

**MANHATTAN BEACH
PLANNING COMMISSION
MINUTES OF REGULAR MEETING
SEPTEMBER 27, 2023**

A. CALL MEETING TO ORDER

A Regular meeting of the Planning Commission of the City of Manhattan Beach, California was held in a hybrid format (Zoom and in person at City Hall, 1400 Highland Avenue) on the 27th day of September, 2023. Vice Chair Sistos announced protocols and called the meeting to order at the hour of 3:04 p.m.

B. PLEDGE TO FLAG

C. ROLL CALL

Present: Commissioners Dillavou (remote), Hackett, Ungoco, Vice Chair Sistos, Chair Tokashiki (remote)
Absent: None
Others Present: Talyn Mirzakhian, Director of Community Development
Adam Finestone AICP, Planning Manager
Elizabeth Yee, Associate Planner
Tari Kuvhenguhwa, Associate Planner
Fel Cortez, Agenda Host
Carianne Chavez, Agenda Host
Rosemary Lackow, Recording Secretary

Director Mirzakhian announced that Commissioner Dillavou and Chair Tokashiki are participating remotely and the agenda was prepared and posted in accordance with Brown Act requirements for remote Commissioner attendance. Agenda host Cortez noted that Vice Chair Sistos will be chairing the meeting.

D. APPROVAL OF AGENDA

A motion was made and seconded (Ungoco/Hackett) to approve the agenda with no changes.

Roll Call:

Ayes: Dillavou, Hackett, Ungoco, Vice Chair Sistos, Chair Tokashiki

Noes: None

Absent: None

Abstain: None

Agenda host Cortez announced the motion passed 5-0.

E. AUDIENCE PARTICIPATION – None

F. APPROVAL OF THE MINUTES

9/27/23-1 Regular Meeting – August 23, 2023

Vice Chair Sistos called for any revisions to the minutes.

At 3:09 p.m. Vice Chair Sistos called for a recess to allow technical support to resolve audio problems.

At 3:21 p.m. Vice Chair Sistos reconvened the meeting.

It was moved and seconded (Hackett/Dillavou) to approve the minutes, subject to revision of the first paragraph, third and fourth sentences, at the top of page 4 as follows (requested by Vice Chair Sistos for clarity):

Director Mirzakhian clarified that the 8-inch tree is recommended to be removed because it is within the building footprint. It was not mentioned in the staff report because it is not, by virtue of its diameter (less than 12-inches) a protected tree per the Municipal Code. Director Mirzakhian indicated that in the arborist's report the health of the 26-inch deciduous tree is

noted as “fair” and that current health issues with the tree are not likely to be fatal. The 26-inch deciduous tree at the front of the existing scout house is recommended to be removed in that, given the extensive and unavoidable trenching that will be done in the course of construction, ~~coupled with various conditions affecting the tree’s health,~~ the tree is not expected to be able to survive.

Roll Call:

Ayes: Chair Tokashiki, Vice Chair Sistos, Commissioners Dillavou, Hackett, Ungoco
Noes: None
Absent: None
Abstain: None

Agenda host Cortez announced the motion passed 5-0.

G. PUBLIC HEARING

9/27/23-2 Consideration of proposed zoning text amendments to Title 10 (Planning and Zoning), Part V (Administrative Regulations), and Chapter 10.86 (Historic Preservation) of the Manhattan Beach Municipal Code to clarify and supplement the existing Ordinance consistent with the City’s intended historic preservation goals.

Director Mirzakhania gave a brief introduction, noting this was a joint effort of the planning staff led by Contract Associate Planner Elizabeth Yee. The project staff as well as historic consultant and new Planning Manager Adam Finestone are available as resources to the Commission.

Associate Planner Yee gave a detailed PowerPoint presentation summarizing the staff report and concluding with the staff recommendation: that the Planning Commission conduct the public hearing and adopt Resolution No. PC-06, recommending that the City Council adopt amendments to Title 10 (Planning and Zoning), Part V (Administrative Regulations), Chapter 10.86 (Historic Preservation) of the Manhattan Beach Municipal Code to update the City’s Historic Preservation Ordinance, and make a determination of exemption pursuant to CEQA. **Associate Planner Yee** summarized the intent of the City Council and sections of the ordinance that are proposed to be changed.

Vice Chair Sistos opened the floor to the Commission to ask questions of staff.

Commissioner Ungoco made a statement disclosing that prior to his appointment to the Planning Commission he served on the board of the Manhattan Beach Conservancy; he is not currently serving on the Conservancy nor is involved in its day-to-day operations.

Staff provided responses to Commissioner questions on a number of topics including the proposal to change the age criteria from 45 to 75 years, Mills Act contracts, and procedure for finalizing this code amendment.

Vice Chair Sistos invited public comment; seeing none either remote or in-person, Vice Chair Sistos opened the floor for Commission discussion.

COMMISSION DISCUSSION

The Commission discussed the proposed amendments mainly focusing on the issue of whether to extend the age criterium to 75 years.

Director Mirzakhania clarified that the age of 75 was not specifically directed by the Council but it is staff’s belief that in following Council’s direction to make the designation process fully voluntary and less strenuous, an older minimum age criterium such as 75 years would be appropriate.

Vice Chair Sistos polled the commission, and found there was a consensus to recommend retaining the 45 year age criterium.

COMMISSION ACTION

It was moved and seconded (Hackett/Ungoco) that the Commission adopt Resolution No. PC-06, recommending that the City Council: adopt amendments to Title 10 (Planning and Zoning), Part V (Administrative Regulations), Chapter 10.86 (Historic Preservation) of the Manhattan Beach Municipal Code to update the City's Historic Preservation Ordinance, and make a determination of exemption pursuant to CEQA, except that paragraph B in Section 10.86.070 (Designation criteria for Historic Landmarks) provide that the criteria for building age be 45, not 75 years.

ROLL CALL:

AYES: Dillavou, Hackett, Ungoco, Vice Chair Sistos, Chair Tokashiki
NOES: None
ABSTAIN: None
ABSENT: None

Agenda Host Cortez announced that the motion passed 5-0.

H. GENERAL BUSINESS

9/27/23-3 Senate Bill 9 (SB 9) Ordinance Study Session

Director Mirzakhanian made brief comments and introduced **Associate Planner Tari Kuvhenguhwa**, project planner, who proceeded with a presentation summarizing the staff report.

Associate Planner Kuvhenguhwa noted that this is not a public hearing but public input has been solicited. The purpose of the study session is for the Commission to understand the elements of the proposed ordinance, and accept public input. Upon completion of the study session, staff will schedule and provide public notification of a public hearing to consider a formal recommendation from the Commission to the City Council in adopting a permanent SB 9 ordinance.

Vice Chair Sistos invited the Commission to direct questions of staff; staff responded to various questions covering several topics.

Vice Chair Sistos invited public comment. The following persons spoke:

Rita Crabtree-Kampe, 432 4th Street; appreciates this session but feels more opportunity is needed for the public to understand this issue.

Diane Wallace, expressed concern that environmental review per CEQA is not to be required and believes there should be more opportunity for the public to become informed and provide input.

There being no further requests to address the Commission, Vice Chair Sistos closed public comment and invited Commission discussion.

The Commission discussed the next steps for going forward; staff indicated that there would be a minimum of two public hearings on the proposed code amendments, including one before the Planning Commission (for a recommendation to the City Council) in late October or early November, and a second before the City Council in later November, or early December for a final decision and adoption of the permanent ordinance.

Vice Chair Sistos recognized Rita Crabtree-Kampe, who requested that the City consider holding the next public hearing in the evening to allow more working residents to attend.

The next steps were briefly discussed by the Commission came to a consensus to move forward as has been planned to a public hearing before the Planning Commission.

Commissioner Hackett suggested that at a future presentation, staff clarify those aspects of SB 9 law that are mandated, as opposed to ways that local discretion can be applied to protect the City's local character.

Director Mirzakhanian clarified that under State law, the city cannot require environmental review per CEQA for SB 9 development.

Vice Chair Sistos concluded the study session with direction to staff to proceed with scheduling a public hearing on the proposed ordinance related to implementation of SB 9.

I. DIRECTOR'S ITEMS – Update on previous Commission projects

Director Mirzakhanian provided the following updates:

1. The Planning Commission approval of a Use Permit for the Scout House project was presented to the City Council and has not been appealed; therefore, the project will progress to the next phase of engineering and design.
2. Outdoor Dining Task Force: there will be a community workshop on October 2nd at 6:00 p.m. The Planning Commission is urged to spread the word to encourage the community to attend. The Task Force will also have a presence at the Old Hometown Fair on October 7th and 8th.
3. Staff has taken under consideration Commissioner Ungoco's earlier request for a staff presentation on the subject of mixed use and, when ready, will be presented to the Commission.

J. PLANNING COMMISSION ITEMS

1. Commissioner Ungoco reported on the Outdoor Dining Taskforce, noting that the main topic was a parking study of downtown parking supply. He noted that the data indicates that even at peak times (summer/weekends) the supply is not 100% used. Perhaps some marketing can be done to address the public perception that there is no parking available during peak times.
2. Director Mirzakhanian clarified that the Commission, under the proposed Historic Preservation Ordinance would be able to create a program to recognize designated landmarks in the City and this can be initiated at any future Commission meeting.

K. TENTATIVE AGENDA – October 11, 2023

Director Mirzakhanian noted that a use permit in the commercial downtown will be scheduled.

L. ADJOURNMENT

At 4:36 p.m. it was moved and seconded (Ungoco/Hackett) to adjourn the meeting to Wednesday, October 11, at 3:00 pm. The motion passed 5-0.