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ORDINANCE NO. 2058

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH APPROVING AMENDMENTS TO THE CITY LOCAL COASTAL PROGRAM-IMPLEMENTATION PROGRAM [A.01.020 (B) Coastal Zone zoning map & A.16.030 (G) Downtown Commercial Height Limits Diagram] TO PROVIDE CONSISTENCY WITH CHANGES TO THE RECENTLY UPDATED GENERAL PLAN LAND USE POLICY MAP

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby makes the following findings:

- A. Pursuant to applicable law, the Planning Commission of the City of Manhattan Beach conducted a public hearing on May 26, 2004, and subsequently adopted Resolution PC 04-10, recommending approval of the subject ordinance.
- B. A subsequent City Council public hearing was held, testimony was invited and received on July 20, 2004.
- C. Public noticing included an ad in a newspaper of general circulation (Beach Reporter), a mailed notice to all property owners and residents within 300 feet of the proposed changes, and a courtesy notice mailed to all affected property owners.
- D. The applicant for the subject project is the City of Manhattan Beach.
- E. The subject amendments are located within the Coastal Zone and require an amendment to the City of Manhattan Beach Local Coastal Program-Implementation program.
- F. The purpose of the proposed Amendments is to provide consistency between the recently adopted General Plan; Specifically the Land Use Policy Map of the Land Use Element and the Coastal Zone Zoning Map [A.01.020 (B)].
- G. Amendments to the City Zoning Map change the geographic boundary of the "CD" (Commercial Downtown) District necessitating a change to the "Downtown Commercial Height Limits Diagram" [A.16.030 (G)].
- H. Pursuant to the California Environmental Quality Act (CEQA) and the Manhattan Beach CEQA Guidelines, the subject Amendments are covered by a previously certified Environmental Impact Report (EIR), in accordance with Section 15084(D) 5 of CEQA. The Final EIR covering the proposed amendments was certified by the City of Manhattan Beach on December 2, 2003.
- I. The proposed amendments have been prepared in accordance with the provisions of Sections 30512 and 30513 of the Public Resources Code, and the requirements of Section 13551 et seq. of the California Code of regulations as required by Section A.96.250 of the Local Coastal Program-Implementation Program.
- J. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- K. The proposed amendments are consistent with the City of Manhattan Beach General Plan since the proposed amendments are intended to provide consistency between the recently adopted General Plan; specifically the Land Use Policy Map, and the City Zoning Map. The proposed amendments are inherently consistent with the General Plan.

- L. The proposed amendments within the Coastal Zone are consistent with the coastal policies of the Manhattan Beach Local Coastal Program, and Implementation Program as follows:

Policy II.B.1: Maintain building scale in coastal zone residential neighborhoods consistent with Chapter 2 of the implementation Plan.

The proposed new zoning designations pose no changes to, and are consistent with the building scale in the coastal zone neighborhood and complies with the applicable standards of the Local Coastal Program Implementation Program.

Policy II.B.3: Maintain Coastal Zone residential height limit not to exceed 30' as required by Sections A.04.030 and A.60.050 of Chapter 2 of the Implementation Plan.

The proposed new zoning designations are consistent with the 30' Coastal Zone residential height limit as required by the Local Coastal Program - Implementation Program. Specifically the height limitation within the "RH" zone is 30 feet.

The project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, as follows:

Section 30212 (a) (2): The proposed amendment does not impact public access to the shoreline since all streets, walkways, and other access corridors within the Coastal Zone will remain unchanged.

Section 30221: Present and foreseeable future demand for public or commercial recreational activities are already adequately provided for in the area. The proposed changes are consistent with and reflect the current development pattern of the affected parcels which are currently and historically a residential neighborhood.

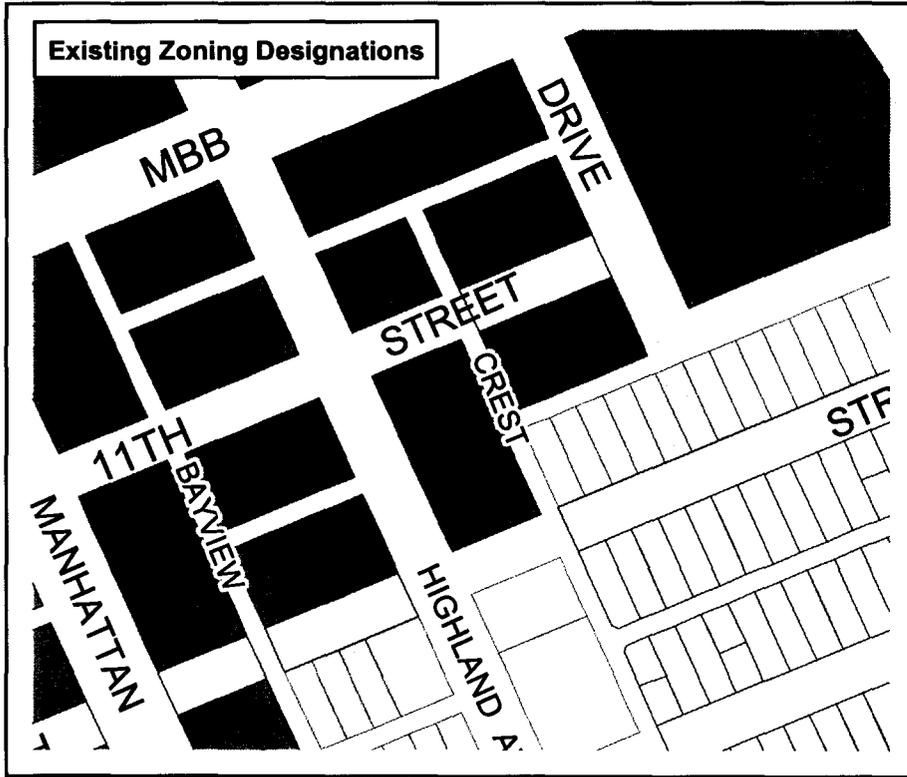
SECTION 2. The City Council of the City of Manhattan Beach hereby approves the proposed amendments to the City Local Coastal Program Implementation Program [A.96.01.020 (B)-Coastal Zone Zoning Map, and A.16.030 (G)-Downtown Commercial District Height Limits Diagram] per the attached exhibits as follows:

Exhibit A. (Downtown Residential Area)

Around the vicinity of 11th Street within the "Downtown Area" it is recommended that the Zoning Map be amended per "Exhibit A" by removing the "CD" (Downtown Commercial) zoning district designation, to be reestablished by the "RH" (Residential High Density) zoning designation. The affected properties are described as follows:

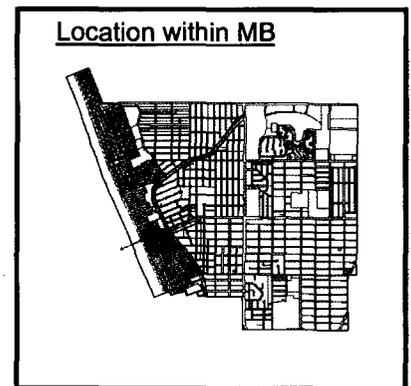
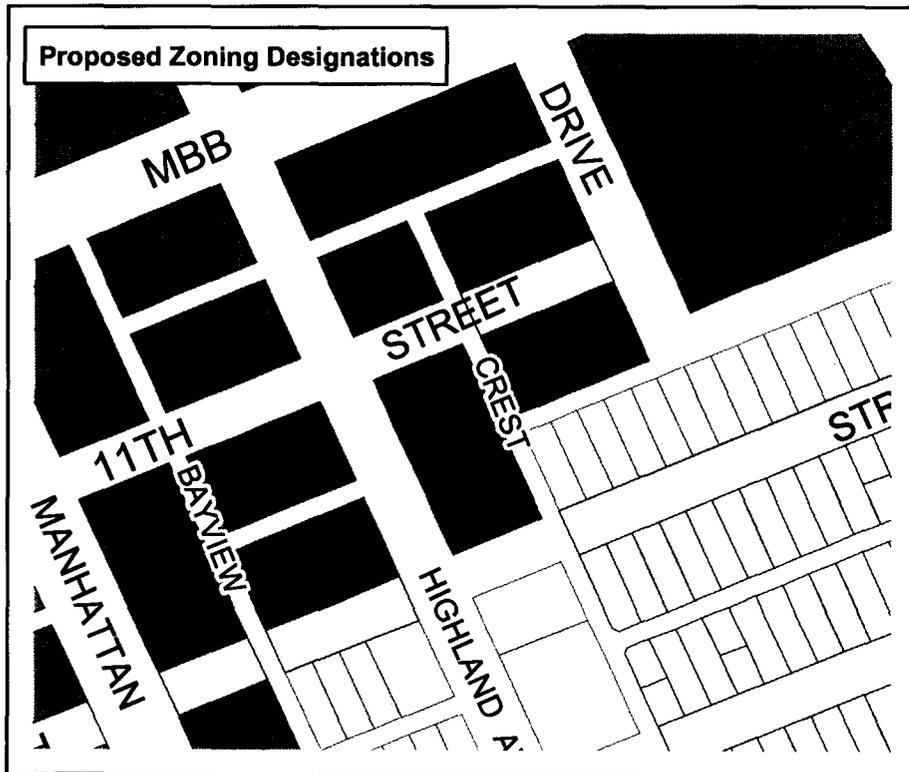
Common	Legal Description
217 and 221 11 th St.	Lot 7, Block 90, Manhattan Beach Division No. 2, Parcel Map 305-46-47
223 11 th St. and 220 11 th Pl.	Lot 8, Block 67, Manhattan Beach Division No. 2
225 11 th St.	Lot 9, Block 67, Manhattan Beach Division No. 2
229 11 th St. and 228 11 th Pl.	Lot 10, Block 67, Manhattan Beach Division No. 2
220 11 th St.	Lot 15, Block 68, Manhattan Beach Division No. 2
224 & 224 ½ 11 th St. and 225 10 th Pl.	Lot 14, Block 68, Manhattan Beach Division No. 2
228 11 th St. and 229 10 th Pl.	Lot 13, Block 68, Manhattan Beach Division No. 2
232 11 th St. and 1017 Highland Ave. AB&C	Lot 12, Block 68, Manhattan Beach Division No. 2
225 10 th St.	Lot 9, Block 68, Manhattan Beach Division No. 2
233 10 th St., 1009 and 1007 Highland Ave.	Lot 11, Block 68, Manhattan Beach Division No. 2
317 11 th St. and 316 11 th Pl.	Lot 14, Block 91, Manhattan Beach Division No. 2
325 11 th St. #'s 1-5	Lot 1, Tract No. 31944

Downtown Residential

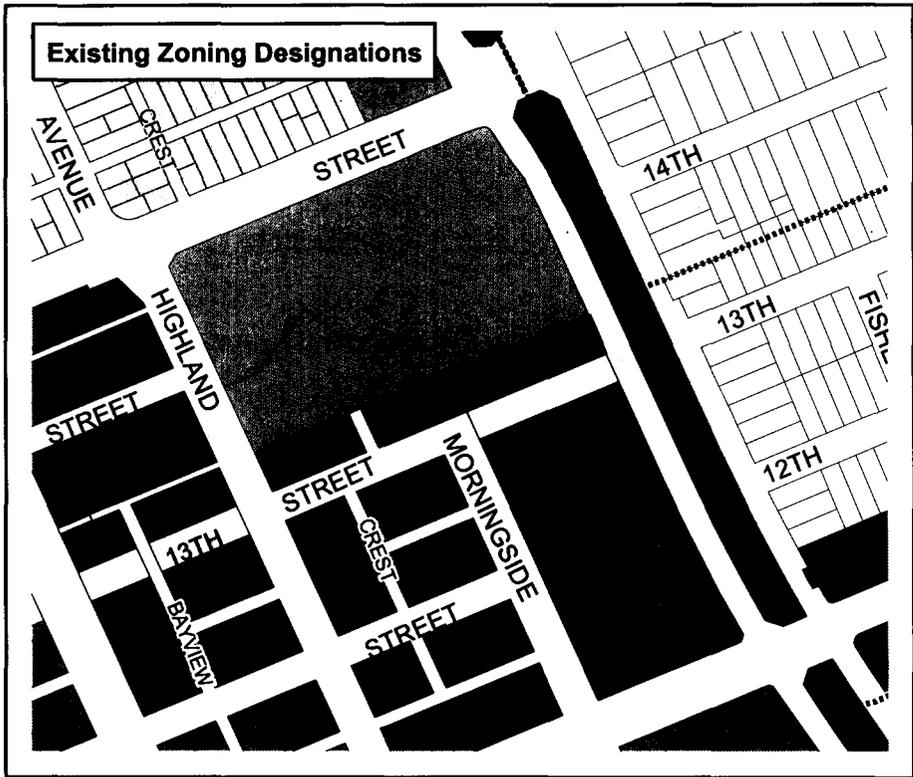


Zoning Designations

- RS Residential Single Family
- RM Residential Medium Density
- Residential High Density
- Residential Planned Development
- Local Commercial
- CC Community Commercial
- General Commercial
- Downtown Commercial
- North End Commercial
- Planned Development
- Industrial Park
- Public and Semi-Public
- Open Space
- Subject Properties

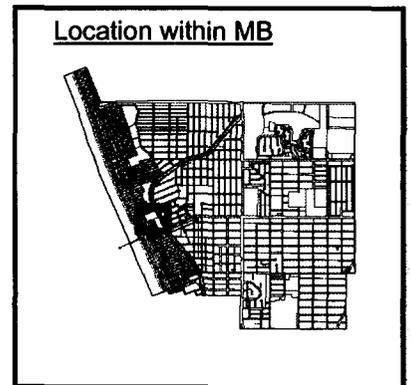
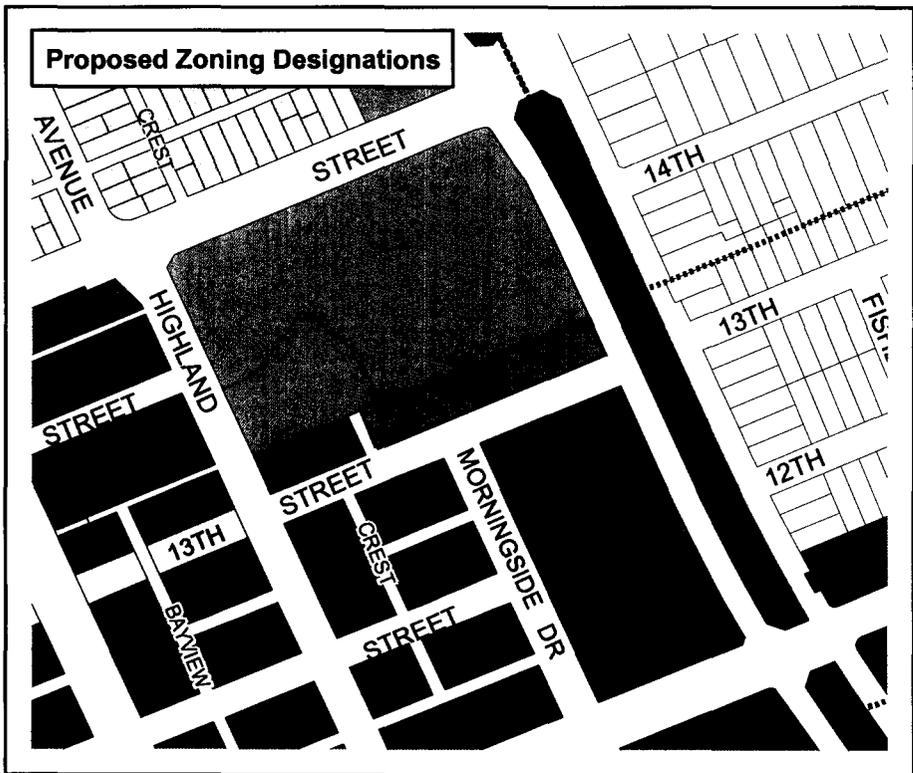


1 inch equals 200 feet



Zoning Designations

- RS** Residential Single Family
- RM** Residential Medium Density
- RHD** Residential High Density
- RPD** Residential Planned Development
- LC** Local Commercial
- CC** Community Commercial
- GC** General Commercial
- DC** Downtown Commercial
- NEC** North End Commercial
- PD** Planned Development
- IP** Industrial Park
- PS** Public and Semi-Public
- OS** Open Space
- SP** Subject Properties



1 inch equals 300 feet

City of Manhattan Beach

CD DOWNTOWN COMMERCIAL DISTRICT HEIGHT LIMITS



 CD Downtown Commercial District Boundary

Maximum Building Heights in Feet

 **A** 30' with parking structure or a pitched roof
22' with a flat roof

 **B** 26'

Section A.16.030(G)

329 11 th St. and 328 11 th Pl.	Lot 3, Block 2, Tract No. 4795
333 11 th St. and 1035 Morningside Dr.	Lot 4, Block 2, Tract No. 4795
320 11 th St.	Lots 19 through 21, Block 3, Tract No. 4795
328 11 th St. and 329 10 th Pl.	Lot 22, Block 3, Tract No. 4795
334 11 th St. and 333 10 th Pl.	Lot 23, Block 3, Tract No. 4795
302 and 304 11 th St.	Lot 1, Block 90, Manhattan Beach Division No. 2, Parcel Map 305-45-47
1016 Highland Ave.	Lot 2, Block 90, Manhattan Beach Division No. 2
1000 Highland Ave., #s1-16	Lots 3 through 6, Block 90, Manhattan Division No. 2

Exhibit B. (Public Safety Facility)

Bounded by Valley Drive to the east, and 13th Street to the west it is recommended that the Zoning Map be amended per "Exhibit C" by removing the "CD" (Downtown Commercial) zoning district designation, to be reestablished by the "PS" (Public and Semi-Public) zoning designation. The affected properties are described as follows:

Common	Legal Description
No Address, City Parking Lot	Approx. the Northerly 66 feet of Lots 1 through 6, Block 95 Manhattan Division No. 2
No Address, City Parking Lot	Lots 9 through 11 Block 94, and Vacant Portion of Morningside Drive, Manhattan Beach Subdivision No. 2

Exhibit C: (Downtown Commercial District Height Limits)

Per Exhibit "C", it is recommended that Section A.16.030 (G) (The Downtown Commercial District Height Limit Diagram) be amended to reflect the zoning changes within the Downtown Area.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 4. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other ordinances of the City, to the extent that they are inconsistent with this ordinance, and no further, are hereby repealed.

SECTION 5. This notice shall be published by one insertion in the Beach Reporter, the official newspaper of the City, and this ordinance shall take effect and be in full force and operation thirty (30) days after its final passage and adoption.

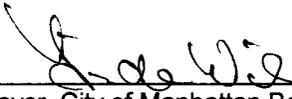
SECTION 6. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other ordinances of the City, to the extent that they are inconsistent with this ordinance, and no further, are hereby repealed.

SECTION 7. The City Clerk shall certify to the adoption of this ordinance; shall cause the same to be entered in the book of original ordinances or said City; shall make a minutes of the passage and adoption thereof in the records of the meeting at which the same is passed and adopted; and shall within fifteen (15) days after the passage and adoption thereof cause the same to be published by one insertion in *The Beach Reporter*, the official newspaper of the City and a weekly newspaper of general circulation, published and circulated within the City of Manhattan Beach hereby designated for that purpose.

SECTION 8. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

PASSED, APPROVED AND ADOPTED this 3rd day of August, 2004.

Ayes: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.
Noes: None.
Absent: None.
Abstain: None.



Mayor, City of Manhattan Beach, California

ATTEST:



City Clerk