Draft

Sunset Beach Specific Plan

City of Huntington Beach

Planning and Building Department

2000 Main Street

Huntington Beach, California

October 2010

Draft

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2000 Main Street
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A. Legal Description

1. Introduction

1.1 Location

Sunset Beach is an approximately 134 acre primarily residential community that stretches 1.2 miles from Seal Beach at the northwest extremity to Bolsa Chica State Beach, with which it is contiguous at the southeast, as shown in Exhibit 1.1, Vicinity Map. It is bordered on the southwest by the Pacific Ocean and on the northeast by the Huntington Harbour and Peter's Landing developments and is in proximity to the Bolsa Chica Wetlands and Sunset Aquatic Park. The entirety of Sunset Beach is located in the Coastal Zone.

From the ocean inland Sunset Beach is formed by six successive strips running the length of the community: the beach, the ocean front residences along South Pacific Avenue, the linear park/public parking facility between South and North Pacific Avenues, the residences along North Pacific and side streets, the mixed residential-commercial buildings on both sides of Pacific Coast Highway, and the residences on Sunset Island and adjacent to Park Avenue (Exhibit 1.2, Aerial Photograph).

1.2 Specific Plan Area Background

Sunset Beach was established as an unincorporated town on September 8, 1904, governed by the County of Orange. Its formal establishment followed construction of the Pacific Electric Railway (PER). The Newport-Balboa line was the first PER line into Orange County and ran down the coast from Long Beach. The line was extended into Huntington Beach via Seal Beach in Summer 1904. Sunset Beach was laid out along the tracks in 1905. An 80 foot wide boulevard was graded running north to south next to the "Red Car" line, the common reference to PER, and became known as Ocean Boulevard. This thoroughfare was renamed Pacific Coast Highway in 1926. Development of Sunset Beach was similar to that of small coastal communities of the time and was punctuated by various events that helped to shape it to its current form, not the least of which was the rail line and the highway. The other notable change for the area was the development of Huntington Harbour in the 1960s, which transformed marsh and slough into residential islands, a marina and commercial area.

Sunset Beach is unique among coastal communities in that 55 percent of its total area, excluding streets, is publicly owned and utilized. Of its almost 134 acres, approximately 74 acres are devoted to public uses, which include the main beach, a combination linear park and public parking facility, Sunset Channel and 11th Street beach. Approximately 31 acres are developed with residential and commercial uses, and 28 acres are right-of-way (streets).

There are 700 residential units in the community developed at a range of densities, with commercial and mixed use developments mostly along Pacific Coast Highway. The community has approximately 1,300 residents. While Sunset Beach is almost built out, remodeling and rebuilding of residential lots occurs on an on-going basis.

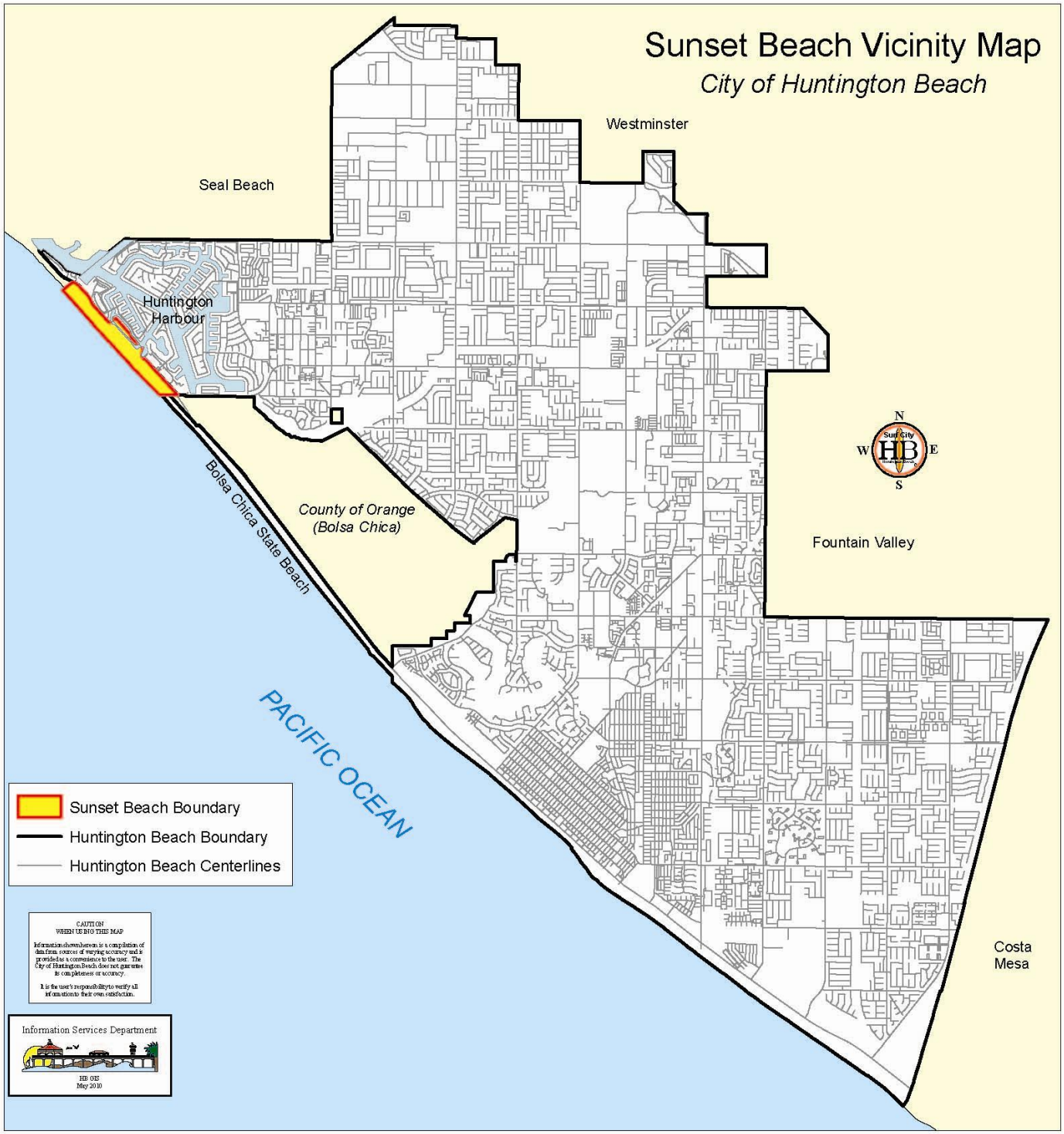

Exhibit 1.1 Vicinity Map

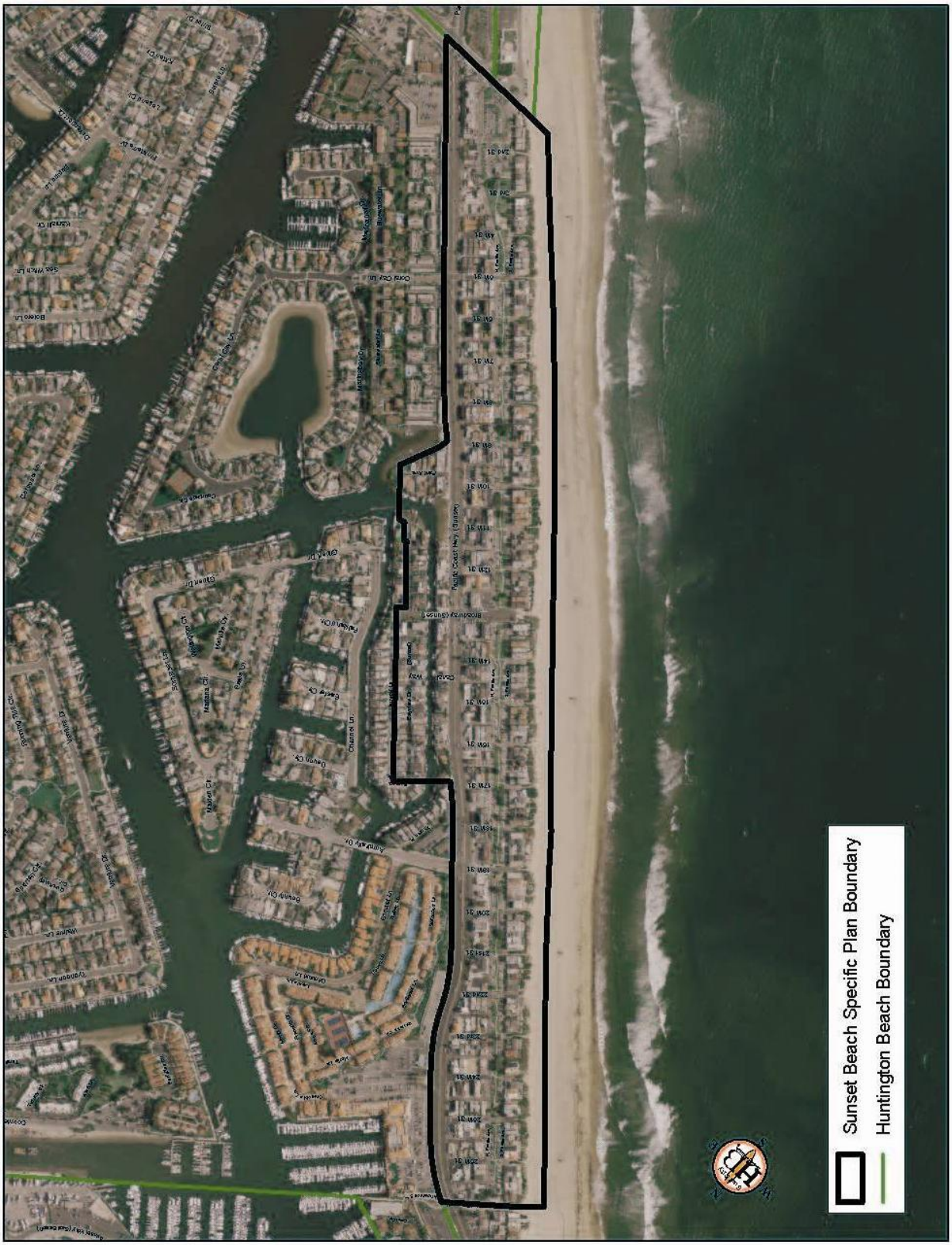

Exhibit 1.2 Aerial Photograph

1.3 Purpose and Intent

This Sunset Beach Specific Plan establishes the development regulations and administrative procedures necessary to achieve orderly and compatible development of the area consistent with the City of Huntington Beach General Plan and Local Coastal Program.

The Specific Plan establishes specific zoning and site development standards for Sunset Beach generally consistent with the County of Orange Sunset Beach Specific Plan, dated September 1990. Sunset Beach will be annexed to the City of Huntington Beach. After the annexation and the adoption of the City of Huntington Beach Sunset Beach Specific Plan are effective, the City of Huntington Beach Sunset Beach Specific Plan will supersede the County of Orange Sunset Beach Specific Plan as the effective zoning regulations for the approximately 134 acre Sunset Beach area.[1]

The intent of the Sunset Beach Specific Plan is to provide clear and comprehensive descriptions of land use, circulation, infrastructure and site development standards. The Specific Plan is regulatory in nature and serves as zoning for the Sunset Beach area, see Exhibit 1.3, Zoning Map. The Specific Plan also serves as the implementation plan for the Huntington Beach Local Coastal Program. Development plans and other entitlement requests for the Specific Plan area must be consistent with this Specific Plan and the Huntington Beach General Plan and Local Coastal Program.

1.4 Authority and Scope

The authority to prepare, adopt and implement Specific Plans is granted to the City of Huntington Beach by the California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457).

The Specific Plan will be used by the City of Huntington Beach to implement the Huntington Beach General Plan and Local Coastal Program for the Sunset Beach area. The Specific Plan contains all applicable land use regulations and will thus constitute the zoning for the Sunset Beach area. The Development Standards contained in this Specific Plan will take precedence over all other provisions of the Huntington Beach Zoning and Subdivision Ordinance, unless otherwise noted.

Local planning agencies or their legislative bodies may designate areas within their jurisdictions as ones for which a Specific Plan is “necessary or convenient” (Government Code Section 65451). A Specific Plan may either be adopted by ordinance or resolution (Government Code Section 65507). Adoption of the Sunset Beach Specific Plan shall be consistent with the provisions of the Huntington Beach Zoning and Subdivision Ordinance, Chapter 215.

[1] The County of Orange Sunset Beach Specific Plan lists the acreage for the Specific Plan area as 115 total acres, 30 acres of which are the main beach. With the benefit of geographic information systems, and based on current information from the County of Orange and a legal description, the total acreage is now estimated at almost 134, approximately 58 of which are the main beach.

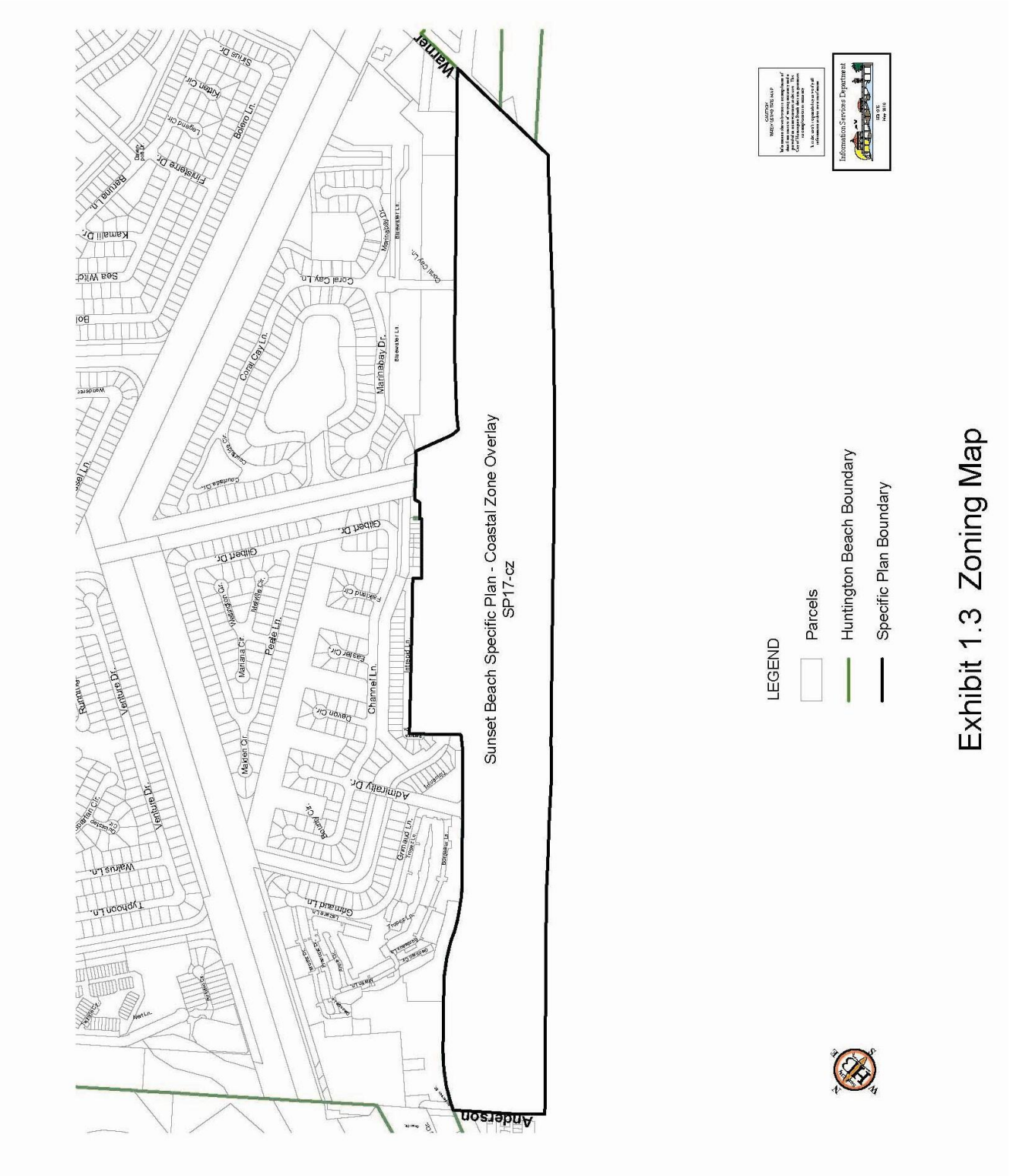

Exhibit 1.3 Zoning Map

1.5 Previous County of Orange Approvals for Sunset Beach

On March 9, 1982, the Orange County Board of Supervisors adopted Resolution No. 82-349, authorizing preparation of a Specific Plan for Sunset Beach. The Land Use Plan, including Development Guidelines, was approved by the Board of Supervisors on May 6, 1981, as an amendment to the Orange County General Plan. The purpose of the County Sunset Beach Specific Plan (SBSP/LCP) was to tie together the Land Use Plan and Implementing Actions Program of the County's Local Coastal Program.

In January, 1986, the Board of Supervisors directed the Environmental Management Agency (EMA) to prepare an amendment to the SBSP/LCP. Amendment 90-1 to the SBSP/LCP was approved by the Board of the Supervisors by Resolution No. 90-1244 and Ordinance No. 3798 on September 26, 1990.

The Sunset Beach area remained an unincorporated "island" while the cities of Seal Beach and Huntington Beach incorporated and annexed adjoining areas. In 2009, the Orange County Local Agency Formation Commission (LAFCO) placed the unincorporated Sunset Beach area in the City of Huntington Beach's Sphere of Influence, facilitating the annexation of Sunset Beach to the City of Huntington Beach.

This proposed City of Huntington Beach Sunset Beach Specific Plan is intended to comply with State law requiring the City to adopt zoning regulations for property ("pre-zone") before annexation is approved by LAFCO.

1.6 Previous California Coastal Commission Approvals for Sunset Beach

The California Coastal Commission originally certified the SBSP/LCP on October 27, 1983. Subsequently, the Commission certified the amended SBSP/LCP on July, 17, 1991.

The Commission retains original permit jurisdiction over development seaward of the mean high tide line. Therefore, it has permitting authority for improvements in/above the ocean and waterway and has issued such coastal development permits in Sunset Beach.

This City of Huntington Beach Sunset Beach Specific Plan must be approved by the California Coastal Commission in order to become effective.

1.7 Consistency with California Environmental Quality Act (CEQA)

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study has been prepared as part of the Specific Plan approval process. The Initial Study will serve as the basis on which the environmental effects of implementation of the Specific Plan can be ascertained. The Initial Study indicated that a Negative Declaration is the appropriate CEQA compliance tool, and has been prepared as part of this Specific Plan process.

All subsequent approvals necessary to develop any property within the Specific Plan area must be consistent with the Specific Plan and within the scope of the Negative Declaration. Additional environmental documentation may be required in the future if new significant

development is proposed or if significant changes are found to have occurred pursuant to Section 15162 and 15182 of the CEQA Guidelines.

2. Land Use Plan

The goal of the Land Use Plan is to maintain and enhance the special character of Sunset Beach. The Land Use Plan establishes and designates areas of residential and commercial development that will not impair coastal resources or public access to the coast consistent with the previous County Specific Plan. It identifies the beach, waterway and public parking facilities and policies to preserve them. Preservation of the unique character of Sunset Beach is the fundamental goal from which the Land Use Policies are derived.

2.1 Existing Conditions

Sunset Beach is characterized by the unique and valuable commodity of its sandy beach and ocean shoreline. It is also surrounded on its inland side by a system of waterway canals in the Huntington Harbour development. The majority of the Sunset Beach area is designated for public or community use, the largest component of which is the beach. The beach is bounded on the south by Warner Avenue and on the north by Anderson Street, a distance of 6,300 feet. Access to the shoreline is at 27 street-end locations through the residential areas, 35 feet in width, located every 200 feet along the beach frontage. The only recreation facilities on the beach are volleyball nets. Approximately 1,500 feet of the beach is open for surfing. Lifeguard service is provided on a seasonal basis. Outdoor games, swimming, surfing and fishing constitute the major activities at this beach.

The area also benefits from a 13 acre linear park/public parking facility, constructed by the County of Orange in the old Pacific-Electric right-of-way, with picnic areas, a tot lot, five restroom buildings, pathways, and 624 parking spaces. This area is also referred to as the "greenbelt." Other notable public uses include the Sunset Channel, 11th Street beach, a post office and a volunteer fire station. The Sunset Beach Community Association also owns and operates a community center, which functions as a quasi-public use.

There are no public boat launch sites in Sunset Channel with the exception that nontrailerable boats that can be hand-carried may be launched at the 11th Street Beach. There are no publicly maintained boating facilities within the Sunset Beach area. However, private docks are available in Sunset Channel adjacent to commercial and residential properties subject to the permit process.

Private land uses in Sunset Beach are residential and commercial. The residential uses consist of 700 single and multiple family type dwelling units, on typically 2,700 square foot lots, which are well mixed throughout both residential and commercial areas. Densities range from approximately 22 to 45 units per acre. There are approximately 70 commercial establishments. Existing commercial uses range from neighborhood convenience facilities such as markets, to more area-wide facilities such as motels, restaurants, and specialty shops that generally front on Pacific Coast Highway. Because of the compact size and special nature of the Sunset Beach community and the limited area for commercial uses, the convenience facilities and goods provided serve the visitors and tourists as well as local residents.

The Sunset Beach area consists of 497 parcels, the beach, and right-of-way. All but four of these parcels are fully developed or used in substantial part by an adjacent parcel for yard area,

parking or accessory structures. Of the four parcels, three are vacant and one parcel is occupied by a billboard. The existing residential and commercial areas are 99 percent developed.

Sunset Beach exhibits generally low relief with elevations ranging from sea level to five feet above sea level. Erosion of the shoreline in the area has been relatively continuous since the construction of the east jetty of Anaheim Bay in 1944. In 1945, the Navy constructed 600 feet of stone revetment downcoast from the Anaheim Bay east jetty to retard the erosion but had to reinforce it the following year. In 1947, the revetment was further extended and a wood sheet-pile bulkhead established to strengthen the shore road. In the 1940s, 1,422,000 cubic yards of material were placed on the beach. Additional material has been placed along the Surfside-Sunset Beach shoreline on a regular basis over the years and is expected to be needed on an on-going basis.

Much of the area northwest of Pacific Coastal Highway was once a marsh and slough and was dredged and redeveloped to establish part of Sunset Island and Huntington Harbour in the 1960s. The development of these communities destroyed the marsh-slough habitat. The developed area of Sunset Beach does not provide a suitable habitat for wildlife or native vegetation because of its highly urbanized character, although certain avifauna may forage on the beach.

Along the sandy beaches of the Specific Plan area, plankton, organic detritus, and debris form a primary food source for many of the macroscopic (i.e., large enough to be observed by the naked eye) species of marine animals, such as beach hoppers, sand crabs, and various species of clams. Also, microfauna could possibly be a food source for invertebrate macroscopic filter feeders. Filter and deposit feeders provide a food source for many fish species such as barred surfperch and California corbina, and also for numerous shore birds such as willets, whimbrels, dowitchers, plovers, and gulls. In turn, many of the vertebrates, especially the fishes, provide a food source for larger carnivorous vertebrates such as other fishes and mammals.

Many invertebrate species are subject to cycles of abundance and rarity on any segment of sandy beach shoreline. The fish species present are frequently taken by in-shore anglers but are not exclusively confined to the shallow water of the open coast sandy beaches; they can also be found in deeper waters, or in bays and harbors, depending on such factors as migratory habits, spawning habits, weather conditions, wave conditions, and currents. Pismo clams are known to exist all along the intertidal and subtidal zones of the sandy beach shorelines from Anaheim Bay Harbor to the entrance to Newport Harbor. This bivalve is an important resource sought by recreational Clammers.

The open coast sandy beach in the Specific Plan area and vicinity are spawning habitat for the grunion. Other fish species such as the barred surfperch and California corbina are found in the surf zone feeding primarily upon sand crabs. Common sandy beach organisms such as sand crab, pismo clam, bean clam, and polychaetes are known to exist intertidally and subtidally along the Surfside-Sunset Beach shoreline in spite of previous beach deposition (sand replenishment) operations.

2.2 Land Use

The Sunset Beach Land Use Plan is intended to implement the goals of the City of Huntington Beach General Plan and Local Coastal Program. Broadly stated, the goals for the area are to:

- Maintain and enhance the special character of Sunset Beach.
- Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and man-made resources.
- Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social economic needs of the people of the state.
- Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

More specifically, the City of Huntington Beach Sunset Beach Land Use Plan proposes to carry forward the land use designations previously approved by the County of Orange and California Coastal Commission. However, for consistency with the City's General Plan, some of the designations are different in name, though the types of permitted uses are similar. These uses will also be governed by the more specific regulations of this Specific Plan, as set forth in Section 3.

The Sunset Beach Land Use Plan is illustrated in Exhibit 2.1. The Plan designates the 134 acre Specific Plan area as follows:

Land Use Designation	Acres
Residential High Density-30	22.32
Commercial Visitor-Mixed Use Overlay	9.16
Public	13.00
Open Space-Shoreline	57.74
Open Space-Water Recreation	3.40
Right of Way	28.26
Total	133.88

The Residential High Density designation has a General Plan/Local Coastal Program density category of greater than 30 units per net acre, denoted by "-30" to reflect the existing density condition of some parts of Sunset Beach. The Commercial Visitor designation has a Mixed Use ("-mu") Overlay, which permits residential uses in conjunction with the underlying commercial designation. This is in recognition that the Specific Plan allows for residential units above the ground floor in the CV area.[2] In addition to the underlying land use designations, and the notations for RH and CV described above, the entire area has a Specific Plan Overlay ("-sp") designation in recognition of the need and existence of a specific plan for the Sunset Beach area.

The City of Huntington Beach General Plan and Local Coastal Program also use Subarea designations to identify areas that are unique in the city, serve certain functions or have area-specific goals or regulations. The Sunset Beach Specific Plan area will be designated as Subarea 4L on the City's Community District and Subarea Schedule in the General Plan and Local Coastal Program. Those Subarea Schedules refer the reader to this Specific Plan for development regulations.

[2] The County's existing Specific Plan allows residential uses above the ground floor in the Commercial Visitor (Sunset Beach Tourist District) area. A 2010 review of existing development in Sunset Beach indicates that there are approximately 80 residential units in the areas designated for principally commercial uses.

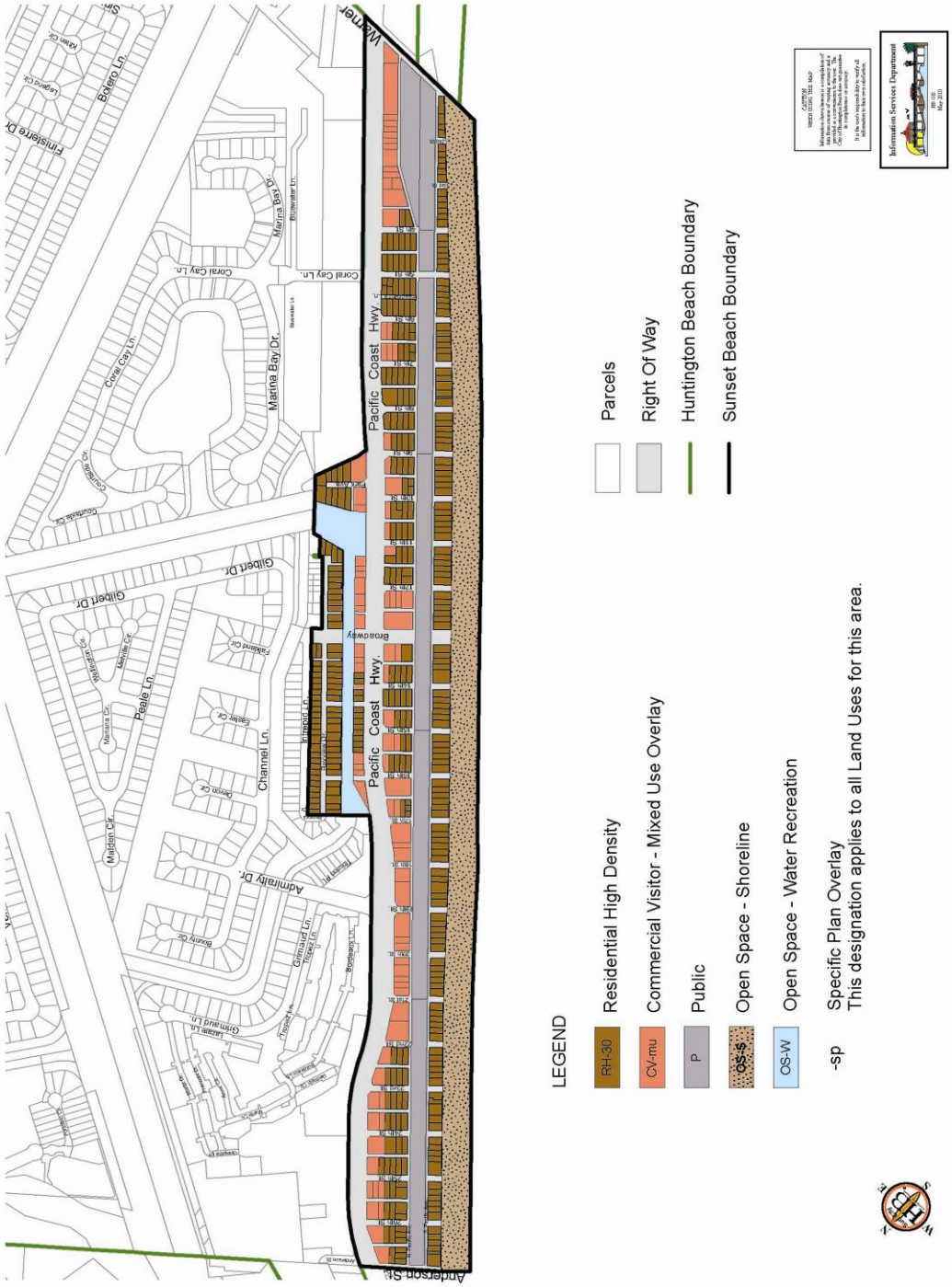

Exhibit 2.1 Land Use Plan

Land Use Plan Guidelines

The City's General Plan and Local Coastal Program contain numerous goals, objectives and policies that further and are consistent with the overall goals for the Sunset Beach area. However, due to the unique nature of Sunset Beach and the fact that it is already almost fully developed at the time that this Specific Plan is being created, previous Land Use Plan Guidelines contained in the original County of Orange Sunset Beach Specific Plan are being carried forward to the extent that they are still relevant.

The Land Use Plan Guidelines below are designed to: implement the Land Use Plan, specifically; carry out the intent of the General Plan and Coastal Act consistent with the desires of the community; and be a supplement to the City's General Plan and Local Coastal Program, which also contain relevant policies. The Guidelines consist of the Land Use Map (see Exhibit 2.1) and the following text:

Beach and Sand Area

2.2.1 Existing beach and sand areas shall be maintained in their present form:

i. to preserve the unique public recreational character of Sunset Beach; recreation shall be defined as passive and active recreation that is in conformance with the development guidelines of the Sunset Beach Land Use Plan.

ii. in cooperation with the State Department of Fish and Game, to protect and preserve the natural habitat of spawning grunion, pismo clam and other shellfish beds, porpoise feeding and sporting grounds, feeding grounds for the California brown pelican, grebes, cormorants, terns, gulls and all other natural sea life and waterfowl.

iii. to protect beachfront residences and maintain both public and private open ocean view and access.

2.2.2 The following shall be adhered to to maintain the existing beach and sand areas:

i. Dredging and sand replenishment shall be scheduled during fall and winter months to reduce conflict with sunning, swimming and other shoreline water activities.

ii. The city shall cooperate with the United States Army Corps of Engineers and other applicable agencies regarding all sand replenishment activities.

iii. Sand replenishment shall be deposited at the northwest end of the beach in the area contiguous to the U.S. Navy Ammunition & Net Depot harbor groin, the point of primary and maximum erosion. From that point sand shall be distributed southeastward down the beach by natural wave and current action. This will avoid the destruction of natural marine life habitat. At the same time it will preserve the recreational character of the beach and the fine grain and cleanliness characteristic of alluvial ocean sands. Sand shall not be pumped directly on the beach within Sunset beach except in response to immediate danger to residences.

iv. No government or private agency shall construct or cause to be constructed any structure including but not limited to jetties, groins, berms, etc., that may alter natural shoreline processes such as wave action, channel depths or general beach configuration except when such protective structures are required for existing structures or public beaches in danger of erosion.

v. Permanent above-ground structures on the beach and sand areas shall be prohibited.

vi. To fulfill visitor serving needs, to minimize personal injuries and to reduce liability, sanitation shall be maintained by properly and routinely cleaning and maintaining the beach and sand area from ocean edge to the artificial dune. The protective growth barrier shall be maintained by property owners.

2.2.3 To protect residences and the Sunset Beach sanitary system from flood waters and excess wind-driven sand, to preserve that sand in the beach area thereby reducing replenishment costs, and to enhance the appearance of the benefit of visitors, preservation and maintenance of the artificial dune by residences shall be retained and encouraged, in keeping with Orange County Board of Supervisors Resolution No. 80-188.

2.2.4 Scenic vistas shall be maintained, see Exhibit 2.2., Scenic Vista Viewpoints.

2.2.5 Public access to the beach shall be maintained.

i. The 27 existing public access points to the beach shall be retained in perpetuity, see Exhibit 2.3, Existing Beach Access.

ii. Signs denoting the Public Beach shall be maintained at the signalized intersections of Anderson Street, Broadway Avenue and Warner Avenue along Pacific Coast Highway. Signs shall not exceed four square feet.

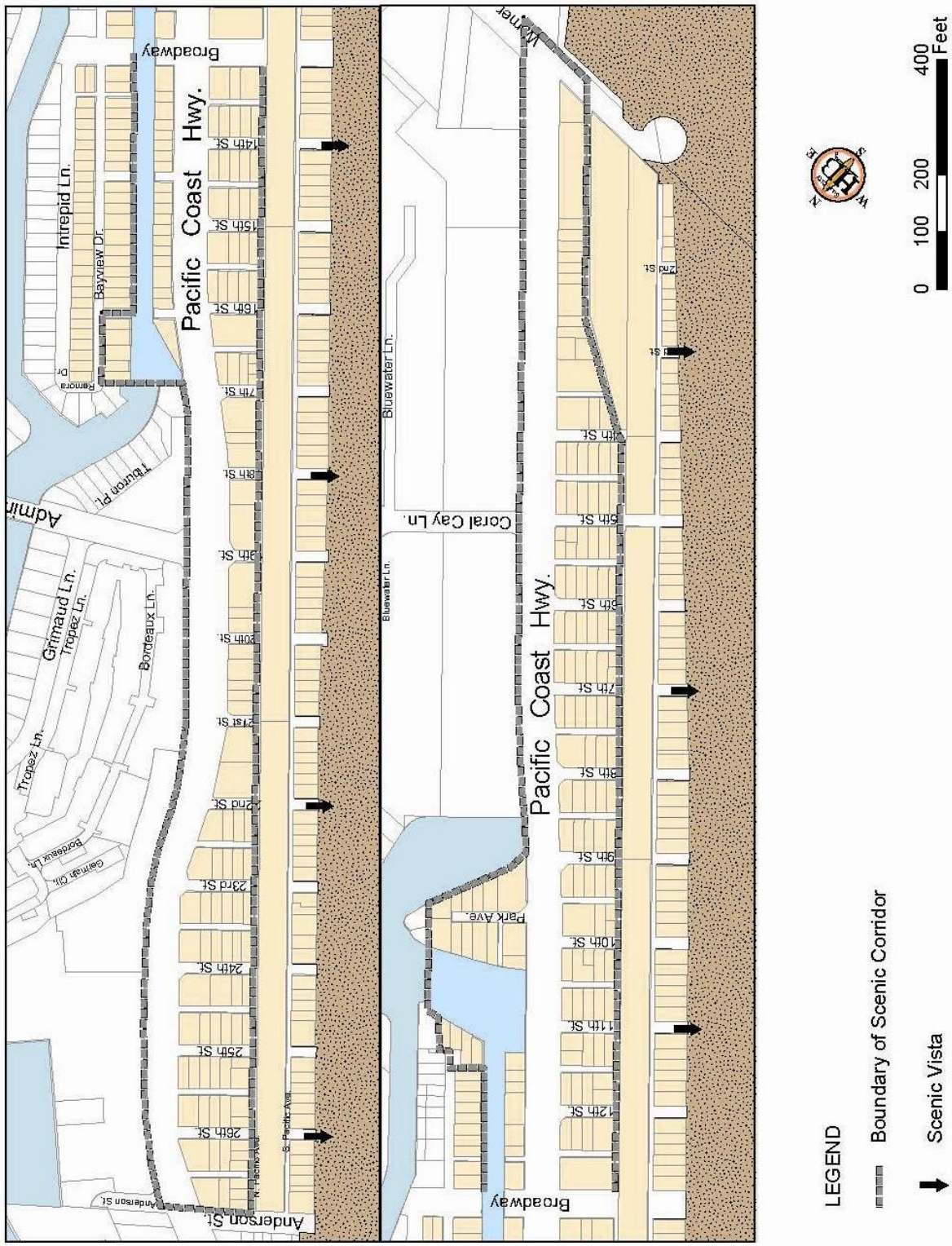

Exhibit 2.2 Scenic Vista Viewpoints

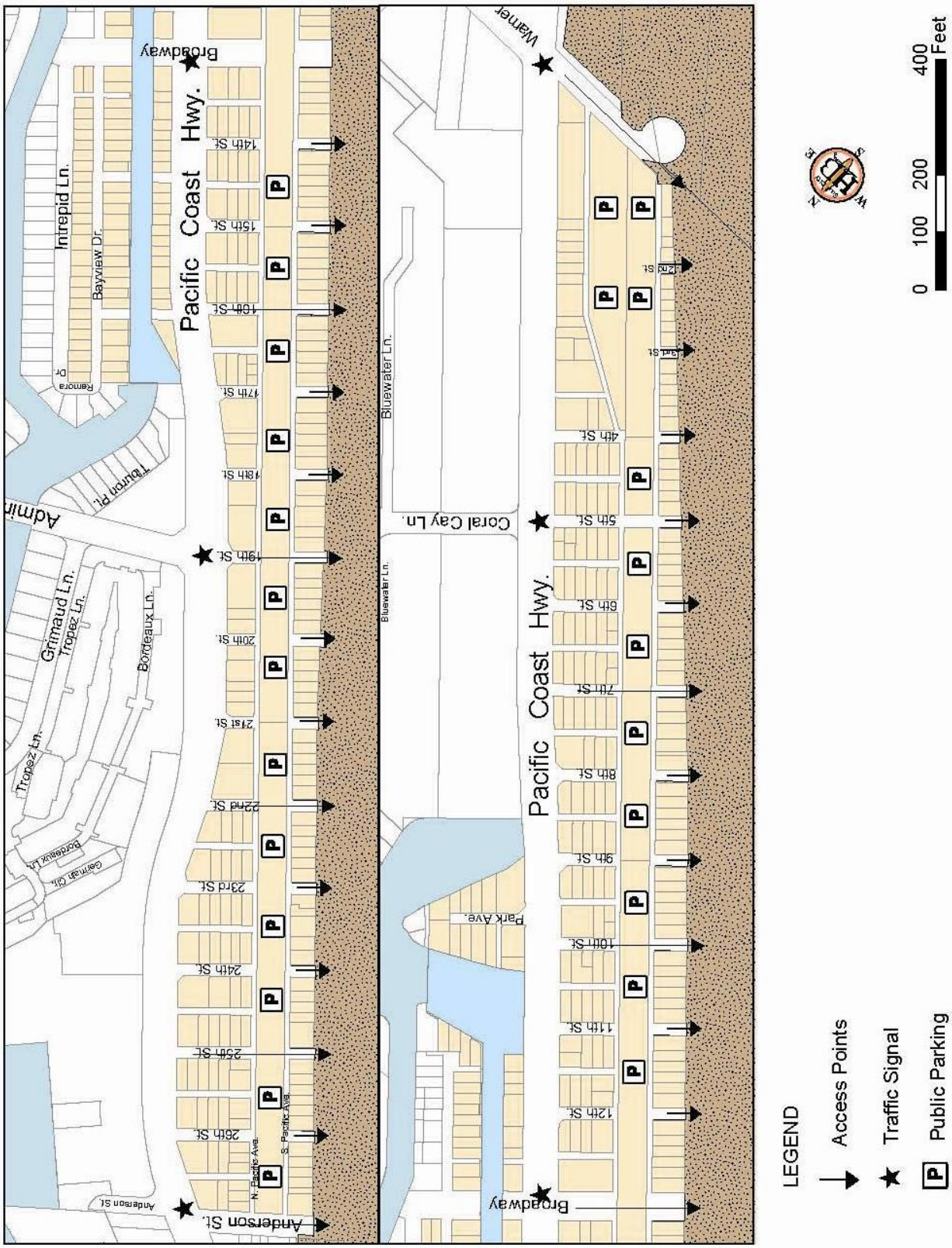

Exhibit 2.3 Existing Beach Access

Inland Waterways

2.2.6 Inland Waterways shall be publicly accessible and maintained in a manner that is sensitive to the natural environment

i. For greater use by the general public, all channels and public waterways in existence as of February 2, 1965, on which date, by Resolution 65-112, the Orange County Board of Supervisors established the channel widths, shall be maintained as public waterways. Location of bulkhead lines and encroachment areas shall be established and no structures shall extend beyond the bulkhead line except for ramps (gangways) and docks.

ii. Every effort shall be made to protect and preserve existing natural sea life and waterfowl, and to maintain “clean” water.

iii. To meet visitor-serving needs, the 11th Street public beach shall be retained in its present general configuration, or if reconfigured, shall provide equivalent recreational opportunities and shall be properly maintained.

Visitor Serving Commercial

2.2.7 Existing commercial facilities should be retained.

2.2.8 Should any existing residence presently on property designated for commercial use be destroyed, such may be rebuilt as a residence providing it conforms to the provisions of the residential guidelines.

2.2.9 Where commercial uses abut residential property, no balconies, decks or open areas intended for public use shall be allowed to infringe on adjacent residential property.

Residential

2.2.10 All legally created residential building sites shall be permitted only two dwelling units per site, unless approved otherwise prior to adoption of this Specific Plan.

2.2.11 Affordable housing shall be provided consistent with the City of Huntington Beach Zoning and Subdivision. Low/moderate cost rental units should be replaced when redevelopment occurs.

2.2.12 Conversion of multi-unit buildings into condominiums shall be allowed only if the building meets the Specific Plan standards.

2.2.13 Public service facilities shall be a permitted use in a residential use area.

2.3 Circulation

Regional Transportation

A network of freeways and arterial highways provide regional access for Sunset Beach. The major arterial regional facilities serving the community are Pacific Coast Highway and the San Diego Freeway. Arterial highways link these two facilities to each other and to Sunset Beach.

Several arterial highways connect Pacific Coast Highway with inland areas and the San Diego Freeway. Seal Beach Boulevard and Warner Avenue are both designated as major arterial (six lane, divided) highways and provide connections with Pacific Coast Highway at points north and south, respectively, of Sunset Beach.

The arterial highway network serves both the motorist and the public transit rider. Countywide and regional access via transit is designed primarily by the Orange County Transportation Authority (OCTA), which operates an extensive system of fixed routes and dial-a-ride service throughout Orange County. OCTA's service to the Sunset Beach area is quite extensive. OCTA route #1 utilizes Pacific Coast Highway between Long Beach/Seal Beach and San Clemente, providing north-south service to Sunset Beach. Three other OCTA routes terminate at Pacific Coast Highway and Warner Avenue at the southern end of Sunset Beach; they provide direct service to the beach from inland Orange County areas.

The Pacific Coast Bikeway follows Pacific Coast Highway and serves as a major north-south route within Orange County and the only bikeway adjacent and parallel to the coastline. Bikeways connecting to Pacific Coast Highway generally follow arterial highways. Seal Beach Boulevard and Warner Avenue both include bikeways. All of the above bikeways are included in the Master Plan of County-wide Bikeways.

Sunset Beach Transportation

Most of the traffic utilizing Pacific Coast Highway in the vicinity of Sunset Beach is either passing through the area or destined to development adjacent to the community. The approximately 700 dwelling units and various commercial enterprises within Sunset Beach generate a relatively small portion of the trips using the Highway. For most of its length in the vicinity of Sunset Beach, Pacific Coast Highway is a four lane facility with painted median. Some additional development and redevelopment within Sunset Beach may occur, but the impact of this upon the arterial highway system should be minimal. However, increased development in the areas surrounding Sunset Beach and growing demand for access to coastal resources could further impact Pacific Coast Highway and the arterials leading to it.

Because of the constraints inherent in acquiring additional right-of-way for Pacific Coast Highway both within and outside of Sunset Beach, it may be impractical to provide additional travel lanes. Better utilization of the existing right-of-way is a more realistic possibility. As new development and redevelopment occurs, improvements can be made that provide for safe and convenient use of the Highway by pedestrians, bicyclists, and transit vehicles. Also, any new commercial development will have to provide off-street parking and be designed to minimize the number of direct access points to Pacific Coast Highway. An integrated traffic signal system

within Sunset Beach can facilitate the flow of traffic. Expanded transit service along Pacific Coast Highway and through the area, to be provided as demand warrants and as financial resources become available, should encourage additional transit use and might somewhat reduce traffic along Pacific Coast Highway. Pacific Coast Highway is operated and maintained by the State Department of Transportation (CalTrans). Thus, any improvement to the Highway is subject to their approval.

Local circulation within the Sunset Beach community is tied to parking opportunities and traffic control. Traffic patterns seaward of Pacific Coast Highway revolve around the parking facility located between North and South Pacific Avenues. Traffic movements on other streets are limited by narrow right-of-way and heavy on-street parking.

Although there are adequate parking spaces available to meet public, commercial, and residential parking demand, the distribution of available parking negatively affects the supply-demand balance, which causes deficiencies to occur in certain areas. To alleviate the problem, existing parking opportunities need to be retained within the community and maximized wherever possible. Adequate off-street parking will be required in conjunction with all new development or redevelopment of properties. Specific policies and guidelines relating to parking are included in this Specific Plan. Increased transit service and bicycling opportunities should provide access to beach uses without requiring such additional parking.

Local circulation and traffic safety will be enhanced by appropriate speed limits. It is expected that the existing 15 miles per hour speed limit on all Sunset Beach Streets, except Pacific Coast Highway, will be retained; however, speed limits must be periodically reviewed to be enforceable. Circulation and safety will also be enhanced by retention of the parking restrictions on North and South Pacific Avenues. Also, conversion of Bay View Drive to one-way operations will be evaluated as a means to improve circulation inland of Pacific Coast Highway.

Based on the foregoing, the following circulation policies shall be adhered to:

Transportation/Circulation

2.3.1 Speed limits shall be periodically reviewed and vigorously enforced on all local streets within Sunset Beach.

2.3.2 The City shall work with CalTrans to maintain and/or improve signal timing on Pacific Coast Highway.

2.3.3 The feasibility of converting local streets to one-way circulation shall be evaluated.

2.3.4 Required street and highway dedication and improvements normally required per the City Code are not applicable to the Sunset Beach Specific Plan area except for those properties abutting Pacific Coast Highway. However, street dedication for 4th through 26th Streets shall conform to the Typical Section for those streets, as shown in Exhibit 2.4, Typical Section.

2.3.5 Pacific Coast Highway is designated a “scenic highway.” To ensure that those scenic characteristics are enhanced, public and private projects shall, wherever feasible, provide landscaping wherever there is adequate space.

Parking

2.3.6 To the maximum extent feasible, to maximize visitor servicing needs and ensure public safety, the City shall encourage CalTrans to stripe Pacific Coast Highway to provide a safe width for parallel parking.

2.3.7 All existing on-street parking shall be retained within Sunset Beach and wherever possible establish programs to maximize their use, except when public safety is compromised.

2.3.8 There shall be no parking on North and South Pacific Avenues, except in front of driveways by permit only.

2.3.9 In order to facilitate visitor serving needs, diagonal parking shall be allowed on Anderson Street and Broadway Avenue.

2.3.10 All street ends, except for emergency access, opening onto the beach shall be fully developed for public parking prior to any other public parking development.

2.3.11 Street ends on the inland side of Pacific Coast Highway will be evaluated for opportunities to develop public parking.

2.3.12 Innovative programs to maintain the existing parking supply in residential areas and to provide flexibility for commercial uses shall be encouraged.

2.3.13 Signage and parking control to manage parking supply shall be implemented.

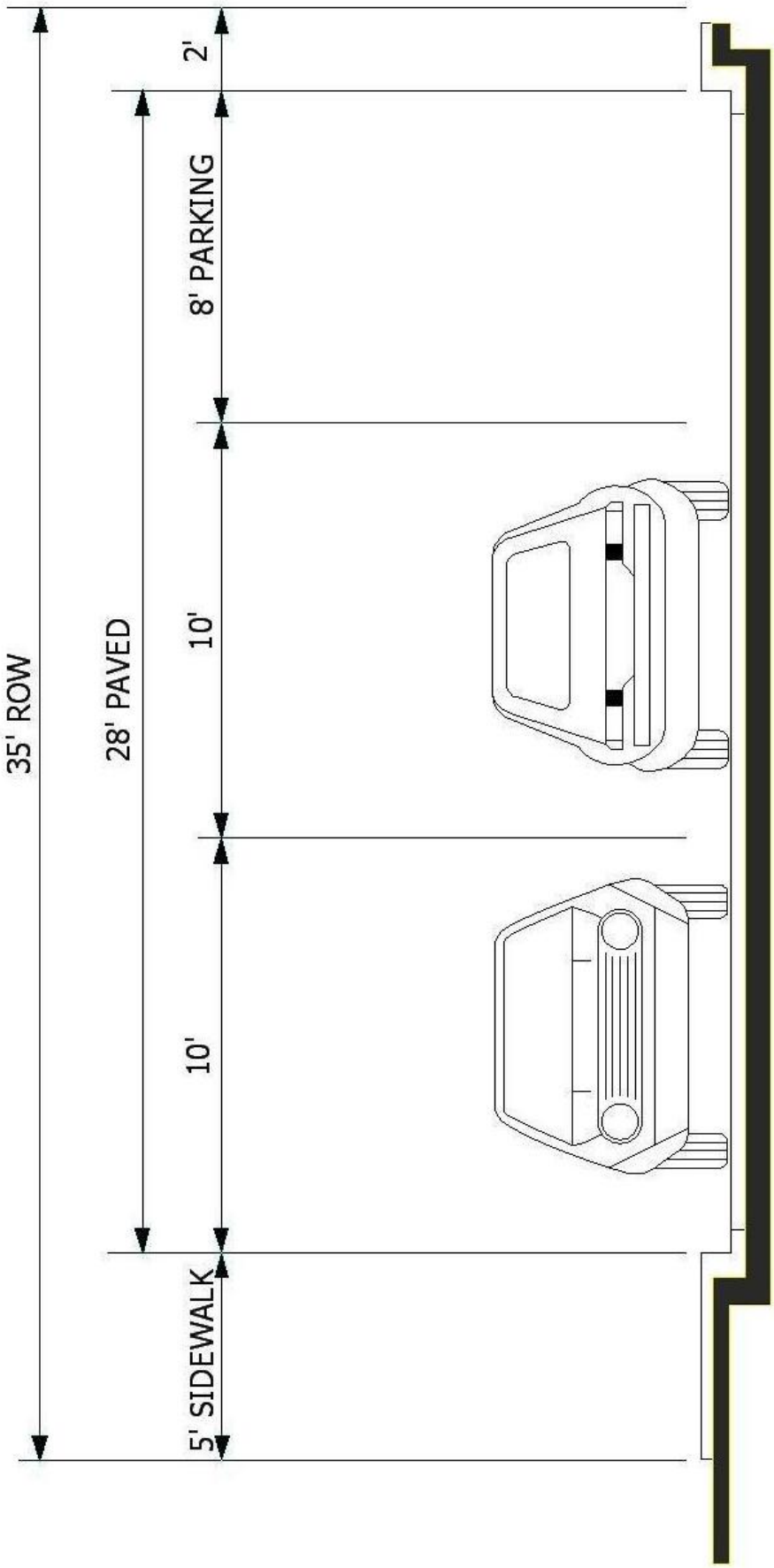

Exhibit 2.4 Typical Section

2.4 Flooding and Shoreline Structures

The Federal Emergency Management Agency (FEMA) currently designates all of the developed area of Sunset Beach and a majority of the beach as Flood Zone X, which are areas of 500 year flood and areas of 100 year flood with average depths of less than one foot of flooding and areas protected by levees from 100 year flood. A small portion of the beach at the ocean edge is designated Flood Zone VE, areas of Coastal flood with velocity hazard.

Despite the Flood Zone X designation, flood damage in Sunset Beach can occur at times of abnormally high tides when waves overtop the berm and water flows towards the houses. Flood damage resulting from this process, called over-wash, can be reduced by raising the living area of the homes above the level of flowing water. Therefore, special design consideration must be given to development along the shoreline because ocean-water can create a flooding problem.

The County of Orange completed a Coastal Flood Plain Development Study, in 1985, to analyze safety measures for structures along the coast. Design guidelines for residential development along the coast are established in Chapter Four of the Coastal Flood Plain Development Study as amended. These guidelines are based on the assumption that the beach will be artificially maintained with a width of at least 150 feet from the ocean-facing private property line. Flowing water is the only design consideration. Should the beach retreat to less width, the possibility of storm erosion and breaking wave activity at the structures may occur and flood protection as regulated by these design guidelines will not provide protection from wave impact forces. Revised design guidelines must then be modified to reflect the circumstances.

The County designated the homes seaward of South Pacific Avenue as being in a –FP3 district, subject to flood hazard. The Coastal Flood Plain Development Study requires that any new structure in this area be raised to a specific height above a point on South Pacific Avenue. In addition to providing protection against flood damage, the requirement to build on piling along South Pacific Avenue provides a safety margin should conditions at Sunset Beach return to the way they were in the 1930s when homes were vulnerable to attack by waves. Homes on shallow footings can be rapidly damaged or destroyed if their sand support is lost to erosion. Existing lawful nonconforming residential uses may be severely impacted by the Coastal Flood Plain Development Study and will require special consideration.

The publicly owned Sunset Channel has been privately bulkheaded and the streets and alleys, where they abut the channel, were bulkheaded by the County.

As set forth in Section 3, new development shall be required to comply with flood plain regulations and the County's study.

2.5 Infrastructure and Utilities

Infrastructure

Public facilities analyses of infrastructure requirements and detailed design, construction and phasing will be completed as required by the City of Huntington Beach Department of Public Works. Future development within the Specific Plan area will be responsible for the

construction of public facilities improvements concurrent with individual project development, subject to review and approval of the Director of Public Works.

Water System

The City of Huntington Beach has provided domestic water to the Sunset Beach area since fiscal year 1964/65, when it purchased the Sunset Beach Water District. Upon annexation, domestic water for the Sunset Beach area will continue to be provided by the Public Works Water Division of the City of Huntington Beach. The Water Division provides water to all of the customers within the City of Huntington Beach.

The Water Division has use of both underground and imported water sources to service the area. The underground supply comes from nine existing wells, and imported water delivered to the City of Huntington Beach by the Metropolitan Water District (MWD) at three locations. The Specific Plan area is part of the City's Master Plan for Water Service.

All water improvements shall be designed to the City of Huntington Beach water standards for future City acceptance and approval. Locations of fire hydrants and apparatuses will be reviewed for each project by the Fire Department and Water Division of the City of Huntington Beach to ensure adequate fire flow and pressure.

Sewer System

The Sunset Beach Sanitary District, formed in 1930, is responsible for the review and approval of the collection of wastewater within the project area, and the Orange County Sanitation District (OCSD) is responsible for the treatment of wastewater. Upon annexation, wastewater service will continue to be provided by the Sunset Beach Sanitary District.

Storm Drainage

The City of Huntington Beach and the Orange County Public Works/Flood Control Section are the agencies responsible for the flood control system in the vicinity of Sunset Beach. New drainage facilities constructed within the Specific Plan area will be maintained either by the City or privately maintained by a homeowner's association. Any drainage facilities designed or sized to accommodate upstream drainage will be designated as public facilities and maintained by the City.

Only drainage that is required by City of Huntington Beach Codes and the ordinances of the Sunset Beach Sanitary District shall be drained into the Sunset Beach Sanitary System lines. All other drainage, such as rain water, irrigation water and other on-site drainage shall drain to the public street or public storm drainage system. All development shall meet the provisions of this requirement.

Where new storm drains are necessary to accommodate development, they shall be sited and designed to discharge in the least environmentally sensitive location. Storm Drains and/or Catch Basins shall be marked "No dumping- drains to Ocean" or with other appropriate local insignia.

Water Quality

The City of Huntington Beach is a coastal community noted for its beaches, which attract numerous people to the area. The beaches support the City's economy and the well being of the City's economy is dependent on maintaining quality of coastal waters.

The flow of untreated stormwater and urban runoff can have an adverse impact on the quality of coastal waters since storm drains eventually discharge into the ocean. The City's Coastal Element notes that the City can upgrade water quality by controlling pollutants that enter coastal waters through urban runoff. The City's Coastal Element contains the water and marine resource policies requiring that measures be implemented to mitigate the adverse impacts of human activities on the marine environment. To protect coastal waters, the following water quality measures shall be implemented in conjunction with any new development or significant redevelopment:

- All new development and significant redevelopment, shall comply with the State of California, California Regional Water Quality Control Board Santa Ana Region, Order No. R8-2009-0030 (NPDES No. CAS 618030) or subsequent permits. Projects shall comply with the Orange County Drainage Area Management Plan (DAMP), all applicable local ordinances and applicable provisions of the NPDES General Permit for Storm Water Discharges Associated with Construction Activity issued by the State Water Resources Control Board (State Board Order No. 2009-0009-DWQ), and any subsequent amendments, revisions, or re-issuances thereof.

- Prior to issuance of a Coastal Development Permit (CDP), a Preliminary Water Quality Management Plan (WQMP), shall be submitted for review by the Public Works Department, and shall be based on consistency with the provisions herein. New development and significant redevelopment projects shall incorporate Low Impact Development (LID) principles, design elements, and/or Best Management Practices (BMPs) that will effectively prevent runoff contamination, and minimize runoff volume leaving the site in the developed condition, to the greatest extent feasible.

- Prior to issuance of a Grading or Building Permit, a final WQMP shall be submitted for review and acceptance by the Public Works Department.

- All projects that include dewatering shall obtain coverage under the State of California, California Regional Water Quality Control Board Santa Ana Region de minimis permit, currently Order No. R8-2009-0003 (NPDES No. CAG998001) and subsequent iterations of this permit.

Utilities

There are several public utility service providers in the Sunset Beach Specific Plan area as described below. Adequate facilities exist for the service needs of the area.

Electricity

Electrical service to the area is provided by the Southern California Edison Company. Existing transmission and distribution lines are adequate to service current and potential future needs.

Natural Gas

Natural gas service in the Specific Plan area is provided by the Southern California Gas Company. Adequate facilities exist for current and potential future needs.

Telephone

Telephone service in the Specific Plan area is provided by Verizon.

Cable Television

Cable television service within Sunset Beach is provided by Time Warner Cable.

Solid Waste Disposal

Rainbow Disposal Company currently provides solid waste disposal services for the area. An adequate level of service can be maintained based on anticipated demand for the Company's service area.

3. Development Standards

3.1 Purpose

The Sunset Beach Development Standards will be applied to individual development in the Sunset Beach area and are adopted for the purpose of promoting the health, safety and general welfare of the Sunset Beach community and the City of Huntington Beach. More specifically, these regulations are intended to provide the standards, criteria and procedures necessary to achieve the objectives below.

- Provide maximum opportunities for community design and site planning, consistent with orderly development and protection of sensitive and natural resources, with a logical and timely sequence of community and government review and input.
- Improve the visual image and general aesthetics of Sunset Beach.
- Implement the applicable policies of the California Coastal Act and preserve, protect and enhance the Coastal Zone resources of particular value to the Sunset Beach community, City of Huntington Beach, and the State of California.
- Implement the intent and purpose of the Sunset Beach Specific Plan.

3.2 General Provisions

The provisions herein shall govern the design and development of the Sunset Beach Specific Plan area. Standards and/or criteria for development and activities not specifically addressed in this Specific Plan will require referral to the current provisions of the Huntington Beach Zoning and Subdivision Ordinance and Municipal Code. Whenever an activity has not been specifically listed as being permitted in a particular District of the Specific Plan, it shall be the duty of the Planning and Building Director to determine if it is consistent with the intent of this Specific Plan and compatible with other permitted uses. All development activity within the Sunset Beach Specific Plan area will be subject to the following general conditions and requirements, as noted, as well as the Land Use Plan Guidelines in Section 2.2.

3.2.1 Any conditions, requirements, or standards, indicated graphically or in writing, that are a part of an approved subdivision map, Coastal Development Permit or variance, approved in compliance with these regulations shall have the same force and effect as these regulations. Any use or development established as a result of such approved permit but not in compliance with all approved conditions shall be in violation of the Sunset Beach Development Standards and City of Huntington Beach Zoning and Subdivision Ordinance.

3.2.2 All construction and development within the Sunset Beach Specific Plan area shall comply with applicable provisions of federal and state regulations.

3.2.3 All construction and development within the Sunset Beach Specific Plan area shall comply with applicable provisions of the Uniform Building Code and other various

Mechanical, Electrical, Plumbing and Housing Codes related thereto as well as the Municipal Code of the City of Huntington Beach.

3.2.4 All construction and development shall comply with the regulations contained in Chapter 17.56 of the Huntington Beach Municipal Code (Fire Code) and City Specifications, except Section 3.3.4 2e and f of this Specific Plan shall prevail unless wider drive aisles, per City Specifications, can reasonably be accommodated .

3.2.5 In these land use development standards, for all regulatory areas, when more than one description may apply to a given use, the more specific description shall determine if a use is allowed, or prohibited.

3.2.6 Terms not specifically defined in the Specific Plan shall have the same definition as used in the City of Huntington Beach Zoning and Subdivision Ordinance. When consistent with the context, words used in the present tense include the future tense; words used in a singular number include the plural number. The word “shall” is always mandatory and the word “may” is permissive.

3.2.7 Pacific Coast Highway, as it passes through the Sunset Beach Specific Plan is designated a Scenic Highway.

3.2.8 All legal residential building sites in existence on the date of initial adoption by the Board of Supervisors, of the Sunset Beach LCP on March 30, 1983, shall be permitted two dwelling units per site, unless approved otherwise. New building sites created by a tract map, parcel map, lot consolidation, or any other legal method are also limited to two dwelling units per building site.

3.2.9 Development projects shall be required to install adequate utility services necessary to serve the development. Utility systems shall be designed to conserve the use of electrical energy and natural resources

3.2.10 Due to the high groundwater conditions, only drainage that is required by City of Huntington Beach Codes and Ordinances, and the ordinances of the Sunset Beach Sanitary District, shall be drained into the Sunset Beach Sanitary System lines. All other drainage, such as rain water, irrigation water and other on-site drainage shall drain to the public street or public storm drainage system. All development shall meet the provisions of this requirement.

3.2.11 Temporary special community events, such as parades, pageants, community fairs, athletic contests, carnivals, and other similar uses, may be permitted in any area in the Sunset Beach Specific Plan area by approval of the Director of Planning and Building, subject to applicable permits.

3.2.12 Emergency vehicle access to the beach shall be at the ocean end of the signalized streets of Anderson, 19th Street, Broadway, 5th Street and Warner Avenue only. The center of such street ends shall be kept open and free at all times. All other side street ends opening on the beach may be developed for additional public parking. Such

additional public parking development shall not extend beyond the rear (oceanward) property line of the adjacent ocean front private property.

3.2.13 Park lands and park fees required for new development shall be in compliance with all applicable regulations of the City of Huntington Beach Zoning and Subdivision Ordinance.

3.2.14 Any building site abutting Pacific Coast Highway shall be required to provide a corner cut-off of 17 feet prior to the issuance of any building permits unless otherwise provided for by an approved Coastal Development Permit.

3.2.15 Required street and highway dedication and improvements per the City of Huntington Beach Zoning and Subdivision Ordinance shall not be applicable to the Sunset Beach Specific Plan area except for those properties abutting Pacific Coast Highway.

3.2.16 Building height is the vertical distance above the bottom elevation to the top of the structure (maximum height). This is established by enclosing the structure with an imaginary line five feet outside of the perimeter of the structure, or at the property line if it is less than five feet from the structure, and determining the average elevation from the imaginary line.

3.3 Regulations

The Sunset Beach Specific Plan contains five districts, as depicted in Exhibit 3.1, Specific Plan Districts. The boundaries of these districts coincide with those of the Land Use Plan. The names for the Specific Plan districts are the same as used in the previous County SBSP/LCP. The regulations for each district follow.

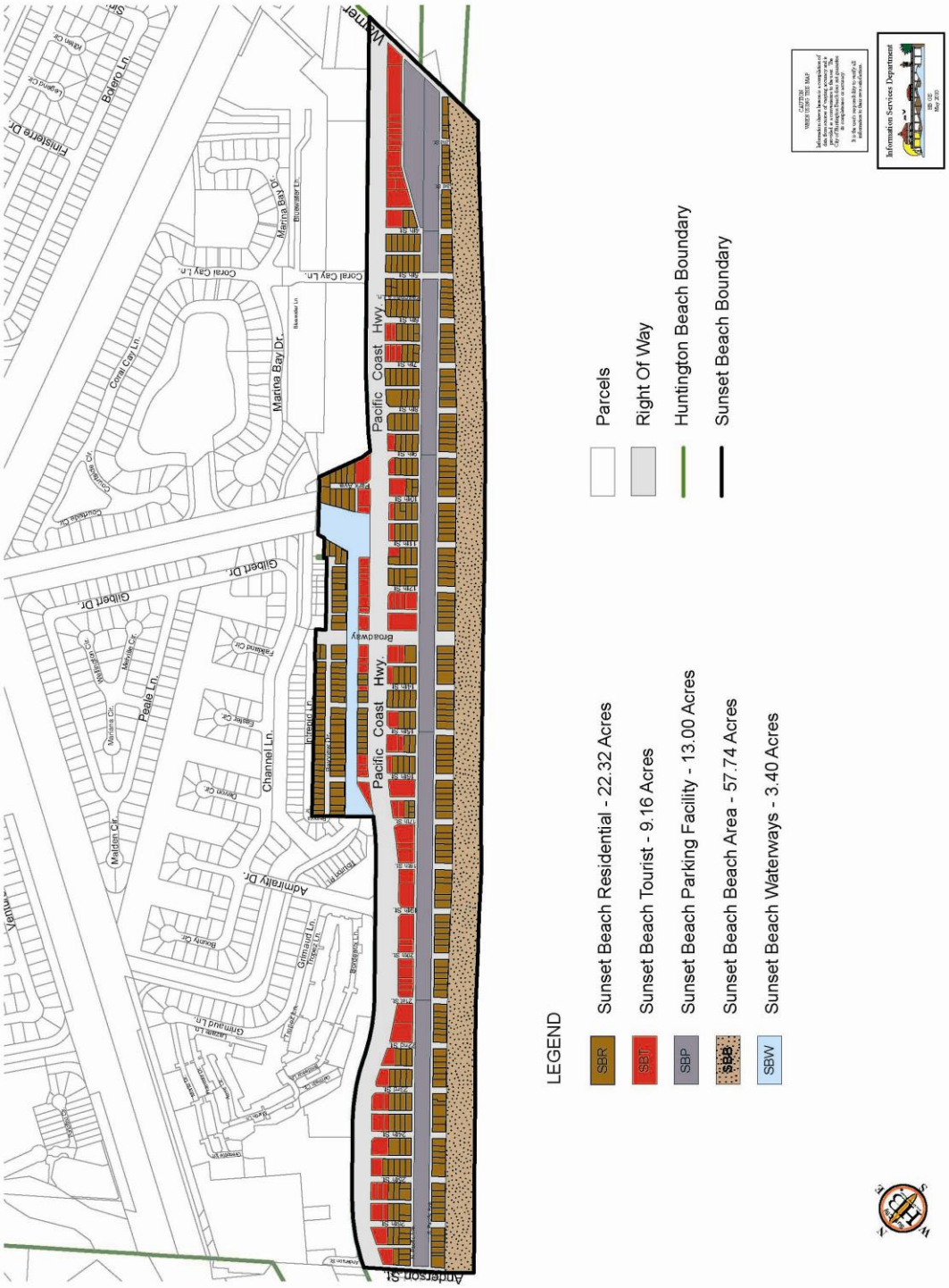

Exhibit 3.1 Specific Plan Districts

3.3.1 Sunset Beach Residential

A. Purpose

The Sunset Beach Residential (SBR) District is intended to permit the establishment and maintenance of high density residential neighborhoods. It is intended that each residential structure be independent from adjoining property by setbacks. Only those uses which are complementary to and can exist in harmony with the residential uses are permitted.

B. Principal Permitted Uses

The following principal uses are permitted subject to the approval of a Coastal Development Permit by the Zoning Administrator.

1. Duplex dwellings
2. Single-family dwellings and single family mobile homes.
3. Residential Condominium, stock cooperative, and community apartment projects.
4. Residential Condominium conversions, pursuant to Chapter 235 of the HBZSO.
5. Additions to lawful nonconforming residential uses. Additions must comply with all applicable development standards.

C. Other Permitted Uses

Other permitted uses subject to a Coastal Development Permit and a Conditional Use Permit by the Planning Commission.

1. Community recreation center.
2. Community service center.
3. Community facility.
4. Public Safety Facilities.
5. Parks and playgrounds (non-commercial).
6. Public service facilities.
7. Short-term vacation rentals (stays of less than 30 days)
    a. Amortization Period: Any existing short-term vacation rental (stays of less than 30 days) use shall be discontinued 12 months following the effective adoption date of this Specific Plan by the California Coastal Commission, unless an application is filed with the Department of Planning and Building pursuant to this section to establish the use prior to the discontinued date.

D. Accessory Uses and Structures Permitted

Accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

1. Limited Day Care, Limited Residential Care, and Large Family Day Care, as defined by the HBZSO. Large Family Day Care shall require neighborhood notification pursuant to Section 241.24 of the HBZSO.
2. Fences and walls per Section 3.3.5 except as modified by special provisions set out in Section F.3.c "Building sites between Pacific Coast Highway and the Sunset Channel and those building sites fronting on Park Avenue" and Section F.3.d "Building sites between Bay View Drive and Sunset Channel".
3. Garages and/or carports per Sections 3.3.4 and 3.3.7.
4. Home occupations per the HBZSO.
5. Noncommercial keeping of pets and animals per the City of Huntington Beach Municipal Code.
6. Pools and spas, except due to the limited sewerage capacity, no such swimming pool or spa over 1000 gallons shall be connected to, or drained into, the public sewer system.
7. Signs per Section 3.3.6, except business signs which are prohibited.
8. Tennis courts.
9. Detached accessory buildings in compliance with Section 3.3.7.

E. Prohibited Uses.

1. All uses not permitted above are prohibited.
2. The storage of vehicles, equipment or products related to a commercial activity.
3. Community and Human Service facilities.

F. Site Development Standards

The establishment, operation and maintenance of the uses permitted by these district regulations shall be in compliance with the following:

1. Building Height – Up to three stories and not more than 35 feet maximum as measured from the centerline of the frontage street for structures in the FP-3 District or the minimum bottom elevation (see 2 below) for structures outside the FP-3 District. Such height and story calculations shall include mezzanines, patio roof covers, rooftop decks and attics; however, a rooftop deck shall not count as a story.

2. Bottom elevation – for structures outside the FP-3 District, the finished floor elevation for new construction should be a minimum of two feet above the centerline of the frontage street or two feet above the highest perimeter curb elevation of the property, whichever is greater, unless the applicant can prove, using detailed hydrologic and hydraulic calculation, that the proposed finished floor elevation is protected from being flooded from a 100-year flood in a manner meeting the approval of the Director of Planning and Building.

   Those building sites abutting the Sunset Beach Waterways District, Bay View Drive, or Park Avenue shall have the additional requirement that the finished floor elevation also be set at a minimum two feet above the bulkhead elevation.

3. Setbacks

   Front setbacks shall be measured from the ultimate right-of-way line.

   a. Beach Front Building Sites

Front setback (street)	5 feet on ground floor, 6 inches above ground floor.
Side setbacks adjacent to streets and alleys	6 inches all floors, except in front of garages where 3 feet is required.
Side setbacks adjacent to other building sites.	3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.
Rear setback (on the sand)	None Required.

   b. Building sites between North Pacific Ave. and Pacific Coast Highway

Front setback (street)	5 feet on ground floor, 6 inches above ground floor.
Side setbacks adjacent to streets and alleys	3 feet on ground floor except in front of garages where 5 feet is required; 6 inches above ground floor.
Side setbacks adjacent other building sites	3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.
Rear setback	5 feet on ground floor, 6 inches above ground floor.

c. Building Sites between Pacific Coast Highway and the Sunset channel and those building sites fronting on Park Ave., PCH and abutting the Channel.

Front setback (street)	5 feet ground floor, 6 inches above ground floor.
Side setbacks adjacent to street and alleys	6 inches all floors except in front of garages where 3 feet is required.
Side setbacks adjacent to other building sites	3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.
Rear setback (channel)	10 feet from bulkhead or rear property line, whichever is more restrictive on the ground floor, 5 feet above ground floor.

See Section 3.3.3.C (Sunset Beach Waterways) for dock, gangway, and landing criteria.

No structure higher than 12 inches from top of the bulkhead shall be permitted in the required rear setback except for a five foot security fence of open weave design to a maximum of 35 percent opaque. This height shall be measured from the top of the concrete bond beam of the existing bulkhead.

d. Building Sites between Bay View Drive and Sunset Channel

Front setback (street)	5 feet ground floor, 6 inches above ground floor.
Side setbacks adjacent to streets and alleys	6 inches all floors except in front of garages where 3 feet is required/
Side setbacks adjacent to other building sites	3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.
Rear setback (channel)	10 feet from bulkhead or rear property line, whichever is more restrictive on the ground floor, 10 feet on all other floors except that a balcony deck may extend 5 feet into the rear setback measured from the required building setback.

See Section 3.3.3.C (Sunset Beach Waterways) for dock, gangway, and landing criteria.

No structure higher than 12 inches from top of the bulkhead shall be permitted in the required rear setback except for a five foot security fence of open weave design to a

maximum of 35 percent opaque. This height shall be measured from the top of the concrete bond beam of the existing bulkhead.

e. Building Sites between Bay View Drive and Intrepid Lane

Front setback (Bay View)	5 feet ground floor, 6 inches above ground floor.
Side setbacks adjacent to streets and alleys	6 inches all floors except in front of garages where 3 feet is required.
Side setbacks adjacent to other building sites	3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.
Rear setback (Intrepid Lane)	5 feet all floors except that an open balcony deck on the second or third floor to 6 inches from the property line.

4. Open Areas.

   New residential units within areas b) and e) above shall include a minimum 90 square feet of open area by providing for 1) rooftop patios, 2) balconies or decks and/or 3) ground floor yards exclusive of required setback areas. Any such open area must have a minimum dimension of four feet six inches, shall be contiguous to the living area, and shall not face onto any adjoining lot.

5. All building plans shall provide an area for the storage of the minimum required number and size trash cans per dwelling unit as required by the trash removal service. This shall be concealed from public view.

6. Off-street parking shall be in conformance with Section 3.3.4 of the Sunset Beach Specific Plan Regulations. Additional parking shall not be required when additions, not exceeding 50 percent of the floor area of the total structure, are made to lawfully nonconforming residential uses.

7. All roof structures, such as air conditioning units, elevator equipment or other roof mounted appurtenances, shall be screened from view and shall not exceed the overall 35 foot height limit, except chimneys and other ventilation structures not to individually exceed the dimensions of two feet by two feet per flue and not to exceed the height of the building by more than 10 percent.

3.3.2 Sunset Beach Tourists

A. Purpose

The Sunset Beach Tourist (SBT) District is intended to permit the establishment, operation and maintenance of a commercial area that will supply the needs or tourists, visitors, and the local community.

Whenever the occupancy or use of any premise is changed to a different use or the existing use is altered, enlarged, expanded or intensified, parking to meet the requirements of this section shall be provided for the new use or occupancy. This provision shall not apply to the addition of rooms or other alterations to lawful nonconforming residential dwellings in a commercial zone that do not increase the total floor area more than 50 percent.

As an aid in determining the amount of intensification occurring since 1985, the document prepared by the LCP Board on November 9, 1985, IDENTIFICATION OF PROPERTY ZONED COMMERCIAL ALONG PACIFIC COAST HIGHWAY IN SUNSET BEACH, shall be used as a reference document.

B. Principal Permitted Uses

The following principal uses are permitted subject to the approval of a Coastal Development Permit and a Conditional Use Permit by the Zoning Administrator.

1. Athletic/health/recreational clubs and centers.
2. Automobile service stations.
3. Bars, night clubs, and cocktail lounges.
4. Beauty shop or barber shop.
5. Parks and playgrounds.
6. Restaurants, drive-ins, and fast food establishment.
7. Other retail and service business associated with the needs of tourists, visitors, and the local community.
8. Hotels, motels.
9. Time-share projects.
10. Commercial boat docks.
11. Bed and breakfast.

C. Other Permitted Uses

Other permitted uses subject to a Coastal Development Permit and a Conditional Use Permit by the Zoning Administrator.

1. Civic and government uses.
2. Community facility.
3. Public/private utility buildings and structures.
4. Residential Uses:
    a. Located above the first floor of a Principal Permitted Use.
    b. Parking for both the primary commercial uses and the residential use conforms to Section 3.3.4 of these regulations.
    c. Such residential use shall not exceed 50 percent of the gross square footage of the entire structure. Additions to lawful nonconforming residential uses are permitted if their cost does not exceed 50 percent of the market value of the residential use.

D. Temporary Uses Permitted

Seasonal Sales only shall be allowed per the City of Huntington Beach Zoning and Subdivision Ordinance Section 230.86.

E. Accessory Uses Permitted

Accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

1. Garages and carports per Sections 3.3.4 and 3.3.7.
2. Fences and walls per Section 3.3.5.
3. Parking structures.
4. Outdoor dining areas.
5. Signs per Section 3.3.6.

F. Prohibited Uses

1. All uses not permitted above are prohibited.
2. Wholesale businesses.
3. Outdoor advertising signs.
4. Sale of food or beverages from vehicles or push carts.
5. Firework sales.
6. Adult entertainment businesses.
7. All Temporary Uses whether under cover or in the open, except as provided in 3.3.3.D above and in General Provision No. 3.2.10.

8. Medical marijuana businesses.

9. Methadone related businesses.

10. Residential Alcohol Recovery, General, as defined by the HBZSO.

11. Residential Drug Recovery and Drug Abuse Centers, as defined by the HBZSO

G. <u>Site Development Standards</u>

The establishment, operation, and maintenance of the uses permitted by this regulation shall be in compliance with the following provisions:

1. Building height – 35 feet maximum as measured from the minimum bottom elevation (see 2 below).

2. Bottom elevation – the finished floor elevation for new construction should be a minimum of two feet above the centerline of the frontage street or two feet above the highest perimeter curb elevation of the property, whichever is greater, unless the applicant can prove, using detail hydrologic and hydraulic calculation, that the proposed finished floor elevation has protection from being flooded from a 100-year flood in a manner of meeting the approval of the Planning and Building Director.

   Those building sites abutting the Sunset Beach Waterways District shall have the additional requirement that the finished floor elevation also be set a minimum of two feet above the bulkhead.

3. Setbacks – Except as noted in a) & b) below, there shall be no required setbacks in the Sunset Beach Tourist District.

   a. A three foot setback is required for all structures adjacent to SBR district properties.

   b. Service stations per the City of Huntington Beach Zoning and Subdivision Ordinance.

4. All roof structures, such as air conditioning units, elevator equipment, or other roof mounted appurtenances, shall be screened from view and shall not exceed the overall 35 foot height limit, except chimneys and other ventilation structures not to individually exceed dimensions of two feet by two feet per flue and not to exceed the height of the building by more than 10 percent.

5. All lighting, both exterior and interior, shall be designed and located to confine direct rays to the building site.

6. All storage in cartons, containers, or trash bins shall be enclosed and shielded from view within a building or by a fence/wall not less than six feet in height. If unroofed, trash bins shall have lids.

7. Off-street parking. Per Section 3.3.4 herein.

H. <u>Lawful nonconforming residential use of property:</u>

Should any existing lawful nonconforming residential use presently on property zoned commercial be destroyed such may be rebuilt providing it conforms to the provisions of the residential uses and standards contained in the SBR District.

3.3.3 Public Facilities

A. Purpose

The Public Facilities District, including the Beach Area (SBB), Parking Facility (SBP), and Waterways (SBW) districts, is intended to permit the establishment and maintenance of community services in locations that will best service the uses in Sunset Beach. It is intended that these community facilities be compatible with the other land uses and included beachfront and parks, public parking facilities, and inland waterways.

B. Sunset Beach Beach Area (SBB)

1. To protect beachfront residences and maintain public and private ocean views and access and to preserve the unique public recreational character of Sunset Beach, the existing beach and sand area shall be maintained in their present form.

2. The 27 existing public access points to the beach delineated in the Sunset Beach Land Use Plan shall be retained and maintained in a manner promoting their use by the general public.

3. From the ocean front property line to the ocean there shall be no roadway, bike path, hiking trail, or parking facility.

4. Permanent above-ground structures on the beach and sand areas shall be prohibited, except for:

    a. Lifeguard towers

    b. Other facilities necessary for public safety.

5. Temporary uses and structures accessory to residential development shall be permitted within the 20 foot strip of beach property contiguous to SBR properties subject to a Coastal Development Permit and a Public Property Encroachment Permit. Encroachments shall be limited to temporary/removable deck units, the top elevation of which shall not exceed four feet above the street level of South Pacific Avenue; landscaping not exceeding 30 inches in height above patio/deck surface at full growth; and portable furniture.

6. Fire rings or any other fire on the beach shall be prohibited.

7. There shall be no advertising of any nature on the beach and sand areas.

8. No governmental or private agency shall construct or cause to be constructed any structure including but not limited to jetties, groins, berms, etc., that may alter the natural

shoreline processes such as wave action, channel depth, or general beach configuration except when such protective structures are required to protect existing structures or public beaches in danger from erosion.

9. Temporary recreational facilities for general public use may be permitted subject to a special events permit from the City of Huntington Beach. Such facilities shall be located at least 75 feet from residential property lines unless the facility is directly in front of the property of the applicant for the encroachment permit.

C. Sunset Beach Parking Facility (SBP)

1. Parking control shall be in accordance with the City of Huntington Beach Municipal Code.

2. The present general configuration and facilities shall be retained.

3. There shall be no overhead or underground parking facility.

4. There shall be no parking meters or other mechanical control devices.

5. The City shall consult with the Sunset Beach LCP Review Board for recommendation before any facilities are changed or expanded or additional signs installed.

6. There shall be no advertising of any nature.

D. Sunset Beach Waterways (SBW)

1. For greater use by the general public, all channels and public waterways in existence as of February 2, 1965 (on which date, by Resolution 65-112, the Orange County Board of Supervisors established the channel widths) shall be maintained and operated as public waterways, subject to Sections 5 through 11 of the Codified Ordinances and Codes governing County waterways. They shall be properly bulkheaded to prevent erosion and resultant land filling, and dredged to maintain navigable depth and regulated to prevent impediment of channel navigation (as described in Sections 2-2-63 and 2-2-65 of the Orange County Codified Ordinance). All navigable channels shall be retained and maintained at the present width, no part of the channels shall be filled, and no encroachments shall be allowed except for bulkheads, gangways, and docks as provided in item number 2 below.

2. In addition to a Coastal Development Permit from the State, a Harbor Permit (encroachment permit) is required for all existing and proposed bulkheads, gangways, and docks within the Sunset Beach Waterways. Bulkheads not within the SBW will require evidence of sound construction (building permit) concurrent with the application for a a harbor permit for dock and gangway attachments. The right to said permit shall be attached to the property and run with the ownership of the bulkhead frontage.

   As part of the harbor permit application process, a determination will be made for existing facilities as to whether they are in a state of good repair or a state of disrepair. Docks with inadequate floats resulting in partial submersion, sinking, or listing, broken or

inappropriate decking material, inadequate supports or improper fastening devices (such as PVC pipe), and illegal and unsafe electrical wiring shall be deemed to be in a state of disrepair. All existing bulkheads, gangways, and docks will require a harbor permit and be brought into a state of good repair within two years of the adoption of amendment dated August 31, 1983.

All applications for a harbor permit shall be submitted to the Sunset Beach LCP Board for their review and recommendations prior to the issuance of said permit.

3. To provide greater public use of Sunset Channel from 11th Street to the northwest end of the channel, the channel encroachment line shall be 20 feet measured from bulkhead face (See Exhibit 3.2, Permitted Encroachment Areas Within Sunset Beach Channel and Exhibit 3.3, Criteria for Sunset Beach Channel Encroachments). Side setbacks for docks shall be two feet from each property line. This provision is intended to replace the pier lines set in Orange County Board of Supervisors Resolution No. 65-112. No deck or structure shall extend over or in front of the bulkhead in any channel, except a four foot by five foot landing or brow shall be permitted to extend past the bulkhead for access to a gangway to docks.

4. To provide maximum public use of inland waterways in the channels running at 90 degrees to Pacific Coast Highway, the channel encroachment line shall be at 40 feet as measured from lot property lines existing prior to January 1, 1965 (see Exhibit 3.2, Permitted Encroachment Areas Within Sunset Beach Channel).

5. All bulkheads, gangways, and docks encroaching on public waterways shall be maintained in a state of good repair at all times. Failure to repair, upon written notice of the Director of Public Works shall be cause for revocation of the harbor permit.

6. All harbor permits are subject to inspection by City of Huntington Beach or other regulatory authorities.

7. To meet visitor serving needs, the 11th Street public beach shall be retained in its present general configuration, or if reconfigured, shall provide equivalent recreational opportunities and shall be properly maintained. Small boats may be launched at the 11th Street beach provided there is no use of trailers, sand dollies, or mechanical launching equipment. The launching of boats is specifically prohibited at all other publicly owned properties adjacent to Sunset Channel.

8. Any vessel that is occupied with the intent of being used as a residence is prohibited from using dock facilities or mooring overnight within Sunset Beach.

9. The renting or leasing of docks adjacent to private residences is permitted provided that one nine foot by 18 foot off-street parking space is provided for each boat for which mooring space is rented or leased.

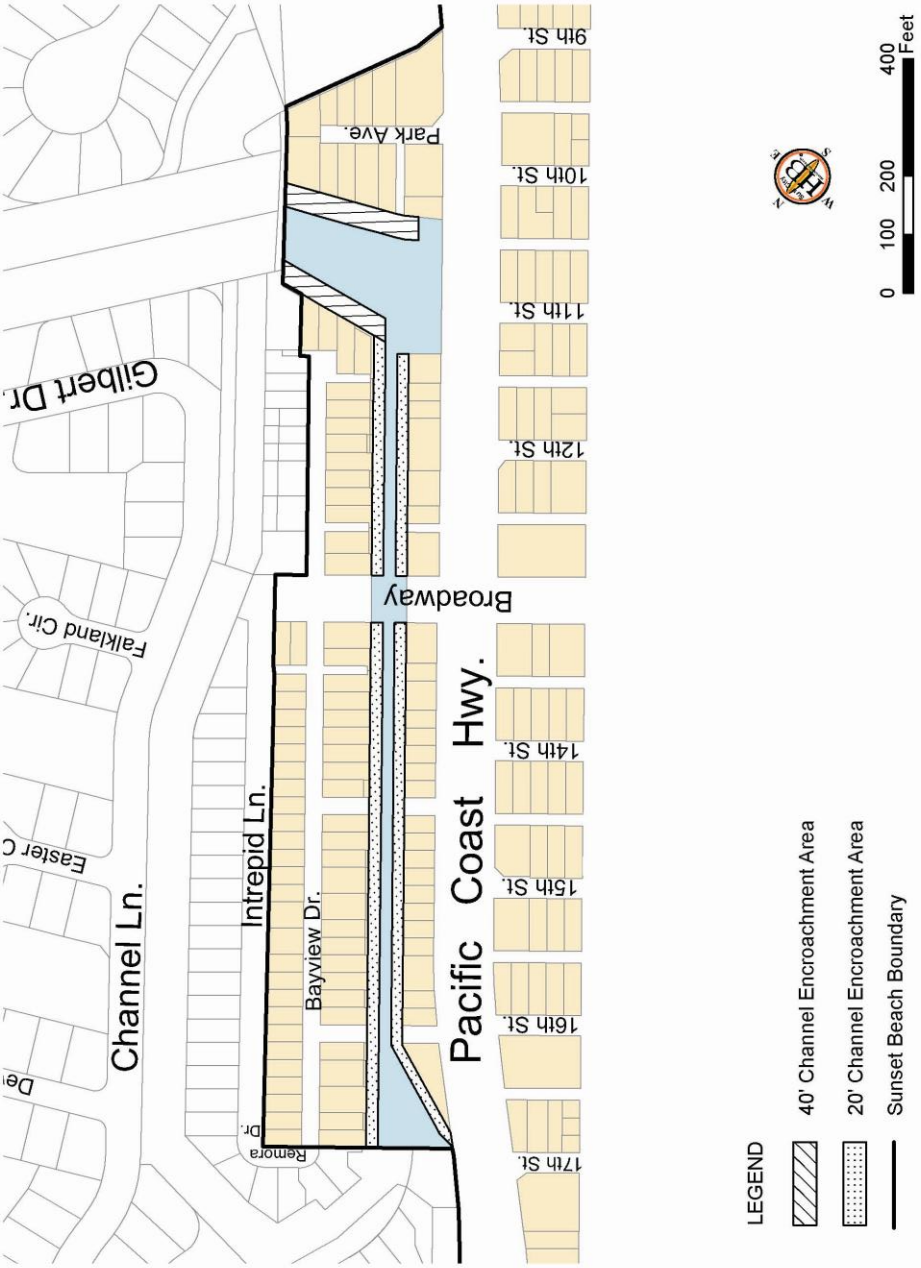

Exhibit 3.2 Permitted Encroachment Areas Within Sunset Beach

Note: Dimensions shown are maximum allowable for landing brow and encroachment area, and minimum allowable for side setback from each property line. This drawing is presented as general criteria for the installation of dock facilities and shall not be used in lieu of plans and specifications per the City of Huntington Beach Municipal Code.

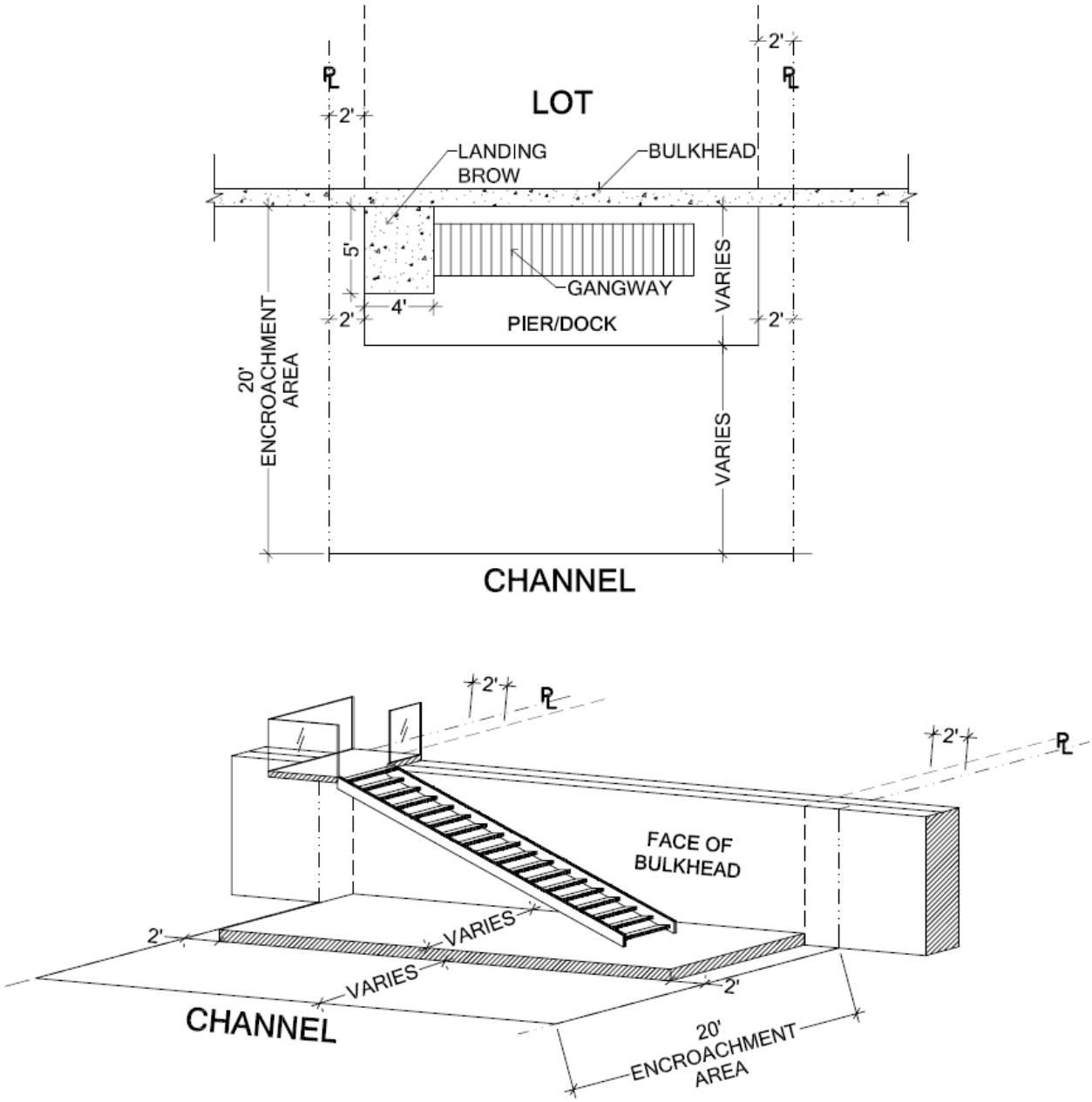

Exhibit 3.3 Criteria For Sunset Beach Channel Encroachments

3.3.4 Parking Requirements

Off-street parking regulations, including minimum parking stalls required and bicycle parking, shall be provided in compliance with the City of Huntington Beach Zoning and Subdivision Ordinance Chapter 231 except that:

1. Residential

    a. Parking stall size for residential uses shall be a minimum of nine feet by 18 feet, whether the stall is covered or uncovered.

    b. One half of the required parking may be tandem for residential lots having less than 46 feet of street frontage.

2. All Other Permitted Uses

    a. No owner or tenant shall lease, rent, or otherwise make available to intended users any off-street parking spaces required by this article.

    b. Parking stalls for commercial uses requiring backing onto public streets shall be prohibited, except where they presently exist. In the case of minor alterations to existing structures, nonconforming parking stalls may remain subject to a Coastal Development Permit. Minor alterations are defined as those that 1) do not increase the intensity of use and 2) do not increase the existing parking capacity.

    c. Subject to a Coastal Development Permit by the Planning Commission, the off-street parking facilities may be located on separate non-contiguous building sites subject to recorded covenant that would guarantee their continuous maintenance for the uses they serve. Non-contiguous building sites shall be within 470 feet of the site of the uses they serve.

    d. Up to 50 percent of the required parking for commercial uses may be compact size, eight feet by 15 1/2 feet, subject to a Coastal Development Permit. The point of entry or exit for compact space shall be no closer than 20 feet from the ultimate right-of-way at the street opening.

    e. One-way accessways shall have a minimum width of 14 feet unless it is a fire lane which requires a minimum of 20 feet. However, see also General Provision 3.2.4.

    f. Two-way accessways shall have a minimum width of 24 feet. However, see also General Provision 3.2.4.

    g. The point of exit or entry from any off-street parking space, except compact, may be at the ultimate right-of-way to a street opening.

    h. Aisle width requirements of the City of Huntington Beach Zoning and Subdivision Ordinance shall prevail, except that one-way aisles with parallel parking on one or both sides shall be a minimum of 12 feet.

i. Up to 40 percent of the required parking spaces may be tandem parking subject to a Coastal Development Permit by the Planning Commission.

j. Subject to a Coastal Development Permit by the Planning Commission, a reduction in the number of required parking spaces may be allowed for uses which utilize shared parking site between uses that have different peak parking periods.

3. Minimum parking stalls required by specific use within Sunset Beach are set out as follows:

	Use	Stall Required
a.	Automobile, truck, boat, trailer, or similar vehicle sale or rental establishments.	1 space for each 400 sq. ft. of gross floor area, except area used exclusively for storage or loading and 1 space for each 1000 sq. ft. of outdoor sales, display, or service area.
b.	Automobile service stations.	2 spaces for each lubrication stall, rack, or pit, plus 1 space for each gasoline pump outlet
c.	Beauty shop or barber shop.	2 spaces for each of the beauty station or barber chair
d.	Child care center, day nursery, preschool, or nursery school.	1 space for each staff member, plus 1 space for each 5 children or 1 space for each 10 children where a circular driveway or its equivalent designed by contiguous flow of passenger vehicles for the purpose of loading and unloading children.
e.	Commercial boat docks.	1 space for each 35 feet of boat dock or boat mooring with a minimum of 1 space per boat. In addition, where commercial docks are used to load or unload passengers on a commercial or fee basis, there shall be 1 additional onsite parking space required for each 2 passenger or passenger capacity of the boat.

f.	Commercial service establishments, repair shops, motor vehicle repair garages, and similar establishments.	1 space for each 400 sq. ft. of gross floor area, except floor area used exclusively for storage or loading, plus 1 space for each 500 sq. ft. of outdoor sales, display, or service area.
g.	Dance halls, pool or billiard parlors, roller or ice skating rinks, exhibition halls, including private clubs and lodge halls.	1 space for each 3 persons allowed within the maximum occupancy load as established by local, County, or State fire, building, or health codes, or 1 space for each 75 square foot of gross floor area, whichever is greater.
h.	Food store, grocery store, supermarket, or similar use.	1 space for each 225 sq. ft. of gross floor area.
i.	Furniture store, appliance store, machinery rental, or sale store (including motor vehicle rental or sales), and similar establishments which handle only bulky merchandise.	1 space for each 500 sq. ft. of gross floor area, except floor area used exclusively for storage or loading, plus 1 space for each 500 sq. ft. of outdoor sales, display or service area.
j.	General office and other business technical service, administrative or professional offices including real estate.	1 space for each 250 sq. ft. of gross floor area
k.	General retail stores, except as otherwise noted.	1 space for each 225 sq. ft. gross floor area.
l.	Laundromats.	1 space for each 4 machines.
m.	Medical/dental office or clinic.	1 space for each 150 sq. ft. of gross floor area
n.	Motel or hotel.	1 space for each guest unit. 2 spaces for any unit having facilities other than bathroom, e.g., kitchen, wet bar; etc.
o.	Private golf course, swim club, country club, tennis club, recreation center, or similar use.	1 space for each 4 persons based upon maximum capacity of all facilities capable of simultaneous use as determined by the staff, plus 1 space for each 2 employees.

p.	Residential.	2 spaces for each dwelling unit
q.	Restaurants, night clubs, bars and similar establishments for the sale and consumption of food and beverage on the premises.	1 space for each 100 sq. ft. of serving area. There shall be a minimum of 10 spaces on-site without regard for the sq. ft. of service area.
r.	Tennis courts, open to the public.	2 spaces for each court.
s.	Veterinary hospital.	1 space for each 150 sq. ft. of gross floor area.
t.	Other.	All other uses shall be defined by the City of Huntington Beach Zoning and Subdivision Ordinance.

3.3.5 Fences and Walls

For purposes of this section, “fences and walls” include any type of fence, wall, retaining wall, sound attenuation wall, or screen. Fences/walls shall be in compliance with the following regulations. However, walls that are located within the interior of an approved tract map and are part of the initial development of that tract map shall be exempt from these regulations. Subsections “4” and “5” only shall also apply to hedges, or thick growth of shrubs, bushes, or trees. Fence/wall heights shall be measured from the base of the fence/wall to the top on interior or exterior side, whichever is greater.

1. Main building area.

   In the area where a main building may be constructed, the district building height regulations apply.

2. Setback areas bordering streets.

   a. The maximum height shall be three and one-half feet within any required front setback area and six feet within any rear or side setback area (through which no vehicular access is taken) adjoining a street, up to a maximum depth of 20 feet.

   b. That portion of a building site where vehicular access rights have been dedicated to a public agency may have a six feet high fence/wall.

   c. Fences/walls that border major arterial highways may be six feet high and as high as eight feet if:

      i. The major arterial is elevated two feet or more above the building site elevation, or

      ii. The exterior side measurement of the wall is not more than six feet in height.

3. Setback areas not bordering streets.

   The maximum height shall be six feet within any required front, rear, or side setback area not adjoining a street. However, where the elevation of an adjoining building site to the side or rear is higher than the base of the fence or wall in the side or rear setback area, the height of the fence or wall may be measured from the elevation of the adjoining building site to the top of the fence or wall. However, in no case shall such a fence or wall exceed eight feet from the base of the fence/wall to the top as measured from the adjoining site.

4. Access intersection areas.

   Notwithstanding “2” above, the maximum height shall be three and one-half feet within five feet of the point of intersection of:

   a. An ultimate street right-of-way line and an interior property line;

   b. An ultimate street right-of-way line and the edge of a driveway or vehicular accessway;

   c. An ultimate street right-of-way line and an alley right-of-way line; and

   d. The edge of a driveway or vehicular accessway and an alley right-of-way line.

5. Street intersection areas.

   Notwithstanding “2” above, the maximum height shall be three and one-half feet within the triangular area formed by drawing a straight line between two points located on, and 15 feet distant from, the point of intersection of two ultimate street or highway right-of-way lines extended.

6. Modifications permitted.

   Exceptions and modifications to the fence and wall height provisions may be permitted subject to the approval of a conditional use permit by the Zoning Administrator per the Huntington Beach Zoning and Subdivision Ordinance.

3.3.6 Sign Regulations

All references to this section shall include Section 1 through 9.

1. Purpose

   The purpose of this section is to establish standards for the control of signs in Sunset Beach that require protection of vistas of the natural landscape, scenic corridors and highways, recreational facilities, and routes used for access to recreational areas and facilities. The intent of these regulations is to minimize the number of signs and to encourage the use of sound planning and design principles in the use of signs to complement the main use of the property. Also to promote the visitor-serving

commercial/recreational facilities designed to enhance public opportunities for coastal recreation.

2. General Provisions

   a. Uncertainty. Whatever uncertainty exists as to the intent or wording of this article, the Sunset Beach Local Coastal Program Review Board shall be consulted to make an interpretation. The decision of the Planning and Building Director shall be final unless appealed. Appeals will require the filing of a Coastal Development Permit for a public hearing.

   b. Except for special event signs, all permitted signs shall be located on the same site as the use they identify or the goods they advertise. Exception – Special event signs may be located off-site with the approval of the City of Huntington Beach.

3. Permitted Permanent Signs

   a. Business sign: A sign displaying information pertaining to goods or services offered or produced by the business located on the property but not including advertising devices/displays. Business signs may include the identifying name of a business.

   b. Civic activity sign: A bulletin board customarily incidental to places of worship, libraries, museums, and other public institutions.

   c. Identification sign: A sign identifying the name and symbol/insignia of an existing or future community, building, business, facility, organization, person, etc.

4. Permitted Temporary Signs

   Temporary Signs are permitted in any district (except where prohibited).

   A Coastal Development Permit will not be required if the sign does not exceed the height of existing structures on a site.

   a. The following signs are permitted:

      i. Real Estate signs: In any area one real estate sign shall be permitted on any building site or business property, not to exceed four square feet in area, unlighted and unilluminated.

      ii. Construction signs: One construction sign shall be permitted on any building site, in any area, except where specifically prohibited, unlighted and unilluminated and not to exceed a total area of 16 square feet.

   b. Upon review and recommendation of the LCP Review Board and approval of the Planning and Building Department, the following signs are permitted:

      i. Special Event signs: For community sponsored events such as the Firemen's Ball, Chili Bean Feed, Art Festival, and Pancake breakfast, etc.

ii. Portable signs: One portable sign shall be permitted on any building site zoned for commercial use, unlighted and unilluminated and not to exceed a total of 16 square feet or five feet in height. Portable signs are not allowed in any road or pedestrian right-of-way.

5. Prohibited Signs

   a. Signs which resemble or conflicts with any traffic-control device or conflict with safe and efficient flow of traffic.

   b. Signs which create a safety hazard by obstructing clear view of pedestrian and vehicular traffic.

   c. Outdoor advertising signs (e.g. billboards).

   d. Advertising device/display.

   e. Banner signs.

6. Sign Definitions

   Except as defined by these regulations, signs shall have the same definitions per the Zoning and Subdivision Ordinance Chapter 233.

7. Lighted/Illuminated Signs

   Lighted and illuminated signs shall be designed and installed so that direct light rays shall be confined to the premises.

8. Signs Abutting Residential Areas

   On the ocean side of Pacific Coast Highway business and identification signs facing the ocean are permitted providing they are no more than 32 square feet in area. If lighted, it shall be by external lighting only with the rays directed on the sign face only.

9. Sign Measurements

   a. Sign Area:

      The entire area within which a single continuous perimeter of not more than eight straight lines enclose the extreme limits of writing.

      Signs shall not exceed one square foot of sign area for each linear foot of building frontage. The total aggregate sign area for such signs shall not exceed 125 square feet for each property. If the building frontage of any business is less than 25 feet, only one sign, having a maximum area of 25 square feet, shall be permitted for each such business.

      Signs for the purpose of identifying public access to the Ocean/Beach located at Anderson/Pacific Coast Highway and at Warner shall not exceed four square feet.

b. Sign Height:

The greatest vertical distance measured from the ground level directly beneath the sign to the top of the sign. Signs shall not exceed the building height limit of the district in which they are located.

i. Pole and roof signs: Maximum height 25 feet.

ii. Wall signs: Maximum height 35 feet.

3.3.7 Accessory Uses and Structures

In addition to the principal uses and structures expressly included in the Specific Plan, accessory uses and structures which are customarily associated with and subordinate to a permitted principal use on the same building site and which are consistent with the purpose and intent of the Specific Plan are permitted. Whenever there is a question as to whether a specific use or structure is permitted as an accessory use, the Planning and Building Director shall make the determination.

1. Discretionary action required.

   Accessory uses and structures shall be subject to a discretionary action per Section 4.2 when one or more of the following apply:

   a. Required by other zoning regulations, or

   b. The principal use is subject to a discretionary permit and the accessory structure is over six feet in height.

2. Location of certain attached accessory structures.

   Accessory structures that are attached to a main building, are enclosed, and are over eight feet in height shall comply with the setback requirements for a main building, except as provided in Section 3.3.7.

3. Location of other accessory structures.

   Accessory structures other than in “2” above shall be permitted anywhere on the building site except within the following areas, unless otherwise permitted by Section 3.3.7.

   a. Within the ultimate right-of-way.

   b. Within the area designated on an approved building line plan as a setback area applicable to accessory buildings.

   c. Within those areas where fences and walls are limited to a maximum height of three and one-half feet, as specified in Section 3.3.5.

   d. Within the required front setback area unless provided for by a coastal development permit approved by the Zoning Administrator.

e. Within the panhandle portion of a panhandle building site.

4. Height Limit

   Accessory structures that are within the required setback areas shall be limited to 12 feet in height, unless it is within three feet of a property line, in which case it shall be limited to eight feet in height. However, the height limit may be increased pursuant to a variance approved by the Zoning Administrator.

5. Building site coverage within setback areas.

   Accessory structures shall be limited to the following site coverage within the required setback area:

Required Setback Area	Enclosed Structure	Unenclosed Structure
Front	0%	0%*
Rear	25%	50%
Side	25%	50%

   *Note: Up to 25 percent building site coverage of the required front setback area shall be allowed for unenclosed structures if provided for by a coastal development permit approved by the Zoning Administrator.

6. Garages and carports.

   When alleys, private streets, or common driveways are provided specifically as vehicular access to garages and carports and when separate access and circulation systems are provided for pedestrians, guests, and emergency vehicles, attached and detached garages and carports may be placed anywhere within the rear setback area except within those areas where fences and walls are limited to a maximum height of three and one-half feet as specified in Section 3.3.5. See also Section 3.3.4.2.g.

7. Satellite dish antennas.

   Satellite dish antennas shall be permitted in any residential district if one meter or less in diameter and permitted in any commercial district if two meters or less in diameter.

8. Swimming pools.

   Swimming pools shall not be constructed within three feet of vehicular right-of-way or property line or within those areas described as access intersection areas and street intersection areas per Section 3.3.5.

3.3.8 Flood Plain District

The Huntington Beach Zoning and Subdivision Ordinance Floodplain Overlay District Regulations and County of Orange Coastal Flood Plain Development Study as amended are hereby incorporated into the Sunset Beach Specific Plan and shall be applicable as designated by the floodplain map. Finished floor elevations shall also be in compliance with Section 3.3 Site Development Standards.

4. Administration

The methods and procedures for implementation and administration of the Development Standards, as well as the guidelines and other conditions of this Specific Plan are prescribed below.

4.1 Enforcement of the Specific Plan

The City's Planning and Building Director shall administer the provisions of the Sunset Beach Specific Plan in accordance with the State of California Government Code, Subdivision Map Act, the Huntington Beach Municipal Code, the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), the City's General Plan and the City's Local Coastal Program.

The Specific Plan development procedures, regulations, standards and specifications shall supersede the relevant provisions of the City's Zoning Code (Huntington Beach Zoning and Subdivision Ordinance), as they currently exist or may be amended in the future. Any development regulation and building requirement not addressed in the Specific Plan shall be subject to the City's adopted regulations in effect at the time of an individual request.

4.2 Methods and Procedures

The methods and procedures for implementation of the Specific Plan shall be on a project-by-project basis. The adoption of the Specific Plan alone will not require any improvements to the Specific Plan area. Physical improvements will only coincide with the approval of development projects. The Specific Plan is a regulatory document and is not intended to be a Development Agreement.

Coastal Development Permits

Coastal Development Permits shall be processed pursuant to the Huntington Beach Zoning and Subdivision Ordinance.

Conditional Use Permits

Conditional Use Permits shall be processed pursuant to the Huntington Beach Zoning and Subdivision Ordinance.

Tentative Maps

Tentative Tract or Parcel Map(s) shall be in compliance with the provisions and procedures of the Huntington Beach Zoning and Subdivision Ordinance. Tentative Maps require a Coastal Development Permit.

Variances

Variances shall be processed pursuant to the Huntington Beach Zoning and Subdivision Ordinance.

Appeals

Any decision or determination may be appealed in accordance with applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance. In addition, the majority of Sunset Beach is in an appealable area such that coastal development permits approved by the local jurisdiction may be appealed to the California Coastal Commission. Permitted uses are subject to appeal to the California Coastal Commission per the Zoning and Subdivision Ordinance if within an appealable area.

Certificate of Occupancy

Certificates of Occupancy shall be processed pursuant to the City of Huntington Beach Municipal Code.

Sunset Beach LCP Review Board

The County's Sunset Beach LCP was developed largely through the vigorous efforts of the Sunset Beach community through the LCP Advisory Committee. Subsequent to the County's LCP adoption, the Board of Supervisors designated the Sunset Beach LCP Conformity and Violation Review Board (commonly known as the "LCP Board") as the official citizen's review group in Sunset Beach.

The Committee helped identify the community lifestyle and special needs of Sunset Beach. It recognizes the complex needs and limits of planning an area that is 96 percent developed. Coastal Act Policies have been applied with sensitivity to the existing community.

The Sunset Beach LCP Review Board provides continuing community participation in the long-term process of implementing the provisions of this Specific Plan. Such process does not replace the current mode of community participation, but provides a centralized forum for obtaining community opinion and for transmitting recommendations to the City. The LCP Review Board's specific function and membership is contained in a separate document titled "Bylaws of the Sunset Beach Advisory Committee (LCP Board)."

In addition, the Director of Planning and Building shall forward the following items to the Sunset Beach LCP Review Board:

- All discretionary permit applications, special event permits and harbor permits for review and comment at least 21 calendar days prior to final action by the approving authority. Any changes to floor plans or site plans associated with the discretionary permit shall be resubmitted to the Review Board prior to final action by the City.
- Requests for Special event signs and Portable signs.
- A copy of all Certificates of Occupancy issued by the City for their records.
- A copy of Certificates of Occupancy and encroachment permits issued for any use of public properties within three days of issuance for their records.

Nonconforming Uses and Structures

Nonconforming uses and structures are subject to the City of Huntington Beach Zoning and Subdivision Ordinance Chapter 236 except as otherwise noted in these regulations.

4.3 Specific Plan Amendments

The Specific Plan may be amended. The Planning and Building Director shall have the discretion to determine if requests for modification to the Specific Plan are minor or major. Minor modifications may be accomplished administratively by the Director. Major modifications will require the processing of a Zoning Text Amendment and Local Coastal Program Amendment, subject to the City's processing regulations in place at the time of the request.

Minor modifications are simple amendments to the exhibits and/or text that are intended to clarify and not change the meaning or intent of the Specific Plan. Major modifications are amendments to the exhibits and/or text that are intended to change the meaning or intent of the Specific Plan.

Proposed amendments for both minor and major modifications shall be forwarded to the Sunset Beach LCP Review Board by the Planning and Building Director at least 21 days prior to action by the Planning Commission.

4.4 Severability

If any section, subsection, sentence, clause, phrase, or portion of this title, or any future amendments or additions hereto, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this title, or any future amendments or additions hereto. The City hereby declares that it would have adopted these titles and each sentence, subsection, clause, phrase, or portion or any future amendments or additions thereto, irrespective of the fact that any one or more sections, subsections, clauses, phrases, portions or any future amendments or additions thereto may be declared invalid or unconstitutional.

Appendices

A. Legal Description

EXHIBIT A
PROPOSED "SUNSET BEACH ANNEXATION (AN 10-__)"

That portion of fractional Section 24, Township 5 South, Range 12 West, and those portions of fractional Sections 19 and 30, Township 5 South, Range 11 West, of the San Bernardino Meridian, in the County of Orange, State of California according to the official plat of said land filed in the District Land Office described as follows:

Beginning at the northerly terminus of that certain course in the boundary line of the City of Huntington Beach as established by City Annexation in Ordinance No. 920 of said city shown as having a bearing and distance of "South 21° 43' 12" West, 249.38 feet", said northerly terminus also being the most easterly corner of Tract No. 21 as per map recorded in Book 9, Page 22 of Miscellaneous Maps, in the office of the County Recorder of said County; thence along said City Boundary Line the following courses:

Course 1: South 21°43' 12" West a distance of 249.38 feet,

Course 2: South 07°56'07" West a distance of 53.74 feet to a point being in a curve concave to the northeast having a radius of 2940 feet; a radial line of said curve from said point bears North 44°12'36" East,

Course 3: Southeasterly a distance of 63.71 feet along last mentioned curve through a central angle of 01°14'30",

Course 4: South 47°01'54" East a distance of 279.29 feet to the beginning of a tangent curve concave to the southwest having a radius of 3060 feet,

Course 5: Southeasterly a distance of 195.23 feet along said last mentioned curve through a central angle of 03°39'20",

Course 6: South 43°22'34" East a distance of 1599.82 feet to the beginning of a tangent curve concave to the southwest having a radius of 3050 feet,

Course 7: Southeasterly a distance of 183.58 feet along said last mentioned curve through a central angle of 03°26'55", to a point on a line parallel with and 30.00 feet southerly, measured at right angles, from the centerline of Los Patos Avenue (Warner Avenue) as said centerline is shown on a map filed in Book 53, Page 40 of Records of Survey in the office of said County Recorder, said point being the most southwesterly corner in the boundary line of the City of Huntington Beach as established by City Annexation in Ordinance No. 3489 of said city; thence leaving said city boundary,

Course 8: South 89°51'53" West a distance of 377.41 feet along said parallel line to a point in the boundary line of the City of Huntington Beach as established by City Annexation in Ordinance No. 1126 of said city, said point also being southeasterly along said City Boundary line 40.61 feet from the northwesterly terminus of that certain course shown as having a bearing and distance of "North 42°28'13" West, 1816.06 feet"; thence along said City Boundary Line,

- 1 -

EXHIBIT A
PROPOSED "SUNSET BEACH ANNEXATION (AN 10-__)"

Course 9: North 43°23'54" West a distance of 40.61 feet,

Course 10: South 89°51'53" West a distance of 291.59 feet,

Course 11: South 49°10'33" West a distance of 344.56 feet to a point in the Mean High Tide Line of the Pacific Ocean as shown on Record of Survey 2010-1097 recorded in Book 241, Page 3 in the office of the County Recorder of said County, said point also being the southeasterly terminus of that certain course shown as having a bearing and distance of "North 41°43'52" West, 388.69 feet"; thence along said Mean High Tide Line the following courses:

Course 12: North 42°38'49" West a distance of 388.69 feet,

Course 13: North 44°46'59" West a distance of 1085.55 feet,

Course 14: North 44°33'21" West a distance of 1283.71 feet,

Course 15: North 43°44'38" West a distance of 1709.89 feet,

Course 16: North 41°23'09" West a distance of 968.62 feet,

Course 17: North 47°20'53" West a distance of 703.78 feet to a point in the southeasterly City Boundary Line of the City of Seal Beach, County of Orange, State of California, said boundary having been established as Annexation No.76-1 to said city, said point also being distant southwesterly along said City Boundary line 368.70 feet from the easterly corner of said Annexation No. 76-1; thence leaving said Mean High Tide Line and along said City Boundary Line,

Course 18: North 49°35'36" East a distance of 368.70 feet to the most easterly corner of said Annexation No. 76-1, said corner also being the most southerly corner in said city boundary established as Annexation No. 67-1 to said city; thence along said City Boundary Line,

Course 19: North 49°35'36" East a distance of 511.00 feet to the most westerly corner in the boundary line of the City of Huntington Beach as established by City Annexation in Ordinance No. 919 of said city, said corner being in a curve concave to the southwest having a radius of 1060 feet, a radial line of said curve from said point bears South 25°58'14" West (South 26°05'34" West per said Ordinance No. 919); thence along said City Boundary Line the following courses:

Course 20: Southeasterly a distance of 380.17 feet along said last mentioned curve through a central angle of 20°32'58",

EXHIBIT A
PROPOSED "SUNSET BEACH ANNEXATION (AN 10-__)"

Course 21: South 43°28'48" East a distance of 389.02 feet to the beginning of a tangent curve concave to the southwest having a radius of 1060 feet,

Course 22: Southeasterly a distance of 341.40 feet along said last mentioned curve through a central angle of 18°27'12",

Course 23: South 25°01'36" East a distance of 63.84 feet to the beginning of a tangent curve concave to the northeast having a radius of 940 feet,

Course 24: Southeasterly a distance of 117.68 feet along said last mentioned curve through a central angle of 07°10'23",

Course 25: South 32°11'59" East a distance of 35.23 feet to the beginning of a tangent curve concave to the northeast having a radius of 940 feet,

Course 26: Southeasterly a distance of 186.20 feet along said last mentioned curve through a central angle of 11°20'58",

Course 27: South 43°32'57" East a distance of 563.44 feet along to the beginning of a tangent curve concave to the northeast having a radius of 940 feet,

Course 28: Southeasterly a distance of 136.93 feel along said last mentioned curve through a central angle of 08°20'46",

Course 29: South 51°53'43" East a distance of 179.28 feet to the most southerly corner of said Ordinance No. 919 of said city,

Course 30: North 46°31'47" East a distance of 323.43 feet to the most easterly corner of said Ordinance No. 919 of said city, said corner also being a point along that certain course in the southwesterly boundary line of the City of Huntington Beach as established by City Annexation in Ordinance No. 800 of said city, a distance of 1008.96 feet from the northwesterly terminus of that certain course shown as having a bearing and distance of "North 42°45'00" West, 2727.12 feet"; thence along said City Boundary Line,

Course 31: South 42°28'34" East a distance of 980.00 feet to the most northerly corner in the boundary line of the City of Huntington Beach as established by City Annexation in Ordinance No. 1089 of said city; thence along said City Boundary Line,

Course 32: South 46°45' 11" West a distance of 55.00 feet,

Course 33: South 43°14'49" East a distance of 375.00 feet,

Course 34: North 46°45'11" East a distance of 15.00 feet,

Course 35: South 43°14'49" East a distance of 111.77 feet,

EXHIBIT A
PROPOSED "SUNSET BEACH ANNEXATION (AN 10-__)"

Course 36: North 75°46'26" East a distance of 33.80 feet along said City Boundary Line to an intersection with that certain course in the southwesterly boundary line of the City of Huntington Beach as established by City Annexation in Ordinance No. 800 of said city, said intersection also being northwesterly along said southwesterly boundary 261.60 feet from the southeasterly terminus of that certain course shown as having a bearing and distance of "North 42°45'00" West and a length of 2727.12 feet"; thence along said City Boundary Line,

Course 37: South 42°28'34" East a distance of 261.60 feet,

Course 38: South 47°13'34" East a distance of 35.00 feet to the Point of Beginning.

Containing an area of 133.88 acres, more or less.

Attached hereto and made a part hereof is a map designated as *EXHIBIT B.*

SURVEYOR'S CERTIFICATE

This proposal was prepared by me or under my supervision.

Jeremy L Evans 9-8-2010
Jeremy L. Evans, PLS 5282 Date:
Expires: December 31, 2011

This proposal does meet the approval of the Orange County Surveyor's Office.

Dated this _____ day of _____ 201__.

By: _____
Raymond L. Mathe, County Surveyor
PLS 6185, Expiration Date: March 31, 2012

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