MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JUNE 10, 2014
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

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

CANCELLED – NO STUDY SESSION

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Chair Peterson

P A P P P P P

ROLL CALL: ***Semeta, Posey, Franklin, Peterson, Pinchiff, Bixby, Kalmick***

Commissioner Posey was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY KALMICK, SECONDED BY PETERSON, TO APPROVE THE PLANNING COMMISSION AGENDA OF JUNE 10, 2014, BY THE FOLLOWING VOTE:

AYES: **Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick**
NOES: **None**
ABSENT: **Posey**
ABSTAIN: **None**

MOTION APPROVED

A. PUBLIC COMMENTS – NONE

B. PUBLIC HEARING ITEMS

B-1. CONDITIONAL USE PERMIT NO. 12-026/ COASTAL DEVELOPMENT PERMIT NO. 12-001/ NOISE DEVIATION PERMIT NO. 13-009/ ENVIRONMENTAL IMPACT REPORT NO. 13-003 (SURF CITY NIGHTS): Applicant: City of Huntington Beach, Office of Business Development, Kellee Fritzal, 2000 Main Street, Huntington Beach, CA_92648/ Downtown Business Improvement District, Susan Welfinger, 315 3rd Street, Suite E, Huntington Beach, CA 92648 **Property Owner:** City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648 **Request: CUP/ CDP:** To permit the temporary closure of Main Street and 5th Street every Tuesday night between 2:00 PM and 10:00 PM to accommodate a Street Fair and Certified Farmers' Market consisting of: live entertainment including amplified music, street performances, children's games and activities, local merchant displays, sidewalk

sales, a food-court, and the sale of prepackaged food and handcrafted items. **NDP:** To permit temporary and periodic noise increases to ambient noise levels already in excess of City standards. **EIR:** To analyze the potential environmental impacts associated with Surf City Nights, a weekly Street Fair and Certified Farmers' Market. **Location:** Public streets and their adjoining public and private sidewalks including Main Street, between Pacific Coast Highway and Orange Avenue and extending onto the adjoining half blocks of Walnut Avenue and Olive Avenue, continuing onto the first block of 5th Street, bounded by Pacific Coast Highway and Walnut Avenue. **City Contact:** Ethan Edwards, Associate Planner

STAFF RECOMMENDATION: Motion to:

A. "Certify Environmental Impact Report No. 13-003 as adequate and complete in accordance with CEQA requirements by approving Resolution No. _____ (Attachment No. 1);"

B. "Approve Conditional Use Permit No. 12-026, Coastal Development Permit No. 12-001 and Noise Deviation Permit No. 13-009 with suggested findings and conditions for approval (Attachment No. 2)."

C. "Approve CEQA Findings of Fact with a Statement of Overriding Considerations – EIR No. 13-003 (Attachment No. 3)"

The Commission made the following disclosures:

- Commissioner Semeta has visited the site and attended the study session.
- Vice-Chair Franklin has visited the site.
- Chair Peterson has visited the site and spoken with the Chamber of Commerce.
- Commissioner Pinchiff has attended the Surf City Nights event in the past, has spoken to members of the community, staff, and the Chamber of Commerce, and has attended the study session.
- Commissioner Bixby has attended the Surf City Nights event three times in the summer of 2013 and once prior to this hearing, has been given tours by the event operator, residents Kim Kramer and Gloria Alvarez, and Merilee Madrigal, and has attended the study session.
- Commissioner Kalmick has attended the study session, attended the event multiple times, and spoken with staff.

Ethan Edwards, Associate Planner, gave the staff presentation and an overview of the project.

There was a brief discussion regarding the status of the shuttle and the parking structure monitoring system.

There was a brief discussion regarding the event and street closure hours.

THE PUBLIC HEARING WAS OPENED.

Guy Guzzardo, resident, spoke in opposition Item No. B-1. He expressed concern with the expansion to the Fifth Street, citing potential vandalism, noise, and parking impacts to neighboring residents.

Susan Worthy, downtown business owner, spoke in opposition to Item No. B-1. She expressed concern regarding the potential impacts to residents near the proposed Fifth Street expansion.

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

There was a brief discussion regarding the potential for restricting the businesses at Surf City Nights to Huntington Beach businesses only. Mary Ann Senske, event operator, briefly reviewed the requirements for participation in the event, noting that vendors from outside of the downtown area must be mobile vendors only and not have a physical location tied to their business. This restriction was designed to focus the event on the downtown businesses.

There was a brief discussion regarding the shuttle program.

There was a lengthy discussion regarding the proposed Fifth Street expansion and the potential noise impacts.

A MOTION WAS MADE BY FRANKLIN, SECONDED BY BIXBY, TO CERTIFY ENVIRONMENTAL IMPACT REPORT NO. 13-003 AS ADEQUATE AND COMPLETE IN ACCORDANCE TO CEQA REQUIREMENTS BY APPROVING RESOLUTION NO. 1679, BY THE FOLLOWING VOTE:

AYES:	**Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick**
NOES:	**None**
ABSTAIN:	**None**
ABSENT:	**Posey**

MOTION APPROVED

A MOTION WAS MADE BY FRANKLIN, SECONDED BY PETERSON, TO APPROVE CONDITIONAL USE PERMIT NO. 12-026 AND COASTAL DEVELOPMENT PERMIT NO. 12-001 EXCLUDING THE EXPANSION OF FIFTH STREET, WITH THE SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL.

There was a brief discussion regarding the proposed expansion to Fifth Street. Suzie Smith, downtown business owner and member of the Business Improvement District, spoke in support of the expansion. There was a brief discussion regarding requiring a one year review for the Fifth Street expansion.

A SUBSITUTE MOTION WAS MADE BY KALMICK TO APPROVE CONDITIONAL USE PERMIT NO. 12-026 AND COASTAL DEVELOPMENT PERMIT NO. 12-001 INCLUDING THE EXPANSION OF FIFTH STREET, WITH THE SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL INCLUDING A ONE YEAR REVIEW OF THE FIFTH STREET EXPANSION.

MOTION WAS NOT SECONDED.

There was a brief discussion regarding the potential actions after a one year review of the Fifth Street expansion.

A MOTION WAS MADE BY FRANKLIN, SECONDED BY PETERSON, TO APPROVE CONDITIONAL USE PERMIT NO. 12-026 AND COASTAL DEVELOPMENT PERMIT NO. 12-001 EXCLUDING THE EXPANSION OF FIFTH STREET, WITH THE SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES: Franklin, Peterson, Bixby
NOES: Semeta, Pinchiff, Kalmick
ABSTAIN: None
ABSENT: Posey

MOTION FAILED

There was a brief discussion regarding potentially conditioning the event to prioritize local vendors.

A MOTION WAS MADE BY SEMETA, SECONDED BY KALMICK TO APPROVE CONDITIONAL USE PERMIT NO. 12-026 AND COASTAL DEVELOPMENT PERMIT NO. 12-001 WITH THE EXPANSION OF FIFTH STREET LIMITED TO ONE YEAR, WITH THE SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES: Semeta, Peterson, Pinchiff, Bixby, Kalmick
NOES: Franklin
ABSTAIN: None
ABSENT: Posey

MOTION APPROVED

There was a lengthy discussion regarding the Noise Deviation Permit.

A MOTION WAS MADE BY PETERSON, SECONDED BY SEMETA, TO APPROVE NOISE DEVIATION PERMIT NO. 13-009 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES: Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: None
ABSTAIN: None
ABSENT: Posey

MOTION APPROVED

A MOTION WAS MADE BY KALMICK, SECONDED BY SEMETA, TO APPROVE CEQA FINDINGS OF FACT WITH A STATEMENT OF OVERRIDING CONSIDERATIONS WITH STAFF MODIFICATIONS, BY THE FOLLOWING VOTE:

AYES: Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: None
ABSTAIN: None
ABSENT: Posey

MOTION APPROVED

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 12-026:

1. Conditional Use Permit No. 12-026 to permit the temporary closure of Main Street and 5th Street (public and private property including sidewalks) every Tuesday night between 2:00 PM and 10:00 PM to accommodate a Street Fair and Certified Farmers' Market (for an indefinite period of time on Main Street and limited to one year on 5th Street) consisting of: live entertainment including amplified music, street performances, children's games and activities, local merchant displays, sidewalk sales, a food-court, and the sale of prepackaged food and handcrafted items will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed street festival will attract tourists and Huntington Beach residents to Main Street, 5th Street, and the Municipal Pier reinforcing Downtown Huntington Beach as a "hub" of community activity. The weekly event increases and enhances recreational opportunities by providing public recreational and community activities with adequate parking and parking facilities within the downtown and nearby parking at City Hall. Parking facilities will be monitored to ensure adequate parking is provided and a shuttle service will be provided. The project is not anticipated to generate significant impacts related to traffic, or safety within the surrounding areas.

2. The conditional use permit will be compatible with surrounding uses because the project area consists of a mix of land uses such as commercial, entertainment, office, residential, and other visitor-serving uses. Surf City Nights will compliment a diverse range of land uses, particularly along Main Street and 5th Street, and will serve as a recreational focal point for the surrounding community. The project promotes a downtown atmosphere with musical entertainment, a children's area and bounce house, a variety of food carts and restaurants, a Certified Farmers' Market, and a multitude of vendors and permanent retail businesses each Tuesday night. The spirit of the weekly street festival is to encourage the utilization of Downtown Huntington Beach by providing a family-friendly environment with eclectic services, goods and dining.

3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The project requires approval of a conditional use permit and coastal development permit for a weekly street festival and certified farmers' market, and a noise deviation permit to allow temporary and periodic noise increases to ambient noise levels already in excess of City standards. The weekly street fair and certified farmers' market on public streets, and public and private sidewalks, would not include any additional development or modification to existing development. The proposed project is consistent with the intent of the Downtown Specific Plan because the use provides visitor-serving opportunities and promotes a unique and identifiable downtown for Huntington Beach that capitalizes on the distinctive location by providing an economically vibrant, pedestrian-oriented destination for residents and visitors alike.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of M>30-d-sp-pd (Mixed Use 30 du/acre – Design Overlay – Specific Plan Overlay – Pedestrian Overlay) on the subject project area. In addition, it is consistent with the following goals and objectives of the General Plan:

   A. *Land Use Element*

      Goal LU 7: Achieve a diversity of land uses that sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.

Objective LU 7.1: Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, educational, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding subregion, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic "relief" form urban development.

B. *Recreation and Community Services Element*

Goal RCS 1: Enrich the quality of life for all citizens of Huntington Beach by providing constructive and creative leisure opportunities.

Objective RCS1.1: Encourage recreational opportunities unique to Huntington Beach which will enhance visitation and economic development.

The General Plan identifies the project area as mixed-use. The proposed project is consistent with this designation, as the project offers services and entertainment that are allowable under the mixed-use General Plan designation. The proposed project would not include any development or permanent structures or inconsistent land uses. The project is located in an existing built-out area of the City, and does not involve changes in the existing Land Use for the project site or the surrounding area. The proposed project will serve to promote and enhance public and community use of the City's Downtown area.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-001:

1. Coastal Development Permit No. 12-001 to permit the temporary closure of Main Street and 5th Street (public and private property including sidewalks) every Tuesday night between 2:00 PM and 10:00 PM to accommodate a Street Fair and Certified Farmers' Market (for an indefinite period of time on Main Street and limited to one year on 5th Street) consisting of: live entertainment including amplified music, street performances, children's games and activities, local merchant displays, sidewalk sales, a food-court, and the sale of prepackaged food and handcrafted items, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following Coastal Element Land Use Policies:

   Policy C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

   Policy C 1.1.6: Temporary and seasonal activities within the coastal zone which do not qualify as exempt activities pursuant to the Coastal Commission's guidelines adopted by the Commission pursuant to Section 30610(i) of the Coastal Act shall be monitored and regulated through the coastal development permit process to protect coastal resources from adverse impacts associated with the seasonal or temporary activities.

   Policy C 2.4.2: Ensure that adequate parking is maintained and provided in all new development in the Coastal Zone utilizing one or a combination of the following:

   - Monitor parking programs to make the most effective use of parking resources, and
   - Replace any on-street parking lost in the coastal zone on a 1:1 basis within the coastal zone prior to or concurrent with the loss of any parking spaces.

   Policy C 2.4.4: Develop parking areas out-side the Coastal Zone for passenger cars and the development of alternative transportation modes for beach users including incentives for parking in those locations.

Policy C 3.2.1: Encourage, where feasible, facilities, programs and services that increase and enhance public recreational opportunities in the Coastal Zone.

Policy C 3.4.2: Enhance the Municipal Pier and surrounding area to function as the "hubs" of tourist and community activity.

The weekly street festival and certified farmers' market will attract tourists and Huntington Beach residents to Main Street, 5th Street, and the Municipal Pier reinforcing Downtown Huntington Beach as a "hub" of community activity. The weekly event increases and enhances recreational opportunities by providing public recreational and community activities with adequate parking and parking facilities within the downtown and nearby parking at City Hall. Parking facilities will be monitored to ensure adequate parking is provided and a shuttle service will be provided.

2. The weekly street festival and certified farmers' market is consistent with the requirements of the Coastal Zone Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project does not involve the construction of permanent structures. The street closures are facilitated by the use of metal bollards and other similar barricades, placed to divert traffic and promote pedestrian safety. All blockades are removable and the site is fully accessible to emergency vehicles at all times.

3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. All infrastructure exists for the proposed use consistent with the Huntington Beach Coastal Element.

4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. All public access will remain to the beach and pier area.

FINDINGS FOR APPROVAL – NOISE DEVIATION PERMIT NO. 13-009:

1. Noise Deviation Permit No. 13-009 to deviate from the exterior noise standards in Huntington Beach Municipal Code Section 8.40.050 for the Surf City Nights, a weekly street festival and certified farmers' market between the hours of 2:00 PM and 10:00 PM every Tuesday, is necessary because the event will be outside on public and private right-of-ways where methods for noise containment are limited. The increase in noise levels exceeds the ambient noise levels (ranging between 73.9 dBA and 86.1 dBA) by 3 dBA or more during the weekly festival. Exceedence of the Noise Ordinance limit range between from 3 dBA and 9 dBA. Due to the nature of the project, compliance with the Noise Ordinance thresholds is not possible while maintaining project activities including live entertainment.

2. The Surf City Nights street festival and certified farmers' market is a weekly event that is open to the public and free of charge. Due to the nature of the project, compliance with the Noise Ordinance thresholds is not possible while still maintaining the activities the project has included since 2007. The project provides Huntington Beach residents and visitors with an opportunity to enjoy a family event that is geared towards all ages. Activities, food, farmers' market products, and local retail products are available at the festival, enhanced by live entertainment. Traffic and crowd noise are natural consequences of this type of event and strict compliance with Noise Ordinance requirements are not feasible while maintaining the established activities and project objectives. The benefits to the community and visitors are evident from the success of the weekly festival, which provides an opportunity for local merchants to offer their services and wares to a larger audience. Therefore, the deviation produces a greater benefit to the community that outweighs the temporary, once-a-week noise exceedance. Surf City Nights, as a community and recreational amenity, will benefit

the surrounding neighborhoods and the City at-large. The noise during the event will be temporary and periodic and occur on a weekly basis during the street closure between the hours of 2:00 PM and 10:00 PM.

3. The applicant has taken the following actions to minimize the noise impacts:
   a. Live entertainment including amplified music will be limited to Main Street only.
   b. Live entertainment including amplified music will be limited to the hours of 5:00 PM to 9:00 PM on Tuesdays.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 12-026/ COASTAL DEVELOPMENT PERMIT NO. 12-001/ NOISE DEVIATION PERMIT NO. 13-009:

1. The project area plan received and dated December 19, 2013, shall be the conceptually approved layout.
2. During peak visitor periods from Memorial Day to October 1, a free shuttle service shall be provided to encourage visitor parking at the Civic Center. The shuttle service shall operate when the Main Promenade parking structure reaches capacity for a period of two hours, as determined by an electronic monitoring system.
3. The event expansion onto 5th Street shall be limited to one year. After such time the use shall cease on 5th Street and approval of an entitlement plan amendment use shall be required to continue operation on 5th Street.
4. Live entertainment, including amplified music, shall be limited to Main Street only and between the hours of 5:00 PM and 9:00 PM every Tuesday.
5. Prior to implementation of the street closure on 5th Street:
   a. An Encroachment Permit from Caltrans is required for placement of traffic control devices on Pacific Coast Highway. **(PW)**
   b. A traffic control plan showing the street closure on 5th Street shall be prepared and referenced on the Public Works Encroachment Permit. The plan shall show the location of the signage of Pacific Coast Highway and Walnut Avenue in advance of 5th Street and indicate what type of barriers/traffic control devices will be used on 5th Street to restrict vehicular traffic movements. An additional left turn only symbol sign (California Sign R3-5,LT) shall be installed at the alley existing onto 5th Street. **(PW)**
   c. The applicant shall reimburse the Public Works staff for the installation and removal of the 5th Street closure on event days. **(PW)**
6. Traffic Control for the event shall be provided in accordance with all Public Works, Police and Fire Department requirements for access, circulation and protection of the public. If outside contractors are used in lieu of City forces to install traffic control, encroachment permits shall be obtained from Public Works Department and CALTRANS (if required). **(PW)**
7. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project

revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.

8. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.

9. Conditional Use Permit No. 12-026, Coastal Development Permit No. 12-001, and Noise Deviation Permit No. 13-009 shall become null and void unless exercised within two years of the date of final approval by the Planning Commission, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

B-2. GENERAL PLAN AMENDMENT NO. 14-001/ ZONING MAP AMENDMENT NO. 14-001/ CONDITIONAL USE PERMIT NO. 14-003/ TENTATIVE TRACT MAP NO. 17716/ NEGATIVE DECLARATION NO. 14-001 (AIRPORT CIRCLE RESIDENTIAL) Applicant: Sandi Gottlieb, The Olson Company, 3010 Old Ranch Parkway, Suite 100, Seal Beach, CA 90740 **Property Owner:** Aileen T. Nerio, 4993 Norris Road, Fremont, CA 94536/ Patricia M. Nerio, 5444 Century Meadow Court, San Jose, CA 95111/ Lisa Nerio c/o Art M. Nerio, 17122 Marina View Place, Huntington Beach, CA 92647/ Stephen Nerio, 17341 Coronado Lane, Huntington Beach, CA 92647 **Request: GPA:** To amend the General Plan land use designation from Residential Medium Density (northern portion) and Commercial General (southern portion) to Residential Medium High Density, and to amend the General Plan Land Use Element by removing the subject area from Subarea 8A of the Sub-Area Map. **ZMA:** To amend the zoning designation from Residential Medium Density to Residential Medium High Density. **CUP:** To develop an existing approximately 2.5 acre site with a grade differential of three feet consisting of: a) 45 for-sale townhome units and associated open space and infrastructure, b) 44 inch high walls within the front yard setback for four private yards, and c) removal of existing red curb along the west side of Airport Circle to allow for on-street parking adjacent to the project site. **TTM:** One-lot subdivision on an approximately 2.5 acre site for development of 45 attached townhome units. **ND:** To analyze the environmental impacts associated with the proposed

development. **Location:** 16911 Airport Circle, 92649 (west side of Airport Circle, north of Warner Avenue) **City Contact:** Jill Arabe, Associate Planne

STAFF RECOMMENDATION: Motion to:

A. "Approve Negative Declaration No. 14-001 with findings (Attachment No. 1);"

B. "Approve General Plan Amendment No. 14-001 by approving draft City Council Resolution No. ___ (Attachment No. 2) and forward to the City Council for adoption;"

C. "Approve Zoning Map Amendment No. 14-001 with findings (Attachment No. 1) by approving draft City Council Ordinance No. ___ (Attachment No. 3) and forward to the City Council for adoption;"

D. "Approve Tentative Tract Map No. 17716 with findings and suggested conditions of approval (Attachment No. 1);"

E. "Approve Conditional Use Permit No. 14-001 with findings and suggested conditions of approval (Attachment No. 1)"

The Commission made the following disclosures:

- Commissioner Semeta has visited the site and attended the study session.
- Vice-Chair Franklin has visited the site and driven around the surrounding area.
- Chair Peterson has visited the site, spoken with the manager at McDonald's, and attended the study session.
- Commissioner Pinchiff has visited the site, spoken with the applicant and with staff, attended the Subdivision Committee meeting and the study session.
- Commissioner Bixby has visited the site, lives one mile from the site, shops at the nearby retail center, and has attended the Subdivision Committee meeting.
- Commissioner Kalmick has visited the site with the applicant, spoken with staff, and attended the Subdivision Committee meeting.

Jill Arabe, Associate Planner, gave the staff presentation and an overview of the project.

There was a brief discussion regarding the current zoning of the site.

THE PUBLIC HEARING WAS OPENED.

Sandi Gottlieb, The Olson Company, spoke in support of Item No. B-2, and gave a brief presentation in support of the project.

Johanna Crooker, William Hezmalhalch Architects, spoke in support of Item No. B-2 and gave an overview of the proposed project design.

Jeff Chelwick, William Hezmalhalch Architects, spoke in support of Item No. B-2,and gave a brief presentation regarding the architecture of the proposed project.

Cheryle Browning, resident, spoke regarding Item No. B-2. She expressed concern regarding potential parking impacts to adjacent resident and requested that Airport Circle remain a closed cul-de-sac and that it be required for the garage units to be utilized for car parking.

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

There was a lengthy discussion regarding the potential parking impacts.

There was a brief discussion regarding the massing and color choices of the proposed structures.

There was a brief discussion regarding creating a condition to restrict the number of units allowed.

STRAW VOTE #1
A motion was made by Franklin, seconded by Peterson, to retain Condition of Approval No. 1(a).

AYES: **Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick**
NOES: **None**
ABSTAIN: **None**
ABSENT: **Posey**

MOTION APPROVED

STRAW VOTE #2
A motion was made by Franklin, seconded by Peterson, to remove Condition of Approval No. 1(b).

AYES: **Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick**
NOES: **None**
ABSTAIN: **None**
ABSENT: **Posey**

MOTION APPROVED

STRAW VOTE #3
A motion was made by Franklin, seconded by Bixby, to retain Condition of Approval No. 1(d).

AYES: **Franklin, Pinchiff, Bixby**
NOES: **Semeta, Peterson, Kalmick**
ABSTAIN: **None**
ABSENT: **Posey**

MOTION FAILED

STRAW VOTE #4
A motion was made by Franklin, seconded by Peterson, to add a condition of approval requiring a covenant that would run with the land limiting the number of units to a maximum of 45 consistent with the project narrative.

AYES: Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: Kalmick
ABSTAIN: None
ABSENT: Posey

MOTION APPROVED

STRAW VOTE #5
A motion was made by Kalmick, seconded by Peterson, to remove Condition of Approval No. 1(d).

AYES: Semeta, Peterson, Pinchiff, Kalmick
NOES: Franklin, Bixby
ABSTAIN: None
ABSENT: Posey

MOTION APPROVED

A MOTION WAS MADE BY KALMICK, SECONDED BY FRANKLIN, TO APPROVE NEGATIVE DECLARATION NO. 14-001 WITH FINDINGS FOR APPROVAL, APPROVE GENERAL PLAN AMENDMENT NO. 14-001 BY APPROVING DRAFT CITY COUNCIL RESOLUTION AND FORWARD TO THE CITY COUNCIL, APPROVE ZONING MAP AMENDMENT NO. 14-001 WITH FINDINGS BY APPROVING THE DRAFT CITY COUNCIL ORDINANCE AND FORWARD TO THE CITY COUNCIL FOR ADOPTION, APPROVE TENTATIVE TRACT MAP. NO. 17716 WITH FINDINGS AND CONDTIONS OF APPROVAL, AND APPROVE CONDITIONAL USE PERMIT NO. 14-001 WITH FINDINGS AND CONDITIONS OF APPROVAL INCLUDING THE STRAW VOTE MOTIONS, BY THE FOLLOWING VOTE:

AYES: Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: None
ABSTAIN: None
ABSENT: Posey

MOTION APPROVED

FINDINGS FOR APPROVAL – NEGATIVE DECLARATION NO. 14-001:

1. Negative Declaration No. 14-001 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of twenty (20) days. Any comments received during the comment period were considered by the Planning Commission prior to action on the Negative

Declaration, General Plan Amendment No. 14-001, Zoning Map Amendment No. 14-001, Tentative Tract Map No. 17716, and Conditional Use Permit No. 14-003.

2. There is no substantial evidence in light of the whole record before the Planning Commission that the project will have a significant effect on the environment. Potential impacts from the project are minimized to a less than significant level through the project design and standard code requirements.

FINDINGS FOR APPROVAL - ZONING MAP AMENDMENT NO. 14-001:

1. Zoning Map Amendment No. 14-001 to rezone the 2.5-acre project site from Residential Medium Density (RM) to Residential Medium High Density (RMH) is consistent with the goals, objectives, and land use policies of the General Plan as identified below. The proposed change is also consistent with General Plan Amendment No. 14-001, which is being processed concurrently. The land uses in the surrounding area are consistent with the proposed change in zoning because surrounding land uses include a combination of medium to high density residential and commercial uses. As discussed in the environmental assessment for this project, there will be appropriate infrastructure and services available to support the proposed development. The proposed zoning change would be consistent with the following General Plan Land Use Element and Housing Element goals, objectives and policies:

   A. *Land Use Element*

      Goal LU 7: Achieve a diversity of land uses that sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.

      Goal LU 8: Achieve a pattern of land uses that preserves, enhances, and establishes a distinct identity for the City's neighborhoods, corridors, and centers.

      Goal LU 9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

      Objective LU 9.1: Provide for the development of single- and multi-family residential neighborhoods.

   B. *Housing Element*

      Goal HE 2: Provide adequate housing sites through appropriate land use, zoning and specific plan designations to accommodate Huntington Beach's share of regional housing needs.

      Policy HE 3.2: Utilize the city's Inclusionary Housing Ordinance as a tool to integrate affordable units within market rate developments. Continue to prioritize the construction of affordable units on-site, with provision of units off-site or payment of an in-lieu housing fee as a less preferred alternative.

   The proposed project involves the development of multi-family residential housing to support the City's housing stock and share of regional housing needs. It will visually enhance the community by improving a vacant parcel of land and provide residential uses that will help support the surrounding commercial uses. Through the City's inclusionary housing requirements, the project is required to provide 4.5 affordable units. Four of the required

affordable units would be provided on-site for qualified households meeting the definition of a low- or moderate-income household. Fees would be paid for the remaining fractional unit and would go toward the provision of affordable housing elsewhere in the City.

2. Zoning Map Amendment No 14-001 does not involve an amendment to the zoning text or land use provisions. The project would not affect the uses authorized in and the standards prescribed for the proposed zoning district.

3. A community need is demonstrated for the change proposed. The changes would provide housing opportunities for a growing population and enhance the neighborhood by developing a vacant parcel. The surrounding commercial uses may also benefit from the development of additional residential uses.

4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. The zoning map amendment would provide for compatible land uses and eliminate an existing zoning designation that is no longer appropriate for the site. The zoning map amendment would result in zoning and General Plan land use designations that are consistent with one another and would allow the property to be rightfully developed. The proposed zone change with higher density on the subject site allows for an appropriate transition between the existing commercial uses to the south and existing medium residential uses to the north.

FINDINGS FOR APPROVAL - TENTATIVE TRACT MAP NO. 17716:

1. Tentative Tract Map No. 17716 for a one lot condominium subdivision on approximately 2.5 acres for development of 45 attached townhome units is consistent with the General Plan Land Use Element designation of Residential Medium High Density, as proposed on the subject property, and other applicable provisions of the HBZSO code.

2. The site is physically suitable for the type and density of development. The size, depth, frontage, street width and other design features of the proposed subdivision are in compliance with the HBZSO code. The project site is able to accommodate the type of development proposed. The proposed subdivision will result in a density of 18 units per acre, which is below the allowable density of 25 units per acre of the proposed Residential Medium High Density land use designation. The proposed density would be compatible with surrounding multi-family developments.

3. The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project site is surrounded by residential and commercial development and paved roads. It is geographically isolated from any natural open space in the vicinity and the site does not contain significant biological resources.

4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. The subdivision will provide all necessary easements and will not affect any existing easements.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 14-003:

1. Conditional Use Permit No. 14-003 for the development of 45 attached for-sale residential units and associated infrastructure and site improvements on a site with an approximately three-foot grade differential and 44 inch high walls within the front yard setback will not be

detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The project will improve an existing underutilized and vacant parcel of land. The proposed residential use is similar to those existing uses in the vicinity. It will result in less than significant environmental impacts including traffic, noise, lighting, aesthetics, and hazardous materials. The project is located behind existing commercial uses and will provide for a good transition to the existing residential neighborhood. The project will have adequate setback buffers from adjacent commercial uses and incorporate two-story massing along the street edge to maintain proportion with the pedestrian scale. Proposed improvements include enhanced landscaping, decorative paving, and quality architectural design. Furthermore, the layout of the site improves the visual surroundings by providing efficient drive aisles for vehicular access, safe pedestrian access with decorative paving at crossings, and minimizing the visibility of parking garages and open parking spaces to the rear of the buildings.

2. The conditional use permit will be compatible with surrounding residential and commercial uses in terms of setbacks, onsite parking, lot coverage, and allowable building height. Architectural design is composed of the traditional Spanish style consisting of stucco exterior, tile roof, varied offsets and rooflines, and decorative balcony railings. Enhanced landscaping along the site perimeter and within the common open space courtyards will create visual interest and improve the visual image of the community. The project includes three-story buildings with two-story massing elements that are compatible with surrounding developments and proportionally relate to the overall mass and scale of the neighborhood.

3. The proposed project will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The project complies with the development standards in terms of minimum onsite parking, height, setbacks, and lot coverage with exception of the 44 inch high walls within the front yard setback for private patios. Adequate vehicular and pedestrian circulation, as conditioned, is provided for convenient access throughout the project.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the proposed General Plan Land Use Element designation of Residential Medium High Density. In addition, it is consistent with the following goals, objectives, and policies of the General Plan:

   A. *Land Use Element*

      Objective LU 8.1: Maintain the pattern of existing land uses while providing opportunities for the evolution, including intensification and re-use, of selected subareas in order to improve their character and identity.

      Goal LU 9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

      Objective LU 9.3: Provide for the development of new residential subdivisions and projects that incorporate a diversity of uses and are configured to establish a distinct sense of neighborhood and identity.

      Policy LU 9.2.1: Require that all new residential development within existing residential neighborhoods (i.e., infill) be compatible with existing structures.

The proposed project will improve an underutilized and vacant property by allowing the development of residential uses within close proximity to compatible uses. A mixture of two to four bedroom units provides for a variety of different households. The surrounding commercial uses will benefit with the additional housing to the neighborhood. The new development will attract new businesses in the area and enhance existing commercial uses.

B. *Urban Design Element*

Goal UD 1: Enhance the visual image of the City of Huntington Beach.

Objective UD 1.1: Identify and reinforce a distinctive architectural and environmental image for each district in Huntington Beach.

The project will enhance the character of the neighborhood and improve property values. The proposed buildings will be compatible with existing development at similar heights, architectural style, and massing. Private front yards adjacent to the street combined with enhanced landscaping will activate the area and increase pedestrian activity between the residential and commercial uses. Garages and open parking spaces are primarily located away from the street frontages. Decorative paving at entrance driveways promote an inviting experience for visitors and residents to the development. The common open space courtyards distributed throughout the property achieve a balance of passive and recreational areas.

C. *Housing Element*

Policy 3.1: Encourage the production of housing that meets all economic segments of the community, including lower, moderate, and upper income households, to maintain a balanced community.

Policy 3.6: Encourage use of sustainable and green building design in new and existing housing.

The project consists of 45 residential units, which contributes to the City's housing stock. Four affordable units will be provided onsite and in-lieu fees for the fractional amount, in accordance with the City's requirements. The project will assist in achieving the City's overall housing goals. Sustainable features and construction practices will be incorporated in the project including energy-efficient lighting, water efficient plumbing fixtures, recycling of construction waste, and tankless water heaters.

CONDITIONS OF APPROVAL – TENTATIVE TRACT MAP NO. 17716:

1. The Tentative Tract Map No. 17716 received and dated May 9, 2012, shall be the approved layout except as amended per the conditions stated herein.

2. The Final Map for Tentative Tract Map No. 17716 shall not be approved by the City Council until General Plan Amendment No. 14-001 and Zoning Map Amendment No. 14-001 are approved and in effect.

3. Prior to submittal of the Final Map, Item No. 13 on the Tentative Tract Map shall be revised to indicate its purpose as "street and public utility" rather than only "public utility." The record easement was dedicated to the City of Huntington Beach in 1993 as "a perpetual easement

and right of way for street and public utility purposes." The Final Map shall correctly reflect the aforementioned language of the record easement document. **(PW)**

4. Prior to issuance of a grading permit and at least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Planning and Building Department.

5. Prior to issuance of building permits, an Affordable Housing Agreement in accordance with the HBZSO shall be submitted to the Planning and Building Department for review and approval by the City Attorney, and accepted by the City Council. Said agreement shall be recorded with the Orange County Recorder's Office prior to issuance of the first building permit for the tract.

6. Comply with all applicable Conditional Use Permit No. 14-003 conditions of approval.

7. The recorded CC&Rs shall include language limiting the development to a maximum of 45 units.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 14-003:

1. The site plans, floor plans, and elevations received and dated May 14, 2014, shall be the conceptually approved design with the following modifications:
   a. Decorative paving shall be installed at all pedestrian crossings with vehicular drive aisles.
   b. Utilities and above ground backflow devices shall be setback five feet or greater as required by code, from the right-of-way and fully screened with landscaping.
2. Prior to submittal for building permits, the following shall be completed:
   a. Zoning entitlement conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
   b. Submit three (3) copies of the approved site plan and the processing fee to the Planning and Building Department for addressing of the new buildings/units.
3. Prior to issuance of building permits, the following shall be completed:
   a. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Planning and Building Department. Double walls shall be avoided to the greatest extent feasible. Applicant shall coordinate with adjacent property owners and make reasonable attempts to construct one common property line wall. If coordination between property owners cannot be accomplished, the applicant shall construct up to an eight (8') foot tall wall located entirely within the subject property and with a two (2) inch maximum separation from the property line. Prior to the construction of any new

walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private residential property and construction of new common walls shall include approval by property owners of adjacent properties. The plans shall identify materials, seep holes and drainage.

b. Contact the United States Postal Service for approval of mailbox location(s).

c. Submit a copy of the revised site plan, floor plans and elevations pursuant to Condition No. 1 for review and approval and inclusion in the entitlement file to the Planning and Building Department; and submit 8 inch by 10 inch colored photographs of all colored renderings, elevations, materials sample board, and massing model to the Planning and Building Department for inclusion in the entitlement file.

d. An interim parking and building materials storage plan shall be submitted to the Planning and Building Department to assure adequate parking and restroom facilities are available for employees, customers and contractors during the project's construction phase and that adjacent properties will not be impacted by their location. The plan shall also be reviewed and approved by the Fire Department and Public Works Department. The applicant shall obtain any necessary encroachment permits from the Department of Public Works.

4. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released for the first residential unit until the following has been completed:

   a. The applicant shall obtain the necessary permits from the South Coast Air Quality Management District and submit a copy to Planning and Building Department.

   b. Compliance with all conditions of approval specified herein shall be accomplished and verified by the Planning and Building Department.

   c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.

   d. Parkland dedication in-lieu fees (Quimby Fees) shall be paid to the Planning and Building Department.

5. Signage shall be reviewed under separate permits and applicable processing.

6. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.

7. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (http://www.usgbc.org/DisplayPage.aspx?CategoryID=19) or Build It Green's Green Building Guidelines and Rating Systems (http://www.builditgreen.org/green-building-guidelines-rating).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED JANUARY 28, 2014

RECOMMENDED ACTION: Motion to: "Approve the January 28, 2014, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY KALMICK, SECONDED BY BIXBY, TO APPROVE THE JANUARY 28, 2014 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: None
ABSTAIN: Semeta
ABSENT: Posey

MOTION APPROVED

C-2. PLANNING COMMISSION MINUTES DATED FEBRUARY 11, 2014

RECOMMENDED ACTION: Motion to: "Approve the February 11, 2014, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY KALMICK, SECONDED BY BIXBY, TO APPROVE THE FEBRUARY 11, 2014 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: None
ABSTAIN: Semeta
ABSENT: Posey

MOTION APPROVED

C-3. PLANNING COMMISSION MINUTES DATED FEBRUARY 25, 2014

RECOMMENDED ACTION: Motion to: "Approve the February 25, 2014, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY KALMICK, SECONDED BY PETERSON, TO APPROVE THE FEBRUARY 25, 2014 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Franklin, Peterson, Pinchiff, Kalmick
NOES: None
ABSTAIN: Semeta, Bixby
ABSENT: Posey

MOTION APPROVED

D. NON-PUBLIC HEARING ITEMS – NONE

D-1. GENERAL PLAN CONFORMANCE NO. 14-002 (BOLSA CHICA STREET EASEMENT VACATION) Applicant: Public Works Department, City of Huntington Beach **Property Owner:** City of Huntington Beach **Request:** To determine if the vacation of an existing right of way easement is in conformance with the goals, objectives, and policies of the General Plan. **Location:** East side of Bolsa Chica Street, south of Warner Avenue. **City Contact:** Hayden Beckman, Assistant Planner

STAFF RECOMMENDATION: Motion to: "Adopt Resolution No. 1677, approving General Plan Conformance No. 14-002 with findings (Attachment Nos. 1 and 2)."

Hayden Beckman, Assistant Planner, gave the staff presentation and an overview of the project.

A MOTION WAS MADE BY PETERSON, SECONDED BY FRANKLIN, TO ADOPT RESOLUTION NO. 1677 APPROVING GENERAL PLAN CONFORMANCE NO. 14-002 WITH FINDINGS, BY THE FOLLOWING VOTE:

AYES: Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: None
ABSTAIN: None
ABSENT: Posey

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the proposed 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 5, which supplements the California Environmental Quality Act because the request is a minor street vacation.

FINDINGS FOR APPROVAL – GENERAL PLAN CONFORMANCE NO. 14-002:

The proposed vacation of a portion of an existing right of way easement is consistent with the following goals and objectives of the City's General Plan:

A. *Land Use Element*

LU Goal 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Since adequate curb, gutter, and sidewalk improvements have been constructed to provide an enhanced vehicular and pedestrian access path along the east side of Bolsa Chica Street, the easement is not necessary to support existing or future public use. Upon vacation, the fee title for the area will revert back to the adjacent commercial property owner.

B. *Circulation Element*

CE Goal 2: Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

CE Policy 2.4: Require that new development provide circulation improvements to achieve stated City goals.

Existing streets and pedestrian sidewalks currently provide sufficient access to the surrounding commercial and multi-family residential uses. The subject area is no longer necessary to construct right-of-way infrastructure to provide the public circulation needs of the abutting properties. The vacation of the subject right-of-way easement will not have a detrimental impact on the circulation system.

D-2. GENERAL PLAN CONFORMANCE NO. 14-003 (PEDESTRIAN EASEMENT VACATION) **Applicant:** Public Works Department, City of Huntington Beach **Property Owner:** City of Huntington Beach **Request:** To determine if the vacation of a portion of an existing public access right of way easement is in conformance with the goals, objectives, and policies of the General Plan. **Location:** East side of Mauna Lane, south of Halawa Drive (Between lots 238 and 239 of Tract 4305) **City Contact:** Hayden Beckman, Assistant Planner

STAFF RECOMMENDATION: Motion to: "Adopt Resolution No. 1678, approving General Plan Conformance No. 14-003 with findings (Attachment Nos. 1 and 2)."

Hayden Beckman, Assistant Planner, gave the staff presentation and an overview of the project.

There was a brief discussion regarding the initiation of easement vacations.

A MOTION WAS MADE BY FRANKLIN, SECONDED BY PETERSON, TO ADOPT RESOLUTION NO. 1678 APPROVING GENERAL PLAN CONFORMANCE NO. 14-003 WITH FINDINGS, BY THE FOLLOWING VOTE:

AYES: Semeta, Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: None
ABSTAIN: None
ABSENT: Posey

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the proposed 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 5, which supplements the California Environmental Quality Act because the request is a minor easement vacation.

FINDINGS FOR APPROVAL – GENERAL PLAN CONFORMANCE NO. 14-003:

The proposed vacation of two 250 square foot portions of an existing public pedestrian right of way easement conforms to the following goals, objectives, and policies of the General Plan:

A. *Land Use Element*

LU Goal 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

A public pedestrian path easement between the existing residential neighborhood and the adjacent future residential neighborhood is necessary to support existing and future public use. The proposed reduction in the size of the existing easement will not negatively impact surrounding property owners or future users of the new public park to be developed. Upon vacation, the fee title for the area will revert back to the adjacent single family property owners. The public pedestrian path will continue to provide access between neighborhoods and ensure equal public park use opportunity.

B. *Circulation Element*

CE Goal 7: Provide a system of bicycle, pedestrian, and equestrian paths, and waterways for commuter, school and recreational use.

CE Policy 7.5: Maintain existing pedestrian and bicycle facilities, and require developers to provide pedestrian walkways and/or bicycle pathways between new residences and schools, parks, and public facilities.

Existing streets, sidewalks, and the subject pedestrian easement currently provide sufficient access between the former Lamb School site and the surrounding residential uses. Following the subject vacation, a majority of the right of way easement will be preserved and will continue to support the public circulation needs of the abutting properties. Vacating two 250 square foot portions of an existing public pedestrian right of way easement will maintain the pedestrian path and will not have a detrimental impact on the circulation system.

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING

Scott Hess, Director of Planning and Building - reported on the items from the previous City Council Meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING

Scott Hess, Director of Planning and Building – reported on the items for the next City Council Meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING

Mary Beth Broeren, Planning Manager– reported on the items for the next Planning Commission Meeting.

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Bixby noted that the California Coastal Commission will be meeting on Thursday, June 12, 2014, at the Huntington Beach City Council Chambers to hear The Ridge project.

Commissioner Pinchiff noted that two new restaurants, Waterhouse Restaurant at the Huntington Beach Hyatt and Ritter's Steam Kettle Cooking, have recently opened in the city and he encouraged residents to visit those businesses. He stated that on the weekend of June 21, 2014 the City will be celebrating 100 years of surfing and he encouraged residents to attend. Commissioner Pinchiff noted that he had recently attended the Anniversary Reception for the Huntington Beach Youth Shelter where the following supporters were honored: Councilmember Joe Carchio, Huntington Beach Kiwanis, the company Cable Exchange, Kathy and Chuck Wooten, Irene Briggs and Carol Kanode, and Jacki Wirta. He commended the Youth Shelter for their work.

Commissioner Peterson stated that he had recently attended the groundbreaking for the Pasea Hotel at Pacific City.

ADJOURNMENT: Adjourned at 9:34 PM to the next regularly scheduled meeting of Tuesday, June 24, 2014.

APPROVED BY:

Scott Hess, Secretary

Erik Peterson, Chair