

MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, FEBRUARY 11, 2025
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

6:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Wood

P P P P P P P

ROLL CALL: Wood, Pellman, Bush, Babineau, Goldberg, Thienes, McGee

PUBLIC COMMENTS

Dinorah Echavarria, resident, spoke regarding her issues in obtaining housing in the city.

ADMINISTRATIVE ITEMS

PRESENTATIONS TO OUTGOING PLANNING COMMISSIONERS

Commissioner Pellman thanked former Planning Commissioners Adam, Kennedy, and Twining for their service.

25-058 PLANNING COMMISSION CHAIR AND VICE CHAIR

RECOMMENDED ACTION:

The Planning Commission may take one of the following actions:

A) Nominate and elect the 2025 Planning Commission Chair and Vice Chair based on Planning Commission seniority as established by the Planning Commission bylaws (see attached memo): or

B) Set aside the Planning Commission bylaws and nominate and elect the 2025 Planning Commission Chair and Vice Chair.

A MOTION WAS MADE BY BUSH, SECONDED BY GOLDBERG, TO SET ASIDE THE PLANNING COMMISSION BYLAWS AND NOMINATE AND ELECT THE 2025 PLANNING COMMISSION CHAIR AND VICE CHAIR.

AYES: Pellman, Bush, Babineau, Goldberg, Thienes, McGee

NOES: Wood

ABSENT: None

ABSTAIN: None

MOTION PASSED

A MOTION WAS MADE BY BUSH, SECONDED BY GOLDBERG, TO NOMINATE AND ELECT BRIAN THIENES AS PLANNING COMMISSION CHAIR.

AYES: Pellman, Bush, Babineau, Goldberg, Thienes, McGee
NOES: Wood
ABSENT: None
ABSTAIN: None

MOTION PASSED

A MOTION WAS MADE BY MCGEE, SECONDED BY PELLMAN, TO NOMINATE AND ELECT BRETT BUSH AS PLANNING COMMISSION VICE-CHAIR.

AYES: Pellman, Bush, Babineau, Goldberg, Thienes, McGee
NOES: Wood
ABSENT: None
ABSTAIN: None

MOTION PASSED

25-059 PLANNING COMMISSION ADVISORY BOARDS AND COMMITTEES

RECOMMENDED ACTION:

That the Planning Commission take the following action:

A) Discuss the 2025 Advisory Boards and Committee Assignments

There was a brief discussion and Chair Thienes announced the 2025 Advisory Boards and Committee Assignments.

25-060 CODE OF ETHICS (ANNUAL REVIEW AND ACKNOWLEDGEMENT)

Ricky Ramos, Planning Manager, reviewed the code of ethics.

PUBLIC HEARING ITEMS

25-054 ZONING TEXT AMENDMENT NO. 25-001 (SMOKE/TOBACCO SHOP REGULATIONS)

REQUEST:

To amend four chapters of the Huntington Beach Zoning and Subdivision Ordinance to primarily introduce regulations for smoke/tobacco shops. The chapters to be amended are Chapter 204 (Use Classifications), Chapter 211 (C Commercial Districts), and Chapter 230 (Site Standards). Chapter 212 (I Industrial Districts) is also being amended to remove duplicate text.

LOCATION:

Citywide

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Find the project exempt from additional environmental review pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act because the request is a minor amendment to the zoning ordinance that does not change the development standards intensity or density.
- B) Recommend approval of Zoning Text Amendment (ZTA) No. 25-001 to the City Council with suggested findings (Attachment No. 1).

The Commission made the following disclosures:

- Commissioner Pellman had no disclosures.
- Commissioner Wood had no disclosures.
- Vice-Chair Bush had no disclosures.
- Chair Thienes spoke to Councilmen Burns and McKeon.
- Commissioner McGee had no disclosures.
- Commissioner Goldberg had no disclosures.
- Commissioner Babineau had no disclosures.

Joanna Cortez, Principal Planner, gave the staff presentation for the proposed zoning text amendment.

There was a brief discussion on the following items: the status of current smoke shop uses if the proposed change is approved and the definitions of youth populated areas and commercial youth recreation.

THE PUBLIC HEARING WAS OPENED.

Amory Hanson, resident, spoke in support of proposed zoning text amendment, citing the reduced accessibility of tobacco to minors.

WITH NO ONE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.

There was discussion on the following items: extending the proposed buffer to 1,000 feet, potential impacts to the commercial centers adjacent to Ocean View and Huntington Beach High Schools, requiring a buffer between tobacco shops, policies in other cities, and potentially restricting all tobacco uses onsite.

A MOTION WAS MADE BY THIENES, SECONDED BY GOLDBERG, TO FIND THE PROJECT EXEMPT FROM ADDITIONAL ENVIRONMENTAL REVIEW PURSUANT TO CITY COUNCIL RESOLUTION NO. 4501, CLASS 20, WHICH SUPPLEMENTS THE CALIFORNIA ENVIRONMENTAL QUALITY ACT BECAUSE THE REQUEST IS A MINOR AMENDMENT TO THE ZONING ORDINANCE THAT DOES NOT CHANGE THE DEVELOPMENT STANDARDS INTENSITY OR DENSITY; AND RECOMMEND APPROVAL OF ZONING TEXT AMENDMENT (ZTA) NO. 25-001 TO THE CITY COUNCIL WITH MODIFIED FINDINGS RESTRICTING THE DISTANCE BETWEEN INDIVIDUAL SMOKE SHOPS AND SMOKE SHOPS TO YOUTH POPULATED AREAS TO 1,000 FEET, BY THE FOLLOWING VOTE:

AYES: Wood, Pellman, Bush, Babineau, Goldberg, Thienes, McGee
NOES: None
ABSENT: None
ABSTAIN: None

MOTION PASSED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

Zoning Text Amendment (ZTA) No. 25-001 is categorically exempt pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act because the request is a minor amendment to the zoning ordinance that does not change the development standards intensity or density.

FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 25-001:

1. Zoning Text Amendment No. 25-001 is to amend four chapters of the Huntington Beach Zoning and Subdivision Ordinance to introduce regulations for smoke/tobacco shops. The chapters to be amended are Chapter 204 (Use Classifications), Chapter 211 (C Commercial Districts), and Chapter 230 (Site Standards). Chapter 212 (I Industrial Districts) is also being amended to remove duplicate text.

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

Land Use Element:

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Policy LU-2(D): Maintain and protect residential neighborhoods by avoiding encroachment of incompatible land uses.

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

The proposed ZTA will define and regulate smoke/tobacco retail shops in a manner that will ensure new shops are compatible with surrounding uses. The proposed regulations will limit this use to commercially zoned properties while prohibiting them in any primarily residentially zoned areas. Smoke/tobacco shops will maintain a 1,000-foot separation from sensitive uses, such as hospitals and youth-oriented areas, as well as other smoke/tobacco shops. These regulations will allow these types of commercial goods and services to operate in designated areas of the city while meeting the community's desire of limiting the overexposure of this use to young people.

The proposed text cleanup will provide greater customer service as it will provide residents and business owners a clear understanding of permitted uses within the industrial zone.

2. Zoning Text Amendment No. 25-001 is compatible with the uses authorized in, and the standards prescribed for the zoning district for which it is proposed because it primarily revises the processing of an existing use and clarifies a section of the HBZSO. The revisions that have been added or clarified will not change the character of the base zoning district and the uses authorized therein.
3. A community need is demonstrated for the changes proposed because there is a constant community desire to ensure compatibility of uses between different zoning areas and ensure the HBZSO is clear, current, and proactive with conflicts in the code.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because ZTA No. 25-001 ensures the HBZSO are clear, current, and proactive with conflicts in the code, and reflective of the City's ongoing effort to improve customer service.

COMMISSIONER WOOD RECUSED HIMSELF FROM ITEM 25-083 AND LEFT THE ROOM.

25-083 CONTINUE APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT NO. 24-026 TO MARCH 25, 2025 (TIEMPO SECURITY FENCE)

REQUEST:

To permit the construction of a 6 ft. tall open slat wrought iron security fence within the 10 ft. front setback in lieu of the maximum height of 42 in. This request also includes a reduced vehicle stacking distance of 7 ft-2 ½ in. in lieu of the required 20 ft., and to allow the proposed fence within portions of the required 10 ft. visibility triangles located at the front entry and the rear alley exit.

LOCATION:

Citywide

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Continue Appeal of the Zoning Administrator's approval of Conditional Use Permit No. 24-026 to the March 25, 2025, Planning Commission meeting.

Ricky Ramos, Planning Manager, stated the applicant is requesting a continuance to the March 25, 2025, Planning Commission meeting.

A MOTION WAS MADE BY GOLDBERG, SECONDED BY BUSH, TO CONTINUE THE APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT NO. 24-026 TO THE MARCH 25, 2025, PLANNING COMMISSION MEETING, BY THE FOLLOWING VOTE:

AYES: Pellman, Bush, Babineau, Goldberg, Thienes, McGee
NOES: None
ABSENT: None
ABSTAIN: Wood

MOTION PASSED

CONSENT CALENDAR

25-028 APPROVE PLANNING COMMISSION MINUTES DATED SEPTEMBER 24, 2024

Recommended Action:

That the Planning Commission take the following action:

"Approve the September 24, 2024, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY PELLMAN, SECONDED BY WOOD, TO APPROVE THE SEPTEMBER 24, 2024, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Wood, Pellman

NOES: None

ABSENT: None

ABSTAIN: Bush, Babineau, Goldberg, Thienes, McGee

MOTION APPROVED

NON-PUBLIC HEARING ITEMS - NONE

PLANNING ITEMS

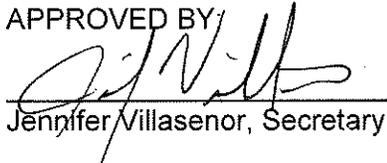
Mr. Ramos reported on upcoming planning items for Planning Commission and City Council.

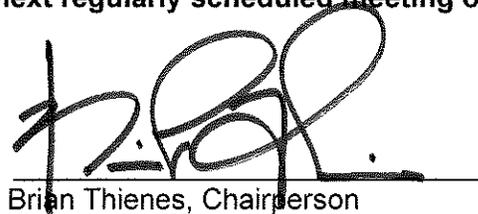
PLANNING COMMISSION ITEMS

Commissioner Pellman reported on the recent Historic Resources Board meeting.

ADJOURNMENT: Adjourned at 6:58 PM to the next regularly scheduled meeting of Tuesday, February 25, 2025.

APPROVED BY


Jennifer Villasenor, Secretary


Brian Thienes, Chairperson