

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

WEDNESDAY, May 1, 2024 - 1:30 P.M.

ZONING ADMINISTRATOR: Joanna Cortez

STAFF MEMBER: Marco Cuevas, Jr., Madalyn Welch, Hayden Beckman, Kimberly De Coite

PUBLIC COMMENTS: **NONE**

PUBLIC HEARING ITEMS

ITEM 1: CONDITIONAL USE PERMIT NO. 24-003 (BUCKINGHAM WALL):

APPLICANT/
PROPERTY OWNER: Clayton and Lisa Buckingham, 618 Huntington Street, Huntington Beach CA 92648

REQUEST: To permit an increase in height of an existing 3-foot 6-inch-tall wall by an additional 5 inches and permit the installation of a 20-inch-high glass wall extension on top for a total overall height of 67 inches in lieu of the maximum 42-inch allowable wall height within the front setback.

ENVIRONMENTAL
STATUS: This request is covered by Categorical Exemption, Class 1, Section 15301 of the California Environmental Quality Act.

LOCATION: 618 Huntington Street, 92648 (Southwest of Huntington Street at Geneva 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 no public comment on this item.

Joanna Cortez, Zoning Administrator, confirmed with staff that there are similar walls in the area.

THE PUBLIC HEARING WAS OPENED.

Clayton and Lisa Buckingham, applicants, 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. 24-003 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) WORKING 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 the construction of a wall, ancillary to a single-family residence.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 24-003:

1. Conditional Use Permit No. 24-003 to permit an increase in height of an existing 3 ft. 6 in. tall wall by an additional 5 in. and permit the installation of a 20 in. high glass wall extension on top for a total overall height of 67 inches in lieu of the maximum 42 in. allowable wall height within the front yard setback 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. Although the wall exceeds the maximum height allowed within the front yard setback, the proposed height will not pose a safety or traffic hazard, as the subject site is an interior lot and because the top 20 in. of the newly added 25 in. wall is transparent glass and visual clearances along the front and side property lines will be maintained. The proposed wall is consistent with other legally established walls and fences located within front yard setbacks in the vicinity. The existing 42 in. high wall is buffered by an existing 3 ft. landscape planter and an additional landscaped planter box along the front property line, reducing the overall mass and appearance of the screen wall and creating an attractive streetscape.
2. The granting of the Conditional Use Permit No. 24-003 to permit an increase in height of an existing 3 ft. 6 in. tall wall by an additional 5 in. and permit the installation of a 20 in. high glass wall extension on top for a total overall height of 67 in. in lieu of the maximum 42 in. allowable wall height within the front yard setback will not adversely affect the General Plan because it is consistent with the Land Use Element designation of RMH (Residential Medium Density). 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(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

The proposed request is consistent with the requirements of the base zoning district such as on-site parking, building setbacks, height, landscaping, and lot coverage. The overall height of the wall will match the surrounding properties because the neighborhood is developed with single-family residences with similar building heights and the proposed wall extension will be made of translucent glass. Landscaping exists between the wall and the sidewalk improving the aesthetics of the streetscape. The visual character of the neighborhood will not be

negatively impacted because the proposed wall is consistent with other legally established walls located along property lines in the vicinity.

3. Conditional Use Permit No. 24-003 to permit an increase in height of an existing 3 ft. 6 in. tall wall by an additional 5 in. and permit the installation of a 20 in. high glass wall extension on top for a total overall height of 67 inches in lieu of the maximum 42 in. allowable wall height within the front yard setback will comply with the provisions of the applicable base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because it allows walls to exceed the maximum height within the front yard setback upon approval of a Conditional Use Permit. In addition, all minimum landscaping and setback requirements are currently provided, reducing the overall mass and appearance of the wall.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 24-003

1. The site plan and elevations received and dated February 13, 2024, shall be the conceptually approved design layout.
2. The final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans.
 - 3.
 - a. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - 4.
 - a. 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. The building permit shall be obtained within 30 days of the CUP approval and shall adhere to all building permit expiration dates.
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.

NON-PUBLIC HEARING ITEMS

ITEM 1: GENERAL PLAN CONFORMANCE NO. 24-001 (ACQUISITION OF TWO ENCYCLOPEDIA LOTS FOR PARK PURPOSES):

APPLICANT:	Bill Krill, City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648
PROPERTY OWNER:	David Bradley POA for Richard Bemis, 2020 Terraza Place, Fullerton, CA 92835
REQUEST:	To determine if the acquisition of two vacant encyclopedia lots for park purposes is in conformance with the goals and policies of the General Plan.
ENVIRONMENTAL STATUS:	This request is covered by Categorical Exemption, Section 15306, Class 6, of the California Environmental Quality Act.
LOCATION:	Vacant parcels 110-182-11 & 110-152-23 (north of Ellis Avenue, between Goldenwest Street and Edwards Street)
CITY CONTACT:	Madalyn Welch

Madalyn Welch, 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, confirmed with staff that the applicant was in agreement with the staff's recommendation.

Joanna Cortez stated that she would adopt the resolution and approve the request as recommended by staff.

GENERAL PLAN CONFORMANCE NO. 24-001 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH RESOLUTION NO. 1729. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

RESOLUTION NO. 1729

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF HUNTINGTON BEACH FINDING THE ACQUISITION OF TWO VACANT ENCYCLOPEDIA LOTS FOR PARK PURPOSES IS IN CONFORMANCE WITH THE GOALS AND POLICIES OF THE GENERAL PLAN (GENERAL PLAN CONFORMANCE NO. 24-001)

WHEREAS, the Government Code of the State of California, Section 65402, provides that a local agency shall not acquire real property, nor dispose of any real property, nor construct a

public building or structure in any county or city until the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan; and

WHEREAS, staff has reviewed the subject request and submitted it to the Zoning Administrator for review on May 1, 2024; and

WHEREAS, staff has indicated the applicable CEQA exemption pursuant to Section 15306, Class 6 of the California Environmental Quality Act and applicable General Plan goals and policies to establish conformance with the General Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the Zoning Administrator of the City of Huntington Beach finds the proposed acquisition of two vacant encyclopedia lots for park purposes is exempt from CEQA and in conformance with the goals and policies of the General Plan as follows:

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.

The acquisition of such two parcels will be incorporated into the surrounding parkland as open space which is consistent with the designation presented in the General Plan Land Use Map. The city of Huntington Beach has acquired all but 29 out of the 300 encyclopedia lots with a goal to acquire all. Once acquired, the lots will be incorporated into the surrounding parkland, as consistent with the General Plan Land Use Map. Government Code of the State of California, Section 65402, provides that a local agency shall not acquire real property, nor dispose of any real property, nor construct a public building or structure in any county or city until the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan. The acquisition of the two parcels will not change the density of the subject property or surrounding properties as allowed by the General Plan Land Use Map as they will be included in the Central Park Master Plan.

Policy LU-1 (B): Ensure new development supports the protection and maintenance of environmental and open space resources.

The acquisition of the two parcels will support the Central Park Master Plan which includes an assemblage of all former Encyclopedia Lots adjacent to the West Central Park area to contribute to the existing Central Park and to be maintained as open space for the benefit of the public.

Policy LU-1 (C): Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

The effort to acquire the existing two encyclopedia lots supports the policy of consolidation of parcels. The acquisition of the two parcels will also support use of the sites as the intended absorption into the adjacent park use is compatible with the existing Zoning designation and General Plan Land Use Map designation of open space.

THE MEETING WAS ADJOURNED AT 1:35 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, May 15, 2024, AT 1:30 P. M.



Joanna Cortez
Zoning Administrator

JC:kdc