

## Sunset Beach SPECIFIC PLAN Sug Mods

City's proposed language is shown in plain text; CCC staff suggested modifications are shown in **bold underline** (additions), ~~strike through~~ (deletions). Additional CCC staff suggested modifications for a new section on encroachments and coastal hazards analysis are included in separate documents.

### SUG MOD No. 1

Section 2.1 Existing Conditions (page 9, second paragraph)

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

### SUG MOD No. 2

Section 2.1 Existing Conditions (page 9, fourth paragraph)

Private land uses in Sunset Beach are residential and commercial. The residential uses consist of 652 single and multiple family type dwelling units, on typically 2,700 square foot lots, which are well mixed throughout both residential and commercial areas. Densities range from approximately 22 to 45 units per acre. There are approximately 70 commercial establishments. Existing commercial uses range from neighborhood convenience facilities such as markets, to more area-wide facilities such as motels, restaurants, and specialty shops that generally front on Pacific Coast Highway. **At least three private, commercial kayak, stand up paddle board, and/or boat rental facilities are present, located between Pacific Coast Highway and Sunset Channel. As coastal dependent, visitor serving uses, they are higher priority uses that merit protection.** Because of the compact size and special nature of the Sunset Beach community and the limited area for commercial uses, the convenience facilities and goods provided serve the visitors and tourists as well as local residents. The Sunset Beach area consists of 497 parcels, the beach, and right-of-way. All but four of these parcels are fully developed or used in substantial part by an adjacent parcel for yard area, parking or accessory structures. Of the four parcels, three are vacant and one parcel is occupied by a billboard. The existing residential and commercial areas are 99 percent developed.

### SUG MOD No. 3

Section 2.1 Existing Conditions (page 10, sixth paragraph)

Sunset Beach exhibits generally low relief with elevations ranging from sea level to five feet above sea level. **Due to these low elevations, the area has experienced flooding during high water level events, and these impacts are expected to worsen in the future with sea level rise.**

Much of the area north~~east~~~~west~~ of Pacific Coastal Highway was once a marsh and slough and was dredged and redeveloped to establish part of Sunset Island and Huntington Harbour in the 1960s. The development of these communities destroyed the marsh-slough habitat, **though the harbor channels still provide marine habitat value.** The developed area of Sunset Beach does not provide a suitable habitat for wildlife or native vegetation because of its highly urbanized character, although **the western snowy plover (a Federally listed threatened species) is known to be present on the beach at Sunset Beach, and** certain **other** avifauna may forage on the beach.

### Question (see comment):

Section 2.2 Land Use (page 11 & 12)

The Sunset Beach Plan designates the 134 acre Specific Plan area as follows:

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

**Comment [CIT1]:** Does this ROW figure include the ROW where the encroachments occur? Or is this only other ROW areas within SNB?

### SUG MOD No. 4

Modify Section 2.2 Land Use (page 12, first paragraph) as follows:

The Residential High Density designation has a General Plan/Local Coastal Program density category of greater than 30 units per net acre, denoted by “-30” to reflect the existing density condition of some parts of Sunset Beach. The Commercial Visitor designation has a Mixed Use

("-mu") Overlay, which permits **limited** residential uses in conjunction with the underlying commercial designation **pursuant to Section 3.3.2 Sunset Beach Tourist, C.4**. This is in recognition that the Specific Plan **has historically** allowed for residential units above the ground floor in the CV/**Sunset Beach Tourist** area<sup>2</sup>. In addition to the underlying land use designations, and the notations for RH and CV described above, the entire area has a Specific Plan Overlay ("sp") designation in recognition of the need and existence of a specific plan for the Sunset Beach area.

Footnote (page 12)

2. The ~~County's existing~~ Specific Plan allows residential uses above the ground floor in the Commercial Visitor (Sunset Beach Tourist District) area. A 2015~~0~~ review of existing development in Sunset Beach indicates that there are approximately 55 residential units in the areas designated for principally commercial uses.

## SUG MOD No. 5

Modify Section 2.2 Land Use (page 12, second paragraph) as follows:

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

## SUG MOD No. 6

Modify Land Use Plan Guidelines, paragraph 2, page 14, as follows:

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

## SUG MOD No. 7

Modify Land Use Plan Guidelines 2.2.1 – 2.2.5 Beach and Sand Area (starting on page 14) as follows (City's proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletion in ~~strike through~~):

### **Oceanfronting** ~~Beach and Sandy Beach~~ Area

2.2.1 ~~The~~ Existing, **historic management of the ocean fronting sandy** beach ~~and sand management areas shall be maintained in their present form:~~ **is encouraged to continue.**

**Existing, historic beach management includes the U.S. Army Corps of Engineer’s (USACE) led periodic sand replenishment program at Surfside in the City of Seal Beach, annual construction of a seasonal berm (formerly by the County and now by the City), and retention of the berm constructed by the County in 1983. The goals of this beach management are:**

- i. to **maximize public access and** preserve the unique public recreational character of Sunset Beach; recreation shall be defined as passive and active recreation ~~that is in conformance with the development guidelines of the Sunset Beach Land Use Plan.~~
- ii. in cooperation with the State Department of Fish and Wildlife, to protect and preserve the natural habitat of spawning grunion, **snowy plovers**, pismo clam and other shellfish beds, **beach rack**, porpoise feeding and sporting grounds, feeding grounds for the California brown pelican, grebes, cormorants, terns, gulls and all other natural sea life and waterfowl.
- iii. to protect beachfront residences **from flooding and storm activities** and maintain ~~both public and private open ocean view and~~ access.

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

- i. The City shall encourage dredging and sand replenishment activities be scheduled during fall and winter months to reduce conflict with sunning, swimming and other shoreline water activities, as well as grunion spawning **and snowy plover nesting or roosting**.
- ii. The City shall cooperate with the United States Army Corps of Engineers (USACOE) and other applicable agencies regarding all sand replenishment activities.
- iii. The City will continue to advocate to the USACOE that sand replenishment shall be deposited at the northwest end of the beach (in Seal Beach) in the area contiguous to the U.S. Navy Ammunition & Net Depot harbor groin, the point of primary and maximum erosion. From that point sand is distributed southeastward down the beach by natural wave and current action. This avoids the destruction of natural marine life habitat. At the same time it preserves the recreational character of the beach and the fine grain and cleanliness characteristic of alluvial ocean sands. Sand shall not be pumped directly on the beach within Sunset Beach except in response to immediate danger to residences.
- iv. No government or private agency shall construct or cause to be constructed any structure including but not limited to jetties, groins, berms, etc., that may alter natural shoreline processes such as wave action, channel depths or general beach configuration except when such protective structures are required for existing structures or public beaches in danger of erosion.

v. If necessary, a seasonal, temporary berm may be constructed by the City during or immediately prior to storm season to minimize erosion and flooding impacts. Construction of the seasonal, temporary berm shall avoid impacts to spawning grunion and western snow plovers, and maximize public access and recreational opportunities.

vi. If a protective structure is deemed necessary to protect existing development, site and design of such protective device shall be as far landward as possible. "Existing development" for purposes of this policy shall consist only of a principle structure, e.g. residential dwelling, required garage, or second residential unit, approved prior to implementation of the Coastal Act or for which a valid coastal development permit was approved, and shall not include accessory or ancillary structures such as decks, patios, pools, tennis courts, cabanas, stairs, landscaping, etc. No shoreline protective device shall be allowed for the sole purpose of protecting an accessory structure.

vii. No development shall be permitted that would result in permanent loss of sandy beach area.

viii. To fulfill visitor serving needs, to minimize personal injuries and to reduce liability, sanitation shall be maintained by properly and routinely cleaning and maintaining the sandy beach and sand area from ocean edge to the berm (artificial dune) pursuant to a Beach Shoreline Management Plan Program. The protective growth barrier berm (artificial dune) shall be maintained by adjacent property owners. The Shoreline Management Plan shall include measures, in addition to those cited above, to protect public access and recreational opportunities, as well as sensitive biological resources, including western snowy plover, spawning grunion, and beach rack.

**Comment [CIT2]:** Newly proposed language in the LUPA refers to a future Shoreline Management Plan. Are these two plans related? Are they the same thing? If so, the same name should be used. If not, what is the difference? Is one to apply citywide and one to apply in Sunset Beach only?

2.2.3 To protect existing development residences and including the Sunset Beach sanitary sewer system from flood waters and excess wind-driven sand, to preserve that sand in the beach area thereby reducing replenishment costs, and to enhance the appearance for the benefit of visitors, preservation and maintenance of the berm (artificial dune) shall be retained and encouraged. Re-planting the berm (artificial dune) with dune plants native to coastal Orange County with the goal of enhancing both the visual appearance as well as habitat value shall be encouraged.

2.2.4 No Changes Recommended

2.2.5 Public access to the beach shall be maintained.

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

ii. Public recreation and access opportunities at public beaches and parks shall be protected, and where feasible, enhanced as an important coastal resource.

iii. All beach amenities available to the general public on the City's public beaches shall be available to all members of the general public on an equal basis.

- iv. Public beaches and parks shall maintain lower-cost user fees, and maximize hours of use to the extent feasible, in order to maximize public access and recreation opportunities. Limitations on time of use or increases in user fees or parking fees shall be subject to coastal development permit requirements in accordance with Chapter 245 of the Huntington Beach Zoning and Subdivision Ordinance.
- v. Signs denoting the Public Beach shall be maintained at the signalized intersections of Anderson Street, Broadway Avenue and Warner Avenue along Pacific Coast Highway. ~~Signs shall not exceed four square feet.~~
- vi. Signs that limit public access or recreation are not permitted except in instances where such signage is necessary to implement restriction to protect public safety where no other feasible alternative exists to provide public safety, and shall be reviewed in conjunction with the coastal development permit for said restrictions.

### SUG MOD No. 8

Modify Exhibit 2.2 Scenic Vista Viewpoints by adding viewpoints that look onto Huntington Harbour, including at 11<sup>th</sup> Street Beach, Broadway bridge, opposite 17<sup>th</sup> Street, and at street ends/alleys along Bayview Drive (within the Specific Plan).

### SUG MOD No. 9

Modify Exhibit 2.3 Existing Beach Access by adding an access point at 11<sup>th</sup> Street Beach.

### SUG MOD No. 10

Modify Land Use Plan Guideline 2.2.6 Inland Waterways (page 19) as follows (City’s proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike-through~~):

*Inland Waterways*

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

- i. For greater use by the general public, all channels and public waterways **shown in Exhibit 3.2** shall be maintained as public waterways. Location of bulkhead lines and encroachment areas shall be established and no structures shall extend beyond the bulkhead line except for ramps (gangways) and docks.
- ii. ~~Every effort shall be made to p~~**Protection and preservation of marine habitat and water quality shall be maximized.** ~~existing natural sea life and waterfowl, and to maintain “clean” water.~~

**Comment [CIT3]:** What is the status of the parking spaces at the street end/alley located between Bayview Drive and Sunset Channel within the specific plan?

iii. To meet visitor-serving needs, the 11th Street public beach and sandy area opposite 17<sup>th</sup> Street at Pacific Coast Highway shall be retained ~~in its present general configuration, or if reconfigured, shall provide equivalent recreational opportunities and shall be properly maintained.~~

## SUG MOD No. 11

Modify Land Use Plan Guidelines 2.2.7 – 2.2.11 Visitor Serving Commercial (page 19) as follows (City’s proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

### *Visitor Serving Commercial*

2.2.7 Existing commercial facilities should be retained.

**2.2.x Priority shall be given to the development of visitor serving commercial and recreational uses designed to enhance and complement public recreational areas and supplement public recreational opportunities. New visitor-serving uses shall not displace existing low-cost visitor serving uses unless an equivalent replacement is provided.**

**2.2.x Coastal recreational and visitor-serving uses and opportunities, especially lower cost facilities and opportunities, shall be protected, encouraged, and where feasible, provided by both public and private means. Removal or conversion of existing lower cost facilities or opportunities shall be prohibited unless they will be replaced with comparable visitor serving facilities or opportunities within the Sunset Beach Specific Plan area.**

2.2.8 Should any existing **legal, non-conforming** residence presently on property designated for commercial use be destroyed, such may be rebuilt as a residence providing it conforms to **Huntington Beach Zoning and Subdivision Ordinance Section 245.08 E as well as to the provisions of the Sunset Beach Specific Plan** residential guidelines.

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

2.2.10 Ensure that lower cost hotels and motels are maintained for short-term visitor occupancy. Establish a method to define whether a facility providing overnight accommodation is low, moderate, or high cost.

2.2.11 Maintain an inventory of the number of existing motel and hotel rooms and room rates.

**2.2.12 Existing lower cost accommodations within Sunset Beach shall be maintained and protected to the maximum feasible extent feasible. If it is not feasible to maintain existing lower cost units, then mitigation for the lost units must be provided.**

## SUG MOD No. 12

Modify Land Use Plan Guidelines 2.2.12 – 2.2.16 Residential (page 20) as follows (City’s proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

### *Residential*

2.2.12 All legally created residential building sites shall be permitted only two dwelling units per site, unless approved otherwise prior to ~~adoption of this Specific Plan~~ **the date of final certification of this Specific Plan by the Coastal Commission**.

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

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

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

2.2.16 Short-term vacation rentals consistent with the Specific Plan and compatible with the community are supported to encourage lower cost overnight accommodations.

**Comment [U4]:** What is the intent of policy 2.2.13? This section needs to be more specific. As currently written it’s not clear whether low/moderate cost units should be replaced with non-low/moderate units or should be replaced in-kind. It should say whether the housing units need to be retained on-site or off-site, etc. If no changes are made, we would likely recommend deleting it because as it currently is it is too vague and can’t be implemented.

## SUG MOD No. 13

Modify Land Use Plan Guidelines 2.3.7 – 2.3.14 Parking (page 23) as follows (City’s proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

### *Parking*

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

2.3.8 All existing on-street parking shall be retained within Sunset Beach and wherever possible establish programs to maximize their use **in a manner that promotes public access**, except when public safety is compromised.

2.3.9 **Public parking along the Greenbelt shall be continued and maintained to support public access to the beach**. There shall be no parking on North and South Pacific Avenues **immediately adjacent to the residential development**, except in front of **private** driveways by permit only.



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

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

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

2.3.13 Innovative programs to maintain the existing parking supply in residential areas and to provide flexibility for commercial uses shall ~~may~~ be **considered encouraged when parking to serve public beach access is maintained and increased.**

2.3.14 Signage and parking control to manage parking supply **may be considered when public beach access is maximized and is subject to coastal development permit requirements in accordance with Chapter 245 of the Huntington Beach Zoning and Subdivision Ordinance.** shall be implemented.

## SUG MOD No. 14

Modify 2.4 Shoreline Management, Flooding and Sea Level Rise, Flooding, page 26, 4<sup>th</sup> paragraph, as follows (City’s proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

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

## SUG MOD No. 15

Modify Shoreline Management Policy 2.4.1 and add the following new policies, after Policy 2.4.1, page 27, as follows (City’s proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~; re-number each policy as appropriate):

*Shoreline Management*

**Comment [CIT5]:** I’m not sure what this last sentence is supposed to mean? The Study won’t impact the residences. Is this intended to mean that the Study indicates that older homes that haven’t been brought into conformance with the recommendations of the Study are at severe risk? If so, this should be re-worded.

2.4.1 The City shall prepare a Shoreline Management (~~Beach Management~~) Plan for Sunset Beach, which shall take into consideration **(but is not necessarily limited to)** beach nourishment **(including the on-going USACOE led program and the seasonal berm)**, beach erosion, storm season, **the effects of sea level rise on these hazard conditions**, beach habitat and **protection of** grunion spawning **ground during spawning** season, **protection of the western snowy plover** and **recognition that** recreational use of the beach **by the public is a vital aspect of the beach's function. At a minimum, the following policies shall be included in the Shoreline Management Plan and shall be implemented in the interim until the Shoreline Management Plan is developed and implemented.**

**Comment [CIT6]:** Need to choose one name or the other. Can be either one, I just chose to strike the one in parentheses. Also, should be consistent throughout Specific Plan and in LUP.

2.4.2 **Changes to the (future) Shoreline Management Plan shall require certification of an amendment to the City's Local Coastal Program by the Coastal Commission, unless the Executive Director determines none is legally required.**

2.4.3 **The width of the beach in Sunset Beach shall be formally measured by the City at least twice per year, once in the Fall prior to the storm season and once in the Spring following the storm season. The measurements shall occur in at least three locations: at the prolongation of Anderson Street, at the prolongation of Broadway, and at the prolongation of Warner Avenue. The beach shall be measured across its entire width, at a minimum from the line of existing seaward private property line to the surf line.**

**2.4.4 Recognizing that kelp has an important role in the ecological and structural condition of the beach, provides habitat and nutrients for coastal marine animal and vegetative species, and provides direct and indirect support for sand retention, the City shall:**

- i. **Remove excessive kelp in the dry sand areas, during the summer season, May 15<sup>th</sup> through September 15<sup>th</sup>, to provide maximum towel space for public use while protecting grunion spawning grounds in the wet sand areas, and while protecting western snowy plover;**
- ii. **Conduct scheduled summer season grooming on dry sand areas only, avoiding the wet sand areas, in an effort to protect grunion spawning ground and kelp wracks;**
- iii. **Summer season kelp removal shall be complete prior to 10 a.m. for each day that kelp removal activities occur.**
- iv. **Allow kelp to remain on the beach during the winter season, September 16 through May 14<sup>th</sup>;**
- v. **At any time of year, excessive kelp may be removed when the Orange County Health Care Agency Environmental Health Ocean Water Protection Program determines that:**
  - a. **kelp on the beach is a significant factor causing bacterial contamination that is creating a public health hazard due to bacteria counts in excess of state safe water quality standards and**
  - b. **that removing it for these purposes is absolutely necessary to abate the health hazard.**

- c. In such a case, it is recognized that OC HCA EH Ocean Water Protection Program will post temporary advisory signs on the beach that warn the public of potential disease causing bacteria in the water. When such signage is posted, the OC HCA EH Ocean Water Protection Program shall notify the City.
- d. Any such public health/water quality related kelp removal activities shall be protective of active grunion spawning grounds and the western snowy plover (when present).
- e. In addition, for any public health/water quality related kelp removal activities below the wrack/high tide line, removal shall occur only during low tide periods and only the front loader or bucket of any equipment used may extend into the water and the remainder of the equipment shall stay on the dry sand portion of the beach as much as possible.

2.4.5 Recognizing that native beach vegetation has a natural role in the ecological, structural, and aesthetic conditions of the beach, providing habitat for coastal marine species, and sand retention support, the City shall:

- i. Protect existing native beach vegetation in established beach hummocks and dunes;
- ii. Seek to identify locations where planting of native beach vegetation can be established and work with volunteer and non-profit groups for planting and establishment.
  - a. The berm (artificial dune) that exists on the beach approximately 40 feet seaward of the seaward property line of beach-fronting development, presents an excellent opportunity to implement the planting of native beach vegetation.

2.4.6 Recognizing that sand has a primary role in the use and enjoyment of the beach, the City shall:

- i. Conduct sand pushing twice a year. Sand pushing is the action of moving sand mechanically with the intention to:
  - Create the seasonal berm in the Fall to prevent inland flooding and to protect existing primary development;
  - Prevent loss of usable public beach area into the ocean;
  - Remove the seasonal berm in the late Spring (at the conclusion of the winter storm season) to prepare the beach for towel space during the summer season.
- ii. Plan to preserve the sandy beach area for public access and recreation through planned retreat and other adaptation measures.

2.4.7 Recognizing that the education of the public plays a vital role in sustaining the multiple functions the beach serves (e.g. habitat, shoreline protection, recreation), the City shall:

- i. Develop educational messages on beach safety, ecosystems, and the role of kelp, native beach vegetation, snowy plovers, sand, and human impacts in maintaining the beach in a sustainable condition.
- ii. Develop educational message about “coastal squeeze” – the eventual loss of beach caused by fixing the back beach (e.g. with development including shoreline protection devices, etc.) as sea level rise causes the shoreline to migrate inland.
- iii. Use existing communication channels such as City and Department websites, public service announcements, public signage and outreach events, and develop new sources to provide public education.
- iv. Provide support for volunteer and non-profit based groups to provide educational messages and events promoting the City’s program for sustaining a healthy beach ecosystem.

#### 2.4.8 Western Snowy Plover

- i. The City shall implement a survey of the Sunset Beach beach area for the presence of snowy plovers, to be conducted by a qualified ecological professional in June and again in July of each year. A map depicting the locations of all nesting and roosting snowy plovers detected during each survey shall be produced. The City may contract with a qualified volunteer and/or non-profit group for this survey in conjunction with a qualified ecological professional (Orange County Sea & Sage Audubon, in conjunction with Ryan Ecological Consulting, currently conducts snowy plover surveys on Orange County beaches through a grant and with the support of USFWS and CDFW <http://www.seaandsageaudubon.org/Conservation/SNPLsurvey/OCSNPLsurvey.html>).
- ii. All drivers of vehicles and machinery that are operated on sections of beach where Snowy Plovers have been mapped or otherwise known to occur shall be made aware of the presence of snowy plovers, given a copy of the map described in (i) above, and trained annually in measures and maneuvers to avoid adverse impacts to Snowy Plover. Such training shall be developed in conjunction with the USFWS and the CDFW.
- iii. Vehicles shall avoid operating on sections of beach where Snowy Plovers have been mapped or otherwise known to occur, with the exception of essential activities such as emergency lifeguard rescues where avoidance is not feasible, essential patrols that cannot otherwise avoid the snowy plover range, trash pick-up and other activities deemed essential and which cannot otherwise achieve their purpose, and agreed to by USFWS and CDFW. Vehicles simply transiting between points shall not be allowed within these areas.
- iv. Visible markers, with signage, shall be placed along the perimeter of locations where snowy plovers are known to occur to remind beach goers and vehicle operators of their presence. Placement shall be determined in conjunction with a qualified ecological professional.

## SUG MOD No. 16

Modify Flooding Policy 2.4.2 (page 27), as follows (City's proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~; re-number each policy as appropriate):

### *Flooding*

2.4.2 New development shall be required to comply with **Chapter 222** ~~Flood-plain~~ **Overlay District** regulations of the Huntington Beach Zoning and Subdivision Ordinance and the 1985 County's **Coastal Flood Plain Development Orange County Coastline** study (**January 1985**), until such time that it is superseded, as required by Section **2.4.3** ~~3.3.8~~ of this Specific Plan.

## SUG MOD No. 17

Modify the first, second and third paragraphs under the heading Sea Level Rise (SLR), (page 28), as follows (City's proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

### *Sea Level Rise (SLR)*

The potential impacts of SLR are within the planning and regulatory responsibilities of the Coastal Commission and the City under the Coastal Act. **According to recent studies, sea level rise will cause significant impacts to Sunset Beach.** The City is in the process of completing a comprehensive update to its General Plan. This effort includes the preparation of a citywide SLR Vulnerability Assessment and Coastal Resilience Plan. The SLR Vulnerability Assessment will guide the strategies (policies and implementation actions) that the City ~~will~~ **will** ultimately adopt.

The City is proposing to address SLR citywide by including policies in the Coastal Element and changing the implementing ordinances ~~as~~ **if** necessary, including the citywide floodplain ordinance. This approach will result in a centralized location for SLR policies and regulations, allow a comprehensive approach in addressing SLR, and build upon existing provisions in the City's certified Local Coastal Program. **In order to achieve this, an amendment to the City's Local Coastal Program (including the Sunset Beach Specific Plan area) will be submitted within five years (e.g. by 2022), for review and consideration by the Coastal Commission.**

**Planning for future sea level rise now is necessary for new development to ensure structural stability over the life of the development as required by the hazard policies of the City's certified Local Coastal Program Coastal Element/Land Use Plan; without sea level rise planning, it is not possible to ensure the LCP requirements that risks to life and property be minimized and that stability and structural integrity be assured can be met. Thus, an LCP amendment that addresses long-term sea level rise planning must be prepared.**

Pending completion of the citywide approach to SLR and in order to comply with Coastal Act Section 30253, projects in Sunset Beach will need to be planned, located, designed, and

engineered for SLR and associated impacts that might occur over the life of the development. Locations currently subject to inundation, flooding, wave impacts, erosion, or saltwater intrusion will be exposed to increased risks from these coastal hazards with rising sea level and will require review for SLR effects. **For these reasons, Section 3.3.9 Coastal Hazards Analysis of this Specific Plan will be applied, when required, throughout the Sunset Beach Specific Plan area.**

## SUG MOD No. 18

2.4.3 Within five years of certification of the Sunset Beach Specific Plan, the City shall address SLR citywide through preparation of a Sea Level Rise Vulnerability Assessment and Coastal Resiliency Plan, which shall identify the vulnerable assets and recommend adaptive measures and preparedness goals for each planning area, including Sunset Beach. The SLR Vulnerability Assessment and Coastal Resiliency Plan shall be prepared in accordance with the California Coastal Commission's adopted SLR Policy Guidance Document. **While the full scope of the effort will be established in accordance with this Guidance Document and the current best available science on sea level rise and best practices for adaptation measures, the effort will include the following topics at a minimum to address issues of known concern as they relate to sea level rise: the efficacy of ongoing beach nourishment, berms, and seasonal beach berms; beach width and related public access, recreation, and habitat values; saltwater intrusion and groundwater levels; storm flood elevations and storm drain effectiveness; and the function of existing bulkheads. Adaptation measures shall be developed for implementation within the policies or programs of the LCP.**

Add new Sea Level Rise policy 2.4.x (number as appropriate):

**2.4.x Adaptive measures and preparedness goals identified in the SLR Vulnerability Assessment and Coastal Resiliency Plan described in 2.4.3 above shall be incorporated into this Specific Plan via a Local Coastal Program amendment within five years of the effective date of Coastal Commission certification of this Sunset Beach Specific Plan. Five years after the effective certification date of this Sunset Beach Specific Plan, no new development shall be permitted unless found consistent with this required LCP amendment addressing sea level rise planning. Prior to certification of such an amendment by the Coastal Commission, the requirements of Section 3.3.9 Coastal Hazards Analysis shall apply to all development in Sunset Beach that requires a coastal development permit pursuant to Chapter 245 of the Huntington Beach Zoning and Subdivision Ordinance. If no such amendment is certified within ten years of the effective date of certification of this Sunset Beach Specific Plan by the Coastal Commission, new development within the Sunset Beach Specific Plan area shall be prohibited in areas identified as hazardous pursuant to the required Coastal Hazards Analysis, until such amendment is effectively certified by the Coastal Commission.**

Modify Sea Level Rise policy 2.4.4 (page 28), as follows (City's proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~; re-number as appropriate):

2.4.4 Applicants proposing **new development including major remodel (as that term is defined in Coastal Element/Land Use Plan Glossary)** ~~on vacant land in the~~ Sunset

Beach **Specific Plan area** shall comply with the following steps for addressing SLR in coastal development permits as outlined in the Coastal Commission’s adopted SLR Policy Guidance **(and as more specifically described in Section 3.3.9 Coastal Hazards Analysis of this Specific Plan):**

1. Establish the projected SLR range for the proposed project;
2. Determine how SLR impacts may constrain the project site;
3. Determine how the project may impact coastal resources over time, considering SLR;
4. Identify project alternatives to both avoid resource impacts and minimize risks to the project; and
5. Finalize project design and submit permit application.

## SUG MOD No. 19

Modify the Water Quality section on page 28 – 29, as follows (City’s proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

### *Water Quality*

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

The flow of ~~untreated~~ stormwater and urban runoff, **particularly if untreated**, can have an adverse impact on the quality of coastal waters, since **the City’s** storm drains eventually discharge into the ocean. Water pollution degrades surface waters, **making which may make** them unsafe for drinking, fishing, and swimming. The 1972 federal Clean Water Act ~~amendments to the Federal Water Pollution Control Act~~ prohibits the discharge of any pollutant to navigable waters unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit. Since 1990, the City of Huntington Beach has been ~~required to~~ **regulated as a co-permittee under the Orange County Municipal NPDES Storm Water Permit, which requires the City to** develop and implement a stormwater management program designed to prevent harmful pollutants from being washed by storm water runoff into the storm drain system ~~and to obtain a NPDES permit~~. The City’s **Municipal NPDES Stormwater** Permit requires new development and significant redevelopment to minimize short and long-term impacts **of changes in stormwater runoff quality and quantity** on receiving waters, ~~quality~~ to the maximum extent practicable.

The City's General Plan and Local Coastal Program note that the City can upgrade water quality by controlling pollutants that **The City's General Plan and Local Coastal Program contain water quality and marine resource policies requiring that measures be implemented to mitigate the adverse impacts of human activities on the marine environment. These policies require the City to protect water quality by minimizing pollutants that** enter coastal waters through **stormwater and** urban runoff, **and by minimizing post-development increases in stormwater runoff volume and velocity.** The City's General Plan and Local Coastal Program contain the water and marine resource policies requiring that measures be implemented to mitigate the adverse impacts of human activities on the marine environment. To protect coastal waters, the following water quality measures shall be implemented in conjunction with any new development or significant redevelopment:

- All new development and significant redevelopment, shall comply with the Orange County Municipal NPDES Storm Water Permit issued by the ~~State of California, California~~ **Santa Ana** Regional Water Quality Control Board ~~Santa Ana Region,~~ (Order No. R8-2009-0030), (NPDES No. CAS 618030) or subsequent permits. ~~Projects shall comply with the Orange County Drainage Area Management Plan (DAMP), all applicable local ordinances and applicable provisions of~~ **and** the NPDES General Permit for Storm Water Discharges Associated with Construction Activity issued by the State Water Resources Control Board (~~State Board~~ Order No. 2009-0009-DWQ), and any subsequent amendments, revisions, or re-issuances thereof. **Projects shall also comply with the Orange County Drainage Area Management Plan (DAMP) and all applicable local ordinances. Where conflicts occur between requirements, such conflicts shall be resolved in a manner which on balance is most protective of significant coastal resources.**
- Prior to issuance of a Coastal Development Permit (CDP), a Preliminary Water Quality Management Plan (WQMP), shall be submitted for review **and acceptance** by the Public Works Department, ~~and~~ **Prior to issuance of a Grading or Building Permit, a final WQMP shall be submitted for review and acceptance by the Public Works Department. The WQMP** shall be based on consistency with the provisions herein.
- **The WQMP shall demonstrate that** ~~New~~ new development and significant redevelopment projects shall incorporate Low Impact Development (LID) principles, design elements, and/or Best Management Practices (BMPs) that will effectively prevent runoff contamination, and minimize **post-development changes in stormwater** runoff volume **and velocity** leaving the site ~~in the developed condition,~~ to the greatest extent feasible.
- ~~Prior to issuance of a Grading or Building Permit, a final WQMP shall be submitted for review and acceptance by the Public Works Department.~~
- All projects that include dewatering shall obtain coverage under the ~~State of California, California~~ **Santa Ana** Regional Water Quality Control Board ~~Santa Ana Region~~ de minimis permit, ~~currently~~ (Order No. R8-2009-0003 (NPDES No. CAG998001), and subsequent iterations of this permit.



## SUG MOD No. 20

Modify the last paragraph on page 29, carrying over to page 30 under the heading Storm Drainage, as follows (City's proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

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

## SUG MOD No. 21

3. Development Standards; 3.2 General Provisions

3.2.4 Refers to 17.56 of the Muni Code (Fire Code) – is this the section/reference we were going to delete b/c the Muni Code is not part of the LCP. [Section 3.2.4 seems to be dealing with aisle widths in parking lots.]

3.2.8 . . . New building sites created by a tract map, parcel map, lot consolidation, or any other legal method are also limited to two dwelling units per building site.

Is this language ok? Doesn't seem like we'd want more building sites created b/c of very small lot sizes already – but maybe that's not the question here?

## SUG MOD No. 22

Modify the Provision 3.2.10 on page 33, as follows (City's proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

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

## SUG MOD No. 23

3.3.1 SUNSET BEACH RESIDENTIAL

Modify the Section 3.3.1 Sunset Beach Residential, Section 3.3.1 B. Principal Permitted Uses, 5 (page 36, as follows (City's proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

5. Additions to lawful non-conforming residential uses. Additions must comply with all applicable development standards. **This provision shall not apply to additions that constitute a Major Remodel as that term is defined in the Coastal Element/Land Use Plan Glossary. Development meeting the definition of Major Remodel must bring existing non-conforming elements into conformance.**

## SUG MOD No. 24

Modify the Section 3.3.1 Sunset Beach Residential, Section 3.3.1 C. Other Permitted Uses, 7 (page 36, as follows (City's proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

7. Short term vacation rentals (stays of 30 days or less)
  - a. Amortization Period: Any existing short term vacation rental (stays of less than 30 days) use shall be discontinued 12 months following the effective date of the adoption of this specific plan by the California Coastal Commission, unless an application is filed with the Community Development Department pursuant to this section to establish the use ~~prior to the discontinued date~~. **This requirement is intended to regulate such rentals, not prohibit them.**
  - b. **New short term vacation rental (stays of less than 30 days) use may be permitted subject to approval of a coastal development permit.**

## SUG MOD No. 25

Modify the Section 3.3.1 Sunset Beach Residential, Section 3.3.1 F. Site Development Standards 2. Bottom Elevation (page 37, as follows (City's proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

2. Bottom Elevation – For structures outside the ~~–FP3~~ ~~FP-3~~ District, the finished floor elevation for new construction **and/or major remodel** should be a minimum of two feet above the centerline of the frontage street or two feet above the highest perimeter curb elevation of the property, whichever is greater, unless the applicant can prove, using detailed hydrologic and hydraulic calculation, that the proposed finished floor elevation is protected from being flooded from a 100-year flood in a manner meeting the approval of the Community Development Director.

**For structures located in the –FP3 District, the finished floor elevation for new construction and/or major remodel shall, at a minimum, comply with the requirements of the Coastal Flood Plain Development Orange County Coastline, January 1985 including constructing the bottom elevation at two feet above the centerline of the frontage road or two feet above the highest curb elevation of the property, whichever is greater, and construction on 20 foot caissons, and that the underside of the structure be elevated a minimum of 18 inches above the elevation of the ground beneath the structure.**

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

**In addition, the finished floor elevation for new construction and/or major remodels shall comply with the requirements of Section 3.3.9 Coastal Hazards Analysis.**

## SUG MOD No. 26

Modify the Section 3.3.1 Sunset Beach Residential, Section 3.3.1 F. Site Development Standards 6 Off Street Parking (page 40, as follows (City’s proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

6. Off street parking shall be in conformance with Section 3.3.4 of the Sunset Beach Specific Plan Regulations. Additional parking shall not be required when additions, not exceeding 50 percent of the floor area of the total structure, are made to lawfully nonconforming residential uses, **except when the addition constitutes a Major Remodel as defined in the Coastal Element/Land Use Plan Glossary. If the addition constitutes a Major Remodel, then all nonconformities must be brought into conformance.**

## SUG MOD No. 27

### 3.3.2 SUNSET BEACH TOURISTS

Modify the Section 3.3.2 Sunset Beach Tourists, Section 3.3.2 F. Site Development Standards 6 Off Street Parking (page 40, as follows (City’s proposed language in plain text; CCC staff recommended additions in **bold, underline**; deletions in ~~strike through~~):

#### 3.3.2 Sunset Beach Tourists

page 41:

first paragraph – fix typo: . . . will supply the needs of ~~f~~ tourists, visitors, and the local . . .

second paragraph – Modify as follows:

Whenever the occupancy or use of any premise is changed to a different use or the existing use is altered, enlarged, expanded or intensified, parking to meet the requirements of this section shall be provided for the new use or occupancy. This provision shall not apply to the addition of rooms or other alterations to lawful nonconforming residential dwellings in a commercial zone, **unless the addition and/or alteration constitutes a Major Remodel (as defined in the Coastal Element/Land Use Plan Glossary). A Major Remodel shall be required to bring non-conforming elements into conformance, including the provision of required parking, that do not increase the total floor area more than 50 percent.**

3.3.2 Sunset Beach Tourists, B. Permitted Uses (page 41) modify as follows:

9. Limited Use Overnight Visitor Accommodations – only those for which a business license or certificate of occupancy has been issued on or before the effective date of adoption of this Specific Plan shall be permitted.

10. Commercial boat docks, **and limited accessory development necessary to serve commercial boat docks (i.e. ticket sales both, queuing area, etc.)**.

**Comment [U7]:** Do any Limited Use Overnight Visitor Accommodations currently exist in SNB? If so, please include a list identifying them. If not – why is this needed?

## SUG MOD No. 28

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.2 Sunset Beach Tourist, C. Other Permitted Uses, 4. Residential Uses (Page 42) as follows:

4. Residential Uses:

**a. When the subject site is able to accommodate both the principal use and the residential use or when such a shared use already exists at the site (as of the final certification date of the Sunset Beach Specific Plan by the Coastal Commission).**

**b. The ability to accommodate both the principal and residential uses shall be determined by:**

**i. the site’s ability to provide all required parking (per the HBZSO and this specific plan) on-site or within 470 feet of the subject site and for which legal use of the off-site parking spaces to serve the development for the life of the project is legally demonstrated in writing;**

**ii. reasonable and safe street ingress and egress is provided;**

**iii. the project does not require curb cuts or otherwise result in the loss of existing, on-street parking spaces, and;**

**iv. the proposed development is also otherwise consistent with the standards and policies of the certified Local Coastal Program including any applicable specific plan.**

**ac.** Any residential use must be ~~L~~located **entirely** above the first floor of a Principal Permitted Use.

**bd.** Parking for both the primary commercial uses and the residential use conforms to Section 3.3.4 of these regulations.

ee. Such residential use shall not exceed 50 percent of the gross square footage of the entire structure **(as “gross square footage” is defined in )**. ~~Additions to lawful nonconforming residential uses are permitted if their cost does not exceed 50 percent of the market value of the residential use.~~

**f. Where a site can accommodate only one of the two uses (Sunset Beach Tourist or Residential), then only Sunset Beach Tourist may be allowed (except when both already legally exist at the site (as of the date of final certification this Sunset Beach Specific Plan by the Coastal Commission).**

**Comment [CIT8]:** I believe City staff mentioned that there is a City definition for “gross square footage.” Where is that defined and what is the definition?

## SUG MOD No. 29

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.2 Sunset Beach Tourist, E. Accessory Uses Permitted (Page 42) as follows:

4. Outdoor dining areas **when the required parking spaces are provided.**

## SUG MOD No. 30

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.2 Sunset Beach Tourist, G. Site Development Standards (Page 43) as follows:

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

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

**In addition, the finished floor elevation for new construction and/or major remodels shall comply with the requirements of Section 3.3.10 Coastal Hazards Analysis.**

## SUG MOD No. 31

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.2 Sunset Beach Tourist, H. Lawful Nonconforming Residential Use of Property (Page 44) as follows:

- H. Lawful nonconforming residential use of property:  
Should any existing lawful nonconforming residential structure presently on property zoned commercial be destroyed such may be rebuilt providing it conforms to the **Huntington Beach Zoning and Subdivision Ordinance Section 245.08 E as well as to** provisions of the residential

uses and standards contained in the SBR District. The replacement residential use/structure may not be increased more than 10 percent in height or footprint beyond what was existing and must be rebuilt in the same location.

## SUG MOD No. 32

Modify the Title of Section 3.3.3 (page 44 and throughout specific plan) as follows:

3.3.3-PUBLIC FACILITIES: OPEN SPACE:

## SUG MOD No. 33

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.3 Public Facilities (to be re-named Open Space), A. Purpose (Page 44) as follows:

### A. Purpose

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

## SUG MOD No. 34

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.3 Public Facilities (to be re-named Open Space), B. Sunset Beach Beach Area (Page 44) as follows:

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

**1. The on-going sand management program described in Section 2.4 of this Specific Plan, including the USACE led sand replenishment projects, the seasonal construction of a sand berm on the beach, and retention of the berm (artificial dune), shall be maintained as long as the program remains necessary to protect existing development from storm and tidal actions, to provide and maintain the public sandy beach for public access and recreation.**

## SUG MOD No. 35

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.3 Public Facilities (to be re-named Open Space), B. Sunset Beach Beach Area (Page 44) as follows:

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

### SUG MOD No. 36

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.3 Public Facilities (to be re-named Open Space), B. Sunset Beach Beach Area (Page 44) as follows:

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

- a. Lifeguard towers
- b. Other facilities necessary for public safety.

### SUG MOD No. 37

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.3 Public Facilities (to be re-named Open Space), B. Sunset Beach Beach Area (Page 45) as follows:

5. Temporary uses and structures accessory to residential development ~~may shall~~ be permitted within the ~~20-foot strip of~~ beach property contiguous to SBR properties subject to the standards and requirement of Section 3.3.10 Beachfront Encroachments and a Coastal Development Permit.

~~Improvements shall be limited to temporary/removable deck units, the top elevation of which shall not exceed four feet above the street level of South Pacific Avenue; landscaping not exceeding 30 inches in height above patio/deck surface at full growth; and portable furniture.~~

### SUG MOD No. 38

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.3 Public Facilities (to be re-named Open Space), B. Sunset Beach Beach Area (Page 45) as follows:

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

### SUG MOD No. 39

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.3 Public Facilities (to be re-named Open Space), C. Sunset Beach Parking Facility (Page 46) as follows:

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

2. The present general configuration, ~~and~~ facilities, **and existing minimum number of parking spaces** shall be retained.

## SUG MOD No. 40

Modify Section 3. Development Standards, 3.3 Regulations, 3.3.3 Public Facilities (to be re-named Open Space), D. Sunset Beach Waterways (Page 46 and 47) as follows:

### D. Sunset Beach Waterways (SBW)

1. For greater use by the general public, all channels and public waterways shown in Exhibit 3.2 shall be maintained and operated as public waterways, subject to City of Huntington Beach regulations **and certified Local Coastal Program**. They shall be properly bulkheaded to prevent erosion and resultant land filling, and dredged to maintain navigable depth and regulated to prevent impediment of channel. All navigable channels shall be retained and maintained at the present width, no part of the channels shall be filled, and no encroachments shall be allowed except for bulkheads, gangways, and docks as provided in item number 2 below. **Channel maintenance, including dredging, shall be accomplished by the least environmentally damaging measures feasible.**

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

As part of the harbor permit application process, a determination will be made for existing facilities as to whether they are in a state of good repair or a state of disrepair. Docks with inadequate floats resulting in partial submersion, sinking, or listing, broken or inappropriate decking material, inadequate supports or improper fastening devices (such as PVC pipe), and illegal and unsafe electrical wiring shall be deemed to be in a state of disrepair.

**Where a new bulkhead or repair or replacement of an existing bulkhead is deemed necessary to protect existing primary structures based upon an Engineering Assessment prepared by a qualified professional, fill of coastal waters shall be avoided to the maximum extent feasible, and the project shall be the least environmentally damaging feasible alternative, and adequate mitigation to offset any adverse impacts shall be provided. In addition, for all new and/or repair of existing bulkhead projects Section 3.3.9 Coastal Hazards Analysis shall apply.**

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



...

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

**Comment [U9]:** There is only one channel in SNB that runs at 90 degrees to PCH.

...

7. To meet visitor serving needs, the 11<sup>th</sup> Street public beach and sandy area opposite 17<sup>th</sup> Street shall be retained in ~~its~~ **their** present general configuration, or if reconfigured, shall provide equivalent recreational opportunities **in the same location with no reduction in service to visitors** and shall be properly maintained. Small boats may be launched at both areas provided there is no use of trailers, sand dollies, or mechanical launching equipment. ~~The launching of boats is specifically prohibited at all other publicly owned properties adjacent to Sunset Channel.~~

## SUG MOD No. 41

Modify 3.3.4 Parking Requirements, A. Off-Street Parking as follows (page 51 - 53):

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

### 1. Residential

- a. Parking stall size for residential uses shall be a minimum of nine feet by 18 feet, whether the stall is covered or uncovered.
- b. One half of the required parking may be tandem for residential lots having less than 46 feet of street frontage.

### 2. All Other Permitted Uses

- a. No owner or tenant shall lease, rent, or otherwise make available to intended users any off-street parking spaces required by this article.
- b. Parking stalls for commercial uses requiring backing onto public streets shall be prohibited, except where they presently exist **(as of the final certification date of the Sunset Beach Specific Plan by the Coastal Commission)**. In the case of minor alterations to existing structures, nonconforming parking stalls may remain subject to **approval of** a Coastal Development Permit. Minor alterations are defined as those that 1) do not increase the intensity of use and 2) do not increase the existing parking capacity.
- c. Subject to **approval of** a Coastal Development Permit by the Planning Commission, the off-street parking facilities may be located on separate non-contiguous building sites

subject to recorded covenant that would guarantee their continuous maintenance **exclusively** for the use(s) they **are required to** serve. Non-contiguous building sites shall be within 470 feet of the site of the use(s) they serve.

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

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

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

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

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

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

**jh.** Subject to **approval of** a Coastal Development Permit by the Planning Commission, a reduction in the number of required parking spaces may be allowed for uses which utilize shared parking site between uses that have different peak parking periods **when the shared parking use is supported by an approved Shared Use Parking Management Plan that demonstrates that adequate parking will be available to serve the expected demand of the subject development. The Shared Use Parking Management Plan shall be submitted at the time of the coastal development permit application.**

## SUG MOD No. 42

Modify 3.3.4 Parking Requirements, A. Off-Street Parking 4, as follows (page 54):

4. Coastal development permit applications that include variance requests to deviate from off-street parking requirements may be approved, except that requests that are found to impact public parking available for coastal access shall not be granted. **Any such request shall include a Parking Management Plan supporting the request as part of the coastal development permit application.**

## SUG MOD No. 43

Modify 3.3.5 Fences and Walls, as follows (page 54):

For purposes of this section, “fences and walls” include any type of fence, wall, retaining wall, sound attenuation wall, or screen. Fences/walls shall be in compliance with the following regulations. However, walls that are located within the interior of an approved tract map and are part of the initial development of that tract map shall be exempt from these regulations. Subsections “4” and “5” only shall also apply to hedges, or thick growth of shrubs, bushes, or trees. Fence/wall heights shall be measured from the base of the fence/wall to the top on interior or exterior side, whichever is greater. **Fences and walls shall not interfere with public views of the beach, harbor, natural landscape, scenic corridors and highways, recreational facilities, and routes used for access to recreational areas and facilities.**

## SUG MOD No. 44

Modify Section 3.3.6 Sign Regulations, 2. General Provisions, as follows (page 56):

### 4. Permitted Temporary Signs

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

A Coastal Development Permit will not be required if the sign does not exceed the height of existing structures on a site **and otherwise does not constitute development as defined in Chapter 245 of the Huntington Beach Zoning and Subdivision Ordinance.**

### 5. Prohibited Signs

c. Outdoor advertising signs/**off premises advertising signs** (e.g. billboards).

...

### 9. Sign Measurements

#### a. Sign Area:

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

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

Signs for the purpose of identifying public access to the Ocean/Beach located at Anderson/Pacific Coast Highway and at Warner shall **be of the size necessary to be readily readable from vehicles passing along Pacific Coast Highway** ~~not~~ exceed four square feet.

## SUG MOD No. 45

Modify Section 3.3.8 Flood Plain District (page 60):

### 3.3.8 Flood Plain District

**Those portions of** ~~the~~ Huntington Beach Zoning and Subdivision Ordinance Floodplain Overlay District Regulations **that are certified by the Coastal Commission and the** County of Orange Coastal Flood Plain Development Study **(January 1985) as amended** are hereby incorporated into the Sunset Beach Specific Plan and shall be applicable as designated by the County of Orange Coastal Flood Plain Development Study, January 1985. ~~floodplain map.~~ Finished floor elevations shall also be in compliance with Section 3.3 Site Development Standards. **As described in Section 2.4 Shoreline Management, Flooding, and Sea Level Rise, of this Specific Plan, since the mid-1980s, the homes seaward of South Pacific Avenue have been designated as in the –FP3 floodplain district, pursuant to the recommendations contained in the County of Orange Coastal Flood Plain Development Study, January 1985 (attached as Appendix B to this Specific Plan) as necessary to protect against flooding. In addition, since the mid-1980s and also pursuant to the County’s Flood Plain Study, new structures seaward of South Pacific Avenue are required to raise the bottom elevation and construct on piles extending below the ground surface. These requirements remain in effect and shall also include consideration of sea level rise. Section 3.3.10 Coastal Hazards Analysis shall also apply. Without implementation of these measures, the risk of hazards from flooding, exacerbated by sea level rise, would not be avoided.**

## SUG MOD No. 46

Modify Section 4.2 Methods and Procedures (page 61):

### Coastal Development Permits

Coastal Development Permits shall be processed pursuant to **Chapter 245 Coastal Development Permits** of the Huntington Beach Zoning and Subdivision Ordinance.

## SUG MOD No. 47

Modify Section 4.2 Methods and Procedures (page 61):

### Appeals

Any decision or determination may be appealed in accordance with applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance. In addition, the majority of Sunset Beach is in an appealable area such that **most** coastal development permits approved by the local jurisdiction may be appealed to the California Coastal Commission. ~~Permitted uses~~ **Any approved or conditionally approved coastal development permit for development located within the Coastal Commission’s appeals jurisdiction** are subject to appeal to the California Coastal Commission **per Chapter 245 of** the Zoning and Subdivision Ordinance ~~if within an~~ appealable area. **In addition, the Coastal Commission retains original permit jurisdiction for areas seaward of the mean high tide line and on lands subject to the public trust.**

## SUG MOD No. 48

Modify Section 4.3 Specific Plan Amendments (page 62):

### 4.3 Specific Plan Amendments

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

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

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

## SUG MOD No. 49

Attach most recent/complete version of Appendix A Legal Description with final dates of annexation etc.

## SUG MOD No. 50

Attach other appendices:

Appendix B – Coastal Flood Plain Development Orange County Coastline, January 1985

Appendix C – Orange County Coastal Regional Sediment Management Plan, June 2013

Appendix D – City of Huntington Beach Sea Level Rise Vulnerability Assessment, December 2014

## SUG MOD No. 51

The City shall prepare and submit for the review and approval of the Coastal Commission a post-certification map depicting the Coastal Commission original and appeals jurisdictions for the Sunset Beach Specific Plan area.