

DON ANDERSON
Chair

ANDY NGUYEN
Commissioner

QUYNH-GIAO NGUYEN
Commissioner

NGUYET PHAM
Commissioner

TERI VU-NGUYEN
Commissioner



AGENDA **PLANNING COMMISSION**

Regular Meeting

May 4, 2022, at 6:30 p.m.

Public Access In-Person and Via Teleconference/Web Conference
8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683

In an effort to protect public health and prevent the spread of coronavirus (COVID-19), the City of Westminster encourages the public to view this Planning Commission meeting on the television or online. Members of the public wishing to attend the meeting in person should adhere to CDC guidelines that include practicing safe social distancing and wearing a face mask for individuals who are unvaccinated.

If you need special assistance to participate in this meeting, including interpretation, please contact the Planning Division at (714) 548-3247. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda are available for public inspection on the City's website at <https://www.westminster-ca.gov/departments/community-development/planning-division/planning-commission/late-communication-written-comments>

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SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19) AND ATTENDANCE AT PUBLIC MEETINGS

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On September 17, 2021, Governor Newsom signed AB 361 related to the Brown Act and remote meetings during the state of emergency. AB 361 allows local agencies to continue to conduct remote or “Zoom” meetings during a declared State of Emergency. The City Council adopted Resolution No. 5110 on April 13, 2022, determining as a result of the emergency, meeting in person would present imminent risk to the health or safety of attendees. The City Council shall make this determination every 30 days. Pursuant to AB 361, please be advised that some or all of the Westminster Planning Commission Members will participate in meetings via teleconference/web conference.

MEETINGS

Regular Meetings of the Planning Commission are held the first and third Wednesday of each month at the hour of 6:30 p.m. Agenda items that are not in process by 10:30 p.m. may be carried over to the next regular meeting of the Planning Commission.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. The agenda and supporting documentation are available for public review no later than 72 hours prior to the meeting. The agenda can be accessed on the City’s web site at <https://www.westminster-ca.gov/departments/community-development/planning-division/planning-commission/agendas-minutes>.

ATTENDANCE AND PARTICIPATION BY THE PUBLIC

MEMBERS OF THE PUBLIC MAY VIEW THE MEETING LIVE IN ONE OF THE FOLLOWING WAYS:

- In Person
- [City of Westminster Streaming Video Online](#)
- Westminster WTV: Spectrum Channel 3, Frontier FiOS Channel 42, and AT&T U-Verse Channel 99
- Zoom

To view the meeting via Zoom, please visit: <https://us02web.zoom.us/j/87665496501>

Or iPhone one-tap:

US: +16699009128,,87665496501# or +13462487799,,87665496501#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 301 715 8592
or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 876 6549 6501

International numbers available: <https://us02web.zoom.us/j/87665496501>

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MEMBERS OF THE PUBLIC MAY SUBMIT COMMENTS IN WRITING UP TO 24 HOURS PRIOR TO THE MEETING:

- Please submit the e-mails to WMPCcomments@westminster-ca.gov
- Comments received via e-mail will be provided to the Planning Commission and reflected in the minutes. Comments will not be read verbally at the meeting.
- Your comments will become part of the official meeting record. You must provide your full name, but do not provide any other personal information (i.e. phone numbers, addresses, etc.) that you do not want to be published.

TO SPEAK IN PERSON:

- Complete a blue request to speak form that is provided at the entrance of the council chambers and submit the completed form to the Planning Commission Clerk.
- When your name is called, step up to the podium and state your name and City of residence for the record.

TO SPEAK VIA ZOOM:

- **TO REQUEST TO SPEAK IN ADVANCE:**
 - Use the following form to request to speak: [Request to Speak Form](#) (Click the link to access this form).
 - Once you have filled out the above form. Please submit the form to the following email address: WMPCcomments@westminster-ca.gov
 - Make sure you are logged into Zoom prior to the start of Oral Communications or Public Hearings (if applicable).
 - Those who request to speak in advance will be called first and in the order in which the requests were received. Please raise your hand by clicking on the option or pressing *9 on your phone.
 - When your name is called, the Planning Commission Clerk will enable your microphone and you must press the “unmute” button to unmute yourself. If calling from a telephone, press *6 to unmute yourself.
 - Once your microphone is active, please state your name and city of residence for the record.
- **TO SPEAK WITHOUT A REQUEST IN ADVANCE:**
 - Speakers must attend the Planning Commission meeting via Zoom in order to speak to the Commission virtually.
 - The Planning Commission Chair will announce the start of Oral Communications or Public Hearing. The Planning Commission Clerk will ask speakers to press the “Raise your hand” button if you wish to speak. If you are using a telephone and have dialed in, press *9 to raise your hand.
 - When your name is called, the Planning Commission Clerk will enable your microphone and you must press the “unmute” button to unmute yourself. If calling from a telephone, press *6 to unmute yourself.
 - Once your microphone is active, please state your name and city of residence for the record.

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All meetings of the Planning Commission shall be open and public. Agendas for the Planning Commission meetings provide the public an opportunity to directly address the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of the Planning Commission on any agenda items. NO action may be taken on items not listed on the agenda unless authorized by law.

WEBSITE/TELEVISED MEETING SCHEDULE

Regular Planning Commission meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Tuesday at 7:00 p.m. and Thursday at 7:00 p.m. The City's Website provides information about viewing live and archived Planning Commission meetings. If you have internet access, you can follow the meeting live with a video stream on your computer at the following link: [Meeting Broadcast](#)

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AGENDA

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6:30 P.M.

CONVENE PLANNING COMMISSION MEETING AND CALL MEETING TO ORDER

1. ROLL CALL – ANDERSON, A. NGUYEN, Q. NGUYEN, PHAM, VU-NGUYEN
2. SALUTE TO FLAG
3. ELECTION OF VICE CHAIR
4. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS
5. EX PARTE COMMUNICATIONS

THIS SECTION IS INTENDED TO ALLOW ALL OFFICIALS THE OPPORTUNITY TO REVEAL ANY DISCLOSURE REGARDING SITE VISITS OR EX PARTE COMMUNICATION ABOUT THE PUBLIC HEARING AND REGULAR BUSINESS ITEMS.

6. SPECIAL PRESENTATIONS - None
7. ORAL COMMUNICATIONS

MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMISSION ON MATTERS OF PUBLIC INTEREST, WHICH PERTAIN TO THE CITY AND ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE PLANNING COMMISSION. MEMBERS OF THE PUBLIC WISHING TO ADDRESS PUBLIC HEARING ITEMS SHALL DO SO AT THE TIME OF THE PUBLIC HEARING. UNLESS EXTENDED BY A MAJORITY VOTE OF THE PLANNING COMMISSION, COMMENTS SHALL BE LIMITED TO FIVE (5) MINUTES PER SPEAKER.

ANY PERSON WISHING TO ADDRESS THE PLANNING COMMISSION IN PERSON SHOULD COMPLETE A BLUE REQUEST TO SPEAK FORM THAT IS PROVIDED AT THE ENTRANCE TO THE COUNCIL CHAMBERS AND SUBMIT THE FORM TO THE PLANNING COMMISSION CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

ANY PERSON WISHING TO ADDRESS THE PLANNING COMMISSION VIA ZOOM SHOULD PRESS THE "RAISE YOUR HAND" BUTTON. WHEN YOUR NAME IS CALLED, THE PLANNING COMMISSION CLERK WILL ENABLE YOUR MICROPHONE AND YOU MUST PRESS THE "UNMUTE" BUTTON TO UNMUTE YOURSELF. IF YOU ARE USING A TELEPHONE, PRESS *9 TO RAISE YOUR HAND; AND, PRESS *6 TO UNMUTE. ONCE YOUR MICROPHONE IS ACTIVE, PLEASE STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

8. APPROVAL OF MINUTES – [April 20, 2022](#)

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9. PUBLIC HEARINGS - None

10. REGULAR BUSINESS

10.1 2019-239 (Public Convenience or Necessity).

Location: 14190 Beach Boulevard

Assessor's Parcel Number: 097-080-36

Applicant: David Vo, 14190 Beach Boulevard, Westminster, CA 92683

Project Planner: Sandie Kim, Associate Planner

[Staff Report and Attachment](#)

PROJECT DESCRIPTION: A request for a determination of Public Convenience or Necessity (PCN) for Alcohol License Type 48 (On-site sale and consumption of beer, wine, and distilled spirits) was heard on April 20, 2022. A Resolution to deny the determination of Public Convenience and Necessity for an Alcohol License Type 48 is to be reviewed during this meeting.

CEQA COMPLIANCE: A determination of Public Convenience or Necessity (PCN) is not a project; therefore, it is not subject to the California Environmental Quality Act (CEQA).

RECOMMENDATION: Staff recommends that the Planning Commission adopt a resolution entitled, "A Resolution of the Planning Commission of the City of Westminster Determining That the Public Convenience or Necessity (PCN) Issued in June 2021 for an Alcohol License to Serve Beer and Wine (Type 42) is not Valid and Applicable for an Alcohol License to Serve Beer, Wine, and Distilled Spirits (Type 48) on Property Located at 14190 Beach Boulevard (Assessor's Parcel Number 097-080-36)."

11. REPORTS – None

12. MATTERS FROM STAFF

13. MATTERS FROM THE PLANNING COMMISSION – INCLUDING AB1234 REPORTS WHEN REQUIRED

14. ADJOURNMENT – TO A REGULAR MEETING ON WEDNESDAY, MAY 18, 2022, AT 6:30 PM.

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the Planning Commission meeting.

/S/Shelley Stevens, Senior Administrative Assistant