MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JANUARY 27, 2009
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

	A	P	P	P	P	P
ROLL CALL:	*Speaker,*	*Farley,*	*Shier Burnett,*	*Scandura,*	*Livengood,*	*Delgleize*

Commissioner Speaker was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY FARLEY, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF JANUARY 27, 2009, BY THE FOLLOWING VOTE:

AYES: **Farley, Shier Burnett, Scandura, Livengood, Delgleize**
NOES: **None**
ABSENT: **Speaker**
ABSTAIN: **None**

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. ZONING TEXT AMENDMENT NO. 08-005 (AFFORDABLE HOUSING) – Mary Beth Broeren, Planning Manager

Herb Fauland , Planning Manager, stated that staff was requesting that this item be continued to a date uncertain. He noted that the City Council has directed staff to conduct a public meeting on this item and other affordable housing issues on February 3, 2009. He stated that the item would be agendized as planned for the February 10, 2009 Planning Commission meeting where staff would request a continuance.

Chair Shier Burnett asked staff if it is permitted for the owner of an affordable housing unit to rent it and if so, are there restrictions on the rental price. Mr. Fauland asked if Chair Shier Burnett needed the answer prior to the item coming before the commission and she indicated that she did not.

A-2. CONDITIONAL USE PERMIT NO. 08-049 (ZIMZALA RESTAURANT AND SHOREBREAK HOTEL) – Tess Nguyen, Associate Planner

Tess Nguyen, Associate Planner, gave the staff presentation and an overview of the project.

Commissioner Scandura asked staff if there was any change to the amount of public open space. Ms. Nguyen stated that the amount of open public space had not changed but that it had been relocated to the first level. Commissioner Scandura asked staff if dancing would be a regular activity or constrained to particular events. Ms. Nguyen stated the dancing would be constrained to the banquet room for special events such as weddings or conferences. Commissioner Scandura indicated that he would like to tour the site. Mr. Fauland stated that a tour would be coordinated.

Mr. Fauland stated that a portion of public open space would remain on the second level, with the majority being relocated to the first level.

Commissioner Livengood asked staff to look into how the activities would relate to the hotel rooms

B. STUDY SESSION ITEMS

B-1. CODE OF ETHICS (ANNUAL REVIEW) – Chair Shier-Burnett

Chair Shier Burnett briefly reviewed the Code of Ethics.

Mr. Fauland stated that each commissioner must sign an acknowledgement and file it with the City Clerk annually.

Chair Shier Burnett noted that Form 700s would be due in April. Leonie Mulvihill, Senior Deputy City Attorney, stated a notice would be forthcoming from the City Clerk's Office. She noted that the City Attorney's office would be holding a Form 700 workshop on March 14, 2009, and encouraged the commissioners to attend if they required assistance.

Chair Shier Burnett asked if it was possible for the commissioners to obtain GIS maps for all of the commissioners in order to ensure that each commissioner recuses him or herself when appropriate. Mr. Fauland indicated that it was staff's responsibility to provide each planning commissioner with the necessary information so that he or she may choose to recuse him or herself from a project if needed.

Ms. Mulvihill noted that the City of Huntington Beach has adopted a slightly stronger code of ethics than is required by state law. She also noted that Form 700s can be amended without penalty if there are changes.

Chair Shier Burnett asked if there is any notification when a member of the public requests a copy of a commissioner's Form 700. Ms. Mulvihill stated that she believed the City Clerk might keep a roster of those requests.

Ms. Mulvihill stated that the City Attorney's office would be holding ethics training courses in the month of March and that there was also a dvd training option. She

noted that the commissioners were required to complete an ethics training course once every two years.

B-2. BROWN ACT UPDATE (NEW LAW: SENATE BILL NO. 1732) – Leonie Mulvihill, Senior Deputy City Attorney

Ms. Mulvihill gave a brief overview of the updates related to the Brown Act. She noted that parameters were provided for serial communications and staff communications. She noted that sharing opinions and intended votes on an item through email or through an intermediary would constitute a violation of the Brown Act.

Commissioner Livengood asked if information items can still be given to staff to distribute. Ms. Mulvihill confirmed this and encouraged the commissioners to allow staff to disseminated information items.

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Herb Fauland , Planning Manager, advised that there were no Late Communications for Item No. B-1. He noted that the Police Department fully supports approval of Item No. B-1 but would not be in attendance at tonight's meeting.

Mr. Fauland noted that no were no Late Communications for Item No. D-1

D. PLANNING COMMISSION COMMITTEE REPORTS

Chair Shier Burnett reminded her fellow commissioners to let Linda Wine, Administrative Assistant, know their committee preferences.

E. PUBLIC COMMENTS

Sean Crume, Shorebreak Hotel, spoke in favor of Item No. A-2. He noted that the hotel restaurant was not intended to replicate the atmosphere of the bars in the downtown area and that staff was extremely sensitive to the needs of the guests. He stated that he would be happy to provide the Planning Commission with a tour of the site.

Rob Wurl, CIM Group, spoke in favor of Item No. A-2. He stated that he felt the new open space design of the hotel would be more welcoming for the public.

F. PLANNING COMMISSION COMMENTS

Commissioner Scandura asked if the tours of the Shorebreak Hotel site could be scheduled for two commissioners each. Chair Shier Burnett asked if the tour could be given to all of the commissioners at the same time. Mr. Fauland indicated that there would not be sufficient time to notice a public meeting and encouraged the commissioners to take tours with no more than two commissioners.

5:50 PM – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Scandura

	A	P	P	P	P	P
ROLL CALL:	*Speaker,*	*Farley,*	*Shier-Burnett,*	*Scandura,*	*Livengood,*	*Delgleize*

Commissioner Speaker was absent.

Chair Shier-Burnett expressed the condolences of the Planning Commission to Linda Wine on the recent passing of her mother.

Chair Shier Burnett introduced new Planning Commissioner Barbara Delgleize.

AGENDA APPROVAL

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY DELGLEIZE, TO APPROVE THE PLANNING COMMISSION AGENDA OF JANUARY 27, 2009, BY THE FOLLOWING VOTE:

AYES: **Farley, Shier Burnett, Scandura, Livengood, Delgleize**
NOES: **None**
ABSENT: **Speaker**
ABSTAIN: **None**

MOTION APPROVED

PRESENTATION OF PLANNING COMMISSION RESOLUTION NO. 1626 AND PLAQUE IN APPRECIATION TO OUTGOING CHAIRMAN LIVENGOOD.

Chair Shier-Burnett presented Resolution No. 1626 and a plague to Outgoing Chair Tom Livengood. Commissioner Livengood briefly reviewed the major projects of 2008 and thanked staff and his fellow commissioners for their work over the past year.

PRESENTATION OF PLANNING COMMISSION RESOLUTION NO. 1627 AND PLAQUE IN APPRECIATION TO OUTGOING COMMISSIONER DWYER.

Chair Shier-Burnett presented Resolution No. 1627 and a plague to Outgoing Planning Commissioner Devin Dwyer. Councilmember Dwyer thanked his fellow commissioners and staff for their hard work.

PRESENTATION OF PLANNING COMMISSION RESOLUTION NO. 1628 AND PLAQUE IN APPRECIATION TO OUTGOING COMMISSIONER SHAW.

Chair Shier-Burnett presented Resolution No. 1628 and a plague to Outgoing Planning Commissioner Joe Shaw. Mr. Shaw commended his fellow commissioners and stated that he was honored to serve on the Planning Commission with them. He presented the commissioners with centennial pins as thanks.

A. ORAL COMMUNICATIONS

Steve Stafford, resident, spoke regarding Item No. D-1 and a personal Code Enforcement issue (a nearby residence that he stated was in violation of permits and the municipal code).

B. PUBLIC HEARING ITEMS

B-1. CONDITIONAL USE PERMIT NO. 08-047 (JOHNNY ROCKETS). Applicant: Valentina Allen, Kerr Project Services. **Request:** To permit the establishment, maintenance and operation of an approximately 1,844 sq. ft. restaurant with on-site sale and consumption of alcoholic beverages (beer and wine). The proposal includes an approximately 193 sq. ft. of outdoor dining area located adjacent to the building. The sale and consumption of alcoholic beverages is also proposed within the outdoor dining area. **Location:** 120 5th Street, Suite 100, 92648 (northeast corner of Pacific Coast Highway and 5th Street – The Strand/Downtown) **Project Planner:** Ethan Edwards

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 08-047 with findings and suggested conditions of approval (Attachment Nos.1 & 2)."

The Commission made the following disclosures:

- Vice Chair Farley has visited the site and attended the study session.
- Chair Shier Burnett has visited the site and attended the study session.
- Commissioner Scandura has visited the site, attended the study session, and is familiar with the restaurant.
- Commissioner Livengood has visited the site.
- Commissioner Delgleize had no disclosures.

Ethan Edwards, Associate Planner, gave the staff presentation and an overview of the project. He stated that staff had received one public comment in opposition to Item No.B-1, from Phil Zarra, resident, who cited the large number of establishments serving alcoholic beverages in the downtown area.

Commissioner Livengood asked staff why the Police Department's conditions of approval listed in Attachment Nos. 3.5 and 3.7 were not included in staff's Conditions of Approval. Mr. Edwards noted that many of those conditions were code requirements and did not need to be included in the Conditions of Approval. Commissioner Livengood asked if staff and Police Department staff were comfortable with the Conditions of Approval as listed. Mr. Edwards confirmed that they were.

Mr. Fauland reported that Condition Nos. 4, 5, 6, and 7 on Attachment No. 1.3 mirror most of the conditions listed in Attachment Nos. 3.5 and 3.7 and those not listed were code requirements.

Commissioner Livengood asked if other Johnny Rockets restaurants serve alcohol. Mr. Edwards confirmed that other locations did serve beer and wine. Commissioner Livengood indicated that he would like the applicant to address beer and wine sales at other locations.

THE PUBLIC HEARING WAS OPENED.

Deborah Kerr, applicant, spoke in favor of Item No. B-1. She noted that locations in Del Amo and Tustin serve beer and wine. She stated that the company is looking to include beer and wine service into more of their locations.

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

Vice Chair Farley asked staff for the distance between the planter area and the seating area. Mr. Edwards stated that it was ten feet. Vice Chair Farley asked if there were plans for an additional restaurant with outdoor dining in that area. Mr. Edwards indicated that there was adequate space but no additional restaurants are proposed at this time.

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SCANDURA, TO APPROVE CONDITIONAL USE PERMIT NO. 08-047 WITH FINDINGS AND SUGGESTED CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES:	**Farley, Shier Burnett, Scandura, Livengood, Delgleize**
NOES:	**None**
ABSENT:	**Speaker**
ABSTAIN:	**None**

MOTION APPROVED

FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 08-047

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 section 15301, Class 1, of the CEQA Guidelines, which states that operation and minor alteration to existing structures involving negligible or no expansion are exempt from further environmental review.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 08-047:

1. Conditional Use Permit No. 08-047 for the establishment, maintenance, and operation of an approximately 1,844 sq. ft. restaurant with on-site sales and consumption of alcohol and outdoor dining 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 uses will not create adverse noise or safety impacts to the surrounding businesses and residents based on the type of alcohol service (beer and wine only), controlling the area of alcohol sales and consumption, and hours of food service and operation. The nearest residential use is approximately 350 feet away and buffered by two-story structures within The Strand development.

2. The proposed restaurant with alcohol sales and outdoor dining will be compatible with surrounding uses. The use will be required to comply with conditions of approval pertaining to hours of operation to assure that any potential impacts to the surrounding properties are minimized. The use is subject to noise regulations to ensure compatibility with surrounding

businesses and residents. In addition, the proposed use is consistent with the intended mixed-use character The Strand and of commercial developments in the Downtown.

3. The proposed restaurant 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 and any specific condition required for the proposed use in the district in which it will be located. The proposed project as conditioned complies with the base district and other applicable provisions including parking. There is no physical expansion of the approved development proposed as part of the request and the use will comply with all building occupancy/exiting requirements.

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 Mixed Use Vertical on the subject property including the following policies and objectives identified in the General Plan:

A. *Land Use Element*

Policy LU 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

Objective LU 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, 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 from urban development.

Goal LU 11 Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

Policy LU 15.2.2 Require that uses in the Pedestrian Overlay District be sited and designed to enhance and stimulate pedestrian activity along the sidewalks. Assure that areas between building storefronts sand public sidewalks are visually and physically accessible to pedestrians.

The proposed use will provide a new visitor-serving commercial venue within the Downtown that is consistent with the Land Use Density Schedules for the Downtown and is compatible with surrounding mixed-use development. The proposed outdoor dining will stimulate pedestrian activity at a key entrance point to The Strand development – the intersection of Pacific Coast Highway and Fifth Street.

B. *Coastal Element*

Policy C 3.2.3 Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including but not limited to, shops, restaurants, hotels and motels, and day spas.

The proposed use will promote the commercial viability of The Strand and will expand the available visitor-serving commercial uses within the Coastal Zone.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 08-047:

1. The site plan and floor plan received and dated November 3, 2008; and, furniture plan received and dated December 15, 2008 shall be the conceptually approved design.

2. The hours of operation for the restaurant shall be between 11:00 a.m. and 9:00 p.m., Sunday through Thursday; and, between 11:00 a.m. and 12:00 a.m. (midnight), Friday and Saturday. Food service from the full menu shall be provided to within one hour before closing. **(PD/ED)**

3. A ten-foot clear and unobstructed distance shall be maintained between the proposed outdoor dining railing and any landscape planter, street furniture, etc., for pedestrian access and circulation.

4. All alcoholic beverages shall remain within the interior of the restaurant or within the confines of the fenced outdoor dining area. Service of alcoholic beverages for consumption off-site will not be permitted. **(PD)**

5. For easier alcoholic beverage identification, all alcoholic beverages shall be served in distinctive vessels, different than those containing non-alcoholic beverages. **(PD)**

6. To prevent loitering in the outdoor dining area after the business has closed, and to prevent littering, vandalism, and other criminal activities, the outdoor dining area railing shall not be covered with any material that would reduce or restrict visibility. **(PD)**

7. No items or signs shall be placed in the windows advertising the availability of alcoholic beverages, nor shall any interior displays or advertisements be directed to the exterior promoting the availability of alcoholic beverages. **(PD)**

8. To ensure greater safety, each of the three storage areas (frozen, refrigerated, and dry) shall install hardware to accommodate a telephone. **(PD)**

9. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by the ABC, shall be submitted to the Planning Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.

10. Mushroom Space Heaters shall meet the following requirements: **(FD)**
    - Heaters shall display a U.L. listing number or other nationally recognized standard.
    - Heaters shall be used in open-air areas only. Indoor use is not permitted.
    - Heaters shall be equipped with a safety tilt shut-off switch.
    - Heaters shall be set upon a firm and level foundation.
    - Heaters shall not be located inside of or within three feet of the awning or canopy footprint. (CFC 1107.1)
    - Placements of heater(s) shall not be closer than 5' from buildings. (CFC 8204.3 and Table 8204-A)
    - Heaters shall not obstruct the clear path of exits. (CFC 1203)
    - Heaters shall maintain a minimum of 3-foot clearance from any combustible material. (CFC 1107.1)
    - Heaters shall not be stored or used within any structure. (CFC 1103.3.2.6)
    - The storage of spare cylinders is not allowed. (CFC 101.4 and 1103.3.2.6)

11. 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/index.cfm?fuseaction=guidelines).

12. 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 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.

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 - NONE

D. NON-PUBLIC HEARING ITEMS

D-1. GENERAL PLAN CONFORMANCE NO. 08-004 (EASEMENT EXCHANGE AT HUNTINGTON BEACH WETLANDS) Applicant: Jimmy Villalobos, Orange County Public Works Department **Request:** To evaluate an exchange of easements between the Orange County Flood Control District (OCFCD) and the Huntington Beach Wetlands Conservancy (HBWC) for the purpose of habitat restoration and flood control improvements for compliance with the General Plan **Location:** 21900 Pacific Coast Highway, 92646 (North of Pacific Coast Highway, between Brookhurst Street and the AES Power Plant) **Project Planner:** Hayden Beckman

STAFF RECOMMENDATION: Motion to: "Adopt Resolution No. 1629, approving General Plan Conformance No. 08-004 with findings (Attachment Nos. 1 and 2)."

Hayden Beckman, Planning Aide, gave the staff presentation and an overview of the project.

The commission had no questions for staff.

A MOTION WAS MADE BY SCANDURA, SECONDED BY FARLEY, TO ADOPT RESOLUTION NO. 1629, APPROVING GENERAL PLAN CONFORMANCE NO. 08-004 WITH FINDINGS, BY THE FOLLOWING VOTE:

AYES: Farley, Shier Burnett, Scandura, Livengood, Delgleize
NOES: None
ABSENT: Speaker
ABSTAIN: None

MOTION APPROVED

FINDINGS FOR APPROVAL

GENERAL PLAN CONFORMANCE NO. 08-004

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 Section 15306 of the CEQA Guidelines because the project involves information collection which does not result in major disturbance to an environmental resource.

FINDINGS FOR APPROVAL – GENERAL PLAN CONFORMANCE NO. 08-004:

The proposed exchange of easements between the Orange County Flood Control District (OCFCD) and the Huntington Beach Wetlands Conservancy (HBWC) for the purposes of habitat restoration and flood control improvements is in conformance with the following goals, objectives, and policies of the General Plan:

A. Land Use Element

LU Goal 5: *Ensure that significant environmental habitats and resources are maintained.*

LU Policy 5.1.3: *Participate in inter-jurisdictional and regional environmental management and mitigation programs.*

LU Policy 5.1.5: *Preserve or restore areas that provide water quality benefits and/or are necessary to maintain riparian and aquatic biota.*

LU Policy 5.1.8: *Preserve and/or acquire areas of open space that have water quality significance and minimize any clearing of vegetation from those developed sites.*

The project involves multiple parcels under ownership by the OCFCD and the HBWC. The proposed exchange of easements would allow for access and encroachment onto each agency's property by the other for the purposes of flood control improvements to the Huntington Beach Channel, as well as environmental rehabilitation of the wetlands area. The restoration efforts by both agencies support the continued maintenance and stabilization of existing habitat and open space resources.

B. Coastal Element

C Goal 4: *Preserve and, where feasible, enhance and restore the aesthetic resources of the City's Coastal Zone, including natural areas, beaches, harbors, bluffs and significant public views.*

C Goal 7: *Preserve, enhance and restore, where feasible, environmentally sensitive habitat areas (ESHAs) in the City's Coastal Zone.*

C Objective 7.2: *Promote the improvement of biological productivity and appearance of wetlands and environmentally sensitive habitats.*

C Policy 7.2.1: *Promote the re-establishment of tidal flushing in wetland areas.*

C Policy 7.2.4: *Encourage the Orange County Flood Control District to improve, and continue to maintain once improved, the Huntington Beach and Talbert Flood Control Channel embankment from Beach Boulevard to the Santa Ana River by implanting the following measures:*

a) Restore and enhance tidal flows into the area and expand the existing mudflat and saltmarsh habitats.

b) Plant native plant species to enhance wildlife diversity.

c) Enhance the visual appearance of wetland areas.

d) Projects that impact the wetlands shall be sited and designed to improve the overall functioning of the wetland ecosystem.

Located within the City's Coastal Zone, the project will allow inter-agency restoration of an environmentally sensitive habitat area and enhance the appearance of wetlands within a scenic corridor. Tidal flows are scheduled to be re-introduced to the wetlands in order to advance the restoration efforts. The proposed exchange of easements will allow access between the flood control channel and the wetlands area for tidal flushing as well as improvements to the Huntington Beach Flood Control Channel for continued preservation of the wetland areas bounded by the project site.

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.

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING
Herb Fauland, Planning Manager - reported on the items from the previous City Council meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING
Herb Fauland, Planning Manager – reported on the items scheduled for the next City Council meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING
Herb Fauland, Planning Manager – reported on the items scheduled for the next Planning Commission meeting

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS – NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Livengood indicated that he would be interested in a Planning Commission retreat. He also requested staff to investigate Mr. Stafford's Code Enforcement issue.

Chair Shier Burnett reported on her recent attendance at the Rose Parade and thanked staff for their efforts on the City of Huntington Beach's parade entry.

ADJOURNMENT: Adjourned at 7:35 PM to the next regularly scheduled meeting of Tuesday, February 10, 2009.

APPROVED BY:

Scott Hess, Secretary

Elizabeth Shier Burnett, Chairperson