

**MINUTES**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Room B-8 - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, JANUARY 15, 2020 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** Nicolle Aube, Jessica Bui, Joanna Cortez, Isela Siordia

**ORAL COMMUNICATION:** **NONE**

**ITEM 1: ENTITLEMENT PLAN AMENDMENT NO. 19-006 (COMPASS BIBLE CHURCH EXPANSION):**

**APPLICANT:** Steven Camp, Elements Architecture, 6B Liberty, Suite 100, Aliso Viejo, CA 92656  
**PROPERTY OWNER:** Harlene Chalabian, P.O. Box 2320, Gardena, CA 90247  
**REQUEST:** To amend Entitlement Plan Amendment No. 16-005 to allow an existing religious assembly use to expand into an approximately 19,576 sq. ft. building for youth group areas, a fellowship hall, meeting rooms, and offices.  
**ENVIRONMENTAL STATUS:** This request is covered by Categorical Exemption Section 15301, Class 1, California Environmental Quality Act.  
**LOCATION:** 15272 Jason Circle, 92649 (east of Bolsa Chica St. and south of Argosy Ave.)  
**CITY CONTACT:** Jessica Bui

Jessica Bui, 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. Ms. Bui noted receiving one communication citing concerns with possible long term overnight parking on residential streets.

Ricky Ramos, Zoning Administrator, had no questions for staff.

**THE PUBLIC HEARING WAS OPENED.**

Steven Camp, applicant, stated that he had no comments or concerns with the staff's recommendations.

Alicia Ludolph, resident, cited concerns with possible noise.

Mr. Ramos discussed land use citing the location is industrially designated and parking is to be accessible for use.

Anthony Hamilton, resident, cited concerns with noise. Mr. Hamilton asked applicant questions regarding use of facility.

Bobby Blakey, Pastor of Compass Bible Church, gave a brief explanation of use of facility and parking intentions.

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

Mr. Ramos stated that he would approve the request as recommended by staff.

**ENTITLEMENT PLAN AMENDMENT NO. 19-006 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 15301 of the CEQA Guidelines, because the project consists of negligible or no expansion of an existing structure.

**FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 19-006:**

1. Entitlement Plan Amendment No. 19-006 to amend Entitlement Plan Amendment No. 16-005 to allow an existing religious assembly use to expand into an approximately 19,576 sq. ft. building for youth group programs, meeting halls and offices 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 industrial building with other similar uses surrounding the site. The expansion of the religious assembly use for youth group meetings, adult group meetings, and offices for the religious assembly use employees is not anticipated to generate any significant noise, traffic, parking or other impacts detrimental to surrounding properties and is consistent with the subject property's zoning. As conditioned, the use will be conducted within the interior of the building, unless otherwise permitted by the City, to prevent the use from exceeding established noise thresholds as defined by the City's Noise Ordinance. Additionally, the conditions of approval limiting the hours of operation and requiring all parking to be available onsite will ensure the proposed use will have divergent hours with the surrounding uses and will have no impacts to adjacent properties. The religious assembly use will primarily operate during weekday nights and weekends when most industrial uses onsite will be closed which will ensure adequate parking is available. In addition, the proposed parking demand study prepared by RK Engineering Group, Inc., received and dated December 11, 2019, demonstrates that with the divergent hours, the parking demand for the proposed use and all other uses on site is adequately provided. Based on the parking demand study, there is an excess of approximately 30 spaces at all times. Furthermore, the condition of approval requiring an updated joint use parking agreement to be recorded ensures the property will maintain sufficient parking spaces to serve the needs of all uses onsite.
2. The granting of the Entitlement Plan Amendment No. 19-006 to amend Entitlement Plan Amendment No. 16-005 to allow an existing religious assembly use to expand into an approximately 19,576 sq. ft. building for youth group programs, meeting halls and offices will not adversely affect the General Plan because it is consistent with the Land Use Element designation of Research and Technology (RT) zoning designation on the subject

property. In addition, it is consistent with the following goals and policies of the General Plan:

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

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

The proposed expansion of the existing religious assembly for youth groups and other ministry services is consistent with the overall goals and needs of the community by providing a religious assembly use for the residents within the city and regional area. The proposed use is a conditionally permitted use in the RT land use designation and supports infill development because it is located in an underutilized industrial suite. In addition, the proposed use is compatible with the adjoining uses because the main religious assembly use where services are held is located onsite and adjacent to the project site which will only include youth group meetings and other ancillary ministry services only. The adjacent uses also include commercial recreational uses and industrial uses that will be mostly closed during the religious assembly use's primary operating hours.

3. Entitlement Plan Amendment No. 19-006 to amend Entitlement Plan Amendment No. 16-005 to allow an existing religious assembly use to expand into an approximately 19,576 sq. ft. building for youth group programs, meeting halls and offices 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 because the General Plan land use designation and RT zoning designation allows for religious assembly uses with approval of a conditional use permit and amendments to approved conditional use permits are subject to the approval of an entitlement plan amendment. The proposed use will comply with the applicable development standards because there will be minimal interior changes to the existing structure.

**CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENDMENT NO. 19-006:**

1. The site plan, floor plans, and elevations received and dated July 8, 2019, and the shared parking study prepared by RK Engineering Group, Inc. received and dated December 11, 2019, shall be the conceptually approved design.
2. Prior to the occupancy of the expanded area, the existing joint use parking agreement shall be amended to ensure adequate parking is available for the proposed use. The agreement shall be approved by the Planning Division and City Attorney as to form and content, and

recorded with the Office of the County Recorder. A copy of the recorded agreement shall be submitted and filed with the Planning Division.

3. The use at 15272 Jason Circle shall be limited to ancillary uses that support the main religious assembly uses located at 5082 Argosy Circle ministry uses such as youth group meetings, small adult group meetings, and administrative office use only. The use at 15272 Jason Circle shall not be used for primary religious assembly uses such as but not limited to Saturday or Sunday services, wedding services, or other large assembly use.
4. All activities shall be conducted entirely within the interior of the building. Outdoor activities shall be prohibited unless otherwise permitted by the City.
5. The hours of operation for religious assembly services and group related activities will be limited to:
  - a. Sunday from 8:30 AM to 10:00 PM;
  - b. Tuesday through Thursday; 6:00 PM to 10:00 PM; and
  - c. Saturday from 6:00PM to 10:00 PM.
6. The hours of operation for the office and administrative component of the religious assembly use will be limited to Tuesday through Friday from 9:00 AM – 6:00 PM.
7. All parking spaces must be onsite and accessible during the approved hours of operation of the religious assembly use.
8. No employees or members of the religious assembly use shall park on adjacent private properties without the consent of the property owner(s) and tenant(s), illegally park on public streets, or block any driveways or fire access lanes at any time.
9. All previous conditions of approval per Conditional Use Permit No. 91-021 and Conditional Exception No. 91-017 and Entitlement Plan Amendment No. 16-005 shall apply.
10. Schedule 1 and Schedule II controlled substances as listed under US Drug Enforcement Administration shall not be kept, consumed, distributed, sold or otherwise used at this site or at this location, unless the site/location is a State Certified and State Regulated hospital with no fewer than 100 beds for patient care.
11. EPA No. 19-006 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.
12. 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 2: CONDITIONAL USE PERMIT NO. 19-027 (WHOLE FOODS MARKET RESTAURANT ALCOHOL SALES):**

APPLICANT: Ryan Bissett, Whole Foods Market, 550 Bowie St., Austin, TX 78703  
PROPERTY OWNER: Brookhurst & Adams LLC, c/o Western Realty, 2760 East Spring St., Suite 200, Long Beach, CA 90806  
REQUEST: To permit the sales, service, and consumption of alcohol (ABC Type 47 License) within a proposed 1,824 sq. ft. eating and drinking establishment and 394 sq. ft. outdoor patio of a proposed 44,448 sq. ft. grocery store with an on-site instructional tasting area (ABC Type 86 License).  
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.  
LOCATION: 10081 Adams Avenue, 92646 (northeast corner of Brookhurst Street and Adams Avenue)  
CITY CONTACT: Nicolle Aube

Nicole Aube, Associate Planner, reported that the applicant is requesting a continuance to the February 5, 2020, meeting.

**THE PUBLIC HEARING WAS OPENED.**

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

Mr. Ramos stated that he would approve the continuation as recommended by staff.

**CONDITIONAL USE PERMIT NO. 19-027 WAS CONTINUED TO THE FEBRUARY 5, 2020, MEETING BY THE ZONING ADMINISTRATOR. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY NOT BE APPEALED TO THE PLANNING COMMISSION.**

**ITEM 3: TENTATIVE PARCEL MAP NO. 19-129/CONDITIONAL USE PERMIT NO. 19-021 (ROTH CONDOS):**

APPLICANT: Jasmin Roth, 7950 Yorktown Ave., Unit 1, Huntington Beach, CA 92648  
PROPERTY OWNER: Brett Roth, 7950 Yorktown Ave., Unit 1, Huntington Beach, CA 92648  
REQUEST: To permit a one-lot subdivision of a 9,108 sq. ft. lot for condominium purposes and allow the demolition of three residential units to construct three, three-story condominium homes at an overall height of 34 ft.-9 in.  
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption Section 15303, Class 03, and Section 15315, Class 15 of the California Environmental Quality Act.  
LOCATION: 7852 Ronald Drive, 92648 (near the southwest corner of Ronald Drive and Beach Blvd.)  
CITY CONTACT: Joanna Cortez

Joanna Cortez, 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. Ms. Cortez noted that staff did receive a statement citing concerns with cumulative impact related to California Environmental Quality Act (CEQA) and with an error in the legal notice published. Ms. Cortez confirmed the legal notice was corrected in the agenda, indicating change from TTM to TPM. Ms. Cortez received another statement citing concerns that project would be a condo conversion. Ms Cortez stating that the applicant is proposing to demolish the existing building and build three residential units which is not considered a condo conversion according to zoning ordinance.

Ricky Ramos, Zoning Administrator, had no questions for staff.

**THE PUBLIC HEARING WAS OPENED.**

Jasmin Roth, applicant, stated that she had no comments or concerns with the staff's recommendations. Ms. Roth shared a shadow study with the staff.

Dick Harlow, representing Jerry Bane (resident), opposed the project citing concerns with possible negative impact on neighborhood, use of common grass area and density of proposed project. Mr. Harlow requested that the project be referred to the Planning Commission.

Mr. Ramos stated the design shows accommodations with creating a separate walkway for each property and mentioned a similar project in the same street has been done. Mr. Ramos clarified the third story is a small component of the project.

Laurena Wires, resident and current tenant, opposed the project citing concerns with relocation and requested information on tenant assistance.

Mr. Ramos stated there are no tenant assistance provisions in the zoning code.

Toribio Hidalgo, resident, cited concerns with parking.

Mr. Harlow, spoke about concerns that the request is like a zone change due to higher density.

Mr. Ramos asked Ms. Roth if she would consider a continuance as requested by Mr. Harlow.

Ms. Roth, opted to move forward and mentioned her plan is to be a good neighbor. She is willing to meet with neighbors to discuss concerns after meeting.

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

Mr. Ramos stated that he would approve the request as recommended by staff.

**TENTATIVE PARCEL MAP NO. 19-129/CONDITIONAL USE PERMIT NO. 19-021 WERE 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 15315 of the CEQA Guidelines, because the proposed project consists of the division of property into four or fewer parcels and is in conformance with the General Plan, no variances or exceptions are required, and all services and access to the proposed parcels are available. The project is also exempt pursuant to section 15303 because it involves the construction of three residential units within a residential area, in an urbanized area.

**FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 19-129:**

1. Tentative Parcel Map No. 19-029 to permit a one-lot subdivision of a 9,108 sq. ft. lot for condominium purposes is consistent with the General Plan Land Use Element designation of Residential Medium Density (RM) on the subject property in that it permits the proposed subdivision and residential use. The proposed subdivision complies with other applicable provisions of the Subdivision Map Act and the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).
2. Tentative Parcel Map No. 19-029 to permit a one-lot subdivision of a 9,108 sq. ft. lot for condominium purposes is physically suitable for the type and density of development because the proposed subdivision will comply with all applicable code provisions of the HBZSO including minimum lot width and lot size. The site has no topographical constraints and can accommodate the development of new residential dwellings in compliance with City standards. The proposed subdivision will result in a density allowable in the RM land use designation and the proposed density would be compatible with surrounding multi-family developments.
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 because the site is located in an urban setting and is currently developed with three residential dwellings and does not contain wildlife or habitat.

4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. The project will maintain existing utility easements and provide improved sidewalks and pavements along Ronald Drive frontage and public alley, respectively, as a part of this proposed tentative parcel map.

#### **FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 19-021:**

1. Conditional Use Permit No. 19-021 to allow the demolition of three residential units to construct three, three-story condominium homes at an overall height of 34 ft.-9 in. 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 subject site is currently developed with three residential units. The new buildings will improve the value of the site and neighborhood, which consists of multi-family developments. It will not generate noise, traffic, odors, or other impacts at levels inconsistent with the existing residential character of the neighborhood. The proposed development is compatible with surrounding uses in that other structures of similar height, mass and siting exist in the immediate area. The articulation of the upper portions of the structures provide interest and help to alleviate visual mass. The proposed units are designed to convey a high level of quality and a character that incorporates quality materials and design such as wood siding, stucco and varied roof lines, consistent with the City of Huntington Beach Urban Design Guidelines. Finally, the project will also provide new housing opportunities to the area.
2. The granting of the conditional use permit to allow the demolition of three residential units to construct three, three-story condominium homes at an overall height of 34 ft.-9 in. will not adversely affect the General Plan because it is consistent with the Land Use Element designation of RM (Residential Medium Density) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

##### 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 A: Ensure that the 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.

Goal LU-4: A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

Policy A: Encourage a mix of residential types to accommodate people with diverse housing needs.

The proposed three unit development is consistent with the existing multi-family residential neighborhood. The project incorporates quality materials and design such as wood siding,

stucco and varied roof lines consistent with the City of Huntington Beach Urban Design Guidelines. The project will be developed in a manner that is consistent with the immediate area in terms of design, density, and building height. Finally, the proposed units also provide new housing opportunities to the area. Additionally, the project is required to pay affordable housing in-lieu fees that will go towards the provision of housing for lower to moderate income households.

3. The request to allow the demolition of three residential units to construct three, three-story condominium homes at an overall height of 34 ft.-9 in. 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 the new structure is designed to comply with all current applicable development standards, including building setbacks, minimum onsite parking and maximum building height. The proposed 34 ft.-9 in. building height is allowed for any multi-family residential development in a residential zone, subject to the approval of a Conditional Use Permit.

**CONDITIONS OF APPROVAL - TENTATIVE PARCEL MAP NO. 19-129/CONDITIONAL USE PERMIT NO. 19-021:**

1. The tentative parcel map, site plan, floor plans, and elevations received and dated November 27, 2019, and the colored elevations received and dated December 24, 2019, shall be the conceptually approved design.
2. Final building permit(s) cannot be approved until the following have been completed:
  - a. All improvements shall 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.
3. During demolition, grading, site development, and/or construction, the following shall be adhered to:
  - 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. 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. Tentative Parcel Map No. 19-129 and Conditional Use Permit No. 19-021 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.
6. 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 2:18 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, FEBRUARY 5, 2020, AT 1:30 P. M.**



---

Ricky Ramos  
Zoning Administrator

RR:is