



**PLANNING COMMISSION**  
**Minutes of the Regular Meeting**  
**In-Person Hybrid (Teleconference/Web Conference)**  
**8200 Westminster Boulevard**  
**Westminster, CA 92683**  
**October 19, 2022**  
**6:30 p.m.**

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Pursuant to the State of California Executive Order N-29-20 related to Coronavirus (COVID-19), the Planning Commission of the City of Westminster, California convened on October 19, 2022, at 6:30 p.m. via In-Person Hybrid (teleconference/Web conference), at the City Council Chambers, 8200 Westminster Boulevard, Westminster, California.

**1. PLANNING COMMISSION ROLL CALL:**

**ANDERSON, A. NGUYEN, Q. NGUYEN, PHAM, VU-NGUYEN**

PRESENT: ANDERSON, A. NGUYEN, Q. NGUYEN, PHAM, VU-NGUYEN

ABSENT: NONE

**STAFF PRESENT:**

Steven Ratkay, Planning Manager; Debra Kurita, Interim Community Development Director; Alice Tieu, Associate Planner; Russell Miyahira, Deputy City Attorney; Adolfo Ozaeta, Assistant City Manager; Memnon Torio, Assistant Planner; Shelley Stevens, Senior Administrative Assistant.

**CONSULTANTS PRESENT:**

Amanda Tropiano, Planning Consultant from DeNovo Planning Group.

**2. SALUTE TO FLAG**

Chair Anderson led the salute to the flag.

**3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS**

Planning Manager Ratkay reported that there were four late communications regarding 8.1. One was a map provided by staff and the other three were communications from members of the public.

**4. EX PARTE COMMUNICATIONS**

Chair Anderson reported speaking with both planning staff and the City attorney regarding item 8.1.

## **5. SPECIAL PRESENTATIONS**

### **5.1 Water Conservation Program for Commercial Properties**

The City's Water Superintendent, Scott Miller, provided a PowerPoint presentation to the Commission, providing information about legislative changes at the state level regarding water restrictions and how commercial properties with non-functional or ornamental turf will be affected.

### **5.2 Overview of Specific Plans**

The City's planning consultant from DeNovo Planning, Amanda Tropiano, provided a PowerPoint presentation to the Commission regarding the definition of a specific plan, how they are used, the history of existing specific plans in Westminster, and how specific plans might be used in Westminster in the future.

## **6. ORAL COMMUNICATIONS**

There were no speakers for oral communications.

## **7. APPROVAL OF MINUTES – None**

## **8. PUBLIC HEARINGS**

### **8.1 2022-0430 (Zoning Text and Zoning Map Amendment – Phase A)**

**Location:** Citywide

**Applicant:** City of Westminster

**Project Planners:**

Alice Tieu, City of Westminster Associate Planner

Amanda Tropiano, DeNovo Planning Group Consultant

**PROJECT DESCRIPTION:** A City-initiated zoning text amendment and zoning map amendment, which includes: the establishment of new mixed-use zoning districts and regulations, the establishment of a new housing overlay zoning district, and the rezoning of certain parcels to a mixed-use zoning district, the rezoning of certain parcels to a housing overlay zoning district, and the rezoning of certain parcels to a residential zoning district, to be consistent with the Land Use Element and Housing Element of the Westminster General Plan, and to amend the City Design Guidelines Manual and adopt an addendum to the Westminster General Plan Final Environmental Impact Report.

**CEQA COMPLIANCE:** The City has reviewed and considered the Final Environmental Impact Report (FEIR) for the General Plan certified by the City Council on September 28, 2016 (State Clearinghouse No. 2015121052), including the impacts and mitigation measures identified therein. In compliance with CEQA Guidelines Section 15164, an Addendum to the General Plan FEIR has been prepared which

concludes that the proposed updates to the Zoning Code do not result in any new or greater environmental impacts than were previously analyzed, disclosed, and mitigated. None of the conditions in CEQA Guidelines Section 15162 that require the preparation of a subsequent EIR are present; therefore, no additional environmental review is required. An Addendum to the Westminster General Plan FEIR is provided as Attachment No. 08. A link to the City's Adopted General Plan EIR at the City's website is provided as Attachment No. 09.

**RECOMMENDATION:** Staff recommends that the Planning Commission adopt a resolution entitled, "A Resolution of the Planning Commission of the City of Westminster recommending that the Mayor and City Council approve Case No. 2022-0430 to adopt a zoning text amendment establishing two new mixed-use zoning districts and a housing overlay zoning district, and adopt a zoning map amendment to rezone parcels to a mixed-use zoning district and rezone parcels of land designated as residential use to be consistent with the General Plan in order to implement the General Plan Land Use Element and Housing Element, and to amend the City's Design Guidelines Manual, and adopt an addendum to the Westminster General Plan Final Environmental Impact Report."

Commissioner A. Nguyen and Commissioner Vu-Nguyen recused themselves from the meeting due to being in close proximity of some of the properties identified within the zoning map amendment.

Planning Consultant Amanda Tropiano provided a PowerPoint presentation to the Commission.

**CHAIR ANDERSON OPENED THE PUBLIC HEARING.**

David See, a resident of Long Beach representing the property owner at 14201 to 14205 Willow Lane, stated the Willow Lane parcel is 1.6 acres in size and currently operates as a preschool, but the current owner felt there was potential for future residential development opportunities. He offered that his intention was to try to get the property identified as a higher density residential housing zone. He stated that after talking with staff, he realized that the General Plan identified this parcel as R1 or residential low density and the City should future General Plan Amendments for parcels like his during Phase B of the Zoning Update and any other opportunities for General Plan Amendments.

Mike Burrous, a resident of Long Beach representing St. Kerollos Church located at 8642 Westminster Boulevard. He stated the Westminster Boulevard property is currently zoned Public/Semi-Public (PSP) and will be changing to R3 residential zoning. He offered that a preliminary plan review for a future youth services project was submitted to the City in June 2022 and it is still under review. He stated his concern is that the R3 development standards were more stringent than the PSP development standards and would likely affect the project he has submitted.

Charles Ponti, a Westminster resident, stated that with the new change of zoning, he would be unable to buy an adjacent parcel within the MU-36 zoning designation and expand his existing vehicular use business and he didn't think that was right. He offered several comments about abandonment and discontinuation of use in the new zoning due to the fact that he leases his parcels to various vehicular use businesses and the parcels may be vacant for a period of time while he obtains a new lessee. He concluded with a comment about the zoning designations on Westminster Boulevard, stating that the zone from Beach Boulevard to Hoover Street is zoned MU-40; but, from Hoover Street to Goldenwest Street is zoned MU-36 where vehicular uses are not allowed. He opined that Westminster Boulevard should be zoned the same and that vehicular uses should be allowed throughout the entire stretch of Westminster Boulevard.

Mike Rolfes, representing the ownership at 14400 Beach Boulevard, stated he had no concern with the zoning changes except the removal of the self-storage C1 zoning designation, that was previously approved under a conditional use permit. He added that the property sits on a flood plain, so it has been determined that a self-storage facility on that parcel was the highest and best use of the parcel. He further stated that the self-storage use is symbiotic in nature with housing and should not be eliminated from the mixed-use plan. He concluded that making the property a legal non-conforming use in the new zoning designation will cause issues with financing, redevelopment, insurance, and asked that the Planning Commission consider adding self-storage facilities as an allowed service within the new zoning designation.

Barry Adnams, representing the ownership at 14400 Beach Boulevard, stated he wished to echo what Mr. Rolfes had already said and offered that both he and Mr. Rolfes were excited about the changes and the vision of the City and future development. His concern is that in rezoning the area to MU-40, there is an elimination of previously allowed uses. He added that self-storage is a low-impact, essential business, that is architecturally sensitive and compatible with nearby uses. He would like clarification of what would happen to the business as a non-conforming use in the event of a natural disaster or other damage. He concluded that he would like to the City to reconsider the elimination of self-storage and allow it to be maintained as a conditionally allowed use in the MU-40 zoning designation.

CHAIR ANDERSON CLOSED THE PUBLIC HEARING.

Chair Anderson asked staff to share the City's policy on repair of a non-conforming structures in the case of damage caused by a natural disaster or fire as an example.

Planning Manager Ratkay, stated that the City's current nonconforming Code section of the Westminster Municipal Code provided in Title 17, offers a provision to rebuild a damaged structure to the same exact configuration as prior to the damage taking place. He further explained that there were no changes to the non-conforming provisions being presented in Part A of the Zoning Code Update; and, offered that there would be an opportunity to look at the City's current legal non-conforming section

of the Zoning Code during the upcoming Part B of the Zoning Update.

Chair Anderson believed that the current Code also allowed for maintenance of the non-conforming use if the roof needed repair as an example or if electrical or plumbing needed to be replaced due to age. Planning Manager Ratkay stated that the building may be maintained as long as the improvements caused no expansion of the building.

Chair Anderson sympathized with the business owners' concerns about changes to the zoning, but, explained that the change will assist the City in seeing some quality developments and growth. He provided several samples of updated developments in the City as a sample of recent developments that help improve the City's image. He offered that when he began working for the City in 1971, a used car lot was located on the west side of Beach Boulevard, south of Westminster Boulevard; and, he stated that the car lot looks the same today as it did in 1971. There had been no improvements to the property other than paint. He opined that the City needed to take some proactive steps to facilitate changes and encourage development, or the City will never improve.

**Motion: It was moved by Chair Anderson**, and seconded by Vice Chair Pham, to recommend that the Mayor and City Council approve Case No. 2022-0430 to adopt a zoning text amendment establishing two new mixed-use zoning districts and a housing overlay zoning district, and adopt a zoning map amendment to rezone parcels to a mixed-use zoning district and rezone parcels of land designated as residential use to be consistent with the General Plan in order to implement the General Plan Land Use Element and Housing Element, and to amend the City's Design Guidelines Manual, and adopt an addendum to the Westminster General Plan Final Environmental Impact Report. The motion carried (3-0-0-2) with the following vote:

AYES:           ANDERSON, Q. NGUYEN, PHAM  
NOES:           NONE  
ABSENT:        NONE  
ABSTAIN:       NONE  
RECUSED:      A. NGUYEN, VU-NGUYEN

**9. REGULAR BUSINESS - None**

**10. REPORTS – None**

**11. MATTERS FROM STAFF**

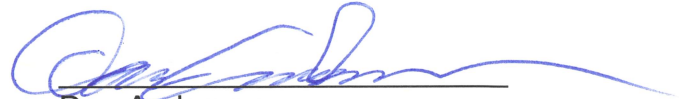
Planning Manager Ratkay expressed gratitude to Deputy City Attorney, Russell Miyahira; the City's water superintendent, Scott Miller; the City's planning consultant, Amanda Tropiano; the City staff members, and the planning commissioners for their independent roles in a successful meeting. He also provided an update regarding future meeting dates and possible cancellations.

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

There were no comments.

**13. ADJOURNMENT**

The meeting was adjourned at 8:11 p.m. to a regular meeting on Wednesday, November 2, 2022 at 6:30 p.m.

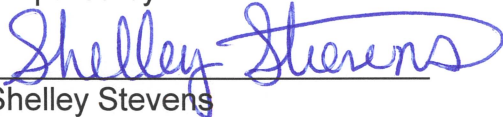


Don Anderson  
Planning Commission Chair



Steven Ratkay  
Planning Commission Secretary

Prepared by:



Shelley Stevens  
Senior Administrative Assistant