



City of Huntington Beach

File #: 24-484

MEETING DATE: 7/23/2024

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission
FROM: Jennifer Villasenor, Director of Community Development
BY: Madalyn Welch, Senior Planner

SUBJECT:
ZONING MAP AMENDMENT (ZMA) NO. 24-003 (MAPPING CONSISTENCY CLEAN-UP PROJECT - UTILITY SITES) (Continued from May 28, 2024 with Public Hearing Closed)

REQUEST:
To amend the current zoning map to bring 42 inconsistently zoned parcels consisting of utility type uses into conformance with their General Plan designations.

LOCATION:
Citywide

APPLICANT:
City of Huntington Beach

PROPERTY OWNER:
Various

BUSINESS OWNER:
Not applicable

RECOMMENDATION:
That the Planning Commission take the following actions:

- A) Find the proposed project exempt from additional environmental review pursuant to section 15183; and
- B) Recommend approval of Zoning Map Amendment No. 24-003 with findings (Attachment No. 1)

ALTERNATIVE ACTION(S):

- A) Recommend denial of Zoning Map Amendment No. 24-003 with findings,
- B) Continue Zoning Map Amendment No. 24-003 and direct staff accordingly.

PROJECT PROPOSAL:

The project includes the following request:

Zoning Map Amendment (ZMA) No. 24-003 - To amend the current zoning map to bring 42 inconsistently zoned parcels consisting of utility type uses into conformance with their General Plan designations.

Background

The project was previously presented to the Planning Commission on May 28, 2024. During the public hearing, 13 residents expressed concerns regarding the proposed zoning designation of Public Semipublic (PS) and the type of uses permitted within the zone, specifically on Southern California Edison (SCE) owned property and railroad lots adjacent to their residential homes. The Planning Commission continued the item to a date uncertain with staff confirming the applicability of state law (Government Code Section 65860) to this project in attaining consistency between zoning and general plan. Since then, the Planning Commission has approved two similar ZMA's amending the zoning map to be consistent with respective general plan designations on properties citywide in accordance with state law. No development is proposed with the request, and the zone change on the affected parcels would allow the continuation of existing uses.

ISSUES AND ANALYSIS:

General Plan Conformance:

The General Plan is a comprehensive, long-term policy document that provides the framework for guiding civic decisions and development of the City over a 25-year planning horizon. Government Code Section 65300 of the California State law requires every city to prepare and adopt a General Plan. Essentially, it is the City's official statement about the extent and types of development needed to achieve community physical, economic, and environmental goals.

The General Plan acts to clarify and articulate the City's intentions with respect to the rights and expectations of the public, property owners, and prospective investors and business interests. The General Plan is made up of elements, one of them being the Land Use Element, which identifies what uses may be permitted on a property. The Zoning Map and Zoning Ordinance are tools used to implement the Land Use Element to define land use development standards and identify the location and extent of land uses throughout the City. Since the General Plan provides long-term goals for the City, the Land Use Element supports the envisioned character of change to the current development pattern and land uses, the development of future uses and how land use goals will be achieved citywide.

As such, a General Plan Update was completed in 2017. With General Plan updates, changes in Land Use designations may be included in order to support the long-term vision for the City. California Government Code Section 65860 (c) requires zoning implementations to be internally consistent with their general plan designations. However, staff has identified 42 parcels throughout the city which are developed as utility type uses, which have zoning classifications that are

inconsistent with their General Plan designations that were established during the 2017 General Plan update. As such, this Zoning Map Amendment is to clean up the discrepancies of said parcels and bring their zoning classifications into compliance with their corresponding General Plan designations. This project will not change any General Plan designations but rather ensure that zoning ordinance designations are consistent with existing General Plan designations. The amended designations will correspond to the pattern of existing uses, as the sites are already developed and maintained in good condition.

Zoning Compliance:
Zoning Map Amendment

The Zoning Map Amendment (ZMA) would amend the zoning classifications for 42 parcels developed as utility type uses that are currently inconsistent with the General Plan designations in order to be in conformance with the General Plan. Properties with inconsistent zoning classifications to General Plan designations create limitations on development of the site. Government Code Section 65860(c) states:

“In the event that a zoning ordinance becomes inconsistent with a general plan by reason of amendment to the plan, or to any element of the plan, the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended”

The adoption of the ZMA is primarily in effort to clean up the zoning map which will bring these parcels into conformity with their General Plan designations and into compliance with California State law.

Most of the parcels included in this ZMA are already developed. Staff has evaluated the affected parcels and determined that the proposed zones will be compatible with the existing uses on site and with the zoning in the surrounding area.

Urban Design Guidelines Conformance:

There is no development associated with the proposed ZMA. As such, this section is not applicable.

Environmental Status:

The proposed 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 15183 because the project is consistent with the development density established by the existing general plan for which an EIR was certified for during the 2017 General Plan Update.

Coastal Status:

Not applicable.

Design Review Board:

Not applicable.

Other Departments Concerns and Requirements:

Not applicable.

Public Notification:

Legal notice was published in the Huntington Beach Wave on Thursday, July 11, 2024 and notices were sent to occupants and property owners of record within a 500-foot radius of the subject parcels and to individuals/organizations requesting notification.

Application Processing Dates:

DATE OF COMPLETE APPLICATION: MANDATORY PROCESSING DATE(S):
May 2, 2024 Not applicable (Legislative)

SUMMARY:

The ZMA is consistent with the General Plan and its goals and policies. The ZMA is necessary in order to comply with California Government Code Section 65860 (c) requiring zoning to be internally consistent with General Plan designations. The proposed amendments will address nonconformities and bring such parcels into compliance with the General Plan.

ATTACHMENTS:

1. Suggested Findings of Approval for ZMA No. 24-003
2. Draft Ordinance for ZMA No. 24-003
3. Existing and Proposed Zoning Maps - Utility
4. List of Parcels with Legal Descriptions
5. PowerPoint Presentation
6. Email Correspondence
7. Late Correspondence