



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning of Building
BY: Mary Beth Broeren, Planning Manager *MBB*
DATE: September 28, 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

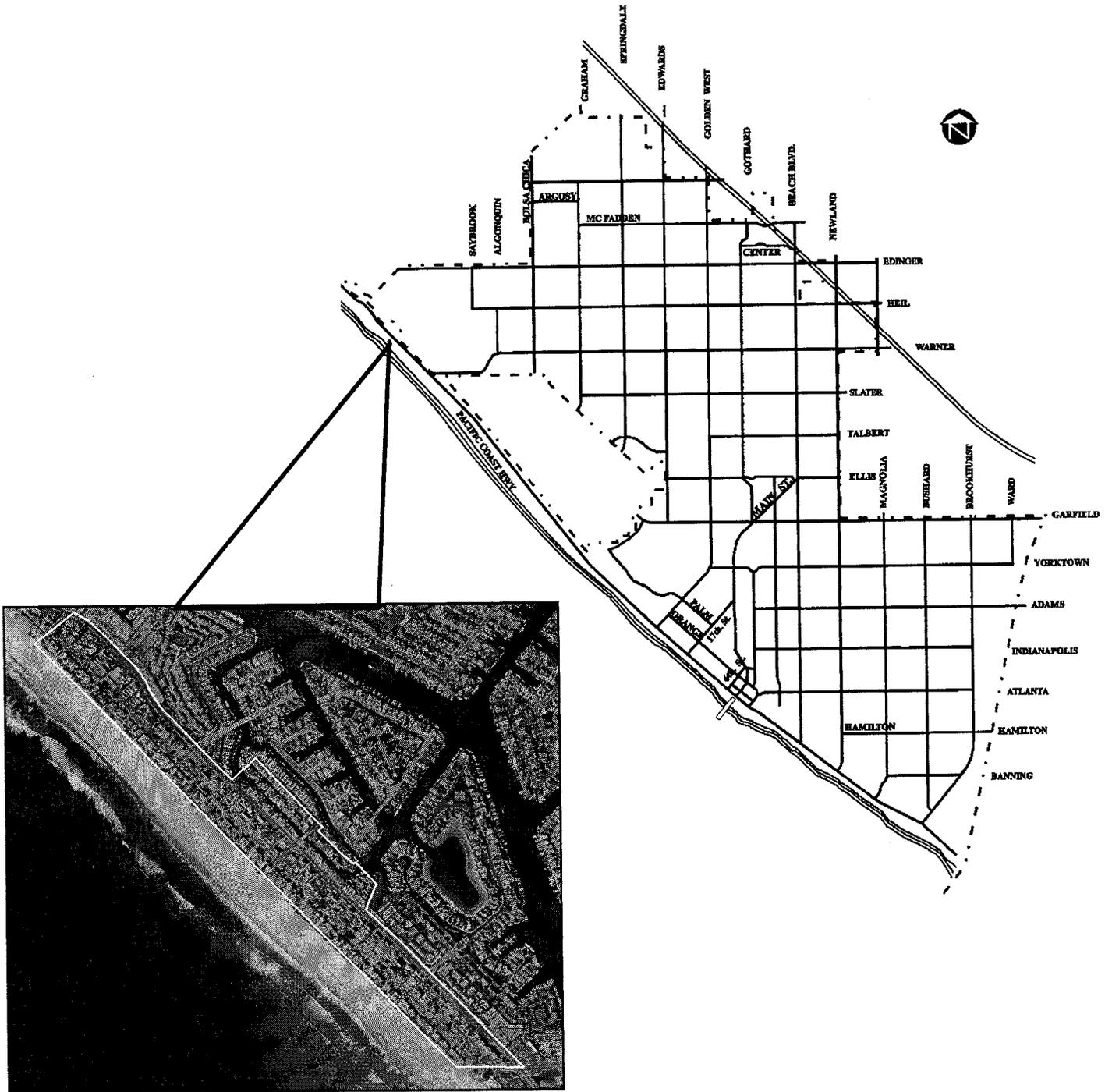
OWNER: Various; there are 497 parcels in Sunset Beach and 441 property owners based on available information from the County of Orange.

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

STATEMENT OF ISSUE:

- ◆ Annexation No. 10-001 represents a request for the following:
 - Annex the approximately 134 acre unincorporated Sunset Beach community to the City of Huntington Beach.

- ◆ General Plan Amendment No. 10-001 represents a request for the following:
 - 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 57.7 acres for Open Space-Shoreline. The remainder of the area is right-of-way. The entire area would also have a Specific Plan Overlay.
 - Designate the Sunset Beach area as Subarea 4L on the Community District and Subarea Schedule (Figure LU-6 and Table LU-4)
 - Amend Table LU-3 to add a reference to “specific plans” for the Mixed Use Overlay
 - Update figures to reflect the change in the City’s boundary
 - Make minor wording changes to the Utility Element
 - Update the Recreation and Community Services Element to reflect updated recreational amenity information.



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

- ◆ Zoning Text Amendment No. 10-002 represents a request for the following:
 - Adopt the Sunset Beach Specific Plan (Specific Plan 17) that will provide development standards for the Specific Plan area.
- ◆ Zoning Map Amendment No. 10-001 represents a request for the following:
 - Amend the City of Huntington Beach Zoning Map to pre-zone the Sunset Beach area with the Sunset Beach Specific Plan with a Coastal Zone Overlay (SP 17-CZ).
- ◆ Local Coastal Program Amendment No. 10-001 represents a request for the following:
 - 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)
 - Amend Land Use Plan Table C-1 to add a reference to “specific plans” for the Mixed Use Overlay
 - 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
 - Amend the Implementation Plan to reflect the Zoning Map Amendment and Zoning Text Amendment described above.
- ◆ Draft Negative Declaration No. 10-005 represents a request for the following:
 - Analyzes the potential environmental impacts associated with the General Plan Amendment, Zoning Text Amendment, Zoning Map Amendment, Local Coastal Program Amendment and annexation of Sunset Beach.
- ◆ Staff’s Recommendation:

Approve Negative Declaration No. 10-005, 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 and Annexation No. 10-001 based on the following:

 - The proposed project will not result in significant impacts on the environment.
 - The proposed land use and pre-zoning designations will result in land use and zoning designations for the Sunset Beach area that are consistent with the existing land uses and zoning designations.
 - The Local Coastal Program Amendment is consistent with the California Coastal Act and the project provides for continued preservation of existing coastal recreational resources, coastal access and maintenance of coastal views.
 - The Specific Plan carries forward the existing overall goals, policies and standards of the County’s Specific Plan for Sunset Beach, which are designed to address the unique development pattern of the community.
 - Pre-zoning of the project site will allow the City to annex the area to the City, which would result in a fiscal benefit to the City and allow for more efficient provision of services.

RECOMMENDATION:

Motion to:

- A. "Approve Negative Declaration No. 10-005 with findings (Attachment No. 1)."
- B. "Approve General Plan Amendment No. 10-002 by approving the Draft City Council Resolution No. ____ (Attachment No. 2) and forward to the City Council for adoption."
- C. "Approve Zoning Text Amendment No. 10-002 with findings for approval (Attachment No. 1) by approving the Draft City Council Resolution No. ____ (Attachment No. 3) and forward to the City Council for adoption."
- D. "Approve Zoning Map Amendment No. 10-001 with findings for approval (Attachment No. 1) and forward Draft Ordinance (Attachment No. 4) to the City Council for adoption."
- E. "Approve Local Coastal Program Amendment No. 10-001 with findings for approval (Attachment No. 1) by approving the Draft City Council Resolution No. ____ (Attachment No. 5) and forward to the City Council for adoption."
- F. "Approve Annexation No. 10-001 as a minute action and forward recommendation to the City Council."

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- 1. "Continue Negative Declaration No. 10-005, 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 and Annexation No. 10-001 and direct staff accordingly."
- 2. "Deny Negative Declaration No. 10-005, 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 and Annexation No. 10-001 with findings for denial."

PROJECT PROPOSAL:

Annexation No. 10-001 is a City-initiated proposal to annex the approximately 134 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 represents a request for the following (Attachment No. 2):

- A. 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 57.7 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.
- B. Designate the Sunset Beach area as Subarea 4L on the Community District and Subarea Schedule (Figure LU-6 and Table LU-4)
- C. Amend Table LU-3 to add a reference to “specific plans” for the Mixed Use Overlay.
- D. Update figures to reflect the change in the City’s boundary
- E. Make minor wording changes to the Utility Element
- F. Update the Recreation and Community Services Element to reflect updated recreational amenity information.

Zoning Text Amendment No. 10-002 represents 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 (Attachment No. 7).

Zoning Map Amendment No. 10-001 represents a request to amend the City of Huntington Beach Zoning Map to pre-zone the Sunset Beach area with the Sunset Beach Specific Plan and a Coastal Zone Overlay pursuant to Chapter 247 of the ZSO. Pre-zoning is required for annexation to be approved (Attachment No. 4).

Local Coastal Program Amendment No. 10-001 represents a request for the following (Attachment No. 5), pursuant to Chapter 247 of the ZSO:

- A. Amend the City of Huntington Beach Local Coastal Program Land Use 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; and 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.
- B. 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, Zoning Map Amendment, Local Coastal Program Amendment and annexation of Sunset Beach (Attachment No. 8).

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 (Attachment No. 6). The proposed entitlements do not propose or require any development activity. They are necessary for the City to annex Sunset Beach, which the City believes will result in a more efficient provision of municipal services and not have a negative fiscal impact on the City. 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.

Background:

The County of Orange approved the Sunset Beach Specific Plan/Local Coastal Program in 1981, and it was certified by the California Coastal Commission in 1983. The County of Orange approved an Addendum to the Sunset Beach Specific Plan/Local Coastal Program in 1990, which was certified by the California Coastal Commission in 1991. 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 thereby allowing for potential annexation of the area to the City.

In 2009 and 2010, City representatives attended Sunset Beach Community Association meetings regarding possible annexation. On August 2, 2010, the City Council directed staff to proceed with the annexation process and associated entitlements and established a Sunset Beach Area Council Committee (SBACC). The SBACC held its first meeting on August 25th. The SBACC held its second meeting on September 14th and began discussion on a list of items that the Sunset Beach Community Association would like to be included as part of the annexation agreement and/or adopted by the City Council (Attachment No. 11). Items 1, 4, 5, 6, 7, 10, 13, and 14 are addressed all or in part in the proposed project entitlements. Sunset Beach representatives, City Council Committee members and staff are continuing discussions on all of the items.

Study Sessions:

Three Planning Commission study sessions have been held in 2010. On August 10th, the overall project was introduced; on August 24th, the proposed Specific Plan was reviewed; on September 14th the draft Negative Declaration was reviewed. The Study Session Reports include a detailed review of the August 2010 draft Specific Plan and other project components and are incorporated herein by reference. A courtesy notice for the entire study session schedule, as well as the overall project schedule, was sent to all Post Office Box holders at the Sunset Beach Post Office and to property owners in Sunset Beach as well as interested parties, and was posted at the Sunset Beach Post Office bulletin board.

ISSUES:

Subject Property and Surrounding Land Use, Zoning and General Plan Designations:

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

General Plan Conformance:

The Sunset Beach area is located within unincorporated Orange County and does not have a City of Huntington Beach General Plan Land Use designation. The City is proposing to establish General Plan land uses as follows: 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 57.7 acres for Open Space-Shoreline. The remainder of the approximately 134 acre area is right-of-way. The entire area would have a Specific Plan Overlay and be designated as Subarea 4L on the General Plan Community District and Subarea Schedule. In addition, the General Plan Amendment request includes amending Table LU-3 to add a reference to “specific plans” for the Mixed Use Overlay, updating figures to reflect the change in the City’s boundary, making minor wording changes to the Utility Element and updating the Recreation and Community Services Element to reflect updated recreational amenity data.

The proposed project is consistent with the goals, objectives and policies of the City's General Plan as follows:

A. Land Use Element

Goal LU 3: Achieve the logical, orderly, and beneficial expansion of the City's services and jurisdictional limits.

Objective LU 3.1: Ensure that any proposed annexation is consistent with the overall objectives and does not adversely impact fiscal or environmental resources, and public services and infrastructure of the City of Huntington Beach.

Policy LU 3.1.1: Require that any lands proposed for annexation are contiguous with the City.

Policy LU 3.1.2: Require that the existing and future land uses located within the proposed annexation area are compatible with the adjacent City land uses.

Policy LU 3.1.4: Require that the proposed annexation areas generate a sufficient tax base or other revenue base to pay for their required or necessary City services.

Policy LU 3.1.5: Require that the infrastructure and service provision to the proposed annexation areas will not create a burden on existing City services and infrastructure.

Program I-LU 23: Annexation Feasibility Study Upon receipt of a request for annexation, the City shall conduct an "annexation feasibility study" to determine whether the proposed annexation:

- a. is adjacent to existing corporate boundaries;
- b. contains or will contain land uses that are compatible with City land uses;
- c. contains or will contain land uses that have the ability to provide economic benefit to the City;
- d. would place an undue or excessive burden on the City's or other service provider's ability to provide services; and
- e. would place an undue burden on school and other public services.

The annexation area is located within an unincorporated area of Orange County that is bordered on the east and south by the City of Huntington Beach. The proposed Sunset Beach Specific Plan allows for residential and commercial development that is compatible with the existing residential and commercial uses in the Huntington Harbour area to the east. The open space areas, waterway and beach, are consistent with existing adjacent uses.

City services such as Fire and Police Department services will be provided to the area by the City after annexation. Negative Declaration No. 10-005 reviewed the additional demand that will be placed on these services by the proposed annexation and found that both departments have the capacity to meet the additional burden with a less than significant impact. Other service providers such as schools will not change with project implementation. The City of Huntington Beach already provides water to the area and this will remain unchanged after annexation. The Sunset Beach Sanitary District will continue to provide local sewer service as it does now.

An annexation study on the fiscal impacts of the project on the City was prepared for the City. The study concluded that annexation of the Sunset Beach area would result in a revenue surplus for the City. The study was reviewed and approved by the City Council and has been peer-reviewed on behalf of LAFCO (Attachment No. 10).

Policy LU 15.1.1: Require the formulation, adoption, and implementation of Specific Plans for areas designated with a “Specific Plan Overlay (-sp).” This overlay provides greater specificity for the uses permitted and their design than defined for the underlying land use zone.

Policy LU 15.7.1: Allow the development of residential uses in conjunction with the underlying commercial designations. The Mixed Use overlay permits the development of horizontally or vertically integrated mixed use projects.

Objective LU 16.1: Provide for the differentiation of the City’s neighborhoods, boulevards, and districts by their functional role, uses, form, scale, and character of development.

Policy LU 16.1.1: Accommodate development of the City’s neighborhoods, boulevards, and districts according to the Community Districts and Subareas Schedule.

The proposed Sunset Beach Specific Plan carries forward the existing County of Orange Sunset Beach Specific Plan’s overall goals, land uses and development standards. It provides for cohesive development standards in recognition of the unique characteristics of the Sunset Beach area, which is almost fully developed. The proposed amendments provide for the continuation of allowing residential uses on the upper floor of commercial establishments in the Sunset Beach Tourist district.

B. Economic Development Element

Policy ED 2.6.2: Encourage visitor supported commercial development to concentrate in selected areas of the City, thereby creating identifiable visitor-oriented centers.

Policy ED 3.2.2: Encourage mixed use (retail/office/residential) structures in the downtown area and at the visitor-serving nodes along Pacific Coast Highway.

The proposed Specific Plan includes the existing Specific Plan’s designation of the visitor (and local) serving commercial area, known as Sunset Beach Tourist. Within this area mixed use development (allowing residential use on upper floors) is allowed.

C. Housing Element

Policy 1.1: Preserve the character, scale and quality of established residential neighborhoods.

The residentially designated area of Sunset Beach is not proposed to be changed in the proposed Specific Plan. The development standards for residential uses remain the same as well in order to preserve the character, scale and quality of the residential neighborhoods.

D. Circulation Element

Goal CE 7: Maintain and enhance the visual quality and scenic views along designated corridors.

The proposed Specific Plan carries forward existing policies that designate the portion of Pacific Coast Highway in the Sunset Beach area as a scenic highway as well as preserves the scenic vista viewpoints as designated in the County's existing Specific Plan.

E. Recreation and Community Services Element

Goal RCS 2: Provide adequately sized and located active and passive parklands to meet the recreational needs of existing and future residents, and to preserve natural resources within the City of Huntington Beach and its sphere of influence.

Policy RCS 2.1.1: Maintain the current park per capita ratio of 5.0 acres per 1,000 persons, which includes the beach in the calculation.

The proposed project includes an amendment to the Recreation and Community Services Element of the General Plan to update text and figures to reflect the existing beach and park amenities in Sunset Beach as well as to add to and correct the open space and park facilities inventory since the 1996 General Plan update was approved. With the annexation of the Sunset Beach area to the City of Huntington Beach the City will exceed the park per capita ratio.

F. Utilities Element

Goal U 2: Provide a wastewater collection and treatment system which is able to support permitted land uses; upgrade existing deficient systems; and pursue funding sources to reduce costs of wastewater service provision in the City.

The project includes an amendment to the Utilities Element of the General Plan to add reference to the Sunset Beach Sanitary District, which provides local sewer service to the Sunset Beach area. The District will continue in its current function after annexation and has a system that is able to support the permitted land uses in the area.

G. Environmental Resources/Conservation Element

Objective ERC 1.1: Provide a quality open space network that is spatially distributed throughout all areas of the City.

Policy ERC 4.1.5: Promote the preservation of public view corridors to the ocean and the waterfront through strict application of local ordinances, design guidelines and related planning efforts, including defined view corridors.

Policy ERC 6.1.5: Require incorporation of controls in new development and redevelopment projects, including structural and non-structural Best Management Practices (BMPs), to mitigate the projected increases in pollutant loads and flows.

The proposed Specific Plan carries forward existing policies that preserve the main beach as well as the small beach at 11th Street and Pacific Coast Highway and the greenbelt/linear park. The Specific Plan preserves the scenic vista viewpoints as designated in the County's existing Specific Plan. The proposed Plan also includes a water quality section, which indicates that new development would be required to comply with National Pollution Discharge Elimination System (NPDES) requirements, which include BMPs in an effort to reduce or eliminate pollutant loads and flows.

H. Environmental Hazards Element

Objective EH 4.1: Ensure that the City's flood prevention standards and practices provide satisfactory safeguards for public and private development.

Although none of the areas that allow for residential or commercial development in Sunset Beach have a floodplain designation that would typically require floodproofing, the County of Orange adopted a Coastal Flood Plain Development Study that is applicable to the homes along South Pacific Avenue because tidal flooding does occur. The City's proposed Specific Plan discusses the flooding issue and incorporates the County Study by reference. New development would continue to have to adhere to the Study's requirements as well as the City of Huntington Beach ZSO.

Zoning Compliance:

The proposed Sunset Beach Specific Plan will establish new zoning for the Sunset Beach area. The proposed Specific Plan identifies five districts, similar to the County's existing Specific Plan, as follows: Sunset Beach Residential, Sunset Beach Tourist, Sunset Beach Parking Facility, Sunset Beach Beach Area and Sunset Beach Waterways. There are no changes proposed to the properties as they are currently designated by the County.

The development standards for the Sunset Beach Specific Plan vary considerably from those of the ZSO. In general, the County's standards are more permissive, resulting in a denser development pattern, which is likely in recognition of the small lot sizes and limited area for development. The differences in standards between the City Zoning Ordinance and the proposed Specific Plan's (existing County Specific Plan) zoning requirements for residential and commercial uses and parking are summarized in two tables below.

Overall, staff is not recommending that the standards be modified. The lot sizes, alley configurations and public uses that are interspersed within the community make compliance with many of the standards used in Huntington Beach impractical or such that they would be too constraining on development. The Sunset Beach Community Association has not requested that the standards for residential and commercial development be modified, though there are a few clarification amendments that are proposed as result of conversation with community members and a review by City staff.

**Comparison of Development Standards
Sunset Beach Specific Plan and City of Huntington Beach Zoning and Subdivision Ordinance**

Standard/Issue	Proposed Sunset Beach Specific Plan	Existing City Zoning Ordinance
Residential¹		
Min. Building Site	None	2,500 sq. ft.
Min. Lot Width	None	25 ft.
Setbacks		
Front (street)	5 ft. ground flr., 6 in. above gr. flr.	7.5 ft ²
Exterior Side	6 in., 3 ft. in front of garage; and 3 ft./5 ft. for garage at N.& S. Pacific Aves.	5 ft.
Interior Side	3 ft. gr. flr., 2 ft. for gr. flr. decks	Min. 10% of lot width, min. 3 ft./max. 5 ft.
Rear	At Sand – 0 ft. At Channel– 10 ft. from bulkhead/rear prop. line; 5 ft. above gr. flr. Other– 5 ft. gr. flr, 6 in. above gr. flr.	Min. 10 ft. for waterfront lots; 7.5 ft. for RMH-A.
Building Height	Up to 3 stories, max. 35 ft.	25 ft. max. in front and rear 25 ft. of lot, 35 ft. max. to top of roof, 2 nd story plate height 25 ft. max.
Open Space	Min. 90 sq. ft. (rooftop patio, balcony, deck, gr. floor not in setback). Min. dimension 4'6" and not face adjoining lot. Does not apply to beach or channel lots.	None; however, City limits site coverage to a max. of 50% and requires greater setbacks.
Commercial³		
Min. Building Site	None	2,500 sq. ft.
Min. Lot Width	None	25 ft.
Setbacks	None, except 3 ft. if adjacent to Sunset Beach Residential district and standard setbacks if a service station	Front/Exterior Side: 0 ft.-5 ft. Interior Side: 0 ft. Rear: 3 ft.
Building Height	Max. 35 ft.	Max. 35 ft. if <25,000 sq. ft. lot

¹The City's RMH-A standards are used for comparison, except for rear setbacks for waterfront lots (RL standard).

²This is the rear setback for RMH-A, which is more comparable because almost all of the homes in Sunset Beach have garage access from the front of the lot, whereas in RMH-A garage access is from the rear.

³The City's Downtown Specific Plan District 1 standards are used for comparison.

**Comparison of Parking Related Standards
Sunset Beach Specific Plan and City of Huntington Beach Zoning and Subdivision Ordinance**

Standard/Issue	Proposed Sunset Beach Specific Plan	Existing City Zoning Ordinance
Parking		
Compact Parking	Up to 50% of stalls for commercial uses may be compact (8'x15½')	Not allowed
Drive Aisles-One Way (when designated a fire lane)	20'	90° parking-26' Residential projects-25' All others-24'
Drive Aisles-Two Way (when designated a fire lane)	24'	90° parking-26' Residential projects-25' All others-24'
Stall size (Residential)	9'x18'	9'x19'
Tandem Parking-Residential	Up to 50% of stalls may be tandem for lots w/ less than 46 ft. of frontage	Up to 20% of stalls may be tandem for multi-family and 100% for single family in Downtown Specific Plan
Tandem Parking-Commercial	Up to 40% of stalls may be tandem subject to a coastal development permit	Up to 20% of stalls may be tandem subject to a conditional use permit in Downtown Specific Plan and in Mixed Use-Transit Center Zone
Number of On-Site Spaces Required¹		
Automobile Service Station	2/rack or pit, plus 1/pump outlet	1/500 sq. ft., min. 5; other standards if convenience market or car wash
Eating and Drinking	1/100 sq. ft. of serving area, min. 10 spaces	w < 12 seats - 1/200 sq. ft. w > 12 seats - 1/60 sq. ft. or 1/100 sq. ft. if on site w/ 3 or more uses City measures gross floor area
Food store/grocery store	1/225 sq. ft.	1/200 sq. ft.
Office (medical)	1/150 sq. ft.	1/175 sq. ft.
Residential	2/unit	Depends on type of unit and # of bdrms: SF (RMH-A): min of 2 encl. and 1 additional space if no on-st. parking MF: 1-2.5 encl./unit plus 0.5/unit for guest
Retail	1/225 sq. ft.	1/200 sq. ft.
Vehicle Repair Garage	1/400 sq. ft., plus 1/500 sq. ft. of outdoor sales area	1/200 sq. ft., min. 5
Visitor Accommodations (motel or hotel)	1/guest unit; 2/unit if kitchen, wet bar, etc.	1.1/guest unit, plus 1/transport vehicle (min 2), plus 2/manager's unit, plus parking for other uses

¹There are differences for almost all of the uses. Only those uses that are most prevalent in Sunset Beach are listed in the table.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

A draft Negative Declaration was prepared for the proposed project pursuant to Section 240.04 of the HBZSO and the provisions of the California Environment Quality Act (CEQA) (Attachment No. 8). The draft Negative Declaration concludes that the proposed project will not result in any significant adverse environmental effects. The 30-day public review period for the document began on August 12, 2010 and ended on September 10, 2010. Five comment letters (Attachment No. 9) were received during the public comment period from the California Department of Transportation, California Regional Water Quality Control Board, Native American Heritage Commission, Orange County Local Agency Formation Commission and Mr. Lyman Lokken, a resident and property owner in Sunset Beach. A discussion of each of the comment letters is provided below.

California Department of Transportation (CalTrans) Comments: The CalTrans comment letter provides information on the Department's encroachment permit process, should any work be proposed in the vicinity of their right-of-way. The City is aware of the CalTrans' encroachment permit process. No changes are required to the draft Negative Declaration as a result of the information in the comment letter.

California Regional Water Quality Control Board (RWQCB) Comments: The RWQCB comment letter consists of five comments on the Draft Specific Plan, which is an attachment to the Negative Declaration. There are no comments on the analysis in the Negative Declaration itself. Planning and Public Works staff have reviewed the comments, which suggest clarifying text, and have made changes to the draft Specific Plan as a result. However, staff does not think that it is necessary to add more information to the Specific Plan on Best Management Practices (BMPs) given that they are site and project specific, can vary greatly, and are guided by the Permit issued by the RWQCB, which is amended on a regular basis. No changes are required to the draft Negative Declaration as a result of the information in the comment letter.

Native American Heritage Commission (NAHC) Comments: The NAHC comment letter indicates that as a result of a Sacred Lands File search in their inventory, no Native American Cultural Resources were identified within one-half mile of the subject project. There are, however, considerable Native American Cultural Resources in close proximity to the area. The comment letter provides a list of Native American contacts and indicates that avoidance of cultural resources should be considered during project planning. The proposed project does not propose any development and no known resources exist within Sunset Beach. The City initiated consultation with the Native American contacts on August 13, 2010, two contacts have responded and indicated that they do not have concerns with the proposed project. No changes are required to the draft Negative Declaration as a result of the information in the comment letter.

Orange County Local Agency Formation Commission Comments: The LAFCO comment letter indicates that they are a responsible agency for the annexation and that they do not have any comments on the Negative Declaration. No changes are required to the draft Negative Declaration as a result of their comment.

Mr. Lyman Lokken Comments: Mr. Lokken's comment letter consists of five comments on the draft Negative Declaration and one comment on an attachment to the document. The first three comments provide information on text references and data in the document. With regard to the size of the annexation area, the City has had a legal description completed, which results in an acreage number that is consistent with one of the numbers provided in Mr. Lokken's letter. The Negative Declaration has been updated accordingly. Staff has also updated the text of the Negative Declaration based on the other

information he provided. The fourth comment is regarding provisions of police services after annexation. Additional information and data regarding the Police Department's operations have been added to the Negative Declaration. The last comment on the Negative Declaration appears to be a point of information but does not necessitate a change to the document. The final comment has been included in the proposed Local Coastal Program Amendment changes in Attachment No. 5. The changes to Negative Declaration No. 10-005 are provided in an Errata, which is included in Attachment No. 8.

Environmental Board Comments: The Environmental Board was notified of the Negative Declaration and staff attended the Environmental Board meeting at which the Board discussed the proposed project. The Environmental Board did not submit a comment letter.

Prior to any action on 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 and Annexation No. 10-001, it is necessary for the Planning Commission to review and act on Negative Declaration No. 10-005. Staff, in its initial study of the project, is recommending that the negative declaration be approved with findings.

Coastal Status:

The project area is located within the Coastal Zone. Because the area is currently located within the jurisdiction of Orange County it is not included within the City of Huntington Beach Local Coastal Program. The project includes a request to amend the City's Local Coastal Program to include this area in its Local Coastal Program and to incorporate the other components of this project, e.g. rezoning and Specific Plan adoption. The Local Coastal Program Amendment will be forwarded to the California Coastal Commission for approval after City Council action. The proposed project complies with Coastal Zone requirements, and will implement the following policies of the City's Local Coastal Program Land Use Plan (Coastal Element of the General Plan):

Goal C 1: Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.

Policy C 1.1.8: The City shall, at a minimum, consider the following when evaluating annexation proposals in the Coastal Zone:

1. Is the area to be annexed adjacent to existing corporate boundaries?
2. Does/will the area to be annexed contain land uses that are compatible with City land uses?
3. Does/will the area to be annexed contain land uses that have the ability to provide economic benefit to the City?
4. Would the area to be annexed place an undue burden or excessive burden on the City's or other service provider's ability to provide services?
5. Would the area to be annexed place an undue burden on school and other public services?

Goal C 2: Provide coastal resource access opportunities to the public where feasible and in accordance with California Coastal Act requirements.

Objective C 2.5: Maintain and enhance, where feasible, existing shoreline and coastal resource access sites.

Objective C 2.7: Promote public awareness of existing access opportunities to coastal resources.

Policy C 2.2.6: Provide adequate bike racks at appropriate locations within the Coastal Zone with special emphasis for facilities adjacent to the beach.

Policy C 3.2.4: Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, and day spas.

Policy C 4.2.3: Promote the preservation of significant public view corridors to the coastal corridor, including views of the sea and the wetlands through strict application of local ordinances, design guidelines and related planning efforts, including defined view corridors.

Objective C 4.3: Promote designated coastal roadways as scenic corridors

Policy C 4.4.4: Develop implementation programs that will preserve and maintain the physical features of the wetlands, bluffs, and beaches.

Policy C 4.5.1: Prohibit new billboards within the Coastal Zone and require removal of all existing billboards along Pacific Coast Highway as properties are developed.

Policy C 6.1.6: It is the policy of the City to recognize the value of watershed based planning efforts in achieving coastal and marine water quality and resource protection goals of the LUP...The City shall require that new development and redevelopment, as appropriate, employ non-structural Best Management Practices (BMPs) and structural BMPs designed to minimize the volume, velocity and pollutant load of stormwater runoff...To this end, the City shall continue implementation of the Municipal Stormwater National Pollution Discharge Elimination System (NPDES) permit...

Policy C 10.1.14: During major redevelopment or initial construction, require specific measures to be taken by developers, builders or property owners in flood prone areas to prevent or reduce damage from flooding and the risks upon human safety.

The proposed Sunset Beach Specific Plan carries forward the existing County of Orange Sunset Beach Local Coastal Program/Specific Plan's overall goals, land uses and development standards. It provides for cohesive development standards in recognition of the unique characteristics of the Sunset Beach area, which includes a significant amount of area designated for public use. The proposed Specific Plan, similar to the existing Specific Plan, provides for a variety of visitor-serving commercial businesses. As discussed under the General Plan Conformance Land Use Element section above, annexation of the Sunset Beach area to the City is also consistent with the LCP policy regarding annexation. The project maintains the existing coastal access points and signage provisions for coastal access signs detailed in the existing County of Orange Specific Plan but adds new requirements for new commercial and multi-family development to provide for on-site bicycle parking, consistent with the City's existing Local Coastal Program. The proposed Specific Plan carries forward existing County policies that designate the portion of Pacific Coast Highway in the Sunset Beach area as a scenic highway as well as preserves the scenic vista viewpoints as designated in the County's existing Specific Plan and prohibits new billboards. It provides for maintenance and preservation of the beach and artificial dune consistent with ongoing operations. The proposed Specific Plan includes a new water quality section, emphasizing the importance of protecting water quality consistent with Regional Water Quality Control Board regulations and requires

that new homes/structures constructed along South Pacific Avenue continue to comply with floodproofing requirements.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Departments of Administration, Planning and Building, Fire, Police, 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.

Public Notification:

Legal notices were published in the Huntington Beach/Fountain Valley Independent and the Seal Beach Sun on September 16, 2010 and September 17, 2010, respectively, and notices were sent to all Post Office Box holders at the Sunset Beach Post Office, Sunset Beach property owners, property owners of record and occupants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department’s Notification Matrix), and interested parties. In addition, notice was posted on the bulletin board of the Sunset Beach Post Office. As of September 21, 2010, one communication supporting or opposing the request has been received in response to the hearing notice (Attachment No. 12).

Application Processing Dates:

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

ANALYSIS:

This section reviews the impacts of the proposed annexation on City services, land use compatibility, the amendments to the General Plan and Local Coastal Program, the proposed Specific Plan, and the environmental impacts associated with the proposed project.

Annexation

The City’s General Plan requires the preparation of an Annexation Feasibility Study to determine whether a proposed annexation is compatible with City land uses, has the ability to provide economic benefit to the City and whether the proposed annexation would place an undue or excessive burden on the City and/or School Districts’ ability to provide public services for the site. The City prepared such a study (Attachment No. 10) to analyze whether annexation of the Sunset Beach area would create a financial burden on the City. The report determined that annexation would result in revenues that will exceed

expenditures for the City and that the proposed annexation would not place an undue or excessive burden for the provision of services.

The Specific Plan area is presently served by the Huntington Beach Union High School and the Ocean View School District both of which will continue to serve the site after annexation. The potential impacts on the provision of public services including City Fire and Police Departments' services were analyzed within Negative Declaration No. 10-005. The environmental document concludes that the site would be adequately served by existing resources within both departments. The City already provides water to Sunset Beach; local sewer service is provided by the Sunset Beach Sanitary District. Service delivery for both water and sewer will not change with the annexation.

Land Use Compatibility

The proposed project is compatible with surrounding land uses. The proposed Sunset Beach Specific Plan is consistent with the Orange County Local Coastal Program/Specific Plan for Sunset Beach. No change in use is proposed for any property in the annexation area. The proposed Specific Plan allows for residential, commercial, and recreational/open space uses consistent with existing development in and adjacent to Sunset Beach and, as such, results in compatible land uses.

General Plan Amendment

The project includes amendments to the Land Use Element, Recreation and Community Services Element and Utilities Element of the General Plan as described in the Project Proposal section of this report. The changes to the Land Use Element provide City land use designations for Sunset Beach consistent with the established land uses in the area and the newly created Sub-area designation is in recognition of the proposed Specific Plan for the area. The Recreation and Community Services Element is being updated to incorporate facilities/resources in Sunset Beach as well as update the inventory citywide to reflect corrected acreage information and new parks that have been constructed since the General Plan was updated in 1996. Since the August 10th Planning Commission Study Session report was distributed, which contained a draft of the proposed General Plan pages to be amended, staff has updated the proposed changes to the Recreation and Community Services Element to reflect the revised acreage information for the beach in Sunset Beach, added two new parks to the citywide inventory (Triangle Park in the downtown and Banning/Magnolia park, a passive green space at that intersection), and changed the name Sunset Beach Linear Park to Sunset Beach Greenbelt on the list for Table RCS 1. As discussed in the General Plan Conformance section of this report, the proposed amendments are consistent with the City's General Plan.

Local Coastal Program Amendment

The project includes a request to amend the City's Local Coastal Program to include the Sunset Beach area in its Local Coastal Program and to incorporate the other components of this project, e.g. rezoning and Specific Plan adoption. The changes to the Land Use Plan provide City land use designations for Sunset Beach consistent with the established land uses in the area. The text changes to the City's Coastal Element add discussion regarding Sunset Beach so that it is integrated into the City's Land Use Plan and includes updated tables and texts. Since the August 10th Planning Commission Study Session report was distributed, which contained a draft of the proposed Coastal Element pages to be amended, staff has updated the proposed changes to reflect the revised acreage information for the beach in Sunset Beach,

updated the proposed changes to reflect the revised acreage information for the beach in Sunset Beach, corrected the parking number, changed the name Sunset Beach Linear Park to Sunset Beach Greenbelt and added information regarding improvements by the Sunset Beach Sanitary District. As discussed in the Coastal Status section of this report, the proposed amendments are consistent with the City's Local Coastal Program.

Specific Plan

The City's proposed Specific Plan includes the policies/guidelines that are necessary to maintain the Sunset Beach character in recognition of the fact that the area is nearly built out and has been developed and operating under the guidance of a consistent set of policies/guidelines for over two decades. The City's proposed Specific Plan mirrors the County's Specific Plan in terms of the land use designation pattern. The City's proposed Specific Plan carries forward the County's guidelines for preservation and maintenance of the existing scenic vista points, the artificial dune, the 27 existing public access points to the beach, public use of the waterway (Sunset Channel), 11th Street beach and the greenbelt/linear park and public parking facility. These guidelines are specific to the circumstances in Sunset Beach and are necessary to recognize and continue these facilities. The Specific Plan is consistent with the City's General Plan and Local Coastal Program.

The City's Specific Plan does not propose any change to the majority of the site development standards for setbacks, height, on-site open space, fences/walls, accessory structures and signs. The City's Specific Plan proposes one change to the parking standards, which is to require compliance with the bicycle parking requirements of the ZSO for new development. Based on input from the Sunset Beach community, staff is proposing some changes compared with the draft Specific Plan dated August 2010. The changes are shown in underline/strikeout text in the draft Specific Plan dated September 2010 (Attachment No. 7). Key changes are summarized below:

- Updated acreage numbers based on completed legal description
- Added language at the request of the Fire Department related to drive aisle width
- Modified the list of prohibited uses in response to a request from the Sunset Beach Community Association Transition Committee
- Added clarifying language on beach encroachment, per existing County regulations.
- Added additional language to the Water Quality section in response to a comment from the RWQCB

In addition to these changes, the September 2010 version includes various minor corrections and edits to text that either correct numbers, provide clarifying text, or correct typographical errors. Staff has recently learned that the County sometimes requires Use Permits (conditional use permits) for new businesses/uses, even though the existing Specific Plan does not indicate this nor provide guidance as to when one would be required. Staff will be preparing revised pages for the Specific Plan for consideration at the September 28th hearing and will distribute them as soon as possible.

Staff has received inquiries from some Sunset Beach residents regarding other potential changes to the Specific Plan related to prohibiting overnight stays on boats and maintenance provisions for the artificial berm on the main beach. Staff has not made associated changes in the Specific Plan for these items as they generally relate to Municipal Code topics. As indicated in the August 24, 2010 Planning Commission Study Session report changes will be made to the City's Municipal Code to implement many

of the ongoing County practices including parking permits, harbor permits, beach encroachments and the LCP Review Board, all of which are allowed by the existing and proposed Specific Plan.

Draft Negative Declaration

Draft Negative Declaration No. 10-005 analyzes potential impacts of the proposed project. 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.

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 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 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 in this regard.

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. In response to a comment regarding Police services to the area, language has been added to the Negative Declaration analysis; see the Errata in Attachment No. 8. Subsequent to the public comment period, two letters were received regarding the Negative Declaration as it relates to police services (Attachment No. 12). The Police Department has reviewed the letters and believes that the revised analysis in the Negative Declaration Errata adequately addresses the issues raised. 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.

SUMMARY:

Staff recommends approval of Negative Declaration No. 10-005, 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 and Annexation No. 10-001 because:

- The proposed project will not result in significant impacts on the environment.
- The proposed land use and pre-zoning designations will result in land use and zoning designations for the Sunset Beach area that are consistent with the existing land uses and zoning designations.
- The Local Coastal Program Amendment is consistent with the California Coastal Act and the project provides for continued preservation of existing coastal recreational resources, coastal access and maintenance of coastal views.
- The Specific Plan carries forward the existing overall goals, policies and standards of the County's Specific Plan for Sunset Beach, which are designed to address the unique development pattern of the community.
- Pre-zoning of the project site will allow the City to annex the area to the City, which would result in a fiscal benefit to the City and allow for more efficient provision of services.

ATTACHMENTS:

1. Suggested Findings for Approval – Negative Declaration No. 10-005, Zoning Text Amendment No. 10-002, Zoning Map Amendment No. 10-001, Local Coastal Program Amendment No. 10-001
2. Draft City Council Resolution for General Plan Amendment No. 10-002
3. Draft City Council Resolution for Zoning Text Amendment No. 10-002
4. Draft City Council Ordinance for Zoning Map Amendment No. 10-001
5. Draft City Council Resolution for Local Coastal Program Amendment No. 10-001
6. Existing County of Orange Specific Plan
7. Legislative Draft of Sunset Beach Specific Plan (SP 17), dated September 2010
8. Draft Negative Declaration No. 10-005, including Errata pages
9. Draft Negative Declaration comment letters
10. Sunset Beach Annexation Study, dated July 20, 2010
11. Correspondence from Sunset Beach Transition Committee on behalf of the Sunset Beach Community Association, dated September 3, 2010
12. Letters in Support and/or Opposition

SH:MBB;jr

Draft Negative Declaration

Draft Negative Declaration No. 10-005 analyzes potential impacts of the proposed project. 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.

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 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 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 in this regard.

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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.

SUMMARY:

Staff recommends approval of Negative Declaration No. 10-005, 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 and Annexation No. 10-001 because:

- The proposed project will not result in significant impacts on the environment.
- The proposed land use and pre-zoning designations will result in land use and zoning designations for the Sunset Beach area that are consistent with the existing land uses and zoning designations.
- The Local Coastal Program Amendment is consistent with the California Coastal Act and the project provides for continued preservation of existing coastal recreational resources, coastal access and maintenance of coastal views.
- The Specific Plan carries forward the existing overall goals, policies and standards of the County's Specific Plan for Sunset Beach, which are designed to address the unique development pattern of the community.
- Pre-zoning of the project site will allow the City to annex the area to the City, which would result in a fiscal benefit to the City and allow for more efficient provision of services.

ATTACHMENTS:

1. Suggested Findings for Approval – Negative Declaration No. 10-005, Zoning Text Amendment No. 10-002, Zoning Map Amendment No. 10-001, Local Coastal Program Amendment No. 10-001
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12. Letters in Support and/or Opposition

SH:MBB;jr

ATTACHMENT NO. 1

SUGGESTED FINDINGS FOR APPROVAL

NEGATIVE DECLARATION NO. 10-005/ ZONING TEXT AMENDMENT NO. 10-002/ZONING MAP AMENDMENT NO. 10-001/ LOCAL COASTAL PROGRAM AMENDMENT NO. 10-001

SUGGESTED FINDINGS FOR APPROVAL - NEGATIVE DECLARATION NO. 10-005:

1. The Negative Declaration No. 10-005 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of 30 days. Comments received during the comment period were considered by the Planning Commission prior to action on the Negative Declaration and 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 and Annexation No. 10-001.
2. There is no substantial evidence in light of the whole record before the Planning Commission that the project will have a significant effect on the environment. The Annexation, General Plan Amendment, Zoning Map Amendment, Zoning Text Amendment and Local Coastal Program Amendment will not create any additional density or intensity of land use in the Sunset Beach area over that which is currently allowed by the County of Orange Sunset Beach Local Coastal Program/Specific Plan. The City of Huntington Beach already provides water to the area, as well as police and fire services through mutual aid agreements. After analyzing the potential impacts associated with the project, it has been determined that the project will not have a significant impact on the City's ability to provide services to the Sunset Beach area and the City as a whole.

SUGGESTED FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 10-002 and ZONING MAP AMENDMENT NO. 10-001:

1. Zoning Map Amendment No. 10-001 amending District Map Nos. 21 and 35 to prezone an approximately 134 acre as Sunset Beach Specific Plan (Specific Plan 17) with a Coastal Zone Overlay and Zoning Text Amendment No. 10-002 to adopt the Sunset Beach Specific Plan are consistent with the objectives, policies, general land uses and programs specified in the General Plan because the Specific Plan provides for a cohesive development of residential, commercial and public uses consistent with the existing development pattern and standards, and compatible with adjacent uses in the vicinity. The Specific Plan is consistent with General Plan policies that require protection of beach and open space resources, encourage visitor serving and mixed uses, and provide for differentiation of the City's neighborhoods. As discussed in the Negative Declaration for the project, there will be appropriate infrastructure and services available to support the Sunset Beach area upon annexation.
2. In the case of general land use provisions, the Zoning Map Amendment and proposed Specific Plan are compatible with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. The standards of the proposed Sunset Beach Specific Plan are consistent with those that have governed the Sunset Beach area for over almost 30 years and have provided for

development that is compatible with uses in the vicinity, which are residential, commercial, open space and recreation.

3. A community need is demonstrated for the change proposed. The Sunset Beach Specific Plan will provide standards that will be consistent with the Sunset Beach Specific Plan approved by the County of Orange and the California Coastal Commission. These standards ensure the preservation of numerous public uses such as the beach, waterway, park and public parking facility that serve the community of Sunset Beach and surrounding area. The rezoning will facilitate the annexation of the area to the City of Huntington Beach, which allows for more efficient delivery of municipal services to the area.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. The Specific Plan provides for compatible land uses and continuation of the public use areas (beach, park, parking, waterway) to serve the community. The development standards will maintain the existing character of the community. Adequate infrastructure and services are available to serve the area.

SUGGESTED FINDINGS FOR APPROVAL - SPECIFIC PLAN NO. 17:

1. The Specific Plan is consistent with the adopted Land Use Element of the General Plan and with the certified Local Coastal Program Land Use Plan and other applicable policies and is compatible with existing and surrounding development. The Specific Plan carries forward the existing overall goals and policies of the existing County of Orange Local Coastal Program/Specific Plan for Sunset Beach including land uses, preservation of the beach and other public uses, coastal views and access.
2. The Specific Plan will enhance the potential for superior urban design in comparison with the development under the base district provisions that would apply if the Plan were not approved. The Specific Plan contains the development standards established by the County of Orange in recognition of the small lot sizes and unique development pattern of the Sunset Beach community that will ensure consistency with existing development.
3. Deviations from the base district provisions that otherwise would apply are justified by compensating benefits of the Specific Plan. The Specific Plan provides for cohesive development of the residential and commercial areas with many reduced standards compared with the Huntington Beach Zoning and Subdivision Ordinance. Compensating benefits include significant and well located public open space and scenic vistas of the Pacific Ocean. Approximately 55 percent of the area, excluding streets, is publicly owned and utilized. The Specific Plan provides for the continuation of 27 street-end public access points to the beach and a portion of the community is divided by a public channel.
4. The Specific Plan includes adequate provisions for utilities, services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems. As analyzed in Negative Declaration No. 10-005, the public service demands for the Specific Plan will not exceed the capacity of existing and planned systems, including the transfer of services from Orange County to the City of Huntington Beach after annexation. All public services, both before and after annexation, will be adequately met by existing resources including fire, police and emergency services.

SUGGESTED FINDINGS FOR APPROVAL – LOCAL COASTAL PROGRAM AMENDMENT NO. 10-001:

1. Local Coastal Program Amendment No. 10-001 amends the Huntington Beach Local Coastal Program to reflect the annexation of Sunset Beach to the City of Huntington Beach including the adoption of the Sunset Beach Specific Plan, amendment of the zoning map, and text and figure changes in the Land Use Plan. The amendments propose the same type of land uses for the Sunset Beach area as allowed by the County of Orange certified Local Coastal Program/Specific Plan for Sunset Beach, including high density residential, visitor serving commercial, public and open space. The amendments continue the community's commitment to coastal access and coastal recreational resources and are consistent with the City's General Plan.
2. The proposed change to the Local Coastal Program is in accordance with the policies, standards and provisions of the California Coastal Act relative to land use, public access, public recreation, public views and preservation of beaches. The Local Coastal Program Amendment promotes the City's Local Coastal Program goals and objectives by allowing a mix of uses, including 55 percent of the land designated for public use, visitor serving commercial and high density residential, while preserving 27 existing public access points to the beach and existing scenic vista points. The proposed Specific Plan improves on the existing certified County Local Coastal Program/Specific Plan by adding requirements for bicycle parking to be included in new development and a water quality section.
3. The project conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The Specific Plan preserves 27 existing public access points to the beach and existing scenic vista points. The main public beach, small beach at 11th Street and Pacific Coast Highway, Sunset Channel and Sunset Greenbelt (linear park)/public parking facility remain designated for public use with appropriate policies and standards. No existing coastal access will be impacted.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF HUNTINGTON BEACH APPROVING
GENERAL PLAN AMENDMENT NO. 10-002

WHEREAS, General Plan Amendment No. 10-002 proposes to amend the Land Use Plan by:

1. Predesignating 22.3 acres of real property one either side of Pacific Coast Highway between Warner Avenue and Anderson Street, as more particularly depicted on Exhibit "C" and attached hereto, as Residential High Density-greater than 30 units per acre-specific plan overlay (RH-30-sp); and
2. Predesignating 9.2 acres of real property one either side of Pacific Coast Highway between Warner Avenue and Anderson Street, as more particularly depicted on Exhibit "C" and attached hereto, as Visitor Serving Commercial-mixed use overlay-specific plan overlay (VSC-mu-sp); and
3. Predesignating 13.0 acres of real property between North and South Pacific Avenues, as more particularly depicted on Exhibit "C" and attached hereto, as P-sp (Public-specific plan overlay); and
4. Predesignating 3.4 acres of real property easterly of Pacific Coast Highway, as more particularly depicted on Exhibit "C" and attached hereto, as OS-WR-sp (Open Space-Water Recreation-specific plan overlay); and
5. Predesignating 57.7 acres of real property westerly of South Pacific Avenue, as more particularly depicted on Exhibit "C" and attached hereto, as OS-S-sp (Open Space-Shoreline-specific plan overlay); and

General Plan Amendment No. 10-002 also proposes to amend the Land Use Element by amending the mixed use overlay definition (Table LU-3), as more particularly described on Exhibit "F", adding Sub-Area 4L, which encompasses the subject property on the Huntington Beach Sub-Area map (Figure LU-6), and adding Sub-Area 4L to the Community District and Subarea Schedule (Table LU-4), as more particularly described on Exhibits "D" and "E" attached hereto; and

General Plan Amendment No. 10-002 also proposes to amend the figures of the General Plan to reflect a change in corporate boundary and amend the Recreation and Community Service Element to add reference to recreational amenities in the Sunset Beach area and update the recreational facilities inventory and amend the Utilities Element to add reference to the Sunset Beach Sanitary District as more particularly described on Exhibit "F"; and

The Planning Commission of the City of Huntington Beach, after notice duly given, held a public hearing to consider General Plan Amendment No. 10-002 and recommend approval of said entitlement to the City Council; and

The City Council of the City of Huntington Beach, after notice duly given, held a public hearing to consider General Plan Amendment No. 10-002; and

The City Council finds that said General Plan Amendment No. 10-002 is necessary for the changing needs and orderly development of the community, and is necessary to accomplish refinement of the General Plan and is consistent with other elements of the General Plan.

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

1. That the real property that is the subject of this Resolution (hereinafter referred to as the "Subject Property") is generally located between Warner Avenue and Anderson Street on either side of Pacific Coast Highway in the unincorporated area of Orange County between the City of Huntington Beach and the City of Seal Beach, and is more particularly described in the legal description and sketch hereto as Exhibits "A," and "B" and incorporated by this reference as though fully set forth herein.

2. That General Plan Amendment No. 10-002, which amends the Land Use element of the General Plan to predesignate the Subject Property as Residential High Density-greater than 30 units per acre, Visitor Serving Commercial-mixed use overlay, Public, Open Space-Water Recreation and Open Space-Shoreline, along with a specific plan overlay for the Subject Property; and amends the Land Use Element by amending the mixed use overlay definition and adding Sub-Area 4L; and amends the figures of the General Plan and the Recreation and Community Services Element and Utilities Element to modify text and tables, is hereby approved.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 201_____.

Mayor

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Administrator

Director of Planning and Building

APPROVED AS TO FORM:

City Attorney *MV 9-20-10*

EXHIBITS

- A. Legal description of the Subject Property
- B. Sketch of the Subject Property
- C. Amended General Plan Land Use Map
- D. Table LU-4 Community District and Subarea Schedule and amendments
- E. Figure LU-6 Huntington Beach Sub-Area Map and amendments
- F. Amended General Plan Land Use Element (in addition to Exhibits "C", "D" and "E") Recreation and Community Services Element and Utilities Element

EXHIBIT A

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,

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",

EXHIBITA
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 feet 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
Jeremy L. Evans, PLS 5282
Expires: December 31, 2011

9-8-2010
Date:



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

EXHIBIT B

EXHIBIT B Proposed "Sunset Beach Annexation" (AN 10-___)



ASSessor's PARCEL NUMBERS

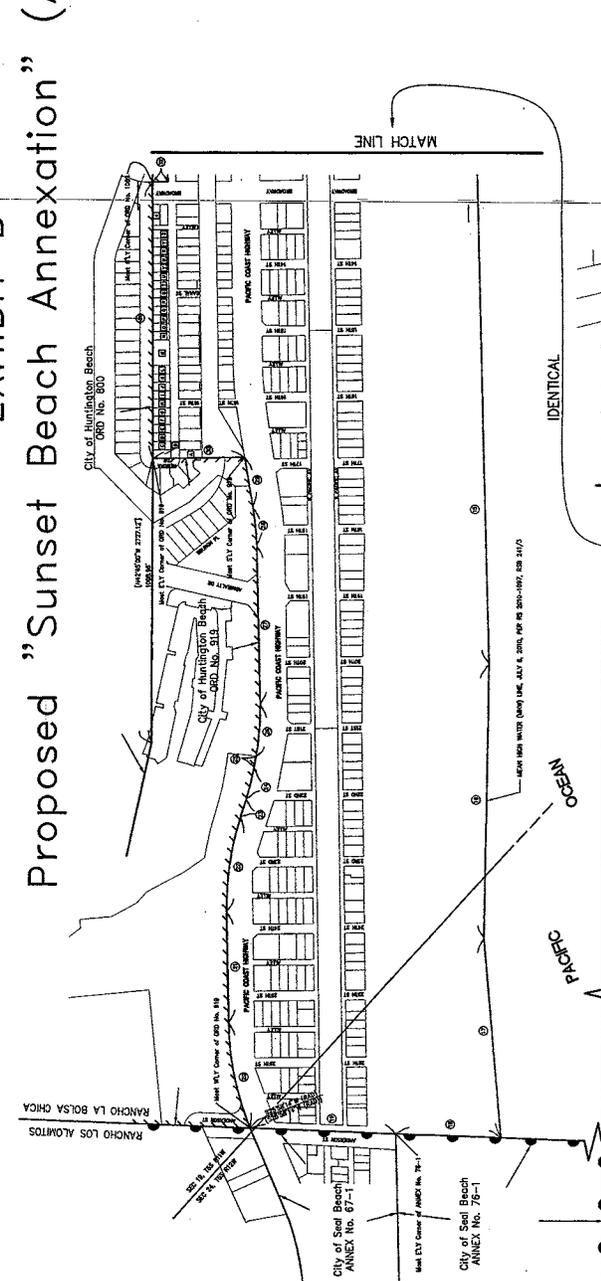
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178-561-97	178-531-85
178-561-98	178-531-86
178-561-99	178-531-87
178-561-00	178-531-88

LEGEND

--- EXISTING CITY OF HUNTINGTON BEACH BOUNDARY

--- EXISTING CITY OF SEAL BEACH BOUNDARY

--- PACIFIC COUNTY BOUNDARY



DATA TABLE

BEARING/Delta	RADIUS	LENGTH	BEARING/Delta	RADIUS	LENGTH
1 S 214°12' W	249.38'	20	S 203°58' E	1000'	300.17'
2 S 079°07' W	53.74'	21	S 43°25' E	300.02'	300.02'
3 011°30' W	29.60'	22	S 17°21' E	1000'	341.40'
4 S 47°05' E	300.00'	23	S 23°05' E	63.84'	63.84'
5 S 03°20' E	300.00'	24	S 07°03' E	840'	117.68'
6 S 43°24' E	300.00'	25	S 30°04' E	35.23'	35.23'
7 N 81°25' W	377.41'	26	S 11°20' E	840'	168.20'
8 N 42°28' W	40.01'	27	S 43°25' E	523.44'	523.44'
9 N 83°53' W	40.01'	28	S 08°20' E	840'	126.83'
10 N 42°28' W	291.59'	29	S 51°45' E	178.28'	178.28'
11 S 80°01' W	344.56'	30	N 46°28' E	303.45'	303.45'
12 N 81°25' W	308.89'	31	S 42°28' E	980.00'	980.00'
13 N 43°20' W	1065.85'	32	N 46°28' E	55.00'	55.00'
14 N 42°28' W	1283.71'	33	S 43°25' E	378.00'	378.00'
15 N 43°20' W	1709.69'	34	N 46°28' E	15.00'	15.00'
16 N 42°28' W	968.82'	35	S 43°25' E	111.77'	111.77'
17 N 42°28' W	703.76'	36	N 75°00' E	33.80'	33.80'
18 N 42°28' W	369.70'	37	N 75°00' E	261.60'	261.60'
19 N 42°28' W	511.00'	38	S 47°20' E	35.00'	35.00'
20 N 42°28' W	511.00'	39	S 47°20' E	35.00'	35.00'

REFERENCE

() RECORD PER ANNEX NO. 128 TO CITY OF HUNTINGTON BEACH

() RECORD PER ORD NO. 800 TO CITY OF HUNTINGTON BEACH

() RECORD PER ANNEX NO. 67-1 & 76-1 TO CITY OF SEAL BEACH

() RECORD PER RS 2010-1097, RS8 241/2

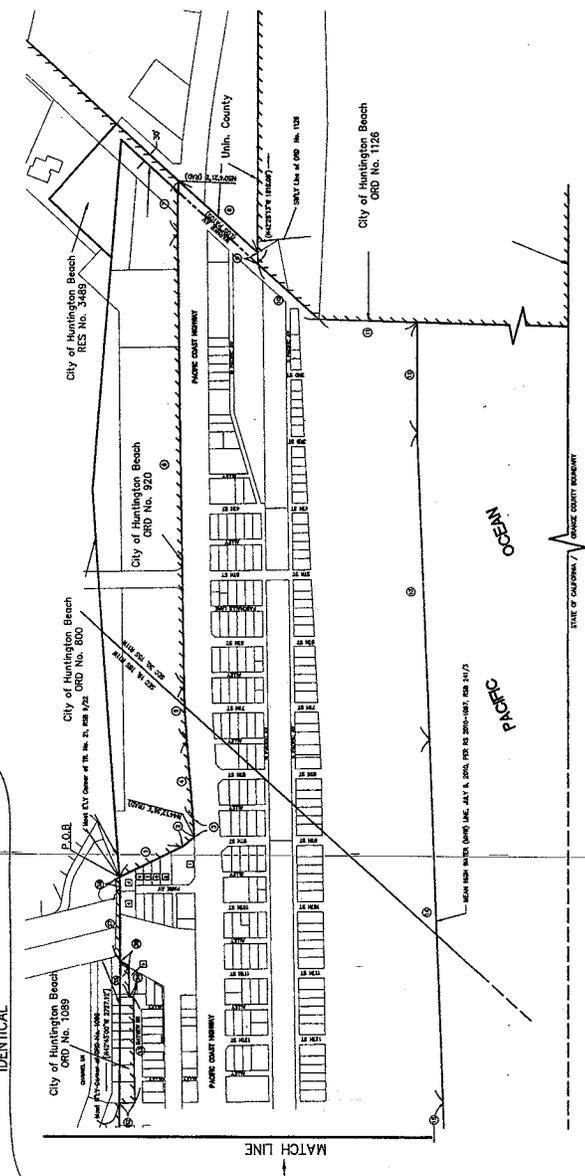
COUNTY SURVEYOR'S STATEMENT

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

FRANCISCO L. MAYNE, COUNTY SURVEYOR, L.S. 7212
 EXPIRATION DATE: MARCH 31, 2012



PREPARED BY: [Name]
DATE: [Date]
EXPIRATION DATE: [Date]



CITY OF HUNTINGTON BEACH / RIGHT OF WAY ENGINEERING

Proposed "Sunset Beach Annexation" (AN 10-___)

DATE: 06/08/2010
 SCALE: 1"=200'
 CHECKED: [Name]
 P.I.F.: [Name]
 A.S.R.: [Name]

THIS PARCEL CONTAINS A LAND AREA OF 133.86 ACRES +/-