



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, DECEMBER 11, 2018

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - COUNCIL CHAMBERS

CANCELLED – NO STUDY SESSION

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Crowe

P P P P P P P
ROLL CALL: Crowe, Ray, Garcia, Scandura, Kalmick, Mandic, Grant

AGENDA APPROVAL

A MOTION WAS MADE BY GRANT, SECONDED BY KALMICK, TO APPROVE THE DECEMBER 11, 2018, PLANNING COMMISSION MEETING AGENDA, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

PUBLIC COMMENTS - NONE

Anita Jordan, resident, spoke regarding the water table under the mobile home park where she lives and the effects of construction traffic would have on the safety and stability of the mobile homes.

PUBLIC HEARING ITEMS

18-557 ZONING TEXT AMENDMENT NO. 18-003 (ZONING AND SUBDIVISION ORDINANCE UPDATE) REQUEST: To amend six chapters of the Zoning and Subdivision Ordinance to reorganize certain entitlement applications to a lower hearing body, codify existing policies, and clarify sections of the code. The six chapters to be amended are Chapter 203 (Definitions), Chapter 204 (Use Classifications), Chapter 211 (Commercial Districts), Chapter 214 (Public-Semipublic District), Chapter 230 - Section 230.26 (Affordable Housing), and Chapter 231 (Off-Street Parking and Loading Provisions). LOCATION: Citywide

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Finds and determines that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements CEQA (Attachment No. 1).
- B) Recommend approval of Zoning Text Amendment No. 18-003 with findings (Attachment No. 1) and forward to the City Council for consideration.

The Commission made the following disclosures:

- Commissioner Crowe had no disclosures.
- Commissioner Ray had no disclosures.
- Vice-Chair Garcia had no disclosures.
- Chair Scandura spoke with staff, Commissioner Mandic, and the Building Industry Association.
- Commissioner Kalmick spoke with staff and a Building Industry Association representative.
- Commissioner Mandic spoke with staff, Chair Scandura, and the Building Industry Association.
- Commissioner Grant spoke with a Building Industry Association representative.

Ricky Ramos, Senior Planner, gave the staff presentation and an overview of the project. Mr. Ramos stated that staff was withdrawing the proposed modifications to Chapter 230.

There was discussion on the right-of-way setback definition and the removal of guest house definition.

THE PUBLIC HEARING WAS OPENED.

Kathryn Levassiur asked the Planning Commission to not approve any zoning text amendments that may limit the ability to tax and regulate short term vacation rentals.

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

Chair Scandura confirmed with staff that the proposed amendments do not prohibit taxation or regulation of short term vacation rentals.

There was discussion on eating and drinking establishments being permitted by right in mixed use sites.

A MOTION WAS MADE BY KALMICK, SECONDED BY RAY, TO FIND AND DETERMINE THAT THE PROJECT WILL NOT HAVE ANY SIGNIFICANT EFFECT ON THE ENVIRONMENT AND IS EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CITY COUNCIL RESOLUTION NO. 4501, CLASS 20, WHICH SUPPLEMENTS CEQA AND RECOMMEND APPROVAL OF ZONING TEXT AMENDMENT NO. 18-003 WITH FINDINGS AND FORWARD TO THE CITY

COUNCIL FOR CONSIDERATION, AS AMENDED BY STAFF, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements CEQA 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. 18-003:

1. Zoning Text Amendment (ZTA) No. 18-003 to amend Chapter 203 (Definitions), Chapter 204 (Use Classifications), Chapter 211 (Commercial Districts), Chapter 214 (Public-Semipublic District), Chapter 230 - Section 230.26 (Affordable Housing), and Chapter 231 (Off-Street Parking and Loading Provisions) of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to reorganize certain entitlement applications to a lower hearing body, codify existing policies, and clarify sections of the code is consistent with the objectives, policies, general land uses and programs specified in the General Plan including:

Land Use Element

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

Policy LU-11 (A): Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

Goal LU-13: The city provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.

Policy LU-13 (A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

Housing Element

Policy 1.6: Support and publicize available rental assistance programs for lower income and special need households.

Policy 5.5: Support continued efforts to implement the Orange County Continuum of Care program for the homeless. Coordinate with local social service providers and notify them of available City funding to address the needs of the homeless population.

The ZTA will allow the City to process new development and land use applications in a more effective and efficient manner which will encourage a variety of commercial uses, goods, and services to meet market needs and capture sales tax revenues. The proposed amendments would decrease processing time for applicants, encourage new businesses, and ultimately improve customer service. The amendments also support the provision of rental assistance programs and other services to address the needs of the homeless.

2. In the case of a general land use provision, ZTA No. 18-003 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 entitlements and clarifies various sections of the HBZSO. The few uses 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 improve customer service with decreased processing time and ensure the HBZSO is clear, current, and consistently adapting to market trends.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because ZTA No. 18-003 ensures the HBZSO is clear, current, consistently adapting to market trends, and reflective of the City's ongoing effort to improve customer service.

18-568 NEGATIVE DECLARATION NO. 13-005 (AUTUMN CARE ASSISTED LIVING - Continued from June 12, 2018) REQUEST: GPA: To amend the maximum floor area ratio for the site from 0.35 to 1.0. CUP: To permit an approximately 28,000 sq. ft. assisted living facility on a vacant lot with more than a three ft. grade differential and maximum combined retaining wall and fencing height along the property lines of 9.5 feet to 14 feet. VAR: To permit: 1) a building height of 33.5 ft. to 38.5 ft. in lieu of a maximum of 18 ft. within 45 ft. of a residential district; 2) exterior stairs at a 1 ft. side setback in lieu of 8 ft.; 3) deck at a 5 ft.-2 in. side setback in lieu of 10 ft.; 4) basement laundry/vestibule at an 8 ft.-5 in. side setback in lieu of 10 ft.; and 5) an 8 ft.-8 in. parking structure perimeter planter width in lieu of 10 ft. along the west property line adjacent to the mobile home park. MND: To analyze the potential environmental impacts associated with the proposed project. LOCATION: 9960 Garfield Avenue, 92646 (near the southwest corner at Brookhurst Street)

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Continue General Plan Amendment No. 13-001, Conditional Use Permit No. 13-010, Variance No. 13-005 and Mitigated Negative Declaration No. 13-005 to a date uncertain at the applicant's request.

Ricky Ramos, Senior Planner, reported that staff recommended continuing the project to a date uncertain, at the applicant's request.

A MOTION WAS MADE BY GRANT, SECONDED BY KALMICK, TO CONTINUE GENERAL PLAN AMENDMENT NO. 13-001, CONDITIONAL USE PERMIT NO. 13-010, VARIANCE NO. 13-005 AND MITIGATED NEGATIVE DECLARATION NO. 13-005 TO A DATE UNCERTAIN AT THE APPLICANT'S REQUEST, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

CONSENT CALENDAR

18-603 APPROVE PLANNING COMMISSION MINUTES DATED SEPTEMBER 11, 2018

That the Planning Commission take the following action:

“Approve the September 11, 2018 Planning Commission Minutes as submitted.”

A MOTION WAS MADE BY KALMICK, SECONDED BY RAY, TO APPROVE THE SEPTEMBER 11, 2018 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

NON-PUBLIC HEARING ITEMS - NONE

PLANNING ITEMS

Ursula Luna-Reynosa, Director of Community Development, reported on the items from the previous and upcoming City Council Meetings as well as items for the upcoming Planning Commission workshop.

Jane James, Planning Manager, reported on the items for the next Planning Commission Meeting.

PLANNING COMMISSION ITEMS

Commissioner Mandic asked staff to report back on the development and required landscaping at the corner of Bolsa Chica St. and Edinger Ave. She thanked Commissioner Crowe for his work on the Planning Commission.

Commissioner Grant wished everyone a happy holiday.

Commissioner Crowe thanked the Planning Commission for their service and stated the he enjoyed working with his fellow commissioners.

Chair Scandura wished everyone a happy holiday, congratulated Councilmember Carr on her election, thanked Commissioner Crowe for his service, and stated that he enjoyed his tenure as Chair.

ADJOURNMENT: Adjourned at 7:38 PM to the next regularly scheduled meeting of Wednesday, January 23, 2019.

APPROVED BY:

Ursula Luna-Reynosa, Secretary

Pat Garcia, Chairperson