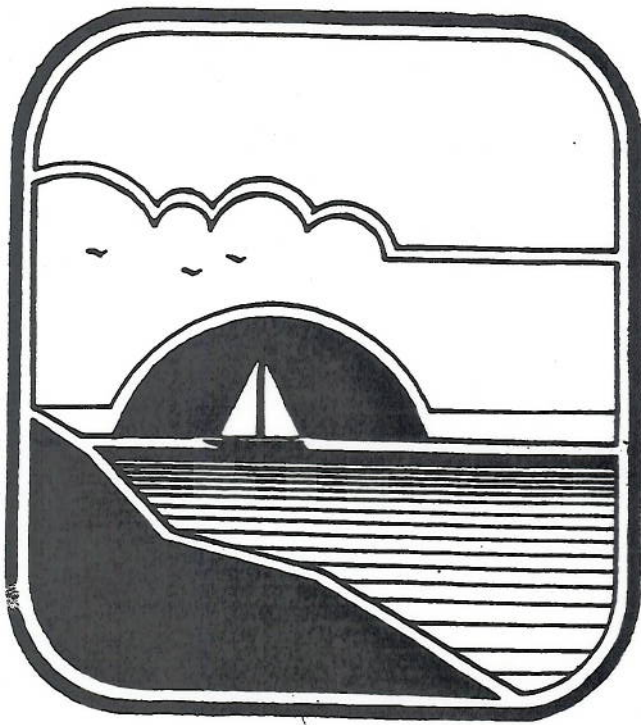


SUNSET BEACH

**SPECIFIC PLAN/
LOCAL COASTAL
PROGRAM**



SUNSET BEACH

**SPECIFIC PLAN/
LOCAL COASTAL
PROGRAM**



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SUNSET BEACH SPECIFIC PLAN/LOCAL COASTAL PROGRAM

**COUNTY OF ORANGE
ENVIRONMENTAL MANAGEMENT AGENCY**

SEPTEMBER 1990

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I

INTRODUCTION

On March 9, 1982 the Orange County Board of Supervisors adopted Resolution No. 82-349, authorizing preparation of a Specific Plan for Sunset Beach. As stated in that resolution, the Board determined that development of a Specific Plan is an appropriate mechanism for preparing the land use regulations necessary to implement the Local Coastal Program (LCP)/Land Use Plan (LUP) for Sunset Beach. The Land Use Plan, including Development Guidelines, was approved by the Board of Supervisors on May 6, 1981 as an amendment to the Orange County General Plan. The purpose of the Sunset Beach Specific Plan is to tie together the Land use Plan and Implementing Actions Program of the Local Coastal Program.

In January, 1986, the Board of Supervisors directed the Environmental Management Agency (EMA) to prepare an amendment to the SBSP/LCP. EMA staff worked in close coordination with the LCP Board to prepare the comprehensive amendment which served to modify and clarify Specific Plan policies and regulations. Amendment 90-1 to the SBSP/LCP was approved by the Board of Supervisors by Resolution # 90-1244 and Ordinance # 3798 on September 26, 1990.

The Sunset Beach Specific Plan and Local Coastal Program (SBSP/LCP) consists of the following four sections:

Section I, Introduction, describes the authorization and purposes of the Specific Plan, and the structure of the plan.

Section II, General Plan Review, includes analysis of all elements of the General Plan to ensure consistency with the Specific Plan.

Section III, Land Use Plan, provides the background analysis for the Specific Plan and includes the four required components of the Land Use Plan Phase of the Local Coastal Program: Resource, Transportation, Access and Recreation and New Development. Each component includes a section of policies designed to cover issues raised in that component. Also, the Recreation and New Development Component includes the Land use Plan map and Development Guidelines, both designed to carry out the intent of the California Coastal Act consistent with the desires of the Sunset Beach Community.

Section IV, Land Use Regulations, consists of the Land Use District map and Land Use Regulations which implement the LCP/Land Use Plan. The regulations include general provisions, district regulations, and off-street parking requirements.

GENERAL PLAN REVIEW

II

GENERAL PLAN REVIEW

Section 65451 of the California Government Code delineates what a specific plan shall contain. In particular, specific plans "shall include all detailed regulations, conditions, programs, and proposed legislation which shall be necessary or convenient for the systematic implementation of the general plan." The Sunset Beach Specific Plan addresses the mandated elements of Orange County's General Plan as follows:

A. Land Use Element

The Land Use Element (LUE) contains objectives and policies for development of the unincorporated area in both narrative and graphic terms and establishes development criteria and standards, including population density and building intensity. A land use plan depicts the general distribution, location, and extent of public and private uses of land. Policies provide a basis for the evaluation of physical development and growth trends, determine land use capacities and the appropriate level of public services necessary to support these capacities.

B. Transportation Element

The Transportation Element contains objectives and policies for planning, developing and maintaining, on a county-wide basis, a system of surface transportation necessary to serve the existing and planned land uses of the County. It also describes the practices necessary to implement such a system, establishes criteria and standards, and graphically depicts the general location and classifications of a system consisting of freeways, transportation corridors, arterial highways, transit, bikeways and scenic highways. The Transportation Element has the following four Master Plans:

1. Master Plan of County-wide Bikeways
2. Master Plan of Arterial Highways
3. Master Plan of Transit Systems
4. Master Plan of Scenic Highways

C. Housing Element

The Housing Element is the statement of County commitments to the development of housing in the unincorporated area. These commitments are expressed in housing goals, objectives, policies and programs. The goals of the element are based on state law, assessment of shelter needs, quantified objectives and identification of problems impeding the development and acquisition of housing. As such, the element serves to guide and direct County affordable housing programs and coordinates local, state and federal housing policies and programs.

D. Public Services and Facilities Element

The Public Services and Facilities Element sets forth goals, objectives, policies and strategies for the planning, management, and implementation of public facilities that are necessary to meet Orange County's existing and future demands.

The goals of the element are based on quantified objectives, an assessment of public facility needs, and the identification of problems impeding the planning, management, or implementation of County public facilities. The Public Services and Facilities Element serves to guide and direct County decision-making in public facility matters, and also fosters coordination with regional, state, and federal policies and programs.

E. Noise Element

The Noise Element identifies the sources of noise, analyzes the extent of the noise intrusion and estimates its potential impact upon the County. This identification process in turn provides the basis for goals, policies and implementation programs designed to preserve, where possible, a quiet environment.

F. Recreation Element

The Recreation Element contains goals, objectives, policies and strategies for the acquisition, development, operation, maintenance, management and financing of County recreation facilities necessary to meet Orange County's existing and future needs. The policies and programs of the Recreation Element form an effective implementation plan to meet the established goals. The Recreation Element serves to guide and direct local government decision-making regarding recreation issues and facilitates the coordination of local, regional, state and federal efforts. The Recreation Element has the following three Master Plans:

1. Master Plan of Regional Recreation Facilities Component
2. Master Plan of Local Parks Component
3. Master Plan of Regional Riding and Hiking Trails Component

G. Resources Element

The Resources Element sets forth goals, objectives, policies and strategies for the development, management, preservation and conservation of physical resources necessary to existing and future demands. The goals are consistent with state requirements, and are based on quantified objectives, an assessment of resource needs, and identification of constraints impeding the development, management, preservation or conservation of county resources. The Element serves to guide local government decision-making in resource-related matters. The Resource Element has the following components:

1. Natural Resources Component
2. Energy Resources Component
3. Water Resources Component
4. Open Space Component
5. Cultural and Historic Resources Component

H. Safety Element

The Safety Element summarizes seismic, geologic, fire, flood, crime, and airport hazards in Orange County contained in a Technical Report which presents detailed background data for each hazard.

A discussion of levels of risk is included which considers economic and social implications along with illustrative examples of levels of risk for certain structures.

Goals and policies to mitigate the effects of each hazard are proposed. The relationship of the Safety Element to other components of the General Plan is reviewed.

A plan Implementation Program is proposed with recommendations to initiate required actions.

A major amendment to reformat and modernize the Safety Element is under way. The existing Element sets forth a phased implementation program relating to the identification and analysis of hazards in Orange County. More detailed implementation programs, including a Hazardous Waste Element, will be included in the updated Element set for Board of Supervisors adoption in August, 1987.

I. Growth Management Plan Element

The Growth Management Plan Element sets forth goals, objectives and policies for the planning and provision of traffic improvements and public facilities necessary for orderly growth and development.

The purpose and intent of this element is to mandate that growth and development be based upon the County's ability to provide an adequate circulation system; adequate sheriff, fire, paramedic and library services and other necessary facilities; and, through all of the processes established in this Element, natural resources and the natural environment shall be protected.

A major goal of the Growth Management Plan Element is to ensure that the planning, management and implementation of traffic improvements and public facilities are adequate to meet the current and projected needs of Orange County.

LAND USE PLAN

III

LAND USE PLAN

I. INTRODUCTION

This Local Coastal Program (LCP) comprises the Land Use Plan (LUP) and Implementing Actions Program (IAP) for the Sunset Beach Community in northern Orange County (Figure 1).

The Coastal Act of 1976 sets forth state-wide goals concerning the environment within the coastal zone. To achieve these goals the Act mandates each local government to prepare a "local coastal program" for areas within the coastal zone under its jurisdiction. Accordingly, the underlying objectives of the County's Sunset Beach Local Coastal Program are to:

- Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and man-made resources.
- Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social economic needs of the people of the state.
- Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

Consistent with the policies of the Act, this LCP focuses on the protection of coastal resources through orderly, comprehensive planning, and the regulation of development in the coastal zone. The LCP consists of a Land Use Plan (LUP) and an Implementing Actions Program (IAP) comprising policy guidelines and regulatory requirements, respectively. The policies contained in the Land Use Plan establish parameters for evaluating future development projects within the area. The LUP sets forth the measures that the County should take to achieve the degree of resource protection required by the Coastal Act and serves as the foundation for the IAP (Regulations) which will carry out the land use plan through zoning.

- A. Sunset Beach is a 115-acre County island, a primarily residential community which stretches 1.2 miles from Seal Beach at the northeast extremity to Bolsa Chica State Park, with which it is contiguous, at the southeast. It is bordered on the southwest by the Pacific Ocean

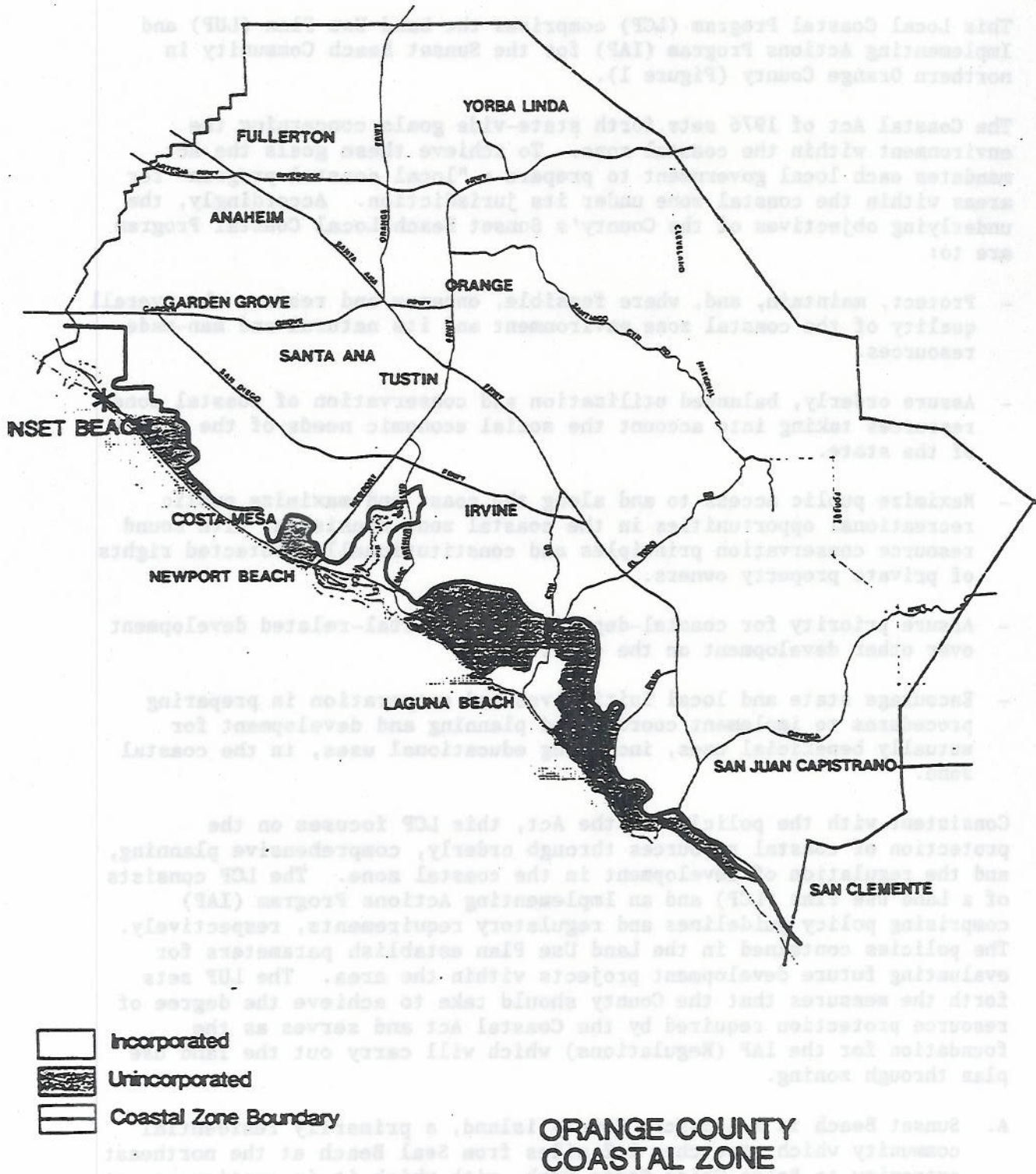


Figure 1

and on the northeast by the Huntington Harbor and Peter's Landing developments of the City of Huntington Beach. From the ocean inland Sunset Beach is formed by five successive strips running the length of the community; the approximately 30-acre County beach, the ocean front residences along South Pacific Avenue, the County "green strip" and public parking facility between South and North Pacific Avenues, the residences along North Pacific and side streets, the mixed residential-commercial buildings on both sides of Pacific Coast Highway, and the residences on Sunset Island and adjacent to Park Avenue.

Sunset Beach is unique among coastal communities in that 61 percent of its total area is publicly owned and utilized. Of its 115 acres, 70 acres are devoted to public uses.

There is a mix of residential densities and types in the community, chiefly as a result of zoning variances granted; these variances have accommodated duplexes, triplexes, and four-plexes on 2,700-square-foot lots. While the community is mostly built out, recycling is occurring. Some housing in the area is serving moderate income families.

Direct access to the beach is provided by numerous public streets through the residential areas. The County improved the old Pacific-Electric right-of-way as a linear park, bisecting the community with play areas, picnic areas, pathways, and 660 parking spaces. As of 1989, parking problems still exist due to poor distribution of supply as related to demand in certain areas.

II. RESOURCE COMPONENT

A. INTRODUCTION

The Resource Component of the Sunset Beach Local Coastal Program is comprised of the following seven products:

1. Habitat Constraints and Protection -- addresses protection of water resources, marine resources, and buffer areas;
2. Long Term Habitat Management Program -- addresses methods for permanently protecting resources;
3. Public Health and Safety -- addresses management of areas containing hazardous conditions pertaining to geology, floods and fire;
4. Land and Water Conservation -- addresses protection of land and water resources;
5. Viewshed Protection -- addresses protection of scenic resources (scenic vistas, scenic corridors, unique landforms, architectural character, significant vegetation, land use character, landscape character);
6. Viewshed Reclamation Program -- addresses reclamation of viewsheds in scenic areas degraded by development;
7. Cultural/Scientific Resources -- addresses protection of archaeological, paleontological and historic resources.

The Resource Component specifically contains the following information:

- Description of the environmental setting or existing conditions for each subarea within the Sunset Beach Local Coastal Program area;
- Statement of specific issues resulting from analyses of the environment setting/existing conditions information;
- List of existing County of Orange policies and additional policies that will ensure conformance of County policies with the California Coastal Act.

B. SUNSET BEACH RESOURCES

1. Habitat Constraints and Protection

a. Terrestrial

Land uses in the study area are predominantly residential and commercial/business with recreational use along the ocean shoreline. The residential use consists of single and

multiple family type dwellings which are well mixed throughout both residential and commercial zoned areas. Existing commercial uses range from neighborhood convenience facilities such as markets, to more area-wide facilities such as motels, restaurants and specialty shops. The existing residential and commercial areas are 96 percent developed.

The study area poses the unique and increasingly valuable commodity of its beach shoreline. The study area is also surrounded on its inland side by a system of waterway canals in the Huntington Harbor development and is in proximity to a major wildlife refuge and Sunset Aquatic Park.

The area exhibits generally low relief with elevations ranging from sea level to 5 feet above sea level.

Erosion of the shoreline in this segment has been relatively continuous since the construction of the east jetty of Anaheim Bay in 1944. In 1945, the Navy constructed 600 feet of stone revetment downcoast from the Anaheim Bay east jetty to retard the erosion but had to reinforce it the following year. In 1947, the revetment was further extended and a wood sheet-pile bulkhead established to strengthen the shore road. In the 1940s, 1,422,000 cubic yards of material were placed on the beach. Additional material placed along the Surfside-Sunset Beach shoreline later included 874,000 cubic yards in 1956, 4 million cubic yards in 1964, 2.3 million cubic yards in 1971, 1.5 million cubic yards in 1979, and 1.1 million cubic yards of sand in 1985.

Much of the area northeast of Pacific Coastal Highway was once a marsh and slough and was dredged and redeveloped to establish Sunset Island and Huntington Harbour. The development of these communities destroyed the marsh-slough habitat and much of the wildlife was displaced. The study area itself does not provide a suitable habitat for wildlife or native vegetation because of its highly urbanized character, although certain avifauna may forage on the beach.

b. Littoral

Along the sandy beaches of the study area, plankton, organic detritus, and debris form a primary food source for many of the macroscopic (i.e., large enough to be observed by the naked eye) species of marine animals, such as beach hoppers, sand crabs, and various species of clams. Also, microfauna could possibly be a food source for invertebrate macroscopic filter feeders. Filter and deposit feeders provide a food source for many fish species such as barred surfperch and California corbina, and also for numerous shore birds such as willets, whimbrels, dowitchers, plovers, and gulls. In turn, many of the vertebrates, especially the fishes, provide a food source for larger carnivorous vertebrates such as other fishes and mammals.

Many invertebrate species are subject to cycles of abundance and rarity on any segment of sandy beach shoreline. The fish species present are frequently taken by in-shore anglers but are not exclusively confined to the shallow water of the open coast sandy beaches; they can also be found in deeper waters or in bays and harbors, depending on such factors as migratory habits, spawning habits, weather conditions, wave conditions, and currents. Pismo clams are known to exist all along the intertidal and subtidal zones of the sandy beach shoreline from Anaheim Bay Harbor to the entrance to Newport Harbor. This bivalve is an important resource sought by recreational clammers.

Previous beach nourishment operations have severely disturbed intertidal fauna. To determine whether pismo clams had recolonized along the project area shoreline since the previous nourishment operation in 1971, a reconnaissance investigation was made by Corps personnel on December 2, 1976. In about 50 minutes of probing with one clamming fork, 28 clams were taken from the lower intertidal zone of the beach. On most beaches it requires 6 or 7 years for pismo clams to attain legal size (California Fish and Game's game limit size) of 4.5 inches and 8 to 9 years to reach 5 inches (California Fish and Game, 1971). The majority of clams found by the Corps were less than 4 inches, which seems to indicate a recolonization of the intertidal sandy beach since the previous 1971 beach nourishment. Two of the clams taken were over 5 inches in diameter. These clams could have come from subtidal depths seaward of the last beach fill deposition limits.

The open coast sandy beach along the project area and remaining beaches along the study area are spawning habitat for the grunion. Other fish species such as the barred surfperch and California corbina are found in the surf zone feeding primarily upon sand crabs.

Common sandy beach organisms such as the sand crab, pismo clam, bean clam and polychaetes are known to exist intertidally and subtidally along the Surfside-Sunset Beach shoreline in spite of previous beach deposition operations. There is little doubt that recolonization of the project shoreline will continue to occur. However, the re-establishment of a community may be hindered, depending upon the time the disturbance occurs. If the disturbance occurs during a potentially successful period of species recruitment, larval settlement could be retarding owing to the instability of disturbed habitat and changes in water quality. If future nourishment operations occur during a period of potentially successful pismo clam recruitment, a year class of clams could be adversely affected along the project shoreline.

c. Aquatic

There seems to be a scarcity of information concerning the distribution and abundance of most fauna species found in association with the open coast subtidal sand-bottom habitats of southern California. According to Oliver and Slattery there are no published studies of the spatial and temporal variations of fauna within an exposed subtidal sand-bottom community on the west coast.

In 1971, Gotshall (1971) investigated the subtidal sand-bottom habitats offshore from Seal and Surfside-Sunset Beaches. Biological surveys were conducted prior to, during, and after the Corps State 4A beach nourishment operation to help determine the impacts that the operation had on the marine biota.

d. Issues

Identification must be made of optimum timing of beach nourishment to protect habitat areas.

e. Buffer Areas

There are no significant buffer areas in Sunset Beach.

2. Long-Term Habitat Management Program

There are no significant habitat areas within Sunset Beach, due to the fact the area is fully developed. Therefore, a County-wide management plan is proposed.

The California Coastal Act mandates inclusion of implementation measures as well as policies and plans in the context of the Local Coastal Program. Much of the organizational and institutional framework currently exists within the County of Orange for management of implementation measures.

The mandated elements of the Orange County General Plan may be amended four times annually. This is but a partially sufficient implementation measure because such action conducted at a specific moment in time cannot delineate entirely a complete resource management program. Such is the case because resource management decisions and implementations may be sequential.

The Orange County Zoning Code and other ordinances, policies or guidelines may be written and/or interpreted liberally. Such action often allows habitat destruction or degradation in development projects.

Additional problems exist that may impede the creation and operation of a Long-Term Habitat Maintenance Program. Within the County of Orange, authority and responsibility for implementation of resource management measures are fragmented among several

agencies, divisions or service functions. Funding availability dictates existence and scope of habitat management actions. Competition among private and public interest groups often impedes or reserves habitat management efforts. Vested interests often associate their concerns with those of the "Public".

It is recommended that the County of Orange create a study team of technical experts employed within County agencies or by County-designated consultant firms to create, compose, implement or enforce a long-term habitat management program on a County-wide scale. The overall program should contain, but not be limited to, the following phases:

a. Organizational Phase

- Creation of Study Team
- Goals and organizational procedures of Study Team
- Methods of analysis

b. Identification Phase

- Type, location, extent, degree of sensitivity, of habitat area (may be termed a "Master Environmental Assessment")
- Mapping
- Delineation of individually sensitive habitat areas.

c. Policy/Plan Phase

- Creation of policies and development guidelines that adopt a "variance" appeal portion to be decided upon by members of the Study Team only.

d. Maintenance/Enforcement Phase

- The duties of the Study Team would include the following: provision of a general overview of all predevelopment and development phases; formulation, guidance and usage of results of research projects/studies - selection among technical alternatives; and maintenance of such recommendations.

3. Public Health and Safety

a. Seismic Hazards

(1) Environmental Setting/Existing Conditions

The Newport-Inglewood Fault Zone, which is directly adjacent to the study area, presents a major source of concern. Sunset Beach is highly susceptible to moderate to heavy damage during an earthquake of a magnitude of 6.0 on the Richter scale or greater if the epicenter lies

in close proximity to the study area. The study area could also be affected by earthquakes of greater magnitude on faults other than Newport-Inglewood.

General characteristics of study area soils (granular composition, adhesive nature, etc.), when combined with the high ground-water table, create a situation where a high probability of liquefaction has been identified in neighboring areas as recently as the Long Beach earthquake of 1933 (see Figure 2).

(2) Issues

Determination must be made of the level of risk from seismic hazards. Specific action to achieve acceptable levels of risk must be developed.

b. Flooding

Ocean-water creates a flooding problem in Sunset Beach. Therefore, for new development along the coast, special design considerations must be met, as described in the COASTAL FLOOD PLAIN DEVELOPMENT STUDY (January 1985), plus the Zoning Code Section 7-9-113, Floodplain District Regulations, shall be applicable.

4. Land and Water Conservation

a. Existing Condition

The only identified resource area is the Anaheim-Sunset Bolsa Bay. The Sunset Beach Planning Area represents only 20 acres of a total drainage area of 48,000 acres. The City of Huntington Beach contains the majority of the drainage area.

b. Issues

How will pollutants from Sunset Beach be controlled?

5. Viewshed Protection

a. Environmental Setting/Existing Conditions

The entire length of the Orange County section of Pacific Coast Highway is designated as a scenic highway, specifically a viewscape corridor. Viewscape corridors are defined in the Scenic Highways Component of the Transportation Element, as "routes which traverse a defined visual within which scenic resources and aesthetic values are found. The emphasis of these corridors is scenic vistas and natural viewshed."

The Pacific Coast Highway through Sunset Beach is punctuated by wall, roof, freestanding, and billboard-type signs. Most of these signs are not in conformance with County Sign

Restrictions (SR) District regulations. The signs, as well as lack of screening of highway uses, greatly detract from Pacific Coast Highway's value as a scenic highway.

Aside from sign considerations, Pacific Coast Highway through the study area provides little interface with the unique area in which it is located. The myriad of signs and buildings on Pacific Coast Highway keeps its scenic designation from being a reality despite its proximity to the ocean. Adherence to site development standards will provide impetus for improving the scenic highway. The major problem in removal of nonconforming signs is expenditure of time and effort in processing violations. Although many nonconforming signs remain, a program to bring study area signs into conformance with the SR District is ongoing.

The Sunset Beach shoreline possesses a unique and increasingly valuable visual resource (see Figure 3). The study area also is surrounded on its inland side by a system of waterway canals in the Huntington Harbour development and is in proximity to a major Wildlife Refuge and Aquatic Park. The study area, with its system of cross streets between Pacific Coast Highway and the beach shoreline area, provides excellent access to the beach area. The number of users of the beach within the study area has increased, thus increasing the demand for parking space (see Figure 4).

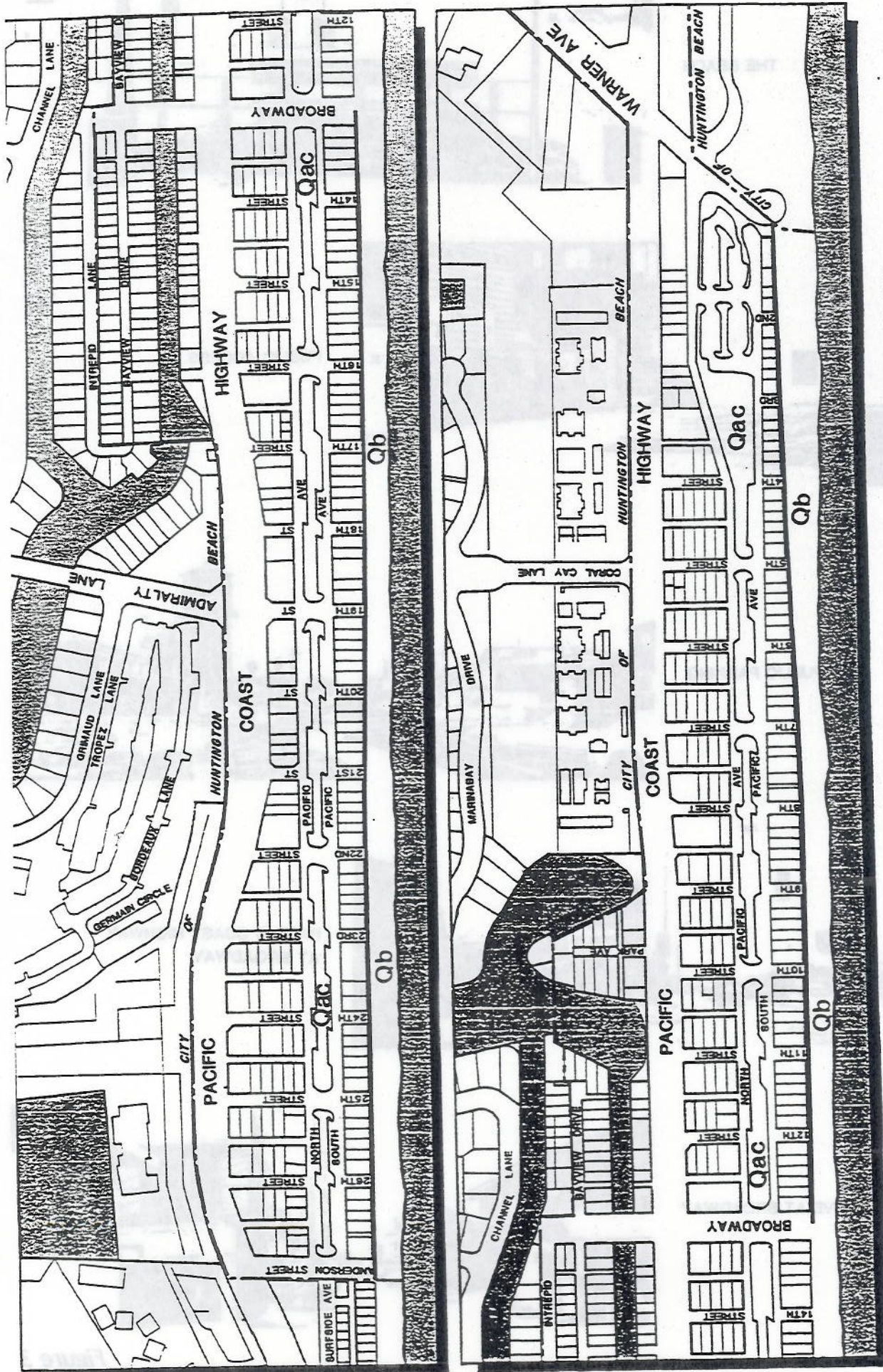
b. Issues

- The adequacy of existing height regulations to preserve views from public pedestrian areas and to protect the character of existing development must be insured.
- A need exists for additional development controls to phase out nonconforming signs within the Sign Restrictions District.
- Significant landform features must be preserved.
- The "viewshed" for Pacific Coast Highway must be defined and protected.
- The value of Pacific Coast Highway as a scenic drive with trails must be retained.
- Construction of additional beach access parking must occur.

6. Viewshed Reclamation Program

a. Environmental Setting/Existing Conditions

As noted in the previous section, "Viewshed Protection", "...signs, as well as lack of screening of highway uses,



GEOLOGY
SUNSET BEACH
 Specific Plan and
 Local Coastal Program
NORTH COAST PLANNING UNIT
LOCAL COASTAL PROGRAM



Qb. Beach Sediments

Qac Alluvial and Colluvial Materials

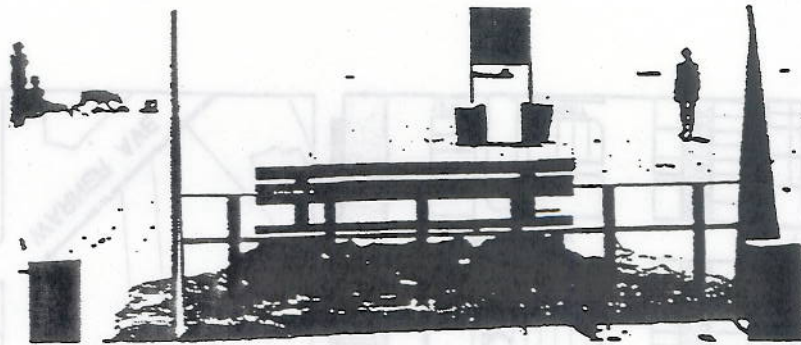
Qb.

Qac



COUNTY OF ORANGE

THE BEACH



PUBLIC ACCESS



PUBLIC PARKING



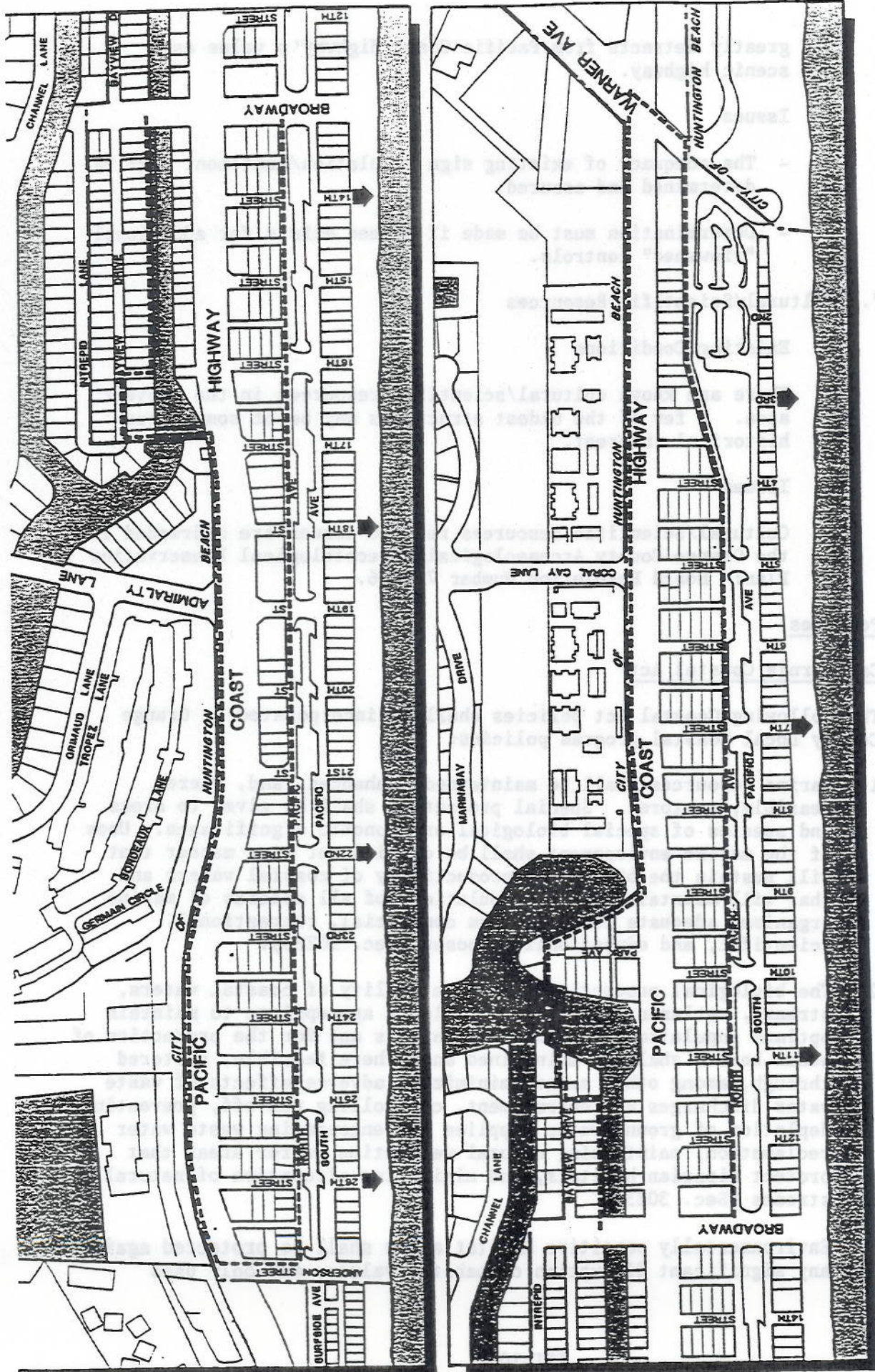
PACIFIC COAST HIGHWAY
AT BROADWAY



BAY VIEW DRIVE AT BROADWAY



Figure 3



VIEW ANALYSIS

SUNSET BEACH

Specific Plan and Local Coastal Program

NORTH COAST PLANNING UNIT LOCAL COASTAL PROGRAM

ENVIRONMENTAL MANAGEMENT AGENCY

COUNTY OF ORANGE



Boundary of Scenic Corridor

Scenic Vista

greatly detracts from Pacific Coast Highway's value as a scenic highway.

b. Issues

- The adequacy of existing sign regulation/abatement must be determined and assured.
- Determination must be made if a need exists for additional "viewshed" controls.

7. Cultural/Scientific Resources

a. Existing Conditions

There are known cultural/scientific resources in the project area. A few of the oldest structures may be of some minor historical interest.

b. Issues

Cultural/Scientific resources related issues are addressed in the Orange County Archaeological/Paleontological Preservation Plan: Board Resolution Number 77-866.

C. Policies

California Coastal Act

The following Coastal Act policies shall be incorporated as Orange County Local Coastal program policies:

1. Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes (Sec. 30230).
2. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organism's and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling run-off, preventing depletion of ground water supplies and encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams (Sec. 30231).
3. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses

dependent on such resources shall be allowed within such areas (Sec. 30240-a).

4. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas (Sec. 30240-b).
5. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting (Sec. 30251).

County of Orange General Plan Land Use Element

The following is one of eight major land use policies of the Land Use Element:

6. Enhancement of Environment

To guide development so that the quality of the physical environment is enhanced.

The purpose of the Enhancement of Environment Policy is to ensure that all land use activities seek to enhance the physical environment, including the air, water, sound levels, landscape, and plant and animal life. This policy does not mean that environmental enhancement precludes development. It recognizes the need to improve both the man-made and natural environments. Where aspects of the natural environment are deemed to be truly significant, this policy requires measures be taken to preserve these aspects.

County of Orange General Plan Resource Element (Open Space)

7. To protect life and property by regulating land use in areas subject to flooding, landslides, noise, high fire hazard and high earthquake potential; and to set aside land for human refuge in times of natural disaster.

To ensure the health and safety of County residents by identifying, planning for and managing open space areas subject to flooding, landslides, noise, high fire hazards, and earthquake potential.

8. To encourage the conservation of open space lands which provide recreational scenic, scientific and educational opportunities.

To designate open space areas that preserve, conserve, maintain and enhance the significant natural resources and physical features of unincorporated Orange County.

Not all undeveloped land is to be considered for open space protection. In accordance with the State Government Code definition of open space, it is obvious that the objective is for local agencies to take the necessary measures that preserve and protect resource areas from incompatible development or use and to protect the public from potential development or use hazards.

9. To seek out, evaluate and take advantage of special opportunities to obtain open space as these opportunities become available and when the available open space meets or helps to meet established open space goals and objectives.
10. To plan for the acquisition, development, maintenance, operation and financing of open space lands which provide recreational, scenic, aesthetic, scientific and educational opportunities.

The State Government Code also contains an open space definition that further clarifies the role of open space. A partial definition of open space is:

Any parcel or area of land or water which is essentially unimproved and devoted to an open space use as defined (below):

- a. The preservation of natural resources, including but not limited to:
 - 1) Areas required for the preservation of plant and animal life, including habitat for fish and wildlife species.
- b. Public health and safety, including but not limited to:
 - 1) Areas required for the protection of water quality and reservoirs; and
 - 2) Areas required for the protection and enhancement of air quality.

Habitat-Constraints and Protection

11. The County of Orange shall identify fish, wildlife and vegetation habitats throughout the County; to require proposed development plans to identify affected habitats; to accept habitat dedications; and to preserve the fish, wildlife and vegetation species of the County.
12. The County of Orange shall prevent the elimination of fish or wildlife species due to man's activities; ensure that fish and

Wildlife populations do not drop below self-perpetuating levels; preserve, protect and enhance for future generations all animal communities and to provide for public viewing of these species within thin such protection.

13. The County of Orange shall protect the species within their natural habitat from harassment and molestation by controlling access, by regulation and by enforcement.
14. All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features shall be preserved.
15. All development plans/grading plans shall define the precise location of sensitive habitat areas.
16. Plans for erosion and sediment control measures, including landscaping and provisions for maintenance responsibilities need to be established as a requirement of the approval processes.
17. The construction of improvements to land which will probably require protection from coastal erosion in the foreseeable future shall not be allowed except as permitted by Sections 30253 and 30235 of the Coastal Act.
18. Construction in coastal waters must be evaluated relative to its effects on recreational uses.
19. Location of buildings and parking areas shall be appropriate to the size, shape and topography of the site and shall be in harmony with its setting.
20. Vegetative covering for stabilization of graded areas shall be selected and designed to be compatible with surrounding nature vegetation.
21. County approved measures must be taken to prevent soil erosion and to control sedimentation.
22. County approved herbicides shall be used to control weeds, brush and other growth if necessary.
23. Development as proposed in the Recreation and New Development component which require an Army Corps of Engineers permit under Section 10 of the River and Harbor Act of 1899 and under Section 404 of the Clean Water Act of 1977, will be subject to separate review by the United States Fish and Wildlife Service under the Fish and Wildlife Coordination Act.

Long-Term Habitat Management

24. All federal, state and local air, water, solid waste and noise pollution regulations shall be complied with.
25. An entrapment device shall be installed that can be maintained regularly to reduce litter that may enter Sunset Beach from the County flood control channel.
26. The County of Orange shall examine public and private projects (such as road construction, flood control, dredging and filling, waste disposal, etc.) as such pertain to habitat Management-Public Health and Safety.

Public Health and Safety

27. Applications for grading and building permits, and applications for subdivision shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami run-up, landslides, beach erosion, or other geolog
28. The County of Orange shall protect irreplaceable beaches and coastal bluffs from development and natural erosion processes, to provide for the replenishment of beach sands, and to maximize public control and access to the beaches and the coast
29. The County of Orange shall create an ongoing mechanism for developing and instituting controls to mitigate unacceptable risks.
 - a. Regulate designated major watercourses and/or development on their flood plains to provide safety during a standard project flood.
 - b. Discourage building within flood plains and, when flood plain mapping is available, add flood plain regulations to existing zoning districts within flood plains.
 - c. Provide structural remedial projects to reduce frequency of flooding in developed areas to 100 years, as financial resources permit.
 - d. Prepare remedial measures to limit erosion and sediment transport from development areas to bays and harbors and to permit reasonable movement of sediment to the open ocean for beach sand replenishment.
30. The County of Orange shall support programs to investigate and understand the phenomena creating the flood hazard, train personnel in the effective technique of prevention and disaster control, and provide aid to persons affected by disasters.
 - a. Monitor for and evaluate studies of the use of nonstructural

alternatives, including more compatible land use planning adjacent to watercourses for flood control purposes.

- b. Provide guidance during and after flood disaster and promote inter-agency assistance for people affected.
- 31. Adequate street lighting/parking lot light shall continue to be provided in conformance with American National Standards Institute (ANSI) and the Orange County standard plans.
- 32. Parking areas shall be clearly marked.
- 33. Stringent controls shall be in effect over disposal of solid, chemical, liquid, sanitary and oily wastes.

Land and Water Conservation

- 34. All water areas must be protected from pollution.
- 35. All diking, dredging, and filling activities shall conform to the provisions of Sections 30233 and 30607. 1 of the Coastal Act. Dredging, when consistent with these provisions and where necessary for the maintenance of the tidal flow and continued viability of the wetland habitat, shall be subject to the following conditions:
 - a. Dredging shall be prohibited in breeding and nursery areas and during periods of fish migration and spawning.
 - b. Dredging shall be limited to the smallest areas feasible.
 - c. Designs for dredging and excavation projects shall include protective measures such as silt curtains, diaphragms, and weirs to protect water quality in adjacent areas during construction by preventing the discharge of refuse, petroleum spills, and unnecessary dispersal of silt material.
- 36. Spoils should be deposited in the littoral drift except when contaminants would adversely affect water quality or marine habitats.
- 37. Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed in conjunction with the initial grading operations and maintained through the development process to remove sediment from run-off waters. All sediment shall be retained on site unless removed to an appropriate dumping location.
- 38. Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased run-off resulting from modified soil and surface conditions as a result of development. Water run-off shall be retained on-site whenever possible to facilitate groundwater recharge.

39. Degradation of the water quality of groundwater basins, nearby streams or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.
40. Water quality shall be protected by meeting strict quality standard and enforcement with regard to water imported into the County, and to preserve the quality of water in the groundwater basin, streams, estuaries and the ocean.

Viewshed Protection/Viewshed Reclamation

41. All development within the Sunset Beach Local Coastal Program study area shall be subject to a Coastal Development Permit, including local community review.
42. Outdoor advertising signs shall be prohibited in the Coastal Zone area.
43. Undergrounding of electric distribution lines by the utility companies shall be required at the earliest time practicable. (See also Policy #46.)
44. The County of Orange shall ensure that land uses within designated scenic highway corridors are compatible with scenic enhancement and preservation.
45. The County of Orange shall protect the County's visual amenities and historical values through the permanent preservation of scenic areas as open space.
46. A master plan for undergrounding of utilities shall be prepared and a study shall be initiated of the feasibility of combining utility easement to avoid disfiguring use of land.
47. The County of Orange shall determine requirements, plan or assist in the planning, and assume management responsibility when appropriate for open space areas used for outdoor recreation, including, but not limited to, areas of outstanding scenic, historic, and cultural value particularly suited for park and recreation purposes, including access to lake shore, beaches, and rivers and streams, and areas which serve as links between major recreation and open space reservations, including utility easements, greenbelts, banks of rivers and streams, trails and scenic highway corridors.
48. Scenic highways developed by the County shall benefit the entire County.
49. Scenic highway corridors shall be designed to maximize the compatible multipurpose objectives of open space planning such as recreation, conservation, public health and safety, and

preservation of scenic aesthetic amenity.

50. The scenic corridor plan should not provide impetus for other forms of development detrimental to the values of the scenic highway corridor.
51. The scenic highway should be linked, when possible, to regional parks, trails, wildlife areas and historical sites, greenbelts and other recreation-open space areas without being detrimental to them.
52. Signing shall respond to driver perception criteria, such as distance, speed and core of vision.
53. Public signs where possible, shall be consolidated and organized on common sign frames.
54. Signs shall be an integral part of the building design, using compatible materials.
55. Freestanding signs where permitted shall relate to the design of the main structure and shall be located so as not to detract from the aesthetic appeal of the development. Utilization of low profile signs is encouraged to promote this end.
56. Light sources on site shall not be directly visible, or be of such high intensity as to cause a traffic or public safety hazard.

County of Orange General Plan Resources Element (Cultural and Historic sources)

57. County policies addressing archaeological, paleontological and historical resources shall be implemented at appropriate stage(s) of planning, coordinated with the processing of a project application.

III. TRANSPORTATION COMPONENT

A. INTRODUCTION

1. The Coastal Act defines planning and management policies for coastal resources. These policies are grouped into six categories: public access, recreation, marine environment, land resources, development and industrial development. Policies relating to transportation are found in both the public access and development sections.

Public Access

Section 30212.5 states that: Wherever appropriate and feasible, public facilities including parking areas or facilities, shall be distributed throughout an area as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public of any single area.

Development

Section 30252 states that: The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

Section 30252 states that: New development shall minimize energy consumption and vehicles miles traveled.

Issues

Sunset Beach has only a limited impact upon the regional transportation system due to its relatively small size. Transportation issues related to this segment generally are more localized or site-specific than those described in the work program. However, discussion of the regional context and inclusion of several general transportation policies is necessary.

B. REGIONAL TRANSPORTATION

1. Arterial Highways

A network of freeways and arterial highways provide regional

access for Sunset Beach. The major regional facilities serving the community are Pacific Coast Highway and the San Diego Freeway. Arterial highways link these two facilities to each other and to Sunset Beach.

These arterial highways and freeways are part of a network of existing and planned facilities defined by Orange County's Master Plan of Arterial Highways (MPAH). This network is designed to meet circulation needs of all currently adopted land use plans within the County and anticipated population growth. It is a "build-out" plan based on the assumption that all proposed highway facilities will be in place at the same time as build-out of the land use plan occurs. Also, the MPAH highway network is designed to meet the demands of year-round weekday traffic rather than peaks generated by summer and/or weekend traffic along the coast.

A brief description of relevant arterial highway classifications follows:

A MAJOR arterial highway is designed as a six-lane divided roadway, with a typical right-of-way width of 120 feet. A major is provided to accommodate between 30,000 and 45,000 vehicle trips per day.

A PRIMARY arterial highway is designed as a four-lane divided roadway, with a typical right-of-way width of 100 feet. A primary is designed to accommodate between 20,000 and 30,000 vehicle trips per day.

A SECONDARY arterial highway is designed as a four-lane undivided (no median) roadway, with a typical right-of-way width of 80 feet. A secondary is designed to accommodate between 10,000 and 20,000 vehicle trips per day.

Figure 5 locates Sunset Beach within the arterial highway network. Pacific Coast Highway (PCH) is the only arterial parallel and adjacent to most of Orange County's coastline. It enters Orange County from the north at Seal Beach and terminates at an intersection with the San Diego Freeway in Capistrano Beach. For much of its length in the vicinity of Sunset Beach it is a four-lane facility with painted median. It is designated on the Orange County Master Plan of Arterial Highways as a primary (four lane, undivided) arterial highway. It currently carries 39,000 vehicles per day within Sunset Beach, with volumes increasing to 45,000 vehicles per day during the peak summer months (see Figure 6).

Several arterial highways connect Pacific Coast Highway with inland areas and the San Diego Freeway. Seal Beach Boulevard and Warner Avenue are both designated as major arterial (six lane, divided) highways and provide connections with PCH at points north and south, respectively, of Sunset Beach.

Edinger Avenue, a primary arterial highway on the Master Plan of

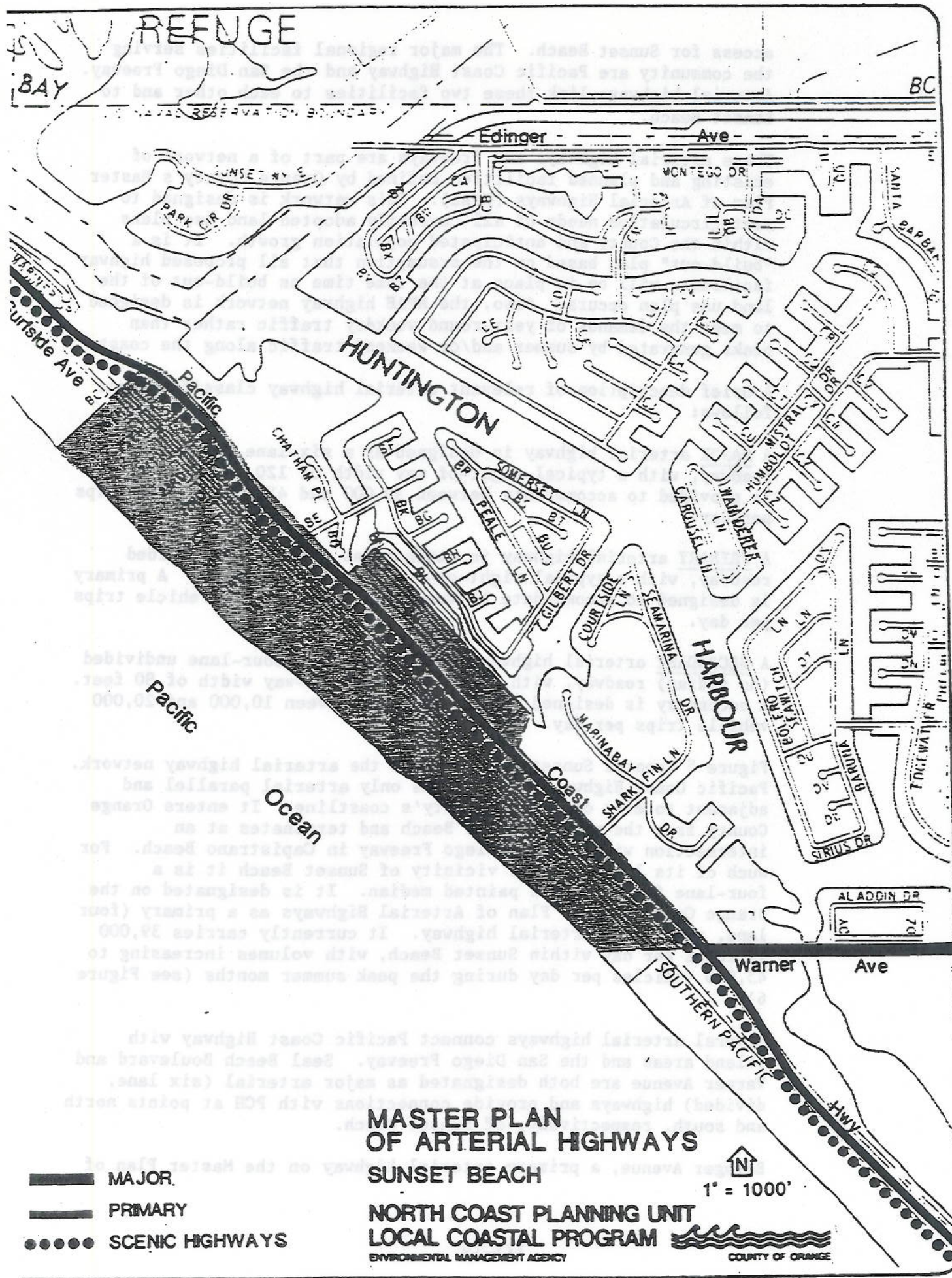


Figure 5

Arterial highways (MPAH), is proposed to connect to Pacific Coast Highway. Past studies have shown that the feasibility of this connection is unlikely because of impacts to the National Wildlife Refuge, Sunset Aquatic Park and other valuable wetland and biological resources. Therefore, volumes on PCH between Warner Avenue and the PCH bridge over Anaheim Bay are expected to be extremely high for the current geometric configuration of this reach of Pacific Coast Highway. Volume in excess of 50,000 ADT can be expected without the Edinger Avenue extension.

The arterial highway network serves as both the motorist and the public transit rider. County-wide and regional access via transit is designed primarily by the Orange County Transit District (OCTD), which operates an extensive system of fixed routes and dial-a-ride service throughout Orange County. OCTD service to the Sunset Beach area is quite extensive. OCTD route #1 utilizes Pacific Coast Highway between Long Beach/Seal Beach and San Clemente, providing north-south service to Sunset Beach. three other OCTD routes terminate at Pacific Coast Highway and Warner Avenue at the southern end of Sunset Beach; they provide direct service to the beach from inland Orange County areas (see Figure 6).

2. Bikeways

The Pacific Coast Bikeway follows Pacific Coast Highway and serves as a major north-south route within Orange County and the only bikeway adjacent and parallel to the coastline. Bikeways connecting to Pacific Coast Highway generally follow arterial highways. Seal Beach Boulevard and Warner Avenue both include bikeways (see Figure 7). All of the above bikeways are included in the Master Plan of County-wide Bikeways.

C. SUNSET BEACH TRANSPORTATION

1. Transportation Issues

Transportation issues to be addressed in this section include:

- a. Impact of new development and redevelopment on the highway and local street network.
- b. Provision of adequate access to the site for all transportation modes, including private vehicles, buses and bicycles.
- c. Provision of adequate facilities.

2. Issue Analysis

The major transportation issues within Sunset Beach are traffic congestion on Pacific Coast Highway, local circulation within the community and limited parking facilities for both residents and visitors.

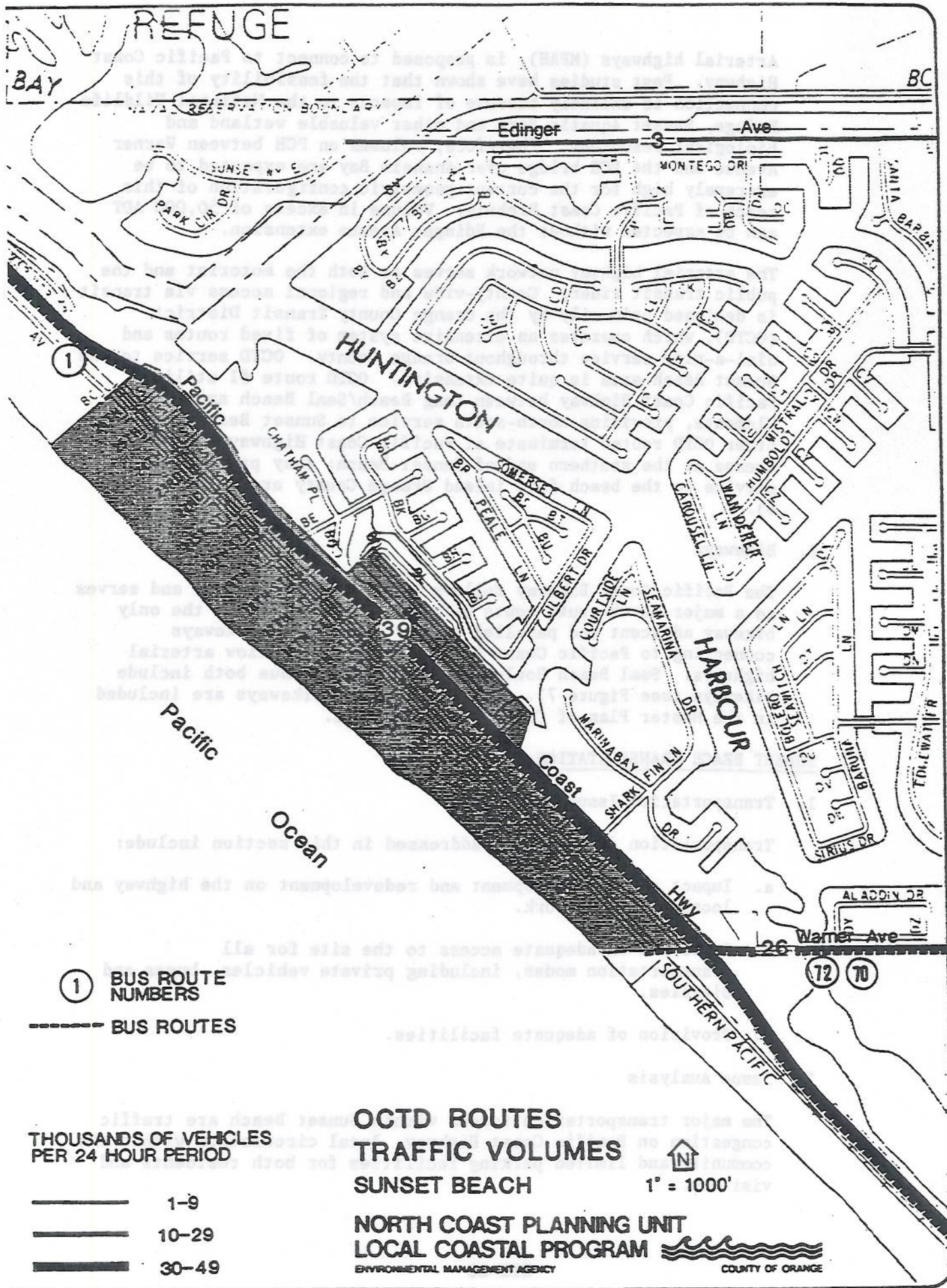


Figure 6

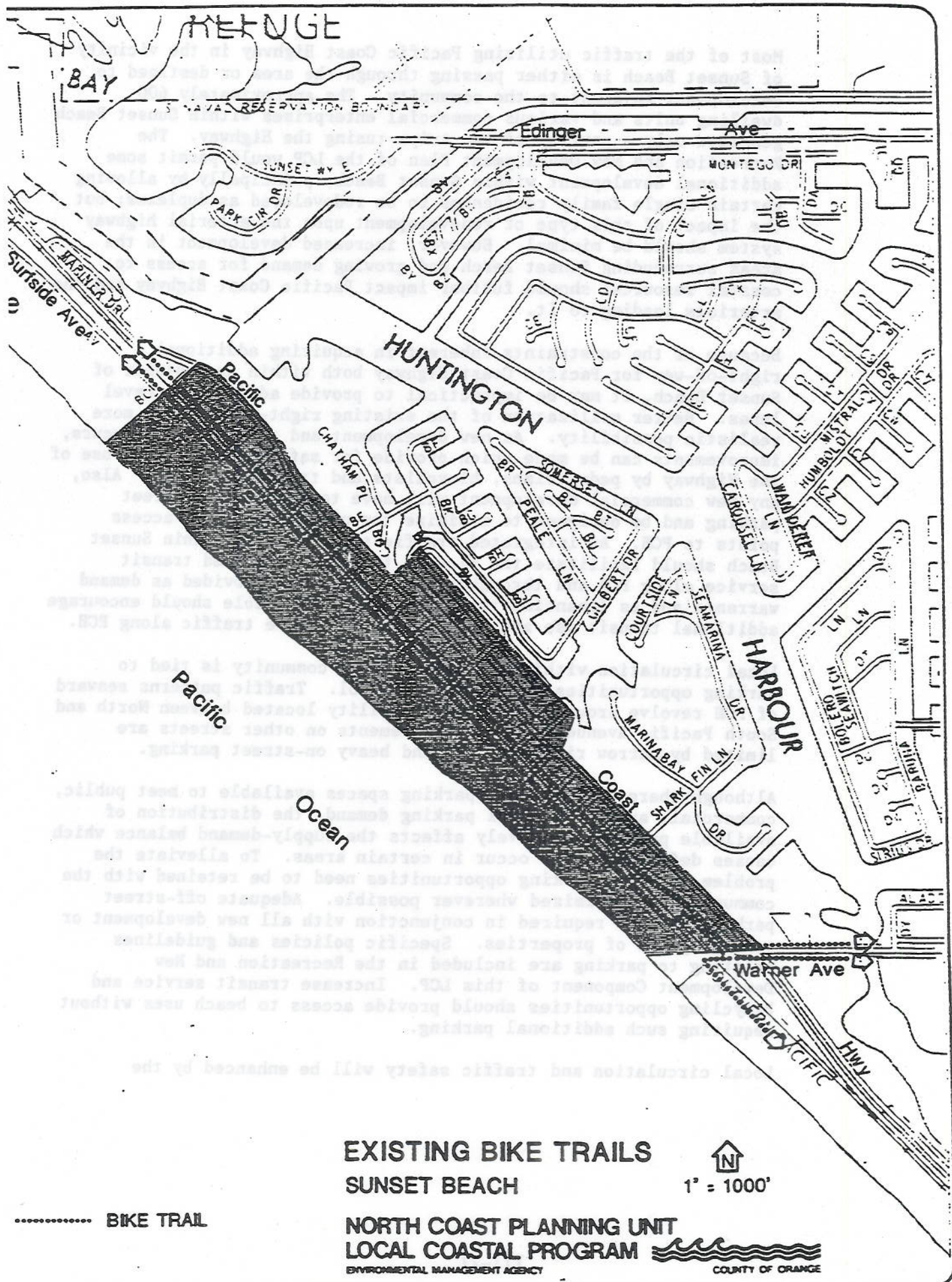


Figure 7

Most of the traffic utilizing Pacific Coast Highway in the vicinity of Sunset Beach is either passing through the area or destined to development adjacent to the community. The approximately 600 dwelling units and various commercial enterprises within Sunset Beach generate only a portion of the trips using the Highway. The Recreation and New Development Plan of the LCP would permit some additional development within Sunset Beach, principally by allowing certain single family residences to be redeveloped as duplexes; but the impact of this type of redevelopment upon the arterial highway system should be minimal. However, increased development in the areas surrounding Sunset Beach and growing demand for access to coastal resources should further impact Pacific Coast Highway and the arterials leading to it.

Because of the constraints inherent in acquiring additional right-of-way for Pacific Coast Highway both within and outside of Sunset Beach, it may be impractical to provide additional travel lanes. Better utilization of the existing right-of-way is a more realistic possibility. As new development and redevelopment occurs, improvements can be made which provide for safe and convenient use of the Highway by pedestrians, bicyclists and transit vehicles. Also, any new commercial development will have to provide off-street parking and be designed to minimize the number of direct access points to PCH. An integrated traffic signal system within Sunset Beach should facilitate the flow of traffic. Expanded transit service along PCH and throughout the area to be provided as demand warrants and as financial resources become available should encourage additional transit use and might somewhat reduce traffic along PCH.

Local circulation within the Sunset Beach community is tied to parking opportunities and traffic control. Traffic patterns seaward of PCH revolve around the parking facility located between North and South Pacific Avenues. Traffic movements on other streets are limited by narrow rights-of-way and heavy on-street parking.

Although there are adequate parking spaces available to meet public, commercial, and residential parking demand, the distribution of available parking negatively affects the supply-demand balance which causes deficiencies to occur in certain areas. To alleviate the problem existing parking opportunities need to be retained with the community and maximized wherever possible. Adequate off-street parking will be required in conjunction with all new development or redevelopment of properties. Specific policies and guidelines relating to parking are included in the Recreation and New Development Component of this LCP. Increase transit service and bicycling opportunities should provide access to beach uses without requiring such additional parking.

Local circulation and traffic safety will be enhanced by the

retention of both the 15 miles per hour speed limit on all Sunset Beach streets, except Pacific Coast Highway and the parking restrictions on North and South Pacific Avenues. Also, conversion of Bay View Drive to one-way operation will be evaluated as a means to improve circulation inland of PCH.

SECTION 7-9-125.1. Required street and highway dedication and improvements normally required per the Orange County Zoning Code and not applicable to the SBSP/LCP area except for those properties abutting Pacific Coast Highway. However, street and highway dedication for 4th through 26th Streets shall conform to the Typical Section for those streets (see Figure 8).

D. POLICIES

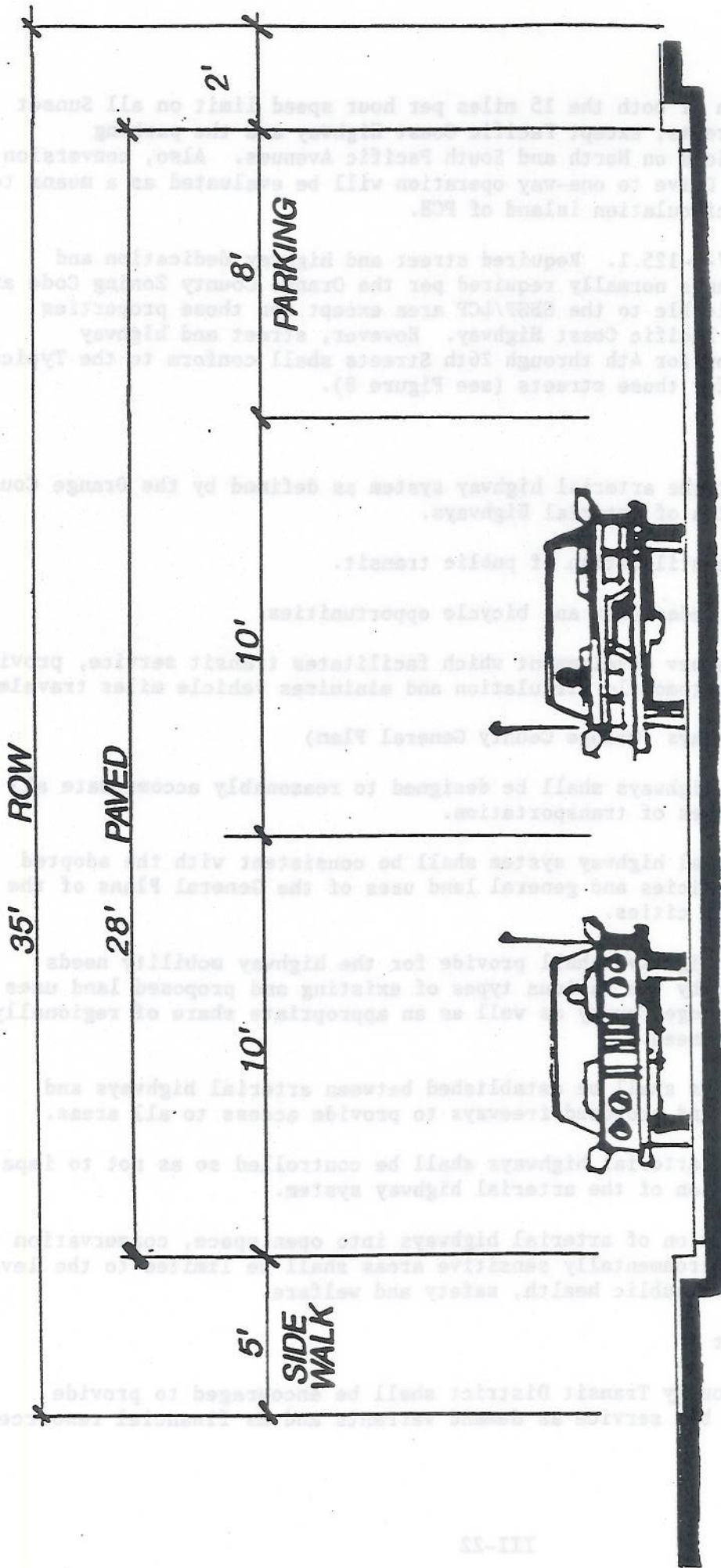
1. Implement the arterial highway system as defined by the Orange County Master Plan of Arterial Highways.
2. Encourage utilization of public transit.
3. Increase pedestrian and bicycle opportunities.
4. Encourage new development which facilitates transit service, provides for non-automobile circulation and minimizes vehicle miles traveled.

Arterial Highways (Orange County General Plan)

5. Arterial highways shall be designed to reasonably accommodate all viable modes of transportation.
6. The arterial highway system shall be consistent with the adopted goals, policies and general land uses of the General Plans of the County and cities.
7. Arterial highways shall provide for the highway mobility needs generated by the various types of existing and proposed land uses within Orange County as well as an appropriate share of regionally generated need.
8. Connections shall be established between arterial highways and existing and proposed freeways to provide access to all areas.
9. Access to arterial highways shall be controlled so as not to impair the function of the arterial highway system.
10. The extension of arterial highways into open space, conservation and other environmentally sensitive areas shall be limited to the level needed for public health, safety and welfare.

Public Transit

11. Orange County Transit District shall be encouraged to provide expanded bus service as demand warrants and as financial resources



TYPICAL SECTION **4TH THROUGH 26TH STREETS**

SUNSET BEACH SPECIFIC PLAN

LOCAL COASTAL PROGRAM
 ENVIRONMENTAL MANAGEMENT AGENCY
 COUNTY OF ORANGE

Figure 8

become available.

Trails

12. Trails for bicyclists and pedestrians shall be implemented in conjunction with new development and redevelopment. Where feasible, all local bikeways shall connect with the county-wide bikeway system.

Sunset Beach

13. Future planning of Pacific Coast highway shall take into consideration upgrading of the highway to provide better transit; bicycle and pedestrian opportunities; coordinate traffic signals; optimize traffic flow; and construct a landscape median.
14. As new development and redevelopment occurs, off-street parking shall be provided which meets the requirements of the proposed development guidelines, included in the Recreation and New Development Component.
15. The present 15 miles per hour speed limit shall be retained and vigorously enforced, on all streets within Sunset Beach, except Pacific Coast Highway.
16. All existing on-street parking shall be retained within Sunset Beach and maximized wherever possible. There shall be no parking on North and South Pacific, except in front of driveways by permit only.
17. The feasibility of converting Bay View Drive, west of Broadway, to one-way westbound circulation shall be evaluated.

E. AIR QUALITY

1. Coastal Act Policies

The Coastal Act defines planning and management policies for coastal resources. These policies are grouped into six categories: Public access, recreation, marine environment, land resources, development and industrial development and industrial development. Policy relating to air quality is found in the development section. Section 30253 states that: new development shall be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

2. Existing Conditions

In order to assess the air quality in the region, the California Air Resources Board (CARB) has established fourteen (14) air basins in the state. These basins define areas having a similar meteorological and geographical conditions and existing political boundaries wherever practical.

Sunset Beach lies within the South Coast Air Basin (SCAB), which includes all of Orange County and portions of Los Angeles, San Bernardino, and Riverside Counties. The basin is bounded on the west by the Ventura County line and on the north by the San Gabriel, San Bernardino, San Geronimo, and San Jacinto Mountains. These ranges form a chain separating the South Coast Climatic Zone from the Great Basin Valleys and the Southeast Desert.

The community has a Mediterranean-type climate with warm summers and mild winters. Cool breezes blow through the valleys (offshore in the mornings and onshore in the evenings) throughout the year. The ocean's moderating influence limits the daily temperature range. An average of twelve to fourteen inches of rain are received annually. Air quality in the community unit is a function of meteorological factors, primary and secondary pollutants and regional ambient air quality.

Currently, there are no major point sources of air pollution located in the Sunset Beach. Ambient air quality data is given in terms of State and Federal standards adopted to protect public health with a margin of safety. In addition to ambient standards, California has adopted Episode Criteria for oxidant, carbon monoxide (CO) and sulfur dioxide (SO₂). The Episode levels represent short-term exposures at which public health is actually threatened.

In general, the prevailing daytime wind movement from the ocean carries pollution easterly from its origin toward the Elsinore convergence zone, where it is uplifted to become part of the pollution problem that exists in general in the South Coast Air Basin.

3. Air Quality Management Plan

The California Air Resources Board has determined that the entire South Coast Air Basin is a nonattainment area for oxidant, CO, NO₂ and Total Suspended Particulates (TSP) (Air Quality Management Plan 1979). The nonattainment status implies that the oxidant, CO, NO₂ and TSP are in violation of the primary National Ambient Air Quality Standards. As a result of the SCAQMD and the Southern California Association of Governments (SCAG) have jointly prepared an Air Quality Management Plan (AQMP) for meeting the federal air quality standards. In March of 1989, a second revision to the original plan was submitted to SCAQMD for review. When approval is ultimately obtained, the plan becomes the South Coast Air Basin (SCAB) portion of the State Implementation Plan (SIP).

IV. ACCESS COMPONENT

A. INTRODUCTION

Historically, the shoreline has been recognized as a valuable resource to be shared by all people. The doctrine that tidelands are held in public trust is embodied in the Commerce Clause of the United States Constitution and has been interpreted by courts as giving the public the right to use the nation's navigable waters. In California, the State Constitution guarantees the public right to coastal access as stated in Article X, Section 4:

No individual, partnership, or corporation claiming or processing the frontage or tidal lands of a harbor, bay inlet, estuary, or other navigable water whenever it is required for any public purpose . . . and the legislature shall enact such law as well as give the most liberal construction to this state shall always be attainable for the people thereof.

1. Coastal Initiative/California Coastal Act

The Coastal Act contains policies that require that development shall not interfere with public right of access when acquired through use or legislative authorization. The Coastal Act also requires that new development projects between the sea and nearest public road provide public access unless: (1) access is inconsistent with public safety, military security needs or protection of coastal resources, (2) adequate access exists nearby, or (3) agriculture would be affected adversely. The legislature further declared that the basic goals of the state for the coastal zone are to:

- Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners (Sec. 30001.5.c).
- In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse (Sec. 30210).
- Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area (Sec. 30212.5).

- Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred (Sec. 30213).

- The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter (Sec. 30214a(1)(2)(3)(4)).

- Is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers equities and that balances the rights to the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution (Sec. 30214(b)).

- In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs (Sec. 30214(c)).

- The use of private lands suitable for visitor-serving commercial/recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial developments, but not over agriculture or coastal-dependent industry (Sec. 30222).

- Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible (Sec. 30223).

- Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated development or at selected points of attraction for visitors (amended by California Stats. 1979, Ch. 1090) (Sec. 30250.c).
- The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high-intensity uses such as high-rise office buildings, and (6) assuring that the recreational needs of new residents will not overload nearby coastal recreational areas by correlating the amount of development plans with the provision of on-site recreational facilities to serve the new development (Sec. 30252).
- Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development (Sec. 30253.3).
- Minimize energy consumption and vehicle miles traveled (Sec. 30253.4).

B. COASTAL ACCESS PROGRAM

Legislation adopted in 1979 (AB 989-Kapiloff) transferred responsibility for preparation of a comprehensive access program from the State Department of Parks and Recreation to the Coastal Commission and the Coastal Conservancy. This program requires coordination among local, state and federal agencies responsible for purchase, development and maintenance of public coastal accessways, and calls for maximum public access opportunities. The new coastal access program legislation also mandates preparation of an inventory of all existing coastal access points, a list of access dedications not yet accepted by public agencies, provision of information on whether access is currently available, and what action is necessary to accomplish actual public use. In addition, both the Commission and Conservancy are directed to prepare standards for accessway location and development.

C. DEFINITIONS

- Lateral Accessways: Lateral Accessways represent areas of land that provide public access along the water's edge. Lateral accessways should be used for public pass and repass, passive recreational use, or as otherwise found appropriate in a certified local Coastal Plan.

- Vertical Accessways: Vertical Accessways represent areas of land that provide a connection between the first public road, trail, or use area nearest the sea and the publicly owned tidelands or established lateral accessway. A vertical accessway should be used for public pass and repass, passive recreational use, or as otherwise found appropriate in a certified Local Coastal Plan.
- Upland Trails: Upland trails represent areas of land that provide public access along a shore-front bluff or along the coast inland from the shoreline. An upland trail also can provide access from the first public road nearest the sea to a scenic overlook or to another upland trail paralleling the shoreline. An upland trail should be used for public pass and repass, passive recreational use, viewing the ocean and shoreline, or as otherwise found appropriate in a certified Local Coastal Program.
- Scenic Overlooks: Scenic Overlooks represent areas of land that provide the public a unique or unusual view of the coast.
- Coastal Bikeways: A Coastal Bikeway is a facility specifically designated to provide access to and along the coast by bicycle trails as classified in Section 2373 of the Streets and Highways code. A Class I Bikeway (Bike Path or Bike Trail) provides a completely separate right-of-way designated for the exclusive use of bicycles and pedestrians with cross-flows by motorists minimized. A Class II Bikeway (Bike Lane) provides a restricted right-of-way in the established paved area of highways designated for the exclusive or semi-exclusive use of bicycles with through-travel by motor vehicles or pedestrians prohibited but with vehicle parking and cross-flows by pedestrians and motorists permitted. A Class III Bikeway (Bike Route) provides a right-of-way designated by signs or permanent markings and shared with pedestrians or motorists used primarily to provide a continuous link between Class I and Class II Bikeways.
- Hostels: Hostels are low-cost public travel accommodations providing sex-segregated sleeping in dormitory-type rooms with kitchen and bath facilities for the recreational traveler. Based on the European model, hostels provide the basic function of low-cost overnight lodging in a climate conducive to social and cultural interchange for the traveler. Maximum stay generally is three nights.
- Support Facilities: Support Facilities are those facilities that provide ease of public use and maintenance of coastal accessways. Such facilities include signs, trash receptacles, public telephones, rest rooms, showers, and parking areas.

D. COUNTY-WIDE RECREATIONAL NEEDS

1. Overview

The Orange County Recreational Needs and Regional Parks Study were undertaken to determine recreational needs throughout Orange

County. This Study specifically estimated demand for particular recreational activities and public facilities available at three particular times (1977, 1985, 1995) to satisfy such demand. Degree of surplus or deficiency of public facilities was projected based upon this information. Specific definitions for the scale used in the analysis are as follows:

Major Surplus - 200+ percent of the demand allocated can be accommodated.

Moderate Surplus - Between 110 percent and 199 percent of the demand allocated can be accommodated.

Approximate Balance - Between 90 percent and 109 percent of the demand allocated can be accommodated.

Moderate Deficiency - Between 50 percent and 89 percent of the demand allocated can be accommodated.

Major Deficiency - Less than 50 percent of the demand allocated can be accommodate.

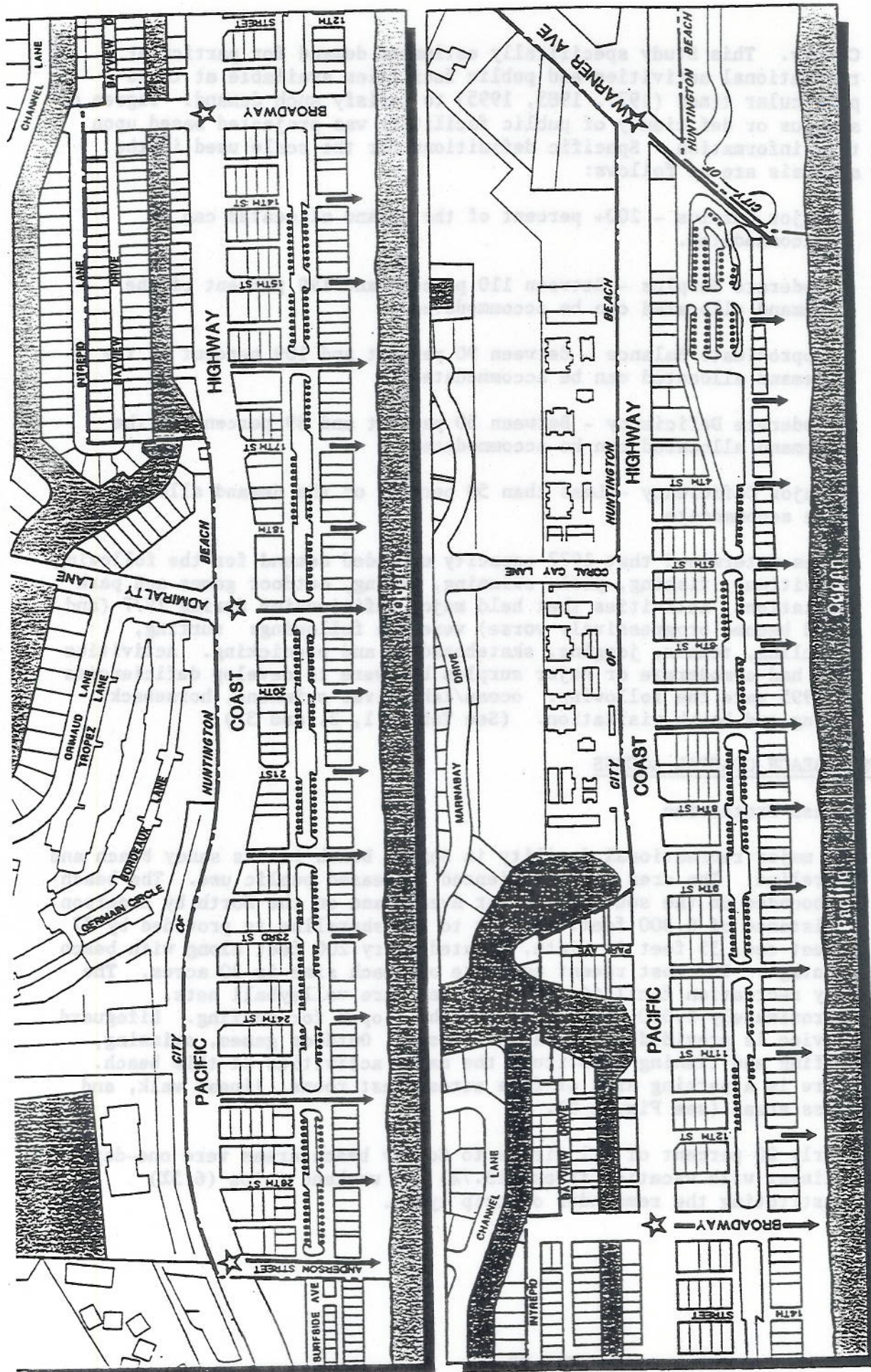
It was determined that 1977 capacity exceeded demand for the following activities: fishing, pool, swimming, hiking, outdoor games and park visitation. Activities that held major deficiencies during 1977 (and would become progressively worse) were the following: surfing, bicycling, tennis, jogging, skateboarding and picnicking. Activities that had a moderate or major surplus but were to develop deficiencies by 1995 were the following: ocean/lake/river swimming, horseback riding and beach visitation. (See Tables 1, 2, and 3.)

E. SUNSET BEACH COASTAL ACCESS

1. Access Protection

The major recreational facility in Sunset Beach is its sandy beach and shoreline. The area has experienced increased public use. The beach is bounded on the south by Warner Avenue and on the North by Anderson, a distance of 6,300 feet. Access to the shoreline is provided by 27 street-end, 35 feet in width, located every 200 feet along with beach frontage. The most recent estimate of beach size is 30 acres. The only recreation facilities on the beach are volleyball nets. Approximately 1,500 feet of the beach is open for surfing. Lifeguard service is provided on a seasonal basis. Outdoor games, swimming, surfing and fishing constitute the major activities at this beach. There is a parking area of five acres, rest rooms, linear walk, and grass areas (see Figure 9).

Nearly 80 percent of all visits to County beach areas were one-day outings, with vacation trips (13.7%) and weekend trips (6.5%) constituting the remainder of trip types.



EXISTING ACCESS

SUNSET BEACH

Specific Plan and Local Coastal Program

NORTH COAST PLANNING UNIT

LOCAL COASTAL PROGRAM

ENVIRONMENTAL MANAGEMENT AGENCY

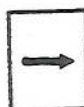
COUNTY OF ORANGE



Public Parking



Access Points



Traffic Signal



Figure 9

2. Demand for Shoreline Access

The demand for access to Orange County beaches is high ;and is anticipated to increase. The participants in beach activities include out-of-County residents as well as County residents. Orange residences accounted for 56 percent of beach users. In contrast, Los Angeles, San Bernardino, Riverside, and San Diego County residents comprise 36 percent of beach users. Out-of-state users account for 8 percent.

The Orange County Recreation Needs and Regional Parks Study states that a surplus of beach facilities in the North Coast Planning Unit currently exists but will be deficient by 1985;. The study further states that the real limitation on beach visitation is not the extent of the resources but accessibility to the resources. Shortages of parking, limited public transit accessibility and heavy congestion on Pacific Coast Highway and other access routes exists which may deter some persons from visiting the beach. Consequently the participation rate for beach visitation measured may be low.

F. POLICIES

Recreational Open Space

1. To determine requirements; plan or assist in the planning for, and assume management responsibility when appropriate for open space areas used for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lake shores, beaches, and rivers and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, greenbelts, banks of rivers and streams, trails and scenic highways corridors.

Scenic Highway/Open Space Linkage

2. The scenic highway should be linked, when possible, to regional parks, trails, wildlife areas and historical sites, greenbelts and other recreation open space areas without being detrimental to them.
3. To protect irreplaceable beaches and coastal bluffs from development and natural erosional processes, to provide for the replenishment of beach sands, and to strive for increased public control and access to the beaches and the coastline.

Overnight Tourist Facilities

4. To require that facilities accommodating overnight tourists are permanent structures.

Tourist Recreation/Commercial

5. To encourage multi-use developments combining Tourist Recreation/Commercial uses and any others which achieve the intent of this designation.

TR/C Access

6. To provide for maximum public access to the amenities afforded by the site.

TR/C Site Design

7. To arrange buildings, structures and man-made improvements so that scenic aspects of the TR/C site are available for public enjoyment.

TR/C Site Alteration

8. To conserve natural features of the TR/C site through use of site alterations and grading that enhance the natural scenic and recreational features of the site.

Bikeways-Transportation

9. To provide a county-wide transportation network of bikeways to recreation areas and other destination points of significance throughout the County.
10. To develop recreationally pleasant bikeways to the beaches adjacent to the cities of Seal Beach, Huntington Beach, Newport Beach, Laguna Beach and San Clemente.

Bikeways-Recreation

11. To provide a county-wide recreation-oriented network of bikeways that would link and traverse recreation and open space areas.

TC/C Beach

12. The County of Orange shall take all steps necessary to protect and to defend the public's constitutionally granted rights of access to and along the shoreline.
13. Public facilities (e.g., parking facilities, rest rooms and bicycle trails) shall not be located directly on the dry sandy beach. Necessary facilities (e.g., lifeguard towers and volleyball nets) are excluded from this restriction.
14. The existing beach and sand areas shall be preserved and protected.

15. Groins, retaining walls and other construction that may alter the natural shoreline processes, unless designed to eliminate or mitigate adverse impacts on local shoreline sand supply, shall be prohibited.
16. There shall be no roadway, bike path, hiking trail, or parking facility on the beach.
17. There shall be no advertising of any nature.
18. Beach from property line to mean high-tide line shall be properly maintained and routinely cleaned.
19. The Development Guidelines contain specific conditions for the protection of access.

V. RECREATION AND NEW DEVELOPMENT COMPONENT

A. INTRODUCTION

This Component designates a "Land Use Plan" that provides for the development of new facilities and the upgrading and/or eradication of certain existing facilities within Sunset Beach. Policies are provided that intend to guide the realization of the Plan. The maps and policies establish parameters for evaluating future development proposals within this coastal planning area and set forth measures that the County should enact to achieve the degree of resource protection, transportation and public access provision and land use implementation emphasize within the California Coastal Act of 1976.

The "Recreation and New Development" Plan has been prepared to aid in the realization of goals as stated in Section 30001.5 of the Coastal Act. Those goals are as follows:

1. Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural land man-made resources.
2. Assure orderly, balance utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
3. Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with the sound resources conservation principles and constitutionally protected rights of private property owners.
4. Assure priority for coastal-dependent development over other development on the coast.
5. Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

Furthermore, the Sunset Beach Local Coastal Program defines land uses and the accompanying extent of those uses to be developed on site. As such, it is consistent with the intent and specifications stipulated by the following Coastal Resources Planning and Management Policies as contained in Chapter 3 of California Coastal Act:

Policy Section 30210-30213 (Public Access)
30220-30224 (Recreation)
30230-30236 (Marine Environment)
30240-30244 (Land Resources)
30250-30255 (Development)

B. SUNSET BEACH LAND USE PLAN

1. Introduction

This component establishes and designates areas of residential and commercial development that will not impair coastal resources or public access to the coast. Additionally, it sets maximum desirable densities and intensity for these land uses.

The Land Use Plan is the culmination of the previous components. Policies are provided to guide the realization of the Land Use Plan. The Land Use Map (see Figure 10) and Development Guidelines establish standards for evaluating future development.

The goal of the Land Use Plan is to maintain and enhance the special character of Sunset Beach. The preservation of the unique character of the area is the fundamental goal.

2. Existing Visitor Serving/Commercial Recreational Facilities

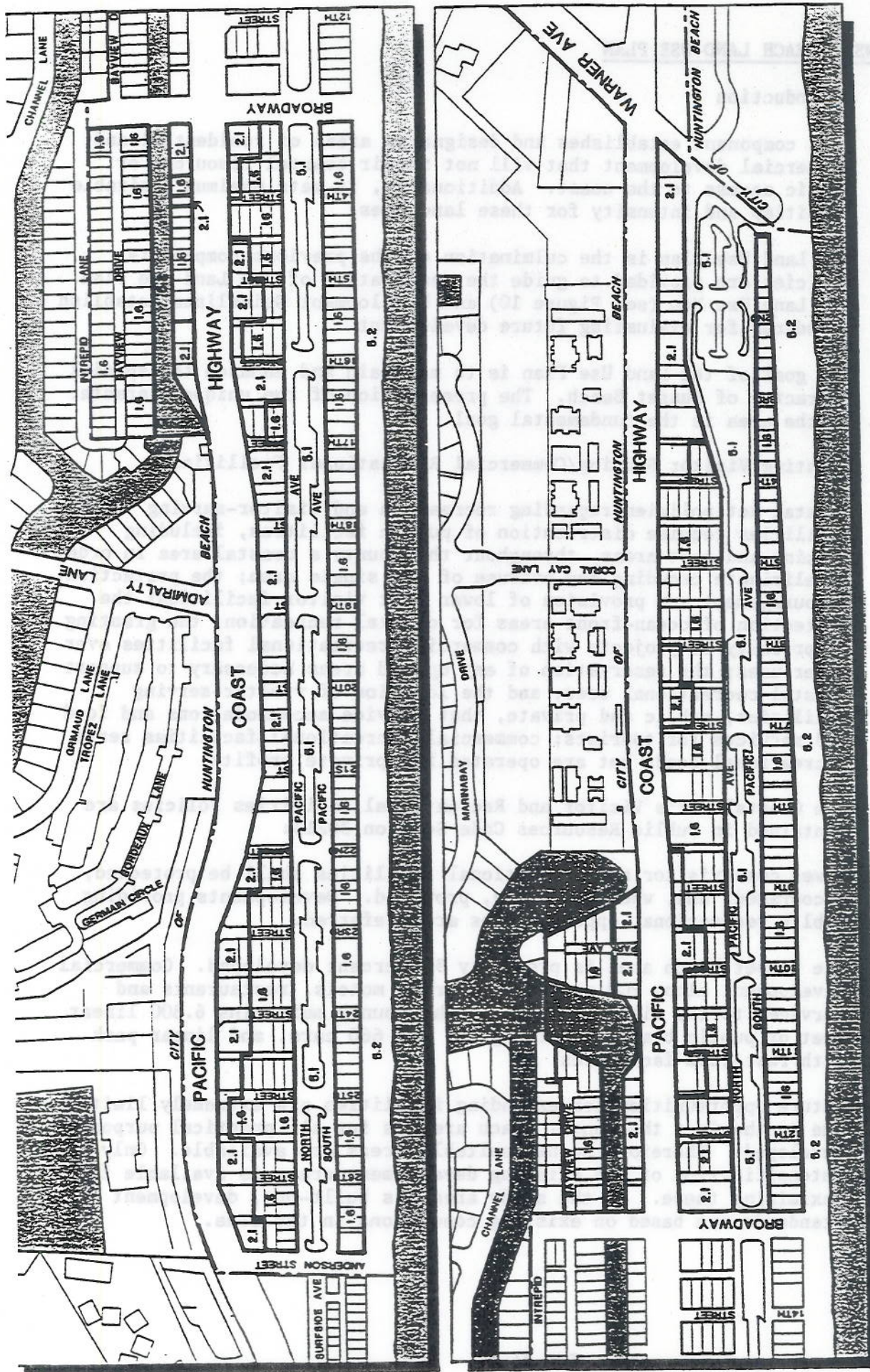
Coastal Act policies regarding recreation and visitor-serving facilities require distribution of public facilities, including parking and rest areas, throughout the County's coastal area in order to eliminate crowding and overuse of any single area; the protection, encouragement and provision of lower cost visitor facilities; the protection of ocean-front areas for coastal recreation; the granting of priority of projects with commercial recreational facilities over other uses; the reservation of any upland areas necessary to support coastal recreational uses; and the location of visitor-serving facilities, public and private, that provide accommodations and food and services for tourists; commercial-recreational facilities serve recreational needs but are operated for private profits.

The Coastal Act's Visitor and Recreational Facilities Policies are contained in Public Resources Code Section 30213:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The Sunset Beach area is presently 96 percent developed. Commercial development along PCH provides numerous motels, restaurants and services to the visiting public. The County maintains 6,300 linear feet of public beach, a parking lot for 660 cars, and linear park with rest-room facilities.

Future opportunities for expanding facilities are extremely limited due to the fact the Sunset Beach area is for all practical purposes, developed. Therefore no new suitable areas are available. Only intensification of the existing development areas is available for maximizing these. As the study area is built-out, development standards are based on existing conditions in the area.



LAND USE MAP

SUNSET BEACH
Specific Plan and
Local Coastal Program
NORTH COAST PLANNING UNIT
LOCAL COASTAL PROGRAM
ENVIRONMENTAL MANAGEMENT AGENCY



5.1	Other Open Space
5.2	Recreation

1.6	High Density Residential
2.1	Tourist/Recreation/Commercial

Figure 10

3. Housing Component

New housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

The Board of Supervisors adopted an amended Housing Element in June, 1986. The Housing Element includes a Housing Opportunities Program which is intended to alleviate housing shortages by increasing "the production of housing units affordable to households in a broad range of income levels." The County is pursuing this goal through both mandatory and voluntary components discussed in the Element."

Within this context, County policy to require and/or encourage a portion of new units to be affordable does not deviate from the objective of maintaining present community character in Sunset Beach. The Sunset Beach specific Plan reinforces the intent and guidelines of the Orange County Housing Element through policies which ensure compliance with all provisions of the Housing Element as amended and encourages development of affordable Housing element in effect at the time a project is to be approved.

4. Beach Erosion, Shoreline Structures, Boating Facilities

Beach Erosion

The Sunset Beach shoreline is subject to severe erosion (see discussion in the Resources Component). The Corps of Engineers has an ongoing program of sand replacement to mitigate this process. Therefore, beach stability is primarily dependent upon human factors and not nature. If the beach nourishment program in effect in 1984 is halted or delayed, beach erosion that threatens homes in Sunset Beach should be anticipated. This erosion, if it continues long enough, will expose homes to wave attack as well as to flooding.

Shoreline Structures

Special design consideration must be given to development along the shoreline because ocean-water creates a flooding problem.

Design guidelines for residential development along the coast are established in Chapter Four (4) of the coastal Flood Plain Development Study as amended. These guidelines are based on the assumption that the beach will be artificially maintained with a width of at least 150 feet from the ocean-facing private property line. Flowing water is the only design consideration. Should the beach retreat to less than width, the possibility of storm erosion and breaking wave activity at the structures may occur and flood protection as regulated by these design guides will not provide protection from wave impact forces. Revised design guidelines must then be modified to reflect the circumstances.

Rationale for Design of Structures

Flood damage occurs at times of abnormally high tides when waves overtop the berm and water flows toward the houses. Flood damage resulting from this process, called over-wash, can be reduced by raising the living area of the homes above the level of flowing water. The Coastal Flood Plain Development Study requires that a new structure be raised to a specific height above a point on South Pacific Avenue.

In addition to providing protection against flood damage, the requirement to build on piling along South Pacific Avenue provides a safety margin should conditions at Sunset Beach return to the way they were in the 1930s when homes were vulnerable to attack by waves. Homes on shallow footings can be rapidly damaged or destroyed if their sand support is lost to erosion.

Existing lawful nonconforming residential uses may be severely impacted by the Coastal Flood Plain Development Study and will require special consideration.

Boating Facilities

There are no publicly maintained boating facilities within the study area. However, private docks are available in the SBW District adjacent to commercial and residential properties subject to the permit process.

There are no public boat launch sites in Sunset Channel with the exception that the nontrailerable boats which can be hand-carried may be launched at the 11th Street Beach. The publicly owned Sunset Channel has been privately bulkheaded and the streets and alleys, where they abut the channel, were bulkheaded by the County; limited facilities are provided.

C. SUNSET BEACH LAND USE PLAN POLICIES

1. The existing visitor-serving/commercial-recreational facilities have been identified for preservation in the Land Use Plan.
2. The existing pattern of visitor-serving/commercial-recreational facilities shall be retained and intensified where consistent with development guidelines.
3. All new development shall conform to the Orange County Housing Element.
4. The County shall cooperate with the United States Army Corps of Engineers regarding all sand replacement activities.

D. SUNSET BEACH LAND USE PLAN DEVELOPMENT GUIDELINES

The development guidelines are designed to implement the Land use Plan, specifically, to carry out the intent of the Coastal Act consistent with the desires of the community.

The guidelines consist of the Land use map (see figure 10) and the following text:

1. BEACH AND SAND AREA

1-1 Existing beach and sand areas shall be maintained in their present form:

1.1.1 to preserve the unique public recreational character of Sunset Beach, "5.2" Recreation shall be defined as passive and active recreation which is in conformance with the development guidelines of the Sunset Beach LUP.

1.1.2 in cooperation with the State Department of Fish and Game, to protect and preserve the natural habitat of spawning grunion, pismo clam and other shellfish beds, porpoise feeding and sporting grounds, feeding grounds for the California brown pelican, grebes, cormorants, terns, gulls and all other natural sea life and waterfowl.

1.1.3 to protect beachfront residences and maintain both public and private open ocean view and access.

1.2 To meet the foregoing objectives (section 1.1 above):

1.2.1 Dredging and sand replenishment shall be scheduled during fall and winter months to reduce conflict with sunning, swimming and other shoreline water activities.

1.2.2 Sand replenishment shall be deposited at the northwest end of the beach in the area contiguous to the U.S. Navy Ammunition & Net Depot harbor groin, the point of primary and maximum erosion. From that point sand shall be distributed southeastward down the beach by natural wave and current action. This will avoid the destruction of natural marine life habitat. At the same time it will preserve the recreational character of the beach and the fine grain and cleanliness characteristic of alluvial ocean sands. Sand shall not be pumped directly on the beach within Sunset Beach except in response to immediate danger to residences.

1.2.3 No government or private agency shall construct or cause to be constructed any structure including but

not limited to jetties, groins, berms, etc., that may alter natural shoreline processes such as wave action, channel depths or general beach configuration except when such protective structures are required for existing structures or public beaches in danger from erosion.

1.2.4 Permanent above-ground structures on the beach and sand areas shall be prohibited.

1.2.5 To fulfill visitor serving needs, to minimize personal injuries and to reduce County liability, sanitation shall be maintained by properly and routinely cleaning and maintaining the beach and sand area from ocean edge to the artificial dune. The protective growth barrier shall be maintained by property owners.

1.3 To protect residences and the Sunset Beach sanitary system from flood waters and excess wind-driven sand, to preserve that sand in the beach area thereby reducing replenishment costs, and to enhance the appearance of the benefit of visitors, preservation of the artificial dune by residences shall be retained and encouraged, in keeping with Orange County Board of Supervisors Resolution Nos. 80-188 and 80-1057.

1.4 Access

1.4.1 The twenty-seven (27) existing public access points to the beach shall be retained in perpetuity.

1.4.2 Signs denoting the Public Beach shall be installed at the signalized intersections of Anderson Street/Broadway Avenue and Warner Avenue along Pacific Coast Highway. Signs shall not exceed four (4) square feet.

2. INLAND WATERWAYS

2.1 For greater use by the general public, all channels and public waterways in existence as of February 2, 1965, on which date, by Resolution 65-112, the Orange County Board of Supervisors established the channel widths, shall be maintained as public waterways. Location of bulkhead lines and encroachment areas shall be established and no structures shall extend beyond the bulkhead line except for ramps (gangways) and docks.

2.2 Every effort shall be made to protect and preserve existing natural sea life and waterfowl, and to maintain "clean" water.

2.3 To meet visitor-serving needs, the 11th Street public beach

shall be retained in its present general configuration, or if reconfigured, shall provide equivalent recreational opportunities and shall be properly maintained.

3. TOURIST RECREATION COMMERCIAL

- 3.1 Because of the small size and special nature of the Sunset Beach community and the limited area for commercial uses, the convenience facilities and goods provided serve the visitors and tourists as well as local residents.
- 3.2 Typical uses include gift and speciality shop, food and drink establishments, motels and other permanent overnight; accommodations, small food markets and drug stores.
- 3.3 Existing facilities were designated Tourist Recreation Commercial/Uses on the Land Use Map; these shall be retained.
- 3.4 Should any existing residence presently on property zoned commercial be destroyed by fire, natural disaster, war or act of God, such may be rebuilt as a residence providing it conforms to the provisions of the residential guidelines.
- 3.5 Where commercial uses abut residential property, no balconies, decks or the open areas intended for public use shall be allowed to infringe on adjacent residential property.

4. RESIDENTIAL

4.1 GENERAL PROVISIONS

- 4.1.1 All legally created residential building sites shall be permitted only two (2) dwelling units per site. New building sites created by a tract map, parcel map, lot consolidation, or any other legal method, are also limited to two (2) dwelling units per building site, except as noted above.

Existing legal building sites shall not be subdivided in a manner that would create more parcels than the original number, except as noted in IV. C. 7.
- 4.1.2 Low/moderate cost rental units should be replace when redevelopment occurs, per the County Housing Element.
- 4.1.3 Conversion of multi-unit buildings into condominiums shall be allowed only if the building meets the standards for setback, parking, and density as they are contained in this LCP.
- 4.1.4 Public services facilities shall be a permitted use in a residential use area.

5. TRANSPORTATION/CIRCULATION/PARKING

5.1 The present 15 MPH speed limit shall be retained, and vigorously enforced, on all streets within Sunset Beach except Pacific Coast Highway.

5.2 Speed limit on Pacific Coast Highway throughout Sunset Beach shall conform with existing timing of signals, and to be in conformity with such speed limit on Pacific Coast highway within the developed portions of adjacent cities of Seal Beach and Huntington Beach.

The County shall request Caltrans to do an engineering and traffic survey to determine the appropriate speed limit on Pacific Coast Highway in Sunset Beach.

5.3 To the maximum extent feasible, to maximize visitor servicing needs and ensure public safety, Pacific Coast Highway shall be striped to provide a safe width for parallel parking.

5.4 Pacific Coast Highway is designated a "scenic highway." To ensure that those scenic characteristics are enhanced, public and private projects shall, wherever feasible, provide landscaping wherever there is adequate space.

5.5 To provide sea access by the Orange County Fire Department onto Pacific Coast Highway, the traffic signal at Broadway Avenue and Pacific Coast Highway shall be wired and connected to the Sunset Beach fire alarm system to ensure traffic control for safe access.

5.6 To minimize existing beach visitor congestion at the Warner Avenue parking lot, North Pacific Avenue between signalized Warner Avenue and 5th Street shall be widened to provide two-way traffic on such widened section.

There shall be no condemnation of private property for such purposes.

5.7 The feasibility of converting local streets west of Broadway, to one-way circulation shall be evaluate.

5.8 All existing on-street parking shall be retained within Sunset Beach and wherever possible establish programs to maximize their use.

5.9 There shall be no parking on North and South Pacific, except in front of driveways by permit only.

5.10 In order to facilitate visitor serving needs, diagonal parking shall be allowed on Anderson Street and Broadway Avenue.

- 5.11 All street ends, except for emergency access, opening onto the beach shall be fully developed for public parking prior to any other public parking development.
- 5.12 Innovative programs to maintain the existing parking supply in residential areas and to provide for flexibility for commercial uses shall be encouraged.
- 5.13 Signage and parking control to manage parking supply shall be implemented.
- 5.14 Public transportation is support in the Sunset Beach LCP, however, facilities other than bus stops shall be located adjacent to the area of greatest public need (i.e. Bolsa Chica State Beach or Warner Avenue turnaround). Such facility will mitigate the impacts, social or otherwise, of overcrowding or overuse by the public in the Sunset Beach area.
- 5.15 The County shall undertake a study of previous street dedications for street widening. This study should evaluate the community need of such dedications and develop standards for future dedications or abandonments.

E. SUNSET BEACH LCP ADVISORY COMMITTEE

The Sunset Beach LCP was developed largely through the vigorous efforts of the Community through the LCP Advisory Committee. Subsequent to the LCP's adoption, the Board of Supervisors designated the Sunset Beach LCP Conformity and Violation Review Board (commonly known as the "LCP Board") as the official citizen's review group in Sunset Beach.

The Committee helped identify the community lifestyle and special needs of Sunset Beach. It recognizes the complex needs and limits of planning an area that is 96 percent developed. Coastal Act Policies have been applied with sensitivity to the existing community.

The Sunset Beach LCP Board provides continuing community participation in the long-term process of implementing the provisions of this LCP. Such process does not replace the current mode of community participation, but provides a centralized forum for obtaining community opinion and for transmitting recommendations to the County. The LCP Review Board's specific function and membership is contained in a separate document titled "bylaws of the Sunset Beach LCP Advisory Committee (LCP Board)."

LAND USE REGULATIONS

IV.

LAND USE REGULATIONS

A. FORWARD

The Sunset Beach Land Use Regulations implement the Sunset Beach LCP Local Coastal Plan. The regulations are adopted by ordinance pursuant to Section 65450 of the State Government Code, the County of Orange Zoning Code Section 7-9-156, and Division 20 of the State Public Resource Code.

B. GENERAL PURPOSE AND APPLICATION

1. General Purpose

The Sunset Beach Land Use Regulations are adopted for the purpose of promoting the health, safety and general welfare of the Sunset Beach Community and the County of Orange. More specifically, these regulations are intended to provide the standards, criteria and procedures necessary to achieve the following objectives:

- a. Provide maximum opportunities for community design and site planning, consistent with orderly development and protection of sensitive and natural resources, with a logical and timely sequence of community and government review and input.
- b. Improve the visual image and general aesthetics of Sunset Beach.
- c. Implement the applicable policies of the California Coastal Act and preserve, protect and enhance the coastal Zone resources of particular value to the Sunset Beach Community, County of Orange, and the State of California.
- d. Implement the intent and purpose of the Sunset Beach Local Coastal Program.

2. Application

The interpretation and application of the Sunset Beach Land Use Regulations shall be accomplished in accordance with the following provisions:

- a. These land use regulations shall be applied only within the boundaries of the Sunset Beach Specific Plan area.
- b. The Orange County Zoning Code is complementary to the land use regulations of the Sunset Beach Land Use Plan and if any item or issue is not included within the Sunset Beach Land Use Regulations, the Orange County Zoning Code shall prevail. However, the Zoning Code shall not override any provisions of the Sunset Beach Land Use Regulations.

- c. If any portion of these regulations are, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The Board of Supervisors hereby declares that it would have enacted these regulations and each portion thereof, irrespective of the fact that any one or more portions be declared invalid or ineffective.
- d. For the purpose of carrying out the intent and purpose of these regulations, words, phrases and terms are deemed to have the meanings ascribed to them in Zoning Code Sections 7-9-21 through 7-9-47, unless otherwise provided by these land use regulations.
- e. The official citizen's review group in Sunset Beach has been designated by the Board of Supervisors as the Sunset Beach LCP Review Board.

The LCP Board shall assist the residents and property owners who wish to file a complaint of violations of the Orange County Zoning and Building Ordinances, or violation of the Sunset Beach LCP. Any violation reported to Board and deemed by the Board to be valid shall be forwarded to the proper County agency for their action. In all cases the person bringing the report of violations to the LCP Board shall be advised of the procedure to file the complaint directly to EMA.

C. GENERAL PROVISIONS

- 1. Any conditions, requirements, or standards, indicated graphically or in writing, that are a part of an approved subdivision map, Coastal Development Permit or variance, approved in compliance with these regulations shall have the same force and effect as these regulations. Any use or development established as a result of such approved permit but not in compliance with all approved conditions shall be in violation of the Sunset Beach Land Use Regulations and Orange County Zoning Code.
- 2. All construction and development within the Sunset Beach Community shall comply with applicable provisions of the Uniform Building Code and other various Mechanical, Electrical, Plumbing and Housing Codes related thereto as well as the Grading Code, Sign Code, and Subdivision Code as currently adopted by the Board of Supervisors.
- 3. In these land user regulations, for all regulatory areas, when more than one description may apply to a given use, the more specific description shall determine if a use is allowed, or prohibited.

4. These Land use Regulations may be amended by the same procedure as they were originally adopted. An amendment may be initiated by the Board of Supervisors, the planning Commission, a property owner, or the Sunset Beach LCP Review Board if approved by the Board of Supervisors or the planning Commission, per Zoning Code Section 7-9-156 and the State Coastal Act. Proposed amendment shall be forwarded to the Sunset Beach LCP Review Board by the Director, EMA, at least twenty-one (21) days prior to action by the Planning Commission.
5. Pacific Coast Highway, as it passes through the Sunset Beach Specific Plan is designated a Scenic Highway.
6. All legal residential building sites in existence on the date of initial adoption by the Board of Supervisors, of the Sunset Beach LCP on March 30, 1983, shall be permitted two (2) dwelling units per site. New building sites created by a tract map, parcel map, lot consolidation, or any other legal method are also limited to two (2) dwelling units per building site, except in General Provision Number 7 below.
7. Except as noted in a. and b. below, existing legal building sites shall not be subdivided in a manner that would create more parcels than the original number.
 - a. Lot 7, Block 109, Sunset Beach Tract and that portion of vacated Pacific Coast Highway (portion of AP No. 178-541-13) may be subdivided into two (2) lots. One lot shall have a minimum width of 30 feet and shall be permitted two (2) dwelling units. The second lot shall be permitted two (2) dwelling units.
 - b. Lot 9, Block 108, Sunset Beach Tract and that portion of vacated Pacific Coast Highway (AP No. 178-542-15) may be subdivided into (2) approximately equally sized lots, and shall be permitted two (2) dwelling units on each lot.
8. All building sites shall comply with the provisions of Zoning Code Section 7-9-126, Building Site Requirements.
9. Due to the high groundwater conditions, only drainage that is required by Orange County Codes and Ordinance such as the Building Code, Health and Safety Code, and the ordinances of the Sunset Beach Sanitary District, shall be drained into the Sunset Beach Sanitary System lines. All other drainage, such as rain water, irrigation water and other on-site drainage shall drain to the public street or public storm drainage system. All development shall meet the provisions of this requirement.
10. Temporary special community events, such as parades, pageants, community fairs, athletic contests, carnivals, and other similar uses, may be permitted in any area in the Sunset Beach Special

Plan and Local Coastal Plan by approval of the Director, EMA, or a Certificate of Use and Occupancy per Section 7-9-152 of the Orange County Zoning Code and other applicable permits.

11. Emergency vehicle access to the beach shall be at the ocean end of the signalized streets of Anderson, 19th Street, Broadway, 5th Street and Warner Avenue only. The center of such street ends shall be kept open and free at all times. All other side street ends opening on the beach may be developed for additional public parking. Such additional public parking development shall not extend beyond the rear (oceanward) property line of the adjacent ocean front private property.
12. Park lands and park fees required for the development of new dwelling units shall be in compliance with all applicable regulations of the Local Park Code Section 7-9-500 et. seq. of the Orange County Codified Ordinance.
13. Any building site abutting Pacific Coast Highway shall be required to provide a corner cut-off of seventeen (17) feet prior to the issuance of any building permits unless otherwise provided for by an approved Coastal Development Permit.
14. Coastal Development Permits shall be processed per Sections 7-9-118 and 7-9-150 of the Orange County Zoning Code.
15. Permitted uses within the Coastal Zone Boundary are subject to appeal to the California Coastal Commission per Section 7-9-118.6(g) of the zoning Code on the following basis:
 - a. Principal permitted uses only if within the appeal jurisdiction area as shown on the Post LCP Certification Map (Figure 14), page IV-24a.
 - b. Other permitted uses within all areas within the Coastal Zone.
16. Except for a variance, a Coastal Development Permit may be filed in lieu of any other discretionary permit.
17. All discretionary permits shall be processed per Section 7-9-150 of the Orange County Zoning Code. The Director, EMA shall forward all discretionary permit applications to the Sunset Beach LCP Review Board for review and comment at least twenty-one (21) calendar days prior to final action by the approving authority. Any changes to floor plans or site plans associated with the discretionary permit shall be resubmitted to the Review Board prior to final action by the County.
18. Certificates of Use and Occupancy shall be processed per Section 7-9-152 of the Orange county Zoning Code. A copy of all Certificates of Use and Occupancy issued shall be sent by the Director, EMA to the Sunset Beach LCP Review Board for their records.

19. Certificates of Use and Occupancy Permits and encroachment permits for any use of public properties shall be forwarded to the LCP Board for their information within three (3) days of issuance.
20. Buildings in which a change of use results in increased off-street parking requirement shall require a new Certificate of Use and Occupancy.
21. All lawful nonconforming uses and structures are subject to Section 7-9-151 Nonconforming Uses of the Orange County Zoning Code except as otherwise noted in these regulations.
22. Required street and highway dedication and improvements per Section 7-9-125.1 of the Orange County Zoning Code shall not be applicable to the SBSP/LCP area except for those properties abutting Pacific Coast Highway.

D. DISTRICT REGULATIONS

1. SUNSET BEACH RESIDENTIAL (SBR)

a. Purpose and Intent

The Sunset Beach Residential (SBR) District is intended to provide the regulations which will permit the establishment and maintenance of high density residential neighborhoods. It is intended that each residential structure be independent from adjoining property by setbacks. Only those uses which are complementary to and can exist in harmony with the residential uses are permitted.

b. Principal Permitted Uses

The following principal permitted uses are permitted subject to the approval of a Coastal Development Permit by the Planning Commission.

- 1) Duplex dwellings
- 2) Single-family dwellings and single family mobile homes per Zoning Code Section 7-9-149.
- 3) Community care facilities serving twelve (12) persons or less per Zoning code Section 7-9-141.
- 4) Residential condominium, stock cooperative, and community apartment projects.
- 5) Residential Condominium conversions per Zoning Code Section 7-9-147 except no Use Permit will be required.
- 6) Additions to lawful nonconforming residential uses. SEC. 7-9-151(c) of the Orange County Zoning Code is not applicable to additions. Additions must comply with all applicable development standards.

c. Other Permitted Uses

Other permitted uses subject to a Coastal Development Permit by the Planning Commission. Coastal development permits for the following are subject to appeal to the California Coastal commission pursuant to Section 7-9-118.6(g) of the Orange County Zoning Code.

- 1) Community recreation center.
- 2) Community service center.
- 3) Community facility.
- 4) Fire stations.
- 5) Parks and playgrounds (non-commercial).
- 6) Public service facilities.

d. Accessory Uses Permitted.

Accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

- 1) Fences and walls per Zoning Code Section 7-9-137 except as modified by the special provisions set out in D.1.f.3)c) (Building sites between Pacific Coast Highway and the Sunset Channel and those building sites fronting on Park Avenue) and D.1.f.3)d) (Building sites between Bay View Drive and Sunset Channel) of the Site Development Standards in these Residential Regulations.
- 2) Garages and/or carports per Section E.
- 3) Home occupations per Zoning Code Section 7-9-146.6
- 4) Noncommercial keeping of pets and animals per Zoning Code Section 7-9-146.3.
- 5) Pools and spas per Zoning Code Section 7-9-137, except due to the limited sewerage capacity, no such swimming pool or spa of over 1000 gallons shall be connected to, or drained into, the public sewer system.
- 6) Signs per Section F, except business signs which are prohibited.
- 7) Tennis courts.
- 8) Detached accessory buildings in compliance with the setbacks for main buildings.

e. Prohibited Uses.

- 1) All uses not permitted above are prohibited.
- 2) The storage of vehicles, equipment or products related to a commercial activity.
- 3) Community care facilities serving more than twelve (12) persons.

f. Site Development Standards

The establishment, operation and maintenance of the uses permitted by these district regulations shall be in compliance with the following:

- 1) Building Height - Three stories and not more than thirty-five (35) feet maximum as measured from the centerline of the frontage street for structures in the FP-3 District or the minimum bottom elevation (see 2 below) for structures outside the FP-3 District. Such height and story calculations shall include mezzanines, patio roof covers, and attics with ceiling heights over six (6) feet.
- 2) Bottom elevation - for structures outside the FP-3 District, the finished floor elevation for new construction should be a minimum of two (2) feet above the centerline of the frontage street or two (2) feet above the highest perimeter curb elevation of the property, whichever is greater, unless the applicant can prove, using detailed hydrologic and hydraulic calculation, that the proposed finished floor elevation is protected from being flooded from a 100-year flood in a manner meeting the approval of the Manager, EMA/Subdivision.

Those building sites abutting the Sunset Beach Waterways District, Bay View Drive, or Park Avenue shall have the additional requirement that the finished floor elevation also be set at a minimum of two (2) feet above the bulkhead elevation.

3) Setbacks.

Front setbacks shall be measured from the ultimate right-of-way line.

a) Beach Front Building Sites

Front setback (street)	5 feet on ground floor, 6 inches above ground floor.
Side setbacks adjacent to streets and alleys	6 inches all floors, except in front of garages where 3 feet is required.
Side setbacks adjacent to other building sites	3 feet all floors -- Sec. 7-9-128 of the Orange County Zoning Code is not applicable except for decks providing access on ground floor.
Rear setback (on the sand)	None required.

b) Building Sites between North Pacific Ave. and Pacific Coast Highway

Front setback (street)	5 feet on ground floor, 6 inches above ground floor.
Side setbacks adjacent	3 feet on ground floor except in front of garages where 5 feet is required; 6 inches above ground floor.
Side setbacks adjacent other building sites	3 feet all floors -- Sec. 7-9-128 of the Orange County Zoning Code is not applicable except for decks providing access on ground floor.
Rear setback	5 feet on ground floor, 6 inches above ground floor.

c) Building Sites between Pacific Coast Highway and the Sunset Channel and those building sites fronting on Park Ave., PCH and abutting the Channel

Front setback (street)

5 feet on ground floor,
6 inches above ground floor.

Side setbacks adjacent to
street and alleys

6 inches all floors except in
front of garages where 3 feet
is required.

Side setbacks adjacent to
other building sites

3 feet all floors --
Sec. 7-9-128 of the Orange
County Zoning Code is not
applicable except for decks
providing access on ground
floor.

Rear setback (channel)

10 feet from bulkhead or rear
property line, whichever is
more restrictive on the
ground floor, 5 feet above
ground floor.

See Section 3d. (Sunset Beach Waterways) for dock, gangway,
and landing criteria.

No structure higher than twelve (12) inches from top of the
bulkhead shall be permitted in the required rear setback
except for a five (5) foot security fence of open weave
design to a maximum of thirty-five percent (35%) opaque.
This height shall be measured from the top of the concrete
bond beam of the existing bulkhead.

d) Building Sites between Bay View Drive and Sunset Channel

Front setback (street)

5 feet ground floor,
6 inches above ground floor.

Side setbacks adjacent to
streets and alleys

6 inches all floor except in
front of garages where 3 feet
is required.

Side setbacks adjacent to
other building sites

3 feet all floors --
Sec. 7-9-128 of the Orange
County Zoning Code is not
applicable except for decks
providing access on the
ground floor.

Rear setback (channel)

10 feet from bulkhead or rear property line, whichever is more restrictive on the ground floor, 10 feet on all other floors except that a balcony deck may extend 5 feet into the rear setback measured from the required building setback.

See Section 3d. (Sunset Beach Waterways for dock, gangway, and landing criteria.

No structure higher than twelve (12) inches from top of the bulkhead shall be permitted in the required rear setback except for a five (5) foot security fence of open weave design to a maximum of thirty-five (35) percent opaque. This height shall be measured from the top of the concrete bond beam of the existing bulkhead.

e) Building Sites between Bay View Drive and Intrepid Lane

Front setback (Bay View)

5 feet ground floor,
6 inches above ground floor.

Side setbacks adjacent to streets and alleys

6 inches all floors except in front of garages where 3 feet is required.

Side setbacks adjacent to other building sites

3 feet all floors --
Sec. 7-9-128 of the Orange County Zoning Code is not applicable except for decks providing access on the ground floor.

Rear setback (Intrepid Lane)

5 feet all floors except that an open balcony deck on the second or third floor to 6 inches from property line.

4) Open Areas.

New residential units within areas b) and e) above shall include a minimum of ninety (90) square feet of open area by providing for 1) rooftop patios, 2) balconies or decks and/or 3) ground floor yards exclusive of required setback areas. Any such open area must have a minimum dimension of four (4) feet six (6) inches, shall be contiguous to the living area, and shall not face onto any adjoining lot.

- 5) All building plans shall provide an area for the storage of a minimum of one (1) thirty (30) gallon trash can per dwelling unit. This shall be concealed from public view.
- 6) Off-street parking shall be in conformance with Section E of the Sunset Beach Land Use Regulations. Additional parking shall not be required when additions, not exceeding fifty (50) percent of the floor area of the total structure, are made to lawfully nonconforming residential uses.
- 7) All roof structures, such as air conditioning units, elevator equipment or other roof mounted appurtenances, shall be screened from view and shall not exceed the overall thirty-five (35) foot height limit, except chimneys and other ventilation structures not to individually exceed dimensions of two (2) feet by two (2) feet per flue and not to exceed the height of the building by more than ten (10) percent.
- 8) Sec. 7-9-125.1. Required street and highway dedication and improvements of the Orange County Zoning Code shall not be applicable to the SBSP/LCP area except for those properties abutting Pacific Coast Highway.

2. Sunset Beach Tourist (SBT).

a. Purpose and Intent

The Sunset Beach Tourist (SBT) District is intended to provide the regulations which will permit the establishment, operation and maintenance of a commercial area that will supply the needs of tourists, visitors, and the local community.

Whenever the occupancy or use of any premise is changed to a different use or the existing use is altered, enlarged, expanded or intensified, parking to meet the requirements of this section shall be provided for the new use or occupancy. This provision shall not apply to the addition of rooms or other alterations to lawful nonconforming residential dwellings in a commercial zone which do not increase the total floor area more than fifty (50) percent.

As an aid in determining the amount of intensification occurring since 1985, the document prepared by the LCP Board on November 9, 1985, IDENTIFICATION OF PROPERTY ZONED COMMERCIAL ALONG PACIFIC COAST HIGHWAY IN SUNSET BEACH, shall be used as a reference document.

b. Principal Permitted Uses

The following principal permitted uses are subject to the approval of a Coastal Development Permit by the Planning Commission.

- 1) Athletic/health/recreational clubs and centers.
- 2) Automobile service stations subject to the site development standards of Zoning Code, Section 7-9-114.
- 3) Bars, night clubs, and cocktail lounges.
- 4) Beauty shop or barber shop.
- 5) Parks and playgrounds.
- 6) Restaurants, drive-ins, and fast food establishments.
- 7) Other retail and service business associated with the needs of tourists, visitors, and the local community.
- 8) Hotels, motels.
- 9) Time-share projects.
- 10) Commercial boat docks.
- 11) Bed and breakfast.

c. Other Permitted Uses

Other permitted uses subject to a Coastal Development Permit by the Planning Commission.

Coastal Development Permits for the following are subject to appeal to the California Coastal Commission pursuant to Section 7-9-118.6(g) of the Orange County Zoning Code.

- 1) Civic and government uses.
- 2) Community facility.
- 3) Public/private utility buildings and structures.
- 4) Residential Uses:
 - a) Located above the first floor of a Principal Permitted Use.
 - b) Parking for both the primary commercial uses and the residential use conforms to Section E of these regulations.
 - c) Such residential use shall not exceed fifty (50) percent of the gross square footage of the entire structure.

d) Temporary Uses Permitted

Christmas tree and Halloween pumpkin sales only shall be allowed per Zoning Code Section 7-9-136.

e) Accessory Uses Permitted

Accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

- 1) Garages and carports per Section
- 2) Fences and wall per Zoning Code Section 7-9-137.
- 3) Parking structures.
- 4) Outdoor dining areas.
- 5) Signs per Section F.

f. Additions to lawful nonconforming residential uses are permitted if their cost does not exceed fifty (50%) percent of the market value of the residential use.

g. Prohibited Uses

- 1) All uses not permitted above are prohibited.
- 2) Wholesale businesses.
- 3) Outdoor advertising signs.
- 4) Sale of food or beverages from vehicles or push carts.
- 5) Firework sales.
- 6) Adult entertainment businesses per section 7-9-146.3 of the Zoning Code.
- 7) All Temporary Uses whether under cover or in the open, except as provided in e. above and in General Provision No. 10.

h. Site Development Standards

The establishment, operation, and maintenance of the uses permitted by this regulation shall be in compliance with the following provisions:

- 1) Building height - thirty-five (35) feet maximum as measured from the minimum bottom elevation (see 2 below).

- 2) Bottom elevation - the finished floor elevation for new construction should be a minimum of two (2) feet above the centerline of the frontage street or two (2) feet above the highest perimeter curb elevation of the property, whichever is greater, unless the applicant can prove, using detail hydrologic and hydraulic calculation, that the proposed finished floor elevation has protection from being flooded from a 100-year flood in a manner meeting the approval of the Manager, EMA/Subdivision.

Those building sites abutting the Sunset Beach Waterways District shall have the additional requirement that the finished floor elevation also be set at a minimum of two (2) feet above the bulkhead elevation.

- 3) Setbacks - Except as noted in a) & b) below, there shall be no required setbacks in the Sunset Beach Tourist District.
 - a) A three (3) foot setback is required for all structures adjacent to SBR zoned properties.
 - b) Service stations per Section 7-9-114 of the Zoning Code.
- 4) All roof structures, such as air conditioning units, elevator equipment or other roof mounted appurtenances, shall be screened from view and shall not exceed the overall thirty-five (35) foot height limit, except chimneys and other ventilation structures not to individually exceed dimensions of two (2) feet by two (2) feet per flue and not to exceed the height of the building by more than ten (10) percent.
- 5) All lighting, both exterior and interior, shall be designed and located to confine direct rays to the building site.
- 6) All storage in cartons, containers or trash bins shall be enclosed and shielded from view within a building or by a fence/wall not less than six (6) feet in height. If unroofed, trash bins shall have lids.
- 7) Off-street parking. Per Section E herein.

i. Lawful nonconforming residential use of property:

Should any existing lawful nonconforming residential use presently on property zoned commercial be destroyed by fire, natural disaster, war or act of God, such may be rebuilt providing it conforms to the provisions of the residential uses and standards contained in the SBR District.

3. Public Facilities (SBB, SBP, SBW)

a. Purpose and Intent

The Public Facilities District, including the Beach Area (SBB), Parking Facility (SBP) and Waterways (SBW) zones, is intended to provide the regulations which will permit the establishment and maintenance of community services in locations which will best service the uses in Sunset Beach. It is intended that these community facilities be compatible with the other land uses and include beachfront and parks, public parking facilities and inland waterways.

b. Sunset Beach Beach Area (SBB)

- 1) To protect beachfront residences and maintain both public and private ocean views and access and to preserve the unique public recreational character of Sunset Beach, the existing beach and sand area shall be maintained in their present form.
- 2) The twenty-seven (27) existing public access points to the beach delineated in the Sunset Beach Land Use Plan shall be retained and maintained in a manner promoting their use by the general public.
- 3) From the ocean front property line to the ocean there shall be no roadway, bike path, hiking trail or parking facility.
- 4) Permanent above-ground structures on the beach and sand areas shall be prohibited, except for:
 - a) Lifeguard towers.
 - b) Other facilities necessary for public safety.
 - c) Temporary uses and structures accessory to residential development on contiguous SBR properties subject to a Coastal Development Permit and a Public Property Encroachment Permit.
- 5) Fire rings or any other fires on the beach shall be prohibited.
- 6) There shall be no advertising of any nature on the beach and sand areas.
- 7) No governmental or private agency shall construct or cause to be constructed any structure including but not limited to jetties, groins, berms, etc., that may alter natural shoreline processes such as wave action, channel depth or general beach configuration except when such protective structures are required to protect existing structures or public beaches in danger from erosion.

- 8) Temporary recreational facilities for general public use may be permitted subject to an encroachment permit from EMA/Public Property Permits Division. Such facilities shall be located at least seventy-five (75) feet from residential property lines unless the facility is directly in front of the property of the applicant for the encroachment permit.

c. Sunset Beach Parking Facility (SBP)

- 1) Parking control shall be in accordance with Ordinance 3205 as adopted by the Board of Supervisors, County of Orange.
- 2) The present general configuration and facilities shall be retained.
- 3) There shall be no overhead or underground parking facility.
- 4) There shall be no parking meters or other mechanical parking control devices.
- 5) The County shall consult with the Sunset Beach LCP Review Board for recommendation before any facilities are changed or expanded or additional signs installed.
- 6) There shall be no advertising of any nature.

d. Sunset Beach Waterways (SBW)

- 1) For greater use by the general public, all channels and public waterways in existence as of February 2, 1965 (on which date, by Resolution 65-112, the Orange County Board of Supervisors established the channel widths) shall be maintained and operated as public waterways, subject to Sections 5 through 11 of the Codified Ordinances and Codes governing County waterways. They shall be properly bulkheaded to prevent erosion and resultant land filling, and dredged to maintain navigable depth and regulated to prevent impediment of channel navigation (as described in Sections 2-2-63 and 2-2-65 of the Orange County Codified Ordinances). All navigable channels shall be retained and maintained at the present width, no part of the channels shall be filled, and no encroachments shall be allowed except for bulkheads, gangways, and docks as provided in item number 2 below.
- 2) In addition to a Coastal Development Permit from the State, a Public Property Encroachment Permit (encroachment permit) is required for all existing and proposed bulkheads, gangways and docks within the Sunset Beach Waterways. Bulkheads not within the SBW will require

evidence of sound construction (building permit) concurrent with the application for an encroachment permit for dock and gangway attachments. The right to said permit shall be attached to the property and run with the ownership of the bulkhead frontage.

As part of the encroachment permit application process, a determination will be made for existing facilities as to whether they are in a state of good repair or a state of disrepair. Docks with inadequate floats resulting in partial submersion, sinking or listing, broken or inappropriate decking material, inadequate supports or improper fastening devices (such as PVC pipe), and illegal and unsafe electrical wiring shall be deemed to be in a state of disrepair. All existing bulkheads, gangways, and docks will require an encroachment permit and be brought into a state of good repair within two (2) years of the adoption of amendment dated August 31, 1983.

All applications for an encroachment permit shall be submitted to the Sunset Beach LCP Board for their review and recommendations prior to issuance of said permit.

- 3) To provide greater public use of Sunset Channel from 11th Street to the northwest end of the channel, the channel encroachment line shall be twenty (20) feet measured from bulkhead face (See figures 12 and 13). Side setbacks for docks shall be two (2) feet from each property line. This provision is intended to replace the pier lines set in Orange County Board of Supervisors Resolution No. 65-112. No deck or structure shall extend over or in front of the bulkhead in any channel, except a four (4) foot by five (5) foot landing or brow shall be permitted to extend past the bulkhead for access to a gangway to docks.
- 4) To provide maximum public use of inland waterways in the channels running at ninety (90) degrees to Pacific Coast Highway, the channel encroachment line shall be forty (40) feet as measured from lot property lines existing prior to January 1, 1965 (see Figure 12).
- 5) All bulkheads, gangways, and docks encroaching on public waterways shall be maintained in a state of good repair at all times. Failure to repair, upon written notice of Director, EMA, shall be cause for revocation of encroachment permit (Section 2-2-151 (5) Codified Ordinances).
- 6) All encroachment permits are subject to inspection by Director, EMA or designee or Sheriff's Harbor Patrol.
- 7) To meet visitor serving needs, the 11th Street public beach shall be retained in its present general configuration, or if reconfigured, shall provide equivalent recreational opportunities and shall be

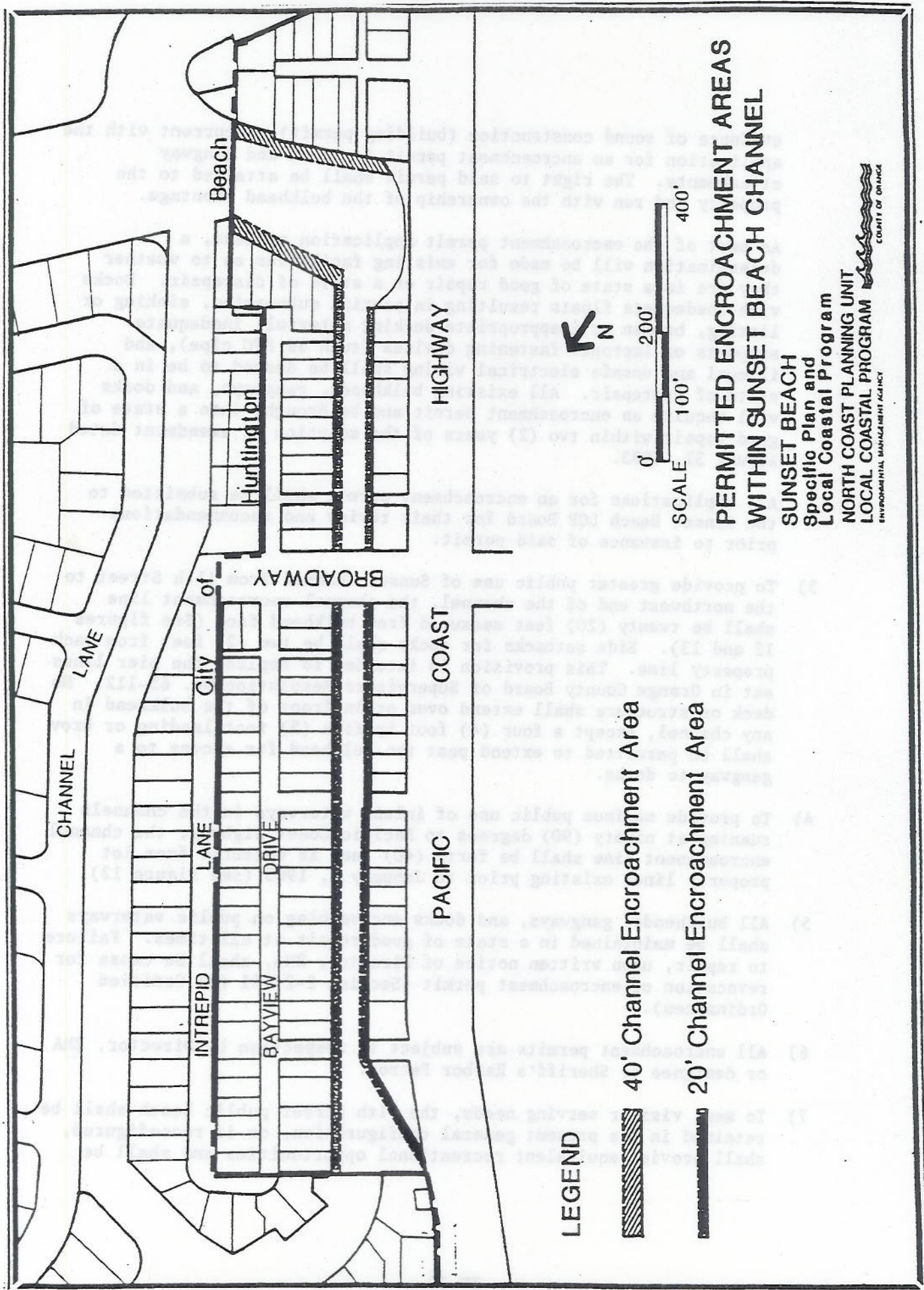
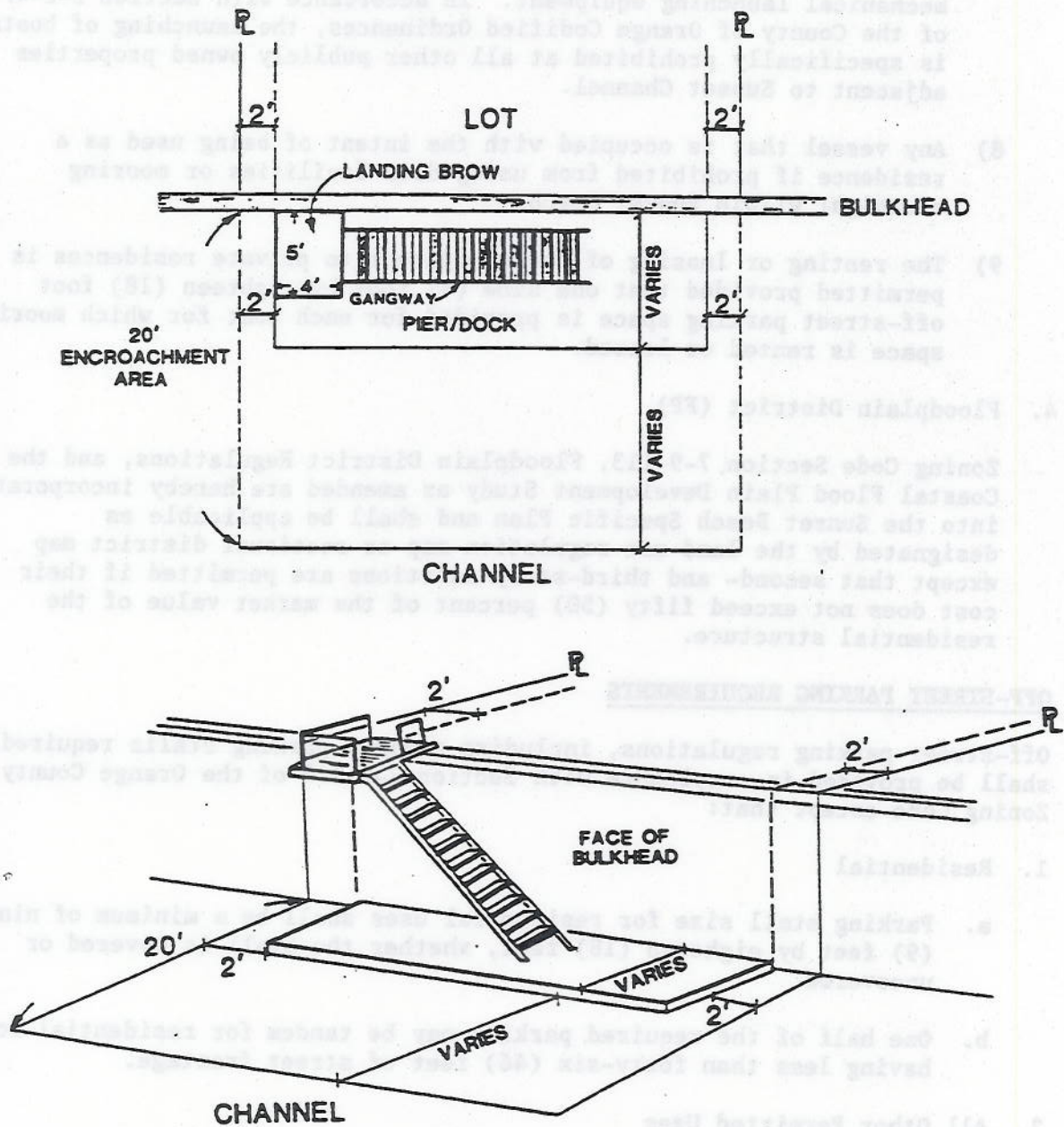


Figure 12

CRITERIA FOR SUNSET BEACH CHANNEL ENCROACHMENTS



NOTE: Dimensions shown are maximum allowable for landing brow, and encroachment area and minimum allowable for side setback from each property line. This drawing is presented as general criteria for the installation of dock facilities and shall not be used in lieu of plans and specifications.

Figure 13

properly maintained. Small boats may be launched at the 11th Street beach provided there is no use of trailers, sand dollies, or mechanical launching equipment. In accordance with Section 2-2-47 of the County of Orange Codified Ordinances, the launching of boats is specifically prohibited at all other publicly owned properties adjacent to Sunset Channel.

- 8) Any vessel that is occupied with the intent of being used as a residence is prohibited from using dock facilities or mooring overnight within Sunset Beach.
- 9) The renting or leasing of docks adjacent to private residences is permitted provided that one nine (9) foot by eighteen (18) foot off-street parking space is provided for each boat for which mooring space is rented or leased.

4. Floodplain District (FP)

Zoning Code Section 7-9-113, Floodplain District Regulations, and the Coastal Flood Plain Development Study as amended are hereby incorporated into the Sunset Beach Specific Plan and shall be applicable as designated by the land use regulation map or sectional district map except that second- and third-story additions are permitted if their cost does not exceed fifty (50) percent of the market value of the residential structure.

E. OFF-STREET PARKING REQUIREMENTS

Off-street parking regulations, including minimum parking stalls required, shall be provided in compliance with Section 7-9-145 of the Orange County Zoning Code except that:

1. Residential

- a. Parking stall size for residential uses shall be a minimum of nine (9) feet by eighteen (18) feet, whether the stall is covered or uncovered.
- b. One half of the required parking may be tandem for residential lots having less than forty-six (46) feet of street frontage.

2. All Other Permitted Uses

- a. No owner or tenant shall lease, rent or otherwise make available to intended users any off-street parking spaces required by this article.

- b. Modifications to the off-street parking standards shall be by a Coastal Development Permit.
- c. Parking stalls for commercial uses requiring backing onto public streets shall be prohibited, except where they presently exist. In the case of minor alterations to existing structures, nonconforming parking stalls may remain subject to a Coastal Development Permit. Minor alterations are defined as those that 1.) do not increase the intensity of use and 2.) do not increase the existing parking capacity.
- d. Subject to a Coastal Development Permit, the off-street parking facilities may be located on separate non-contiguous building sites subject to assurances that would guarantee their continuous maintenance for the uses they serve. Non-contiguous building sites shall be within four hundred seventy (470) feet of the site of the uses they serve.
- e. Up to fifty (50) percent of the required parking for commercial uses may be compact size, eight (8) feet by fifteen and one-half (15 1/2) feet; subject to a Coastal Development Permit. The point of entry or exit for compact space shall be no closer than twenty (20) feet from the ultimate right-of-way at the street opening.
- f. One-way accessways shall have a minimum width of fourteen (14) feet unless it is a fire lane which requires a minimum of twenty (20) feet.
- g. Two-way accessways shall have a minimum width of twenty-four (24) feet.
- h. The point of exit or entry from any off-street parking space, except compact, may be at the ultimate right-of-way to a street opening.
- i. Aisle width requirements of Section 7-9-145.5 of the Orange County Zoning Code shall prevail, except that one-way aisles with parallel parking on one or both sides shall be a minimum of twelve (12) feet.
- j. Up to forty (40) percent of the required parking spaces may be tandem parking subject to a Coastal Development Permit.
- k. Subject to a Coastal Development Permit, a reduction in the number of required parking spaces may be allowed for uses which utilize shared parking on site between uses which have different peak parking periods.

3. Minimum parking stalls required by specific use within Sunset Beach are set out as follows:

<u>Use</u>	<u>Stall Required</u>
a. Automobile, truck, boat, trailer or similar vehicle sales or rental establishments.	1 space for each 400 sq. ft. of gross floor area, except area used exclusively for storage or loading and 1 space for each 1000 sq. ft. of outdoor sales, display or service area
b. Automobile service stations	2 spaces for each lubrication stall, rack, or pit, plus 1 space for each gasoline pump outlet
c. Beauty shop or barber shop.	2 spaces for each of the beauty station or barber chair
d. Child care center, day nursery, preschool or nursery school.	1 space for each staff member, plus 1 space for each 5 children or 1 space for each 10 children where a circular driveway or its equivalent designed by the continuous flow of passenger vehicles for the purpose of loading and unloading children.
e. Commercial boat docks.	1 space for each 35 feet of boat dock or boat mooring with a minimum of 1 space per boat. In addition, where commercial docks are used to load or unload passengers on a commercial or fee basis, there shall be 1 additional onsite parking space required for each 2 passenger or passenger capacity of the boat.
f. Commercial service establishments, repair shops, motor vehicle repair garages, and similar establishments.	1 space for each 400 sq. ft. of gross floor area, except floor area used exclusively for storage or loading, plus 1 space for each 500 sq. ft. of outdoor sales, display, or service area.
g. Dance halls, pool or billiard parlors, roller or ice skating rinks, exhibition halls, including private clubs and lodge halls.	1 space for each 3 persons allowed within the maximum occupancy load as established by local, County or State fire, building or health codes, or 1 space for each 75 square foot of gross floor area, whichever is greater.
h. Food store, grocery store, supermarket, or similar use.	1 space for each 225 sq. ft. of gross floor area.

- i. Furniture store, appliance store, machinery rental, or sale store (including motor vehicle rental or sales), and similar establishments which handle only bulky merchandise. 1 space for each 500 sq. ft. of gross floor area, except floor area used exclusively for storage or loading, plus 1 space for each 500 sq. ft. of outdoor sales, display or service area.
- j. General office and other business technical service, administrative or professional offices including real estate. 1 space for each 250 sq. ft. of gross floor area.
- k. General retail stores, except as otherwise provided. 1 space for each 225 sq. ft. gross floor area.
- l. Laundromats. 1 space for each 4 machines.
- m. Medical/dental office or clinic. 1 space for each 150 sq. ft. of gross floor area.
- n. Motel or hotel 1 space for each guest unit. 2 spaces for any unit having facilities other than bathroom, e.g., kitchen, wet bar; etc.
- o. Private golf course, swim club, country club, tennis club, recreation center, or similar use. 1 space for each 4 persons, based upon maximum capacity of all facilities capable of simultaneous use as determined by the staff, plus 1 space for each 2 employees.
- p. Professional offices of doctors, dentists or similar professions. 1 space for each 150 sq. ft. of gross floor area.
- q. Residential 2 spaces for each dwelling unit.
- r. Restaurants, night clubs, bars and similar establishments for the sale and consumption of food and beverage on the premises. 1 space for each 100 sq. ft. of serving area. There shall be a minimum of 10 spaces on-site without regard for the sq. ft. of service area.
- s. Tennis Courts, open to the public. 2 spaces for each court.
- t. Veterinary hospital. 1 space for each 150 sq. ft. of gross floor area.
- u. Other. All other uses shall be defined by the Orange County Zoning Code, Section 7-9-145.6.

F. SIGN REGULATIONS

All references to this section shall include Section 1 through 9.

1. Purpose and intent

The purpose of this district is to establish standards for the control of signs in areas of Sunset Beach Local Coastal Program which require protection of vistas of the natural landscape, scenic corridors and highways, recreational facilities and routes used for access to recreational areas and facilities. The intent of these regulations is to minimize the number of signs and to encourage the use of sound planning and design principles in the use of signs to complement the main use of the property. Also to promote the visitor-serving commercial/recreational facilities designed to enhance public opportunities for coastal recreation.

2. General Provisions

- a. Uncertainty. Whenever uncertainty exists as to the intent or wording of this article, the Sunset Beach Local Coastal Program Review Board shall make an interpretation which shall be final unless appealed to the County of Orange. Appeals will require the filing of a Coastal Development Permit for a public hearing.
- b. Except for special event signs, all permitted signs shall be located on the same site as the use they identify or the goods they advertise. Exception - Special event signs may be located off-site with the approval of the Sunset Beach Local Coastal Program Review Board.

3. Permitted Permanent Signs

- a. Business sign: A sign displaying information pertaining to goods or services offered or produced by the business located on the property but not including advertising devices/displays. Business signs may include the identifying name of a business.
- b. Civic activity sign: A bulletin board customarily incident to places of worship, libraries, museums, and other public institutions.
- c. Identification sign: A sign identifying the name and symbol/insignia of an existing or future community, building, business, facility, organization, person, etc.

4. Permitted Temporary Signs.

Temporary Signs are permitted in any district (except where prohibited).

A Coastal Development Permit will not be required if the sign does not exceed the height of existing structures on a site.

a. The following signs are permitted:

1. Real Estate signs: In any area one (1) real estate sign shall be permitted on any building site or business property, not to exceed four (4) square feet in area, unlighted and unilluminated.
2. Construction signs: One (1) construction sign shall be permitted on any building site, in any area, except where specifically prohibited, unlighted and unilluminated and not to exceed a total area of sixteen (16) square feet.

b. Upon review and recommendation of the Review Board and approval of the Environmental Management Agency, the following signs are permitted:

1. Special event signs: For community sponsored events such as the Firemen's Ball, Chili Bean Feed, Art Festival and Pancake Breakfast, etc.
2. Portable signs: One (1) portable sign shall be permitted on any building site zoned for commercial use, unlighted and unilluminated and not to exceed a total area of sixteen (16) square feet or five (5) feet in height. Portable signs are not allowed in any road right-of-way.

5. Prohibited Signs

- a. Signs which resemble or conflict with any traffic-control device or conflict with safe and efficient flow of traffic.
- b. Signs which create a safety hazard by obstructing clear view of pedestrian and vehicular traffic.
- c. Outdoor advertising signs.
- d. Advertising device/display.
- e. Banner signs.

6. Sign Definitions

Except as defined by these regulations, signs shall have the same definitions per Section 7-9-144.1 of the Zoning Code.

7. Lighted/Illuminated Signs

Lighted and illuminated signs shall be designed and installed so that direct light rays shall be confined to the premises.

8. Signs Abutting Residential Areas

On the ocean side of Pacific Coast Highway business and identification signs facing the ocean are permitted providing they are no more than thirty two (32) square feet in area. If lighted, it shall be by external lighting only with the rays directed on the sign face only.

9. Sign Measurements

a. Sign Area:

The entire area within which a single continuous perimeter of not more than eight (8) straight lines enclose the extreme limits of writing.

Signs shall not exceed one (1) square foot of sign area for each linear foot of building frontage. The total aggregate sign area for such signs shall not exceed one hundred and twenty-five (125) square feet for each property. If the building frontage of any business is less than twenty-five (25) feet, only one sign, having a maximum area of twenty-five (25) square feet, shall be permitted for each such business.

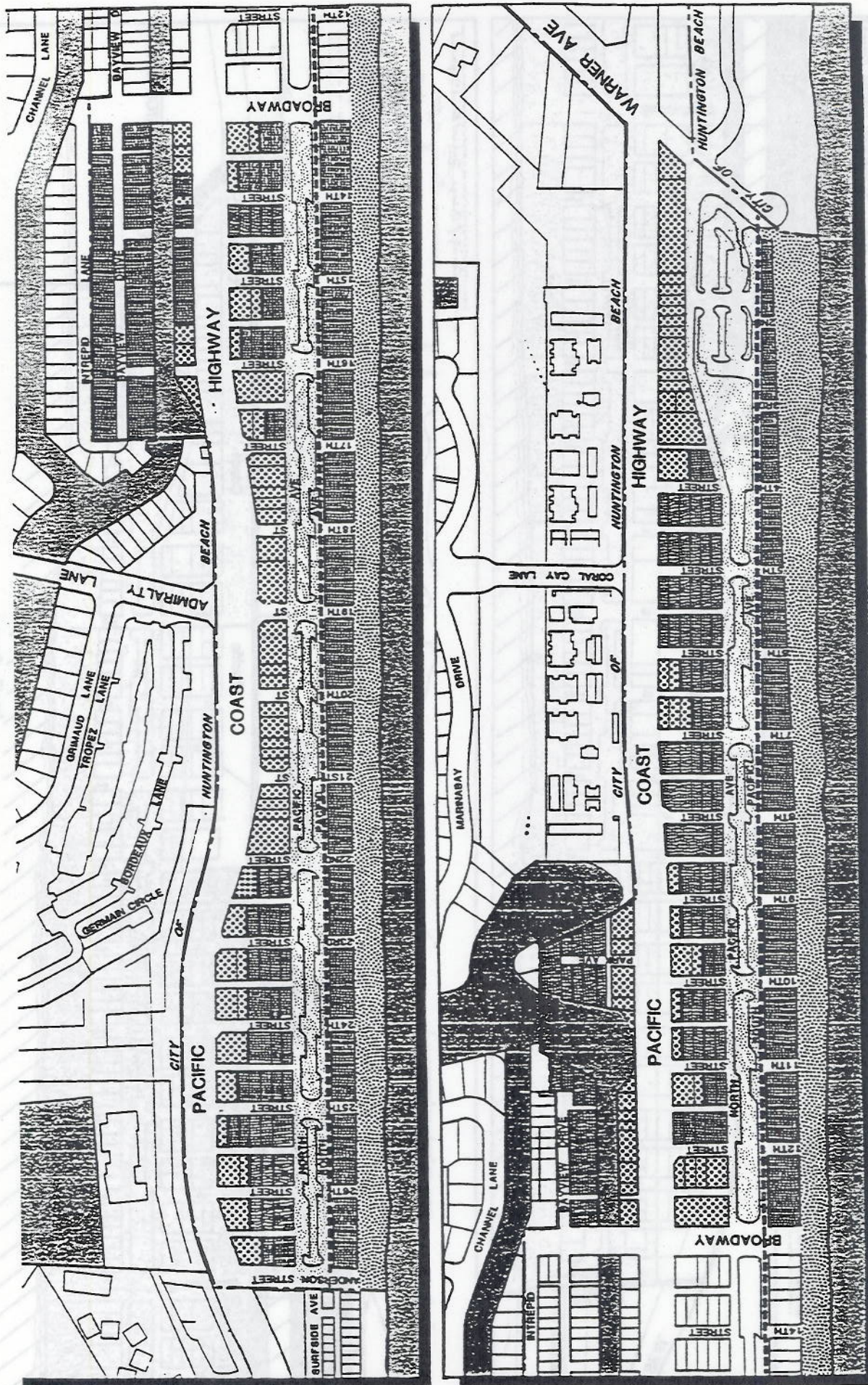
b. Sign Height:

The greatest vertical distance measured from the ground level directly beneath the sign to the top of the sign. Signs shall not exceed the building height limit of the district in which they are located.

1) Pole and roof signs: Maximum height twenty-five (25) feet.

2) Wall signs: Maximum height thirty-five (35) feet.

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PP-3 line - Heavy dashed line on map. Structures must be protected from flowing water based on wave activity in the PP-3 zone located seaward of the PP-3 line. The PP-3 line would be near the seaward limit of wave uprush on an undeveloped beach. At Sunset Beach, the PP-3 boundary is designated at the inland (South Pacific Avenue) property line of the ocean-facing houses.

- SBR Sunset Beach Residential
- SBT Sunset Beach Tourist
- SBB Sunset Beach Beach Area

- S8P Sunset Beach Parking Facility
- S8W Sunset Beach Waterways

LAND USE REGULATION MAP SUNSET BEACH Specific Plan and Local Coastal Program NORTH COAST PLANNING UNIT LOCAL COASTAL PROGRAM ENVIRONMENTAL MANAGEMENT AGENCY COUNTY OF ORANGE

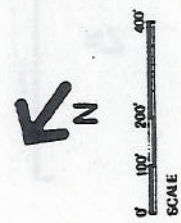


Figure 11