

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

**WEDNESDAY, SEPTEMBER 17, 2025 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Joanna Cortez

**STAFF MEMBER:** Jason Kelley, Wayne Carvalho, Michelle Lopez

**PUBLIC COMMENTS:**

**ITEM 1: CONDITIONAL USE PERMIT NO. 25-013 (HABIT BURGER PARKING REDUCTION):**

**APPLICANT:** Danialle Lartz, N2533 Van Matre Lane, Monroe, WI 53566  
**PROPERTY OWNER:** Huntington Beach No. 2, PO Box 847, Carlsbad, CA 92018  
**REQUEST:** To permit a parking reduction based on survey data prepared by a state-registered traffic engineer for a new eating and drinking establishment.  
**ENVIRONMENTAL STATUS:** The proposed project is covered by Section 15301 of the CEQA Guidelines because the project consists of the operation and minor alteration of an existing commercial structure involving negligible or no expansion of use beyond that previously existed.  
**LOCATION:** 8955 Atlanta Avenue, 92646 (Northwest corner of Atlanta Avenue and Magnolia Street)  
**CITY CONTACT:** Jason Kelley

Jason Kelley, 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 one public comment on this item from an adjacent tenant, requesting the staff report.

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

Nathan Dinsmore, representative of the applicant, had no comments or concerns with staff's recommendations.

Jon Ryalls, adjacent resident, cited concerns with the landlord and deliveries in the proposed location. He noted that delivery trucks are driving fast through the speed bumps in the alley which cause movement on the ground by his condo. He added that the neighboring bar also causes noise disturbances in the early morning hours due to leaving the door open, located in the alley. He stated that he is concerned with the request adding more traffic and noise. He noted that the property manager is not a partner with the community located next to him because he has reached out several times and nothing has changed.

Ms. Cortez stated that she appreciated the residents' comments and that the issues were code enforcement related. She stated that after the public hearing we could direct him to speak to code

enforcement. She noted that the existing uses on the site have entitlements and conditions of approval which require compliance with the code, including the noise ordinance.

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

Mr. Kelley confirmed that the proposed location use was commercial prior to the request.

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

**CONDITIONAL USE PERMIT NO. 25-013 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 consists of the operation and minor alteration of an existing commercial structure involving negligible or no expansion of use beyond that previously existed.

**FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 25-013:**

1. Conditional Use Permit No. 25-013 to permit a parking reduction based on survey data prepared by a state-registered traffic engineer for a new eating and drinking establishment 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 eating and drinking establishment is not anticipated to generate any significant noise, traffic, or other impacts detrimental to surrounding properties. The site provides adequate parking based on a parking study prepared by LLG Engineers, received June 12, 2025

The request for reduced parking is a result of an existing vacant retail use being converted to a proposed eating and drinking establishment. The parking requirement for retail use is one space per 200 square feet versus one space per 100 square feet for eating and drinking establishments. Since the site is deficient in parking spaces a parking analysis was conducted to ensure the adequacy of on-site parking. The parking analysis identified a Thursday peak demand of 167 spaces, a Friday peak demand of 192 spaces and a Saturday peak demand of 157 spaces. The proposed eating and drinking establishment is 2,104 square feet, requiring 22 parking spaces and the remaining vacant retail space is 2,996 square feet, requiring 15 spaces. Therefore, the Thursday peak demand plus the required parking for the eating and drinking establishment and the vacant space would require 204 spaces. Fridays peak demand plus the eating and drinking establishment and the vacant space would require 229 spaces and Saturday's peak demand plus the eating and drinking establishment and the vacant space would require 194 spaces. Since there are 388 spaces onsite, there is a surplus of 184 spaces on Thursday, 159 spaces on Friday and 194 spaces on Saturday. As a result, the parking demand analysis supports the proposed reduction in required parking and concludes that adequate on-site parking will be available to accommodate the proposed eating and drinking establishment.

2. The granting of Conditional Use Permit No. 25-013 to permit a parking reduction based on survey data prepared by a state-registered traffic engineer for a new eating and drinking establishment will not adversely affect the General Plan because it is consistent with the Land Use Element designation of CN (Commercial Neighborhood) 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-13 (A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

Policy LU-13 (B): Capture emerging industries such as, but not limited to, "knowledge" based industries and research and development firms.

Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.

Policy LU-11 (A): Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

The proposed project is to permit a parking reduction based on survey data prepared by a state-registered traffic engineer for a new eating and drinking establishment. The project site will continue to serve adjacent nearby residential development and future development within the city as a whole. The proposed project is located upon an established commercial property surrounded by other commercial uses. The parking analysis prepared by LLG Engineers, received June 12, 2025, has determined that there is sufficient parking provided during the expected weekend and weekday peak parking demand. The request will serve the needs of residents by expanding the range of goods and services provided in the area by providing additional eating and drinking establishments. Therefore, the proposed project will be consistent with the overall goals and needs of the community, provide goods and services to meet regional and local needs, and renovate and revitalize existing vacant commercial space by ensuring the continued occupancy of the commercial building.

3. Conditional Use Permit No. 25-013 to permit a parking reduction based on survey data prepared by a state-registered traffic engineer for a new eating and drinking establishment 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 an eating and drinking establishment with a reduced parking study is permitted subject to a Conditional Use Permit within the Commercial General (CG) zoning district pursuant to chapter 231.08 B of the Huntington Beach Zoning and Subdivision Ordinance. The

proposed use will be located within an existing commercial building, which conforms to applicable site development standards, with the exception of the request for reduced parking. However, the parking demand analysis has determined that there is sufficient parking provided during the expected peak weekend and peak weekday parking demand.

**CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 25-013:**

1. The site plan, floor plans, and elevations received April 17, 2025, and the parking demand analysis received and dated June 12, 2025, shall be the conceptually approved design.
2. Prior to submittal of building permits, the following shall be completed: Zoning entitlement conditions of approval 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 structure shall not be occupied, and the final building permit(s) shall not be approved until the following have been completed:
  - a. All improvements must be completed in accordance with the 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. Conditional Use Permit No. 25-013 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.
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. 25-014 (BEBEE RESIDENCE):**

APPLICANT: Jeffrey Dahl, 1102 Main Street, Huntington Beach, CA 92648  
PROPERTY OWNER: Bruce H. Beebe, 16821 Coral Cay Lane, Huntington Beach, CA 92649  
REQUEST: To demolish an existing residence and construct a 5,662 sq. ft., 28-ft. high, two-story single-family residence with a three-car garage.  
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act (CEQA).  
LOCATION: 16821 Coral Cay Lane, 92649 (West side, approx. 400 feet South of Courtside Circle)  
CITY CONTACT: Wayne Carvalho

Wayne Carvalho, Contract Principal 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, had no questions for staff.

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

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

**COASTAL DEVELOPMENT PERMIT NO. 25-014 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) 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 would involve the construction of a new single-family residence within an existing urbanized residential zone.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 25-014:**

1. Coastal Development Permit No. 25-014 to permit the construction of a new 5,662 sq. ft., 28-ft. high, two-story single family residence with an attached three-car garage, 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 development will occur entirely on a developed site, contiguous to properties developed with existing single-family residential uses.

2. Coastal Development Permit No. 25-014 to permit the construction of a new 5,662 sq. ft., 28-ft. high, two-story single family residence with an attached three-car garage, 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 development regulations, including maximum building height, minimum yard setbacks, lot coverage, and privacy design standards.
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. 25-006 to permit the construction of a 5,662 sq. ft., 28-ft. high, two-story single family residence with an attached three-car garage, is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 25-014 to permit the construction of a 5,662 sq. ft., 28-ft. high, two-story single-family residence with an attached three-car garage, 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. 25-014:**

1. The site plan, floor plans, and elevations received July 27, 2025, shall be the conceptually approved layout.
2. Landscaping located along the front setback fronting the side entry garage and adjacent front walkway shall remain low to allow for access into the garage.
3. Prior to submittal of building permits, the following shall be completed: Zoning entitlement conditions of approval 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.
4. During demolition, grading, site development, and/or construction, the following shall be completed:
  - 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.
5. Prior to issuance of final building permits, the following shall be 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.
6. 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.
7. Coastal Development Permit No. 25-014 shall become null and void unless exercised within two years of the date of final approval or within one year of the date of final Coastal Development Permit approval 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.
8. 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, Zoning Administrator, 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 1:44 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, OCTOBER 1, 2025, AT 1:30 P.M.**



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Joanna Cortez  
Zoning Administrator

JC:ml