MINUTES – SPECIAL MEETING
HUNTINGTON BEACH PLANNING COMMISSION

MONDAY, OCTOBER 12, 2009
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 PM – 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 Delgleize

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

Commissioner Speaker and Chair Shier Burnett were absent.

AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY DELGLEIZE, TO APPROVE THE PLANNING COMMISSION AGENDA OF OCTOBER 12, 2009, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. ORAL COMMUNICATIONS

Mike Adams, resident, spoke regarding Item No. B-1 (Downtown Specific Plan Update) and provided the Planning Commission with a handout regarding public art in-lieu fees.

Sebastian Dominguez, resident, spoke regarding Item No. B-1 (Downtown Specific Plan Update), citing concerns with the preservation of the existing Main Street Library.

Richardson Gray, resident, spoke regarding Item No. B-1 (Downtown Specific Plan Update). He noted that he had provided four Late Communication items to the Planning Commission. He cited concerns with the proposed 6th Street realignment and the proposed permitted use of carts and kiosks. He stated that he was in favor of the proposed underground parking at the Main Street Library site. He also asked the

Planning Commission to designate the Library and the area known as Triangle Park as a historic landmark.

Richard Plummer, resident, spoke regarding Item No. B-1 (Downtown Specific Plan Update), citing concerns with the proposed tiered beach parking. Commissioner Scandura noted that the Planning Commission took a straw vote at the special meeting of October 6, 2009, and removed the word "underground" from the proposed parking for Subdistrict 1A.

B. PUBLIC HEARING ITEMS

B-1. GENERAL PLAN AMENDMENT NO. 08-007/LOCAL COASTAL PROGRAM NO. 08-002/ZONING TEXT AMENDMENT NO. 08-004 (SPECIFIC PLAN NO. 5 – DOWNTOWN SPECIFIC PLAN UPDATE – CONTINUED FROM THE OCTOBER 6, 2009 MEETING) Applicant: City of Huntington Beach **Request:** Downtown Specific Plan Update – a City-initiated proposal to update Specific Plan No. 5 – Downtown Specific Plan (DTSP) to accommodate future development in the downtown area. The project proposes to reconfigure the existing 11 Specific Plan districts into 7 districts, modify development and parking standards, which includes provisions for tiered beach parking structures, incorporate design guidelines and provide recommendations for street improvements, public amenities, circulation enhancements, infrastructure and public facility improvements and parking strategies. The project also proposes revised parking requirements and modified parking ratios, the elimination of the Downtown Parking Master Plan, a Cultural Arts Overlay in the northern portion of the DTSP area on the site of the existing Main Street Branch library and a Neighborhood Overlay on 1st and 2nd Street between Walnut Avenue and Orange Avenue. The DTSP Update requires the following entitlements: **General Plan Amendment No. 08-007**: to amend the Land Use and Circulation Elements to reflect the various changes in land use and development standards, including increases in allowable building heights and densities and elimination of Floor Area Ratio (FAR) requirements proposed in the DTSP Update, as well as the reconfiguration of the districts. Changes to the General Plan include revisions to the Land Use Map and modifications to the Land Use Schedule and Community District and Subarea Schedule and Map in the Land Use Element. These changes consist of revisions to the subarea map and schedule as a result of deleting, creating and re-numbering subareas. Due to these revisions, subarea 3D, located outside of the DTSP area, is also proposed to be revised. This subarea would be re-numbered only and does not propose substantive changes in terms of standards, principles or permitted uses. The amendment to the Circulation Element includes a revision to Figure CE-9: Trails and Bikeways as a result of recommendations proposed in the DTSP Update and traffic study for the project. **Local Coastal Program Amendment No. 08-002**: to amend the Implementation Program (IP), specifically the Downtown Specific Plan, and the Land Use Plan/Coastal Element of the City's certified Local Coastal Program. Amendments to the Coastal Element will involve changes that are consistent with the changes to the Land Use and Circulation Elements in addition to several policies that are proposed to be updated based on proposed changes to the DTSP. The proposed LCPA is also subject to certification by the California Coastal Commission. **Zoning Text Amendment No. 08-004**: to amend the existing text of the Downtown Specific Plan. **Location:** 336-acre existing Downtown Specific Plan area. No changes to the existing boundaries are proposed. **Project Planner:** Jennifer Villasenor

Jennifer Villasenor, Associate Planner, gave the staff presentation and a brief overview of the October 6, 2009 meeting. Ms. Villasenor noted that the Planning Commission certified Environmental Impact Report No. 08-001 for the Downtown Specific Plan Update and provided a summary of the Straw Votes from that meeting. She also noted that it is the intent of the Planning Commission to remove the words "Underground" and "Belowground" throughout the proposed project. She also gave a brief overview of the Late Communication items.

Vice Chair Farley noted that the first portion of the Planning Commission's discussion should focus on Chapter One of the Downtown Specific Plan Update.

Commissioner Livengood noted that he has concerns with limiting parking on Main Street. He said that he wants to make sure that the individual business owners' concerns are represented. He also noted that he is concerned with the potential loss of revenue that lost parking spaces might cause those businesses.

Mr. Farley said that he has concerns with the Stated Goals in Chapter 1.5 and that he would like to see those goals focus more on the needs of the residents.

Mr. Farley noted that the second portion of the Planning Commission's discussion should focus on Chapter Two of the Downtown Specific Plan Update.

Commissioner Livengood said that he has concerns with Chapter 2.10 and Planning Director Approval at certain project levels and recommended that this item be moved to Chapter Three of the Downtown Specific Plan Update.

Commissioner Scandura said that in Chapter 2-6, Section 2.5.11, he has concerns with the proposed approval process for demolitions and recommends removing the requirement of approval by the Economic Development Department. Planning Manager Herb Fauland noted that Section 2.5.11 mirrors the city's current approval process. He also noted that approximately 90% of development proposals require the approval of the Economic Development Department and that this applies to all seven of the districts within the Downtown Specific Plan Update. Planning Director Scott Hess noted that alternate language could state "Projects within the redevelopment area will need to be approved by the Economic Development Department."

Mr. Farley discussed minor amendments to Section 2.5.10, and Ms. Villasenor noted that Section 2.5.10 of the Downtown Specific Plan Update reflects the current Huntington Beach Zoning and Subdivision Ordinance (HBZSO). Mr. Farley recommended adding "Amendments by the Director of Planning may be appealed by the Planning Commission pursuant to HBZSO Section 248.28." Senior Deputy City Attorney Leonie Mulvihill noted that under the current HBZSO, the Planning Director can approve amendments, but those amendments can be appealed or reviewed by the Planning Commission. Mr. Hess noted that in this context, "minor amendments" refer to already approved entitlements, which are also addressed in HBZSO section 241.18.

STRAW VOTE #1

A motion was made by Scandura, seconded by Livengood, to approve the summary of changes to Chapter 2 – Planning Manager Herb Fauland noted a typo in section 2.5.10, which should reference HBZSO section 241.18. Also added "Amendments by the Director of Planning may be appealed by the Planning Commission pursuant to HBZSO section 248.28."

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

MOTION APPROVED

Vice Chair Farley noted that the next portion of the Planning Commission's discussion should focus on Chapter Three of the Downtown Specific Plan Update.

Mr. Livengood said that he has concerns with the proposed parking closure on Main Street in Section 3.2.5. Ms. Villasenor noted that this provision exists in the current Downtown Specific Plan. Commissioner Scandura noted that the condition is that parking may be removed, not will be removed, and that the parking closure condition exists as an option only.

Ms. Villasenor noted that any removed parking spots would be required to be replaced and that no in-lieu parking could be removed. Mr. Livengood said that the loss of any parking spots would hurt the downtown merchants.

STRAW VOTE #2

A motion was made by Livengood, seconded by Farley, to delete Section 3.2.5 #6 which allows City Council to approve the closure of Main Street: "At the discretion of City Council, all or portions of Main Street between Pacific Coast Highway and Orange Avenue may be vacated to be used as a pedestrian mall, subject to a public hearing. Prior to implementation, any on-street parking lost shall be replaced."

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

MOTION APPROVED

Mr. Farley asked about the proposed landscaping for the Downtown Specific Plan Update in Section 3.2.12 and if these plans included an emphasis on drought tolerant plants. Ms. Villasenor noted that the chapter doesn't, but the city's overall goal is to provide drought tolerant plants whenever possible. City Engineer Tony Olmos noted that this is in keeping with the city's Water Efficiency Ordinance. Mr. Fauland noted that a requirement for drought tolerant plants is included in the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).

STRAW VOTE #3
A motion was made by Farley, seconded by Delgleize, to add new provision #8 to Section 3.2.12, Page 3-10: "All landscaped areas shall comply with the city's water efficient landscape requirements of the Huntington Beach Municipal Code."

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

MOTION APPROVED

Mr. Livengood discussed the proposed 500' square foot minimum dwelling unit size in Section 3.12 and noted that this is the same square footage that was approved for the Amstar/Red Oak project.

Ms. Mantini asked about affordable housing in Section 3.2.1 and Ms. Mulvihill noted that the designation is now "low to moderate income" instead of "median."

Mr. Scandura recommended deleting the proposed "55' maximum building height" in Section 3.2.21.

Mr. Farley discussed the proposed signage on Page 3-17 and recommended that sign placement should not cover up windows. Mr. Hess noted that supergraphics are permitted.

STRAW VOTE #4
A motion was made by Livengood, seconded by Farley, to delete #4 of Section 3.2.21 on Page 3-15 – 4) "55' maximum building height..." and revise Figure 3-10 accordingly.

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

MOTION APPROVED

STRAW VOTE #5
A motion was made by Livengood, seconded by Delgleize, to add to #7 on Page 3-17 – "Sign placement shall not cover up windows or important architectural features without approval by the Director of Planning and the Design Review Board."

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

MOTION APPROVED

Mr. Livengood discussed making a motion to change the recommended sidewalk widths from 8' to 5' and Mr. Scandura concurred. Mr. Fauland noted that the current ordinance on Walnut Street calls for 10' to 8' sidewalks. Mr. Livengood withdrew his straw vote motion.

STRAW VOTE #6
A motion was made by Livengood, seconded by Scandura, to approve amended Page 3-23 (included staff recommended changes only).

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

MOTION APPROVED

STRAW VOTE #7
A motion was made by Scandura, seconded by Livengood, to add a provision prohibiting handwritten signs on Page 3-24.

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

MOTION FAILED

Mr. Justesen briefly discussed proposed parking requirements in District #1.

Commissioner Scandura stated that he has concerns with parking density.

Commissioner Mantini asked if in-lieu fees could be spent on building additional parking garages. Deputy Director of Economic Development Kellee Fritzal said that this would not be feasible, due to limited land availability.

Mr. Fauland noted that the Planning Commission approved up to 20% of the required on-site commercial parking as tandem parking for the Amstar/Red Oak project. Mr. Livengood asked why the Downtown Specific Plan Update is requesting 40% tandem parking. Mr. Justesen said that this would provide a greater parking efficiency and a parking attendant would be included as part of the recommendation.

Mr. Farley recommended approving 40% tandem parking for commercial parking and 20% tandem parking for residential parking. Ms. Villasenor noted that up to 40% tandem parking would apply to commercial parking and that up to 100% of the required on-site parking for single-family residential uses may be provided as tandem parking.

Mr. Hess noted that staff is not recommending reducing the proposed 40% tandem parking for commercial parking.

STRAW VOTE #8

A motion was made by Farley, seconded by Scandura, to add the following to #1 on Page 3-29, section 3.2.26.7 – "Up to 20% of the required on-site commercial parking may be provided as tandem parking upon approval of a Conditional Use Permit by the Zoning Administrator. 21-40% of the required on-site commercial parking may be provided as tandem parking upon approval of a Conditional Use Permit by the Planning Commission."

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

MOTION APPROVED

STRAW VOTE #9

A motion was made by Farley, seconded by Scandura, to delete existing sentence for #2 on Page 3-29 Section 3.2.26.7 and revise to read "Up to 20% of the required on-site parking for multi-family residential uses may be provided as tandem parking. 100% of the required on-site parking for single-family residential uses may be provided as tandem parking."

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

MOTION APPROVED

Ms. Fritzal noted that the Main Street Library site is not being considered for in-lieu parking. Mr. Scandura recommended a condition that no underground parking be allowed at the Main Street Library and the area known as Triangle Park.

STRAW VOTE #10

A motion was made by Mantini, seconded by Farley, to delete provision #6 on Page 3-32, Section 3.2.26.11 requiring underground parking on the Main Street Library site.

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

MOTION APPROVED

STRAW VOTE #11
A motion was made by Farley, seconded by Livengood, to designate parking be for the exclusive use of Subdistrict 1A, the Main Street Library and the Arts Center.

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

MOTION FAILED

STRAW VOTE #12
A motion was made by Scandura, seconded by Livengood, to remove cultural overlay area from District 1 maps on Pages 3-37 and 3-39.

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

MOTION APPROVED

STRAW VOTE #13
A motion was made by Scandura, seconded by Delgleize, to remove cultural arts overlay language and add verbiage from amended Page 1-17, which references the Main Street Library site and delete Item B on Page 3-39.

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

MOTION APPROVED

STRAW VOTE #14
A motion was made by Scandura, seconded by Delgleize, to change Cultural Institutions from "permitted" to "CUP from PC" on Page 3-41 – Figure 3-24 – Permitted Uses in District 1.

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

MOTION APPROVED

STRAW VOTE #15
A motion was made by Mantini, seconded by Scandura, to change Eating and Drinking Establishments, with Alcohol from "CUP from ZA" to "CUP from PC" on Page 3-41 – Figure 3-24 – Permitted Uses in District 1.

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

MOTION APPROVED

STRAW VOTE #16
A motion was made by Farley, seconded by Scandura, to change Public Facilities from "permitted" to "CUP from ZA" on Page 3-41 – Figure 3-24 – Permitted Uses in District 1.

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

MOTION APPROVED

STRAW VOTE #17
A motion was made by Scandura, seconded by Delgleize, to change ">25,000 sf net site area: 50 du/ac" to " ≥25,000 sf net site area: 35 du/ac" ; Maximum Building Height – change "<25,000 sf net site area: 45' & 4 stories" and "≥25,000 sf net site area: 55' & 5 stories" to "<25,000 sf net site area: 35' & 3 stories" and "≥25,000 sf net site area: 45' & 4 stories" ; Upper-Story Setback (3rd and 4th Story) on Page 3-43 – Figure 3-25 – Maximum Density – District 1 (change subsequent sections 3.3.1.7, 3.3.1.8, 3.3.1.9 accordingly)

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

MOTION APPROVED

Mr. Farley suggested keeping the Downtown Specific Plan Districts numbered the way they currently are.

Mr. Livengood asked about Plaza Almeria. Mr. Fauland noted that the square footage is approximately 25,000 sq. ft., it's built to the property line and was built with 30 Dwelling Units Per Acre.

Ms. Villasenor noted that staff will change the verbiage on the Downtown Specific Plan Update to match the verbiage used in the Straw Votes.

Mr. Farley briefly discussed Mike Adams' handout regarding in-lieu fees for public art, but then tabled that discussion

STRAW VOTE #18
A motion was made by Farley, seconded by Livengood, to delete Carts and Kiosks from list of permitted uses on Page 3-52 Figure 3-36 – Permitted uses Subdistrict 1A.

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

MOTION APPROVED

STRAW VOTE #19
A motion was made by Scandura, seconded by Mantini, to accept changes to Pages 3-54 and 3-55 regarding Main Street Library Subdistrict 1A.

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

MOTION APPROVED

Mr. Scandura noted that he has concerns regarding parking requirements in District 1, Page 3-27 and asked if a Straw Vote should be taken to change the number of required parking spaces. Mr. Fauland recommended leaving this section 'as is', since it is consistent with the prior Straw Votes regarding intensity.

STRAW VOTE #20
A motion was made by Livengood, seconded by Mantini, to accept District 2 with no changes except the following: To change Eating and Drinking Establishments, with Alcohol from "CUP from ZA" to "CUP from PC" on Page 3-60 Figure 3-41 – Permitted Uses in District 2.

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

MOTION APPROVED

STRAW VOTE #21
A motion was made by Livengood, seconded by Scandura, to accept District 3 with no changes.

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

MOTION APPROVED

STRAW VOTE #22
A motion was made by Scandura, seconded by Farley, to accept District 4 with no changes except the following: To change ">25' street frontage & ≤50' street frontage as well as >2,500 sf & ≤5,000 sf: 4 du/ac" to ">25' street frontage & ≤50' street frontage as well as >2,500 sf & ≤5,000 sf: 2 du max." on Page 3-80 Figure 3-48 – Maximum Density – District 4 (revise section 3.3.4.7 accordingly).

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

MOTION APPROVED

STRAW VOTE #23
A motion was made by Livengood, seconded by Farley, to accept District 5 with no changes.

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

MOTION APPROVED

STRAW VOTE #24
A motion was made by Scandura, seconded by Livengood, to accept District 6 with no changes except the following: To change Museums from "CUP from ZA" to "CUP from PC" on Page 3-92 Figure 3-59 – Permitted Uses District 6.

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

MOTION APPROVED

STRAW VOTE #25
A motion was made by Scandura, seconded by Delgleize, to delete entire section 3.3.7.5 regarding Tiered Parking in District 7, Beach on Pages 3-96 and 3-97 – including Figures 3-62, 3-63 and 3-64; Figure 3-65 – Summary of Permitted Uses District 7 – delete Tiered Parking Structure from list of permitted uses.

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

MOTION APPROVED

Ms. Villasenor noted that she has documented all the recommended Straw Vote changes.

A MOTION WAS MADE BY FARLEY, SECONDED BY SCANDURA, TO ADJOURN FOR A FIVE MINUTE RECESS, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

9:50-9:55 PM - RECESS

Vice Chair Farley noted that the next portion of the Planning Commission's discussion should focus on Book Two of the Downtown Specific Plan Update.

STRAW VOTE #26
A motion was made by Scandura, seconded by Delgleize, to revise #9 on Page 4-5 as follows: "Create pedestrian paseos to parking lots and adjoining development at the rear of buildings.

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

MOTION APPROVED

Mr. Livengood spoke briefly regarding the preservation of historic buildings in the downtown area, and provided the Planning Commission with a handout.

STRAW VOTE #27
A motion was made by Livengood, seconded by Delgleize, to add #13 on Page 4-20 as follows: "Preserve and incorporate structures which are distinctive due to their age, cultural significance, or unique cultural style in the project."

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

MOTION APPROVED

STRAW VOTE #28
A motion was made by Scandura, seconded by Farley, to revise #1 on Page 4-27 as follows: "At least 20% of construction/building materials should be non-toxic, recycled-content materials and should be utilized whenever possible."

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

MOTION APPROVED

STRAW VOTE #29
A motion was made by Scandura, seconded by Farley, to add #23 on Page 4-34 as follows: 'Wherever possible, comply with CEC's voluntary Tier II energy Efficiency standards in effect at the time building construction begins." (add green leaf symbol)

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

MOTION APPROVED

STRAW VOTE #30
A motion was made by Scandura, seconded by Farley, to revise #2 on Page 4-35 as follows: Every property should provide trash and recycling enclosures that are capable of handling the refuse generated by that site. At least half of the trash and recycling area should be dedicated to recycling containers. Composting facilities should be provided if possible.

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

MOTION APPROVED

STRAW VOTE #31
A motion was made by Livengood, seconded by Farley, to revise #7 on Page 4-44 as follows: Drought tolerant grasses should be used for lawn areas where possible. Drought tolerant/native plants should be used in all landscaped areas where possible.

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

MOTION APPROVED

STRAW VOTE #32
A motion was made by Scandura, seconded by Farley, to add #7 on Page 4-47 as follows: "Solar panels should be utilized where possible." (add green leaf symbol)

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

MOTION APPROVED

STRAW VOTE #33
A motion was made by Scandura, seconded by Farley, to revise #5 on Page 4-49 as follows: At least 20% of the building/construction materials should be recycled content materials, such as wood substitutes, recycled concrete, and asphalt, as well as non-toxic materials, and should be used whenever possible.

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

MOTION APPROVED

STRAW VOTE #34
A motion was made by Scandura, seconded by Delgleize, to add a provision on Page 4-54 that new construction should reduce potable water usage by 50% wherever possible.

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

MOTION FAILED

STRAW VOTE #35
A motion was made by Scandura, seconded by Farley, to add #5 on Page 4-61 as follows: "Solar panels should be utilized where possible." (add green leaf symbol)

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

MOTION APPROVED

STRAW VOTE #36
A motion was made by Scandura, seconded by Farley, to revise #5 on Page 4-64 as follows: At least 20% of the building/construction materials should be recycled content materials, such as wood substitutes, recycled concrete, and asphalt, as well as non-toxic materials, and should be used whenever possible.

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

MOTION APPROVED

STRAW VOTE #37
A motion was made by Scandura, seconded by Livengood, to add #11 on Page 4-65 as follows: "Wherever possible, comply with CEC's voluntary Tier II energy Efficiency standards in effect at the time building construction begins." (add green leaf symbol)

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

MOTION APPROVED

STRAW VOTE #38
A motion was made by Scandura, seconded by Farley, to revise #1 on Page 4-66 as follows: Every property should provide a trash and recycling enclosure that is capable of handling refuse generated by the site. Composting receptacles are encouraged.

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

MOTION APPROVED

STRAW VOTE #39
A motion was made by Scandura, seconded by Farley, to add #20 on Page 4-76 as follows: "Solar panels should be utilized where possible."

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

MOTION APPROVED

STRAW VOTE #40
A motion was made by Farley, seconded by Delgleize, to revise #19 on Page 4-76 as follows: Interior walls and ceilings should be painted white to add more light to the structure by reflection

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

MOTION APPROVED

Mr. Livengood recommended deleting the removal of on-site parking on Main Street and 6th Street.

Mr. Fauland noted that any lost parking must be replaced at a 1:1 ratio, per Section 231.28 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).

Mr. Livengood changed his recommended Straw Vote to the revision of the last paragraph on Page 5-4 and the HBZSO reference to lost parking, which must be replaced at a 1:1 ratio within 350 feet.

STRAW VOTE #41
A motion was made by Livengood, seconded by Farley, to revise last paragraph on Page 5-4 Section 5.3.1.1 as follows: "...outdoor dining and plaza areas. Any removal of on-street parking shall be replaced at a 1:1 ratio within walking distance of 350 feet of the existing site and pursuant to HBZSO Section 231.28."

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

MOTION APPROVED

STRAW VOTE #42
A motion was made by Livengood, seconded by Farley, to delete 6th street network changes on Page 5-5 Figure 5-1.

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

MOTION APPROVED

STRAW VOTE #43
A motion was made by Livengood, seconded by Farley, to delete entire section 5.3.2.1 on Page 5-6 regarding 6th Street realignment.

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

MOTION APPROVED

STRAW VOTE #44
A motion was made by Scandura, seconded by Mantini, to delete entire section 5.3.4 on Page 5-10 regarding exclusive pedestrian phase signals.

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

MOTION APPROVED

STRAW VOTE #45
A motion was made by Farley, seconded by Mantini, to revise section 5.6.3.8 on Page 5-24 as follows: delete last two sentences entirely – Section should read "Additional new conventional or automated parking structures will be needed within the downtown to accommodate the future parking demand."

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

MOTION APPROVED

General discussion ensued regarding 2:00 AM street sweeping and the merits of removable bollards. The Commissioners also discussed deleting the picture of a pig and replacing it with a picture of Strand public art on Page 4-41 and deleting the blue bus shelter and replacing it with the picture provided on Page 6-17, Figure 6-11 (same for Figures 6-13, 6-15, 6-19 on subsequent pages). Staff indicated the changes would be made to the graphics.

Mr. Livengood recommended changing Page 7-10, Section 7.3.2 to be consistent with the EIR as follows: "The City has a current estimated population of 202,250 people and currently has **1,007.05** acres of park space. Therefore, at this time, the City is approximately **4.2** acres below the necessary park space recommended." This was not a Straw Vote. Staff indicated that the section would be updated to be consistent with the Final Environmental Impact Report (EIR).

STRAW VOTE #46
A motion was made by Scandura, seconded by Farley, to delete last paragraph on Page 6-18 Section 6.3.4 and revise Figure 6-12 to delete the tiered parking.

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

MOTION APPROVED

STRAW VOTE #47

A motion was made by Scandura, seconded by Delgleize, to revise last paragraph on Page 6-39 Section 6.6.3 to add the following sentence: "...and tourist attractions. A directional sign program should also include informational signs for historical sites and structures."

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

MOTION APPROVED

STAFF RECOMMENDATION: Motion to:

A. "Approve General Plan Amendment No. 08-007 by approving the draft City Council Resolution (Attachment No. 4) and forward to the City Council for adoption."

A MOTION WAS MADE BY SCANDURA, SECONDED BY DELGLEIZE, TO APPROVE GENERAL PLAN AMENDMENT NO. 08-007 WITH MODIFICATIONS BY APPROVING THE DRAFT CITY COUNCIL RESOLUTION (ATTACHMENT NO. 4) AND FORWARD TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

B. "Approve Local Coastal Program Amendment No. 08-002 with findings for approval (Attachment No. 3) by approving the draft City Council Resolution (Attachment No. 6) and forward to the City Council for adoption."

A MOTION WAS MADE BY DELGLEIZE, SECONDED BY SCANDURA, TO APPROVE LOCAL COASTAL PROGRAM AMENDMENT NO. 08-002 WITH MODIFICATIONS AND FINDINGS FOR APPROVAL (ATTACHMENT NO. 3) BY APPROVING THE DRAFT CITY COUNCIL RESOLUTION (ATTACHMENT NO. 6), AND FORWARD TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

C. "Approve Zoning Text Amendment No. 08-004 with the errata to the June 2009 draft DTSP Update (Attachment No. 1) with findings for approval (Attachment No. 2) by approving the draft City Council Resolution (Attachment No. 5) and forward to the City Council for adoption."

A MOTION WAS MADE BY SCANDURA, SECONDED BY DELGLEIZE, TO APPROVE ZONING TEXT AMENDMENT NO. 08-004 WITH MODIFICATIONS WITH THE ERRATA TO THE JUNE 2009 DRAFT DTSP UPDATE (ATTACHMENT NO. 1) AND FINDINGS FOR APPROVAL (ATTACHMENT NO. 2) BY APPROVING THE DRAFT CITY COUNCIL RESOLUTION (ATTACHMENT NO. 5) AND INCLUDE CHANGES FROM THE STRAW VOTES AND FORWARD TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

FINDINGS FOR APPROVAL – ZONING TEXT AMENDMENT NO. 08-004

1. Zoning Text Amendment No. 08-004 amends the HBZSO by amending Specific Plan No. 5 – Downtown Specific Plan to reconfigure the existing 11 Specific Plan districts into 7 districts, modify development and parking standards, incorporate design guidelines and provide recommendations for street improvements, public amenities, circulation enhancements, infrastructure and public facility improvements and parking strategies. The proposed changes will be consistent with the objectives, policies, general land uses and programs specified in the City's General Plan because the land uses proposed in the DTSP Update will not substantially change from the permitted and specified land uses of the existing DTSP and thus, the General Plan. These changes would not alter the established land use pattern in that visitor-serving commercial and mixed use developments would continue to be permitted and the primarily developed uses in these areas. The proposed changes to the development standards would allow greater maximum building heights and densities, in certain areas, than are currently allowed in the DTSP area. However, compliance with development standards that call for upper story setbacks and residential buffers as well as the design guidelines will result in high quality, attractive projects that are compatible with existing surrounding developments that were developed under the current DTSP.

2. In the case of general land use provisions, the DTSP Update is consistent with the uses authorized in, and the standards prescribed for, the zoning district for which they are proposed. The proposed land uses that would be developed with implementation of the DTSP Update would not significantly differ from the existing land uses that are permitted and developed in the DTSP area. The amended DTSP will enhance potential to create an urban village with high quality design and sustainable features in comparison with development that could occur under the current standards of the existing DTSP. The DTSP Update is also sensitive to existing residential uses and proposes development standards and subdistricts, which would afford these areas additional protection from potential impacts from future development. The DTSP Update would be consistent with the adopted Council goals, objectives and policies of the DTSP area and implement the vision for the downtown.

3. A community need is demonstrated for the change proposed. The proposed changes to the development standards such as increases in maximum allowable building heights and residential densities in certain areas, elimination of floor area ratio (FAR) requirements and reduced parking ratios are justified by compensating benefits of the Specific Plan. The changes proposed in the DTSP Update will facilitate development and redevelopment of properties so that the next phase of community investment and improvement will occur in the DTSP area. The DTSP Update will provide a healthy mix of land uses that will create an environment that promotes tourism to increase revenues to support community services. The development standards and design guidelines will ensure high quality projects with enough open space, air, light, ventilation, pedestrian connections, interesting architecture, parking, well designed circulation, and landscaping for an enjoyable environment for both residents and tourists.

4. The amended DTSP is consistent with good zoning practice and was prepared utilizing a comprehensive approach, which included involving the public in numerous public workshops and meetings and reviewing the proposed DTSP Update in terms of potential benefits to both residents and visitors in the larger context of directing future development. Smart growth and sustainable design principles were considered in the preparation of the DTSP Update. All projects would be required to provide sustainable building practices. The DTSP Update would be in conformity with general welfare in that adequate utilities and public facilities and services would be ensured through identified mitigation measures and code requirements for future projects. Although Fire services would need to be improved at some point during the 20-year planning period, future development projects would be required to be reviewed by the Fire Department to ensure adequate service can be provided.

D. "Approve CEQA Findings of Fact with a Statement of Overriding Considerations – EIR No. 08-001 (Attachment No. 15)."

A MOTION WAS MADE BY SCANDURA, SECONDED BY DELGLEIZE, TO APPROVE MODIFIED CEQA STATEMENT OF FINDINGS AND FACT WITH A STATEMENT OF OVERRIDING CONSIDERSATIONS, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

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 - reported on the items from the previous City Council Meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING
Scott Hess, Director of Planning – reported on the items for the next City Council Meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING - NONE

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

ADJOURNMENT: Adjourned at 11:30 PM to the next regularly scheduled meeting of Tuesday, October 13, 2009.

APPROVED BY:

Scott Hess, Secretary

Blair Farley, Chairperson