



City of Huntington Beach Planning Department  
**STUDY SESSION REPORT**

**TO:** Planning Commission  
**FROM:** Scott Hess, AICP, Director of Planning  
**BY:** Rosemary Medel, Associate Planner *RM*  
**DATE:** October 27, 2009

**SUBJECT: ZONING TEXT AMENDMENT NO. 07-001 (AMENDING DESIGN REVIEW BOARD COMPOSITION AND SCOPE)**

**LOCATION:** Citywide

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**PROJECT REQUEST AND SPECIAL CONSIDERATIONS**

Zoning Text Amendment No. 07-001 represents a request to amend the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to change the composition and scope of the Design Review Board (DRB) pursuant to the Zucker Systems recommendation; input from the Design Review Board, Planning Commission and staff; and City Council direction. Specifically, the Zoning Text Amendment would amend (Attachment No. 1):

- Chapter 244 Design Review
  - Change applicability as to which projects are reviewed by DRB
  - Change composition of DRB to eliminate staff members and add a Historic Resources Board member
- Chapters 210 Residential Districts, 211 Commercial Districts, 212 Industrial Districts, 213 Open Space District, and Chapter 214 PS Public-Semipublic District
  - Change Review of Plans Section to refer reader to Chapter 244 Design Review
- Chapter 233 Signs
  - Eliminate need for signs in redevelopment project areas to go through DRB

**CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Citywide	All Land Use Categories	All Zoning Categories	All Land Uses

**APPLICATION PROCESS AND TIMELINES**

DATE OF COMPLETE APPLICATION:  
October 5, 2009

MANDATORY PROCESSING DATE:  
Legislative Action – Not Applicable

The tentative public hearing date for Planning Commission has been scheduled for November 24, 2009.

### **CEQA ANALYSIS/REVIEW**

The proposed zoning text amendment is categorically exempt pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act.

### **COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES**

This amendment is a result of the Zucker Systems report suggesting that the composition of the Design Review Board be altered in order to improve the Design Review process. The Zucker Systems report was submitted to the City in February 2007. The report addressed the entitlement and development processing activities of the City, including the importance of the City's Design Review. Subsequently, staff also received input from the DRB, City Council and the Economic Development Department.

### **PUBLIC MEETINGS, COMMENTS AND CONCERNS**

The Planning Commission held a study session in October 2007. Since that time, City Council directed staff to include additional code amendments. The legislative draft incorporates recent 2009 City Council direction and staff recommendation. The zoning text amendment will be published as a public hearing ten days before the meeting.

### **PLANNING ISSUES**

This request is a housekeeping and streamlining item. There are no planning issues anticipated. In view of the previous study session, however, staff has prepared a summary of the topics covered by the proposed zoning text amendment.

#### *DRB Composition*

Currently, the Design Review Board (DRB) consists of five members:

- At-Large members (2)
- Planning Commissioner (1)
- Public Works representative (City's Landscape Architect) (1)
- Director of Planning (1)

At the direction of the City Council, the ordinance would be changed to include an Historic Board Resources member. Pursuant to the Zucker Report there would be no staff members. In addition to these changes, membership eligibility would be modified. The Zucker Report emphasized that it is unique for staff to serve on DRB and that DRB members are typically comprised of citizens from the design profession who are appointed by City Council.

### *Applicability*

Section 244.02 would be changed to eliminate need for DRB in redevelopment areas but add the requirement for review of projects at or near City facilities (eg., parks) and projects in or abutting open space designated areas.

To coincide with the proposed amendment to Chapter 244 regarding deleting redevelopment areas under Applicability, Chapter 233 Signs, Section 233.04, would be changed to also delete reference to projects in redevelopment project areas.

In addition, various sections of the code are proposed to be amended so that each section under “Review of Plans” referencing Chapter 244 (Design Review) is consistent. They include the following:

- Chapter 210 Residential Districts, Section 210.04
- Chapter 211 Commercial Districts, Section 211.08
- Chapter 212 Industrial Districts, Section 212.08
- Chapter 213 Open Space District, Section 213
- Chapter 214 PS Public-Semipublic, Section 214

### *Scope of Review*

Section 244.06, item 4, currently requires the DRB to consider off-site parking and traffic impacts, other potential impacts upon the environment, parking and driveways as well as landscaping. This is proposed to be changed to only require review of landscaping.

### **ATTACHMENTS:**

1. Legislative Draft
2. Design Review Board Recommendations to Zucker Report
3. Design Review Board Responses Zucker Report

LEGISLATIVE DRAFT  
(RECENT CITY COUNCIL DIRECTION & STAFF RECOMMENDATION)\*  
September 2009

**Chapter 244 Design Review**

(3529-2/02, 3680-12/04)

**Sections:**

244.02	Applicability
244.04	Duties of the Design Review Board
244.06	Scope of Review
244.08	Required Plans and Materials
244.09	Time Limit; Transferability, Discontinuance

**244.02          Applicability**

Design review is required for projects ~~in~~ **pursuant to any other provision of this Zoning and Subdivision Ordinance and for all projects located within redevelopment areas, and applicable specific plans as applicable, areas designated by the City Council, and for City facilities or projects abutting or adjoining City facilities, and projects in or abutting or adjoining OS-PR and OS-S PS-districts.** (3529-2/02, 3680-12/04)

**244.04          Duties of the Design Review Board**

The Design Review Board shall assist the Director, Planning Commission and Zoning Administrator in reviewing development plans and architectural drawings within designated geographic areas of the City and to undertake such other review and approval as provided by this code.

- A. Organization. The Board shall consist of five members appointed by ~~and responsible to the~~ City Council. ~~The membership shall consist of the following:~~
1. ~~Two (2) At large members, consisting of current City residents chosen by the City Council. Alternate City residents may be designated by the City Council. No~~ **person is eligible for membership on the Board unless that person is a resident of the City at the time of appointment to the Board. If during a term of office, a member moves his or her place of residence outside of the City limits, his office shall immediately become vacant.**
  2. One (1) current Planning Commissioner chosen by the Planning Commission. An alternate Commissioner may be designated by the Planning Commission.
  3. ~~The Director of his/her designee.~~ **At least four of the five members shall have training, education or work experience in design-related fields including, but not limited to, architecture, landscaping, art, urban/environmental design and aesthetics.**
  4. ~~The Public Works Director or his/her designee.~~ **One (1) current member of the Historic Resources Board chosen by the Historic Resources Board. An alternate may be designated by the Historic Resources Board.**
  5. **The City Council may designate alternate members as it deems necessary so long as the alternate members meet all membership requirements.**

*\*Note: Recent City Council direction was to include an HRB member on the DRB; the City Council has not considered the other proposed changes.*

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(RECENT CITY COUNCIL DIRECTION & STAFF RECOMMENDATION)\*  
September 2009

B. Terms of Office.

1. At-large Members. The term of office for At-large members shall be four (4) years **from the date of appointment by City Council**, except as hereinafter provided. ~~One At large member shall be appointed in 1994, and each fourth year thereafter. One At large member shall be appointed in 1994 for a two year term, and each fourth year thereafter.~~ No At-large member shall serve more than two (2) consecutive terms, ~~except that the current At large member may be appointed for the two year term mentioned herein.~~ At-large members may serve until their respective successors are appointed and qualified. An At-large member may be removed prior to the expiration of his/her term by a motion adopted by the City Council.
2. Planning Commission Member. The term of the Planning Commission member shall expire when such member ceases to be a member of the Planning Commission. A Planning Commission member may be removed prior to the expiration of his/her term by a motion adopted by the Planning Commission. Members may serve until their respective successors are appointed and qualified.
3. **Historic Resources Board Member. The term of the Historic Resources Board member shall expire when such member ceases to be a member of the Historic Resources Board. A Historic Resources Board member may be removed prior to the expiration of his/her term by a motion adopted by the Historic Resources Board. Members may serve until their respective successors are appointed and qualified.**

- C. Powers and Duties. It shall be the duty of the Board to review sketches, layouts, site plans, structural plans, signs, and architectural drawings in connection with any matter before the Board. The Board shall have authority to confer with the applicant or property owner concerning modifications of the proposal, or conditions necessary to approval, and may approve, disapprove, or conditionally approve the proposal. The Board may recommend any matter before them to the discretionary body for consideration of the project.

**244.06 Scope of Review**

- A. In making its determination, the Board shall review and consider
1. The arrangement and relationship of proposed structures and signs to one another and to other developments in the vicinity;
  2. Whether that relationship is harmonious and based on good standards of architectural design;
  3. The compatibility in scale and aesthetic treatment of proposed structures with public district areas;
  4. The adequacy of proposed landscaping, ~~parking spaces, driveways, potential on-site and off-site parking and traffic impacts and other potential impacts upon the environment;~~

**LEGISLATIVE DRAFT  
(RECENT CITY COUNCIL DIRECTION & STAFF RECOMMENDATION)\***

**September 2009**

5. Elements of design affecting the performance characteristics of the proposed development; and
6. Whether energy conservation measures have been proposed and the adequacy of such measures, including, but not limited to, the use of active and passive solar energy systems.

B. The Board may impose and/or recommend any conditions deemed reasonable and necessary to the approval of the proposed development plan.

**244.08 Required Plans and Materials**

Plans and materials to fully describe and explain the proposed development shall be submitted as required by the application form or by the Director, as deemed necessary.

**244.09 Time Limit; Transferability, Discontinuance,**

- A. ~~Time Limit.~~ A Design Review Board recommendation shall become null and void one year after its date of Director approval. If the initial application is in association with another discretionary permit said permit shall become null and void one year after the final action of the hearing body. (3680-12/04)

Design Review Board  
Response to Zucker Systems Recommendations

Ed Kerins

**Recommendation 56:** DRB membership should consist of 4 resident appointees with design or relevant background and 1 Planning Commissioner.

**Recommendation 57:** The scope of authority should be reaffirmed and strengthened to include public projects. Concur with the suggestion that the DRB consider drafting a mission and purpose statement.

**Recommendation 58:** Concur that the DRB submittal guidelines should be updated so that members can evaluate projects based upon their full scope of review as delineated in Chapter 244 of the Municipal Code.

**Recommendation 59:** Concur that there should be a clear distinction between design guidelines and design requirements.

**Recommendation 60:** Concur that the applicability requirements for DRB should be reevaluated and applied based on project size and/or location in the city.

Suggest applicability requirements be applied to public or private applications/projects located on major arterials; residential additions greater than 1500 square feet; and new commercial, industrial or public projects greater than 5,000 square feet.



# CITY OF HUNTINGTON BEACH

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## DESIGN REVIEW BOARD

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TO: PAUL EMERY – DEPUTY CITY ADMINISTRATOR

FROM: ED KERINS – DESIGN REVIEW BOARD CHAIR *EKK*

DATE: MAY 18, 2007

SUBJECT: ZUCKER REPORT RECOMMENDATIONS

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At the May 10, 2007 meeting of the Design Review Board, the DRB considered the recommendations of the Zucker Systems report and voted 3-0-0 to forward the following recommendations to Administration for consideration:

1. One member of the DRB should be a member of the Planning Commission.
2. DRB members should be appointed by majority vote of the City Council, excepting the Planning Commission representative.
3. DRB members should have prior design or relevant background, excepting the Planning Commission representative.
4. City staff should be eliminated from the DRB. (Vote: 3-2-1 – Moore-alternate at-large member: Yes; Davis: No by proxy; Fauland: absent)
5. The range of projects subject to DRB review should be expanded to include all projects located along major arterial highways. In addition, further study is recommended in order to establish additional criteria for projects subject to DRB review, such as project size or location within the City.
6. The DRB should formulate a mission and purpose statement.
7. DRB submittal guidelines should be updated such that members can evaluate projects based upon the full scope of their review.
8. DRB members and staff should make a clear distinction between guidelines and design requirements.
9. DRB members should receive training/ orientation.

If you have any questions regarding these recommendations or would like to discuss, please contact me.

xc: Design Review Board  
Scott Hess, Director of Planning  
Herb Fauland, Acting Planning Manager