

ORDINANCE NO. 4310

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 212 I INDUSTRIAL DISTRICTS OF THE HUNTINGTON BEACH
ZONING AND SUBDIVISION ORDINANCE
(ZONING TEXT AMENDMENT NO. 23-002)

WHEREAS, pursuant to the California State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate, duly noticed public hearings to consider Zoning Text Amendment No. 23-002, which amends Chapter 212 of the Huntington Beach Zoning and Subdivision Ordinance

After due consideration of the findings and recommendations of the Planning Commission and all other evidence presented, the City Council finds that the aforesaid amendment is proper and consistent with the General Plan;

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

SECTION 1. That Chapter 212 of the Huntington Beach Zoning Code is hereby amended to read as follows:

212.04 IG, IL, and RT Districts – Land Use Controls

In the following schedules, letter designations are used as follows:

“P” designates use classifications permitted in commercial districts.

“L” designates use classifications subject to certain limitations prescribed by the “Additional Provisions” that follow.

“PC” designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

“ZA” designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

“TU” designates use classifications allowed upon approval of a temporary use permit.

“P/U” for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use.

“Neighborhood Notification” designates use classifications that require an Administrative Permit by the Director. Use classifications that are not listed are prohibited. Letters in parentheses in the “Additional Provisions” column refer to provisions following the schedule or located elsewhere

in the Zoning Ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

CO, CG, and CV Districts: Land Use Controls

P = Permitted

L = Limited (see Additional Provisions)

PC = Conditional use permit approved by Planning Commission

ZA = Conditional use permit approved by Zoning Administrator

TU = Temporary use permit

P/U = Requires conditional use permit on site of conditional use

- = Not Permitted

	CO	CG	CV	Additional Provisions
Residential				(J)(Q)(R)(V)
Group Residential	PC	PC	PC	
Multifamily Residential	-	-	PC	
Public and Semipublic				(J)(Q)(R)(V)
Clubs and Lodges	P	P	-	
Community and Human Services				
Drug Abuse Centers	-	PC	-	
Primary Health Care	L-11	L-11	-	
Emergency Kitchens	-	L-2	-	
Emergency Shelters	-	L-2	-	
Residential Alcohol Recovery, General	-	PC	-	
Residential Care, General	ZA	ZA	-	
Convalescent Facilities	ZA	ZA	-	
Cultural Institutions	L-14	L-14	L-14	
Day Care, General	L-3	L-3	-	
Day Care, Large-Family	P	P	-	(Y)
Emergency Health Care	L-2	L-2	-	
Government Offices	P	P	ZA	
Heliports	PC	PC	PC	(B)
Hospitals	PC	PC	-	
Park & Recreation Facilities	L-9	L-9	L-9	
Public Safety Facilities	ZA	ZA	ZA	
Religious Assembly	ZA	ZA	PC	
Schools, Public or Private	PC	PC	-	
Utilities, Major	PC	PC	PC	
Utilities, Minor	P	P	P	(L)
Commercial Uses				(J)(Q)(R)
Ambulance Services	-	ZA	-	
Animal Sales & Services		L-16		

	CO	CG	CV	Additional Provisions
Animal Boarding	-	ZA	-	
Animal Grooming	-	P	-	
Animal Hospitals	-	ZA	-	
Animals—Retail Sales	-	P	-	
Equestrian Centers (CG Zone)	-	PC	-	(S)
Art Cemetery	-	PC	-	
Artists' Studios	P	P	P	
Banks and Savings & Loans	P	P	P	
With Drive-Up Service	P	P	P	
Building Materials and Services	-	P	-	
Catering Services	P	P	P	
Commercial Filming	P	P	P	(F)
Commercial Recreation and Entertainment	-	PC	PC	(D)
Communication Facilities	L-13	L-13	L-13	
Eating and Drinking Establishments	P	P	P	
W/Alcohol	ZA	ZA	ZA	(N)
W/Drive Through	-	P	P	
W/Live Entertainment	ZA	ZA	ZA	(W)(Y)
W/Dancing	PC	PC	PC	(H)
W/Outdoor Dining	ZA	ZA	ZA	(X)
Food & Beverage Sales	-	P	L-12	
W/Alcoholic Beverage Sales	-	ZA	ZA	(N)
Funeral & Interment Services	-	ZA	-	
Laboratories	L-1	L-1	-	
Maintenance & Repair Services	-	P	-	
Marine Sales and Services	-	P	P	
Nurseries	-	ZA	-	
Offices, Business & Professional	P	P	P	
Offices, Medical & Dental	P	P	P	
Pawn Shops	-	ZA	-	
Personal Enrichment Services	L-10	L-10	-	
Personal Services	P	P	P	
Research & Development Services	L-1	ZA	-	
Retail Sales	-	P	P	(U)(V)
Secondhand Appliances/Clothing	-	P	-	
Swap Meets, Indoor/Flea Markets	-	PC	-	(T)
Swap Meets, Recurring	-	ZA	-	
Tattoo Establishments	-	ZA	-	
Travel Services	P	P	P	
Vehicle Equipment/Sales & Services				
Automobile Rentals	-	L-8	L-8	L-12
Automobile Washing	-	ZA	-	
Commercial Parking	-	ZA	ZA	(P)
Service Stations	-	PC	PC	(E)
Vehicle Equip. Repair	-	L-5	-	
Vehicle Equip. Sales & Rentals	ZA	ZA	-	L-12
Vehicle Storage, Impound Yards	-	PC	-	(AA)
Vehicle Storage, Off-Site Auto Dealers	-	P/ZA	-	L-17 (BB)
Vehicle Storage, Recreational Vehicles	-	ZA	-	(CC)
Offices for Vehicle Equip. Sales & Rentals	L-15	L-15	-	

	CO	CG	CV	Additional Provisions
Visitor Accommodations				
Bed & Breakfast Inns	ZA	ZA	ZA	(K)
Hotels, Motels	-	PC	PC	(I)
Condominium-Hotel	-	-	PC	(Z)
Fractional Ownership Hotel				
Quasi Residential				
Timeshares	-	PC	-	(I)(J)
Residential Hotel	-	PC	-	(J)
Single Room Occupancy	-	PC	-	
Industrial				(J)(Q)(R)(V)
Industry, Custom	-	L-6	L-6	
Accessory Uses				(J)(V)
Accessory Uses & Structures	P/U	P/U	P/U	
Temporary Uses				(F)(J)(V)
Animal Shows	-	TU	-	
Circus and Carnivals and Festivals	-	TU	-	
Commercial Filming, Limited	-	P	P	(M)
Real Estate Sales	P	P	P	
Retail Sales, Outdoor	-	TU	TU	(M)
Seasonal Sales	TU	TU	TU	(M)
Tent Event	-	P	-	
Trade Fairs	-	P	-	
Nonconforming Uses				(G)(J)(V)

CO, CG, and CV Districts: Additional Provisions

L-1 Permitted if the space is 5,000 square feet or less; allowed with Neighborhood Notification pursuant to Chapter 241 if the laboratory space exceeds 5,000 square feet.

L-2 Allowed with a conditional use permit from the Zoning Administrator if the space is 5,000 square feet or less; allowed with a conditional use permit from the Planning Commission if the space exceeds 5,000 square feet. (See Section 230.52, Emergency Shelters.)

L-3 Allowed with a conditional use permit from the Zoning Administrator if the space is 2,500 square feet or less; allowed with a conditional use permit from the Planning Commission if the space exceeds 2,500 square feet.

L-4 Reserved.

L-5 Only limited facilities are allowed subject to approval of a conditional use permit from the Zoning Administrator, and body and fender shops are permitted only as part of a comprehensive automobile-service complex operated by a new vehicle dealer.

L-6 Only “small-scale” facilities, as described in use classifications, are permitted with a maximum seven persons employed full time in processing or treating retail products, limited to those sold on the premises.

L-7 Repealed.

L-8 On-site storage limited to two rental cars or two cars for lease.

L-9 Public facilities permitted, but a conditional use permit from the Zoning Administrator is required for commercial facilities.

L-10 Permitted if the space is 5,000 square feet or less; allowed with Administrative Permit approval if space exceeds 5,000 square feet.

In addition, personal enrichment uses within a retail building parked at a ratio of one space per 200 square feet, shall require no additional parking provided the use complies with the following:

- Maximum number of persons per classroom does not exceed the number of parking spaces allocated to the suite based upon the square footage of the building; and
- The instruction area does not exceed 75% of total floor area of the personal enrichment building area.

L-11 Permitted if the space is 5,000 square feet or less; allowed with a conditional use permit from the Zoning Administrator if the space exceeds 5,000 square feet.

L-12 Permitted for existing facilities proposing to expand up to 20% of existing floor area or display area.

L-13 For wireless communication facilities see Section 230.96, Wireless Communication Facilities. All other communication facilities permitted.

L-14 Allowed with Neighborhood Notification pursuant to Chapter 241 if space is 5,000 square feet or less; allowed with a conditional use permit from the Planning Commission if the space exceeds 5,000 square feet.

L-15 Includes businesses with the primary building use of office for vehicle retail sales and wholesale businesses which may display the maximum number of vehicles at any given time as required by the California Department of Motor Vehicles.

L-16 No person shall keep or maintain upon premises owned or controlled by him or her in the City, any kennel within 200 feet of any residential use. Refer to HBMC Section 7.12.150 - Kennels.

L-17 Permitted pursuant to an Administrative Permit if the property is 300 feet or more from a parcel used or zoned for residential development. Permitted pursuant to a conditional use permit from the Zoning Administrator if less than 300 feet from a parcel used or zoned for residential development.

(A) Reserved.

(B) See Section 230.40, Helicopter Takeoff and Landing Areas.

(C) Repealed.

(D) See Section 230.38, Game Centers; Chapter 5.28, Dance Halls; Chapter 9.24, Card Rooms; Chapter 9.32, Poolrooms and Billiards; and Chapter 9.28, Pinball Machines.

(E) See Section 230.32, Service Stations.

(F) See Section 241.20, Temporary Use Permits.

(G) See Chapter 236, Nonconforming Uses and Structures.

(H) For teen dancing facilities, bicycle racks or a special bicycle parking area shall be provided. These may not obstruct either the public sidewalk or the building entry. See also Chapter 5.28, Dancing Halls; Chapter 5.44, Restaurants - Amusement and Entertainment Premises; and Chapter 5.70, Adult Entertainment Businesses.

(I) Only permitted on a major arterial street, and a passive or active outdoor recreational amenity shall be provided.

(J) In the CV District the entire ground floor area and at least one-third of the total floor area shall be devoted to visitor-oriented uses as described in the certified Local Coastal Program Land Use Plan. Any use other than visitor serving commercial shall be located above the ground level, and a conditional use permit from the Planning Commission or the Zoning Administrator is required. Any use other than visitor serving commercial uses shall only be permitted if visitor serving uses are either provided prior to the other use or assured by deed restriction as part of the development. No office or residential uses shall be permitted in any visitor serving designation seaward of Pacific Coast Highway.

(K) See Section 230.42, Bed and Breakfast Inns.

(L) Collection containers are permitted in all commercial districts; recycling facilities as an accessory use to a permitted use shall be permitted upon approval by the Director with Neighborhood Notification pursuant to Chapter 241. See Section 230.44, Recycling Operations.

(M) Subject to approval by the Police Department, Public Works Department, Fire Department and the Director. See also Section 230.86, Seasonal Sales.

(N) The following businesses proposing to sell alcoholic beverages for on-site or off-site consumption are exempt from the conditional use permit process:

- (1) Retail markets with no more than 10% of the floor area devoted to sales, display, and storage of alcoholic beverages provided the sale of alcoholic beverages is not in conjunction with the sale of gasoline or other motor vehicle fuel.
- (2) Restaurants, bars, and liquor stores located 300 feet or more from any R or PS district, public or private school, church, or public use.
- (3) Florist shops offering the sale of a bottle of an alcoholic beverage together with a floral arrangement.

(O) See Section 230.46, Single Room Occupancy.

(P) See Chapter 231 for temporary and seasonal parking.

(Q) Development of vacant land or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Community Development Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic).

(R) Projects within 500 feet of a PS District; see Chapter 244.

(S) See Section 230.48, Equestrian Centers.

(T) See Section 230.50, Indoor Swap Meets/Flea Markets.

(U) See Section 230.94, Carts and Kiosks.

(V) In the coastal zone, the preferred retail sales uses are those identified in the visitor serving commercial land use designation which provide opportunities for visitor-oriented commercial activities including specialty and beach related retail shops, restaurants, hotels, motels, theaters, museums, and related services.

(W) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit.

(X) Outdoor dining with alcohol sales shall be permitted with a conditional use permit from the Zoning Administrator. Outdoor dining without alcohol sales that is 400 square feet or less shall be permitted without a conditional use permit. If over 400 square feet with no alcohol sales, Neighborhood Notification shall be required pursuant to Chapter 241.

(Y) Neighborhood Notification requirements pursuant to Chapter 241.

(Z) In the CV District, condominium-hotels and/or fractional interest hotels are allowed only at the Pacific City (Downtown Specific Plan District 7) and Waterfront (Downtown Specific Plan District 9) sites. Refer to Downtown Specific Plan.

(AA) Storage areas shall be screened from view on all sides by a solid wall made of either block, masonry, wood, vinyl or other similar material. The wall shall not be less than six feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained.

(BB) Storage areas shall be screened from view on all sides adjacent to a public right-of-way by a solid wall made of either brick, block, masonry, wood, vinyl or other similar material. The wall shall include a minimum ten foot return on all sides. The wall shall not be less than six feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained.

(CC) Storage areas shall be screened from view on all sides adjacent to a public right-of-way by a solid wall made of either block, masonry, wood, vinyl or other similar material. The wall shall include a minimum 10-foot return on all sides. The wall shall not be less than six feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained. Screening on the remaining sides shall be evaluated based on proposed site conditions as determined during the entitlement process.

SECTION 2. This ordinance shall become effective immediately 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the ____ day of _____, 2024.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk



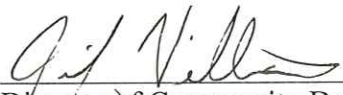
City Attorney



REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Manager



Director of Community Development

LEGISLATIVE DRAFT

HBZC CHAPTER 212

Chapter 212

212.04 IG, IL, and RT Districts – Land Use Controls

In the following schedules, letter designations are used as follows:

“P” designates use classifications permitted in the Industrial Districts.

“L” designates use classifications subject to certain limitations prescribed by the “Additional Provisions” which follow.

“PC” designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

“ZA” designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

“TU” designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator.

“P/U” for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use.

“Neighborhood Notification” refers to use classifications that require an Administrative Permit by the Director. Use classifications that are not listed are prohibited. Letters in parentheses in the “Additional Provisions” column refer to requirements following the schedule or located elsewhere in this zoning code. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

IG, IL, and RT Districts: Land Use Controls

P = Permitted

L = Limited (see Additional Provisions)

PC = Conditional use permit approved by Planning Commission

ZA = Conditional use permit approved by Zoning Administrator

TU = Temporary use permit

P/U = Requires conditional use permit on site of conditional use

- = Not Permitted

	IG	IL	RT	Additional Provisions
Residential				
Group Residential	PC	PC	PC	(I)
Public and Semipublic				(A)(L)
Community and Human Service Facilities	P	P	P	(K)
Day Care, General	ZA	ZA	ZA	
Heliports	PC	PC	PC	(N)
Maintenance & Service Facilities	ZA	ZA	ZA	
Public Safety Facilities	P	P	P	
Religious Assembly	ZA	ZA	ZA	
Schools, Public or Private	L-6	L-6	L-6	
Utilities, Major	PC	PC	PC	
Utilities, Minor	L-7	L-7	L-7	(O)
Commercial Uses				(D)(L)
Ambulance Services	ZA	ZA	ZA	
Animal Sales and Services				
Animal Boarding	ZA	ZA	ZA	
Animal Hospitals	ZA	ZA	ZA	
Artists' Studios	P	P	P	
Banks and Savings and Loans	L-1	L-1	L-1	
Building Materials and Services	P	P	P	
Catering Services	-	P	P	
Commercial Filming	ZA	ZA	ZA	
Commercial Recreation and Entertainment	L-2	L-2	PC	
Communication Facilities	L-12	L-12	L-12	
Eating & Drinking Establishments	L-2	L-2	L-2	
w/Live Entertainment	ZA	ZA	ZA	(R)
w/Alcohol	ZA	ZA	ZA	
Food & Beverage Sales	ZA	ZA	ZA	
Hospitals and Medical Clinics	-	PC	PC	
Laboratories	P	P	P	
Maintenance & Repair Services	P	P	P	
Marine Sales and Services	P	P	P	
Nurseries	P	P	P	
Offices, Business & Professional	L-10	L-10	L-10	(C)
Personal Enrichment	L-9	L-9	L-9	
Personal Services	L-1	L-1	L-1	
Quasi-Residential	PC	PC	PC	(J)
Research & Development Services	P	P	P	

	IG	IL	RT	Additional Provisions
Sex-Oriented Businesses (regulated by Ch. 5.70)	L-11	L-11	L-11	
Sex-Oriented Businesses (regulated by Ch. 5.60)	PC	PC	PC	(Q)
Swap Meets, Indoor/Flea Markets	PC	PC	PC	(P)
Vehicle/Equipment Sales & Services				
Service Stations	L-4	L-4	L-4	
Vehicle/Equipment Repair	P	P	P	
Vehicle/Equipment Sales/Rentals	L-5	L-5	L-5	
Vehicle Storage, Impound Yards	PC	PC	PC	(T)
Vehicle Storage, Off-Site Auto Dealers	P/ZA	P/ZA	P/ZA	(H)(U)(W)
Vehicle Storage, Recreational Vehicles	P/ZA	P/ZA	P/ZA	(H)(V)
Visitor Accommodations	ZA	ZA	ZA	
Warehouse and Sales Outlets	L-8	L-8	L-8	
Industrial (See Chapter 204)				(B)(L)(M)
Industry, Custom	P	P	P	
Industry, General	P	P	P	
Industry, Limited	P	P	P	
Industry, R & D	P	P	P	
Wholesaling, Distribution & Storage				
150,000 square feet or less	P	P	P	
Greater than 150,000 square feet	P	P	ZA	
RT Flex Space	-	-	P	
Alcoholic Beverage Manufacturing	P	P	P	(L-13)
Accessory Uses				
Accessory Uses and Structures	P/U	P/U	P/U	(C)
Temporary Uses				
Commercial Filming, Limited	P	P	P	(S)
Real Estate Sales	P	P	P	
Trade Fairs	P	P	P	(E)
Nonconforming Uses				(F)

IG, IL, and RT Districts: Additional Provisions

L-1 Only allowed upon approval of a conditional use permit by the Zoning Administrator for a mixed use project, subject to the following requirements:

A. Minimum site area: three acres.

B. Maximum commercial space: 35% of the gross floor area and 50% of the ground floor area of buildings fronting on an arterial highway.

C. Phased development: 25% of the initial phase must be designed for industrial occupancy. For projects over 500,000 square feet, the initial phase must include five percent of the total amount of industrial space or 50,000 square feet of industrial space, whichever is greater.

L-2 Permitted only when designed and operated for principal use by employees of the surrounding industrial development as an ancillary use to a primary industrial use. When designed for general public use, permitted after considering vehicular access and complying with minimum parking requirements.

L-3 Reserved.

L-4 Only fueling stations offering services primarily oriented to businesses located in an Industrial District are allowed with a conditional use permit by the Planning Commission.

L-5 No new or used automobile, truck or motorcycle retail sales are permitted.

L-6 Only schools offering higher education curriculums are allowed with conditional use permit approval by the Planning Commission. No elementary or secondary schools are permitted.

L-7 Recycling operations as an accessory use are permitted if more than 150 feet from R districts; recycling operations as an accessory use less than 150 feet from R districts or recycling operations as a primary use are allowed upon approval of a conditional use permit by the Zoning Administrator. See Section [230.44](#), Recycling Operations.

L-8 Allowed upon conditional use permit approval by the Planning Commission when a single building with a minimum area of 100,000 square feet is proposed on a site fronting an arterial. The primary tenant shall occupy a minimum 95% of the floor area and the remaining 5% may be occupied by secondary tenants.

L-9 Permitted if the space is 5,000 square feet or less; allowed by conditional use permit from the Zoning Administrator if the space is over 5,000 square feet.

L-10 Accessory administrative, management, regional or headquarters offices incidental to a primary industrial use within the IG and IL Districts are limited to 10% of the floor area of the primary industrial use. Accessory office uses incidental to a primary use within the RT District are limited to 30% of the floor area of the primary use.

Accessory office spaces exceeding the limits above shall require a conditional use permit to the Zoning Administrator supported by a parking demand study for all uses on site.

Medical/dental offices, insurance brokerage offices, and real estate brokerage offices, except for on-site leasing offices, are not permitted in any Industrial District.

L-11 Allowed subject to the following requirements:

A. A proposed sex-oriented business shall be at least 500 feet from any residential use, school, park and recreational facility, or any building used for religious assembly (collectively referred to as a “sensitive use”) and at least 750 feet from another sex-oriented business. For purposes of these requirements, all distances shall be measured from the lot line of the proposed sex-oriented business to the lot line of the sensitive use or the other sex-oriented business. The term “residential use” means any property zoned RL, RM, RMH, RH, RMP, and any properties with equivalent designations under any specific plan.

To determine such distances the applicant shall submit for review a straight line drawing depicting the distances from the lot line of the parcel of land on which the sex-oriented business is proposed which includes all the proposed parking and:

1. The lot line of any other sex-oriented business within 750 feet of the lot line of the proposed sex-oriented business; and
2. The lot line of any building used for religious assembly, school, or park and recreational facility within 500 feet of the lot line of the proposed sex-oriented business; and
3. The lot line of any parcel of land zoned RL, RM, RMH, RH, and RMP and any parcels of land with equivalent designations under any specific plans within 500 feet of the lot line of the proposed sex-oriented business.

B. The front façade of the building, including the entrance and signage, shall not be visible from any major, primary or secondary arterial street as designated by the circulation element of the General Plan adopted May 1996, with the exception of Argosy Drive.

C. Prior to or concurrently with applying for a building permit and/or a certificate of occupancy for the building, the applicant shall submit application for Community Development Department staff review of a sex-oriented business zoning permit with the drawing described in subsection A, a technical site plan, floor plans and building elevations, and application fee. Within 10 days of submittal, the Director shall determine if the application is complete. If the application is deemed incomplete, the applicant may resubmit a completed application within 10 days. Within 30 days of receipt of a completed application, the Director shall determine if the application complies with the applicable development and performance standards of the Huntington Beach Zoning and Subdivision Ordinance. Said standards include but are not limited to the following:

1. Chapter 203, Definitions; Chapter 212, Industrial Districts; Chapter 230, Site Standards; Chapter 231, Off-Street Parking and Loading Provisions; Chapter 232, Landscape Improvements; and Chapter 236, Nonconforming Uses and Structures.

2. Section [233.08\(B\)](#), Signs. Signage shall conform to the standards of the Huntington Beach Zoning and Subdivision Ordinance except:

a. Such signs shall contain no suggestive or graphic language, photographs, silhouettes, drawings, statues, monuments, sign shapes or sign projections, or other graphic representations, whether clothed or unclothed, including without limitation representations that depict “specified anatomical areas” or “specified sexual activities”; and

b. Only the smallest of the signs permitted under Section [233.08\(B\)](#) shall be visible from any major, primary or secondary arterial street, such streets shall be those designated in the circulation element of the General Plan adopted May 1996, with the exception of Argosy Drive.

3. Compliance with Huntington Beach Municipal Code Chapter [5.70](#).

D. The Director shall grant or deny the application for a sex-oriented business zoning permit for a sex-oriented business. There shall be no administrative appeal from the granting or denial of a permit application thereby permitting the applicant to obtain prompt judicial review.

E. Ten working days prior to submittal of an application for a sex-oriented business zoning permit for staff review, the applicant shall: (1) cause notice of the application to be printed in a newspaper of general circulation; and (2) give mailed notice of the application to property owners within 1,000 feet of the proposed location of the sex-oriented business; and (3) the City of Huntington Beach, Department of Community Development by first class mail.

The notice of application shall include the following:

1. Name of applicant;
2. Location of proposed sex-oriented business, including street address (if known) and/or lot and tract number;
3. Nature of the sex-oriented business, including maximum height and square footage of the proposed development;
4. The City Hall telephone number for the Department of Community Development to call for viewing plans;
5. The date by which any comments must be received in writing by the Department of Community Development. This date shall be 10 working days from staff review submittal; and
6. The address of the Department of Community Development.

F. A sex-oriented business may not apply for a variance pursuant to Chapter 241 nor a special sign permit pursuant to Chapter 233.

G. A sex-oriented business zoning permit shall become null and void one year after its date of approval unless:

1. Construction has commenced or a certificate of occupancy has been issued, whichever comes first; or
2. The use is established.

H. The validity of a sex-oriented business zoning permit shall not be affected by changes in ownership or proprietorship provided that the new owner or proprietor promptly notifies the Director of the transfer.

I. A sex-oriented business zoning permit shall lapse if the exercise of rights granted by it is discontinued for 12 consecutive months.

L-12 For wireless communication facilities see Section [230.96](#), Wireless Communication Facilities. All other communication facilities permitted.

L-13 Alcoholic Beverage Manufacturing Requirements.

1. Alcoholic Beverage Manufacturing uses without eating and drinking for public sales or service are permitted.

2. A maximum 1,000 square feet of indoor and/or outdoor eating and drinking area per business shall be permitted through an Administrative Permit with Neighborhood Notification pursuant to Chapter 241.

3. Indoor and/or outdoor eating and drinking areas greater than 1,000 square feet per business shall require a conditional use permit by the Zoning Administrator.

(A) Repealed.

(B) A conditional use permit from the Zoning Administrator is required for any new use or enlargement of an existing use, or exterior alterations and additions for an existing use located within 150 feet of an R district. The Director may waive this requirement if there is no substantial change in the character of the use which would affect adjacent residential property in an R District.

(C) Accessory office uses greater than the maximum allowable percentage of the floor area of the primary industrial use shall require a conditional use permit from the Zoning Administrator and a parking demand study demonstrating the adequate provision of on-site parking for all uses contained onsite.

(D) In IG and IL Districts only, commercial space excluding business and professional office, not to exceed 25% of the floor area of the primary industrial use, is allowed with a conditional use permit from the Zoning Administrator, provided that it is intended primarily to serve employees of the industrial use, no exterior signs advertise the adjunct use, the adjunct use is physically separated from the primary industrial use, and the primary industrial fronts on an arterial.

(E) See Section [241.22](#), Temporary Use Permits.

(F) See Chapter 236, Nonconforming Uses and Structures.

(G) Reserved.

(H) Permitted pursuant to an Administrative Permit if the property is 300 feet or more from a parcel used or zoned for residential development. Permitted pursuant to a conditional use permit from the Zoning Administrator if less than 300 feet from a parcel used or zoned for residential development.

(I) Limited to facilities serving workers employed on-site.

(J) Limited to single room occupancy uses. (See Section [230.46](#).)

(K) Limited to emergency shelters. (See Section [230.52](#), Emergency Shelters.)

(L) Development of vacant land and/or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Community Development Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic).

(M) Major outdoor operations require conditional use permit approval by the Planning Commission. Major outside operations include storage yards and uses utilizing more than one-third of the site for outdoor operation.

(N) See Section [230.40](#), Helicopter Takeoff and Landing Areas.

(O) See Section [230.44](#), Recycling Operations.

(P) See Section [230.50](#), Indoor Swap Meets/Flea Markets.

(Q) See L-11(A) relating to locational restrictions.

(R) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit. Neighborhood Notification requirements when no entitlement required pursuant to Chapter 241.

(S) Subject to approval by the Police Department, Public Works Department, and Fire Department and the Community Development Director.

(T) In all districts, storage areas shall be screened from view on all sides by a solid wall made of either block, masonry, wood, vinyl or other similar material. The wall shall not be less than six feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained.

(U) In all districts, storage areas shall be screened from view on all sides adjacent to a public right-of-way by a solid wall made of either brick, block, masonry, wood, vinyl or other similar material. The wall shall include a minimum 10-foot return on all sides. The wall shall not be less than six feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained.

(V) In all districts, storage areas shall be screened from view on all sides adjacent to a public right-of-way by a solid wall made of either block, masonry, wood, vinyl or other similar material. The wall shall include a minimum ten foot return on all sides. The wall shall not be less than six feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained. Screening on the remaining sides shall be evaluated based on proposed site conditions as determined during the entitlement process.

(W) Auto storage uses on public agency owned property shall be permitted by right pursuant to submittal of a Parking Area Plan. See Section [231.26](#).