

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

WEDNESDAY, JANUARY 17, 2018 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Jessica Bui, Nicolle Bourgeois, Joanna Cortez, Judy Graham

MINUTES: May 3, 2017
July 19, 2017

APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITONAL USE PERMIT NO. 17-040/VARIANCE NO. 17-006 (ROD & GUN CLUB)

APPLICANT: Julio Gener, Studio Architects, PO Box 3793, Costa Mesa, CA 92628

PROPERTY OWNER: Tim Miller, 5872 Engineer Drive, Huntington Beach, CA 92649

REQUEST: **CUP:** To permit: 1) an approximately 5,084 sq. ft. addition to an existing 26,124 sq. ft. industrial building; 2) a commercial recreation use consisting of a private shooting range, car collection showroom, and members lounge with the onsite sales and consumption of alcohol (Type 57 ABC License); and 3) a request for reduced parking with a parking study. **VAR:** To permit: 1) a 6 ft. 5 in. wide landscape planter in lieu of the required minimum of 10 ft. along Engineer Drive; 2) a 17 ft. 1 in. wide drive aisle width in lieu of the required minimum of 20 ft. on the north parking lot fronting Engineer Drive; 3) a 19 ft. 5 in. wide drive aisle in lieu of the required minimum of 20 ft. in the parking lot fronting Transistor Lane; and 4) a 19 ft. 3 in. drive aisle width in lieu of the required minimum 26 ft. in the parking lot fronting Transistor Lane.

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

LOCATION: 5872 Engineer Drive, 92649 (northwest corner of Engineer Dr. and Transistor Ln.)

CITY CONTACT: Jessica Bui

Jessica Bui, Assistant Planner, stated that the applicant requested a continuance to a special meeting on January 31, 2018.

THE PUBLIC HEARING WAS NOT OPENED.

Ricky Ramos, Zoning Administrator, stated he would continue to the item to January 31, 2018, special meeting at the applicant's request.

CONDITIONAL USE PERMIT NO. 17-040 /VARIANCE NO. 17-006 WERE CONTINUED TO THE SPECIAL MEETING ON JANUARY 31, 2018, AT THE APPLICANT'S REQUEST.

ITEM 2: CONDITIONAL USE PERMIT NO. 17-043 (FOUR SONS CRAFT DISTILLERY & TASTING ROOM):

APPLICANT/
PROPERTY OWNER: Gerard Dufresne, 1506 Pacific Coast Highway, Huntington Beach, CA 92648

REQUEST: To permit an approximately 430 sq. ft. alcohol tasting room (type 74 ABC License) within an approximately 2,195 sq. ft. proposed distillery/manufacturing industrial space.

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

LOCATION: 18421 Gothard Street, 92648 (west side of Gothard St. and north of Ellis Ave.)

CITY CONTACT: Jessica Bui

Jessica Bui, Assistant Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

THE PUBLIC HEARING WAS OPENED.

Gerard Dufresne, applicant, stated that he no comment or concerns with staff's recommendations.

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

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

CONDITONAL USE PERMIT NO. 17-043 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. 17-043:

1. Conditional Use Permit No. 17-043 to permit an approximately 430 sq. ft. alcohol tasting room (Type 74 ABC License) within an approximately 2,195 sq. ft. proposed distillery/manufacturing industrial space 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 approximately 430 sq. ft. alcohol tasting room within an approximately 2,195 sq. ft. distillery/manufacturing industrial space is not anticipated to generate noise, traffic, parking, or other impacts detrimental to surrounding

properties and is consistent with the subject property's industrial zoning. The proposed use, as conditioned, will have sufficient parking to accommodate the alcohol tasting room and distillery/manufacturing use. Moreover, the site is entirely surrounded by industrial uses and the nearest residential use is approximately 450 ft. to the south, across Ellis Avenue. The residential uses are buffered by buildings, parking lots, drive aisles and Ellis Avenue, and the proposed use is not anticipated to generate impacts to those residences.

2. Conditional Use Permit No. 17-043 to permit an approximately 430 sq. ft. alcohol tasting room (Type 74 ABC License) within an approximately 2,195 sq. ft. proposed distillery/manufacturing industrial space will be compatible with surrounding uses because as conditioned, the onsite distillery/manufacturing and alcohol tasting room will occur entirely within the interior of the industrial building and use of the alcohol tasting room will operate on an appointment basis. Furthermore, the use is conditioned to update an existing joint use parking arrangement, identifying specific units within the industrial complex to have divergent hours of operation to ensure adequate parking will be provided onsite. The use is entirely surrounded by similar industrial uses which include an existing brewery and onsite tasting room which is compatible to the proposed use. Lastly, the nearest residential use is approximately 450 ft. to the south, across Ellis Avenue, and any potential impacts to residential uses within the vicinity are not anticipated.
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 approximately 430 sq. ft. alcohol tasting room within an approximately 2,195 sq. ft. proposed distillery/manufacturing industrial space conforms to applicable site development requirements including minimum setbacks, minimum landscaping, and minimum onsite parking (with the condition requiring an update to an existing joint use parking arrangement). The alcohol tasting room within an approximately 2,195 sq. ft. distillery/manufacturing use is permitted within the IG (Industrial General) zoning district with the approval of a conditional use permit.
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 Research and Technology 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-5: Industrial businesses provide employment opportunities for residents, supporting the local economy.

Policy LU-5 A: Support and attract new businesses in the City's industrial areas.

Policy LU-5 D: Explore opportunities to optimize use of underutilized or underperforming industrial land that is sensitive to surrounding uses, and to introduce new industrial uses that create jobs.

Goal LU-13: The City provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.

Policy LU-5 A: Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

The approximately 430 sq. ft. alcohol tasting room (Type 74 ABC License) within an approximately 2,195 sq. ft. proposed distillery/manufacturing industrial space will provide

the City with a new business within an industrial area and additional employment opportunities. The proposed use will expand on the range of goods and services for the community and surrounding area. Furthermore, the use is compatible with the surrounding industrial uses including an existing brewery and tasting room within the industrial complex. As conditioned, all operations will occur indoors unless otherwise approved by the Community Development Department. The nearest residential uses are approximately 450 ft. to the southwest and are buffered by buildings, parking lots, drive aisles, and Ellis Avenue and no impacts to the residences are anticipated.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 17-043:

1. The site plan, floor plans, and elevations received and dated December 18, 2017 shall be the conceptually approved design.
2. The indoor use shall comply with the following:
 - a. The onsite service and consumption of alcoholic beverages shall be permitted between the following hours:
 - i. Monday through Thursday from 4:00PM – 9:00PM;
 - ii. Friday through Sunday from 12:00PM – 9:00PM
 - b. Tastings shall only be open for customers by appointment only and while an employee is designated to work and monitor the area.
 - c. The alcohol tasting room and the distillery/manufacturing operations and all activities shall occur entirely indoors unless approval is obtained by the Community Development Department.
 - d. Prior to sales, service, or consumption of alcoholic beverages, the business shall obtain an Alcohol Beverage Control (ABC) license authorizing alcohol use. The business shall be limited to a Type 74 (Craft Distiller) ABC license.
 - e. The onsite service and consumption of alcoholic beverages shall be limited to the designated tasting area indicated on the submitted plans received and dated December 18, 2017.
 - f. There shall be no dancing or live entertainment allowed without a valid Entertainment Permit issued by the Huntington Beach Police Department. **(PD)**
 - g. All persons serving alcohol shall have previously attended LEADS alcohol safety training through the ABC or course approved by ABC. **(PD)**
 - h. A clearly legible sign shall be affixed inside the tasting area entrance state, "No open alcoholic beverages will be permitted outside the tasting area." **(PD)**
 - i. Only samples provided by the business shall be provided. **(PD)**
 - j. All owners, employees, representatives, and agents shall obey all state, local, and municipal laws, conditions of the Conditional Use Permit, and any other regulations, provision, or restrictions prescribed at all times. **(PD)**

3. Prior to use of the alcohol tasting room and the distillery/manufacturing, a covenant shall be recorded on the property limiting the uses onsite to meet minimum parking requirements for all businesses. The legal instrument shall be submitted to the Community Development Department a minimum of 30 days prior to use of the alcohol tasting room and distillery. 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 Community Development Department. The recorded agreement shall remain in effect in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach and reflect the following:
 - a. As requested by the applicant and indicated on plans received and dated December 18, 2017, the following suites shall be restricted from operating during the following hours: Monday through Thursday from 4:00PM – 9:00PM; Friday through Sunday from 12:00PM – 9:00PM.
 - i. 18411 Gothard Street, Suite C
 - ii. 18411 Gothard Street, Suite D
 - iii. 18411 Gothard Street, Suite E
 - b. Update the parking breakdown to include the square footage of the distillery/manufacturing area and alcohol tasting room when the other tasting room and brewery with food service is open to demonstrate adequate parking is provided during hours of operation.
4. CUP No. 17-043 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.
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.
6. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

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: COASTAL DEVELOPMENT PERMIT NO. 17-019 (HAMILTON AVENUE LIMITED PARKING)

APPLICANT/
PROPERTY OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

REQUEST: To limit public street parking to one hour maximum between 10:00 PM and 6:00 AM daily on a 1,080 linear ft. section of the north side of Hamilton Avenue between Magnolia Street and Newland Street. The request includes eight new "Restricted Parking" signs.

ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

LOCATION: 1,080 linear ft. of public street on the north side of Hamilton Ave. between Magnolia St. and Newland St. (adjacent to Edison Park).

CITY CONTACT: Nicolle Bourgeois

Nicolle Bourgeois, Planning Aide, noted that she would combine Items 3 and 4 into one presentation.

ITEM 4: COASTAL DEVELOPMENT PERMIT NO. 17-020 (MAGNOLIA STREET LIMITED PARKING)

APPLICANT/
PROPERTY OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

REQUEST: To limit street parking to one hour maximum between 10:00 PM and 6:00 AM daily and two hours maximum between 6:00 AM and 10:00 PM daily on 1,225 linear feet of public street on the west side of Magnolia Street between Banning Ave. and Hamilton Ave. The request includes seven new "Restricted Parking" signs.

ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

LOCATION: 1,225 linear feet of public street on the west side of Magnolia Street between Banning Ave. and Hamilton Ave).

CITY CONTACT: Nicolle Bourgeois

Nicolle Bourgeois, Planning Aide, displayed project plans and photographs 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. Bourgeois noted that staff had received one email in support of the proposed project. She also stated that staff received a letter from the California Coastal Commission addressing several items including, defining the appealable area of the coastal jurisdiction, the project proximity to the wetlands or inland extent of the beach and mean high tide line. The letter continued noting that the flood control channel and the area wetlands are tidally influenced. The Coastal Commission staff also inquired about public access to the beach. Ms. Bourgeois stated that staff verified that the proposed project was in the non-appealable area, and met the requirements mandated by the Coastal Commission..

THE PUBLIC HEARING WAS OPENED.

Bob Stachelski, applicant, stated that he no comments or concerns with staff's recommendations.

Chris Young, resident, stated that he was in support of the proposed project. He inquired if staff considered the summer beach traffic. Mr. Stachelski stated that staff did consider the summer traffic and decided that the two hour time frame was a good compromise.

Robert Van Schoosenberg, resident spoke in support of the proposed project. He stated that he would like to see the same parking limitation in the Carlsberg area with signage.

A brief discussion took place regarding the municipal codes, signage, and enforcement of those violating the parking limits.

William Padmore, resident, stated that he is in support of the proposed project. He noted his concern for the potential negative impact of overflow parking in his residential neighborhood.

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

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 17-019 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 involves installation of new, small structures (signs).

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 17-019:

1. Coastal Development Permit No. 17-019 to limit on-street parking to one hour maximum between 10:00 PM and 6:00 AM daily on a 1,080 linear ft. section of the north side of

Hamilton Avenue between Magnolia Street and Newland Street, including the installation of eight new "Restricted Parking" signs conforms with the General Plan, including the Local Coastal Program. Completion of the project will continue to implement the Coastal Element goal of providing coastal resource access opportunities for the public. Even with limited overnight parking hours, coastal access will be maintained by ensuring that on-street parking will be permitted at all times.

2. Coastal Development Permit No. 17-019 to limit on-street parking to one hour maximum between 10:00 PM and 6:00 AM daily on a 1,080 linear ft. section of the north side of Hamilton Avenue between Magnolia Street and Newland Street, including the installation of eight new "Restricted Parking" signs is consistent with the requirements of the CZ Overlay District, City ROW, as well as other applicable provisions of the Municipal Code. The project will not result in major physical changes to the streetscape. The proposal includes posting a total of eight new signs; six signs will be attached to existing streetlight poles and two signs will be attached to new sign posts. There will be no obstruction in pedestrian or vehicle access to coastal resources and on-street parking will continue to be permitted at all times.
3. At the time of occupancy, limited overnight on-street parking and the installation of eight new "Restricted Parking" signs can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. All necessary infrastructure, such as roadways and sidewalks, currently exist to serve the area. The request will maintain existing on-street parking and ensure continued public safety in the vicinity.
4. Coastal Development Permit No. 17-019 to limit on-street parking to one hour maximum between 10:00 PM and 6:00 AM daily on a 1,080 linear ft. section of the north side of Hamilton Avenue between Magnolia Street and Newland Street, including the installation of eight new "Restricted Parking" signs, conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources. The project ensures that on-street parking will continue to be permitted at all times.

CONDITIONS OF APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 17-019:

1. The site plan received and dated November 30, 2017 shall be the conceptually approved design.
2. The use shall comply with the following: Parking shall be limited to a one hour maximum between the hours of 10:00 PM and 6:00 AM, daily.
3. The use shall be subject to staff review after one year of implementation to ensure the limited parking program maintains coastal access.
4. The applicant and/or the applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the city for review and approval.
5. CDP No. 17-019 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 Department of Community Development pursuant to a written request submitted to the 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.

COASTAL DEVELOPMENT PERMIT NO. 17-020 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 involves installation of new, small structures (signs).

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 17-020:

1. Coastal Development Permit No. 17-020 to limit on-street parking to one hour maximum between 10:00 PM and 6:00 AM daily and two hours maximum between 6:00 AM and 10:00 PM daily on 1,225 linear feet of public street on the west side of Magnolia Street between Banning Ave. and Hamilton Ave., including the installation of seven new "Restricted Parking" signs conforms with the General Plan, including the Local Coastal Program. Completion of the project will continue to implement the Coastal Element goal of providing coastal resource access opportunities for the public. Even with limited parking hours, coastal access will be maintained by ensuring that on-street parking will be permitted at all times.
2. Coastal Development Permit No. 17-020 to limit on-street parking to one hour maximum between 10:00 PM and 6:00 AM daily and two hours maximum between 6:00 AM and 10:00 PM daily on 1,225 linear feet of public street on the west side of Magnolia Street between Banning Ave. and Hamilton Ave., including the installation of seven new "Restricted Parking" signs is consistent with the requirements of the CZ Overlay District, City ROW, as well as other applicable provisions of the Municipal Code. The project will not result in major physical changes to the streetscape. The proposal includes posting a total of seven new signs; four signs will be attached to existing streetlight poles and three signs will be

attached to new sign posts. There will be no obstruction in pedestrian or vehicle access to coastal resources and on-street parking will continue to be permitted at all times.

3. At the time of occupancy, limited on-street parking and the installation of seven new "Restricted Parking" signs can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. All necessary infrastructure, such as roadways and sidewalks, currently exist to serve the area. The request will maintain existing on-street parking and ensure continued public safety in the vicinity.
4. Coastal Development Permit No. 17-020 to limit on-street parking to one hour maximum between 10:00 PM and 6:00 AM daily and two hours maximum between 6:00 AM and 10:00 PM daily on 1,225 linear feet of public street on the west side of Magnolia Street between Banning Ave. and Hamilton Ave., including the installation of seven new "Restricted Parking" signs conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources. The project ensures that on-street parking will continue to be permitted at all times.

CONDITIONS OF APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 17-020:

1. The site plan received and dated November 30, 2017 shall be the conceptually approved design.
2. The use shall comply with the following:
 - a. Parking shall be limited to a one hour maximum between the hours of 10:00 PM and 6:00 AM, daily.
 - b. Parking shall be limited to two hours maximum between the hours of 6:00 AM and 10:00 PM, daily.
3. The use shall be subject to staff review after one year of implementation to ensure the limited parking program maintains coastal access.
4. The applicant and/or the applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the city for review and approval.
5. CDP No. 17-020 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 Department of Community Development pursuant to a written request submitted to the 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.

7.

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 5: CONDITIONAL USE PERMIT NO. 17-046 (RONALD DRIVE)

APPLICANT:	James Conrad, 1550 South Coast Hwy 201, Laguna Beach, CA 92651
PROPERTY OWNER:	Brad and Alysa Clark, 2909 Jacaranda Ave., Costa Mesa, CA 92626
REQUEST:	To permit the construction of a two-story, 1,357 sq. ft. residential unit, a 267 sq. ft. garage, and a 272 sq. ft. deck on a parcel with two existing residential units
ENVIRONMENTAL STATUS:	This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.
LOCATION:	7921 Ronald Drive, 92647 (north side of Ronald Dr., west of Beach Blvd.)
CITY CONTACT:	Joanna Cortez

Joanna Cortez, Acting Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Ms. Cortez noted that staff had received one call inquiring about the proposed project. The Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

THE PUBLIC HEARING WAS OPENED.

James Conrad, applicant, stated that he had no comment or concerns with staff's recommendations. He gave a brief overview of the drainage issues and noted that he has been in contact with the adjacent property owner to find a solution.

Ali Ashouriha, representing applicant, stated his concern with potential negative cost impacts to address the drainage issues. Mr. Ramos explained that the he is unable to change an item required by Code.

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

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 17-046 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project involves the construction of one residential unit.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 17-046:

1. Conditional Use Permit No. 17-046 for the construction of a two-story, 1,357 sq. ft. residential unit, a 1,267 sq. ft. garage, and a 272 sq. ft. deck on a parcel with two existing residential units 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 subject site is currently developed with two residential units. Although the proposed third unit will be located more than 150 ft. from the public street, the additional unit can be provided with adequate utility and emergency services. The new building will improve the value of the site and neighborhood, which consists of multifamily developments. It will not generate noise, traffic, odors, or other impacts at levels inconsistent with the existing residential character of the neighborhood. The proposed design and overall building height are not anticipated to impact surrounding properties because the site is surrounded by two-story buildings with similar design. The project will also provide new housing opportunities to the area.
2. The conditional use permit for the construction of a two-story, 1,357 sq. ft. residential unit, a 1,267 sq. ft. garage, and a 272 sq. ft. deck on a parcel with two existing residential units will be compatible with surrounding uses because the neighborhood is predominantly developed with multifamily housing of comparable design, density, and building height. The proposed units are designed to convey a high level of quality and a character consistent with the City of Huntington Beach Urban Design Guidelines.
3. The proposed conditional use permit for the construction of a two-story, 1,357 sq. ft. residential unit, a 1,267 sq. ft. garage, and a 272 sq. ft. deck on a parcel with two existing residential units 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, including maximum density, height, lot coverage, building setbacks, parking, and open space requirements.
4. The granting of the conditional use permit for the construction of a two-story, 1,357 sq. ft. residential unit, a 1,267 sq. ft. garage, and a 272 sq. ft. deck on a parcel with two existing residential units will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RM (Residential Medium Density) 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 D: Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Goal LU-4: A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

Policy A: Encourage a mix of residential types to accommodate people with diverse housing needs.

The proposed third unit is consistent with the existing multifamily residential neighborhood. The project will be developed in a manner that is consistent with the neighborhood in terms of design, density, and building height. Additionally, the proposed unit will provide new housing opportunities to the area.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 17-046:

1. The site plan, floor plans, and elevations received and dated November 2, 2017 shall be the conceptually approved design.
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 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.
3. The final building permit cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans, except as modified by conditions of approval.
 - 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. CUP No. 17-046 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
6. The Development Services Departments and divisions (Community Development, Fire, 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.

7. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

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 2:04 PM TO A SPECIAL MEETING SCHEDULED ON WEDNESDAY, JANUARY 31, 2018, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:JC:jg