



## Legislation Details (With Text)

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<b>File created:</b>	9/9/2020	<b>In control:</b>	City Council/Public Financing Authority
<b>On agenda:</b>	9/21/2020	<b>Final action:</b>	9/21/2020
<b>Title:</b>	Adopt Ordinance No. 4211 approving Zoning Map Amendment No. 20-001 to rezone property located at 311 17th Street (Nguyen Properties) Approved for introduction September 8, 2020 - Vote: 7-0		
<b>Attachments:</b>	1. Att#1 Suggested Findings for ZMA No. 20-001, 2. Att#2 Ord 4211 - ZMA 20-001, 3. Att#3 Vicinity Map, 4. Att#4 Project Narrative 3.3.2020, 5. Att#5 Existing and Proposed Zoning Maps, 6. Att#6 Planning Commission Report 7.14.2020, 7. 09.08.20 SC Nguyen Properties PPT		

Date	Ver.	Action By	Action	Result
9/21/2020	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. 4211 approving Zoning Map Amendment No. 20-001 to rezone property located at 311 17<sup>th</sup> Street (Nguyen Properties)**  
**Approved for introduction September 8, 2020 - Vote: 7-0**

### Statement of Issue:

Transmitted for the City Council's consideration is a Zoning Map Amendment (ZMA) to amend the zoning designation from Commercial General (CG) to Residential Medium High Density - Small Lot Subdistrict (RMH-A) to match the current General Plan land use designation of RMH. On July 14, 2020, the Planning Commission held a public hearing and recommended approval of ZMA No. 20-001 to the City Council.

### Financial Impact:

No fiscal impact.

### Recommended Action:

Approve Zoning Map Amendment No. 20-001 with findings (Attachment 1) and adopt Ordinance No. 4211, "An Ordinance of the City of Huntington Beach Amending District Map 10 (Sectional Map 10-6-11) of the Huntington Beach Zoning and Subdivision Ordinance to Rezone the Real Properties Located at 311 17<sup>th</sup> Street (APN # 023-156-13 and APN # 023-156-14) from Commercial General (CG) to Residential Medium High Density - Subdistrict (RMH-A) (Zoning Map Amendment No. 20-

001)” (Attachment 2).

**Alternative Action(s):**

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

1. Deny Zoning Map Amendment No. 20-001; or
2. Continue Zoning Map Amendment No. 20-001 and direct staff accordingly.

**Analysis:**

A. PROJECT PROPOSAL:

Applicant: John Nguyen, 10455 Circulo de Zapata, Fountain Valley, CA 92706

Property Owner: Toan Bao Nguyen, 14221 Euclid Street, Suite D, Garden Grove, CA 92843

Location: 311 17<sup>th</sup> Street, 92648 (west side of 17<sup>th</sup> Street, north of Olive Avenue) - APN # 023-156-13 and APN # 023-156-14

Zoning Map Amendment No. 20-001 represents a request to amend the zoning designation of two parcels from the current designation of Commercial General (CG) to Residential Medium High Density - Small Lot Subdistrict (RMH-A) pursuant to Chapter 247 - Amendments of the Huntington Beach Zoning and Subdivision Ordinance.

The current zoning designation on the properties is Commercial General (CG) and the General Plan land use designation is Residential Medium High Density (RMH). The request to amend the zoning designation is necessary in order to be consistent with the current General Plan Land Use designation and to facilitate residential development of the parcels.

B. BACKGROUND:

In 1993, the subject parcels had a residential zoning designation. The southern lot was vacant and the northern lot was occupied by a commercial building, which was non-conforming with the residential zoning designation. The former property owner requested a zone change of the site from a residential to a commercial designation in order to allow commercial development of the vacant parcel and to have the appropriate zoning for the commercial building.

In September 1993, the City Council approved a request to rezone the site from a residential zone (Townlot Specific Plan Section B) to C2 (Community Business). The requested zone change was approved by the Planning Commission in July 1993. At the Planning Commission and City Council hearings, staff had recommended denial of the zone change, because the proposed zone change did not conform to the General Plan Land Use designation and it was not consistent with surrounding residential land uses. The former property owner never pursued development of the vacant parcel and the commercial building remained in place. The property has now changed ownership, and the new owner is pursuing the zoning change to return the residential designation.

The current zone change request from a commercial to a residential designation would be consistent with the General Plan Land Use designation and the previous zoning designation of the site. In addition, the zone change would allow for the development of residential uses on the site, which would be compatible with the surrounding residential land uses.

C. PLANNING COMMISSION MEETING AND RECOMMENDATION:

On July 14, 2020, the Planning Commission held a public hearing on the proposed project. There were no speakers. The Planning Commission voted to recommend approval of the request to the City Council.

Planning Commission Action on July 14, 2020

The motion was made by Scandura, seconded by Perkins, to recommend approval of Zoning Map Amendment No. 20-001 with findings and forward to the City Council carried by the following vote:

AYES: Scandura, Ray, Grant, Garcia, Kalmick, Perkins, Mandic  
NOES: None  
ABSTAIN: None  
ABSENT: None

**MOTION PASSED**

D. STAFF ANALYSIS:

The proposed project is consistent with the goals, policies, and objectives of the City's General Plan, because the zoning map amendment will bring the zoning designation into consistency with the General Plan land use designation. The zoning map amendment facilitates future construction of two new single-family homes, which will continue the land use pattern of single family residential uses in the surrounding areas and assist in meeting the overall housing needs of the community. The zoning map amendment supports infill development of two single-family residences that are compatible in proportion, scale, and character with the surrounding neighborhood, because there are similar single-family units to the north, east, and west of the site.

**Environmental Status:**

The project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15183. Section 15183 applies to projects that are consistent with an adopted General Plan for which an Environmental Impact Report (EIR) was prepared and certified, and where there are no potential environmental effects peculiar to the proposed project. The project meets all criteria under Section 15183 and does not require additional environmental review.

The City's General Plan was updated and adopted and the EIR was certified on October 2, 2017.

The General Plan update and EIR considered the type and intensity of development, including the assignment of the RMH land use designation for the project site parcel and the adjacent area. The project will not result in any potential environmental impacts to the site, because the project is (a) consistent with the development standards in the proposed zoning designation of RMH-A, (b) consistent with the adopted General Plan, and (c) analyzed in the certified EIR.

**Strategic Plan Goal:**

Strengthen long-term financial and economic sustainability

**Attachment(s):**

1. Suggested Findings for Approval of Zoning Map Amendment No. 20-001
2. Draft City Council Ordinance No. 4211 for ZMA No. 20-001
3. Vicinity Map
4. Project Narrative Received and Dated March 3, 2020
5. Existing and Proposed Zoning Maps
6. Planning Commission Staff Report Dated July 14, 2020