

From: [Gerald Donohue](#)
To: supplementalcomm@surfcity-hb.org
Subject: Charter amendment
Date: Saturday, July 6, 2024 7:34:23 AM

Really? You want to continue to skirmish with the state over housing issues. Majority members, I thought your election platform included a clause where you would refrain from additional charter amendment revisions during your tenure. Some may forget your words but they carry on even if your memory sometimes fades. Please, we will be paying fines for previous lack of compliance issues with the state. Do we need additional charges? HB has enough day to day issues of importance to the citizens. We don't need a quartet of Don Quixote's jousting with the attorney general. Thank you

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-8-2024

Agenda Item No. 1 (24-465)

From: [Julie Ault](#)
To: supplementalcomm@surfcity-hb.org
Cc: [David Snyder](#)
Subject: Comment on Special Meeting Charter Amendment
Date: Saturday, July 6, 2024 9:57:25 AM

Council-

Please accept this communication as an opposition to the proposed charter amendment open for public comment on July 8th. First, the sudden announcement of a special meeting on Friday of the Independence Day holiday weekend for Monday afternoon is clearly an attempt to subvert the duty transparency of government owed to the citizens of the community. Secondly, a charter amendment to block development of housing in the City is nothing more than another attempt to subvert the laws of the State of CA. This blocking of housing development also ignores the City's role in thoughtful and strategic planning of future development so that our community moves forward with changes and growth in a positive, cohesive manner that will enhance property values and promote a safe and pleasant way of life in HB. Lastly, this 'under the radar' attempt to enact an amendment in contravention of State Law will again result in the involving the City Attorney and staff in litigation, and demonstrates a clear unwillingness to accept the Court's rulings in this regard. I do not consent to my tax dollars funding this agenda based litigation in the name of HB when the true goal is to elevate the notoriety and political careers of the four council members, City Attorney and others in this camp, rather than utilizing the resources of the community for the benefit of the community.

Listen to (all) your constituents. You serve at the will of the people.

Thank you,

Julie A. Ault
92648

From: [David Rynerson](#)
To: [CITY COUNCIL \(INCL. CMO STAFF\)](#); supplementalcomm@surfcity-hb.org
Subject: Special meeting for yet another charter amendment
Date: Sunday, July 7, 2024 12:26:05 PM

City Council majority -

When I first came to Huntington Beach, the Golden Bear was on PCH, every business on Main Street was single story, neither the Hyatt nor the Hilton existed, and neither did Paseo or Pacific City. Costco did not exist, the Huntington Beach Mall was dying, and the Westminster Mall was thriving.

Huntington Beach is not exactly the same as it was when I moved here, and it's an unrealistic expectation to think that it should be. Like it or not, life is about constant change, and learning to manage and embrace that change is critical.

Housing costs are a challenge throughout the state and are probably the #1 reason people cite for moving out of state. The housing element is the state's way of trying to address this issue. Rather than creating a housing element and engaging in constructive dialog with the state, the council majority has held its breath, stomped its feet, and thrown a temper tantrum with the result that Huntington Beach is now a pariah to the state government. We are at risk of tens to hundreds of thousands of dollars of fines per month, losing control over planning and permitting processes, and being exposed to Builders' Remedy.

Builders' Remedy, would make the city forfeit its authority to deny affordable housing projects on the grounds the project is inconsistent with zoning and/or General Plan standards.

Which means that without a compliant housing element, a builder can come in and build a ten-story affordable housing apartment complex pretty much wherever they can find land.

So rather than be responsible and create a housing element to protect us from fines and Builders' Remedy, this council majority is doubling down on their obstructionism by proposing yet another charter amendment to try to make a great many developments in the city require a vote of the people "on environmental grounds". Even if it were to be successful, all it would really do would be to make HB citizens responsible for detailed understanding of CEQA law and create even more lawsuits between Huntington Beach and the state.

And, by the way, property taxes from new housing developments would be one source of revenue to close the budget deficit you were just complaining about.

This council majority has its head in the sand, it fingers in its ears, and its brains stuck in an endless loop.

Sincerely,

David Rynerson

From: [Judy Morris](#)
To: supplementalcomm@surfcity-hb.org
Subject: Objection to Proposed Charter Amendment - Environmental Protections for General Plan Amendments
Date: Sunday, July 7, 2024 1:24:49 PM

City Council,

As you know, there was an extensive amount of discussion around the housing element during March and April 2023 at which time City Council was not comfortable executing the Statement of Overriding Considerations. I do not understand why the Statement of Overriding Conditions was originally brought up in March and April of 2023 and is just now re-surfacing as what appears now to be a rush to get it on the November ballot.

Per Casey McKeon's December 20, 2022 memo to the City Council, the RHNA was 13,368 and that due to the 20% affordable threshold 30,000 new total units of high density housing would need to be built. Casey's memo dated July 2, 2024 states that the updated 2023 quota of 13,368 new units translates to 41,000 new units due to the 20% inclusion ratio.

The Housing Element seems to me to be a complicated and technical matter. I believe the City Council should have the expertise necessary to deal with its related minutia and processes which includes deciding whether to execute related documentation.

This appears to be an attempt to place the onus for difficult decisions on the voters when these decisions are the responsibility of those who were elected to make them. You were given the "signing authority" to choose whether or not to sign documents when you were elected. Additionally, it seems that the proposed Charter Amendment could create additional expenses to the overall Housing Element issue.

For the reasons stated above, I object to the proposed charter amendment - Environmental Protections for General Plan Amendments.

Finally, I respectfully request that serious reconsideration be given to the overall economic impact of the Council Majority's stance to continue to litigate over this matter. Would it make economic sense and if so is it at all possible at this point to attempt work with the state to address the shortcomings in the RHNA process, or has that bridge already been burned?

Sincerely,

Judy Morris
30 year resident of HB

[Sent from Yahoo Mail for iPhone](#)

From: [K Carroll](#)
To: [CITY COUNCIL \(INCL. CMO STAFF\)](#); supplementalcomm@surfcity-hb.org
Subject: City Council Special Meeting 7/8/2024-24-465 - including Adoption of Resolution Nos. 2024-38, 2024-3039 and 2024-40
Date: Sunday, July 7, 2024 8:21:12 PM

Greetings Mayor Gracey Van Der Mark, Pro Tem Pat Burns, Councilman Casey McKeon and Tony Strickland,

Thank you for bringing forward 24-465. I strongly support this item being placed on the November, 5, 2024 General Election along with the Resolutions noted above.

We have lived here since 1994, over the last 10-15 year's, I observed many, many HB property owners and Tax Payers, attend CC meetings protesting high density. The many speakers would present their thoughts. EIR's presented to the City Council were often outdated and were not accurate. EIR's are contracted by the developer who wants the project approved. Many of these project EIR's **did** show significant negative impacts to HB overall, HB citizens and taxpayers.. However, regardless of the input from citizens and homeowners, City Council Majority had/has sole discretion to approve the project if "they felt"; that the benefits of the project exceeded the negative impacts in the EIR. I think many of the projects EIR's indicated substantial negative impacts. Some negative impacts include overall parking, quality of life, property value, safety (car accidents, etc.) and dense housing results ie., transient tenants, increased crime and; overall substantial strain on infrastructure and utility resources. You are the first City Council Majority who has listened to the citizens complaining about high density with the exception of Erik Peterson who was the lone ranger. City Council terms after term..Everything that residents' communicated to the City Council was dismissed and progressively got worse. All of the citizen's predictions have come true.

Dan Kalmick stated there are so many rules and regulations that the citizens do not have the knowledge to vote. Dan, adding that of course all the voters will vote yes. 100% right because of the history.

Thank you so much for listening, keeping promises, continuous hard work and dedication.

Best regards,

Kris Carroll

From: cornetto45@earthlink.net
To: supplementalcomm@surfcity-hb.org
Subject: item 24-465
Date: Monday, July 8, 2024 7:15:05 AM

I oppose putting this on the ballot.

The city council has failed to show how this will protect Huntington Beach from the builder's remedy. In addition, it increases the risk of suffering from the Builder's Remedy.

There is no criteria for when it must go to a vote. It is too vague. It would be harder to be more vague than the current wording "... significant and unavoidable negative impacts to the environment...". This will lead to messy and divisive discussions. Because the criteria is so flimsy, the city council will have to explain why this project can go forward, when another would have to be put on the ballot.

Huntington Beach needs more housing, and Huntington Beach needs a range of housing types. Huntington Beach will get tax revenue from new housing.

The airshow results "significant and unavoidable negative impacts to the environment" - why won't that go onto a future ballot? The criteria is too vague.

The motion takes control of our city zoning out of the hands of our city council. Why is it good for this environment action, and bad for the library subcontracting of services?

This whole process is rushed; it was less than a week after it was approved by the city council. There have been no working groups, and basically no explanation on why this will protect our city from the Builder's Remedy, which will lead to hap-hazard building without any control by the city. We can wait, do the job well, and put it on the March ballot.

Charlie Jackson
23 year resident of Huntington Beach

From: Levin, Shannon
To: supplementalcomm@surfcity-hb.org
Subject: FW: The Ballot Measure being drafted is NOT "Environmental"
Date: Monday, July 8, 2024 7:49:29 AM

-----Original Message-----

From: Shammy Dingus <shammyd@mac.com>
Sent: Sunday, July 7, 2024 11:51 PM
To: CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Subject: The Ballot Measure being drafted is NOT "Environmental"!

Dear Council Members,

It seems pretty ridiculous to title the new anti-housing Ballot Measure proposed by the council as "Environmental". In fact, such a title is clearly MISLEADING to voters — and the council should beware the likelihood that the it might face legal consequences for such deceptive labeling. The bill is entirely directed at limiting the development of new housing and the public should be made amply aware of that.

It is my understanding that the "Charter Amendment related to Environmental Protection" would only apply to residential property, not businesses, which would be exempted. The stated goal is that it is a "Housing Strategy", not an environmental one. It specifically addresses the approval of changes in zoning related to the adoption of a "housing element" plan, which would not take into consideration proposals for zoning changes related to commercial development which may have a greater impact on the city!

No consideration AT ALL is given to the evaluation of environmental impact of COMMERCIAL property zoning changes or project approvals — yet businesses are much more likely to create pollution and strain the city's resources and infrastructure. Whether retail, services, or manufacturing, commercial development is much more likely to:

- generate toxic emissions and waste products
- increase traffic (including heavy vehicles) and require additional parking
- burden our utilities with greater demands for electricity, gas, and water
- create a need for substantially increased waste disposal and sewage
- place a heavy burden on not only the city's infrastructure, but also require additional police and fire staff for tourism events
- And oil well emissions and potential accidents? The emissions from wells are extremely toxic to nearby residents or facilities, and we already have a history of huge financial costs related to pipeline accidents, drilling operations and operating or uncapped wells. We should focus on eliminating that!

Further, It's completely irresponsible for the city to mislabel this proposed ballot measure as "Environmental" when it is actually only "Anti-Housing". Until an appropriate ENVIRONMENTAL study of all of Huntington Beach's contributing elements and the burden they place on local resources, and pollution, no ballot measure like the proposed charter amendment should even be considered.

Flying blind with virtually no comprehensive studies, input from the community, and ignoring the city's established Boards and Commissions (in favor of secret 3-member ad hoc committees) will surely lead to unnecessary mistakes that existing residents will have to pay for. Why even have official advisory councils that are routinely cut out of the planning and recommendation process? I think most residents would prefer decisions made on thorough investigation and expert advice — rather than political grandstanding.

This is a bad act that may haunt the city for decades.

C "Shammy" Dingus
shammyd@mac.com

Huntington Beach, CA

From: [Levin, Shannon](#)
To: supplementalcomm@surfcity-hb.org
Subject: FW: Vote NO on Agenda Item #1, June 8, 2024
Date: Monday, July 8, 2024 7:49:46 AM

From: Pat Goodman <patgoodman@yahoo.com>
Sent: Sunday, July 7, 2024 9:04 AM
To: Van Der Mark, Gracey <Gracey.VanDerMark@surfcity-hb.org>; CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Subject: Vote NO on Agenda Item #1, June 8, 2024

Mayor Van Der Mark and City Council,

This week there are two issues of concern to me that affect housing development in Huntington Beach: one is Agenda Item # 1 at the special city council meeting on Monday, June 8 and the other is the Local Coastal Plan Amendment (LCPA) to be heard on Wednesday, July 10th at the CA Coastal Commission, IItem # 11. The council voted unanimously on December 19, 2023 to submit this item to the CA Coastal Commission.

Agenda # 1 on the June 8th Special Meeting would require voters to accept or reject development projects in the city if they have significant environmental issues that cannot be mitigated. This charter amendment, if approved by voters, would cause delays in development, an unfriendly/uncertain environment to property owners and developers, and bring about a lawsuit against the city by the State of California. How is this agenda item consistent with the CA Coastal Commission request for the LCPA? There are many unanswered questions about this item especially what are the fiscal impacts to the city and property owners? Would projects be submitted to voters once per year or as needed? Please reject Agenda Item # 1.

It appears, The Issue Statement related to Agenda Item # 1 paragraph 2 states that in order to reach the RHNA goal by 2029 of affordable units, the city would have to build 41,000 units. That's true if all the units built were market rate housing. The Draft Housing Element Cycle 6 prepared by staff identifies a path to follow to meet the RHNA requirements by income class. Please correct paragraph 2 to reflect the truth about the 6th Cycle RHNA goal that if only market rate housing were to be built then the city needs to build 41,000. However, Huntington Beach has shown its ability to build quality affordable housing that is totally dedicated to affordability. Here are a few examples we have: Bowen Court, Oceana, Oakview Apartments. And there are two sites in process of development fully dedicated to affordability: HB Oasis and Pelican Harbor.

The LCPA requests a zoning change to the LCP for the area known as the Magnolia Tank Farm from industrial to residential and commercial. This site is subject to flooding due to sea level rise, sits at the end of the Inglewood/Newport earthquake fault, abuts the Ascon Toxic waste site. A project, I believe, that has significant environmental issues that cannot be mitigated.

The LCPA is a zoning change request and is not unlike the zoning changes found in the Housing Element 6 Cycle that the majority council rejected because of the necessary approval of the State of Overriding Considerations (SOC). This SOC requires an agency to **balance** the economic, legal, social, technological benefits of a project, against unavoidable adverse environmental effects of the project. I find it interesting that the Housing Element as a plan for a period of time it and is not an approval for specific development projects but requires an SOC. In addition an SOC is attached to a specific development project. Each project will assess its environmental impacts and mitigations. Such projects will still come before the city for approval, like the Showoff project, that they fit within the zoning of the site and design standards established by the city (local control of development).

If the Coastal Commission approves the LCPA zoning change, will you submit this project to the voters of Huntington Beach to approve?

My personal opinion is the Showoff development is worthy of consideration however, I reject the location of the project due to environmental concerns of sea level rise and toxic soil conditions. If this project was on the ballot I would vote against it. However, I would hope that the council would offer a different location for the same project for me to consider and possibly vote in favor. I believe that a solution to bring this Shopoff project forward is that the City, County, and State work with the developer to find a suitable property in the city. The Magnolia Tank Farm site should be a buffer between the tide and the existing commercial and residential properties that surround it. This site then would absorb any flooding that occurs and create a safety net to the residents in the surrounding area. This would take leadership by you and other agency officials to accomplish this outcome.

This was a really difficult letter for me to write and took me several hours but sometimes things don't add up these items are such a time, and I persisted.

Pat Goodman
Huntington Beach, CA

From: [Levin, Shannon](#)
To: supplementalcomm@surfcity-hb.org
Subject: FW: No Charter Changes
Date: Monday, July 8, 2024 7:50:44 AM

From: Chris Varga <christopher.j.varga@gmail.com>
Sent: Friday, July 5, 2024 9:27 PM
To: CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Subject: No Charter Changes

Stick with your campaign plan “No Charter Changes”

Chris Varga
Huntington Beach

From: [Paula Shawa](#)
To: supplementalcomm@surfcity-hb.org
Subject: NO on Agenda Item 1 / Special City Council Meeting July 8, 2024
Date: Monday, July 8, 2024 8:54:20 AM

As a resident of Huntington Beach, which is located in the state of California and not separated from it, I am **opposed** to the proposed charter amendment and resolutions put forth by the whining extremist majority on the city council. Please do your job, working with all involved parties, to maintain and improve the quality of life in Huntington Beach, instead of constantly whining and complaining.

Paula Shawa, 20-plus year HB resident

From: [Eikes, Cathy](#)
To: [Agenda Alerts](#)
Subject: FW: Attachment added Fwd: Support Environmental Protection and Local Control for Zoning, Development
Date: Monday, July 8, 2024 8:54:20 AM

From: Ann Palmer <714anniep@gmail.com>
Sent: Monday, July 8, 2024 8:28 AM
To: CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Subject: Attachment added Fwd: Support Environmental Protection and Local Control for Zoning, Development

TRUTH ABOUT INCREASED HOUSING

- **DOES NOT = AFFORDABLE. DATA 2020-2023 SHOWS:**
 - California Population (Net) Decreased by 1%
 - Housing units Increased by 3%
 - Cost of housing* Increased by 20%

*Purchase, Rent



A PALMER HBCC Comments 07.08.24

AS A REMINDER, DENSE DEVELOPMENT

- **HAS ENVIRONMENTAL AND SAFETY ISSUES**
 - Developers in CA propose builds beyond the capacity of infrastructure
 - Sites deemed “Against Geological Advice” (AGA) for even single dwellings are sought for multi-family structure developments
- **DWELLING AND SPACE AFFECT HUMAN WELLBEING¹⁻¹¹**
 - Studies show place and space impact health and wellbeing of residents

- Quality green and open space adjacency are major requirements
- Visible horizons and avoiding urban sun occlusion are key
- Older, classically designed urban spaces are better

*Purchase, Rent



A PALMER HBCC Comments 07.08.24

----- Forwarded message -----

From: **Ann Palmer** <714annie@gmail.com>

Date: Mon, Jul 8, 2024 at 8:25 AM

Subject: Support Environmental Protection and Local Control for Zoning, Development

To: HB supplemental CC and city ++ <city.council@surfcity-hb.org>

Huntington Beach City Council:

This is to state strong support of the proposal to amend the Huntington Beach City Charter regarding environmental protection, local control and voter approval in matters of zoning and housing development.

Attached is a document containing pertinent information related to this topic. If the city does not act at this time we may further lose the ability to have any say over the future density throughout our community. Even if we prevail in the current challenge of the State of California government overreach, we can with certainty say that the concerted efforts of powerful developers and legislators to implement high density housing schemes in coastal cities will proliferate into the future.

Thank you,

Ann Palmer
30+ yr resident/homeowner
Huntington Beach CA

From: [Fikes, Cathy](#)
To: [Agenda Alerts](#)
Subject: FW: VOTE NO on Agenda Item # 1 July 8, 2024 Agenda Item
Date: Monday, July 8, 2024 8:55:33 AM

From: Paula Schaefer <pas92649@gmail.com>
Sent: Monday, July 8, 2024 8:55 AM
To: CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Subject: VOTE NO on Agenda Item # 1 July 8, 2024 Agenda Item

Mayor and City Council Members:

In all likelihood, this email will not be read, and even if I attend the meeting and read this to you, my message would fall on deaf ears. However, I write anyway and address this email primarily to the majority four.

This proposed charter amendment is a hypocritical and cynical ploy to stop any development by cloaking it in language purporting to protect our pristine environment. Your "Issue Statement" should rightfully be labeled "Fab 4 Propaganda Statement."

The housing element is a planning document - it does not direct or authorize that any of the 13000+ housing units be built (not 41000 that is claimed). However, that is what you hope the average reader will understand. Your continued use of the phrase "high density development" is just another dog whistle to those who translate that as "low income housing" and assume the worst. A further offense to the average reader is your failure to explain the likely downside to the failure to adopt a housing element.

Why haven't you done this? If this charter amendment is placed on the ballot and passed by the voters (your desired outcome), the "builders' remedy" is a very possible consequence. This could result in only minimal city control over what housing is constructed. You will only have yourselves to blame if that happens.

Again I urge you to vote NO on this agenda item, drop the charter amendment, and comply with the state's housing laws by adopting a housing element.

This is what governing in the interests of all residents is, not the actions proposed here.

Paula A. Schaefer

From: [Steven C. Shepherd Architect](#)
To: supplementalcomm@surfcity-hb.org; [CITY COUNCIL \(INCL. CMO STAFF\)](#)
Subject: AGENDA ITEM #1 IS NOTHING MORE THAN POLITICAL GARBAGE
Date: Monday, July 8, 2024 8:57:40 AM

I originally pushed back against this nonsense less than a week ago primarily because of the incorrect and needlessly inflammatory use of the term "high-density," but now it has become clear that this is just another political stunt to engender resentment and further your divisive "us versus them" narrative.

The ongoing efforts to govern the City of Huntington Beach as if it were an island does a deep disservice to our residents and broader community.

I oppose this agenda item in the strongest possible terms.

Steve Shepherd
Huntington Beach 92646