

## **ORDINANCE NO. 16-0030**

### **AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING THE LOCAL COASTAL PROGRAM'S LAND USE POLICY AND ZONING MAPS AND IMPLEMENTING ORDINANCE SECTION A.16.030(G) TO RECONCILE DESIGNATION NOMENCLATURE AND MAP INCONSISTENCIES**

#### **RECITALS**

1. In 1981, the California Coastal Commission (“Coastal Commission”) certified the Local Coastal Program (“LCP”) for the City of Manhattan Beach (“City”). From 1992 through 1994, the City adopted and submitted to the Coastal Commission amendments to the LCP Land Use Plan (“LUP”), which the Coastal Commission partially certified. The Coastal Commission requested modifications to the Coastal Zoning Maps and Land Use Policy Map related to designations for the El Porto area, the Metlox site, and the Santa Fe railroad right-of-way, and to certain designation titles, as well as a Coastal Access Map and text amendments to define the Local Coastal Permit jurisdiction on the west side as the mean high tide line. Although the City incorporated the requested map modifications into its LCP, the City did not submit them or the text amendments back to the Coastal Commission for formal certification and they were thus not formally incorporated into the LCP.
2. In 2003, the City adopted a General Plan Update with a Housing Element and associated amendments to its zoning map and zoning code. These actions resulted in two changes within the Downtown area of the Coastal Zone.
  - A small defined area with 28 properties was re-designated from Downtown Commercial (CD) to High-Density Residential (RH) to: (i) reflect the current and long-standing use of the 28 properties and (ii) to be consistent with the General Plan’s Housing Element.
  - A sliver of land north of 13th Street was re-designated from Downtown Commercial to Public Facilities because of planned construction of a Public Safety Facility.
3. In 2004, the City adopted and submitted corresponding amendments to the LCP Implementation Plan (“LIP”) to reflect the revised designations in the Coastal Zone Zoning Map and the designation boundaries in the Downtown Height Limits Diagram accompanying section A.16.030(G). Although the City also adopted corresponding amendments to the LUP’s Land Use Policy Map, those changes were not submitted to the Coastal Commission and the Coastal Commission deemed the submittal incomplete. Because no further action was taken, these amendments were not certified.
3. In accordance with the City’s prior submittals and the Coastal Commission’s requests in 1994 and 2004, the City desires to reconcile designation nomenclature and resolve

inconsistencies between the City's LCP and the City's adopted General Plan, zoning map, and zoning code. These LCP amendments correct the prior procedural deficiencies and are consistent with long-standing and actual land uses. As such, they do not change actual land uses or land use policies in the Coastal Zone. Instead, they merely reconcile inconsistencies and formalize prior amendments.

NOW THEREFORE, THE MANHATTAN BEACH CITY COUNCIL HEREBY FINDS AND ORDAINS AS FOLLOWS:

**SECTION 1.** On December 6, 2016, the City Council held a duly noticed public hearing to consider amendments to the LCP's Land Use Policy Map and zoning maps and to LIP Zoning Ordinance Section A.16.030(g) to reconcile designation nomenclature and map inconsistencies. After a duly noticed public hearing held on October 26, 2016, the Planning Commission recommended by Resolution No. PC 16-08 that the City Council adopt these LCP amendments.

**SECTION 2. CEQA.** In accordance with the California Environmental Quality Act ("CEQA"), the City prepared an Initial Study/Mitigated Negative Declaration ("MND"), which analyzed the Downtown Specific Plan and amendments to the General Plan, zoning map, zoning code, and Local Coastal Program, including the amendments herein ("Project). By Resolution No. 16-0075, the City Council made CEQA findings and adopted the MND and Mitigation Monitoring and Reporting Program for the Project. The CEQA findings and MND adoption in Resolution No. 16-0075 are incorporated hereto as if set forth in full. In addition, pursuant to Public Resources Code Section 21080.9, CEQA does not apply to activities and approvals by the City necessary for the preparation and adoption of an LCP amendment. The proposed action is an amendment to the City's LCP, which must be certified by the Coastal Commission before it takes effect.

**SECTION 3.** The proposed LCP amendments are consistent with the General Plan because they resolve the LCP's existing inconsistencies with the City's land use designations and existing conditions in the Downtown area.

**SECTION 4.** The City Council hereby replaces the Coastal Zone Land Use Plan, Land Use Policy Map with the map attached as **Exhibit A**.

**SECTION 5.** The City Council hereby adopts the Coastal Zone Access Map attached as **Exhibit B**.

**SECTION 6.** The City Council hereby replaces the Coastal Zone Zoning Map, which was adopted by Ordinance No. 1899 and is referenced in LIP Zoning Ordinance Section A.01.020(B), with the map attached as **Exhibit C** to be located after page IV-2 of the Coastal Zone Land Use Plan.

**SECTION 7.** The City Council hereby replaces the Downtown Commercial District Height Limits Diagram in LIP Zoning Ordinance, Chapter A.16, Section A.16.030(G) with the diagram attached as **Exhibit D**.

**SECTION 8.** The City Council hereby amends the Local Coastal Program Phase II Land Use Plan Amendment, January 1994, Section I, Executive Summary, Coastal Zone, to revise the third paragraph on page I-2 to read as follows:

**“Coastal Zone**

The City’s Local Coastal Permit Jurisdiction is within the City of Manhattan Beach coastal zone. The east Manhattan Beach coastal zone boundary, for the most part, is the dividing line between the RS and RM zoned properties in the beach area. The north and south boundaries are city limit lines, and the west boundary is the mean high tide line of the Pacific Ocean. (See Map I-1) The coastal zone is divided into three statistical areas (Map I-2): Area A, which is the area north of Manhattan Beach Boulevard; Area B is the neighborhood south of Manhattan Beach Boulevard; and then the El Porto area, which is north of area A, annexed to the City after the original certification of this Plan. Area A is also a subsection of census tract 6203.02, and coastal area B is a subsection of census tract 6209.02. The El Porto area is within census tract 6202. It must be kept in mind therefore that the coastal zone statistics are extrapolations of the greater census tracts in which they are contained. (Area divisions are delineated on Map I-2). The revised Table I-1 delineates coastal zone housing and population statistics which gives a brief overview of Manhattan Beach coastal zone specifics.”

**SECTION 9. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

PASSED, APPROVED and ADOPTED by the Manhattan Beach City Council on December 20, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

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David Lesser  
MAYOR PRO TEM

ATTEST:

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Liza Tamura  
CITY CLERK

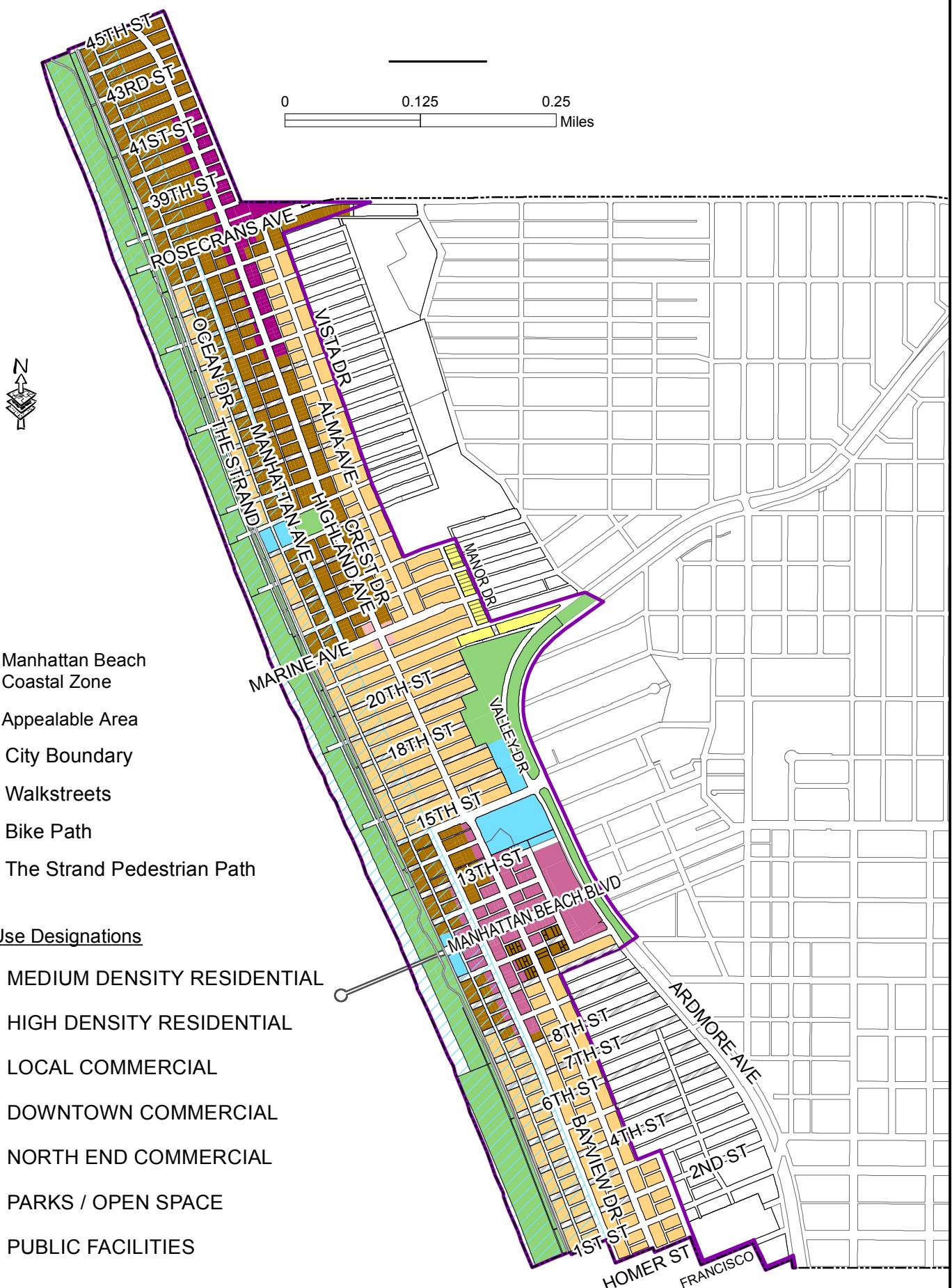
APPROVED AS TO FORM:

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Quinn M. Barrow  
CITY ATTORNEY

# Exhibit A

## Coastal Zone Land Use Plan, Land Use Policy Map



**Exhibit B**  
Coastal Zone Access Map

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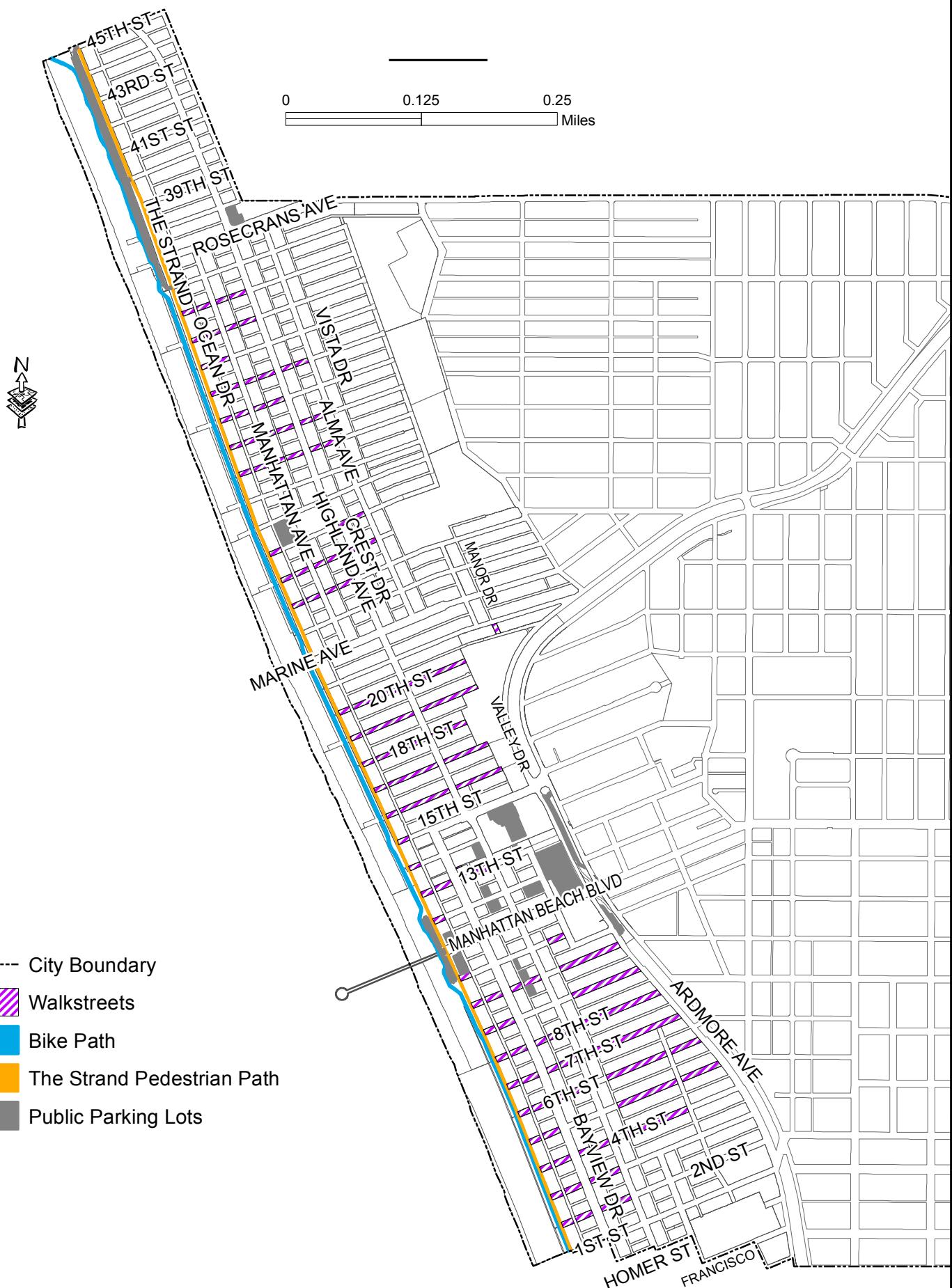


Exhibit C  
Coastal Zone Zoning Map

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0 0.125 0.25 Miles



- Manhattan Beach Coastal Zone
- Appealable Area
- City Boundary
- Walkstreets
- Bike Path
- The Strand Pedestrian Path

Zoning Designations

- RM Residential Medium Density
- RH Residential High Density
- CL Local Commercial
- CD Downtown Commercial
- CNE North End Commercial
- D5 - Design Review North End Commercial
- PS Public and Semi-Public
- OS Open Space



## Exhibit D

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# Downtown Commercial District Height Limits Diagram



-  CD Downtown Commercial District Boundary
- Maximum Building Heights (Feet)
  -  A 30' with parking structure or a pitched roof  
22' with a flat roof
  -  B 26'

## Section 10.16.030(G)