



City of Huntington Beach Planning and Building Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning of Building
BY: Mary Beth Broeren, Planning Manager *MBB*
DATE: September 14, 2010

SUBJECT: GENERAL PLAN AMENDMENT NO. 10-002/ZONING TEXT AMENDMENT NO. 10-002/ZONING MAP AMENDMENT NO. 10-001/LOCAL COASTAL PROGRAM AMENDMENT NO. 10-001/ANNEXATION NO. 10-001/DRAFT NEGATIVE DECLARATION NO. 10-005 (Sunset Beach Specific Plan and Annexation)

APPLICANT: City of Huntington Beach, 2000 Main St., Huntington Beach, CA 92648

PROPERTY

OWNER: Various; there are 497 parcels in Sunset Beach and 441 property owners based on available information from the County of Orange.

LOCATION: Unincorporated Sunset Beach, located between Warner Avenue and Anderson Street on either side of Pacific Coast Highway, including the beach area

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Annexation No. 10-001 is a City-initiated proposal to annex the approximately 109 acre unincorporated Sunset Beach community to the City of Huntington Beach. The property is currently located within the jurisdiction of the County of Orange.

General Plan Amendment No. 10-002 is a request to amend the General Plan Land Use Map (Figure LU-5) to establish General Plan land use designations for the Sunset Beach area as follows - approximately 22.3 acres for Residential High Density-30, 9.2 acres for Visitor Serving Commercial-Mixed Use Overlay, 13.0 acres for Public, 3.4 acres for Open Space-Water Recreation and 33.2 acres for Open Space-Shoreline. The remainder of the area is right-of-way. The entire area would also have a Specific Plan Overlay. The proposed City of Huntington Beach General Plan land use designations mirror those of the existing County of Orange Land Use Plan for Sunset Beach. The General Plan Amendment would designate the Sunset Beach area as Subarea 4L on the Community District and Subarea Schedule (Figure LU-6 and Table LU-4) and would amend Table LU-3 to add a reference to "specific plans" for the Mixed Use Overlay. In addition, the General Plan Amendment would update figures to reflect the change in the City's boundary, would make minor wording changes to the Utility Element and would update the Recreation and Community Services Element to reflect update recreational amenity information.

Zoning Text Amendment No. 10-002 is a request to create the Sunset Beach Specific Plan (Specific Plan 17) that will provide development standards for the Specific Plan area pursuant to Chapter 215 of the Huntington Beach Zoning and Subdivision Ordinance (ZSO). The Sunset Beach area is currently governed by a County of Orange Sunset Beach Specific Plan. The proposed City of Huntington Beach Specific Plan proposes to maintain the intent of the existing Specific Plan in terms of land use plan, districts and regulations.

Zoning Map Amendment No. 10-001 is a request to amend the City of Huntington Beach Zoning Map to pre-zone the Sunset Beach area with the Sunset Beach Specific Plan pursuant to Chapter 247 of the ZSO. Pre-zoning is required for annexation to be approved.

Local Coastal Program Amendment No. 10-001 is a request to amend the City of Huntington Beach Local Coastal Program Land Use Plan and Implementation Plan to: 1) amend the certified Land Use Plan (Figure C-5) to establish City Land Use Designations for the Sunset Beach area consistent with the General Plan Land Use Designations described above, including designating it as Subarea 4L on the Community District and Subarea Schedule (Figure C-10 and Table C-2); 2) amend Land Use Plan Table C-1 to add a reference to “specific plans” for the Mixed Use Overlay; 3) amend various text sections of the Land Use Plan to include descriptions of the Sunset Beach area and update the figures to reflect the change in City boundary; and 4) amend the Implementation Plan to reflect the Zoning Map Amendment and Zoning Text Amendment described above.

Draft Negative Declaration No. 10-005 analyzes the potential environmental impacts associated with the General Plan Amendment, Zoning Text Amendment, pre-zoning, Local Coastal Program Amendment and annexation of Sunset Beach.

The proposed entitlements establish City of Huntington Beach General Plan, Local Coastal Program and zoning designations for Sunset Beach if it is annexed to the City of Huntington Beach. Due to the unique character and built out nature of the community, a specific plan is proposed to best carry forward the community-established goals for the area. The Sunset Beach area is currently regulated by a County of Orange specific plan. City staff has annotated the County’s specific plan to indicate which sections of that specific plan have been carried forward into the City’s proposed document and where they are located in the document. The proposed entitlements do not propose or require any development activity. They are necessary for the City to annex Sunset Beach. The Local Coastal Program Amendment is subject to review and approval by the California Coastal Commission, which approval must occur in order for the proposed zoning and land use designations to be in effect from a regulatory perspective.

At the August 10th Planning Commission Study Session staff presented a brief overview of the Sunset Beach area and the proposed planning entitlements associated with the annexation. At the August 24th Planning Commission Study Session staff presented a detailed review of the proposed Specific Plan. The intent of this Study Session is to review the Draft Negative Declaration.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

History of Entitlements:

- County of Orange approved the Sunset Beach Specific Plan/Local Coastal Program in 1981.
- California Coastal Commission certified the County’s Plan in 1983.
- County of Orange approved an Addendum to the Sunset Beach Specific Plan/Local Coastal Program in 1990.
- California Coastal Commission certified the amended Plan in 1991.
- Orange County Local Agency Formation Commission (LAFCO) placed the unincorporated Sunset Beach in the City of Huntington Beach’s Sphere of Influence in 2009.

Zoning and General Plan land use designations for Sunset Beach and surrounding area:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	<p><u>Existing</u> County: Urban Residential, Open Space, Community Commercial City: NA</p> <p><u>Proposed</u> County: NA City: Residential High Density, Commercial Visitor, Open Space-Shoreline, Open Space-Water, and Public</p>	<p><u>Existing</u> County: Sunset Beach SP and Sunset Beach SP-FP3 City: NA</p> <p><u>Proposed</u> County: NA City: Sunset Beach SP</p>	Residential, commercial, public and open space
North of subject property	<p>City of Seal Beach: General Commercial, Beach and Residential Low Density</p> <p>City of Huntington Beach: Commercial Visitor, Residential Medium Density, Residential Low Density, Residential Medium High Density, Commercial Neighborhood</p>	<p>City of Seal Beach: General Commercial, Beach, Residential Low Density</p> <p>City of Huntington Beach: Commercial Visitor, Medium Density Residential, Low Density Residential, Medium High Density Residential and Commercial General</p>	Residential, Commercial, Huntington Harbour
East and southeast of subject property	<p>County: Open Space Reserve, Suburban Residential</p> <p>City: See North for City of Huntington Beach; also Open Space-Shoreline</p>	See North; also Bolsa Chica Wetlands, Bolsa Chica State Beach	See North; also Bolsa Chica Wetlands, Bolsa Chica State Beach
Southwest of subject property	NA	NA	Pacific Ocean

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION

August 2, 2010

MANDATORY PROCESSING DATE

- Draft ND: Within 180 days of complete application: January 29, 2011
- Legislative Action: Not Applicable

The tentative public hearing date for the Planning Commission is September 28, 2010.

CEQA ANALYSIS/REVIEW

A draft Negative Declaration has been prepared (Attachment No. 2). The 30-day public review period began on August 12, 2010 and ends on September 10, 2010. The draft Negative Declaration concludes that the proposed project will not result in any significant adverse environmental effects. An overview of the draft Negative Declaration is provided in the Planning Issues section of the report below. The September 28th public hearing staff report will include any comments received during the 30-day comment period. As of September 7th, one comment letter has been received.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Departments of Administration, Planning and Building, Fire, Community Services and Public Works analyzed annexation of the property for an Annexation Feasibility Study prepared for the City Council. City departments have also commented on the preparation of the Draft Specific Plan. Additionally, the City has been working with LAFCO regarding annexation procedures.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

In 2009 and 2010, City representatives attended Sunset Beach Community Association meetings regarding annexation. The City of Huntington Beach City Council held a Study Session to discuss the annexation on June 7, 2010. On August 2nd, the City Council directed staff to proceed with the annexation process and associated entitlements. At both the June 7th and August 2nd meetings, as well as at various City Council meetings held between these two dates, there were numerous speakers from Sunset Beach and Huntington Beach who expressed either opposition or support for the annexation; however, most were opposed and requested the City wait to pursue annexation until the Sunset Beach community completes its application process with LAFCO to incorporate as its own city.

On August 25th, the Sunset Beach Area Council Committee held its first meeting. In addition to the three appointed Council members, the meeting was attended by six Sunset Beach residents representing the Sunset Beach Transition Committee, City staff, a LAFCO representative and a Planning Commissioner. The group discussed the overall process, role of the Council Committee and the local Sunset Beach efforts regarding the proposed annexation and planning entitlements. The Council Committee is scheduled to meet again on September 14th.

On September 2nd, the Sunset Beach Community Association approved a list of items they would like to be included as part of the annexation agreement and/or adopted by the City Council (Attachment No. 3). These issues will be discussed at the September 14th Council Committee meeting. Some of the issues pertain to the proposed Specific Plan and will be addressed in the September 28th public hearing staff report.

PLANNING ISSUES

The primary issues for the Planning Commission to consider when analyzing this project are:

- Impacts of the proposed annexation on City services and consistency of the proposed annexation with surrounding land uses
- Consistency of the proposed amendments with the City of Huntington Beach General Plan and Local Coastal Program for the establishment of land use designations for the Sunset Beach area
- Consistency of the proposed Sunset Beach Specific Plan with City policies and regulations
- Consistency of the proposed amendment to the Zoning Map with the proposed land uses and surrounding area
- The environmental impacts associated with the proposed project

Draft Negative Declaration

Draft Negative Declaration (ND) No. 10-005 analyzes potential impacts of the proposed project. California Environmental Quality Act (CEQA) guidelines require that a project be evaluated for all direct and indirect physical changes from a project. For example, a direct physical change would include noise impacts from construction of a new water treatment facility. An indirect physical change would include potential increases in population due to the additional water treatment capacity the new facility would provide, which could then result in other impacts such as air pollution and traffic. CEQA guidelines also require that indirect physical changes be evaluated when the impacts are reasonably foreseeable.

The proposed annexation and associated zoning and general plan entitlements do not include a development project. The proposed Sunset Beach Specific Plan reflects the land use plan as approved by Orange County and the California Coastal Commission. There is no change to the number or location of properties designated for residential and commercial development or areas designated for open space. The proposed Specific Plan does not include any new infrastructure extensions or roadway. Thus, any potential development that may occur in the future, could also occur now under the existing regulations in effect. To this end, the “project,” would not result in significant environmental impacts. However, as discussed below, there will be some less than significant impacts associated with the project.

Issue Areas with No Impacts

The Draft Negative Declaration concludes that there will be no impacts associated with Population and Housing, Geology and Soils, Hydrology and Water Quality, Air Quality, Biological Resources, Mineral Resources, Noise, Utilities and Service Systems, Aesthetics, Cultural Resources, Recreation and Agricultural Resources. The proposed project represents a change in jurisdictional boundary but carries forward the goals and standards of the area’s existing specific plan. Thus, the project would not result in increased density or intensity of land use than what is currently allowed such that the project would result in impacts to the listed issue areas. As noted, the project does not include any development or infrastructure proposal.

Issue Areas with Less than Significant Impacts

The Draft Negative Declaration concludes less than significant impacts associated with Land Use and Planning, Transportation/Traffic, Hazards and Hazardous Materials, Public Services and Greenhouse Gas

Emissions. The less than significant impacts associated with the first three issue areas stem from differences in standards in the proposed Specific Plan (no change from existing) compared with what is currently required in most areas of Huntington Beach. Specifically, some of the standards for street sections and drive aisles that are designated as fire lanes are less in the proposed Specific Plan. The narrower widths may make it more difficult to maneuver fire apparatus depending on specific site conditions. The City of Huntington Beach Fire Department currently responds to approximately 80 percent of the calls in Sunset Beach. They are able to meet response times despite the existing standards being less than desirable. The Draft Negative Declaration identifies that there would be a less than significant impact associated with the adoption of the proposed Specific Plan and continuation of the existing standards in the event that new development built pursuant to these standards was implemented.

The less than significant impact for Public Services is due to the potential increase in calls for service that the City of Huntington Beach Police and Fire Departments may experience as a result of the annexation. The Draft Negative Declaration reviews the statistics in terms of calls for service and responding agency for Sunset Beach. The Police Department is expected to experience the largest increase in calls, given that the County Sheriff's Department provides the majority of law enforcement services in the area. However, the Police Department has indicated that the increase will not have a significant impact on their operations and ability to provide adequate service to the area and the rest of Huntington Beach. The potential increase in calls for service for the Fire Department is comparatively small, given that they effectively are the primary responder in the area now. Accordingly, associated impacts with the increased calls for service will be less than significant.

The last issue area for which less than significant impacts were identified was Greenhouse Gas Emissions. The CEQA threshold asks if the project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The draft Negative Declaration identifies that there may be indirect emissions associated with construction of buildings pursuant to the Specific Plan and the operation of existing and future development, however, these would be insignificant given that 99 percent of the community is already built out and due to parcel pattern and development standards, which significantly limit the size of individual projects and amount of development that could occur.

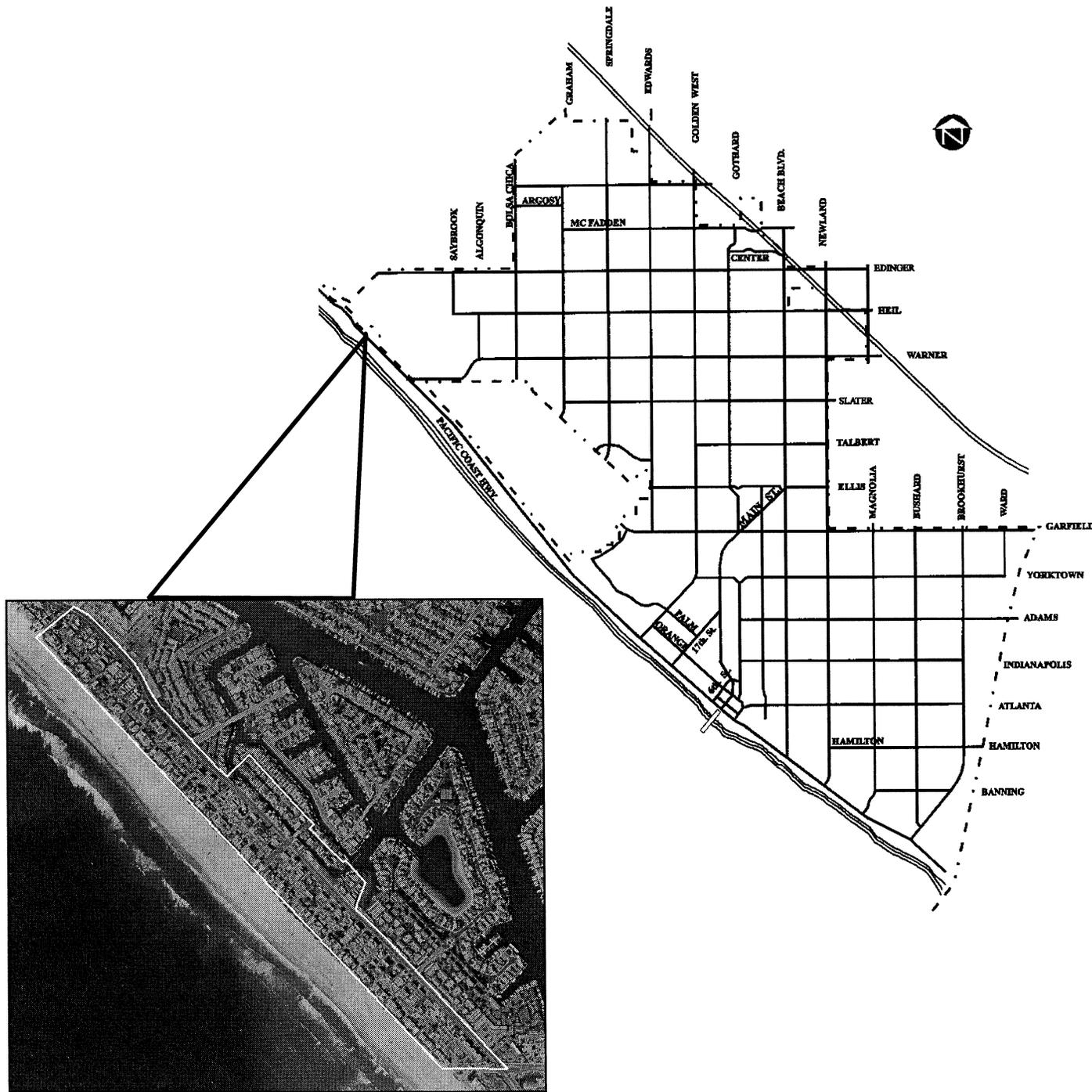
Follow-up on August 24th Study Session

The Planning Commission inquired as to the number of owner-occupied units in Sunset Beach. Based on available information, 207 (46.9%) property owners get their mail in Sunset Beach. It is possible that some of these are businesses that own their property, and not just residences, but this would likely be a limited number. For comparison purposes, the number of owner-occupied households in Huntington Beach per the 2000 Census was 61%.

ATTACHMENTS:

1. Vicinity Map
2. Draft Negative Declaration No. 10-005 (*previously distributed-not attached*)
3. Correspondence from Sunset Beach Transition Committee on behalf of the Sunset Beach Community Association, dated September 3, 2010

Note: Previously distributed attachments are attached to the August 24, 2010 Planning Commission Study Session Report.



VICINITY MAP
GENERAL PLAN AMENDMENT NO. 10-002/ZONING TEXT AMENDMENT NO. 10-002/ZONING MAP AMENDMENT NO. 10-001/LOCAL COASTAL PROGRAM AMENDMENT NO. 10-001/ANNEXATION NO. 10-001/NEGATIVE DECLARATION NO. 10-005 (SUNSET BEACH SPECIFIC PLAN AND ANNEXATION)

Attachment No. 2

Draft Negative Declaration No. 10-005

Is available at the Planning and Building Department, 2000 Main Street, Huntington
Beach, CA and at:

<http://www.huntingtonbeachca.gov/Government/Departments/Planning/PJB/pcl/pacagenda082410.cfm>

under item A-1

Broeren, Mary Beth

From: Tom Burke [tburke@burke-ent.com]
Sent: Friday, September 03, 2010 4:18 PM
To: Broeren, Mary Beth
Cc: Mike VanVoorhis - VP SBCA
Subject: Public Comment - Planning Commission - Sunset Beach Annexation Project
Attachments: transition committee requests rev. 3 09022010.doc

Dear Ms Broeren,

Find attached document with 20 line requests to the City of Huntington Beach Planning Commission (HBPC).

These request were compiled by the Sunset Beach Transition Committee on the behalf of the Sunset Beach Community Assoc. (SBCA). The information was acquired from two public meetings 8/23 & 8/28 with the average attendance of 40+. This document was further reviewed and accepted on 9/2 by the SBCA with 50+ in attendance.

Please consider this formal "Public Comment" to HBPC for Sunset Beach Annexation.

Respectfully submitted,

Tom Burke
SBCA Transition Comm.



September 2, 2010

The Sunset Beach Community Assoc. (SBCA) Transition Committee formally requests to the Sunset Beach Area Council Committee (SBACC), The City of Huntington Beach, County of Orange, and LAFCO the following:

Items to be part of the annexation agreement

- 1) Maintain Sunset Beach's identity, including signage, mapping and public documents.
- 2) Maintain all current street names and addresses in Sunset Beach.
- 3) Huntington Beach forms a three City Council member committee (SBACC) to meet regularly with the Sunset Beach community.
- 4) Keep the Sunset Beach Sanitary District as an independent special district.
- 5) Accept the Sunset Beach Local Coastal Program Specific Plan (September, 1990).
 - a) Maintain Sunset Beach LCP Advisory Board and by-laws.
- 6) Maintain the greenbelt as a community park, with the present configuration and facilities, including parking spaces.
- 7) Continue all existing Orange County encroachment programs for beach and waterways.
- 8) Keep the Pacific Coast Hwy., Edison Rule 20A Underground Utilities project under County jurisdiction. Orange County agrees to fund, and implement the engineering study for the Bayview/Park Avenue Underground Utilities Plan.
- 9) County to complete repaving project of streets and alleys.

Items to be adopted by the Huntington Beach City Council

- 10) Accept existing legal nonconforming structures.
- 11) No junior lifeguard, surf camp, or similar beach programs in Sunset Beach.
- 12) In the event that Huntington Beach acquires Fire Station #3, it will be used for Sunset Beach community purposes only.
- 13) Keep current County of Orange parking permit policy for Sunset Beach.
- 14) Add to Sunset Beach Specific Plan prohibited uses: marijuana dispensary related businesses, methadone related businesses, and drug and alcohol rehabilitation related businesses.
- 15) Exempt all licensing/permit fees for Sunset Beach non-profit groups for community events run by SBCA, Las Damas and Woman's Club.
- 16) The committee would like discussions with SBACC regarding short term rentals and a potential permitting process.
- 17) The committee would like discussions with SBACC regarding proceeds from Sunset Beach flowing back into the Sunset Beach community.
- 18) Public Works;
 - a) Repair Broadway Bridge.
 - b) Fix drainage and flooding problems including Park/PCH, Bayview Drive (west), 14th & 15th Streets, but not limited to.
- 19) Pursue enhancing PCH through Sunset Beach with planted medians.
- 20) Incorporate the Sunset Beach existing beach and parking hours of use. 6:00 AM to 10:00 pm, 7 days a week.

Respectfully submitted, SBCA Transition Committee & approved by
Sunset Beach Community Association 09/02/2010