

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

WEDNESDAY JUNE 3, 2020 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Austin Chavira, Joanna Cortez, Jane James, Isela Siordia

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 20-008 (SWUN RESIDENCE):

APPLICANT:	Ron Wikstrom, 2027 North Ross Street, Santa Ana, CA 92706
PROPERTY OWNER:	Sallie and Si Swun, 6245 Aruba Court, Cypress, CA 90630
REQUEST:	To allow for the demolition of an existing two-story, 3,216 sq. ft. single family residence and construct a two-story, 5,280 sq. ft. single family residence with a 823 sq. ft. garage, 374 sq. ft. patio, and 283 sq. ft. second story deck at an overall height of 29 ft.
ENVIRONMENTAL STATUS:	This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.
	Appealable
LOCATION:	16931 Coral Cay Lane, 92649 (northeast of Coral Cay Ln. and PCH)
CITY CONTACT:	Austin Chavira

Austin Chavira, Planning Aide, 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.

Ron Wikstrom, 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. 20-008 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 consists of the construction of one single-family residence within a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 20-008:

1. Coastal Development Permit No. 20-008 to allow for the demolition of an existing two-story, 3,216 sq. ft. single family residence and construct a two-story, 5,280 sq. ft. single family residence with a 823 sq. ft. garage, 374 sq. ft. patio, and 283 sq. ft. second story deck at an overall height of 29 ft. 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 project will occur entirely on a developed site, contiguous to existing single-family residential development.
2. Coastal Development Permit No. 20-008 to allow for the demolition of an existing two-story, 3,216 sq. ft. single family residence and construct a two-story, 5,280 sq. ft. single family residence with a 823 sq. ft. garage, 374 sq. ft. patio, and 283 sq. ft. second story deck at an overall height of 29 ft. 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 proposed, will comply with all applicable development regulations, including maximum building height, minimum yard setbacks, lot coverage, and residential privacy design 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. 20-008 to allow for the demolition of an existing two-story, 3,216 sq. ft. single family residence and construct a two-story, 5,280 sq. ft. single family residence with a 823 sq. ft. garage, 374 sq. ft. patio, and 283 sq. ft. second story deck at an overall height of 29 ft. is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 20-008 to allow for the demolition of an existing two-story, 3,216 sq. ft. single family residence and construct a two-story, 5,280 sq. ft. single family residence with a 823 sq. ft. garage, 374 sq. ft. patio, and 283 sq. ft. second story deck at an overall height of 29 ft. 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. 20-008:

1. The site plan, floor plans, and elevations received and dated March 13, 2020 shall be the conceptually approved layout.
2. Prior to submittal of building permits, 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 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. Coastal Development Permit No. 20-008 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.
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: COASTAL DEVELOPMENT PERMIT NO. 20-011 (OCSD FOOD WASTE SYSTEM):

APPLICANT/ PROPERTY OWNER: REQUEST:	Adam Nazaroff, Orange County Sanitation District, 10844 Ellis Ave., Fountain Valley, CA 92708
ENVIRONMENTAL STATUS:	To construct two, 28 ft. high storage tanks and six pumps for an interim food waste receiving system within a portion of the Orange County Sanitation District (OCSD) Plant No. 2. The project will not have any significant effect on the environment and is covered under the Biosolids Master Plan (Project No. PS15-01) Final Environmental Impact Report (SCH 2017071026) prepared by the Orange County Sanitation District in accordance with the California Environmental Quality Act.
LOCATION:	Appealable 22212 Brookhurst Street, 92646 (east side of Brookhurst St., north of PCH)
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 stated she received one inquiry from a local property owner citing concerns with potential noise caused by vibrations from construction that is occurring at the site and potential negative affects to property.

THE PUBLIC HEARING WAS OPENED.

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

Mr. Kupferman, resident, spoke in opposition to the proposed project citing concerns with potential noise, vibrations, and property value impacts.

Mr. Nazaroff stated that the potential concerns addressed by Mr. Cooperman should be addressed by the representative from the Orange County Water District, as it relates to a current project the agency is overseeing.

Ms. Sandy Scott-Roberts, Engineer from the Orange County Water District, confirmed that the stated concerns are regarding the ground water replenishment system final expansion project at OCSD plant No. 2.

Mr. Ramos recommended that Ms. Scott-Roberts and Mr. Kupferman speak separately regarding the concerns of the OCWD project, which is not part of the current agenda.

Mr. Nazaroff addressed potential concerns regarding seismic issues, noise and dust. Mr. Nazaroff states mitigation measures have been identified and are in place.

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. 20-011 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 this project will not have any significant effect on the environment and is covered under the Biosolids Master Plan (Project No. PS15-01) Final Environmental Impact Report (SCH 2017071026) prepared by the Orange County Sanitation District in accordance with the California Environmental Quality Act.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 20-011:

1. Coastal Development Permit No. 20-011 to construct two, 28 ft. high storage tanks and six pumps for an interim food waste receiving system within a portion of the Orange County Sanitation District (OCSD) Plant No. 2 conforms with the General Plan, including the Local Coastal Program because the completion of the project will implement the Coastal Element

goal of providing water, sewer, and drainage systems that are able to support the permitted land uses and upgrading existing systems.

2. The construction of two, 28 ft. high storage tanks and six pumps for an interim food waste receiving system within a portion of the Orange County Sanitation District (OCSD) Plant No. 2 is consistent with the requirements of the CZ Overlay District, the IL (Industrial Limited) base zoning district, as well as other applicable provisions of the Zoning and Subdivision Ordinance and Municipal Code because the project, as proposed, complies with applicable development standards including maximum building height and minimum building setbacks.
3. At the time of occupancy, the proposed development to construct two, 28 ft. high storage tanks and six pumps for an interim food waste receiving system within a portion of the Orange County Sanitation District (OCSD) Plant No. 2 can be provided with infrastructure in a manner that is consistent with the Local Coastal Program in that all necessary infrastructures, such as roadways and utilities currently exist to serve the site. The proposed food waste receiving system will improve the infrastructure to serve the needs of the community.
4. The proposed development to construct two, 28 ft. high storage tanks and six pumps for an interim food waste receiving system within a portion of the Orange County Sanitation District (OCSD) Plant No. 2 conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act because the entire project is proposed within the confines of the existing Orange County Sanitation Facility. No public access or recreational opportunities will be affected by the new construction.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 20-011:

1. The site plan, floor plans, and elevations received and dated April 16, 2020 shall be the conceptually approved design.
2. Comply with any mitigation measures identified in the Biosolids Master Plan (Project No. PS15-01) Final Environmental Impact Report (SCH 2017071026) prepared by the Orange County Sanitation District.
3. Prior to submittal of building permits, 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.
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. 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.
6. Coastal Development Permit No. 20-011 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.
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. 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: TENTATIVE PARCEL MAP NO. 19-150 (15th ST. SUBDIVISION):

APPLICANT/PROPERTY

OWNER: Lan Xuan, 18702 Colima Road #101, Rowland Heights, CA 91748

REQUEST: To allow a one-lot subdivision of a 2,703 sq. ft. lot for the construction of two residential condominiums. This subdivision request is also subject to approval by the California Coastal Commission.

ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption Section 15315, Class 15, California Environmental Quality Act.

LOCATION: 16776 15th Street, 90742 (southeast side of 15th St., between PCH and N. Pacific 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.

Allen Wu, Engineer representing for property owner and Tony Zheng, applicant, stated they had 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 with modifications to condition No. 2.

TENTATIVE PARCEL MAP PERMIT NO. 19-150 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 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.

FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 19-150:

1. Tentative Parcel Map No. 19-150 to allow a one-lot subdivision of a 2,703 sq. ft. lot to allow the construction of two residential condominiums is consistent with the General Plan land use designation of RH-sp (Residential High Density – specific plan overlay) of the subject property in that it permits the proposed subdivision and residential use. This tentative parcel map is consistent with the Draft Sunset Beach Specific Plan, Sunset Beach Residential zoning designation and other applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The resulting two parcels will allow for the development of two residential units, consistent with the allowable density of the specific plan. Because this location has reverted to the original permit jurisdiction, the City has also reviewed it for compliance with the California Coastal Act and has determined that this subdivision request meets the standards for an “approval in concept.”
2. The site is physically suitable for the type and density of development. The site consists of one parcel of land, approximately 2,703 sq. ft. in area, developed with an existing duplex that would be demolished to facilitate the construction of two future residential units. The project involves a one-lot subdivision for condominium purposes. The site will comply with maximum density requirements of the Draft Sunset Beach Specific Plan and the HBZSO.

3. The design of the one-lot subdivision of a 2,703 sq. ft. lot to allow the construction of two residential condominiums and the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subdivision is proposed on property currently zoned for residential development, and located in an urbanized area. The subject parcel does not serve as habitat for fish or wildlife and is currently developed with a duplex apartment structure. The proposed condominium map will comply with the Draft Sunset Beach Specific Plan and the HBZSO.
4. The design of the one-lot subdivision of a 2,703 sq. ft. lot to allow the construction of two residential condominiums and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of, the property within the proposed subdivision since no easements exist within the proposed subdivision. Vehicular access to the site would be along 15th Street abutting the front property line and along the rear property line abutting the alley. Reciprocal easements for access and utility services will be provided for both proposed units as a part of this proposed tentative parcel map.

CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 19-150:

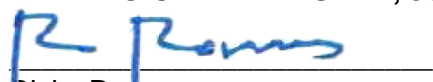
1. The Tentative Parcel Map No. 19-150 received and dated September 18, 2019 shall be the conceptually approved design.
2. Prior to submittal of final map, the following shall be completed: The property owner shall obtain all required approvals from the California Coastal Commission (CCC). A copy of the written notice of approval from the CCC shall be submitted to the Community Development Department for inclusion in the entitlement file.
3. Any conditions of approval, imposed by the California Coastal Commission that are more restrictive than those set forth in this approval shall be adhered to.
4. Upon final approval of the parcel map, any on-street parking spaces lost as a result of proposed curb cuts shall be replaced at a one to one ratio in an area that would not result in the loss of any sandy beach area and within walking distance of the existing site. **(HBZSO 231.28)**
5. Prior to issuance of a grading permit and at least 14 days prior to any grading activity, the applicant shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.
6. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.
7. Tentative Parcel Map No. 19-150 shall become null and void unless exercised within two years of the date of final Coastal Commission 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.

8. The final map for Tentative Parcel Map No. 19-150 shall not be approved by the City Engineer until the California Coastal Commission has approved the Coastal Development Permit for the development.
9. 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 2:11 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JUNE 17, 2020, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

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