

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

**WEDNESDAY, JULY 6, 2011 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** Jill Arabe, Ethan Edwards, Andrew Gonzales, Judy Demers  
(recording secretary)

**MINUTES:** August 4, 2010  
September 15, 2010  
November 17, 2010  
**APPROVED AS SUBMITTED**

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

**ITEM 1: TENTATIVE TRACT MAP NO. 11-010 (HUNTINGTON HARBOR VILLAGE MOBILE HOME PARK CONVERSION)**

**APPLICANT:** Ariel Bedell, The Loftin Firm, LLP

**PROPERTY OWNER:** Huntington Mobile Home Investments, LLC., 1100 Newport Beach Drive, Suite 150, Newport Beach, CA 92660

**REQUEST:** To waive the requirement for a tentative and final map pursuant to Huntington Beach Zoning and Subdivision Ordinance section 251.20 and California Government Code section 66428.1. The waiver of tentative map would permit the conversion of an existing 130 space mobilehome park from rental to resident owned. The applicant has obtained a signed petition indicating that at least two-thirds of the owners of the mobilehomes, who are tenants in the mobilehome park, have indicated their intent to purchase the mobilehome park for purposes of converting it to resident ownership. The applicant has also submitted the required field survey.

**LOCATION:** 16400 Saybrook Lane, 92649 (east side of Saybrook Lane, south of Edinger Avenue and north of Heil Avenue)

**PROJECT PLANNER:** Ethan Edwards

Ethan Edwards, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ricky Ramos, Zoning Administrator, verified that the intended subdivision would result in a condominium plan and would not result in the creation of individual lots.

Mr. Edwards stated that it will result in a condominium plan.

**THE PUBLIC HEARING WAS OPENED.**

Sue Loftin, applicant, stated that she is in agreement with staff's recommended conditions of approval. She briefly described the process that will take place if the mobilehome park conversion is approved.

Dick Hermes, 16400 Saybrook Lane, #101, spoke in support of the proposed mobilehome park conversion.

Don Gray, 16400 Saybrook Lane, #31, spoke in support of the proposed mobilehome park conversion.

**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.

**TENTATIVE TRACT MAP NO. 11-010 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.**

**FINDING FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is Statutorily Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15282(e), of the CEQA Guidelines, because the conversion of an existing rental mobilehome park to a resident initiated subdivision, cooperative, or condominium for mobilehomes as set forth in Section 21080.8 of the Public Resources Code is statutorily exempt from the provisions of CEQA.

**FINDING FOR APPROVAL - TENTATIVE TRACT MAP NO. 11-010:**

1. Tentative Tract Map No. 11-010 for the purposes of waiving tentative parcel map requirements to permit the conversion of an existing 130 space mobilehome park from rental to resident owned is consistent with the General Plan Land Use Element designation of RL-7-rmp (Residential-Low Density – Max. 7 units per acre – Residential Mobilehome Park Overlay) and Zoning Designation of RMP (Manufactured Home Park) on the subject property and the existing mobilehome park was originally permitted through Use Permit No. 71-34 and Plot Plan Amendment No. 71-10. The applicant has successfully demonstrated eligibility for a waiver of a parcel map or a tentative and final map in accordance with Section 251.20 of the Huntington Beach Zoning and Subdivision Ordinance and Section 66428.1 of the California Subdivision Map Act by submitting a field survey verifying compliance with the exterior property boundary, number of approved mobilehome park spaces, layout and area. Additionally, the applicant has submitted signed petitions verifying that approximately 72% of the resident owners of the mobilehomes who are tenants in the mobilehome park have intention to purchase the mobilehome park for purposes of

converting it to resident ownership, satisfying the minimum two-thirds requirement for conversion. Furthermore, the rights and protections including the limits of economic displacement of nonpurchasing residents is ensured by rent protections provided by California Government Code Section 66427.5 and set forth in the Tenant (Conversion) Impact Report submitted by the applicant. Moreover, the City Engineer has verified that the proposed division of land is consistent with the original approval for a 130 space mobilehome park and that no new site improvements or environmental protection are proposed or necessary and that existing public infrastructure is adequate to support the mobilehome park.

**CONDITION OF APPROVAL – TENTATIVE TRACT MAP NO. 11-010:**

1. The field survey received and dated April 26, 2011 for the purposes of waiving tentative parcel map requirements to permit the conversion of an existing 130 space mobilehome park from rental to resident owned shall be the approved layout.

**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. 11-008 (MENARD RESIDENCE)**

APPLICANT:	Jay Earl, Jay Earl Design
PROPERTY OWNER:	Tony & Brenna Menard, 16782 Coral Cay Lane, Huntington Beach, CA 92649
REQUEST:	To permit the construction of an approximately 850 sq. ft., 1 <sup>st</sup> and 2 <sup>nd</sup> floor addition to an existing 3,259 sq. ft., 25 ft. 6in. high, two-story single family residence
LOCATION:	16782 Coral Cay Lane, 92649 (east side of Coral Cay Lane, north of Pacific Coast Highway - Huntington Harbour)
PROJECT PLANNER:	Jill Arabe

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

Ms. Arabe, stated that staff had not received any public comments related to the proposed project.

**THE PUBLIC HEARING WAS OPENED.**

Jay Earl, applicant, stated that he had no comments or concerns with staff's recommended conditions.

**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. 11-008 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS. 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 involves an addition to an existing single family residence which will not result in an increase of more than 50 percent of the floor area of the structure before the addition.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 11-008:**

1. Coastal Development Permit No. 11-008 for the construction of an approximately 850 sq. ft., 1<sup>st</sup> and 2<sup>nd</sup> floor addition to an existing 3,259 sq. ft., 25 ft. 6in. high, two-story single family residence conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low Density. The addition will involve an expansion of the family room on the first floor, and the master bedroom and new bonus room on the second floor. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing residential development. The house will not increase in height above the existing condition.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. Although the project will increase the existing footprint of the residence, the site will continue to comply with the maximum allowable site coverage. The project also complies with maximum building height, minimum setbacks, and minimum on-site parking.
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. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roadways.

4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 11-008:**

1. The site plan, floor plans, and elevations received and dated May 2, 2011, shall be the conceptually approved design with the following modifications:
  - a. The floor plans shall be revised to reflect the correct scale.
  - b. The site plan and conformance matrix on Sheet No. 1 shall be revised to include the minimum 40% landscaping required within the front yard setback.
2. Prior to submittal for building permits, zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments of Fire, Planning and Building, and Public Works 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. 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.
4. The structure cannot be occupied and 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 provided for by conditions of approval.
  - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building 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.

5. Coastal Development Permit No. 11-008 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 Planning and Building Department a minimum 30 days prior to the expiration date.
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/index.cfm?fuseaction=guidelines>).

#### **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. 11-007 (HOLMWOOD RESIDENCE)**

APPLICANT:	Michael Mehalick, Michael Mehalick Design
PROPERTY OWNER:	John Holmwood, 3271 Gilbert Drive, Huntington Beach, CA 92649
REQUEST:	To permit the construction of an approximately 1,351 sq. ft., 25 ft. 6 in. high, 2 <sup>nd</sup> floor addition to an existing 3,248 sq. ft. single-story, single family residence.
LOCATION:	3271 Gilbert Drive, 92649 (northwest corner of Channel Lane and Gilbert Drive - Huntington Harbour)
PROJECT PLANNER:	Andrew Gonzales

Andrew Gonzales, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Mr. Gonzales, stated that staff had not received any public comments related to the request.

Ricky Ramos, Zoning Administrator, stated that he had no questions for staff.

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

Michael Mehalick, representing the applicant stated he had no comments or concerns with staff's recommend conditions.

Mr. Mehalick, inquired if staff's recommended findings and conditions are the final conditions that will be placed on the proposed project.

Mr. Gonzales verified that the recommend findings and conditions are the final recommendations. He explained that the applicant and owner will receive a "Notice of Action" letter which will list the findings and conditions.

**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. 11-007 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS. 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 additions to existing structures are exempt provided that they are less than 50 percent of the existing floor area of the structure.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 11-007:**

1. Coastal Development Permit No. 11-007 to permit an approximately 1,351 sq. ft. 2<sup>nd</sup> floor addition to an existing 2,813 sq. ft. single-family residence with an attached 435 sq. ft. garage conforms with the General Plan, including the Local Coastal Program Land Use Designation of Residential Low Density (RL-7). The proposed project is consistent with 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 project includes a minor addition to an existing one-story, single-family residence on a previously developed site, contiguous to existing residential developments.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The addition will provide 1,351 sq. ft. of additional habitable area to create a new 2<sup>nd</sup> floor and raise the height of the existing residence an additional 11 ft. 9 in. The project complies with all applicable development regulations, including minimum setbacks and on-site parking, and maximum building height and site 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. The proposed addition will be constructed on a developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.

4. The development 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.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 11-007:**

1. The site plan, floor plans, and elevations received and dated April 29, 2011, shall be the conceptually approved design with the modification that the required and proposed side yard setback measurement identified within the Zoning Conformance Matrix (Sheet No. A-1) be noted as 5 ft.
2. Prior to submittal for building permits, zoning entitlement conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. 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.
4. The structure(s) cannot be occupied and the final building permit(s) cannot be approved, until the following have been completed:
  - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
  - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building 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.
5. Coastal Development Permit No. 11-007 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 Planning and Building Department a minimum 30 days prior to the expiration date.
6. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.



7. 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 4: COASTAL DEVELOPMENT PERMIT NO. 11-011/ TEMPORARY USE PERMIT NO. 11-001 (THE AGENDA TRADE SHOW)**

APPLICANT:	Seth Haber, Agenda Trade Show
PROPERTY OWNER:	City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648
REQUEST:	To permit the temporary street closure of Twin Dolphin Drive for a period of seven days (July 30, 2011 through August 5, 2011) to accommodate an approximately 25,200 sq. ft., 30 ft. high tent that will serve as additional exhibit space for a trade show event located at the Hyatt Regency. The proposed non-public event will occur for a period of two days (August 3, 2011 through August 4, 2011) and include beer and wine service.
LOCATION:	21100 Pacific Coast Highway, 92648 (inland side of Pacific Coast Highway, along Twin Dolphin Drive)
PROJECT PLANNER:	Andrew Gonzales

Andrew Gonzales, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ricky Ramos, Zoning Administrator, verified the hours of the event with staff.

Mr. Gonzales, confirmed the hours of the event.

Mr. Ramos inquired about the location of the staging area for the set up and break down process.

Mr. Gonzales stated that the staging area was not addressed in the application.

**THE PUBLIC HEARING WAS OPENED.**

Seth Haber, applicant stated he no comments or concerns with staff's recommendations. He noted that the staging area for the temporary tent is within the Hilton Hotel site and is addressed in the Caltrans encroachment permit.

A brief discussion regarding the set up and breakdown process took place.

Mr. Ramos verified that the breakdown of the event would be completed on schedule.

Mr. Haber verified that the time frame listed in the application included extra time for potential unseen delays.

**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. 11-011/ TEMPORARY USE PERMIT NO. 11-001 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS. 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 15304 of the CEQA Guidelines, because the project involves the minor temporary use of land having negligible or no permanent effects on the environment.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 11-011:**

1. Coastal Development Permit No. 11-011 to permit the temporary street closure of Twin Dolphin Drive for a period of seven days (July 30, 2011 through August 5, 2011) to accommodate an approximately 25,200 sq. ft., 30 ft. high tent that will serve as additional exhibit space for a proposed trade show event (August 3, 2011 through August 4, 2011) located at the Hyatt Regency will conform to the General Plan, including the Local Coastal Program. The project is consistent with the following policies:

Objective – C 1.1: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

Policy – C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

Policy – C 1.1.6: Temporary and seasonal activities within the coastal zone which do not qualify as exempt activities pursuant to the Commission's guidelines

adopted by the Commission pursuant to Section 30610(i) of the Coastal Act shall be monitored and regulated through the coastal development permit process to protect coastal resources from adverse impacts associated with the seasonal or temporary activities.

The proposed project will involve the temporary closure of Twin Dolphin Drive in order to accommodate a temporary tent. The event will be located on a thoroughfare sited between two prominent hotels (i.e., Hilton Waterfront Beach Hotel and Hyatt Regency), which serve as points of destination for tourists. All associated physical improvements will be temporary in nature and will not result in permanent alterations to the existing public right-of-way in terms of the street, sidewalks, and landscaping. Construction and event operations are conditioned to minimize any potentially significant impacts to surrounding land uses in terms of traffic, noise, lighting, and safety. The project will temporarily close a local street which is not anticipated to impact adjacent coastal resources or impact coastal access.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of SP5 (Downtown Specific Plan), the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), and Municipal Code. The temporary trade show event and street closure is located within District No. 7 (Visitor Serving Commercial) of the Downtown Specific Plan (SP5), which allows for temporary outdoor events subject to a Temporary Use Permit pursuant to the HBZSO. No permanent physical alterations will occur to all existing public right-of-way (i.e., street, sidewalks, and landscaping). Although the temporary event will restrict vehicular and pedestrian traffic along Twin Dolphin Lane, other nearby access ways to adjacent coastal resources will be provided via Pacific Avenue, Huntington Street, and Beach Boulevard. The visitor serving use is required to comply with applicable noise thresholds as defined by the City Noise Ordinance (Chapter 8.40 Noise Control).
3. At the time of occupancy the proposed project can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The project will provide a temporary ancillary use that will not significantly change the physical environment or result in the permanent expansion of an adjacent hotel. The project is within a previously developed site in an urbanized area with all necessary services and infrastructure available.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The temporary street closure will not result in the removal of on-street parking. Public access to the beach and coastal resources will be provided along other adjacent public right-of-ways.

#### **FINDINGS FOR APPROVAL – TEMPORARY USE PERMIT NO. 11-001:**

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the provisions of Chapter 241 and the following goals, objectives, and policies of the General Plan:

A. Land Use Element

Objective-10.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreation resources.

Objective – 10.1.18: Encourage the incorporation of meeting rooms, conference and banquet facilities, and other uses available to visitors and the City's residents in major visitor-serving development projects.

B. Economic Element

Objective -2,2: Maximize Huntington Beach's visibility by participating in local, regional and state marketing efforts.

The temporary use permit will be compatible with the surrounding uses because the event is temporary in nature and is consistent with the character of the area. It will not permanently alter the existing property or physical improvements in the surrounding area.

The Agenda Trade Show is a special event to promote new seasonal apparel of local and national clothing companies. The event will not be open to the public, but serve as a venue to promote and exhibit apparel to regional and national companies/stores. The temporary event will maximize the City's visibility by operating during a peak period of tourism, as well as, during the U.S. Open of Surfing. The trade show event will temporarily expand the Hyatt's Conference Center for a period of two-days.

2. The temporary street closure of Twin Dolphin Drive for a period of seven days (July 30, 2011 through August 5, 2011) to accommodate an approximately 25,200 sq. ft., 30 ft. high tent that will serve as additional exhibit space for a proposed non-public two-day trade show event held at the Hyatt Regency including the service and onsite consumption of beer and wine will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The trade show event will be located within the interior of the tent with all associated activities to be contained within the exhibit space area. Usage of the tent space will serve to accommodate additional vendors. The event is not anticipated to generate any significant increase in parking demand or increase in vehicular traffic as the event will not be open to the general public. Based upon the conditions imposed, the street closure and use will not create unsafe driving conditions or generate any additional odor, noise or lighting above levels that which already exist.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 11-011/TEMPORARY USE PERMIT NO. 11-001:**

1. The site plan, floor plan, section elevations, and construction details received and dated June 7, 2011, shall be the conceptually approved design.
2. Prior to the commencement of the use, a building permit shall be obtained and finalized for the installation of the temporary tent, raised platform, and all applicable structures. **(BS)**
3. Prior to submittal for building permits, zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Planning and Building, Fire, and Public Works 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 structure cannot be occupied and 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 provided for by conditions of approval.
  - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building 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.
5. The use shall comply with the following:
  - a. Only the uses, hours of operation, and schedule of activities/events described in the project narrative dated June 7, 2011, shall be permitted.
  - b. The applicant shall be responsible for possessing the appropriate license issued by the California Department of Alcoholic Beverage Control (ABC) to serve beer and wine only. The license shall be conspicuously posted during the event, and available for inspection by any City or State official. **(PD)**
  - c. The hours of operation for alcohol service shall be limited to between 12:00PM and 7:00PM. **(PD)**
  - d. All alcoholic beverage servers must have completed a responsible beverage service course through ABC. **(PD)**
  - e. The event shall be staffed by a minimum of two (2) security guards at each entrance/exit at all times. There shall be at least one (1) security guard patrolling within the tent area to prevent the consumption of alcohol by minors. Security guards shall be required to wear a distinctive, identifiable uniform with the word "Security" printed visibly on the shirt and/or jacket. All security guards must possess a valid California State Guard Card. **(PD)**
  - f. The applicant shall take appropriate steps to identify those persons over the age of 21 in order to prevent the consumption of alcohol by minors. The steps shall include, but not be limited to, issuing colored wristbands to patrons of legal drinking age. A different colored wristband must be issued each subsequent day. Only one wristband shall be issued per person for each day of the event with no exceptions. **(PD)**
  - g. Alcohol service and consumption shall be limited to within the interior of the trade show exhibit tent only. No alcoholic beverages from outside the tent may be brought into the event. **(PD)**
  - h. A sign shall be clearly posted identifying that alcoholic beverages are not allowed outside the confines of the exhibit tent.
  - i. All alcoholic beverages shall be served in clearly identifiable and distinctive glasses, which are different from those containing non-alcoholic beverages. The glasses shall hold no more than 12 fluid ounces for beer and 4 fluid ounces for wine. **(PD)**
  - j. Use of amplifiers, speakers, and playing of recorded music shall be limited to the event area and shall be discontinued as of 7:00PM. Speakers shall not be directed toward any housing area.

- k. Any portable/fixed event lighting and theatrical lighting sets shall be positioned and aimed so that they do not shine towards or impair on-coming street traffic or adjoining residences.
  - l. The applicant shall provide for clean-up of the subject site and adjacent streets of trash and debris after the closing of each event. Clean-up of the site between 10:00PM and 7:00AM shall not include the use of any machinery or equipment that may disturb the residents in the area. All trash, debris and garbage, as well as special dumpsters, shall be removed from the site each day after the closing of each event.
  - m. An event liaison shall be permanently established and available to assist neighbors and residents with issues regarding overall site operations. A sign shall be clearly posted on-site identifying the event contact and telephone number.
  - n. All construction and events activities shall comply with the noise thresholds as established by the City Noise Ordinance (Chapter 8.40 Noise Control).
  - o. Remove all temporary physical obstructions from Twin Dolphin Drive no later than August 6<sup>th</sup> at 6:00AM.
6. Damaged landscaping, medians, pavement, curb, gutter or sidewalk shall be removed and replaced per Public Works Standard Plans. **(PW)**
  7. Drainage along gutters and into catch basins shall be maintained at all times. Catch basins and gutter shall be free of any obstructions. **(PW)**
  8. 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.
  9. 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/index.cfm?fuseaction=guidelines>).

#### **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 THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JULY 20, 2011, AT 1:30 PM.**

*R Ramos*

Ricky Ramos  
Zoning Administrator

RR:jd

