

ORDINANCE NO. 16-0031

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING THE LOCAL COASTAL PROGRAM'S IMPLEMENTATION PLAN TO INCORPORATE THE DOWNTOWN SPECIFIC PLAN

RECITALS

1. In 1981, the California Coastal Commission ("Coastal Commission") certified the Local Coastal Program ("LCP") for the City of Manhattan Beach ("City"). Concurrently with this submittal, the City submitted to the Coastal Commission a request to amend the LCP to reconcile designation nomenclature and other inconsistencies due to procedural deficiencies in prior LCP amendment submittals. Those recent LCP amendments (the "corrective amendments") if certified, make the LCP consistent with the City's General Plan, zoning map, zoning code, and current and long-standing land uses.
2. The City has adopted a Downtown Specific Plan for the Downtown area, which is entirely within the Coastal Zone. Concurrent with adoption of the Downtown Specific Plan, the City amended the General Plan, zoning map, and zoning code to acknowledge and reference the Downtown Specific Plan. Amendments to the General Plan, zoning map, and zoning code did not alter the land use designations within the Specific Plan area, but designated the area as the "Downtown Specific Plan Area" and the "D8—Downtown Specific Plan" design overlay district.
3. The land use designations in the Downtown Specific Plan are consistent with the land use designations identified in the adopted General Plan, zoning code, zone map, and the LCP with the recent corrective amendments. The Downtown Specific Plan incorporated existing land use designations together with new development standards, policies and design guidelines for the area.
4. Given that the Downtown Specific Plan would establish new development standards and guidelines and would re-locate the operative land use regulations to the Downtown Specific Plan, the City desires to amend the Land Use Policy Map and Implementation Plan ("LIP") to reflect the amended zoning code and Downtown Specific Plan.

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

SECTION 1. After a duly noticed public hearing held on October 26, 2016, the Planning Commission recommended by Resolution No. PC 16-09 that the City Council adopt these amendments to the LIP Zoning Ordinance to incorporate the Downtown Specific Plan. On December 6, 2016, the City Council held a duly noticed public hearing to consider adoption of these 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 mirror concurrent amendments to the General Plan and Downtown Specific Plan. In addition, the LCP amendments to the LIP Zoning Ordinance are consistent with LCP and General Plan policies for the reasons set forth in the Land Use and Planning section of the MND, as corrected to reflect that the Downtown Specific Plan’s 2-foot height increase applies to elevator shafts only, the relevant excerpt of which is attached as **Exhibit C** and incorporated hereto as if set forth in full.

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 replaces the Coastal Zone Zoning Designations Map referenced in LIP Zoning Ordinance Section A.01.020 (B) with the map attached as **Exhibit B**, to be located after page IV-2 of the Coastal Zone Land Use Plan.

SECTION 6. The City Council hereby amends LIP Zoning Ordinance, Chapter, A.01 (General Provisions), Section A.01.040 to read as follows:

“A.01.040. Organization.

A. **Structure of Regulations.** The zoning regulations are divided into five parts:

- Part I: General Provisions
- Part II: Base District Regulations
- Part III: Overlay District Regulations
- Part IV: Site Regulations
- Part V: Administrative Regulations

In addition, Appendix A is the Downtown Specific Plan and it contains the governing regulations for the Downtown Specific Plan Area.

B. **Types of Regulations.** Three types of zoning regulations control the use and development of property:

1. **Land Use Regulations** specify land uses permitted, conditionally permitted, or prohibited in each district, and include special requirements, if any, applicable to specific uses. Land use regulations for base zoning districts are in Part II of the zoning regulations; land use regulations for

overlay districts are in Part III. Certain regulations, applicable in all or several districts, are in Part IV.

2. Development Regulations control the height, bulk, location, and appearance of structures on development sites. Development regulations for base zoning districts and area districts are in Part II of the zoning regulations; development regulations for overlay districts are in Part III. Certain development regulations, applicable in more than one class of base or overlay districts, are in Part IV. These include regulations for site development, parking and loading, signs and nonconforming uses and structures.
3. Administrative Regulations contain detailed procedures for the administration of zoning regulations, including requirements for notice and public hearings on use permits and variances; minor exceptions; condominium conversions; development agreements; amendments; appeals of zoning decisions; and enforcement. Administrative regulations are in Part V.

SECTION 7. The City Council hereby amends LIP Zoning Ordinance, Chapter A.12 (Residential Districts), Section A.12.020 to replace the first paragraph as follows:

“A.12.020. Land use regulations: RM and RH districts.

In the following schedule, the letter "P" designates use classifications permitted in residential districts. The letter "L" designates use classifications subject to certain limitations prescribed under the "Additional Use Regulations" which follows. The letter "U" designates use classifications permitted on approval of a use permit, as provided in Chapter A.68. The letters

"P/U" for accessory uses mean that the use is allowed on the site of a permitted use, but requires a use permit on the site of a conditional use. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

In addition to these regulations, the Downtown Specific Plan governs the R Residential District within the Downtown Specific Plan Area, as shown on the Coastal Zone zoning map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan area.”

SECTION 8. The City Council hereby amends LIP Zoning Ordinance Chapter A.12 (Residential Districts), Section A.12.030 to replace the first paragraph as follows:

“A.12.030. Property development regulations: RM and RH districts.

The following schedule prescribes development regulations for residential zoning districts in each Area District, as defined in Section A.01.060(A)(2) and designated on the zoning map. The columns establish basic requirements for permitted and conditional uses; letters in parentheses in

the “Additional Regulations” column refer to “Additional Development Regulations” following the schedule. This section shall not be amended to increase the Standards for Maximum Height of Structures or Maximum Buildable Floor Area, or to reduce the Standards for Minimum Setbacks, Minimum Lot Dimensions or Minimum Lot Area Per Dwelling Unit, unless the amendment is first submitted to a city-wide election and approved by a majority of the voters.

In addition to these regulations, the Downtown Specific Plan governs the RH Residential High Density District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.”

SECTION 9. The City Council hereby amends LIP Zoning Ordinance Chapter A.16 (C Commercial Districts), Section A.16.010 (Specific purposes) to replace the CD Downtown Commercial District paragraph to read as follows:

“CD Downtown Commercial District. To provide opportunities for commercial, mixed use, residential, public, and semipublic uses ~~that are appropriate for the Downtown area.~~ preserve and enhance the small town character of the downtown area, the heart of the community. This district is intended to ~~accommodate a broad range of community businesses and to serve beach visitors.~~ create a vibrant, charming area consistent with the vision and goals for the Downtown Specific Plan.”

SECTION 10. The City Council hereby amends the LIP Zoning Ordinance Chapter A.16 (C Commercial Districts), Section A.16.020 to replace the first paragraph and tables as follows, with no amendments to the lettered “Additional Land Use Regulations”:

“A.16.020. CL, CD, CNE districts: land use regulations.

In the following schedules, the letter "P" designates use classifications permitted in commercial districts. The letter "L" designates use classifications subject to certain limitations prescribed by the "Additional Use Regulations" that follow. The letter "U" designates use classifications permitted on approval of a use permit. The letters "P/U" for an accessory use mean that the use is permitted on the site of a permitted use, but requires a use permit on the site of a conditional use. Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Regulations" column refer to regulations following the schedule or located elsewhere in this title. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

In addition to these regulations, the Downtown Specific Plan governs the CD District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.

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CL, CD, and CNE DISTRICTS: LAND USE REGULATIONS	P — Permitted U — Use Permit L — Limited, (See <u>Additional Use Regulations</u>) - — Not Permitted * -- see <u>Downtown Specific Plan</u>

	CL	CD*	CNE	Additional Regulations
Residential				
Day Care, Small Family Home	P		L-11	
Day Care, Large Family Home	L-23		L-23	
Single-Family Residential	U		L-11	(I)(J)
Multi-Family Residential	U		U	(I)(J)
Public and Semipublic				(A)
Clubs and Lodges	U		U	
Cultural Institutions	U		U	
Day Care, General	U		U	
Emergency Health Care	U		U	
Government Offices	L-10		P	
Hospitals	-		-	
Park & Recreation Facilities	P		P	
Public Safety Facilities	U		U	

Religious Assembly	L-21		-	
Residential Care, General	-		-	
Schools, Public or Private	U		-	
Utilities, Major	U		U	
Utilities, Minor	P		P	
Commercial Uses				(B)(K)(L)
Adult Businesses	-		-	(C)
Ambulance Services	-		-	
Animal Sales & Services				
Animal Boarding	-		-	
Animal Grooming	P		P	
Animal Hospitals	-		-	
Animals				
Retail Sales	P		P	
Artists' Studios	P		P	
Banks and Savings & Loans	P		P	
With Drive-Up Service	-		-	
Body Art Studios	-		-	(N)
Building Materials and Services	-		-	
Catering Services	P		P	

Commercial Filming	U		U	
Commercial Recreation and Entertainment	-		L-7	(D)
Communication Facilities	-		P	
Eating and Drinking Establishments	U		U	(E)
w/ Fast-Food or Take-Out Service	U		L-7	
Drive-Through	-		-	
Food and Beverage Sales	L-9		L-9	
Funeral and Interment Services	-		-	
Laboratories	-		-	
Maintenance and Repair Services	P		P	
Nurseries	P		-	
Offices, Business and Professional	P		L-24	
Pawn Shops	-		-	
Personal Improvement Services	P		P	
Personal Services	P		P	
Psychic Advisor	-		-	
Research and Development Services	-		-	
Retail Sales	P		P	
Secondhand Appliances/Clothing	-		U	

Swap Meets, Recurring Travel Services	P		P	
Vehicle Equipment/Sales and Services				
Automobile Rentals	-		-	
Automobile Washing	-		-	
Commercial Parking	-		U	
Service Stations	U		-	(F)
Vehicle Equip. Repair	-		-	
Vehicle Equip. Sales and Rentals	-		-	
Vehicle Storage	-		-	
Visitor Accommodations				
Hotels and Motels and Time Shares	-		U	
Residential Hotels	-		-	
Warehousing and Storage, Ltd.	-		-	
Industrial				(B)
Industry, Custom	L-7		L-7	
Industry, Limited	-		-	
Wholesaling, Distribution and Storage	-		-	
Accessory Uses				
Accessory Uses and Structures	P/U		P/U	

Temporary Uses				(G)
Animal Shows	-		-	
Christmas Tree Sales/Pumpkin Sales	P		P	
Circus and Carnivals	-		U	
Commercial Filming, Limited	-		U	
Food Truck Sales	-		-	
New Year's Eve	U		U	
Real Estate Sales	P		P	
Retail Sales, Outdoor	P		P	
Street Fairs	U		U	
Trade Fairs	-		-	
Nonconforming uses				(H)
<u>Mixed Use</u>	<u>U</u>		<u>U</u>	

“

SECTION 11. The City Council hereby amends LIP Zoning Ordinance Chapter A.16 (C Commercial Districts), Section A.16.020 to amend the lettered “Additional Land Use Regulations” table, item L-11 to read as follows:

“A.16.020. CL, CD, CNE districts: land use regulations.

C Districts: Additional Land Use Regulations

L-11 ~~Permitted except in areas subject to a D5 Design Overlay District where a use permit is required except for single family residences fronting on Crest Avenue, which are permitted.~~ Single-family residential permitted if located (1) on a site which fronts on Crest Drive; or (2) on the rear half of a site which fronts on Highland Avenue; or (3) on a site which fronts on the east side of Highland Avenue between 38th Place to the south and Moonstone Street to the north; or (4) on a site which does not abut Rosecrans Avenue or Highland Avenue; otherwise a use permit is required. “

SECTION 12. The City Council hereby amends and restates LIP Zoning Ordinance, Chapter A.16 (C Commercial Districts), Section A.16.030 to read as follows:

“A.16.030. CL, CD, and CNE districts: development regulations.

The following schedule prescribes development regulations for the CL, CD, and CNE districts. The first five (5) columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Regulations" column reference regulations following the schedule or located elsewhere in the Zoning Ordinance.

In addition to these regulations, the Downtown Specific Plan governs the CD District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.

	CL	CD*	CNE	Additional Regulations
Residential Development				(A)(B) (O)
Nonresidential Development				(O) (P) (Q)
Minimum Lot Area (sq. ft.)	4,000		2,700	(B)
Minimum Lot Width (ft.)	40		30	(B)
Minimum Setbacks				(B)(C)

Front (ft.)	-		-	(D)
Side (ft.)	-		-	(E)
Corner Side (ft.)	-		-	(D)
Rear (ft.)	-		-	(E)
Maximum Height of Structures (ft.)	30		30	(F)(H)
Maximum Floor Area Factor (FAF)	1.0		1.5	
Minimum Site Landscaping (%)	8		-	(I)
Fences and Walls				(K)
Off-Street Parking and Loading	8			(N)
Outdoor Facilities	See Section A.60.080			(O)
Screening of Mechanical Equip.	See Section A.60.090			
Refuse Storage Areas	See Section A.60.100			
Underground Utilities	See Section A.60.110			
Performance Standards	See Section A.60.120			
Nonconforming Structures	See Section A.68			
Signs	See Section A.72			
Telecommunications Facilities	See Section 13.02			

Mixed Use Development	U		U	(B)(R)
CL, CD*, and CNE Districts: Additional Development Regulations				
<i>*see Downtown Specific Plan</i>				

**CL, CD, and CNE Districts:
Additional Development Regulations**

(A) Dwelling units shall be subject to the standards for minimum setbacks, height limits, maximum density, maximum FAR, balconies and bay windows, usable open space and parking for the RH District and the Area District in which the site is located. The setback standards shall apply only to the stories of a building that are intended for residential use.

Dwelling units as the sole use on a site shall be subject to the standards for residential development in the RH district and the area district in which the site is located, except as follows:

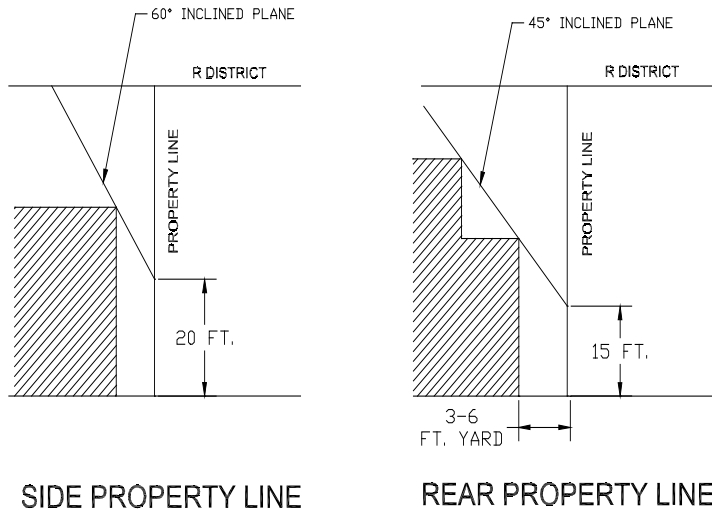
(1) CD district: the commercial standard for building height shall apply when dwelling units replace commercial use.

(2) CNE district, D-5 overlay: if an RH district standard conflicts with an overlay standard (Section A.44.040), the overlay standard shall apply.

(B) See Section A.60.020: Development of substandard lots.

(C) See Section A.60.040: Building projections into yards and required open space. Double-frontage lots shall provide front yards on each frontage.

(E) Along a rear property line abutting an R district, structures shall not intercept a 1:1 or 45-degree daylight plane inclined inward from a height of 15 feet above existing grade at the property line. Along a side property line abutting an R district, structures shall not intercept a 60-degree daylight plane inclined inward from a height 20 feet above existing grade at the property line.



**REQUIRED DAYLIGHT PLANE
AT ADJOINING DISTRICTS**
(THE DIAGRAM IS ILLUSTRATIVE)

- (F) A roof pitch of at least 4 vertical feet for each 12 lineal feet of roof area is required. If the roof pitch is less, the maximum building height is 22 feet unless structure parking is provided at or below the ground level.
- (G) (Reserved)
- (H) See Section A.60.050: Measurement of height, and Section A.60.060, Exceptions to height limits.
- (I) Planting Areas:
 - (1) Required yards shall be enclosed by a solid concrete or masonry wall at least 6 feet in height or shall be planting areas, provided that a wall within 15 feet of a street property line shall not exceed 3 feet in height.
 - (2) For additional site landscaping requirements, see Section 10.60.070: Landscaping, irrigation and hydroseeding. Conformance with the design standards specified in Section 10.60.070 may result in a total site landscaping requirement that exceeds the minimum site requirements of this Section (10.16.030).
- (J) (Reserved)
- (K) **Fences and Walls.** A solid masonry or concrete wall is required for all commercial properties where they abut or adjoin a ground floor residential use or residentially zoned property. The minimum height of a fence or wall is 6 feet as measured from the finished grade of the commercial property. However, a wall within 5 feet of a street property line shall be a minimum of 3 feet in height as measured from the residential property.

The maximum height of a fence or wall shall be 8 feet as measured from the finished grade of commercial property unless a greater height is mutually agreed upon for a common property line by the abutting property owners and approved by the Community Development Department.

(L) (Reserved)

(M) (Reserved)

(N) See Chapter A.64: Off-Street parking and loading regulations.

(O) See Section A.60.140: Solar-assisted water heating.

(P) In commercial zones, vehicular access to parking shall be from the alley abutting the property. If such alley is not available, access shall be from an east west street. If neither the alley nor the east west street is feasible, access shall be taken from another vehicular street.

(Q) The Highland Marine commercial node shall not expand, nor shall uses such as parking ancillary to commercial uses be established in the adjacent residential zoned district.“

(R) In a mixed use development, the residential standards for the RH district and area district in which the site is located shall apply to a building or portion of a building intended for residential use, and commercial standards shall apply to a building or portion of building intended for commercial use, except as follows:

(1) CD district:

FAR and Building Height shall comply with applicable requirements in the Downtown Specific Plan.

(2) CL and CNE districts:

(a) FAR: the commercial standard for maximum FAR shall apply to the entire project.

(b) CNE district D-5 overlay: if an RH district or commercial standard conflicts with an overlay standard (Section A.44.040), the overlay standard shall apply.

SECTION 13. The City Council hereby amends and restates LIP Zoning Ordinance, Chapter A.24 (OS Open Space District), Section A.24.020 to read as follows:

“A.24.020. Applicability.

The OS district shall be the base district for the use classifications listed in Section A.24.030 where these classifications have a minimum contiguous site area of 2 acres, including alleys, streets or other rights-of-way. Open-space recreation use classifications on sites of less than 2 acres shall be subject to the regulations of the base and overlay districts in which they are located. In the Coastal Zone, no residential or commercial use is permitted on open space land even if it is less than two acres.

In addition to these regulations, the Downtown Specific Plan governs all sites within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.”

SECTION 14. The City Council hereby amends and restates LIP Zoning Ordinance, Chapter A.28 (PS Public and Semipublic District), Section A.28.020 to read as follows:

“A.28.020. Applicability.

The regulations of the PS District shall preclude the regulations of any base district for the use classifications listed in Section A.28.030, where these uses are permitted in the base district, and have a contiguous site area of 2 acres or more, including alleys, streets, or other rights-of-way. Public and semipublic use classifications on sites of less than 2 acres shall be subject to the regulations of the base and overlay districts in which they are located.

In addition to these regulations, the Downtown Specific Plan governs all sites within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.”

SECTION 15. The City Council hereby amends and restates LIP Zoning Ordinance, Chapter A.44 (D Design Overlay District), Section A.44.010 to read as follows:

“A.44.010. Specific purpose and applicability.

The specific purpose of the D Design Overlay District is to provide a mechanism to establish specific development standards and review procedures for certain areas of the Coastal Zone with unique needs, consistent with General Plan and Local Coastal Plan policies. This will ensure that the low-profile image of the community is preserved and neighborhoods protected from adverse effects of noise and traffic. It also will prevent development that may be detrimental to these areas, such as buildings that affect the privacy of adjoining properties or increases shadows.

The one area Two areas within the Coastal Zone which has have been designated as a Design overlay district is located within. The Downtown area is designated D-8—Downtown Specific Plan area because special development criteria and design guidelines are needed to perpetuate quality development, complement and enhance the area’s eclectic style and small town character and encourage Downtown’s future economic vitality.-a A portion of the CNE designation near Highland Avenue and Rosecrans Avenue is designated D5—North end commercial because special design standards are needed for the North End Commercial Area to accommodate additional residential development.”

SECTION 16. The City Council hereby amends LIP Zoning Ordinance, Chapter A.44 (D Design Overlay District), Section A.44.040 to replace the first paragraph and tables as follows, with no amendments to the lettered “Additional Regulations”:

“A.44.040. Building permits to conform to overlay district regulations.

Applications for building permits for projects within a D overlay district shall be accepted only if project plans are consistent with the development regulations of this chapter and with all other applicable requirements of the Municipal Code. The Downtown Specific Plan governs the D8-Downtown Specific Plan Area.

D DESIGN OVERLAY DISTRICT: DEVELOPMENT REGULATIONS	
D5—North End Commercial	<u>D8—Downtown Specific Plan Area*</u>
<i>*see Downtown Specific Plan</i>	

	D-5	<u>D-8*</u>

Minimum Site Area	-	
Maximum Building Height (ft.)	30 ^(g)	
Minimum Lot Area per Dwelling Unit (sq. ft.)	-	
Maximum Fence Height (ft.)	-	
Landscaped Buffer Adjacent to Street (Required width in ft.)	(k)	
Minimum Front Setback, Upper Story (ft.)	(h)	
Minimum Side Setback (ft.)	-	
Required Roof Design	-	
Required Building Design	-	
Vehicular Access	(i)	
Reduced Parking	(j)	

Use Permit Required		
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SECTION 17. The City Council hereby amends and restates LIP Zoning Ordinance Chapter A.68 (Nonconforming Uses and Structures), Section A.68.010 and its title to read as follows:

“A.68.010. Specific purposes and applicability.

This chapter is intended to limit the number and extent of nonconforming uses by restricting their enlargement, prohibiting their re-establishment after abandonment, and their alteration or restoration after destruction of the structures they occupy. While permitting the use and maintenance of nonconforming structures, this chapter is intended to limit the number and extent of nonconforming structures by regulating and limiting their being moved, altered, or enlarged in a manner that would increase the discrepancy between existing conditions and the standards prescribed in this chapter and by prohibiting (commercial structures only) their restoration after destruction.

In addition to this Chapter 10.68, the Downtown Specific Plan governs nonconforming uses within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between this Chapter and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.”

SECTION 18. The City Council hereby amends LIP Zoning Ordinance Chapter A.84 (Use Permits, Variances and Minor Exceptions), Section A.84.060 to add new subsection C and amend re-lettered subsection D as follows:

- “C. **Downtown Properties.** In addition to the findings in (A) or (B) above and any other requirement in this Chapter, the findings and requirements in the Downtown Specific Plan shall apply to all sites within the Downtown Specific Plan Area, as shown on the Zoning Map.
- D. **Mandatory Denial.** Failure to make all the required findings under subsections (A), (B), or (C) shall require denial of the application for use permit or variance.”

SECTION 19. The City Council hereby amends LIP Zoning Ordinance Chapter A.84 (Use Permits, Variances and Minor Exceptions), Section A.84.120 to add new subsection J to read as follows:

- “J. **Downtown Properties.** In addition to this section and any other requirement in this Chapter, the Downtown Specific Plan governs within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between this section and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.”

SECTION 20. By interim Ordinance No. 16-0013-U, the City Council on August 16, 2016, extended through July 5, 2017, the interim land use regulations established in Ordinance No. 16-0009-U. These interim regulations require a use permit to establish certain uses in the Downtown Commercial Zone. Unless extended, Ordinance No. 16-0013-U shall expire 30 days after the Coastal Commission certifies the amendments in this Ordinance or upon its expiration date of July 5, 2017, whichever occurs first.

SECTION 21. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 22. 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 __, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

David Lesser
MAYOR PRO TEM

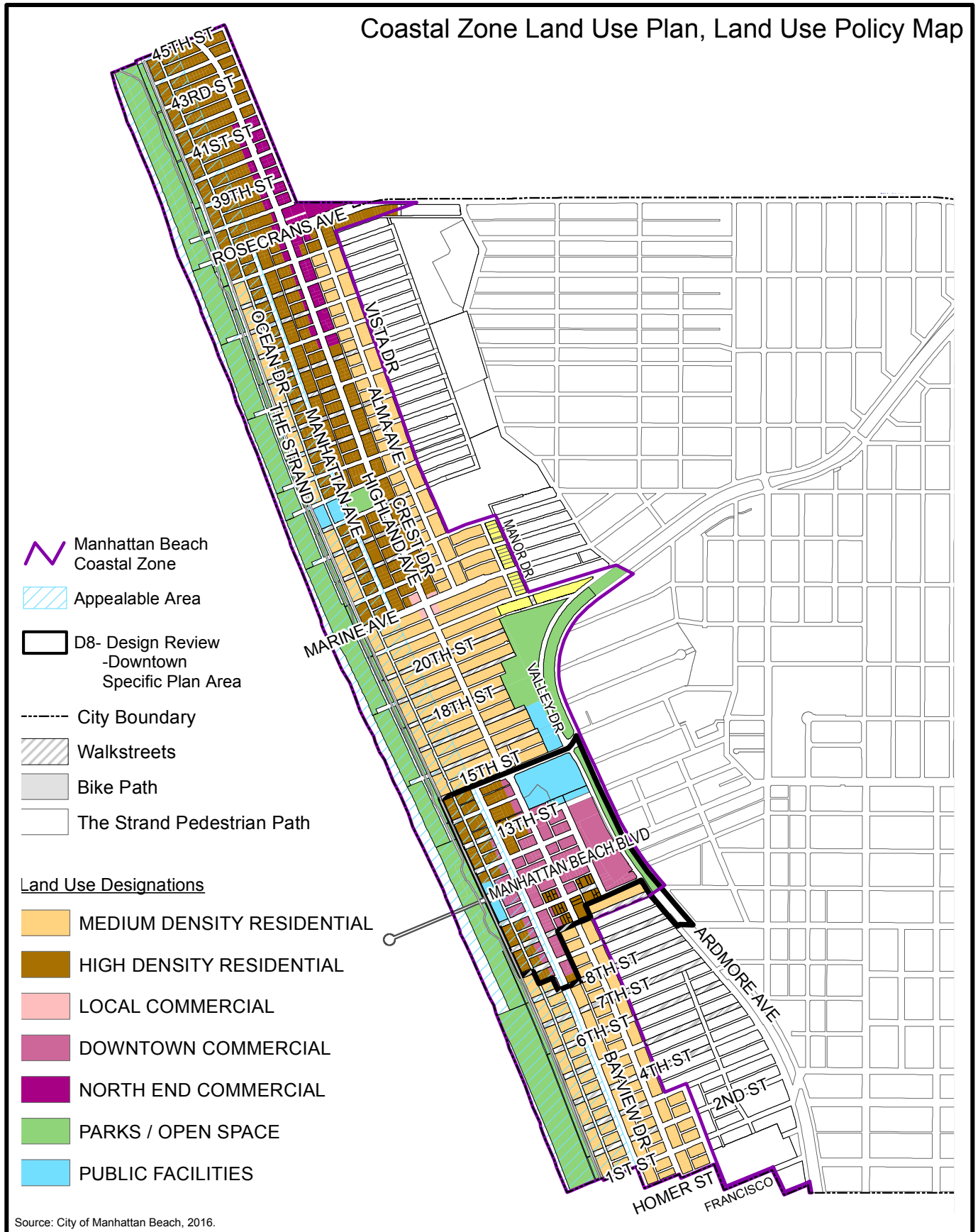
ATTEST:

Liza Tamura
CITY CLERK

APPROVED AS TO FORM:

Quinn M. Barrow
CITY ATTORNEY

Coastal Zone Land Use Plan, Land Use Policy Map



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MILES





Exhibit B

Ordinance No. 16-0031









Coastal Zone Zoning Designations Map

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Miles



-  Manhattan Beach Coastal Zone
-  Appealable Area
-  D8- Design Review
-Downtown
Specific Plan 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

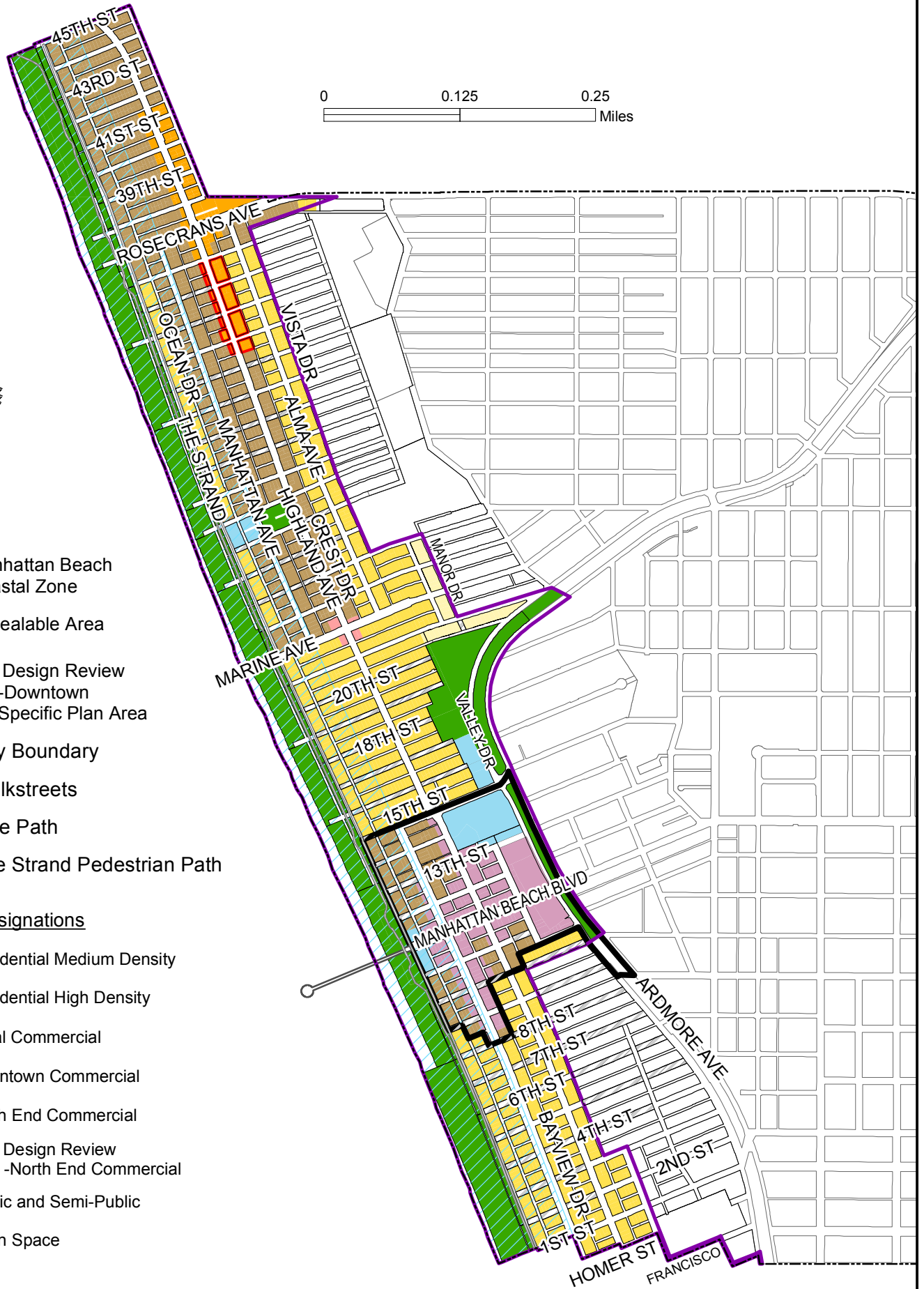


Exhibit C

General Plan and Local Coastal Program Consistency Analysis

GENERAL PLAN CONSISTENCY ANALYSIS

Policy	Project Consistency
Land Use	
<p>Policy LU-1.1: Limit the height of new development to three stories where the height limit is thirty feet, or two stories where the height limit is twenty-six feet, to protect the privacy of adjacent properties, reduce shading, protect vistas of the ocean, and preserve the low-profile image of the community.</p>	<p>The proposed Specific Plan is generally consistent with this policy. The Specific Plan maintains the 26-foot height limit for two-story buildings, with exceptions in the Downtown Commercial designation, Area B, for a 2-foot increase to 28 feet to allow for elevator shafts. The Code already provides height exceptions for vent pipes, antenna (up to 10 feet) and chimneys (up to 5 feet) and this proposal is consistent with these current exceptions.</p> <p>See also the analysis of potential aesthetic impacts regarding the proposed height limit exception in Section 1(a, c), above.</p>
<p>Policy LU-1.2: Require the design of all new construction to utilize notches, balconies, rooflines, open space, setbacks, landscaping, or other architectural details to reduce the bulk of buildings and to add visual interest to the streetscape.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan, Chapter 6 establishes design guidelines and development standards for private development, including identifying the requirement for setbacks, building articulation and optional setbacks for upper stories. The Specific Plan would enhance the plan area's small-town character by implementing these design guidelines and development standards.</p>
<p>Policy LU-3.2: Promote the use of adopted design guidelines for new construction in Downtown, along Sepulveda Boulevard, and other areas to which guidelines apply.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan establishes new design guidelines and development standards for the Downtown area, and provides a framework to preserve the Downtown's character.</p>

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Policy LU-3.4: Establish and implement consistent standards and aesthetics for public signage, including City street signs.	The proposed Specific Plan is consistent with this policy. The Specific Plan establishes design guidelines and development standards, including standards for public signs for use in the Downtown area.
Policy LU-3.6: Encourage the beautification of the walkstreets, particularly through the use of landscaping.	The proposed Specific Plan is consistent with this policy. The Specific Plan does not revise the walkstreet landscape standards that encourage private low-height landscaping. The Plan also establishes guidelines for landscaping in the Downtown area where landscaping would be used to create a distinct character for specific streets and neighborhoods.
Policy LU-4.1: Protect public access to and enjoyment of the beach while respecting the privacy of beach residents.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in future improvements to Downtown's streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area. This would encourage the public to access the beach areas through the City's Downtown and minimize residential neighborhood intrusion.
Policy LU-4.2: Develop and implement standards for the use of walkstreet encroachment areas and other public right-of-way areas.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would not revise the current walkstreet encroachment area landscape and private improvement standards that allow private low height landscaping and other private improvements that enhance and beautify the environment while strengthening the project area's sense of place.
Policy LU-4.6: When public improvements are made, they should preserve and maintain distinctive neighborhood characteristics.	The proposed Specific Plan is consistent with this policy. The public realm improvements envisioned in the Specific Plan would complement and enhance the Downtown's small-town character with features that include streetscape furnishings, decorative bicycle parking racks, accent lighting, and thematic signage. Private development and public improvements guided by the policies, standards, and guidelines of the Specific Plan would preserve and enhance the unique character of Downtown.
Policy LU-5.1: Require the separation or buffering of residential areas from businesses which produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques.	The proposed Specific Plan is consistent with this policy. The proposed land use plan designations for the plan area are consistent with the land use designations identified in the General Plan and the LCP. Future uses in the Specific Plan area would be required to comply with the City's noise regulations and lighting requirements (Manhattan Beach Municipal Code Chapters 5.48 and 10.60, respectively). In addition, the proposed Specific Plan includes policies related to trash and litter

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	management in the Downtown area to address trash-related odors. Thus, conflicts between residential and business uses are not anticipated.
Policy LU-5.7: Recognize the unique qualities of mixed-use areas, and balance the needs of both the residential and commercial uses.	The proposed Specific Plan is consistent with this policy. The Downtown would continue to be a thriving commercial mixed-use District. The Specific Plan, Chapter 6 establishes design guidelines and development standards for private development, including identifying the requirement for setbacks, building articulation, and optional stepbacks for upper stories, which would serve to help balance the needs of the residential and commercial uses.
Policy LU-6.1: Support and encourage small businesses throughout the City.	The proposed Specific Plan is consistent with this policy. The vision, policies, design guidelines and development standards of the Specific Plan support this goal. Proposed development standards that support and encourage small businesses include limitations for individual commercial tenants on the length of frontage along a street, limitation of new ground floor uses to those that are small and pedestrian oriented with a total square footage cap for retail uses.
Policy LU-7.2: Encourage the use of the Downtown Design Guidelines to improve the Downtown's visual identification as a unique commercial area.	The Specific Plan establishes new design guidelines and development standards for the Downtown area, and provides a framework to preserve the Downtown's character while creating an environment conducive to development. The proposed Specific Plan would repeal, replace, and expand upon the existing Downtown Design Guidelines with the new design guidelines.
Policy LU-7.3: Support pedestrian-oriented improvements to increase accessibility in and around Downtown.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in coordinated, custom streetscape furnishings, landscaping, and materials that enhance the pedestrian environment. Additionally, the Specific Plan would result in future improvements to Downtown's streets and sidewalks, that would provide a safe, comfortable environment for pedestrians and bicyclists that achieves a significant reduction in conflicts between both modes of transportation and motor vehicles.
Policy LU-7.4: Encourage first-floor street front businesses with retail, restaurants, service/commercial, and similar uses to promote lively pedestrian activity on Downtown streets, and consider providing zoning regulations that support these uses.	The proposed Specific Plan is consistent with this policy. The Specific Plan would encourage first-floor business providing attractive storefronts and outdoor dining spaces that activate the project area's commercial streets. Commercial buildings would incorporate prominent ground floor storefronts,

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	occupied by retailers and restaurants that activate the adjacent streets, with limitations on other non-active streetfront uses. Proposed development standards that support this policy include minimum requirements for ground floor commercial façade transparency and maximum front setbacks, as well as maximum tenant frontages and ground floor retail square footage caps.
Infrastructure	
Policy I-3.1: Review the existing Downtown Parking Management Program recommendations, re-evaluate parking and loading demands, and develop and implement a comprehensive program, including revised regulations as appropriate, to address parking issues.	The proposed Specific Plan is consistent with this policy. The Specific Plan provides for multipurpose drop-off zones, specialized motorcycle and electric vehicle parking and rideshare/taxi/shuttle loading areas to help reduce parking demand. The Specific Plan also includes new technologies, and minor improvements such as new signage to address parking issues in the plan area.
Policy I-3.5: Encourage joint-use and off-site parking where appropriate.	The proposed Specific Plan is consistent with this policy. The proposed Specific Plan provides recommendations for the provision of valet as well as shuttle services to and from existing and potential future remote parking lots.
Policy I-6.1: Implement those components of the Downtown Design Guidelines that will enhance the pedestrian oriented environment.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in future improvements to Downtown's streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area.
Policy I-6.6: Incorporate bikeways and pedestrian ways as part of the City's circulation system where safe and appropriate to do so.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in future improvements to Downtown's streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area. Bicyclists will enjoy safe passage along the project area's streets and ample bicycle parking facilities at key destinations throughout the district.
Policy I-9.3: Support the use of storm water runoff control measures that are effective and economically feasible.	The proposed Specific Plan is consistent with this policy. The Specific Plan includes goals to manage, maintain, and improve stormwater drainage and capacity in the plan area. The increased landscaping that would occur with implementation of the Specific Plan would serve to capture and control runoff prior to entering the City's stormwater drainage system.
Policy I-9.4: Encourage the use of site and landscape designs that minimize surface runoff by minimizing the use of concrete and maximizing the use of permeable surface materials.	The proposed Specific Plan is consistent with this policy. The Specific Plan includes goals to manage, maintain, and improve stormwater drainage and capacity in the plan area. The increased landscaping that would occur with implementation of the Specific Plan would serve to capture and control runoff prior

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	to entering the City's stormwater drainage system. Alternative ground surface treatments are encouraged that maximize permeable surfaces.
Community Resources	
Policy CR-2.2: Continue to encourage and support cultural arts programs and events.	The proposed Specific Plan is consistent with this policy. The Specific Plan would enhance public spaces and amenities that provide the opportunity to showcase Manhattan Beach's unique history, art, and culture.
Policy CR-2.4: Include artwork in City capital improvement projects.	The proposed Specific Plan is consistent with this policy. One of the goals and visions of the Specific Plan is to utilize the public realm to celebrate the history of the community and its support of public arts and positive aesthetics.
Policy CR-4.1: Protect existing mature trees throughout the City and encourage their replacement with specimen trees whenever they are lost or removed.	The proposed Specific Plan is consistent with this policy. The proposed Specific Plan encourages the retention of existing street trees, as well as other public trees, and private trees in appropriate areas, and the planting of native or naturalized species for new or replacement trees.
Policy CR-4.2: Investigate methods to improve the quality and maintenance of street trees and public landscape improvements.	The proposed Specific Plan is consistent with this policy. The Specific Plan provides for increased landscaping within the plan area to enhance the physical, ecological, and cultural aspects of the City.
Policy CR-4.3: Recognize that landscaping, and particularly trees, provide valuable protection against air pollution, noise, soil erosion, excessive heat, and water runoff, and that they promote a healthy environment.	The proposed Specific Plan is consistent with this policy. The Specific Plan provides for increased landscaping within the plan area to enhance the physical, ecological, and cultural aspects of the City. The Specific Plan also encourages, when opportunities exist, allowing the street to function as an air quality and water quality enhancer by providing shade utilizing urban forestry and water quality improvements through stormwater runoff capture and use through planted bioswales.
Air Quality	
Policy CR-6.1: Encourage alternative modes of transportation, such as walking, biking, and public transportation, to reduce emissions associated with automobile use.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in coordinated, custom streetscape furnishings, landscaping, and materials that enhance the pedestrian environment. Additionally, the Specific Plan would result in future improvements to Downtown's streets and sidewalks, that would provide a safe, comfortable environment for pedestrians and bicyclists, as well as support for alternative modes of transportation and electric

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	vehicles, that achieves a reduction in motor vehicle trips.
Policy CR-6.2: Encourage the expansion and retention of local serving retail businesses (e.g., restaurants, family medical offices, drug stores) to reduce the number and length of automobile trips to comparable services located in other jurisdictions.	The proposed Specific Plan is consistent with this policy. The Specific Plan includes a goal to support a vital Downtown business district that is chiefly comprised of small, pedestrian-oriented commercial business that serve Manhattan Beach residents, and includes visitor-oriented uses limited to low-intensity businesses that provide goods and services primarily to beachgoers. This would serve to reduce motor vehicle trips.

LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS

Policy	Project Consistency
I- COASTAL ACCESS POLICIES	
Access Policies	
Policy I.A.1: The City shall maintain the existing vertical and horizontal accessways in the Manhattan Beach Coastal Zone.	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan does not suggest or require any changes to physical access to the beach. Existing views would not be substantially altered by new development, even with the potential two-foot height exception in Area B. The Specific Plan establishes standards for street lighting such that new lighting standards would be arched in such a way to frame and enhance views of the beach or ocean.</p> <p>Existing views would not be altered with the consistency changes from commercial to residential in a small portion of the Plan area. The reconciliation of the Land Use Policy and Zoning Maps will not have any changes to accessways.</p>
Policy I.A.2: The City shall encourage, maintain, and implement safe and efficient traffic flow patterns to permit sufficient beach and parking access.	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan provides for multipurpose drop-off zones, specialized motorcycle and electric vehicle parking, and rideshare/taxi/shuttle loading areas to help reduce parking demand. The Specific Plan also includes new technologies, and minor improvements such as new signage to address parking issues in the plan area.</p> <p>Implementation of the Specific Plan would result in future improvements to Downtown's streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area. This would encourage the public to access the beach areas through the City's Downtown.</p>
Transit Policies	
Policy I.B.1: The City shall encourage public transportation service to mitigate excess parking demand and vehicular pollution. All transportation/congestion management plans and mitigation measures shall protect and encourage public beach access.	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan does not suggest changes to transit services with the exception of instituting shuttle service to aid in the utilization of remote parking locations to increase parking opportunities. The Specific Plan provides for multipurpose drop-off zones, specialized motorcycle and electric vehicle parking and rideshare/taxi/shuttle loading areas to help reduce parking demand. The Specific Plan also includes new technologies, and minor improvements such as new signage to address parking issues in the plan area. This would encourage the public to access the beach areas through the City's Downtown.</p>

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Policy I.B.3: The City shall encourage pedestrian and bicycle modes as a transportation means to the beach.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in future improvements to Downtown's streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area. This would encourage the public to access the beach areas through the City's Downtown.
Policy I.B.7: The City shall provide adequate signing and directional aids so that beach goers can be directed toward available parking.	The proposed Specific Plan is consistent with this policy. The Specific Plan establishes design guidelines and development standards, including standards for public signs for use in the Downtown area. The Specific Plan also includes new technologies, and minor improvements such as new signage to address parking issues in the plan area.
Parking Policies	
Policy I.C.1: The City shall maintain and encourage the expansion of commercial district parking facilities necessary to meet demand requirements.	The proposed Specific Plan is consistent with this policy. The proposed Specific Plan would result in no net loss of public parking and further recommends the development of various parking strategies to manage and accommodate commercial parking demand. Examples include the provision of shuttle services to and from existing and potential future remote parking lots, the designation of rideshare/taxi/shuttle loading areas and drop-off zones, and the use of stacked parking with valets/attendants. Through the use of these strategies, not only will existing parking areas be maximized, but overall parking demand will decrease, resulting in more available parking capacity. See the discussions of Policy I.B.1 and Policy I.B.7, above.
Policy I.C.2: The City shall maximize the opportunities for using available parking for weekend beach use.	The proposed Specific Plan is consistent with this policy. See the discussions of Policy I.B.1, Policy I.B.7, and I.C.1, above.
Policy I.C.3: When public improvements are made, they should preserve and maintain distinctive neighborhood characteristics.	The proposed Specific Plan is consistent with this policy. The public realm improvements envisioned in the Specific Plan would complement and enhance the Downtown's small-town character with features that include streetscape furnishings, decorative bicycle parking racks, accent lighting, and thematic signage. Private development and public improvements guided by the policies, standards, and guidelines of the Specific Plan would preserve and enhance the unique character of Downtown.
Policy I.C.10: Concentrate new parking in the Downtown Commercial District to facilitate joint use opportunities (office and weekend beach parking uses).	The proposed Specific Plan is consistent with this policy. See the discussions of Policy I.B.1, Policy I.B.7, and I.C.1, above.

Policy	Project Consistency
II- COASTAL LOCATING AND PLANNING NEW DEVELOPMENT POLICIES	
A. Commercial Development	
<p>Policy II.A.2: Preserve the predominant existing commercial building scale of one and two stories, by limiting any future development to a 2-story maximum, with a 30' height limitation as required by Sections A.04.030, A.16.030, and A.60.050 of Chapter 2 of the Implementation Plan.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan maintains the current 26-foot height limit for the majority of the commercial area of the Specific Plan, with exceptions in, Area B, for a 2-foot increase to 28 feet to allow for elevator shafts which would still be under the 30' height limitation within the policy. Area A, of the commercial area allows a 30 foot height limit and no revisions are proposed. The Code already provides height exceptions for vent pipes, antennas (up to 10 feet) and chimneys (up to 5 feet) and this proposal is consistent with these current exceptions.</p>
<p>Policy II.A.3: Encourage the maintenance of commercial area orientation to the pedestrian.</p>	<p>Implementation of the Specific Plan would result in coordinated, custom streetscape furnishings, landscaping, and materials that enhance the pedestrian environment. The Specific Plan would encourage first-floor business providing attractive storefronts and outdoor dining spaces that activate the project area's commercial streets. Proposed development standards that support this policy include minimum requirements for ground floor commercial façade transparency and maximum front setbacks, as well as maximum tenant frontages and ground floor retail square footage caps.</p>
<p>Policy II.A.7: Permit mixed residential/commercial uses on available, suitable commercial sites.</p>	<p>The proposed Specific Plan is consistent with this policy. The Downtown would continue to be a thriving commercial mixed-use District. The Specific Plan, Chapter 6 establishes design guidelines and development standards for private development, including identifying the requirements for setbacks, building articulation, and optional stepbacks for upper stories, which would serve to help balance the needs of the residential and commercial uses.</p>
B. Residential Development	
<p>Policy II.B.1: Maintain building scale in coastal zone residential neighborhoods consistent with Chapter 2 of the implementation Plan.</p>	<p>The proposed new LCP land use Policy Map and zoning designations are consistent with the building scale in the coastal zone neighborhood and would result in no changes to the physical environment. The area has historically been, since the 1930's predominately residential and has been, since at least 1995 and remains currently, entirely residential. The LCP Land Use Policy and Zoning Map consistency revisions will only reconcile the designation nomenclature and not have any changes to any development standards including building scale.</p>

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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 LCP land use policy map and zoning designation is consistent with the 30' Coastal Zone residential height limit as required by the LCP - Implementation Program. Specifically, the height limitation within the "RH" zone is 30 feet, which is consistent with historical and current development in the area.