

**CALIFORNIA COASTAL COMMISSION**

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

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July 18, 2002

**TO: Commissioners and Interested Persons**

**FROM: Deborah Lee, Deputy Director  
Teresa Henry, South Coast District Manager  
Meg Vaughn, Coastal Program Analyst**

**SUBJECT:** Minor Amendment Request No. 1-01 to the City of Huntington Beach Certified Local Coastal Program (For Commission concurrence at its August 5-9, 2002 meeting in San Luis Obispo).

**Local Coastal Program Amendment No. 1-01 (Minor)**

The City is requesting that the Commission certify an amendment to the Implementation Plan (IP) portion of the City of Huntington Beach certified Local Coastal Program (LCP). The requested LCP amendment would make minor revisions into the City's Zoning and Subdivision Ordinance (ZSO). Any change to the City's Zoning and Subdivision Ordinance constitutes an amendment to the LCP because the City's Zoning and Subdivision Ordinance is the Implementation Plan (IP) of the certified LCP. The proposed LCP amendment affects only the IP portion of the LCP and does not propose any rezoning or land use changes in the coastal zone. The certified Land Use Plan (LUP) portion of the LCP is not affected by this amendment.

Amendment Description:

The proposed amendment includes the following changes:

- Establishes development standards for small lot residential subdivisions in multiple family residential districts (RM, RMH, and RH).
- Modifies the method used to calculate park in-lieu fees for residential development.
- Changes the zoning at four properties located outside the coastal zone.
- Modifies the permit requirements and development standards for single family residences in the RMH-A subdistrict.
- Allows clubs, lodges, horticulture and nursery uses in residential districts.
- Revises the format of Chapter 210 Residential Districts for clarity.
- Authorizes the Zoning Administrator to act on minor variances to building height, parking, and landscaping.

Huntington Beach Local Coastal Program

Minor Amendment 1-01

Page 2 of 3

The proposed revisions were submitted for Commission action pursuant to Resolution Nos. 2001-94 and 2002-33, and are contained in Ordinance Nos. 3455, 3468, 3494, 3464, 3465, 3466, 3489, and 3410.

The City Planning Commission held public hearings for the proposed LCP amendment on 2/23/00, 3/14/00, 3/28/00, 7/27/99, 10/26/99 and 7/14/98, 5/26/98, and 5/12/98. The Huntington Beach City Council held public hearings for the LCP amendment on 4/2/01, 11/20/00, 6/19/00, 5/15/00, 5/1/00, 4/17/00, 3/20/00, 2/22/00, and 1/19/99. The public hearings were advertised in the local newspaper the Huntington Beach Independent and notice was sent to property owners and interested parties. All staff reports were made available for public review in the Planning Department and the Huntington Beach Public Library.

The proposed LCP amendment was submitted to the South Coast District office on December 13, 2001. The amendment request was deemed complete as submitted. On February 6, 2002, the Commission granted an extension, not to exceed one year, of the time limit to act on the LCP amendment.

### **Analysis**

The Executive Director has determined that City of Huntington Beach LCP Amendment No. 1-01 is a minor LCP amendment. The requested LCP amendment is a minor amendment because the proposed changes are consistent with the certified LUP, would make the zoning regulations more specific, and would not change the kind, location, intensity, or density of any uses. The proposed IP amendment reorganizes, clarifies and strengthens the various sections of the City's existing Zoning and Subdivision Ordinance (ZSO).

The proposed amendment would modify the existing Section 230 Site Standards of the ZSO. New section 230.24 would provide standards for small lots. The proposed amendment does not make any changes to allowable lot sizes. It will clarify and organize development standards (such as front, rear, and side yard setbacks, allowable building projections, and architectural features) applicable to small lots. No new standards for building height, densities, etc. will be created.

Section 210.04 is proposed to be modified to clarify that a Temporary Use Permit (TUP) is subject to approval of the Zoning Administrator. The existing ZSO does not specify who reviews Temporary Use Permits. No change to the standard of review or the requirements of a TUP is proposed. The amendment will also clarify that an accessory use will require a conditional use permit when the permitted use requires a conditional use permit.

Uses such as Religious Assembly and Schools (public and private) are currently allowed within the low density residential zone. Allowing clubs and lodges will allow uses similar to these existing approved uses within the low density residential zone. In addition, Clubs and Lodges are currently allowed in medium-high and high density residential districts. The amendment would allow those uses to occur in low density residential development also, subject to approval of a conditional use permit. Horticulture and Nurseries will also be

Huntington Beach Local Coastal Program  
Minor Amendment 1-01  
Page 3 of 3

allowed within residential districts subject to approval of a conditional use permit. No change to the underlying zoning of residential is proposed. In addition, existing Additional Provision M of Section 214.04, which required that access to all habitable rooms in a single family dwelling be accessible from within, was moved to Section 210.06 (M)(1)(e). Also, Section 210 is modified to include cross references to existing Section 230.20 Payment of Parkland Dedication In-Lieu Fee and to the proposed Section 230.24 Small Lot Development Standards. Section 254.08 H is proposed to clarify the amount of payment required for park in-lieu fees and how that amount is calculated.

The amendment also proposes to clarify and reorganize the standards for Section 230.46 Single Room Occupancy. Among other changes the amendment would modify Section 231.04B, which provides the parking standard for single room occupancy residential hotels. The proposed change would eliminate the difference in parking standard based on proximity to a public bus stop, and modifies the parking standard required for hotel staff (from 1 space per resident staff member to 2 spaces for each manager's unit). The change to the parking standard will not increase or decrease the density or intensity of use allowed, but rather clarifies how the required number of spaces is determined.

The proposed amendment revises and clarifies the format of Chapter 210 Residential Districts to assist in the interpretation and application of specific criteria in the ZSO. In addition, the proposed amendment authorizes the Zoning Administrator to act on minor variances to building height, parking, and landscaping. Currently, the Planning Commission acts on these minor variances. The action of the Zoning Administrator is appealable to the Planning Commission. Nothing in the proposed amendment changes the procedure or requirements for coastal development permits.

Finally, the amendment changes the zoning at four sites located outside the coastal zone.

### **Procedures**

Pursuant to Section 30514(c) of the Coastal Act and Section 13554(a) of the California Code of Regulations, the Executive Director has determined that the proposed LCP amendment is "minor" in nature. Section 13554(a) of the California Code of Regulations defines a minor LCP amendment as changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and are consistent with the certified LUP.

The proposed LCP amendment will become effective after report to the Commission of any written objections received within ten working days of the mailing of notice unless one-third of the appointed members of the Commission request that the LCP amendment be processed and heard as a "major" LCP amendment pursuant to Section 13555 of the California Code of Regulations.

RESOLUTION NO. 2001-94

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF HUNTINGTON BEACH  
ADOPTING LOCAL COASTAL PROGRAM AMENDMENT NO. 01-02  
AND REQUESTING ITS CERTIFICATION BY  
THE CALIFORNIA COASTAL COMMISSION

WHEREAS, after notice duly given pursuant to *Government Code* Section 65090 and *Public Resources Code* Sections 30503 and 30510, the Planning Commission of the City of Huntington Beach held public hearings to consider the adoption of the Huntington Beach Local Coastal Program Amendment No. 01-02, and such amendment was recommended to the City Council for adoption; and

The City Council, after giving notice as prescribed by law, held at least one public meeting regarding the proposed Huntington Beach Local Coastal Program Amendment No. 01-02, 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; and

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. 01-02 is hereby approved, consisting of certain Ordinances pertaining to Zoning Text Amendments (ZTA) and Zoning Map Amendments (ZMA) as listed below:

COASTAL COMMISSION  
HNB LCPA 1-01  
EXHIBIT # A  
PAGE 1 OF 2

<u>Ordinance</u>	<u>Subject</u>	<u>Description</u>
No. 3455	ZTA No. 99-2	Small lot development
No. 3468	ZTA No. 99-4	Park & Recreation In-Lieu Fees
No. 3494	ZTA No. 01-01	Single Room Occupancy
No. 3464 (Sub-Area E)	ZMA No. 99-4	Various Locations
No. 3465 (Sub-Area F)	ZMA No. 99-4	Various Locations
No. 3466 (Sub-Area G)	ZMA No. 99-4	Various Locations
No. 3489	ZMA No. 00-3	Various Locations

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

**SECTION 2.** That the California Coastal Commission is hereby requested to consider, approve and certify Huntington Beach Local Coastal Program Amendment No. 01-02.

**SECTION 3.** That pursuant to Section 13551(b) of the Coastal Commission Regulations, Huntington Beach Local Coastal Program Amendment No. 01-02 will take effect automatically upon Coastal Commission approval, as provided in *Public Resources Code* Sections 30512, 30513 and 30519.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 3rd day of December, 2001.

Debbie Cook  
Mayor

ATTEST:

Connie Brockway  
City Clerk

APPROVED AS TO FORM:

Pedro 11/27/01  
City Attorney

REVIEWED AND APPROVED:

Ray  
City Administrator

INITIATED AND APPROVED:

[Signature]  
Director of Planning

RECEIVED  
South Coast Region  
JUN 10 2002

RESOLUTION NO. 2002-33

CALIFORNIA  
COASTAL COMMISSION

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF HUNTINGTON BEACH ADOPTING  
LOCAL COASTAL PROGRAM AMENDMENT  
NO. 02-01 AND REQUESTING ITS CERTIFICATION  
BY THE CALIFORNIA COASTAL COMMISSION

WHEREAS, after notice duly given pursuant to *Government Code* Section 65090 and *Public Resources Code* Sections 30503 and 30510, the Planning Commission of the City of Huntington Beach held public hearings to consider the adoption of the Huntington Beach Local Coastal Program Amendment No. 02-01, and such amendment was recommended to the City Council for adoption; and

The City Council, after giving notice as prescribed by law, held at least one public meeting regarding the proposed Huntington Beach Local Coastal Program Amendment No. 02-01; 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; and

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. 02-01 is hereby approved, consisting of an ordinance pertaining to Zoning Text Amendment (ZTA) described below:

<u>Ordinance</u>	<u>Subject</u>	<u>Description</u>
No. 3410	ZTA No. 97-1	Residential district standard

A copy of the aforesaid ordinance is attached hereto as **Exhibit A**, and is incorporated by this reference as though fully set forth herein.

**SECTION 2.** That the California Coastal Commission is hereby requested to consider, approve and certify Huntington Beach Local Coastal Program Amendment No. 02-01.

**SECTION 3.** That pursuant to Section 13551(b) of the Coastal Commission Regulations, Huntington Beach Local Coastal Program Amendment No. 02-01 shall take effect

COASTAL COMMISSION

HNB LCRA 1-01

EXHIBIT # B

PAGE 1 OF 2

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

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 20th day of May, 2002.

ATTEST:

Connie Brockway  
City Clerk 05-23-02

Debbie Cook  
Mayor

REVIEWED AND APPROVED:

Ray Silver  
City Administrator

APPROVED AS TO FORM:

[Signature] 4-02-02  
City Attorney

INITIATED AND APPROVED:

[Signature]  
Director of Planning

[Signature] 3/29/02

B2

