b>45,775</b>	<b>146</b>	<b>TOTAL:</b>		<b>104,367</b>	<b>296</b>	<b>TOTAL:</b>		<b>27,834</b>	<b>31,773</b>	<b>16,000</b>	<b>30,000</b>	<b>296</b>

DPMP Update - Oct. 2000

Source: City of Huntington Beach

W





### Existing and Proposed Development

#### BLOCK C

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)						
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKING	
201 Main	Restaurant	2,125		201 Main	Restaurant	5,000		201 Main	4,500	5000				
203 Main	Retail	2,875		203 Main	Retail	4,500								
205 Main	Retail	1,650		205 Main	Retail	1,650		205 Main	1,650					
207 Main	Retail	4,900		207 Main	Retail	4,900		207 Main	4,900					
209 Main	Restaurant	2,000		209 Main	Restaurant	2,000		209 Main		2,000				
211 Main	Retail	2,625		211 Main	Retail Office	2,625 675		211 Main	2,625		675			
213 Main	Retail	540		213 Main	Retail	540		213 Main	540	1,585				
213 1/2 Main	Restaurant	585		213 1/2 Main	Restaurant Patio	585 1,000		213 1/2 Main						
215 Main	Restaurant Res. (6 du)	1,750		215 Main	Restaurant Patio	1,800 1,750 750		215 Main		2,500	1,800			
217 Main	MTG Room	1,000		217 Main	Restaurant Patio	1,000 1,500		217 Main		2,500				
221 Main	Retail	2,500	6	221 Main	Retail	4,250		221 Main	4,250	9,100	4,200			
223 Main	Retail Res. (4 du)	1,750		223 Main	Restaurant Office	9,100 4,200		223 Main						
411 Olive	Retail	2,000	6	411 Olive	Retail Office	4,400 2,400	6	411 Olive	4,400		2,400			
412 Walnut	Restaurant Office	1,800 1,800		412 Walnut	Restaurant	3,600		412 Walnut		3,600				
202 5th	Res. (6 du)			202 5th	Office Police	1,600 1,600		202 5th			1,600	1,000		
206 5th	Res (1 du)							206 5th						
208 5th	Restaurant Res (2 du)	4,000	2	208 5th	Retail Restaurant Patio	1,000 3,000 500	2	208 5th	1,000	3,500				
214 5th	Auto Repair	5,000		214 5th	Retail Office	5,000 3,000		214 5th	5,000		3,000			
218 5th	Office	1,000	2	218 5th	Retail Office	2,500 2,500	2	218 5th	2,500		2,500			
220 5th	Office	1,000	2	220 5th	Retail Office	2,500 2,500	2	220 5th	2,500		2,500			
222 5th	Retail Res. (2 du)	3,500	4	222 5th	Retail Office	3,500 3,500	4	222 5th	3,500		3,500			
<b>TOTAL:</b>		<b>44,400</b>	<b>22</b>	<b>TOTAL:</b>		<b>90,925</b>	<b>16</b>	<b>TOTAL:</b>		<b>37,365</b>	<b>29,785</b>	<b>22,175</b>	<b>1,600</b>	<b>0</b>

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A

### Existing and Proposed Development

#### BLOCK D

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)					
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKING
202 Main	Retail	5875		Main Promenade				Main Promenade					
		1750			Retail	24,073			24,073	5,000	3,000		815
208 Main	Office	5,500			Restaurant	5,000							
210 Main	Retail	2,750			Office	3,000	815						
212 Main	Retail/ Res (6 d	2,750											
214 Main	Retail/ Res (6 d	2,750											
218 Main	Retail	5,875											
220 Main	Retail	1,250	10										
222 Main	Office	1,500											
224 Main	Retail	2,938											
226 Main	Retail	2,938											
228 Main	Retail/ Res (6 d	2,938	6										
209 3rd	n/a		40										
211 3rd	Res (6 du)												
218 3rd	n/a		30										
221 3rd	Res (1 du)												
223 3rd	Res (2 du)												
225 3rd	n/a		24										
321 Walnut	Office	1,000											
<b>TOTAL:</b>		<b>39,814</b>	<b>110</b>	<b>TOTAL:</b>		<b>32,073</b>	<b>815</b>	<b>TOTAL:</b>		<b>24,073</b>	<b>5,000</b>	<b>3,000</b>	<b>815</b>

DPMP Update - Oct. 2000

Source: City of Huntington Beach

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Existing and Proposed Development

BLOCK E

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)						
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKING	
303 Main	Retail	500	12	Plaza Almeria				Plaza Almeria						
305 Main	Retail/ Res (8 d	1,750	4		Retail	15,000				15,000	15,000	11,000	Res 42 du	168
307 Main	Retail/ Res (8 d	1,750	4		Restaurant	15,000								includes
309 Main	Retail	2,938	8		Office	11,000								11 shared
311 Main	Retail	1,600	20		Other	Res 42 du								
325 Main	n/a		40											
302 5th	Retail	5,500	20											
	Office	5,500												
310 5th	Retail/ Res (2 d	2,125												
314 5th	Office	3,500												
328 5th	Res (1 du)													
320 5th	n/a		25											
<b>TOTAL:</b>		<b>25,163</b>	<b>133</b>	<b>TOTAL:</b>		<b>41,000</b>	<b>0</b>	<b>TOTAL:</b>	<b>15,000</b>	<b>15,000</b>	<b>11,000</b>		<b>168</b>	

DPMP Update - Oct. 2000

Source: City of Huntington Beach

16 E

## Existing and Proposed Development

### BLOCK F

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)						
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKING	
316 Olive 316 Main	Post Office	3,575		316 Olive 316 Main	Post Office Retail	3,575 5,000		316 Olive 316 Main	5,000			3,575 Post Office		
318 Main	Retail	1,250	6	318 Main	Retail	1,250	6	318 Main	6,000	4,000	8,000			
320 Main	Retail	1,250	6	320 Main	Retail	1,250	6	320 Main						
322 Main	Office	1,000	6	322 Main	Office	1,000	6	322 Main						
324 Main	Office	1,000	2	324 Main	Office	1,000	2	324 Main						
326 Main	Office	2,250	6	326 Main	Office	2,250	6	326 Main						
328 Main	Retail	4,250		328 Main	Retail	4,250		328 Main						
303 3rd	Auto Repair	8,250		303 3rd	Health Club	8,250		303 3rd	13,200					
315 3rd	Office	2,500	25	315 3rd	Office	2,500	25	315 3rd			2,500			
305 Orange	Office	2,500	6	305 Orange	Office	2,500	6	305 Orange			2,500			
<b>TOTAL:</b>		<b>27,825</b>	<b>57</b>	<b>TOTAL:</b>		<b>32,825</b>	<b>57</b>	<b>TOTAL:</b>		<b>24,200</b>	<b>4,000</b>	<b>13,000</b>	<b>3,575</b>	<b>0</b>

DPMP Update - Oct. 2000

Source: City of Huntington Beach

E4

### Existing and Proposed Development

#### BLOCK G

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)					
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKING
420 5th	Retail	2,500		Town Square				Town Square					
416 Orange	Res (1 du)				Retail	10,000	15		10,000			Res 89 du	15
408 5th	Res (1 du)				Residential	89 du							
410 5th	Res (1 du)												
412 5th	Office	1,000											
416 5th	Res (1 du)												
401 Main	Retail	7,700		401 Main	Retail	7,700		401 Main	7,700				
405 Main	Retail	n/a	17	405 Main	Retail	4,000		405 Main	4,000				
411 Main	Retail	3,300		411 Main	Retail	3,300		411 Main	3,300				
417 Main	Office	2,500		417 Main		2,500		417 Main			2,500		
419 Main	Office	2,200		419 Main		2,200		419 Main			2,200		
<b>TOTAL:</b>		<b>19,200</b>	<b>17</b>	<b>TOTAL:</b>		<b>29,700</b>	<b>15</b>	<b>TOTAL:</b>		<b>25,000</b>	<b>4,700</b>		<b>16</b>

DPMP Update - Oct. 2000

Source: City of Huntington Beach

E

### Existing and Proposed Development

#### BLOCK H

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)					
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKI
410 Main	Retail	6,900	24	410 Main	Retail	6,900	24	Fourth Block East					
424 Main	Auto Repair	8,500		424 Main	Auto Repair	8,500			23,750		13,000		150
428 Main	Retail	5,500		428 Main	Retail	5,500							
438 Main	Retail	2,550		438 Main	Retail	2,550							
440 Main	Retail	2,500		440 Main	Retail	2,500							
504 Main	Retail (4 du)	6,300		504 Main	Retail (4 du)	6,300							
401 Lake	Res (1 du)			401 Lake	Res (1 du)								
405 Lake	Res (1 du)			405 Lake	Res (1 du)								
407 Lake	Res (1 du)			407 Lake	Res (1 du)								
409 Lake	Res (1 du)			409 Lake	Res (1 du)								
421 Lake	Res (3 du)			421 Lake	Res (3 du)								
427 Lake	Res (1 du)			427 Lake	Res (1 du)								
431 Lake	Res (4 du)			431 Lake	Res (4 du)								
435 Lake	Res (4 du)			435 Lake	Res (4 du)								
437 Lake	Res (1 du)			437 Lake	Res (1 du)								
443 Lake	Res (1 du)			443 Lake	Res (1 du)								
505 Lake	Res (1 du)			505 Lake	Res (1 du)								
201 Pecan	Res (1 du)			201 Pecan	Res (1 du)								
205 Pecan	Res (1 du)			205 Pecan	Res (1 du)								
209 Pecan	Res (1 du)			209 Pecan	Res (1 du)								
<b>TOTAL:</b>		<b>32,250</b>	<b>24</b>	<b>TOTAL:</b>		<b>32,250</b>	<b>24</b>	<b>TOTAL:</b>		<b>23,750</b>		<b>13,000</b>	<b>150</b>

DPMP Update - Oct. 2000

Source: City of Huntington Beach

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→

Existing and Proposed Development

BLOCK I

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)					
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKING
520 Main	Restaurant	5,280		520 Main	Restaurant	5,280				5,280			
522 Main	Restaurant	2,666		522 Main	Restaurant	2,666				2,666			
526 Main	Retail Res (3 du)	2,500		526 Main	Retail Res (3 du)	2,500			2,500				
538 Main	Office	10,575	10	538 Main	Office	10,575	10					10,575 Art Center	21
<b>TOTAL:</b>		<b>21,021</b>	<b>10</b>	<b>TOTAL:</b>		<b>21,021</b>	<b>10</b>	<b>TOTAL:</b>	<b>2,500</b>	<b>7,946</b>		<b>10,575</b>	<b>21</b>

DPMP Update - Oct. 2000

Source: City of Huntington Beach

E  
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**TABLE 17**  
**LAND USE FORECASTS FOR THE DOWNTOWN PARKING MASTER PLAN AREA**  
**BUILDOUT CONDITIONS**

Block	Restaurant	Retail	Office	Misc.	Total
<u>Area 1</u>					
A	51,693	118,338	40,779	103,110 [a]	313,920
B	31,773	27,834	16,000	30,000 [b]	105,607
C	28,335	37,815	23,975	1,600 [c]	91,725
D	5,000	24,073	3,000		32,073
E	15,000	15,000	11,000		41,000
F	4,000	24,760	13,000		41,760
Subtotal	135,801	247,820	107,754	134,710	626,085
<u>Area 2</u>					
G	0	25,000	4,700		29,700
H	0	20,000	13,000		33,000
I	7,946	2,500	0	10,575 [d]	21,021
Subtotal	7,946	47,500	17,700	10,575	83,721
Total of Area 1 & 2	143,747	295,320	125,454	145,285	709,806

**Notes:**

- [a] 139 room hotel
- [b] 1,750 seat Cinema
- [c] Police substation
- [d] Art Center

Source: City of Huntington Beach

Exhibit  
F



MICHAEL C. ADAMS  
ASSOCIATES

October 31, 2000

Huntington Beach City Council  
2000 Main Street  
Huntington Beach, CA 92648

Re: Downtown Parking Master Plan Update

Dear Mayor David Garofalo and members of the City Council:

The Downtown Parking Master Plan is based on a shared parking concept, which attempts to balance interrelated land use activities with a limited supply of available parking. This delicate balance of parking supply and demand is monitored through the annual review process. A timely annual review, and/or periodic update, prior to future entitlement decisions on any major downtown development projects, is critical. The annual review needs to look at the change in ratio of uses as well as the change in parking supply. Simply reviewing the total envelope of commercial uses and the total supply of parking as recommended by the Coastal Commission is insufficient for determining the performance of the Parking Master Plan.

The existing and anticipated variety of land use activities in the downtown area presents a unique blend of demands. For example:

- Short-term parking adjacent to convenience commercial
- Adjacent valet parking for restaurants
- Drop off and pick up areas for retail activities
- Convenient and sheltered parking for office uses
- On site parking for hotel and residential uses

Different uses have different parking demands. Demands not simply dictated by the amount of square footage, of a particular use, but by patron expectations. Common sense needs to prevail over simply counting available parking spaces.

P. O. Box 382, Huntington Beach, CA. 92648-0382  
(714) 376-3060  
e-mail [AdamsAssoc@webtv.net](mailto:AdamsAssoc@webtv.net)

**COASTAL COMMISSION**

EXHIBIT #   G    
PAGE   1   OF   43

The proposed changes in the downtown parking regulations will allow future large developments to ignore 50% of their other wise potential parking needs. While this may indeed seem beneficial to future developers it is very short sighted in light of the overall Downtown Master Plan. New developments may propose parking demands beyond those anticipated in the Parking Master Plan. Each project needs to not only identify their anticipated parking supply, but should also address 100% of their regulated parking requirement. Depending on the proposed project activities existing off-site parking may be sufficient to address any on-site shortfall; however, the projects real parking demand needs to be addressed and not circumvented.

**Suggestions:**

1. **Parking Management Plans**  
Require that projects over 10,000 square feet provide a Parking Management Plan and program to meet all required parking consistent with the Downtown Parking Master Plan. The Parking Management Plan may include alternatives to on-site parking such as, but not limited to the following:
  - Valet services
  - Employee shuttle services
  - Exclusive remote parking facilities
  - In-lieu fee payments
  
2. **Parking Management Program**  
Any proposed project, which will require the removal of existing public and/or private parking facilities, shall be required to implement a parking replacement program. The program should identify all existing on-site and adjacent off-site parking and require 100% replacement of any lost spaces, consistent with Downtown Master Plan. These parking spaces should not be subject to any reduction factors and must be accounted for on a one to one basis.

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(714) 376-3060  
e-mail [AdamsAssoc@webtv.net](mailto:AdamsAssoc@webtv.net)

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3. **Maintain the current parking requirement ratio**

The proposed adjustment of the parking requirement ratios implies that the future parking supply will not be sufficient, contrary to the observations reported in the Plan update. If the Plan is currently working why is there any need to change the parking requirement ratios? Any change to the parking requirements will only place an additional parking burden on smaller in-fill and change of use projects. Large projects will be able to request that half of their parking requirement be forgiven.

The only change warranted to the parking requirements, based on a review of the collected data, in the Parking Plan Update would be to make Area 2 consistent with Area 1, and not increase the parking requirements in Area 1.

The shared parking concept of the Huntington Beach Downtown Parking Master Plan seems to be working and adequately meeting the communities' needs. To amend the Parking Master Plan, as recommended, simply to accommodate the anticipated needs of a yet to be reviewed and approved project is premature and may greatly jeopardize the effectiveness of the Master Plan. However, an amendment placing additional flexibility, within the regulations, will not only allow projects to move forward, but will maintain the integrity of the Downtown Parking Master Plan. All major development projects within the Downtown should submit for consideration, not only a request for parking reduction, but also a parking proposal, which addresses the projects true parking demands and a program to implement the projects real parking needs.

Attached for your review is a legislative draft of the above stated suggestions. Thank you for your consideration.

Sincerely,



Mike Adams  
President

c.c. Howard Zelefsky  
Scott Hess  
Herb Fauland  
Wayne Carvalho

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**DRAFT**

**AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH  
AMENDING CHAPTER 4.2 OF THE HUNTINGTON BEACH SPECIFIC PLAN  
RELATING TO THE DOWNTOWN PARKING MASTER PLAN**

The City Council of the City of Huntington Beach does hereby ordain as follows:

**SECTION 1.** Section 4.2.14 of the Huntington Beach Specific Plan is hereby amended to read as follows:

**4.2.14 The Downtown Parking Master Plan**

The Downtown Parking Master Plan is based on a shared parking concept. Shared parking in effect allows one (1) parking space to serve two (2) or more individual land uses without conflict. Shared parking relies on the variations in the peak parking demand for different uses. In other words, parking demands will fluctuate in relationship to the mix of uses by hour, day of week, and season. The proper mix will create an interrelationship among different uses and activities which results in a reduction of the demand for parking.

The Downtown core area is centered along the Main Street commercial corridor. This commercial corridor divides into two (2) distinct areas, north and south of Orange. The area which encompasses the Downtown Parking Master Plan is identified on the area map (Figure 4.1).

Area 1 - The area south of Orange Avenue along Main Street provides the greatest amount of public parking opportunities both off-street and on-street. Area 1 has the greatest number of visitor-serving and seasonal commercial uses including year round entertainment. This area also has the greatest concentration of expanded commercial, restaurant and office uses, and therefore, the majority of the public parking spaces are provided in this area.

Expanding commercial activity in this area remains the focus of the Downtown Master Plan, however, no additional parking for new or expanded commercial, restaurant and office uses should be required provided the total square footage and mix of uses do not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

Area 2 - The area north of Orange Avenue along Main Street provides limited amounts of public parking opportunities. This area is still part of the Downtown core. However, the commercial uses in Area 2 cater more to year-round residents, therefore, additional on-street short-term parking is provided. The existing Downtown public parking facilities are not conveniently located for use in this area, thus, a combination of expanded on-street and on-site parking may be necessary for new or expanded commercial uses. The commercial activity remains primarily service-related commercial; the existing supply of on-street and on-site parking should be sufficient for anticipated uses. The mix of commercial and residential activities can justify a parking reduction and additional parking may not be necessary if development does

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not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

City-owned and controlled public parking in the Downtown Parking Master Plan (DPMP) area shall be consistent with the City's certified land use plan. The DPMP is structured to protect beach user parking by providing adequate public parking within the Downtown area. The DPMP encourages the use of the City-owned and controlled parking sites within the DPMP area. To encourage the use of the City-owned public parking facilities, parking controls such as time limits, and parking rates may be adjusted to maintain the desired use of these spaces by patrons and employees of the downtown area. A validation program for the City-owned public parking structure has been established as an incentive for the use of the structure by the patrons and employees of the downtown area. Any changes to the program shall be submitted to the Executive Director to determine if an amendment to the Specific Plan is necessary.

The Downtown Parking Master Plan anticipates a total development scenario of approximately 730,000 square feet of commercial activity. The DPMP has development thresholds of 144,000 square feet for restaurant, 315,000 square feet for retail, 126,000 square feet for office and 145,000 square feet for miscellaneous development. Area 1 will contain approximately 626,000 square feet of commercial development, with the remaining 104,000 square feet in Area 2. The Planning Department shall be responsible for monitoring the development square footage per land use and the number of parking spaces within the Downtown Parking Master Plan area.

An annual review and monitoring report of the Downtown Parking Master Plan shall be prepared by the Planning Department and presented for review by the Planning Commission and City Council. Following the review by the City Council, the Downtown Parking Master Plan annual review and monitoring report shall be submitted to the Executive Director of the California Coastal Commission for review.

The Downtown Parking Master Plan annual review and monitoring report shall include, at a minimum:

- 1) amount and type of development square footage approved during the annual review period;
- 2) total amount of square footage in the Downtown Parking Master Plan area;
- 3) an inventory of existing parking spaces;
- 4) a parking utilization study;
- 5) an assessment of parking demand compared with parking supply;
- 6) a determination of whether adequate parking remains to serve development allowed up to the total development cap.

If the Downtown Parking Master Plan annual review and monitoring report indicates that the parking supply is inadequate to serve the approved level of development or if the development square footage exceeds the amount described above (up to 730,000 square feet total), all development within the Downtown Parking Master Plan area shall provide parking consistent with Off-Street Parking and Loading Provisions of the Huntington Beach Zoning and Subdivision Ordinance, unless and until new parking to meet the identified demand is approved and constructed.

Changes between one or more of the individual use categories may be allowed as long as the total square footage does not exceed 626,000 square feet in Area One and

104,00 square feet in Area Two provided there are corresponding changes in the other use categories to assure adequate parking remains.

Although the Downtown Parking Master Plan distinguishes between the location and type of parking resources available in Area 1 and Area 2, the adjusted parking requirement for both Area 1 and Area 2 is the same (Figure 4.2). The common parking requirement is based on the shared parking concept for the entire master plan area.

Existing ~~and proposed~~ building square footage and uses ~~identified in the technical background report prepared by Kalu Associates (Sept., 2000), entitled "Downtown Parking Master Plan Update," (Appendix Existing and Proposed Land Use Analysis Blocks A-D)~~ are parked within the public parking supply within the Downtown Parking Master Plan. In the event a property owner demolishes his/her existing building, and rebuilds a new building of equal square footage and use, no additional parking shall be required. All required parking shall be calculated based on the reduced requirements of the Downtown Parking Master Plan.

100% All projects over <sup>10,000</sup> ~~50,000~~ sq. ft. ~~on one-half (1/2)~~ block in size shall be required to <sup>address</sup> ~~provide a minimum 50%~~ of the code-required parking ~~on-site~~ which is identified in Figure 4.2. A Parking Management Plan shall be prepared to identify both <sup>on-site</sup> and off site parking facilities sufficient to meet the proposed projects needs. Upon review and approval of such a Plan a reduction of on-site parking, up to     ? may be requested. A Parking Replacement Program will also be required for all projects which cause the loss of existing on-site and/or off-site parking facilities. All parking spaces existing prior to development must be replaced on a one-for-one basis, and shall not be subject to any project reduction factor.

In addition, the Planning Commission or City Council may impose one (1), all, or a combination of the following requirements to ensure that adequate parking is provided for each development:

1. Require that any parking in-lieu fees be full cost recovery based on the parking requirement for specific uses. However, allow that these fees be paid over an amortization period, with appropriate security provided by the applicant to guarantee payment.
2. Require valet parking once the maximum build out of restaurant activity has been obtained.

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~~3. Commercial projects greater than 10,000 square feet in size shall be required to submit a parking management plan consistent with the Downtown Parking Master Plan.~~

~~3.1. Require valet and/or remote parking for special events and activities, and during the peak summer season.~~ <sup>fields.</sup>

~~4.1. Require the applicant to provide additional on-site and /or off-site parking for any development.~~

~~5.1. Develop parking options which may generate additional parking for any development.~~

~~6.1. Develop a sign program to direct motorists to primary parking facilities within the Downtown Parking Master Plan.~~

SECTION 2. Figure 4.2 of the Huntington Beach Specific Plan is hereby amended as follows:

**DOWNTOWN PARKING MASTER PLAN  
CODIFIED PARKING REQUIREMENTS**

Land Use	Huntington Beach Code	New Parking Standard
Retail	1:200	<del>1:200</del> 1:250
Restaurant	1:100	<del>1:100</del> 1:150
Office	1:250	<del>1:250</del> 1:1000

Note: At any time it deems necessary, the Planning Commission may require additional on-site parking to meet the parking demands generated by a use or development.

SECTION 3. The Map of the Parking Master Plan is hereby amended as shown on Attachment A hereto.

SECTION 4. This ordinance shall become effective immediately upon certification by the California Coastal Commission.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2000.

G7

My name is Bob Bolen: I am a long time resident, business owner and property owner here in downtown Huntington Beach. I currently own the property at 322 Main Street where my business is located. I have owned and operated businesses here since the 1960s. I have some very valid concerns with the action we are here to discuss tonight. I worked my butt off to own my property as has many of the other property owners in the area. I want to protect not only my property rights but also those of my neighbors.

**QUESTIONS TO BE ASKED BY COUNCIL OF STAFF**

1. How many parking spaces are required for the anticipated CIM project under the current Downtown Parking Code?      ANSWER approximately 850 - 870 SPACES
2. How many parking spaces are going to be required for the anticipated CIM project under the new Downtown Parking Code if passed?      ANSWER approximately 400-420 SPACES
3. How many parking spaces, both onsite and off site, currently exist on Block A?      ANSWER approximately 260 SPACES ( see attached)
4. Will the CIM project be required to replace the displaced 260 parking spaces, that exist on Block A, in addition to the 400 - 420 spaces they will be putting onsite?      ANSWER NO
5. Are the 260 spaces counted in the 400 or so spaces CIM will be building?      ANSWER YES
6. On page D-1.10 (see attached) Staff indicates that the overall parking spaces in the "STUDY AREA" would be increased by 100 to 150 spaces (see attached). " I disagree with staff"

Lets do the Math:

Under the current code the parking requirement for the CIM project would be	850 spaces or more
The existing parking on Block A is	<u>260 spaces</u>
TOTAL parking spaces existing & required	1110 spaces
If the CIM project supplies.....	<u>410 spaces</u>
It creates a parking shortfall of .....	(700 spaces)
If the CIM project supplies less parking the shortfall is even greater.	

Another way to look at it is like this:

If the CIM project is required to provide only 346 parking spaces, as is discussed in the Environmental Check List Form, ( see attached) and they remove 260 existing parking spaces we only get a net gain of 86 new parking spaces for approximately 240,000 square feet of development. How can this be approved?  
ANSWER IT CANNOT

Don't forget the 260 spaces have already been counted as "shared parking" in the DOWNTOWN PARKING SUPPLY to count them again would be double dipping.

If you pass this new Parking Plan a huge parking discrepancy will be created. CIM will able to take advantage of a huge reduction in their parking requirement while the rest of us property owners will be burdened with a huge increase in their parking requirement for future development.

FOR EXAMPLE:

	<u>CIM</u>	<u>OTHERS IN AREA 1</u>
Retail	1.5 (1:333 sq. ft.)	3.00 (1:333 sq. ft.)

G8



Restaurant	5.0 (1:100 sq. ft.)	10.00 (1:100 sq. ft.)
Office	1.0 (1:500 sq. ft.)	2.00 (1:500 sq. ft.)
Cinema	0.15(1:3.3 seats)	0.30 (1:3:3 seats)

In addition staff says, on page D-1.22: (see attached)

"If the Downtown Parking Master Plan annual review and monitoring report indicates that the parking supply is inadequate to serve the approved level of development or if the development square footage exceeds the amount described above (up to 710,000 square feet total), all development within the Downtown Parking Master Plan area shall provide parking consistent with Off-Street Parking and Loading Provisions of the Huntington Beach Zoning and Subdivision Ordinance, unless and until new parking to meet the identified demand is approved and constructed".

This again creates a back door for the staff to require the remaining property owners who wish to develop their property to be burdened with an even higher standard of parking requirements.

Another back door is created by the Note: found on D-1.24 (see attached)

In summation:

If the staff really feels we have enough parking in the downtown area let us continue to count our onsite parking towards any intensification of use or expansion of square footage as it currently exists in the Downtown Parking Master Plan (see attached). This does not hurt anyone. AND

Give the same ability to all property owners who wish to build in the downtown area by providing the same parking ratios as will be required of the CIM project. What difference does it make if your parcel is smaller? It will just require a smaller amount of parking. There is no magic in 30,000 square feet or larger.

As a property owner I am not looking for an advantage over anyone else. I am not looking for any special treatment. I only want to be treated fairly along with the other property owners in the downtown area. In other words if they can do it we should be allowed to do it. What I am really trying to do is to persuade you into treating everyone equally and by the same set of rules nothing more nothing less.

Thanks for your time.

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**4. Additional Recommendations**

The existing DPMP contains parking options that authorize the City's approving body to impose on downtown development. Kaku Associates recommends additional parking strategies to improve the Downtown Parking Master Plan. Specifically, Kaku Associates recommends the following:

- The City encourage all future projects proposing a density of development for a commercial project that is over 30,000 sq. ft. to provide and satisfy at least 50% of its code-required parking. By requiring these larger projects to provide 50% of the spaces, the overall increase in the parking supply would be increased by 100-150 spaces in the study area.
- The City should require all larger projects utilize on-site attendants (valet service) during the peak season. Parking vehicles in tandem can increase the effective capacity of the parking supply of the larger facilities. This measure would only be required during the peak summer months (i.e. June-August).
- The City not engage in a capital improvement program to construct additional municipal parking facilities to increase the parking supply. Based on the availability of hundreds of parking spaces within the periphery area of downtown, including the Pier Plaza parking lots south of P.C.H., there is no justification to add additional City parking facilities to the downtown parking supply. Although these spaces are excluded from the official inventory of the DPMP parking supply, they can be viewed as supplemental spaces that are available for use during peak periods.

After reviewing these recommended strategies, staff determined that these measures are addressed within the Downtown Specific Plan. The existing ordinance grants the Planning Commission the authority to impose a variety of parking requirements on projects to reduce parking impacts within the DPMP (SEE ATTACHMENT NO. 4). For example, the Planning Commission may require valet service be offered as part of a development; require additional on-site and/or off-site parking; and require payment of in-lieu fees. The proposed ordinance includes amended or added parking measures incorporating the recommendations by Kaku Associates.

**7. SUMMARY**

The Kaku study confirms that the current and future parking supply is adequate to accommodate current and future demand. The analysis concludes that the study area has sufficient excess capacity to accommodate increases in parking demand.

D-1<sup>10</sup>

PL00-61

-10-

G<sub>10</sub>

11/02/00 8:46 AM

not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.

City-owned and controlled public parking in the Downtown Parking Master Plan (DPMP) area shall be consistent with the City's certified land use plan. The DPMP is structured to protect beach user parking by providing adequate public parking within the Downtown area. The DPMP encourages the use of the City-owned and controlled parking sites within the DPMP area. To encourage the use of the City-owned public parking facilities, parking controls such as time limits, and parking rates may be adjusted to maintain the desired use of these spaces by patrons and employees of the downtown area. A validation program for the City-owned public parking structure has been established as an incentive for the use of the structure by the patrons and employees of the downtown area. Any changes to the program shall be submitted to the Executive Director to determine if an amendment to the Specific Plan is necessary.

The Downtown Parking Master Plan anticipates a total development scenario of approximately 710,000 square feet of commercial activity. The DPMP has development thresholds of 144,000 square feet for restaurant, 295,000 square feet for retail, 126,000 square feet for office and 145,000 square feet for miscellaneous development. Area 1 will contain approximately 626,000 square feet of commercial development, with the remaining 84,000 square feet in Area 2. The Planning Department shall be responsible for monitoring the development square footage per land use and the number of parking spaces within the Downtown Parking Master Plan area.

An annual review and monitoring report of the Downtown Parking Master Plan shall be prepared by the Planning Department and presented for review by the Planning Commission and City Council. Following the review by the City Council, the Downtown Parking Master Plan annual review and monitoring report shall be submitted to the Executive Director of the California Coastal Commission for review.

The Downtown Parking Master Plan annual review and monitoring report shall include, at a minimum:

- 1) amount and type of development square footage approved during the annual review period;
- 2) total amount of square footage in the Downtown Parking Master Plan area;
- 3) an inventory of existing parking spaces;
- 4) a parking utilization study;
- 5) an assessment of parking demand compared with parking supply;
- 6) a determination of whether adequate parking remains to serve development allowed up to the total development cap.

If the Downtown Parking Master Plan annual review and monitoring report indicates that the parking supply is inadequate to serve the approved level of development or if the development square footage exceeds the amount described above (up to 710,000 square feet total), all development within the Downtown Parking Master Plan area shall provide parking consistent with Off-Street Parking and Loading Provisions of the Huntington Beach Zoning and Subdivision Ordinance, unless and until new parking to meet the identified demand is approved and constructed.

Changes between one or more of the individual use categories may be allowed as long as the total square footage does not exceed 710,000 square feet provided

G11 ~~D-4<sup>2</sup>~~  
I.

**DOWNTOWN PARKING MASTER PLAN  
CODIFIED PARKING REQUIREMENTS**

Land Use	Huntington Beach Code	New Parking Standard
Retail	1:200	1:333
Restaurant	1:100	1:100
Office	1:250	1:500

**Note:** At any time it deems necessary, the Planning Commission may require additional on-site parking to meet the parking demands generated by a use or development.

**SECTION 3.** The Map of the Parking Master Plan is hereby amended as shown on Attachment A hereto.

**SECTION 4.** This ordinance shall become effective immediately upon certification by the California Coastal Commission.

**PASSED AND ADOPTED** by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

*P. J. Dier* 10/26/2000  
\_\_\_\_\_  
for City Attorney *JR* 10/24/00

**REVIEWED AND APPROVED:**

*Ray Silver*  
\_\_\_\_\_  
City Administrator

**INITIATED AND APPROVED:**

*[Signature]*  
\_\_\_\_\_  
Planning Director

*G12*

*D-1-2*

**TABLE 1  
PARKING SPACE INVENTORY**

BLOCK (PAZ)	ON-STREET	OFF-STREET	TOTAL
A	60	176	236
B	32	285	317
C	34	20	54
D	36	826	862
E	n/a	n/a	n/a
F	42	60	102
<b>AREA 1 TOTAL</b>	<b>204</b>	<b>1,367</b>	<b>1,571</b>
G	59	44	103
H	75	78	153
I	22	21	43
<b>AREA 2 TOTAL</b>	<b>156</b>	<b>143</b>	<b>299</b>
<b>AREA 1 &amp; 2 SUBTOTAL</b>	<b>360</b>	<b>1,510</b>	<b>1,870</b>
B1	20	0	20
C1	43	0	43
D1	39	0	39
D2	40	0	40
E1	46	0	46
F1	42	0	42
F2	18	0	18
G1*	71	0	71
<b>PERIPHERY TOTAL</b>	<b>319</b>	<b>0</b>	<b>319</b>
<b>TOTAL AREA</b>	<b>679</b>	<b>1,510</b>	<b>2,189</b>

- \* G1 includes the following street segments (see Figure 1):  
 6th Street between Orange Avenue and Main Street - west side  
 Main Street between 6th Street and Acacia Avenue - west side  
 Acacia Avenue between Main Street and Lake Street - north side  
 Lake Street between Acacia Avenue and Orange Avenue - east side  
 Orange Avenue between 3rd Street and 1st Street - north side

D-1.77

G13

# LEGISLATIVE DRAFT

~~Downtown area recognizes that two different and distinct implementation approaches are necessary for each of the areas. the adjusted parking requirement was calculated for both Area 1 and Area 2 is the same (Figure 4.2). The common parking requirement is based on the shared parking concept for the entire master plan area.~~

~~Existing and proposed building square footage and uses identified in the technical background report prepared by Kaku Associates (Sept., 2000), entitled "Downtown Parking Master Plan Update," (Appendix – Existing and Proposed Land Use Analysis Blocks A – I) are parked within the public parking supply within the Downtown Parking Master Plan. In the event a property owner demolishes his/her existing building, and rebuilds a new building of equal square footage and use, no additional parking shall be required. Any code required parking spaces provided on site shall be credited for any expansion of square footage or intensification of use. All required parking shall be calculated based on the reduced requirements of the Downtown Parking Master Plan.~~

~~Area 1 In Area 1 the restaurant and retail parking requirement was reduced by thirty-three percent and twenty five percent respectively. The office requirement by seventy-five percent. In addition, the theater parking requirement was reduced from the existing code requirement of one (1) parking space for every third seat to one (1) parking space for every fifth seat. This reduction is based on surveys conducted by the theater industry. These reductions recognize the time differential and captive market concepts. Expanding commercial activity in this area remains the focus of the Downtown Master Plan, however, no additional parking for new or expanded commercial, restaurant and office uses should be required. The majority of public parking opportunities currently exist in this area and the current parking supply exceeds the parking demand. This parking supply will continue to be adequate provided the total square footage of uses do not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.~~

~~Area 2 In Area 2 the retail and office requirement was reduced by fifty percent. This recognizes that the retail activity will be primarily convenience commercial catering to local residents on short term shopping trips. The office parking requirement reduction is based on the minimal number of office opportunities and the on site parking. Restaurant uses were not given a reduction factor. Numerous conflicts are created between restaurant and residential uses, therefore, restaurants should be required to provide one hundred percent of their parking requirement on site. The existing Downtown public parking facilities are not conveniently located for use in this area, thus, a combination of expanded on street and on site parking may be necessary for new or expanded commercial uses. However, providing the commercial activity remains primarily service related commercial, the existing supply of on street and on site parking should be sufficient for anticipated uses. All future development projects must be carefully reviewed for parking concerns. The mix of commercial and residential activities can justify a parking reduction and additional parking may not be necessary if development does not exceed the Master Plan projections. The city shall retain the option to purchase property for a public parking facility.~~

The Planning Commission or City Council may impose one (1), all, or a combination of the following requirements to ensure that adequate parking is provided for each development:

1. Require projects over 30,000 sq. ft. or one-half (1/2) block in size provide 50% of the code-required parking identified in Figure 4.2. on site parking for all projects one half (1/2) block or greater in size.

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~~DI~~

## Downtown Parking Master Plan

- A. The Consultant recommends the City encourage all future projects proposing a density of development for a commercial project that is over 30,000 square feet to provide and satisfy at least 50% of the City's code-required parking (Consultant estimates 150 to 200 spaces would be added).

Commission's recommendation is that the 50% be required, not optional, based on the proposed Downtown Parking Master Plan.

Not requiring the 50% reduces available shared parking and establishes an unfair policy for property owners on Main Street.

## Downtown Parking Master Plan

Examples of making 50% an option based on a cost of \$13,000 per parking space:

<b>PLAZA ALMERIA</b>	Cost \$1,092,000
Required to provide 100% parking on-site	
41,000 square foot project	
100% = 168 spaces on-site, 50% = 84	

<b>BLOCKS 104, 105</b>	Savings \$468,000
Required to provide less than 50% on-site	
233,000 square foot project	
100% = 878 spaces on-site, 50% = 439	

Staff's recommendation is 403 parking spaces. This is 36 parking spaces below the 50%.

## Downtown Parking Master Plan

**B. The Commission is recommending credits for parking be broken out by area. If a project is built in Area One that requires more shared parking than is available in Area One, credit from Area Two cannot be used.**

**\*Future conditions in Area One show a shortage of 210 spaces (caused by a current shortage of 395 spaces in Area one), which is partially compensated by a surplus of 185 spaces in Area Two.**

**\*Downtown Parking Master Plan Update  
Kaku Associates, September 27, 2000**

## Downtown Parking Master Plan

### Parking Space Inventory

BLOCK (PAZ)	EXISTING PARKING SUPPLY (1999)			TOTAL
	ON-STREET	OFF-STREET		
		PRIVATE	PUBLIC	
A	60	119	57	236
B	32	283	0	317
C	34	20	0	54
D	36	0	826	862
E	N/A	N/A	N/A	N/A
F	42	60	0	102
<b>AREA 1 TOTAL</b>	<b>204</b>	<b>484</b>	<b>883</b>	<b>1,571</b>
G	59	44	0	103
H	73	78	0	153
I	22	21	0	43
<b>AREA 2 TOTAL</b>	<b>156</b>	<b>143</b>	<b>0</b>	<b>299</b>
<b>AREA 1 &amp; 2 TOTAL</b>	<b>360</b>	<b>627</b>	<b>883</b>	<b>1,870</b>

BLOCK (PAZ)	FUTURE PARKING SUPPLY			TOTAL
	ON-STREET	OFF-STREET		
		PRIVATE	PUBLIC	
A	22	403	0	425
B	32	283	0	317
C	42	20	0	62
D	36	0	826	862
E	36	168	0	204
F	42	60	0	102
<b>AREA 1 TOTAL</b>	<b>210</b>	<b>936</b>	<b>826</b>	<b>1,972</b>
G	59	44	0	103
H	73	78	0	153
I	22	21	0	43
<b>AREA 2 TOTAL</b>	<b>156</b>	<b>143</b>	<b>0</b>	<b>299</b>
<b>AREA 1 &amp; 2 TOTAL</b>	<b>366</b>	<b>1,079</b>	<b>826</b>	<b>2,271</b>

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## Downtown Parking Master Plan

### Main Pier Project Area and Downtown Core Third Quarter Sales Tax Revenue (July - Sept)

Year	Main Pier	% Change	Downtown Core	% Change
1995	152,522	*	121,292	*
1996	138,722	-9.05%	99,891	-17.64%
1997	137,372	-0.97%	98,526	-1.37%
1998	160,920	17.14%	118,478	20.25%
1999	201,460	25.19%	126,942	7.14%

\*Downtown Core Area includes the following business addresses: Pacific Coast Highway, 102-698 (even numbers only); Main Street, 101-816; 2nd Street; 3rd Street; 5th Street; 6th Street; Lake Street, and Olive, Orange & Walnut Avenues.

\*The Main-Pier project area includes the Downtown Core plus the Waterfront Hilton Resort, Pier businesses, the Grinder Restaurant, Tradewind Inflatables and beach concessionaires.

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**CITY OF HUNTINGTON BEACH  
INTERDEPARTMENTAL COMMUNICATION**

**TO:** Honorable Mayor and City Council Members

**FROM:** Connie Brockway  
City Clerk

**SUBJECT:** D-3. Public Hearing Zoning Text Amendment No. 99-3/ Local Coastal Program Amendment No. 00-2, Downtown Specific Plan Updating the Downtown Parking Master Plan

**DATE:** October 16, 2000

---

This memo is submitted relative to citizen inquiries to the Clerk's Office received as to whether proper procedure has been followed regarding the scheduling of Public Hearing Item D-3 on the City Council Agenda.

Concerns are as follows:

1. The City Council Public Hearing legal notice was published and notification mailed prior to consideration and action on the items by the Planning Commission.
2. The legal notice for the City Council hearing advises that a staff report is available for public review in the Clerk's Office. This is not the case as the Planning Commission had not made a decision for recommendation to Council.
3. The concern that the City Council hearing was advertised before the Planning Commission consideration and decision causing the public to not be afforded an adequate timeline for opportunity to prepare input for the Council hearing.
4. Scheduling the City Council Public Hearing prior to Planning Commission action anticipates that the Planning Commission action is a foregone conclusion.
5. If the Local Coastal Program Amendment, Specific Plan, or Zoning Text Amendment is appealable if approved or denied by the Planning Commission, the time for appeal by the public is not allowed.
6. The Local Coastal Plan Amendment No. 00-2 does not appear to be adequately described in the legal notice in order for comment and/or appeal to be submitted by the public.

G18

LATE COMMUNICATION  
CONTINUED OPEN FROM 10-16-00

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G19

# RUTAN & TUCKER

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October 16, 2000

Mayor Dave Garofalo  
 and Members of the City Council  
 City of Huntington Beach  
 2000 Main Street  
 Huntington Beach, CA 92648

Re: Proposed Amendments to the City's General Plan/Local Coastal Program,  
 Downtown Specific Plan, and Zoning Text Amendment Relating to the  
 Downtown Parking Master Plan Update

Dear Mayor Garofalo and Members of the City Council:

I am writing to you on behalf of the Huntington Beach Citizens Against Redevelopment Excess ("CARE") and Abdelmuti Development Company ("ADC") in opposition to the proposed amendments to the City's General Plan/Local Coastal Program, the Downtown Specific Plan, and the Zoning Text Amendment that are agendized for consideration at your October 16 and October 23 meetings. I respectfully request that a copy of this letter be entered into the public hearing record.

I have previously communicated some of my clients' objections and concerns on this subject to the City's Planning Commission. (See my October 3 letter attached hereto as Exhibit "A.") As Planning Commissioner Biddle acknowledged at the Commission's October 10, 2000, meeting, my questions were not answered by the City's staff or parking consultant. Hopefully, before the City Council approves a massive increase in the Downtown commercial building cap and a further slashing of the parking requirements for new development, the Council will demand that the blatant errors and omissions in the parking study on which these actions purportedly are based are corrected.

I will not reiterate in this letter the points that have previously been made (and ignored). I will focus instead in this letter on providing additional evidence and arguments as to why the staff/consultant proposal should be rejected.

2000 OCT 16 P 2:15  
 HUNTINGTON BEACH, CA  
 CITY CLERK  
 CITY OF

LATE COMMUNICATION  
 CONTINUED OPEN FROM 10-16-00  
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Members of the City Council  
October 16, 2000  
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1. Before the City Council Considers Amending its General Plan/LCP, Specific Plan, and the Text of the City's Zoning Ordinance, a Full EIR Must Be Prepared.

I addressed this issue briefly at pages 11-12 of my October 3<sup>rd</sup> letter to the Planning Commission. I would like to elaborate.

One of the recommended actions you are being requested to take is to approve an amendment to the City's Local Coastal Program, which is an element of the City's General Plan. It has long been established that a city's approval of a general plan amendment is a discretionary "project" that requires CEQA compliance and, if appropriate, preparation of a full-blown environmental impact report ("EIR"). See, e.g., *City of Santa Ana v. City of Garden Grove* (1979) 100 Cal.App.3d 521, 526, *DeVita v. County of Napa* (1995) 9 Cal.4<sup>th</sup> 763, 793-794, and CEQA Guidelines § 15378(a)(1).

Another action the City Council is being requested to take is an amendment to the Downtown Specific Plan. It is similarly well established that a public agency must comply with CEQA before approving a specific plan or specific plan amendment. See, e.g., *Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4<sup>th</sup> 182, *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4<sup>th</sup> 1019, 1028-1030, and *A Local and Regional Monitor v. City of Los Angeles* (1993) 16 Cal.App.4<sup>th</sup> 630.

Finally, your staff is recommending that the City Council approve an amendment to the text of the City's Zoning Ordinance. Once again, there is no question but that zoning ordinances require full CEQA compliance. See, e.g., *City of Carmel-by-the-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229, *Rural Landowners Association v. Lodi City Council* (1983) 143 Cal.App.3d 1013, and Public Resources Code § 21080(a).

Notwithstanding the clear law on this subject, your staff claims that the General Plan Amendment, Specific Plan Amendment, and Zoning Text Amendment before you are exempt from CEQA compliance under the CEQA Guideline that applies to "feasibility and planning studies." Nothing could be further from the truth. That Guideline, which is set forth as Section 15262 of Title 14 of the California Code of Regulations, provides as follows:

"A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities." (Emphasis added.)

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Members of the City Council  
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By amending the City's General Plan/LCP, Specific Plan, and Zoning Text, you most assuredly would not be dealing only with "possible future actions." The General Plan Amendment/LCP, Specific Plan Amendment, and Zoning Text Amendment would themselves have been "approved" and "adopted" and would have "a legally binding effect on later activities." The exemption does not apply. If the Council wished simply to review the DPMP Update, not adopt it as official City policy, and direct your staff and consultants to prepare a General Plan/LCP Amendment, Specific Plan Amendment, and Zoning Text Amendment for future consideration after full CEQA compliance, the Guideline could be applicable. By crossing over the line and approving and adopting legally binding amendments to the City's land use regulations, however, you step from the realm of feasibility and planning studies that are not subject to CEQA into the realm of discretionary project approvals, which are subject to CEQA.

"In keeping with general principles of statutory construction, exemptions [from CEQA] are construed narrowly and will not be unreasonably expanded beyond their terms." *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4<sup>th</sup> 931, 966, citing *McQueen v. Board of Directors* (1988) 202 Cal.App.3d 1136, 1149. In *McQueen*, it should be noted, the court expressly rejected the respondent open space district's claim that its acquisition of surplus federal property adjoining the district's open space preserve was exempt from CEQA review under the same Guideline for feasibility or planning studies. As the court noted, the exemption was not applicable because the district did more than approve a study; it acquired the property and thereby incurred a concomitant obligation to address the environmental impacts of its maintenance and use.

Here, there is no question that the City's approval of a General Plan/LCP Amendment, Specific Plan Amendment, and Zoning Text Amendment will have profound environmental impacts on the Downtown Huntington Beach area necessitating the preparation of a full-blown EIR. As noted in my letter to the Planning Commission, the proposed actions would increase the commercial building cap in the small Downtown area by over 230,000 square feet, an approximately 46.1% increase, and would further reduce the already lowered off-street parking requirements by approximately one-third. Indeed, if the City were to use as a "baseline" the existing conditions surveyed by the City's parking consultant upon which the pending recommendation is based, there would be an increase of well over 100% -- more than double -- in the commercial square footage. (Compare the "existing" occupied square footage of 353,000 square feet (KAKU report, p. 46) with the proposed increase to 730,000 square feet of commercial development.)

A primary purpose of the proposed General Plan/LCP Amendment, Specific Plan Amendment, and Zoning Text Amendment appears to be to clear the way for the massive CIM project that is currently proposed to be developed in Block A of the Downtown Parking Master Plan area. Your own City staff has acknowledged that "implementation of the [CIM] project will

Mayor Dave Garofalo and  
Members of the City Council  
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result in significant impacts to land use and planning, population and housing, geology and soils, hydrology and water quality, air quality, transportation/traffic, noise, public services, utilities and service systems, and aesthetics," thereby necessitating the preparation of an EIR. (See May 17, 2000, Notice of Preparation of Draft EIR for the Block 104/105 [i.e., Block A] Redevelopment Project attached hereto as Exhibit "B," at p. 2.) It is inconceivable that the City could take the position that a general plan/LCP amendment, specific plan amendment, and zoning text amendment are somehow exempt from CEQA when the primary implementation project these actions are designed to facilitate will itself generate potentially significant environmental impacts. As noted in the respected Guide to the California Environmental Quality Act published by Solano Press Books (10<sup>th</sup> ed., 1999):

"Even actions that might be disparaged as mere 'governmental paper-shuffling' (e.g., the adoption of a general plan) can constitute projects, so long as they 'culminate' in physical impacts to the environment. (*Bozung v. Local Agency Formation Commission* (1975) 13 Cal.3d 263, 277-279 [118 Cal.Rptr. 249].) Thus, a discretionary agency action qualifies as a 'project' whenever it is 'necessary to the carrying out of some private project involving a physical change in the environment.' (*Simi Valley, supra*, 51 Cal.App.3d at p. 664; see also, *Kaufman & Broad-South Bay, Inc. v. Morgan Hill Unified Scholl District* (6<sup>th</sup> Dist. 1992) 9 Cal.App.4<sup>th</sup> 464, 473 [11 Cal.Rptr.2d 792] (where government decision does not have a 'direct effect' on the environment, it must be "'a necessary step in a chain of events which would culminate in physical impact on the environment'" in order to be a 'project'), quoting *Fullerton Joint Union High School District v. State Board of Equalization* (1982) 32 Cal.3d 779, 795 [187 Cal.Rptr. 398].)" (*Id.*, at p. 64.)

Once again, your staff is calling upon the City Council to wrongfully pre-commit to the CIM project without undertaking the required CEQA review. For ease of reference, I am incorporating into this letter all of the evidence and arguments on this issue that are set forth or referred to at pages 4-22 of the Petitioners'/Plaintiffs' Opening Brief filed on January 18, 2000, in *CARE v. City of Huntington Beach*, OCSC Case No. 811519 (attached hereto as Exhibit "C"), and pages 1-9 of Petitioners'/Plaintiffs' Reply Brief that was filed in that action on or about February 28, 2000 (see Exhibit "D" hereto).<sup>1</sup>

<sup>1</sup> The discussion at pp. 12-20 of Exhibit "C" is also relevant to the unsupported statement at page 4 of the City staff's October 10, 2000, report to the Planning Commission that the claimed Section 15262 exemption "is adequate because the Downtown Specific Plan and Downtown Parking Master Plan land

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The City's promotion of the CIM project – again, before any environmental review has been conducted – has gotten to the point that the City is advertising the project on the City website, predicting that it will be open by the Fall of 2001, and referring prospective tenants to CIM's brokers for "leasing opportunities." (See Exhibit "E" attached hereto.) If and when the City and Redevelopment Agency ever get around to reviewing the environmental impacts of the CIM project, the review will be nothing more than a "post hoc rationalization to support action already taken," a result condemned by the courts. See, e.g., *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 394-395.

CARE and ADC disagree strongly with the City staff's incomplete and inaccurate review of the one land use issue that has been addressed so far – parking. (See Exhibit "A" hereto and ¶ 2 of this letter, below.) For present purposes, however, a much greater point of contention is the City's refusal to even undertake the comprehensive environmental analysis that is required by law. My clients have environmental concerns regarding parking and traffic, overbuilding and land use incompatibility, impacts on historic/cultural resources, aesthetic and view impacts, the impact of overdevelopment of the Downtown in increasing business vacancies and failures that lead to further "blighting" conditions (see, e.g., *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal.App.3d 433, 445-446 [reversing project approvals even though an EIR was prepared because the EIR failed to consider that "the potential economic problems caused by the proposed project could conceivably result in business closures and physical deterioration of the downtown area"] and *Citizens Association for Sensible Development of Bishop v. County of Inyo* (1985) 172 Cal.App.3d 151, 159 ["the lead agency must consider whether the proposed shopping center will take business away from the Downtown shopping area and thereby cause business closures and eventual physical deterioration of downtown Bishop"]), and other impacts in the categories referred to in the City's own Environmental Assessment for the CIM project (Exhibit "B" hereto). My clients' concerns are heightened by the fact that substantial development has occurred in the area since the last environmental review was conducted (e.g., Pier Plaza, Plaza Almeria, Duke's and Chimayo's) and there is substantial planned development in Downtown Huntington Beach just outside the Downtown Parking Master Plan area (e.g., the pending "31 acres" development just to the south, at PCH and First Street). An EIR for a general plan/LCP amendment, specific plan amendment, and zoning text amendment to substantially increase Downtown commercial development and substantially reduce code parking requirements deserves full environmental review now, taking into consideration all of the cumulative impacts of these other closely related projects.

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use and development potential has been analyzed under the General Plan EIR No. 94-1, and the Redevelopment Plan Merger EIR No. 96-2." Even ignoring the completely illogical nature of this statement – subsequent implementation actions are not "exempt" under CEQA because of prior environmental review – the statement is absolutely unfounded and unsupported by the two documents referred to.



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What is the rush? Why did your staff take the highly unusual step of noticing a City Council hearing on this subject before the Planning Commission hearing has even concluded? Why is the City Council proposing to go forward with consideration of the staff recommendation at tonight's meeting before the Planning Commission has acted? The process gives off all of the signs of a railroad job. On behalf of my clients, I respectfully request that the City Council slow the process down, fulfill your obligations under CEQA before approving any proposed changes to the land use regulations governing Downtown development, and satisfy CEQA's objectives of promoting informed decision-making and active public involvement.

2. The Proposed Actions are Based Upon a Seriously Flawed Parking Study.

I addressed this issue at length in my October 3 letter to the Planning Commission. (Exhibit "A" hereto.) Once again, my questions have not been answered and the obvious errors and omissions in the consultant's report have not been corrected. It is incredible that the City would consider taking an action with such potentially dire consequences for the Downtown based upon a parking study with so many mistakes in it.

In addition to the points raised in my October 3<sup>rd</sup> letter, consider the following:

A. As a couple of the speakers at the October 3 Planning Commission meeting noted, the City's consultant improperly included private posted parking in the study's analysis of parking spaces that are "available" for shared public use. The Planning Commissioners were clearly troubled by this defect in the analysis. A shared parking concept is legitimate only if the person parking the vehicle has the right to leave the vehicle in place while he/she visits multiple destinations. This simply is not the case with the privately owned parking spaces in Downtown Huntington Beach. In addition, many of the private businesses are not even open during the evening peak hours identified by the City's parking consultant, which means that the parking spaces counted as available by the consultant are not truly available to serve even one, much less multiple, purposes.

B. Much was made at the Planning Commission meeting as to how the shared parking concept has "worked" in the 5 or 6 years since it was first implemented. As noted by at least a couple of the Commissioners, however, the jury is still out on whether this history supports any change to the commercial building cap and parking requirements in the Downtown since there was virtually no new development between the time the original shared parking concept was adopted and the date that the parking study upon which the currently proposed changes are based was conducted (in September of 1999). To repeat, at that time there were only 353,000 square feet of occupied commercial square footage in the Downtown (the Plaza Almeira project had not yet been completed). The current proposal would more than double the amount of commercial development to 730,000 square feet and would further lower parking

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requirements by about one-third (on top of the 33-40% reduction that the City already approved in 1995).

C. The City consultant continues to dissemble when talking about the 319 "peripheral" parking spaces. The consultant's report repeatedly refers to these parking spaces as being part of the available parking supply for Downtown businesses. (See, e.g., pp. 3, 5, 11, 13, 15, 18, 19, and 21 of the KAKU report.) As Commissioner Livengood noted at the Planning Commission meeting, however, these parking spaces are already heavily utilized by the adjacent residences and simply are not available to supplement Downtown commercial parking needs. (See also the first bullet point under ¶ 1.3 of my October 3 letter to the Commission attached hereto as Exhibit "A.") When confronted on this point at the Planning Commission meeting, the consultant then claimed that these 319 peripheral parking spaces were in no way used in the parking analysis portion of his report (after p. 33). There are two responses to this assertion. First of all, if the peripheral parking spaces are not relevant to the analysis, why were they included in the report at all? Secondly, it turns out that the consultant was not giving the Commission the straight story. In his final recommendation, at page 75 of his report, the consultant once again returned to the existence of the peripheral parking spaces as a justification for the City's not requiring or building any additional public parking facilities in the Downtown area notwithstanding that even the consultant noted there would be an overall parking deficit at full build-out (i.e., with the CIM project).

D. The City's own former Planning Director and at least three of the Planning Commissioners expressed grave reservations with the City staff's proposal that Areas 1 and 2 in the Downtown Parking Master Plan area be merged such that the parking deficiencies in Area 1 (which will be several hundred more spaces than projected, given the substantial errors in the report) can be "made up" in Area 2. From looking at the staff's revised recommendation after the Commission's October 10 meeting, it appears that the staff has ignored the Commission's expressed concerns. The biggest parking deficiency is in Block A, closest to the beach. It is completely unrealistic to think that the office and retail tenants in that block will be adequately parked if clients, visitors, and customers will have to park up to six blocks away.

E. The consultant is still under the misapprehension that CIM is proposing to provide over 400 on-site parking spaces in Block A. (He so stated in response to a question from one of the Planning Commissioners.) As noted in the City's own recent Environmental Assessment for the CIM project, CIM is now proposing only 346 parking spaces (including 14 tandem spaces), a discrepancy of almost 60 parking spaces in the very block that the consultant acknowledges generates the biggest parking deficiency. (See Exhibit "B" hereto at p. 2.)

Mayor Dave Garofalo and  
Members of the City Council  
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F. The City's parking consultant continued to assert at the Planning Commission meeting that the peak time for Summer usage of the Downtown parking facilities is between 9:00-10:00 p.m. This conclusion is belied by the casual observation of anyone who ventures into the Downtown during a warm Summer day (which your consultant apparently couldn't find the time to do), as well as by the very statistics set forth in the (corrected) staff report to the Planning Commission. That report indicates that on 14 of the 20 Summer days studied the peak parking usage occurred during the middle of the afternoon (mostly between 2:00-4:00 p.m.). The consultant's failure to understand the most basic reality of Downtown parking needs during the busy Summer season illustrates the errors that permeate his entire report.

G. As Commissioner Biddle noted at the Planning Commission meeting, business is already dying on Main Street. There have been a considerable number of vacancies and business failures over the past couple of years – at a time when there is a relative surplus of parking available. What will happen when the City more than doubles the amount of commercial development in the Downtown and further slashes the parking requirements?

H. Your staff noted in its report to the Planning Commission that usage of the Main Promenade parking structure was down during the Summer of 2000. The reason is obvious (although not articulated): the City increased the cost for people wishing to park in the parking structure. The City has never addressed the concerns raised by my clients to the effect that the City is driving away potential customers by increasing the cost of parking to prohibitive levels. This problem has been exacerbated recently by the City's action in refusing to let the employees in Oceanview Promenade (ADC's building in Block A) to participate in the same employee parking validation program that is available to every other business in the Downtown that does not have its own on-site parking. This action is clearly discriminatory and appears to be intended to punish ADC for its public criticisms of the CIM project. ADC will pursue its remedies to challenge this retaliatory action, if necessary. For present purposes, it suffices to say that the City should not approve a parking plan that greatly increases parking demand while making only a negligible increase in parking supply without committing to the community that the City will not "solve" the parking problem by further jacking up parking prices to levels that simply force people to park – and do business – elsewhere.

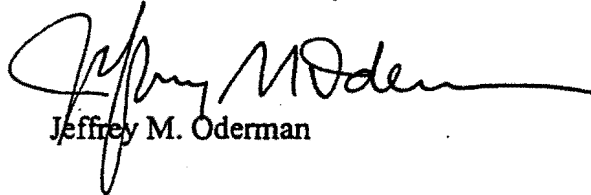
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Mayor Dave Garofalo and  
Members of the City Council  
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For the foregoing reasons, the Huntington Beach Citizens Against Redevelopment Excess and Abdelmuti Development Company respectfully request that the City Council take the following actions: (1) disapprove the Downtown Parking Master Plan "Update" prepared by KAKU Associates; (2) direct that an accurate and complete parking survey be prepared during the Summer of 2001 that addresses the deficiencies and concerns in the KAKU Associates report that have been raised by members of the public; (3) direct the City staff to not bring forward any proposed amendments to the City's land use regulations dealing with Downtown development without first preparing a full EIR in compliance with CEQA; and (4) deny the proposed general plan/LCP amendment, specific plan amendment, and zoning text amendment proposed by staff.

Very truly yours,

RUTAN & TUCKER, LLP



Jeffrey M. Oderman

JMO:jh

Attachments

cc: Mike Abdelmuti  
Jim Lane

G28

G29



G30

# RUTAN & TUCKER

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October 3, 2000

Chairman Gerald Chapman and  
Members of the Planning Commission  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648

Re: Proposed Zoning Text Amendment No. 99-3 / Local Coastal Program  
Amendment No. 00-2 (Downtown Parking Master Plan Update)

Dear Chairman Chapman and Members of the Planning Commission:

I am writing to you on behalf of the Huntington Beach Citizens Against Redevelopment Excess ("CARE") and Abdelmuti Development Company ("ADC") in opposition to the proposed Zoning Text Amendment No. 99-3/Local Coastal Program Amendment No. 00-2 (Downtown Parking Master Plan Update) that is scheduled for consideration at your October 10, 2000, meeting. I respectfully request that a copy of this letter be entered into the public hearing record.

As of the date that this letter is being written, my clients and I have not been given the opportunity to review the proposed Zoning Text Amendment, the proposed LCP Amendment, the staff report in support of the recommended actions, or any other information or documents other than the September 2000 Downtown Huntington Beach Parking Master Plan Update prepared by KAKU Associates. My office was informed that this information will not be made public until October 6th. Nevertheless, we were advised that October 3 is the deadline for submitting written input to the Planning Commission in order for our comments to be distributed to you with your Planning Commission agenda packets. Accordingly, the objections and concerns set forth in this letter are preliminary only, and are subject to being supplemented at a later date. Before addressing the merits of my clients' concerns, I would note generally that it is manifestly unfair for the public to be expected and required to submit all of its comments on a proposed action, particularly one of such overwhelming significance to the important Downtown area, when the staff report and the proposed action itself are themselves kept secret until just prior to the public hearing.

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At this time, CARE and ADC oppose what we are forced to speculate is the staff's recommended proposal for the following two reasons, which will be more fully addressed hereinbelow:

a. The presumed staff recommendation is based upon a seriously outdated, incomplete, and flawed parking study.

b. The City is required to prepare a full-blown Environmental Impact Report ("EIR") for the proposed action. The staff's apparent position that this project is exempt from compliance with the California Environmental Quality Act ("CEQA") is flat wrong.

1. The Downtown Parking Master Plan Update Is Seriously Outdated, Incomplete, And Flawed, And Cannot Possibly Form The Basis Either For A Massive Increase In Commercial Square Footage Or A Reduction In The Street Parking Requirements For New Development.

The Downtown Parking Master Plan ("DPMP") Update prepared by KAKU Associates purports to justify a massive increase in the commercial building cap for the Downtown Parking Master Plan area, together with a large reduction in parking requirements for new commercial developments. The existing Downtown development cap (which is incorporated into the City's Downtown Specific Plan and certified LCP) is 500,000 square feet of commercial building area. The DPMP "Update" proposes a massive increase of 46.1% in this building cap to 730,586 square feet. (Id., pp. 56-57.) In addition, notwithstanding that the original Downtown Parking Master Plan approved only 6 years ago already slashed the normal City code parking requirements for Area 1 (the portion of the Downtown Parking Master Plan area on the ocean side of Orange Avenue) by 40% and for Area 2 (between Orange Avenue and Acacia) by 33%, the DPMP Update now before you proposes a further dramatic reduction in parking requirements in this heavily beach-impacted area of approximately 33% more.

Before the Planning Commission should even consider this sort of drastic departure from normal code requirements, it is incumbent upon the Commission to be certain that the recommendation is based upon up-to-date, complete, accurate, and well-reasoned information. Unfortunately, this simply is not the case. The DPMP "Update" is a disaster. The Commission should reject the DPMP Update in its entirety and terminate these proceedings. Alternatively, the Commission should demand that the DPMP "Update" itself be updated and completely rewritten to correct all of the errors and omissions contained within it before the Commission uses this report as a basis for any recommended land use changes in Downtown Huntington Beach.



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1.1 The DPMP "Update" IS Seriously Out-Of-Date.

It is ironic that the KAKU Associates report describes itself as an "update." Although the report nominally has a date of September 2000 on it, all of the key information contained in the report is at least a year old. The parking utilization studies upon which the report's recommendations are based were performed in September 1999. (*Id.*, p. 10.) The existing land use inventory similarly is based upon September 1999 data, and does not include data regarding new development projects (such as Plaza Almeria) that have been completed for several months and that were included in the City's own DPMP "Annual Review and Monitoring Report" that this Commission reviewed over three months ago, on June 27, 2000. (*Id.*, p. 46.) As will be shown below, the assumptions (presumably from September 1999) that the DPMP "Update" uses for projected future development (such as the Plaza Almeria project in Block E and the all-important CIM project in Block A) are outdated and in error, significantly overstating the amount of additional parking that will be provided.

It is simply inexcusable that a report with such enormous implications for the Downtown businesses, residences, customers, and tourists would be brought to the Commission over a year after the data was collected. As will be shown below, Downtown parking data collected and analyzed in September 1999 is invalid, since it comes during and after a period in which the City's beaches were closed for months and business was depressed. At a minimum, the City needs to update the "Update" before taking any further action.

1.2 The DPMP Update's Analysis Of Peak Summer Parking Demand Is Entirely Unsupportable Because The Parking Surveys Upon Which The Analysis Is Based Were Not Performed In The Summer.

Frankly, it is pathetic to read in the DPMP Update that "every attempt was made to conduct the various parking surveys during the peak [Summer] season of activity in Downtown Huntington Beach." *Id.*, at p. 33. The City has been in the process of preparing this Update for at least 15 months, over not one but two summers. How difficult can it be for the City and its consultant to perform a parking study at some point during the 5 or 6 Summer months that have passed since the Update process was initiated?

The only two days that actual parking utilization in the Downtown were surveyed were Saturday, September 11, 1999 (after Labor Day when the kids were back in school and families were settling in for the Fall), and on Friday, September 24, 1999 (almost three weeks after Labor Day). Using this completely invalid starting point for analysis, the DPMP Update then "cooks" the data by some method that is impossible to trace in order to arrive at magical "adjustment factors" (*id.* at p. 35) (1.32 for Friday and 1.24 for Saturday) to tell us what the

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parking utilization supposedly would have been on a typical weekday and weekend during the Summer. I have read the confusing narrative 3 times as to how the "adjustment factors" were determined and have concluded that there simply is no way to test the consultants' analysis based upon the information in their report. Does anybody have the foggiest idea whether these adjustment factors have any basis in reality?

Even without a full understanding of the consultants' methodology, it is obvious that the analysis is flawed and should be rejected. As everyone well remembers, water pollution resulted in extensive months-long beach closures in Huntington Beach during and after the Summer of 1999. For much of the Summer, the beaches were almost deserted. Business was significantly off from the prior year and far below activity levels experienced during this past Summer of 2000. Any study of parking demand in Downtown Huntington Beach that purports to estimate Summer peak parking usage based upon data generated after the end of a Summer as aberrational as 1999 is not worth the paper it is printed on.

The absurdity of the surveys is reflected in the fact that the City's consultant concluded based on them (at pp. 11, 18) that the peak period for Summer weekend parking usage in Area 1 (the area closest to the beach) is somewhere between 9-11 p.m. No "adjustment factor" can hide the fact that the consultants completely missed the boat, since by the time they performed their survey (a) beach usage was down because the Summer was over and (b) people tend not to go to the beach when the water is polluted and they can't swim.

I wrote to the City's Economic Development Director last August recommending that any parking utilization study in the Downtown be postponed until the Summer of 2000 in light of the then on-going beach closures. (See Exhibit "A" to this letter.) The City ignored the request, with predictable results. Perhaps there would have been some justification for the City's action if there had been an urgent need for the City to take immediate action on the DPMP Update back in September of 1999. It is inexplicable, however, why the City performed highly questionable parking surveys in September 1999 and then waited an entire year -- bypassing the next Summer -- before unveiling a flawed report in September - October 2000.

CARE and ADC respectfully submit that the City put the existing DPMP Update in the "round file," get ready for Summer 2001, and prepare a valid study of actual peak Summer parking demand in the Downtown at that time.

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1.3 The DPMP Update Uses Inconsistent And Invalid Data Regarding Both Existing And Projected Future "Available" Parking Supply.

The easiest part of any parking study ought to be counting parking spaces. If the study contains factual errors of this type, it casts doubt on the entire study, particularly the more subjective and analytical aspects. In going through the DPMP Update, this office noted several inconsistencies, errors, and omissions in the description of both available existing and future parking supply. In addition, by ignoring considerations such as permit parking restrictions, high cost parking, inaccessibility of certain parking spaces, and security concerns that act as practical barriers to the public's utilization of parking spaces, the DPMP Update creates a false impression that there is a surplus in the parking supply which does not in reality exist. Consider the following:

- In several places in the DPMP Update, the report overstates the supply of available parking by counting 319 "peripheral" on-street parking spaces located outside the DPMP area. (See pp. 3, 5, 11, 13, 15, 18, 19, and 21.) It is noteworthy that nowhere in the DPMP Update does the study consider the parking demands, existing or future, in these same adjacent "peripheral" areas, not to mention usage by persons who plan to visit the City beach and Municipal Pier. (See, in this regard, the first bullet point in ¶ 1.4 below.) The integrity of the DPMP analysis requires a consistent focus on parking supply and demand within a specific defined area.
- Since the inventory of parking spaces is based on outdated September 1999 information, presumably the study has failed to take into account the July 5, 2000, City Council action eliminating 58 on-street parking spaces along Pacific Coast Highway.
- The DPMP Update assumes that there are 57 "available" parking spaces off 5th Street in Block 105. (Id., p. 9.) The text of the DPMP Update fails to mention, however, that these spaces are enclosed by a chain-link fence and are restricted to permit parking only. (See Table A attached to the DPMP Update.) Thus, as a practical matter, these spaces are not currently available to the general public. This is the reason why this particular parking lot is scarcely used. If these spaces were deducted from the total number of parking spaces in Block A, the parking utilization rate in Block

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A would approach 100% during peak periods (even the off-peak "peak" periods surveyed by the City's consultant), which would be consistent with the obvious and visible parking situation to anyone who visits the area. (Contrast the conclusion in the DPMP Update at p. 17 that the peak parking demand in Block A between 2-3 p.m. is only 73%.)

- The DPMP Update considers parking as "available" even though there is a charge for over 50% of the parking spaces (the 279 spaces in the privately-owned Pierside Pavilion parking structure and the 816 spaces in the City-owned Main Promenade parking structure) of \$2 per hour. (*Id.*, Table A.) The DPMP Update fails to address the fact that 38-42% of the surveyed parking users said they were not willing to pay any amount of money to park in the Downtown area and approximately 2/3 of the surveyed parking users said they were not willing to pay even 50¢ per hour. (DPMP Update, pp. 27-28.) Thus, while parking spaces may currently be "available" in the sense that they are empty, they are not available for the majority of people who would otherwise utilize them given price sensitivity. How can parking be considered as available when the cost is so high people can't or won't park there? Using the logic of the DPMP Update, if the City increased the price of parking to \$10 per hour and nobody parked Downtown, there would be a vast sea of "available" parking spaces to support additional development.
- The DPMP Update also fails to address how security and accessibility concerns with parking structures--particularly with subterranean parking structures such as the existing underutilized structure in Block B and the proposed CIM parking structure in Block A--discourage parking usage. The consultants who prepared the DPMP Update appear to believe that a parking space is a parking space. This is not true. Many people, particularly women, will be afraid to park in one of these underground structures and will either look for more remote above-ground parking or, most likely, simply avoid the Downtown area altogether. Shoppers who want to drop into a store along Main Street in Block A will have difficulty locating the single entrance to the proposed CIM parking structure 2 blocks away off

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of 6th Street. The DPMP Update greatly oversimplifies and distorts the data on parking supply by implicitly suggesting that if there is a vacant parking space somewhere in the DPMP area and a driver looking for a place to park there necessarily will be a successful match.

- The DPMP Update asserts (at p. 60) that the CIM project proposed for Block A will provide 403 parking spaces. In fact, the latest information, based upon the May 17, 2000, Environmental Assessment No. 99-14 prepared by the City's Planning Department (at p. 2), is that CIM will provide only 346 parking spaces (including 14 tandem spaces), a discrepancy of some 57 parking spaces.
- In one place, the DPMP Update claims that the Plaza Almeria development in Block E (which was completed several months ago, but which the DPMP Update addresses as a future development project) will create a net increase of 204 parking spaces. (Id., at p. 60.) In another place (at p. 64), the DPMP Update appears to claim that the Plaza Almeria project will provide 265 parking spaces. (The consultants apparently made the error of including the designated residential parking spaces in the commercial parking count.) In fact, the City staff's August 21, 2000, report to the City Council regarding the 2000 DPMP Annual Review and Monitoring Report acknowledges (at pp. 8-9) that the Plaza Almeria has resulted in a net increase of only 168 commercial parking spaces. Thus, the DPMP Update appears to overstate the supply of parking spaces attributable to the Plaza Almeria project by up to 97 spaces (265 - 168 = 97).
- The DPMP Update projects (at p. 60) that 30 additional on-street parking spaces will be provided on 5th Street. What actually happened, however, as was noted in the City's 2000 DPMP Annual Review and Monitoring Report (at pp. 8-9) that the Planning Commission received a few months ago was that these 30 "new" spaces did nothing more than offset the elimination of 4 on-street parking spaces at 221 Main Street and 26 on-street parking spaces along Main Street and Olive Avenue adjacent to Plaza Almeria in Block E.

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1.4 The DPMP Update Does Not Contain Any Evidentiary Justification For Its Analysis Of Parking Demand Or For Its Recommendation To Further Slash Parking Requirements For New Development.

The DPMP Update not only overstates the supply of available parking, it understates and fails to justify the claimed reduction in parking demand. When the City approved the original Downtown Parking Master Plan in 1994, it used a "shared parking" analysis to justify a 40% reduction in code parking requirements in Area 1 and a 33% reduction in code parking requirements in Area 2. (See Exhibit "B" hereto, which consists of page 17 of the adopted Downtown Parking Master Plan.) The DPMP Update now claims that the shared use demand analysis based on its September 1999 parking surveys justifies a further drastic reduction in code parking requirements. Although it is nearly impossible to make a comparison between the number of parking spaces required based on the existing DPMP parking standards and the total number of spaces that would be required if the recommendations in the DPMP Update were approved given the scattered way in which the information is set forth and the numerous errors in the data, by my calculation the total number of parking spaces for the 730,586 square feet of commercial uses in the new proposed "buildout" scenario (see Table 17 at p. 57) that would be required under the existing DPMP standards is approximately 2,865 plus 130 additional spaces that must be reserved for overflow parking for Duke's and Chimayo's by the Sea (which are located outside the DPMP area), whereas the actual number of parking spaces that would be provided (both off-street and on-street) if the recommendations in the DPMP Update were approved would be only about 2,000 (give or take). This amounts to a reduction of almost an approximately one-third in the number of parking spaces that would be required to be provided on top of the very large reduction that was already approved in 1994. This recommendation is based upon several faulty premises. Consider the following:

- The DPMP Update's recommendation appears to be based on the faulty premise that all of the Downtown parking spaces — both the on-street and off-street spaces — are reserved solely and available for the use of Downtown businesses. This is not the case. Even in the September 1999 surveys that were conducted while the beaches were closed and after the Summer was over, fully 28% of the respondents over a 15-hour period on Friday and 43% of the respondents over a 14-hour period on Saturday stated that the primary purpose of their trip was to visit either the beach or the Huntington Beach Pier. (See DPMP, pp. 23, 27, and 28.) The percentages during the actual hours of peak beach and pier usage doubtlessly would be much higher. In addition, 12% of the respondents stated that their primary usage was related to the fact

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that they either "live in downtown area" or were "visiting area resident," i.e., indicating a residential usage unrelated to the Downtown businesses. (*Id.*, pp. 27-28.) Thus, somewhere between 40-55% of the persons parking Downtown even during off-peak periods do so with a primary purpose unrelated to the Downtown commercial businesses. How can a shared parking analysis for commercial development that ignores this substantial, even majority, usage of parking spaces for other purposes possibly be valid? How can code parking requirements be slashed so dramatically in an area that is so heavily impacted by beach usage?

- Another flaw in the DPMP Update's shared parking "analysis" is that it appears to ignore the substantial number of business vacancies in the Downtown at the time the September 1999 parking surveys were conducted. As these vacancies are eliminated over time, parking demand will increase. (The original 1994 DPMP did not ignore business vacancies. See, e.g., p. 16 of the approved DPMP.) The assumed parking demand of currently unoccupied space should have been included in the analysis of the long-term parking demands for the DPMP area.
- A major fallacy in the DPMP Update is the claim (at pp. 38-44) that the consultants know how many parking spaces in the study area are being utilized for each (commercial) land use category on an hour-by-hour basis. It is from this (false) claim that the DPMP Update purports to calculate peak hour usage by land use category, perform its shared use analysis, and justify the overall lowering of parking requirements. There are two elements to this fallacy. First of all, the parking surveys upon which the DPMP Update is based did not even ask the users when they parked their car, when they left, and what was the purpose for their visit. (*Id.*, pp. 23-29.) Without this basic information, it is pure speculation on the part of the consultants how many parking spaces were occupied by each land use category each hour during the day. Secondly, since the surveys were performed after the Summer was over and during a period of extended beach closures due to water pollution, the surveys are absolutely meaningless in evaluating the impact on an hourly basis of beach parking during a typical Summer peak period. There is no way to extrapolate from data developed during

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a non-peak time when the beaches are closed how many people will park in the Downtown on a Summer weekend day to visit the beach.

- The City's recently approved 2000 DPMP Annual Review and Monitoring Report acknowledged (at p. 9) that Duke's Surf City Restaurant and Chimayo's by the Sea are required to implement a valet parking plan to provide up to 130 additional parking spaces in the Main Promenade parking structure when the on-site valet lot is full. This parking demand does not appear to have been addressed in the DPMP Update.

The validity of the "shared parking" concept cannot be questioned. The basic point is that a huge shared parking credit was already provided when the Downtown Parking Master Plan was originally adopted in 1994 (40% in Area 1 and 33% in Area 2) and the DPMP Update provides no justification for a further dramatic reduction of parking requirements at this time.

1.5 The DPMP Update Does Not Justify the Proposal to Consolidate Areas 1 and 2 for Calculating the Adequacy of Downtown Parking.

Retail businesses, including the Downtown merchants, require an adequate supply of convenient and accessible parking. Although the original Downtown Parking Master Plan acknowledged as much (see, e.g., p. 5 of the original DPMP where the statement is found that "[o]f prime concern [to the effectiveness of a shared parking plan] is the location and availability of parking facilities"), the 1994 approval stretched this concept to the maximum by allowing parking requirements to be met collectively within Areas 1 and 2, respectively.

Now, apparently, the City staff is not satisfied. Even with the massive recommended reductions in parking requirements, the City's consultants acknowledge that future development in Area 1 would produce a 395-space parking deficit. (DPMP Update, p. 73.)<sup>1</sup> Accordingly, the consultants and your staff propose to "solve" the problem by simply merging Areas 1 and 2 and allowing the "surplus" of parking spaces in Area 2 to make up for the deficit in Area 1.

<sup>1</sup> Given the overstatement of parking supply and the understatement of parking demand, the actual deficit is hundreds of spaces higher.



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This proposal has no justification whatsoever. The biggest looming parking problem is within Block A, where the proposed CIM project alone would produce a deficiency of several hundred parking spaces. This is already an area, it should be noted, that is most heavily impacted by beach parking usage during the heavy Summer peaks. It is absurd to think that potential customers, office tenants and invitees, and others are going to park 5-6 blocks away in Area 2 and hike to the businesses in Oceanview Promenade in Block A (ADC's property).

The original Downtown Parking Master Plan study noted (at p. 5) that "in order to receive optimum utilization by shoppers, a parking facility should be within 300-500 feet of the commercial area which it serves." The result of a policy "merging" Areas 1 and 2 would be to destroy the availability of convenient and accessible parking for businesses in Area 1, most particularly for Oceanview Promenade in Block A.

The City's Zoning Code would not permit, and the Planning Commission would never allow, a development to satisfy its off-street parking requirements in a remote location several blocks away. CARE and ADC strongly urge the Commission to not throw your planning standards out the window in order to accommodate someone's idea of the benefits of intense urbanization of Downtown Huntington Beach.

2. Approval of the Proposed Zoning Text Amendment and LCP Without Preparation of a Full EIR Would Violate CEQA.

The public hearing notice that was sent to my office on this matter sets forth the City staff's position that the proposed Zoning Text Amendment and LCP Amendment are exempt from CEQA under a regulation (California Code of Regulations, Title 14, Section 15262) that applies to "feasibility and planning studies." This statutory exemption is not available.

A Zoning Text Amendment and LCP Amendment are discretionary "projects" subject to CEQA. The Downtown Parking Master Plan is an integral part of the City's Downtown Specific Plan and the LCP that must be certified by the California Coastal Commission. If your staff does indeed intend to proceed with a Zoning Text Amendment and LCP Amendment, CEQA compliance most definitely is required now. Given the enormous changes that these proposed amendments would authorize in the City's existing land use regulations, a full-blown EIR would have to be prepared. In these circumstances, the legal standard for determining whether an EIR is required is whether it can be fairly argued on the basis of any substantial evidence (regardless of any contrary evidence) that the proposed project may have a significant effect on the environment. That standard definitely is met by a proposal to add almost 50% to the Downtown commercial building cap, while at the same time further reducing parking requirements by

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almost one-third and allowing parking requirements to be satisfied anywhere within a six-block area.

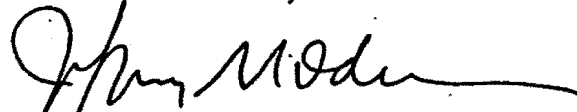
Hopefully, a full EIR would shed light on the issues obscured by the errors and omissions in the DPMP Update.

\* \* \*

Based upon the foregoing, the Huntington Beach Citizens Against Redevelopment Excess and Abdelmuti Development Company respectfully request that the proposed Zoning Text Amendment and LCP Amendment be denied and that the Downtown Parking Master Plan Update be disapproved.

Very truly yours,

RUTAN & TUCKER, LLP



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Enclosures

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JOHN W. HAMILTON, JR.  
LYNN LOSCHIN  
PHILIP L. BLANCHARD  
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ROBERT E. BING  
DEJA M. FLEMINGWAY  
JULIE E. WYMAN  
DENISE L. MESTER  
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ALISON L. TSAO  
CHARLES A. GAVENPORT, III  
DANIEL L. GIBERT  
JULIE L. DREW  
NATASHA E. LARAMP  
RICHARD D. ARKO  
MARK M. MALOVOS  
MEXI MCGUFFIN  
OF COUNSEL:  
EDWARD D. SYRESMA, JR.\*  
DAVID J. CARBALLO, III  
\*A PROFESSIONAL CORPORATION

August 30, 1999

David C. Biggs  
Economic Development Director  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648

Re: Downtown Parking Master Plan and CIM Project

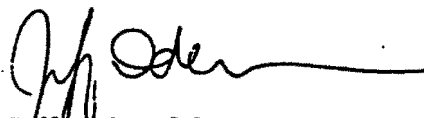
Dear David:

I am writing as a follow-up to the request in my August 10, 1999, letter that the City and Redevelopment Agency move quickly to conduct a parking study in Downtown Huntington Beach before the end of the busy Summer season. As you know, since that letter was written, the sewage spill has resulted in the extended and continuous closure of 4½ miles of the City and State beach, including the entire beach adjacent to the Downtown. As a result, beach traffic has dropped off tremendously and the local businesses have been severely impacted.

Given these unanticipated events, any parking study performed during Summer 1999 will have no validity in predicting parking demand during a normal Summer season. For this reason, my clients request that the City and Redevelopment Agency plan now to do a complete parking study for the area encompassed by the Downtown Parking Master Plan during the Summer of 2000 and that no action be taken on any development approvals for the CIM project until after the results of that parking study are made available for public review.

Very truly yours,

RUTAN & TUCKER, LLP

  
Jeffrey M. Oderman

JMO:jh

cc: Mike Abdelmuti  
Eldon Bagstad  
Gail C. Hutton, Esq., City Attorney  
Murray O. Kane, Esq., Redevelopment Agency Special Counsel  
Melanie S. Fallon, Assistant City Administrator

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# MAIN PROMENADE PARKING STRUCTURE UTILIZATION

MONTH	YEAR	PAID	TOTAL AUTOS	REVENUE
June	99	18,403	77,572	\$64,766
July	99	23,497	83,777	\$86,527
August	99	20,106	75,851	\$59,569
September	99	13,218	58,201	\$32,295
October	99	12,437	59,476	\$28,671
November	99	9,046	51,557	\$24,043
December	99	9,279	52,032	\$28,435
January	00	10,510	57,987	\$25,578
February	00	8,424	53,268	\$21,176
March	00	13,771	64,941	\$32,927
April	00	18,925	70,102	\$43,927
May	00	18,473	70,907	\$65,385
<b>TOTAL</b>		<b>176,089</b>	<b>775,671</b>	<b>\$513,299</b>
<b>DAILY AVERAGE</b>		<b>482</b>	<b>2,125</b>	<b>\$1,406</b>

**COASTAL COMMISSION**

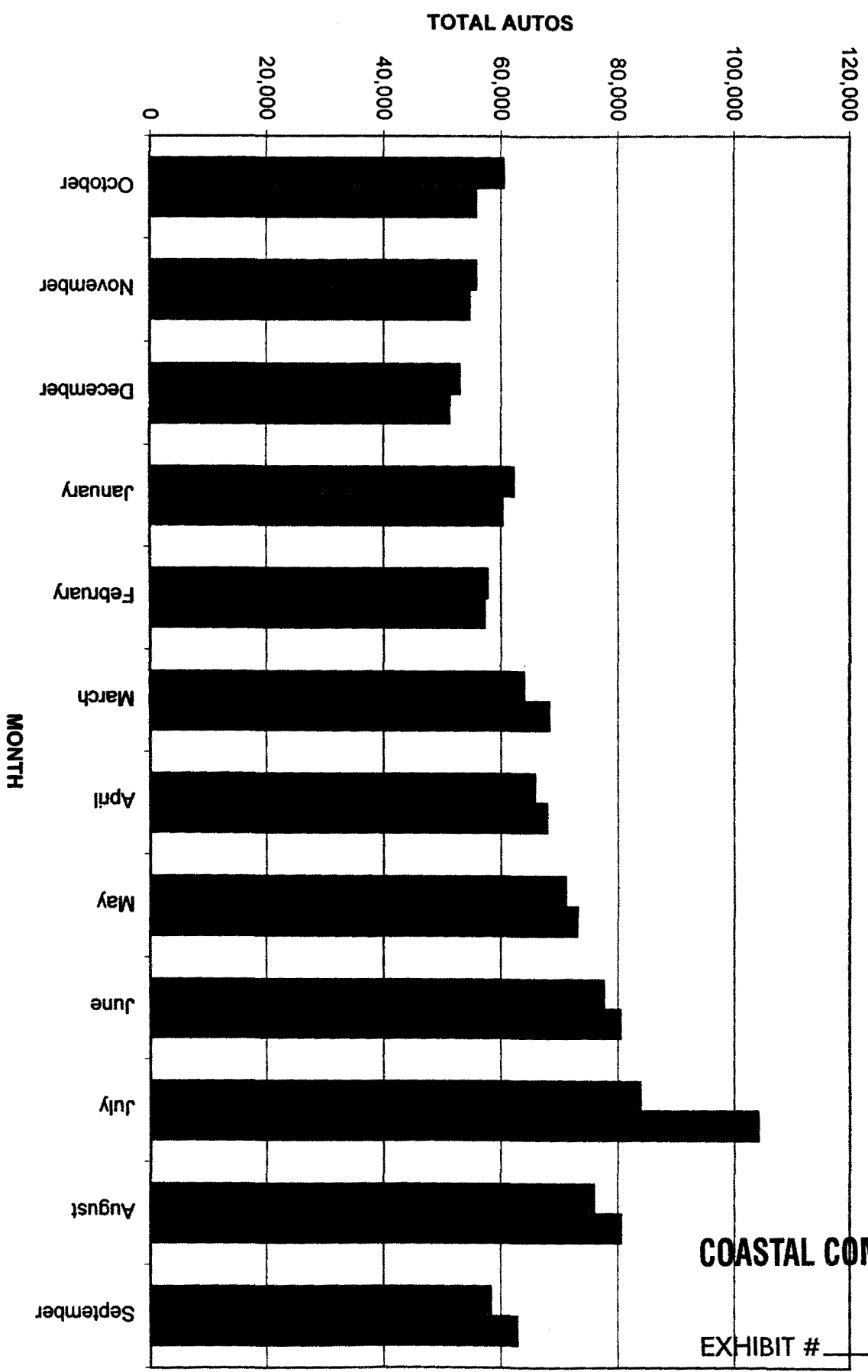
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EXHIBIT #   H  

PAGE   1   OF   1  

~~ATTACHMENT NO. \_\_\_\_\_~~

**FIGURE 8**  
**MONTHLY VARIATION IN USAGE OF CITY STRUCTURE**  
**1997/1998 - 1998/1999**



**COASTAL COMMISSION**

EXHIBIT #  I

PAGE  1  OF  1

