

Exhibit B

ORDINANCE NO. 4193

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 210 OF THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE TITLED R RESIDENTIAL DISTRICTS (ZONING TEXT AMENDMENT NO. 19-002)

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. 19-002, which amends Chapter 210 of the Huntington Beach Zoning and Subdivision Ordinance relating to updated, clarified, and additional development standards utilized within Residential Districts of the ZSO.

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 210 of the Huntington Beach Zoning and Subdivision Ordinance titled R Residential Districts is hereby amended to read as set forth in Exhibit A.

SECTION 2. All other provisions of Chapter 210 not modified herein shall remain in full force and effect.

SECTION 3. This ordinance shall become effective immediately 30 days after its adoption.

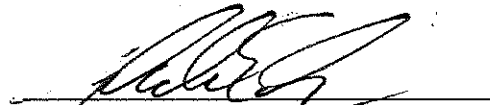
PASSED AND ADOPTED by the City Council of the City of Huntington Beach
at a regular meeting thereof held on the 3rd day of February, 2020


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

REVIEWED AND APPROVED:


City Manager

INITIATED AND APPROVED:


Director of Community Development

Exhibit A: Legislative Draft

210.6 RL, RM, RMH, RH, and RMP Districts—Property Development Standards

A. The following schedule prescribes development standards for residential zoning districts and subdistricts designated on the zoning map. The columns establish basic requirements for permitted and conditional uses; letters in parentheses in the “Additional Provisions” column refer to “Additional Development Standards” following the schedule.

B. In calculating the number of units permitted on the site, density is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number except that one dwelling unit may be allowed on a legally created lot complying with minimum lot area. All required setbacks shall be measured from ultimate right-of-way and in accordance with the definitions set forth in Chapter 203, Definitions.

C. Any new parcel created pursuant to Title 25, Subdivisions, shall comply with the minimum building site requirements of the district in which the parcel is located unless approved as a part of a planned unit development.

Property Development Standards for Residential Districts

	RL	RM	RMH-A Subdistrict	RMH	RH	RMP	Additional Provisions
Min. Building Site	6,000	6,000	2,500	6,000	6,000	10 ac.	(A)(B)(C)
Width (ft.)	60	60	25	60	60	N/A	
Cul-de-sac frontage	45	45	-	45	45	N/A	
Min. Setbacks							(D)(R)
Front (ft.)	15	15	12	10	10	10	(E)(F)
Side (ft.)	3; 5	3; 5	3; 5	3; 5	3; 5	-	(G)(I)(J)
Street Side (ft.)	6; 10	6; 10	5	6; 10	6; 10	10	(H)
Rear (ft.)	10	10	7.5	10	10	-	(I)(J)
Accessory Structure							(U)
Garage							(K)
Projections into Setbacks							(L)(R)
Max. Height (ft.)							
Dwellings	35	35	35	35	35	20	(M)
Accessory Structures	15	15	15	15	15	15	(M)(R)
Max. Floor Area Ratio (FAR)	-	-	1.0	-	-	-	
Min. Lot Area per Dwelling Unit (sq. ft.)	6,000	2,904	*	1,742	1,244	-	
Max. Lot Coverage (%)	50	50	50	50	50	75	(V)
Min. Floor Area							(N)
Min. Usable Open Space							(O)

Courts							(P)
Accessibility within Dwellings							(Q)
Waterfront Lots							(R)
Landscaping	See Ch. 232						(S)
Fences and Walls	See Section 230.88						
Lighting							(T)
<u>Residential Privacy Design Standards</u>							<u>(W)</u>
<u>Relocating Structures</u>	<u>See HBMC Chapter 17.28</u>						<u>(X)</u>
Underground Utilities	See Ch. 17.64						
Screening of Mechanical Equipment	See Section 230.76						
Refuse Storage Areas	See Section 230.78						
Antenna	See Section 230.80						
Performance Standards	See Section 230.82						
Off-Street Parking and Loading	See Ch. 231 & Section 210.12						
Signs	See Ch. 233						
Nonconforming Structures	See Ch. 236						
Accessory Structures	See Section 230.08						

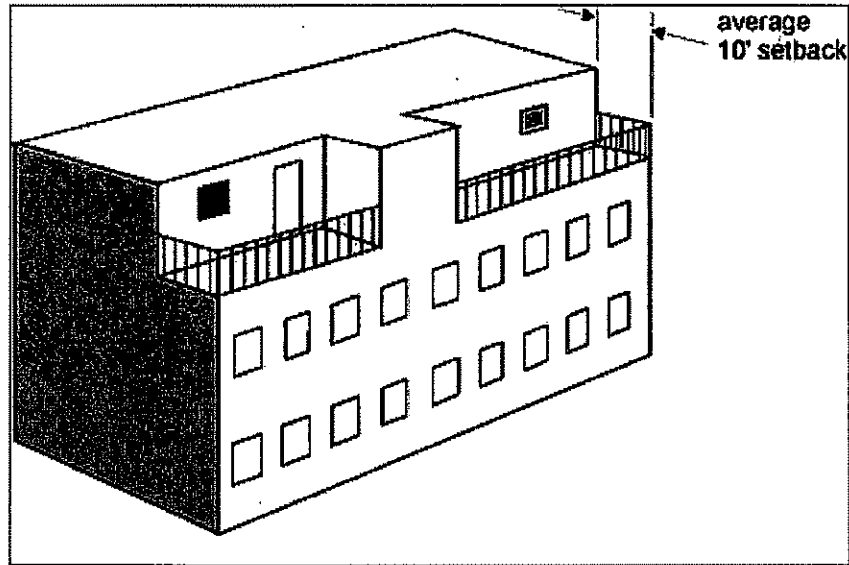
- * Lots 50 feet or less in width = 1 unit per 25 feet of frontage
 Lots greater than 50 feet in width = 1 unit per 1,900 square feet
 N/A = Not applicable

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (A) See Section 230.62, Building Site Required and Section 230.64, Development on Substandard Lots.
- (B) See Section 230.66, Development on Lots Divided by District Boundaries.
- (C) The minimum lot area shall be 12,000 square feet for general day care, general residential care, and public or private schools, except minimum lot area for general day care in the RL district shall be one gross acre.
- (D) **Building Separation.** The minimum spacing between buildings including manufactured home units shall be 10 feet.

(E) **Variable Front Setback for Multifamily Projects.** Projects with more than four units in the RM District, more than eight units in the RMH District, or more than 14 units in the RH District shall provide a minimum setback of 15 feet from any public right-of-way. Minimum 50% of the garages shall be set back 20 feet from the front property line. (See Section 210.12B.)

(F) **Upper-Story Setbacks for Multifamily Structures.** The covered portion of all stories above the second story in any multi-family structure shall be set back an average of 10 feet from the second floor front facade (see Exhibit).



Upper Story Setback

(G) **Interior Side Setback.**

(1) In the RL, RM, RMH, including RMH-A subdistrict, and RH Districts, interior side setbacks shall be minimum 10% of lot width, but not less than three feet and need not exceed five feet, except as stated below.

(2) For projects in the RM, RMH, including RMH-A subdistrict, and RH Districts adjoining an RL District, interior side setbacks shall be at least:

- (a) 10 feet for units in single-story or two-story buildings.
- (b) 14 feet for units above two stories.

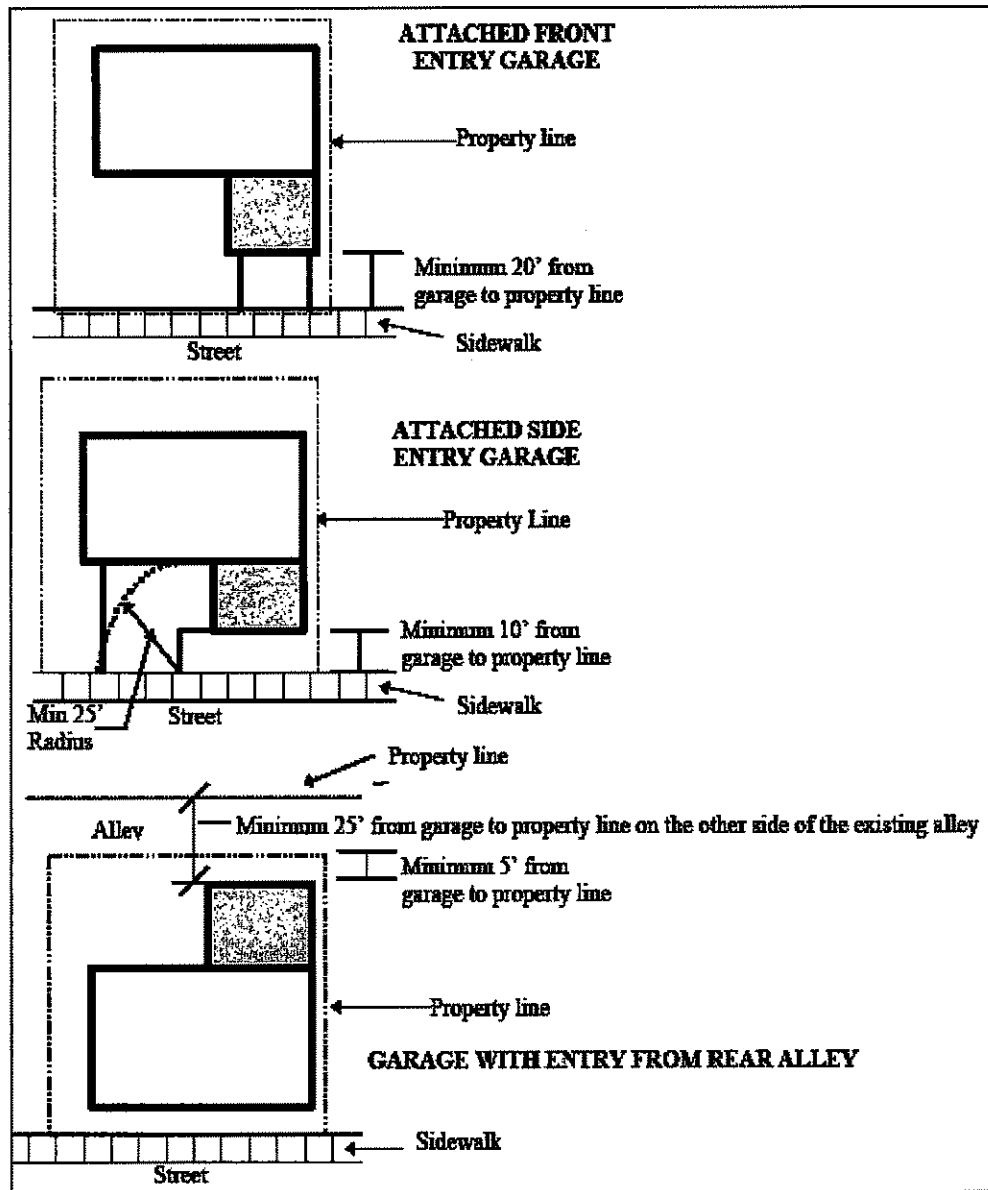
Subject to approval of a conditional use permit, the Zoning Administrator or the Planning Commission, may approve upper-story setbacks in lieu of an increased side setback if the second and third stories are set back the required distance.

(H) **Street Side Setbacks.**

(1) In the RL, RM, RMH (excluding RMH-A subdistrict), and RH districts, the street side yard shall be 20% of the lot width, minimum six feet and need not exceed 10 feet.

(2) In the RMH-A subdistrict, street side setback shall be minimum five feet.

- (3) For projects with 10 or more multi-family units (including RMH-A subdistrict), the street side setback shall be the same as the front setback.
- (I) **Building Walls Exceeding 25 Feet in Height.** The required interior side or rear setback adjoining a building wall exceeding 25 feet in height, excluding any portion of a roof, and located on a lot 45 feet wide or greater, shall be increased three feet over the basic requirement.
- (J) **Zero Side or Rear Setback.**
- (1) A zero interior side setback may be permitted provided that the opposite side setback on the same lot is minimum 20% of the lot width, not less than five feet, and need not exceed 10 feet, and shall be subject to the requirements listed in paragraph (3) of this subsection.
- (2) A zero rear setback may be permitted provided that the opposite rear setback for the adjacent lot is either zero or a minimum of 10 feet, and subject to the requirements listed in paragraph (3) of this section.
- (3) A zero side or rear setback may be permitted subject to the following requirements:
- (a) The lot adjacent to the zero side or rear setback shall either be held under the same ownership at the time of application or a deed restriction or agreement approved as to form by the City Attorney shall be recorded giving written consent of the adjacent property owner.
- (b) A maintenance easement, approved as to form by the City Attorney, shall be recorded between the property owner and the owner of the adjacent lot to which access is required in order to maintain and repair a zero lot line structure. Such easement shall be an irrevocable covenant running with the land. No building permits shall be issued until such recorded maintenance easement has been submitted.
- (c) Separation between the proposed structure and any structure on an adjacent lot shall either be zero or a minimum of five feet.
- (d) No portion of the dwelling or any architectural features shall project over the property line.
- (e) The zero setback shall not be adjacent to a public or private right-of-way.
- (f) Exposure protection between structures shall be provided as specified by the Fire Department and Building Division.
- (4) Double zero side setbacks may be permitted for planned unit development projects subject to approval of a conditional use permit and compliance with Section 210.12(B).
- (K) **Garage Setbacks.**
- (1) Setbacks for the main dwelling shall apply, except as specifically stated below:
- (a) Front entry garage: 20 feet.
- (b) Side entry garage: 10 feet.
- (c) Garage with alley access: 5 feet.
- (2) For garages with rear vehicular access from an alley and located on a lot 27 feet wide or less, the side setback adjacent to a street or another alley may be reduced to three feet.
- (3) A minimum 25-foot turning radius is required from the garage to the opposite side of the street, alley, drive aisle or driveway.



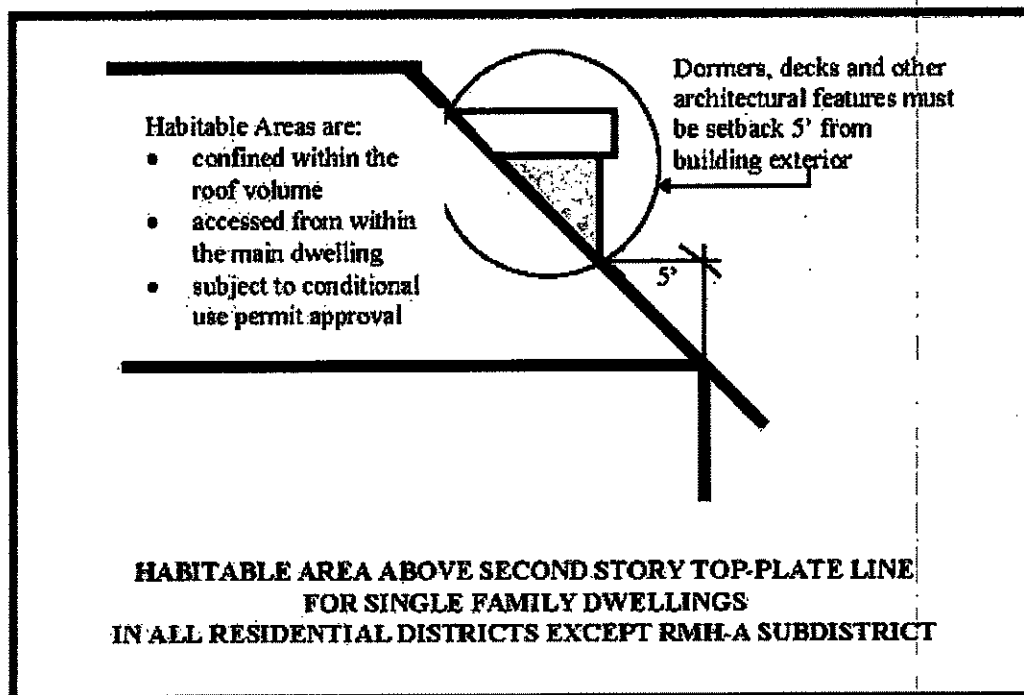
(L) Projections into Setbacks.

- (1) See Section 230.68, Building Projections into Yards.
- (2) Balconies and bay windows may project into required setbacks and usable open space areas subject to Section 230.68, provided that balconies have open railings, glass, or architectural details with openings to reduce visible bulk. Balconies composed solely of solid enclosures are not allowed to project into required setbacks.

(M) Height Requirements. See Section 230.70, Measurement of Height, and Section 230.72, Exceptions to Height Limits.

(1) Single-family dwellings in all residential districts, except lots in the RMH-A subdistrict with less than 50 feet of frontage shall comply with the following standards:

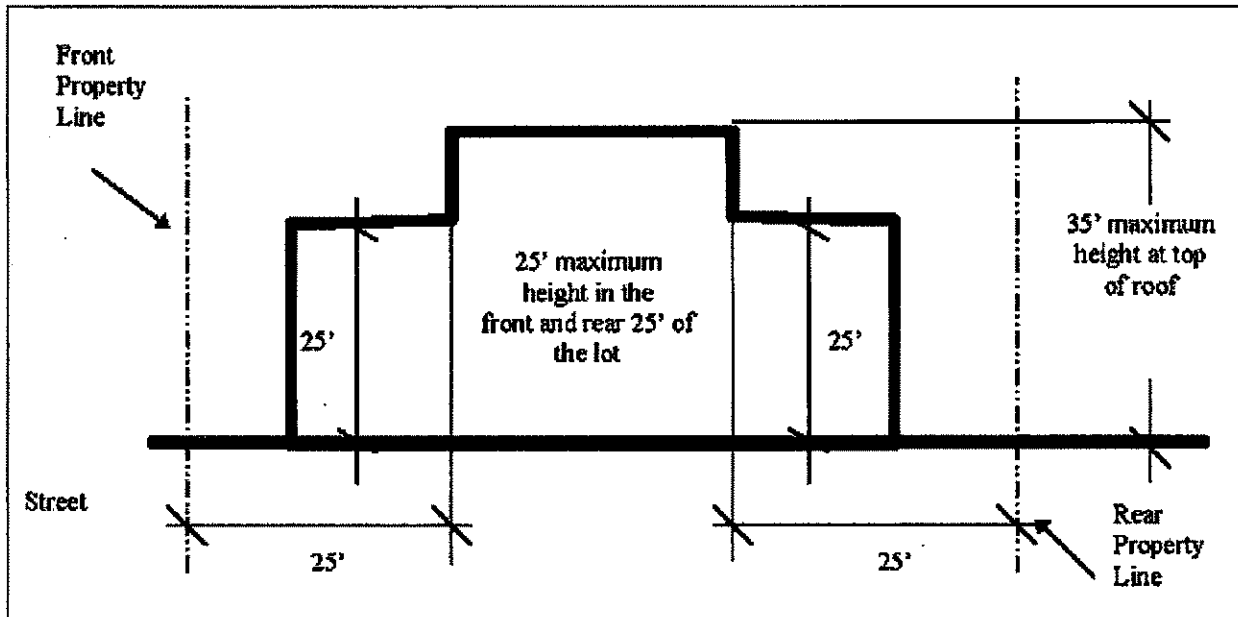
- (a) Second story top plate height shall not exceed 25 feet measured from the top of the subfloor/slab directly below.
- (b) Roofs shall have a minimum 5/12 pitch if building height exceeds 30 feet.
- (c) Maximum building height for main dwellings shall be 35 feet; however, main dwellings exceeding 30 feet in height shall require approval of a conditional use permit by the Zoning Administrator.
- (d) Habitable area, which includes rooftop decks and balconies, above the second story top plate line shall require approval of a conditional use permit by the Zoning Administrator. Habitable area above the second story plate line shall be within the confines of the roof volume, with the following exceptions:
 1. Dormers, decks and other architectural features may be permitted as vertical projections above the roof volume provided the projections are set back five feet from the building exterior and do not exceed the height limits as stated above.
 2. Windows and deck areas above the second story plate line shall orient toward public rights-of-way only.



- (e) Access to any habitable area above the second story top plate line shall be provided within the main dwelling and shall be consistent with internal circulation. Exterior stairways between the ground floor and a habitable area above the second story plate line shall be prohibited.

Two vertical cross-sections through the property (front-to-back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within five feet of the property line shall be submitted in order to determine compliance with this subsection.

- (2) Single-family dwellings in the RMH-A subdistrict on lots with less than 50 feet of frontage shall comply with the following standards:
- (a) Second story top plate height shall not exceed 25 feet measured from the top of the subfloor/slab directly below.
 - (b) Roofs shall have a minimum 5/12 pitch if building height exceeds 30 feet.
 - (c) In the front and rear 25 feet of the lot, maximum building height for all structures, including railings and architectural features, shall be 25 feet. Otherwise, maximum building height shall be 35 feet.



**Maximum Building Height for Single-Family Dwellings
on Lots Less Than 50 Feet Wide in RMH-A Subdistrict**

- (d) Access to any habitable area above the second story top plate line shall be provided within the main dwelling and shall be consistent with internal circulation. Exterior stairways between the ground floor and a habitable area above the second story plate line shall be prohibited.

Two vertical cross-sections through the property (front-to-back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within 5 feet of the property line shall be submitted in order to determine compliance with this subsection.

(3) Accessory Structures. See Section 230.08, Accessory Structures. Accessory structures located on projecting decks abutting a waterway shall comply with the height established in subsection (R).

(4) Recreation Buildings. The maximum height of a recreation building for multi-family, planned residential, and mobile home park projects shall be established by the conditional use permit.

(N) **Minimum Floor Area**. Each dwelling unit in a multifamily building and attached single-family dwellings shall have the following minimum floor area.

Unit Type	Minimum Area (Sq. Ft.)
Studio	500
One bedroom	650
Two bedrooms	900
Three bedrooms	1,100
Four bedrooms	1,300

All detached single-family dwellings shall have a minimum 1,000 square feet of floor area not including the garage and shall be a minimum of 17 feet in width.

(O) **Open Space Requirements**.

(1) The minimum open space area (private and common) for multi-family residential projects in RM, RMH, including RMH-A subdistrict, and RH Districts shall be 25% of the residential floor area per unit (excluding garages).

(2) Private Open Space.

(a) Private open space shall be provided in courts or balconies within which a horizontal rectangle has no dimension less than 10 feet for courts and six feet for balconies. A minimum patio area of 70 square feet shall be provided within the court.

(b) The following minimum area shall be provided:

Unit Type	Minimum Area (Sq. Ft.) Ground Floor Units	Units Above Ground Floor
Studio/1 bedroom	200	60
2 bedrooms	250	120
3 bedrooms	300	120
4 or more bedrooms	400	120

(c) Private open space shall be contiguous to the unit and for the exclusive use of the occupants. Private open space shall not be accessible to any dwelling unit except the unit it serves and shall be physically separated from common areas by a wall or hedge exceeding 42 inches in height.

(d) A maximum of 50% of the private open space requirement, may be on open decks above the second story subject to approval of a conditional use permit by the Zoning Administrator, provided that no portion of such deck exceeds the height limit.

(e) Patio and balcony enclosures within existing planned developments or apartment complexes shall be subject to the following conditions:

1. A maximum of one enclosure per unit shall be allowed.
2. The existing balcony or patio area shall not be enlarged.
3. The balcony or patio enclosure shall comply with the current setback and height requirements for the district in which the site is located.
4. The enclosure shall consist entirely of transparent materials, i.e., no solid walls or opaque walls, except an existing solid roof may be part of the enclosure.
5. No structural change shall occur to the interface wall and doorway between the enclosure and the adjacent inside room of the building, unless the balcony/patio is replaced with equivalent unenclosed area for use as private open space.
6. The enclosed area shall be considered as private open space and may be counted toward current private open space requirements.
7. Required egress for fire escape routes shall be maintained.

(3) Common Open Space.

(a) Common open space, provided by interior side yards, patios, and terraces, shall be designed so that a horizontal rectangle has no dimension less than 10 feet, shall be open to the sky, and shall not include driveways, parking areas, or area required for front or street side yards.

(b) Projects with more than 20 units shall include at least one amenity, such as a clubhouse, swimming pool, tennis court, volleyball court, outdoor cooking facility, or other recreation facility.

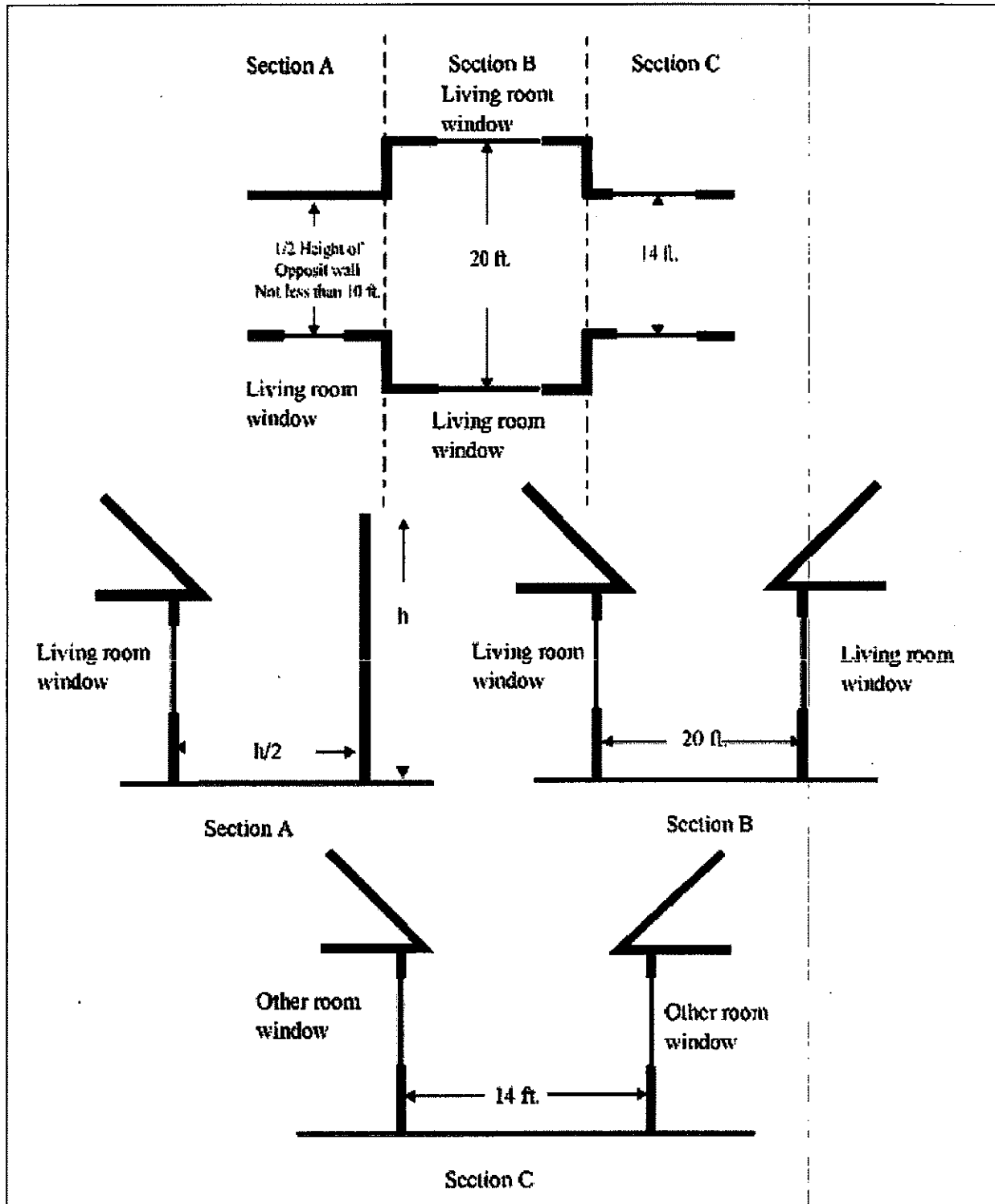
(4) The director may allow a reduction in the open space requirement to 10% of the livable area per unit for projects with less than 10 units and located within walking distance of 1,000 feet of a public park or beach.

(P) Courts Opposite Windows in RM, RMH, and RH Districts (Excluding the RMH-A Sub-District). Courts shall be provided in all multi-family projects in the RM, RMH, and RH Districts subject to the following requirements:

(1) Courts Opposite Walls on the Same Site. The minimum depth of a court shall be one-half the height of the opposite wall but not less than 20 feet opposite a living room and 14 feet opposite a required window for any other habitable room (see diagrams that follow).

(2) Courts Opposite Interior Property Line. The minimum distance between a required window of a habitable room and a property line shall be 10 feet.

(3) Court Dimensions. Courts shall be minimum 20 feet wide (minimum 10 feet on either side of the centerline of the required window) and shall be open to the sky. Eaves may project a maximum two feet into a court.

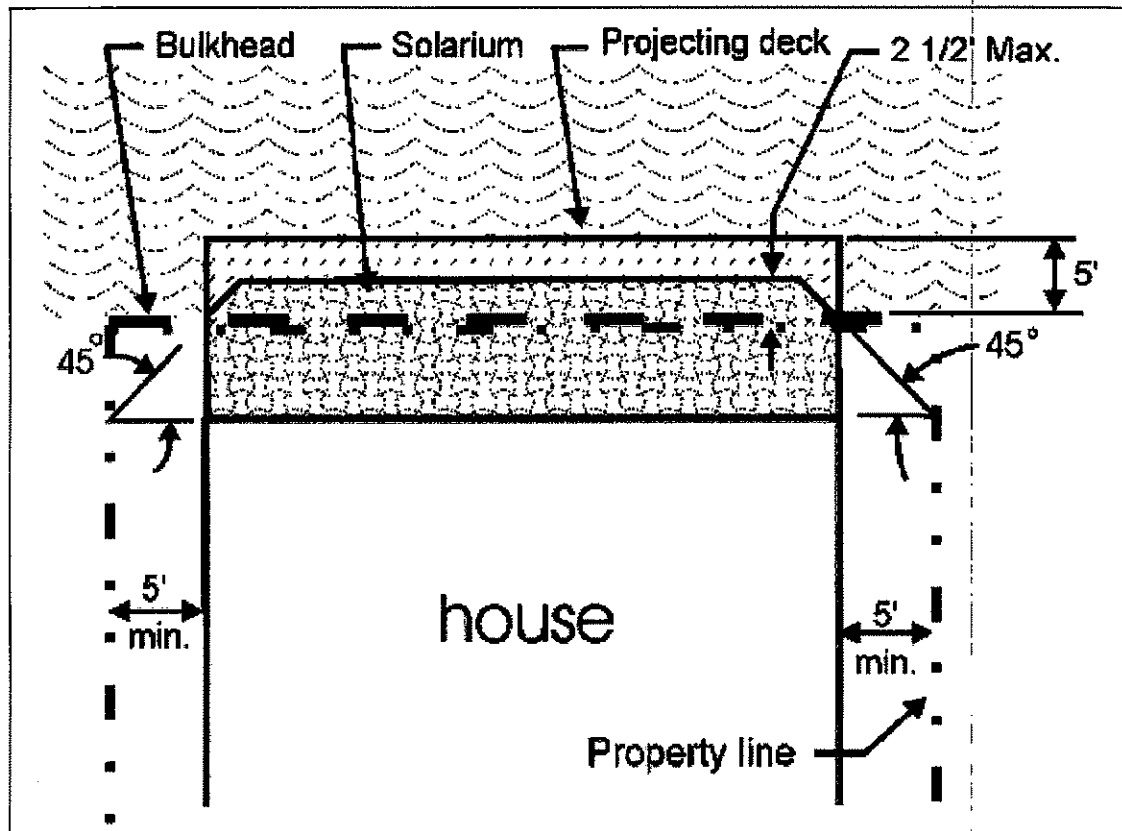


Courts Opposite Windows

(Q) All habitable rooms in a dwelling unit must be accessible from within the dwelling.

(R) **Waterfront Lots.** Projecting decks, windscreens, fencing, patio covers and solariums on waterfront lots may be permitted subject to the development standards set forth in this chapter, Chapter 245, Chapter 17.24, and the following requirements:

- (1) Projecting Decks. Decks on waterfront lots may project five feet beyond the bulkhead provided the decks comply with the side setbacks required for the main dwelling.
- (2) Windscreens. Windscreens may be permitted if constructed of light-weight materials such as plastic, canvas, fiberglass, tempered glass or metal, except for necessary bracing and framing. The maximum height for windscreens shall be seven feet above the finished surface of the deck at the bulkhead line.
- (3) Fencing. All portions of fencing within the required rear setback area shall comply with Section 230.88 and the visibility provisions below.
- (4) Solariums. Solariums (patio enclosures) may project a maximum of 30 inches over the bulkhead. In all cases, the solarium shall maintain a 45 degree visibility angle as measured from the main dwelling building line extended to the side property line. The maximum height shall not exceed the top of the first floor ceiling joist.
- (5) Patio Covers. Patio covers (including eaves) may be permitted to project five feet into the rear yard setback; however, construction materials shall allow compliance with visibility provisions below.
- (6) Visibility. The portion of any windscreen, fence or patio cover in the rear yard setback or solarium above 36 inches in height shall be composed of materials and design which allow a minimum of 85% transmission of light and visibility through the structure in each direction when viewed from any angle.
- (7) Removal. Decks, solariums and windscreens projecting over waterways which do not comply with the above provisions may be removed by the City upon 30 days' written notice. Such projections are declared to be a privilege which can be revoked for noncompliance and not a vested right.



Waterfront Lot Projections

(S) Landscaping.

(1) A minimum 40% of the front yard shall be landscaped. For single-family residences in the RMH-A subdistrict, a minimum three-foot wide landscape planter along the front property line (excluding maximum five-foot-wide walkway) may be provided in lieu of the 40% requirement. A maximum 18-inch high planter wall may be constructed along the front property line.

(2) All required trees specified in Chapter 232 shall be provided.

(3) All subdivisions shall provide a minimum five-foot-wide landscaped area along arterial street/highway property lines. The actual required width shall be determined during the planning process. Maintenance of said landscaped area shall be by a homeowners association, property owner or other method approved by the City of Huntington Beach.

(T) Lighting. A lighting system shall be provided in all multi-family projects along all vehicular accessways and major walkways. Lighting shall be directed onto the driveways and walkways within the development and away from adjacent properties. A lighting plan shall be submitted for approval by the director.

(U) See Section 230.08, Accessory Structures.

(V) Solid patio covers open on at least two sides may be permitted an additional five percent site coverage. Open lattice patio covers are exempted from site coverage standards. (3268-12/94, 3334-6/97, 3410-3/99, 3706-6/05, 3885-8/10)

(W) Properties subject to residential privacy design standards shall:

1. Off-set bedroom and bathroom windows above the first floor from bedroom and bathroom windows above the first floor on existing adjacent single-family residences.
2. Orient upper story balconies toward the subject home's front or rear yard areas, a public street, or permanent open space. The yard area or direction faced by the longest side of the balcony shall determine the orientation. A minimum 20 foot separation between the exterior face of the balcony or deck and the existing adjacent structure may be provided if orientation requirements cannot be met.

(X) No person, firm or corporation shall move any building, structure, or portion of a building or structure into the City or relocate within the City, or cause the same to be done without first obtaining a separate relocation permit for each building or structure. See HBMC Chapter 17.28 – Moving Buildings.

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **January 21, 2020**, and was again read to said City Council at a **Regular** meeting thereof held on **February 3, 2020**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, Brenden

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on February 13, 2020.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Donna Smith Deputy City Clerk

Robin Estanislau
City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California

ORDINANCE NO. 4194

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 203 OF THE HUNTINGTON BEACH ZONING AND
SUBDIVISION ORDINANCE TITLED DEFINITIONS
(ZONING TEXT AMENDMENT NO. 19-002)

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. 19-002, which amends Chapter 203 of the Huntington Beach Zoning and Subdivision Ordinance relating to updated, clarified, and additional definitions utilized within the ZSO.

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;

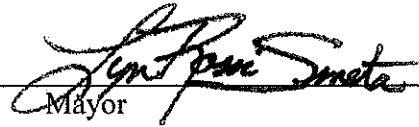
NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That Chapter 203 of the Huntington Beach Zoning and Subdivision Ordinance titled Definitions is hereby amended to read as set forth in Exhibit A.

SECTION 2. All other provisions of Chapter 203 not modified herein shall remain in full force and effect.

SECTION 3. 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 3rd day of February, 2020.


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

REVIEWED AND APPROVED:


City Manager

INITIATED AND APPROVED:


Director of Community Development

Exhibit A: Legislative Draft

203.02 Applicability

The meaning and construction of words and phrases defined in this chapter shall apply throughout the zoning and subdivision ordinance, except where the context clearly indicates a different meaning or construction. (4037-12/14, 4176-3/19)

203.04 Rules for Construction of Language

In addition to the General Provisions Chapter 1.04 of the Municipal Code, the following rules of construction shall apply:

- A. The particular shall control the general.
- B. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - 1. "And" indicates that all connected words or provisions shall apply.
 - 2. "Or" indicates that the connected words or provisions apply singly.
 - 3. "Either... or" indicates that the connected words or provisions shall apply singly but not in combination.
 - 4. "And/or" indicates that the connected words or provisions may apply singly or in any combination.
- C. In case of conflict between the text and a diagram, the text shall control.
- D. All references to departments, commissions, boards, or other public agencies are to those of the City of Huntington Beach, unless otherwise indicated.
- E. All references to public officials are to those of the City of Huntington Beach, and include designated deputies of such officials, unless otherwise indicated.
- F. All references to days are to calendar days unless otherwise indicated. If a deadline falls on a weekend or City holiday, it shall be extended to the next working day.
- G. Chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any section hereof.
- H. The words "activities" and "facilities" include any part thereof. (4037-12/14, 4176-3/19)

203.06 Definitions

Abutting. Having district boundaries or lot lines or combinations thereof in common.

Access, Lateral. Public access along the coast.

Access, Vertical. Public access from the nearest public roadway to the shoreline.

Alley. A public or private way having an ultimate width of not less than 20 feet permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

Alter. To make a change in the exterior appearance or the supporting members of a structure, such as bearing walls, columns, beams, or girders, that will prolong the life of the structure.

Amendment. A change in the wording, context or substance of this ordinance, or a change in the district boundaries on the zoning map.

Animal, Exotic. Any wild animal not customarily confined or cultivated by man for domestic or commercial purposes but kept as a pet or for display.

Animal, Large. An animal larger than the largest breed of dogs. This term includes horses, cows, and other mammals customarily kept in corrals or stables.

Animal, Small. An animal no larger than the largest breed of dogs. This term includes fish, birds, and mammals customarily kept in kennels.

Antenna. Any structure, including but not limited to a monopole, tower, parabolic and/or disk shaped device in single or multiple combinations of either solid or mesh construction, intended for the purposes of receiving or transmitting communications to or from another antenna, device or orbiting satellite, as well as all supporting equipment necessary to install or mount the antenna.

Antenna, Amateur Radio. An antenna array and its associated support structure, such as a mast or tower, that is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur station licensed by the Federal Communications Commission.

Antenna, Communication. All types of receiving and transmitting antenna, except satellite dish antenna, including but not limited to cable television antenna, wireless communication antenna, FM digital communication antenna, microwave telephone communication antenna, amateur radio antenna, and short-wave communication antenna and other similar antenna.

Antenna Height. The distance from the property's grade to the highest point of the antenna and its associated support structure when fully extended.

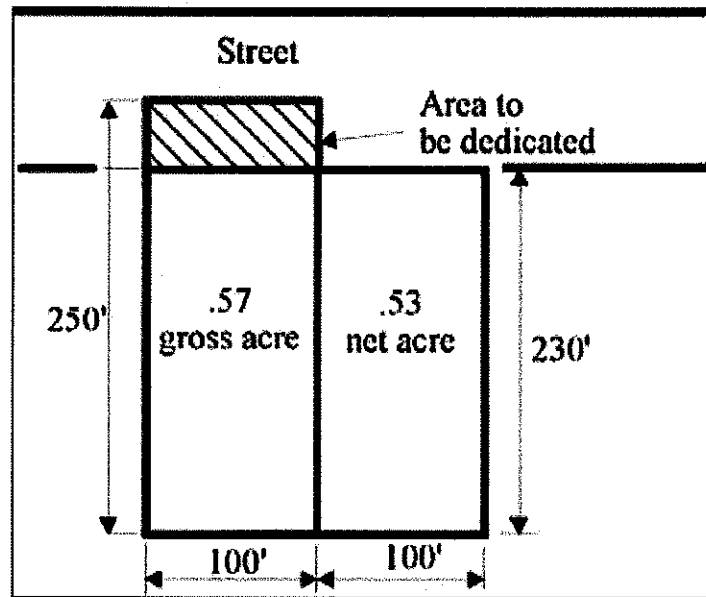
Antenna, Satellite Dish. An antenna for the purpose of receiving or transmitting communications to or from an orbiting satellite.

Antenna Whip. An antenna and its support structure consisting of a single, slender, rod-like element which is supported only at or near its base.

Approach-Departure Path. The flight track of the helicopter as it approaches or departs from a designated takeoff and landing area, including a heliport, helipad, or helistop.

Architectural Projections or Appurtenances. Features on a building which provide visual variation and/or relief but do not serve as interior or exterior living or working space.

Area, Net Lot. The total horizontal area within the property lines of a parcel of land exclusive of all rights-of-way or easements which physically prohibit the surface use of that portion of the property for other than vehicular ingress and egress.



Lot Area

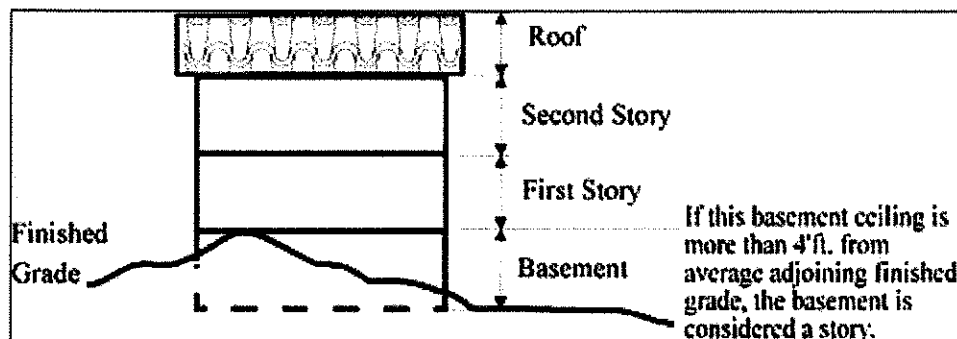
Arterial. Any street, highway or road designated as an arterial street in the General Plan.

Assisted Living Facility. Establishments licensed by the State of California providing care on a 24-hour basis for persons requiring personalized supportive services and health related care, but excluding facilities providing surgical or emergency medical services. This includes State licensed establishments that provide a continuum of care for residents ranging from assistance with daily activities to memory care.

Attached Structures. Two or more structures sharing a common wall or roof.

Balcony. A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail balustrade or parapet.

Basement. A story partly underground and having at least one-half of its height above the average adjoining grade. A basement shall be considered as a story if the vertical distance from the average adjoining grade to the ceiling is over four feet.

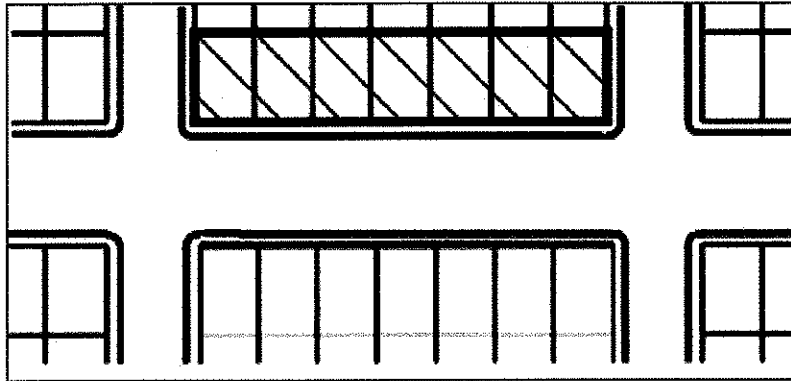


Basement

Bay Window. A window that projects out from an exterior wall.

Bedroom. The term bedroom includes any room used principally for sleeping purposes, an all-purpose room, a study, a den, a room having 100 square feet or more of floor area or less than 50% of one wall open to an adjacent room or hallway.

Blockface. The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse, or City boundary.



Blockface

Boarding House. A building with not more than five guest rooms where lodging and meals are provided for not more than 10 persons, but shall not include rest homes or convalescent homes. Guest rooms numbering six or over shall be considered a hotel.

Building. Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or property of any kind.

Caretaker's Quarters. A dwelling unit on the site of a commercial, industrial, public, or semipublic use, occupied by a guard or caretaker.

Carport. A permanent roofed accessory structure with not more than two enclosed sides intended for vehicle storage.

Cart/Kiosk. Any portable, non-motorized unit used by a vendor as described in Section 230.94.

City. The City of Huntington Beach.

Clinic. An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one or more of a group of physicians, dentists, optometrists, psychologists, or social workers practicing together.

Coastal Zone. A geographic zone adjacent to the shoreline, the boundaries of which are determined by the California Coastal Act of 1976, as amended.

Collection Containers. Containers or buildings with a gross floor area of 500 square feet or less used for the deposit and storage of household articles or recyclables.

Commission. The Huntington Beach Planning Commission.

Community Apartment Project. A project in which an individual interest in land is coupled with the right exclusively to occupy an individual unit, as provided in Section 11004 of the California Business and Professions Code.

Completely Rebuilt. Rebuilding the nonconforming structure or use as it had legally existed immediately prior to its destruction.

Conditional Use. A use of land that, due to the specific nature and unique characteristics of the use, requires special standards and discretionary review.

Condominium. An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interior space in a residential, industrial or commercial building on the real property, such as an apartment, office or store. A condominium may include, in addition, a separate interest in other portions of the real property.

Conforming Building. A building that fully meets the requirements of Title 17 (Building Regulations) and also conforms to all property-development regulations and requirements prescribed for the district in which it is located.

Convenience Market. A retail use in conjunction with gasoline sales in which the sales room exceeds 200 square feet.

Court. An outdoor, unenclosed area intended to provide light, air, and privacy for individual dwelling units in multifamily projects.

Coverage, Lot or Site. The percentage of a lot or site covered by roofs, balconies, fireplaces, architectural projections, or overhangs extending more than 2.5 feet from a wall, decks more than 42 inches in height above grade, and stairs. This also includes the square footage of all building projections into yards or courts containing habitable floor area.

Deck. A platform, either free-standing or attached to a building, but without a roof, that is supported by pillars, posts, or walls (see also Balcony).

Demolition. The deliberate removal or destruction of the frame or foundation of any portion of a building or structure for the purpose of preparing the site for new construction or otherwise.

Density Bonus. An increase in the proposed number of units of 25% or greater over the number permitted pursuant to the current zoning and General Plan designation on the property.

Director. The Director of Community Development or designee.

Distribution Line. An electric power line bringing power from a distribution substation to consumers.

District. A portion of the City within which the use of land and structures and the location, height, and bulk of structures are governed by this ordinance. The zoning ordinance establishes "base zoning districts" for residential, commercial, industrial, public and open space uses, and "overlay districts," which modify base district provisions and standards.

Drilling. The digging or boring of a new well into the earth for the purpose of exploring for, developing or producing oil, gas or other hydrocarbons, or for the purpose of injecting water, steam or any other substance into the earth.

Dwelling, Accessory Unit. A fully equipped dwelling unit which is ancillary and subordinate to a principal dwelling unit located on the same lot in the RL zone. Also known as second dwelling unit or "granny unit."

Dwelling, Multiple Unit. A building or buildings designed with two or more dwelling units.

Dwelling, Single Unit. A detached building designed primarily for use as a single dwelling, no portion of which is rented as a separate unit, except as permitted by this Code. Attached single-family dwellings shall be considered as multifamily.

Dwelling, Studio Unit. A dwelling unit consisting of one kitchen, one bathroom, and one combination living room and sleeping room. The gross floor area shall not exceed 500 square feet, or it shall be considered as a one-bedroom unit. Also known as a single, a bachelor, or an efficiency unit.

Dwelling Unit. One or more habitable rooms with only one kitchen, and designed for occupancy as a unit by one or more persons living as a household unit with common access to all living, kitchen, and bathroom areas.

Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Energy Facility. Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other sources of energy.

Environmental Impact Report (EIR). A report complying with the requirements of the California Environmental Quality Act (CEQA) and its implementing guidelines.

Environmentally Sensitive (Habitat) Area. A wetland or any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

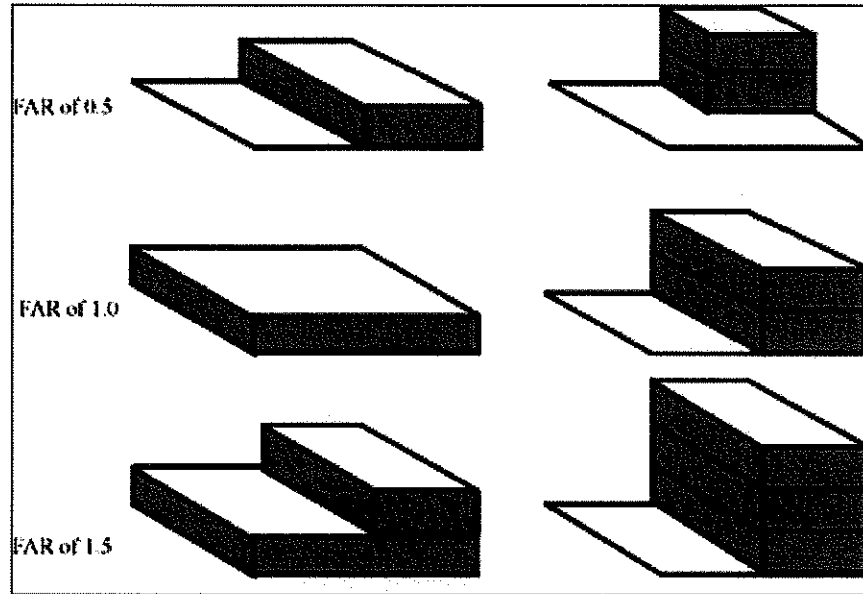
Exemption, Categorical. An exception from the requirements of the California Environmental Quality Act (CEQA) for a class of projects, which have been determined to not have a significant effect on the environment.

Family. A single individual or two or more persons living together as a single housekeeping unit in a dwelling unit.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Floor Area, Gross. The total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, and including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and habitable basement or attic areas, but excluding area for vehicle parking and loading.

Floor Area Ratio (FAR). Determined by dividing the gross floor area of all buildings on a lot by the area of that lot.



Floor Area Ratio (FAR)

Frontage. The linear length of a building which contains a public entrance or a lot measured along the property line adjacent to a street or easement.

Functional Capacity. The ability of an environmentally sensitive area to be self-sustaining and to maintain natural species diversity.

General Plan. The City of Huntington Beach General Plan.

Grade, Existing. The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this ordinance.

Grade, Street. The top of the curb, or the top of the edge of the pavement or traveled way where no curb exists.

Height of Building. A vertical dimension measured from the top of the highest roof to the top of the subfloor/slab directly underneath. (See Section 230.72.)

Helipad or Helistop. A heliport without auxiliary facilities such as waiting room, helicopter parking, fueling and maintenance equipment.

Heliport. An area, either at ground level or elevated on a structure, that is used or intended to be used for the takeoff and landing of helicopters, and includes some or all the various facilities useful to helicopter operations, including helicopter parking, waiting room, fueling and maintenance equipment.

Home Occupation. Business activity conducted in a dwelling unit in a residential district that is incidental to the principal residential use of a lot or site.

Hotel Owner/Operator. The entity that owns and operates a hotel. If the hotel operator is separate from the hotel owner both are jointly and severally responsible for ensuring compliance with the requirements described in this LCP and/or recorded against the property, as well as jointly and severally liable for violations of said requirements and restrictions.

Illumination, Direct. Illumination by means of light that travels directly from its source to the viewer's eye.

Illumination, Indirect. Illumination by means only of light cast upon an opaque surface from a concealed source.

Incentives. Policies, programs or actions taken by the City designed to ensure that a development will be produced at a lower cost.

~~**Infill Lot Development.** A lot contiguous to one or more existing single-family residential units excluding parcels separated by streets, a vacant parcel intended for single-family development, or a parcel with an existing residential structure, which will have 50% or more square footage of habitable area removed in order to remodel or construct a detached single-family unit.~~

Junk Yard. The use of a lot, or contiguous lots, or any portion thereof for the storage of junk, including scrap metal, or other scrap materials, and/or for the dismantling or wrecking of automobiles or other vehicles or machinery.

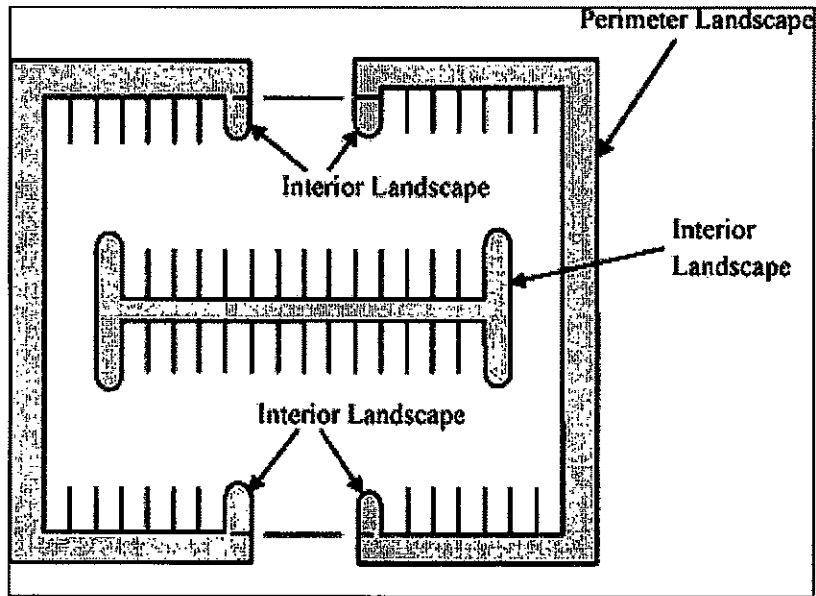
Kennel. Any premises where four or more dogs or cats at least four months of age are kept or maintained for any purpose except veterinary clinics and hospitals. For purposes of this section, a detached single-family residence with a maximum of four dogs shall not be considered a kennel when at least one of the dogs is a specially-trained guide dog, signal dog or service dog, as defined in Penal Code Section 365.5, and complies with Section 7.12.160 of the Huntington Beach Municipal Code.

Kitchenette or Kitchen. Any room or part of a room which is designed, built, used, or intended to be used for food preparation and dishwashing; but not including a bar, or similar room adjacent to or connected with a kitchen.

Landscaping. An area devoted to or developed and maintained with native or exotic plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. Plants on rooftops, porches or in boxes attached to buildings are not considered landscaping.

Landscaping, Interior. A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

Landscaping, Perimeter. A landscaped area adjoining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways which provide access to the facility.

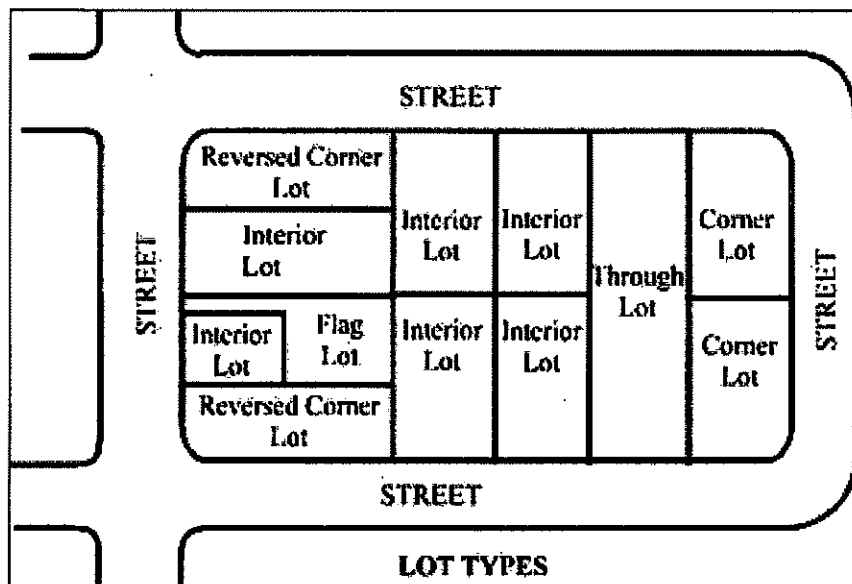


Landscaping: Perimeter Interior

Limited Use Overnight Visitor Accommodations. Any hotel, motel, or other similar facility that provides overnight visitor accommodations wherein a purchaser receives the right in perpetuity, for life, or a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room(s), or segment of the facility, annually or on some other seasonal or periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the facility has been divided and shall include, but not be limited to Timeshare, Condominium-Hotel, Fractional Ownership Hotel, or uses of a similar nature.

Lodger. Any person other than a member of a family renting a room for living or sleeping purposes.

Lot. Any numbered or lettered parcel shown on a recorded final map, record of survey pursuant to an approved division of land, or a parcel map and abuts a street, alley or recorded access easement.



Lot, Corner. A site bounded by two or more adjacent street lines that have an angle of intersection of not more than 135 degrees.

Lot Depth. The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or to the most distant point on any other lot line where there is no rear lot line.

Lot, Flag. A lot with developable area connected to a street by a narrow strip of land that includes a driveway.

Lot or Property Line, Front. The street property line adjacent to the front yard.

Lot or Property Line, Interior. A lot line not abutting a street.

Lot or Property Line, Rear. A lot line, not a front lot line, that is parallel or approximately parallel to the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line.

Lot or Property Line, Side. Any lot line that is not a front lot line or a rear lot line.

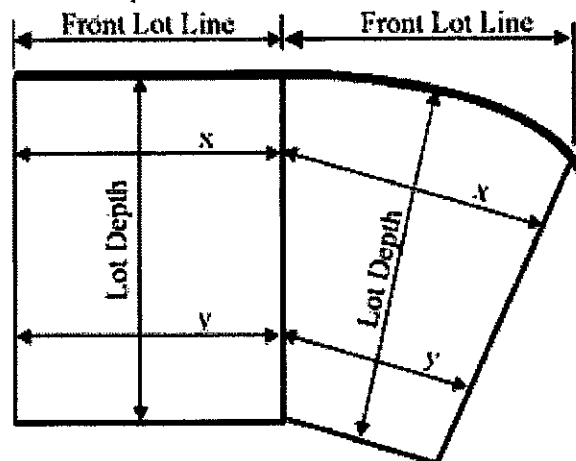
Lot or Property Line, Street. A lot line abutting a street.

Lot, Reverse Corner. A corner lot, the side line of which is substantially a continuation of the front lot line of the lot to its rear.

Lot, Street-Alley. An interior lot having frontage on a street and an alley.

Lot, Through. A lot having frontage on two dedicated parallel or approximately parallel streets.

Lot Width. The mean of the horizontal distance between the side lot lines measured at right angles to the lot depth at midpoints 20 feet from the front lot line and 20 feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.



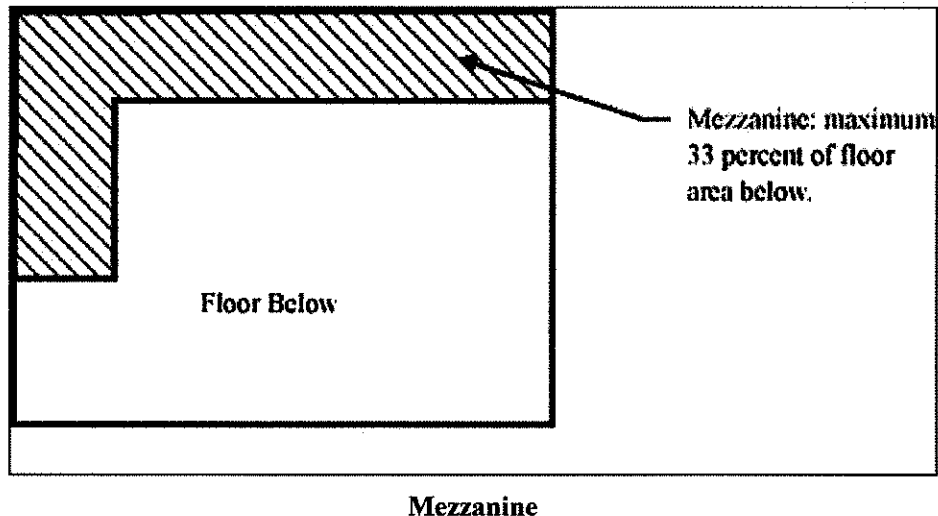
$$\text{Lot Width} = (x + y) / 2$$

Lot Width

Lower Income Household. A household whose annual income is at or below 80% of Orange County median income as defined by the State of California Department of Housing and Community Development.

Manufactured Home. A structure transportable in sections which is a minimum of eight feet in width and 40 feet in length, built on a permanent chassis, and designed to be a dwelling with or without a permanent foundation. Manufactured home includes mobile home.

Mezzanine. An intermediate floor within a room containing not more than 33% of the floor area of the room.



Moderate Income Household. A household whose annual income is at or below 120% of Orange County median income as defined by the State of California Department of Housing and Community Development.

Municipal Code. The Municipal Code of the City of Huntington Beach.

Negative Declaration. A written statement briefly describing the reasons that a proposed project will not have a significant impact on the environment which meets the requirements of the California Environmental Quality Act.

Neighborhood Notification. Notification process pursuant to Chapter 241 when no entitlements are required and the use requires such notification as stated in the Zoning and Subdivision Ordinance.

Net Site Area. See Area, Net Lot.

New Well. A new well bore or well hole established at the ground surface. Redrilling from the well bore or well hole of an existing well greater than 150 feet from the existing well bore shall constitute a new well.

Nonconforming Structure. A structure that was lawfully erected but which does not conform with the current development standards.

Nonconforming Use. A use of a structure or land that was lawfully established and maintained, but which does not conform with the current zoning ordinance.

Off-Street Loading Facilities. A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Off-Street Parking Facilities. A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Oil Operation. The use or maintenance of any installation, facility, or structure used, either directly or indirectly, to carry out or facilitate one or more of the following functions: drilling, rework, repair, redrilling, production, processing, extraction, assisted recovery, stimulation storage or shipping of oil, gas or hydrocarbons from the subsurface of the earth.

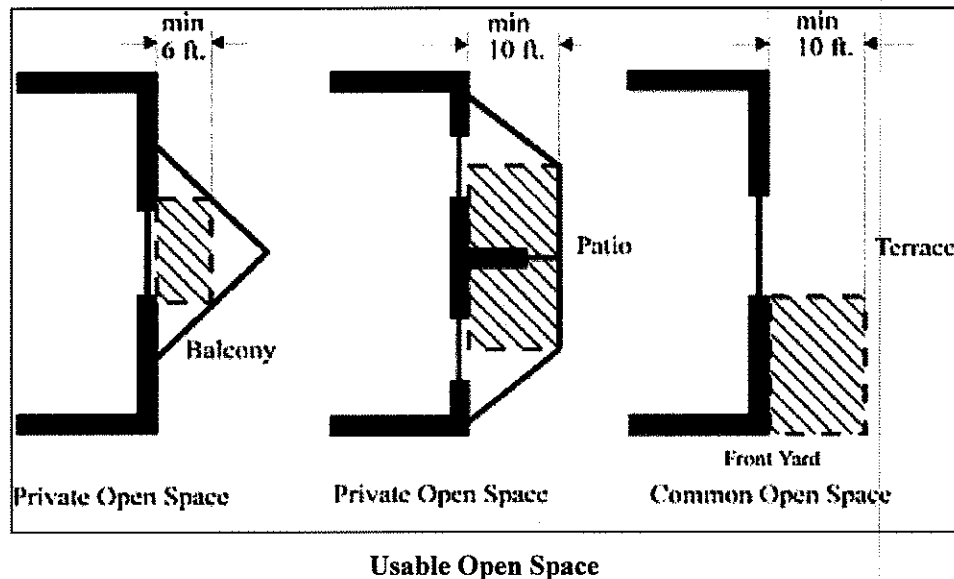
Oil Operation Site. The physical location where an oil operation is conducted.

Open Space, Common. A usable open space within a residential development reserved for the exclusive use of residents of the development and their guests.

Open Space, Private. A usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space, Total. The sum of private and common open space.

Open Space, Usable. Outdoor or unenclosed area on the ground, or on a balcony, deck, porch or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping. Usable open space does not include parking facilities, driveways, utility or service areas, any required front or street side yard, any space with a dimension of less than six feet in any direction or an area of less than 60 square feet.



Oversize Vehicle. Any vehicle which exceeds 25 feet in length, seven in width, seven in height, or a weight of 10,000 pounds, motorized or non-motorized. Oversize vehicle also includes any equipment or machinery regardless of size.

Parking, Subterranean. A parking area that is wholly or partially recessed into the development site, and which may or may not support additional structures above (e.g. dwelling units or parking structures).

Parking, Tandem. An off-street parking facility which includes parking stalls where one is arranged in front of the other or stacked utilizing mechanical lifts.

Parking Structure. A structure consisting of two or more levels used for parking of vehicles where parking spaces, turning radius, transition ramps, and drive aisles are incorporated within the structure, including automated parking structures. A surface level parking lot with a solid roof above is not considered a parking structure unless there is access for automobiles and parking stalls on the roof.

Patio. A paved court open to the sky.

Permitted Use. A use of land that does not require approval of a conditional use permit or temporary use permit.

Planned Unit Development (PUD). A large scale development of a parcel or of a combination of related parcels to be developed by a single owner or group of owners acting jointly, involving a related group of uses, planned as an entity and having a predominant developmental feature which serves to unify or organize development.

Porch. An open or covered platform, usually having a separate roof, at an entrance to a dwelling, or an open or enclosed gallery or room, which is not heated or cooled, that is attached to the outside of a building.

Private Property. Property owned in fee by an individual, corporation, partnership, or a group of individuals as opposed to public property.

Project. Any proposal for new or changed use, or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this ordinance.

Public Property. Property dedicated through acquisition or easement for public use which includes but is not limited to streets, alleys, parks, public rights-of-way, and sidewalks.

Qualifying Senior Resident. A person who is 62 years of age or older. (Section 51.2 of the California Civil Code.)

Remodel. The upgrade of the interior or exterior faces of a building or structure without altering to any degree the structural integrity.

~~**Residential Infill Lot.** A residential infill lot is a parcel of land which, at the time of application for a building permit, is contiguous to one or more existing developed single family residential properties and is:~~

- ~~1. A vacant parcel intended for detached single family development, or~~
- ~~2. A parcel with an existing residential structure which will have 50% or more square footage of the habitable area removed in order to construct a remodeled or new multistory detached single family dwelling unit.~~

Residential Privacy Design Standards. Residential privacy design standards shall apply to:

1. A lot contiguous to one or more existing single-family residential units, excluding parcels separated by streets or alleys; or
2. A vacant parcel intended for new single-family development; or

3. The creation of new floor area above the first floor of an existing single story single-family residence; or
4. Increasing the number of windows above the first floor of an existing single-family residence; or
5. Moving the location of existing windows above the first floor of an existing single-family residence.

Resource Protection Area. Within the coastal zone, any area that consists of any of the following: wetlands, Environmentally Sensitive Habitat Areas, buffer areas (as these terms are defined in the Glossary of the City's certified Land Use Plan), and/or land that is zoned Coastal Conservation.

Room, Habitable. A room meeting the requirements of the Uniform Building Code for sleeping, living, cooking, or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, attics, foyers, storage spaces, utility rooms, garages, and similar spaces.

Senior Housing. Housing for a family in which at least one person per unit is 60 years old or older, or for a single person who is 60 years old or older.

Setback Line. A line across the front, side, rear of any private or public property which delineates an area adjoining a property line in which erection of a building, fence, or other structure is prohibited except as otherwise provided in the zoning ordinance. All setbacks along streets and alleys shall be measured from the ultimate right-of-way.

Significant Disruption. Having a substantial adverse effect upon the functional capacity.

Single Ownership. Holding record title, possession under a contract to purchase, or possession under a lease, by a person, firm, corporation, or partnership, individually, jointly, in common, or in any other manner where the property is or will be under unitary or unified control.

Site. A lot, or group of contiguous lots not divided by an alley, street, other right-of-way, or City limit, that is proposed for development in accord with the provisions of this ordinance, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Specific Event. A short-term temporary use of public property as defined in Section 5.68.010.

Specific Plan. A plan for a defined geographic area that is consistent with the General Plan.

Stock Cooperative. A corporation formed for the primary purpose of holding title to, either in fee simple or for a term of years, any real property where the shareholders of the corporation receive a right of exclusive occupancy in a portion of such real property and where the right of occupancy is only transferable by the transfer of shares of stock in the corporation.

Story. That portion of a building included between the surface of any floor and the surface of the floor or finished undersurface of the roof directly above it.

Street. A public or an approved private thoroughfare or road easement which affords the principle means of access to abutting property, not including an alley.

Structure. Anything constructed or erected that requires a location on the ground, excluding patios, walks, access drives, or similar paved areas.

Structure, Accessory. A structure that is appropriate, subordinate and customarily incidental to the main structure of the site and which is located on the same site as the main structure, including swimming pools, garages, gazebos and patio covers.

Structure, Minor Accessory. An accessory structure that does not exceed 64 square feet in floor area, 80 square feet in roof area and a height of six feet, including storage sheds, pet shelters, playhouses, and decorative elements.

Supportive Housing. Housing with no limit on length of stay that is occupied by the target population and is linked to on-site or off-site services that assist residents to retain the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. On-site and off-site services may include, but are not limited to, after-school tutoring, child care, and career counseling.

Takeoff and Landing Area. That area of the helicopter facility where the helicopter actually lands and takes off.

Target Population. Persons with low income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Development Disabilities Services Act (Division 4.5 commencing with Section 4500 of the Welfare and Institutions Code) and may include, among other populations, adults, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.

Transitional Housing. Buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

Transmission Line. An electric power line bringing power to a receiving or distribution substation.

Ultimate Right-of-Way. The adopted maximum width for any street, alley, or thoroughfare, as established by the General Plan, by a precise plan of street, alley, or private street alignment; by a recorded map; or by a standard plan of the Department of Public Works. Such thoroughfare shall include any adjacent public easement used as a walkway and/or utility easement.

Usable Satellite Signals. Satellite signals from all major communication satellites that, when viewed on a conventional television set, are at least equal in picture quality to those received from local commercial television stations or by way of cable televisions.

Use, Accessory. A use that is appropriate, subordinate, and customarily incidental to the main use of the site and which is located on the same site as the main use.

Value. The monetary worth of a structure determined by the valuation figures used by the director for the purpose of calculating building permit fees.

Vehicle Storage. The business of storing or safekeeping of operative and inoperative vehicles for periods of time greater than a 24 hour period.

Very Low Income Household. A household whose annual income is at or below 50% of Orange County median income as defined by the State of California Department of Housing and Community Development.

Wetbar. A fixed installation within a dwelling unit providing cold and/or hot water to a single sink without a garbage disposal at a location other than a kitchen or laundry. A wetbar area shall not include a

stove, range, or similar appliance usually found in a kitchen, and if such wetbar is located in a room or a portion of a room with a stove, hot plate, range, oven or other type of kitchen facility, it shall be deemed a separate kitchen.

Wetland. Lands within the coastal zone which may be covered periodically or permanently with shallow water and include salt water marshes, fresh water marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

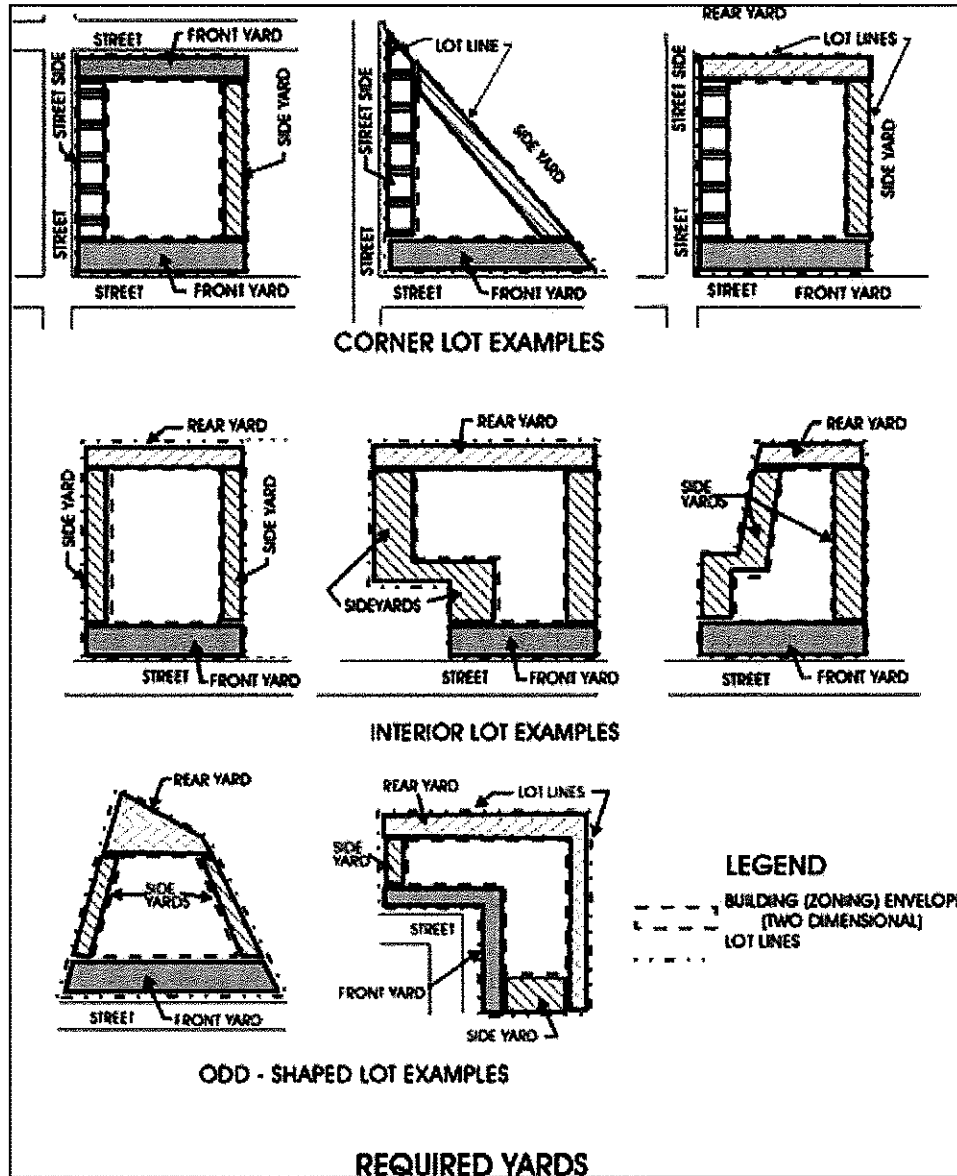
Window, Required. An exterior opening in a habitable room meeting the area requirements of the Uniform Building Code.

Yard. An open space on the same site as a structure, unoccupied and unobstructed by structures from the ground upward except as otherwise provided in this ordinance, including a front yard, side yard, or rear yard.

Yard, Front. An area between the front lot line and the front setback line extending across the full width of a site. The front yard of a corner lot shall adjoin the shortest street property line along its entire length. Where one street property line is at least 75% of the length of the other street property line, the director shall determine the location of the front yard.

Yard, Rear. An area between the rear lot line and the rear setback line extending across the full width of a site. On a corner lot the rear yard shall extend only to the side yard abutting the street.

Yard, Side. An area between the rear setback line and the front setback line and between the side property line and side setback line. The side yard on the street side of a corner lot shall extend to the rear lot line.



Zoning Ordinance. The Zoning Ordinance of the City of Huntington Beach. (3248-6/95, 3301-11/95, 3334-6/97; 3482-12/00, 3520-2/02, 3568-9/02, 3705-6/05, 3756-1/07, 3774-10/07 (certified by the California Coastal Commission 10/07), 3856-2/10, 3903-11/10, 3909-4/11, 4037-12/14, 4089-10/16, 4132-5/18, 4176-3/19)

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **January 21, 2020**, and was again read to said City Council at a **Regular** meeting thereof held on **February 3, 2020**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, Brenden

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on February 13, 2020.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Donna Smith Deputy City Clerk

Robin Estanislau
City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California

ORDINANCE NO. 4195

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 204 OF THE HUNTINGTON BEACH ZONING AND
SUBDIVISION ORDINANCE TITLED USE CLASSIFICATIONS
(ZONING TEXT AMENDMENT NO. 19-002)

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. 19-002, which amends Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance relating to updated, clarified, and additional use classifications utilized within the ZSO.

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;

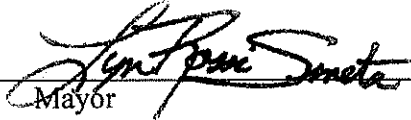
NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance titled Use Classifications is hereby amended to read as set forth in Exhibit A.

SECTION 2. All other provisions of Chapter 204 not modified herein shall remain in full force and effect.

SECTION 3. 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 3rd day of February, 2020.



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney *W*

REVIEWED AND APPROVED:



City Manager

INITIATED AND APPROVED:



Director of Community Development

Exhibit A: Legislative Draft

204.10 Commercial Use Classifications

- A. **Ambulance Services.** Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles as regulated by Chapter 5.20.
- B. **Animal Sales and Services.**
1. **Animal Boarding.** Provision of shelter and care for small animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care, and kennels.
 2. **Animal Grooming.** Provision of bathing and trimming services for small animals on a commercial basis. This classification includes boarding for a maximum period of 48 hours.
 3. **Animal Hospitals.** Establishments where small animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (maximum 30 days) boarding of animals are included, if incidental to the hospital use.
 4. **Animals, Retail Sales.** Retail sales and boarding of small animals, provided such activities take place within an entirely enclosed building. This classification includes grooming, if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of 48 hours.
 5. **Equestrian Centers.** Establishments offering facilities for instruction in horseback riding, including rings, stables, and exercise areas.
 6. **Pet Cemetery.** Land used or intended to be used for the burial of animals, ashes or remains of dead animals, including placement or erection of markers, headstones or monuments over such places of burial.
- C. **Artists' Studios.** Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft.
- D. **Banks and Savings and Loans.** Financial institutions that provide retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money. It also includes businesses offering check-cashing facilities.
- With Drive-up Service.** Institutions providing services accessible to persons who remain in their automobiles.
- E. **Building Materials and Services.** Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' yards, but excludes establishments devoted exclusively to retail sales of paint and hardware, and activities classified under Vehicle/Equipment Sales and Services.
- F. **Catering Services.** Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption. (See also Eating and Drinking Establishments.)
- G. **Commercial Filming.** Commercial motion picture or video photography at the same location more than six days per quarter of a calendar year. (See also Chapter 5.54, Commercial Photography.)

H. Commercial Recreation and Entertainment. Provision of participant or spectator recreation or entertainment. This classification includes theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors and poolrooms as regulated by Chapter 9.32; dance halls as regulated by Chapter 5.28; ice/roller skating rinks, golf courses, miniature golf courses, scale-model courses, shooting galleries, tennis/racquetball courts, health/fitness clubs, pinball arcades or electronic games centers, cyber café having more than four coin-operated game machines ~~as regulated by Chapter 9.28~~; card rooms as regulated by Chapter 9.24; and fortune telling as regulated by Chapter 5.72.

Limited. Indoor movie theaters, game centers and performing arts theaters and health/fitness clubs occupying less than 2,500 square feet.

I. Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding Utilities (Major). This classification includes radio, television, or recording studios; telephone switching centers; telegraph offices; and wireless communication facilities.

J. Eating and Drinking Establishments. Businesses serving prepared food or beverages for consumption on or off the premises.

1. With Fast-Food or Take-Out Service. Establishments where patrons order and pay for their food at a counter or window before it is consumed and may either pick up or be served such food at a table or take it off-site for consumption.

a. Drive-through. Service from a building to persons in vehicles through an outdoor service window.

b. Limited. Establishments that do not serve persons in vehicles or at a table.

2. With Live Entertainment/Dancing. An eating or drinking establishment where dancing and/or live entertainment is allowed. This classification includes nightclubs subject to the requirements of Chapter 5.44 of the Municipal Code.

K. Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens. Establishments at which 20% or more of the transactions are sales of prepared food for on-site or take-out consumption shall be classified as Catering Services or Eating and Drinking Establishments.

With Alcoholic Beverage Sales. Establishments where more than 10% of the floor area is devoted to sales, display and storage of alcoholic beverages.

L. Food Processing. Establishments primarily engaged in the manufacturing or processing of food or beverages for human consumption and wholesale distribution.

M. Funeral and Interment Services. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries.

N. Horticulture. The raising of fruits, vegetables, flowers, trees, and shrubs as a commercial enterprise.

O. Laboratories. Establishments providing medical or dental laboratory services; or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. Other laboratories are classified as Limited Industry.

P. Maintenance and Repair Services. Establishments providing appliance repair, office machine repair, or building maintenance services. This classification excludes maintenance and repair of vehicles or boats; see (Vehicle/Equipment Repair).

Q. Marine Sales and Services. Establishments providing supplies and equipment for shipping or related services or pleasure boating. Typical uses include chandleries, yacht brokerage and sales, boat yards, boat docks, and sail-making lofts.

R. Reserved.

S. Nurseries. Establishments in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only.

T. Offices, Business and Professional. Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, graphic design, interior design, real estate, insurance, investment, legal, and veterinary offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

U. Offices, Medical and Dental. A business which is primarily engaged in providing services for health maintenance, diagnosis or treatment of human disease, pain, injury, physical or mental condition, including, but not limited to, offices of acupuncturists, chiropractors, dentists, optometrists, physicians, podiatrists, dermatologists, psychiatrists, psychologists and physical therapists.

V. Pawn Shops. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans secured by personal property and subject to Chapter 5.36 of the Municipal Code.

W. Personal Enrichment Services. Provision of instructional services or facilities, including photography, fine arts, crafts, dance or music studios, driving schools, business and trade schools, and diet centers, reducing salons, fitness studios, and yoga or martial arts studios.

X. Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, permanent and semi-permanent makeup such as microblading, non-surgical medspas such as laser hair removal, eyelash extensions, injectables, coolsculpting, etc., seamstresses, tailors, shoe repair shops, dry-cleaning businesses (excluding large-scale bulk cleaning plants), photo-copying, self-service laundries, and massage as regulated by Chapter 5.24.

Y. Research and Development Services. Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electron research firms or pharmaceutical research laboratories, but excludes manufacturing, except of prototypes, or medical testing and analysis.

Z. Retail Sales. The retail sale of merchandise not specifically listed under another use classification. This classification includes department stores, drug stores, clothing stores, and furniture stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies, medical supplies and equipment, electronic equipment, records, sporting goods, surfing boards and equipment, kitchen utensils, hardware, appliances, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering,

office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).

AA. Secondhand Appliances and Clothing Sales. The retail sale of used appliances and clothing by secondhand dealers who are subject to Chapter 5.36. This classification excludes antique shops primarily engaged in the sale of used furniture and accessories other than appliances, but includes junk shops.

BB. Sex-Oriented Businesses. Establishments as regulated by Chapter 5.70; and figure model studios as regulated by Chapter 5.60.

CC. Swap Meets, Indoor/Flea Markets. An occasional, periodic or regularly scheduled market held within a building where groups of individual vendors offer goods for sale to the public.

DD. Swap Meets, Recurring. Retail sale or exchange of handcrafted or secondhand merchandise for a maximum period of 32 consecutive hours, conducted by a sponsor on a more than twice yearly basis.

EE. Tattoo Establishment. Premises used for the business of marking or coloring the skin with tattoos as regulated by Chapter 8.70.

FF. Travel Services. Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies.

GG. Vehicle/Equipment Sales and Services.

1. Automobile Rentals. Rental of automobiles, including storage and incidental maintenance, but excluding maintenance requiring pneumatic lifts.
2. Automobile Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles.
3. Commercial Parking Facility. Lots offering short-term or long-term parking to the public for a fee.
4. Service Stations. Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and accessories. This classification includes incidental maintenance and minor repair of motor vehicles, but excluding body and fender work or major repair of automobiles, motorcycles, light and heavy trucks or other vehicles.
5. Vehicle/Equipment Repair. Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, transmission shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire retreading or recapping.
Limited. Light repair and sale of goods and services for vehicles, including brakes, muffler, tire shops, oil and lube, and accessory uses, but excluding body and fender shops, upholstery, painting, and rebuilding or reconditioning of vehicles.
6. Vehicle/Equipment Sales and Rentals. Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, manufactured homes, boats, and similar equipment, including storage and incidental maintenance.
7. Offices for Vehicle Retail Sales/Wholesale. This classification 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.

~~8. Vehicle Storage. The business of storing or safekeeping of operative and inoperative vehicles for periods of time greater than a 24-hour period, including, but not limited to, the storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles, but not including vehicle dismantling.~~

8. Vehicle Storage, Impound Yards. The business of storing or safekeeping of operative and inoperative vehicles that have been towed, for periods of time greater than a 24-hour period, but not including vehicle repair or dismantling.

9. Vehicle Storage, Off-Site Auto Sales. The business of storing or safekeeping new or used automobiles, intended for off-site sale, for periods of time greater than a 24-hour period, but not including vehicle repair or dismantling. This classification only includes storage for vehicle sales businesses located within the City of Huntington Beach.

10. Vehicle Storage, Recreational Vehicles. The business of storing or safekeeping of operative and inoperative boats, trailers, campers, or other recreational vehicles for periods of time greater than a 24-hour period, but not including vehicle repair or dismantling.

HH. Visitor Accommodations.

1. Bed and Breakfast Inns. Establishments offering lodging on a less than weekly basis in a converted single-family or multi-family dwelling or a building of residential design, with incidental eating and drinking service for lodgers only provided from a single kitchen.
2. Hotels and Motels. Establishments offering lodging on a weekly or less than weekly basis. Motels may have kitchens in no more than 25% of guest units, and "suite" hotels may have kitchens in all units. This classification includes eating, drinking, and banquet service associated with the facility.
3. Condominium-Hotel. Facility providing overnight visitor accommodations where ownership of at least some of the individual guestrooms (units) within the larger building or complex is in the form of separate condominium ownership interests, as defined in California Civil Code Section 1351(f). The primary function of the Condominium-Hotel is to provide overnight transient visitor accommodations within every unit that is available to the general public on a daily basis year-round, while providing both general public availability and limited owner occupancy of those units that are in the form of separate condominium ownership interests.
4. Fractional Ownership Hotel. Facility providing overnight visitor accommodations where at least some of the guestrooms (units) within the facility are owned separately by multiple owners on a fractional time basis. A fractional time basis means that an owner receives exclusive right to use of the individual unit for a certain quantity of days per year and each unit available for fractional ownership will have multiple owners.

II. Warehouse and Sales Outlets. Businesses which store large inventories of goods in industrial-style buildings where these goods are not produced on the site but are offered to the public for sale.

JJ. Quasi Residential.

1. Residential Hotels. Buildings with six or more guest rooms without kitchen facilities in individual rooms, or kitchen facilities for the exclusive use of guests, and which are intended for occupancy on a weekly or monthly basis.
2. Single Room Occupancy. Buildings designed as a residential hotel consisting of a cluster of guest units providing sleeping and living facilities in which sanitary facilities and cooking facilities are provided within each unit; tenancies are weekly or monthly.
3. Timeshare. Any arrangement, plan, or similar program, other than an exchange program, whereby a purchaser receives ownership rights in or the right to use accommodations for a period of time less than a full year during any given year, on a recurring basis for more than one year, but not necessarily for consecutive years. (3334-6/97, 3378-2/98, 3568-9/02, 3669-12/04, 3757-1/07, 3774-10/07, 3788-12/07, 3842-11/09, 4175-3/19)

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **January 21, 2020**, and was again read to said City Council at a **Regular** meeting thereof held on **February 3, 2020**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, Brenden

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on February 13, 2020.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Donna Smith Deputy City Clerk

Robin Estanislau
City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California

ORDINANCE NO. 4196

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 231 OF THE HUNTINGTON BEACH ZONING AND
SUBDIVISION ORDINANCE TITLED OFF-STREET PARKING AND LOADING
PROVISIONS
(ZONING TEXT AMENDMENT NO. 19-002)

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. 19-002, which amends Chapter 231 of the Huntington Beach Zoning and Subdivision Ordinance relating to updated, clarified, and additional off-street parking and loading requirements utilized within the ZSO.

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;

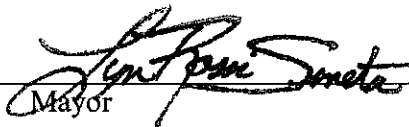
NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That Chapter 231 of the Huntington Beach Zoning and Subdivision Ordinance titled Off-Street Parking and Loading Provisions is hereby amended to read as set forth in Exhibit A.

SECTION 2. All other provisions of Chapter 231 not modified herein shall remain in full force and effect.


SECTION 3. 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 3rd day of February, 2020.



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney *llw*

REVIEWED AND APPROVED:



City Manager

INITIATED AND APPROVED:



Director of Community Development

Exhibit A: Legislative Draft

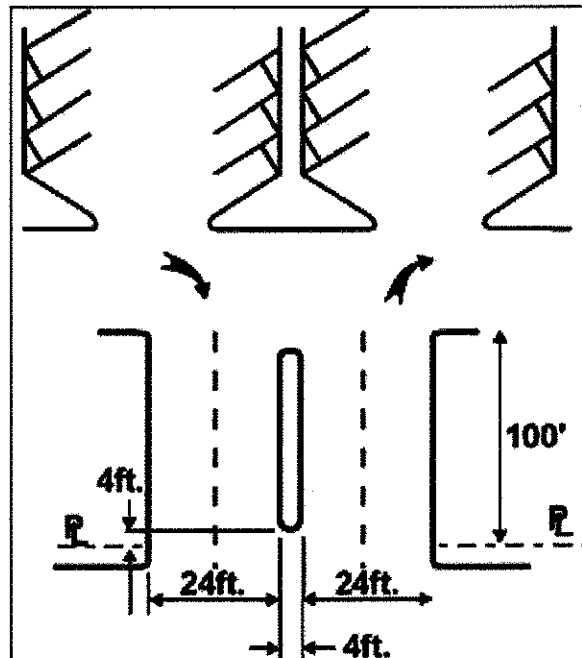
Chapter 231 OFF-STREET PARKING AND LOADING PROVISIONS

231.18 Design Standards

A. **Public Works Requirements.** Drive entrances on arterial highways shall be located in a manner to coordinate with future median openings and in accord with Department of Public Works standards. The paved surface of driveways and drive entrances shall comply with Department of Public Works specifications. Parking facilities shall be prepared, graded, and paved to ensure that all surface waters will drain into a public street, alley, storm drain, or other drainage system approved by the Department of Public Works. Aisle ways without adjacent parking shall be a minimum 24 feet in width.

B. **Circulation Design.** All off-street parking spaces shall have access to a public street or alley, and shall have internal circulation, safe entrances and exits, drives, and aisles in conformance with City standards. Every required parking space shall have unobstructed access from an aisle without moving another vehicle. All parking spaces, except residential garages and carports for single-family dwellings and duplexes, shall have forward travel to and from parking facilities when access is to a dedicated street. Traffic circulation shall be designed so that no vehicle need enter a public street in order to progress from one aisle to any other aisle within the same development.

Commercial centers which have 200 parking spaces or more shall have at least one main entrance designed as depicted in Diagram B.

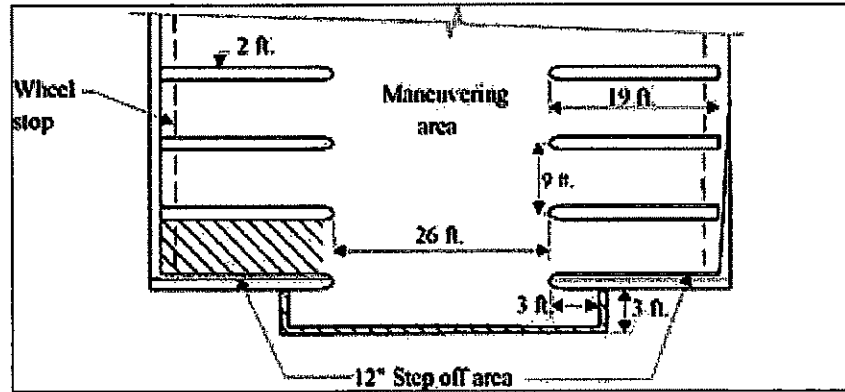


Commercial Center Main Entrance for Parking Lots With Over 200 Spaces

Diagram B

A minimum three-foot-by-three-foot-wide maneuvering area shall be provided at the end of dead-end parking aisles less than 150 feet in length. A vehicle turnaround space shall be provided at the

end of all dead-end parking aisles which exceed 150 feet in length (measured from the closest intersecting aisle with complete circulation). The maneuvering area and turnaround space shall be designed as depicted in Diagram C. Other turnaround arrangements providing the same maneuverability are subject to approval by the Director.



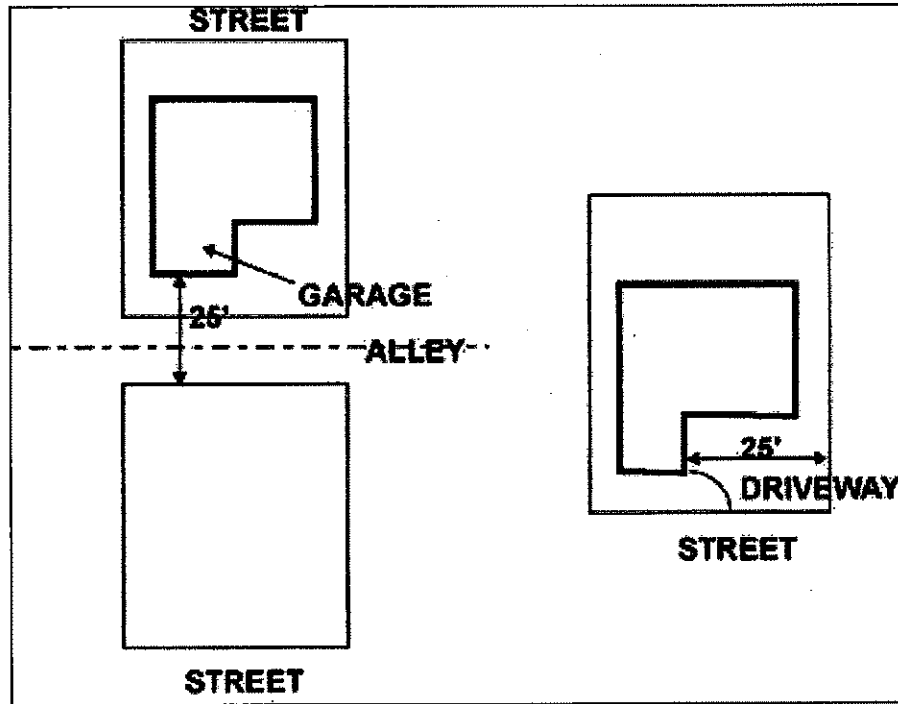
Turnaround Space and Maneuvering Area

Diagram C

C. **Illumination.** All parking area lighting shall be energy-efficient and designed so as not to produce glare on adjacent residential properties. Security lighting shall be provided in areas accessible to the public during nighttime hours, and such lighting shall be on a time-clock or photo-sensor system.

D. Residential Parking.

1. **Garages and Carports.** All required garages and carports, permitted as accessory structures, shall be constructed at the same time as the main building and shall be used only by persons residing on the premises for storage of personal vehicles and other personal property.
2. **Assignment of Spaces.** Each studio and one bedroom dwelling unit shall have a minimum of one assigned parking space and each two or more bedroom units shall have a minimum of two assigned parking spaces. Each dwelling unit shall have an enclosed, assigned space which shall be within 200 feet walking distance of that unit and designated as such. The assigned spaces shall be provided with the rental of a dwelling unit without any additional cost. All unassigned spaces provided on site shall be open and only used for the parking of vehicles by persons residing on the property or their guests.
3. **Turning Radius.** The minimum turning radius for any garage, carport or open parking space, entered directly from an alley or driveway, shall be 25 feet (see Diagram D).



Turning Radius
Diagram D

4. Driveway Width.

Length of Drive	Minimum Driveway Width
150 feet or less	10 ft. for single family dwellings 20 ft. for multifamily dwellings
Greater than 150 feet	20 feet clear width Exception: when designated as fire lane, all Fire Department requirements shall apply.

5. Guest Parking. All guest parking shall be fully accessible.

6. Coastal Zone. The following requirements shall apply to residential development in the Coastal Zone.

a. Each dwelling unit located in the Coastal Zone shall have a minimum of two on-site parking spaces. If the total coastal parking requirements exceed the total minimum parking as required by this chapter, the additional required parking spaces may be in tandem with enclosed spaces, provided the tandem space is assigned to an enclosed space and complies with the required turning radius.

b. The streets of new residential subdivisions between the sea and the first public road shall be constructed and maintained as open to the public for vehicular, bicycle and

pedestrian access. General public parking shall be provided on all streets throughout the entire subdivision. Private entrance gates and private streets shall be prohibited. All public entry controls (e.g., gates, gate/guard houses, guards, signage, etc.) and restriction on use by the general public (e.g., preferential parking districts, resident-only parking periods/permits, etc.) associated with any streets or parking areas shall be prohibited.

7. Planned Residential Developments. In a planned residential development where a garage is constructed a minimum of 20 feet from the curb, the driveway in front of the garage may be used to provide one of the required uncovered spaces.

8. Privacy Gates. Privacy gates may be installed without a conditional use permit provided there is compliance with the following criteria prior to the issuance of building permits:

- a. Fire Department approval for location and emergency entry.
- b. Public Works Department approval of stacking and location.
- c. Postmaster approval of location for mail boxes or entry for postal carrier.
- d. Shall provide a driveway with a minimum of 20 feet for vehicle stacking.
- e. No adverse impacts to public coastal access, including changes in the intensity of use of water, or access thereto, shall result from installation of the privacy gates.

9. Driveway Air Space. The air space above all driveways which exceed 150 feet in length shall remain open to the sky, except that eaves or roof overhangs with a maximum four-foot projection may be permitted above a height of 14 feet.

10. Storage Space. One hundred cubic feet of enclosed storage space for each unit shall be provided in a secured parking area where there is no private garage.

11. Accessory Dwelling. One additional off-street parking space shall be required for an accessory dwelling, except that in the coastal zone there shall be a minimum of four parking spaces on-site.

E. Nonresidential Parking and Loading.

1. Designated Parking. Parking spaces within an integrated, nonresidential complex shall not be designated for exclusive use of any individual tenant except as authorized by a parking management plan approved by the Director.

2. Parking Controls. Parking controls, such as valet service, or booths, and/or collection of fees may be permitted when authorized by conditional use permit approval by the Zoning Administrator. Privacy gates may be installed without a conditional use permit provided there is compliance with the following criteria prior to the issuance of building permits.

- a. Fire Department approval for location and emergency entry.
- b. Public Works Department approval of stacking and location.
- c. Postmaster approval of location for mail boxes or entry for postal carrier.
- d. Shall provide a driveway with a minimum of 20 feet for vehicle stacking.
- e. No adverse impacts to public coastal access, including changes in the intensity of use of water, or of access thereto, shall result from installation of the privacy gates.

3. Minimum Driveway Width. Twenty-five feet when providing access to the rear of a structure.

4. Reciprocal Access. Reciprocal ingress/egress access with adjacent properties shall be provided for all commercial properties.
5. Loading Location. On a site adjoining an alley, a required loading space shall be accessible from the alley unless alternative access is approved by the Director. An occupied loading space shall not prevent access to a required parking space. Truck or rail loading, dock facilities, and doors for such facilities shall not face or be located within 45 feet of property zoned for general planned residential.
6. Loading Design. Any loading facility shall be designed and located so that vehicles need not extend onto the public sidewalks, streets or alleys during loading activities.
7. Landscape Buffer. Where the side or rear yard of a parcel is used for loading activities and abuts an R District, a landscaped buffer along the property line shall be provided.
8. Parking Spaces. Parking spaces shall not be utilized or occupied by any other use or for any other purpose than as parking for the associated on-site uses as required by this chapter, unless in compliance with Section 231.06, Joint Use Parking.

F. Seasonal and Temporary Parking Lots. Seasonal and temporary parking lots may be allowed upon approval of a conditional use permit by the Zoning Administrator. Seasonal lots may operate only from Memorial Day through the third weekend in September and shall be located within 1,000 yards of the mean high tide line of the Pacific Ocean. Temporary and seasonal commercial parking lots may be permitted for a maximum of five years. The design and layout of seasonal and temporary parking lots shall comply with this chapter, Fire Department requirements, and the following standards:

1. Paving shall be two inches of asphalt over compacted native soil, or as approved by the department; except seasonal parking lots shall be surfaced to meet minimum specifications for support of vehicles and to provide dust control as required by the Zoning Administrator.
2. Boundaries of such lots shall be marked off and secured by chain or cable, with posts a minimum of three feet in height, solidly built. At a minimum, posts shall consist of four-inch by four-inch wood or equivalent metal posts a minimum of one and one-half inches in diameter securely set in the ground and placed eight feet on center. The posts shall be connected with at least one strand of half-inch cable or chain securely fastened to each post. An opening shall be provided to accommodate vehicle access during business hours. Seasonal lots shall be secured to prevent overnight parking between the closing hour on one business day and the opening hour the following business day.
3. Temporary parking lots shall have landscaped planters with an inside dimension of three feet along street-side property lines excluding driveways. Landscaping shall be protected from vehicle and pedestrian damage by wheel bumpers (asphalt, concrete, or wood), or asphalt or concrete curbs, or any other design that will provide adequate protection.
4. Seasonal parking lots are exempt from landscaping requirements of Chapter 232.
5. Directional and informational signs shall be displayed on-site to identify the entrance(s), fees, and hours of operation. Such signs shall be located at the entrance of the parking lot and shall not exceed 12 square feet and shall be six feet high. Signs for seasonal parking lots shall be removed from the site each season no later than the third weekend in September.

6. Automatic entry devices or fee collection points shall be set back a minimum of 20 feet from the public right-of-way, or at a distance recommended by the Department of Public Works and approved by the Director.
7. An attendant shall be on duty at all times during business hours of seasonal parking lots.
8. An approved fire extinguisher shall be provided on the premises during business hours.
9. The site shall be maintained in a clean condition, free from trash and debris. Trash containers shall be placed on the site to accommodate and store all trash that accumulates on the lot.

For seasonal parking lots, a certificate of insurance for combined single limit bodily injury and/or property damage including products liability in the amount of \$1,000,000.00 per occurrence shall be filed with the Department of Administrative Services. A hold harmless agreement holding the City harmless shall also be filed with the Department of Administrative Services.

Subsequent to approval of an application for any seasonal or temporary parking lot, the applicant shall meet all standards and requirements and install all improvements. The parking lot shall then be inspected and approved by the Director prior to issuance of a certificate to operate.

G. Parking Structures. Above-grade parking structures where the finished elevations of the structure are facing a public right-of-way **Parking structures above or below grade** shall be subject to conditional use permit approval by the Planning Commission when no other entitlement is required. In addition, parking structures proposed within the coastal zone shall be subject to approval of a Coastal Development Permit in accordance with Chapter 245. All parking structures, subterranean parking, and semi-subterranean parking shall comply with the following requirements:

1. Transition ramps which are also used as back-up space for parking stalls shall have a maximum slope of five percent. The maximum slope for transition ramps with no adjacent parking spaces shall be 10%-15% with minimum 12 foot long transitions at the top and bottom of the ramp. A ramp used for ingress and egress to a public street shall have a transition section at least 16 feet long and a maximum slope of five percent.
2. Parking structures with over 300 spaces shall provide secondary circulation ramps and additional ingress and egress if deemed necessary by a traffic study prepared by a state-registered traffic engineer.
3. Above-grade parking structures adjacent to any public right-of-way or any property zoned or used for residential purposes shall be provided with a minimum 10-foot-wide perimeter landscape planter at ground level. **Parked cars shall be screened on each level through landscape planters or trellises and/or decorative screening wall or railings. The Design Review Board shall approve the landscaping plan.**
4. All above-grade parking structures shall screen parked cars on each level through a combination of landscaping or trellises and/or decorative screening wall or railings.

5.4. All parking structures elevations shall be architecturally compatible with existing or proposed structures and shall be subject to review and approval by the Design Review Board prior to hearing. **The Design Review Board shall consider the following factors in reviewing a proposal: bulk, scale, proportion, building materials, colors, signage, architectural features, and landscaping.** The following design guidelines shall apply to parking structures:

- a. The exterior elevations of a parking structure should be designed to minimize the use of blank facades. This can be accomplished through the use of textured concrete, planters or trellises, or other architectural treatments.
- b. To soften the horizontal lines and greatly enhance the look of the structure, elevations should be articulated and elements added that give the structure proportions that reflect a regular building. To give the structure proportions reflective of a regular building, design openings to look more like window openings than long, horizontal parking garage openings.
- c. Framing that mimics windows should be added to openings. The framing should have vertical members to de-emphasize the horizontal lines of the structure.
- d. Substantial massing should occur at the corner of the structures to anchor the building and give the structure proportions more similar to a regular commercial building. These panels should incorporate relief to create shadow patterns and add visual interest.
- e. Height should be added to the parapet at key areas on the building structure to accent entries and reduce the long, horizontal facade that is typical of parking structures.
- f. Horizontal openings should be broken up with vertical columns to create a rhythm of openings, again reflecting proportions of a regular commercial building.
- g. Awnings or trellis structures should be added at vehicular and pedestrian entrances to create more pedestrian scale.
- h. Where appropriate and feasible, retail spaces should provide articulation at the ground floor.

5. All parking structures proposed for conversion to a fee parking arrangement shall be subject to conditional use permit approval by the Planning Commission. Public parking structures within the coastal zone proposed for conversion to a fee parking arrangement shall be subject to approval of a Coastal Development Permit. (3334-6/97, 3526-2/02, Res. 2004-80-9/04, 3677-12/04, 3758-1/07, 3763-3/07, Res. 2009-36-9/09, 4172-3/19)

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **January 21, 2020**, and was again read to said City Council at a **Regular** meeting thereof held on **February 3, 2020**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, Brenden

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on February 13, 2020.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Anna Smith

Deputy City Clerk

Robin Estanislau

City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California

ORDINANCE NO. 4197

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 230 OF THE HUNTINGTON BEACH ZONING AND
SUBDIVISION ORDINANCE TITLED SITE STANDARDS
(ZONING TEXT AMENDMENT NO. 19-002)

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. 19-002, which amends Chapter 230 of the Huntington Beach Zoning and Subdivision Ordinance relating to updated, clarified, and revised site standards utilized within the ZSO.

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;

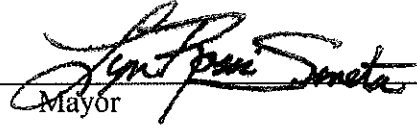
NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That Chapter 230 of the Huntington Beach Zoning and Subdivision Ordinance titled Site Standards is hereby amended to read as set forth in Exhibit A.


SECTION 2. All other provisions of Chapter 230 not modified herein shall remain in full force and effect.

SECTION 3. 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 3rd day of February, 2020.


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

REVIEWED AND APPROVED:


City Manager

INITIATED AND APPROVED:


Director of Community Development

Exhibit A: Legislative Draft

Article I. Residential Districts

230.22 ~~Residential Infill Lot Developments~~

~~The following residential infill requirements are intended to minimize impacts on contiguous developed single-family residential property and provide standards that ensure compatibility and appropriate design for projects located within existing residential neighborhoods, unless to do so would contravene the terms of an existing development agreement. Infill development site plans and building design shall be harmonious and compatible with streets, driveways, property lines, and surrounding neighborhood. Compatibility considerations should include, but not be limited to, lot size, lot frontages, building layout, building configuration and design, building materials, product type, grade height and building height relative to existing dwellings, and visual intrusion concerns. The Director of Planning and Building shall cause all requests for entitlements, plan check and issuance of building permits for residential infill lot development to be reviewed in accordance with these requirements.~~

~~A. Privacy Design Standards.~~

- ~~1. New residences and accessory dwelling units shall off-set windows from those on existing residences to ensure maximum privacy. The use of translucent glass or similar material, shall be used for all bathroom windows facing existing residences. Consider locating windows high on elevations to allow light and ventilation, and ensure privacy.~~
- ~~2. Minimize the canyon effect between houses by clipping roof elevations on side yards. Provide roof line variations throughout a multi-dwelling infill development.~~
- ~~3. Provide architectural features (projections, off-sets) to break up massing and bulk.~~
- ~~4. Upper story balconies shall be oriented toward the infill house's front or rear yard areas, a public street or permanent open space.~~

~~B. Noise Considerations. Swimming pool/hot tub equipment, air conditioning equipment, and other permanently installed motor driven equipment shall be located to minimize noise impacts on contiguous residences.~~

~~C. Pad Height. Pad height for new construction shall match to the extent feasible pad heights of contiguous residences. Any property~~

~~owner/developer who intends to add fill above the height of the existing contiguous grades shall demonstrate to the director and the City Engineer that the additional fill is not detrimental to surrounding properties in terms of compatibility and drainage issues.~~

D. Public Notification Requirements.

~~1. Ten working days prior to submittal for plan check (plan review) the applicant shall give notice of the application to adjacent property owners and the City of Huntington Beach, Department of Community Development by first class mail. The notice of application shall include the following:~~

~~a. Name of applicant;~~

~~b. Location of planned development, including street address (if known) and/or lot and tract number;~~

~~c. Nature of the planned development, including maximum height and square footage of each proposed infill dwelling unit;~~

~~d. The City Hall telephone number for the Department of Community Development to call for viewing plans;~~

~~e. 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 plan check (plan review) submittal; and~~

~~f. _____ The address of the Department of Community Development.~~

~~2. The applicant shall submit a copy of each notice mailed and proof of mailing of the notice(s) when submitting the application for plan check (plan review). The adjacent property owners shall have 10 working days from plan check (plan review) submittal to provide comments regarding the application to the director. All decisions of the director regarding the application shall be final. (3301-11/95, 3710-6/05, 4040-12/14, 4096-10/16)~~

230.74 Outdoor Facilities

A. **Permit Required.** Outdoor storage and display of merchandise, materials, or equipment, including display of merchandise, materials, and equipment for customer pick up, shall be subject to approval of a Conditional Use Permit by the Zoning Administrator in the CG, IL, IG, CV and SP districts. Sidewalk cafés with alcoholic beverage service and/or outdoor food service accessory to an eating and drinking establishment shall be permitted subject to approval of a Conditional Use Permit by the Zoning Administrator in the CO, CG, CV, OS and SP districts, but no outdoor preparation of food or beverages shall be permitted.

B. **Permit Conditions—Grounds for Denial.** The Zoning Administrator may require yards, screening, or planting areas necessary to prevent adverse impacts on surrounding properties. If such impacts cannot be prevented, the Zoning Administrator shall deny the Conditional Use Permit application.

C. **Exceptions.** Notwithstanding the provisions of subsections A and B of this section, outdoor storage and display shall be permitted in conjunction with the following use classifications in districts where they are permitted or conditionally permitted:

1. Nurseries, provided outdoor storage and display is limited to plants, new garden equipment and containers only; and
2. Vehicle/equipment sales and rentals, provided outdoor storage and display shall be limited to vehicles, boats, or equipment offered for sale or rent only.

3. Vehicle Storage, Off-Site Auto Sales uses and Vehicle Storage, Recreation Vehicles uses pursuant to the provisions of Section 211.04 and Section 212.04.

D. **Screening.** Outdoor storage and display areas for rental equipment and building and landscaping materials shall be screened from view of streets by a solid fence or wall. The height of merchandise, materials, and equipment stored or displayed shall not exceed the height of the screening fence or wall. (3525-2/02, 4040-12/14)

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **January 21, 2020**, and was again read to said City Council at a **Regular** meeting thereof held on **February 3, 2020**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, Brenden

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on February 13, 2020.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Deanna Smith Deputy City Clerk

Robin Estanislau
City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California

ORDINANCE NO. 4198

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 212 OF THE HUNTINGTON BEACH ZONING AND
SUBDIVISION ORDINANCE TITLED I INDUSTRIAL DISTRICTS
(ZONING TEXT AMENDMENT NO. 19-002)

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. 19-002, which amends Chapter 212 of the Huntington Beach Zoning and Subdivision Ordinance relating to updated, clarified, and additional land use controls utilized within Industrial Districts of the ZSO.

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;

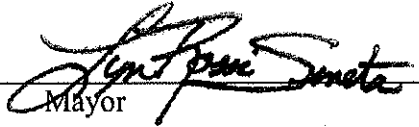
NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That Chapter 212 of the Huntington Beach Zoning and Subdivision Ordinance titled I Industrial Districts is hereby amended to read as set forth in Exhibit A.


SECTION 2. All other provisions of Chapter 212 not modified herein shall remain in full force and effect.

SECTION 3. 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 3rd day of February, 2020.


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

REVIEWED AND APPROVED:


City Manager

INITIATED AND APPROVED:


Director of Community Development

Exhibit A: Legislative Draft

*Ordinance No. 4198
Legislative Draft
Exhibit 'A'*

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.

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)

	IG	IL	RT	Additional Provisions
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)

	IG	IL	RT	Additional Provisions
Research & Development Services	P	P	P	
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	P	ZA	PC	(H) **
<u>Vehicle Storage, Impound Yards</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>(T)</u>
<u>Vehicle Storage, Off-Site Auto Dealers</u>	<u>P/ZA</u>	<u>P/ZA</u>	<u>P/ZA</u>	<u>(H) (U)</u> <u>(W)</u>
<u>Vehicle Storage, Recreational Vehicles</u>	<u>P/ZA</u>	<u>P/ZA</u>	<u>P/ZA</u>	<u>(H) (V)</u>
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	P	P		
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)

	IG	IL	RT	Additional Provisions
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 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.

~~Only in the IG and IL districts, automobile dismantling, storage and/or impound yards may be permitted subject to the approval of a conditional use permit by the Planning Commission, and the following criteria:~~

- ~~(1) The site shall not be located within 660 feet of an R district.~~
- ~~(2) All special metal cutting and compacting equipment shall be completely screened from view.~~
- ~~(3) Storage yards shall be enclosed by a solid six-inch concrete block or masonry wall not 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.~~
- ~~(4) Items stacked in the storage yard shall not exceed the height of the screening walls or be visible from adjacent public streets.~~

~~**In the RT districts, automobile storage and/or impound yards are subject to the approval of a conditional use permit by the Zoning Administrator unless located within 300 feet of an R district. Within 300 feet of an R district, automobile storage and/or impound yards are subject to a conditional use permit by the Planning Commission. Auto storage uses on public agency owned property shall be permitted without a conditional use permit.~~

- (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 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.

(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.

(3254-10/94, 3378-2/98, 3523-2/02, 3568-9/02, 3703-3/05, 3708-6/05, 3724-02/06, 3788-12/07, 3843-11/09, 3860-2/10, 4039-12/14, 4092-10/16)

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **January 21, 2020**, and was again read to said City Council at a **Regular** meeting thereof held on **February 3, 2020**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, Brenden

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on February 13, 2020.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Donna Pinty Deputy City Clerk

Robin Estanislau
City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California

ORDINANCE NO. 4199

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 211 OF THE HUNTINGTON BEACH ZONING AND
SUBDIVISION ORDINANCE TITLED C COMMERCIAL DISTRICTS
(ZONING TEXT AMENDMENT NO. 19-002)

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. 19-002, which amends Chapter 211 of the Huntington Beach Zoning and Subdivision Ordinance relating to updated, clarified, and additional development standards utilized within Commercial Districts of the ZSO.

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 211 of the Huntington Beach Zoning and Subdivision Ordinance titled C Commercial Districts is hereby amended to read as set forth in Exhibit A.


SECTION 2. All other provisions of Chapter 211 not modified herein shall remain in full force and effect.

SECTION 3. This ordinance shall become effective immediately 30 days after its adoption.

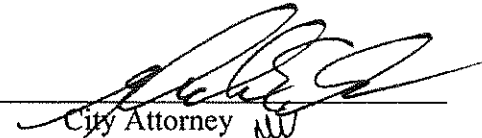
PASSED AND ADOPTED by the City Council of the City of Huntington Beach
at a regular meeting thereof held on the 3rd day of February, 2020.


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

REVIEWED AND APPROVED:


City Manager

INITIATED AND APPROVED:


Director of Community Development

Exhibit A: Legislative Draft

ORDINANCE NO. 4199
LEGISLATIVE DRAFT
EXHIBIT 'A'

211.04 CO, CG, and CV 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.

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	-	

	CO	CG	CV	Additional Provisions
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		
Animal Boarding	-	ZA	-	
Animal Grooming	-	P	-	
Animal Hospitals	-	ZA	-	
Animals—Retail Sales	-	P	-	
Equestrian Centers (CG Zone)	-	PC	-	(S)
Pet 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)

	CO	CG	CV	Additional Provisions
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	-	

	CO	CG	CV	Additional Provisions
Vehicle Equip. Sales & Rentals	ZA	ZA	-	L-12
Vehicle Storage	-	ZA	-	
<u>Vehicle Storage, Impound Yards</u>	=	<u>PC</u>	=	<u>(AA)</u>
<u>Vehicle Storage, Off-Site Auto Dealers</u>	=	<u>P/ZA</u>	=	<u>L-17 (BB)</u>
<u>Vehicle Storage, Recreational Vehicles</u>	=	<u>ZA</u>	=	<u>(CC)</u>
Offices for Vehicle Equip. Sales & Rentals	L-15	L-15	-	
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 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.

(3248-6/95, 3334-6/97, 3341-10/96, 3378-2/98, 3482-12/00, 3522-2/02, 3553-5/02, 3568-9/02, 3707-6/05, 3774-10/07, 3848-1/10, 3859-2/10, 4038-12/14, 4091-10/16, 4174-3/19)

211.06 CO, CG, and CV Districts—Development Standards

The following schedule prescribes development standards for the CO, CG and CV districts. The first three columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the “Additional Requirements” column refer to standards following the schedule or located elsewhere in the zoning ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions.

CO, CG, and CV Districts: Development Standards

	CO	CG	CV	Additional Requirements
Residential Development				(A)(B)
Nonresidential Development				(B)
Minimum Lot Area (sq. ft.)	10,000	10,000	10,000	(C)
Minimum Lot Width (ft.)	100	100	100	
Minimum Setbacks				
Front (ft.)	10	10	0	(D)(E)(O)
Side (ft.)	5	0	0	(F)
Street Side (ft.)	10	10	0	(E)
Rear (ft.)	5	0	0	(F)
Maximum Height of Structures (ft.)	40	50	50	(F)(G)
Maximum Wall Dimensions				(N)
Maximum Floor Area Ratio (FAR)	1.0	1.5	0.5	

	CO	CG	CV	Additional Requirements
Minimum Site Landscaping (%)	8	8	8	(H)(I)
Building Design Standards				(O)
Fences and Walls				(J)(K)
Off-Street Parking/Loading				(L)
Outdoor Facilities	See § 230.74			(M)
Screening of Mechanical Equipment	See § 230.76			(M)
Refuse Storage Areas	See § 230.78			
Underground Utilities	See Ch. 17.64			
Performance Standards	See § 230.82			
Nonconforming Structures	See Ch. 236			
Signs	See Ch. 233			

CO, CG, and CV Districts: Additional Development Standards

- (A) Dwelling units shall be subject to the standards for minimum setbacks, height limits, maximum density, open space, balconies and bay windows, and parking for the RMH District. The setback standards shall apply only to the stories of a building that are intended for residential use.
- (B) See Section 230.62, Building Site Required, and Section 230.64, Development on Substandard Lots.
- (C) The minimum site area for a hotel or motel is 20,000 square feet.
- (D) See Section 230.68, Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage.
- (E) A minimum 50-foot setback is required along Beach Boulevard, Pacific Coast Highway and Edinger Avenue or 25-foot setback with the setback area entirely landscaped.
- (F) Along a side or rear property line abutting an R district, a 10-foot setback is required, and structures within 45 feet of the district boundary shall not exceed 18 feet in height.
- (G) See Section 230.70, Measurement of Height, and Section 230.72, Exceptions to Height Limits.
- (H) **Planting Areas.**
 - (1) Required front and street side yards shall be planting areas except properties with 50-foot setback shall provide a minimum 10-foot-wide planting area along street frontages.
 - (2) Required side and rear yards shall be planting areas or shall be enclosed by a solid concrete or masonry wall at least six feet in height.
 - (3) Hotels and Motels. A 15-foot-wide landscaped strip shall be provided along all street frontages, except for necessary driveways and walks.
- (I) See Chapter 232, Landscape Improvements.
- (J) See Section 230.88, Fencing and Yards.

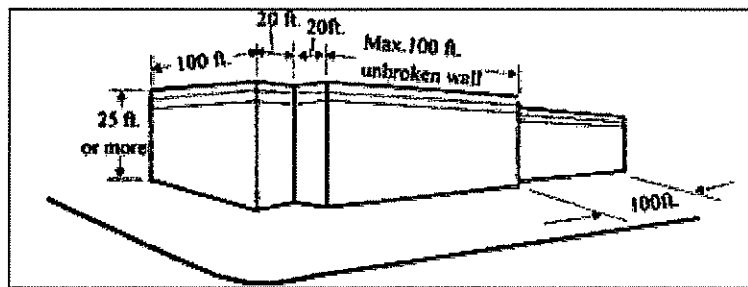
(K) A solid masonry or concrete wall at least six feet in height shall adjoin the site of an existing ground-floor residential use. However, where the portion of the site within 10 feet of the front property line is occupied by planting area or by a building having no openings except openings opposite a street property line, the director may grant an exception to this requirement. A wall within 15 feet of a street property line shall not exceed 3.5 feet in height.

(L) See Chapter 231, Off-Street Parking and Loading.

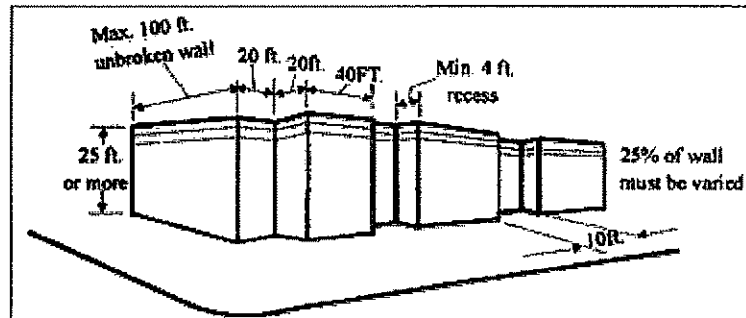
(M) See Section 230.44, Recycling Operations and Section 230.80, Antennae.

(N) A front or street side wall surface shall be no longer than 100 feet without a break, a recess or offset measuring at least 20 feet in depth and one-quarter of the building length, or a series of offsets, projections or recesses at intervals of not more than 40 feet that vary the depth of the building wall by a minimum of four feet. The director may grant exceptions or allow these standards to be modified for exceptional or unique structures subject to Design Review, Chapter 244.

Maximum Wall Length and Required Break



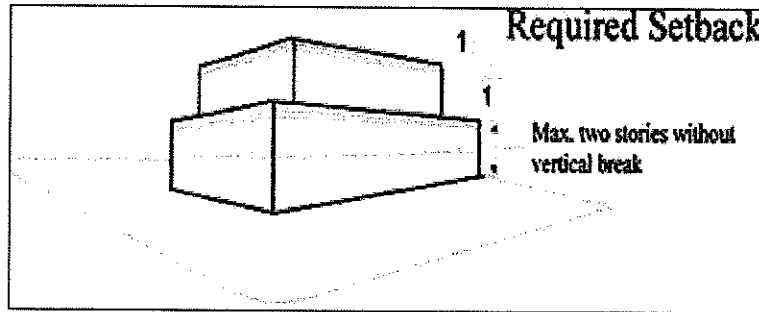
Single Horizontal Offsets: 20 Feet



Variable Offsets: 20 Feet and 4 Feet

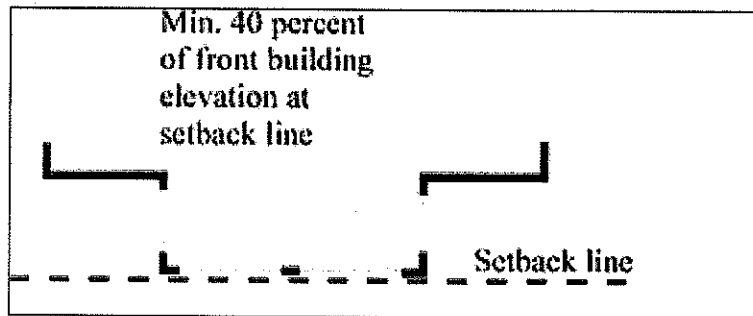
(O) Two building design standards are established to make commercial areas more attractive and provide a unified streetscape:

- (1) In the CV District a 10-foot minimum upper-story setback is required above the second story along street frontages.



CV District: Upper-Story Setback

(2) In the CO and CV Districts, and on frontages adjacent to major or primary arterials in the CG District at least 40% of a building surface may be located at the minimum setback line if additional landscaping is provided on the site.



Building Face at Setback Line

(3707-6/05, 3774-10/07, 4038-12/14, 4174-3/19)

211.08 Review of Plans

All applications for new construction, initial establishment of use, exterior alterations and additions shall be submitted to the Community Development Department for review. Discretionary review shall be required as follows:

- A. **Zoning Administrator Review.** Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots; see Chapter 241.
- B. **Design Review Board.** See Chapter 244.
- C. **Planning Commission.** Projects requiring a conditional use permit from the Planning Commission; see Chapter 241.
- D. **Projects in the Coastal Zone.** A Coastal Development Permit is required unless the project is exempt; see Chapter 245. (3522-2/02, 3868-3/10, 3774-10/07, 4038-12/14, 4091-10/16, 4174-3/19)

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **January 21, 2020**, and was again read to said City Council at a **Regular** meeting thereof held on **February 3, 2020**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, Brenden

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on February 13, 2020.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Donna Switz Deputy City Clerk

Robin Estanislau
City Clerk and ex-officio Clerk
of the City Council of the City
of Huntington Beach, California