



# City of Huntington Beach

**File #:** 19-1051

**MEETING DATE:** 11/12/2019

## PLANNING COMMISSION STAFF REPORT

**TO:** Planning Commission  
**FROM:** Ursula Luna-Reynosa, Community Development Director  
**BY:** Nicolle Aube, AICP, Associate Planner

**SUBJECT:**  
**ZONING TEXT AMENDMENT NO. 19-002 (HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE UPDATE)**

**REQUEST:**

To amend seven chapters of the HBZSO for overall maintenance pertaining to vehicle storage, parking structures, residential infill requirements, and moving/relocating structures. The seven chapters to be amended are Chapter 203 (Definitions), Chapter 204 (Use Classifications), Chapter 210 (Residential Districts), Chapter 211 (Commercial Districts), Chapter 212 (Industrial Districts), Chapter 230 - Section 230.22 (Residential Infill Lot Development) and Section 230.74 (Outdoor Facilities), and Chapter 231 (Off-Street Parking and Loading Provisions).

**LOCATION:**

Citywide

**APPLICANT:**

City of Huntington Beach

**PROPERTY  
OWNER:**

Not applicable

**BUSINESS  
OWNER:**

Not applicable.

**STATEMENT OF ISSUE:**

1. Does the project satisfy all the findings required for approving a Zoning Text Amendment?
2. Has the appropriate level of environmental analysis been determined?

**RECOMMENDATION:**

That the Planning Commission take the following actions:

A) Finds and determines that 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 City Council Resolution No. 4501, Class 20, which supplements CEQA (Attachment No. 1).

B) Recommend approval of Zoning Text Amendment No. 19-002 with findings (Attachment No. 1) by approving draft City Council Ordinances No. 4193 - 4199 and forward to the City Council for consideration.

**ALTERNATIVE ACTION(S):**

A) Continue Zoning Text Amendment No. 19-002 and direct staff to return with findings for denial.

B) Continue Zoning Text Amendment No. 19-002 and direct staff accordingly.

**PROJECT PROPOSAL:****Background:**

ZTA No. 19-002 represents the second phase of maintenance to amend and update certain sections of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The HBZSO update is an ongoing effort to update the code to ensure it is consistently adapting to market trends and enabling staff to provide efficient and effective customer service. The last comprehensive HBZSO update occurred in 1994. Since then, various amendments have been adopted over the years. In 2002 and 2005, the HBZSO was updated to streamline the entitlement process. In 2014, the City adopted a minor HBZSO update to clarify existing terms and processes. In December 2018, the City adopted the first phase of the ZSO Update which reorganized entitlement permits of certain applications to the lower hearing body, codified existing policies, and clarified sections of the code.

The proposed ZTA No. 19-002 represents the next phase of overall ZSO maintenance. The proposed amendments as part of ZTA No. 19-002 will:

1. Update existing definitions and add new definitions to reflect updates to other chapters.
2. Update the vehicle storage use classification, applicable requirements in the Commercial and Industrial Districts, and revise outdoor facility exceptions to reflect the proposed changes.
3. Modify standards for residential infill development.
4. Clarify requirements and codify design guidelines for parking structures.
5. Clarify requirements for moving/relocating structures and delete a reference to a section of the Huntington Beach Municipal Code that no longer exists.

For ease of reference, a summary matrix providing a comparison between the current code sections and the proposed changes is included (Attachment No. 1). Legislative drafts of each complete chapter are provided (Attachment No. 2). In the legislative drafts, bold and underlined indicates new text; strikeout indicates removal of text.

**Study Session:**

The Planning Commission held a study session for ZTA No. 19-002 on October 8, 2019. There were no questions raised that required further follow up by staff.

## **ISSUES AND ANALYSIS:**

### **General Plan Conformance:**

The proposed ZTA is consistent with the goals and policies of the City's General Plan including:

#### **Land Use Element**

Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.

Policy LU-11 (A): Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

Goal LU-13: The city provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.

Policy LU-13 (A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

Policy LU-2 (E): 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.

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

The ZTA will allow the City to process new development and land use applications in a more effective and efficient manner which will encourage a variety of commercial uses, goods, and services to meet market needs and capture sales tax revenues. The proposed amendments would decrease processing time for applicants by updating review processes, provide clarity, reflect market conditions within the City, and ultimately improve customer service.

### **Zoning Compliance:**

The following provides a review of the proposed amendments in four sections.

#### **A. Residential Infill**

##### ***Section 203.06 - Infill Lot Development***

##### ***Section 203.06 - Residential Infill Lot***

Delete current definitions and replace with new Residential Privacy Design Standards

##### ***Section 203.06 - Residential Privacy Design Standards***

Add new definition to describe applicability of Residential Privacy Design Standards:

- Add floor area above first floor of existing SFD or construction of new SFD with more than one floor
- Increase number of windows or move existing windows above first floor of existing SFD

##### ***Section 210.06 (W) - Residential Development Standards***

Require design elements to ensure privacy between structures:

- Off-set bedroom and bathroom windows above the first floor
- Orient balconies to front, rear, open space, street, or provide:
  - Min. 20 ft. separation between balcony/deck and adjacent structure

#### *Section 230.22 - Residential Infill Lot Developments*

Delete section and replace with additional provision 210.06 (W) for Residential Privacy Design Standards.

Renaming Residential Infill requirements as Residential Privacy Design Standards more accurately describes the provisions for offsetting windows and balconies on single family homes. Reorganizing the requirements within the ZSO from Section 230.22 into Section 210.06 will enable property owners and architects to easily access the revised standards while reviewing the applicable development standards. The revised privacy design standards will be applicable to area above the first floor only. Single family homes in the City are typically separated by a six ft. wall or fence, which provides substantial privacy for any windows that may align on the first floor. Revising the applicability of privacy design standards reduces the processing time of single family remodel/addition projects that do not add or alter any area above the first floor.

#### B. Vehicle Storage

##### *Section 204.10 (GG) 8. Vehicle Storage*

Delete this definition and add three more specific vehicle storage classifications

##### *Section 204.10 (GG) 8. Vehicle Storage, Impound Yards*

Add new impound yard use classification

##### *Section 204.10 (GG) 9. Vehicle Storage, Off-Site Auto Sales*

Add new use classification for off-site vehicle storage for auto sales businesses located within the City

##### *Section 204.10 (GG) 10. Vehicle Storage, Recreational Vehicles*

Add new recreational vehicle storage use classification

#### *Section 211.04 CO, CG, and CV Districts - Land Use Controls (Vehicle Storage)*

Current Process: CUP from ZA in CG Zone

Proposed Process:

- Delete Vehicle Storage use classification and add 3 more specific classifications
- Add:
  - Vehicle Storage, Impound Yards (PC in CG Zone)
  - Vehicle Storage, Off-Site Auto Sales (P/ZA in CG Zone based on proximity to R districts)
  - Vehicle Storage, Recreational Vehicles (ZA in CG Zone)
  - Additional provisions for screening/walls

#### *Section 212.04 IG, IL, and RT Districts - Land Use Controls (Vehicle Storage)*

Current Process:

- Permitted in IG Zone

- CUP from ZA in IL Zone
- CUP from ZA/PC in RT Zone (based on proximity to R districts)
- Additional provision H\*\*

Proposed Process:

- Delete Vehicle Storage use classification and add 3 more specific classifications
- Revise/update formatting for additional provision H\*\* and allow auto storage uses on public agency owned property pursuant to a Parking Area Plan
- Add:
  - Vehicle Storage, Impound Yards (PC all Zones)
  - Vehicle Storage, Off-Site Auto Sales (P/ZA all Zones)
  - Vehicle Storage, Recreational Vehicles (ZA all Zones)
  - Additional provisions for screening/walls

C. Parking and Parking Structure

*Section 203.06 - Parking, Subterranean*

*Section 203.06 - Parking, Tandem*

Add new definitions for clarification of two types of parking facilities

*Section 203.06 - Parking Structure*

Update definition for clarification

*Section 231.18 (G) - Parking Structures*

Clarify development standards and establish design guidelines for parking structures. Revise to codify existing policy that allows for maximum 15% slope with minimum 12 foot long transitions for ramps that are not used for back up space for parking stalls.

*Section 230.74 Outdoor Facilities*

Add Vehicle Storage to list of exceptions for outdoor storage entitlement requirements to avoid conflicts with requirements for updated use classifications

Adding definitions of subterranean parking and tandem parking will provide clarity within the ZSO regarding these common types of parking facilities. Revising the parking structure definition will ensure the definition is inclusive of new technologies such as automated parking structures and clarify that a surface parking lot with a roof above it is not a parking structure. Further, some development standards will also be clarified, such as screening and landscaping requirements. There are currently no codified design guidelines for parking structures. The revision includes a menu of options for design guidelines to improve the architectural quality of parking structures and give applicants some direction on aesthetics. Also, the list of exceptions in the outdoor facilities section would be updated to also include the new vehicle storage classifications which are subject to their own specific requirements in the commercial and industrial code sections. Providing these revisions to the ZSO ensures it is clear to all readers, updates it in accordance with modern standards, and provides better guidance for architectural quality.

D. The following amendments include cleanup and clarification:

*Section 204.10 (H) - Commercial Recreation and Entertainment* - Delete reference to HBMC 9.28

which has been repealed.

*Section 210.06 (X) - Development Standards* - Add provision to reference HBMC 17.28 if moving/relocating structures

These amendments involve cleaning up the HBZSO to improve clarity and allow for internal consistency. By adding the relocation provision to the ZSO, the information is readily accessible to staff and the public.

**Urban Design Guidelines Conformance:**

Not applicable.

**Environmental Status:**

ZTA No. 19-002 is categorically exempt pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act because the request is a minor amendment to the zoning ordinance that does not change the development standards intensity or density.

**Coastal Status:**

The proposed amendment will be forwarded to the California Coastal Commission as a minor Local Coastal Program Amendment for certification.

**Design Review Board:**

Not applicable.

**Subdivision Committee:**

Not applicable.

**Other Departments Concerns and Requirements:**

The proposed updates to Section 231.18 (G) to permit a maximum 15% slope for parking structure ramps with minimum 12 foot long transitions for ramps that are not used for back up space for parking stalls is based on an existing policy that was established with input from the Department of Public Works.

**Public Notification:**

Legal notice was published in the Huntington Beach Wave on October 31, 2019 and notices were sent to individuals/organizations requesting notification (Planning Division's Notification Matrix). As of November 5, 2019, no communications regarding the request have been received.

**Application Processing Dates:**

DATE OF COMPLETE APPLICATION:	MANDATORY PROCESSING DATE(S):
Not applicable	Legislative Action - Not applicable

**SUMMARY:**

Staff recommends that the Planning Commission recommend approval of Zoning Text Amendment No. 19-002 with findings and forward to the City Council based on the following:

- Cleans up the HBZSO to improve clarity, address deficiencies, and maintain currency.
- Codifies existing policies and code interpretations and allows select entitlement requests to be reviewed by a lower hearing body or to be permitted by right.
- Results in better customer service by providing a clear, prompt, and cost effective review process.
- Consistent with General Plan goals and policies.

**ATTACHMENTS:**

1. Suggested Findings of Approval - ZTA No. 19-002
2. ZSO Update Matrix of Changes
3. Section 203.06 - Definitions Draft Ordinance and Legislative Draft
4. Section 204.10 - Commercial Use Classifications Draft Ordinance and Legislative Draft
5. Section 210.06 - Residential Property Development Standards Draft Ordinance and Legislative Draft
6. Section 211.04 - Commercial Land Use Controls Draft Ordinance and Legislative Draft
7. Section 212.04 - Industrial Land Use Controls Draft Ordinance and Legislative Draft
8. Section 230.22 - Residential Infill Lot Development and Section 230.74 - Outdoor Facilities Draft Ordinance and Legislative Draft
9. Section 231.18 - Design Standards Draft Ordinance and Legislative Draft