

ORDINANCE NO. 4203

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE TO REZONE THE REAL PROPERTY LOCATED AT THE TERMINUS OF PARK AVENUE IN HUNTINGTON HARBOUR FROM OS-WR-CZ-FP2 (OPEN SPACE-WATER RECREATION – COASTAL ZONE OVERLAY – FLOODPLAIN OVERLAY) TO RL-CZ-FP2 (RESIDENTIAL LOW DENSITY – COASTAL ZONE OVERLAY – FLOODPLAIN OVERLAY) (ZONING MAP AMENDMENT NO. 19-002)

WHEREAS, pursuant to 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 Map Amendment No. 19-002, which rezones the property located at the terminus of Park Avenue in Huntington Harbour from OS-WR-CZ-FP2 (Open Space-Water Recreation – Coastal Zone Overlay – Floodplain Overlay) to RL-CZ-FP2 (Residential Low Density – Coastal Zone Overlay - Floodplain Overlay); and

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 the real property that is the subject of this ordinance is located at the terminus of Park Avenue in Huntington Harbour and is more particularly described in the legal description and map attached hereto as Exhibit A and, incorporated herein by this reference.

SECTION 2: That the zoning designation of the Subject Property is hereby changed from OS-WR-CZ-FP2 (Open Space-Water Recreation – Coastal Zone Overlay – Floodplain Overlay) to RL-CZ-FP2 (Residential Low Density – Coastal Zone Overlay - Floodplain Overlay) (Exhibit B).

SECTION 3: That the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to reflect Zoning Map Amendment No. 19-002 as described herein. The Director of Community Development is hereby directed to prepare and file an amended zoning map. A copy of said amended map shall be available for inspection in the Office of the City Clerk.

SECTION 4: This ordinance shall become effective immediately upon certification of Local Coastal Program Amendment No. 19-001 by the California Coastal Commission but not less than 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 _____, 2020.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:




City Attorney MW

REVIEWED AND APPROVED:

City Manager

INITIATED AND APPROVED:



Director of Community Development

ATTACHMENTS:

Exhibit A: Legal Description and Map
Exhibit B: Amended Zoning Map

EXHIBIT (A)**FEB 21 2019****LEGAL DESCRIPTION**

Dept. of Community Development

Real property in the City of Huntington Beach, County of Orange, State of California, described as follows:

PARCEL 1:

A PARCEL OF LAND IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, LYING WITHIN THE PERIMETER DESCRIPTION OF TIDELAND LOCATION 221, AS DESCRIBED IN THE PATENT FROM THE STATE OF CALIFORNIA, RECORDED IN BOOK 1 OF PATENTS, INSTRUMENT NO. 22084, ALSO BEING A PORTION OF LOT B OF TRACT 8040, AS SHOWN ON THE MAP RECORDED IN BOOK 350, PAGE 35 OF MISCELLANEOUS MAPS, BOTH RECORDS OF ORANGE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY BOUNDARY OF SAID LOT B, DISTANT THEREON SOUTH 42 DEG. 23' 36" EAST, 11.69 FEET FROM THE MOST WESTERLY CORNER OF SAID LOT B; THENCE NORTH 42 DEG. 23' 36" WEST, 11.69 FEET; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID LOT B, BEING COINCIDENT WITH THE EASTERLY BOUNDARY OF THE 200 FOOT WIDE CHANNEL DESCRIBED AS STRIP B IN THAT CERTAIN CORPORATION GRANT DEED RECORDED IN BOOK 6368, PAGE 411, OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA NORTH 33 DEG. 44' 29" EAST, 65.16 FEET; THENCE SOUTH 69 DEG. 53' 53" EAST, 14.50 FEET; THENCE SOUTH 59 DEG. 23' 21" EAST, 14.45 FEET; THENCE SOUTH 39 DEG. 35' 39" EAST, 13.64 FEET; THENCE SOUTH 18 DEG. 19' 58" EAST, 12.80 FEET; THENCE SOUTH 05 DEG. 31' 22" EAST, 9.33 FEET; THENCE SOUTH 08 DEG. 25' 22" WEST, 14.65 FEET; THENCE SOUTH 11 DEG. 32' 36" WEST, 16.31 FEET; THENCE SOUTH 23 DEG. 17' 25" WEST, 16.68 FEET; THENCE SOUTH 17 DEG. 01' 43" WEST 18.16 FEET TO THE SOUTHWESTERLY BOUNDARY OF SAID LOT B OF TRACT 8040; THENCE ALONG SAID SOUTHWESTERLY BOUNDARY NORTH 63 DEG. 45' 03" WEST, 12.56 FEET, NORTH 21 DEG. 43' 12" EAST, 2.06 FEET AND NORTH 47 DEG. 13' 34" WEST, 54.71 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ANY AND ALL LANDS WHICH MAY BE LOCATED SOUTHEASTERLY OF A LINE EXTENDING SOUTH 46 DEG. 41' 36" WEST FROM THE ABOVE DESCRIBED POINT OF BEGINNING AND LOCATED BETWEEN THE ABOVE DESCRIBED PARCEL AND BLOCK 210 OF TRACT 21, MAP OF THE FIRST ADDITION TO SUNSET BEACH, AS SHOWN ON MAP RECORDED IN BOOK 9, PAGE 22 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE ORANGE COUNTY RECORDER.

EXCEPTING FROM A PORTION OF SAID LAND, ALL OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES AND ALL OTHER MINERALS OF EVERY KIND AND CHARACTER, (EXCEPT WATER AND RIGHTS TO APPROPRIATE OR DIVERT WATER, WHETHER SUCH RIGHTS BE VESTED OR CONTINGENT) IN, UNDER OR REVOCABLE FROM SAID LAND WITHOUT, HOWEVER, ANY RIGHT TO ENTER UPON THE SURFACE OR SUBSURFACE OF SAID LAND ABOVE 500 FEET BELOW THE PRESENT NATURAL LEVEL OF THE SURFACE OF SAID LAND, AS RESERVED IN VARIOUS DEEDS TO JASAM INC., A CORPORATION, RECORDED OCTOBER 11, 1960 IN BOOK 5456, PAGE 410 AND FOLLOWING OF OFFICIAL RECORDS.

ALSO EXCEPTING ALL UNDERGROUND WATERS WITHOUT THE RIGHT OF ENTRY TO THE SURFACE OR TO THE SUBSURFACE ABOVE A DEPTH OF 500 FEET, AS DEDICATED TO THE CITY OF HUNTINGTON BEACH, AND INDORSED ON THE MAP OF SAID TRACT.

PARCEL 2:

A PARCEL OF A LAND IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, LYING WITHIN THE PERIMETER DESCRIPTION OF TIDELAND LOCATION 221, AS DESCRIBED IN THE PATENT FROM THE STATE OF CALIFORNIA, RECORDED IN BOOK 1 OF PATENTS, INSTRUMENT NO. 22084, AND BEING ADJACENT TO LOT B OF TRACT 8040, AS SHOWN ON THE MAP RECORDED IN BOOK 350, PAGES 35 OF MISCELLANEOUS MAPS, BOTH RECORDS OF ORANGE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT B; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF LOT B, BEING COINCIDENT WITH THE EASTERLY BOUNDARY OF THE 200 FOOT WIDE CHANNEL DESCRIBED AS STRIP B IN THAT CERTAIN CORPORATION GRANT DEED RECORDED IN BOOK 6368, PAGE 411 IN THE OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA, NORTH 33° 44' 29" EAST, 65.16 FEET; THENCE NORTH 69° 53' 53" WEST, 00.67 FEET; THENCE NORTH 84° 39' 07" WEST, 21.85 FEET; THENCE SOUTH 82° 23' 44" WEST, 15.43 FEET; THENCE SOUTH 13° 27' 24" WEST, 43.00 FEET TO THE SOUTHWESTERLY BOUNDARY OF SAID STRIP B; THENCE ALONG LAST SAID BOUNDARY, SUCH 42° 23' 36" EAST, 17.05 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES AND ALL OTHER MINERALS OF EVERY KIND AND CHARACTER (EXCEPT WATER RIGHTS TO APPROPRIATE OR DIVERT WATER, WHETHER SUCH RIGHTS BE VESTED OR CONTINGENT) IN, UNDER OR RECOVERABLE FROM THE LAND, WITHOUT, HOWEVER, ANY RIGHT TO ENTER UPON THE SURFACE OR SUBSURFACE OF THE LAND ABOVE 500 FEET BELOW THE PRESENT NATURAL LEVEL OF THE SURFACE THEREFOR, AS RESERVED IN THE DEEDS TO JASAM, INC., A CORPORATION, RECORDED OCTOBER 11, 1960 IN BOOK 5456, PAGE 410 AND FOLLOWING OF OFFICIAL RECORDS.

APN: 178-532-78 and 178-651-36

APN:

CITY OF HUNTINGTON BEACH

LOT LINE ADJUSTMENT

LL _____

(MAP)

OWNERS	EXISTING PARCELS AP NUMBER	PROPOSED PARCELS REFERENCE NUMBER
ROBERT E. BACON AND MARY E. BACON	(No A.P.N.) PARCEL 2 OF INST. #19900478756	PARCEL 1
ROBERT E. BACON AND MARY E. BACON	A.P.N. 178-532-75 PORTION OF LOT B TRACT NO. 8040 INST. #1990478755	PARCEL 1

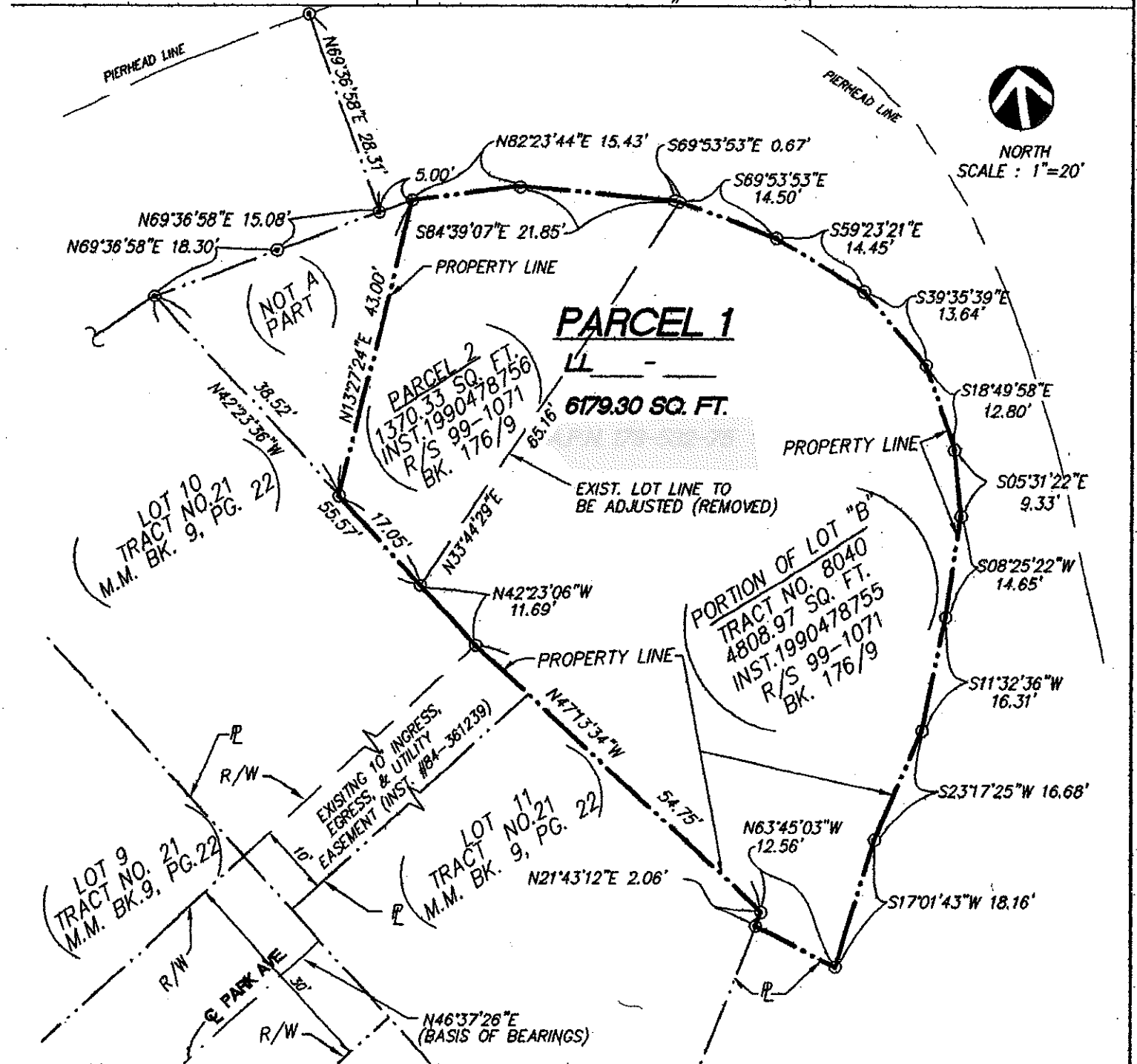


Exhibit B



LEGEND

RL Residential Low Density
RM Residential Medium Density
RMH Residential Medium High Density
SBR Sunset Beach Specific Plan - Residential
SBT Sunset Beach Specific Plan - Tourist
SBW Sunset Beach Specific Plan - Waterways
OS-WR Open Space – Water Recreation

Amended Zoning Map