



City of Huntington Beach

File #: 18-266

MEETING DATE: 9/11/2018

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission
FROM: Ursula Luna-Reynosa, Community Development Director
BY: Jessica Bui, Associate Planner

SUBJECT:
GENERAL PLAN AMENDMENT NO. 16-001, ZONING MAP AMENDMENT NO. 16-002, TENTATIVE TRACT MAP NO. 18147, CONDITIONAL USE PERMIT NO. 16-031, MITIGATED NEGATIVE DECLARATION NO. 16-002 (SEA DANCE RESIDENTIAL DEVELOPMENT - Continued from July 10, 2018): To recommend City Council approval of proposed General Plan land use and zoning map amendments from Public and Public-Semipublic to Residential Low Density and Open Space Park; to approve a proposed subdivision for 51 new single family residences in a Planned Unit Development design with reduced lot sizes and public benefits for the community; and Mitigated Negative Declaration to analyze the potential environmental impacts of the proposed project located at the former Franklin School site at 14422 Hammon Lane.

APPLICANT:
Rick Wood, TRI Pointe Homes, 5 Peters Canyon, Suite 100, Irvine, CA 92606

PROPERTY OWNER:
Westminster School District, 14121 Cedarwood Avenue, Westminster, CA 92683

BUSINESS OWNER:
Not applicable.

LOCATION:
14422 Hammon Lane, 92647 (east side of Hammon Lane and south of Sands Drive)

STATEMENT OF ISSUE:

1. Is the project proposal consistent with the City of Huntington Beach's adopted land use regulations (i.e. General Plan, Zoning Map and Zoning Code including any specific plans and overlay districts where applicable)?
2. Does the project proposal satisfy all the findings required for approving a Tentative Tract Map and Conditional Use Permit?

3. Has the appropriate level of environmental analysis appropriately identified all environmental impacts with appropriate mitigation?

RECOMMENDATION:

A) Approve Mitigated Negative Declaration No. 16-002 with findings and mitigation measures (Attachment No. 1);

B) Recommend Approval of General Plan Amendment No. 16-001 by approving draft City Council Resolution No. 2018-27 (Attachment No. 2) and Zoning Map Amendment No. 16-002 with findings (Attachment No. 1) by approving draft City Council Ordinance No. 4161 (Attachment No. 3) and forward to the City Council for adoption;

C) Approve Tentative Tract Map No. 18147 and Conditional Use Permit No. 16-031 with findings and suggested conditions of approval (Attachment No. 1).

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Continue Mitigated Negative Declaration No. 16-002, General Plan Amendment No. 16-001, Zoning Map Amendment No. 16-002, Tentative Tract Map No. 18147, and Conditional Use Permit No. 16-031 and direct staff to return with findings for denial."
- B. "Continue Mitigated Negative Declaration No. 16-002, General Plan Amendment No. 16-001, Zoning Map Amendment No. 16-002, Tentative Tract Map No. 18147, and Conditional Use Permit No. 16-031 and direct staff accordingly."

PROJECT PROPOSAL:

The project proposal is to subdivide an approximately 8.75-acre site to accommodate 51 single-family dwelling units, a 1.30-acre public park, private streets, public utilities and a water quality basin lot. In order to undertake the project proposal, TRI Pointe Homes (the "Applicant") requests the following entitlements:

- General Plan Amendment to amend the existing Land Use Element designation from Public (underlying Low Density Residential) (P(RL)) to Low Density Residential (RL) and Open Space Park (OS-PR);
- Zoning Map Amendment to amend the existing zoning designation from Public-Semipublic (PS) to Low Density Residential (RL) and Open Space - Parks and Recreation Subdistrict (OS-PR);
- Tentative Tract Map and Conditional Use Permit to subdivide an approximately 8.75-acre site to accommodate fifty-one (51) numbered lots for residential purposes and five (5) lettered lots for private streets, public utilities, common areas, water quality purposes, and a public park; and
- Mitigated Negative Declaration to analyze the potential environmental impacts associated with the project.

Background:

The closed Franklin School site is approximately 8.75-acres and owned by Westminster School District (WSD). The school site was constructed in 1962 during the time when the original residential subdivision in the area was developed. In 1994, the Franklin School closed due to under enrollment, but in 1996 the school property was leased to the Orange County Head Start program, which utilized the school site until 2015 when

the lease was terminated. The site closed thereafter.

The project was initially proposed with 53 single-family dwellings, private streets, public utilities, a water quality basin lot, and a 1.5-acre public park. The project was scheduled for a public hearing before the Planning Commission on July 10, 2018; however, per the Applicant's request, the project was postponed to the September 11, 2018 Planning Commission meeting without opening the public hearing.

The Applicant requested a postponement of the project in order to address the concerns of the surrounding neighborhood. As such, the project has been revised to increase the public park dedication from 1.15-acres to 1.30-acres, which matches the size of the existing Franklin Park. The increase in park dedication results in the loss of two residential units (from 53 to 51 single-family dwelling units). In response to numerous comment letters from the surrounding community, the Applicant revised the park location to match the linear shape of the existing Franklin Park. The revised park design is sited along Sands Drive and the northeast corner of the subdivision has been revised to include three flag-lots.

The following summary describes the overall changes resulting from the increase in the park dedication and revised site plan layout (see Attachment No. 9 for matrix):

1. Number of units: reduced from 53 to 51
2. Park acreage: increased from 1.15-acres to 1.30-acres
3. On-street parking (public and private streets): reduced from 74 to 70
4. Average lot size: was 4,835 sq. ft., now 4,787 sq. ft.
5. Average lot width: no change - 48 ft.
6. Water Quality Lot: location changed to northwest corner of site and increased from 4.826 sq. ft. to 5,403 sq. ft.
7. Number of one-story homes: reduced from 11 units to nine units

The Applicant held a community meeting on August 16, 2018 to describe the revised project and share the new proposed park layout and the park size with the surrounding neighborhood.

Study Session:

The Planning Commission held study sessions for the project on June 26, 2018 and August 28, 2018, and discussed the following issues:

▪ ***Lot "A" between Lots 11, 12, and 13***

Tentative Tract Map No. 18147 shows a lot labeled, Lot "A," which is part of Tract No. 4364, located just north of Spa Drive, between lots 11, 12, and 13. Lot "A," is a typical pedestrian easement used to access public school sites from adjacent neighborhoods. The current pedestrian path is gated at the school district property line and no longer serves as access to the closed school site. Consequently, the easement will no longer be necessary with the development of the project. As such, a condition of approval for the tentative tract map will require the applicant to address the disposition of the easement by coordinating with the adjacent residential property owners. If it is to be vacated, a complete General Street Vacation shall be processed by the developer through the Department of Public Works at no cost to the adjacent residential property owners.

A similar project that involved a pedestrian easement to a closed school site was the Lamb project, located in the southeast area of the City (east of Brookhurst Street and north of Yorktown Avenue). For the Lamb project, five feet off each side of the 15 ft. wide pedestrian easement was vacated to adjacent residences and a 10 ft. wide path was maintained to allow access onto the private street within the residential tract to keep the connection for the existing residents to the public park. The applicant for the Lamb project, which was also TRI Pointe Homes, made all necessary improvements to the pedestrian easement and executed a license agreement to maintain it for access to the residential tract. For the Sea Dance project, the existing pedestrian easement leads directly into the backyard of a proposed residential unit. In the case of

Lamb, the easement led directly onto the private street. In addition, as mentioned above, the existing pedestrian easement for Sea Dance is currently fenced off and is considered closed for access onto the closed school site.

- *Average Lot Width & Size*

The proposed average lot width is 48 ft. and the proposed average lot size is 4,787 sq. ft. The required minimum lot width in the proposed Low Density Residential (RL) zoning designation is 60 ft. and the minimum lot size is 6,000 sq. ft. However, Section 210.06(C) of the HBZSO allows flexibility in minimum building site regulations when approved as part of a Planned Unit Development (PUD). The surrounding residences have typical 60 ft. wide and 6,000 sq. ft. lots. Despite the reduced lot widths and lot sizes, each proposed dwelling unit complies with all other development standards in the RL zoning designation such as setbacks, lot coverage, height, parking, and landscaping requirements.

- *One-story and Two-story Dwellings Adjacent to Existing Dwellings*

The original site plan layout had 11 single-story units proposed, which were sited along the perimeter of the project site to ensure compatibility with the existing neighborhood. The revised site plan layout maintains the compatibility and proposes nine single-story units along the eastern and southern boundary of the site, adjacent to the existing dwellings. A comparison between the site plans is provided below:

Calneva Lane (east side):

Original - Five two-story units; three one-story units

Revised - Seven two-story units; four one-story units

Spa Drive (south side):

Original - Five two-story units; five one-story units

Revised - Five two-story units; five one-story units

Therefore, the difference between the original site plan and the revised site plan are that two additional two-story units and one additional one-story unit are sited along the existing homes on Calneva Lane.

- *Street Width*

A typical residential street width is 40 ft. from curb-to-curb. However, exceptions can be made to accommodate enhanced design and street layouts as long as the street widths are adequate for fire safety and access. The proposed street width is 38 ft. from curb-to-curb. The Huntington Beach Fire Department has reviewed the proposed street width and has approved the conceptual design. Street reductions from the typical 40 ft. is common. Some examples of similar approved projects were the residential developments at Wardlow and Lamb, where street widths were approved at 36 ft. wide. The proposed 38 ft. wide streets allow for the parking of vehicles along both sides of the street without obstructing vehicular or fire apparatus access. Furthermore, a condition of approval will require language to be included in the CC&Rs to restrict recreational vehicles (RVs) along the private streets to ensure fire safety is maintained. Reduced street widths also act as a traffic calming mechanism, which will reduce the speed within the tract.

- *Joint Use Agreement for Franklin Park*

Franklin Park is owned by the Westminster School District and was previously maintained by the City pursuant to a joint use agreement.

- *Park Acreage Measurement*

The existing park area is inaccurately listed in the last adopted General Plan (2013) and the Park and Recreation Master Plan as 1.52-acres because excess square footage was included. The Westminster School District property extends to the centerline of Sands Drive, which is an additional 30 ft. along the entire park frontage. When the park was developed in the 1970s, the 1.52-acre measurement included the

existing park area, sidewalk, parkway, and the area to the centerline of Sands Drive. The actual measurement of the park area should only extend to the back-of-sidewalk, or to the property line boundary, which excludes the sidewalk, parkway, and one-half of Sands Drive. The useable park area of the existing park is 1.30-acres.

The proposed park dedication is 1.30-acres and excludes any public right-of-way areas. Therefore, there will be no reduction in useable park area. The General Plan amendment to amend the Environmental Resources and Conservation Element will revise the figures to reflect the proposed park layout and update the park name if necessary.

▪ *Parkland v. School Field*

The existing park area is 1.30-acres and the school field located immediately south of the park site is approximately 3.2-acres. Although it appears the school field is part of the parkland, the City does not identify the school field as a park and does not include it in the park inventory.

▪ *Naylor Act*

The Naylor Act requires a school district to offer a lease or sale of any surplus property to a charter school first, and then to the city within which the land is located. Existing law prohibits the cost from exceeding the cost of acquisition, adjusted by a cost of living factor, plus the cost of any improvements. The entity that purchases or leases the property must maintain the property for a playground, playing field, or other outdoor recreational and open space use. In this case, the Westminster School District is exchanging property with the Applicant, and therefore, the Naylor Act does not apply (California Education Code Section 17536 et. seq., (Attachment No.14)).

▪ *Measure C*

The City Attorney's Office and staff have reviewed Charter Section 612 - Public Utilities and Parks and Beaches (Measure C) and determined Measure C does not apply to this project. The City does not own Franklin Park and although the City once had an agreement to maintain the park, the agreement is no longer in effect and the land is owned by the Westminster School District. In addition, the previous Community Recreation Agreement (maintenance and use agreement) for Franklin Park predates January 1, 1989, the effective date of Measure C.

▪ *Public Benefit: Navy Right-of-Way Improvements*

The City is in the process of acquiring the Navy right-of-way and has plans to improve the right-of-way into an open space trail for public use. Until the City owns the land, physical improvements cannot be made to the trail. However, staff is recommending a \$250,000 monetary contribution for future improvements to recreation facilities. All funds received from the Applicant will be deposited into an account with the Public Works Department to be retained until the funds are applied to the improvements to the Navy right-of-way, or for other park and recreational needs within the vicinity (see Tentative Tract Map No. 18147 suggested condition of approval 7b of Attachment No.1).

▪ *Public Benefits:*

- Parkland dedication and improvements: Pursuant to the Quimby Act, the Applicant is only required to dedicate 0.74 acres of land for park purposes with very minimal physical improvements. The Applicant is proposing to dedicate 1.30 acres (a surplus of 0.56 acres) and to design and install the park improvements so that the community has a new, improved park prior to the new homes being occupied.
- Allowing the public to utilize the private streets to park on for access to the dedicated park.
- Public Art: The project will include installation of public art.

- Monetary contribution toward Navy right-of-way improvements or other recreational facilities in the vicinity.
- *Public Park Design and Purview of Planning Commission:*

The Planning Commission's role in reviewing the public park is solely focused on location, size and orientation as part of its consideration of the TTM. The actual design of the park (including hardscape and landscape) will be considered by the Community Services Commission. However, the public record will note public testimony requesting that the preservation of existing, mature trees be accommodated to the extent possible.
- *Possibility of HOA Maintaining Dedicated Public Park*

The Planning Commission discussed the idea of eliminating the public benefit for the \$250,000 monetary contribution for the Navy right-of-way improvements or other park and recreation improvements and instead having the homeowner's association (HOA) maintain the public park. Staff reviewed the possibility of having the HOA maintain the public park and recommends the park be maintained by the City. Public benefits are intended to be above and beyond standard code requirements and mutually beneficial to both the residents of the development and the surrounding community. If the HOA were to maintain the park, that cost would be borne by future homeowners as opposed to the applicant. Therefore, eliminating the \$250,000 and instead requiring the HOA (homeowners) to pay for future maintenance cost will not provide an extraordinary benefit to the new residents and the surrounding community; however, the \$250,000 monetary contribution will provide additional or improved open space uses within the vicinity.
- *Planned Unit Development*

A Planned Unit Development (PUD) allows for flexibility in development standards to encourage innovative land use development that achieves high quality site planning, design, and aesthetically pleasing environments through architecture and landscape improvements. It is a mechanism used to allow for supplemental development standards, and in exchange requires the applicant to provide mutual public benefits above and beyond the minimum code requirements of the project. Public benefits may include the creation of permanent open space, recreational facilities, infrastructure, utilities, and other public improvements. Although the variation in lot sizes creates flexibility in development, the proposed single-family homes comply with all other development standards for RL zoning district and provides a design that is compatible with the neighborhood with similar building orientations (i.e., rear yards abutting rear yards and front yards facing front yards) which maintains the overall character and design layout of the existing neighborhood.

If the project was proposed to meet the minimum lot width and lot sizes (60 ft. wide and 6,000 sq. ft.) in the RL zoning district, the net acreage after required dedications for street and sidewalk purposes, assuming the proposed 38 ft. wide street would remain, could yield 51 dwelling units. A project with 51 homes would require a park dedication of 0.74-acres. As such, the project could yield 43 homes after the 0.74-acre park dedication, yielding a density of 6.8 units per acre. However, the Applicant could propose 49 units, and be exempt from a park dedication requirement and only be required to pay a park in-lieu fee. The Quimby Act, which requires a dedication of parkland, is applicable to projects that propose 50 or more lots. The park in-lieu fee for a project with 49 units would be approximately \$874,993, and it would cost the City approximately \$1.8 million to acquire land and install park improvements for a 1.30-acre park.
- *Density/Number of Units*

The proposed RL zoning designation allows for a maximum of seven dwelling units per acre, which is consistent with the zoning designation of the surrounding neighborhood. The project consists of 51 units, and the net lot area (excludes parkland dedication area) is 7.45-acres. As such, the density of the proposed project is seven dwelling units per acre (6.9 DU/AC x 7.45-acres = 51.40 DU). The surrounding neighborhood has a similar density with approximately five to seven dwelling units per acre.

▪ ***Disabled Access to Park***

The proposed public park will be required to meet minimum Americans with Disabilities Act (ADA) requirements regarding access to the playground amenities. The minimum access requirements are a 48 in. wide sidewalk with a maximum five percent slope to the proposed playground equipment and picnic tables. Playground equipment is typically manufactured in accordance with ADA requirements. Picnic tables will meet ADA requirements for sufficient “knee and toe” space for wheelchair use, and the surface of the playground area must meet specific stiffness requirements for wheelchair access and preventative head injuries. All ADA requirements will be reviewed for compliance during the building plan check review process, prior to issuance of building permits.

ISSUES AND ANALYSIS:

Subject Property And Surrounding General Plan Designations, Zoning And Land Uses:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	PS-RL (Public-Semipublic with an underlying designation of Low Density Residential)	PS (Public-Semipublic)	Closed Franklin School and Franklin Park
North, South, East, and West of Subject Property:	RL (Low Density Residential)	RL (Residential Low Density)	Single-Family Residences

General Plan Conformance:

The Applicant proposes to amend the General Plan Land Use Element designation of PS-RL (Public-Semipublic with an underlying designation of Low Density Residential) to RL (Low Density Residential) and OS-P (Open Space-Park). The RL land use designation allows for single-family residential units at a maximum density of seven dwelling units per acre, and the OS-P designation allows for public parks. The amendment of the land use designation is consistent with the existing density and uses in the vicinity of the project site. The subject site is surrounded by single-family uses (max. seven dwelling units/acre) with detached, single-family residences units to the north, south, east, and west of the subject site. The proposed RL land use designation will be consistent with the existing designation located within the surrounding area.

The request includes the amendment to the Environmental Resources and Conservation Element (ERC) to amend Figure ERC-1 and ERC-2 to reflect the new park layout. The City established parkland acreage standards to ensure the community has enough parks to serve the population. The City's standard requires a minimum of five acres per 1,000 residents. In Huntington Beach, based on the most recent population estimate (2014), 193,189 residents occupy the City and there is approximately 1,073 acres of public parks. Therefore, the City provides approximately 5.4 acres of parkland for every 1,000 residents. The previously adopted General Plan from 2013 shows Franklin Park as a 1.52-acre park; however, the total acreage includes the public right-of-way (sidewalk, parkway, street to the centerline of Sands Drive), which is inaccurate. The actual existing park is measured at 1.30-acres. The proposed development of 51 detached single-family residential units would result in an increase of approximately 137 persons; and due to this limited increase in population, the 0.22-acre reduction of parkland (1.52 minus 1.30 = 0.22) would not affect the current calculations of 5.4 acres per 1,000 residents. The proposed park with park improvements and the reduction of 0.22-acre (no change in actual parkland acreage) will be consistent with the goals and policies contained within the ERC, and the minimum park acreage per 1,000 residents.

Staff believes the proposed RL land use designation, the amendment to the figures within the ERC to reflect the changes to the new park layout, and the project will be consistent with the goals, policies, and objectives of

the Land Use, Housing, Public Services and Infrastructure, and Environmental Resources and Conservation elements of the General Plan. The proposed project will contribute to the City's housing stock, including affordable housing, thereby assisting to achieve the City's overall housing goals and providing a public park while maintaining the character of the surrounding residential neighborhood by providing a land use that is compatible and harmonious with the surrounding uses, and enhances the image and quality of life in the environment. The proposed project will not conflict with the identified goals, policies, and objective contained in the General Plan and with implementation of identified mitigation measures will not have a negative impact on the environment.

The proposed tentative tract map and conditional use permit are consistent with these designations and the goals, objectives, and policies of the City's General Plan as amended pursuant to General Plan Amendment No. 16-001 and Zoning Map Amendment No. 16-002 as follows:

A. Land Use Element

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1A: Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

Policy LU-1B: Ensure new development supports the protection and maintenance of environmental and open spaces resources.

Policy LU-1C: Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

Policy LU-1D: Ensure that new development projects are of compatible proportion, scale and character to complement adjoining uses.

The project is consistent with the underlying and proposed land use designation of RL (Low Density Residential) as the project meets the maximum density allowed in the RL designation of seven dwelling units per acre. The proposed project will maintain environmental and open space resources by dedicating 1.30-acres of a public park and the installation of park improvements. Furthermore, the project is redevelopment of an infill site, as the closed school will be demolished to develop single-family residences, which meets the policies of the General Plan to reuse sites that are underutilized. Lastly, the project is complementary to the adjacent single-family residences in that a similar home orientation is utilized (backyards face backyards and front yards face front yards). Further, the proposed project is compatible in proportion, scale, and character in that the proposed project site is entirely surrounded by one- and two-story single-family residences. The proposed architectural design of the new homes will complement the existing homes by providing a mix of one- and two-story dwellings, building setbacks, and architectural styles that are compatible with the surrounding neighborhood and is consistent with the development standards in the HBZSO.

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

Policy LU-2E: Intensify the use and strengthen the role of public art, architecture, landscaping, site design, and development patterns to enhance the visual image of Huntington Beach.

The proposed detached, single-family residential project will maintain the residential neighborhood and enhance the visual image of the community. The proposed General Plan land use designation and zoning designation of RL (Low Density Residential) is consistent with the adjoining properties. Each proposed

detached single-family residence will meet the development standards such as landscaping, setbacks, building height, and lot coverage to ensure consistency with the surrounding dwellings. The proposed project provides for enhanced landscaping on each lot, parkways, and within the public park. Furthermore, as conditioned, a public art component shall be installed and maintained by the HOA.

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

Policy LU-4D: Ensure that single-family residences are of compatible proportion, scale and character to surrounding neighborhoods.

The character of the existing single-family neighborhood is preserved as the proposed project consists of 51 detached single-family homes designed as a PUD, with a mix of one- and two-story homes. Housing plans offer three- and four-bedroom homes with different floor plans. The floor area for the new homes range from 2,291 sq. ft. to 3,224 sq. ft. and the maximum building height for a two-story dwelling is 27 ft. and 7 in., which is consistent with the surrounding neighborhood in scale and proportion.

B. Housing Element

Policy 2.4 Surplus Public Land: Utilize surplus publicly owned land for residential use where appropriate and consistent with the City's General Plan.

The school was closed due to under enrollment in 1994. The underlying General Plan land use designation of RL (Low Density Residential) indicates that should the land become surplus, the next best appropriate land use is RL (Low Density Residential) for consistency with the surrounding neighborhood. The project will result in the development of a single-family residential use and is consistent with the goals and policies of the Land Use Element and the Housing Element of the General Plan.

Policy 3.4 Public/Private Partnerships: Explore collaborative partnerships with non-profit organizations, developers, the business community and governmental agencies in the provision of affordable housing.

The project is required to provide ten percent of the dwelling units (5.1 units) to be affordable. The developer proposes to provide one on-site unit to be affordable to moderate income families and provide funding for 4.1 off-site affordable units. The proposed off-site units will involve a collaborative partnership with the developer, the City and local non-profit organizations to provide the affordable units at an off-site location.

Goal 4: Reduce potential governmental constraints to housing production and affordability.

The project is designed as a PUD, which allows for reduced lot widths and lot sizes with the provision that the developer provides mutual public benefits for the enjoyment of the residents and the public. As such, flexibility with the development standards such as reduced lot widths and lot sizes provides for a mechanism to accommodate additional housing as well as affordable units.

C. Public Services and Infrastructure

Policy PSI-2E: Ensure that new development and reuse projects and existing land uses promote fire safety.

The proposed project meets the California Fire Codes and the Huntington Beach Fire Department requirements by providing for acceptable street widths and turning radii for proper access and maneuvering of fire apparatus. The development will also provide for fire hydrants spaced at 300 ft. where the standard is 500 ft. As conditioned, RV parking is restricted on the private streets to further ensure fire safety and access is maintained. Each single-family dwelling is required to provide a fire sprinkler system, which further promotes fire safety for the community.

D. Environmental Resources and Conservation

Policy ERC-1A: Maintain or exceed the current park per capital ratio of 5.0 acres per 1,000 persons, including the beach in the calculations.

A 1.30-acre park (excluding sidewalk, parkway, and one-half of Sands Drive) is owned by the Westminster School District and occupies a portion of the existing site. The proposed project would result in the construction of a new 1.30-acre park. The current conditions provide for 5.4 acres per 1,000 residents, which this project maintains, albeit with a newly improved park.

Zoning Compliance:

Zoning Map Amendment

The proposed zoning designation for the subject site is Low Density Residential (RL) for the residential component and Open Space - Parks and Recreation Subdistrict (OS-PR) for the public park. This designation permits single-family residential use within residential neighborhoods with a maximum density of seven dwelling units per acre. Development standards require a minimum parcel size of 6,000 square feet, minimum lot width of 60 feet, maximum building height of 35 feet, and maximum lot coverage of 50 percent unless alternative lot sizes are approved as a PUD with public benefits above and beyond minimum code requirements. Additional requirements are identified in Chapter 210, Residential Districts.

Properties to the north, south, east, and west are zoned RL and developed with single-family residential uses. The proposed zoning map amendment to RL would be compatible with existing zoning designations surrounding the project site as well as the proposed General Plan Land Use Element designation. The amendment of the zoning designation for the subject site from Public-Semipublic with an underlying zoning of Low Density Residential (PS (RL)) to RL and OS-PR implements the proposed General Plan Land Use designation of Low Density Residential.

The proposed project will comply with the minimum setbacks, minimum parking, and maximum building height requirements of the RL zoning district with minimum lot widths and lot size exceptions that are proposed as part of the PUD design for the project. The proposed project complies with all other requirements of the HBZSO including regulations pertaining to subdivisions and park dedications.

The proposed residential designation is the appropriate zoning for the site because it provides a continuation of a compatible zoning designation that allows for single-family neighborhoods with detached single-family residences that continues the single-family residential character of the surrounding area. The proposed zoning results in development that is compatible in density, design, layout, and character to the adjacent single-family residential uses. Staff recommends approval of the zoning map amendment to RL.

Tentative Map/Site Layout/Compatibility

A total of 42 on-street parking spaces will be provided along both sides of the interior private street and 38 parking spaces will be available along existing public streets. The proposed layout is designed to serve as a walkable community that harnesses greater community interaction as the proposed sidewalks will align with

the existing sidewalks along Spa Drive to the south, Hammon Lane to on the west of the site, and Sands Drive to the north. The project proposes several parkway canopy street trees along the internal streets within the proposed project to match the existing neighborhood. Lot "D," on the corner of Hammon Lane and Sands Drive is designated as a 5,404 sq. ft. water quality lot, which is used to meet water quality treatment and discharge requirements. Lot "D" will be landscaped and fenced off and is not intended for public use.

The project proposes building heights that range from approximately 19 ft. 10 in. to 27 ft. 7 in. maximum. The 18 homes located along the eastern and southern boundary of the project site, and adjacent to the existing homes along Calneva Lane and Spa Drive are proposed with increased rear yard setbacks for greater compatibility. The rear setbacks range from 16 ft. 6 in. to 29 ft. 8 in., where the minimum required setback requirement for the zoning district is 10 ft. The increased rear setbacks provide an adequate buffer for existing residences by providing additional protection from any associated light, noise, or privacy impacts.

The existing homes in the vicinity are predominantly one-story single-family homes with some two-story homes in the neighborhood. To ensure compatibility with the scale and character of the neighborhood, nine of the 51 homes will be one-story and are located along the southern and eastern perimeter of the site, abutting the existing residences. In addition, the proposed 1.30-acre park is located in the same area as the existing park and faces the front yards of the existing residences. The location of the proposed park will maintain the existing conditions and minimize impacts to those residences. The rear of the proposed homes along the south and east sides will face the rear yards of existing residences, and this further ensures the incorporation of the new housing development to be compatible with the existing neighborhood layout. The proposed project is compatible with the homes located in the vicinity because the homes will not exceed the height permitted by the proposed zoning district. Furthermore, the homes are designed to minimize overall building mass and scale by incorporating facade breaks, upper floor setbacks, and roof variations into the design of each plan type, which aesthetically blends the homes into the surrounding neighborhood.

The proposed homes will be compatible with surrounding residences because the project is designed with detached single-family homes with similar yard setbacks and high quality architecture that is provided with a variety of design themes. The project proposes three building plan types with three architectural styles that are named Coastal Spanish, Seaside Ranch, and Beach Cottage. Each architectural design style includes a variety of architectural elements such as stucco finishes, stone veneer, wood siding, different roof materials, accent shutters, ceramic tiles, rafter tails, and window trims that provide high architectural emphasis for each design style. Many of the existing homes in the project vicinity have stucco with siding exteriors and shingled roofs. The proposed homes include components of the surrounding residences such as accent shutters and stucco details, which serve to enhance the architectural style of the proposed homes. The proposed design complies with the adopted Design Guidelines for residential development.

Planned Unit Development

The project will be developed as a PUD because it proposes 51 residential lots with lot widths and sizes that are less than the minimum lot size requirement of 60 ft. wide and the minimum lot size of 6,000 sq. ft. for the Low Density Residential (RL) zoning standards. The smaller lots are located within the interior of the project site and the larger lots are sited along the perimeter to ensure maximum compatibility with the existing neighborhood. Overall, the average lot size is 4,787 sq. ft.

PUDs allow for flexibility in development standards to encourage innovative land use development. Interior lot sizes range from 3,870 to 5,293 sq. ft. and perimeter lots (adjacent to existing homes) range in size from 4,509 to 5,835 sq. ft. Although the request is for small lots, the project is designed to meet all development standards such as building height, lot coverage, parking and setbacks. The dwellings exceed the minimum 10 ft. rear yard setbacks for the proposed perimeter lots (i.e., lots 1 through 21) that are adjacent to existing homes directly to the south and east of the project site. The proposed dwelling units will range in size from 2,291 sq. ft. to 3,224 sq. ft. (includes living area, garage, porch, and optional covered patio). The proposed

units are 43, two-story and nine, one-story dwellings. Each unit will feature a three or four bedroom layout that includes a two-car enclosed garage and two-car driveway.

Public Benefits

In accordance with Section 210.12 - *Planned Unit Development Supplemental Standards and Provisions* of the HBZSO, the project shall provide a mutual benefit for the residents of the project as well as the general public. The applicant is proposing the following public benefits that exceed the minimum code requirements for a residential subdivision:

- ♦ Dedicate to the City and develop a 1.30-acre public park located along Sands Drive. The park improvements will include installation of landscaping, irrigation, a playground area, picnic tables, lighting, trash receptacles and public art component that will be maintained by the HOA. The Quimby Act requires a 0.77-acre dedication for parkland and does not require park improvements. The dedication of 1.30-acres for a public park and construction of the park improvements exceed the City requirements. The park improvements benefit the City monetarily because the developer will bear the burden of installing the park improvements, resulting in a financial savings to the City and providing upgraded park improvements to the residents. The Community Services Department has reviewed the proposed park and is recommending approval to the Community Services Commission meeting on September 12, 2018.
- ♦ Allowance for the general public to utilize the approximately 42 on-street parking spaces within the private streets of the development. A condition of approval requiring specific language to be placed into the project CC&Rs to allow and guarantee the ongoing ability of the general public to utilize on-street parking within the tract.
- ♦ A monetary contribution of \$250,000 for future improvements to the Navy Railroad right-of-way trail or for other park and recreational needs within the vicinity. The Navy Railroad right-of-way was a former railroad that runs through the City of Westminster and the City of Huntington Beach. A segment of the right-of-way is located south of the project site. The segment that is within the City's boundary starts to the west at Rancho Road and terminates at Springdale Street. The City is working with the City of Westminster, the Orange County Transportation Authority, and other agencies to improve the right-of-way into a recreational trail for public open space. The monetary contribution may go toward future trail improvements or other projects that will increase the City's open space within the surrounding community.

The proposed public benefits exceed standard City requirements and improvements for a standard residential subdivision. The proposed public benefits provide a mutual benefit for the residents of the project as well as the general public. These benefits provide good reasoning for the proposed reduction in lot width and lot size, but more importantly, provides the City with a parkland dedication, upgraded recreational facilities and landscaping, ensures access to the proposed public park, and improvements to additional open space amenities with the future improvements to the adjacent Navy right-of-way trail, or other public parks within the general vicinity.

Affordable Housing

In accordance with HBZSO Section 230.26 - *Affordable Housing*, the purpose and intent is to implement the goals, objectives and policies of the City's Housing Element and encourage low- and moderate-income housing. The project is subject to providing ten percent of the 51 residential units, or 5.1 units, to be affordable housing.

The HBZSO specifies that developments of residential projects consisting of 30 or fewer units may elect to build affordable housing on-site, pay in-lieu fee, or provide units off-site. Developers constructing ownership projects over 30-units have been given the same options with City Council approval. As such, the applicant is proposing to provide one moderate unit on-site and funding for four units at an off-site project for a total of five

deed restricted units. The remaining fractional 0.1 may be met by paying an in-lieu fee. The Office of Business Development is working with several non-profit developers to identify potential off-site affordable housing projects. The funding from this project would be used for rehabilitation of one of the affordable housing projects, which would be deed restricted as affordable housing for 55 years. The proposed on-site moderate income unit would be deed restricted as affordable for 45 years.

It is the recommendation of the Office of Business Development to bring before the City Council an Inclusionary Housing Agreement to provide one unit on-site for moderate income, to provide funding for four very low and low-income off-site units, and to satisfy the remaining fractional 0.1 unit by payment of in-lieu fees.

Infill Lot Ordinance

The proposed project complies with the City's Infill Lot Ordinance, which analyzes proposed residences for compatibility and privacy issues, such as window alignments, building pad height, and floor plan layout. The heights of the proposed residences will be consistent in character with the RL zoning district and the surrounding residences. The proposed project is designed with sensitivity to homes abutting existing single-family residences. A minimum 16 ft. 6 in. rear yard setback in lieu of the minimum 10 ft. is provided. The distance from the rear of a proposed residence to the rear of an existing residence ranges from 43 ft. to 70 ft. where the minimum per the zoning district could be 20 ft. The layout of each floor plan has been situated to avoid direct window alignments with the existing adjacent neighbors.

Urban Design Guidelines Conformance:

The project conforms to the objectives and standards specific to single-family residential development contained in the Huntington Beach Urban Design Guidelines. The project complies with general design objectives by providing high quality architectural and landscape design in massing and scale with existing residential developments surrounding the project site. The layout of the development is compatible with the neighborhood because it is designed as detached single-family residential neighborhood containing streets, parkways, sidewalks, and detached one- and two-story residences. A 38 ft. wide private street will provide access into the development and will be aligned with the existing public streets to the west, Riviera Drive and Nevada Drive. Four-foot wide sidewalks and five-foot wide landscaped parkways will be provided on each side of the street throughout the development.

The project incorporates several guidelines for building siting/lot design including varied building offsets and varied building design. In terms of building design, the project is proposing to provide a mix of one-story and two-story homes with three different floor plans and three distinct architectural style that include Coastal Spanish, Seaside Ranch, and Beach Cottage. Articulation and architectural details are proposed on all four sides of each home. In addition, the project proposes enhanced window treatments such as trims and shutters, contrasting building materials, façade breaks, upper story wall offsets, and a mix of hip and gable roofs.

The proposed private streets serving the project will connect with Riviera Drive and Nevada Drive to form a continuous neighborhood network of streets. The proposed subdivision is not gated and is accessible by the public. The new sidewalks will connect with the existing sidewalks on Hammon Lane and Sands Drive to provide continued pedestrian connectivity with the existing neighborhood and walkability within the project.

Environmental Status:

On March 28, 2018, the Environmental Assessment Committee (EAC) approved the processing of a mitigated negative declaration (MND) for the project. Staff reviewed the environmental assessment and determined the project would not have significant environmental impacts with incorporation of recommended mitigation measures that were identified for potential impacts to aesthetics, biological resources, cultural resources, tribal

resources, and mandatory findings of significance. Subsequently, draft Mitigated Negative Declaration No. 16-002 (Attachment No. 10a) was prepared with mitigation measures pursuant to Section 240.04 of the HBZSO and the provisions of CEQA. Draft MND No. 16-002 was made available for a 20-day public comment period, which commenced on April 19, 2018 and concluded on May 8, 2018. Seventy-three (73) comment letters were received on the MND and responses to comments and errata are provided as Attachment Nos. 10a-10d to this report.

Furthermore, the project initially was proposed with 53 dwelling units and a 1.15-acre public park. Subsequently, in response to comments received on the draft MND, the plans have been revised to reduce the dwelling units to 51 in order to accommodate a 1.30-acre public park. The changes to the project do not require recirculation of the draft MND as the changes do not affect the level of significance of any potential impacts, the mitigation measures do not need to be revised, and the project changes do not result in new mitigation measures.

Coastal Status:

Not applicable.

Design Review Board:

Not applicable.

Subdivision Committee:

The proposed tentative tract map was reviewed by the Subdivision Committee on March 29, 2018. Staff presented the proposed subdivision including the street patterns within the tract as well as access to the development, the public park, easements, and the layout of the single-family residential lots. The Subdivision Committee reviewed the recommended conditions of approval for the tentative map from the Community Development Department, Public Works Department, and Fire Department. The Subdivision Committee recommended unanimous approval of the proposed project to the Planning Commission with an added condition of approval that the developer be responsible to vacate lot "A," which is a parcel that provides pedestrian access from Spa Drive to lot 11 (Attachment No. 7).

Other Departments Concerns and Requirements:

The Departments of Public Works, Fire, Community Services and Building have reviewed the proposed development project. Recommended conditions from the Departments of Public Works, Fire, and Building are incorporated into the suggested conditions of approval and code requirements have also been identified (Attachment No. 12).

Public Notification:

Legal notice was published in the Huntington Beach Wave on August 30, 2018, and notices were sent to property owners of record within a 1,000 ft. radius of the subject property, individuals/organizations requesting notification (Community Development Department's Notification Matrix), applicant, interested parties and individuals/organizations that commented on the environmental documents. Written communications received prior to September 11, 2018 Planning Commission meeting will be forwarded to the Planning Commission for consideration. Written communication received as of September 3, 2018 (not including comments received on the draft MND in Attachment No. 10b) are included as attachments to this report (Attachment No. 13).

Application Processing Dates:

DATE OF COMPLETE APPLICATION:
June 8, 2018

MANDATORY PROCESSING DATE(S):
Draft MND: Within 180 days of complete
application - December 5, 2018 TTM: Within 50
days of adoption of MND CUP: Within 60 days
of adoption of MND GPA/ZMA: Not applicable.

SUMMARY:

Staff recommends that the Planning Commission take the following actions:

- A. Approve Mitigated Negative Declaration No. 16-002 with findings and mitigation measures (Attachment No. 1); and
- B. Recommend approval of General Plan Amendment No. 16-001 and Zoning Map Amendment No. 16-002 and forward draft resolution and ordinance to the City Council for adoption (Attachments 2 and 3); and
- C. Approve Tentative Tract Map No. 18147 and Conditional Use Permit No. 16-031 with findings and suggested conditions of approval (Attachment No. 1).

This recommendation is based on the following:

- The draft MND determines the project will not have significant environmental impacts with incorporation of recommended mitigation measures that were identified for potential impacts to aesthetics, biological resources, cultural resources, tribal resources, and mandatory findings of significance
- The proposed General Plan Land Use Element and zoning designations are consistent with surrounding zoning and land use designations; will contribute to the City's housing stock, including affordable housing, thereby assisting to achieve the City's overall housing goals; and affords the property owner allowance to develop the property.
- The proposed project, with exception of the proposed residential lot sizes, complies with the provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) with respect to the RL zoning development standards.
- The proposed homes will be compatible with other residential uses surrounding the project site with respect to height, setbacks, onsite parking, and architecture.
- The project meets the requirements of the Subdivision Map Act and has been reviewed by the Subdivision Committee for compliance.
- The project contributes to the City's housing stock, including affordable housing as required by existing City requirements, thereby assisting to achieve the City's overall housing goals.
- The project will be developed as a PUD and provide mutual public benefits that will include a dedication of a 1.30-acre park with park improvements, on-street parking opportunities, a \$250,000 monetary contribution for future improvements to the Navy Railroad right-of-way trail or other park and recreational facilities, private streets with public parking, public art, and establishment of a green building program. Overall, the proposed public benefits will exceed standard City requirements.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval for Mitigated Negative Declaration No. 16-002; Zoning Map Amendment No. 16-002; Tentative Tract Map No. 18147; and Conditional Use Permit No. 16-031
2. Draft City Council Resolution No. ____ for General Plan Amendment No. 16-001
3. Draft City Council Ordinance No. ____ for Zoning Map Amendment No. 16-002
4. Vicinity Map
5. Existing & Proposed General Plan Land Use Designation Maps
6. Existing & Proposed Zoning Maps
7. Tentative Tract Map No. 18147
8. Site plans, floor plans, elevations, and project plans dated June 5, 2018 on the title sheet
9. Project Changes Matrix
- 10a. Draft Mitigated Negative Declaration No. 16-002 (includes mitigation measures, narrative, and plans reviewed with the MND)
- 10b. MND - Response to Comments Cover Letter and Appendix A - Comment Letters
- 10c. MND - Response to Comments Appendix B - Responses to Comments on the draft MND
- 10d. MND - Response to Comments Appendix C - Errata to the draft MND

11. Project Narrative dated & received July 30, 2018 and community benefits summary dated & received June 28, 2018
12. Code Requirements Letter (for information purposes only), dated February 15, 2018
13. Public comment letters
14. Letter from Westminster School District dated June 14, 2018