MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 14, 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 Vice-Chair Franklin

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

Commissioner Kalmick was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY SEMETA, SECONDED BY POSEY, TO APPROVE THE PLANNING COMMISSION AGENDA OF OCTOBER 14, 2014, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. PUBLIC COMMENTS – NONE

B. PUBLIC HEARING ITEMS

Commissioner Pinchiff recused himself on Item No. B-1 due to the proximity of his residence to the project location and left the room.

B-1. ZONING TEXT AMENDMENT NO. 14-001/ LOCAL COASTAL PROGRAM AMENDMENT NO. 14-002 (DTSP – DISTRICT 1 ON-SITE ALCOHOL SALES) **Applicant:** City of Huntington Beach **Request: ZTA:** To amend the Downtown Specific Plan (DTSP) to limit the hours of alcohol sales to 10:00 PM Sunday through Thursday and 11:00 PM Friday and Saturday, with food service allowable until midnight, for new or expanded eating and drinking establishments in District 1 of the Downtown Specific Plan. **LCPA:** To amend the City's certified Local Coastal Program Implementing Ordinance (IP) to reflect Zoning Text Amendment No. 14-001. **Location:** Downtown Specific Plan – District 1 (Downtown Core) **City Contact:** Jennifer Villasenor, Acting Planning Manager

STAFF RECOMMENDATION: Motion to:

A. "Approve Zoning Text Amendment No. 14-001 with findings (Attachment No. 1) and forward the draft ordinance (Attachment No. 2) to the City Council for adoption."

B. "Approve Local Coastal Program Amendment No. 14-002 with findings (Attachment No. 1) and forward the draft resolution (Attachment No. 3) to the City Council for adoption."

The Commission made the following disclosures:

- Commissioner Semeta had no disclosures.
- Commissioner Posey has spoken with staff and the Business Improvement District (BID).
- Vice-Chair Franklin had no disclosures.
- Chair Peterson had no disclosures.
- Commissioner Bixby attended the City Council meeting that began this project, read through the emails and the late communication packet.

Jennifer Villasenor, Acting Planning Manager, gave the staff presentation and an overview of the project.

There was a brief discussion regarding the enforcement of the proposed amendments.

There was a brief discussion regarding the alcohol sales conditions for the nearby Pacific City development.

THE PUBLIC HEARING WAS OPENED.

Dianne Thompson, Chairman of the Board for the Chamber of Commerce, spoke in opposition to Item No. B-1 citing the potential consequences for new businesses and those with existing alcohol licenses.

Brett Barnes, representing Huntington Beach Downtown BID and Duke's and Sandy's restaurants, spoke in opposition to Item No. B-1. He indicated that Police Department enforcement of current regulations should be sufficient and expressed concern that the proposed amendments would benefit the nearby Pacific City development and penalize any new restaurants in the downtown area.

Susan Welfringer, Huntington Beach Downtown BID, spoke in opposition to Item No. B-1. She noted that the Police Department is working with current downtown businesses to enforce good business practices and noted that the proposed amendment could have a negative effect on new downtown businesses.

Steve Daniel, BID president and owner of Rocky Mountain Chocolate Factory, spoke in opposition to Item No. B-1. He asked that the Police Department be allowed to enforce current regulations. He noted that the Downtown Task Force did not discuss or recommend this amendment.

Bruce Miliken, Longboard Restaurant, spoke in opposition to Item No. B-1, citing concerns with potential consequences of different regulations for Pacific City and the downtown area.

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

There was a brief discussion regarding the differences between conditions of approval imposed on the Pacific City project and the proposed text amendment for District 1.

There was a brief discussion regarding the potential negative impacts to attracting new businesses to District 1 and to the success of those potential new businesses.

A MOTION WAS MADE BY FRANKLIN, SECONDED BY BIXBY, TO APPROVE ZONING TEXT AMENDMENT NO. 14-001 AND LOCAL COASTAL PROMGRAM AMENDMENT NO. 14-002 WITH FINDINGS AND FORWARD THE DRAFT ORDINACE TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:

AYES: Franklin, Bixby
NOES: Semeta, Posey, Peterson
ABSTAIN: Pinchiff
ABSENT: Kalmick

MOTION FAILED

A MOTION WAS MADE BY PETERSON, SECONDED BY POSEY, TO DENY ZONING TEXT AMENDMENT NO. 14-001 AND LOCAL COASTAL PROGRAM NO. 14-002 WITH FINDINGS THAT IT DOES NOT MEET GENERAL PLAN GOAL NO. PF-1, BY THE FOLLOWING VOTE:

AYES: Semeta, Posey, Franklin, Peterson
NOES: Bixby
ABSTAIN: Pinchiff
ABSENT: Kalmick

MOTION APPROVED

FINDINGS FOR DENIAL:

1. Zoning Text Amendment No. 14-001 and Local Coastal Program Amendment No. 14-001 would not further General Plan Public Facilities and Services Element Goal No. PF-1 in that it would not provide the community with greater protection from criminal activity, reduce incidence of crime, or provide other necessary services within the city.

C. CONSENT CALENDAR – NONE

D. NON-PUBLIC HEARING ITEMS – NONE

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

Scott Hess, Director of Planning and Building – 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 Pinchiff noted that he had recently attended the following community events: Duke's Restaurant's 16th anniversary on October 3, 2014; The Boys and Girls Club annual fundraiser for low cost and no cost after-school care programs at the Huntington Beach Hyatt Hotel on October 4, 2014; the Kiwanis Installation on October 5, 2014; and the Surfboards on Parade charity event benefiting skin cancer education, held by the Rotary Club on October 11, 2014, at the Huntington Beach Waterfront Hilton.

ADJOURNMENT: Adjourned at 7:40 PM to the next regularly scheduled meeting of Tuesday, October 28, 2014.

APPROVED BY:

Scott Hess, Secretary

Erik Peterson, Chair