

*City of Huntington Beach Research and Technology Zone*

# TECHNICAL BACKGROUND ANALYSIS



February 2019

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## **Executive Summary**

The following report provides an analysis of current conditions pertaining to the establishment of the Research and Technology (RT) Zone in the City of Huntington Beach. The RT zone is a new zoning designation intended to be implemented in two areas of Huntington Beach currently designated Light Industrial and General Industrial. The existing physical and regulatory setting of these areas are described. Relevant regulations that have been successful in other communities are also detailed. Lessons learned from this analysis and the research into best practices intended to inform the draft zoning ordinance revisions.



*Businesses in the Gothard Corridor and Northwest Industrial Area, respectively*

# 1. Introduction

## Background

The City of Huntington Beach is preparing regulations for the Research and Technology (RT) zone, a new zoning designation. The purpose of this report is to provide a land use analysis of the areas that will be included in the Research and Technology zone, including a review of existing policies and standards affecting industrial areas. In addition, this report includes case studies of other jurisdictions that have successfully implemented zoning regulations with a similar intent to this effort.

The recently adopted General Plan update envisioned the transformation of two industrial areas to form the new Research and Technology zone. The purpose of the creation of this new zoning classification is to allow a broader mix of lower-intensity industrial and commercial uses that better meet market demands and capture employment growth in emerging fields. As described in the General Plan Land Use Element:

*The Research and Technology Designation provides for a wide variety of nonresidential mixed-use development in industrial areas that are undergoing or poised for transformation to support changing employment demand. The designation encourages both employment uses and commercial uses designed to accommodate employees while continuing to allow traditional industrial uses such as manufacturing and production. Uses include clean and green manufacturing (e.g., medical devices, solar panels), research and development, technology, warehousing, business parks, professional offices, limited eating and drinking establishments that have an industrial component (e.g., a brewery), restaurants and cafes to accommodate employment uses and surrounding residential neighborhoods, and similar neighborhood commercial uses.*

## Community Outreach

Public outreach serves a critical role in the shaping of the regulations of the RT zone. Outreach efforts included a presentation and discussion at the City-hosted Brokers Breakfast, two days of interviews with identified stakeholders, including local developers and business owners. The Research and Technology ordinance has been drafted based on the information found in this report, including best practices in place in other communities that may be applicable to these areas in Huntington Beach. A study session with Huntington Beach Planning Commission will be conducted to review and refine the draft ordinance. This session will be open to the public, and public input at this time is encouraged. In addition, the City of Huntington Beach website provides information regarding the rezoning effort and will continue to serve as a place for the City to post updates and information available to date.



## Companion Strategies

While the scope of zoning addresses allowable land uses, development standards and review processes, additional strategies beyond zoning regulations may help further the General Plan vision for transformation of the RT zone and attract desirable employers. Such strategies include high-speed internet infrastructure, marketing and branding to entice investment, comprehensive mobility and parking improvements, public realm enhancements and other tools to reposition the area. As a companion effort to the rezoning, a market study has been prepared to evaluate market demand for different types of envisioned uses and provides findings and insights to further General Plan goals for the RT zone.

## Document Overview

This report details the existing conditions in RT-designated areas, including the urban form, existing uses, and circulation. It also reviews the existing framework of regulation affecting the areas now designated RT, including General Plan policies, zoning standards, and any state regulation. In order to better understand how similar zones have been implemented in other communities, this report examines the zoning regulations applied in several other jurisdictions throughout California.



*Northwest Industrial Area Building*

## 2. Physical Setting

The two primary areas of envisioned transformation are the Northwest Industrial Area and the Gothard Corridor. Both of these areas are industrial in nature, however, their physical characteristics are distinct. The following sections describe the typical development pattern, urban form, neighboring uses, and available transportation in the respective areas. Figures 1 and 2 depict aerial photographs with RT zone boundaries for the Northwest Industrial Area and Gothard Corridor, respectively.



Figure 1: Northwest Industrial Area

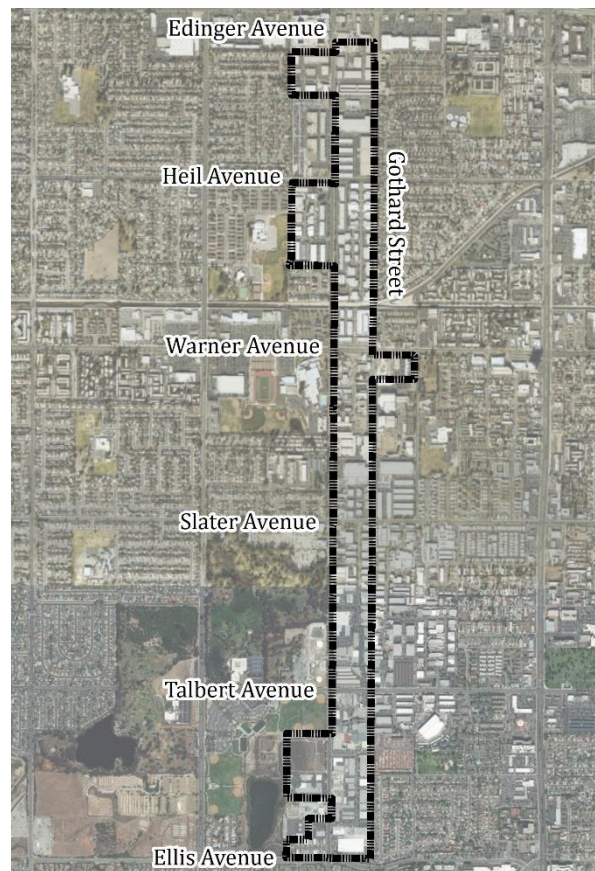


Figure 2: Gothard Corridor



### Northwest Industrial Area

The Northwest Industrial Area is 760 acres in size and includes some parcels between Bolsa Avenue to the north, Edinger Avenue to the south, Springdale Street to the east, and Bolsa Chica Street to the west. The Northwest Industrial Area consists of many larger lots, ranging from 15,000 square feet to 6 acres with a median of 0.61 acres, and large single and two-story industrial buildings. North of this area are very large, campus-like lots currently occupied by Boeing and Zodiac Aerospace. To the east, west, and south are single and multi-family residential neighborhoods. Also adjacent is the Seal Beach National Wildlife Refuge to the west. Figure 3 shows the location of General Plan land use designations for the Northwest Industrial Area (RT-designated parcels) as well as for surrounding uses.

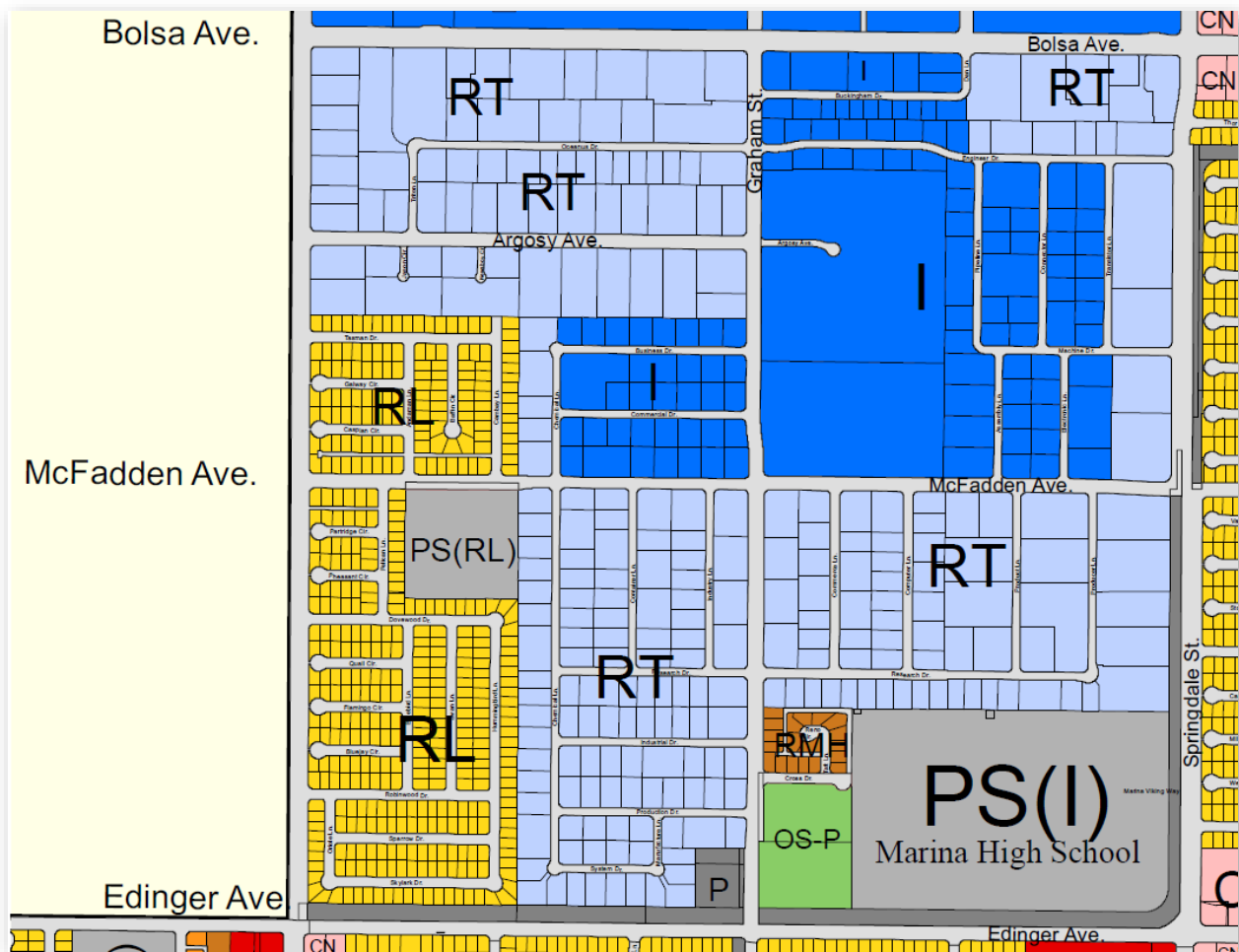


Figure 3: Northwest Industrial Area General Plan Land Use Designations

Transportation within this area is primarily vehicular. Streets are fairly wide, with abundant street parking. As shown in Figure 4, bicycle facilities are currently limited to Class II bike lanes along the corridors—Bolsa Avenue, Graham Street, McFadden Avenue, Springdale Street, Bolsa Chica Street from McFadden south, and Edinger Avenue. A paved, off-road bike path is provided in front of Marina High School and Marina Park.

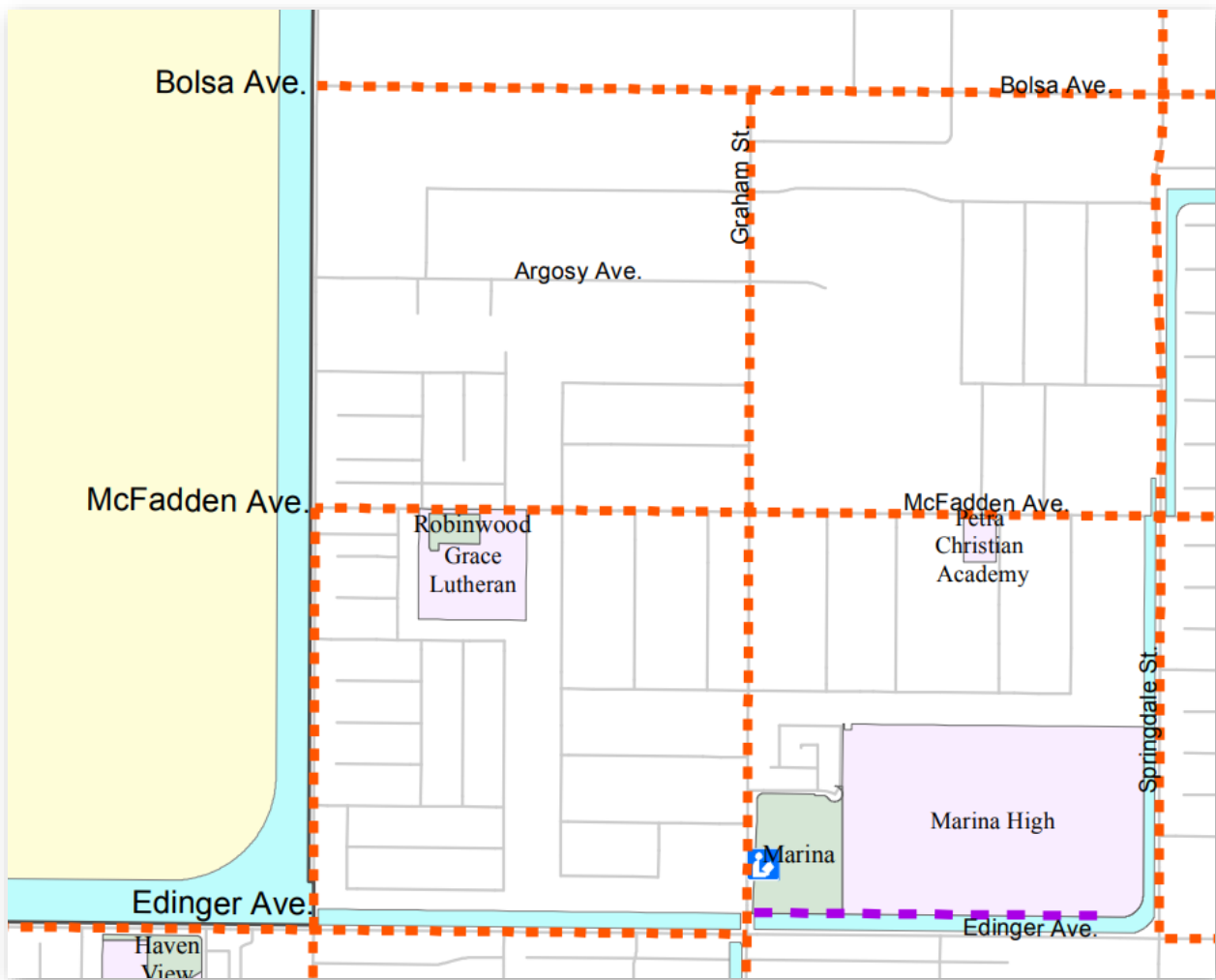
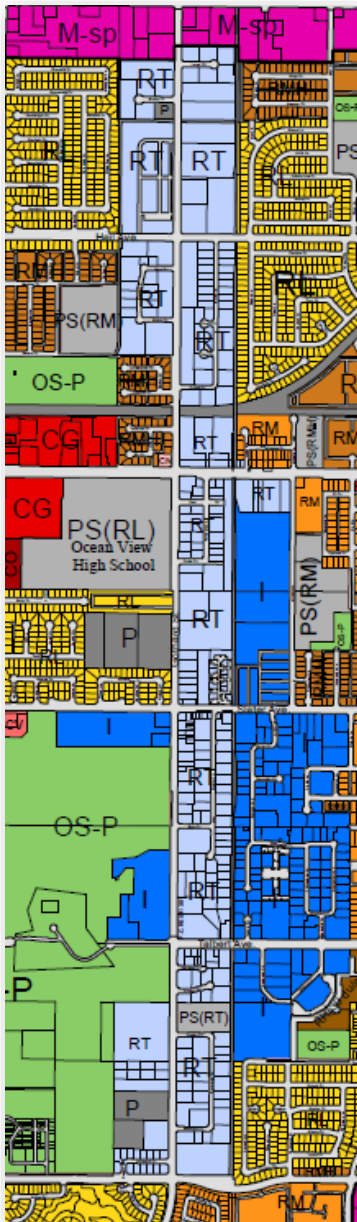


Figure 4: Northwest Industrial Area Bicycle Facilities (City Bikeways Map)

Existing uses in the Northwest Industrial area are primarily related to automotive, manufacturing, supply, and storage. However, uses are not limited to those of a traditional industrial nature—many uses can be categorized as service, retail, and office. A complete summary of the types of businesses and their frequency is provided in the appendix.

## Gothard Corridor

The Gothard Corridor is 466 acres in size and consists of parcels along Gothard Street (mostly on the east side of the street) from just south of Edinger Avenue to the north and Ellis Avenue to the south. The Gothard Corridor consists of mostly small lots with a few exceptions. Lot sizes range from 871 square feet to 9 acres with a median of 0.41 acres. Building stock consists of multi-tenant buildings and a few industrial parks. This area is surrounded by residential areas of varying density and character, industrial areas, and public uses, including Ocean View High School. Given the proximity to more sensitive uses,



*Figure 5: Gothard Corridor Land Use*

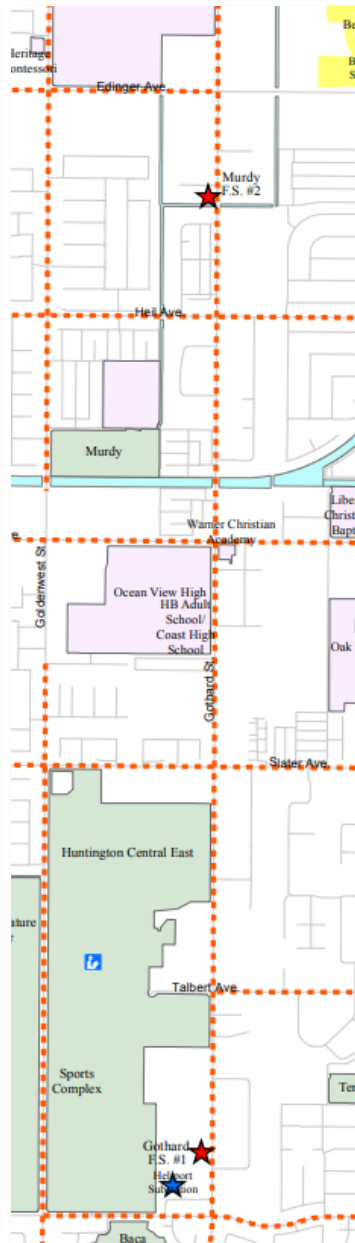


Figure 6: Gothard Corridor Bicycle Facilities

such as residential buildings and schools, land use compatibility is an important consideration.

Transportation in this area is also primarily vehicular. Gothard Street is a busy, four lane thoroughfare. The side-streets included in this area are generally fairly narrow, and street parking is extremely well-utilized during normal business hours. Class II bike lanes are available along Gothard Street. Access to transportation from the Gothard area is best served by the Goldenwest Transportation Center, which is located just north of the RT area on Center Street off of Gothard Street. The Golden West Transportation Center provides free public parking for those taking public bus transportation for the following Orange County Transit Authority routes: La Habra - Huntington Beach via Beach Blvd, OCTA 66 Huntington Beach - Irvine via McFadden, Walnut OCTA 70 Sunset Beach - Tustin via Edinger Ave OCTA 211

Seal Beach - Irvine Express via 405 Freeway OCTA 701 Huntington Beach - Los Angeles Express via 405 Freeway, 605 Freeway, 105 Freeway, 110 Freeway.

Existing uses in the Gothard Corridor area are primarily auto repair facilities, warehousing, manufacturing, storage, and office. While largely characterized by traditional industrial uses, there are also many office-related uses. A complete summary of the types of businesses and their frequency is provided in the appendix.



*Gothard Corridor Business*



*Northwest Industrial Area Buildings*



### **3. Regulatory Setting**

The new RT areas are subject to regulations at the state and local level. State regulations include the California Building Code and the California Fire Code. The Huntington Beach General Plan details the goals and policies of the City, including those related to the vision of the RT zone. Lastly, the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) provides detailed development standards and use regulations for these areas.

#### **State Regulation**

The California Building Code and California Fire Code provide regulations that may impact a building's change of use. Issues addressed by these codes include building construction, separation of uses and permit requirements, among other items.

#### **General Plan**

The Huntington Beach General Plan, updated in 2017, paved the way for the implementation of the Research and Technology Zone. The Land Use Element of the General Plan highlights the RT-designated areas as the only “areas of change” in the City, as depicted in Figure 7.



*Northwest Industrial Area Building*





Figure 7: Land Use Element Areas of Change

The General Plan describes “transform” areas as areas that consist of underdeveloped or underutilized portions of the planning area, where current developments might not adequately support future City goals. The implementation of the RT zone is meant to enable development that is compatible with overall City goals.

Furthermore, the General Plan Land Use Element identifies Community Subareas, with Gothard Street and the Northwest Industrial Areas being Technology and Innovation Subareas. These subareas are described as having higher anticipated building intensity, but with processes and operations that produce fewer potential air quality and noise impacts on neighboring uses than conventional industrial uses.

Notably, the General Plan allows a Floor Area Ratio (FAR) of up to 1.0, an increase from 0.75 under the Industrial designation. This increase is based on the understanding that while this allows for a greater average building intensity than that of a traditional industrial use,

the processes and operations of such uses are intended to have fewer potential air quality and noise impacts on surrounding sensitive uses. Additionally, traditional industrial uses within this zone will maintain a 0.75 FAR.

General Plan goals and policies provide further support for the creation of the RT zone. Policies related to these goals provide action items to support these goals. The following goals and policies directly address the RT zone.

**Goal LU-5.** *Industrial businesses provide employment opportunities for residents, supporting the local economy.*

*Policies*

- A. Support and attract new businesses in the city's industrial areas.*
- B. Encourage clean, less intensive industrial development in areas identified in the planning area.*
- C. Ensure proposed development and uses in industrial areas contribute to the City's economic development objectives and do not minimize existing uses.*
- D. Explore opportunities to optimize use of underutilized or underperforming industrial land that is sensitive to surrounding uses, and to introduce new industrial uses that create jobs.*
- E. Encourage and assist existing and potential industrial owners to update, modernize, and expand their industrial properties.*

**Goal LU-9.** *Industrial uses provide job opportunities for existing and future residents, as well as the surrounding region, while generating revenue for the city.*

*Policies*

- A. Establish technology or innovation districts, such as the Gothard Street Subarea and the Northwest Industrial Subarea, where technology infrastructure is provided specifically to support existing and new businesses.*
- B. Support the provision of technology infrastructure and services to supply necessary technological and communication tools for existing and new industry and businesses.*
- C. Provide opportunities for new start-up businesses to develop innovative products and services in a business incubator environment.*
- D. Support the ability for future industrial uses to accommodate new flexible work programs.*

**Goal LU-10.** *The City aggressively retains and enhances existing industrial businesses and technology businesses while attracting new firms to the city.*

*Policies*

- A. Provide incentives to retain, expand, and capture new businesses, including research and development industries and start-ups.*
- B. Promote the creation of jobs with increasing wage opportunities within the community.*
- C. In partnership with regional, state, and federal agencies, provide workforce programs that facilitate workforce diversity in the city through expanded labor force training and hiring practices.*
- D. Maximize the economic development services provided by the City to existing and prospective businesses and industries.*

**Goal LU-12.** *Commercial and industrial corridors throughout the planning area are renovated and revitalized.*

*Policies*

- A. Establish in the Urban Design Guidelines that nonresidential buildings and sites be designed to be consistent with and use low-impact design techniques.*
- B. Encourage renovation and revitalization of deteriorating and struggling nonresidential areas and corridors, particularly commercial locations.*
- C. Expand shuttle services and pedestrian linkages between adjoining business areas, particularly along the coast, where a greater flow of local shoppers and visitors is encouraged.*
- D. Seek opportunities to encourage the creation of business improvement districts or other economic development strategies where coordination and financing of mutually shared, enhanced services can increase business potential for all.*

**Goal LU-13.** *The city provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.*

*Policies*

- A. Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.*
- B. Capture emerging industries such as, but not limited to, “knowledge”-based industries and research and development firms.*
- C. Support development of new commercial and industrial projects and retrofits of existing buildings.*

- D. Improve transit and other alternative transportation options, including shuttles and safe bicycle routes, for employees who live and work in the community.*
- E. Do not preclude future mobility technologies in land use planning.*

### **Existing Industrial Zoning**

The Huntington Beach Zoning and Subdivision Ordinance (HBZSO) provides the existing zoning regulation for the RT areas. The areas that are transitioning to the RT zoning designation are currently zoned Limited Industrial (IL) in the Northwest Industrial Area, and General Industrial (IG) in the Gothard Corridor. Applicable zoning regulations can be found in Title 21 of the Zoning Code, Base Districts, Chapter 212 Industrial Districts. Also, Title 23, Provisions Applying in All or Several Districts, Chapter 230, Site Standards, and Chapter 233, Signs.

In general, the Zoning Ordinance is organized into 6 sections: Title 20, General Provisions, Title 21, Base Districts, Title 22, Overlay Districts, Title 23, Provisions Applying In All or Several Districts, and Title 25, Subdivisions. The majority of the regulations pertaining to the current zones can be found in Title 21, Base Districts, Chapter 212, I Industrial Districts. Section 212.04, Land Use Controls.

The process for project submittal and approval is dependent on how the use is permitted. The IG and IL districts classify uses as follows: Permitted (P), Limited (L), Conditional use permit approved by Planning Commission (PC), Conditional Use Permit approved by Zoning Administrator (ZA), Temporary Use Permit (TU), Requires conditional use permit on site of conditional use (P/U), or Not permitted (-). Additionally, chapter 241 of the Zoning Code, Conditional Use Permits and Variances—Temporary Use Permits—Waiver of Development Standards, details the process for obtaining conditional and temporary use permits. Both sections are provided in the Appendices (A and B) for further reference.

Development standards are established in section 212.06, IG and IL Districts—Development Standards. The IG and IL zoning designations allow for similar development patterns, with nuances that distinguish the two. The IG zone is designed to provide sites for the full range of manufacturing, industrial processing, resource and energy production, general service, and distribution. The IL zone is designed to provide sites for moderate- to low-intensity industrial uses, commercial services and light manufacturing.

These zoning districts share many similarities in development standards and allowed uses. Uses allowed in both districts include public and semipublic uses, commercial uses, industrial uses, and temporary uses. Industrial uses classified as custom, general, limited, research and development, and warehousing, distribution, and storage are all permitted in both districts. Many of the other types of uses are conditionally permitted based on varying levels of review.

Development standards in both districts are similar, requiring buildings to be setback from the street, with relatively low building intensity. The minimum lot area required in both districts is 20,000 square feet, with a minimum lot width of 100 feet. Setbacks are a minimum of 10 feet in front, 10 feet on the street side, and 0 feet in the rear. Side setback distance in the IG district is 0 feet, while the IL district requires 15 feet. Both districts allow 40-foot maximum building height and 0.75 maximum Floor Area Ratio (FAR). A table summarizing current development standards and a comparison with relevant standards in other communities is available in Section 4, Case Studies.

## **4. Stakeholder Feedback**

In order to better inform the development of the RT zone regulations, City-identified stakeholders were interviewed. These key community members and industry market professionals were invited to discuss their experience with zoning regulation both in Huntington Beach as well as lessons that can be applied from neighboring communities and other Southern California research and technology settings.

Feedback received during these meetings were reviewed and grouped into common topics of discussions, or themes. Themes included development standards, use regulations, parking regulations, and process. Other observations on topics that may not be included in the scope of the Research and Technology Zone are also included.

### **Crafting Standards for the Right Type of Building—Development Standards**

- Buildings should be flexible
- Businesses needing 75-100,000 sf or more Huntington Beach are no longer an option
- Only ten 100,000 sf buildings in HB, but 5 are build to suite
- Need bigger buildings, can be divided
- 1.0 FAR for industrial is more than typically needed, 2 stories is not as workable
- Generally nothing over .5 FAR—otherwise they have to start compromising
- Cube Square-like buildings, or cube space is desirable—want to raise a building's roof to 30-32 feet, 36 feet max for specialty
- 40-foot height limit, 45 with HVAC
- Flexibility in process and building form
- 1,500 - 3,000 sf is the target
- Brewery originally in one building, then needed a second building shortly after
- 25,000 sf is the "sweetspot" for start-ups
- Favor a form-based approach—just need to understand the building shell and parking
- Need performance standards
- Increase landscaping requirement



- Desire for different regulations near sensitive uses, including parks, schools, and residential
- Activities should be enclosed and 55 dBA noise limit should be considered at residential property line
- Architectural treatments should be used to improve building façade
- Landscaping is important
- .75 to 1.0 FAR should be reserved for lot consolidation
- Signage standards are important, and consistency is important
- Need lighting and odor standards
- Ceilings should be more than 14 ft. if possible—truck doors start at 12 ft.

### **Anticipating Viable and Modern Uses—Use Regulations**

- Light manufacturing/distribution—big trucks in, little trucks out. Receives material from the port, reassembles and distributes on a smaller scale
- Doesn't view Huntington Beach as a heavy distribution hub
- Never really too much office
- Existing BBQ business is 10% office
- R&D is up to 30% office, 2.5-3 per 1,000 sf for parking
- Doesn't see the demand for R&D in Huntington Beach
- Employee-serving retail — coffee, sandwiches
- Brewery is a good model, since it is close to residential areas
- Heavy automotive demand, car restoration
- If the City can identify any areas to convert to industrial, they should do that
- Concerned with limitations on uses
- Doesn't see distribution uses coming in here
- Needed outdoor storage
- Need employee recreating areas, amenities
- Huntington Beach has a car culture. 15% of the businesses on Gothard are auto-related.
- Concern over too many broad uses
- Breweries cause odors and should be avoided
- Desire to see clean and green uses including technology uses and biomed
- High-end auto shops are good tenants
- Increase in recreational uses
- Allow some retail i.e. showrooms
- Need common areas for employees
- Possibility of live-work
- Would like "employee enhancement" for day care, food, recreation, etc.

### **Planning for a Shift in Mobility—Parking Regulations**

- Look at the potential of putting parking on the roof
- RT uses: For example, need 96 parking spaces to fulfill the requirement, but only 30 employees at any given time
- Parking standards need to be flexible; parking is the biggest issue
- C&D Aerospace never had enough parking, now they lease space from Boeing
- Tenants put storage in the parking area
- Estimate 60-70% of tenants in the northwest area don't use all their parking
- Parking is an issue. Possibility of instating a shared parking program or shuttle since there is underutilized parking nearby
- Much of the parking in the Gothard Corridor is being used for storage
- Parking is the number one issue in the Gothard Area

### **Balancing Needs—Process**

- Prefers use classifications rather than lists
- People need clarity and certainty
- RT industry needs a quick turn-around and expedited permitting

### **Planning for the Future—General Observations and Suggestions**

- City of Corona, 35-acre site. They have one contact at the City that helps them move them through all the departments
- Need tenants to be able to get business licenses
- A lot of tenants want to be owners
- Flexibility in renovation of existing buildings
- Regional water quality requirements are strict when it comes to expanding, the cost and time makes it equivalent to beginning a whole new project
- Northwest Industrial Area's advantage is their proximity to the 405 freeway
- Views HB as a city of walls, most of it is disconnected
- Press to incentivize clean energy. Encourage renewable sources.
- Work with utilities to increase available infrastructure, core industrial gases
- Needs revitalization of some sort, personality
- When companies with hazardous materials leave, the site is contaminated
- New projects along Gothard and Edinger required replaced or upsized sewer infrastructure so they are now at excess capacity
- Irvine research and technology and research and development
- Emphasis should be on building maintenance, the buildings themselves still look good though they are older
- Access to high-speed internet and fiberoptic infrastructure is essential
- Utilities should be undergrounded

## **5. Case Studies**

Examples from other jurisdictions of the implementation of Research and Technology or related zones was analyzed for this report. Examples were drawn from both neighboring cities as well as communities that are further from Huntington Beach that provide relevant zoning examples. A summary of all related development standards is attached in the appendix.

Case studies included The McDonnell Centre Business Park Specific Plan in Huntington Beach, the Industrial District in Anaheim, the Medical Science District in Irvine, the Industrial Park District in San Diego, the Smoky Hollow Specific Plan in El Segundo, the Tech Industrial District in Fremont, the Industrial Park District in San Leandro, the Industrial Professional District in San Carlos, the Research and Development Campus in Union City.

The McDonnell Centre Business Park Specific Plan in Huntington Beach is included as a case study based on staff feedback regarding its effectiveness in process and standards. The Specific Plan covers the area directly north of the Northwest Industrial Area. The development standards are designed for larger lot sizes and are overall fairly similar to the existing Industrial standards. Setback requirements are larger in this Specific Plan, with a front setback requirement of 20 feet minimum.

The Anaheim Industrial (I) District and the Irvine Medical Science Districts were selected based on stakeholder identification as desirable communities to develop in. The Industrial (I) district in Anaheim is a traditional industrial zoning designation, while the Medical Science district in Irvine is more specific, with intended uses including general research and development and medical research and education. The development standards in both of these districts allow for fairly large development. The maximum building height in Anaheim's Industrial district is up to 100 feet (except when neighboring residential), while Irvine's Medical Science Districts allow up to 120 feet in some areas. Parking standards in these districts are close to those in the current Huntington Beach Industrial Districts.

San Diego's Industrial Park (IP-1-1) district was also identified as an example of innovative industrial zoning in southern California. The development standards are shaped so that the emphasis is on comprehensive site design. Setbacks are larger and landscaping is required.

El Segundo's Smoky Hollow Specific Plan is a relatively local example of a recently implemented plan to transition a traditional industrial area to support existing economic trends and demand for research and technology space. This example is especially relevant to Huntington Beach, as the trends and setting are very similar. The FAR in the Specific Plan Area is 0.75, with a minimum of 3% of the lot landscaped.

Fremont, San Leandro, San Carlos, and Union City are all examples of Bay Area cities looking to attract more research and technology uses. Interestingly, the development standards for these districts vary widely, with FAR ranging from .35 to 2.0. The maximum height in Fremont, San Carlos, and Union City are all fairly high at 75-100 feet. These cities all have design standards pertaining to outdoor storage and equipment screening. Many require pedestrian or bicycle facilities, and lighting plans.

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RT Zone: Development Standards Comparison Table												
City	Huntington Beach			Anaheim	Irvine	San Diego	El Segundo		Fremont	San Leandro	San Carlos	Union City
District	General Industrial (IG)	Limited Industrial (IL)	McDonnell Centre Business Park	Industrial (I)	5.5 Medical Science	Industrial Park (IP-1-1)	Smoky Hollow Specific Plan		Tech Industrial (I-T)	Industrial Park (IP)	Industrial Professional (IP)	Research and Development Campus (RDC)
	Existing zoning district in Gothard Corridor	Existing zoning district in Northwest Industrial Area	Specific plan standards and process is effective in allowing the type of development the City wants to see	Feedback from stakeholders indicated that Anaheim standards and process was effective	Feedback from stakeholders indicated that Irvine standards and process was effective	Example of recently implemented standards to transition from traditional industrial into a zone that supports research and technology uses	Example of recently implemented standards to transition from traditional industrial into a zone that supports research and technology uses		Example of recently implemented standards to transition from traditional industrial into a zone that supports research and technology uses	Example of recently implemented standards to transition from traditional industrial into a zone that supports research and technology uses	Example of recently implemented standards to transition from traditional industrial into a zone that supports research and technology uses	Example of recently implemented standards to transition from traditional industrial into a zone that supports research and technology uses
Relation to HB RT Zone												
	The IG General Industrial District provides sites for the full range of manufacturing, industrial processing, resource and energy production, general service, and distribution	The IL Limited Industrial District provides sites for moderate- to low-intensity industrial uses, commercial services and light manufacturing	The purpose of this section is to provide specific development regulations and standards that will be applied to individual development projects in each Planning Area of the Specific Plan. Upon adoption by the City of Huntington Beach, the McDonnell Centre Business Park Specific Plan will be the zoning document for the project area.	The intent of the “I” Industrial Zone is to provide for and encourage the development of industrial uses and their related facilities, recognize the unique and valuable existing industrial land resources, and encourage industrial employment opportunities within the City. Targeted industries include research and development, repair services, wholesale activities, distribution centers, and manufacturing and fabrication. In some situations, other types of uses are allowed with a conditional use permit. This zone implements the Industrial land use designation in the General Plan.	This category allows the development of a biomedical/high technology complex combining health care facilities and related businesses, medical research and education, general research and development, and light manufacturing and assembly in one master planned area.	The purpose of the IP zones is to provide for high quality science and business park development. The property development standards of this zone are intended to create a campus-like environment characterized by comprehensive site design and substantial landscaping. Restrictions on permitted uses and signs are provided to minimize commercial influence. IP-1-1 allows research and development uses with some limited manufacturing	Smoky Hollow West	Smoky Hollow East	The purpose of the I-T district is to provide areas devoted to research and development activities, “clean and green” tech, and semi-conductor, computer hardware, software and related technological, administrative, sales, and engineering facilities. Within this district certain Group A, B, and C hazardous materials uses, and manufacturing and/or the storage of particularly large sizes/quantities of hazardous materials (Section 18.190.220, High intensity hazardous materials users), are regulated to minimize potential for off-site impacts. Within this area, only certain nonsensitive assembly, business service, and nonsensitive recreational uses may be permitted due to uses that handle hazardous materials. The I-T district is characterized by superior architectural and landscaping treatment and site planning.	To provide and protect industrial lands for the development in a landscaped setting of communities of high technology, research and development facilities, limited industrial activities (including production and assembly but not raw materials processing or bulk handling), small-scale warehousing and distribution, industrial office centers, certain types of specified retail sales, and related uses.	This district is intended for large or campus-like office and technology development that includes office, research and development, manufacturing, and other large-scale, professional uses. Permitted uses include incubator research facilities, prototype manufacturing, testing, repairing, packaging, and printing as well as offices and research facilities. Accessory or secondary small-scale retail uses that serve local employees and visitors are also permitted.	The purpose of the RDC district is to provide space for a flexible range of activities which have low or no nuisance characteristics. This district supports “flex” space that can be adapted to office, research and development, and service/sales uses. In addition, it allows for manufacturing uses consistent with the light industrial designation. The RDC district is a more dense development designation because it is in close proximity to the BART station and the station district. This designation is applied where it is intended to intensify industrial development over a period of years.
Purpose/Description												
Minimum Lot Size (sf unless indicated)	20,000		1.0-2.5 (AC)	Site Area: The size and shape of the site proposed for the use shall be adequate to allow the full development of the proposed use in a manner consistent with the stated purpose and intent of this zone. Adequate provision shall be made for the safe and orderly circulation of both pedestrian and vehicular traffic between	10,000	40,000	5,600	11,200	20,000	7,500	1 ac	5 ac
Minimum Lot Frontage (ft.)	100		250		n/a	100	50		70	50	75	70
Minimum Average Lot Width (ft.)	n/a		n/a		n/a	n/a	n/a		n/a	n/a	n/a	n/a
Minimum Lot Depth (ft.)	n/a		n/a		n/a	200	n/a		n/a	n/a	n/a	n/a
Maximum Lot Coverage (% of lot)	n/a		n/a		50	n/a		n/a	n/a	40	n/a	70
Maximum Floor Area Ration (FAR)	0.75		0.65-0.75	0.5	n/a	2	0.75	1.0.	.35, .45 for general warehouse and manufacturing	0.8	2.0.	0.4 min; 2.0 max
	n/a		n/a	n/a	n/a	For developments exceeding 10 acres: outdoor eating and/or recreational facility of at least 2,000 sf required	Minimum 3% of lot	Minimum 3% of lot. If the lot exceeds 22,400 sf, a minimum of 10% of lot	n/a	n/a	n/a	n/a
Open Space												

City	Huntington Beach			Anaheim	Irvine	San Diego	El Segundo	Fremont	San Leandro	San Carlos	Union City
District	General Industrial (IG)	Limited Industrial (IL)	McDonnell Centre Business Park	Industrial (I)	5.5 Medical Science	Industrial Park (IP-1-1)	Smoky Hollow Specific Plan	Tech Industrial (I-T)	Industrial Park (IP)	Industrial Professional (IP)	Research and Development Campus (RDC)
Maximum Height (ft.)	40		Varies from 40 to 250, additional 10-14 ft for roofline treatment, architectural features, special equipment and mechanical devices	100 except w/l 40 ft of residential; 20	Irvine Spectrum 6, 120; Planning Area 17, 45, 50 with architectural features; all other areas, no more than 200 without FAA and OCALUC approval		35 ft.; parapet height may exceed max building height by 5 ft	75	35, 25 within 100 ft of residential	100	40; up to 100 with use permit
Minimum Yards											
<i>Front Street Side</i>	10, average 20 except for parcels fronting on local streets; 10		20 to 35	5 to 15	n/a	Minimum 20, Std 25	None required unless adjoining Franklin Avenue; minimum 0 ft, maximum 5 ft	25; 50 adjacent to residential	20	20	<b>Major arterial:</b> 35 from ROW; 25 for lots <400 ft deep <b>Other Streets:</b> 25 min from ROW; 50 required across the street from residential
<i>Interior Side</i>	0	15	10 to 15	n/a	10 ft or determined by master plan/CUP; Planning Area 12, 40 ft.	30 when abutting residential	None required unless adjoining Franklin Avenue; minimum 0 ft,	0; 50 adjacent to residential; 25 adjacent to freeway or frontage road	0	0	10; 50 min where property line abuts non-industrial district
<i>Rear</i>	0		10 to 15	n/a	10 ft or determined by master plan/CUP; Planning Area 12, 20 ft.	25	None required	0; 50 adjacent to residential; 25 adjacent to freeway or frontage road	0	0	
<i>Adjoining Alley</i>	n/a		n/a	n/a	n/a	50 when abutting residential	Minimum 10 ft, as measured from property	n/a	n/a	n/a	n/a
<i>Other</i>	n/a		n/a	n/a	Freeway, transportation corridor, 30; thruways, 40; parkways, 40; community collectors, 40; neighborhood collectors, 40, east/west San Diego Creek ROW, 30; Building to building, 10	n/a	n/a	n/a	n/a	n/a	n/a
Design Standards	n/a			n/a		n/a	<b>Building Orientation:</b> <b>Franklin Avenue:</b> Lots adjoining Franklin Avenue shall provide a minimum of one primary entry facing Franklin Avenue. Primary entry doors shall be visible and accessible from the public sidewalk. <b>Building Transparency:</b> <b>Franklin Avenue Frontages :</b> For new buildings or new additions fronting Franklin Avenue, a minimum 15% facade transparency shall be provided at the ground level or first 12 feet of height above grade,	Lighting, outdoor storage limits, equipment and trash enclosure screening, TDM requirements	Lighting, outdoor storage limits, equipment and trash enclosure screening. Additional requirements for truck and storage facilities, truck docks, noise attenuation, and buffering when adjacent to residential	Sidewalks must be provided if none exist. Outdoor storage, equipment, and trash enclosure screening. Business, technology, and office parks of 80,000 sf or more must provide 10% open space and pedestrian walkways. Additionally, a lighting, landscaping, and signage concept plan is required.	Sidewalks, pedestrian and bicycle facilities required. Equipment screening. No outdoor storage

City	Huntington Beach			Anaheim	Irvine	San Diego	El Segundo	Fremont	San Leandro	San Carlos	Union City
District	General Industrial (IG)	Limited Industrial (IL)	McDonnell Centre Business Park	Industrial (I)	5.5 Medical Science	Industrial Park (IP-1-1)	Smoky Hollow Specific Plan	Tech Industrial (I-T)	Industrial Park (IP)	Industrial Professional (IP)	Research and Development Campus (RDC)
Parking and Loading											
Requirement (space/sf unless indicated)											
Office	Less than 250,000 sf: 1/250, Greater than 250,000 sf: 1/300		1/250	3 stories or lower: 1/250, more than 3 stories: 3/1,000	1/250	All industrial: 5/1,000 unless in a transit priority area; 4.3/1,000	2.5/1,000	1/300	1/300 sf	1/300	1/200
Research and Development	1/500		1/250	3 stories or lower: 1/250, more than 3 stories: 3/1,000	1/250			1/300	1/400 sf	1/600 for manufacturing and assembly; 1/300 for office; 1/1,500 for warehousing; and 1/800 for laboratory	1/1,000 for manufacturing and storage +1/300 for office
Manufacturing	1/500		1/500	n/a	1/750			1/300	1/1,000 sf	1/1,500 for use area plus 1/300 for office	
Warehousing	1/1,000		1/500	.4/1,000 of outdoor storage area	1/1,000 up to 20,000, 2/2,000 for 20,000-40,000, 1/4,000 in excess of 40,000			1/200 sf office area + 1/800 other indoor area; minimum 1/625	1/1,500 sf	1/2,000 for area up to 10,000 sf. 1/5,000 for area over 10,000 sf plus 1/300 for office	1/1,000 for manufacturing and storage +1/300 for minimum 25% of floor area
Restaurant	1/200		1/100	20 seats or less: 5.5/1,000, more than 20 seats: 10/1,000	1/75 up to 6,000, 1.55 over 6,000			The greater of 1/3.5 seats + 10% for employees or 1/100	1/100 sf	Only allowed as ancillary use	1/3 seats or 1/100; whichever is greater
Retail	1/200		1/200	4/1,000	1/250			1/300 exclusive of storage areas	1/200 sf first 5,000 sf; 1/250 sf for area greater than 5,000 sf	Only allowed as ancillary use	1/175 when less than 10,000 sf; 1/200 when greater than 10,000 sf
Location											
Parking	May be located in setback		n/a	On the same lot as the main building for which such parking is required, or on property immediately contiguous, adjacent to, or within close proximity to the lot, provided the parking is located within reasonable walking distance	On the same site as the primary use	n/a	2.5 spaces per 1,000 sf gross floor area (or per 1,000 sf of gross floor area of addition). Shall be on-site, off-site per covenanted agreement, or addressed through payment of in-lieu fees. Tandem spaces: max length of 40 ft	25 feet from property line when across from residential	Enclosed spaces shall be 20 ft. from property line	Located at side or rear of buildings where possible. May not be located within 10 ft. of street property line.	65 ft. from ROW of major arterial, 25 ft on lots less than 400 ft deep or on street other than major arterial

City	Huntington Beach			Anaheim	Irvine	San Diego	El Segundo	Fremont	San Leandro	San Carlos	Union City
District	General Industrial (IG)	Limited Industrial (IL)	McDonnell Centre Business Park	Industrial (I)	5.5 Medical Science	Industrial Park (IP-1-1)	Smoky Hollow Specific Plan	Tech Industrial (I-T)	Industrial Park (IP)	Industrial Professional (IP)	Research and Development Campus (RDC)
Vehicular Access	Drive entrances shall coordinate with future median openings. Aisle ways without adjacent parking shall be a minimum 24 feet in width. Every required parking space shall have unobstructed access from an aisle without moving another vehicle. All parking spaces, except residential garages and carports for single-family dwellings and duplexes, shall have forward travel to and from parking facilities when access is to a dedicated street. Traffic circulation shall be designed so that no vehicle need enter a public street in order to progress from one aisle to any other aisle within the same development.	Every required parking space shall have unobstructed access from an aisle without moving another vehicle. All parking spaces, except residential garages and carports for single-family dwellings and duplexes, shall have forward travel to and from parking facilities when access is to a dedicated street. Traffic circulation shall be designed so that no vehicle need enter a public street in order to progress from one aisle to any other aisle within the same development.	n/a		n/a	n/a	Lots adjoining an alley are prohibited from providing curb cuts along street frontages. For lots not adjoining an alley, a maximum of 1 curb cut is allowed for each 150 ft of lot frontage along a public street. New curb cuts along Franklin Avenue are prohibited. Curb cuts shall not be more than 25 ft in width except where required by the City to be larger for safety purposes.	n/a	n/a	n/a	n/a
Loading	Must be designed so that vehicles need not extend onto public sidewalks, streets, or alleys. If an adjoining alley, a requied loading space shall be accessible from the alley unless alternative access is approved by the director.		n/a	"Adequate area" 1 off-street or off-alley/25,000	n/a	n/a	Not required if gross building area <50,000 sf. Required if gross building area > or equal to 50,000 sf and/or required for the following uses when the use exceeds 2,500 sf in size: restaurant or other food sales and service. On-site loading areas shall be at least 18 ft long and 10 ft wide. For lots adjoining an alley, loading areas shall adjoin or have access from the	Located to the rear of buildings	May not be located within required yard	May not be located within 30 ft. of residential	65 ft. from ROW of major arterial, 25 ft on lots less than 400 ft deep or on street other than major arterial. Must be screened from view by a decorative wall. Must be located to side and rear of buildings except on dedicated streets where max 50% of building frontage may have loading.

City	Huntington Beach			Anaheim	Irvine	San Diego	El Segundo		Fremont	San Leandro	San Carlos	Union City
District	General Industrial (IG)	Limited Industrial (IL)	McDonnell Centre Business Park	Industrial (I)	5.5 Medical Science	Industrial Park (IP-1-1)	Smoky Hollow Specific Plan		Tech Industrial (I-T)	Industrial Park (IP)	Industrial Professional (IP)	Research and Development Campus (RDC)
Landscaping	n/a		All setback and parking lot areas fronting on, or visible from, adjacent public streets shall be landscaped and permanently maintained in an attractive manner	front setback is required to be landscaped	15% of site	n/a	Surface Parking Lot Landscaping: On sites larger than 22,400 sf, a minimum of 1 tree shall be provided on site for every 4 at-grade, open-to-the-sky surface parking spaces. Each required tree shall be a minimum 24-inch box		Required along street frontages and adjacent to residential and in parking lots	15% of site, street facing yards must be landscaped	10% of site	15% of site
Trash	Refuse storage area screened on three sides by a six-foot masonry wall and equipped with a gate, or located within a building, shall be provided prior to occupancy for all multifamily residential, commercial, industrial, and public/semipublic uses. Locations, horizontal dimensions, and general design parameter of refuse storage areas shall be as prescribed by the director. The trash area shall not face a street or be located in a required setback.			The storage shall be designed, located and/or screened so as not to be readily identifiable or visible from adjacent streets, adjacent residential uses and zones, or other public rights-of-way.	n/a	n/a	Shall be contracted with an approved local service provider. Shall be screened per ESMC 15-2-8 D. On lots adjoining an alley, refuse collection storage areas shall be oriented to and accessed from the alley.		n/a	n/a	n/a	n/a
Design Review	Required for all projects pursuant to any other provision of this Zoning and Subdivision Ordinance and for all projects located within redevelopment areas, specific plans as applicable, areas designated by the City Council, City facilities or projects abutting or adjoining City facilities, projects in or abutting or adjoining OS-PR and OS-S districts, and General Plan primary and secondary entry nodes.		Site Plan Review						Required for all developments, extensions or expansions of lots, structures, or uses; and landscaping or screening	Site plan review for new construction greater than 5,000 sf, additions greater than 5,000 sf and 10% of floor area, major structural upgrades that extend the economic viability of nonconforming structures or uses, outdoor storage or loading areas visible from off-site, site modification in excess of 5,000 sf.	Required for all projects that require a permit for new construction, reconstruction, rehabilitation, alteration, or other improvements to the exterior of a structure, site, or a parking area.	Planning Commission review and approval for compliance with design standards. All structures shall be designed to the state of the art for higher quality projects of the type proposed. Emphasis on the design of elevations and walls facing street frontages.
Design Guidelines	Yes, available for industrial/business park and for auto repair services under "special consideration commercial guiedlines"		Yes	Anti-graffiti landscaping design guidelines		No	Yes		Yes	No	No	



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## 6. Parking

This section reviews existing off-street parking regulations as well regulations applied for comparable zones in other cities. The Institute of Transportation Engineers (ITE) research and recommendations are also considered for applicability to the new Research and Technology zone. Parking regulations may need to be amended to provide flexibility and reflect the needs of envisioned uses.

### Existing Regulations

The Huntington Beach Zoning and Subdivision Ordinance (HBZSO) governs land uses and development regulations including off-street parking. Section 212.04 governs existing Limited Industrial (IL) and General Industrial (IG) zoning designations for the rezone area and references Chapter 231 for Off-Street Parking and Loading Requirements. Relevant existing parking requirements are summarized in the table below and range from 1 space per 200 square feet to 1 space to 2,000 square feet depending upon the building use. An additional development standard relating to off-street parking and loading currently for the IG and IL zones is identified as note J: Truck or rail loading, dock facilities, and the doors for such facilities shall not be visible from or be located within 45 feet of an R district.

Table 1- Existing Parking Ratios

Use	Parking Ratio (space/square feet)
COMMERCIAL	
<i>Eating and drinking establishments</i>	
With less than 12 seats	1 per 200 sq. ft.
With more than 12 seats	1 per 60 sq. ft. or 1 per 100 sq. ft. when on a site with 3 or more uses
With dancing	Plus 1 per 50 sq. ft. of dancing area
With drive through service	Plus queue space for 5 cars per service window
Food and beverage sales	1 per 200 sq. ft.
Laboratories	1 per 500 sq. ft.
Offices, business and professional	1 per 250 sq. ft. for less than 250,000 sq. ft. 1 per 300 sq. ft. for 250,000 sq. ft. or more
Research and development services	1 per 500 sq. ft.
Retail sales not listed under another use classification	1 per 200 sq. ft.
Warehouse and sales outlets	1 per 200 sq. ft.

Use	Parking Ratio (space/square feet)
<b>INDUSTRIAL</b>	
Speculative buildings	1 per 500 sq. ft. (maximum 10% office area)
Manufacturing, research assembly, packaging	1 per 500 sq. ft.
Wholesaling, warehousing and distributing space	1 per 1,000 sq. ft.
Offices	1 per 250 sq. ft. if office area exceeds 10% of gross floor area
Outside uses: storage, wrecking/ salvage and lumber yards	1 per 5,000 square feet of lot area, but no less than 5
<i>Mini-storage facilities</i> Single-story Each additional story	1 per 5,000 square feet 1 per 2,000 square feet plus 2 spaces for caretaker's unit

Currently the joint use of parking may be allowed subject to findings as provided in Section 231.06 (Joint Use Parking) and reduced parking for certain uses may be considered through processing of a conditional use permit pursuant to Section 231.08 (Reduced Parking for Certain Uses).

Related regulations address vehicular access in Section 231.18 (Design Standards) which require all off-street parking spaces to have access to a public street or alley, and to have internal circulation, safe entrances and exits, drives, and aisles in conformance with City standards. Further, Section 231.20 (Bicycle Parking) provides bicycle parking requirements for nonresidential uses as well as residential uses.



Warner-Gothard Center

### **Institute of Traffic Engineers (ITE) Parking Generation**

ITE Parking Generation (4<sup>th</sup> Edition) currently does not establish a specific parking generation rate for a research and technology classification. However, Land Use 110 General Light Industrial and Land Use 130 Industrial Park provide for the closest comparable uses and rates provided below. The database relied upon for development of these rates consisted of a mix of suburban and urban sites. Parking demand rates at the suburban sites were similar to those at urban sites and, therefore, the data were combined and analyzed together.

- Land Use 110 (General Light Industrial) - Weekday per 1,000 gross square ft ranges from 0.36 to 1.19 parking space (or 1 space per 360 sf to 1,190 sf).
- Land Use 130 (Industrial Park) – Weekday per 1,000 gross square ft ranges from 0.55 to 2.44 parking space (or 1 space per 550 sf to 2,440 sf).

### **Parking Requirements Comparison with Other Cities**

In addition, a survey of parking rates in other comparable jurisdictions was conducted. As part of the evaluation of comparable zoning regulations in other jurisdictions provided earlier in this report, parking standards are also summarized in Table 1. Additional cities with relevant high-tech and research and development districts were also evaluated for relevant parking strategies and generation rates. These include the cities of Mountain View, Clovis, San Jose and Santa Clara. The cities of Clovis and Mountain View have prepared comprehensive reports addressing parking and other requirements for research and development uses. Briefly, the following generation rates were identified for these four additional cities:

- City of Clovis: One space per 350 sf for research and development
- City of Mountain View: One space per 250 sf for research and development
- City of San Jose: One space per 350 sf for research and development
- County of Santa Clara: One space per 350 sf plus 1 per employee for research and development (agricultural)

In summary the existing parking ratios required for the City of Huntington Beach fall within the standard practices for the range of uses envisioned in the RT zone.

### **Potential Parking Strategies**

While existing parking ratio regulations are within industry standards, flexibility, streamlined processes, and strategies to address a mix of uses onsite and the envisioned future uses was identified by stakeholders as a priority for the RT zone area. In addition, stakeholder feedback noted that some areas of the study area are characterized by

abundant parking while other areas are challenged to provide adequate parking onsite. Preliminary considerations and strategies are provided below:

- **Mixed and Accessory Uses.** For mixed and accessory uses, the total requirement for off-street parking spaces would be the sum of the requirements of the various uses on the site except as provided in existing regulations. However, for square footage dedicated to accessory uses occupying no more than thirty (30) percent of the gross floor area, this area could be subject to the same parking requirements of the primary use of the building in which it is located.
- **Transit and Bicycle Parking.** Parking reductions of five (5) percent by staff should be considered if the property is near a bus route and less than 600 feet from a bus stop or a minimum for three (3) bicycle racks are provided for employees (on site or in a secure area).
- **Minor Reduction.** Additional parking reductions may be considered up to ten (10) percent through Zoning Administrator review and approval via a parking study prepared by a registered traffic engineer supporting findings that the provided parking is adequate. Alternatively, the level of review could be adjusted to be more ministerial and only require approval by staff or could be adjusted to be more rigorous with approval required at the Planning Commission level. The study may include alternative modes of transportation such as bicycles, scooters, or other types of motorized personal means of transportation that is allowed by the City. The applicant should provide documentation to make the following parking study findings (the findings could be modified):
  - That the reduction, under the conditions imposed, if any, will not cause fewer off-street parking spaces to be provided for the proposed use than the number of such spaces necessary to accommodate all vehicles attributable to such use under the normal and reasonably foreseeable conditions of operation of such use;
  - That the reduction, under the conditions imposed, if any, will not increase the demand and competition for parking spaces upon public streets in the immediate vicinity of the proposed use;
  - That the reduction, under the conditions imposed, if any, will not increase the demand and competition for parking spaces upon adjacent property in the immediate vicinity of the proposed use (which property is not expressly provided as parking for such use;

- That the reduction, under the conditions imposed, if any, will not increase traffic congestion within the off-street parking areas or lots provided for the proposed use; and
- That the reduction, under the conditions imposed, if any, will not impede vehicular ingress or egress from adjacent properties upon the public streets in the immediate vicinity of the proposed use.
- **Comprehensive Approach.** The City could undertake a longer-range, comprehensive approach to parking and mobility by supporting extension of active transportation in the study area including bicycle and pedestrian facilities and expanding transit systems and accommodations for ridesharing services. Such implementing actions could effectively reduce the parking demand onsite for individual businesses. In addition, to optimize utilization of parking, a local-serving shuttle could provide the opportunity for employees to park offsite at underutilized areas (perhaps surplus parking on the Boeing site) and easily access workplaces as well as supporting commercial uses (such as lunch vendors). While these strategies are beyond the rezoning effort, such approaches could contribute to making the area more attractive for investment by envisioned research and technology businesses.

## **7. Wi-Fi, Broadband and Fiber Optic Infrastructure**

A critical element for the success of envisioned clean-tech uses in the new RT zone is the provision of high-speed internet services and supporting infrastructure. While not necessarily a part of the rezoning effort, background is provided in this section as high-speed internet is an important to the attraction and success of desired businesses. The City's Broadband Strategic Plan (August 2016) provides a high-level strategic plan that explores options for maximizing the economic development benefits of the City's existing broadband infrastructure, integrating potential future broadband projects with the City's broader economic development planning, and meeting the broadband connectivity needs of business in the City.

Broadband is internet access that is always on and faster than the traditional dial-up access. It is generally defined as at least 25Mbps (Megabits per second) download (coming from a service) and 3Mbps upload (sending to a service). Broadband internet service is the most used form of internet access because of its high access speeds; in Huntington Beach it is offered in many forms, DSL (Digital Subscriber Line), fiber optic, cable tv, cellular broadband or microware/satellite.

The Broadband Strategic Plan identifies a number of strategies and methods to improve high-speed internet access including: coordination of improvements with other capital projects for cost efficiencies, building networks to City-owned properties, potential pilot projects with private partners, and potential long-term revenue opportunities.

To support implementation of high-speed internet access, the City recently acquired 11,000 streetlights from Southern California Edison (SCE). These new vertical assets provide opportunities for the implementation and installation of smart city initiatives and the collaboration between the City and the telecommunications industry as they seek to deploy small cell technology. In September 2017 the City revised the Zoning Code for the permitting of small cell technology in the public right-of-way. The purpose of this revision was to streamline the process for permitting small cells that meet City design standards within the public right-of-way.

In addition, the City has created a Fiber Master Plan that outlines priority areas for fiber optic network improvements. Within the RT zone area as of October 2018, fiber optic infrastructure has been placed along a segment of Gothard Street south of Warner Avenue. Future phases are planned along Bolsa Chica Street, Springdale Street, Graham Street and Edinger Avenue in the Northwest Industrial Area and along additional segments of Gothard Street, Warner Avenue, and Slater Avenue in vicinity of the Gothard Corridor.

As additional high-speed internet infrastructure becomes available, the RT zone area will become increasingly attractive to envisioned research and technology uses.

## A. Appendix

### 212.04 IG and IL Districts—Land Use Controls

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

“P” designates use classifications permitted in the I districts.

“L” designates use classifications subject to certain limitations prescribed by the “Additional Provisions” which follow.

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

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

“TU” designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator.

“P/U” for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use.

Use classifications that are not listed are prohibited. Letters in parentheses in the “Additional Provisions” column refer to requirements following the schedule or located elsewhere in this zoning code. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

#### IG and IL Districts: Land Use Controls

P = Permitted  
L = Limited (see Additional Provisions)  
PC = Conditional use permit approved by Planning Commission  
ZA = Conditional use permit approved by Zoning Administrator  
TU = Temporary use permit  
P/U = Requires conditional use permit on site of conditional use  
- = Not Permitted

	IG	IL	Additional Provisions
<b>Residential</b>			
Group Residential	PC	PC	(I)
<b>Public and Semipublic</b>			(A)(L)
Community and Human Service Facilities	P	P	(K)
Day Care, General	ZA	ZA	
Heliports	PC	PC	(N)
Maintenance & Service Facilities	ZA	ZA	
Public Safety Facilities	P	P	



Religious Assembly	ZA	ZA	
Schools, Public or Private	L-6	L-6	
Utilities, Major	PC	PC	
Utilities, Minor	L-7	L-7	(O)
<b>Commercial Uses</b>			(D)(L)
Ambulance Services	ZA	ZA	
Animal Sales and Services			
Animal Boarding	ZA	ZA	
Animal Hospitals	ZA	ZA	
Artists' Studios	P	P	
Banks and Savings and Loans	L-1	L-1	
Building Materials and Services	P	P	
Catering Services	-	P	
Commercial Filming	ZA	ZA	
Commercial Recreation and Entertainment	L-2	L-2	
Communication Facilities	L-12	L-12	
Eating & Drinking Establishments	L-3	L-3	
w/Live Entertainment	ZA	ZA	(R)(T)
Food & Beverage Sales	ZA	ZA	
Hospitals and Medical Clinics	-	PC	
Laboratories	P	P	
Maintenance & Repair Services	P	P	
Marine Sales and Services	P	P	
Nurseries	P	P	
Offices, Business & Professional	L-1	L-1	(G)
Personal Enrichment	L-9	L-9	(T)
Personal Services	L-1	L-1	
Quasi-Residential	PC	PC	(J)
Research & Development Services	P	P	
Sex-Oriented Businesses (regulated by Ch. 5.70)	L-11	L-11	
Sex-Oriented Businesses (regulated by Ch. 5.60)	PC	PC	(Q)
Swap Meets, Indoor/Flea Markets	PC	PC	(P)
Vehicle/Equipment Sales & Services			

Service Stations	L-4	L-4	
Vehicle/Equipment Repair	P	P	
Vehicle/Equipment Sales/Rentals	L-5	L-5	
Vehicle Storage	P	ZA	(H)
Visitor Accommodations	ZA	ZA	
Warehouse and Sales Outlets	L-8	L-8	
<b>Industrial (See Chapter 204)</b>			(B)(L)(M)
Industry, Custom	P	P	
Industry, General	P	P	
Industry, Limited	P	P	
Industry, R & D	P	P	
Wholesaling, Distribution & Storage	P	P	
<b>Accessory Uses</b>			
Accessory Uses and Structures	P/U	P/U	(C)
<b>Temporary Uses</b>			
Commercial Filming, Limited	P	P	(S)
Real Estate Sales	P	P	
Trade Fairs	P	P	(E)
<b>Nonconforming Uses</b>			(F)

### IG and IL Districts: Additional Provisions

L-1 Only allowed upon approval of a conditional use permit by the Zoning Administrator for a mixed use project, subject to the following requirements:

- A. Minimum site area: three acres.
- B. Maximum commercial space: 35% of the gross floor area and 50% of the ground floor area of buildings fronting on an arterial highway.
- C. Phased development: 25% of the initial phase must be designed for industrial occupancy. For projects over 500,000 square feet, the initial phase must include five percent of the total amount of industrial space or 50,000 square feet of industrial space, whichever is greater.

L-2 Allowed upon approval of a conditional use permit by the Zoning Administrator when designed and oriented for principal use by employees of the surrounding industrial development or when designed for general public use, after considering vehicular access and parking requirements.

L-3 Allowed upon approval of a conditional use permit by the Zoning Administrator when in a freestanding structure or as a secondary use in a building provided that no more than 20% of the floor area is occupied by such a use.

L-4 Only stations offering services primarily oriented to businesses located in an I District are allowed with a conditional use permit by the Planning Commission.

L-5 No new or used automobile, truck or motorcycle retail sales are permitted.

L-6 Only schools offering higher education curriculums are allowed with conditional use permit approval by the Planning Commission. No day care, elementary or secondary schools are permitted.

L-7 Recycling operations as an accessory use are permitted if more than 150 feet from R districts; recycling operations as an accessory use less than 150 feet from R districts or recycling operations as a primary use are allowed upon approval of a conditional use permit by the Zoning Administrator. See Section 230.44, Recycling Operations.

L-8 Allowed upon conditional use permit approval by the Planning Commission when a single building with a minimum area of 100,000 square feet is proposed on a site fronting an arterial. The primary tenant shall occupy a minimum 95% of the floor area and the remaining 5% may be occupied by secondary tenants.

L-9 Permitted if the space is 5,000 square feet or less; allowed by Neighborhood Notification pursuant to Chapter 241 if the space is over 5,000 square feet.

L-10 Reserved.

L-11 Allowed subject to the following requirements:

A. A proposed sex-oriented business shall be at least 500 feet from any residential use, school, park and recreational facility, or any building used for religious assembly (collectively referred to as a “sensitive use”) and at least 750 feet from another sex-oriented business. For purposes of these requirements, all distances shall be measured from the lot line of the proposed sex-oriented business to the lot line of the sensitive use or the other sex-oriented business. The term “residential use” means any property zoned RL, RM, RMH, RH, RMP, and any properties with equivalent designations under any specific plan.

To determine such distances the applicant shall submit for review a straight line drawing depicting the distances from the lot line of the parcel of land on which the sex-oriented business is proposed which includes all the proposed parking and:

1. The lot line of any other sex-oriented business within 750 feet of the lot line of the proposed sex-oriented business; and
2. The lot line of any building used for religious assembly, school, or park and recreational facility within 500 feet of the lot line of the proposed sex-oriented business; and
3. The lot line of any parcel of land zoned RL, RM, RMH, RH, and RMP and any parcels of land with equivalent designations under any specific plans within 500 feet of the lot line of the proposed sex-oriented business.

B. The front façade of the building, including the entrance and signage, shall not be visible from any major, primary or secondary arterial street as designated by the circulation element of the General Plan adopted May 1996, with the exception of Argosy Drive.

C. Prior to or concurrently with applying for a building permit and/or a certificate of occupancy for the building, the applicant shall submit application for Community Development Department staff review of a sex-oriented business zoning permit with the drawing described in subsection A, a technical site plan, floor plans and building elevations, and application fee. Within 10 days of submittal, the director shall determine if the application is complete. If the application is deemed incomplete, the applicant may resubmit a completed application within 10 days. Within 30 days of receipt of a completed application, the director shall determine if the application complies with the applicable development and performance standards of the Huntington Beach Zoning and Subdivision Ordinance. Said standards include but are not limited to the following:

1. Chapter 203, Definitions; Chapter 212, Industrial Districts; Chapter 230, Site Standards; Chapter 231, Off-Street Parking and Loading Provisions; Chapter 232, Landscape Improvements; and Chapter 236, Nonconforming Uses and Structures.
2. Section 233.08(B), Signs. Signage shall conform to the standards of the Huntington Beach Zoning and Subdivision Ordinance except
  - a. Such signs shall contain no suggestive or graphic language, photographs, silhouettes, drawings, statues, monuments, sign shapes or sign projections, or other graphic representations, whether clothed or unclothed, including without limitation representations that depict “specified anatomical areas” or “specified sexual activities”; and
  - b. Only the smallest of the signs permitted under Section 233.08(B) shall be visible from any major, primary or secondary arterial street, such streets shall be those designated in the circulation element of the General Plan adopted May 1996, with the exception of Argosy Drive.
3. Compliance with Huntington Beach Municipal Code Chapter [5.70](#).

D. The director shall grant or deny the application for a sex-oriented business zoning permit for a sex-oriented business. There shall be no administrative appeal from the granting or denial of a permit application thereby permitting the applicant to obtain prompt judicial review.

E. Ten working days prior to submittal of an application for a sex-oriented business zoning permit for staff review, the applicant shall: (1) cause notice of the application to be printed in a newspaper of general circulation; and (2) give mailed notice of the application to property owners within 1,000 feet of the proposed location of the sex-oriented business; and the City of Huntington Beach, Department of Community Development by first class mail.

The notice of application shall include the following:

1. Name of applicant;
2. Location of proposed sex-oriented business, including street address (if known) and/or lot and tract number;
3. Nature of the sex-oriented business, including maximum height and square footage of the proposed development;
4. The City Hall telephone number for the Department of Community Development to call for viewing plans;

5. The date by which any comments must be received in writing by the Department of Community Development. This date shall be 10 working days from staff review submittal; and
  6. The address of the Department of Community Development.
- F. A sex-oriented business may not apply for a variance pursuant to Chapter 241 nor a special sign permit pursuant to Chapter 233.
- G. A sex-oriented business zoning permit shall become null and void one year after its date of approval unless:
1. Construction has commenced or a certificate of occupancy has been issued, whichever comes first; or
  2. The use is established.
- H. The validity of a sex-oriented business zoning permit shall not be affected by changes in ownership or proprietorship provided that the new owner or proprietor promptly notifies the director of the transfer.
- I. A sex-oriented business zoning permit shall lapse if the exercise of rights granted by it is discontinued for 12 consecutive months.
- L-12 For wireless communication facilities see Section 230.96, Wireless Communication Facilities. All other communication facilities permitted.
- (A) Repealed.
- (B) A conditional use permit from the Zoning Administrator is required for any new use or enlargement of an existing use, or exterior alterations and additions for an existing use located within 150 feet of an R district. The director may waive this requirement if there is no substantial change in the character of the use which would affect adjacent residential property in an R District.
- (C) Accessory office uses incidental to a primary industrial use are limited to 10% of the floor area of the primary industrial use.
- (D) Adjunct office and commercial space, not to exceed 25% of the floor area of the primary industrial use, is allowed with a conditional use permit from the Zoning Administrator, provided that it is intended primarily to serve employees of the industrial use, no exterior signs advertise the adjunct use, the adjunct use is physically separated from the primary industrial use, any retail sales are limited to goods manufactured on-site, and the primary industrial fronts on an arterial.
- (E) See Section 241.22, Temporary Use Permits.
- (F) See Chapter 236, Nonconforming Uses and Structures.
- (G) Medical/dental offices, insurance brokerage offices, and real estate brokerage offices, except for on-site leasing offices, are not permitted in any I District.
- Administrative, management, regional or headquarters offices for any permitted industrial use, which are not intended to serve the public, require a conditional use permit from the Zoning Administrator to occupy more than 10% of the total amount of space on the site of the industrial use.
- (H) Automobile dismantling, storage and/or impound yards may be permitted subject to the approval of a conditional use permit by the Planning Commission and the following criteria:

- (1) The site shall not be located within 660 feet of an R district.
- (2) All special metal cutting and compacting equipment shall be completely screened from view.
- (3) Storage yards shall be enclosed by a solid six-inch concrete block or masonry wall not less than six feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained.
- (4) Items stacked in the storage yard shall not exceed the height of the screening walls or be visible from adjacent public streets.
- (I) Limited to facilities serving workers employed on-site.
- (J) Limited to single room occupancy uses. (See Section 230.46.)
- (K) Limited to emergency shelters. (See Section 230.52, Emergency Shelters.)
- (L) Development of vacant land and/or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Community Development Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic).
- (M) Major outdoor operations require conditional use permit approval by the Planning Commission. Major outside operations include storage yards and uses utilizing more than one-third of the site for outdoor operation.
- (N) See Section 230.40, Helicopter Takeoff and Landing Areas.
- (O) See Section 230.44, Recycling Operations.
- (P) See Section 230.50, Indoor Swap Meets/Flea Markets.
- (Q) See L-11(A) relating to locational restrictions.
- (R) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit.
- (S) Subject to approval by the Police Department, Public Works Department, and Fire Department and the Community Development Director.
- (T) Neighborhood Notification requirements when no entitlement required pursuant to Chapter 241. (3254-10/94, 3378-2/98, 3523-2/02, 3568-9/02, 3703-3/05, 3708-6/05, 3724-02/06, 3788-12/07, 3843-11/09, 3860-2/10, 4039-12/14, 4092-10/16)

#### **212.06 IG and IL Districts—Development Standards**

The following schedule prescribes development standards for the I Districts. The first two columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Requirements" column reference requirements following the schedule or located elsewhere in this title. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions.

	<b>IG</b>	<b>IL</b>	<b>Additional Requirements</b>
Residential Development			(M)
Nonresidential Development			
Minimum Lot Area (sq. ft.)	20,000	20,000	(A)(B)
Minimum Lot Width (ft.)	100	100	(A)(B)
Minimum Setbacks			(A)(C)
Front (ft.)	10; 20	10; 20	(D)
Side (ft.)	0	15	(E)(F)
Street Side (ft.)	10	10	
Rear (ft.)	0	0	(E)
Maximum Height of Structures (ft.)	40	40	(G)
Maximum Floor Area Ratio (FAR)	0.75	0.75	
Minimum Site Landscaping (%)	8	8	(H)(I)
Fences and Walls	See § 230.88		
Off-Street Parking and Loading	See Ch. 231		(J)
Outdoor Facilities	See § 230.74		
Screening of Mechanical Equipment	See § 230.76		(K)
Refuse Storage Area	See § 230.78		
Underground Utilities	See Ch. 17.64		
Performance Standards	See § 230.82		(L)
Nonconforming Uses and Structures	See Ch. 236		
Signs	See Ch. 233		

### **IG and IL Districts: Additional Development Standards**

(A) See Section 230.62, Building Site Required, and Section 230.64, Development on Substandard Lots.

(B) Smaller lot dimensions for new parcels may be permitted by the Zoning Administrator with an approved development plan and tentative subdivision map.

(C) See Section 230.68, Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage.

(D) The minimum front setback shall be 10 feet and the average setback 20 feet, except for parcels fronting on local streets where only a 10-foot setback is required.

All I Districts. An additional setback is required for buildings exceeding 25 feet in height (one foot for each foot of height) and for buildings exceeding 150 feet in length (one foot for each 10 feet of building length) up to a maximum setback of 30 feet.

(E) In all I districts, a 15-foot setback is required abutting an R district and no openings in buildings within 45 feet of an R district.

(F) A zero-side yard setback may be permitted in the I districts, but not abutting an R district, provided that a solid wall at the property line is constructed of maintenance-free masonry material and the opposite side yard is a minimum of 30 feet.

Exception. The Zoning Administrator or Planning Commission may approve a conditional use permit to allow a 15-foot interior side yard opposite a zero-side yard on one lot, if an abutting side yard at least 15 feet wide is provided and access easements are recorded ensuring a minimum 30-foot separation between buildings. This 30-foot accessway must be maintained free of obstructions and open to the sky, and no opening for truck loading or unloading shall be permitted in the building face fronting on the accessway unless a 45-foot long striped area is provided solely for loading and unloading entirely within the building.

(G) See Section 230.70, Measurement of Height. Within 45 feet of an R district, no building or structure shall exceed a height of 18 feet.

(H) **Planting Areas.** Required front and street-side yards adjacent to a public right-of-way shall be planting areas except for necessary drives and walks. A six-foot wide planting area shall be provided adjacent to an R district and contain one tree for each 25 lineal feet of planting area.

(I) See Chapter 232, Landscape Improvements.

(J) Truck or rail loading, dock facilities, and the doors for such facilities shall not be visible from or be located within 45 feet of an R district.

(K) See Section 230.80, Antennae.

(L) **Noise.** No new use shall be permitted, or exterior alterations and/or additions to an existing use allowed, within 150 feet of an R district until a report prepared by a California state-licensed acoustical engineer is approved by the director. This report shall include recommended noise mitigation measures for the industrial use to ensure that noise levels will conform with Chapter [8.40](#) of the Municipal Code. The director may waive this requirement for change of use or addition or exterior alteration to an existing use if it can be established that there had been no previous noise offense, that no outside activities will take place, or if adequate noise mitigation measures for the development are provided.

(M) Group residential or accessory residential uses shall be subject to standards for minimum setbacks and height of the RH District. (3254-10/94, 4039-12/14)

## **241.02 Procedures Established**

This chapter establishes procedures for approval, conditional approval, or disapproval of applications for conditional use permits, and variances, temporary use permits, and waivers of development standards, and neighborhood notification.

A. Conditional use permits are required for use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area.

B. Variances may be granted to resolve practical difficulties or unnecessary physical hardships that may result from the size, shape, or dimensions of a site or the location of existing structures



thereon; from geographic, topographic, or other physical conditions on the site or in the immediate vicinity; or from street locations or traffic conditions in the immediate vicinity of the site.

Variances may be granted with respect to fences, walls, landscaping, screening, site area, site dimensions, yards, height of structures, distances between structures, open space, off-street parking and off-street loading, and performance standards.

C. Temporary use permits may be granted for temporary use classifications and for other uses of temporary nature.

D. Waivers of certain development standards may be granted to improve project design, subject to limitations.

E. Neighborhood notification is a procedure that shall notify property owners and tenants within a 300-foot radius when no entitlement is required. (3712-6/05)

#### **241.04 Authority of Planning Commission and Zoning Administrator**

The Planning Commission or the Zoning Administrator, as the case may be, shall approve or conditionally approve applications for conditional use permits or variances upon finding that the proposed conditional use permit or variance is consistent with the General Plan, and all applicable requirements of the Municipal Code, consistent with the requirements of Section 241.10. The Planning Commission shall act on all variances except the Zoning Administrator may act on variances not exceeding 20% deviation from site coverage, separation between buildings, height, setback, parking, and landscape requirements. (3334-6/97, 3410-3/99, 3712-6/05)

#### **241.06 Initiation**

Applications for conditional use permits and variances shall be initiated by submitting an application and necessary accompanying data as prescribed by the director and the required fee.

#### **241.08 Notice and Public Hearing**

A. Public Hearing and Notice Required. The Planning Commission or Zoning Administrator shall hold a duly-noticed public hearing on an application for a conditional use permit or variance consistent with the requirements of Chapter 248.

B. Multiple Applications. When applications for multiple conditional use permits or variances on a single site are filed at the same time, the director may schedule a combined public hearing.

#### **241.10 Required Findings**

An application for a conditional use permit or variance may be approved or conditionally approved if, on the basis of the application, plans, materials, and testimony submitted, the Planning Commission or Zoning Administrator finds that:

A. **For All Conditional Use Permits.**

1. The establishment, maintenance and operation of the use 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.

2. The granting of the conditional use permit will not adversely affect the General Plan.
3. The proposed use will comply with the provisions of the base district and other applicable provisions in Titles 20 through 25 and any specific condition required for the proposed use in the district in which it would be located.

**B. For Variances.**

1. The granting of a variance will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification.
2. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification and is consistent with the General Plan.

**C. Mandatory Denial.** Failure to make all the required findings under subsection A or B of this section shall require denial of the application.

#### **241.12 Conditions of Approval**

In approving a conditional use permit or variance, conditions may be imposed as necessary to:

- A. Make it consistent with the General Plan;
- B. Protect the public health, safety, and general welfare; or
- C. Ensure operation and maintenance of the use in a manner compatible with existing and potential uses on adjoining properties or in the surrounding area.

#### **241.14 Effective Date—Appeals**

A conditional use permit or variance shall become effective 10 days after action by the Planning Commission or Zoning Administrator, unless appealed in accord with Chapter 248.

#### **241.16 Time Limit—Transferability—Discontinuance—Revocation**

**A. Time Limit.** A conditional use permit or variance shall become null and void one year after its date of approval or at an alternative time specified as a condition of approval after its date of approval unless:

1. Construction has commenced or a certificate of occupancy has been issued, whichever comes first; or
2. The use is established; or
3. The conditional use permit or variance is extended.

- B. **Transferability.** The validity of a conditional use permit shall not be affected by changes in ownership or proprietorship provided that the new owner or proprietor applies to the director for a transfer. No notice or public hearing on a transfer shall be required.
- C. **Discontinuance.** A conditional use permit shall lapse if the exercise of rights granted by it is discontinued for 12 consecutive months.
- D. **Revocation.** A conditional use permit that is exercised in violation of a condition of approval or a provision of this ordinance may be revoked, as provided in Section 249.06.
- E. **Extension of Time.** A conditional use permit or variance may be extended by the director for a one-year period without notice or public hearing, if the findings required by Section 241.10 remain valid.

#### **241.18 Changed Plans—New Application**

- A. **Changed Plans.** A request for changes in conditions of approval of a conditional use permit or variance, or a change to development plans that would affect a condition of approval shall be treated as a new application. A request for changes to plans which will not affect a condition of approval may be approved by the director if the change is not substantial, use of property remains the same, the revision results in an improved development, and the density remains the same. Notice of the director's approval shall be posted and distributed to the Planning Commission and the City Council within 48 hours of such decision.
- B. **New Application.** If an application for a conditional use permit or variance is disapproved, no new application for the same, or substantially the same, conditional use permit or variance shall be filed within one year of the date of denial of the initial application, unless the denial is made without prejudice.

#### **241.20 Temporary Use Permits**

A temporary use permit authorizing certain temporary use classifications, as defined in Chapter 204 and as listed in the land-use controls for the base districts in which the use will be located, and use of manufactured homes for temporary construction offices, shall be subject to the following provisions:

- A. **Application and Fee.** A completed application form and the required fee shall be submitted to the director. The director may request any other plans and materials necessary to assess the potential impacts of the proposed temporary use.
- B. **Director.** The director shall act on temporary uses held for four or fewer consecutive days that do not include live entertainment. The director shall approve, approve with conditions, or deny a complete application within a reasonable time. No notice or public hearing shall be required for uses which are held for four or fewer consecutive days. Such uses shall be approved with a temporary activity permit.
- C. **Duties of the Zoning Administrator.** The Zoning Administrator shall act on temporary uses held for more than four days or that include live entertainment. The Zoning Administrator shall approve, approve with conditions, or deny a complete application within a reasonable time.
- D. **Required Findings.** The application shall be approved as submitted, or in modified form, if the Director or Zoning Administrator finds:

1. That the proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan, and if located within the coastal zone, consistent with the policies of the Local Coastal Program, and the provisions of this chapter; and

2. That approval of the application will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare.

E. **Conditions of Approval.** In approving a temporary use permit, the Director or the Zoning Administrator may impose reasonable conditions necessary to:

1. Be consistent with the General Plan and in the coastal zone to be consistent with the Local Coastal Program;

2. Protect the public health, safety, and general welfare; or

3. Ensure operation and maintenance of the temporary use in a manner compatible with existing uses on adjoining properties and in the surrounding area.

F. **Bond for Temporary Uses.** A \$500.00 cash bond shall be required to guarantee removal of any structure, clean up of site upon termination of the temporary use, and to guarantee maintenance of the property. A \$1,000.00 cash bond shall be required for a subdivision sales office and each model home to guarantee compliance with all provisions of Titles 17 and 20 through 25.

G. **Effective Date—Duration—Appeals.** An approved temporary (conditional) use permit shall be effective 10 days after the date of its approval, unless appealed in accord with Chapter 248. The permit shall be valid for a specified time period not to exceed 30 days unless a longer period is granted by the Zoning Administrator. A temporary use permit shall lapse if not used within the dates approved and may be revoked by the Zoning Administrator effective immediately upon verbal or written notice for violation of the terms of the permit. Verbal notice shall be confirmed by written notice mailed to the permit holder within 48 hours. The Zoning Administrator may approve changes in a temporary use permit. (3528B-2/02, 3712-6/05)

## **241.22 Waiver of Development Standards**

A. **Standards Which Can Be Waived.** The director may waive development standards for setbacks, open space, separation between buildings, height of buildings or fences, site coverage and landscaping without a conditional use permit or a variance, only if he or she finds that such a waiver improves project design and does not exceed 10% deviation. No other standards shall be subject to this waiver provision.

B. **Time Limit.** A waiver shall become null and void six months after date of approval.

C. **Extensions.** A waiver shall not be extended for more than one year unless the applicant demonstrates that no circumstances relevant to the approval of the waiver, including other development in the neighborhood, have changed from the time of approval.

D. **Limitations.** A waiver may not be granted if the waiver would in any way degrade the environment or result in any changes to classification of land use or density. Also, projects not otherwise subject to discretionary review (i.e., conditional use permit, variance, Coastal Development Permit, or subdivision approval) may not apply for waiver.

E. **Decisions and Appeals.** The director's decision may be appealed in accord with Chapter 248. The director's decision shall be distributed to the City Council, Planning Commission, and Zoning Administrator within 48 hours of such decision. (3528B-2/02, 3712-6/05)

## **241.24 Neighborhood Notification**

When no entitlement is required and the use requires such notification as stated in the Zoning and Subdivision Ordinance or Downtown Specific Plan, the review and approval process shall include an Administrative Permit and notification to property owners and tenants within a 300-foot radius of the subject property.

Notification requirements are as follows:

- A. **Notification.** Ten working days prior to submittal for a building permit or certificate of occupancy or approval for initial establishment of the use, the applicant shall notice property owners and tenants by first class mail.
- B. Notice of application shall include the following:
  - 1. Name of applicant.
  - 2. Location of planned development or use, including address (map is optional).
  - 3. Complete description of the proposed development or use such that there is full disclosure in the notice.
  - 4. The Community Development Department phone number and address of City Hall where plans may be reviewed.
  - 5. The date by which any comments must be received in writing by the Community Development Department and City appeal procedures.
  - 6. The Community Development Department shall receive entire list including name and address of those receiving the mailing.
- C. **Notice of Action.** The director's decision shall be made in writing with information regarding the appeal process and sent to the applicant and the City Council on the next business day and posted on the City's website.
- D. **Appeals.** The director's decision may be appealed in accord with Chapter 248. (3712-6/05, 4098-10/16)