



# MINUTES

## HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, AUGUST 24, 2021

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

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### 6:00 P.M. – COUNCIL CHAMBERS

#### CALL PLANNING COMMISSION MEETING TO ORDER

#### PLEDGE OF ALLEGIANCE – Led by Commissioner Scandura

*P P P P A P*  
ROLL CALL: *Rodriguez, Acosta-Galvan, Perkins, Ray, Mandic, Scandura*

Commissioner Mandic was absent.

#### PUBLIC COMMENTS - None

#### PUBLIC HEARING ITEMS

**21-577 ZONING TEXT AMENDMENT NO. 19-004 (AFFORDABLE HOUSING ORDINANCE)**

##### **REQUEST:**

To amend Section 230.26 - Affordable Housing of the Huntington Beach Zoning and Subdivision Ordinance.

##### **LOCATION:**

Citywide

##### **RECOMMENDED ACTION:**

That the Planning Commission take the following actions:

- A) Find that Zoning Text Amendment (ZTA) No. 19-004 is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines because there is no potential for the project to have a significant effect on the environment (Attachment No. 1).
- B) Recommend approval of Zoning Text Amendment No. 19-004 with findings (Attachment No. 1) by approving draft City Council Ordinance No. 4235 and forward to the City Council for consideration (Attachment No. 2).

Ursula Luna-Reynosa, Director of Community Development, and Nicolle Aube, Senior Admin Analyst, and Kathe Head, Keyser Marston and Associates, gave the staff presentation for the proposed zoning text amendment.

There was discussion on the following items: state requirements for Regional Housing Needs Assessments in the Housing Elements, the proposed amendments to the zoning code, the distribution of affordable units between rental and ownership, potential impacts of requiring offsite production within a specific distance of a proposed project, potential for overconcentration of affordable units within an area, and the balance between encouraging affordable housing to impacting overall development within a city.

**THE PUBLIC HEARING WAS OPENED.**

Pano Frousiakis, resident, spoke in opposition to Item No. 21-577, citing concerns with the impacts on the current residents of the city.

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

There was discussion on community concerns regarding higher density development and the lack of correlation to the proposed zoning text amendment.

Chair Ray asked for a minor correction in Section No. A-1 to change from "low" to "lower."

**A MOTION WAS MADE BY SCANDURA, SECONDED BY PERKINS, TO FIND THAT ZONING TEXT AMENDMENT NO. 19-004 IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND RECOMMEND APPROVAL OF ZONING TEXT AMENDMENT NO. 19-004 WITH FINDINGS AND CHANGE SECTION A1 FROM "LOW" TO "LOWER", BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>Rodriguez, Acosta-Galvan, Perkins, Scandura</b>
<b>NOES:</b>	<b>Ray</b>
<b>ABSENT:</b>	<b>Mandic</b>
<b>ABSTAIN:</b>	<b>None</b>

**MOTION APPROVED**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

ZTA No. 19-004 does not propose directly or indirectly development that would result in physical changes to the environment. As such, ZTA No. 19-004 would also be exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines, which exempts activities where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

**FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 19-004:**

1. Zoning Text Amendment (ZTA) No. 19-004 to amend Section 230.26 (Affordable Housing) of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) is consistent with the objectives, policies, general land uses and programs specified in the General Plan including:

### Land Use Element

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 3: Enhance housing affordability so that modest income households can remain an integral part of the Huntington Beach community.

Policy 3.1: Housing Diversity. Encourage the production of housing that meets all economic segments of the community, including lower, moderate, and upper income households, to maintain a balanced community.

Program 10: Inclusionary Housing Program and Housing Trust Fund Objective. Continue to utilize the Inclusionary Housing Ordinance as a tool to integrate affordable housing within market rate developments, or alternatively, to generate fees in support of affordable housing in off-site locations. Establish an in-lieu fee amount for projects with between 10–30 units. Re-evaluate the Ordinance consistent with case law and to reflect market conditions and adopt an amendment to the Ordinance in the first half of 2020. Since the City has already addressed its moderate income RHNA allocation, the City will implement a City-wide policy to require at least half of on-site inclusionary units to be provided at levels affordable to lower income households.

The proposed ZTA ensures that affordable units constructed on-site in market rate rental housing projects would be provided for lower income households. In addition, the proposed ZTA would allow all ownership housing projects to pay an in-lieu fee to satisfy the affordable housing requirement. If affordable units are provided within a market rate ownership housing project, the affordability level is set at moderate income. If in-lieu fees are paid by the developer of a market rate ownership housing project, those fees would be utilized for affordable housing projects that would provide deeper levels of affordability at low, very low and extremely low income levels. The proposed ZTA would therefore facilitate production of housing that meets all economic segments of the community consistent with General Plan Housing Element goal and policies. In addition, providing more options for developers to comply with affordable housing requirements furthers General Plan Land Use Element policies to encourage a mix of residential housing types and accommodate the diverse housing needs of the community.

2. Zoning Text Amendment No. 19-004 is compatible with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed because it does not propose any new land uses or revise development standards. The requirements provided in the Affordable Housing Ordinance are applicable to all residential projects of three or more units in any zoning district. The proposed amendments maintain this requirement and do not change land use controls or development standards for any zoning district.
3. A community need is demonstrated for the changes proposed because the proposed amendments will continue to facilitate the provision of affordable housing for all economic segments of the City. Additionally, the proposed amendments will further the production of

affordable housing for lower income households through updated requirements for on-site affordable rental units and allowances for the payment of in-lieu fees.

4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because ZTA No. 19-004 ensures the code is clear, current, consistently adapting to market trends, and reflective of the City's ongoing effort to enhance housing affordability to modest income households.

## **CONSENT CALENDAR**

### **21-629 APPROVE PLANNING COMMISSION MINUTES DATED JULY 13, 2021**

**Recommended Action:**

That the Planning Commission take the following action:

"Approve the July 13, 2021, Planning Commission Minutes as submitted"

**A MOTION WAS MADE BY RODRIGUEZ, SECONDED BY PERKINS, TO APPROVE THE JULY 13, 2021 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:**

**AYES: Rodriguez, Acosta-Galvan, Perkins, Ray, Scandura**

**NOES: None**

**ABSENT: Mandic**

**ABSTAIN: None**

### **MOTION APPROVED**

### **21-632 APPROVE PLANNING COMMISSION MINUTES DATED JULY 27, 2021**

**Recommended Action:**

That the Planning Commission take the following action:

"Approve the July 27, 2021, Planning Commission Minutes as submitted"

**A MOTION WAS MADE BY ACOSTA-GALVAN, SECONDED BY RODRIGUEZ, TO APPROVE THE JULY 27, 2021 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:**

**AYES: Rodriguez, Acosta-Galvan, Perkins, Ray, Scandura**

**NOES: None**

**ABSENT: Mandic**

**ABSTAIN: None**

### **MOTION APPROVED**

## **NON-PUBLIC HEARING ITEMS - NONE**

**PLANNING ITEMS**

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

**PLANNING COMMISSION ITEMS**

The commissioners thanked staff for their work on Zoning Text Amendment No. 19-004. Commissioner Rodriguez reported that there is an upcoming community meeting for the proposed Gisler development.

**ADJOURNMENT:** Adjourned at 7:12 PM to the next regularly scheduled meeting of Tuesday, September 14, 2021.

APPROVED BY:

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Jennifer Villaseñor, Acting Secretary

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Alan Ray, Chairperson