

MAIN STREET SPECIFIC PLAN

City of Seal Beach



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CITY OF SEAL BEACH

JULY 8, 1996

Amended [DATE] 2024

Amendments can be found bold and underlined

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ACKNOWLEDGEMENTS

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1. INTRODUCTION

A. Vision

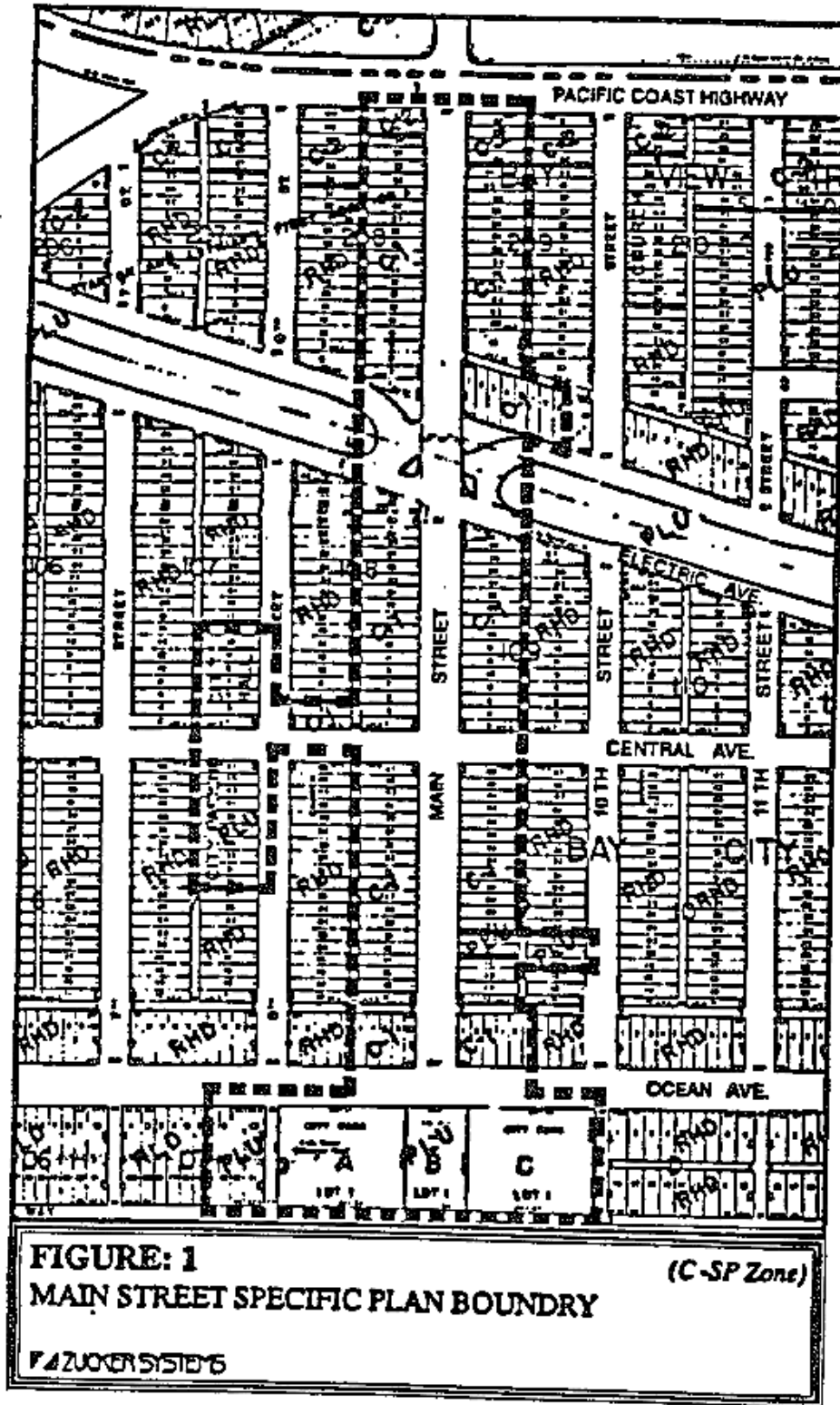
The Main Street Specific Plan has been prepared by the City of Seal Beach to provide a long range “vision” and implementing actions for the preservation and enhancement of downtown Seal Beach. The Plan applies to the approximately 21 acres shown on Figure 1. It includes the previous C-1 zoning district surrounding Main Street, the previous C-2 zone at the corner of Main Street and Pacific Coast Highway and related public uses. The regulatory portions of the Specific Plan are implemented through the creation of a new Main Street Specific Plan Zone (C-SP Zone) in the City's Zoning Code.

This Plan revises a Main Street Specific Plan adopted by the City Council in January 1976. It builds on a report prepared by the Downtown Parking and Urban Design Task Force in 1984. The current Plan is the result of studies conducted in 1994 and 1995. The study included numerous interviews, an opinion survey sent to 1,200 residents and businesses with a 50% return, detailed parking counts, an up-to-date land use survey, and various other field studies.

The Plan is based on the following vision:

VISION

The Main Street area is particularly important because it is a cohesive agent for a city that is geographically fragmented. The vision for Main Street is small town America. Important features include a family town with friendly people who care for each other. A pedestrian oriented area where people walk and feel safe on the street at night. An area with both architectural and economic diversity with a mix of offices and businesses. Main Street is surrounded by an area of mixed housing types and institutions, creating a complete small town community. Although it is recognized that the area will have businesses that serve both residents and visitors, the goal is to not have visitor serving uses overwhelm the area at the expense of the small-town character. It is also recognized that when the weather and beach conditions are attractive, the demand for parking may exceed the supply.



The differential standards used in the Main Street Specific Plan may seem to some as unfair in relation to the rest of the City. However, the VISION clearly establishes the importance of Main Street and justifies its differential treatment. What would Seal Beach be like without Main Street? The Plan recognizes Main Street as the heart and soul of Seal Beach.

What makes a community special is often the very same factor that causes pressure for change. The more charming a town appears, the greater the demand upon the community from the outside. The need to serve the visitor brings with it new businesses that can change the character of the town. Main streets like Seal Beach's have disappeared all over the country. Typical issues include:

If they become very tourist popular, tourist uses and chain stores out bid local uses, driving up the rents and driving out local uses.

Traditional small one-of-a-kind stores have trouble competing with the big box retailers and chain stores.

The Main Street Specific Plan is designed to address these issues.

B. Statutory Authority

The Specific Plan is authorized by Article 8 of the California Government Code (Section 65450 et. seq.) and this document meets the requirements as specified in Section 65451.

C. Relation to the General Plan

The Specific Plan carries out the objectives of the Seal Beach General Plan. It provides the detailed criteria for development of specific sites and public improvements.

The Specific Plan is relatively high in the land use hierarchy, coming just below the General Plan. Zoning, subdivisions, public works projects and development agreements all must be consistent with the adopted Specific Plan.

The Plan creates a bridge between General Plan policies and individual development proposals.

Specific language relating the Specific Plan to the General Plan is included in Chapter 8.

D. Relation to the Zoning Code and Other City Ordinances

The regulatory portions of the Specific Plan have been incorporated into the City's Zoning Code and are also repeated in this Specific Plan document. Therefore, the City's Zoning Code or other City ordinances, including those ordinances amended or enacted as part of this adoption of this Specific Plan, continue to apply to the Main Street Specific Plan area.

2. LAND USE

The small town village charm of Seal Beach's Main Street area comes from a variety of factors including the eclectic mix of architecture, constrained area (only three blocks long), and relation to the ocean. However, of major importance, if not the single most important element, is the mix of uses in close proximity to one another.

Within the area there are 107 commercial parcels. Along Main Street and immediately adjacent to Ocean, Central and Electric Avenues there are 121 existing businesses located at street level. 38 office suites are situated on the second and third floors above Main Street.

The 1994 land use is shown in a separate Background Studies report.

The commercial uses are the key to the area's special character. The commercial center has been able to retain its small town character due to those businesses that depend on and support the adjoining residential development. These uses are traditionally found in a small town, village center. It is important that they be retained and other similar uses be encouraged to establish on Main Street whenever possible. In Seal Beach these uses include: grocery store, financial institution, hardware store, Post Office, drug store, movie theater, and nursery.

Additional land uses such as bookstores, video rentals, newspaper, cafes, doctor's offices, barber shops etc. are also essential to a small town character. Table 1 summarizes the 1994 land use.

TABLE 1
1994 Street Level Land Use by Type and
Number of Businesses
Within Specific Plan Boundary

<u>Use Type</u>	<u>Number of Businesses</u>
Food and Beverage	
Food Service w/o Liquor	9
Food Service w/ Liquor	14
Bar	2
Total	25
Retail	
Antiques	5
Books	2
Clothing	17
Flowers	2
Food & Sundries	3
Art Gallery	7
Gas	2
Gift	5
Jewelry	3
Liquor	2
Sporting Equipment	3
Drug Store	2
Home-Decorating & Improvement	1
Other	1
Total	55
Office	
Financial	2
Law	4
Medical	2
Real Estate	2
Travel	2
Other	6
Total	18
Services	
Beauty Salon	14
Dry Cleaners	2
Printing	2
Other	5
Total	23

Businesses that serve the residential community of Seal Beach also receive a percentage of their business from the visitors to the community, and in some cases without the visitors' business, they might not be able to survive.

Part of Seal Beach's old town charm is the close proximity of its residential development to the commercial establishments. This arrangement is highly desirable.

Frequently, the biggest conflict between a commercial center and an adjoining residential neighborhood is between the residents and the nearby eating and drinking establishments. In the Main Street area of Seal Beach there are 23 restaurants of which 14 serve liquor, see Table 2. Also there are two bars which serve no food and three other businesses licensed to sell liquor for off-premise consumption.

Table 2 also indicates which eating establishments serve alcoholic beverages and their closing hours. A majority of the establishments are licensed to sell only beer and wine, and generally close between ten and eleven o'clock in the evening. The two bars and four restaurants with general liquor licenses (permitted to sell distilled alcohol as well as beer and wine) are allowed to stay open later. All establishments are closed by 2:00 am.

The Main Street business area is located in Census Tract 995.05, which is identified by the State Department of Alcoholic Beverage Control (ABC) as being "overconcentrated". Overconcentration is a guideline utilized by the ABC to determine if additional alcoholic beverage licenses should be issued in that area. Seal Beach requires a "conditional use permit" for any alcoholic beverage type of sale, and the City can consider the potential impact of an "overconcentration" of ABC licenses during the public hearing process. Without a conditional use permit approval from the City, ABC will not issue a new alcoholic beverage sales license within the City. Based on 1990 U.S. Census population information, Census Tract 995.05 would support a total of 13 on- and off-premise licenses, with the tract currently having 33 licensed location, 20 of which are within the Main Street Specific Plan

area. Those alcohol serving businesses with the Main Street Specific Plan area are set forth in Table 2, following.

TABLE 2
Establishments Serving Alcohol
By Type of License

<u>Establishment</u>	<u>Beer/ Wine</u>	<u>General</u>	<u>Entertain- ment</u>	<u>Closing Hours</u>	
				<u>Su-Th</u>	<u>F-Sa</u>
Food and Beverage					
Seaside Grill	X			10:00	11:00
Taco Surf	X			10:00	10:00
Pasta Grotto	X			10:00	11:00
Don Juan's Taco	X			9:00	9:00
Hennessey's	X	X		1:30	1:300
Papillon	X	X	X	1:00**	1:00
Walt's Wharf	X	X		11:00	12:00
BJ's Pizzeria	X			10:00	11:00
Main St. Cafe & Grille	X			10:00	10:00
Mandarin Garden	X				
Bayou St. John	X			10:30	10:30
Cafe Lafayette	X			9:00	10:00
Ruby's	X			10:00	10:00
Kinda Lahina	X	X		11:00	12:00
El Burrito Jr.	X			10:00	12:00
Beverage					
Clancy's	X	X		2:00	2:00
Irisher	X	X		2:00	2:00
Off Site Consumption					
Seal Beach Liquor	X	X		11:00	12:00
Johns Food King	X			10:00	11:00
Nip 'n Stuff	X	X		2:00	2:00

**Sun.-11:00

POLICY 1. Create a New Main Street Specific Plan Zone (Article 12.5, Section 28-1250 and 28-1251, C-SP Zone)

Section 28-1250. Permitted Uses.

A. Permitted Uses

- 1) Barbershops and beauty parlors;
- 2) Coffee houses, dessert shops and similar establishments provided there is seating for no more than 10 customers and the gross square footage of the

establishment does not exceed 1,000 sq. ft (**See subparagraph (14) for additional information regarding permitted outdoor accessory uses under the Outdoor Program**);

- 3) Financial institutions;
- 4) General retail businesses such as grocery store, furniture store, etc.;
- 5) Horticultural Nursery;
- 6) Medical offices and laboratories facing Main Street or Ocean Avenue;
- 7) Medical offices and laboratories not facing Main Street or Ocean Avenue;
- 8) Prescription pharmacies;
- 9) Professional offices facing Main Street or Ocean Avenue (2nd floor and above only);
- 10) Professional offices not facing Main Street or Ocean Avenue;
- 11) Service businesses dealing directly with consumers (dressmaker, nail shop, tailor, etc);
- 12) Accessory buildings and structures; and
- 13) Other similar uses when determined by the Planning Commission to be consistent with the Main Street Specific Plan and compatible with other permitted uses within the zone.
- 14) **Outdoor uses under the Outdoor Program including administrative approval of Outdoor Uses Permit and encroachment permit (See Policy 4.5 for additional information and requirements).**

B. Uses Subject to Issuance of a Conditional Use Permit

- 1) Automatic ice vending machines;
- 2) Coffee houses, dessert shops and similar establishments with seating for more than 10 customers and the gross square footage of the establishment exceeds 1,000 sq. ft;
- 3) Coin operated amusement machines as a secondary use;
- 4) Commercial activities operating between the hours of 2:00 a.m. and 6:00 a.m.;
- 5) Entertainment cafes;
- 6) Gas Stations located on a major arterial, subject to compliance with the performance and development standards imposed by Section 23-2318;

- 7) Horticultural Nursery;
- 8) Liquor establishments, if part of a grocery store, provided that the number of such establishments permitted in the Main Street Specific Plan Zone shall not exceed two (2) at any one time. Permitted operating hours for such establishments shall be 7:00 a.m. to 10:00 p.m., Sunday through Thursday, and 7:00 a.m. to 11:00 p.m., Friday, Saturday, and holidays. Any such establishments which qualify for temporary on-sale or off-sale licenses under the provisions of California Business and Professions Code Sections 24045.1, 24045.2, 24045.3, 24045.4, 24045.6, 24045.7, 24045.8, and 24045.9, as may be amended, shall be exempt from this requirement for a Conditional Use Permit;
- 9) Medical offices and laboratories facing Main Street or Ocean Avenue (1st floor);
- 10) Movie Theaters;
- 11) Parking garage;
- 12) Pet shop;
- 13) Private Parking lots;
- 14) Professional offices facing Main Street or Ocean Avenue (1st floor);
- 15) Recycling facilities as defined in Section 28-2321 and as follows:
 - a) Reverse vending machines;
 - b) Small collection recycling facilities within a convenience zone; and
 - c) Mobile recycling units within a convenience zone;
- 16) Restaurant, with or without alcohol sales (not including drive-in restaurants). Permitted operating hours of such restaurants shall be 7:00 a.m. to 10:00 p.m., Sunday through Thursday, and 7:00 a.m. to 11:00 p.m., Friday, Saturday, and holidays;
- 17) Similar retail or service establishments catering directly to consumers when interpreted by the Planning Commission as meeting the intent of service commercial uses and the General Plan; and
- 18) Veterinary out-patient clinic.

Section 28-1251. Limitations on Permitted Uses.

Every use permitted shall be subject to the following conditions and limitations:

- A. All uses shall be conducted wholly within an enclosed building except such uses as:
- 1) Growing stock, only when in connection with horticultural nurseries;
 - 2) Parking lots;
 - 3) Restaurant, semi-enclosed;
 - 4) **Outdoor uses authorized under the Outdoor Uses Program (See Policy 4.5 for additional information and requirements).**
- B. Storage shall be limited to accessory storage of commodities sold at retail on the premises.
- C. All operations conducted on the premises shall not be objectionable by reason of noise, odor, dust, mud, smoke, steam, vibration or other similar causes.
- D. Where any property used for commercial purposes has a common property line with property zoned for residential purposes, no commercial use shall be established thereon unless there is first erected a solid masonry or concrete block wall not less than eight feet in height at such property line, except where a wall of a building is on such property line, no separate block wall need be provided.
- E. Findings required for Conditional Use Permits within the Main Street Specific Plan boundaries:
- 1) Additional Findings Required. In reviewing applications for Conditional Use Permits for the Main Street area, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. No Conditional Use Permit shall be granted within the Main Street Specific Plan boundaries unless the Planning Commission makes, in addition to those findings required in the Zoning Code, Section 28-2503 and 28-2504, all of the following findings:

- a) The proposed use is consistent with the intent and purpose and Vision established for the Main Street Specific Plan.
- b) The proposed use does not conflict with the Specific Plan's goal to establish and maintain a balanced mix of uses that serve the needs of both local and non-local populations.
- c) The use will contribute to the unique character of Main Street and the qualities that provide the Main Street a sense of identity.
- d) The proposed use complies with all applicable City Council policies, such as the policies the Council has adopted concerning alcohol serving uses.

3. BUILDING AND DESIGN PROVISIONS

In preparing the Specific Plan, an urban design analysis of the Main Street area was conducted. This study suggested that the following factors are important ingredients in maintaining the small town village charm and a pedestrian scale:

- ✓ Transparent storefronts with views into shops, offices and restaurants.
- ✓ Building facades located near the street property line.
- ✓ Continuous street side facades from side lot line to side lot line.
- ✓ Screening of parking lots from the pedestrians' way.
- ✓ Building facades limited to 35-50 feet in width.
- ✓ Eclectic architecture without national trademark buildings.
- ✓ Low one and two story buildings.
- ✓ Signs in keeping with the pedestrian scale and atmosphere.

Although many communities would use these factors to establish a design review process, the Main Street Specific Plan takes a different approach. Specific design criteria are established to be implemented as part of a ministerial permit process.

POLICY 2. Create New General Provisions for Lot Size, Open Space, Bulk and Yards (C-SP Zone, Section 28-1253)

Section 28-1253. General Provisions. Lot Size, Open Space and Yards.

- 1) Minimum Lot Size:
Width:.....25 feet
Depth:.....110 feet
Area:.....2,750 square feet

 - 2) Yard Dimension (minimums):
Abutting Front Street:.....0*
Abutting Side Street:.....0*
Abutting Rear Street:.....0*
Abutting Side Alley:.....4 feet
Abutting Rear Alley:.....22 feet
Not Abutting Street or Alley on Side:.....0*
Not Abutting Street or Alley on Rear:.....10% lot width;
5 ft. min/ 10 ft. max*
- *Where a property has a front, side or rear yard on a block face with residentially zoned properties, the minimum dimensions for required front, side, or rear yards for the property shall be the same minimum dimensions as required in the residential zone. Notwithstanding the foregoing, uses with loading zone requirements do not have to provide the minimum dimensions required for residential zone rear yards where such loading zone conflicts with such minimum requirements.
- 3) Lot Coverage:.....75%

 - 4) Maximum Height, Main Building:.....30 feet maximum

Any portion of structure greater than 20 feet in height must be set back from street facade a minimum of 10 feet.

- 5) Maximum Height, Accessory Building:.....15 feet
- 6) Minimum Required Landscape: . . . 0% of the site, plus one (1) tree for each five (5) parking stalls distributed throughout any on-grade parking lot area.

If parking area abuts the front or side street(s), a landscape area averaging 3 feet in width shall be required between such parking area and sidewalk(s) subject to the approval of the Director of Development Services. Such area shall include a minimum of one tree for each 30 ft. of linear landscape area plus landscaping and/or wall to a height of 2.5 feet designed to screen the automobiles from the sidewalk. In no case shall the landscape area be less than 1 foot in width.

- 7) Lot Area Standards: . . . Smaller parcels shall not be merged for development purposes into a parcel that exceeds 6,000 square feet. Notwithstanding the foregoing, development may be permitted on parcels that exceed 6,000 square feet as of the effective date of this Article.

POLICY 3. Building and Design Provisions

Section 28-1254. Design Provisions.

1) All buildings shall meet the following design criteria:

a) Transparency:

At sidewalk level buildings shall be primarily transparent. A minimum of 50% of all first floor facades with street frontage shall consist of pedestrian entrances, display windows or windows affording views into retail, offices, gallery or lobby space. The building wall subject to transparency requirements shall include the portion between three feet and ten feet above the sidewalk. Blank walls should be avoided and lively facades encouraged.

b) Glass:

All glass in windows and doorways shall be clear for maximizing visibility into stores. A minimal amount of neutral tinting of glass to achieve some sun control is acceptable if the glass appears essentially transparent when viewed from the outside. Opaque and reflecting glass shall not be used.

c) Window Security Bars:

Window security bars shall only be allowed if installed on the interior of the window area.

d) Facade Set-Back:

Buildings shall be located on or within 4 feet of the street property line. Exceptions shall be: a) outdoor restaurant seating areas or b) areas where abutting buildings are, as of the effective date of this Article, set back

creating in effect continuous store frontages with a wider sidewalk. In the latter case, the abutting buildings' set back shall be considered the equivalent of the property line.

e) Facade Continuity:

Building street facades shall be continuous from lot line to lot line. Parking or loading areas shall not abut Main Street or Ocean Avenue frontages.

f) Facade Width:

Facades of interconnecting buildings should retain their individual identity. Buildings should not be remodeled or painted to give the appearance of a single building. Any street side building facade exceeding 50 feet in width shall be segmented into individual designs not exceeding 50 feet in width.

g) Trademark Buildings:

Trademark buildings used to house a franchise operation shall be prohibited.

- 2) All new sidewalks or sidewalk replacements shall be constructed utilizing a textured sidewalk material in a pattern or design representing no less than 50% of the sidewalk surface.

Section 28-1258. Roof-Mounted Mechanical Equipment

Roof-mounted mechanical equipment shall be architecturally screened to the satisfaction of the Director of Development Services.

POLICY 4. Signs

Section 28-1804. Subsection 3. Permitted Signs

3. C-0, C-SP, C-1 and C-2 Zones. The following signs are permitted in the C-0, C-SP, C-1 and C-2 zones:
- a) One unlighted sign pertaining to the sale, lease, or rental of the property on which the sign is displayed.

Parcel Size

Sign Size

Lots of record and parcels not exceeding:

10,000 square feet.....	6 sq. ft.
10,000 square feet to 1 acre.....	25 sq. ft.
More than 1 acre.....	50 sq. ft.

- b) Political signs when they pertain to an election, shall be placed no earlier than thirty days prior to the election to which they pertain. Signs posted on a building face or in a window shall not exceed thirty-six inches by forty-eight inches. Said signs shall be removed within seven days after the election.
- c) Construction signs under the same restrictions as Section 28-1804 (1)(d);
- d) For each shopping center, identification signs are permitted as follows:
- 1) One free-standing or pole identification sign containing the name and logo of the center. Sign not to exceed fifteen feet in overall height and not to exceed sixty square feet on one face of a double-faced sign;
 - 2) One monument sign not to exceed ten square feet in area and not to exceed four feet in height at each traffic entrance to the center in no

case shall more than four monument signs be placed in any shopping center.

- e) Each commercial activity may have signing identifying the activity on the premises as follows:
- 1) One sign per building face which is visible from streets or parking lot area. Said sign to be fascia or wall sign.
 - 2) Size of fascia or wall sign shall be one square foot per lineal foot of building face, not to exceed one hundred square feet per sign.
 - 3) In lieu of one or more fascia or wall signs, one free-standing or pole sign not to exceed fifteen feet in overall height may be erected on the parcel or building site on which the building is located. Maximum size of sign shall not exceed sixty square feet per face of a double faced sign. Free standing or pole signs are prohibited in the C-SP zone.
 - 4) In case of buildings having less than twenty-five linear feet of frontage on a street, twenty-five square feet of signing will be permitted.
 - 5) In cases where a business is located on a street with a speed limit of thirty-five mph or more, a free standing sign or larger fascia or wall sign will be permitted. The larger may be an additional one-half square foot per lineal foot of building frontage not to exceed eighty additional square feet. (See subparagraphs 1, 2, 3, above). The maximum sign area per sign of one hundred square feet does not apply in this case.
 - 6) No more than two items of information will be permitted per sign. An example of one item of information would be the name of the business, specialty item, unique service, etc.

- 7) Projecting signs shall be allowed in the C-SP zone subject to the following conditions:
- a. “Projecting sign” means an attached sign (other than a flat-mounted sign) which projects out from a building or structure and usually has two message surfaces. If such sign projects over a public right-of-way, it is subject to Paragraph 7d.
 - b. Projecting signs shall be allowed that:
 - do not exceed four (4) square feet in area per side;
 - project no more than three (3) feet from the wall to which attached;
 - are located at least seven (7) feet but not more than twelve (12) feet above grade; and
 - are not illuminated or illuminated by external lighting.
 - c. Each ground-level occupancy frontage may have one (1) such projecting sign if such sign is located near its primary entry way. Such sign shall be in addition to signs allowed in Section 28-1804 3e.
 - d. No sign shall project into any public right-of-way unless the Director of Public Works shall have first issued an encroachment permit therefor.
- 8) **A-Frame signs shall be permitted in the Main Street Specific Plan under a Main Street Outdoor Use Permit subject to compliance with all of the following provisions.**
- a. **A-Frame Sign Regulation and Design Requirements:**
 - **Permitted Quantity and Dimensions: Each commercial business with a first-floor, street facing frontage in the Main Street Specific Plan shall be entitled to one A-frame sign. The**

sign may have two faces, not exceeding three feet in height or a width of two feet.

- **Illumination and Placement: A-frame signs shall remain unlighted and should not obscure or visually impair vehicle or pedestrian traffic. Placement of A-frame signs should ensure they do not encroach upon the public right-of-way or publicly owned property without prior approval through an outdoor use permit, and at no time shall placement or maintenance of A-frame signs impede emergency access or violate disability access requirements including but not limited to, wheelchair access.**
- **Clear Path of Travel: A-frame signage placement must at all times allow for and maintain a minimum 8-foot clear path of travel between the edge of the sign and any sidewalk obstructions, including light poles, parking meters, news racks, and fire hydrants.**
- **Permitted Location: If the business possesses an approved permit for outdoor use, A-frame signage should be positioned within the allocated use area with the other permitted items, and all permitted items including A-frame sign shall fit completely within the allocated use area. A-frame signage must be removed from the right-of-way at the conclusion of each business day to uphold the safety, access, cleanliness and aesthetics of Main Street.**

f) When property falls under an adopted planned sign program the above provisions do not apply.

POLICY 4.5: Main Street Outdoor Program:

The Main Street Outdoor Program is designed to revitalize the frontages of ground-floor businesses and property owners located on Main Street. The program encourages these establishments to expand their frontage by setting up outdoor accessory uses such as dining areas, benches, plants, and signage, creating a welcoming environment for visitors. The program aims to enhance the overall aesthetic appeal of Main Street, while also providing businesses with an opportunity to increase their visibility and attract more foot traffic. The focus on dining outdoors emphasizes the al fresco atmosphere, allowing visitors to savor their meals amidst natural elements and enjoy a more relaxed setting. The expansion of outdoor dining/uses through the limited use of sidewalk is an effective strategy to not only support local businesses, but to activate the public realm by creating pedestrian-oriented spaces worth walking to and spending time in.

Goals:

- ✓ **Support local business;**
- ✓ **Promote welcoming places;**
- ✓ **Be accessible and equitable;**
- ✓ **Attract new business;**
- ✓ **Increase visitor satisfaction; and**
- ✓ **Maintain a unique visual experience.**

APPLICABILITY:

The purpose of this policy section is to establish general procedures and guidelines for the establishment and operation of accessory outdoor uses on Main Street through an administrative process. Outdoor sidewalk dining enhances the vibrancy and vitality of the City's commercial areas while promoting pedestrian activity and economic development.

The provisions of this section are applicable to eligible property owners and business owners with businesses that meet the following requirements:

- **Located on frontage in the Main Street Specific Plan area,**
- **Operate a ground floor establishment,**
- **Comply with State Alcoholic Beverage Control,**
- **Obtained an encroachment permit and outdoor use permit,**
- **Comply with development standards and operating requirements of the Main Street outdoor use permit.**

PERMITTED ITEMS with the Main Street Outdoor Use Permit:

- **Tables**
- **Chairs**
- **Benches**
- **Business Signage**
- **Potted Plants**
- **Heaters**
- **Umbrellas**

OUTDOOR MERCHANDISE:

Outdoor merchandise of any kind, such as store clothing racks, clothing bins, and clothing shelves shall not be approved through this program. Merchandise displayed outside on Main Street shall be prohibited on the public sidewalk (unless with a Special Events/Temporary Use Permit with event based time limit on public and private property) and can only be approved to be displayed outdoors on private property through a Minor Use Permit or Conditional Use Permit pursuant to the Outdoor Dining Display, and Sales Section of the zoning code.

ADMINISTRATIVE REVIEW:

Outdoor sidewalk uses shall be permitted on private property and public sidewalks in front of existing businesses within the Main Street Specific Plan area of the City of Seal Beach subject to the issuance of an administrative outdoor use permit and encroachment permit and compliance with the standards as outlined in and required by this policy.

DEVELOPMENT STANDARDS:

This outline provides a comprehensive overview of the development standards and requirements for outdoor sidewalk uses permitted through application. Applicants are advised to refer to the specific regulations and guidelines outlined below in the standards chart for detailed information and compliance.

TABLE 3
OUTDOOR USES DEVELOPMENT STANDARDS

	Tables	Chairs	Bench	Potted plants	Umbrella/ covering	Heaters	Signage		
Permitted Location with applicable permits									
	Adjacent to store front or adjacent to edge of roadway as long as the 8 ft minimum clear pedestrian walkway is maintained at all times of use.		Adjacent to store front wall	Adjacent to store front or adjacent to edge of roadway as long as the 8 ft minimum clear pedestrian walkway is maintained at all times of use.					
Maximum Size of Items									
	30 in. deep x 30 in. wide or 15 in. deep x 60 in. wide	N/A	72 in. wide	30 in high along roadway, 7 ft clearance to canopy	N/A	N/A	24 in. wide x 36 in. tall (Policy 4 for more details)		
Maximum Number of items per frontage size									
	30" x 30"	15" x 60"	30" x 30"	15" x 60"					
25 ft	2	1	4	3	1	2	No Max	No Max	1
37.5 ft	3	2	6	6	1	2	No Max	No Max	1
50 ft	4	3	8	9	1	2	No Max	No Max	1
Minimum Unobstructed Clear Path for pedestrian travel (including existing obstacles such as street furniture, bicycle racks, trees, and utilities with permitting items)									
	8 ft measured from Table to clear path	8 ft measured from Chair to clear path	8 ft measured from benches to clear path	8 ft measured from potted plants to clear path and 7 ft vertical clearance to tree canopy	8 ft measured from Umbrella to clear path and 7 ft vertical clearance	8 ft measured from Heater to clear path	8 ft measured from Sign to clear path		
2 ft to the edge of the roadway/ the back of curb adjacent to parking									

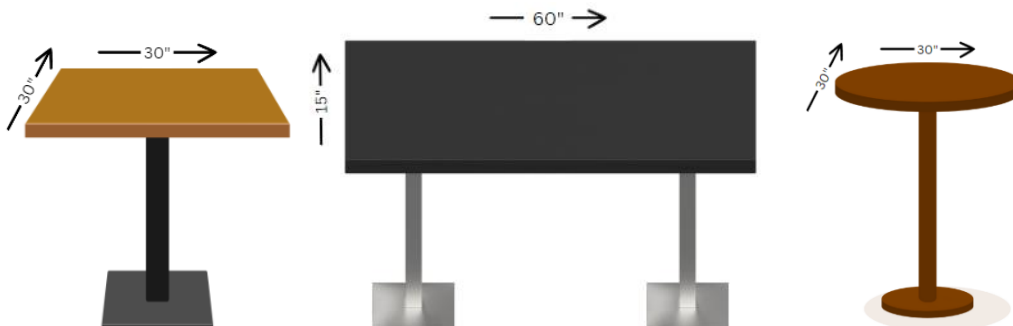
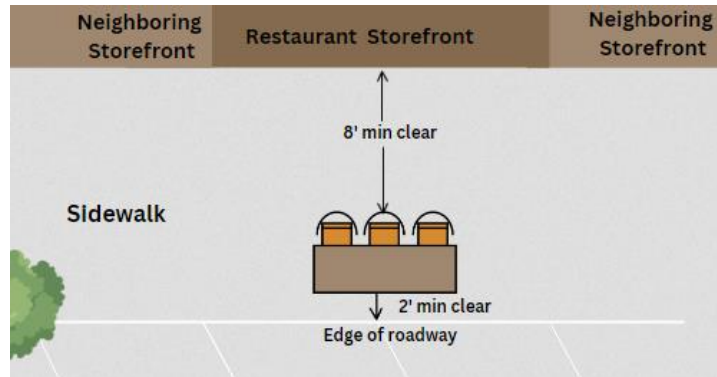
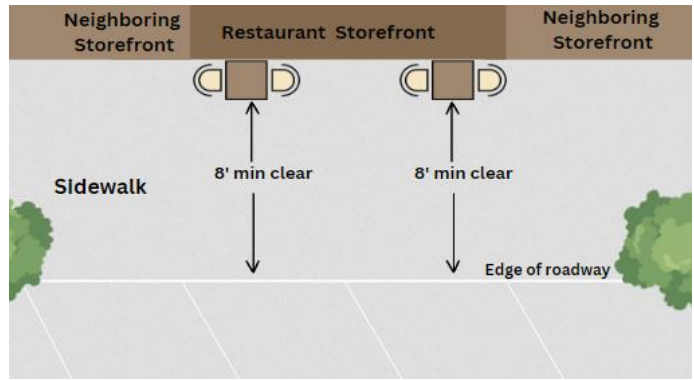
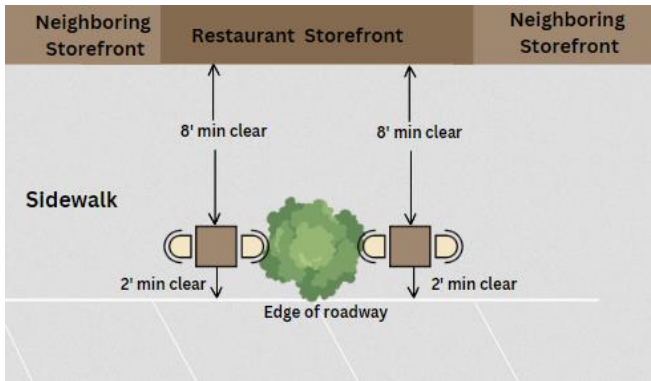
Permitted Hours of use/ operations of permitted items on sidewalk						
All items are permitted to be on the sidewalk from 7:00 a.m. to 10:00 p.m. unless otherwise conditioned by the Community Development Director.						
Temporary and must be stored on private property during non-operating hours		Permanent placement for the duration of the active outdoor use permit		Temporary and must be stored on private property during non-operating hours		
Additional item specific requirements						
(A)(B) (C) (D) (E) (F)		(C) (I) (J)	(C) (G) (H)(J)	(C) (K)(M)	(C) (J) (M)	(C) (N)

ADDITIONAL ITEM SPECIFIC REQUIREMENTS:

- a) **Tables and chairs shall be limited to one row.**
- b) **Tall tables permitted as long as ADA compliance is still maintained and necessary permits obtained. Consult Community Development Department for guidance.**
- c) **All permitted items must be in the storefront windows without extending into or being in a neighboring storefront while maintaining eight feet of unobstructed sidewalk at all times.**
- d) **If an adjacent business agrees in writing to allow a neighboring restaurant or coffee shop to use a portion of its storefront space, the restaurant can extend its dining area by a maximum of one foot into the neighboring property. Approval of an extension into the storefront of an adjacent business shall require the applicant to submit a signed letter from the adjacent business stating that they agree to allow the restaurant to use one foot of their property for permitted outdoor dining.**

e) Applicants/permittees are responsible for compliance with all alcohol license requirements, if applicable. Applicants/permittees are advised to work directly with ABC to understand alcohol service regulations on the sidewalk.

f) The permitted dining locations and size of the tables are as follows:



- g) Plant materials shall be selected for low water demand and drought tolerance, adaptability and relationship to the Seal Beach environment, and the geological and topographical conditions of the site.**
- h) Plants and planters shall not exceed the permitted height of 30 inches on parcels located on a corner with proposed planters in the traffic visibility triangle.**
- i) Storefronts with a Memorial Bench Program bench shall be permitted up to one additional bench with the application of a Main Street Outdoor Use Permit.**
- j) Bench and Landscaping example:**



- k) Portable gas (LPH) heating appliances may be used within Main Street dining areas and must meet the following requirements:**
 - a. Cannot be located beneath or closer than 10 feet to canopies/tents per California Fire Code**
 - b. Cannot be five feet to similar combustible materials per California Fire Code**
 - c. Propane tanks may be stored on site in an approved enclosed area of the installation to the satisfaction of the Building and Safety Department and Orange County Fire Authority.**

d. Only permitted when used with outdoor dining.

l) The placement, color, style and type of umbrella or coverings shall be consistent with and complement the design and appearance of the affected building. Only permitted when used for outdoor dining.

m) Umbrellas and heater example:



n) A-frame signs shall maintain a minimum clearance of eight feet in the walkway.



APPLICATION PROCESS:

Applicants shall review and complete materials required in the Main Street Outdoor Uses Guide and Application Checklist for the identified location of the Outdoor items. Applicants shall confirm location eligibility with staff prior to submitting plans of proposal. This application is not transferable and does not run with the land, and a new Main Street Outdoor Use Permit shall be completed with each new business in the location if a transferred or new outdoor use wishes to be maintained at that location.

APPLICATION INFORMATION:

The applicant shall submit the application and pay processing fees in accordance with the provisions set forth in the City Master Fees. The applicant shall submit the following related materials for compliance review of applicable requirements set forth in this specific plan.

1. **Completed Main Street Outdoor Uses Application/Checklist**
2. **Provide an outdoor layout plan with design details and site photos**
3. **Proof of Liability Insurance and Liability Release Agreement**
4. **Pay the fees for the Main Street Outdoor Use Permit**
5. **Confirmation of the applications for a concurrent Encroachment Permit from Public Works**
6. **Written approval from the Property and Business owner(s)**
7. **Written approval from adjacent Property and Business owner(s) if outdoor use will extend into the adjacent business' storefront.**

APPLICATION REVIEW:

Applications shall be reviewed by applicable City Departments/Divisions including but not limited to Planning, Building, Fire, Police and Public Works. During the review period a Community Development Inspector shall complete a site visit to confirm the dimensions and outdoor layout plan provided is accurate and can accommodate the requested outdoor uses. The Applicant shall provide any additional information or documentation and respond to City comments as requested.

APPROVING AUTHORITY:

All Main Street outdoor use permits are reviewed and approved by the Community Development Director or designee. The director shall issue the Main Street outdoor use permit only if all required requirements and standards of the Main Street Specific Plan and Outdoor Use Guidelines are met.

INSTALLATIONS AND INSPECTIONS:

Applicants shall be notified by the Community Development Department once an application is approved with code compliant design layout and all fees have been paid.

INSTALLATION:

Applicant/permittee shall post the City provided window sticker with business name and expiration date in store window.

INSPECTIONS:

The Applicant/permittee shall request an inspection for compliance after the installation has been completed. The City will inspect for the outdoor uses for compliance with the permit approvals based on the following standards:

- ✓ Site plan and development standards,
- ✓ Operating standards,
- ✓ Active/up-to-date permit
- ✓ Maintenance Standards

Applicant/permittees shall be notified by the Community Development Department once an inspection has been scheduled.

TIME LIMITATIONS:

The Main Street outdoor use permit is valid for one fiscal year (July 1st through June 30th) and shall automatically expire on June 30th of every year. Permittees wishing to renew an expiring permit shall submit a renewal form with appropriate fees prior to June 30th. Outdoor uses shall cease after June 30th pending the Department's review of and determination on a renewal application form.

MAINTENANCE:

All Main Street outdoor areas must be maintained by the permittee in clean and safe conditions at all times, including sweeping and cleaning of outdoor use locations, and appropriate provisions for trash disposal. At all times each permittee shall also ensure the preservation of pedestrian access and disability access along the public sidewalk. Owners and permittees of approved outdoor use areas are responsible for upholding these standards at all times. Owners and permittees of approved outdoor uses shall meet the requirements of this Policy and the Encroachment permit at all times (Refer to the Public Works Requirements for additional information).

CHANGE OF OWNERSHIP:

Approved and valid permits may not be transferred to new business owners even at the same address. For any business that have a change in ownership

shall be subject to City approval of a new application reflecting new ownership and compliance with all requirements of this Policy, and issuance of a new outdoor use permit and encroachment permit.

REVOCATION:

The City retains the right to revoke or suspend an outdoor use permit and/or encroachment permit upon written notice to the permit holder for any cause, regardless of conformance with these provisions. Situations that may merit suspension or revocation include, but are not limited to:

1. **Emergencies, necessary construction, or area maintenance at the discretion of the Community Development Director;**
2. **Suspension, revocation, or cancellation of any necessary health permit(s) or failure to comply with Alcoholic Beverage (ABC) permits/regulations;**
3. **Failure to comply with the outdoor layout plan;**
4. **Failure to comply with the operating requirements of the approval;**
5. **Failure to comply with any relevant Conditional Use Permit (CUP);**
6. **Failure to comply with disability access requirements of the Americans with Disabilities Act;**
7. **Failure to address administrative citations or other municipal code infractions, or repeated citations/infractions;**
8. **Failure to maintain a valid business license.**

NOTICE OF VIOLATION:

Upon identification of a violation of permit conditions, regulations, or applicable laws related to outdoor uses, the Community Development Department shall issue a written Notice of Violation to the permit holder.

Upon receipt of the Notice of Violation, the permit holder must remedy the violation and demonstrate compliance with permit conditions. A Community

Development Inspector will then return for an inspection to confirm compliance. If permittee is unable to comply with the permit, the permit shall immediately be revoked for the reasons listed above.

INSTALLATION REMOVAL:

The operation shall cease and the permit holder shall restore the permit area to the condition existing prior to the placement of the outdoor facilities within 24 hours of receipt of written notice of revocation or suspension, regardless of any appeal of the action, or to a condition acceptable by the Community Development Director.

If pursuant to the above requirements, permit areas that are not restored by the permittee within the time specified by the City, the City may remove any and all facilities installed within the right-of-way. Reimbursement of City costs for said removal and storage shall be the responsibility of the permittee. City may dispose of any such facilities following notice to permittees in accordance with applicable law.

REQUIRED OPERATION STANDARDS:

Main Street outdoor use permit holders are required to comply with the following operating standards:

- A. Permittees shall comply with all State Alcoholic Beverage Control (ABC) Board requirements when the conditional use permit includes the sale of alcohol.
- B. Permittees shall not begin hours of sidewalk operation prior to 7 a.m. nor extend later than 10 p.m.
- C. Permittees shall maintain eight feet of unobstructed clear space of travel for pedestrians, free and clear of any existing obstacles (street furniture, utilities, etc.) to the satisfaction of the Community Development Director. Such clear pathway shall link continuously with pathways on each side of

- the property and shall allow a minimum clear space of eight feet at all times. These minimum widths are to ensure compliance with ADA standards and reduce liability concerns due to shifting tables, wait staff or other obstructions which can reduce the effective width.
- D. Permittees shall ensure where umbrellas and awnings are used, a vertical clearance of at least seven feet above the sidewalk must be maintained and eight feet clear path of travel.
- E. Permittees shall not allow for items within the Main Street outdoor use areas, except for approved greenery and benches, to be left when not in use or overnight unless property is secured to the satisfaction of the Community Development Director.
- F. Permittees shall confine approved outdoor uses to the area shown on the approved outdoor layout plan and shall not interfere with building egress.
- G. Permittees shall maintain outdoor use areas in a clean and safe condition at all times with appropriate provisions for trash disposal.
- H. Permittees and associated business operations shall meet all required County Health Department standards, obtain any necessary permits and service to the areas shall be conducted in a safe manner at all times.
- I. The permit issued shall not be transferable in any manner, unless approved by the City with the submittal of a new application reflecting new ownership.
- J. Operations permitted under the Main Street outdoor use permit shall in no way interfere with access to City utilities.
- K. Permittees shall prohibit smoking in the outdoor use areas.
- L. Issuance of the Main Street outdoor use permit shall not permit or allow the placement of any permanent or temporary structure or improvement on public or private property in violation of any state or federal accessibility law, including the Americans with Disability Act, or prohibit or suspend immediate code enforcement action deemed necessary by the Building Official, City Engineer, or any other authorized enforcement official of the City, to remedy or abate: a dangerous condition or activity; any activity presenting imminent threat or harm to the health, safety or welfare of the community; any violation of state or federal accessibility

law; or any unauthorized activity on private property or in the public right-of-way. Permit holders are responsible for ensuring accessibility and ADA compliance of their Main Street outdoor use areas,

M. Permittees shall have all propane cylinders used for outdoor gas heaters stored and secured pursuant to regulations in the California Code of Regulations and California Fire Code. Cylinders placed in the public right-of-way shall be safely secured and locked with the heater enclosure or stored in vented safety cages or cabinets in a flat area that does not collect water and is adequately shielded from pedestrian and motor vehicle traffic.

5. PARKING AND TRAFFIC

A. PARKING

In 1994 there were 751 parking spaces as shown in Table 4 generally available for commercial uses within the Specific Plan area.

~~TABLE 3~~ TABLE 4

Parking Inventory Summary

On Street (Public)	
Main Street	163
Ocean, Central & Electric (between 8th and 10th)	94
Off Street and Alleys	
parallel to Main St. (private)	415
Off Street (public)	
Electric Avenue	37
Main Street	42
Total	751

In addition to this, there are 425 spaces in the beach lots and 58 spaces in the City employee lot on 8th Street.

Parking demand in 1994 was calculated in two ways. Based on the zoning, the 223,600 square feet of commercial activities would theoretically require 1,258 spaces.

The second method was to look at actual parking demand.

Parking counts were completed each hour during the mid-day (noon to 2:00 PM) and evening (6:00 PM to 9:00 PM) peak periods on April 9, 1994 (Saturday, non-peak season) and on July 2, 1994 (Saturday, peak season, July 4th weekend). These counts are shown in the Appendix of the Background Report.

The parking counts indicate that the majority of the on-street parking spaces in the study area, as well as the parking in the public parking lots adjacent to Main Street are occupied during peak periods. However, parking in the beach lot is generally under-utilized, with 48 percent of the parking spaces vacant at 1:00 PM on Saturday, July 2, 1994, which was when the peak parking demand for the beach lot was observed. After 6:00 p.m., 77% of the parking spaces in the beach lots were vacant. Additionally, parking spaces in the alleys are generally under-utilized.

There are 36 short-term (24 Minute) parking spaces designated at key resident serving commercial locations on Main Street, with a two hour time limit for the remainder of the parking on Main Street. On the surrounding residential streets there is typically a one hour time limit on one side of the street, with no parking restrictions on the other side. However, there is a one hour parking time limit on both sides of Tenth Street and on both sides of Eighth Street south of Electric Avenue.

In light of their proximity to and support of area businesses, the curb spaces on Main Street, and in the 800 and 900 blocks along Ocean Avenue, Central Avenue, and Electric Avenue are primarily commercial parking spaces. The remainder of the on-street parking in the residential areas primarily supports the adjacent residential uses.

Annual parking passes for the beach lot are sold to Seal Beach Residents and non-residents. Further, Unocal (off-shore oil) uses the beach lot and pays via a key card. A sports fishing boat operating off the end of the pier also has a key card to use this lot. Automobile parking fees for the beach lot vary between summer and winter, and weekends and holidays.

The City's residential parking permit program allows residents to purchase a permit that allows their vehicle to park more than one hour on residential streets with one

hour parking restrictions. The permit also allows them to park in the municipal parking lots on Main Street and on Eighth Street at Central Avenue between the hours of 12:00 AM and 6:00 AM, only. The City also issues guest parking permits with the same parking regulations.

Merchants and employees in the Old Town area can buy an annual parking permit that allows them to park in the City parking lots. The permit is to be permanently affixed to the outside of the vehicle on the left rear window or bumper. The merchant permits are not resalable or transferable.

In 1984, the City began an “interim in-lieu parking program” in connection with a variety of zoning variances along Main Street. Participants were required to pay \$100/year/space on an interim basis pending development of a more detailed program. According to the approval conditions these in-lieu fees may be increased. In 1994 this fund was generating \$19,600 a year in funds to the City.

More recent permits have been negotiated as part of development agreements. These have been fixed fees based on \$3,500/parking space, generally paid over several years. Additionally, the California Coastal Commission has required four businesses to lease 72 other non-commercial spaces for commercial use.

Based on the parking analysis, the 1994 parking demand and supply is considered in relative balance. However, there is a need to provide additional conveniently located parking to serve Main Street and to provide a base for future parking need. Most significantly, the parking analysis indicates that the primary parking problem in the Specific Plan area is the location and management of the existing parking supply and not an overall shortage of parking.

However, as existing buildings are expanded, or new uses are established which would require more parking than existing uses, there will be an increased demand for parking. Since the existing commercial lots on Main Street have inadequate room for new parking, the only likely solution to parking needs is a City in-lieu parking program.

B. Traffic

Roadways in the specific Plan are typically two-way with a single travel lane plus a parking lane in each direction. Main Street has diagonal parking along most of its length, except for some parallel spaces in the 300 block, which provides enough width for two lanes for traffic traveling northeast on the approach to the traffic signal at Pacific Coast Highway. A traffic signal also exists at the southeast end of Main Street at Ocean Avenue, and four-way stops are posted at the intersections with Central and Electric Avenues. Mid-block pedestrian crosswalks have been striped in all three Main Street blocks.

Electric Avenue has a broad, linear landscaped median, resulting in two one-way roadbeds. The two roadways merge at Main Street to form a single intersection. Each roadbed provides a single travel lane and a bike lane, plus parking at the right curb.

The majority of the traffic entering the study area travels southwest on Main Street from Pacific Coast Highway. Generally, if a motorist can not find a parking space near their desired destination as they travel along Main Street, they will turn at Ocean Avenue and travel up Eight or Tenth Street and then re-circulate down Main Street.

September, 1993 traffic counts indicated average daily traffic in the vicinity of Main Street as 9317 on Main Street, Ocean 4070, Central 3018, and Electric 3660. Using these counts, all streets would be operating at a high Level of Service with the exception of Main Street. However, Main Street is considered a combination parking and traffic street and a high level of traffic service is not anticipated.

Traffic flow and traffic control is not perceived to be a problem in the Specific Plan area.

POLICY 5. Parking Standards

Section 28-1255 Parking and Loading Space Requirements.

- 1) Off-street parking spaces shall be a minimum of nine feet by twenty feet. A minimum driver aisle width shall be provided as follows:

90 degree Right Angle Parking..... 24 feet
60 degree Angle One-Way Traffic..... 18 feet
45 degree Angle One-Way Traffic..... 12 feet
0 degree Parallel One-Way Traffic.....12 feet
- 2) All parking areas shall be paved with portland cement concrete or asphaltic concrete.
- 3) Parking requirements shall be satisfied in one or more of the following ways:
 - a) By providing required off-street parking spaces on the property on which the building is located;
 - b) By providing required off-street parking spaces within three hundred feet of such building.
 - c) Through participation in the City’s in-lieu parking program as established in Section 28-1257.
- 4) No use shall be established unless there is full compliance with the off-street parking requirements set forth herein or the in-lieu parking program set forth in Section 28-1257.
- 5) No onsite loading area is required.

Section 28-1256. Number of Off-Street Parking & Spaces Required.

- 1) Beauty salon; Nail Shop.....2 spaces per each operator.
- 2) Business Offices.....1 space for every 300 sq. ft. gross florr area.

- 3) Coffee houses; Dessert shops.....1 space for each 500 sq. ft.
Gross floor area or part thereof.
**Exception: Outdoor seating/uses,
accessory to restaurant/coffee house/
dessert shop shall not require
parking spaces (see subparagraph 15)**
- 4) Financial Institutions
Professional Offices.....1 space for every 250 sq. ft.
Gross floor area.
- 5) Furniture Stores.....1 space for every 1000 sq. ft. gross floor area
- 6) Grocery Stores.....1 space for each 1000 sq. ft.
Gross floor area or part thereof.
- 7) Hardware Stores.....1 space for each 1000 sq. ft.
Gross floor area or part thereof.
- 8) Horticultural Nursery.....1 space for every 2500 sq. ft.
of lot area.
- 9) Medical Offices.....1 space for every 200 sq. ft. gross floor area.
- 10) Movie Theaters.....1 space for every 6 seats.
- 11) Offices Nor Providing Customer
Service on the Premises.....1 space for every four employees
or 1 space for every 500 sq. ft. gross floor area
(whichever is greater).
- 12) Pharmacy; Drug stores.....1 space for each 1000 sq. ft.
gross floor area or part thereof.

13) Restaurants.....1 space for every 100 sq. ft. gross floor area.
Exception: Outdoor seating/uses, accessory to restaurant/coffee house/ dessert shop shall not require parking spaces (see subparagraph 15)

14) Retail Stores.....1 space for each 500 sq. ft. gross floor area or part thereof.

15) Outdoor seating/ uses permit.....0 spaces for sq. ft. (Outdoor seating/ uses shall not result in a reduction of parking provided for the related primary restaurants/ coffee house/ dessert shop).

Section 28-1257. In-Lieu Parking Program.

- A. Participation in Program Required: In the event a use cannot provide the off-street parking spaces required by Section 28-1255 and Section 28-1256, such use shall not be established unless there is full compliance with all the requirements of the Main Street In-Lieu Parking Program as established in this Section. All or part of off-street parking space requirements may be satisfied by compliance with this Section.
- B. In Lieu Parking Fee: The In-Lieu Parking Fee and the formula for calculating said fee shall be established by Resolution of the City Council.
- C. Existing Uses – Parking Deficiencies: Any use which pre-exists the effective date of this ordinance and which is presently operating under the authority of a discretionary land use entitlement and/or development agreement shall remain subject to the terms and conditions of said approval and agreement. As a condition to those entitlements, the applicants agreed to participate in any in-lieu program established by the City Council. This Article constitutes the in-lieu parking program referenced in the resolutions conferring those entitlements and in those certain development agreements.
- D. Processing In-Lieu Parking Program Applications:
1. Eligible persons or businesses desiring to participate in the In-Lieu Parking Program established herein shall submit a written application for participation to the Director of Development Services on a form prescribed by the City. If the Director determines that such application meets the requirements set forth in Sections 28-1255, et seq. of this Code, the Director shall, within thirty (30) days of the completion of such application, calculate the applicable in-lieu fee and grant permission to participate in the program, if the Director makes the following findings:
 - (a) Participation in the In-Lieu Parking Program will not create any significant adverse traffic safety impacts, pedestrian- vehicle conflicts, or parking impacts.

(b) Participation in the In-Lieu Parking Program will not be detrimental to the public health, safety, and welfare.

2. The Director may deny the request to participate in the program, if the Director is unable to make the findings set forth in subsection 1.
3. The Director may restrict the applicant's participation in the program, if the Director determines that such restriction is necessary to make the findings set forth in subsection 1.
4. The Director's decision shall be in writing, and shall be served upon the applicant by certified mail, return receipt requested.

E. Appeals: The decision of the Director may be appealed to the Planning Commission by any aggrieved person, in the time and manner provided in Article 29.4 of Chapter 28 of the code.

F. Payments and Deposits:

1. Payments of In-Lieu Parking Program Fees shall be made pursuant to the schedule adopted by Resolution of the City Council. In no event shall a certificate of occupancy be issued for any participating use in the Main Street Specific Plan Zone prior to the receipt by the City of the first installment or, if applicable, full payment of the In- Lieu Parking Fee.
2. Funds collected from the In-Lieu Parking Program shall be deposited in a segregated City In-Lieu Parking Program fund. Such fund shall be used exclusively for the purpose of promoting, managing, operating, increasing and maintaining the availability of parking spaces in the immediate vicinity of Main Street.

G. Transferability: In-Lieu Parking space payments paid for pursuant to the provisions of this ordinance shall be credited only to the use for which participation was granted, and shall not be assigned or otherwise transferred for use on any other property.

- H. Expansion, Intensification or Change in Use to a Use which Requires Additional Off-Street Parking Spaces: Should the use of any property within the Main Street Specific Plan Zoning be proposed for expansion, enlargement, structural alterations, intensification or conversion to a new use which requires additional off-street parking spaces, the owner, lessee or sublessee of the property shall provide the required additional off-street parking, either on-site, within 300 feet of the property on which the building is located, or through payment of in-lieu parking program fees, or additional in-lieu parking program fees, as required by this Article.
- I. Acceptance of Terms and Provisions: An applicant's participation in the program shall not become effective, and a certificate of occupancy shall not be issued, unless and until the participant first executes and submits for recording on the title to the property a covenant accepting the terms of the approval, in a form to be provided by the City Attorney. Said covenant shall be recorded in the office of the Orange County Recorder and shall also be maintained in the office of the City Clerk.
- J. Violators Punishable by Fine and Imprisonment: Any person, firm or corporation violating any of the provisions of this article is guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment in the county jail for a period of not more than six months, or both such fine and imprisonment.

Section 28-2408. Nonconforming Nonresidential Buildings and Uses May Not Be Enlarged or Structurally Altered.

C. Where a building or buildings located within the Main Street Specific Plan area are nonconforming only by reason of an inadequate number of parking spaces, the provisions of this chapter prohibiting enlargements, structural alteration or expansion shall not apply, provided:

1. that any enlargements, structural alterations, or expansion shall not further reduce the existing number of parking spaces, and
2. new parking spaces shall be supplied to meet the parking requirements for the difference in building area between the existing building and new building, and
3. new parking spaces shall be supplied to meet the difference in parking requirements for the existing building between the prior use and the new use.

Where property owners cannot meet off-street parking requirements, permits may be granted if said owners instead pay an in-lieu parking fee pursuant to the provisions of Section 28-1257.

POLICY 6. Parking Management Plan

Although parking studies can establish theoretical demand, the actual demand for parking and behavior habits of parkers cannot be totally determined and changes over time. Therefore, the City shall establish a parking management plan. Such a plan should include, but not be limited to:

- a) Conducting and analyzing an annual parking count for the Specific Plan area, similar to the one prepared for the Specific Plan;

b) First Phase – Management Improvements:

- ✓ Limit the 24 minute parking restrictions to the 7:00 a.m. to 6:00 p.m. period except for spaces serving resident oriented businesses that stay open past 6:00 p.m.
- ✓ Change the merchants' parking permit program to only allow parking in the beach lots.
- ✓ Increase enforcement of the parking restrictions for all parkers to emphasize a consistent and fair enforcement program.
- ✓ Work with the merchants to conduct a program so that employees do not park in street curb spaces.
- ✓ Allow public parking in the 8th Street lot after 5:00 p.m. and on Saturdays, Sundays and holidays and post appropriate signs to this effect.
- ✓ Analyze City employee parking needs at the 8th Street lot and open any non-needed spaces to the public.
- ✓ Change the beach lots from a flat fee to an hourly fee, offer a merchant validation program, and explore use of the lots for a merchant valet program.
- ✓ Improve signage to the beach lots.
- ✓ Formalize the in-lieu parking program in conformance to AB 1600 requirements.

c) Second Phase – Management Improvements:

- ✓ Adjust beach parking lot rates depending upon the result of parking surveys. If usage remains low, lower the rates. If usage reaches an average occupancy of 85%, raise the rates.
- ✓ Conduct a license plate analysis to determine the number of curb-side parkers who move their cars every two hours or rub off the chalk. If this is a problem, adopt a computerized system that records license plate numbers for enforcement.
- ✓ Improve pedestrian amenities, access and directional signs to the beach lots.
- ✓ Consider parking meters in the public parking lots located in the 100 and 300 blocks of Main Street.

d) Third Phase – Management Improvements:

- ✓ Construct a two level depressed parking structure on the 8th Street lot adjacent to the Fire Station.
- ✓ Look for opportunities to purchase land between 8th and 10th Streets between Ocean Avenue and Electric Avenue for future surface parking. The target cost should be less than \$15,000 / space.
- ✓ Consider parking meters for curbside spaces on Main Street.

6. PUBLIC FACILITIES

A. Street Trees

A key feature of pedestrian oriented streets and sidewalks are street trees. The three blocks of Main Street have SO street trees which provide an appropriate atmosphere for much of the street. However, there are important gaps on both sides of the street. In addition to trees missing in front of commercial establishments, there is a lack of continuity of street trees on both sides of Main Street as it crosses Electric Avenue.

The trees being used on Main Street were not planted with root barriers and the type of tree being used has invasive roots that creates problems with the sidewalks.

POLICY 7. Tree Types

The City should hire a landscape architect to recommend a tree type and planting methods for Main Street. The trees selected should grow to have substantial canopies, equal to or greater than the existing mature trees on Main Street.

POLICY 8. Missing Trees

The City and/or private interest should plant an additional 18 trees as shown in Figure 2.

POLICY 9. Tree Replacement

When existing trees need to be replaced due to damage or sidewalk problems, trees should be replaced consistent with the findings of Policy 7 and 12.

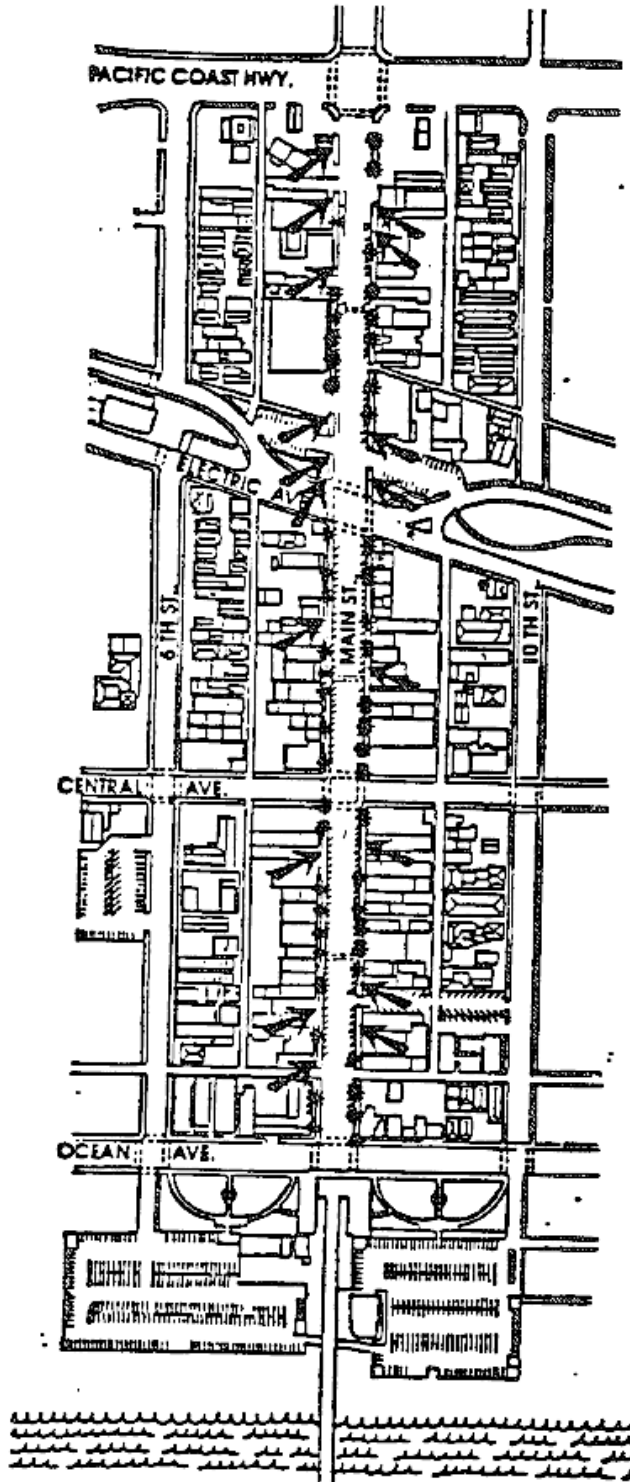


FIGURE: 2
STREET TREES
 ●●●●●●●●●●
 ↖ ZUCKER SYSTEMS

B. Utility Lines and Poles

Most of the electric utilities in the area are either underground or located in alleys. There are two areas where overhead utilities are particularly noticeable. One is a series of poles and lines leading off the 100 block of Main Street, another is along Electric Avenue.

POLICY 10. Undergrounding of Utilities

The City should adopt a long term plan to underground utilities in the Specific Plan area. Priorities should be:

- 1st – Poles and lines in the 100 block.
- 2nd – Poles and lines along Electric Avenue
- 3rd – Other poles and lines in the area

C. Benches

In 1994 there was an eclectic mix of bench designs on Main Street; some located next to buildings, some next to the curb. The eclectic mix of bench designs adds to the small town flavor of Main Street. The City issues permits for benches but the merchants buy their own benches and the City approves the bench design.

POLICY 11. Benches

Merchants shall be encouraged to add **memorial** benches to Main Street, **through the memorial bench program**, since they add to the pedestrian scale and atmosphere. All bench designs shall be approved by the City **through a memorial bench application** and the appropriate encroachment permit shall be obtained from the City. **Non-memorial benches can also be added through the Outdoor Uses**

**Program (See Policy 4.5 for additional information and requirements).
Memorial benches shall maintain disability access, pedestrian access, and
access to and from the public street, at all times.**

D. Street Lighting

Street lighting on Main Street is supplied by Southern California Edison. The lighting level as of 1994 is considered adequate. Decorative lights are placed in the trees during the Christmas holidays.

POLICY 12. Street Lighting

Year round lights in the Main Street trees should be undertaken as a joint project of the Main Street merchants and the City.

E. Bicycle Facilities

In 1995 there was an eclectic mix of bicycle racks on Main Street; some located next to buildings, some next to the curb. The eclectic mix of bicycle racks adds to the small town flavor of Main Street.

POLICY 13. Bicycle Facilities

Merchants shall be encouraged to add additional bicycle racks along Main Street. All bicycle rack designs and locations shall be approved by the City, and the appropriate encroachment permit shall be obtained from the City.

F. Landscaping

Parking lots should be landscaped and also be separated from the sidewalks by landscaping. In 1994, the City's Electric Avenue parking lots met this standard, but the lot in the 100 block of Main Street and the 8th Street lot did not.

POLICY 14. Parking Lot Landscaping

The City should landscape the lot in the 100 block of Main Street and 8th Street parking lots.

G. Signs on Public Sidewalks

Some businesses along Main Street currently have sidewalk signs for business identification and advertising purposes. Properly controlled and designed, these types of signs can be beneficial to both the local business community, visitors to Main Street and the City. ~~However, the current City Code prohibits such signs.~~ In 2010, the City amended the Zoning Code to allow for sidewalk signs that adhere to strict perimeters, and pursuant to this update, the Main Street Specific Plan has been amended to allow sidewalk signs of different designs to be added to businesses on Main Street subject to conditions intended to provide for and preserve safety, pedestrian access, disability access, sanitation and aesthetics. The City issues permits for sidewalk signs in the public right-of-way but merchants buy their own signs and the City approves the sign design and location.

POLICY 15. Signs on Public Sidewalks

~~The City should amend the City Code to allow selected sidewalk signs within the Main Street Specific Plan area. Merchants shall be encouraged to add signage to Main Street since they add to the pedestrian engagement.~~ All such signs shall be approved by the City and the appropriate encroachment and outdoor use permits shall be obtained from the City as a condition of installation of any sign in the public right-of-way.

H. Other Public Facilities

Since no extensive new construction is contemplated by this Specific Plan, the City will continue to utilize existing services for sewage, water, drainage, solid waste disposal and energy.

I. Outdoor Uses on Public Sidewalks.

Outdoor uses shall be permitted in Public Sidewalks with the required Outdoor Uses Permit and encroachment permit. See Policy 4.5 for additional information and requirements.

7. SCREENING OF PRIVATE PARKING LOTS

When creating a pedestrian atmosphere, it is generally useful to screen parking lots from pedestrians. Screening can be accomplished by a low wall or hedge or a landscape strip and trees between the pedestrian way and the parking area. Where space is particularly tight, bollards can also be used to separate parking areas from pedestrian sidewalk areas. Eight parking lots on Main Street, as shown in Figure 3, lack the appropriate screening feature.

POLICY 16. Screening of Parking Lots

The City should develop a program to encourage owners of parking lots located on Main Street to screen their parking lots from the pedestrian ways. The City should also explore the possibility for design assistance grants or low cost loans as an incentive for owners to improve their lots.

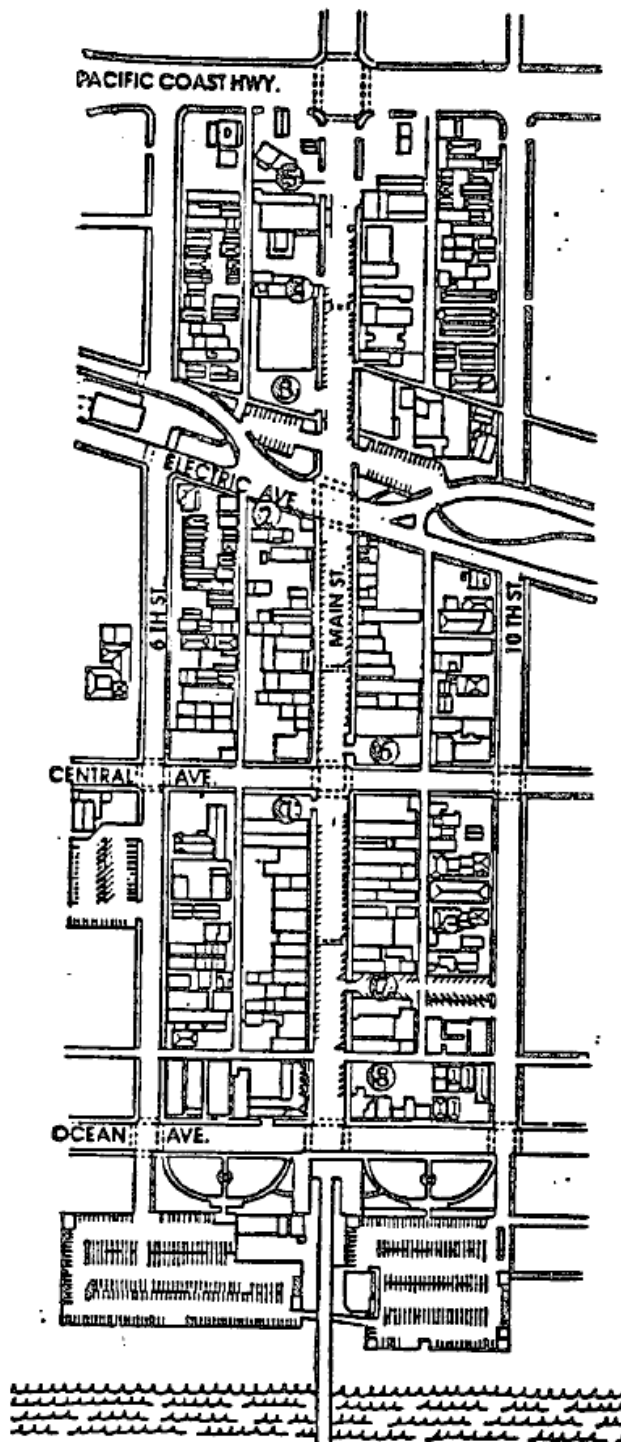


FIGURE: 3
PARKING LOT SCREENING

 ZUCKER SYSTEMS

8. DOWNTOWN MANAGEMENT

The goal of the Main Street Specific Plan is to set clear standards for Main Street. Under these standards, merchants and property owners can proceed with improvements in a timely fashion and residents can feel comfortable about Main Street development. Nevertheless, it is unrealistic to assume that standards, once set, can remain the same for all time. Since circumstances can change, it is important to monitor Main Street's evolution over time.

The adoption and implementation of the Main Street Specific Plan can provide a major impetus for downtown revitalization. However, most communities involved with downtown revitalization have found that focusing on land use, circulation and design can be most effective when coupled with an additional emphasis on organization, promotion and economic restructuring. Such activities are strongly encouraged by the City to be undertaken by the local business community on a voluntary basis.

POLICY 17. Business Improvement Activities

The local business community may wish to develop on a voluntary basis additional organizational, promotional, economic restructuring, and improvement programs. Such voluntary activities of the local business community could include:

- | | |
|-------------------------|--|
| Organization: | Building consensus for action. Seeking cooperation from all parties. Providing long-term management and planning. |
| Promotion: | Advertising downtown as a place to shop, invest and live. |
| Economic Restructuring: | Recruiting businesses or developers to fulfill specific downtown needs and assisting existing businesses through business seminars and the like. |

Improvements: Trees, lighting, sidewalks, undergrounding utilities, and signs.

POLICY 18. Bi-Annual Main Street Review

Every two years the City should prepare a Main Street review. Said review should include an analysis of:

- a. Sales tax trends
- b. Store vacancies
- c. Store turnovers
- d. Parking as per Policy 6
- e. Report from the Main Street business community

Based on an analysis of this the City should determine what, if any, additional actions are appropriate to carry out the intent of the Specific Plan. This review should be presented before the City Council at a noticed hearing.

9. RELATION OF THE SPECIFIC PLAN TO THE GENERAL PLAN

The Main Street Specific Plan carries out the objectives of the Seal Beach General Plan. It specifically carries out the following:

- a. Goal 3. Parks, Recreation and Community Beautification; Land Use Element, Page 4

“A master plan should be developed for street tree planting and other community beautification programs with emphasis on major arterials entering the City.”

This item is carried out through the Specific Plan's street tree program as described in Policies 7, 8 and 9.

- b. Goal 6. Commercial; Land Use Element, Page 5 (as amended)

“A precise specific plan should be developed for the coastal business district.”

This Specific Plan includes the coastal business district and thus implements this goal.

- c. Goal 9. Circulation; Land Use Element, Page 6

“Efforts should be made to improve traffic circulation in the Coastal section of the City.”

The Specific Plan land use and parking proposals should assist traffic circulation. More specifically, the land use policies coupled with the parking and traffic policies set appropriate parking standards for various uses. Where parking standards cannot be met, they are mitigated through a fee program.

d. Commercial Land Use, Page 22

“The Main Street commercial serves both local residents and, to some extent, beach going people from other areas. The diversity in market attraction of the various commercial areas Indicates that each area should be treated differently than any of the others due to the particular clientele of each”

This item is carried out in the Specific Plan by recognizing Main Street as a unique area. Specific unique land use tables are included in Policy 1, special design features are included in Policies 2, 3 and 4, and new commercial parking and loading requirements in Policies 5 and 6.

e. 3.2 Proposed Service Commercial Uses

“The proposed Land Use Element would continue the Seal Beach Shopping Center and the Leisure World Shopping Center as functioning service commercial uses. Main Street commercial is also proposed to be designated a service commercial use.

As pointed out earlier the proposed new land use designation would be a name change only, because the present existing uses are of a service commercial nature.

Main Street commercial, with the attraction of the beach and the proximity of relatively high density residential, has the potential to become a unique shopping area. With strong attraction for beach users, this commercial area can and should turn to a more pedestrian-oriented environment through the design application of textured walkways, street furniture, sign graphics, landscaping, lighting, and other design features.”

The Specific Plan is consistent with this language. The Specific Plan establishes special design standards for the Main Street area in Policies 2, 3 and 4 and Policies 7 through 16.

- f. 3.1, 3.1c, 3.1e Civic Center Functions, Pacific Electric Right-of-Way, and Seal Beach Pier, Pages 32 and 33

“3.1 Civic Center Functions

Civic Center functions are divided into four main categories: Administration, Police, Fire and Public Works. It is envisioned that the Administration offices will remain in the Coastal District at Eighth Street and Central Avenue, In the City Administration Building which was constructed in 1969. Fire Department services will continue to be administered from Fire Station No. 3 located on Beverly Manor Road and Fire Station No. 1 will continue to serve the portion of the City nearest to the beach.”

“3.1c Pacific Electric Right-of-Way

The Pacific Electric Right-of-Way has been developed as a park allowing for uses such as open space, recreation, public facilities (e.g., library, senior citizens' center, Red Car Museum, etc.). Development was through the Specific Plan Process.”

“3.1e Seal Beach Pier

The Seal Beach Pier, one of the very few piers in use today along the California coastline, should be maintained as its present use to allow for both fishing and pleasure walking to enjoy ocean amenities. Any needed repairs for the pier should be carried out so that the present me can be continued and enhanced.”

The retention of the Administrative Offices and a Fire Station on Eighth Street along with the Electric Avenue Park and the Pier are all key ingredients for the Main Street area. The Administrative Offices, Fire Station, Pier and portions of Green Belt Park are included within the Specific Plan Boundary (see Figure 1).

g. Scenic Highway Element

Ocean Avenue is shown as a local Scenic Highway and Pacific Coast Highway is shown as a Proposed Scenic Highway in the Scenic Highway Element. The Main Street Specific Plan design guidelines in Policies 2, 3 and 4 are consistent with these designations and implement scenic features.

h. 3.1d Beach Parking; Land Use Element

“Additional Coastal Area land should not be committed to beach visitor parking; instead the concept of periphery parking in the outlying areas with a transport system should be explored. The advantage of periphery parking is that beach visitors from inland Orange County could be Intercepted and then transported to the beach via a tram/ minibus system, thus alleviating traffic congestion directly adjacent to the beach.”

The Main Street Specific Plan is consistent with this language. No new beach parking is proposed within the Specific Plan area. Better use of existing parking is proposed in Policy 6 through a parking management plan.

i. 3.1e Seal Beach Pier; Land Use Element, Page 33

“The Seal Beach Pier, one of the very few piers in use today along the California coastline, should be maintained as its present use to allow for both fishing and pleasure walking to enjoy ocean amenities. Any needed repairs for the pier should be carried out so that the present use can be continued and enhanced.”

The Main Street Specific Plan is consistent with the importance of maintaining the Seal Beach Pier. The plan does not specifically make any changes to the Pier.

j. 1.3 Central Business Commercial Area Along Main Street; Land Use Element, Page 8

The language in this section concerning Main Street is the same as the Main Street Specific Plan Vision Statement, see Page 1 of the Specific Plan.