

ATTACHMENT NO. 1

SUGGESTED FINDINGS OF APPROVAL

ZONING TEXT AMENDMENT NO. 25-001

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

Zoning Text Amendment (ZTA) No. 25-001 is categorically exempt pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act because the request is a minor amendment to the zoning ordinance that does not change the development standards intensity or density.

SUGGESTED FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 25-001:

1. Zoning Text Amendment No. 25-001 is to amend four chapters of the Huntington Beach Zoning and Subdivision Ordinance to primarily introduce regulations for smoke/tobacco shops. The chapters to be amended are Chapter 204 (Use Classifications), Chapter 211 (C Commercial Districts), and Chapter 230 (Site Standards). Chapter 212 (I Industrial Districts) is also being amended to remove duplicate text.

The proposed zoning text amendment is consistent with the goals and policies of the City's General Plan including:

Land Use Element:

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Policy LU-2(D): Maintain and protect residential neighborhoods by avoiding encroachment of incompatible land uses.

Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.

The proposed ZTA will define and regulate smoke/tobacco retail shops in a manner that will ensure new shops are compatible with surrounding uses. The proposed regulations will limit this use to commercially zoned properties while prohibiting them in any primarily residentially zoned areas. Smoke/tobacco shops will maintain a 1,000-foot separation from sensitive uses, such as hospitals and youth-oriented areas, as well as other smoke/tobacco shops. These regulations will allow these types of commercial goods and services to operate in designated areas of the city while meeting the community's desire of limiting the overexposure of this use to young people.

The proposed text cleanup will provide greater customer service as it will provide residents and business owners a clear understanding of permitted uses within the industrial zone.

2. Zoning Text Amendment No. 25-001 is compatible with the uses authorized in, and the standards prescribed for the zoning district for which it is proposed because it primarily revises the processing of an existing use and clarifies a section of the HBZSO. The revisions that have been added or clarified will not change the character of the base zoning district and the uses authorized therein.
3. A community need is demonstrated for the changes proposed because there is a constant community desire to ensure compatibility of uses between different zoning areas and ensure the HBZSO is clear, current, and proactive with conflicts in the code.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because ZTA No. 25-001 ensures the HBZSO is clear, current, and proactive with conflicts in the code, and reflective of the City's ongoing effort to improve customer service.