

# **ATTACHMENT NO. 1**

## **FINDINGS OF APPROVAL**

### **ZONING TEXT AMENDMENT NO. 19-005**

#### **FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

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

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

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

##### **Land Use Element**

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

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

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

##### **Housing Element**

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

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

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

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

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

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