CITY OF HUNTINGTON BEACH
PLANNING COMMISSION COMMUNICATION

TO: Chair and Planning Commission

VIA: Scott Hess, Director of Planning and Building

FROM: Michael Fuentes, Senior Code Enforcement Officer

SUBJECT: **ZONING TEXT AMENDMENT NO. 2010-005 (KENNELS)**

DATE: **October 19, 2010**

Attached please find an amendment to the Zoning and Sub-Division Ordinance amending Section 203.06 Definitions (Kennels). Also find attached the amendments to the Huntington Beach Municipal Code (HBMC) Sections 7.12.150(a) Kennels and 7.12.160(a) Residential Animal Permit. The Municipal Code sections are for the Planning Commissioner's review only and no action will be required. The City Council will review and adopt the HBMC sections. The three sections are provided as review material for the study session topic.

ATTACHMENT:

1. **Draft Ordinance No. _____ / Legislative Draft HBZSO 203.06**
2. **Draft Ordinance No. _____/ Legislative Draft HBMC 7.12.150 & 7.12.160**

SS #A-1

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 203 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE RELATING TO DEFINITIONS

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

SECTION 1. The definition of the term "kennel" as set forth in Section 203.06 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

Kennel. Any premises where four or more dogs or cats at least four months of age are kept for any purpose. For purposes of this section, no specially trained guide dog, signal dog or service dog, as defined in Penal Code Section 365.5, shall be counted or considered in determining whether a kennel exists.

SECTION 2. Except as amended herein, all other provisions of Chapter 203 of the Hunting Beach Zoning and Subdivision Ordinance remain as currently worded.

SECTION 3. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____ 9/30/2010
City Attorney 9/30/10

REVIEWED AND APPROVED:

_____
City Administrator

INITIATED AND APPROVED:

_____ 10-4-10
Police Chief

10-2594.003/52958

ATTACHMENT NO. 1.1

KEY	
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LEGISLATIVE DRAFT

Chapter 203 Definitions

(3248-6/95, 3334-6/97, 3482-12/00, 3520-2/02, 3568-9/02, 3705-6/05, 3756-1/07, 3774-9/07 & certified by the California Coastal Commission 10/07, 3856-2/10)

203.06 Definitions

Abutting. Having district boundaries or lot lines or combinations thereof in common.

Access, Lateral. Public access along the coast.

Access, Vertical. Public access from the nearest public roadway to the shoreline.

Alley. A public or private way having an ultimate width of not less than 20 feet permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

Alter. To make a change in the exterior appearance or the supporting members of a structure, such as bearing walls, columns, beams, or girders, that will prolong the life of the structure.

Amendment. A change in the wording, context or substance of this ordinance, or a change in the district boundaries on the zoning map.

Animal, Exotic. Any wild animal not customarily confined or cultivated by man for domestic or commercial purposes but kept as a pet or for display.

Animal, Large. An animal larger than the largest breed of dogs. This term includes horses, cows, and other mammals customarily kept in corrals or stables.

Animal, Small. An animal no larger than the largest breed of dogs. This term includes fish, birds, and mammals customarily kept in kennels.

Antenna. Any structure, including but not limited to a monopole, tower, parabolic and/or disk shaped device in single or multiple combinations of either solid or mesh construction, intended for the purposes of receiving or transmitting communications to or from another antenna, device or orbiting satellite, as well as all supporting equipment necessary to install or mount the antenna.

Antenna, Amateur Radio. An antenna array and its associated support structure, such as a mast or tower, that is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur station licensed by the Federal Communications Commission.

Antenna, Communication. All types of receiving and transmitting antenna, except satellite dish antenna, including but not limited to cable television antenna, wireless communication antenna, FM digital communication antenna, microwave telephone communication antenna, amateur radio antenna, and short-wave communication antenna and other similar antenna. (3568-9/02)

ATTACHMENT NO. 1.2

Antenna Height. The distance from the property's grade to the highest point of the antenna and its associated support structure when fully extended.

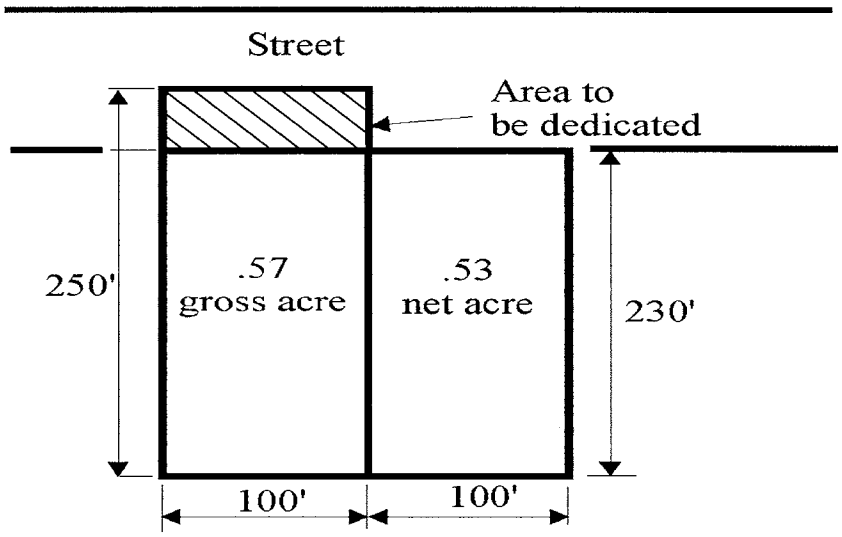
Antenna, Satellite Dish. An antenna for the purpose of receiving or transmitting communications to or from an orbiting satellite.

Antenna Whip. An antenna and its support structure consisting of a single, slender, rod-like element which is supported only at or near its base.

Approach-Departure Path. The flight track of the helicopter as it approaches or departs from a designated takeoff and landing area, including a heliport, helipad, or helistop.

Architectural Projections or Appurtenances. Features on a building which provide visual variation and/or relief but do not serve as interior or exterior living or working space.

Area, Net Lot. The total horizontal area within the property lines of a parcel of land exclusive of all rights-of-way or easements which physically prohibit the surface use of that portion of the property for other than vehicular ingress and egress.



LOT AREA

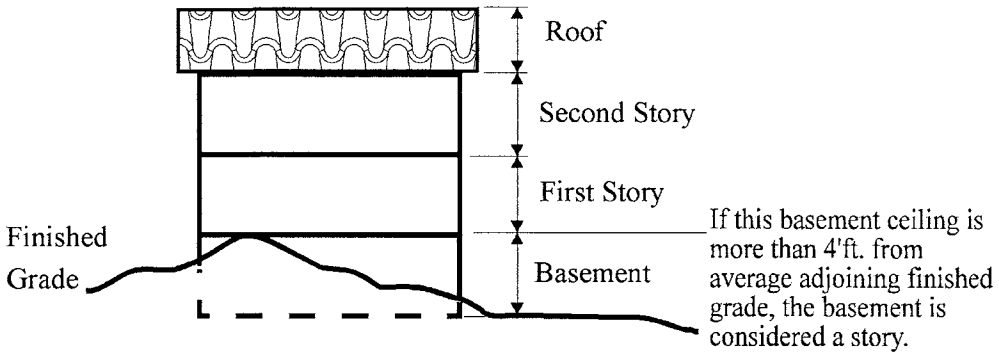
Arterial. Any street, highway or road designated as an arterial street in the General Plan.

Attached Structures. Two or more structures sharing a common wall or roof.

Balcony. A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail balustrade or parapet.

Basement. A story partly underground and having at least one-half of its height above the average adjoining grade. A basement shall be considered as a story if the vertical distance from the average adjoining grade to the ceiling is over four feet.

ATTACHMENT NO. 1.3



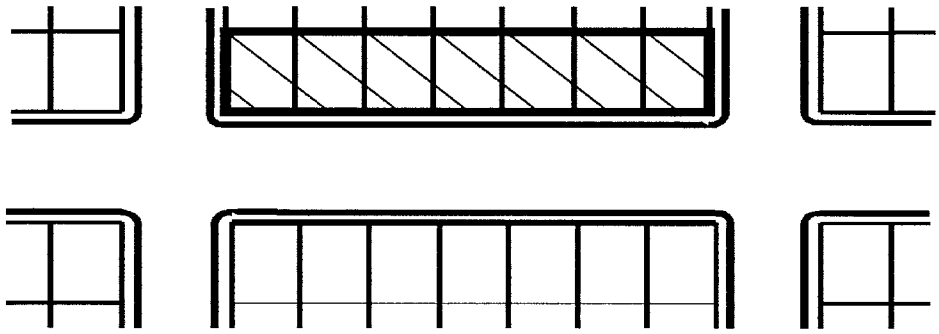
203-BASE

BASEMENT

Bay Window. A window that projects out from an exterior wall.

Bedroom. The term bedroom includes any room used principally for sleeping purposes, an all-purpose room, a study, a den, a room having 100 square feet or more of floor area or less than 50 percent of one wall open to an adjacent room or hallway.

Blockface. The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse, or city boundary.



203-BLK

BLOCKFACE

Boarding House. A building with not more than five guest rooms where lodging and meals are provided for not more than 10 persons, but shall not include rest homes or convalescent homes. Guest rooms numbering six or over shall be considered a hotel.

Building. Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or property of any kind.

Caretaker's quarters. A dwelling unit on the site of a commercial, industrial, public, or semipublic use, occupied by a guard or caretaker.

Carport. A permanent roofed accessory structure with not more than two enclosed sides intended for vehicle storage.

Cart/Kiosk. Any portable, non motorized unit used by a vendor as described in Section 230.94. (3248-6/95, 3334-6/97; 3482-12/00)

ATTACHMENT NO. 1.4

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City. The City of Huntington Beach.

Clinic. An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one or more of a group of physicians, dentists, optometrists, psychologists, or social workers practicing together.

Coastal Zone. A geographic zone adjacent to the shoreline, the boundaries of which are determined by the California Coastal Act of 1976, as amended.

Collection Containers. Containers or buildings with a gross floor area of 500 square feet or less used for the deposit and storage of household articles or recyclables.

Commission. The Huntington Beach Planning Commission.

Community Apartment Project. A project in which an individual interest in land is coupled with the right exclusively to occupy an individual unit, as provided in Section 11004 of the California Business and Professions Code.

Completely Rebuilt. Rebuilding the nonconforming structure or use as it had legally existed immediately prior to its destruction.

Conditional Use. A use of land that, due to the specific nature and unique characteristics of the use, requires special standards and discretionary review.

Condominium. An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interior space in a residential, industrial or commercial building on the real property, such as an apartment, office or store. A condominium may include, in addition, a separate interest in other portions of the real property.

Conforming Building. A building that fully meets the requirements of Title 17 (Building Regulations) and also conforms to all property-development regulations and requirements prescribed for the district in which it is located.

Convenience Market. A retail use in conjunction with gasoline sales in which the sales room exceeds 200 square feet.

Court. An outdoor, unenclosed area intended to provide light, air, and privacy for individual dwelling units in multi-family projects.

Coverage, Lot or Site. The percentage of a lot or site covered by roofs, balconies, fireplaces, architectural projections, or overhangs extending more than 2.5 feet from a wall, decks more than 42 inches in height above grade, and stairs.

Deck. A platform, either free-standing or attached to a building, but without a roof, that is supported by pillars, posts, or walls (see also Balcony).

Demolition. The deliberate removal or destruction of the frame or foundation of any portion of a building or structure for the purpose of preparing the site for new construction or otherwise.

ATTACHMENT NO. 1.5

Density Bonus. An increase in the proposed number of units of twenty-five percent (25%) or greater over the number permitted pursuant to the current zoning and general plan designation on the property.

Director. The Director of Planning or his or her designee. (3520-2/02)

Distribution Line. An electric power line bringing power from a distribution substation to consumers.

District. A portion of the city within which the use of land and structures and the location, height, and bulk of structures are governed by this ordinance. The zoning ordinance establishes "base zoning districts" for residential, commercial, industrial, public and open space uses, and "overlay districts," which modify base district provisions and standards.

Drilling. The digging or boring of a new well into the earth for the purpose of exploring for, developing or producing oil, gas or other hydrocarbons, or for the purpose of injecting water, steam or any other substance into the earth.

Dwelling, Multiple Unit. A building or buildings designed with two (2) or more dwelling units.

Dwelling, Single Unit. A detached building designed primarily for use as a single dwelling, no portion of which is rented as a separate unit, except as permitted by this Code. Attached single family dwellings shall be considered as multi-family.

Dwelling, Accessory Unit. A fully equipped dwelling unit which is ancillary and subordinate to a principle dwelling unit located on the same lot in the RL zone. Also known as second dwelling unit or "granny unit."

Dwelling, Studio Unit. A dwelling unit consisting of 1 kitchen, 1 bathroom, and 1 combination living room and sleeping room. The gross floor area shall not exceed 500 square feet, or it shall be considered as a one bedroom unit. Also known as a single, a bachelor, or an efficiency unit.

Dwelling Unit. One or more habitable rooms with only one kitchen, and designed for occupancy as a unit by one or more persons living as a household unit with common access to all living, kitchen, and bathroom areas.

Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. (3856-2/10)

Energy Facility. Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other sources of energy.

Environmental Impact Report (EIR). A report complying with the requirements of the California Environmental Quality Act (CEQA) and its implementing guidelines.

Environmentally Sensitive (habitat) Area. A wetland or any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

ATTACHMENT NO. 1.6

Exemption, Categorical. An exception from the requirements of the California Environmental Quality Act (CEQA) for a class of projects, which have been determined to not have a significant effect on the environment.

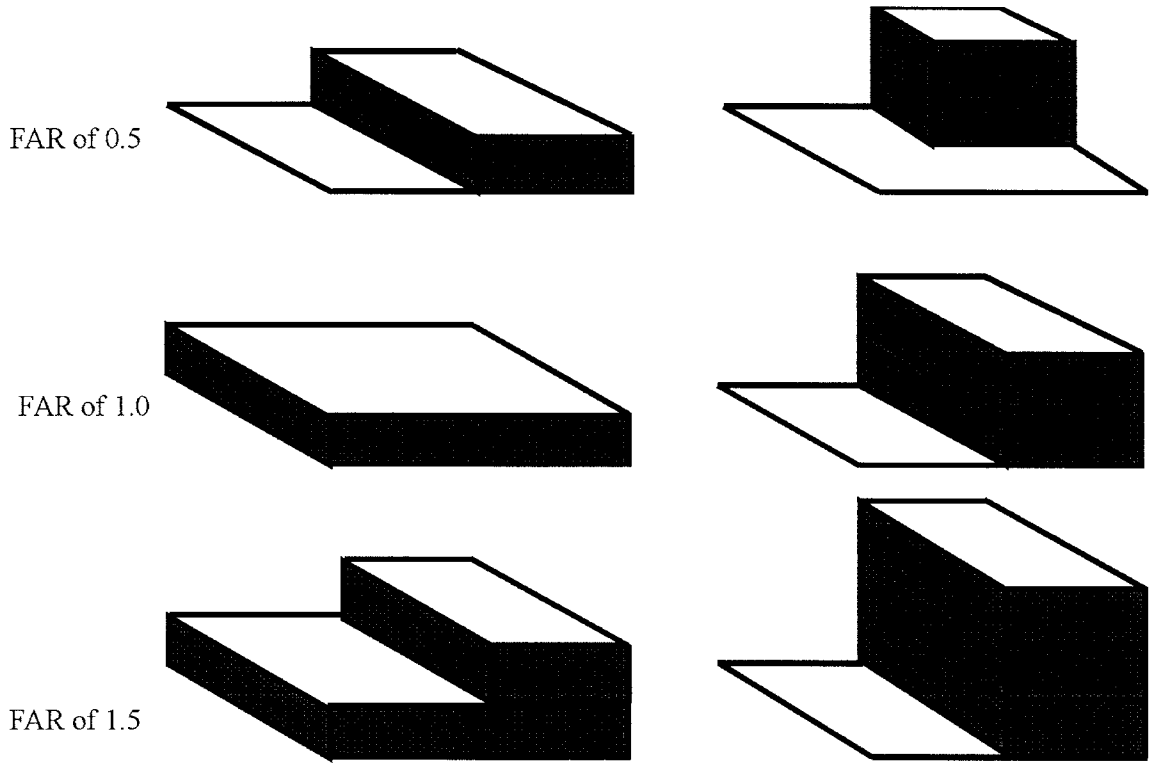
Family. A single individual or two or more persons living together as a single housekeeping unit in a dwelling unit.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. (3334-6/97)

Floor Area, Gross. The total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, and including halls, stairways, elevators shafts at each floor level, service and mechanical equipment rooms, and habitable basement or attic areas, but excluding area for vehicle parking and loading.

Floor Area Ratio (FAR). Determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

FLOOR AREA RATIO



203-FAR

FAR

Frontage. The linear length of a building which contains a public entrance or a lot measured along the property line adjacent to a street or easement.

Functional Capacity. The ability of an environmentally sensitive area to be self-sustaining and to maintain natural species diversity.

ATTACHMENT NO. 1.7

General Plan. The City of Huntington Beach General Plan.

Grade, Existing. The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this ordinance.

Grade, Street. The top of the curb, or the top of the edge of the pavement or traveled way where no curb exists.

Guest House. Living quarters within a main or an accessory building for the sole purpose of providing for persons employed on the premises, or for temporary use by guests of the occupants of the premises. Such quarters shall have no kitchen facilities, and shall be limited to one room, no greater than 500 square feet in size with no more than three plumbing fixtures.

Height of Building. A vertical dimension measured from the top of the highest roof to the top of the subfloor/slab directly underneath. (See Section 230.72.)

Helipad or Helistop. A heliport without auxiliary facilities such as waiting room, helicopter parking, fueling and maintenance equipment.

Heliport. An area, either at ground level or elevated on a structure, that is used or intended to be used for the takeoff and landing of helicopters, and includes some or all the various facilities useful to helicopter operations, including helicopter parking, waiting room, fueling and maintenance equipment.

Home Occupation. Business activity conducted in a dwelling unit in a residential district that is incidental to the principal residential use of a lot or site.

Hotel Owner/Operator. The entity that owns and operates a hotel. If the hotel operator is separate from the hotel owner both are jointly and severally responsible for ensuring compliance with the requirements described in this LCP and/or recorded against the property, as well as jointly and severally liable for violations of said requirements and restrictions. (3774-9/07 - approved by the California Coastal Commission 10/07)

Infill Lot Development. A lot contiguous to one or more existing single family residential units, excluding parcels separated by streets, a vacant parcel intended for single family development, or a parcel with an existing residential structure, which will have 50 percent or more square footage of habitable area removed in order to remodel or construct a detached single family unit. (3705-6/05)

Illumination, Direct. Illumination by means of light that travels directly from its source to the viewer's eye.

Illumination, Indirect. Illumination by means only of light cast upon an opaque surface from a concealed source.

Incentives. Policies, programs or actions taken by the City designed to ensure that a development will be produced at a lower cost.

Junk Yard. The use of a lot, or contiguous lots, or any portion thereof for the storage of junk, including scrap metal, or other scrap materials, and/or for the dismantling or wrecking of automobiles or other vehicles or machinery.

ATTACHMENT NO. 1.8

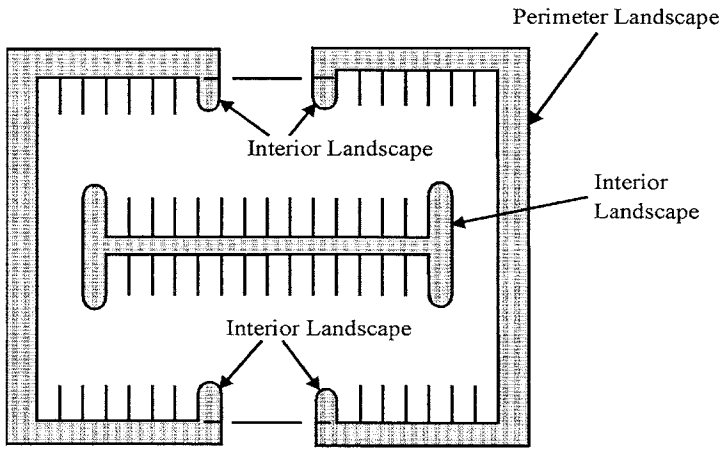
Kennel. Any premises where four or more dogs or cats at least four months of age are kept for any purpose. For purposes of this section, no specially trained guide dog, signal dog or service dog, as defined in Penal Code Section 365.5, shall be counted or considered in determining whether a kennel exists.

Kitchenette or Kitchen. Any room or part of a room which is designed, built, used, or intended to be used for food preparation and dishwashing; but not including a bar, or similar room adjacent to or connected with a kitchen.

Landscaping. An area devoted to or developed and maintained with native or exotic plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. Plants on rooftops, porches or in boxes attached to buildings are not considered landscaping.

Landscaping, Interior. A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

Landscaping, Perimeter. A landscaped area adjoining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways which provide access to the facility.



203-land

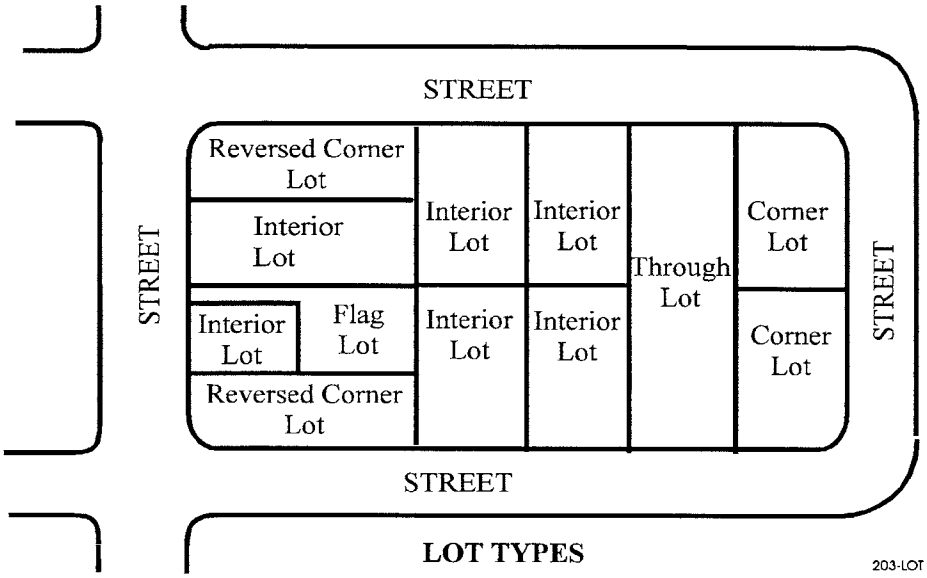
LANDSCAPING: PERIMETER INTERIOR

Limited Use Overnight Visitor Accomodations. Any hotel, motel, or other similar facility that provides overnight visitor accommodations wherein a purchaser receives the right in perpetuity, for life, or a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room (s), or segment of the facility, 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 facility has been divided and shall include, but not be limited to Timeshare, Condominium-Hotel, Fractional Ownership Hotel, or uses of a similar nature. (3774-9/07 - subject to approval by the California Coastal Commission)

Lodger. Any person other than a member of a family renting a room for living or sleeping purposes.

ATTACHMENT NO. 1.9

Lot. Any numbered or lettered parcel shown on a recorded final map, record of survey pursuant to an approved division of land, or a parcel map and abuts a street, alley or recorded access easement.



Lot, Corner. A site bounded by two or more adjacent street lines that have an angle of intersection of not more than 135 degrees.

Lot Depth. The horizontal distance from the midpoint of the front-lot line to the midpoint of the rear-lot line, or to the most distant point on any other lot line where there is no rear-lot line.

Lot, Flag. A lot with developable area connected to a street by a narrow strip of land that includes a driveway.

Lot or Property Line, Rear. A lot line, not a front lot line, that is parallel or approximately parallel to the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line.

Lot or Property Line, Front. The street property line adjacent to the front yard.

Lot or Property Line, Interior. A lot line not abutting a street.

Lot or Property Line, Side. Any lot line that is not a front lot line or a rear lot line.

Lot or Property Line, Street. A lot line abutting a street.

Lot, Reverse Corner. A corner lot, the side line of which is substantially a continuation of the front lot line of the lot to its rear.

Lot, Street-Alley. An interior lot having frontage on a street and an alley.

Lot, Through. A lot having frontage on two dedicated parallel or approximately parallel streets.

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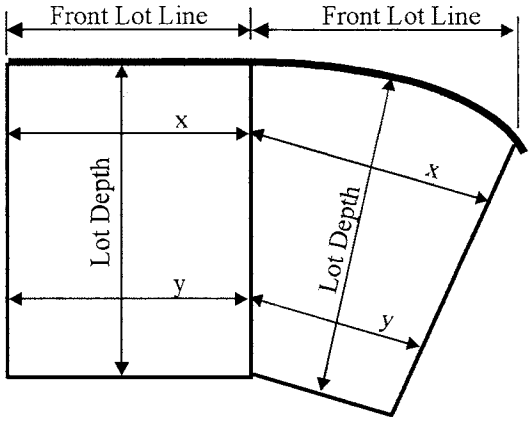
Lot Width. The mean of the horizontal distance between the side lot lines measured at right angles to the lot depth at mid-points 20 feet from the front lot line and 20 feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.



Lot Width = (x + y) / 2

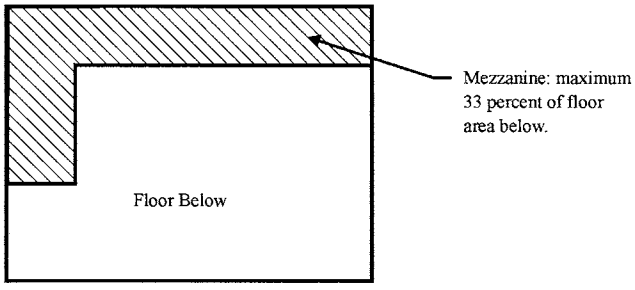
LOT WIDTH

203-LOTW

Lower Income Household. A household whose annual income is at or below eighty percent (80%) of Orange County median income as defined by the State of California Department of Housing and Community Development.

Manufactured Home. A structure transportable in sections which is a minimum of 8 feet in width and 40 feet in length, built on a permanent chassis, and designed to be a dwelling with or without a permanent foundation. Manufactured home includes mobilehome.

Mezzanine. An intermediate floor within a room containing not more than 33 percent of the floor area of the room.



203-MEZ

MEZZANINE

Moderate Income Household. A household whose annual income is at or below one hundred twenty (120%) percent of Orange County median income as defined by the State of California Department of Housing and Community Development.

Municipal Code. The Municipal Code of the City of Huntington Beach.

ATTACHMENT NO. 1.11

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Negative Declaration. A written statement briefly describing the reasons that a proposed project will not have a significant impact on the environment which meets the requirements of the California Environmental Quality Act. (3334-6/97)

Neighborhood Notification. Notification process pursuant to Chapter 241 when no entitlements are required and the use requires such notification as stated in the Zoning and Subdivision Ordinance. (3705-6/05)

Net Site Area. See Area, Net Lot.

New Well. A new well bore or well hole established at the ground surface. Redrilling from the well bore or well hole of an existing well greater than 150 feet from the existing well bore shall constitute a new well.

Nonconforming Structure. A structure that was lawfully erected but which does not conform with the current development standards.

Nonconforming Use. A use of a structure or land that was lawfully established and maintained, but which does not conform with the current zoning ordinance.

Off-Street Loading Facilities. A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Off-Street Parking Facilities. A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Oil operation. The use or maintenance of any installation, facility, or structure used, either directly or indirectly, to carry out or facilitate one or more of the following functions: drilling, rework, repair, redrilling, production, processing, extraction, assisted recovery, stimulation storage or shipping of oil gas or hydrocarbons from the subsurface of the earth.

Oil operation site. The physical location where an oil operation is conducted.

Open Space, Common. A usable open space within a residential development reserved for the exclusive use of residents of the development and their guests.

Open Space, Private. A usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space, Total. The sum of private and common open space.

Open Space, Usable. Outdoor or unenclosed area on the ground, or on a balcony, deck, porch or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping. Usable open space does not include parking facilities, driveways, utility or service areas, any required front or street side yard, any space with a dimension of less than 6 feet in any direction or an area of less than 60 square feet.

ATTACHMENT NO. 1.12

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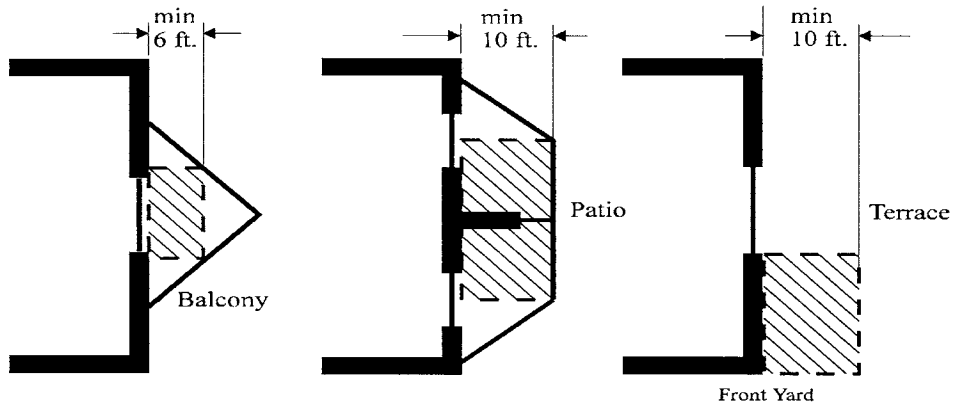

203-USOS

USABLE OPEN SPACE

Oversize Vehicle. Any vehicle which exceeds twenty-five (25) feet in length, seven (7) in width, seven (7) in height, or a weight of 10,000 pounds, motorized or nonmotorized. Oversize vehicle also includes any equipment or machinery regardless of size.

Parking Structure. A structure used for parking or vehicles where parking spaces, turning radius, and drive aisles are incorporated within the structure.

Patio. A paved court open to the sky.

Permitted Use. A use of land that does not require approval of a conditional use permit or temporary use permit.

Planned Unit Development (PUD). A large scale development of a parcel or of a combination of related parcels to be developed by a single owner or group of owners acting jointly, involving a related group of uses, planned as an entity and having a predominant developmental feature which serves to unify or organize development.

Porch. An open or covered platform, usually having a separate roof, at an entrance to a dwelling, or an open or enclosed gallery or room, which is not heated or cooled, that is attached to the outside of a building.

Private Property. Property owned in fee by an individual, corporation, partnership, or a group of individuals as opposed to public property. (3249-6/95, 3334; 3482-12/00)

Project. Any proposal for new or changed use, or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this ordinance.

Public Property. Property dedicated through acquisition or easement for public use which includes but is not limited to streets, alleys, parks, public right-of-ways, and sidewalks. (3249-6/95, 3334-6/97; 3482-12/00)

Qualifying Senior Resident. A person who is 62 years of age or older. (Section 51.2 of the California Civil Code.)

Remodel. The upgrade of the interior or exterior faces of a building or structure without altering to any degree the structural integrity.

ATTACHMENT NO. 1.13

Residential Infill Lot. A residential infill lot is a parcel of land which, at the time of application for a building permit, is contiguous to one (1) or more existing developed single family residential properties and is: (3301-11/95, 3334-6/97)

1. A vacant parcel intended for detached single family development, or (3301-11/95, 3334-6/97)

2. A parcel with an existing residential structure which will have fifty percent (50%) or more square footage of the habitable area removed in order to construct a remodeled or new multistory detached single family dwelling unit. (3301-11/95, 3334-6/97)

Room, Habitable. A room meeting the requirements of the Uniform Building Code for sleeping, living, cooking, or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, attics, foyers, storage spaces, utility rooms, garages, and similar spaces.

Senior Housing. Housing for a family in which at least one person per unit is 60 years old or older, or for a single person who is 60 years old or older.

Setback Line. A line across the front, side, rear of any private or public property which delineates an area adjoining a property line in which erection of a building, fence, or other structure is prohibited except as otherwise provided in the zoning ordinance.

Significant Disruption. Having a substantial adverse effect upon the functional capacity.

Single Ownership. Holding record title, possession under a contract to purchase, or possession under a lease, by a person, firm, corporation, or partnership, individually, jointly, in common, or in any other manner where the property is or will be under unitary or unified control.

Site. A lot, or group of contiguous lots not divided by an alley, street, other right-of-way, or city limit, that is proposed for development in accord with the provisions of this ordinance, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Specific Event. A short term temporary use of public property as defined in Section 5.68.010. (3249-6/95, 3334-6-97; 3482-12/00)

Specific Plan. A plan for a defined geographic area that is consistent with the General Plan and with the provisions of the California Government Code, Section 65450 et seq. (Specific Plans).

Stock Cooperative. A corporation formed for the primary purpose of holding title to, either in fee simple or for a term of years, any real property where the shareholders of the corporation receive a right of exclusive occupancy in a portion of such real property and where the right of occupancy is only transferable by the transfer of shares of stock in the corporation.

Story. That portion of a building included between the surface of any floor and the surface of the floor or finished undersurface of the roof directly above it.

ATTACHMENT NO. 1.14

Structure. Anything constructed or erected that requires a location on the ground, excluding patios, walks, access drives, or similar paved areas. (3705-6/05)

Structure, Accessory. A structure that is appropriate, subordinate and customarily incidental to the main structure of the site and which is located on the same site as the main structure, including swimming pools, garages, gazebos and patio covers. (3705-6/05)

Structure, Minor Accessory. An accessory structure that does not exceed 64 square feet in floor area, 80 square feet in roof area and a height of six feet, including storage sheds, pet shelters, playhouses, and decorative elements. (3705-6/05)

Supportive Housing. Housing with no limit on length of stay that is occupied by the target population and is linked to on-site or off-site services that assist residents retain the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. On-site and off-site services may include, but are not limited to, after-school tutoring, child care, and career counseling. (3856-2/10)

Takeoff and Landing Area. That area of the helicopter facility where the helicopter actually lands and takes off.

Target Population. Persons with low income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Development Disabilities Services Act (Division 4.5 commencing with Section 4500 of the Welfare and Institutions Code) and may include, among other populations, adults, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people. (3856-2/10)

Transitional Housing. Buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (3856-2/10)

Transmission Line. An electric power line bringing power to a receiving or distribution substation.

Usable Satellite Signals. Satellite signals from all major communication satellites that, when viewed on a conventional television set, are at least equal in picture quality to those received from local commercial television stations or by way of cable televisions.

Use, Accessory. A use that is appropriate, subordinate, and customarily incidental to the main use of the site and which is located on the same site as the main use.

Value. The monetary worth of a structure determined by the valuation figures used by the Director for the purpose of calculating building permit fees.

Vehicle Storage. The business of storing or safekeeping of operative and inoperative vehicles for periods of time greater than a 24 hour period. (3756-1/07)

Very Low Income Household. A household whose annual income is at or below fifty (50%) percent of Orange County median income as defined by the State of California Department of Housing and Community Development.

ATTACHMENT NO. 1.15

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Wetbar. A fixed installation within a dwelling unit providing cold and/or hot water to a single sink without a garbage disposal at a location other than a kitchen or laundry. A wetbar area shall not include a stove, range, or similar appliance usually found in a kitchen, and if such wetbar is located in a room or a portion of a room with a stove, hot plate, range, oven or other type of kitchen facility, it shall be deemed a separate kitchen.

Wetland. Lands within the coastal zone which maybe covered periodically or permanently with shallow water and include salt water marshes, fresh water marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

Window, Required. An exterior opening in a habitable room meeting the area requirements of the Uniform Building Code.

Yard. An open space on the same site as a structure, unoccupied and unobstructed by structures from the ground upward except as otherwise provided in this ordinance, including a front yard, side yard, or rear yard.

Yard, Front. An area between the front lot line and the front setback line extending across the full width of a site. The front yard of a corner lot shall adjoin the shortest street property line along its entire length. Where one street property line is at least 75 percent of the length of the other street property line, the Director shall determine the location of the front yard.

Yard, Rear. An area between the rear lot line and the rear setback line extending across the full width of a site. On a corner lot the rear yard shall extend only to the side yard abutting the street.

Yard, Side. An area between the rear setback line and the front setback line and between the side property line and side setback line. The side yard on the street side of a corner lot shall extend to the rear lot line.

Zoning Ordinance. The Zoning Ordinance of the City of Huntington Beach.

(rest of page not used)

ATTACHMENT NO. 1.16

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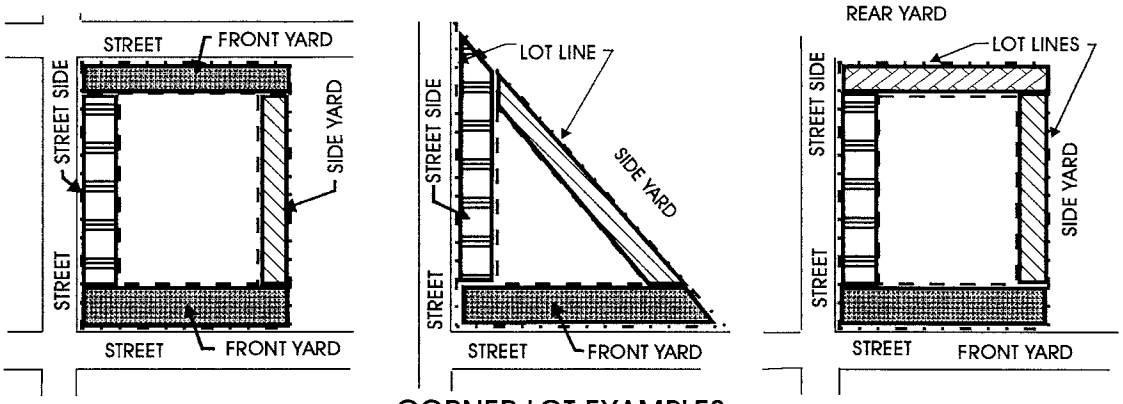
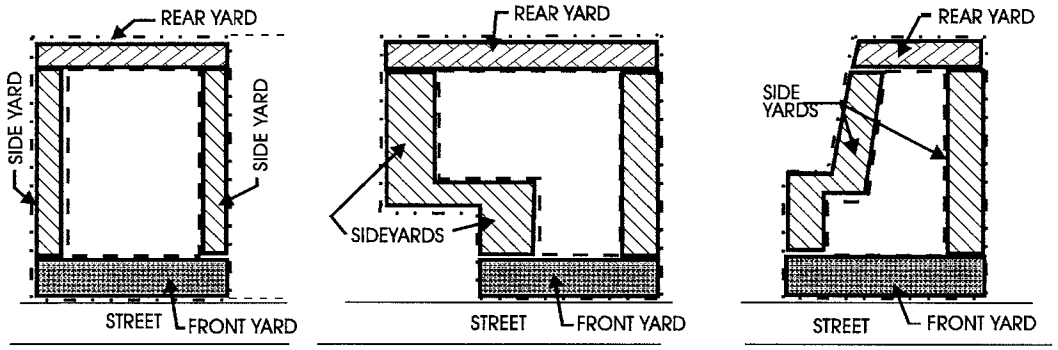
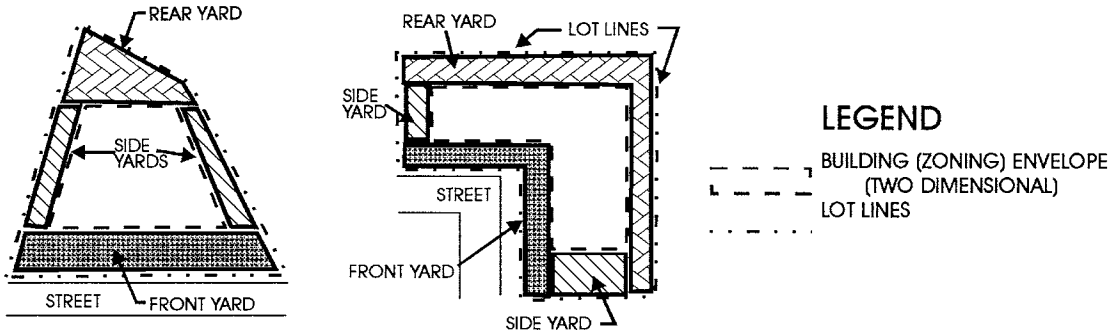


CORNER LOT EXAMPLES



INTERIOR LOT EXAMPLES



ODD - SHAPED LOT EXAMPLES

REQUIRED YARDS

ATTACHMENT NO. 1.17

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 7.12 OF THE HUNTINGTON BEACH MUNICIPAL CODE RELATING TO MISCELLANEOUS ANIMAL CARE AND CONTROL

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

SECTION 1. Section 7.12.150 of the Huntington Beach Municipal Code is hereby amended to read as follows:

7.12.150 Kennels.

(a) "Kennel" means any property where four (4) or more dogs, or four (4) or more cats, over the age of four (4) months, are kept or maintained for any purpose, except veterinary clinics or hospitals. For purposes of this section, no specially trained guide dog, signal dog or service dog, as defined in Penal Code Section 365.5, shall be counted or considered in determining whether a kennel exists.

(b) No person shall keep or maintain, or suffer or permit to be kept or maintained, upon premises owned or controlled by him in the City, any kennel within two hundred (200) feet of any dwelling house except the dwelling house of the person in control of such kennel.

(c) Any person, firm or corporation which conducts a kennel operated or carried on primarily for financial gain shall obtain a business license pursuant to Title 5 of this code.

SECTION 2. Section 7.12.160 of the Huntington Beach Municipal Code is hereby amended to read as follows:

7.12.160 Residential Animal Permit

(a) A residential animal permit shall be required for the keeping of one goose, rabbit, miniature pot-bellied pig, turkey, or duck, and for the keeping of all chickens, subject to the review and approval of the Director of Planning and Building. "Miniature pot-bellied pig" means any pig weighing not more than 125 pounds that is continuously registered with a nationally-recognized miniature pig association. Any miniature pot-bellied pigs kept pursuant to a residential animal permit shall be spayed or neutered; proof of sterilization shall be presented to the Director of Planning and Building prior to the issuance of a residential animal permit. A residential animal permit shall also be required for the keeping of four (4) dogs when one of the four (4) dogs is a specially trained guide dog, signal dog or service dog, as defined in Penal Code Section 365.5. Proof that one of the four (4) dogs is a specially-trained guide dog, signal dog or service dog shall be presented to the Director of Planning and Building prior to the issuance of a residential animal permit.

ATTACHMENT NO. 2.1

DRAFT

(b) At the time the application is made for a residential animal permit, the applicant shall pay a fee established by resolution of the City Council.

(c) Premises shall be kept clean and free of all matter that may create odors or attract rodents.

(d) The animal shall comply with all applicable sections of Chapter 8.40, Noise Control of the Municipal Code.

(e) The Director of Planning may impose conditions of approval in addition to the above.

(f) The applicant shall be required to sign an affidavit that he/she understands all of the conditions of approval for the residential animal permit at the time the permit is issued.

(g) Any authorized City employee may inspect the premises for which an application has been granted for a residential animal permit.

(h) A violation of any of the above conditions of approval shall be cause for revocation of the residential animal permit.

(i) Prior to issuance of a residential animal permit, notices shall be sent to all abutting property owners and tenants notifying them of the pending application for said permit.

SECTION 3. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney 10/28/10

REVIEWED AND APPROVED:

10-28-10

_____
City Administrator

INITIATED AND APPROVED:

_____
Police Chief

ATTACHMENT NO. 2.2

KEY	
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LEGISLATIVE DRAFT

Chapter 7.12

MISCELLANEOUS ANIMAL CARE AND CONTROL

(27-11/09, 66-9/10, 885-2/62, 1279-2/67, 1352-11/67, 1835-5/73,1857-8/73, 1905-4/74, 1910-6/74, 2067-5/76, Urg. 2084-6/76, 2095-9/76,2547-5/82, 2936-4/88, 3169-9/92, 3508-10/01, 3696-3/05, 3737-7/06, 3846-12/09)

7.12.150 Kennels.

(a) "Kennel" means any property where four (4) or more dogs, or four (4) or more cats, over the age of four (4) months, are kept or maintained for any purpose, except veterinary clinics and hospitals. For purposes of this section, no specially trained guide dog, signal dog or service dog, as defined in Penal Code Section 365.5, shall be counted or considered in determining whether a kennel exists.

(b) No person shall keep or maintain, or suffer or permit to be kept or maintained, upon premises owned or controlled by him in the City, any kennel within two hundred (200) feet of any dwelling house except the dwelling house of the person in control of such kennel.

(c) Any person, firm or corporation which conducts a kennel operated or carried on primarily for financial gain shall obtain a business license pursuant to Title 5 of this code. (1279-2/67, 1905-4/74, 2095-9/76)

7.12.160 Residential Animal Permit.

(a) A residential animal permit shall be required for the keeping of one goose, rabbit, miniature pot-bellied pig, turkey, or duck, and for the keeping of all chickens, subject to the review and approval of the Director of Planning and Building. "Miniature pot-bellied pig" means any pig weighing not more than 125 pounds that is continuously registered with a nationally-recognized miniature pig association. All miniature pot-bellied pigs kept pursuant to a residential animal permit shall be spayed or neutered; proof of sterilization shall be presented to the Director of Planning and Building prior to the issuance of a residential animal permit. A residential animal permit shall also be required for the keeping of four (4) dogs when one of the four (4) dogs is a specially trained guide dog, signal dog or service dog, as defined in Penal Code Section365.5. Proof that one of the four (4) dogs is a specially-trained guide dog, signal dog or service dog shall be presented to the Director of Planning and Building prior to the issuance of a residential animal permit. (2936-4/88, 3169-9/92, 3737-7/06)

(b) At the time the application is made for a residential animal permit, the applicant shall pay a fee established by resolution of the City Council. (2936-4/88)

(c) Premises shall be kept clean and free of all matter that may create odors or attract rodents. (2936-4/88)

(d) The animal shall comply with all applicable sections of Chapter 8.40, Noise Control of the Municipal Code. (2936-4/88)

(e) The Director of Planning may impose conditions of approval in addition to the above. (2936-4/88, 3737-7/06)

(f) The applicant shall be required to sign an affidavit that he/she understands all of the conditions of approval for the residential animal permit at the time the permit is issued. (2936-4/88)

ATTACHMENT NO. 2.3

(g) Any authorized City employee may inspect the premises for which an application has been granted for a residential animal permit. (2936-4/88)

(h) A violation of any of the above conditions of approval shall be cause for revocation of the residential animal permit. (2936-4/88)

(i) Prior to issuance of a residential animal permit, notices shall be sent to all abutting property owners and tenants notifying them of the pending application for said permit. (2936-4/88)

ATTACHMENT NO. 2.4