



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, MAY 24, 2016

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 Commissioner Kalmick

P P P P A P P

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

Commissioner Mandic was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY BRENDEN, SECONDED BY SEMETA, TO APPROVE THE PLANNING COMMISSION AGENDA OF MAY 24, 2016, BY THE FOLLOWING VOTE:

AYES: Crowe, Kalmick, Semeta, Pinchiff, Brenden, Hoskinson

NOES: None

ABSENT: Mandic

ABSTAIN: None

MOTION APPROVED

A. PUBLIC COMMENTS – NONE

Joseph Mastropaolo, resident, spoke regarding the potential open source software that the city could utilize for coordinating development applications.

B. PUBLIC HEARING ITEMS

B-1. APPEAL OF FOUNDATION REQUIREMENTS OF THE SUNSET BEACH SPECIFIC PLAN Applicant/Appellant: Karen Otis, Otis Architecture Property Owner: Magdy Bassaly Request: An appeal filed by Karen Otis, pursuant to Section 4.2 of the Sunset Beach Specific Plan (SBSP) and Section 248.24 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), which specify the appeal process for any decision, requirement or determination made by the City in the administration of the zoning code or specific plan. The appeal is regarding the foundation requirements specified in Section 2.4 of the Sunset Beach Specific Plan (SBSP). Location: 16471 and 16475 S. Pacific Ave., 90742 (south side at 23rd Street in Sunset Beach) Environmental Status: The project

is categorically exempt pursuant to Section Section 15061(b)(3) of the California Environmental Quality Act. **City Contact:** Ricky Ramos, Senior Planner

STAFF RECOMMENDATION: Motion to: "Deny the appeal and find that the City's adopted SBSP requires development proposed within the -FP3 floodplain designation, which includes beachfront properties, to be supported on piles or caissons pursuant to Section 2.4 of the SBSP."

The Commission made the following disclosures:

- Commissioner Crowe visited the site.
- Commissioner Kalmick visited the site, spoke with staff, and with the applicant.
- Vice-Chair Semeta visited the site, spoke with the applicant, the architect, the applicant's attorney, and with staff.
- Chair Pinchiff visited the site and spoke with the applicant, the applicant's representatives, and staff.
- Commissioner Brenden visited the site, and met with the architect and applicant's consultant.
- Commissioner Hoskinson visited the site, met with the architect and applicant's consultant, and spoke with staff.

Ricky Ramos, Senior Planner, gave the staff presentation and an overview of the project.

THE PUBLIC HEARING WAS OPENED.

Karen Otis, Otis Architecture, spoke in support of Item No. B-1. She gave a brief overview of the submittal process for this project through the county, the Coastal Commission, and then the city. She gave an overview of the different foundation types and stated that the foundation requirements were continued from the county, which used them as guidelines and not requirements. Ms. Otis stated that pilings and caissons would not be ideal for the project site.

Mike Adams, representative for the applicant, spoke in support of Item No. B-1. He stated that he believed this foundation requirement was inconsistent with the previous practices of the County and noted that during the annexation process for Susnet Beach, the city had indicated that it would be consistent with county practices to provide consistency for the residents.

Tony Sellas, resident, spoke in support of Item No. B-1, giving a brief overview of the items in the Sunset Beach Specific Plan that he considered relevant to the request.

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

Commissioner Kalmick indicated that, while he wasn't sure he agreed with placing foundation requirements in the zoning code, the code is clear on the foundation requirements and he did not see grounds for appeal.

Commissioner Brenden indicated that he would recommend sending a minute action to the city council to request clarification in the zoning code.

There was a brief discussion regarding the flood zone designation of this portion of Sunset Beach.

Vice-Chair Semeta indicated that she would prefer to forward this appeal to the City Council, as she felt this was a policy issue and beyond the purview of the Planning Commission. Commissioner Brenden concurred with Vice-Chair Semeta's comments. At Chair Pinchiff's request, Mr. Ramos reviewed the process for amending the zoning code to allow for various foundation types.

There was a brief discussion regarding denying the request or forwarding the request to the City Council with a recommendation to have staff analyze amending the zoning code to allow for various foundations. Mr. Adams indicated that the applicant would prefer the item be forwarded to the City Council.

A MOTION WAS MADE BY PINCHIFF, SECONDED BY KALMICK, TO DENY THE APPEAL AND FIND THAT THE CITY'S ADOPTED SBSP REQUIRES DEVELOPMENT PROPOSED WITHIN THE -FP3 FLOODPLAIN DESIGNATION, WHICH INCLUDES BEACHFRONT PROPERTIES, TO BE SUPPORTED ON PILES OR CAISSONS PURSUANT TO SECTION 2.4 OF THE SBSP, BY THE FOLLOWING VOTE:

**AYES: Crowe, Kalmick, Semeta, Pinchiff, Brenden, Hoskinson
NOES: None
ABSENT: Mandic
ABSTAIN: None**

MOTION APPROVED

A MOTION WAS MADE BY BRENDEN TO RECOMMEND THE CITY COUNCIL DIRECT STAFF TO ELIMINATE THE REFERENCE TO THE 1985 FLOOD STUDY AND FLOOD PLAIN DOCUMENT AND THE FP3 OVERLAY DESIGNATION AND REPLACE WITH NEW LANGUAGE TO PROVIDE CLARITY.

MOTION WAS NOT SECONDED

A MOTION WAS MADE BY KALMICK, SECONDED BY BRENDEN, TO FORWARD A MINUTE ACTION ASKING THE CITY COUNCIL DIRECT STAFF TO LOOK AT THE PROPOSED INCONSISTENCY IN THE SUNSET BEACH SPECIFIC PLAN.

MOTION WITHDRAWN

- 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

Jennifer Villasenor, 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

Vice-Chair Semeta thanked the Armed Forces for their service and encouraged the public to attend the City's upcoming Memorial Day event.

Commissioner Hoskinson reported on a recent conference he attended.

Chair Pinchiff seconded Vice-Chair Semeta's comments and thanked staff and his fellow commissioners for their work on Public Hearing Item No. B-1.

ADJOURNMENT: Adjourned at 8:35 PM to the next regularly scheduled meeting on Tuesday, June 14, 2016, at 5:15 PM.

APPROVED BY:



Scott Hess, Secretary



Edward Pinchiff, Chair