



Legislation Details (With Text)

File #: 20-1302

Type: Consent Calendar **Status:** Passed

File created: 1/3/2020 **In control:** City Council/Public Financing Authority

On agenda: 3/2/2020 **Final action:** 3/2/2020

Title: Adopt Ordinance No. 4203 approving Zoning Map Amendment No. 19-002 rezoning property located at the terminus of Park Avenue in Huntington Harbour (Park Avenue Rezone)
Approved for introduction 2-18-2020 - Vote: 7-0

Attachments: 1. Att #1 - Suggested Findings for Approval of MND 19-004 ZMA 19-002 LCPA 19-001, 2. Att #2 - Reso 2020-03 for GPA 19-002, 3. Att #3 - Ord No. 4203 for ZMA 19-002, 4. Att #4 - Reso 2020-04 for LCPA 19-001, 5. Att #5 - Vicinity Map, 6. Att #6 - Project Narrative received and dated Feb 21 2019, 7. Att #7 - Existing and Proposed General Plan Land Use Designation Maps, 8. Att #8 - Existing and Proposed Zoning Maps, 9. Att #9 - Response To Comments MND 19-004, 10. Att #10 - Planning Commission Staff Report dated December 10 2019, 11. SC#22 02-18 Park Ave PPT, 12. SC#22 02-18 Park Ave Rezone Emails

Date	Ver.	Action By	Action	Result
3/2/2020	2	City Council/Public Financing Authority	approved	Pass
2/18/2020	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

PREPARED BY: Ursula Luna-Reynosa, Director of Community Development

Subject:

**Adopt Ordinance No. 4203 approving Zoning Map Amendment No. 19-002 rezoning property located at the terminus of Park Avenue in Huntington Harbour (Park Avenue Rezone)
Approved for introduction 2-18-2020 - Vote: 7-0**

Statement of Issue:

Transmitted for your consideration are the following items:

1. Mitigated Negative Declaration to analyze the potential environmental impacts associated with the proposed project;
2. General Plan Amendment (GPA) to amend the General Plan land use designation from Open Space-Water Recreation (OS-W) to Residential Low Density (RL);
3. Zoning Map Amendment (ZMA) to amend the zoning designation from Open Space-Water Recreation - Coastal Zone Overlay - Floodplain Overlay (OS-WR-CZ-FP2) to Residential Low Density - Coastal Zone Overlay - Floodplain Overlay (RL-CZ-FP2); and

4. Local Coastal Program (LCP) Amendment to amend the City's certified LCP pursuant to the GPA and ZMA subject to California Coast Commission certification.

The Planning Commission and staff recommend approval.

Financial Impact:

Not applicable.

Recommended Action:

Adopt Ordinance No. 4203, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance to Rezone the Real Property Located at the Terminus of Park Avenue in Huntington Harbour from OS-WR-CZ-FP2 (Open Space-Water Recreation - Coastal Zone Overlay - Floodplain Overlay) to RL-CZ-FP2 (Residential Low Density - Coastal Zone Overlay - Floodplain Overlay) (Zoning Map Amendment No. 19-002)" (Attachment No. 3).

Alternative Action(s):

The City Council may make the following alternative motion(s):

1. Deny Mitigated Negative Declaration No. 19-004, General Plan Amendment No. 19-002, Zoning Map Amendment No. 19-002, and Local Coastal Program Amendment No. 19-001.
2. Continue Mitigated Negative Declaration No. 19-004, General Plan Amendment No. 19-002, Zoning Map Amendment No. 19-002, and Local Coastal Program Amendment No. 19-001 and direct staff accordingly.

Analysis:

A. PROJECT PROPOSAL:

Applicant: Mike Adams, P.O. Box 392, Huntington Beach, CA 92648

Property Owner: Medhat Rofael, 3922 Sirius Dr., Huntington Beach, CA 92649

The proposed project (Attachment No. 6) includes the following requests:

Mitigated Negative Declaration (MND) No. 19-004 to analyze the potential environmental impacts associated with the proposed project;

General Plan Amendment (GPA) No. 19-002 to amend the General Plan land use designation from Open Space-Water Recreation (OS-W) to Residential Low Density (RL);

Zoning Map Amendment (ZMA) No. 19-002 to amend the zoning designation from Open Space-Water Recreation - Coastal Zone Overlay - Floodplain Overlay (OS-WR-CZ-FP2) to Residential Low Density - Coastal Zone Overlay - Floodplain Overlay (RL-CZ-FP2); and

Local Coastal Program Amendment (LCPA) No. 19-001 to amend the City's certified LCP pursuant to the GPA and ZMA subject to California Coast Commission certification.

B. BACKGROUND:

The subject site is a vacant 6,179 square foot property located at the terminus of Park Avenue in Huntington Harbour. In July 2017, the Planning Commission denied a request from the property owner to construct a boat marina with a community dock, a two-story building with a 508 sq. ft. marina office and public restroom on the first floor, a one-bedroom 565 sq. ft. caretaker's unit on the second floor, and a detached 441 sq. ft. two-car garage on the subject site. The applicant appealed the Planning Commission's action but subsequently requested multiple continuances of the City Council public hearing. The 2017 appeal is still pending before the City Council. It should be noted that a previous project, including a marina and a much larger caretaker's unit, was also denied by the City Council many years ago.

In 2018 the property owner and the City entered into a Settlement Agreement whereby the City agreed to process the proposed requests for a rezone identified above at a reduced fee. In exchange, the property owner agreed to withdraw the marina project that is on appeal to the City Council upon final approval of the proposed rezone. The request would change the permitted land uses on the site from water recreation (i.e. marina) to residential. No development is proposed with this application.

C. PLANNING COMMISSION MEETING AND RECOMMENDATION:

On December 10, 2019 the Planning Commission held a public hearing on the proposed project. The applicant and property owner spoke and indicated that the request for a residential designation was to provide greater compatibility with the surrounding residential neighborhood. There were no other speakers. The Planning Commission voted to recommend approval of the request to the City Council recognizing that previous marina projects proposed under the existing General Plan and zoning designations presented compatibility concerns.

Planning Commission Action on December 10, 2019:

The motion was made by Grant, seconded by Perkins, to recommend to the City Council approval of MND No. 19-004, GPA No. 19-002, ZMA No. 19-002, and LCPA No. 19-001 carried by the following vote:

AYES: Scandura, Ray, Grant, Garcia, Perkins, Mandic

NOES: Kalmick

ABSTAIN: None

ABSENT: None

MOTION PASSED

D. STAFF ANALYSIS:

The staff report for the December 10, 2019 Planning Commission public hearing (Attachment No. 10) provides a more detailed description and comprehensive analysis of the project covering, among others, General Plan conformance and zoning compliance.

Environmental Status:

The staff report for the December 10, 2019 Planning Commission public hearing provides a discussion of MND No. 19-004 including a summary of project impacts and mitigation measures.

Strategic Plan Goal:

Strengthen long-term financial and economic sustainability

Attachment(s):

1. Suggested Findings for Approval of MND No. 19-004, ZMA No. 19-002, and LCPA No. 19-001
2. City Council Resolution No. 2020-03 for GPA No. 19-002
3. City Council Ordinance No. 4203 for ZMA No. 19-002
4. City Council Resolution No. 2020-04 for LCPA No. 19-001
5. Vicinity Map
6. Project Narrative received and dated Feb. 21, 2019
7. Existing and Proposed General Plan Land Use Designation Maps
8. Existing and Proposed Zoning Maps
9. Response To Comments Draft MND No. 19-004
10. Planning Commission Staff Report Dated December 10, 2019
11. Draft MND No. 19-004 (not attached but available at <https://huntingtonbeachca.gov/government/departments/planning/environmental->
12. Chapter 210 (Residential Districts) (not attached but available at http://www.qcode.us/codes/huntingtonbeach/view.php?topic=zoning_code-21-210&showAll=1>
13. Chapter 213 (Open Space District) (not attached but available at http://www.qcode.us/codes/huntingtonbeach/view.php?topic=zoning_code-21-213&showAll=1>