

Council/Agency Meeting Held: _____	
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	City Clerk's Signature
Council Meeting Date: March 21, 2005	Department ID Number: PL05-11

**CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION**

SUBMITTED TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

SUBMITTED BY: *Penelope Culbreth Graft*
PENELOPE CULBRETH-GRAFT, City Administrator

PREPARED BY: HOWARD ZELEFSKY, Director of Planning *Howard Zelefsky*

SUBJECT: APPROVE GENERAL PLAN AMENDMENT NO. 03-03, LOCAL COASTAL PROGRAM AMENDMENT NO. 03-02, AND ZONING TEXT AMENDMENT NO. 03-03 (DOWNTOWN SPECIFIC PLAN-TIMESHARES). *Ordinance No. 3702, Resolution Nos 2005-19+20*

2005 MAR -9 AM 9:00
 CITY CLERK
 CITY OF
 HUNTINGTON BEACH, CA

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

Statement of Issue:

Transmitted for your consideration is a request by the Robert Mayer Corporation to amend the City of Huntington Beach General Plan Land Use Element, Downtown Specific Plan (DTSP) and Local Coastal Program to permit timeshares in the Commercial Visitor land use category and specifically within Districts 7 and 9 of the DTSP.

The Planning Commission is recommending approval of the project because timeshares are compatible with and will complement other visitor serving uses in the downtown area. The Planning Commission's action included additional text changes to the DTSP to re-enforce existing Local Coastal Program policy regulating timeshares in the Coastal Zone. Staff is in agreement with the Planning Commission's modifications and recommends the City Council approve the request (**Recommended Action**).

Funding Source: Not applicable.

(Continued on next page)

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Recommended Action:

PLANNING COMMISSION AND STAFF RECOMMENDATION:

Motion to:

1. "Approve General Plan Amendment No. 03-03 by adopting Resolution No. 2005-19 (Attachment No. 1)," and
2. "Approve Zoning Text Amendment No. 03-03 with findings (Attachment No. 2) and adopt Ordinance No. 3702, an ordinance amending the Downtown Specific Plan to permit timeshares within Districts 7 and 9," and
3. Approve Local Coastal Program Amendment No. 03-02 with findings (Attachment No. 4 and adopt the attached Resolution No. 2005-20 a resolution amending the Local Coastal Program and requesting certification by the California Coastal Commission (Attachment No. 5)."

Planning Commission Action on February 8, 2005:

THE MOTION MADE BY LIVENGOOD, SECONDED BY SCANDURA, TO APPROVE GENERAL PLAN AMENDMENT NO. 03-03 BY APPROVING THE DRAFT RESOLUTION AND FORWARD TO THE CITY COUNCIL FOR ADOPTION; APPROVE ZONING TEXT AMENDMENT NO. 03-03 WITH FINDINGS BY APPROVING THE DRAFT ORDINANCE AND FORWARD TO THE CITY COUNCIL FOR ADOPTION; AND APPROVE LOCAL COASTAL PROGRAM AMENDMENT NO. 03-02 WITH FINDINGS BY APPROVING THE DRAFT RESOLUTION AND FORWARD TO THE CITY COUNCIL FOR ADOPTION (ATTACHMENT NOS. 1-5) CARRIED BY THE FOLLOWING VOTE:

AYES: LIVENGOOD, SCANDURA, RAY, BURNETT, FURHMAN
NOES: DINGWALL
ABSENT: DWYER
ABSTAIN: NONE

MOTION PASSED

Alternative Action(s):

The City Council may make the following alternative motion(s):

1. "Deny General Plan Amendment No. 03-03, Local Coastal Program No. 03-02 and Zoning Text Amendment No. 03-03 with findings for denial."
2. "Continue General Plan Amendment No. 03-03, Local Coastal Program No. 03-02 and Zoning Text Amendment No. 03-03 and direct staff accordingly."

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Analysis:

A. PROJECT PROPOSAL:

Applicant: Shawn Milbern, The Robert Mayer Corporation, 660 Newport Center Drive, Suite 1050, Newport Beach, CA 92660.

Location: Downtown Specific Plan, District Nos. 7 and 9 (North side of Pacific Coast Highway between First Street and Beach Blvd.)

General Plan Amendment No. 03-03 represents a request to amend the Huntington Beach General Plan (Attachment No. 1) pursuant to California Planning, Zoning and Development laws and the Huntington Beach General Plan as follows:

- A. Amend the Land Use Element to add "timeshares" as a permitted use within the Commercial Visitor (CV) land use category (Attachment No. 1 - pg. II-LU-25 of the General Plan) and within Subareas 4C - PCH/First Street and 4D - Waterfront (Attachment No. 1 - pg. II-LU-54 of the General Plan).
- B. Amend the Land Use Element reference to "overnight accommodations" for the Commercial General (CG) land use category (Attachment No. 1 - pg. II-LU-25 of the General Plan) to match the wording in the CV category, i.e. hotels/motels, timeshares.

Timeshares are currently a permitted use within the CV and CG land use districts of the Huntington Beach Zoning and Subdivision Ordinance (ZSO). The proposed General Plan Amendment would make the General Plan consistent with the ZSO in this regard.

Zoning Text Amendment No. 03-03 represents a request to change the Downtown Specific Plan (DTSP -SP5) (Attachment No. 3 pg. 4 of the DTSP) pursuant to Section 247.02 of the Huntington Beach ZSO as follows:

- A. Amend DTSP Section 4.0.04 Definitions to include a definition of "timeshares" (Attachment No. 3-pg 4 of the DTSP).
- B. Amend DTSP District 7, Section 4.9.01 Permitted Uses, and District 9, Section 4.11.01 Permitted Uses to allow "timeshares" as a permitted use subject to a conditional use permit from the Planning Commission (Attachment No. 3-pgs. 51 & 56 of the DTSP).

The purpose of Downtown Specific Plan District 7 (location of approved Pacific City project) is to provide commercial facilities to serve seasonal visitors to the beaches as well as to serve local residents on a year round basis. The purpose of District 9 (Waterfront) is to encourage large, coordinated development that is beach-oriented and open to the public for both commercial and recreational purposes. The result of the proposed amendments

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would be the possibility of timeshares in the visitor serving portions of the Pacific City and Waterfront projects.

Local Coastal Program Amendment No. 03-02 represents a request to amend the City's Local Coastal Program (Attachment No. 5) pursuant to Section 247.16 of the ZSO as follows:

- A. Amend the Commercial General (CG) land use category of Typical Permitted Uses on Table C-1 of the Coastal Element (Attachment No. 5 – pg. IV-C-26 of the LCP) by deleting the reference to “overnight accommodations” and adding “hotels/motels, timeshares.”
- B. Amend the Commercial Visitor (CV) land use category of Typical Permitted Uses on Table C-1 of the Coastal Element (Attachment No. 5 - pg. IV-C-26 of the LCP) and Subareas 4C - PCH/First Street (Attachment No. 5.5 - pg. IV-C-37 of the LCP) and 4D – Waterfront (Attachment No. 5 - pg. IV-C-38 of the LCP) to add “timeshares” as a permitted use.
- C. Modify Coastal Element Policy C 3.2.4 to add reference to the allowance of “timeshares” in the Commercial Visitor (CV) District (Attachment No. 5 – pg. IV-C-108 of the LCP).
- D. Incorporate the changes reflected in Zoning Text Amendment No. 03-03.

The Coastal Element currently allows timeshares in the CG and Mixed Use Districts. The proposed Local Coastal Program Amendment (LCPA) would also allow timeshares in the CV District and specifically within Districts 7 and 9 of the DTSP. The LCPA will be forwarded to the California Coastal Commission for final approval after being acted on by the City Council.

The applicant is requesting approval of the proposed amendment to allow for greater flexibility in reaching the visitor serving market. No development of timeshares is proposed at this time. This action represents only the legislative process that is subject to City Council and California Coastal Commission approval. If adopted, it will enable development proposals to be processed in the future for these two areas of the Downtown Specific Plan.

B. PLANNING COMMISSION MEETING:

On January 25, 2005, the Planning Commission held a study session to discuss the proposed amendments. The Planning Commission requested information addressing parking ratios comparing hotels to timeshares as well as information on the economic impact of timeshares on the City's Transient Occupancy Tax. On February 8, 2005, the Planning Commission held a public hearing on the proposed requests. Three speakers spoke in favor of the project. The Planning Commission discussed various aspects of the request including

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affect on City revenue, information on the background studies, and the implications of allowing timeshares as part of a master planned development. The Planning Commission recommended additional text modifications to mirror the language of Coastal Element Policy 3.2.4 to regulate the operation of timeshares and voted to recommend approval of the subject entitlements and forward to the City Council.

C. STAFF ANALYSIS AND RECOMMENDATION:

The primary issues associated with this request are land use compatibility, conformance with the Local Coastal Program and the economic impact of timeshares in the context of City revenue impacts. Additional analysis and discussion related to general timeshare characteristics, including parking demand, is provided in the Planning Commission staff report (Attachment No. 6).

Compatibility

Timeshares are currently permitted in the CG and Mixed Use Districts (MH and MV) of the Coastal Element and the CG and CV Zones of the ZSO citywide. One objective of these districts is to provide for overnight accommodations for coastal and other visitors to the City. The City's existing CV land use category allows for hotels/motels and "similar uses oriented to coastal and other visitors to the City." The inclusion of timeshares in the CV category is consistent with the existing General Plan Land Use and Coastal Element language of "similar uses oriented to coastal and other visitors." Timeshares are designed to serve the visitor market, and the primary reason to locate a timeshare in Huntington Beach is the attraction of the coastal resources. Timeshares have a similar appearance and function as hotels. Thus, from a land use compatibility perspective, the allowance of timeshares would not result in any land use issues different than the currently permitted hotel use, which is a compatible use within Districts 7 and 9 of the DTSP and surrounding area.

Coastal Issues

Coastal Policy places a high priority on visitor serving uses, providing public access to coastal resources and ensuring adequate amounts of recreational opportunities within the coastal zone such that existing resources, e.g. beaches, are not overly impacted. Staff believes that timeshares fulfill the intended goal of providing visitor serving uses within the Coastal Zone. In addition, development of a timeshare project would be required to comply with the development standards contained in the DTSP, which address both access and open space/recreational amenities.

The City's existing Coastal Element policy on timeshares specifies that at least 25% of timeshare units be reserved for transient overnight accommodations, i.e. hotels, during the summer season. The Coastal Commission included this requirement to ensure that at least 25% of the units/rooms would be available to the general public as opposed to only being available to timeshare owners. The intent of this is to ensure that coastal resources are available to be enjoyed by the general public. The proposed LCPA does not change the

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25% requirement. Moreover, as noted above the Planning Commission's action included adding the criteria of the City's existing LCP policy to the DTSP. Thus, the DTSP would clearly state that timeshares must meet the 25% availability requirement and operate similar to a hotel. Additionally, a timeshare project would be required to demonstrate specifically how the 25% requirement would be satisfied.

The draft amendment language does require that timeshares be part of a master planned development. This provides flexibility in meeting the 25% hotel requirement during the summer season. As an example, if a timeshare project were built on the third site within the Waterfront Master Plan, then a total of 25% of those units would need to be available for overnight accommodations (similar to a hotel operation) during the summer months. This 25% total could be entirely within the timeshare project, or a portion or all could be within the existing Waterfront Hilton or Hyatt hotels since they are part of a master plan. Based on industry trends, up to approximately 20% of a timeshare's units are not used by the timeshare owners at any given time and are available for overnight rental.

As noted, the primary reason for the 25% requirement is the importance that the Coastal Commission places on public access to coastal resources. The City of Huntington Beach has been exemplary in providing public access to beach visitors. This effort is demonstrated in the DTSP area with the availability of 2,100 beach parking spaces and another 811 spaces within the City's Main Promenade parking structure. Further, in total there are more than 10,400 public parking spaces available for beach visitors in the City's Coastal Zone (Attachment No. 8). The City also continues to add to its stock of visitor serving accommodations through approval of commercial development within the Coastal Zone, including the recently approved Pacific City project and The Strand, a mixed-use project with a hotel currently under construction.

In reviewing the subject request, staff evaluated other potential sites in the Coastal Zone and nearby vicinity that might be conducive to timeshare projects and other visitor serving commercial uses. However, there are limited commercial and mixed use zoned parcels in the Coastal Zone that would meet the current industry site standards for resort development and thus be conducive to a timeshare project. In addition to Districts 7 and 9, there is one other property in the Coastal Zone that is large enough to be attractive for this type of development. Located at the northwest corner of PCH and Goldenwest, the Aera property is expected to remain in oil production for the next 20 years. In terms of areas near but outside the coastal zone, the Huntington Beach ZSO currently allows timeshares in the CG and the CV Zones, but the majority of the commercial sites outside the Coastal Zone are developed. For these reasons Districts 7 and 9 appear to be the best opportunity for the inclusion of timeshares within the Coastal Zone thereby allowing the City to diversify its inventory of overnight accommodations.

Economic Issues

Various studies conducted by industry experts indicate that the timeshare market continues to grow, as does the demand for desirable locations and a variety of visitor accommodation

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products. A 2001 Timeshare Industry Report Update prepared for the Economic Development Department concludes that there is a demand for timeshare units in Huntington Beach, particularly near the beach and downtown areas. Although there are no timeshare developments located within the City of Huntington Beach, the City has 19 hotels and motels with a total of 1,712 guest rooms. A study prepared by PKF Consulting analyzed the hotels in the Huntington Beach and Sunset Beach area and concluded that there was an adequate supply of transient visitor accommodations in the area (Attachment No.9). The addition of timeshares would diversify the City's inventory of overnight accommodations. In this competitive tourism market, the studies indicate that the timeshare industry has evolved to be a positive economic impact for cities and that cities should view the inclusion of timeshares as a potential revenue source.

One of the economic benefits for cities allowing timeshares is that vacation ownership resorts typically enjoy a significantly higher occupancy than corresponding hotels because: 1) vacations are pre-paid; 2) timeshare owners participate in exchange programs at premium locations; and 3) rental of unused timeshares are typically marketed aggressively through a national reservation system. The average timeshare owner stays 7.3 days in the resort area while the average hotel stay is approximately 2 to 3 days. The average number of occupants in a timeshare unit is approximately 3.3 visitors, while the average in a hotel is approximately 2.1 visitors per room (*Source: PriceWaterhouseCoopers, Economic Impacts of the Timeshare Industry on the U.S. Economy, 2004*). This results in more sales tax revenue associated with timeshare stays. A 2001 study indicates that occupants of timeshare units often spend more than hotel guests per week' stay. Occupancy rates of timeshare projects also tend to be more stable throughout the year than those of hotels. This will provide a benefit to the City's downtown area by creating stronger demand in the shoulder (i.e., spring, fall) and winter seasons.

Transient Occupancy Tax/City Revenue

Municipal Code Chapter 3.28, Uniform Transient Occupancy Tax (TOT), regulates occupancy tax citywide. The City has the ability to levy a tax on the privilege of occupying a room or rooms in a hotel, inn, tourist home or house, motel, or other lodging. The ordinance (and provisions in State law) does not enable the City to collect TOT on timeshares that are occupied by timeshare owners. However, when timeshare units are not used by timeshare owners but are instead rented to the public as hotel rooms, a TOT tax would be collected. The City of Huntington Beach has a TOT of 10%. The TOT rate is established by each city, with 10% being a typical Orange County rate. Anaheim has the highest Orange County rate at 14%, while Costa Mesa has the lowest at 6-8%. In 2000 Huntington Beach received \$2.4 million of TOT from its hotel and motel rooms.

In 2002, the City amended the TOT Allocation. The intent of this amendment was to expand the Main Pier Redevelopment Sub-area in anticipation of the future development of the Waterfront and the Strand hotel projects as well as the beachfront resort district. Under the provisions of these ordinances, the Redevelopment Agency receives 60% of the TOT from the hotels developed on the Waterfront site in the Main Pier Redevelopment Sub-area with

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the remaining 40% going to the City. The purpose of this allocation is to assist the Redevelopment Agency in meeting the financial obligations that facilitated the hotel development.

As discussed at the Planning Commission public hearing, the potential loss of TOT revenue in comparison to a traditional hotel use could be offset by the increase in property tax revenue. Timeshares typically have a higher assessed valuation because they are assessed based on the sales of the individual timeshare units. The applicant has provided a sample calculation comparing the existing Hyatt Regency with a timeshare development (Attachment No. 10). The table shows that the increased property tax revenue associated with the timeshare use offsets the loss in TOT revenue. Staff believes that a significant number of traditional hotel rooms would continue to be available in Districts 7 and 9, with a minimum of 813 in District 9 alone. It should also be noted that The Strand development, currently under construction, includes a hotel, which adds to the overall supply of hotel rooms, and TOT, in the downtown area.

D. SUMMARY

The proposed amendments would provide the ability for applicants to request consideration of a timeshare project within Districts 7 & 9 of the Downtown Specific Plan. From an implementation perspective, the result of the proposed amendments would be the possibility of timeshares in the visitor serving portions of the Pacific City and Waterfront projects. Before any timeshares could be constructed, the Planning Commission would have the opportunity to review each development proposal for consistency with the City's development standards.

Staff recommends that the City Council approve General Plan Amendment No. 03-03, Local Coastal Program Amendment No. 03-02, and Zoning Text Amendment No. 03-03 based on the following:

1. The land use is compatible with existing uses in the Downtown Specific Plan.
2. The inclusion of timeshares complements other visitor serving uses in the downtown area and is consistent with Coastal Zone policies.
3. The addition of timeshares will potentially add to the economic vitality of the City through increased sales and property tax revenue and diversification of accommodations.

Environmental Status:

The Environmental Assessment Committee reviewed Environmental Assessment No. 03-03 for conformity with the California Environment Quality Act and concluded that all potentially significant effects related to the proposal to allow timeshares in the CV land use category were analyzed and adequately addressed in EIR No. 94-1, prepared for the comprehensive update of the General Plan. Therefore, no further review is required.

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Attachment(s):

City Clerk's Page Number	No.	Description
10	1.	Resolution for General Plan Amendment No. 03-03 <i>Resolution No. 2005-19</i>
16	2.	Findings for Approval of Zoning Text Amendment No. 03-03
18	3.	Ordinance for Zoning Text Amendment No. 03-03 <i>Ordinance No. 3702</i>
27	4.	Findings for Approval of Local Coastal Plan Amendment No. 03-02
29	5.	Resolution for Local Coastal Plan Amendment No. 03-02 <i>No. 2005-20</i>
39	6.	Planning Commission Staff Report dated February 8, 2005
110	7.	Planning Commission Minutes dated February 8, 2005
115	8.	Coastal Element-Table C-3 Public Parking Opportunities
118	9.	Study of Hotel Supply by <i>PKF</i> Consulting
129	10.	Hyatt Regency Huntington Beach Resort and Spa 2004 Tax Revenues
131	11.	Power Point Presentation

RCA Author: *Rosemary Medel/Mary Beth Broeren*

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ATTACHMENT 1

D-1.10

RESOLUTION NO. 2005-19

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HUNTINGTON BEACH APPROVING
GENERAL PLAN AMENDMENT NO. 03-03

WHEREAS, General Plan Amendment No. 03-03 proposes to amend the Land Use Element to add timeshares as a permitted use within the Commercial Visitor (CV) land use category and within Subareas 4C (PCH/First Street) and 4D (Waterfront) and replace overnight accommodations language with hotels/motels and timeshares for consistency in the Commercial General (CG) land use category; and

Pursuant to the California Government Code, the Planning Commission of the City of Huntington Beach, after notice duly given, held a public hearing to consider General Plan Amendment No. 03-03 and recommended approval of said entitlement of the City Council; and

Pursuant to California Government Code the City Council, after notice duly given, held a public hearing to consider General Plan Amendment No. 03-03; and

The City Council finds that said General Plan Amendment No. 03-03 is necessary for the changing needs and orderly development of the community, and that the inclusion of timeshares as an allowed use within the Commercial Visitor land use category is compatible with other permitted uses in the General Plan and is consistent with other elements of the General Plan; and

The City Council further finds that any potential environmental considerations associated with such allowance of timeshares has been adequately addressed in Environmental Impact Report No. 94-1, which analyzed the approved land use plan for the City that included the allowance of hotels and other overnight accommodations in various land use categories throughout the City,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntington Beach as follows:

SECTION 1: The City Council of the City of Huntington Beach hereby adopts said amendment to the General Plan.

SECTION 2: That General Plan Amendment No. 03-03, which amends the General Plan Land Use Element to add timeshares as a permitted use within the Commercial Visitor (CV) land use category and within Subareas 4C (PCH/First Street) and 4D (Waterfront) and replaces overnight accommodations language with hotels/motels and timeshares in the Commercial General (CG) land use category, attached hereto as Exhibit A, is hereby approved.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2005.

Mayor

REVIEWED AND APPROVED:

Fredrick Cullbert
City Administrator

APPROVED AS TO FORM:

James M. Gate
City Attorney *3/10/05* *WMM/3/1/05*

INITIATED AND APPROVED:

[Signature]
Director of Planning

Exhibit A General Plan Amendment

EXHIBIT A

D-1. 13

TABLE LU-2a

Land Use Schedule⁶

Land Use Category	Typical Permitted Uses
RESIDENTIAL	
Residential Low (RL)	Single family residential units; clustered zero-lot line developments; and "granny" flats.
Residential Medium (RM)	Single family residential units, duplexes, townhomes, and garden apartments.
Residential Medium High (RMH)	Townhomes, garden apartments, apartment "flats."
Residential High (RH)	Townhomes, garden apartments, and apartments.
COMMERCIAL	
Commercial Neighborhood (CN)	Small-scale retail commercial, professional offices, eating and drinking establishments, household goods, food sales, drug stores, personal services, cultural facilities, institutional, health, government offices, and similar uses. Generally, individual establishments should not exceed 10,000 square feet. If permitted, their frontage should be designed to convey the visual character of small storefronts.
Commercial General (CG)	Retail commercial, professional offices, eating and drinking establishments, household goods, food sales, drugstores, building materials and supplies, personal services, recreational commercial, hotels/motels, timeshares overnight accommodations, cultural facilities, government offices, educational, health, institutional and similar uses.
Commercial Regional (CR)	Anchor department stores, outlet stores, promotional ("big box") retail, retail commercial, restaurants, entertainment, professional offices, financial institutions, automobile sales facilities, and similar region-serving uses.
Commercial Office (CO)	Professional offices and ancillary commercial services (financial institutions, photocopy shops, small restaurants, and similar uses).
Commercial Visitor (CV)	Hotels/motels, timeshares , restaurants, recreation-related retail sales, cultural uses (e.g., museums) and similar uses oriented to coastal and other visitors to the City.
INDUSTRIAL	
Industrial (I)	<ul style="list-style-type: none"> • Light manufacturing, research and development, warehousing, business parks and professional offices, supporting retail, financial, and restaurants, and similar uses. • Warehouse and sales outlets.
PUBLIC AND INSTITUTIONAL	
Public (P)	Governmental administrative and related facilities, such as public utilities, schools, public parking lots, infrastructure, religious and similar uses.

⁶ See LU 7.1.1 and LU 7.1.2

D-1.14

TABLE LU-4 (Cont.)

Community District and Subarea Schedule

Subarea	Characteristic	Standards and Principles
4C PCH/First (Lake) Street	Permitted Uses	Category: Commercial Visitor ("CV") Visitor-serving and community-serving commercial uses, hotel/motels, timeshares , restaurants, entertainment, and other uses (as permitted by the "CV" and "CG" land use categories)
	Density/Intensity	Category: "-F7" <ul style="list-style-type: none"> Height: eight (8) stories
	Design and Development	Category: Specific Plan ("-sp") <ul style="list-style-type: none"> Establish a unified "village" character, using consistent architecture and highly articulated facades and building masses. Require vertical setbacks of structures above the second floor. Incorporate pedestrian walkways, plazas, and other common open spaces for public activity. Provide pedestrian linkages with surrounding residential and commercial areas. Establish a well-defined entry from PCH. Maintain views of the shoreline and ocean.
4D Waterfront	Permitted Uses	Category: Commercial Visitor ("CV") Hotels/motels, timeshares , and supporting visitor-serving commercial uses (in accordance with Development Agreement)
	Density/Intensity	Category: "-F7" <ul style="list-style-type: none"> Hotel/motel rooms: 1,690 Commercial: 75,000 square feet
	Design and Development	Category: Specific Plan ("-sp") As defined by the adopted Development Agreement.
4E PCH/Beach Northeast	Permitted Uses	Category: Open Space Conservation ("OS-C"), uses permitted by the Commercial Visitor ("CV") land use category, and free-standing multi-family housing ("RM"). (Please refer to the Land Use Map for the exact boundaries of each land use designation.)
(Continued on next page)	Density/Intensity	Category: <ul style="list-style-type: none"> For RM designations, 15 units per acre For CV designations, F2 Height: three (3) stories

D-1.15

ATTACHMENT 2

D-1.16

ATTACHMENT NO. 2

SUGGESTED FINDINGS FOR APPROVAL

ZONING TEXT AMENDMENT NO. 03-03

SUGGESTED FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 03-03:

1. Zoning Text Amendment No. 03-03 to amend the Downtown Specific Plan, specifically Districts 7 and 9, to include timeshares as a permitted use and add a definition of timeshares is consistent with the objectives, policies, general land uses and programs specified in the General Plan because the achievement of diverse land uses will sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.
2. In the case of a general land use provision, the zoning text amendment is compatible with the uses authorized in, and the standards prescribed for the zoning district for which it is proposed. Districts 7 and 9 currently allow for hotels, and timeshares are permitted in the Commercial Visitor and Commercial General districts elsewhere in the City. Timeshares are a visitor-serving use that is compatible within hotels and visitor serving areas.
3. A community need is demonstrated for the change proposed. The allowance of timeshares in the Downtown Specific Plan will strengthen and diversify the economic base of the City's primary tourist node. Further, an adequate and substantial availability of overnight transient accommodations has been shown to exist within the City providing adequate access to the coastal area. Also, an increase in such accommodations is reasonably expected to occur in the future that will accommodate growth in the number of visitors to the City's coastal zone.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. Timeshares are very similar in use to hotels, which are already a permitted use. The allowance of timeshares will not result in any negative impacts to the community or adjacent uses.

ATTACHMENT 3

D-1.18

ORDINANCE NO. 3702

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING THE DOWNTOWN SPECIFIC PLAN OF
THE CITY OF HUNTINGTON BEACH

WHEREAS, the City Council of the City of Huntington Beach has previously adopted the Downtown Specific Plan; and

Pursuant to the California State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate, duly noticed public hearings relative to amending the Downtown Specific Plan, wherein both bodies have carefully considered all information presented at said hearings; and

After due consideration of the findings and recommendations of the Planning Commission and all other evidence presented, the City Council finds that the aforesaid amendment is proper and consistent with the General Plan,

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

SECTION 1: The Downtown Specific Plan is hereby amended as set forth in the Legislative Draft attached hereto as Exhibit A.

SECTION 2: Except as specifically modified herein, all other sections of the Huntington Beach Downtown Specific Plan shall remain in full force and effect.

SECTION 3: This ordinance shall become effective immediately upon certification of 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 _____, 2005.

ATTEST:

City Clerk

Mayor

REVIEWED AND APPROVED:

APPROVED AS TO FORM:

[Signature]
City Administrator

[Signature]
City Attorney LHM 3/11/05

INITIATED AND APPROVED:

[Signature]
Director of Planning

EXHIBIT A

D-1.20

Public open space: Outdoor or unenclosed area on the ground floor or above floor levels designed and accessible for use by the general public. Public open space may include one of the following: patios, plazas, balconies, gardens or view areas accessible to the general public, and open air commercial space, open to the street on the first floor, or on at least one side, above the first floor, or open to the sky. The open space requirement can be met anywhere in the development; however, open space provided above the second floor will receive only fifty (50) percent credit toward this requirement. This requirement cannot be met by open areas which are inaccessible to the general public or are contrary to specific requirements of a district.

Public right-of-way: That property dedicated through acquisition or easement for the public right-of-way or utility purposes which includes the area spanning from the property line on one side of a street to the property line on the other side of a street.

Recreational Vehicle: A travel Trailer, pick-up camper or motorized home with or without a mode of power and designed for temporary human habitation for travel or recreational purposes.

Rehabilitation: The physical repair, preservation, or improvement of a building or structure. Does not include an expansion of existing floor area greater than ten (10) percent; does not increase the building height; does not result in an increase in permitted density.

Residual parcel: A legal lot which does not meet the requirements for a building site within the District in which it is located, and where the abutting sites are already developed.

Right-of-Way (ROW): That portion of property which is dedicated or over which an easement is granted for public streets, utilities or alleys.

Semi-subterranean parking: Parking structure which is partially recessed into the development site, and which may or may not support additional structures above (e.g. dwelling units, tennis courts, or parking structures).

Setback: A stipulated area adjacent to the lot lines which must be kept free of structures over forty-two (42) inches high.

Street level: The elevation measured at the centerline of the public street adjacent to the front setback at a point midway between the two side property lines.

Suite Hotel: A building designed for or occupied as a temporary lodging place which contains guest rooms and may contain kitchenettes and a separate living room for each unit.

Timeshares: Any master planned development wherein a purchaser receives the right in perpetuity, for life, or for a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room(s), or segment of real property, annually or on some other seasonal or periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided and shall include, but not be limited to timeshare estate, interval ownership, vacation license, vacation lease, club membership, timeshare use, condominium/hotel, or uses of a similar nature.

Townlot: The area and parcels bounded by Pacific Coast Highway on the southwest, Goldenwest Street on the northwest, Palm Avenue on the north and northeast, and Sixth Street on the east and southeast.

D-1.21

4.9 DISTRICT #7: VISITOR-SERVING COMMERCIAL

Purpose. This District extends southeast of the Downtown core adjacent to Pacific Coast Highway. The principal purpose of this District is to provide commercial facilities to serve seasonal visitors to the beaches as well as to serve local residents on a year round basis. This District also provides a continuous commercial link between the Downtown and the visitor-commercial/recreation District near Beach Boulevard.

Boundaries. District #7 extends from First Street to Huntington Avenue between PCH and the proposed Walnut Avenue extension.

4.9.01 Permitted Uses.

(a) The following list of Visitor-Serving Commercial uses in District No. 7 may be allowed. Other visitor serving related uses as described in the Land Use Plan, and which have the same parking demand as the existing use not specified herein may be allowed subject to the approval of the Director. Change of use shall be subject to the approval of the Director:

- Art gallery
- Bakeries
- Banks and savings and loans branch offices (not to exceed five-thousand (5,000) square feet)
- Beach, swimming and surfing equipment
- Bicycle sales, rental and repair
- Boat and marine supplies
- Bookstores
- Carts and Kiosks pursuant to Section 230.94 of the Huntington Beach Zoning and Subdivision Ordinance
- Clothing stores
- Delicatessens
- Florists
- Groceries (convenience)
- Ice cream parlors
- Laundromats, laundries
- Meat or fish markets
- Newspaper and magazine stores
- Newsstands
- Outdoor dining pursuant to S.4.2.33
- Photographic equipment sales
- Photographic processing
- Professional Office (not to exceed fifty [50] percent of total floor area)
- Public Transportation Center
- Shoe stores
- Sporting goods
- Tourist related public and semi-public buildings, services and facilities
- Travel agency

Note: Visitor-serving commercial uses must be a part of all development proposals in this District, with a minimum requirement that the entire street level be devoted to Visitor-Serving Commercial Uses.

(b) The following list of uses, or change of such use in District No. 7 may be allowed subject to the approval of a Conditional Use Permit.

- ♦ Automobile service stations
- ♦ Dancing and/or live entertainment
- ♦ Health and sports clubs
- ♦ Liquor stores
- ♦ Restaurants
- ♦ Taverns
- ♦ Theaters
- ♦ Hotels and motels
- ♦ Permanent parking lots and parking structures
- ♦ **Timeshare Units pursuant to section 4.9.12**

4.9.02 Minimum Parcel Size. No minimum parcel size shall be required for this District. However, prior to the approval of any development, including subdivision, a master site plan for the entire District shall be approved by the Planning Commission. Development which is in conformance with the site plan may then be permitted.

4.9.03 Maximum Density/Intensity.

(a) The maximum intensity of development shall be calculated by Floor Area Ratio (FAR) for the District. The floor area ratio shall apply to the whole District. The floor area ratio shall be 3.0 calculated on net acreage.

4.9.04 Maximum Building Height. The maximum building height shall be eight (8) stories.

4.9.05 Maximum Site Coverage. The maximum site coverage shall be fifty (50) percent of the net site area.

4.9.06 Setback (Front Yard). The minimum front yard setback for all structures exceeding forty-two (42) inches in height shall be fifty (50) feet from PCH.

4.9.07 Setback (Side Yard). The minimum exterior side yard requirement shall be twenty (20) feet.

4.9.08 Setback (Rear Yard). The minimum rear yard setback shall be twenty (20) feet from the proposed Walnut Avenue extension.

Note: An additional ROW dedication will be required to provide for the Walnut Avenue extension.

4.9.09 Setback (Upper Story). No upper story setback shall be required in this District.

4.9.10 Open Space. Public open space and/or pedestrian access shall be required for development projects in order to assure a predominantly visitor-serving orientation.

4.9.11 Corridor Dedication. Development in District #7 shall require the dedication of a twenty (20) foot corridor between Atlanta Avenue and PCH for public access between the southern end of the Pacific Electric ROW and PCH. This requirement may be waived if an alternative public use is provided or if the corridor is deemed unnecessary by the City. Any proposal for an alternative public use must be approved by the Planning Commission.

4.9.12 Timeshares. May be permitted as part of a master planned development and shall be conditioned as follows:

- a) At least twenty-five percent of the units be permanently reserved for transient overnight accommodations during the peak summer season (beginning the day before Memorial Day weekend and ending the day after Labor Day).
- b) The timeshare facility shall operate as a hotel including requirements for a centralized reservations system, check-in services, advertising, security, and daily housecleaning.
- c) A description specifying how the twenty-five percent reserved transient overnight requirement of Section 4.9.12 (a) will be satisfied within the master planned development must be submitted at time of application.

4.11 DISTRICT #9: COMMERCIAL/RECREATION

Purpose. The purpose of this District is to encourage large, coordinated development that is beach-oriented and open to the public for both commercial and recreational purposes.

Boundaries. District #9 is bounded by PCH on the south, Beach Boulevard on the east, Huntington Street on the west, and on the north by the proposed Walnut Avenue extension.

4.11.01 Permitted Uses.

(a) The following list of commercial recreation uses in District No. 9 may be allowed. Other visitor serving related uses as described in the Land Use Plan, and which have the same parking demand as the existing use not specified herein may be allowed subject to the approval of the Director. A change of use shall be subject to the approval of the Director. For example:

- Carts and Kiosks pursuant to Section 230.94 of the Huntington Beach Zoning and Subdivision Ordinance
- Retail sales
- Tourist related uses
- Outdoor dining pursuant to S.4.2.33

(b) The following list of uses, or change of such use in District No. 9 may be allowed subject to approval of a Conditional Use Permit. For example:

- Dancing and/or Live entertainment
- Recreational facilities
- Restaurants
- Hotels, motels
- **Timeshare Units pursuant to section 4.11.13**

4.11.02 Minimum Parcel Size. No minimum parcel size shall be required for this District. However, prior to approval of a Conditional Use Permit by the Planning Commission for any development, a master site plan for the entire District shall be approved by the Planning Commission. Development which is in conformance with the site plan may then be permitted.

4.11.03 Maximum Density/Intensity. The maximum intensity of development shall be calculated by floor area ratio (FAR) for this District. The floor area ratio shall apply to the entire project area. Floor area ratios shall be calculated on net acreage.

(a) The maximum floor area for developments in this District shall be calculated with a multiple of 3.0.

4.11.04 Maximum Building Height. No maximum building height shall be required.

4.11.05 Maximum Site Coverage. The maximum site coverage shall be thirty-five (35) percent of the net site area.

Note: A maximum of twenty-five (25) percent of the net site area can be used for parking and vehicular accessways.

- 4.11.06 Setback (Front Yard). The minimum front yard setback for all structures exceeding forty-two (42) inches in height shall be fifty (50) feet, from PCH and Beach Boulevard.
- 4.11.07 Setback (Side Yard). The minimum exterior side yard requirement shall be twenty (20) feet.
- Exception: The minimum exterior yard requirement from Beach Boulevard shall be fifty (50) feet.
- 4.11.08 Setback (Rear Yard). The minimum rear yard setback shall be twenty (20) feet.
- Note: An additional ROW dedication will be required to provide for the Walnut Avenue extension.
- 4.11.09 Setback (Upper Story). No upper story setback shall be required.
- 4.11.10 Open Space. Development projects within this District shall provide public open space. A minimum of thirty (30) percent of the net site area must be provided for such a purpose. This area shall be available for public or semi-public uses for recreational purposes. Open space must have minimum dimensions of twenty-five (25) feet in each direction. Paved areas devoted to streets, driveways and parking areas may not be counted toward this requirement. A maximum of fifteen (15) percent of the required thirty (30) percent may be enclosed recreation space such as gyms, handball courts, health clubs, interpretive centers or similar facilities. A fee may be imposed for the use of such facilities.
- 4.11.11 Pedestrian Overpass. A pedestrian overpass may be required to connect the development in this District to the City Beach, as a condition of approval for any new development on, or further subdivision of, parcels within the District. The City may waive this requirement if the City determines that overpasses are unnecessary or impractical considering the type and design of new developments.
- 4.11.12 Mobile home District. A portion of District #9 is zoned for mobile home use. Within this mobile home area, the provisions of the Mobile home District of the Huntington Beach Zoning and Subdivision Ordinance shall apply (see Section 4.16).
- 4.11.13 **Timeshares**. **May be permitted as part of a master planned development and shall be conditioned as follows:**
- a) **At least twenty-five percent of the units be permanently reserved for transient overnight accommodations during the peak summer season (beginning the day before Memorial Day weekend and ending the day after Labor Day).**
 - b) **The timeshare facility shall operate as a hotel including requirements for a centralized reservations system, check-in services, advertising, security, and daily housecleaning.**
 - c) **A description specifying how the twenty-five percent reserved transient overnight requirement of Section 4.11.13 (a) will be satisfied within the master planned development must be submitted at time of application.**

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ATTACHMENT 4

D-1.27

ATTACHMENT NO. 4

SUGGESTED FINDINGS FOR APPROVAL

LOCAL COASTAL PROGRAM AMENDMENT NO. 03-02

SUGGESTED FINDINGS FOR APPROVAL – LOCAL COASTAL PROGRAM NO. 03-02:

1. Local Coastal Program Amendment No. 03-02 amends the City's certified Local Coastal Program to allow timeshares in the Commercial Visitor Land Use Category and within Subareas 4C and 4D, change the reference to overnight accommodations in the Commercial General Land Use Category to reflect hotels, motels and timeshares and in accord with Zoning Text Amendment No. 03-03 to allow timeshares within Districts 7 and 9 of the Downtown Specific Plan. The change is consistent with the Local Coastal Program because timeshares are similar to the hotel use that is already permitted within these areas.
2. Local Coastal Program Amendment No. 03-02 is in accordance with the policies, standards and provisions of the California Coastal Act by enhancing the variety of visitor serving uses and increasing the tourism potential from a larger market base.
3. The amendments conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act because timeshares are a visitor serving use subject to the amenity standards of hotels and required to maintain public access to coastal recreation uses.

ATTACHMENT 5

D-1.29

RESOLUTION NO. 2005-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ADOPTING LOCAL COASTAL PROGRAM AMENDMENT NO. 03-02 TO AMEND THE LOCAL COASTAL PROGRAM LAND USE PLAN AND IMPLEMENTING ORDINANCES TO PERMIT TIMESHARES IN THE COMMERCIAL VISITOR LAND USE CATEGORY AND TO REFLECT ZONING TEXT AMENDMENT NO. 03-03 AND REQUESTING CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

WHEREAS, after notice duly given pursuant to Government Code Section 65090 and Public Resources Code Section 30503 and 30510, the Planning Commission of the City of Huntington Beach held a public hearing to consider the adoption of the Huntington Beach Local Coastal Program Amendment No. 03-02; 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 hearing on the proposed Huntington Beach Local Coastal Program Amendment No. 03-02, and the City Council finds that the proposed amendment is consistent with the Huntington Beach General Plan, the Certified Huntington Beach Local Coastal Program (including the 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 Local Coastal Program Amendment No. 03-02 is the subject of this Resolution to allow timeshares in the Commercial Visitor district of the Local Coastal Program, including Subareas 4C and 4D, and modifying Policy 3.2.4 to add reference to the allowance of timeshares in the Commercial Visitor District and replace overnight accommodation language with hotels/motel and timeshares in the Commercial General land use category for consistency (Exhibit A).

SECTION 2: That the Huntington Beach Local Coastal Program Amendment No. 03-02 incorporates Zoning Text Amendment No. 03-03, a copy of which is attached hereto as Exhibit B, and incorporated by this reference as though fully set forth herein, is hereby approved.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 200__.

Mayor

REVIEWED AND APPROVED:

Penelope Cullin
City Administrator

APPROVED AS TO FORM:

James M. Galt
City Attorney *HM3/1/05*

INITIATED AND APPROVED:

[Signature]
Director of Planning

Exhibits

- A. Local Coastal Program Element Amendments
- B. Zoning Text Amendments

EXHIBIT A

D-1.32

facilities on private land to be open to the public. (I-C 7)

C 3.2.3

Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, and day spas. (I-C 1, I-C 2, I-C 3, I-C 4)

C 3.2.4

Timeshares may be permitted in Commercial General District (CG), and Mixed Use Districts (M, MH, and MV), **and Commercial Visitor District (CV) as part of a master plan project**, provided that any such project be conditioned as follows: (I-C 1, I-C 2, I-C 3, I-C 7)

- a) That at least twenty-five percent of the units be permanently reserved for transient overnight accommodations during the summer season (beginning the day before the Memorial Day weekend and ending the day after Labor Day).
- b) That the timeshare facility operate as a hotel including requirements for a centralized reservations system, check-in services, advertising, security, and daily housecleaning.

C 3.2.5

Establish an ongoing program to permit recreational vehicle camping during the winter months at City beach parking lots. (I-C 22f)

C 3.2.6

Encourage additional overnight recreational vehicle camping facilities, adequately screened, in the recreation areas on both sides of Newland Street near Pacific Coast

Highway and on the State beach parking lots during the winter months. (I-C 22f)

C 3.2.7

Investigate the feasibility of providing year round camping below the bluffs, northwest of the Municipal Pier, between Ninth Street and Goldenwest Street. (I-C 22f)

C 3.2.8

Promote the implementation of and funding for the proposed Orange Coast River Park concept. The Orange Coast River Park is envisioned as a linkage of public parks (Talbert and Fairview Regional Parks) and private open space lands along and near the mouth of the Santa Ana River, including possible linkages with open space lands located on the inland side of Pacific Coast Highway, between the Santa Ana River and Beach Boulevard in Huntington Beach. (I-C 1, I-C 2, I-C 17)

C 3.2.9

Promote and support the implementation of the proposed Wintersburg Channel Class I Bikeway. (I-C 1, I-C 2)

C 3.2.10

Promote and support the development of, the City and County portions of the Harriett M. Wieder Regional Park. Include a continuous trail system from Huntington Central Park to the beach, along the eastern border of the Bolsa Chica wetlands, if feasible. (I-C 1, I-C 2, I-C 17)

C 3.2.11

Encourage and support the following recreational facilities and design characteristics within the Harriett M. Wieder Regional Park: (I-C 1, I-C 2)

- a) Limit above ground structures to support facilities such as restrooms, picnic tables, bike racks, view

COASTAL ELEMENT LAND USE PLAN
LAND USE, DENSITY AND OVERLAY SCHEDULE
TABLE C-1 (Continued)

LAND USE CATEGORY	TYPICAL PERMITTED USES
COMMERCIAL	
Commercial Neighborhood (CN)	<p>Small-scale retail commercial, professional offices, eating and drinking establishments, household goods, food sales, drug stores, personal services, cultural facilities, institutional, health, government offices and similar uses. Generally, individual establishments should not exceed 10,000 square feet. If feasible, their frontage should be designed to convey the visual character of small storefronts.</p> <p>The Commercial Neighborhood (CN) designation shall utilize the standards of the General Commercial District (CG) of the Zoning Code for implementation.</p>
Commercial General (CG)	<p>Retail commercial, professional offices, eating and drinking establishments, household goods, food sales, drugstores, building materials and supplies, personal services, recreational commercial, hotels/motels, timeshares overnight accommodations, cultural facilities, government offices, educational, health, institutional and similar uses.</p>
Commercial Visitor (CV)	<p>Hotels/motels, timeshares restaurants, recreation-related retail sales, cultural uses (e.g., museums) and similar uses oriented to coastal and other visitors to the City.</p> <p>Marine related development such as marinas, retail marine sales, boat rentals, and boat storage which are coastal dependent developments shall have priority over any other type of development (consistent with resource protection) on or near the shoreline.</p>
INDUSTRIAL	
Industrial (I)	<p>Light manufacturing, energy production, resource production, research and development, warehousing, business parks and professional offices, supporting retail, financial, restaurants and similar uses. Warehouse and sales outlets.</p> <p>Marine related activities such as boat construction and dry boat storage. Coastal dependent development shall have priority over any other type of development (consistent with resource protection) on or near the shoreline.</p>
PUBLIC INSTITUTIONAL	
Public (P)	<p>Governmental administrative and related facilities, such as public utilities, schools, libraries, museums, public parking lots, infrastructure, religious and similar uses.</p>

D-1.34

COMMUNITY DISTRICT AND SUBAREA SCHEDULE
TABLE C-2 (continued)

Subarea	Characteristic	Standards and Principles
4C PCH/First (Lake) Street	Design and Development	<p>Category: Specific Plan ("-sp")</p> <ul style="list-style-type: none"> Requires the preparation of and development in conformance with a Conceptual Master Plan of Development and Specific Plan. The preparation of a Specific Plan may be phased in conformance with the conceptual Master Plan. Establish a cohesive, integrated residential development in accordance with the policies and principles stipulated for "New Residential Subdivisions" (Policies LU 9.3.1 and LU 9.3.4). Allow for the clustering of mixed density residential units and integrated commercial sites. Require variation in building heights from two (2) to four (4) stories to promote visual interest and ensure compatibility with surrounding land uses. Commercial development shall be prohibited along the Palm Avenue frontage. Residential development along Palm Avenue shall be compatible in size, scale, height, type, and massing with existing development on the north side of Palm Avenue. Visitor Serving Commercial development shall be oriented along the Pacific Coast Highway frontage. Minimize vehicular access points onto arterial streets and highways including Palm Avenue, Golden West Street, Pacific Coast Highway, and Seapoint Street. Open space and neighborhood parks, which may be private, shall be provided on site.
	Permitted Uses	<p>Category: Commercial Visitor ("CV")</p> <p>Visitor-serving and community-serving commercial uses, restaurants, entertainment, hotels/motels, timeshares and other uses (as permitted by the "CV" and "CG" land use categories)</p>
	Density/Intensity	<p>Category: "-F7"</p> <ul style="list-style-type: none"> Height: eight (8) stories
	Design and Development	<p>Category: Specific Plan ("-sp")</p> <ul style="list-style-type: none"> Establish a unified "village" character, using consistent architecture and highly articulated facades and building masses. Require vertical setbacks of structures above the second floor. Incorporate pedestrian walkways, plazas, and other common open spaces for public activity. Provide pedestrian linkages with surrounding residential and commercial areas. Establish a well-defined entry from PCH. Maintain views of the shoreline and ocean.

D-1.35

COMMUNITY DISTRICT AND SUBAREA SCHEDULE
TABLE C-2 (continued)

Subarea	Characteristic	Standards and Principles
4D Waterfront	Permitted Uses	Category: Commercial Visitor ("CV") Hotels/motels, timeshares and supporting visitor-serving commercial uses (in accordance with Development Agreement)
	Density/Intensity	Category: "-F7" <ul style="list-style-type: none"> • Hotel/motel rooms: 1,690 • Commercial: 75,000 square feet
	Design and Development	Category: Specific Plan ("-sp") As defined by the adopted Development Agreement.
4E PCH/Beach Northeast	Permitted Uses	Category: Open Space Conservation ("OS-C"), uses permitted by the Commercial Visitor ("CV") land use category, and free-standing multi-family housing ("RM"). (Please refer to the Land Use Map for the exact boundaries of each land use designation.)
	Density/Intensity	Category: <ul style="list-style-type: none"> • For RM designations, 15 units per acre • For CV designations, F2 • Height: three (3) stories
	Design and Development	Category: <ul style="list-style-type: none"> • Establish a major streetscape element to identify the Beach Boulevard-PCH intersection. • Site, design, and limit the scale and mass of development, as necessary, to protect wetlands. • Maintain visual compatibility with the downtown. • Incorporate onsite recreational amenities for residents. • Minimize access to and from PCH, providing an internal roadway system. • Incorporate extensive landscape and streetscape.
4F Wetlands	Permitted Uses	Category: Conservation ("OS-C") <ul style="list-style-type: none"> • Wetlands conservation.
4G Edison Plant	Permitted Uses	Category: Public ("P") and Conservation ("OS-C") <ul style="list-style-type: none"> • Wetlands conservation. • Utility uses.
	Design and Development	In accordance with Policy LU 13.1.8.
4H Brookhurst- Magnolia	Permitted Uses	Category: Conservation ("OS-C") Wetlands conservation.

D-1.36

EXHIBIT B

D-1.37

**EXHIBIT B
IS INCLUDED IN THIS RCA AS
ATTACHMENT NO. 3
AND WILL BE INCLUDED IN THIS
RESOLUTION UPON ADOPTION**

D-1.38