

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

**WEDNESDAY, JUNE 29, 2022 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** Hayden Beckman, Joanna Cortez, Kim De Coite

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

**ITEM 1: CONDITIONAL USE PERMIT NO. 22-013 (ADAMS PET HOSPITAL EXPANSION):**

APPLICANT: June Joo, IDnC, 3680 Wilshire Blvd., Suite 212, Los Angeles CA 90010  
PROPERTY OWNER: Daniel Floberg, BCORE Retail Brookhurst Adams LLC, 233 S Wacker Drive, Suite 4600, Chicago IL 60606  
BUSINESS OWNER: Kyunga An, DVM, 10130 Adams Avenue, Huntington Beach CA 92646  
REQUEST: To permit the expansion of an existing 1,260 sq. ft. animal hospital use into an adjacent 2,100 sq. ft. suite on a property located in a commercial center.  
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.  
LOCATION: 10130 Adams Avenue, 92646 (South of Adams Avenue, East of Brookhurst Street)  
CITY CONTACT: Hayden Beckman

Hayden Beckman, 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.

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

**THE PUBLIC HEARING WAS OPENED.**

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

**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.

**CONDITIONAL USE PERMIT NO. 22-013 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 involves a minor alteration to the operation of an existing development involving negligible expansion of an existing use.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 22-013:**

1. Conditional Use Permit No. 22-013 to permit the expansion of an existing 1,260 sq. ft. animal hospital use into an adjacent 2,100 sq. ft. suite on a property located in a commercial center 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 proposed expansion will not generate traffic or other impacts detrimental to surrounding properties and inconsistent with the adjacent property's zoning. The subject business is located on a property designated for commercial use. The proposed expanded use is consistent with the existing land use pattern and compatible with adjacent uses. In addition, the expanded area is within existing tenant spaces, approximately 100 ft. west from the nearest residential use, which provides an adequate buffer from potential negative impacts associated with the use. The expanded use will operate within the interior of the tenant space and will operate in the same manner as the existing animal hospital use.
2. The granting of the conditional use permit to permit the expansion of an existing 1,260 sq. ft. animal hospital use into an adjacent 2,100 sq. ft. suite on a property located in a commercial center will not adversely affect the General Plan. It is consistent with the Land Use Element designation CG (Commercial General) 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 13(A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents in the market area.

The proposed 2,100 sq. ft. animal hospital expansion will provide an expanded service within an existing commercial shopping center that enhances the surrounding neighborhood. The expansion will provide new job opportunities for existing and future residents and promote economic viability of the shopping center.

3. The proposed conditional use permit to permit the expansion of an existing 1,260 sq. ft. animal hospital use into an adjacent 2,100 sq. ft. suite on a property located in a commercial center 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.

There is no physical expansion that includes additional floor area to the building as a part of this request and the use will comply with all building occupancy and exiting requirements.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 22-013:**

1. The site plan, floor plans, and elevations received and dated May 5, 2022 shall be the conceptually approved design.
2. The hours of operation shall be as follows:
  - a. Monday – Friday: 8:00 A.M. – 6:00 P.M.
  - b. Saturday: 8:00 A.M. – 5:00 P.M.
  - c. Sunday: Closed
3. Upon completion of the proposed tenant improvements, both rear access doors shall remain closed at all times during operating hours.
4. Conditional Use Permit No. 22-013 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.
5. 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. 22-014 (STRONG RESIDENTIAL FENCE):**

APPLICANT/  
PROPERTY OWNER: Paul and Alyssa Strong, 15071 Sussex Circle, Huntington Beach, CA 92647

REQUEST: To permit the construction of an approximately 61 in. high wooden fence (approx. 58 linear feet) within the front yard setback in lieu of the maximum height of 42 in. within the required 15 ft. front yard setback

ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption Section 15303, Class 3, California Environmental Quality Act.

LOCATION: 15071 Sussex Circle, 92647 (near the terminus of Sussex Cir., between Goldenwest St. and Bolsa Ave.)

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.

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

**THE PUBLIC HEARING WAS OPENED.**

Paul Strong, applicant, requested that the fence remain in its existing location, noting that the staff recommended relocation involved modifying an existing retaining wall and would be cost prohibitive. Mr. Strong stated that the fence was constructed for privacy and safety reasons and that he has had no complaints from neighbors regarding the location or height. Mr. Strong noted that there are many walls in his neighborhood that are also in violation but no others have received notice from Code Enforcement and that he feels the enforcement is selective and unfair.

Mr. Ramos and Ms. Cortez discussed the wall location and Ms. Cortez noted that staff did provide the applicant with all of their available mitigation options.

Kurt Roudybush, neighboring resident, stated that he is in support of the existing fence and that there is no visibility issue. He indicated that there are several similar fences throughout the neighborhood.

Joy Bradshaw, neighboring resident, spoke in support of the existing fence and agreed with the need for the fence to mitigate safety issues within the neighborhood.

Mr. Ramos noted that he understood the difficulties related to moving the existing fence but that he agrees with staff's concerns regarding maintaining the visibility triangle.

Mr. Strong noted that he has found 5 fences in his neighborhood that have the same issues and potentially 1100 parcels throughout the city that could be found out of compliance.

**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 with the staff recommended modifications.

**CONDITIONAL USE PERMIT NO. 22-014 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 the construction of a wall, ancillary to a single-family residence.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 22-014**

1. Conditional Use Permit No. 22-014 to permit the construction of an approximately 61 in. high wooden fence (58 linear feet) within the front yard setback in the lieu of the maximum height of 42 in. within the front yard setback area 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 although the wall exceeds the maximum allowed height in the front yard setback, the proposed height, as modified, will not pose a safety/traffic hazard because the subject site is an interior lot. The visual character of the neighborhood will not be negatively impacted because landscaping will be provided along the front property line to enhance the appearance of the wall along the street frontage. A two ft. planter will be maintained in front of the fence and landscaping behind the fence will be visible between the openings of the wooden fence, which will soften the appearance of the fence. The fence is consistent with other legally established walls or fences located along the front property line in other residential districts. It is comprised of a combination of concrete block and decorative walnut stained wood which creates an attractive appearance.
2. The granting of the Conditional Use Permit No. 22-014 to permit the construction of an approximately 61 in. high wooden fence (58 linear feet) within the front yard setback in the lieu of the maximum height of 42 in. within the front yard setback area will not adversely affect the General Plan because it is consistent with the Land Use Element designation RL (Residential Low 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 overall height of the fence will match the surrounding properties because the neighborhood is developed with single-family residences with similar wall heights and the proposed fence consists of a combination of concrete and walnut stained wood, which creates an attractive appearance. The visual character of the neighborhood will not be

negatively impacted because landscaping will be maintained in front of the fence, which will soften the appearance of the fence.

3. Conditional Use Permit No. 22-014 to permit the construction of an approximately 61 in. high wooden fence (58 linear feet) within the front yard setback in the lieu of the maximum height of 42 in. within the front yard setback area 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, because it allows walls to exceed the maximum height within the front yard setback upon approval of a Conditional Use Permit.

#### **CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 22-014**

1. The site plan and elevations received and dated May 9, 2022 shall be the conceptually approved layout with the following modification: the fence shall be reoriented to maintain a 10 ft. by 10 ft. visibility triangle, measured along the driveway and the front property line of the subject property and the adjacent property to the north. No walls, fences, or landscape taller than 42 in. in height shall be permitted within this area. **(HBZSO 230.88.C)**
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.
  - 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. 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.
4. A building permit shall be obtained within 30 days of this CUP approval and shall adhere to all building permit expiration dates.
5. 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, JULY 6, 2022, AT 1:30 P. M.**



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Ricky Ramos  
Zoning Administrator

RR:kdc