

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

WEDNESDAY, MARCH 20, 2019 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Liane Schuller, Tess Nguyen, Hayden Beckman, Joanna Cortez, Judy Graham

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 19-003 (BOZANICH RESIDENCE):

APPLICANT: Tim Harris, 4812 Hersholt Avenue, Long Beach, CA 90808
PROPERTY OWNER: Dinko and Chere Bozanich, 3806 Montego Drive, Huntington Beach, CA 92649
REQUEST: To permit a 343 sq. ft. third story addition and 168 sq.ft. deck to an existing 2,038 sq. ft. two-story dwelling within a multi-family development.
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.
LOCATION: 3806 Montego Drive, 92649 (south of Edinger Avenue, west of Bimini Lane)
CITY CONTACT: Liane Schuller

Liane Schuller, Project 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.

Tim Harris, 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.

COASTAL DEVELOPMENT PERMIT NO. 19-003 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 15301 of the CEQA Guidelines, because the project consists of additions of less than 50% to an existing residential structure in a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 19-003:

1. Coastal Development Permit No. 19-003 to permit a 343 sq. ft. third story addition and 168 sq. ft. deck to an existing 2,038 sq. ft. two-story dwelling within a multifamily development conforms to the General Plan, including the Local Coastal Program because the project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed project will occur within the confines of an existing clustered multi-family development, where it will not pose adverse effects to local coastal resources.
2. The project to permit a 343 sq. ft. third story addition and 168 sq. ft. deck to an existing 2,038 sq. ft. two-story dwelling within a multifamily development is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code in that the new development will comply with all applicable development regulations including minimum building setbacks, minimum on-site parking and maximum building height.
3. At the time of occupancy, the project to permit a 343 sq. ft. third story addition and 168 sq. ft. deck to an existing 2,038 sq. ft. two-story dwelling within a multifamily development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program because the proposed development will be constructed within an existing developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act because the project to permit a 343 sq. ft. third story addition and 168 sq. ft. deck to an existing 2,038 sq. ft. two-story dwelling within a multifamily development does not affect or alter public access to the coast or public recreation opportunities.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 19-003:

1. The site plan, floor plans, and elevations received and dated January 30, 2019 shall be the conceptually approved design.
2. Zoning entitlement conditions of approval and code requirements shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. 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.
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. Coastal Development Permit No. 19-003 shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval by the City 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 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.

ITEM 2: COASTAL DEVELOPMENT PERMIT NO. 18-037 (ARMONA RESIDENCE ADDITION):

APPLICANT: Carlos Losada, 9451 Firestone Boulevard, Suite B, Downey CA 90241

PROPERTY OWNER: Luis Armona, 9451 Firestone Boulevard, Suite B, Downey CA 90241

REQUEST: To permit an 874 sq. ft. addition, including a 75 sq. ft. balcony and a 131 sq. ft. covered patio, and interior remodel to an existing 2,623 sq. ft. two-story single-family residence. This request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property

owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.

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

LOCATION: 16662 Wanderer Lane, 92649 (east side of Wanderer Lane, south of Humboldt Drive)

CITY CONTACT: Tess Nguyen

Tess Nguyen, 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.

THE PUBLIC HEARING WAS OPENED.

Carlos Losada, applicant, stated that he had no comments or concerns with staff's recommendations.

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 request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 18-037 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 15301 of the CEQA Guidelines because the project consists of an addition to an existing single-family residence within a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-037:

1. Coastal Development Permit No. 18-037 to permit an 874 sq. ft. addition, including a 75 sq. ft. balcony and a 131 sq. ft. covered patio, to an existing 2,623 sq. ft. single-family residence conforms with the General Plan, including the Local Coastal Program because the project is consistent with the Coastal Element Land use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed addition will occur entirely on a developed site, contiguous to existing single-family residential development.
2. The request to permit an 874 sq. ft. addition, including a 75 sq. ft. balcony and a 131 sq. ft. covered patio, to an existing 2,623 sq. ft. single-family residence 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, as conditioned, will comply with all applicable development regulations, including setbacks, lot coverage, and infill lot requirements.

3. At the time of occupancy, the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program because Coastal Development Permit No. 18-037 to add 874 sq. ft., including a 75 sq. ft. balcony and a 131 sq. ft. covered patio, to an existing 2,623 sq. ft. single-family residence that is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 18-037 to permit an 874 sq. ft. addition, including a 75 sq. ft. balcony and a 131 sq. ft. covered patio, to an existing 2,623 sq. ft. single-family residence conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-037:

1. The site plan, floor plans, and elevations, received and dated January 24, 2019 shall be the conceptually approved layout with the following modifications:
 - a. The plans shall be revised with updated lot coverage information that demonstrates the footprint of the home does not exceed 50% of the lot size.
 - b. The project shall comply with the Residential Infill Lot Development ordinance by off-setting proposed windows from those on existing residences to ensure privacy.
2. Zoning entitlement conditions of approval and code requirements shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. 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.
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. Coastal Development Permit No. 18-037 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.

ITEM 3: CONDITIONAL USE PERMIT NO. 18-046 (AT&T SMALL CELL WIRELESS INSTALLATION):

APPLICANT: Franklin Orozco, MSquare Wireless, 1387 Calle Avanzado, San Clemente, CA 92673

PROPERTY OWNER: Southern California Edison, 2131 Walnut Grove Avenue, Rosemead, CA 91770

REQUEST: To install a new small cell wireless communication facility located atop an existing wood utility pole at an overall height of 30 ft. 1 in. and below grade electrical infrastructure located within the public right-of-way.

ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption Section 15303, Class 03, California Environmental Quality Act. Appealable

LOCATION: East side of Huntington Street, approximately 225 linear feet south of the centerline of Atlanta Avenue (Public Right-of-Way), 92648

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.

Franklin Orozco, applicant, stated that he 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.

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

CONDITIONAL USE PERMIT NO. 18-046 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 involves the installation of wireless communication equipment upon an existing utility pole within the public right-of-way.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-046:

1. Conditional Use Permit No. 18-046 to install a new small cell wireless communication facility located atop an existing wood utility pole at an overall height of 30 ft. 1 in. and below grade electrical infrastructure located within the public right-of-way, as conditioned, 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. The compact size of the antenna and screening of ancillary equipment is compatible with the existing visual character of the utility infrastructure. Furthermore, the proposed wireless facility and associated equipment will not obstruct the public right-of-way, and the facility is located at heights above average vehicular and pedestrian lines of sight. The project incorporates pole-mounted and underground utility connections that minimize visual impacts of the installation, and will not interfere with other communication, radio, or television transmission/reception in and around the subject site. Electrical equipment will be enclosed underground to further minimize the visual impact of the facility. No significant impacts related to traffic, safety, or noise will be generated by the wireless communication facility.
2. The granting of the conditional use permit to permit the installation of a wireless communication facility consisting of one new antenna, four new remote radio units in an enclosed shroud and placed atop an existing wood utility pole at an overall height of 30 ft. 1 in., and below-grade electrical infrastructure located within the public right-of-way, will not adversely affect the General Plan in that it is consistent with the following General Plan goals and policies:

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.

b. Public Services and Infrastructure Element

Goal PSI-10: Superior electricity, natural gas, telephone, and data services improve quality of life and support economic development.

Policy PSI-10-C: Support the use of new and emerging communication technologies.

The conditional use permit will permit the installation of a wireless communication facility atop an existing utility pole. The facility is designed, and conditioned, in a manner that will be minimally noticeable from the public right-of-way and is located outside of typical vehicular and pedestrian lines of sight. The antenna and associated equipment blend in with the existing utility infrastructure of the streetscape. The conditional use permit will provide improved wireless communication services to surrounding residences and businesses.

3. Conditional Use Permit No. 18-046 install a new small cell wireless communication facility located atop an existing wood utility pole at an overall height of 30 ft. 1 in. and below grade electrical infrastructure located within the public right-of-way 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. A conditional use permit is required because the wireless communication facility does not incorporate completely stealth techniques, as the antenna and ancillary equipment are visible from the public right-of-way. The facilities are compatible with utility infrastructure in the surrounding area because the small scale of the equipment blends with the existing streetscape.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 18-046:

1. The revised site plan, floor plans, and elevations received and dated March 18, 2019 shall be the conceptually approved design with the following modifications:
 - a. The wireless facility and all associated pole-mounted equipment shall be painted to match the color of the existing wood utility pole.
2. 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 5 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.
 - g. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to

Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.

3. CUP No. 18-046 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 1:43 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, APRIL 3, 2019, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:jg