

CALIFORNIA COASTAL COMMISSION

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

Th 6b

September 15, 2011



TO: Commissioners and Interested Persons

FROM: Charles Lester, Executive Director
Sherilyn Sarb, Deputy Director
Karl Schwing, Supervisor, Regulation & Planning, Orange County Area
Meg Vaughn, Staff Analyst

SUBJECT: Concurrence with the Executive Director's determination that the action of the City of Huntington Beach accepting certification with suggested modifications of Major LCP Amendment No. 1-10 (Downtown Specific Plan Update) is legally adequate. For Commission review at its October 5-7, 2011 meeting in Huntington Beach.

STAFF RECOMMENDATION

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

BACKGROUND

The City of Huntington Beach submitted Major Local Coastal Program (LCP) Amendment Request No. 1-10 for Commission certification pursuant to City Council Resolution No. 2009-63. Huntington Beach LCPA 1-10 proposed updating the Downtown Specific Plan (DSP) by deleting the previously certified DSP from the certified Implementation Plan (IP) and replacing it in its entirety with a new, updated DSP. LCPA 1-10 also included changes to the City's certified Land Use Plan (LUP) to maintain consistency with the changes within the revised, updated DSP and to update certain text to reflect current circumstances including approved projects that have been or are in the process of being implemented.

Issues raised by the amendment request included: assuring that adequate visitor serving uses remain within District 1 of the proposed DSP; assuring that increased development potential does not adversely impact public access due to lack of adequate parking and/or lack of alternate means of transportation; addressing other potential public access issues due to parking; assuring the residential densities of the Land Use Plan and the Implementation Plan are consistent; assuring continued access to State tidelands; clarification of the meaning of "visitor serving recreation"; and preserving public views. The issues raised by the amendment as proposed were addressed by the Commission through adoption of a number of suggested modifications necessary to assure compliance of the LUP amendment with the Coastal Act and of the IP amendment with the City's certified LUP.

On August 15, 2011, the Huntington Beach City Council adopted Resolution No. 2011-57 acknowledging receipt of the Coastal Commission action and accepting and agreeing to the suggested modifications. Also on August 15, 2011, the City Council adopted Resolution No. 2011-58 amending the Local Coastal Program Implementation Plan Downtown Specific Plan and the Land Use Plan by incorporating the modifications suggested by the Commission.

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The City has submitted the modifications to the Executive Director for a determination that they are consistent with the Commission's action on June 15, 2011.

As provided in Section 13544 of the California Code of Regulations, the Executive Director must determine whether the City's action is legally adequate and report that determination to the Commission. In this case, the Executive Director has determined that the City's action is legally adequate. Unless the Commission objects to the Executive Director's determination, the certification of Huntington Beach LCP Amendment No. 1-10 shall become effective upon the filing of the required Notice of Certification with the Secretary of Resources as provided in Public Resources Code Section 21080.5(d)(2)(E).

RECOMMENDATION

Staff recommends that the Commission **CONCUR** with the Executive Director's determination as set forth in the attached letter (to be sent after Commission endorsement).

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STATE OF CALIFORNIA – NATURAL RESOURCES AGENCY

Edmund G. Brown, Jr., Governor

CALIFORNIA COASTAL COMMISSION
South Coast Area Office
200 Oceanate, Suite 1000
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October 6, 2011

Scott Hess
Director of Planning
2000 Main Street
Huntington Beach, CA 92648

Re: Effective Certification
City of Huntington Beach Local Coastal Program Amendment No. 1-10
(Downtown Specific Plan Update)

Dear Mr. Hess:

We are pleased to notify you that on October 6, 2011, the Commission concurred with the Executive Director's determination that the action of the City of Huntington Beach accepting certification of Local Coastal Program (LCP) Amendment No. 1-10 with suggested modifications was legally adequate. Therefore, the LCP amendment will be fully effective upon filing of the notice of the Commission's certification with the Secretary of the Resources Agency as provided by Public Resources Code Section 21080.5(d)(2)(E).

City of Huntington Beach LCP Amendment 1-10 was submitted for Commission certification pursuant to City Council Resolution No. 2009-63. Huntington Beach LCPA 1-10 updates the Downtown Specific Plan (DSP) by deleting the previously certified DSP from the certified Implementation Plan (IP) and replacing it in its entirety with a new, updated DSP, and, also changes the City's certified Land Use Plan (LUP) to maintain consistency with the changes within the revised, updated DSP and updates certain text to reflect current circumstances including approved projects that have been or are in the process of being implemented.

On June 15, 2011, the Commission approved LCP Amendment No. 1-10 with suggested modifications. On August 15, 2011, the Huntington Beach City Council adopted Resolution No. 2011-57 acknowledging receipt of the Coastal Commission action and accepting and agreeing to the suggested modifications. Also on August 15, 2011, the City Council adopted Resolution No. 2011-58 amending the Local Coastal Program Implementation Plan Downtown Specific Plan and the Land Use Plan by incorporating the modifications suggested by the Commission. On October 6, 2011, the Commission concurred with the Executive Director's determination that the City Council's acceptance of the Commission's suggested modification was legally adequate.

On behalf of the Coastal Commission, I would like to congratulate the City on the completion of LCP Amendment 1-10. If you have any questions, please contact Meg Vaughn at our Long Beach office (562) 590-5071.

Sincerely,

Teresa Henry
District Manager

cc: Mary Beth Broeren, Planning Manager
Jennifer Villasenor, Senior Planner

HNB LCPA 1-10 DSP filert ltr 10.6.11 mv