



# City of Huntington Beach

**File #:** 19-911

**MEETING DATE:** 9/3/2019

## REQUEST FOR CITY COUNCIL ACTION

**SUBMITTED TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Dave Kiff, Interim City Manager

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

**Subject:**

**Approve Zoning Map Amendment No. 2018-001 by adopting Ordinance 4184, and Zoning Text Amendment No. 2018-002 by adopting Ordinance 4183 (Gothard Property & Research and Technology Zoning) - Approved for introduction 8/19/2019,  
Vote: 5-1-1 (Peterson-No; Delgleize absent)**

**Statement of Issue:**

Transmitted for City Council consideration are requests to 1) amend the General Plan land use designation at the former County landfill on Gothard; 2) amend the Zoning Map in two industrial areas; and 3) establish a new Research and Technology zoning district. The proposed project will implement the 2017 General Plan Land Use Element's introduction of the new Research and Technology (RT) land use designation. The Planning Commission approved the project with modifications on July 9, 2019. The Planning Commission and staff recommend approval of the proposed project with findings for approval and staff recommends one modification to the RT zoning standards.

**Financial Impact:**

No fiscal impact.

**Recommended Action:**

A) Approve Zoning Map Amendment No. 18-001 with findings for approval and adopt Ordinance No. 4184, "An Ordinance of the City of Huntington Beach amending the Huntington Beach Zoning and Subdivision Ordinance by changing the zoning designation from IG (Industrial General), IL (Industrial Limited), or CG (Commercial General) to RT (Research and Technology) on real property located in two existing industrial areas herein referred to as the Gothard Street Corridor and Northwest Industrial Area (Zoning Map Amendment No. 18-001);" and,

B) Approve Zoning Text Amendment No. 18-002 with findings for approval and adopt Ordinance No. 4183, "An Ordinance of the City of Huntington Beach amending Chapters 204 Use Classifications, 212 Industrial Districts, and 231 Off-Street Parking and Loading of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 18-002)." (Staff Recommended Action for public agency owned property)."

**Alternative Action(s):**

The City Council may take alternative actions such as:

- A) Approve General Plan Amendment No. 19-001 by adopting City Council Resolution No. 19-50, "A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 19-001." (Attachment 1), Approve Zoning Map Amendment No. 18-001 with findings for approval and approving for introduction Ordinance No. 4184, "An Ordinance of the City of Huntington Beach amending the Huntington Beach Zoning and Subdivision Ordinance by changing the zoning designation from IG (Industrial General), IL (Industrial Limited), or CG (Commercial General) to RT (Research and Technology) on real property located in two existing industrial areas herein referred to as the Gothard Street Corridor and Northwest Industrial Area (Zoning Map Amendment No. 18-001)." (Attachments 2 and 3), and approve Zoning Text Amendment No. 18-002 with findings for approval and approving for introduction Ordinance No. 4183, "An Ordinance of the City of Huntington Beach amending Chapters 204 Use Classifications, 212 Industrial Districts, and 231 Off-Street Parking and Loading of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 18-002)." (Attachments 4 and 6) (PC Recommended Action); or
- B) Continue General Plan Amendment No. 19-001, Zoning Map Amendment No. 18-001, and Zoning Text Amendment No. 18-002 and direct staff accordingly; or
- C) Deny General Plan Amendment No. 19-001, Zoning Map Amendment No. 18-001, and Zoning Text Amendment No. 18-002.

**Analysis:****A. PROJECT PROPOSAL:**

Applicant: City of Huntington Beach

Property Owner: County of Orange and Multiple Various Property Owners

Location: GPA: Subject parcel (APN 111-071-37) is located on the west side of Gothard Street at Prodan Drive.

ZMA/ZTA: Existing industrial areas along the Gothard Street corridor (from south of Edinger Avenue to Ellis Avenue), and within the northwest industrial areas, generally bordered by Bolsa Avenue, Springdale Street, Edinger Avenue, and Bolsa Chica Street.

The following requests comprise the proposed project:

General Plan Amendment (GPA) 19-001: To amend the land use designation of a County of Orange

owned, 2.26-acre vacant parcel (Attachment No. 2):

- from current Open Space - Park (OS-P)
- to Research and Technology (RT)

Zoning Map Amendment (ZMA) 18-001: To amend the Zoning Map designation in two existing areas (Attachment No. 3):

- from Industrial General (IG), Industrial Limited (IL), or Commercial General (CG)
- to Research and Technology (RT); and

Zoning Text Amendment (ZTA) 18-002: To amend the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to establish land use zoning and development standards for the new Research and Technology (RT) zoning district (Attachment No. 5). The proposed amendments are summarized as follows:

#### Chapter 204 Use Classifications

- Establish two new Use Classifications:
  - RT Flex
  - Alcoholic Beverage Manufacturing

#### Chapter 212 Industrial Districts

- Increase allowable by-right office space from 10% to 30%
- Establish Alcoholic Beverage Manufacturing requirements
- Update automobile storage provisions
- Permit RT Flex uses by-right
- Performance Standards to minimize impacts to adjacent and surrounding uses
- Additional minor code revisions and corrections to facilitate recommended RT standards

#### Chapter 231 Off-Street Parking and Loading

- Identify new office and flex parking ratios consistent with Chapter 212 amendments

The proposed legislative drafts of HBZSO Chapters 204 Use Classifications, 212 Industrial Districts, and 231 Off-Street Parking and Loading as modified by the Planning Commission are included as Exhibits A, B, and C of Attachment No. 5.

#### B. BACKGROUND:

The 2017 comprehensive update of the General Plan included a Land Use Element that introduced a new Research and Technology land use designation. The RT land use designation allows a maximum Floor Area Ratio of 1.0 and intends to permit a wide variety of nonresidential mixed-use development in existing industrial areas along the Gothard Street corridor (from south of Edinger Avenue to Ellis Avenue) and within the northwest industrial areas (bordered by Bolsa Avenue, Springdale Street, Edinger Avenue, and Bolsa Chica Street). The proposed project requests will result in a change in the land use designation upon a single parcel on the General Plan Land Use Map, the amendment of the corresponding Zoning Map to reflect all new RT land

use designations, and the establishment of land use controls and development standards for the RT zoning district in the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) in order to implement the RT land use designation as prescribed by the General Plan Land Use Element.

The General Plan Amendment request was added during the background analysis portion of the project, when staff was contacted by the County of Orange regarding a potential future use on their property located on the west side of Gothard at Prodan. The subject parcel is an interior 2.6-acre portion of a site that comprises a portion of a former County landfill property. The remainder of the landfill site, a 9.42-acre parcel fronting Gothard Street, was amended to RT as part of the 2017 comprehensive General Plan update. However, the subject 2.6-acre portion of the site was inadvertently left out of the update and the General Plan Amendment will correct this omission. The subject parcel is also owned by the County, and is immediately west of the 9.42-acre vacant parcel (APN 111-071-35) currently designated RT. Both properties are owned by the County, and function together as one vacant site. This action will bring the entire site under the RT designation for future use, and the new RT development standards to be established will subsequently apply to the entire 11.68-acre site. Subsequently, the General Plan Amendment request was included in the project description, analyzed for consistency with CEQA, and is included in staff and the Planning Commission's recommendation to the City Council.

To inform development of the RT Zone regulations, community engagement efforts included a variety of events and methods. In July 2018, staff and the City's consultant, RRM Design Group, presented the undertaking to the City's quarterly Brokers Briefing meeting and conducted two days of stakeholder meetings with businesses, landowners, City departments, community members, brokers, and other interested parties. Valuable feedback was provided from a local market perspective as well as community and code user viewpoints. Key themes included: streamlining processes and permitting, updating and allowing flexible uses, providing compatibility/performance standards, right-sizing parking regulations, and being forward-looking to accommodate advancing technologies and trends. In addition, project announcements were mailed to owners of all parcels in the RT study area in August 2018 advising of the City's intent and invitation to participate. Regular updates and a frequently asked questions (FAQs) sheet were provided on the City's website.

While community engagement tasks were completed, RRM Design Group prepared two reports, a Market Analysis (Attachment No. 8) and Technical Background Analysis (Attachment No. 9) to enrich the data serving the project outcomes. The Market Analysis described potential market growth and development potentials for the industrial areas to be designated RT, as well as provided insight into development standard issues that might affect the economic feasibility of future development in the RT district. The Technical Analysis Report includes discussion of the existing regulatory setting, and a comparison of examples of RT or related land use zoning standards for relevant zoning examples. Further, the Technical Analysis Report summarized the key findings from the project's community outreach and stakeholder interview process that was used to build a collaborative interest and consensus for the proposed zoning standards.

### C. PLANNING COMMISSION MEETINGS AND RECOMMENDATION:

The Planning Commission held two study sessions on May 28 and June 11 prior to the public hearing for the proposed project on July 9, 2019.

#### July 9, 2019 Public Hearing

At the public hearing, there were no public speakers on the project. Commission discussion focused

on clarification of land uses and proposed requirements for vehicle storage uses within the future RT district. At the public hearing, the Commission made the following modifications:

1. ZMA 18-001: Modify the exhibit of the Zoning Map to change the proposed designation of a single parcel from IG (Industrial General) to RT (Research and Technology). The subject parcel is the site of the Seabreeze Community Church located at the northeast corner of Gothard Street at Prodan Drive. This action corrects an error in the exhibit and does not affect the existing land use.
2. ZTA 18-002: Modify staff's proposed standards for vehicle storage uses in Industrial Districts:
  - a. Remove the proposed permitted by right status of vehicle storage uses on public agency owned properties;
  - b. Require a Conditional Use Permit (CUP) by the Zoning Administrator for vehicle storage uses on both public and private properties in the RT district;
  - c. Add requirement for a CUP to the Planning Commission for any vehicle storage use on RT zoned properties within 300 feet of a residential district; and
  - d. Minor language clean up in Additional Provision (N) Performance Standards

*Planning Commission Action dated July 9, 2019*

A motion was made by Scandura, seconded by Kalmick to recommend approval of General Plan Amendment No. 2019-001, Zoning Map Amendment No. 2018-001, and Zoning Text Amendment No. 18-002 with modifications and forward to City Council by the following vote:

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

**MOTION PASSED**

**July 23, 2019 Planning Commissioner Agenda Item**

The Planning Commission requested that staff agendize three companion topics related to but not part of the Research and Technology project. The three companion topics pertain to the City's Urban Design Guidelines, Wi-Fi, Broadband, and Fiber Optic Infrastructure, and Pedestrian Sidewalks in the RT districts. Descriptions of these topics are included in the July 9, 2019 Planning Commission staff report (Attachment 6). At the July 23, 2019 meeting, the Planning Commission formally voted to request that City Council consider the following

along with the ZMA and ZTA establishing the RT zoning district:

A. Recommend the City Council direct staff to update the City's Urban Design Guidelines

To support the implementation of the RT Zoning Amendment project and the goals and policies of the General Plan Land Use Element, the City Council may direct staff to update the City's Industrial design guidelines for the RT zone. If the City Council has interest in this effort, staff recommends that the Council direct staff to return with a defined scope of work and estimate how many staff hours it will take to implement this effort with a projected timeline to complete the work based on current and projected workloads. Also, direct staff to solicit informal estimates to see how much it would be to contract out this work with a projected timeline for completion.

B. Recommend that the City Council create a Broadband and Wireless Ad-Hoc Committee

The Planning Commission recommends that the City Council consider creating an ad-hoc committee focused on reviewing existing policy and creating new goals for broadband technology and transportation improvements in the RT zone as a pilot project area. A whitepaper written by Commissioner Kalmick is attached for reference (Attachment 8). Staff has an alternative recommendation since a city-wide Broadband Master Plan is currently under development by means of the City Council's Strategic Plan. An internal working group has been identified to develop recommendations to present to the City Council later this year. Staff recommends that the City Council wait to hear the recommendations prior to considering creating an ad-hoc committee specific to the RT Zone as similar or compatible ideas may be included as part of that effort.

C. Recommend that the City Council direct staff to study the efficacy of sidewalk improvements in all Industrial districts.

In recognition of the need for safe pedestrian mobility options, enhancing the existing streetscapes, and increasing the connectivity of existing and future development, the Planning Commission recommends City Council direct staff to consider the feasibility of placing sidewalks in all Industrial Districts. The feasibility study would include an analysis and report on the following options:

1. Direct staff to initiate a program to require public easement dedications on properties located in RT districts pursuant to HBZSO 230.84. This program would require improvements during permitted construction phases.
2. Direct staff to initiate a program to require dedication of public easement space *only*, without requiring improvements where curb, gutter, and sidewalk installations are completed a later date.
3. Direct staff to develop a voluntary sidewalk improvement program where property owners may improve their yards with sidewalk spaces built to their own standards, not subject to a public easement dedication. New sidewalks would require coordinated review by Public Works and Building to evaluate grading, flat work, tie-ins to curb cuts and driveways, and ADA standards. In this scenario, private property owners that make such improvements would assume legal liability for such sidewalks and may consider forming building owner associations to mitigate said liabilities.
4. Direct staff to begin eminent domain proceedings to acquire property and construct

sidewalks throughout the RT zone.

If the City Council has interest in this effort, staff recommends that the Council direct staff to return with preliminary analysis to determine the minimum amount of right-of-way that would be necessary to implement sidewalks in the RT Zone. After such determination, see if application of such dedication results in any sub-standard lots or effectively eliminates an owner's ability to develop their lot with imposition of development standards.

#### D. STAFF ANALYSIS AND RECOMMENDATION:

The staff report for the July 9, 2019, Planning Commission public hearing contains a detailed description of the proposed project, including itemized modifications to the HBZSO under ZTA No. 18-002 (Attachment No. 7).

##### Auto Storage Uses on Public Agency Owned Property

As discussed in Section C. Planning Commission Meetings and Recommendation above, the Planning Commission modified staff's recommendation regarding auto storage uses on public agency owned property. Staff worked directly with the County of Orange to accommodate a future use on their property within the RT zoning district and recommended that auto storage uses on public agency owned properties be permitted by right. The Planning Commission recommends that such auto storage uses be permitted by a conditional use permit on both public and private property. Attachment 6 is a redline version of the section of the legislative draft that illustrates the differences between staff's recommendation (Attachment No. 5) and the Planning Commission's recommendation. Staff continues to recommend that auto storage uses on public agency owned properties be permitted by-right in the RT district.

Staff recommends that the City Council adopt Resolution No. 2019-50 and approve General Plan Amendment No. 19-001, Ordinance No. 4184 approving Zoning Map Amendment No. 18-001, and Ordinance No. 4183 approving Zoning Text Amendment No. 18-002 with modifications and findings in that the project:

- *Implements multiple goals and policies of the General Plan Land Use Element*
- *Establishes land use controls and development standards for the Research and Technology zoning district that provide for new flexible requirements that will attract and retain new businesses and support the future needs of existing businesses*
- *Cleans up Chapter 212 Industrial Districts to reflect current market needs for new uses and development, and improve clarity by addressing minor inconsistencies*
- *Codifies existing policies and code interpretations and allows select entitlement requests to be reviewed by a more appropriate hearing body or to be permitted by right in the new RT district.*

#### Environmental Status:

The City Council adopted Program Environmental Impact Report (EIR) No. 14-001 for the General Plan Update in 2017, which included implementation of a new Research and Technology General

Plan land use designation. The General Plan Program EIR projected growth and 2040 buildout numbers for non-residential development, including 463 acres of the RT land use designation. Thus, the General Plan EIR provides the environmental setting and analysis to serve as the first-tier California Environmental Quality Act (CEQA) document for the proposed project.

Although the establishment of RT zoning land use controls and development standards through ZTA 18-002 will result in some changes or additions to the General Plan EIR, there will not be a change in the buildout characteristics that results in new significant impacts or an increase in the severity of a previously identified impact in the General Plan EIR. As analyzed in the draft Addendum to the General Plan Program EIR, the proposed GPA, ZTA, and ZMA will not result in an action that requires further evaluation pursuant to CEQA, and neither the Planning Commission nor the City Council will need to take action on the Addendum.

Within the Industrial Districts (IG, IL, and RT), all future discretionary projects are subject to CEQA and may have potential project or site specific impacts that would require environmental review. Future review and analysis will be determined on a case-by-case basis.

It should be noted that the GPA would affect a single parcel that is part of a former landfill that was closed in 1962. While the two parcels that make up the landfill site are located within the City of Huntington Beach, the property is owned by the County of Orange and managed by Orange County Waste & Recycling (OCWR). The property is subject to ongoing regulatory requirements including routine inspections, sampling events, reporting and maintenance associated with groundwater, surface water, and other environmental monitoring processes. OCWR has prepared a Mitigated Negative Declaration (MND) to allow for the removal of coastal sage scrub that currently grows on the property in an effort to permit a future land use on the property. The City is not the lead agency for the MND but is coordinating with OCWR and the County regarding the coastal sage scrub removal efforts and mitigation. Upon adoption by the City Council, the RT land use controls and development standards proposed by ZTA 18-002 would be applicable to the County landfill site.

**Strategic Plan Goal:**

Strengthen long-term financial and economic sustainability

**Attachment(s):**

1. City Council Resolution No. 2019-50, A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 19-001 (County Gothard Property)
2. Suggested Findings of Approval - ZMA No. 2018-001
3. Ordinance No. 4184, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance by Changing the Zoning Designation from IG (Industrial General), IL (Industrial Limited), or CG (Commercial General) to RT (Research and Technology) on Real Property Located in Two Existing Industrial Areas Herein Referred to as the Gothard Street Corridor and Northwest Industrial Area (Zoning Map Amendment No. 18-001)
4. Suggested Findings of Approval - ZTA No. 2018-002
5. Ordinance No. 4183, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapters 204 Use Classifications, 212 Industrial Districts, and 231 Off-Street



Parking and Loading of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 18-002) and Exhibit A. Chapter 204 (Use Classifications) Legislative Draft; Exhibit B. Chapter 212 (Industrial Districts) Legislative Draft; and Exhibit C. Chapter 231 (Off-Street Parking and Loading) Legislative Draft

6. Planning Commission Recommendation for Auto Storage
7. Planning Commission Staff Report dated July 9, 2019
8. Planning Commission Recommendation to City Council - Ad Hoc Broadband Committee
9. Market Analysis by RRM Design Group
10. Technical Background Analysis by RRM Design Group