

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

**WEDNESDAY, SEPTEMBER 14, 2005 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Mary Beth Broeren

**STAFF MEMBER:** Paul Da Veiga, Ron Santos,  
Ramona Kohlmann (recording secretary)

**MINUTES:** **NONE**

**ORAL COMMUNICATION:** **NONE**

**ITEM 1: CONDITIONAL USE PERMIT NO. 04-28 / NEGATIVE DECLARATION NO. 04-12**  
**(SEABREEZE CHURCH)**

**APPLICANT:** Steve Camp, 27231 Burbank #201, Foothill Ranch, CA 92610  
**PROPERTY OWNER:** Seabreeze Church, 19891 Beach Boulevard #139, Huntington Beach, CA 92648  
**REQUEST:** To permit the phased construction of a new church campus totaling approximately 101,000 sq. ft. of floor area. The facility will include an assembly area, daycare/pre-school, community outreach programs, a gymnasium, and a three-level parking structure.  
**LOCATION:** 18162 Gothard Street (northeast corner of Gothard Street and Prodan Avenue)  
**PROJECT PLANNER:** Paul Da Veiga

Paul Da Veiga, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented a review of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary.

Staff stated the proposed hours, building uses, details of the four-part phasing for the structures, and recommended architecture.

Staff suggested that conditions be added as follows:

- Additional articulation/material along the south elevation of the recreation building
- Variation in colors for the façade of the education building.

Staff stated that an environmental assessment was prepared which concluded that a mitigated negative declaration is warranted.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as outlined in the executive summary.

Mary Beth Broeren, Zoning Administrator, reviewed the project plans and discussions ensued concerning the parking structure, colors, creeping vegetation on the wall, on-site circulation, use of the facilities by the members of the community as well as the congregation, drop-off and pick-up location for the education center, and comments from the City Police Department.

Ms. Broeren confirmed with staff that the proposed project is not subject to review by the Design Review Board.

### **THE PUBLIC HEARING WAS OPENED.**

Steve Camp, 27231 Burbank #201, Foothill Ranch, applicant, spoke on behalf of the proposed project emphasizing community involvement, the proposed project's master plan and elevations, use of a stainless steel mesh screen, progression of the four phases, roof elevation, the elliptical wave-form architecture, landscaping, and use of the temporary education structure as a Sunday school only during Phase I.

Bevan Unrau, 5742 Rogers Drive, Pastor, addressed Phase I of the proposed project.

Ms. Broeren engaged in detailed discussions concerning completion of the phases, building heights, architecture, and durability of the non-corrosive stainless steel mesh screen. Further discussion ensued concerning Suggested Condition of Approval No. 1.a.

Ms. Broeren stated concern that the subject site is located in an industrial area traveled by trucks thereby raising concerns in accessing the day-care facility. The applicant stated that the day-care facility will be used for Sunday school only during Phase I, and advised that the drop-off location would be away from Prodan Lane when the permanent facility is completed. The applicant raised questions concerning the City's Code Requirements letter and was advised that questions may be addressed during the plan check phase.

### **THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Discussion ensued concerning Suggested Condition of Approval No. 1.b and the applicant was advised that the condition is a code requirement. Ms. Broeren stated that a variance could be filed; however, there are no grounds to support a variance. The applicant stated that they are prepared to accept condition 1.b.

Ms. Broeren addressed Suggested Condition of Approval No. 2, and staff advised that the narrative explicitly states that the elliptical structure will be built.

Ms. Broeren stated that she was going to approve the request and asked staff to modify the suggested conditions of approval by deleting no. 1.a and adding the following:

- d. Planning staff shall evaluate the southerly elevation of the recreation building (along the Prodan Ave. frontage) prior to submittal for building permits to determine that adequate articulation and landscaping have been incorporated to the building design.

**CONDITIONAL USE PERMIT NO. 04-28 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND MODIFIED CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.**

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 04-28**

1. Conditional Use Permit No. 04-28 to permit the phased construction, establishment, and maintenance of a new church campus totaling approximately 101,000 sq. ft. of floor area including an assembly area, daycare/pre-school, community outreach programs, a gymnasium, and a three-level parking structure 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 proposed project meets or exceeds all Huntington Beach Zoning and Subdivision Ordinance standards. The development will support the needs of residents in the City and surrounding region. Based upon the conditions imposed, the church facility will be designed with adequate setbacks, landscape buffering, and quality architecture and materials, which will be compatible with adjacent industrial properties.
2. The conditional use permit will be compatible with surrounding uses which include industrial uses to the north, south, and east and a public park to the west (across Gothard St.). The property does not abut sensitive land uses such as single-family residences and therefore will not result in an adverse affect to residential neighborhoods.
3. The proposed conditional use permit 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 and any specific condition required for the proposed use in the district in which it would be located. The project meets or exceeds all Huntington Beach Zoning and Subdivision Ordinance standards including parking, landscaping, setbacks, and building height.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Industrial on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Objective LU 9.4: Provide for the inclusion of recreational, institutional, religious, educational, and service uses that support resident needs within residential neighborhoods.

Policy LU 9.4.1: Accommodate the development of parks, sports facilities, schools, libraries, community meeting facilities, religious facilities, and similar community-serving

uses in all residential areas, provided that they are compatible with adjacent residential uses and subject to review and approval by the City and other appropriate agencies.

*Objective LU 13.1:* Provide for the continuation of existing and development of new uses, such as governmental, administrative, public safety, human service, cultural, educational, infrastructure, religious, and other uses that support the needs of existing and future residents and businesses.

*Policy LU 13.1.8:* Ensure that the City's public buildings, sites, and infrastructure improvements are designed to be compatible in scale, mass, character and architecture with existing buildings and pertinent design characteristics prescribed by this General Plan for the district or neighborhood in which they are located, and work with non-city public agencies to encourage compliance.

The proposed conditional use permit is consistent with the General Plan objectives and policies by providing for the inclusion of institutional and religious uses that support resident needs in the City and surrounding region. The proposed development plan for the establishment of the Seabreeze Church facility promotes renovation and re-use of the subject site in a manner that will be consistent with the aforementioned goals and objectives of the City's General Plan. The development will provide architecture that is compatible with the surroundings in scale and mass and will include quality materials and design.

#### **FINDINGS FOR APPROVAL – NEGATIVE DECLARATION NO. 04-12:**

1. The Negative Declaration No. 04-12 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of twenty (20) days. Comments received during the comment period were considered by the Zoning Administrator prior to action on the Negative Declaration and Conditional Use Permit No. 04-28.
2. There is no substantial evidence in light of the whole record before the Zoning Administrator that the project will have a significant effect on the environment.

#### **CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 04-28:**

1. The site plan, floor plans, and elevations received and dated February 1, 2005 shall be the conceptually approved design with the following modifications:
  - a. A five-foot wide perimeter landscape planter shall be provided along the easterly (rear) property line.
  - b. The education center building shall be limited to a maximum height of two stories in compliance with General Plan limitations.
  - c. Parking spaces adjacent to a wall or column within the parking structure shall be increased in width by three feet.
  - d. Planning staff shall evaluate the southerly elevation of the recreation building (along the Prodan Ave. frontage) prior to submittal for building permits to determine that adequate articulation and landscaping have been incorporated to the building design.

2. The phasing program as outlined in the narrative and depicted on the phasing plan dated February 1, 2005 shall be the conceptually approved phasing program. The phasing program shall commence effective the issuance of the first building permit for the site. The Planning Director may authorize modifications to the phasing of the project based on a written request by the applicant.
3. Prior to issuance of building permits, a Reciprocal Vehicular Access Agreement with the abutting property to the north shall be recorded to allow reciprocal vehicular access over said property to Vincent Cir. The legal instrument shall be submitted to the Planning Department a minimum of 30 days prior to building permit issuance. A copy of the legal instrument shall be approved by the City Attorney as to form and content and, when approved, shall be recorded in the Office of the County Recorder. A copy of the recorded agreement shall be filed with the Planning Department.

**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: CONDITIONAL USE PERMIT NO. 05-19 (PACIFIC MOBILE HOME PARK FENCE)**

APPLICANT: Brigetta A. Below, 17300 Redhill Avenue, Irvine, CA 92614  
 PROPERTY OWNER: Pacific M.H.P. LLC, 80 Huntington Street, Huntington Beach, CA 92648  
 REQUEST: To permit construction of a 6-ft. tall wood fence along the northern property line (Atlanta Avenue) of an existing mobile home park, in lieu of the 42-inch height limit within the required 10-ft. minimum setback.  
 LOCATION: 80 Huntington Street (east side of Huntington Street, south of Atlanta Avenue)  
 PROJECT PLANNER: Ron Santos

Ron Santos, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented a review of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary. Staff stated the intent of the proposed project and reasons for the modifications to the site plan.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as outlined in the executive summary.

**THE PUBLIC HEARING WAS OPENED.**

Robert Jason, 7956 Waterfall Circle, neighboring property owner, inquired into the setback requirements for the fence.

George Mezei, 7946 Waterfall Circle, neighboring property owner, inquired into the location of the fence, and identification of a bike lane. Mr. Mezei also asked who would pay for the cost of the sidewalk.

Ed Pike, Community Manager Pacific Mobile Home Park, spoke on behalf of the proposed project.

Ms. Broeren confirmed with Mr. Pike that the property owner of the subject site has reviewed the suggested conditions for approval.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

**CONDITIONAL USE PERMIT NO. 05-19 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN 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 consists of the construction of fencing as an accessory to an existing land use.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 05-19:**

1. Conditional Use Permit No. 05-19 to permit construction of a 6-ft. tall wood fence along the northern property line (Atlanta Avenue) of an existing mobile home park, in lieu of the 42-inch height limit within the required 10-ft. minimum setback, 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 proposed fencing will improve public safety by providing protection along the top of a sloped embankment existing adjacent to the public right-of-way. In addition, the fence, as modified by conditions of approval will maintain the required vision clearance at the adjacent street intersection, thus ensuring no detrimental impacts.
2. The conditional use permit will be compatible with surrounding uses because the subject property is currently fenced on all sides, excepting the side proposed to be fenced. The proposed fence will provide for continuity in design and consistency with the character of the land use (mobile home park) – which is typically designed with a perimeter fence. In addition, the proposed fence will improve privacy for residents of the mobile home park which is located at a lower grade than the surrounding streets. Construction of the fence in strict conformance with the code (at the bottom of the slope) will significantly reduce the privacy benefits afforded by the fence.

3. The proposed conditional use permit 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. The Huntington Beach Zoning & Subdivision Ordinance provides for exceptions to fence height limits with approval of a conditional use permit. In addition, a condition of approval ensures that the proposed fence will be removed as necessary to accommodate roadway widening and other planned/future improvements in the public right-of-way.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RM-15 (Residential Medium Density – 15 units/acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

L.U. 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objectives for community character as appropriate.

L.U. 15.6: Facilitate the preservation and development of Residential Mobile Home Parks.

The requested conditional use permit accounts for the unique characteristics of the project site by providing for construction of the proposed fence at the top of an existing sloped embankment, whereas strict compliance with the code would require that the fence be constructed at the bottom of the slope. The proposed fence is consistent with the objectives for community character because it provides privacy to an existing residential development not otherwise afforded by a fence constructed in strict compliance with applicable setback requirements. The proposed fence, by providing privacy, preventing undesirable pedestrian traffic through the park and improving public safety at the top of a slope, facilitates the preservation of an existing mobile home park.

#### **CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 05-19:**

1. The site plan received and dated July 1, 2005 shall be the conceptually approved design with the following modification:
  - a. All fencing (existing and proposed) exceeding 42-inches in height (as measured from the top of the adjacent curb) at the southeast corner of the Atlanta Avenue/ Huntington Street intersection, shall comply with Huntington Beach Zoning & Subdivision Ordinance Section 230.88(C) – *Fencing and Yards, Visibility*. The required visibility triangle shall be measured from the right-of-way lines, in accordance with Diagram A (HBZSO 230.88).
  - b. The fence shall not block access to the buildings nor interrupt the required exits from the buildings to the public street, yard or exit court. **(B&S)**
  - c. Three gated openings, a minimum of 36-inches in width, shall be provided in the proposed fence. The gates shall provide Fire Department access to the three hydrants located along Atlanta Avenue. The required gates may be secured with a chain or lock with a diameter no greater than 3/8-inch. Signs stating "Fire Dept. Access" shall be posted on both sides of each gate. **(FD)**
2. All proposed fencing shall be constructed:
  - a. Entirely on private property.

- b. So as to avoid any existing water valves, backflow devices, meters and/or other water appurtenances along Atlanta Avenue. (Proposed fencing shall not enclose any of the aforementioned items). **(PW)**
  - c. To provide a four-foot minimum clearance (compliant with ADA requirements) between the proposed fence and the existing utility poles adjacent to Atlanta Avenue. **(PW)**
3. All fencing constructed within the ultimate right-of-way shall be removed in order to accommodate roadway widening, at the sole expense of the property owner and within 30 days receipt of written notice by the City. **(PW)**

**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. 05-22 (GLORE THIRD-STORY DECK)**

APPLICANT: Phil Edmondson, Pacific Coast Architects, 2600 Newport Boulevard #114, Newport Beach, CA 92663

PROPERTY OWNER: Bill and Anneke Glore, 17831 Alfawn Circle, Huntington Beach, CA 92649

REQUEST: To permit construction of a third-story deck over an existing two-story single-family dwelling.

LOCATION: 17831 Alfawn Circle (west of Selkirk Drive, south of Graham Street)

PROJECT PLANNER: Ron Santos

Ron Santos, Staff Planner, displayed project plans and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented a review of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as outlined in the executive summary. No written or verbal comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator, reviewed the project plans and confirmed that the proposed addition does not exceed 10 percent of the existing dwelling thereby eliminating the need for a coastal development permit.

**THE PUBLIC HEARING WAS OPENED.**

Phil Edmondson, 2600 Newport Boulevard #114, Newport Beach, applicant, spoke on behalf of the proposed project and stated that the proposed deck is oriented away from the neighbor's backyard.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

**CONDITIONAL USE PERMIT NO. 05-22 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN 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 a negligible expansion to an existing single family home.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 05-22:**

1. Conditional Use Permit No. 05-22 to permit construction of a third-story deck over an existing two-story 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. The proposed deck will be setback approximately ten feet from the nearest property line to the east and is generally oriented toward the Bolsa Chica Wetlands to the south. Accordingly, the proposed deck will not significantly impact privacy on abutting properties.
2. The conditional use permit will be compatible with surrounding uses because the deck is designed to be architecturally integrated with the existing dwelling. The proposed deck and deck railing will not project above or beyond the roofline of the dwelling and will be setback from adjacent properties so as to minimize impacts to privacy.
3. The proposed conditional use permit 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. The proposed third-story deck will be setback a minimum of five feet from the second-story façade on all sides, as required by the HBZSO, and will comply with applicable height limits.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-CZ (Residential Low-Density) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 9.2.1b: Require that all residential development within existing neighborhoods be compatible with existing structures, including:

- The use of building heights, grade elevations, orientation, and bulk that are compatible with the surrounding development.

- Maintenance of privacy on abutting residences.

The proposed third-story deck will not project above the roof-line of the dwelling, will maintain an overall height consistent with two-story construction (approximately 23 feet AFG), and will be architecturally integrated with the design of the house. In addition, the deck will be setback a minimum of five (5) feet from the second-story façade and ten feet from the nearest property line, thus minimizing bulk and impacts to privacy on adjoining properties.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 05-22:**

1. The site plan, floor plans, and elevations received and dated August 23, 2005, shall be the conceptually approved design.
2. 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.

**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 2:42 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, SEPTEMBER 21, 2005 AT 1:30 PM.**

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Mary Beth Broeren  
Zoning Administrator

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