

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Council Chambers - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, JULY 16, 2025 - 1:30 P.M.

ZONING ADMINISTRATOR: Joanna Cortez

STAFF MEMBER: Marco Cuevas Jr., Jason Kelley, Michelle Romero

PUBLIC COMMENTS: **NONE**

ITEM 1: TENTATIVE PARCEL MAP NO. 25-114 (SAUCEDO SUBDIVISION):

APPLICANT: Daniel Rubio, 18090 Beach Boulevard, Huntington Beach, CA 92648
PROPERTY OWNER: Melany and Eduardo Saucedo, 342 Portland Circle # 344, Huntington Beach, CA 92648
REQUEST: To subdivide an existing 6,236 sq. ft. lot into two 3,118 sq. ft. lots.
ENVIRONMENTAL STATUS: This request is covered by California Environmental Quality Act Class 15, Section 15315.
LOCATION: 344 Portland Circle, 92648 (South side of Portland Circle between Huntington Street and Delaware Street)
CITY CONTACT: Jason Kelley

Jason Kelley, Senior Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Staff received no public comments on the proposed project.

Joanna Cortez, Zoning Administrator, had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Eduardo Saucedo, property owner, had no comments or concerns with staff's recommendations.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Cortez confirmed with staff that the application was subject to standard code requirements.

Ms. Cortez stated that she would approve the request as recommended by staff.

TENTATIVE PARCEL MAP NO. 25-114 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15315 of the CEQA Guidelines, because the project consists of the division of property in an urbanized area zoned for residential use into four or fewer parcels, in conformance with the General Plan and zoning, with no variances or exceptions required; and with all services and access to the proposed parcels available.

FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 25-144 (TPM-25-002):

1. Tentative Parcel Map No. 25-144 (TPM-25-002) for the subdivision of one 6,236 sq. ft. lot (71.89' wide by 88.36' deep) into two approximately 3,118 sq. ft. lots is consistent with the General Plan Land Use Element designation of Residential Medium-High Density on the subject property. The proposed subdivision complies with all applicable provisions of the Subdivision Map Act and the HBZSO and is consistent with previous subdivisions in the surrounding neighborhood. The project includes demolition of the existing residential structures and will provide for the future development of two new single-family dwellings, in accordance with applicable land use, density and development standards.
2. The site is physically suitable for the type and density of development allowed by the corresponding zoning designation. Although no development is proposed at this time, the site is currently developed with a duplex to be demolished. The proposed two-lot subdivision will comply with all applicable code provision of the HBZSO including the minimum parcel size of 2,500 sq. ft. and minimum lot width of 25 feet, as required in the RMH-A (Residential Medium High Density – Small Lot) zoning district. The proposed lots are level, rectangular and present no significant constraints to development. The site is accessible from an existing public street and all necessary public utilities and services are available.
3. The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subdivision is proposed for a property previously developed for residential use. The site does not serve as a habitat for fish or wildlife.
4. The design of the subdivision or future improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, since no access easements exist within the proposed subdivision. Vehicular access to the site would be along Portland Circle abutting the front property line. Reciprocal easements for utility services currently exist within the front six feet of each lot.

CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 25-144 (TPM-25-002):

1. The Tentative Parcel Map No. 25-144 (TPM-25-002) for the subdivision of one 6,236 sq. ft. lot (71.89' wide by 88.36' deep) into two approximately 3,118 sq. ft. lots, received and dated June 27, 2025, shall be the approved layout.
2. Prior to final map recordation building permits for demolition of the existing structures shall be obtained and finalized.
3. Prior to issuance of a grading permit and/or building permits for new construction, the final parcel map shall be recorded with the County of Orange.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

ITEM 2: COASTAL DEVELOPMENT PERMIT NO. 25-010 (ZELLMER RESIDENCE):

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| APPLICANT: | Craig Woolbert, 5622 Littler Drive, Huntington Beach, CA 92649 |
| PROPERTY OWNER: | Weston and Laura Zellmer, 16701 Peale Lane, Huntington Beach, CA 92649 |
| REQUEST: | To construct a second-story addition measuring approximately 1,335 sq. ft. at an overall height of 22 ft. 7 ¾ in. |
| ENVIRONMENTAL STATUS: | Categorically Exempt pursuant to Section 15301, Class 1, additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structure before the addition. |
| LOCATION: | 16701 Peale Lane, 92649 (South side of Peale Lane near the intersection of Gilbert Drive) |
| CITY CONTACT: | Marco Cuevas Jr. |

Marco Cuevas Jr., Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Staff received no public comments on the proposed project.

Joanna Cortez, Zoning Administrator, had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Weston Zellmer, property owner, had no comments or concerns with staff's recommendations.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Cortez stated that she would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 25-010 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) BUSINESS DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because the project would develop an addition less than 50 percent of existing floor area of an existing single-family residence within an existing urbanized residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 25-010:

1. Coastal Development Permit No. 25-010 to construct a new second-story addition measuring approximately 1,335 sq. ft. at an overall height of 22 ft. 7 ¾ in. conforms with the General Plan, including the Local Coastal Program because the project is consistent with the Coastal Element Land use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed development will occur entirely on a developed site, contiguous to properties developed with existing single-family residential uses.
2. Coastal Development Permit No. 25-010 to construct a new second-story addition measuring approximately 1,335 sq. ft. at an overall height of 22 ft. 7 ¾ in. is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code because the project will comply with all applicable development regulations, including maximum building height, minimum yard setbacks, lot coverage, and privacy design standards.
3. At the time of occupancy, the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program because Coastal Development Permit No. 25-010 to construct a new second-story addition measuring approximately 1,335 sq. ft. at an overall height of 22 ft. 7 ¾ in. is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 25-010 to construct a new second-story addition measuring approximately 1,335 sq. ft. at an overall height of 22 ft. 7 ¾ in. conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 25-010:

1. The site plan, floor plans, and elevations received and dated May 2, 2025, shall be the conceptually approved layout.
2. Prior to submittal of building permits, the following shall be completed: Zoning entitlement conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. During demolition, grading, site development, and/or construction, the following shall be completed:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.

- c. Truck idling shall be prohibited for periods longer than 10 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
4. Prior to issuance of final building permits, the following shall be completed:
 - a. All improvements must be completed in accordance with approved plans.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
 5. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
 6. Coastal Development Permit No. 25-010 shall become null and void unless exercised within two years of the date of final approval or within one year of the date of final Coastal Development Permit approval by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
 7. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City,

including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

ITEM 3: CONDITIONAL USE PERMIT NO. 25-017 (EV CHARGING GARAGE):

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| APPLICANT: | Michael Isaev, Partner Construction, Inc., 20701 Beach Boulevard, Space 273, Huntington Beach, CA 92648 |
| PROPERTY OWNER: | Huntington Beach Wetlands Conservancy, P.O. Box 5903, Huntington Beach, CA 92615 |
| REQUEST: | To allow the construction of an approximately 375 sq. ft. electric vehicle charging station garage. |
| ENVIRONMENTAL STATUS: | This request is covered by Categorical Exemption Section 15301, Class 1 of the California Environmental Quality Act. |
| LOCATION: | 21900 Pacific Coast Highway, 92646 (North side of Pacific Coast Highway East of Newland Street) |
| CITY CONTACT: | Marco Cuevas Jr. |

Marco Cuevas Jr., Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Staff received one public comment inquiring about the proposed project.

Joanna Cortez, Zoning Administrator, had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

John Villa, representative of the applicant, had no comments or concerns with staff's recommendations.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Cortez stated that she would approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 25-017 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of construction of accessory (appurtenant) structures including garages, and carports, patios, swimming pools, and fences.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 25-017:

1. Conditional Use Permit No. 25-017 to construct an approximately 375 sq. ft. electric vehicle charging station garage, will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood because the project involves construction of an electric vehicle charging garage and the proposed use will not generate traffic, demand for parking, or other impacts detrimental to surrounding properties and inconsistent with the subject property's industrial zoning. The primary use of the electric vehicle charging station garage will be for charging electric vehicles related to the Wetlands Conservancy organization, and it is not intended to be used or designed as a public charging station. The proposed electric vehicle charging garage will be located within the east portion of the property's parking lot and will not have impacts pertaining to noise and/or odors to further reduce potential impacts to surrounding properties and uses.
2. The granting of the Conditional Use Permit 25-017 to construct an approximately 375 sq. ft. electric vehicle charging station garage will not adversely affect the General Plan because it is consistent with the Land Use Element designation of P (Public) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1 (A): Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

Policy LU-1(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

The proposed project will develop an electric vehicle charging garage on a site that is currently used as a parking lot for the Wetlands Conservancy that is consistent with permitted uses in the Public (P) land use designation and is consistent with the other existing buildings on site. The proposed garage will be oriented facing Pacific Coast Highway, behind a 6-foot-tall block wall and adjacent to existing accessory structures on the property. The height of the garage will be 14 ft. 1 in. and will also be consistent with other structures on site and in the surrounding vicinity.

3. The proposed conditional use permit to construct an approximately 375 sq. ft. electric vehicle charging station garage will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and any specific condition required for the proposed use in the district in which it would be located because the proposed use is permitted in the IG-CZ -O (Industrial General – Coastal Zone – Oil) zone, subject to zoning administrator approval, pursuant to Section 212.04 of the HBZSO – IG, IL, and RT Districts: Land Use Controls. The proposed electric vehicle charging garage will be located within an existing industrial parking lot, which conforms to applicable site development standards in terms of minimum yard setbacks.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 25-017:

1. The site plan, floor plans, and elevations received and dated April 24, 2025, shall be the conceptually approved design.
2. Prior to submittal for building permits, zoning entitlement conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. The structure shall not be occupied, and the final building permit(s) shall not be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
4. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
5. Conditional Use Permit No. 25-017 shall not become effective until the ten calendar day appeal period has elapsed.
6. Conditional Use Permit No. 25-017 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum of 30 days prior to the expiration date.
7. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approval minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any

approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

ITEM 4: CONDITIONAL USE PERMIT NO. 25-007 (HUNTINGTON BEACH SPORTS COMPLEX):

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| APPLICANT: | Matt Olmstead, HBSC Partners, 18100 Goldenwest Street, Huntington Beach, CA 92648 |
| PROPERTY OWNER: | City of Huntington Beach, PO Box 190, Huntington Beach, CA 92648 |
| REQUEST: | To allow the sales, service, and consumption of beer and wine (ABC Type 41 License) within a proposed approximately 5,200 sq. ft. outdoor dining area for an eating and drinking establishment with full table service at the Huntington Beach Sports Complex. |
| ENVIRONMENTAL STATUS: | This request is covered by Categorical Exemption, Class 1, Section 15301 of the California Environmental Quality Act. |
| LOCATION: | 18260 Goldenwest Street, 92648 (East side of Goldenwest Street between Talbert Avenue and Ellis Avenue) |
| CITY CONTACT: | Marco Cuevas Jr. |

Marco Cuevas Jr., Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Staff received one public comment through email with comments and concerns regarding the proposed request. Staff modified Condition 25 to add language from the police department.

Joanna Cortez, Zoning Administrator, had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Jerry Marchbank, representative of the applicant, cited that he and his partners are residents of Huntington Beach. He noted that he wants to reduce travel for parents and instead he would like to bring everyone to Huntington Beach. He cited that since taking over the complex in 2021 they're booked 50 weekends a year and host a variety of sports events. He stated that they have hosted local, regional, and national events. He noted that the next evolution for the sports complex is elevating the food and beverage experience. He added that up until a year ago the city had a different concession operator and issued an RFP in which HBSC Partners was selected as the proposal through the evaluation process.

Dave Chennault, resident, expressed concerns regarding alcohol already being consumed by parents openly on the park. He stated he doesn't have a problem with the proposed request for serving beer and wine, if they can provide security. He commented that there are many conditions on the Conditional Use Permit that are currently not in compliance. He cited that the plans do not reflect a fully enclosed dining area. He noted that the suggested findings and conditions state that there should be no advertisement for alcohol on the exterior of the building, which is currently up. He requested that the applicant incorporates the conditional use permit provisions into the plans and resubmits in efforts to comply. He stated that a full-service restaurant should be defined in

the provisions, to make sure that they are complying. He cited that the renderings display a walk-up bar and in a full-service restaurant you can't stand and drink beer, you must be seated.

David Cicerone, Finance Commissioner and resident, stated he was not in representation of the Finance Commission. He noted that in the past two years, the commission has scrubbed down lease agreements and contracts like the proposed request. He expressed concerns with no secure access to enter and exit the complex. He noted that the applicant needs to provide security because he fears that parents will overindulge and it might ignite physical altercations. He expressed concerns about the city's liability and exposure.

Tracy Pellman, Planning Commissioner and resident, noted that the lease agreement does not meet the Measure C requirements. She expressed concern with the protection of children with the proposed request. She cited that in the conditions of approval it should state what constitutes a full-service restaurant. She commented that per the code it states that no alcohol should be served in the same facility as youth activities. She noted that the ABC department authorizes to refuse the issuance, other than renewal or ownership transfer of any retail license located within 600 ft. of schools, private playgrounds, non-profit youth facilities. She spoke regarding the lease agreement, Measure J, and Measure L. She stated that she will appeal the project to the planning commission because there was no funding mechanism, does not comply with what was approved last fall by City Council, and it did not comply with Measure C. She stated that it was a nice project, and she has nothing against it.

Louie Palmerin, Director of Food and Beverage, noted that he has 25 years of experience in the restaurant industry and that there isn't a way to define full-service dining. He stated that everyone has their own concept, and that the restaurant industry is always evolving. He confirmed servers will be taking orders at the tables and bringing food, beverages and taking payment. He commented that patrons will have the option to order and pay through a QR code from their table. He confirmed that he spoke to the Police Department regarding the advertisement of the name of their business, and the other signage would come down. He stated that he provided updated plans before the meeting to staff, from the architect that displayed a railing with aircraft cable all around and encloses most open spaces. He noted that they will have actual security, certified trained staff, to serve responsibly and monitor that there isn't alcohol leaving the exits. He confirmed that they will acquire a state mandate through ABC and have those certifications on site.

Mr. Cuevas, confirmed that he received the updated plans, and they comply with the recommendations from the Design Review Board to have the area fully enclosed. He stated that staff discussed what constitutes full-service as customers seated, orders are taken by servers, meals are brought to tables, and essentially being catered too.

Jerry Marchbank, representative of the applicant, stated that plans for signage for the proposed project were undergoing the permitting process. He also asked that Conditions #3 and 4 be amended to clarify that table and bar will be fully serviced, as stated in their narrative.

Chris Cole, Community Services Manager, spoke regarding Measure C and confirmed that it was approved by the City Attorney's office and City Council approved the concept.

Ms. Cortez stated that the Code Enforcement division and their objective is to enforce the code and if they receive any complaints or concerns, the intent is to work with the community to achieve compliance. She stated that similar designs have been approved for outdoor dining with alcohol, adjacent to families and businesses. She noted this project has been reviewed by multiple

departments within our city, including our police department. She stated that it is very hard to achieve an ABC beer and wine license, and they will be the final determine on whether they get the license.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Cortez stated that she would approve the request along with the following modifications:

- Amended Condition 1 to include the floor and site plan received and dated 07/16/25.
- Add Condition 1C to state that the barrier that is modified to comply with Condition 25, designed in a manner to prohibit the passing of alcohol.
- Condition 1 modified to include the narrative, so if there is an enforcement issue, they can easily see how the business is supposed to operate.
- Add a condition that any proposed signs shall be reviewed and approved, on separate permits by the Community Development Department.

CONDITIONAL USE PERMIT NO. 25-007 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND MODIFIED CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines because the project will allow for beer and wine service within an approximately 5,200 sq. ft. outdoor dining area with full table service in conjunction with an existing eating and drinking establishment; and the project does not involve an expansion to an existing structure.

FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 25-007:

1. Conditional Use Permit No. 25-007 to allow the sales, service, and consumption of beer and wine (ABC License Type 41) within a proposed approximately 5,200 sq. ft. outdoor dining area for an eating and drinking establishment with full table service at the Huntington Beach Sports Complex will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood because the use is located within an existing open space park setting. The use is primarily an eating and drinking establishment and the request for alcohol service is ancillary to the primary use. The establishment of a restaurant with service of beer and wine sales will benefit and serve the surrounding area by providing a new service and all operations associated with the proposed use will occur within the delineated outdoor dining area. Although the requested use is proposed to take place within a public park setting, the outdoor patio dining area will be provided with a fence barrier, and a condition has been placed that no alcoholic beverages shall be consumed on any property adjacent to the licensed premises and must be consumed within the demarcated eating establishment's patio dining area. The sale, service and consumption of beer and wine within the proposed outdoor dining area is not anticipated to generate additional noise, traffic, or impacts above existing conditions. Furthermore, the eating and drinking establishment is oriented on the east side of Goldenwest Street between

Talbert Avenue and Ellis Avenue, with the outdoor dining patio facing existing baseball fields two and three, with the closest residences located over 450 ft. to the south.

2. The granting of Conditional Use Permit No. 25-007 to allow the sales, service, and consumption of beer and wine (ABC License Type 41) within a proposed approximately 5,200 sq. ft. outdoor dining area for an eating and drinking establishment with full table service at the Huntington Beach Sports Complex will not adversely affect the General Plan because it is consistent with the Land Use Element designation of OS-P (Open Space – Park) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

Policy LU-11 (A): Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

Goal LU-13: The city provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.

Policy LU-13 (A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

Goal LU-14: Huntington Beach continues to attract visitors and provides a variety of attractions and accommodations during their stay.

Policy LU-14 (B): Encourage both coastal and inland visitor serving uses to offer a wide spectrum of opportunities for residents and visitors.

The request will expand the range of goods and services provided in the area by permitting the ancillary sale of beer and wine in conjunction with an eating and drinking establishment in a safe manner for residents and customers from the surrounding area. The establishment provides expanded goods and services to meet the needs of the area and will add to the capture of sales tax revenue. The proposed use is located within an existing eating and drinking establishment within an existing park area situated within the Huntington Beach Sports Complex area on the east side of Goldenwest Street between Talbert Avenue and Ellis Avenue with adequate accessibility.

3. The granting of Conditional Use Permit No. 25-007 to allow the sales, service, and consumption of beer and wine (ABC License Type 41) within a proposed approximately 5,200 sq. ft. outdoor dining area for an eating and drinking establishment with full table service at the Huntington Beach Sports Complex will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because beer and wine sales within eating and drinking establishments with full table service are permitted subject to a Conditional Use Permit within the Open Space – Parks and Recreation Subdistrict. The proposed outdoor patio dining area will be located within the premises of an existing eating and drinking establishment building, which conforms to applicable site development standards, including parking.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 25-007:

1. The site plan, floor plan and elevations received and dated July 16, 2025, and the narrative received and dated July 8, 2025, shall be the conceptually approved design with the following modifications:
 - a. Site plan shall be updated to provide a barrier allowing for independent access to restrooms without entering the outdoor dining area. **(DRB)**
 - b. Designate a customer walk up window to provide fast service for non-alcohol related items for take-out only. **(DRB)**
 - c. The outdoor barrier shall be designed to conform with Condition of Approval No. 25 requiring that the barrier be designed in a manner that will prohibit the passing of alcohol beverages through the barrier.
2. All proposed signage shall be reviewed and approved by the Community Development Department under a separate permit prior to installation.
3. Applicant shall provide full table service for outdoor dining patio area during operational hours. (HBZSO Sec 213.06)
4. All alcoholic beverages shall be ordered from the dining/bar top table only and delivered to guests by service staff.
5. All dine-in guests shall order food and beverage items from their table and shall be delivered by service staff.
6. The business shall obtain an Alcohol Beverage Control (ABC) license authorizing alcohol use in the business and outdoor patio. All ABC requirements shall be met prior to sales, service, or consumption of alcoholic beverages. **(PD)**
7. All areas of the alcohol business that are accessible to patrons shall be illuminated such that the appearance and conduct of all people in the alcohol business are visible from inside the alcohol business. **(PD)**
8. Food service from the regular menu must be available to patrons up to one hour before the scheduled closing time, including a cook and food servers shall be on duty. **(PD)**
9. An employee of the alcohol business must monitor all areas where alcohol is served. **(PD)**
10. Alcoholic drinks shall not be included in the price of admission. **(PD)**
11. All alcohol shall remain within alcohol business premises, including outdoor dining area. **(PD)**
12. Service of alcoholic beverages for consumption off-site shall not be permitted. **(PD)**
13. There shall be no requirement for patrons to purchase a minimum number of alcoholic drinks. **(PD)**

14. Games or contests requiring or involving consumption of alcoholic beverages shall be prohibited. **(PD)**
15. No reduced price or promotions of alcoholic beverages shall be allowed after 7:00 p.m. **(PD)**
16. Last call for drinks shall be no later than 15 minutes before closing. **(PD)**
17. Mandatory Responsible Beverage Service (RBS) training and certification shall be required for new employees within 60 days of being hired and for existing employees every 12 months. Training shall be provided by ABC or an ABC approved RBS trainer and records of the training must be maintained on-site for review. **(PD)**
18. All owners, employees, representatives, and agents must obey all federal, state, and local laws. In addition, all conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by an agency with jurisdiction over the premises are required as part of the CUP to be followed. **(PD)**
19. The establishment shall employ a video surveillance security system with a minimum of one-month video library recorded to a DVR or Cloud based system. The camera's minimum requirements will be: clear, color, digital and able to record in low light. The business shall ensure all public areas surrounding the business, including entrances and exits, are covered by video surveillance. Electronic copies of video must be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made available for viewing on-scene upon request by police personnel conducting investigations. You are required to have someone able to operate the system on duty during all business hours. **(PD)**
20. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Exclusion: Itemized alcoholic beverage items listed on menu boards that are permanently affixed to the interior or exterior of the building are allowed. **(PD)**
21. Signage, posters, and advertising with "Do Not Drink and Drive" shall be posted in the outdoor dining areas. **(PD)**
22. Signs shall be posted in a conspicuous space at the entrance/exit of the outdoor dining area which shall state, "NO ALCOHOLIC BEVERAGES BEYOND THIS POINT." **(PD)**
23. Dancing and/or dance floor and/or live entertainment is prohibited. (Note: a new or amended Conditional Use Permit and an Entertainment Permit issued by the City is required for these additional activities). **(PD)**
24. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee. **(PD)**
25. The patio shall have a physical barrier of a minimum of 36 inches in height surrounding the outdoor dining area and designed in a manner that will prohibit passing of alcohol beverages through the barrier. **(PD)**
26. No dining or consumption of alcoholic beverages shall be permitted in the outdoor patio areas between the hours of 10:00 PM and 7:00 AM. **(PD)**

27. CUP No. 25-007 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
28. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

ITEM 5: CONDITIONAL USE PERMIT NO. 25-014 (HUNTINGTON BEACH SPORTS COMPLEX):

| | |
|-----------------------|--|
| APPLICANT: | Matt Olmstead, HBSC Partners, 18100 Goldenwest Street, Huntington Beach, CA 92648 |
| PROPERTY OWNER: | City of Huntington Beach, PO Box 190, Huntington Beach, CA 92648 |
| REQUEST: | To allow the sales, service, and consumption of beer and wine (ABC Type 41 License) within a proposed approximately 5,200 sq. ft. outdoor dining area for an eating and drinking establishment with full table service at the Huntington Beach Sports Complex. |
| ENVIRONMENTAL STATUS: | This request is covered by Categorical Exemption, Class 1, Section 15301 of the California Environmental Quality Act. |
| LOCATION: | 7300 Talbert Avenue, 92648 (South side of Talbert Avenue between Goldenwest Street and Gothard Street) |
| CITY CONTACT: | Marco Cuevas Jr. |

Marco Cuevas Jr., Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Staff received one public comment through email with comments and concerns regarding the

proposed request. Staff modified Condition 25; to add language that the design barrier will prohibit the passing of alcohol.

Joanna Cortez, Zoning Administrator, had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Jerry Marchbank, representative of the applicant, stated that they had provided staff with updated plans before the meeting.

Dave Chennault, resident, expressed concerns regarding QR ordering and that he doesn't believe that it is allowed in this state to order alcohol without food online. He noted that the patrons who are kids will have to walk through the full-service restaurant with alcohol to get their concessions. He stated that the water fountains for the playgrounds are in this facility. He commented that patrons should not be able to stand and drink beers, they should be seated for a full-service restaurant.

Tracy Pellman, Planning Commissioner and resident, stated that the lease agreement was reviewed by City Attorney Micheal Gates and that he relied on Measure L. She noted that it was voted between 1995-1996 and this project happened after the 2000s, and because of Measure C it is required for anything involving parks to go forth a vote for the people. She noted that since there have been many modifications, the application should be continued and brought back, so that there is transparency with the public.

Louie Palmerin, Director of Food and Beverage, confirmed that QR ordering will be used in a standard form in which anyone that orders alcohol, their ID will be checked. The QR code is meant to expedite service but there will still be an assigned server to a table and when patrons are greeted, their ID will be checked before the alcohol is served. He also confirmed that it is allowed for people to stand and drink a beer.

Chris Cole, Community Services Manager, confirmed that this application went through the traditional tracking process and was reviewed by all necessary departments. He stated that the RFP went out twice because some council members felt like it needed to be revised. He confirmed with a lease agreement such as this, it is routed for approval, it is reviewed first by the City Attorney's office and then City Council for approval.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Cortez stated that she would approve the request along with the following modifications:

- Amended Condition 1 to include the floor and site plan received and dated 07/16/25.
- Add Condition 1C to state that the barrier that is modified to comply with Condition 25, designed in a manner to prohibit the passing of alcohol.
- Condition 1 modified to include the narrative, so if there is an enforcement issue, they can easily see how the business is supposed to operate.
- Add a condition that any proposed signs shall be reviewed and approved, on separate permits by the Community Development Department.

CONDITIONAL USE PERMIT NO. 25-014 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND MODIFIED CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING

ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines because the project will allow for beer and wine service within an approximately 5,200 sq. ft. outdoor dining area with full table service in conjunction with an existing eating and drinking establishment; and the project does not involve an expansion to an existing structure.

FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 25-014:

1. Conditional Use Permit No. 25-014 to allow the sales, service, and consumption of beer and wine (ABC License Type 41) within a proposed approximately 5,200 sq. ft. outdoor dining area for an eating and drinking establishment with full table service at the Huntington Beach Sports Complex will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood because the use is located within an existing open space park setting. The use is primarily an eating and drinking establishment and the request for alcohol service is ancillary to the primary use. The establishment of a restaurant with service of beer and wine sales will benefit and serve the surrounding area by providing a new service and all operations associated with the proposed use will occur within the delineated outdoor dining area. Although the requested use is proposed to take place within a public park setting, the outdoor patio dining area will be provided with a fence barrier, and a condition has been placed that no alcoholic beverages shall be consumed on any property adjacent to the licensed premises and must be consumed within the demarcated eating establishment's patio dining area. The sale, service and consumption of beer and wine within the proposed outdoor dining area is not anticipated to generate additional noise, traffic, or impacts above existing conditions. Furthermore, the eating and drinking establishment is oriented south of Talbert Avenue, facing the existing surface parking lot, with the closest residences located over 2,000 feet to the northwest and southwest.
2. The granting of Conditional Use Permit No. 25-014 to allow the sales, service, and consumption of beer and wine (ABC License Type 41) within a proposed approximately 5,200 sq. ft. outdoor dining area for an eating and drinking establishment with full table service at the Huntington Beach Sports Complex will not adversely affect the General Plan because it is consistent with the Land Use Element designation of OS-P (Open Space – Park) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

Policy LU-11 (A): Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

Goal LU-13: The city provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.

Policy LU-13 (A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

Goal LU-14: Huntington Beach continues to attract visitors and provides a variety of attractions and accommodations during their stay.

Policy LU-14 (B): Encourage both coastal and inland visitor serving uses to offer a wide spectrum of opportunities for residents and visitors.

The request will expand the range of goods and services provided in the area by permitting the ancillary sale of beer and wine in conjunction with an eating and drinking establishment in a safe manner for residents and customers from the surrounding area. The establishment provides expanded goods and services to meet the needs of the area and will add to the capture of sales tax revenue. The proposed use is located within an existing eating and drinking establishment within an existing park area situated within the Huntington Beach Sports Complex area on the south side of Talbert Avenue between Goldenwest and Gothard Street with adequate accessibility.

3. The granting of Conditional Use Permit No. 25-014 to allow the sales, service, and consumption of beer and wine (ABC License Type 41) within a proposed approximately 5,200 sq. ft. outdoor dining area for an eating and drinking establishment with full table service at the Huntington Beach Sports Complex will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because beer and wine sales within eating and drinking establishments with full table service are permitted subject to a Conditional Use Permit within the Open Space – Parks and Recreation Subdistrict. The proposed outdoor patio dining area will be located within the premises of an existing eating and drinking establishment building, which conforms to applicable site development standards, including parking.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 25-014:

1. The site plan, floor plan, and elevations received and dated July 16, 2025, and the narrative received and dated July 8, 2025, shall be the conceptually approved design with the following modifications:
 - a. Site plan shall be updated to provide a barrier allowing for independent access to restrooms without entering the outdoor dining area. **(DRB)**
 - b. Designate a customer walk up window to provide fast service for non-alcohol related items for take-out only. **(DRB)**
 - c. The outdoor barrier shall be designed to conform with Condition of Approval No. 25 requiring that the barrier be designed in a manner that will prohibit the passing of alcohol beverages through the barrier.
2. All proposed signage shall be reviewed and approved by the Community Development Department under a separate permit prior to installation.
3. Applicant shall provide full table service for outdoor dining patio area during operational hours. **(HBZSO Sec 213.06)**

4. All alcoholic beverages shall be ordered from the dining table/bar top table only and delivered to guests by service staff.
5. All dine-in guests shall order food and beverage items from their table and shall be delivered by service staff.
6. The business shall obtain an Alcohol Beverage Control (ABC) license authorizing alcohol use in the business and outdoor patio. All ABC requirements shall be met prior to sales, service, or consumption of alcoholic beverages. **(PD)**
7. All areas of the alcohol business that are accessible to patrons shall be illuminated such that the appearance and conduct of all people in the alcohol business are visible from inside the alcohol business. **(PD)**
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18. All owners, employees, representatives, and agents must obey all federal, state, and local laws. In addition, all conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by an agency with jurisdiction over the premises are required as part of the CUP to be followed. **(PD)**
19. The establishment shall employ a video surveillance security system with a minimum of one-month video library recorded to a DVR or Cloud based system. The camera's minimum requirements will be: clear, color, digital and able to record in low light. The business shall ensure all public areas surrounding the business, including entrances and exits, are covered by video surveillance. Electronic copies of video must be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made


available for viewing on-scene upon request by police personnel conducting investigations. You are required to have someone able to operate the system on duty during all business hours. **(PD)**

20. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Exclusion: Itemized alcoholic beverage items listed on menu boards that are permanently affixed to the interior or exterior of the building are allowed. **(PD)**
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25. The patio shall have a physical barrier of a minimum of 36 inches in height surrounding the outdoor dining area and designed in a manner that will prohibit passing of alcohol beverages through the barrier. **(PD)**
26. No dining or consumption of alcoholic beverages shall be permitted in the outdoor patio areas between the hours of 10:00 PM and 7:00 AM. **(PD)**
27. CUP No. 25-014 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
28. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

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its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.



Joanna Cortez
Zoning Administrator

JC:mr