



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Tess Nguyen, Associate Planner *TN*
DATE: March 27, 2012

SUBJECT: GENERAL PLAN AMENDMENT NO. 11-002 / ZONING TEXT AMENDMENT NO. 11-002 (SKATE PARK PROJECT)

APPLICANT: VF Outdoor, Inc., 6550 Katella Avenue, Cypress, CA 90630

PROPERTY

OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

LOCATION: 7461 Center Avenue, Huntington Beach, CA 92647 (2.7-acre vacant site on Center Avenue, approximately 500 ft. east of Gothard Street)

STATEMENT OF ISSUE:

- ◆ General Plan Amendment No. 11-002 request:
 - Amend the Housing Element: 1) to remove the reference to the project site on Page IV-16; 2) to remove Site #5 from Table IV-7 (Sites for Potential Rezoning to Exclusively Residential Use) on Page IV-17; and 3) to remove the discussion of Site #5 on Page IV-18.
- ◆ Zoning Text Amendment No. 11-002 request:
 - Amend the Beach and Edinger Corridors Specific Plan (BECSP) to remove the “Residential Required” designation (yellow dashed lines) from the subject property.
- ◆ Staff’s Recommendation:

Approve General Plan Amendment No. 11-002 and Zoning Text Amendment No. 11-002 based upon the following:

 - Facilitates the development of a public skate park to provide additional recreational opportunities for the community.
 - Improves the City’s fiscal viability by stimulating tourism and increasing tax revenues in conjunction with the skate park special events.
 - Complements a diversity of uses within the Beach and Edinger Corridors Specific Plan area, particularly along the Center Avenue corridor.
 - Demonstrates that the City has adequate sites to fulfill Housing Element goals

RECOMMENDATION:

Motion to:

- A. "Approve General Plan Amendment No. 11-002 by approving the draft City Council Resolution (Attachment No. 1) and forward to the City Council for adoption."
- B. "Approve Zoning Text Amendment No. 11-002 with findings for approval (Attachment No. 2) and forward the draft ordinance (Attachment No. 3) to the City Council for adoption."
- C. "Approve CEQA Findings of Fact with a Statement of Overriding Considerations – EIR No. 10-009 (Attachment No. 7)."

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Continue General Plan Amendment No. 11-002 and Zoning Text Amendment No. 11-002 and direct staff accordingly."
- B. "Deny General Plan Amendment No. 11-002 and Zoning Text Amendment No. 11-002 with findings for denial."

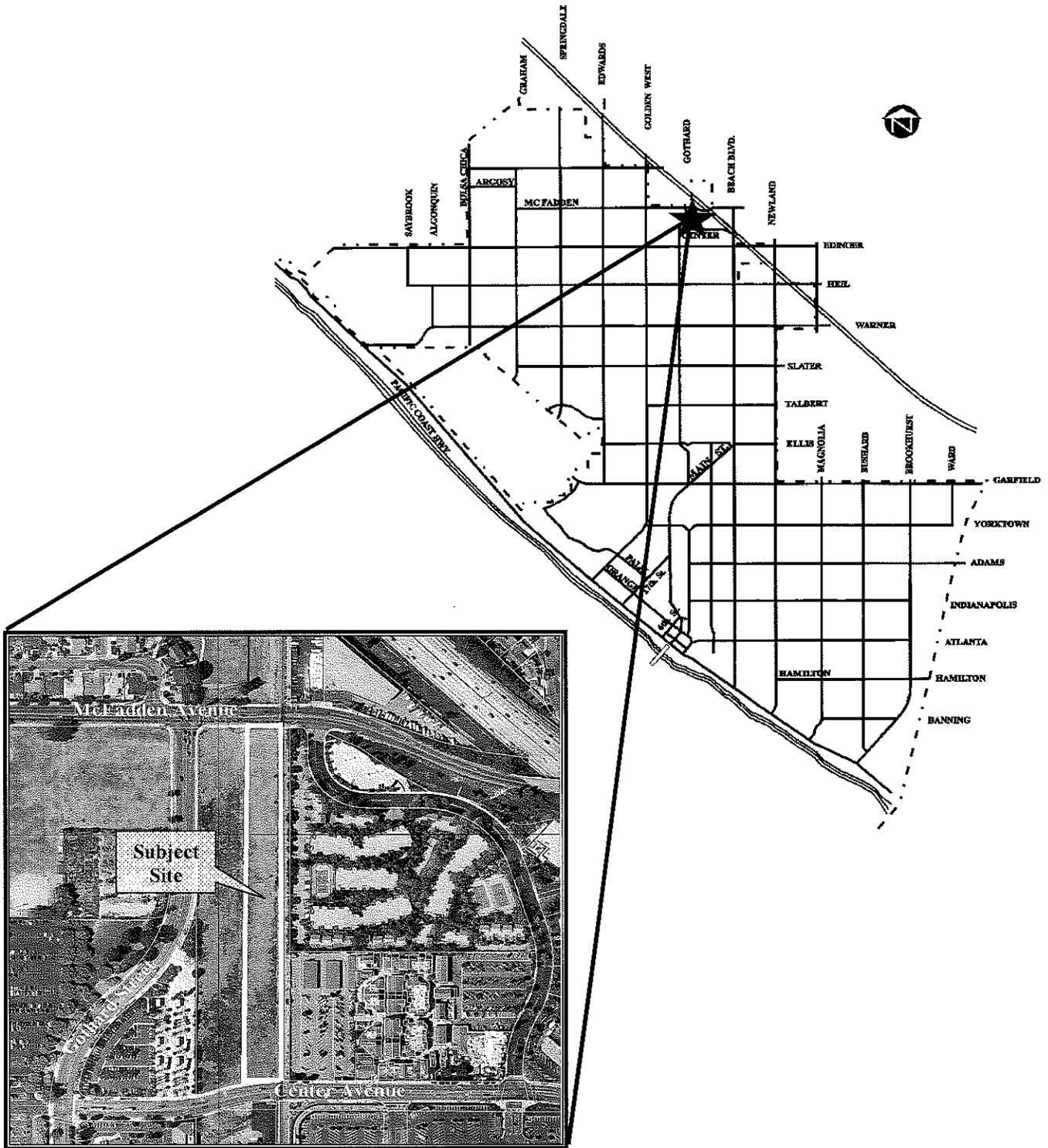
PROJECT PROPOSAL:

General Plan Amendment (GPA) No. 11-002 represents a request to amend the Housing Element: 1) to remove the reference to the project site on Page IV-16; 2) to remove Site #5 from Table IV-7 (Sites for Potential Rezoning to Exclusively Residential Use) on Page IV-17; and 3) to remove the discussion of Site #5 on Page IV-18 (Attachment No. 1).

Zoning Text Amendment (ZTA) No. 11-002 represents a request to amend the Beach and Edinger Corridors Specific Plan to remove the "Residential Required" designation (yellow dashed lines) from the subject property (Attachment Nos. 4 and 5).

The reason for the requests is to permit the development of a public skate park. The General Plan Housing Element specifies that the 2.7-acre site will be designated exclusively for residential uses and indicates that the City intends for the site to be developed with a minimum of 175 affordable units. In addition, the site is designated in the Beach and Edinger Corridors Specific Plan (Town Center – Neighborhood) as "Residential Required". In order to permit the development of the proposed skate park, an amendment to the General Plan Housing Element and a Zoning Text Amendment to the Beach and Edinger Corridors Specific Plan is required to remove the housing designation on the project site.

Environmental Impact Report No. 10-009 is processed concurrently with these legislative acts and is addressed under a separate staff report. It is necessary for the Planning Commission to review and act on Environmental Impact Report No. 10-009 prior to action on the General Plan Amendment and Zoning Text Amendment.



VICINITY MAP
GENERAL PLAN AMENDMENT NO. 11-002
ZONING TEXT AMENDMENT NO. 11-002
(SKATE PARK PROJECT—7461 CENTER AVENUE)

Background:

The project site consists of approximately 2.7 acres located on Center Avenue, approximately 500 ft. east of Gothard Street. The project site is bounded by McFadden Avenue on the north, a Union Pacific Railroad track to the east, Center Avenue to the south, and Southern California Edison (SCE) property with overhead electrical transmission lines to the west. The site is currently vacant and has never been developed with urban uses. The project site is located within the Town Center Neighborhood segment of the BECSP.

Study Session:

The requests were presented to the Planning Commission for study session on February 28, 2012. An inquiry was made as to the City's performance in meeting the affordable housing obligations over time. The Planning Commission was provided with a copy of the 2011 Housing Element Progress Report which describes the status of the Housing Element and progress in its implementation.

ISSUES:

Subject Property and Surrounding Land Use, Zoning, and General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP 14 (Beach and Edinger Corridors Specific Plan – Town Center Neighborhood)	Vacant
North (across McFadden Avenue in the City of Westminster) of Subject Property:	P/OS (Park/Open Space) and RL (Residential – Low)	P-F (Public Facilities) and R-1 (Single Family Residence)	Single Family Residential and College Park
South (across Center Avenue) of Subject Property:	M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP 14 (Beach and Edinger Corridors Specific Plan – Town Center Neighborhood)	SCE Transmission Towers, Plant Nursery Storage, and Shopping Center
East (across railroad tracks) of Subject Property:	M-sp (Mixed Use-Specific Plan Overlay)	SP 1 (North Huntington Center Specific Plan)	Old World Village and Multi-Family Residential
West of Subject Property:	M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP 14 (Beach and Edinger Corridors Specific Plan – Town Center Neighborhood)	SCE Transmission Lines and OCTA Transportation Center

General Plan Conformance:

The proposed General Plan Amendment and Zoning Text Amendment are consistent with the following goals and objectives of the City's General Plan as follows:

Land Use Element

Goal LU 7: Achieve a diversity of land uses that sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.

Objective LU 7.1: Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, educational, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding subregion, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic "relief" from urban development.

Although the Zoning Text Amendment proposes to remove the "Residential Required" designation from the subject site, a range of allowable uses would remain for the Town Center Neighborhood segment of the BECSP. The mix of uses in this segment of the BECSP would allow for the development of a balance of land uses that sustain the City's economic vitality.

Housing Element

Goal H 2: Provide adequate housing sites to accommodate regional housing needs.

Policy H 2.2: Facilitate the development of mixed-use projects in appropriate commercial areas, including stand-alone residential development (horizontal mixed-use) and housing above ground floor commercial uses (vertical mixed-use). Establish mixed use zoning regulations.

Policy H 2.3: Encourage and facilitate the provision of housing affordable to lower income households within the Beach/Edinger Corridor Specific Plan. Incorporate policy language and development standards within the Plan in support of affordable housing.

Goal H 3: Assist in development of affordable housing.

Policy H 3.1: Encourage the production of housing that meet all economic segments of the community, including lower, moderate, and upper income households, to maintain a balanced community.

The project site is currently designated in the City's General Plan Housing Element for up to 175 affordable housing units on the project site. The proposed skate park project would amend the City's General Plan Housing Element and the BECSP to eliminate the "Residential Required" requirement. As such, the project would result in a net reduction in the City's potential affordable housing stock and would not be developed with residential uses that meet any economic segments of the community. The Housing Element identifies alternate sites within the City that could potentially be rezoned to accommodate additional housing. Although such zoning amendment(s) are not being processed concurrently, the City is committed to processing such amendment(s) as prescribed by State law. The proposed project would therefore be consistent with the General Plan Housing Element goals and policies.

Zoning Compliance: Not applicable.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

The project's potential environmental impacts are analyzed and discussed in a separate staff report. Prior to any action on General Plan Amendment No. 11-002 and Zoning Text Amendment No. 11-002, it is necessary for the Planning Commission to review and act on Environmental Impact Report No. 10-009. Staff is recommending that Environmental Impact Report No. 10-009 be certified as adequate and complete with findings and a Mitigation Monitoring and Reporting Program.

Although the project results in adverse impacts to the environment that cannot be mitigated or avoided, the Planning Commission may still approve the project if a Statement of Overriding Considerations is adopted. CEQA requires decision makers to balance the benefits of the proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the City may consider the adverse environmental effects acceptable. The adverse impacts are unavoidable because it has been determined that no feasible mitigation is available at this time.

Coastal Status: Not applicable.

Redevelopment Status:

The project is located in a Redevelopment Project area. The Economic Development Department has reviewed the proposed entitlements and recommends approval of the General Plan Amendment and Zoning Text Amendment.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Economic Development Department has reviewed the proposed entitlements and recommends approval of the General Plan Amendment and Zoning Text Amendment. The City Attorney's Office has reviewed the draft ordinance and resolution. No other departments have comments on the GPA and ZTA.

Public Notification:

Legal notice was published in the Huntington Beach Independent on March 15, 2012, and notices were sent to property owners of record and occupants within a 1,000 ft. radius of the project site, interested parties, and individuals/organizations that commented on the environmental document. As of March 16, 2012, no letters were received in support or in opposition of the project. The legislative draft of the proposed changes to the City's Housing Element have also been sent to the State Department of Housing and Community Development. Their comments will be forwarded when received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

April 11, 2011

MANDATORY PROCESSING DATE(S):

Not Applicable for Legislative Action

GPA No. 11-002 and ZTA No. 11-002 were filed on March 11, 2011.

ANALYSIS:

The primary planning issues related to the requests pertain to the proposed General Plan Amendment, Zoning Text Amendment, and the overall conformance with the goals, objectives, and policies of the General Plan.

General Plan Amendment

The 2.7-acre project site is currently designated in the General Plan Housing Element for up to 175 affordable housing units towards fulfilling the City's affordable housing needs as determined in the Regional Housing Needs Assessment (RHNA). With the proposed skate park project, the applicant is requesting to amend the General Plan Housing Element to remove the housing designation on the project site. There is no change to the General Plan designation for the subject site; it remains Mixed Use – Specific Plan Overlay – Design Overlay.

The City of Huntington Beach, through the Housing Element, is required to show how the City's share of the RHNA, as determined by the Southern California Association of Governments, can be met. The RHNA allocation for the City is 2,092 units, distributed among the following income groups: 454 very low income, 369 low income, 414 moderate income, and 855 above moderate income units. Because of a shortfall in vacant sites necessary to fulfill the lower and moderate income housing needs, the City was required to commit to a rezoning program in the 2008 Housing Element update. Pursuant to AB 2348, a rezoning program to provide adequate sites to address a RHNA shortfall must adhere to the following parameters:

- Sites must be rezoned to accommodate 100% of the RHNA shortfall for very low and low income units
- Rezoned sites for lower income households must accommodate residential uses "by right"
- Rezoned sites must be able to accommodate a minimum of 16 units
- At least 50% of sites rezoned to address the lower income housing shortfall need to be accommodated on sites designated for exclusively residential use

At the time of the Housing Element update, the City was working on the BECSP. Because the BECSP was being structured to allow most residential projects by right (with a Site Plan Review), the City chose to designate sites within the BECSP area for the rezoning program. The Housing Element identified five potential sites. Ultimately, to address the City's lower income RHNA shortfall of 352 units on exclusively residential sites (50% of total 704 lower income RHNA shortfall), the project site and a site on Delaware Street (south of Main Street) were rezoned in the BECSP. With the development of the skate park being proposed at the project site, the amendment to the General Plan Housing Element to

remove reference to the project site is necessary, as well as to demonstrate that the City has adequate other opportunities to replace the units at another to-be-rezoned site(s).

The City's 2008 General Plan Housing Element identified three other sites with a combined potential unit yield of 210. As part of the subject General Plan Amendment, the City has identified four additional sites that could potentially yield approximately 725 units (Attachment No. 1). Thus, as amended the General Plan Housing Element demonstrates that the City has adequate sites that could be rezoned to satisfy State requirements. Nonetheless, the General Plan Amendment would remove the housing designation on the project site, resulting in a reduction in the City's potential affordable housing stock.

State Law requires that replacement site(s) be rezoned in order for a City to have a certified Housing Element. If the City does not complete the rezoning before the next Housing Element cycle, which begins October 1, 2013, the "unaccommodated need" carries over to the next Housing Element cycle and the rezoning would need to be done within the first year of the next cycle. Until such time that this occurs, the City's Housing Element would not be certified by the State Department of Housing and Community Development. Finally, state law encourages the rezoning to occur as soon as possible so that there is time in the planning period of the Housing Element cycle for a project to potentially be developed. It is anticipated that the City Council will provide direction to staff regarding the sites to be rezoned when the subject requests are considered by them. Although the rezoning of alternate sites within the City is not being processed at this time, the proposed General Plan Amendment demonstrates that the City can fulfill the goals and policies of the General Plan to provide adequate housing sites to accommodate regional housing needs.

Zoning Text Amendment

The project site is located in the Town Center – Neighborhood segment of the Beach Edinger Corridors Specific Plan. The BECSP currently designates the site as "Residential Required" and any future development would require residential units. In order to develop the proposed skate park, a Zoning Text Amendment to the BECSP is required to remove the housing designation on the project site.

The Town Center – Neighborhood segment of the BECSP allows for a mix of uses, ranging from retail uses to civic and cultural uses and from office uses to residential uses. If the "Residential Required" designation on the project site is removed by the Zoning Text Amendment, a range of allowable uses would remain for the project site in the Town Center – Neighborhood segment of the BECSP. The development of a skate park, as a recreation facility, is categorized as a civic and cultural use which is permitted with a Site Plan Review and would be consistent with the goals and objectives of the General Plan to sustain the City's economic vitality.

Finally, State law requires that if a jurisdiction reduces the density of any parcel identified in the Housing Element to meet housing need that it make certain findings. The proposed Zoning Text Amendment does not change the allowed density of the parcel (there is no maximum in the BECSP), and should the Skate Park project not go forward a residential project would still be allowed on the subject parcel pursuant to the property's Town Center-Neighborhood designation. Nonetheless, as discussed in the General Plan Amendment analysis above, the City has adequate remaining sites to offset the loss of potential housing on the subject site and the proposed Zoning Text Amendment is consistent with the City's General Plan.

SUMMARY:

Staff's Recommendation: Approve General Plan Amendment No. 11-002 and Zoning Text Amendment No. 11-002 based upon the following:

- Facilitates the development of a public skate park to provide additional recreational opportunities for the community.
- Improves the City's fiscal viability by stimulating tourism and increasing tax revenues in conjunction with the skate park special events.
- Complements a diversity of uses within the Beach and Edinger Corridors Specific Plan area, particularly along Center Avenue corridor.
- Demonstrates that the City has adequate sites to fulfill Housing Element goals.

ATTACHMENTS:

1. Draft City Council Resolution No. ___ for General Plan Amendment No. 11-002
2. Suggested Findings for Zoning Text Amendment No. 11-002
3. Draft Ordinance No. ___ for Zoning Text Amendment No. 11-002
4. Existing BECSP (Zoning) Map
5. Proposed BECSP (Zoning) Map
6. Project Narrative dated and received March 11, 2011
7. CEQA Findings of Fact with Statement of Overriding Considerations – EIR No. 10-009

SH:MBB:HF:TN

RESOLUTION NO. _____

DRAFT

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HUNTINGTON BEACH APPROVING
GENERAL PLAN AMENDMENT NO. 11-002

WHEREAS, General Plan Amendment No. 11-002 proposes to amend the Housing Element 1) to update the list and associated discussion of sites that may be rezoned to exclusively residential use, including removing the reference to the City-owned property on McFadden Avenue (Table IV-7) and 2) to update the list of opportunity sites (Table IV-6) to reflect that a portion of one site is now listed in Table IV-7.

The Planning Commission of the City of Huntington Beach, after notice duly given, held a public hearing to consider General Plan Amendment No. 11-002 and recommended approval of said entitlement to the City Council; and

The City Council of the City of Huntington Beach, after notice duly given, held a public hearing to consider General Plan Amendment No. 11-002; and

The City Council finds that said General Plan Amendment No. 11-002 is necessary for the changing needs and orderly development of the community, is necessary to accomplish refinement of the General Plan, and is consistent with other elements of the General Plan. The Amendment demonstrates that the City has adequate sites that can accommodate housing to address the City's share of regional housing needs.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

SECTION 1. That the General Plan is amended pursuant to Amendment No. 11-002, which amends the Housing Element 1) to update the list and associated discussion of sites that may be rezoned to exclusively residential use, including removing the reference to the City-

owned property on McFadden Avenue (Table IV-7) and 2) to update the list of opportunity sites (Table IV-6) to reflect that a portion of one site is now listed in Table IV-7.

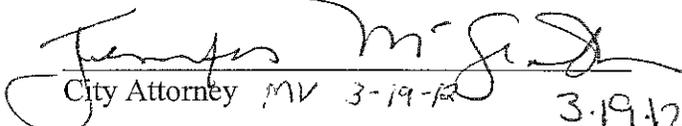
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2012.

Mayor

REVIEWED AND APPROVED:

City Manager

APPROVED AS TO FORM:


City Attorney MV 3-19-12 3-19-12

INITIATED AND APPROVED:

Director of Planning and Building

EXHIBIT A

GENERAL PLAN AMENDMENT NO. 11-002

Table IV-6
Beach/Edinger Corridor Specific Plan – Example Mixed Use Projects & Opportunity Sites

Projects	Number of New Units	Site Acreage	Project Density
Edinger Avenue			
The Ripcurl	440 apartment units	3.8 acres	115 units/acre
The Village at Bella Terra*	500 units	15.8 acres	32 units/acre
Watt Development Property	600 units	13.8 acres	44 units/acre
former Levitz property	1,260 units	12.5 acres	101 units/acre
Beach Boulevard			
Beach & Warner	270 units	9.4 acres	29 units/acre
Beach & Ellis (sec)	120 units	2.6 acres	46 units/acre
Opportunity Sites			
Beach & Ellis (nwc)	450 126 units	2.4 1.62 acres	62 77 units/acre
Beach & Yorktown (nec)	200 units	3.5 acres	57 units/acre
Total	3,540 <u>3,516</u> units		

*Located on Edinger in The Crossings Specific Plan adjacent to Beach/Edinger Specific Plan area.

Rezoning for Exclusively Residential Use

As a means of complying with AB 2348 which requires at least half of sites rezoned to address a lower income RHNA shortfall to be designated exclusively for residential uses, the City has identified sites both within and adjacent to the Beach/Edinger Specific Plan appropriate for development as entirely residential. The City will rezone three or more of the sites are identified in Table IV-7 (illustrated in Figure 9), encompassing targeted sites on Beach Boulevard; parcels within the Pacifica Specific Plan (off Beach Blvd) and a Redevelopment Agency owned site on McFadden Avenue adjacent to Goldenwest College. The City is currently able to commit to rezoning Sites 4 and 5; As part of the Beach/Edinger Specific Plan adoption in March 2010, Site 4 was rezoned as entirely residential. Determination of which of the other sites among 1-3 will be redesignated for exclusively residential will need to be confirmed as part of the Beach/Edinger Specific Plan process an additional zone change. Rezoning of three one or more of the additional sites in Table IV-7 will more than address the City's lower income RHNA shortfall for 352 units on exclusively residential sites (50% of total 704 lower income RHNA shortfall).

ATTACHMENT NO. 1.4

**Table IV-7
Sites for Potential Rezoning to Exclusively Residential Use**

Map #	Location	Current Zoning	Anticipated # of units	Site Acreage	Density
1	Beach Blvd, S. of Yorktown	<u>CGSP14</u>	70	2.12	33 du/ac
2	Cypress and Elm, behind Beach Blvd.	<u>CGSP14</u>	40	.76	30 du/ac
3	Beach Blvd, N. of Yorktown	<u>CGSP14</u>	100	3.14	31 du/ac
4	Pacifica Specific Plan <u>Delaware St, S. of Main St</u>	SP214	187	3.13	60 du/ac
5	McFadden Ave (RDA owned site)	IG	175	2.7	65 du/ac
<u>5</u>	<u>Beach Blvd, N. of Main St</u>	<u>SP14</u>	<u>24</u>	<u>.78</u>	<u>30 du/ac</u>
<u>6</u>	<u>Gothard St, S. of Edinger Ave</u>	<u>SP14</u>	<u>110</u>	<u>1.32</u>	<u>32 du/ac</u>
<u>7</u>	<u>Gothard St and Edinger Ave</u>	<u>SP14</u>	<u>510</u>	<u>8.5</u>	<u>60 du/ac</u>
<u>8</u>	<u>Beach Blvd, N. of Slater Ave</u>	<u>SP14</u>	<u>81</u>	<u>1.63</u>	<u>50 du/ac</u>
Total			572	1,122	

The City used the following process to develop the inventory of sites for rezoning to exclusively residential use. As part of the Beach/Edinger Specific Plan, a "micro-vulnerability" analysis was conducted along Beach Boulevard to identify those sites most vulnerable to change from existing use (refer to Appendix A). City staff then evaluated these sites to determine which would be most appropriate for redesignation to an exclusively residential use, and identified sites 1-~~38~~ on Table IV-7. As depicted in the Rezoning Sites Table and accompanying aerial photos in Appendix A, these sites are characterized by a mix of older, economically marginal uses; parking lots; and vacant parcels - all factors contributing to their identification as vulnerable to change. The City's consultant for the Specific Plan estimated the dwelling unit potential on each of these sites based on an expected residential product type, providing the basis for the units identified in Table IV-7. The Beach/Edinger Specific Plan is structured as a form based Development Code, and does not establish maximum residential densities. The densities presented for sites 1-~~38~~ are not prescribed and do not represent maximum densities, but rather reflect the anticipated density based on an assumed product type.

Site #4 in Table IV-7 falls just outside was rezoned as part of the Beach/Edinger Specific Plan within the ~~Pacifica Community Plan~~. The four parcels that comprise this former hospital site consist of surface parking lots, and a medical office building slated for demolition. A portion of this site had a previous proposal for development with 130 senior condominiums, and several developers have expressed an interest to the City in developing the site with housing at densities ranging from 70-80 units/acre. ~~The Pacifica Community Plan identifies residential as a conditionally permitted use with no density cap. The City is committed to amending the Specific Plan to allow housing by~~

right, and modifying the Plan's development standards as necessary to facilitate development at 60 units/acre.

Although Site #4 consists of 4 separate parcels, all of the parcels are held under one ownership and would be required to be consolidated prior to development of the site. Additionally, all but one of the parcels would be able to accommodate a minimum of 16 units if sold and developed separately. It should be noted that the parcel that would not be able to accommodate a minimum of 16 units is tied to an adjacent parcel and would not be developed on its own as it is substandard in size and does not have street access.

~~Site #5 is a 2.7 acre vacant site on McFadden Avenue adjacent to Golden West College owned by the Redevelopment Agency, and has been targeted for development with affordable housing. The Agency intends to issue a Request for Qualifications in mid-2008 to non-profit housing developers for development of the site, and complete negotiations with the selected developer by year end; environmental review on the site will be conducted as part of the EIR on the Beach/Edinger Specific Plan. The Agency's goal is to develop the site as exclusively residential, and to accommodate a minimum of 175 affordable units on the site. This property is currently designated for Mixed Use in the General Plan and zoned General Industrial; the City will amend the General Plan and Zoning for this site to allow only residential use.~~

Site #5 is a 0.78-acre site located on the west side of Beach Boulevard, north of Main Street. In 2010, the parcel was rezoned and included in the Town Center Neighborhood Segment of the Beach/Edinger Specific Plan, which allows for mixed use development. The L-shaped vacant site is a single parcel with a narrow 60 ft. frontage along Beach Boulevard and widening along the west (rear) property line. The City estimates approximately 24 units could be developed on the parcel in accordance with the Town Center Neighborhood Segment development standards and guidelines.

Site #6 is a 1.32-acre site located on the east side of Gothard Street, south of Edinger Avenue. In 2010, the parcel was rezoned and included in the Town Center Boulevard Segment of the Beach/Edinger Specific Plan, which allows for mixed use development. The privately owned parcel currently has one building with surface parking on site. Although the site is developed, there has been strong interest in redevelopment of the site for residential. The City estimates approximately 110 units could be developed on the parcel in accordance with the Town Center Boulevard Segment development standards and guidelines.

Site #7 is a 8.5-acre site located at the southwest corner of Gothard Street and Edinger Avenue, consisting of five separate parcels with two property owners. In 2010, the site was rezoned and included in the Town Center Boulevard Segment of the Beach/Edinger Specific Plan, which allows for mixed use development. The consolidation of all five parcels would be required prior to development of the site. The site currently has five commercial and industrial buildings with surface parking lots. Although the site is developed, there has

been strong interest in redevelopment of the site for residential. The City estimates approximately 510 units could be developed on the parcel in accordance with the Town Center Boulevard Segment development standards and guidelines.

Site #8 is a 1.63-acre vacant site located on the east side of Beach Boulevard, north of Slater Avenue, consisting of four separate parcels. In 2010, the site was rezoned and included in the Neighborhood Boulevard Segment of the Beach/Edinger Specific Plan, which allows for mixed use development. The consolidation of all four parcels would be required prior to development of the site. The City estimates approximately 81 units could be developed on the parcel in accordance with the Neighborhood Boulevard Segment development standards and guidelines.

Adequacy of Rezoning Program to Address RHNA Shortfall

As indicated in Table IV-5, Huntington Beach has a shortfall of currently zoned sites to accommodate a portion of its regional housing needs for 704 lower income and 311 moderate income units. The City is committing to a rezoning program as part of the Housing Element (Program #9A) to provide adequate sites at appropriate densities to address this shortfall, and to address the following parameters of AB 2348: a) rezoned sites for lower income households provide for residential uses "by right"; b) rezoned sites accommodate a minimum of 16 units; c) at least 50% of sites rezoned to address the lower income housing shortfall are accommodated on sites designated for exclusively residential use.

By way of example of high density residential sites to become available as part of the overall 5,000 unit capacity within the Beach/Edinger Specific Plan, Table IV-6 illustrates eight specific opportunity sites and proposed mixed use projects. These eight sites alone provide capacity for over 3,500 units, seven of which provide densities appropriate to support lower income development, and one site with densities suitable to support moderate income development. Through the rezoning to occur as part of the adoption of the Beach/Edinger Specific Plan, the City has provided suitable sites to address the City's RHNA shortfall for 311 moderate income units, and 352 lower income units permitted to be part of a mixed use development. Table IV-7 demonstrates the City's site capacity to address its shortfall of 352 lower income units on sites designated for exclusively residential use, and one of the sites, Site #4, was rezoned in 2010. It is estimated that this site could yield 187 units. Thus, the remaining shortfall would be 165 units, which could be accommodated with rezoning of one or more of the other sites in Table IV-7.

5. Availability of Infrastructure and Public Services

As a completely urbanized community, the City of Huntington Beach has already in place all of the necessary infrastructure to support future development. All land designated for residential use is served by sewer and water lines, streets, storm drains, and telephone, electrical, and gas lines. However, as an older community, much of the City's infrastructure is aging and will require improvements or replacement over time.

The timing and funding of improvements need to be closely correlated with development phasing. The City has adopted an Integrated Infrastructure Master Plan that identifies needed improvement(s) and associated costs.

ATTACHMENT NO. 1.8

APPENDIX A

RESIDENTIAL SITES INVENTORY

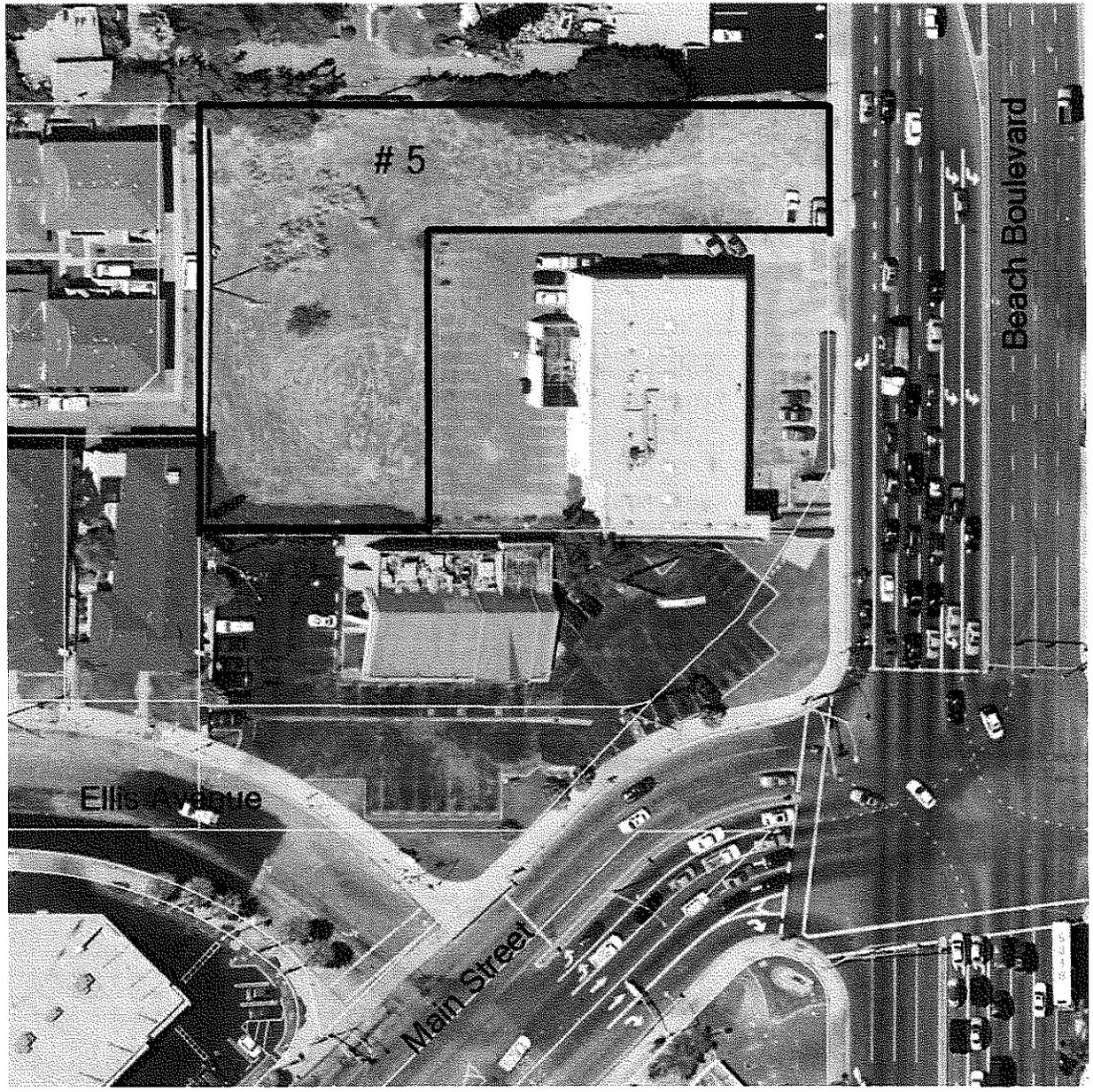
Sites for Potential Rezoning to Exclusively Residential Use
(Amended Pages)

Beach/Edinger Corridor Example Opportunities Sites
(Amended Pages)

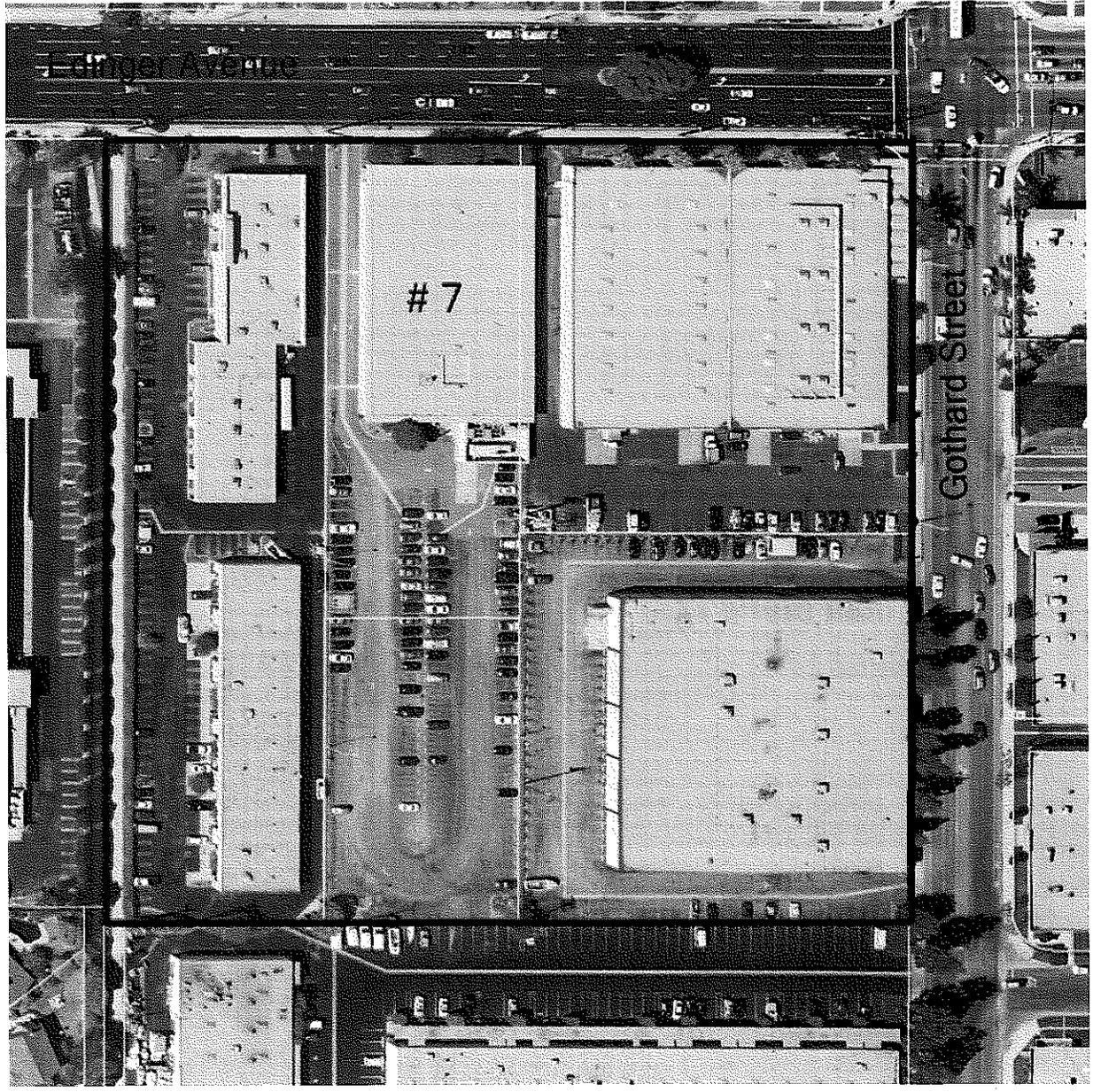
**Sites for Potential Rezoning to Exclusively Residential Use
City of Huntington Beach**

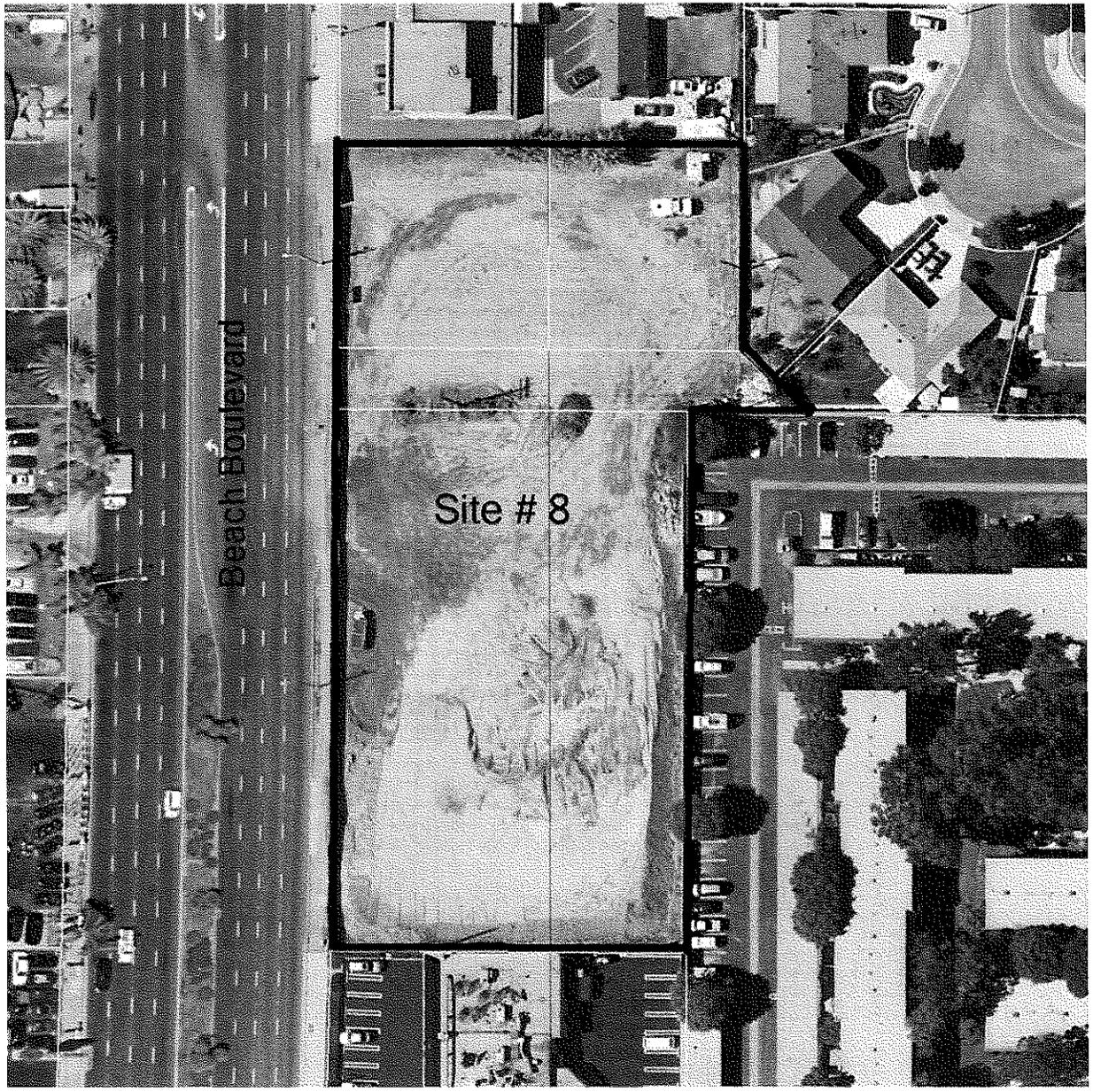
Key Map #	APN	Location	Current Zoning	Existing Uses/ Site Conditions	Anticipated # of units	Area sq. ft. (acres)	Density
1	025-191-03	Beach Blvd, S. of Yorktown (Beach/Edinger Specific Plan)	<u>CGSP14</u>	State-owned property; Caltrans maintenance yard; trailer buildings	70	92,411 (2.12)	33 du/ac
2	165-364-04,-06,-24	Cypress and Elm, behind Beach Blvd (Beach/Edinger Specific Plan)	<u>CGSP14</u>	3 vacant parcels	40	32,921 (0.76)	30 du/ac
3	025-180-06,-13,-14,-15,-21,-23,-24,-25	Beach Blvd, N. of Yorktown (Beach/Edinger Specific Plan)	<u>CGSP14</u>	8 parcels, existing uses ranging from poor to good: Partially vacant – cars being stored on property; 1950's house converted to medical office; produce stand; Big O Tires; mattress store; vacant commercial building; 1960's buildings;.	100	136,785 (3.14)	31 du/ac
4 *	159-121-25,-26,-37,-38 (partial)	Beach Blvd <u>Delaware St.</u> S. of Main (Pacifica Specific Plan)	<u>SP214</u>	Existing medical building – building permit issued for demolition; surface parking lot	187	136,348 (3.13)	60 du/ac
5	142-073-03	McFadden Avenue adjacent Golden West College (Beach/Edinger Specific Plan)	IG	Vacant; Redevelopment Agency owned. Agency to issue RFQ for non-profit development with affordable housing	475	118,407 (2.72)	65 du/ac
<u>5</u>	<u>159-031-18</u>	<u>Beach Blvd, N. of Main</u>	<u>SP14</u>	<u>Vacant</u>	<u>24</u>	<u>34,284 (0.78)</u>	<u>30 du/ac</u>
<u>6</u>	<u>142-511-05</u>	<u>Gothard St, S. of Edinger</u>	<u>SP14</u>	<u>Existing industrial building; surface parking lot</u>	<u>110</u>	<u>373,419 (1.32)</u>	<u>32 du/ac</u>
<u>7</u>	<u>142-321-01,-02,-10,-12,-13</u>	<u>Gothard St and Edinger Ave (swc)</u>	<u>SP14</u>	<u>5 parcels, 5 existing commercial and industrial buildings; surface parking lots</u>	<u>510</u>	<u>57,639 (8.5)</u>	<u>60 du/ac</u>
<u>8</u>	<u>167-311-02; 167-325-19,-20,-21</u>	<u>Beach Blvd, N. of Slater</u>	<u>SP14</u>	<u>Vacant</u>	<u>81</u>	<u>71,367 (1.63)</u>	<u>50 du/ac</u>
					<u>5721,122</u>		

*Rezoned in 2010.





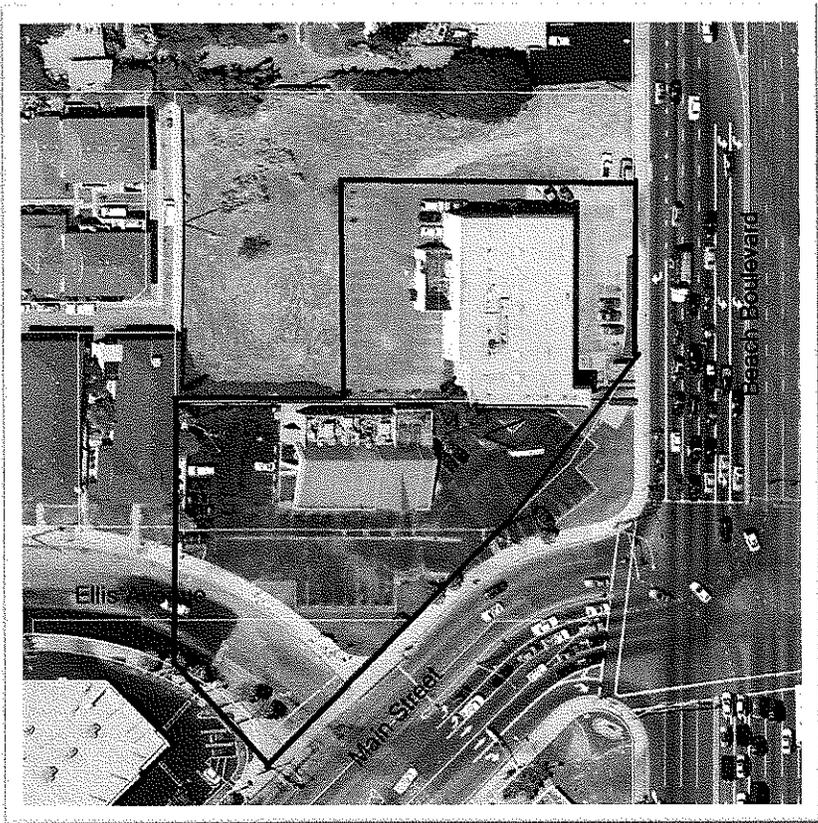
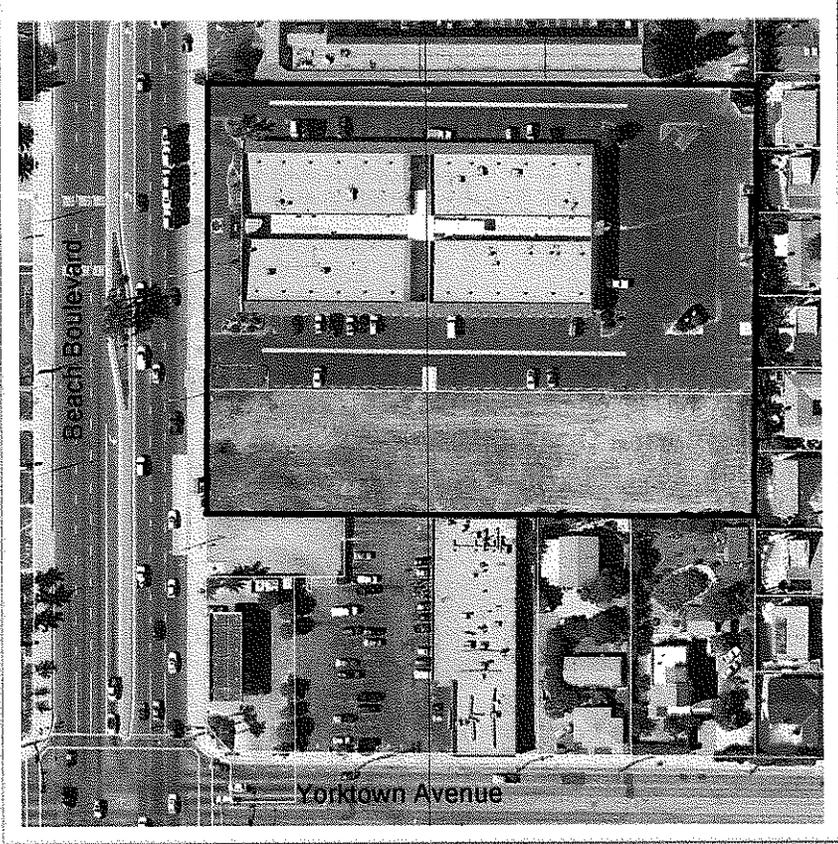




Beach/Edinger Corridor Example Opportunity Sites

APN #	Zoning	Existing Use/Site Conditions	Anticipated # of Units	Area size s.f. (acres)	Density
153-051-10,- 11	CG	Multi-tenant commercial strip center, constructed late 1970s, ex. Uses include – church tenant, martial arts training center, site conditions – fair; vacant parcel (1 acre)	200 units	152,198 s.f. (3.5 acres)	57 du/acre
159-031-10,- 16,-17,-48; 159-101-01	CG	2 single-tenant buildings (approx. 10,000 s.f. & 6,000 s.f.) – constructed late 1960s/early 1970s – tire store, restaurant, site conditions – poor/fair; vacant property 1/3 of site (0.8 acres)	450 <u>126</u> units	405,255 <u>70,971</u> s.f. (2.4 <u>1.62</u> acres)	6277 du/acre

Beach Edinger Corridor Specific Plan Opportunity Sites



This map is revised to remove the L-shaped parcel (Site #5 in the list of Sites for Potential Rezoning to Exclusively Residential Use).

ATTACHMENT NO. 2

SUGGESTED FINDINGS

ZONING TEXT AMENDMENT NO. 11-002

SUGGESTED FINDINGS FOR APPROVAL – ZONING TEXT AMENDMENT NO. 11-002:

1. Zoning Text Amendment No. 11-002 amends the Beach and Edinger Corridors Specific Plan (BECSP) Town Center – Neighborhood segment to remove the “Residential Required” designation (yellow dashed lines) from the Skate Park Project site. Although the “Residential Required” designation is removed, a range of allowable uses would remain for the Town Center – Neighborhood segment, including housing, and the subject request does not change the allowed density of the site. The proposed change will be consistent with the objectives, policies, general land uses and programs specified in the City’s General Plan because the allowable uses will sustain the City’s economic viability and provide for the commercial, employment, educational, cultural, entertainment, and recreation needs of existing and future City residents and visitors. The loss of the site for potential housing is offset by seven other candidate sites that could be rezoned for housing only as identified in General Plan Amendment No. 11-002.
2. In the case of general land use provisions, the proposed change is compatible with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. Zoning Text Amendment No. 11-002 will remove the “Residential Required” designation for the project site. However, a range of allowable uses would remain for the project site in the Town Center – Neighborhood segment of the BECSP. Those land uses allow for mixed-use developments consistent with the General Plan.
3. A community need is demonstrated for the change proposed. Zoning Text Amendment No. 11-002 will facilitate the development of a public skate park to provide additional recreational opportunities for the community. The facility will improve the City’s fiscal viability by stimulating tourism and increasing tax revenues in conjunction with the skate park special events. The skate park will be developed with a high quality architectural and landscape design to complement a diversity of surrounding uses and developments, particularly along the Center Avenue corridor. In addition, the City has adequate other sites that can accommodate housing to address the City’s share of regional housing needs.
4. Its adoption will be in conformity of public convenience, general welfare and good zoning practice because Zoning Text Amendment No. 11-002 will facilitate the development of a public skate park that contributes to the livability of the surrounding areas by meeting the recreational needs of residents and visitors and is already a permitted use in the Town Center-Neighborhood district. The proposed change to not require residential on the site will result in rezoning of other parcels in the BECSP for residential only. Residential uses are already permitted in all BECSP districts and therefore would be consistent with established zoning.

ORDINANCE NO. _____

DRAFT

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING THE BEACH AND EDINGER CORRIDORS SPECIFIC PLAN
DISTRICT 2.1.4 TOWN CENTER-NEIGHBORHOOD SEGMENT
BY REMOVING THE RESIDENTIAL DESIGNATION FROM PROPERTY
LISTED AS (APN# 142-073-03)
(ZONING TEXT AMENDMENT NO. 11-002)

WHEREAS, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate, duly noticed public hearings to consider Zoning Text Amendment No. 11-002, which removes the residential designation from certain property (APN# 142-073-03) located in the Town Center-Neighborhood Segment of the Beach and Edinger Corridors Specific Plan (Specific Plan); and

The real property that is the subject of this Ordinance (hereinafter referred to as the "Subject Property") is generally located on the north side of Center Avenue and east of Gothard Street, and is more particularly described in the map and legal description attached hereto as Exhibit A, and incorporated by reference; and

After due consideration of the findings and recommendations of the Planning Commission and all other evidence presented, the City Council finds that the aforesaid amendment is proper and consistent with the General Plan;

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That the residential required designation of the Subject Property is hereby removed (Exhibit B) and all other zoning and development standards remain as set forth in the Specific Plan.

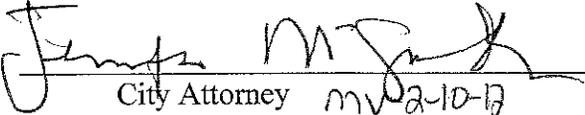
SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2012.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney *mv 2-10-12*

REVIEWED AND APPROVED:

City Manager

INITIATED AND APPROVED:

Director of Planning and Building

ATTACHMENTS

- Exhibit A: Map and Legal Description
- Exhibit B: Amended Town Center-Neighborhood Segment Map

EXHIBIT A

LEGAL DESCRIPTION

All that certain real property situated in the County of Orange, State of California, described as follows:

Parcels 1 and 2 of Parcel Map No. 90-327, in the City of Huntington Beach, County of Orange, State of California, as per map recorded in Book 279 Page 33 and 34 of Parcel Maps, in the Office of the County Recorder of said County.

Assessor's Parcel Number 142-073-03

SITE MAP
(APN 142-073-03)

SEE SPECIAL PAGE 142-079 FOR FEE TITLE ASSESSMENT BELOW SURFACE
S 1/2. SEC. 14. T 5 S. R 11 W

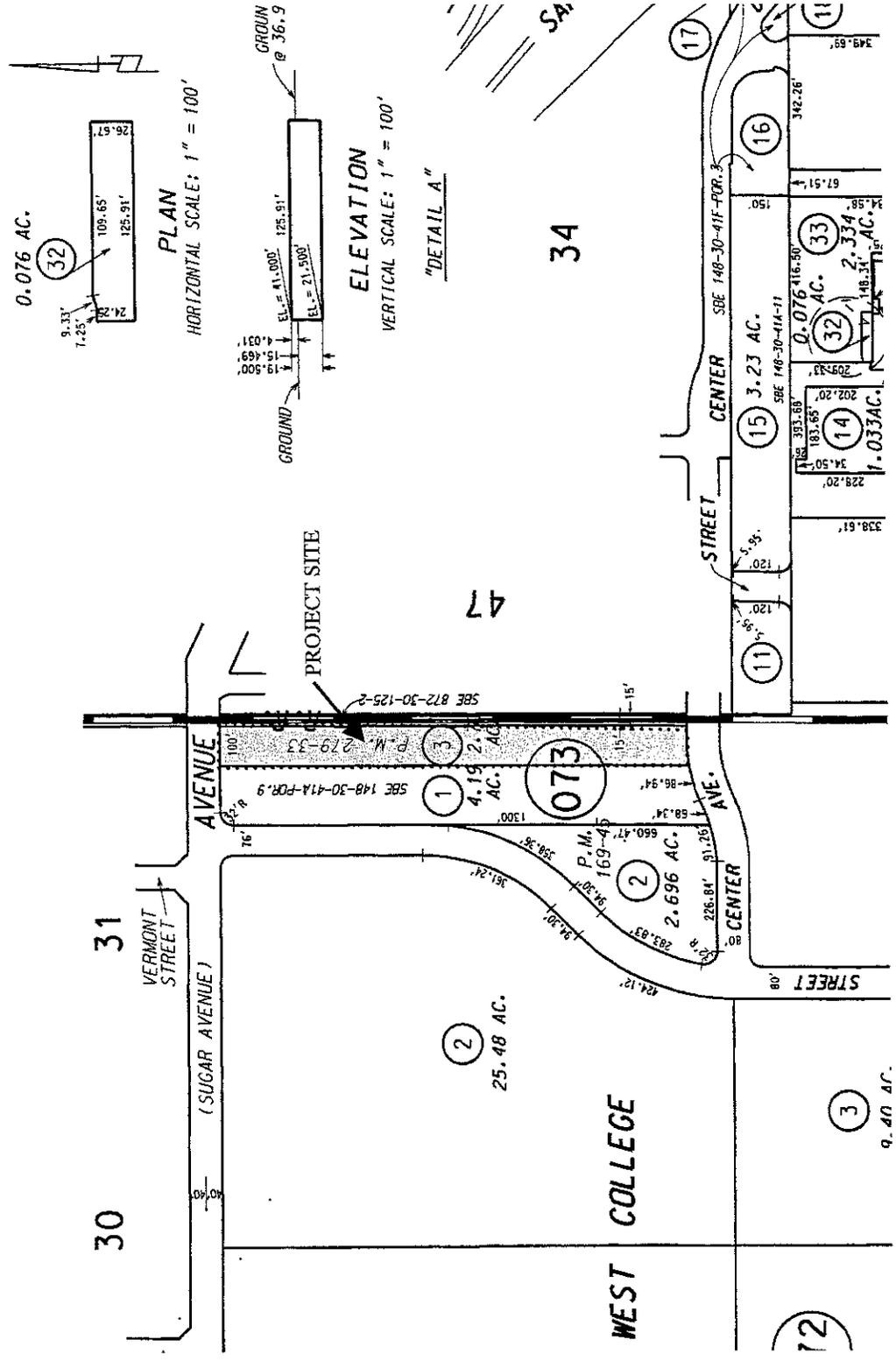


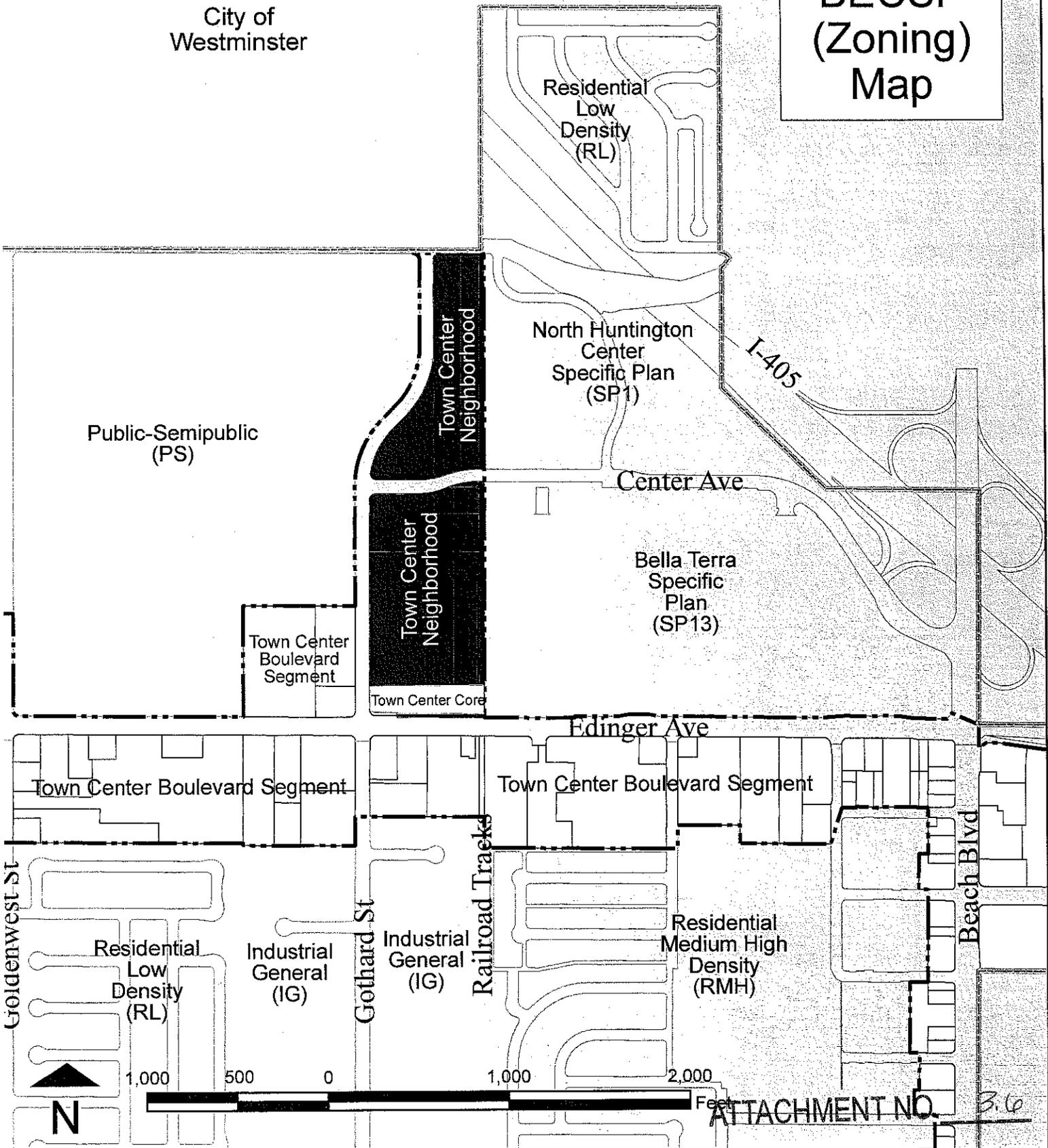
EXHIBIT B

ATTACHMENT NO. 35

Zoning Text Amendment No. 11-002

Proposed
BECSP
(Zoning)
Map

City of
Westminster



Zoning Text Amendment No. 11-002

Existing
BECSP
(Zoning)
Map

City of
Westminster

Residential
Low
Density
(RL)

North Huntington
Center
Specific Plan
(SP1)

I-405

Public-Semipublic
(PS)

Center Ave

Bella Terra
Specific
Plan
(SP13)

Town Center
Boulevard
Segment

Town Center
Neighborhood
Town Center Core

Edinger Ave

Town Center Boulevard Segment

Town Center Boulevard Segment

Goldenwest St

Residential
Low
Density
(RL)

Industrial
General
(IG)

Industrial
General
(IG)

Railroad Tracks

Residential
Medium High
Density
(RMH)

Beach Blvd

Gothard St



Zoning Text Amendment No. 11-002

Proposed
BECSP
(Zoning)
Map

City of
Westminster

Residential
Low
Density
(RL)

North Huntington
Center
Specific Plan
(SP1)

I-405

Public-Semipublic
(PS)

Center Ave

Bella Terra
Specific
Plan
(SP13)

Town Center
Boulevard
Segment

Town Center Core

Edinger Ave

Town Center Boulevard Segment

Town Center Boulevard Segment

Goldenwest St

Residential
Low
Density
(RL)

Industrial
General
(IG)

Industrial
General
(IG)

Railroad Tracks

Residential
Medium High
Density
(RMH)

Beach Blvd

Gothard St



N

ATTACHMENT NO.

5.1

**DRAFT CENTER AVE SKATE PARK
PROJECT NARRATIVE**

RECEIVED

MAR 11 2011

Dept. of Planning
& Building

Entitlement Request

The applicant requests a General Plan Amendment and Zoning Text Amendment of a 2.718 acre parcel identified as APN 142-073-03 located just east of the intersection of Gothard Street and Center Avenue.

Project Description

VF Outdoor, Inc. (Vans) proposes to lease vacant property from the Redevelopment Agency of the City of Huntington Beach (Agency) to design, develop, maintain and operate a public skate park. The project shall include approximately 12,000 square feet of skate park plaza area, 15,000 square feet of skate bowl area, a 3,000 square foot skate shop/concession/restroom building, 15,000 square feet of turf/walking area and 24 paved parking stalls fronting Center Ave (see attached Conceptual Site Plan). The project will also include shade areas at prime viewing areas and restrooms which will be accessible to the public. The skate park shall meet and comply with all ADA standards and shall resemble that of other skate parks developed by other local municipalities. The skate park will be open to the public and operate seven days a week, from 10 am to 10 pm. The skate park will be supervised during business hours. The supervision will help to keep daily noise levels to a minimum. The skate park will also be a 100 percent fenced facility providing 24 hour security ensuring no additional noise after 10 pm.

Vans will host up to 15 event days throughout the year which may require the need for overflow parking and temporary seating areas for spectators. Twelve event days shall be held on weekends and generally draw 300 to 500 spectators per event day. The remaining three event days will consist of one major event held annually expected to draw up to 2,500 spectators per event day, starting on a Friday and ending on a Sunday.

During these events, visitors shall be directed to park their vehicles at the Huntington Beach Sports Complex located on Goldenwest Street and Talbert Avenue and transported to the site via shuttle buses. Signage and/or parking attendants will be present to direct visitor traffic to the temporary parking area and pedestrians to the skate park during major events. Park visitors shall enter the park via Center Avenue. Vendors shall enter the site via McFadden Avenue and stage on the north end of the park. Temporary grandstand seating and portable restrooms will be placed to accommodate an audience of up to 2,500 people during and removed at the end of each event.

The project will include a public address system used moderately during normal operation hours. Amplified music and announcements will occur during special events and occasionally during normal operating hours. During special events, amplified music and announcements will continue through the duration of the event. A host will be on a loud speaker during these events.

ATTACHMENT NO. 6.1

Parking Accommodations

Vans anticipates up to 2,500 guests during major events. A significant number of guests are expected to be local youth arriving to the park by foot or other non-vehicular forms of transportation. Guests arriving by vehicle will be directed to park at the Huntington Beach Sports Complex located on Goldenwest Street and Talbert Avenue approximately 2.8 miles south of the proposed skate park and transported to the park via shuttle buses.

The Huntington Beach Sport Complex has 850 stalls. Prior to scheduling events, Vans will coordinate with Community Services to allocate appropriate parking stall reserves at the Huntington Beach Sports Complex. To ensure adequacy of parking, Vans will schedule major events on non-event days for the Sports Complex. Guests parking at the Sports Complex will be shuttled to the skate park via shuttle buses. Up to six shuttle buses will be utilized to accommodate guest demand. Shuttle drivers will follow a specified shuttle route (see attached Shuttle Route).

Applicant/Owner

The project site is owned the by the Redevelopment Agency of the City of Huntington Beach (Agency). Vans will lease the site from the Agency and design, develop and plan operations at the proposed skate park.

Project Location

The proposed site is located on Center Avenue, approximately 500 feet east of Gothard Street. The project site is 2.718 acres in size and is identified as APN 142-073-03. A conceptual site plan is attached.

Planning Requirements

The Applicant is requesting approval of the following:

- General Plan Amendment
- Zoning Text Amendment
- Environmental Assessment

General Plan Amendment

The General Plan Land Use Plan designates the site as M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay). The General Plan Housing Elements specifies that the site shall be designated as “Residential Only” in the Beach and Edinger Corridors Specific Plan and that the Agency intends to develop a minimum of 175 affordable units on the site. The applicant proposes to amend the language of the General Plan Housing Element to allow the development of the skate park by lifting the “Residential Only” requirement.

Specific Plan Amendment

The site falls within the Town Center – Neighborhood designation within the Beach and Edinger Corridors Specific Plan. Furthermore, the Specific Plan designates the Site as “Residential Required”, meaning that any future development would require residential units. The applicant does not intend to develop residential units and therefore is requesting a Zoning Text Amendment to remove the “Residential Only” requirement on page 14 of the Specific Plan.

Replacement Housing

The proposed project would result in a loss of 175 potential affordable housing units. The Economic Development Department has identified five replacement affordable housing sites that will generate a total of 240 affordable units, a net increase of 65 new units not previously identified in the General Plan Housing Element. The proposed replacement sites are as follows:

- *Pacific City* - 119 affordable units shifted back
- *Slater and Keelson* - 6 affordable units
- *Beach and Warner* – 77 affordable units (50 net new)
- *Edinger and Gothard* – 40 affordable units
- *Beach/Main/Ellis* – 40 affordable units (25 net new)

Existing and Surrounding uses

The General Plan Map designates the parcel as Mix Use with both Specific Plan and Design Overlays (M-sp-d) and falls within the Beach and Edinger Corridors Specific Plan. The Specific Plan designates the site as Town Center – Neighborhood and requires residential.

The site is surrounded by following uses:

West – Golden West College
South – Commercial Strip Center/Bella Terra Phase II
East – Old World Village/Multi-Family Residential
North – Westminster Park/Industrial Use

Population Served

The skate park shall be open to the public and will serve local residents as well as city visitors. Generally speaking, the park shall be most frequented by youth, however, planned skate events are expected to attract visitors of all ages.

Project Contacts

Applicant

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Vice President of Marketing
VF Outdoor, Inc. (Vans)
6550 Katella Avenue
Cypress, CA 90630-5102
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Doug_Palladini@vfc.com

Architect/Designer

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273 N. Benson Avenue
Upland, CA 91786
Phone: (909) 949.1601
joe@californiaskateparks.com

City of Huntington Beach Planning Department

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Planner
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tnguyen@surfcity-hb.org

City of Huntington Beach Economic Development Department

Luis Gomez
Project Manager
Phone: 714 536-5544
luis.gomez@surfcity-hb.org

CENTER AVENUE SKATE PARK PROJECT

**Findings of Fact/
Statement of Overriding Considerations**

Prepared for

City of Huntington Beach
Planning and Building Department
2000 Main Street, Third Floor
Huntington Beach, California 92648

Prepared by

PCR Services Corporation
1 Venture Plaza, Suite 150
Irvine, CA 92618

March 13, 2012

ATTACHMENT NO. 7.1

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ATTACHMENT NO. 7.2

CHAPTER 1 INTRODUCTION

This document presents the Findings of Fact and Statement of Overriding Considerations that must be adopted by the City of Huntington Beach (City) pursuant to the requirements of Sections 15091 and 15093, respectively, of the California Environmental Quality Act Guidelines (CEQA Guidelines) prior to the approval of the Center Avenue Skate Park Project (proposed project).

This document is organized as follows:

- Chapter 1** Introduction to the Findings of Fact and Statement of Overriding Considerations.
- Chapter 2** Presents the CEQA Findings of the Environmental Impact Report (EIR), including the identified significant land use and noise impacts.
- Chapter 3** Presents the alternatives to the proposed project and evaluates them in relation to the findings contained in Section 15091(a)(3) of the CEQA Guidelines. The City must consider and make findings regarding alternatives when a project would involve environmental impacts that cannot be reduced to a less-than-significant level, or cannot be substantially reduced, by proposed mitigation measures.
- Chapter 4** Presents a Statement of Overriding Considerations that is required in accordance with Section 15093 of the CEQA Guidelines for significant impacts of the proposed project that cannot be mitigated to a less-than-significant level.

The project applicant proposes to lease vacant property from the City to design, develop, maintain and operate a public skate park. The proposed project includes approximately 14,000 square feet of skate park plaza area, 13,000 square feet of skate bowl area, a 3,500-square-foot skate shop/concession/restroom building, 15,000 square feet of turf/walking area, a 480-square-foot skate park restroom structure, a 200-square-foot skate park entrance kiosk, the main parking lot near the primary site access fronting Center Ave, and a secondary parking area off McFadden Ave to be used only for special events. The project would include extensive landscaping and turf areas, sidewalks, walkways, trash/recycling facilities, drinking fountains, and restrooms, all of which would be accessible to the public. Additionally, in order to allow for potential future development of a transit stop, the proposed project includes the dedication of a "Transit Reserve Area."

The project as proposed would result in significant unavoidable project-level impacts with respect to land use and noise. In comparison to the alternatives analyzed against the proposed development, the City finds in the Draft EIR that Alternative 3, the Alternate Location Alternative, would be considered the environmentally superior alternative.

The following discretionary approvals by the City of Huntington Beach are required to implement the proposed project:

- Certification of Environmental Impact Report (Planning Commission) **ATTACHMENT NO. 7.3**

- General Plan Amendment (Planning Commission and City Council)
- Zoning Text Amendment (Planning Commission and City Council)
- Site Plan Review (Planning Commission)
- Variance (Planning Commission)

ATTACHMENT NO. 7.4

CHAPTER 2 CEQA FINDINGS

2.1 INTRODUCTION

This chapter presents the potential impacts that were identified in the EIR and the findings that are required in accordance with Section 15091 of the CEQA Guidelines. The possible findings for each significant and/or potentially significant adverse impact are as follows:

- 1) Changes or alterations have been required in, or incorporated into the project which avoid, substantially lessen, or reduce the magnitude of the significant environmental effect as identified in the EIR ("Finding 1").
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the findings. Such changes have been adopted by such other agency or can, and should be, adopted by such other agency ("Finding 2").
- 3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives in the EIR ("Finding 3").

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or substantially reduce significant environmental impacts that would otherwise occur as a result of a project. Project modification or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with some other agency (State CEQA Guidelines §15091, subdivision (a), [3]). Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." (See also *Citizens of Goleta Valley v. Board of Supervisors* [Goleta II] [1990] 52 Cal.3d 553, 565 [276 Cal. Rptr. 410].)

Only after fully complying with the findings requirement can an agency adopt a Statement of Overriding Considerations (*Citizens for Quality Growth v. City of Mount Shasta* [1988] 198 Cal.App.3d 433, 442, 445 [243 Cal. Rptr. 727]). CEQA requires the Lead Agency to state in writing the specific rationale to support its actions based on the Final EIR and/or information in the record. This written statement is known as the Statement of Overriding Considerations. The Statement of Overriding Considerations provides the information that demonstrates the decision-making body of the Lead Agency has weighed the benefits of the project against its unavoidable adverse effects in determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable."

The California Supreme Court has stated that, "the wisdom of approving any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, 52 Cal.3d 553, 576 [276 Cal. Rptr. 401].)

ATTACHMENT NO. 7.5

This document presents the City of Huntington Beach findings as required by CEQA, cites substantial evidence in the record in support of each of the findings, and presents an explanation to supply the logical step between the finding and the facts in the record (State CEQA Guidelines §15091). Additional facts that support the findings are set forth in the Draft EIR, the Final EIR, staff reports, and the record of proceedings.

Table 2-1, CEQA Findings for the Center Avenue Skate Park Project, below, summarizes the potentially significant impacts of the proposed project identified in the Draft EIR that were reduced to less-than-significant levels with mitigation, as well as the project-level significant unavoidable impacts.

ATTACHMENT NO. 7.6

Table 2-1
CEQA Findings for the Center Avenue Skate Park

Impact Statement	Impact Summary	Findings
<p>E. LAND USE AND PLANNING</p> <p>Impact 4.E-1 The project would result in less than significant land use impacts with regard to consistency with the SCAG Regional Transportation Plan (RTP), SCAG Regional Comprehensive Plan (RCP), the Beach and Edinger Corridors Specific Plan (BECSP) and the Huntington Beach Zoning and Subdivision Ordinance. However, land use impacts with respect to conflicts with the SCAG Regional Housing Needs Assessment (RHNA) and City of Huntington Beach General Plan would be significant and unavoidable.</p>	<p>The proposed project would not result in conflicts with the SCAG RTP, SCAG RCP, BECSP, or HBZSO; however, the loss of potential on-site affordable housing units as identified in the SCAG RHNA and the City's General Plan Housing Element would conflict with the housing allocation requirements of these plans, which is considered a significant unavoidable impact, since the timing of rezoning an alternative site within the City that could provide such housing is uncertain at this time. Further, special event noise at the skate park would exceed established thresholds and therefore would conflict with applicable goals and policies in the City's General Plan related to noise generation.</p>	<p>Finding 3. The proposed project would reduce the availability of sites within the City of Huntington Beach to provide affordable housing as required in the SCAG RHNA and the City's General Plan Housing Element, and would also conflict with applicable goals and policies of the City's General Plan regarding the generation of noise. As such, the proposed project would have a significant unavoidable land use impact, and no feasible mitigation is available. The City finds specific economic, social, or other considerations make infeasible the project alternatives in the EIR.</p>
<p>F. NOISE</p> <p>Impact 4.F-3 Project implementation would have a minimal effect on the existing noise environment within and adjacent to the Project Area during normal skate park and retail operations. Thus, long-term noise impacts under normal operation would be less than significant. However, periodic special events would temporarily exceed the allowable noise thresholds at adjacent noise-sensitive residential uses. Thus, operational noise impacts are considered significant and unavoidable.</p>	<p>Project-related noise generation would remain below established thresholds during normal day-to-day operation of the proposed skate park and retail use. However, crowd noise and noise from amplified music and announcements during periodic special events would exceed the City's noise thresholds and impacts would be significant and unavoidable even with implementation of applicable mitigation measures.</p>	<p>Finding 3. The proposed project would generate noise levels during special events that would exceed the City's established noise thresholds. As such, the proposed project would have a significant unavoidable noise impact, and no feasible mitigation is available. The City finds specific economic, social, or other considerations make infeasible the project alternatives in the EIR.</p>

ATTACHMENT NO. 7.7

Table 2-1

CEQA Findings for the Center Avenue Skate Park

Impact Statement	Impact Summary	Findings
<p>G. TRAFFIC/TRANSPORTATION Impact 4.G-3 The project would provide on-site parking to accommodate the day-to-day needs of guests and employees to the site. Special events could result in off-site parking impacts to neighboring uses. However, implementation of mitigation measure 4.G-1 would ensure that potentially significant parking impacts to neighboring uses during special events are reduced to a less than significant level.</p>	<p>Parking for the skate park and retail use would be provided on-site and is considered adequate to meet projected parking demands of the proposed uses. However, during special events at the skate park, an off-site parking program (per mitigation measure 4.G-1) would be required to be implemented to reduce potentially significant short-term parking impacts to less than significant.</p>	<p>Finding 1. The City finds that the identified changes or alterations in the project, which would reduce Impact 4.G-3 to less-than-significant levels, are hereby incorporated into the project. No additional mitigation measures are necessary with the implementation of mitigation measure 4.G-1.</p>

CHAPTER 3 FINDINGS REGARDING PROJECT ALTERNATIVES

3.1 INTRODUCTION

The EIR prepared for the Center Avenue Skate Park Project considered three separate alternatives to the proposed project. Pursuant to Section 15126.6(a) of the CEQA Guidelines, the primary intent of an alternatives evaluation is to “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

This chapter describes the project objectives used to evaluate project alternatives presented in the Draft EIR and recommend the proposed project. A description of the alternatives compared to the proposed project and the findings regarding the feasibility of adopting the described alternatives is presented for use by the City in the decision-making process.

3.2 PROJECT OBJECTIVES

The objectives of the proposed project identified by the City and project applicant, respectively, are presented below.

City Objectives

- Implement the policies and development standards of the City’s General Plan, Beach and Edinger Corridors Specific Plan (BECSP), and the Zoning and Subdivision Ordinance (ZSO) as referred to in the BECSP.
- Create a development that is compatible with and sensitive to the existing land uses in the project area.
- Enhance the community image of Huntington Beach through the design and construction of a high quality master skate park that attracts users from across the City.
- Minimize development and operational cost to the City by partnering with a private equity partner.
- Mitigate environmental impacts to the greatest extent possible.

Applicant Objectives

- Develop a skate park facility that is free of admission and open to the public.
- Build a new master skate park facility large enough to meet the current and future demand of Huntington Beach skate board enthusiasts.
- Locate a master skate park in an area with nearby public amenities that support skate park users, such as public transit, accessible pathways, trees and benches, and restrooms within a reasonable distance.

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- Provide a state-of-the-art skate park facility designed to allow for innovative programming to meet the needs of a culturally diverse and multi-generational skate board enthusiast population.
- Develop a skate park in a location that is readily accessible, highly visible, and provides a safe environment for visitors.

3.3 SELECTION OF ALTERNATIVES

The range of feasible alternatives was selected and discussed in a manner to foster meaningful public participation and informed decision-making. Among the factors that were taken into account when considering the feasibility of alternatives (as described in CEQA Guidelines Section 15126.6[f][1]) were environmental impacts, economic viability, availability of infrastructure, regulatory limitations, jurisdictional boundaries, and attainment of project objectives. As stated in Section 15126.6(a) of the CEQA Guidelines, an EIR need not consider an alternative whose effects could not be reasonably identified, whose implementation is remote or speculative, or one that would not achieve the basic project objectives. The analysis includes sufficient information about each alternative to provide meaningful evaluation, analysis and comparison with the proposed project.

3.4 ALTERNATIVE FINDINGS

The following is a description of the alternatives evaluated in comparison to the proposed project, as well as a description of the specific economic, social, or other considerations that make them infeasible for avoiding or lessening the impacts. The City finds that the adoption of any of the alternatives to the project is infeasible. The reasons for each finding are provided following the description of the alternative, and are further described in the Draft EIR.

As described in Chapter 5, *Alternatives*, of the Draft EIR, three alternatives were evaluated in comparison to the proposed project. The environmental advantages and disadvantages of each of these alternatives are described. The alternatives that were selected for analysis include:

- **Alternative 1 – No Project/No Development Alternative** - Under the No Project/No Development Alternative, no improvements to the project site would occur, and the site would remain in its vacant, undeveloped state. Additionally, the project site would remain designated as “Residential Required” under the BECSP, with the potential to accommodate up to 175 affordable housing units.
- **Alternative 2 – Reduced Project Alternative** - Under the Reduced Project Alternative, the proposed skate park and retail/concession use would be constructed and operated at the project site, but would be reduced in terms of skate facilities and retail/concession intensity. Specifically, the proposed skate park and retail/concession use would be constructed at the project site, but would exclude the skate bowl area, reduce the skate plaza area to 8,000 square feet, and reduce the retail/concession use to 2,000 square feet. This represents a reduction of 13,000 square feet of skate bowl area, 6,000 square feet of skate plaza area, and 1,500 square feet of retail/concession floor area relative to the proposed project. Despite the reduction in development intensity on-site under this Alternative, it is assumed that special events would still be held at the reduced skate park
- **Alternative 3 – Alternate Location Alternative** - Under the Alternate Location Alternative the proposed project would be developed with the same skate park and retail/concession facilities and development intensity as the proposed project, but at another location in the City. Specifically, the

proposed skate park and retail/concession use would be constructed and operated on County-owned property at the former Gothard Landfill site, which is located at 18131 Gothard Street, on west side of Gothard Street south of Talbert Avenue. The project would be built on a 3.5-acre portion of the approximately 11.5-acre property along the eastern side of the site fronting Gothard Street, and would include all improvements contemplated as part of the proposed project, including on-site parking and additional space for special event parking and turf/vendor areas. Specifically, the northern half of the site would be developed with an above-grade skate bowl area, a 15,000 square-foot above-grade skate plaza area, a 4,000-square-foot retail/concession use and restroom structure, a turf area surrounding the skate plaza (which would also contain temporary spectator seating during special events), and on-site surface parking lot with 40 parking spaces. The southern half of the alternate site would remain undeveloped to provide space for special event parking. Primary vehicle access would be provided by a driveway at the northeastern corner of the site on Gothard Street, while a secondary access would be located at the southeast corner of the property and would only be used during special events. As the site is currently designated for industrial uses in the City's General Plan and zoned for open space/recreation, amendments to the City's General Plan and Zoning Code would be required under this Alternative. Additionally, since the site is a former landfill, various structures housing equipment to capture landfill gases are located throughout the site and would remain on-site under this Alternative to address landfill gas-related hazards. This site may also contain sensitive biological resources, such as coastal sage scrub habitat, though the extent of such resources has not yet been determined.

Alternatives Considered but Eliminated from Further Evaluation

In accordance with CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate alternatives from detailed consideration are the alternative's failure to meet most of the basic project objectives (outlined above), the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Given the relatively specific objectives of the proposed project and the limited scope of proposed uses, no additional project Alternatives were considered for analysis in this EIR.

No Project/No Development Alternative

Alternative 1, the No Project/No Development Alternative, would not result in any physical changes to the project site and no development would occur. The No Project/No Development Alternative would result in reduced impacts with regard to all environmental issues except for aesthetics (operational visual quality) and hydrology and water quality (operational water quality), which would be greater than under the proposed project, and would avoid significant unavoidable land use and noise impacts that would occur under the proposed project.

Alternative 1 would fail to meet any of the project's goals and objectives, either partially or fully.

Findings

The City hereby finds that the No Project/No Development Alternative is infeasible for the following environmental, economic, social, and other considerations:

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- Would not enhance the community image of Huntington Beach through the design and construction of a high quality master skate park that attracts users from across the City.
- Would not minimize development and operational cost to the City by partnering with a private equity partner.
- Would not develop a skate park facility that is free of admission and open to the public.
- Would not build a new master skate park facility large enough to meet the current and future demand of Huntington Beach skate board enthusiasts.
- Would not locate a master skate park in an area with nearby public amenities that support skate park users, such as public transit, accessible pathways, trees and benches, and restrooms within a reasonable distance.
- Would not provide a state-of-the-art skate park facility designed to allow for innovative programming to meet the needs of a culturally diverse and multi-generational skate board enthusiast population.
- Would not develop a skate park in a location that is readily accessible, highly visible, and provides a safe environment for visitors.

Reduced Project Alternative

Under Alternative 2, the Reduced Project Alternative, the proposed skate park and retail/concession use would be constructed and operated at the project site, but would be reduced in terms of skate facilities and retail/concession intensity. Alternative 2 would result in less impacts regarding aesthetics (visual character and light and glare), air quality (localized and regional construction emissions and operational emissions, AQMP consistency, pollutant concentrations, and odors), greenhouse gas emissions (GHG emissions), hydrology and water quality (hydrology, drainage, and water quality), noise (construction and operational noise and vibration), and transportation/traffic (intersection LOS, CMP impacts, access/circulation, alternative transportation plan consistency). This Alternative would also result in similar impacts regarding greenhouse gas emissions (GHG plan consistency), land use (plan consistency), and transportation/traffic (parking). This Alternative would not result in any impacts greater than those under the proposed project.

Alternative 2 would at least partially meet many of the project's goals and objectives, but would not achieve all goals and objectives to the extent the project would.

Findings

The City hereby finds that the Reduced Project Alternative is infeasible for the following environmental, economic, social, and other considerations:

- Would not build a new master skate park facility large enough to meet the current and future demand of Huntington Beach skate board enthusiasts.
- Would not provide a state-of-the-art skate park facility designed to allow for innovative programming to meet the needs of a culturally diverse and multi-generational skate board enthusiast population.

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Alternate Location Alternative

Under the Alternate Location Alternative the proposed project would be developed with the same skate park and retail/concession facilities and development intensity as the proposed project, but at another location in the City. Alternative 3 would result in similar impacts regarding aesthetics (construction and operational visual character and light/glare), air quality (AQMP consistency, construction emissions, and operational emissions), greenhouse gas emissions (GHG emissions and GHG plan consistency), hydrology and water quality (hydrology, drainage, and water quality), noise (violation of noise standards, groundborne vibration, and permanent noise increases), and traffic/transportation (intersection LOS, access/circulation, and alternative transportation). Alternative 3 would result in less impacts regarding air quality (exposure to substantial pollutant concentrations and odors), land use (plan consistency), noise (temporary or periodic noise increases), and transportation/traffic (parking). Alternative 3 would not result in any impacts greater than those under the proposed project among those issues analyzed in the EIR. However, Alternative 3 would result in greater impacts than the proposed project with regard to biological resources, geology and soils, and hazards and hazardous materials.

Alternative 3 would fully meet all of the project objectives.

Findings

The City hereby finds that the Alternate Location Alternative is infeasible for the following environmental, economic, social, and other considerations:

- Would not be located on a site that is owned by the City of Huntington Beach and available for development, and therefore would not minimize development cost.
- Would result in potential additional environmental impacts related to biological resources (sensitive habitat) and hazardous materials (landfill gas).

ATTACHMENT NO. 7.13

CHAPTER 4 STATEMENT OF OVERRIDING CONSIDERATIONS

4.1 INTRODUCTION

Section 15093 of the CEQA guidelines states:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reason to support its actions based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

The City of Huntington Beach (City) proposes to adopt a Statement of Overriding Considerations regarding the significant project-specific land use and noise impacts of the proposed project. Although all other project-level impacts are reduced to less-than-significant levels, this section describes the anticipated economic, social, and other benefits or other considerations of the proposed project to support the decision to proceed with the project even though two identified project-specific impacts are not mitigated to a less-than-significant level.

4.2 SIGNIFICANT ADVERSE IMPACTS

The City is proposing to approve the proposed project, with revisions to reduce environmental impacts, and has prepared an EIR required by CEQA. Even with revisions in the project, the following impacts are unavoidable because it has been determined that no feasible mitigation is available. Refer to Chapter 2 (CEQA Findings) for further clarification regarding the impacts listed below.

Land Use and Planning

- **Project-Specific** – The proposed project would result in conflicts with the SCAG RHNA for 2006-2014 and the applicable goals and policies of the Huntington Beach General Plan.

Noise

- **Project-Specific** – The proposed project would result in temporary noise increases associated with periodic special events on-site, during which noise levels would exceed established thresholds at nearby sensitive receptors.

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4.3 FINDINGS

The City has evaluated all feasible mitigation measures and project revisions with respect to the project's impacts (see Chapter 2, CEQA Findings). The City has also examined a reasonable range of alternatives to the proposed project (see Chapter 3, Findings Regarding Project Alternatives). Based on this examination, the City has determined that because of its location (i.e., not located near residential uses or other noise-sensitive uses, or on a site designated for affordable housing units) Alternative 3, the Alternate Location Alternative, is considered to be the environmentally superior alternative. All of the other alternatives listed above would potentially result in lesser environmental impacts than the proposed project, although not necessarily less than significant. However, the City finds all three of the evaluated alternatives infeasible and less desirable than the proposed project and has rejected these alternatives from further consideration because they would not achieve the environmental, economic, social, and other considerations outlined in Chapter 3 (Findings Regarding Project Alternatives).

4.4 OVERRIDING CONSIDERATIONS

Specific economic, social, or other considerations outweigh the project-specific land use and noise impacts stated above. The reasons for proceeding with the proposed project, even though identified project-specific impacts are not fully mitigated to a less-than-significant level, are described below.

Project Benefits

1. The proposed project would provide a new state-of-the-art skate park and associated retail/concession use that would be located in close proximity to public transit facilities and residential communities.
2. The project would provide additional year-round, fee-free recreational opportunities within the City through provision of a state-of-the-art skate park on land owned by the City.
3. The project would increase the City's tax revenue through sales tax from retail sales and periodic special events.
4. The project would improve the visual quality and character of the project site through implementation of the design standards contained in the BECSP, including architectural features, lighting, signage, and landscaping.
5. The project would minimize consumption of natural resources through implementation of sustainability features such as drought-tolerant landscaping, efficient lighting and plumbing fixtures, skylights, and waste recycling facilities.

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