2000 Main Street,
Huntington Beach, CA
92648

City of Huntington Beach

File #: 19-1170 **MEETING DATE:** 1/21/2020

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

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

Subject:

Public Hearing Continued Open from December 16, 2019 to consider Zoning Text Amendment No. 19-002 (Huntington Beach Zoning and Subdivision Ordinance Update) by approving for introduction Ordinance Nos. 4193, 4194, 4195, 4196, 4197, 4198 and 4199

Statement of Issue:

Transmitted for your consideration is Zoning Text Amendment No. 19-002, a City-initiated 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 request also codifies existing policies and clarifies sections of the code. The Planning Commission and staff recommend approval of the request.

Financial Impact:

Not applicable.

Recommended Action:

A) Find Zoning Text Amendment No. 19-002 exempt from the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act (Attachment No. 1); and

B) Approve Zoning Text Amendment No. 19-002 with findings (Attachment No. 1) and approve for introduction:

Ordinance No. 4193, “An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 210 of the Huntington Beach Zoning and Subdivision Ordinance Titled R Residential Districts (Zoning Text Amendment No. 19-002);”

Ordinance No. 4194, “An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 203 of the Huntington Beach Zoning and Subdivision Ordinance Titled Definitions (Zoning Text Amendment No. 19-002);”

Ordinance No. 4195, “An Ordinance of the City Council of the City of Huntington Beach

Amending Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance Titled Use Classifications (Zoning Text Amendment No. 19-002);"

Ordinance No. 4196, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 231 of the Huntington Beach Zoning and Subdivision Ordinance Titled Off-Street Parking and Loading Provisions (Zoning Text Amendment No. 19-002);"

Ordinance No. 4197, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 230 of the Huntington Beach Zoning and Subdivision Ordinance Titled Site Standards (Zoning Text Amendment No. 19-002);"

Ordinance No. 4198, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 212 of the Huntington Beach Zoning and Subdivision Ordinance Titled I Industrial Districts (Zoning Text Amendment No. 19-002);" and,

Ordinance No. 4199, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 211 of the Huntington Beach Zoning and Subdivision Ordinance Titled C Commercial Districts (Zoning Text Amendment No. 19-002);" (Attachment Nos. 3 - 9).

Alternative Action(s):

The City Council may make the following alternative motion(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.

Analysis:

A. PROJECT PROPOSAL

Applicant: City of Huntington Beach

Location: Citywide

The Zoning Text Amendment (ZTA) proposes to amend seven chapters of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to reorganize certain entitlement applications to a lower hearing body or permit by right, codify existing policies, and clarify sections of the code. 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).

In an ongoing effort to improve customer service and ensure the HBZSO is clear, current, and consistently adapting to market trends, staff has identified some needed changes. The proposed amendments would decrease processing time for applicants, encourage new businesses, provide greater clarity, and ultimately improve customer service. ZTA No. 19-002 represents the second phase of the overall ongoing HBZSO update. A matrix providing a comparison between

the current code sections and the proposed changes is included as Attachment No. 2. Legislative drafts of the amended chapters are also attached.

B. PLANNING COMMISSION MEETING

The Planning Commission held a public hearing on ZTA No. 19-002 on November 12, 2019. There were no public comments regarding the proposed ZSO update. The Planning Commission asked some questions for clarification regarding vehicle storage and infill. Commissioner Scandura made a motion to recommend that all vehicle storage uses in all zones be reviewed by the Planning Commission. However, the motion did not receive a second and failed.

Planning Commission Action on November 12, 2019:

The motion was made by Kalmick, seconded by Perkins, to find and determine that the project is exempt from the California Environmental Quality Act, recommend approval of ZTA No. 19-002, and forward to the City Council for consideration carried by the following vote:

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

C. STAFF ANALYSIS AND RECOMMENDATION

Zoning Compliance:

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

1. 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.

2. 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

3. 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.

4. 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.

D. SUMMARY

Staff recommends that the City Council approve Zoning Text Amendment No. 19-002 with findings 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.

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.

Strategic Plan Goal:
Enhance and maintain high quality City services

Attachment(s):

1. Suggested Findings of Approval - ZTA No. 19-002
2. HBZSO Update Matrix of Changes
3. Ord 4193 - Chapter 210 (Residential Districts) w/Legislative Draft
4. Ord 4194 - Chapter 203 (Definitions) w/Legislative Draft
5. Ord 4195 - Chapter 204 (Use Classifications) w/Legislative Draft
6. Ord 4196 - Chapter 231 (Off-Street Parking and Loading Provisions) w/Legislative Draft
7. Ord 4197 - Chapter 230 (Site Standards) w/Legislative Draft
8. Ord 4198 - Chapter 212 (Industrial Districts) w/Legislative Draft
9. Ord 4199 - Chapter 211 (Commercial Districts) w/Legislative Draft