

HNB LCPA 1-16 Sunset Beach Specific Plan  
DRAFT Sug Mods

Hi Sunset Beach friends and neighbors --

The following is our DRAFT Comment #4 which takes us to a total of 33 pages reviewed and commented on of the 50 pages of proposed changes by the California Coastal Commission (CCC) staff to the Sunset Beach Specific Plan (aka the "Local Coastal Plan."). The remaining pages will be reviewed in Comment #5 and Comment #6. We will distribute these last two DRAFT comments to the community and to the City in the next weeks. Please submit your comments and concerns regarding our DRAFT comments to [gailbrice@roadrunner.com](mailto:gailbrice@roadrunner.com) Once we complete the comments, we will hold meetings to discuss them.

Background Information: When Sunset Beach was annexed by Huntington Beach, the CCC invalidated our LCP plan. We are now tasked with obtaining approval of a new LCP plan. As a starting point, the CCC has provided "suggested modules" (Sug Mods) for the modifications that mostly focus on their mandate for public access and preparing for sea level rise. The City of Huntington Beach has requested that comments be submitted regarding these proposed modifications through the Sunset Beach Local Coastal Plan (LCP) Committee.

Currently development in Sunset Beach must go through the staff of the CCC for approval. Once our new plan is approved and accepted by the CCC, Huntington Beach will be designated as the sole reviewer. This will be much more desirable for many reasons.

This is a big project and we'll need to pick our battles, but we believe that we can make a difference by focusing on our local realities rather than accepting the "one size fits all" suggested modules provided by the CCC staff. We look forward to your comments.

Your Sunset Beach LCP Committee

### **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.

Draft comments from the Sunset Beach LCP are provided below noting "LCP" red & underlined.

LCP: GENERAL NOTE: Throughout proposed changes, requirements from other parts of the Plan and other Federal, State and Local regulations (or other Plans created by these regulations) are often cited. Every effort should be made to make the Sunset Beach Specific Plan a stand-alone document and import the specific requirements from other regulations that are directly applicable to the issue at hand regarding the proposed pages. As the document stands now, to comply would require working through thousands of pages of other regulations and ordinances and/or flipping back and forth throughout the SB Specific Plan.

Note to community readers: The Comments to this Module is presented in LCP Comments #1-4. To do this, sections of this modules were excerpted for each of the separate comments. This impacts the page numbers. For example, this SUG MOD No. 37 starts on page 23 of this suggested module.

## 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.~~

LCP: Comments regarding beachfront decks will be made when reviewing the standards and requirements of Section 3.3.10 Beachfront Encroachments (Comment #6).

## 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.~~

LCP: The prohibition of the fire rings should NOT be removed from the Plan for the following reasons:

- 1) Sunset Beach was established in 1905 and is fortunate to still have many of the vintage, 80-100+ year old vintage wooden beach cottages in the town, many of which provide the lowest cost housing in Sunset Beach..
- 2) Sunset Beach is a very windy beach as demonstrated by the popularity of kitesurfing here. The prevailing winds are usually off the ocean.
- 3) Ash and ambers from fire rings create a hazard to the homes in Sunset Beach, especially to our vintage, wooden cottages. Many of which are located beachfront.
- 4) Sunset Beach has a history of residential fires. Because the homes in Sunset Beach are very close together, if one home catches on fire, additional homes can also be destroyed. This was the case with a fire in 2012 which was a result of a small barbeque tipping over from the high winds coming off the ocean. The fire destroyed two adjacent beachfront homes and severely damage two more. This is link to a video of this fire <https://www.youtube.com/watch?v=CKjk9aCz8H0>.
- 5) As discussed in earlier comments, different sectors of the public enjoy different types of beach experiences. Sunset Beach is known as a quiet beach where one can escape the crowds and loud parties (including those associated with fire rings). If one is interested in fire rings --

- 6) There are over 500 fire rings available immediately south of Sunset Beach at the Huntington Beach State Park. These fire rings also have large parking lots and public facilities to support crowds and loud parties. There are also no residents to be disturbed or be exposed to hazardous emissions (discussed below). This is not the case with Sunset Beach which is just one mile long and, although 75% of the town is open space, all the available space for public parking has been utilized. Also, in Sunset Beach...
- 7) There is public access every 200 feet between the beachfront homes. These access points between the home magnify the sound coming from the beach, especially in the evening. The beachfront residents are proud Sunset Beach's outstanding public access and the enjoyment shared by all during the daylight hours, however, fire rings on Sunset Beach is much less appropriate than using the 500 fire rings at the adjacent Huntington Beach State Park, especially as...
- 8) Besides the fire hazard and noise, the Sunset Beach residents would be exposed to the second-hand smoke and ash from the fire rings. The emissions from open fires have a fine particulate size of < 2.5 microns (known as PM 2.5). The health effects of fine particulates include cardiovascular effects such as cardiac arrhythmias and heart attacks, along with respiratory problems such as asthma attacks and bronchitis. PM 2.5 emissions pose the greatest health risk as these fine particles can get deep into lungs and get into the bloodstream. Note: PM 2.5 fine particulates is what creates the horrendous air quality problems in Beijing China. Like smoking cigarettes, those who decide to build bomb fires in fire rings are choosing to expose themselves to these health hazards. But why should the residents of Sunset Beach be exposed to this second-hand smoke, especially when there are 500 alternative fire rings immediately south of Sunset Beach where there are no residents upwind to be exposed to the PM 2.5 fine particulate fire ring emissions? Documentation that fire rings are a public health risk...
- 9) This is demonstrated by the fact that the South Coast Air Quality Management District (SCAQMD) routinely issues "No-Burn Alerts" that require mandatory bans on burning wood. As noted in their alerts: "No burn alerts are mandatory in order to protect public health due to high concentrations of fine particulates of air pollution" ... "Fine particulates in wood smoke – also known at particulate matter of PM 2.5 – can get deep into the lungs and cause respiratory illness, increases in emergency room visits and hospitalizations." This is especially true for senior citizens which make up a high percentage of Sunset Beach residents. The SCAQMD also recognizes particulate emissions (e.g. from fire rings) as smog forming agents and also ...
- 10) Fine particulates (PM 2.5) are a greenhouse gas (GHG) which contributes to global warming and climate change with the resultant sea level rise -- one of the Coastal Commission drivers for the suggested changes in the Sunset Beach Specific Plan. It's ironic and confusing why the Coastal Commission, whose mission includes environmental protection, would be promoting an additional source of pollution with new fire rings in Sunset Beach, especially when 500+ alternative fire rings (that would cause less harm) are available just south of Sunset Beach.
- 11) For all these reasons, the prohibition of fire rings on Sunset Beach should be maintained.

## 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.**

LCP: This is another example of new requirements being “sprinkled” throughout modules and often providing redundant requirements. All new requirements regarding issues relative to sea level rise should be included exclusively in the new Coastal Hazards Analysis modules. LCP comments regarding this requirement will be addressed in LCP draft Comments #5.

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).

**Commented [U1]:** 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.~~

LCP: This should be kept in order to optimize parking and promote public access.

- ~~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.

LCP: This should be kept for commercial purposes when parking can be accessed safely, e.g. the Post Office (which currently has tandem parking), restaurants with valet parking, etc.

- ~~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.**

LCP: This Plan is filled with additional sub-Plans. When possible, additional plan requirements should be eliminated when possible such as in this example. Shared Use Parking is an agreement between private parties who have different schedule of operation. For example, a restaurant open in the evening and business' operating during the day. This has been on-going in Sunset Beach which allows for additional parking to support additional public access. New language and Plan requirement should be eliminated.

## 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.**

LCP: This additional language is not needed. If you're applying for a variance to deviate from off-street parking requirement it's inherent in this type of request that one would include a description as to how the parking would be managed. This is another suggest Plan within Plans and more Plans. When alternative options meet the same ends, additional Plans should be eliminated from new language.

## 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.**

LCP: This is not applicable to Sunset Beach. Public access and views of the beach are provided every 200 feet, none of which have fences or walls. Any other "fences or walls" would be located "within the interior of an approved tract map" which is exempt from these requirements i.e. as access to the beachfront homes. How else would these fences and walls be applicable in Sunset Beach? Not for Mixed Use/Tourist and the other locations, these are all under the control of the City of Huntington Beach or

CalTrans. We understand that there are locations in California that don't respect public access to the beach. This does not apply to Sunset Beach. This Mod should justify as to how it's specifically applicable to Sunset Beach and what problem it solves. If this isn't possible, the module should be eliminated.

## 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.**

LCP: Another example of referring to additional requirements. If this includes significant requirements, please incorporate applicable requirements here from the ordinance.

### 5. Prohibited Signs

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

LCP: Isn't "outdoor advertising signs (e.g. billboards) clear enough? Additional language should not be proposed for changes when not needed. Eliminate new language.

...

### 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.~~

LCP: Why should this included in the Sunset Beach Specific Plan? Signage requirements on Pacific Coast Highway is determined and installed by CalTrans which has its own standard public access signs.



## 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.**

LCP: SUG MOD No. 45 is redundant with the new Section 2.4 Shoreline Management, Flooding and Sea Level rise section of the Coastal Hazardous Analysis Section. (to be included in Comment #5). Similar information is also included in SUG MOD No. 14. With this, the following are the LCP comments regarding SUG MOD No. 14 provided in its Comment #2 that are applicable here:

These proposed additions are confusing and misleading as they don’t take into consideration the major changes that have been made in Sunset Beach since the 1985 study referenced above. These include: (1) A sand replenishment program which has been significantly widened the sandy beach; (2) A permanent berm in front of the South Pacific Avenue beach front residences; and (3) the construction of the seasonal berm. With these changes, there has not been any damage from ocean flooding in almost 40 years. Therefore, the “County of Orange Coastal Plan Development Study, January 1985 is no longer applicable to Sunset Beach and should not be incorporated into the Sunset Beach Specific Plan.

Additionally, if the Mod is retained, it should acknowledge and address the changes in the former LCP that allowed for pilings or slabs. This change was based on the reduced risk from flooding of beach front residences versus the higher risk from liquefaction from earthquakes. As slabs provide better protection from liquefaction, beachfront residents should have the option to weigh the potential hazard from earthquakes verses flooding to determine whether to build on pilings vs. a slab. This option should especially be afforded to residents as the specific hazards to projects will be addressed in the required Coastal Hazard Analyses discussed in later suggested modules.

NOTE: As stated before, a major problem with these suggested modules are the need for sever editing and the elimination of repetition. This module is a good example. The sole purpose appears to refer to an out-

of-date study and require pilings without considering earthquake hazards, most of the rest of this verbiage is either redundant, not needed or not applicable.

## 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.

LCP: Again, the applicable requirements from other sources should be added to the Specific Plan whenever possible. In this case of the "Huntington Beach Zoning and Subdivision Ordinance," rather than reference some of its requirements in the Specific Plan, a disclaimer could be added to beginning of the Plan that permit applicants must also comply with the Huntington Beach development/building/zoning ordinances. Or ... Don't include at all as, once the Specific Plan is approved, the coastal permits will be processed by Huntington Beach. Therefore, wouldn't it be assumed that compliance with the City of Huntington Beach's own ordinances would be part of the approval process by the City?

## 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.**

LCP: The "most" additional here replaces "all." This should be noted with a strikeout. Also, it should be made clear what type of applications would not be able to appeal decisions to the Coastal Commissions. This is additionally confusing as won't these appeals go through the City of Huntington Beach after the Specific Plan is approved? Both these issues need to be clarified, especially as --

The Mod also states that: "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." For Sunset Beach aren't "lands subject to the public trust" the same as "areas seaward of the mean high tide line"? If this is the case, there aren't any beachside residence that are any where close to the "mean tide line." Also, per the coastal hazard plans done to date, this will not happen in the next 75 years. Of course, if sea level rises to the extent that the beach front residences are in the mean high tide line (like some homes in Malibu), that's of great concern, but in the interim, the above language should be clarified to have it match closer

to reality, especially as it could be misunderstood to apply to the current or an imminent situation and possibly unfairly impact current home values.

## 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.

LCP: This is supported by the LCP. Proposed amendment to the Specific Plan should not be made by the City of Huntington Beach without going through the Sunset Beach LCP Review Board.

## 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

LCP: As noted under SUG MOD No. 45, this should not be included as significant changes have occurred regarding Sunset Beach since 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

LCP: Prior to including as an appendix, the LCP would like to review a copy of this assessment report.

## 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.

LCP: This SUG MOD should be incorporated into SUG MOD No. 45 to help clarify the appeals jurisdiction issues identified by LCP and make these suggested mods more understandable.

## LUPA Part 1 Sug Mods

For context, compare sug mods below to Proposed Amendment, LUPA Part 1

LCP: This entire “LUPA Part 1 Sug Mods” can be eliminated as all these “Mixed Use” requirements are already included under the “Sunset Beach Tourist District” requirements. The LCP agrees that “Mixed Use” is a good (and more current) description but to avoid confusion and eliminate redundancy, the “Sunset Beach Tourist District” section of the Specific Plan should be changed to “Mixed Use/Sunset Beach Tourist District” and this Mod be eliminated.

## SUGGESTED MOD. NO. 1

LCP: As discussed above under “LUPA Part 1 Sug Mods,” the LCP suggests that the “Sunset Beach Tourist District” section of the Specific Plan be changed to “Mixed Use/Sunset Beach Tourist District” and this Mod regarding “Mixed Use” be eliminated.

### SUG MOD LANGUAGE TABLE C-1:

Sug mod as follows (to section under Characteristics/Requirements):

(Entire paragraph is newly proposed by the City, but shown here in plain text; CCC staff additions shown in **bold, underline**; deletions shown in ~~strike through~~)

Table C-1

Overlay Category	Characteristics/Requirements
<b>Mixed Use</b>	Permits <del>the</del> <b>Mixed Use</b> development

<p><b><u>-mu</u></b></p>	<p><b><u>consisting of Commercial uses and residential uses. All residential use shall be limited to</u></b> above the ground floor and <del>must</del> <b><u>shall</u></b> not exceed 50 percent of the gross floor area <b><u>(as “gross floor area is defined in [wherever it is the City said this was defined]), in conjunction with the underlying commercial designation.</u></b></p> <p><b><u>Residential use may only be allowed in Visitor Serving Commercial designations when the subject site is able to accommodate both uses concurrently. When a site can accommodate only one of the two uses (Visitor Commercial or Residential), only Visitor Commercial may be allowed. The overlay permits the development of horizontally or vertically integrated mixed use projects (housing with commercial uses).</u></b></p> <p><b><u>The ability to accommodate both the principal and residential uses shall be determined by:</u></b></p> <p>i. <b><u>the site’s ability to provide all required parking (per the HBZSO) 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;</u></b></p> <p>ii. <b><u>reasonable and safe street ingress and egress is provided;</u></b></p> <p>iii. <b><u>the project does not require curb cuts or otherwise result in the loss of existing, on-street parking spaces, and;</u></b></p> <p>iv. <b><u>the proposed development is also otherwise consistent with the standards and policies of the certified Local Coastal Program including any applicable specific</u></b></p>
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**Commented [CIT2]:** I did not see “gross floor area” defined in the LCP. Is it? If so, where? I think City staff has said this term is defined somewhere. To use the 50% of gross floor area threshold, it seems that would need to be defined.

	<p><b><u>plan.</u></b></p> <p><del>In Commercial Visitor land use designations, any residential use must be above the first floor level.</del></p> <p>The design and density for a mixed use project shall be as shown on the Figures C-5 through C-9 or as set forth in a Specific Plan. If a mixed use project is not proposed, then the density of the underlying commercial designation shall be utilized.</p>
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**SUGGESTED MOD. NO. 2**

LCP: As discussed above under “LUPA Part 1 Sug Mods,” the LCP suggests that the “Sunset Beach Tourist District” section of the Specific Plan be changed to “Mixed Use/Sunset Beach Tourist District” and this Mod regarding “Mixed Use” be eliminated.

**SUG MOD TABLE C-2:**

Sug mod as follows (Subarea 4L is newly proposed by the City under Standards & Principles of Talbe C-2):

(Entire subsection is newly proposed language and is shown in plain text; CCC staff sug mod shown in **bold, underline;** or ~~strike through~~)

Subarea	Characteristic	Standards & Principles
4L Sunset Beach	Permitted Uses	Category: Residential High Density (“RH”), Commercial Visitor (“CV”), Shoreline (“OS-S”), Water Recreation (“OS-WR”) and <b><u>Parks (OS-P)</u></b> Public (“P”) uses pursuant to the Sunset Beach Specific Plan (SP 17)
	Density/Intensity	Pursuant to the Sunset Beach Specific Plan (SP 17)
	Design & Development	Category: Specific Plan (“-sp”) and

		<p>Mixed Use (“-mu”)</p> <ul style="list-style-type: none"><li>• Requires the conformance with a specific or master plan.</li><li>• Mixed Use Overlay for the CV area for the allowance of residential uses pursuant to the <u>Sunset Beach Specific Plan and Table C-1 Land Use, Density and Overlay Schedule, -mu overlay</u></li></ul>
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### SUGGESTED MOD. NO. 3

LCP: As discussed above under “LUPA Part 1 Sug Mods,” the LCP suggests that the “Sunset Beach Tourist District” section of the Specific Plan be changed to “Mixed Use/Sunset Beach Tourist District” and this Mod regarding “Mixed Use” be eliminated.

Table C-4 Coastal Zone Parks

Add Huntington Harbour Bay Club Beach to list of coastal zone parks on Table C-4.

### SUGGESTED MOD. NO. 4

Modify the following LUP Figures to reflect Sunset Beach within the City’s boundary and to reflect coastal resources within Sunset Beach:

Figure C-2 Coastal Zone Boundary – add SNB into City boundary

Figure C-4 Coastal Zone Divisions – add SNB into City Boundary

Figure C-10 Huntington Beach Sub-Area Map – add proposed subarea 4L Sunset Beach to map

Figure C-16 Significant Recreational Resources – add Sunset Beach ocean beach area

Figure C-17 Bluff Areas and Scenic Opportunities – either add SNB viewpoints or reference the  
SNB Specific Plan

## SUGGESTED MOD. NO. 5

LCP: As discussed above under “LUPA Part 1 Sug Mods,” the LCP suggests that the “Sunset Beach Tourist District” section of the Specific Plan be changed to “Mixed Use/Sunset Beach Tourist District” and this Mod regarding “Mixed Use” be eliminated.

Add the following, bold, underline language to the paragraph proposed to be modified on page IV-C-65 (City’s proposed change to the existing language shown in **bold** only. The sug mod addition is in **bold, underline**):

### *Huntington Harbour/Sunset Beach*

The Huntington Harbour **and Sunset Beach** area includes commercial uses to serve residents and visitors. Visitor serving commercial uses include **hotels, motels**, restaurants, retail shops, entertainment and private recreational facilities such as the Huntington Harbour Yacht Club and a fitness/racquet club. **Sunset Beach includes a number of overnight visitor accommodations, a high priority in the coastal zone, (see list of existing overnight accommodations attached as Appendix B [attach list sent by City], following Appendix A California Coastal Act).**

**Commented [CIT3]:** Attach City’s list of overnight accommodations in SNB as an Appendix to the Coastal Element/Land Use Plan.

Note: Huntington Harbour is part of the City of Huntington Beach but is not part of the Sunset Beach Specific Plan.

## SUGGESTED MOD. NO. 6

LCP: As discussed above under “LUPA Part 1 Sug Mods,” the LCP suggests that the “Sunset Beach Tourist District” section of the Specific Plan be changed to “Mixed Use/Sunset Beach Tourist District” and this Mod regarding “Mixed Use” be eliminated.

Make the following modifications on page IV-C-68 of the LUP (Part 1) to the existing Coastal Element/LUP language (additions shown in **bold underline**; deletions shown in **bold strike-through**):

Note: Huntington Harbour is part of the City of Huntington Beach but is not part of the Sunset Beach Specific Plan.



***Huntington Harbour***

Huntington Harbour is also a visual asset ~~to those residences that front the channel.~~ The concentration of recreational boats and related activity on the waterways provides scenic resources not found elsewhere in the City's Coastal Zone. Although existing public access to the harbour is limited ~~access makes this asset somewhat exclusive to area residents,~~ improvements to public access have occurred (such as at the Portofino Cove, Piedmont Cove, and Huntington Harbour Bay Club public walkways along the bulkhead. In addition public access opportunities are available at Peter's Landing, Trinidad Island, Seabridge Park, Eleventh Street Beach and various pocket beaches and parks throughout the Harbour, is provided to visitors. Continued efforts to improve public access and the related provision of public views is desired. Private views are not protected by the Coastal Act or Huntington Beach Coastal Element policy.

**End of LCP Comments #4. Please send comments to these draft comments to [gailbrice@roadrunner.com](mailto:gailbrice@roadrunner.com). The remaining Comments #5 and #6 will be coming out soon.**

DRAFT Not for Public Review