



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JUNE 9, 2020
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

6:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Mandic

P P P A P P P

ROLL CALL: *Perkins, Scandura, Ray, Grant, Kalmick, Mandic, Garcia*

Chair Grant was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY KALMICK, SECONDED BY MANDIC, TO APPROVE THE JUNE 9, 2020, PLANNING COMMISSION MEETING AGENDA, BY THE FOLLOWING VOTE:

AYES: Perkins, Scandura, Ray, Kalmick, Mandic, Garcia
NOES: None
ABSENT: Grant
ABSTAIN: None

MOTION APPROVED

PUBLIC COMMENTS - NONE

PUBLIC HEARING ITEMS

20-1595 CONDITIONAL USE PERMIT NO. 19-029 (ROCCO ALTERNATIVE ALLEY ACCESS)

REQUEST:

To construct a 467 s.f. two car garage with vehicular access from the local street (B Lane) instead of the abutting alley.

LOCATION:

17041 B Lane, 92647 (west side of B Lane, between Blaylock Drive and Warner Avenue)

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3.
- B) Approve Conditional Use Permit No. 19-029 with suggested findings and conditions of approval (Attachment No. 1).

The Commission made the following disclosures:

- Commissioner Scandura spoke with staff and visited the site.
- Commissioner Perkins visited the site.
- Commissioner Garcia had no disclosures.
- Vice-Chair Ray visited the site.
- Commissioner Kalmick visited the site and spoke with staff.
- Commissioner Mandic visited the site and spoke with staff.

Nicolle Aube, Associate Planner, gave the staff presentation for the proposed project.

There was discussion on the follow items: the historic nature of the building, utility undergrounding, and the potential need for alley dedication.

THE PUBLIC HEARING WAS OPENED.

Steve Phillips, applicant, spoke in support of Item No. 20-1595, and thanked staff for their work.

Nick Rocco, property owner, spoke in support of Item No. 20-1595 and thanked the commission for their interest in the project.

WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.

There was a brief discussion on the width of the alley and the net gain of parking spaces.

A MOTION WAS MADE BY KALMICK, SECONDED BY PERKINS, TO FIND THE PROPOSED PROJECT CATEGORICALLY EXEMPT FROM CEQA AND APPROVE CONDITIONAL USE PERMIT NO. 19-029 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES: Perkins, Scandura, Ray, Kalmick, Mandic, Garcia
NOES: None
ABSENT: Grant
ABSTAIN: None

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project involves the construction of a 467 s.f. two car garage in a residential urbanized area.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 19-029:

1. Conditional Use Permit No. 19-029 to construct a 467 s.f. two-car garage with vehicular access from B Lane instead of the alley will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood because the proposed site layout will provide four additional off-street parking spaces in a residential area. The property will exceed applicable parking requirements for onsite parking. The property currently provides four parking spaces with vehicular alley access and can only accommodate additional onsite parking if access is taken from the street. The proposed garage will provide additional on-site parking options without impacting the existing circulation pattern on B Lane. The visual character of the neighborhood will not be negatively impacted because five properties on B Lane currently take vehicular access from the street, including the property adjacent to the north of the proposed project.
2. The granting of Conditional Use Permit No. 19-029 will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RM (Residential Medium Density) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

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

Policy LU-1A: Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

Policy LU-1C: Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

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

Goal LU-4: A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

Goal LU-4A: Encourage a mix of residential types to accommodate people with diverse housing needs.

B. Circulation Element

Goal CIRC-1a: The circulation system supports existing, approved, and planned land uses while maintaining a desired level of service and capacity on streets and at critical intersections.

The proposed two-car garage with vehicular access from the local street instead of the alley is consistent with the existing multi-family residential neighborhood. Five properties on B Lane currently take vehicular access from the street, including the adjacent property to the north. The garage will be constructed in a manner that is consistent with the zoning district regulations and compatible with the immediate area in terms of design. The property will exceed applicable parking requirements for onsite parking. The property currently provides four parking spaces with vehicular alley access and can only accommodate additional onsite parking if access is taken from the street. The circulation pattern on B Lane will not be obstructed due to the proposed vehicular access from the street instead of the alley.

3. Conditional Use Permit No. 19-029 to construct a 467 s.f. two car garage with vehicular access from B Lane instead of the alley area will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance, which allows vehicular access to be taken from the local street instead of the alley with approval of a conditional use permit.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 19-029:

1. The site plan, floor plans, and elevations received March 24, 2020 shall be the conceptually approved design.
2. Final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements shall be completed in accordance with approved plans.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
3. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 10 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
4. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
5. CUP No. 19-029 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a

written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.

6. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

20-1596 CONDITIONAL USE PERMIT NO. 20-001 (G&M OIL OFFICE BUILDING)

REQUEST:

To permit A) the construction of a new 1,490 square foot single story office and storage building on a vacant property at an overall height of 28 feet, with ancillary site improvements; and B) that access to parking on the site be provided from the local street (A Lane) in lieu of the abutting alley.

LOCATION:

16942 A Lane, 92647 (East side of A Lane, 190 linear feet north of Warner Avenue).

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3.
- B) Approve Conditional Use Permit No. 20-001 with suggested findings and conditions of approval (Attachment No. 1).

The Commission made the following disclosures:

- Commissioner Scandura spoke with staff, visited the site, and voted on a previous entitlement for the site.

- Commissioner Perkins visited the site.
- Commissioner Garcia visited the site.
- Vice-Chair Ray visited the site.
- Commissioner Kalmick visited the site and uses the gas station.
- Commissioner Mandic spoke with staff and visited the site.

Hayden Beckman, Senior Planner, gave the staff presentation for the proposed project.

There was a brief discussion regarding the alley dedication and the undergrounding of utilities.

THE PUBLIC HEARING WAS OPENED.

Karl Huy, applicant, spoke in support of Item No. 20-1596 and stated that he was in agreement with findings and conditions of approval.

WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.

There was discussion on the sidewalk and alley improvements and the proposed outdoor lighting. Mr. Huy indicated that he would be amenable to additional outdoor lighting if the Commission requests it.

A MOTION WAS MADE BY SCANDURA, SECONDED BY KALMICK, TO FIND THE PROPOSED PROJECT CATEGORICALLY EXEMPT FROM CEQA, AND APPROVE CONDITIONAL USE PERMIT NO. 20-001 WITH SUGGESTED FINDINGS AND MODIFIED CONDITIONS OF APPROVAL REQUIRING LIGHTING IN THE BACK ALLEY, BY THE FOLLOWING VOTE:

AYES: Perkins, Scandura, Ray, Kalmick, Mandic, Garcia
NOES: None
ABSENT: Grant
ABSTAIN: None

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3 – *New Construction or Conversion of Small Structures* of the CEQA Guidelines as the project involves the construction of one commercial building that is less than 10,000 sq. ft. in an urbanized area where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 20-001:

1. Conditional Use Permit No. 20-001 to permit A) the construction of a new 1,490 square foot single story office and storage building on a vacant property at an overall height of 28 feet, with ancillary site improvements; and B) that access to parking on the site be provided from

the local street (A Lane) instead of the abutting alley will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood because the project will revitalize an underdeveloped and underutilized area with a development consistent with the General Plan land use and zoning designations. The proposed project will replace a vacant parcel utilized as an outdoor material storage yard and is compatible in the proportion, scale, and character of the adjoining uses. The single-story commercial building is consistent with the height requirements and complements the adjacent commercial buildings and uses. Additionally, the design of the building is attractive and will incorporate varied building materials, such as stone siding and metal eyebrow accents. The proposed building is setback from the front yard property line by 80 ft., exceeding the minimum setback of 10 ft., which will be a fully landscaped planter along the frontage of the property. The new driveway and parking lot with access from A Lane is the most feasible for providing primary vehicular and pedestrian access to the property and will improve the traffic experience for the office building and surrounding uses.

2. The General Plan Land Use Map designation on the subject property is currently CG (Commercial General). Conditional Use Permit No. 20-001 to permit A) the construction of a new 1,490 square foot single story office and storage building on a vacant property at an overall height of 28 feet, with ancillary site improvements; and B) that access to parking on the site be provided from the local street (A Lane) instead of the abutting alley is consistent with this designation and the goals, policies, and objectives of the City's General Plan as follows:

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(C): Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

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

Policy LU-7(C): Minimize visual clutter along commercial corridors.

Policy LU-12(B): Encourage renovation and revitalization of deteriorating and struggling nonresidential areas and corridors, particularly commercial locations.

The project will revitalize an existing vacant and underutilized property, and provide a new modern office and storage building including ancillary site improvements within an existing commercial corridor that lacks cohesion and adequate public infrastructure. The proposed project will be compatible in the proportion, scale, and character of the adjoining commercial uses in that the new building, as conditioned, will comply with all applicable development standards. The one-story office and records storage building includes two offices, a restroom and area for storage of business records and files for a business whose headquarter operations are located 200 linear feet north of the subject property.

Circulation Element

Goal CIRC-1c: Through ongoing evaluation of jurisdiction, efficient transportation management provides the highest level of safety, service, and resources.

Policy CIRC-1c(F): Require development projects to provide circulation improvements to achieve stated City goals and to mitigate to the maximum extent feasible traffic impacts to adjacent land uses and neighborhoods as well as vehicular conflicts related to the project.

The new driveway and parking lot with access from A Lane on the western portion of the site is the most feasible for providing primary vehicular and pedestrian access to the property and will improve the traffic experience for the office building and surrounding uses. The project will provide a new on-site parking lot, thereby improving the traffic flow along A Lane by removing any need for on-street parking of vehicles associated with the new office building. Other commercial developments along this portion of A Lane feature vehicular access from A Lane in lieu of the alley along the rear property line.

3. Conditional Use Permit No. 20-001 to permit A) the construction of a new 1,490 square foot single story office and storage building on a vacant property at an overall height of 28 feet, with ancillary site improvements; and B) that access to parking on the site be provided from the local street (A Lane) instead of the abutting alley will, as conditioned, comply with requirements of the General Commercial zone, and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) in that the project complies with all other setback standards, building height, and parking. The narrow width of the lot restricts the design of the property to allow for use of the alley as primary vehicular and pedestrian access and comply with all other applicable development standards, which limits the full use of the property. Additionally, the use will comply with all building occupancy and exiting requirements.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 20-001:

1. The site plan, floor plan, and elevations received and dated April 14, 2020 shall be the conceptually approved layout with the following modification:
 - a. The front setback for the 6 ft. 8 in. property line block wall along the northern property line shall be minimum 15 ft., as measured from the ultimate right-of-way.
 - b. Sufficient exterior lighting shall be provided along the rear building façade facing the alley.
2. Prior to submittal for building permits, the following shall be completed:
 - a. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
 - b. The property owner/developer shall include a list on the plans to identify which sustainable or “green” building practices will be incorporated into the project from the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification or Building It Green’s Green Building Guidelines and Rating Systems.

3. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, utilities cannot be released, nor an issuance of Certificate of Occupancy until the following has been completed:
 - a. Compliance with all conditions of approval specified herein shall be accomplished and verified by the Community Development Department.
 - b. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
 - d. A Certificate of Occupancy must be approved by the Planning Division and issued by the Building and Safety Division.
4. New signage shall be reviewed under separate permits and applicable processing.
5. At least 14 days prior to any grading activity, the property owner/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of the planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to the issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.
6. Prior to the issuance of a grading permit, the following shall be completed:
 - a. A Legal Description and Plat of the dedications to City to be prepared by a licensed surveyor or registered Civil Engineer authorized to practice land surveying and submitted to Public Works for review and approval. The dedication shall be recorded prior to issuance of a grading permit. **(PW)**
 - b. The following dedications to the City of Huntington Beach shall be shown on the Precise Grading Plan:
 - i. 5 feet of right-of-way dedication for street purposes and public utilities along the A Lane frontage. **(PW)**
 - ii. 2.5 feet of additional alley dedication. This will bring the alley right-of-way line to 10 feet from alley centerline. **(PW)**
7. Prior to final inspection or occupancy the following shall be completed:
 - a. All existing overhead utilities that occur along the project's A Lane frontage shall be undergrounded. This condition applies to any Southern California Edison (SCE) aerial distribution lines (12kV) and poles as well as any telephone, electric, and Cable TV lines. If required, easements shall be quitclaimed and/or new easements granted to the corresponding utility companies. **(PW)**
8. During demolition, grading, site development, and/or construction, the following shall be adhered to: All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code

requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**

9. The Development Services Departments (Community Development, Fire, and Police Department) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.
10. Conditional Use Permit No. 20-001 shall become null and void unless exercised within two (2) years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
11. Conditional Use Permit No. 20-001 shall not become effective until the appeal period following the approval of the entitlement has elapsed.
12. The Planning Commission reserves the right to revoke Conditional Use Permit No. 20-001 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance, or Municipal Code occurs.
13. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

20-1677 ZONING TEXT AMENDMENT NO. 19-005 (GROUP HOMES)

REQUEST:

To amend four chapters of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), and create a new chapter of the Huntington Beach Municipal Code (HBMC) that together establish a set of regulations for Group Homes, Sober Living Homes, and Residential Care Facilities affecting Residential Districts Citywide. The four chapters of the HBZSO to be amended are Chapter 203 (Definitions), Chapter 204 (Use Classifications), Chapter 210 (Residential Districts), and Chapter 230 (Site Standards) - Section 230.28 Group Homes. The chapter of the HBMC to be added is Chapter 5.110 Group Homes.

LOCATION:

Residential Zoning Districts Citywide

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Finds and determines that the project will not have any significant effect on the environment and is categorically exempt from the California Environmental Quality Act pursuant to Section 15061 (b)(3) (General Rule) of the CEQA Guidelines, in that it can be seen with certainty that there is no possibility that the amendment to the HBZSO will have a significant effect on the environment (Attachment No. 1)..
- B) Forward Zoning Text Amendment No. 19-005 to City Council for consideration with a recommendation of approval (Attachment No. 1).

The Commission made the following disclosures:

- Commissioner Scandura spoke with staff.
- Commissioner Perkins had no disclosures.
- Commissioner Garcia had no disclosures.
- Vice-Chair Ray had no disclosures.
- Commissioner Kalmick spoke with staff.
- Commissioner Mandic had no disclosures.

Hayden Beckman, Senior Planner, gave the staff presentation of the proposed project.

There was lengthy discussion on the following items: distance requirements between facilities, different categories of rehabilitation facilities, permit transferring rules, the definitions in the code for different types of residential group homes, potential implementation measures, code enforcement procedures, and the legal exposure for the proposed code amendments.

THE PUBLIC HEARING WAS OPENED.

An email was received from Jami Marseilles and read aloud in support of Item No. 20-1677, citing concerns with the potential negative impacts of group homes being located in residential neighborhoods.

An email was received from NoRecoveryonAshworth.com and read aloud in support of Item No. 20-1677, citing concerns with the potential negative impacts of group homes being located in residential neighborhoods and the potential impacts to the available parking in neighborhoods with group homes.

WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.

The was discussion on the potential for restricting registered sex offenders, distance from schools, and related safety measures.

A MOTION WAS MADE BY KALMICK, SECONDED BY SCANDURA, TO FIND THE PROJECT CATEGORICALLY EXEMPT CEQA AND FORWARD ZONING TEXT AMENDMENT NO. 19-005 TO CITY COUNCIL FOR CONSIDERATION WITH A RECOMMENDATION OF APPROVAL, BY THE FOLLOWING VOTE:

AYES: Perkins, Scandura, Ray, Kalmick, Mandic, Garcia
NOES: None
ABSENT: Grant
ABSTAIN: None

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project is categorically exempt from the California Environmental Quality Act pursuant to Section 15061 (b)(3) (General Rule) of the CEQA Guidelines, in that it can be seen with certainty that there is no possibility that the amendment to the HBZSO will have a significant effect on the environment.

FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 19-005:

1. Zoning Text Amendment (ZTA) No. 19-005 to amend Chapter 203 (Definitions), Chapter 204 (Use Classifications), Chapter 210 (Residential Districts), and Chapter 230 (Site Standards) – Section 230.28 Group Homes of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), and create Chapter 5.110 Group Homes of the Huntington Beach Municipal Code (HBMC) that together establish a set of regulations for Group Homes, Sober Living Homes, and Residential Care Facilities in Residential Districts Citywide, is consistent with the objectives, policies, general land uses and programs specified in the General Plan including:

Land Use Element

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

Goal LU-4: A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

Policy LU-4 (A): Encourage a mix of residential types to accommodate people with diverse housing needs.

Housing Element

Goal H-1: Maintain and enhance the quality and affordability of existing housing in Huntington Beach.

Policy H-1.1: Preserve the character, scale, and quality of established residential neighborhoods.

Policy H-5.1: Continue to enforce fair housing laws prohibiting arbitrary discrimination in the building, financing, sales, or rental of housing on the basis of race, religion, family status, national origin, physically (sic) disability or other factors.

Policy H-5.3: Support the provision of permanent, affordable, and accessible housing that allows persons with disabilities to live independent lives. Provide assistance to residents making accessibility improvements to their homes.

The ZTA will provide the City appropriate regulations to reduce impacts of existing and future group homes, sober living homes, and residential care facilities thereby preserving the residential neighborhood character of the communities in which they operate. Further, the ZTA promotes effective recovery for disabled persons, including those suffering from the effects of alcoholism or illegal use of drugs, by providing housing accommodations in normalized residential environments.

2. In the case of a general land use provision, ZTA No. 19-005 is compatible with the uses authorized in, and the standards prescribed for the zoning district for which it is proposed because the proposed amendment will provide the regulatory framework to limit the number of people in a group home and to prevent the overconcentration of sober living homes in single-family residential neighborhoods. The regulation establishes a Special Use Permit application for group homes operating in single-family neighborhoods, and establishes reasonable operating standards on these uses to ensure that they do not generate the type of secondary impact that would be out of character for the neighborhood, while still furthering the purpose of the Fair Employment and House Act, Fair Housing Act, and Lanterman Act.
3. A community need is demonstrated for the changes proposed in that the City of Huntington Beach has experienced a rise in the number of Group Homes within single family residential neighborhoods and a rate of increase in the number of Sober Living Homes far greater when compared to other types of Group Homes. The proliferation of Sober Living Homes in the City has resulted in a substantial increase in complaints received by neighbors and community members regarding the operation of these uses. The proposed ZTA No. 19-005 seeks to strike an appropriate balance between the interests of the City and its residents to preserve residential neighborhood character, and the need to provide housing accommodations to disabled persons, including those in recovery, to reside in normalized residential environments that promote effective recovery.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because ZTA No. 19-005 ensures the HBZSO is clear, current, and consistently adapting to the City's obligation to make reasonable accommodation in its zoning laws when such accommodation is reasonably necessary to afford the disabled the opportunity to use

and enjoy a dwelling. The ZTA is also reflective of the City's ongoing effort to preserve the quality of its residential neighborhoods.

CONSENT CALENDAR - NONE

NON-PUBLIC HEARING ITEMS - NONE

PLANNING ITEMS

Jane James, Planning Manager, reported on recent and upcoming City Council meetings and reported on items scheduled for upcoming Planning Commission meetings.

PLANNING COMMISSION ITEMS - NONE

ADJOURNMENT: Adjourned at 7:16 PM to the next regularly scheduled meeting of Tuesday, June 23, 2020.

APPROVED BY:

Jennifer Villasenor, Acting Secretary

Alan Ray, Chairperson