

ORDINANCE NO. 4311

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 218 M MIXED USE-TRANSIT CENTER DISTRICT OF THE
HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE
(ZONING TEXT AMENDMENT NO. 23-002)

WHEREAS, pursuant to the California State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate, duly noticed public hearings to consider Zoning Text Amendment No. 23-002, which amends Chapter 218 of the Huntington Beach Zoning and Subdivision Ordinance

After due consideration of the findings and recommendations of the Planning Commission and all other evidence presented, the City Council finds that the aforesaid amendment is proper and consistent with the General Plan;

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

SECTION 1. That Chapter 218 of the Huntington Beach Zoning Code is hereby amended to read as follows:

218.04 MU-TC District—Land Use Controls

In the following schedules, letter designations are used as follows:

“P” designates use classifications permitted in MU-TC district.

“PC” designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

“ZA” designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

“Neighborhood Notification” designates use classification that require an Administrative Permit by the Director. Use classifications that are not listed are prohibited. Letters in parentheses in the “Additional Provisions” column refer to provisions following the schedule or located elsewhere in the Zoning Ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

MU-TC District: Land Use Controls

P = Permitted

PC = Conditional use permit approved by Planning Commission

ZA = Conditional use permit approved by Zoning Administrator

	Land Use Controls	Additional Provisions
Residential Uses		(A)(I)
Multifamily Residential	PC	
Public and Semipublic Uses		(A)
Clubs and Lodges	ZA	
Day Care, General	ZA	
Day Care, Large Family	P	(C)
Government Offices	P	
Public Safety Facilities	P	
Religious Assembly	ZA	
Schools, Public or Private	PC	
Commercial Uses		(A)(H)(I)
Artists' Studios	P	
Banks and Savings & Loans	P	
Catering Services	P	
Drug Stores/Pharmacy	P	
Eating and Drinking Establishments	P	
w/ Alcohol	ZA	(B)(C)
w/ Live Entertainment	ZA	
w/ Dancing	PC	(D)
w/ Outdoor Dining	ZA	(C)(E)
Food and Beverage Sales	P	
w/ Alcohol Beverage Sales	ZA	(B)
Office, Business and Professional	P	
Park and Recreational Facilities	P	
Parking	PC	(F)
Personal Enrichment Services	P	(C)
Personal Services	P	
Retail Sales	P	(G)
Visitor Accommodations	PC	

MU-TC District: Additional Provisions

(A) All projects in this district shall have both residential and nonresidential components. At least 50% of the building fronting public streets at the ground level shall be nonresidential uses. At least 50% of the project shall be residential uses.

(B) The following businesses proposing to sell alcoholic beverages for on-site or off-site consumption are exempt from the conditional use permit process: (1) Retail markets with no more than 10% of the floor area devoted to sales, display and storage of alcoholic beverages provided the sale of alcoholic beverages is not in conjunction with the sale of gasoline or other motor vehicle fuel; (2) Florist shops offering the sale of a bottle of an alcoholic beverage together with a floral arrangement.

(C) Neighborhood notification requirements pursuant to Chapter 241.

(D) See also Chapter 5.28, Dancing Halls, and Chapter 5.44, Restaurants—Amusement and Entertainment Premises.

(E) Outdoor dining with alcohol sales shall be permitted with a conditional use permit to the Zoning Administrator. Outdoor dining without alcohol sales that is 400 square feet or less shall be permitted with an administrative permit. If over 400 square feet with no alcohol sales, neighborhood notification shall be required pursuant to Chapter 241.

(F) Stand-alone or other permanent parking structures not ancillary to the permitted uses listed above. Must demonstrate necessity of use and comply with the requirements in Section 231.18(G) (Parking Structures).

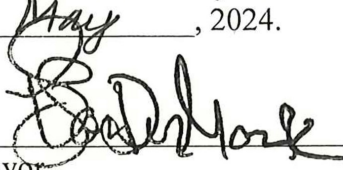
(G) See Section 230.94, Carts and Kiosks.

(H) Development of vacant land or additions of 10,000 square feet or more in building floor area; or additions equal to or greater than 50% of the existing building's floor area requires approval of a conditional use permit from the Zoning Administrator. The Community Development Director may refer any proposed project to the Zoning Administrator if the proposed project has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic).

(I) Projects within 500 feet of a PS District; see Chapter 244.


SECTION 2. This ordinance shall become effective immediately 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 21st day of May, 2024.



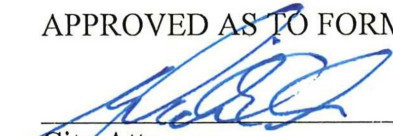
Mayor


ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney 

REVIEWED AND APPROVED:



City Manager

INITIATED AND APPROVED:



Director of Community Development

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

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a **Regular** meeting thereof held on **May 7, 2024**, and was again read to said City Council at a **Regular** meeting thereof held on **May 21, 2024**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Moser, Bolton, Burns, Van Der Mark, Strickland, McKeon, Kalmick

NOES: None

ABSENT: None

ABSTAIN: None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the *Orange County Register* on May 30, 2024.

In accordance with the City Charter of said City.

Robin Estanislau, City Clerk

Senior Deputy City Clerk



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