

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

WEDNESDAY, NOVEMBER 6, 2024 - 1:30 P.M.

ZONING ADMINISTRATOR: Joanna Cortez
STAFF MEMBER: Hayden Beckman and Michelle Romero
PUBLIC COMMENTS: **NONE**

ITEM 1: TEMPORARY USE PERMIT NO. 24-001 (FIRST CHRISTIAN CHURCH LIVE NATIVITY SCENE):

APPLICANT: Jon Mitchell, 1207 Main Street, Huntington Beach CA 92648
PROPERTY OWNER: First Christian Church Huntington Beach, 1207 Main Street, Huntington Beach CA 92648
REQUEST: To permit a three-day drive-through nativity exhibition, including live animals and human actors, occurring annually during the month of December for five years (2024-2028).
ENVIRONMENTAL STATUS: Categorically Exempt pursuant to Section 15304, Class 4, Minor Alterations to Land of the California Environmental Quality Act (CEQA).
LOCATION: 1207 Main Street, 92648 (west side of Main Street, south of Adams Avenue)
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. Staff received no public comments on the proposed project.

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

THE PUBLIC HEARING WAS OPENED.

Jon Mitchell, 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.

TEMPORARY USE PERMIT NO. 24-001 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 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 24-001:

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The event is temporary in nature, compatible with surrounding uses, and consistent with the following General Plan Goal:

PSI-4 A broad range of public and private programs that meet diverse community needs, including mental health, arts, educational, and cultural programs.

Approval of the proposed temporary event provides for the cultural, educational and entertainment needs of Huntington Beach residents and allows for the continuance of a use that has been occurring on the site for decades.

2. Approval of the application for the three-day drive-thru exhibition event will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The proposed use has a limited duration (up to 4 hours each day for three consecutive days) and concludes by 9:00 p.m. Moreover, the City has no records of complaints associated with past occurrences of the proposed event. No detrimental impacts are anticipated.

CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 24-001:

1. The site plan received and dated August 6, 2024 shall be the conceptually approved design.
2. The Temporary Use Permit shall permit the drive-thru exhibition event for a maximum of five years (2024-2028) subject to the following dates:
 - December 2024: 4th, 5th, 6th
 - December 2025: 3rd, 4th, 5th
 - December 2026: 2nd, 3rd, 4th
 - December 2027: 8th, 9th, 10th
 - December 2028: 6th, 7th, 8th
3. The use shall comply with the following:
 - a. Handheld generators do not require a permit, but must be located at least 20 feet from combustible materials. **(FD)**
 - b. If towed in generators are proposed, a permit through building is required. **(FD)**
 - c. All fire protection equipment such as hydrants and fire department connections shall remain unobstructed. **(FD)**

- d. Fire extinguishers shall be evenly dispersed during the event. (FD)
 - e. The applicant shall coordinate with the Public Works Department for traffic control activities on 17th Street and Adams Avenue at least two weeks prior to the start of the event. (PW)
4. The Director of Community Development ensures that all conditions of approval herein are complied with. The Director of Community Development shall be notified in writing of any changes to the event. 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 Huntington Beach Zoning and Subdivision Ordinance.
 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. In the event that there are any violations of the foregoing conditions or any violations of life safety codes, the drive-thru nativity exhibition may be terminated by any Police Officer, Fire Inspector or authorized personnel of the Department of Community Development.
 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. 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: COASTAL DEVELOPMENT PERMIT NO. 24-028 (PATRIOT POINT IMPROVEMENTS):

APPLICANT: Chris Cole, Facilities and Development Manager, City of Huntington Beach Community & Library Services Department, 2000 Main Street, Huntington Beach CA 92648

PROPERTY OWNER: State of California Department of General Services, 650 Howe Avenue, #C, Sacramento CA 95825

REQUEST: To permit the rehabilitation of Patriot Point, an existing public memorial installation within Blufftop Park, that would consist of light grading and the installation of new pavers with a 12-inch-wide

ENVIRONMENTAL STATUS: concrete band, one new bench, and replace the existing flagpole with a new 35 ft. high flagpole with a concrete pedestal base. Categorically Exempt pursuant to Section 15303, New Construction or conversion of small structures of the California Environmental Quality Act (CEQA).

LOCATION: Blufftop Park, approximately 450 linear feet northwest of the intersection of Pacific Coast Highway at Goldenwest Street (APN 023-170-12)

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. Staff received no public comments on the proposed project.

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

THE PUBLIC HEARING WAS OPENED.

Chris Cole, 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.

COASTAL DEVELOPMENT PERMIT NO. 24-028 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. The project consists of repair and maintenance activities to an existing public memorial and installation of a new flagpole with appropriate infrastructure located at the City of Huntington Beach Bluff Top Park adjacent to the beach. Repair and maintenance activities associated with the project would be exempt under Sections 15303 of the CEQA Guidelines because improvement activities would involve minor alterations to public lands and because the project is a City-initiated effort aimed at assuring that the maintenance and improvements provide adequate ADA access to existing pathways.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 24-028:

1. Coastal Development Permit No. 24-028 to permit the rehabilitation of Patriot Point, an existing public memorial installation within Blufftop Park, that would consist of light grading and the installation of new pavers with a 12-inch-wide concrete band, one new bench, and replace the existing flagpole with a new 35 ft. high flagpole with a concrete pedestal base, conforms with the General Plan, including the Local Coastal Program, because the project,

as conditioned, will implement the Coastal Element goals of protecting and enhancing coastal resources while promoting public access and minimizing public safety risks. The project would be consistent with Coastal Element Goal C 4 and Policy C 4.2.1, which aim to preserve, enhance, and restore aesthetic resources along the coast, including bluffs, and implementation of the project would also maintain existing views of the coast because the project would not include any development on the site that could obstruct views of the coast. Therefore, the proposed project would be consistent with the General Plan, including the Local Coastal Program.

2. Coastal Development Permit No. 24-028 to permit the rehabilitation of Patriot Point, an existing public memorial installation within Blufftop Park, that would consist of light grading and the installation of new pavers with a 12-inch-wide concrete band, one new bench, and replace the existing flagpole with a new 35 ft. high flagpole with a concrete pedestal base 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 regulations of the Municipal Code. The project would restore an existing blufftop public memorial installation in an effort to maintain public health and safety at the City's Bluff Top Park. Site grading and drainage would be improved from its existing condition using compatible materials, including new pavers and a concrete band to provide a uniform and stable surface for visitors. Furthermore, the project will comply with Municipal Code requirements pertaining to the installation of a freestanding flagpole.
3. The proposed project would rehabilitate an existing public memorial seating area through the installation of pavers within a concrete band beneath the seating area, one new bench, and replace an existing flagpole with a new flagpole. There is no development associated with the project that would require infrastructure, such as water, sewer, and/or roadways, including irrigation or any other water infrastructure.
4. Coastal Development Permit No. 24-028 to permit the rehabilitation of Patriot Point, an existing public memorial installation within Blufftop Park, that would consist of light grading and the installation of new pavers with a 12-inch-wide concrete band, one new bench, and replace the existing flagpole with a new 35 ft. high flagpole with a concrete pedestal base will conform with the public access, public recreation, coastal resource protection, and coastal view protection policies of Chapter 3 of the California Coastal Act in that the project will maintain and enhance public access to the existing public memorial and surrounding coastal and beach areas throughout construction activities of the project. The project would also restore views of the bluff area as important coastal resources at the City of Huntington Beach Bluff Top Park and the beach. As such, the project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 24-028:

1. The site plan and installation details received and dated August 20, 2024 shall be the conceptually approved 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.
 - b. Compliance with all conditions of approval specified herein shall be verified by the City of Huntington Beach 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. Coastal Development Permit No. 24-028 shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval or 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 Director of the City of Huntington Beach Community Development Department a minimum 30 days prior to the expiration date.
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. 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 City of Huntington Beach 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 1:36 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, NOVEMBER 20, 2024, AT 1:30 P. M.



Joanna Cortez
Zoning Administrator

JC:mr