

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

WEDNESDAY, AUGUST 20, 2025 - 1:30 P.M.

ZONING ADMINISTRATOR: Joanna Cortez

STAFF MEMBER: Jason Kelley, Marco Cuevas Jr., Kim de Coite

PUBLIC COMMENTS: Tracey Pellman, Planning Commissioner, stated that she would like clarification on when a request contains an alcohol license, what triggers it to go to either Zoning Administrator, Planning Commission, or City Council.

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 25-004/CONDITIONAL USE PERMIT NO. 25-008 (HOANG RESIDENCE WALL):

APPLICANT: Jim Brophy, 932 Palo Verde Avenue, Long Beach, CA 90815
PROPERTY OWNER: Huy Hoang, 16542 Mariana Circle, Huntington Beach, CA 92649
REQUEST: To permit the construction of a block/retaining wall with glass top at a setback of 10 ft. within the sloped rear yard of a through lot. The block wall is proposed at an overall height of 13 ft. 4 in. (measured from top of curb along Somerset Lane) in lieu of the maximum allowed height of 42 in. within the rear setback of a through lot.
ENVIRONMENTAL STATUS: The proposed project is covered by Section 15303, Class 3 of the California Environmental Quality Act (CEQA).
LOCATION: 16542 Mariana Circle, 92649 (North side of Mariana Circle, East of the terminus of Mariana Circle)
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 clarified that Finding 2 should have stated 10 ft as appose to 5'6" regarding the setbacks. Staff received no public comments on this item.

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

THE PUBLIC HEARING WAS OPENED.

Jim Brophy, applicant, had no comments or concerns with staff's recommendations. He confirmed that a conceptual landscaping plan was not submitted because the property owner was waiting for the fence variance approval to move forward with the pool.

Ms. Cortez noted that the findings were based on a certain type of landscaping that was not included and it would be hard to visualize and approve the request.

Jim Brophy, applicant, commented that he was not asked to submit a conceptual landscaping plan but that there would be no problem providing one.

Jaime Isbell, adjacent neighbor, expressed concern with the request being in such a unique location. She stated concern with the request having a much larger building envelope than what's existing and that it will set a new standard. She noted that the applicant should comply within code as other existing neighboring property owners have.

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

Ms. Cortez stated that she understood the concerns and that she would continue the request to give the applicant time to submit additional information to support the suggested findings.

COASTAL DEVELOPMENT PERMIT NO. 25-004 AND CONDITIONAL USE PERMIT NO. 25-008 WERE CONTINUED TO THE SEPTEMBER 3, 2025 ZONING ADMINISTRATOR MEETING.

ITEM 2: ENTITLEMENT PLAN AMENDMENT NO. 25-002 (TOTAL WINE AND MORE):

APPLICANT:	Steve Rawlings, Rawlings Consulting, 26063 Jefferson Avenue, Suite D, Murrieta, CA 92656
PROPERTY OWNER:	Huntington Beach Properties, Inc., P.O. Box 376, La Canada, CA 91012
REQUEST:	To modify CUP 2011-018 to allow an additional area for instructional tastings of beer, wine, and distilled spirits (ABC Type 86 License) at an existing retail store.
ENVIRONMENTAL STATUS:	This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act (CEQA).
LOCATION:	16272 Beach Boulevard, 92647 (Southeast corner of Beach Boulevard and Stark 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 this item.

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

THE PUBLIC HEARING WAS OPENED.

Steve Rawlings, applicant, had no comments or concerns with staff's recommendations. He noted that most of their stores possess a Type 42, 86, and 20 license. He stated Type 86 allows a manufacturer's representative or distributor to offer samples and that it is used to highlight local beer manufactures. He added that those types of tasting are sporadically set in the store so that there isn't a dedicated space.

Ms. Cortez confirmed that the Type 86 License didn't exist when the previous CUP was approved.

Steve Rawlings, stated that through an audit they found that 5-6 stores in California don't have a Type 86 License, which now they are setting as a precedent for all stores to have. Ms. Cortez confirmed this was an additional 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 modification:

- Finding 1 to clarify that this license is for an additional tasting area, so that it is clear on the plan and findings.

ENTITLEMENT PLAN AMENDMENT NO. 25-002 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED 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 15301 of the CEQA Guidelines, because the project involves a minor modification to the operation of the existing use involving negligible expansion of an existing use.

FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 25-002:

1. Entitlement Plan Amendment No. 25-002 to modify CUP 2011-018 and add an additional license and area to allow instructional tastings of beer, wine, and distilled spirits (ABC Type 86 License) at an existing retail store 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. This request for the ABC Type 86 instructional tasting license will be an additional license and occupy an additional floor area within the building to the previously approved ABC Type 42 License granted by CUP 2011-018. The instructional tasting of beer, wine, and distilled spirits is not anticipated to generate additional noise, traffic, parking or impacts detrimental to surrounding properties and is consistent with the subject property's zoning designation. The proposed instructional tasting area will occupy approximately 120 sq. ft. in size within the existing sales floor area and will be compatible with surrounding uses because the proposed use takes place within an existing building located within an existing commercial center. The proposed use is surrounded by commercial, office, and restaurant uses; and the nearest sensitive use (multi-family residential) is approximately 380 feet east of the subject building. The proposed use will be required to comply with conditions of approval pertaining to operation to ensure that any potential impacts to the surrounding properties are minimized. The limited onsite instructional tastings is conditioned to take place within a demarcated area within the existing building and is intended to educate consumers of alcoholic beverages.
2. Entitlement Plan Amendment No. 25-002 to modify CUP 2011-018 to allow instructional tastings of beer, wine, and distilled spirits (ABC Type 86 License) at an existing retail store will not adversely affect the General Plan because it is consistent with the Land Use Element designation of M-sp-d (Mixed Use – specific plan – design overlay) 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-11: Commercial land uses provide goods and services to meet regional and local needs.

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.

Policy LU-11 (B): Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.

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. The requested entitlement amendment will accommodate an existing commercial development by allowing the on-site sale, service, and consumption of beer and wine within an approved outdoor dining patio area in conjunction with a permitted land use (restaurant). The proposed use will market its services to local residents thereby expanding the service-based commercial opportunities in the City.

The request will expand the range of goods and services provided in the area by permitting the instructional tasting of beer, wine, and distilled spirits in conjunction with an existing retail store in a safe manner for residents and customers from the surrounding area. The proposed 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 increases the economic viability of the commercial center by offering sales and education of alcoholic beverages. The proposed use will continue to market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City.

3. The proposed Entitlement Plan Amendment 25-002 to modify CUP 2011-018 to allow instructional tastings of beer, wine, and distilled spirits (ABC Type 86 License) at an existing retail store will comply with the provisions of the Beach and Edinger Corridors Specific Plan, and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because instructional tastings of alcohol is ancillary to the primary use and is permitted subject to a the modification of the Conditional Use Permit 2011-018. The instructional tasting area is located within an existing commercial store, occupying an area of approximately 120 square feet within the existing sales floor.

CONDITIONS OF APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 25-002:

1. The site and floor plan received and dated April 23, 2025, shall be the conceptually approved design.
2. The use shall comply with the following conditions:
 - a. Prior to allowing instructional tasting of beer, wine and distilled spirits, the business shall obtain an ABC License Type 86. (PD)
 - b. No games or contests requiring or involving the consumption of alcoholic beverages shall be permitted. (PD)

- c. All employees engaged in the sale or service of alcohol shall complete mandatory Responsible Beverage Service (RBS) training and certification. This shall be required for new employees within 90 days of being hired and for existing employees every 12 months. Training shall be provided by ABC or an ABC approved RBS trainer. Records of the training shall be maintained on-site for review. (PD)
- d. Consumption of alcoholic beverages by on-duty employees and supervisory personnel is forbidden. (PD)
- e. An employee of the establishment must monitor all areas where alcohol is served. (PD)
- f. Proof of minimum age (21) verification shall be required prior to an individual entering the instructional tasting area. (PD)
- g. Service of alcoholic beverages for consumption shall not be permitted outside of the approved use permit and ABC licensed tasting areas. (PD)
- h. A sign shall be posted in a conspicuous space at the exit point of the tasting area which shall state "NO OPEN ALCOHOLIC BEVERAGES BEYOND THIS POINT." (PD)
- i. The tasting areas shall be demarcated by a stanchioned or other significant barrier. (PD)
- j. There must be a sign located at the entry of the tasting area that states only individuals 21 and over are permitted within the tasting area. (PD)
- k. Signage, posters, and advertising with "Do Not Drink and Drive" shall be posted in the business. (PD)
- l. All areas where the sales, service, and consumption of alcoholic beverages are permitted must be sufficiently illuminated to permit the identification of patrons. (PD)
- m. There shall be no window coverings or advertisements that reduce the visibility inside of the business. This will assist officers in observing crimes in progress. (PD)
- n. 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 cameras minimum requirements will be: color, digital and able to record in low light. The business shall ensure all public areas, entrances, exits, parking areas to the front and adjacent to the business 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)
- o. All owners, employees, representatives, and agents must obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise at all times. (PD)

3. EPA No. 25-002 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.
4. 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.

THE MEETING WAS ADJOURNED AT 1:54 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, SEPTEMBER 3, 2025, AT 1:30 P.M.



Joanna Cortez
Zoning Administrator

JC:mr