

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

WEDNESDAY, JULY 29, 2020 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Nicolle Aube, Joanna Cortez, Jane James, Isela Siordia

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 20-014 (BEALE'S TEXAS BBQ BEER AND WINE):

APPLICANT:	Brett Beale, 16400 Pacific Coast Highway Unit 117, Huntington Beach, CA 92649
PROPERTY OWNER:	Peter's Landing Property Owner LLC, 5 Peters Canyon Road, Suite 350, Irvine, CA 92606
REQUEST:	To permit the sales, service, and consumption of beer and wine (ABC Type 41 License) within a 2,492 sq. ft. eating and drinking establishment.
ENVIRONMENTAL STATUS:	This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.
LOCATION:	16400 Pacific Coast Highway Unit 117, 92649 (north side of Pacific Coast Hwy. between Admiralty Dr. and Anderson St.)
CITY CONTACT:	Nicolle Aube

Nicolle Aube, 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.

Brett Beale, 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. 20-014 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 15301 of the CEQA Guidelines, because the project consists of negligible or no expansion of an existing structure.

FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 20-014:

1. Conditional Use Permit No. 20-014 to permit the sales, service, and consumption of beer and wine (ABC Type 41 License) within a 2,492 sq. ft. 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 use is located within an existing commercial center with other similar uses. The use is primarily a restaurant and the sale and service of beer and wine (ABC Type 41 License) is ancillary to the restaurant use. The restaurant is not anticipated to generate additional noise, traffic, or impacts above existing conditions because the restaurant is not adding new square footage. The sale, service and consumption of beer and wine will be contained within the interior of the building; no outdoor dining is proposed. The restaurant is oriented toward the interior of the shopping center and marina boat dock, approximately 215 ft. east of the nearest residential use, which is buffered by an existing parking lot.
2. The granting of Conditional Use Permit No. 20-014 to permit the sales, service, and consumption of beer and wine (ABC Type 41 License) within a 2,492 sq. ft. eating and drinking establishment will not adversely affect the General Plan because it is consistent with the Land Use Element designation of CV on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

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 request will expand the range of goods and services provided in the area by allowing the ancillary sale of beer and wine in conjunction with an eating and drinking establishment in a safe manner for residents and customers in the surrounding area. The proposed daily operation hours of 10:30 AM to 12:00 AM for the restaurant are not anticipated to generate additional noise, traffic, or impacts above existing conditions. The nearest residence is located approximately 215 ft. east of the subject site and is buffered from noise by the existing parking lot. The restaurant is oriented toward the interior of the shopping center and marina boat dock, which includes other commercial uses, parking, and boats. Conditions have been added to the request which limit the use and manner in which beer and wine may be sold and consumed on-site to ensure the proposed use will be compatible with the surrounding neighborhood while providing a service that will meet the needs of the community and increase sale tax revenue.

3. The proposed Conditional Use Permit No. 20-014 to permit the sales, service, and consumption of beer and wine (ABC Type 41 License) within a 2,492 sq. ft. 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 because the Commercial Visitor General Plan land use designation and Zoning designation anticipated eating and drinking facilities with alcohol service, sale and consumption in this area. The sale and service of alcohol is ancillary to the primary restaurant use and will serve to augment the overall dining experience. The proposed use will comply with all building occupancy/exiting requirements.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 20-014:

1. The site plan and floor plans received and dated June 2, 2020 shall be the conceptually approved design.
2. The use shall comply with the following:
 - a. The hours of operation shall be limited to the following: 10:30 AM – 12:00 AM daily
 - b. The business shall obtain an Alcoholic Beverage Control (ABC) license authorizing alcohol use in the business. All ABC requirements shall be met prior to sales, service, or consumption of alcoholic beverages. **(PD)**
 - c. No carryout alcohol sales shall be permitted. All alcoholic beverages shall be consumed within the restaurant. **(PD)**
 - d. No reduced price or promotions of alcoholic beverages shall be allowed after 7:00PM. **(PD)**
 - e. No games or contests requiring or involving the consumption of alcoholic beverages shall be permitted. **(PD)**
 - f. All employees engaged in the sale or service of alcohol shall complete mandatory Responsible Beverage Service (RBS) training and certification. This shall be required for new employees within 90 days of being hired and for existing employees every 12 months. Training shall be provided by ABC or an ABC approved RBS trainer. Records of the training shall be maintained on-site for review. **(PD)**
 - g. Consumption of alcoholic beverages by on-duty employees and supervisory personnel is forbidden, except when training for knowledge of food pairing, if applicable. **(PD)**
 - h. There shall be no entertainment allowed without a valid Entertainment Permit issued by the Huntington Beach Police Department. Entertainment which would require modification of plans dated 6/2/20 or that require addition parking, would need approval by the Planning Department and may require a Permit for that specific use. **(PD)**
 - i. Dancing is prohibited. **(PD)**
 - j. Clearly legible signage shall be affixed inside the restaurant entrances/exits points which shall state “NO OPEN ALCOHOLIC BEVERAGES BEYOND THIS POINT.” **(PD)**

- k. Signage, posters, and advertising with “Do Not Drink and Drive” shall be posted in the business. **(PD)**
 - l. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. **(PD)**
 - m. All areas where the sales, service, and consumption of alcoholic beverages will be permitted must be sufficiently illuminated to permit the identification of patrons. **(PD)**
 - n. There shall be no window coverings or advertisements that reduce the visibility inside of the business. This will assist officers in observing crimes in progress. **(PD)**
 - o. The establishment shall employ a video surveillance security system with a minimum of one-month video library recorded to a DVR or Cloud based system. The cameras minimum requirements will be: clear, color, digital and able to record in low light. The business shall ensure all public areas, entrances, exits, parking areas to the front and adjacent to the business are covered by video surveillance. Electronic copies of video must be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made available for viewing on-scene upon request by police personnel conducting investigations. You are required to have someone able to operate the system on duty during all business hours. **(PD)**
 - p. All owners, employees, representatives, and agents must obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise at all times. **(PD)**
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. CUP No. 20-014 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. 20-014 (OCSD IMPROVEMENTS):

APPLICANT/ PROPERTY OWNER:	Adam Nazaroff, Orange County Sanitation District, 10844 Ellis Ave., Fountain Valley, CA 92708
REQUEST:	To allow for the construction of a 7,000 sq. ft., 29 ft.-6 in. high distribution center to house electrical equipment and remove and replace the following items: 1) four, 26 ft. high sedimentation tanks (clarifiers); 2) a 338 sq. ft., 13 ft. high electrical building; 3) a 390 sq. ft., 13 ft. high electrical building; 4) four, 33 ft.-6 in. high odor control scrubbers; and 5) a 684 sq. ft., 11 ft. high distribution structure.
ENVIRONMENTAL STATUS:	This request is covered by Categorical Exemption Section 15302, Class 2, California Environmental Quality Act. Appealable
LOCATION:	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 noted that staff did receive one comment regarding the proposed permit.

THE PUBLIC HEARING WAS OPENED.

Mr. 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 environmental, noise, odor, and health impacts.

Ms. Cortez gave a brief review of project compliance to development standards in the industrial zone and indicated the applicant is subject to the noise ordinance of the city. Ms. Cortez stated that further staff review exempted the project from further environmental review.

Mr. Nazaroff indicated the project is in compliance with the California Environmental Quality Act and spoke briefly about odor and noise control.

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. 20-014 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 15302 of the CEQA Guidelines because the project involves the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 20-014:

1. Coastal Development Permit No. 20-014 to allow for the construction of a 7,000 sq. ft., 29 ft.-6 in. high distribution center to house electrical equipment and remove and replace: four, 26 ft. high sedimentation tanks (clarifiers); a 338 sq. ft., 13 ft. high electrical building; a 390 sq. ft., 13 ft. high electrical building; four, 33 ft.-6 in. high odor control scrubbers; and a 684 sq. ft., 11 ft. high distribution structure 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 a 7,000 sq. ft., 29 ft.-6 in. high distribution center to house electrical equipment and remove and replace: four, 26 ft. high sedimentation tanks (clarifiers); a 338 sq. ft., 13 ft. high electrical building; a 390 sq. ft., 13 ft. high electrical building; four, 33 ft.-6 in. high odor control scrubbers; and a 684 sq. ft., 11 ft. high distribution structure 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 construction of a 7,000 sq. ft., 29 ft.-6 in. high distribution center to house electrical equipment and remove and replace: four, 26 ft. high sedimentation tanks (clarifiers); a 338 sq. ft., 13 ft. high electrical building; a 390 sq. ft., 13 ft. high electrical building; four, 33 ft.-6 in. high odor control scrubbers; and a 684 sq. ft., 11 ft. high distribution structure 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 replacement of aging buildings and facilities will improve the infrastructure to serve the needs of the community.

4. The proposed construction of a 7,000 sq. ft., 29 ft.-6 in. high distribution center to house electrical equipment and remove and replace: four, 26 ft. high sedimentation tanks (clarifiers); a 338 sq. ft., 13 ft. high electrical building; a 390 sq. ft., 13 ft. high electrical building; four, 33 ft.-6 in. high odor control scrubbers; and a 684 sq. ft., 11 ft. high distribution structure 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. 20-014:

1. The site plan, floor plans, and elevations received and dated May 15, 2020 shall be the conceptually approved design.
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. 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. Coastal Development Permit No. 20-014 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.

CONDITIONAL USE PERMIT NO. 20-003/COASTAL DEVELOPMENT PERMIT NO. 20-003 (ENSIGN RESIDENCE)

APPLICANT:	An Ha, 12862 Joy Street, Suite A, Garden Grove, CA 92840
PROPERTY OWNER:	Darren Nguyen, 14615 Magnolia Street, Westminster, CA 92683
REQUEST:	To construct an 874 sq. ft. first and second floor addition, second floor balconies totaling 409 sq. ft., and a 1,411 sq. ft. roof top deck at a height of 26 ft.-8 in. (with stairwell at 34 ft.-8in.) to an existing 3,783 sq. ft. single-family dwelling.
ENVIRONMENTAL STATUS:	This request is covered by Categorical Exemption Section 15301, Class 01, California Environmental Quality Act. Appealable
LOCATION:	16586 Ensign Circle, 92649 (at the terminus of Ensign Cir.)
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 noted that staff did not receive any inquiries regarding the proposed permits.

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

THE PUBLIC HEARING WAS OPENED.

Mr. Nguyen, property owner, 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. 20-003/COASTAL DEVELOPMENT PERMIT NO. 20-003 WERE 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 a remodel and addition to an existing single-family residence within a residential zone.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 20-003:

1. Conditional Use Permit No. 20-003 to construct an 874 sq. ft. first and second floor addition, second floor balconies totaling 409 sq. ft., and a 1,411 sq. ft. roof top deck at a height of 26 ft.-8 in. (with stairwell at 34 ft.-8in.) to an existing 3,783 sq. ft. single-family dwelling 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 rooftop deck is designed be compatible in proportion and scale with the surrounding neighborhood. The proposed roof top deck is under 30 ft. in height, with exception of the stairwell, and is designed to be integrated with the roof. The stairwell only accounts for approximately 15% of the roof top deck. In addition, the proposed third floor deck is set back five feet from the building exterior and is oriented toward the public channel to ensure privacy for adjacent neighbors is maintained.
2. The granting of the Conditional Use Permit No. 20-003 to construct an 874 sq. ft. first and second floor addition, second floor balconies totaling 409 sq. ft., and a 1,411 sq. ft. roof top deck at a height of 26 ft.-8 in. (with stairwell at 34 ft.-8in.) to an existing 3,783 sq. ft. single-family dwelling will not adversely affect the General Plan because it is consistent with the Land Use Element designation RL (Residential Low Density) 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-1(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Policy LU-4 (D): Ensure that single-family residences are of compatible proportion, scale and character to surrounding neighborhoods.

The proposed request is consistent with the requirements of the base zoning district such as on-site parking, building setbacks, height, landscaping, and lot coverage. The overall height will match the surrounding properties because the neighborhood is developed with single-family residences with similar building heights. The proposed rooftop deck is designed be compatible in proportion and scale with the surrounding neighborhood. Furthermore, the deck will be oriented toward the public channel to ensure privacy is

maintained for abutting residences and is set back five feet from the building exterior, further ensuring privacy is maintained onto adjacent residences.

3. Conditional Use Permit No. 20-003 to construct an 874 sq. ft. first and second floor addition, second floor balconies totaling 409 sq. ft., and a 1,411 sq. ft. roof top deck at a height of 26 ft.-8 in. (with stairwell at 34 ft.-8in.) to an existing 3,783 sq. ft. single-family dwelling 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 the project complies with minimum on-site parking, building setbacks, height, landscaping, and lot coverage. Furthermore, the rooftop deck will be set back a minimum of five feet from the second floor façade and is oriented toward the public channel, as required by the HBZSO. Third floor habitable space, including decks, are allowed for all single-family dwellings in the RL zoning district with the approval of a conditional use permit.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 20-003:

1. Coastal Development Permit No. 20-003 to construct an 874 sq. ft. first and second floor addition, second floor balconies totaling 409 sq. ft., and a 1,411 sq. ft. roof top deck at a height of 26 ft.-8 in. (with stairwell at 34 ft.-8in.) to an existing 3,783 sq. ft. single-family dwelling 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 to construct an 874 sq. ft. first and second floor addition, second floor balconies totaling 409 sq. ft., and a 1,411 sq. ft. roof top deck at a height of 26 ft.-8 in. (with stairwell at 34 ft.-8in.) to an existing 3,783 sq. ft. single-family dwelling 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, parking, and lot coverage.
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. 20-003 to construct an 874 sq. ft. first and second floor addition, second floor balconies totaling 409 sq. ft., and a 1,411 sq. ft. roof top deck at a height of 26 ft.-8 in. (with stairwell at 34 ft.-8in.) to an existing 3,783 sq. ft. single-family dwelling is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 20-003 to construct an 874 sq. ft. first and second floor addition, second floor balconies totaling 409 sq. ft., and a 1,411 sq. ft. roof top deck at a height of 26 ft.-8 in. (with stairwell at 34 ft.-8in.) to an existing 3,783 sq. ft. single-family dwelling 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 – CONDITIONAL USE PERMIT NO. 20-003/COASTAL DEVELOPMENT PERMIT NO. 20-003:

1. The site plan, floor plans, and elevations received and dated July 21, 2020 shall be the conceptually approved layout with the following modification: Individual projections into

required yards shall not exceed 1/3 of the building length, and the total of all projections, such as the second floor rear balconies, shall not exceed 2/3 of the building length on which they are located. **(HBZSO 230.68)**

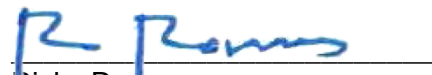
2. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be 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. 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. Conditional Use Permit No. 20-003 and Coastal Development Permit No. 20-003 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.

THE MEETING WAS ADJOURNED AT 1:58 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, AUGUST 5, 2020, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:is