

AGENDA
HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, AUGUST 25, 2015

HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET
HUNTINGTON BEACH, CALIFORNIA 92648



CHAIR DAN KALMICK

VICE-CHAIR EDWARD PINCHIFF
COMMISSIONER LYN SEMETA
COMMISSIONER MIKE HOSKINSON

COMMISSIONER BILL CROWE
COMMISSIONER CONNIE MANDIC
COMMISSIONER PATRICK BRENDEN

DIRECTOR OF PLANNING AND BUILDING, SCOTT HESS, AICP
LEGAL COUNSEL, PAUL D'ALESSANDRO
PLANNING MANAGER, JANE JAMES

THE 7:00 PM PORTION OF THE MEETING IS TELEVISED LIVE ON CABLE TV CHANNEL 3 AND ON THE CITY'S WEBSITE ([HTTP://WWW.HUNTINGTONBEACHCA.GOV/](http://www.huntingtonbeachca.gov/)). DVDs OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECKOUT AT THE CENTRAL LIBRARY. COPIES OF STAFF REPORTS AND/OR WRITTEN MATERIALS ON EACH AGENDA ITEM ARE ON FILE IN THE PLANNING AND BUILDING DEPARTMENT, THE CENTRAL LIBRARY AND ON THE CITY'S WEBSITE FOR PUBLIC INSPECTION. ANY PERSON HAVING QUESTIONS ON ANY AGENDA ITEM MAY CALL THE PLANNING AND BUILDING DEPARTMENT TO MAKE AN INQUIRY CONCERNING THE NATURE OF THE AGENDA ITEM AT (714) 536-5271.

Planning Commission Agenda Information Sheet

The following is a brief explanation of the Planning Commission Agenda Structure:

AGENDA APPROVAL The Planning Commission will announce if any closed public hearing items will be re-opened and may wish to change the order of the items on the agenda.

PUBLIC COMMENTS (FILL OUT REQUEST TO SPEAK FORM) Anyone wishing to address the Planning Commission, only on items not on tonight's agenda, must fill out and mark the appropriate box and submit a form to speak prior to Public Comments. Please be advised that testimony provided on Public Hearing items during Public Comments are not part of the permanent entitlement record. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Time may not be donated to another. All proceedings are recorded. No action can be taken by the Planning Commission on these comments on this date, unless agendized.

PUBLIC HEARING ITEMS (FILL OUT REQUEST TO SPEAK FORM) Public hearings allow citizens the opportunity to speak in favor or against specific items. More detailed information on public hearings may be found on the page attached to the back of this agenda. Complete the form by marking the appropriate box and indicating the hearing item you wish to provide testimony on. Please note if the public hearing items have been closed or are still open for testimony. The agenda and staff report will indicate if the public hearing is open or closed. The Planning Commission at their discretion may re-open a closed public hearing and the Commission will make the announcement during Agenda Approval. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Individuals may choose to donate their 4 minutes of time to another speaker, and the maximum time donation limit is 8 minutes (2 individuals), for a total of 12 minutes per speaker. Individuals who donate time must be present when the item is being discussed. All proceedings are recorded. If you have documents to distribute, there should be enough copies for all Planning Commissioners, staff, and the public. The documents become part of the public record and will not be returned.

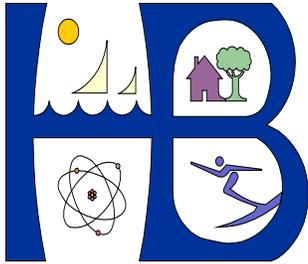
CONSENT CALENDAR Consent Calendar items are considered routine items that normally do not require separate consideration. The Planning Commission may make one motion for approval of all items listed under the CONSENT CALENDAR.

NON-PUBLIC HEARING ITEMS These items are considered by the Planning Commission separately and require separate motions. These transactions are considered ministerial and public testimony is not heard.

PLANNING COMMISSION ITEMS / INQUIRIES Items of business or concern are presented by Planning Commissioners and discussed with staff. Informational updates and reports are made by Commissioners who serve as liaisons to various committees.

PLANNING ITEMS Updates and reports from the Planning and Building Director for the information of the Planning Commission and the public.

Adjournment



AGENDA

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, AUGUST 25, 2015

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

ROLL CALL: *Crowe, Semeta, Pinchiff, Kalmick, Mandic, Brenden, Hoskinson*

AGENDA APPROVAL

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. **GENERAL PLAN CONFORMANCE NO. 15-004 (CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2015/16):** To evaluate the Capital Improvement Program for Fiscal Year 2015/16 for compliance with the General Plan. Location: Citywide City Contact: John Ramirez, Contract Planner

A-2. **GENERAL PLAN AMENDMENT NO. 15-001 (HOUSING ELEMENT UPDATE):** Staff presentation of requirements and components of a Housing Element. Location: Citywide City Contact: Jennifer Villasenor, Planning Manager

B. STUDY SESSION ITEMS - NONE

C. PUBLIC COMMENTS – Regarding Project Review and Study Session portions of Meeting

Anyone wishing to speak on Project Review or Study Session items during PUBLIC COMMENTS may do so by filling out a Request To Speak form and giving it to the Secretary. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

D. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) – Jane James, Planning Manager

E. PLANNING COMMISSION COMMITTEE REPORTS

F. PLANNING COMMISSION COMMENTS

6:30 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: *Crowe, Semeta, Pinchiff, Kalmick, Mandic, Brenden, Hoskinson*

AGENDA APPROVAL

A. PUBLIC COMMENTS

Anyone wishing to speak during PUBLIC COMMENTS must fill out and submit a form to speak. The Planning Commission can take no action on this date, unless the item is agendaized. Anyone wishing to speak on items not on tonight's agenda, a closed public hearing item, or on non-public hearing items may do so during PUBLIC COMMENTS. Please note comments on closed public hearing items will not be part of the permanent entitlement record. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

B. PUBLIC HEARING ITEMS

Anyone wishing to speak during an open PUBLIC HEARING must fill out and submit a form to speak. The public may address the Planning Commission only during the open PUBLIC HEARING items or during PUBLIC COMMENTS. Please review the agenda to determine whether the PUBLIC HEARING item is open or closed. If the PUBLIC HEARING on an item is closed, you will not be permitted to speak during that portion of the agenda and may wish to address your concerns during the PUBLIC COMMENTS portion of the agenda. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, WITH A MAXIMUM TIME DONATION OF 8 MINUTES, FOR A TOTAL OF 12 MINUTES PER SPEAKER)

PROCEDURE: Commission Disclosure Statement(s), Staff Report Presentation, Commission Questions, Public Hearing, Discussion/Action.

B-1. VARIANCE NO. 15-002 – APPEAL (JACKSON RESIDENCE) Appellant/Property Owner: Charles and Corrine Jackson Applicant: Ron Wikstrom Request: To permit an approximately 2,211 sq. ft. 1st and 2nd floor addition with 451 sq ft. attached garage to an existing 912 sq. ft. single family residence with nonconforming side yard setbacks in lieu of a maximum 50% addition of 456 sq. ft. This request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout. Location: 824 Geneva Avenue, 92648 (east side of Geneva Ave., between Indianapolis Ave. and Hill St.) City Contact: Joanna Cortez, Assistant Planner

STAFF RECOMMENDATION: Motion to: “Approve Variance No. 15-002 with suggested findings and conditions of approval (Attachment No. 1).”

B-2. CONDITIONAL USE PERMIT NO. 15-022 (Q TATTOO ESTABLISHMENT) Applicant: Love Nguyen Property Owner: Jake Newman Request: To permit the establishment of an approximately 1,150 sq. ft. tattoo business within an existing commercial building. Location: 8450 Edinger Avenue, 92647 (southwest corner of Edinger Ave. and Newland St.) City Contact: Jill Arabe, Associate Planner

STAFF RECOMMENDATION: Motion to: “Approve Conditional Use Permit No. 15-022 with suggested findings and conditions of approval (Attachment No.1).”

- B-3. PLANNING APPLICATION NO. 2015-137 (APPEAL OF DIRECTOR'S DECISION REGARDING MEDICAL MARIJUANA DISPENSARY) Appellant/Applicant: Medical Aid Program, d.b.a. Med-Aid HB Property Owner: Sheren Truong/Nhu Truong Request: To obtain zoning approval to establish a medical marijuana dispensary in the IG (Industrial General) zone at 17511 Griffin Lane, #6 Location: 17511 Griffin Lane, #6, 92647 (west side of Griffin Lane, south side of Slater Avenue) City Contact: Jane James, Planning Manager**

STAFF RECOMMENDATION: Motion to: "Deny Planning Application No. 2015-137 (Appeal of Director's Decision) with findings (Attachment No. 1)."

- B-4. PLANNING APPLICATION NO. 2015-145 (APPEAL OF DIRECTOR'S DECISION REGARDING MEDICAL MARIJUANA DISPENSARY) Appellant/Applicant: Daniel G. Richmond, c/o Cristian L. Peirano, Peirano and Associates, Inc. Property Owner: Phan Property Management Request: To obtain zoning approval to establish a medical marijuana dispensary at 17416 Beach Blvd. Location: 17416 Beach Blvd., 92647 (east side of Beach Blvd., approximately 350 feet north of Slater Avenue) City Contact: Jane James, Planning Manager**

STAFF RECOMMENDATION: Motion to: "Deny Planning Application No. 2015-145 (Appeal of Director's Decision) with findings (Attachment No. 1)."

- B-5. PLANNING APPLICATION NO. 2015-146 (APPEAL OF DIRECTOR'S DECISION REGARDING MEDICAL MARIJUANA DISPENSARY) Appellant/Applicant: CHC Organization, Inc. d.b.a. Surf City Collective by Solomon Fishman President/CEO Property Owner: Demond Request: To obtain zoning approval to establish a medical marijuana dispensary at 19142 Beach Blvd., Suite Y. Location: 19142 Beach Blvd., Suite Y, 92648 (east side of Beach Blvd., approximately 725 feet south of Garfield Avenue) City Contact: Jane James, Planning Manager**

STAFF RECOMMENDATION: Motion to: "Deny Planning Application No. 2015-146 (Appeal of Director's Decision) with findings (Attachment No. 1)."

- B-6. PLANNING APPLICATION NO. 2015-147 (APPEAL OF DIRECTOR'S DECISION REGARDING MEDICAL MARIJUANA DISPENSARY) Appellant/Applicant: HBCG Cooperative, Inc. by way of Daniel G. Richmond Property Owner: Phan Property Management Request: To obtain zoning approval to establish a medical marijuana dispensary at 17416 Beach Blvd. Location: 17416 Beach Blvd., 92647 (east side of Beach Blvd., approximately 350 feet north of Slater Avenue) City Contact: Jane James, Planning Manager**

STAFF RECOMMENDATION: Motion to: "Deny Planning Application No. 2015-147 (Appeal of Director's Decision) with findings (Attachment No. 1)."

C. CONSENT CALENDAR - NONE

- C-1. PLANNING COMMISSION MINUTES DATED MARCH 10, 2015**

RECOMMENDED ACTION: Motion to: "Approve the March 10, 2015, Planning Commission Minutes as submitted."

C-2. PLANNING COMMISSION MINUTES DATED MARCH 24, 2015

RECOMMENDED ACTION: Motion to: "Approve the March 24, 2015, Planning Commission Minutes as submitted."

D. NON-PUBLIC HEARING ITEMS

D-1. GENERAL PLAN CONFORMANCE NO. 15-004 (CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2015/16) Applicant: City of Huntington Beach, Public Works Department **Property Owner:** City of Huntington Beach **Request:** To evaluate the Capital Improvement Program for Fiscal Year 2015/16 for compliance with the General Plan. **Location:** Citywide **City Contact:** John Ramirez, Contract Planner

STAFF RECOMMENDATION: Motion to: "Adopt Resolution No. 1689, approving General Plan Conformance No. 15-004, with findings (Attachment Nos. 1 and 2)."

E. PLANNING ITEMS

- E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING
- E-2. CITY COUNCIL ITEMS FOR NEXT MEETING
- E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

- Commissioner Crowe –
- Commissioner Semeta –
- Vice-Chair Pinchiff –
- Chair Kalmick –
- Commissioner Mandic –
- Commissioner Brenden –
- Commissioner Hoskinson –

ADJOURNMENT: Adjourn to the next regularly scheduled meeting of Wednesday, September 9, 2015.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Planning Commission is final unless an appeal is filed to the City Clerk by you or by an interested party. Said appeal must be accompanied by a filing fee of One Thousand, Seven Hundred Sixty-Three Dollars (\$1,763.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Three Thousand, Three Eighty-Three Dollars (\$3,383.00) if the appeal is filed by any other party. The appeal shall be submitted to the City Clerk within ten (10) calendar days of the date of the Planning Commission's action.

Copies of staff reports and/or written materials on each agenda item are on file in the Planning and Building Department and on the City's website (<http://www.huntingtonbeachca.gov/>), for inspection by the public. A copy of the agenda packet is also available at the Central Library (7111 Talbert Avenue).

DVDs OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECK OUT AT THE CENTRAL LIBRARY, AND FOR DUPLICATION SERVICES IN THE PLANNING AND BUILDING DEPARTMENT.

HUNTINGTON BEACH PLANNING COMMISSION

Public Hearing Procedures

This statement has been prepared to provide a better understanding of the procedures for public hearings before the Planning Commission.

Regular meetings of the Planning Commission are held on the second and fourth Tuesdays of each month beginning at 5:15 p.m. in Room B-8 for a study session and then at 7:00 PM in the Council Chambers. Adjourned meetings, special meetings, and Study Sessions may be scheduled at other times.

Planning Commission proceedings are governed by the Planning Commission By-Laws, Robert's Rules of Order and the Brown Act. The following is the typical sequence of events on public hearing items:

- A. The Chairperson shall announce the item and if the public hearing is open or closed.
- B. The Planning Commission shall disclose any discussions, conversations, etc., with applicants, applicant's representatives or property owners.
- C. The staff report is presented.
- D. Questions by the Planning Commission concerning the staff report may be answered at this time.
- E. The public hearing is opened by the Chairperson.
- F. The applicant or appellant is given an opportunity to address the Commission. Time is not limited but left to the Chairperson's discretion.
- G. Public Comments: Staff will call all speakers by name. Please proceed to the podium. Individuals favoring and opposing the proposal are given an opportunity to address the Commission (up to four (4) minutes), or may choose to donate their time to another speaker if the "Request to Speak" form is filled out and given to the Secretary. A speaker who addresses the Commission on behalf of individuals who donate time are allowed a maximum of 12 minutes. Individuals who donate time must be present when the item is being discussed. Please state your name before addressing the Commission.
- H. The Commission may ask questions of speakers addressing the Commission.
- I. The public hearing is closed.
- J. The Commission will deliberate the matter at this time.
- K. The Commission then acts on the matter by continuing, approving, conditionally approving, or denying the petition.

The Planning Commission receives a staff report packet on the Tuesday preceding the meeting, allowing time to review each case and make further investigations in the field prior to the scheduled meeting.

Staff reports are available in the Planning and Building Department, the Central Library and on the City's website (www.surfcity-hb.org) anytime on Wednesday preceding the Tuesday Planning Commission meeting.