

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

**WEDNESDAY, APRIL 4, 2018 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** Lindsay Ortega, Jessica Bui, Judy Graham

**MINUTES:** **NONE**

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

**ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 18-001 (VOGEL RESIDENCE):**

**APPLICANT:** Jason Yaw, 26 Meridian Drive, Aliso Viejo, CA 92656  
**PROPERTY OWNER:** Martin and Kathryn Vogel, 1000 Segovia Circle, Placentia, CA 92870  
**REQUEST:** To permit a complete remodel of an existing 2,524 sq. ft. two-story single family dwelling and a 509 sq. ft. addition to connect an existing detached garage. This includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.  
**ENVIRONMENTAL STATUS:** This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.  
**LOCATION:** 16211 Wayfarer Lane, 92649 (north of Wayfarer Lane and Mistral Drive)  
**CITY CONTACT:** Lindsay Ortega

Lindsay Ortega, Project 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 and denial as presented in the executive summary. Ms. Ortega noted that staff received one phone call requesting to view the proposed project's plans.

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

**THE PUBLIC HEARING WAS OPENED.**

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

**THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Mr. Ramos stated that he would approve the request as recommended by staff.

**COASTAL DEVELOPMENT PERMIT NO. 18-001 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 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 an addition to an existing single-family residence within a residential zone.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-001:**

1. Coastal Development Permit No. 18-001 to permit a complete remodel of an existing 2,524 sq. ft. two-story single family dwelling and a 509 sq. ft. addition to connect an existing detached garage conforms with the General Plan, including the Local Coastal Program. The project is consistent with the Coastal Element Land use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed addition will occur entirely on a developed site, contiguous to existing single family residential development.
2. Coastal Development Permit No. 18-001 to permit a complete remodel of an existing 2,524 sq. ft. two-story single family dwelling and a 509 sq. ft. addition to connect an existing detached garage 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 project will comply with all applicable development regulations, including maximum building height, lot coverage, and minimum yard setbacks.
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 Coastal Development Permit No. 18-001 to permit a complete remodel of an existing 2,524 sq. ft. two-story single family dwelling and a 509 sq. ft. addition to connect an existing detached garage is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 18-001 to permit a complete remodel of an existing 2,524 sq. ft. two-story single family dwelling and a 509 sq. ft. addition to connect an existing detached garage 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. 18-001:**

1. The site plan, floor plans, and elevations, received and dated February 28, 2018 shall be the conceptually approved layout.
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.
3. Prior to submittal of building permits, zoning entitlement conditions of approval and code requirements shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical,

mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

4. The final building permit(s) cannot be approved until the following have been completed:
  - a. All improvements must be completed in accordance with approved plans.
  - 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.
5. Coastal Development Permit No. 18-001 shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval by the City or by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
6. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
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 2: CONDITIONAL USE PERMIT NO. 18-005 (SURF CITY STILLWORKS):**

APPLICANT: Joshua Kornoff, 18582 Pueblo Circle, Huntington Beach, CA 92646  
PROPERTY OWNER: Robert Drake, 19021 Goldenwest St., Huntington Beach, CA 92648  
REQUEST: To permit an approximately 424 sq. ft. tasting room (type 74 ABC License) within an approximately 1,474 sq. ft. craft spirits/liquor distillery.  
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption Section 15303, Class 3, California Environmental Quality Act. Appealable  
LOCATION: 7242 Heil Avenue, 92647 (south side of Heil Ave., between Goldenwest St. and Gothard St.)  
CITY CONTACT: Joanna Cortez

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.**

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

**THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Mr. Ramos stated that he would approve the request as recommended by staff.

**CONDITIONAL USE PERMIT NO. 18-005 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. 18-005:**

1. Conditional Use Permit No. 18-005 to permit an approximately 424 sq. ft. tasting room (type 74 ABC License) within an approximately 1,474 sq. ft. craft spirits/liquor distillery 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 424 sq. ft. tasting room within the existing 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 will have sufficient parking to accommodate the alcohol tasting room and the distillery/industrial use.

The consumption of alcoholic beverages will be contained within the delineated tasting area inside the microbrewery/industrial business. Additionally, the site is entirely surrounded by industrial uses to the north, south, and east. The nearest residential use is approximately 180 ft. to the west. The residential uses are buffered by an existing flood control channel and the proposed use is not anticipated to generate impacts to those residences.

2. The conditional use permit to permit an approximately 424 sq. ft. tasting room (type 74 ABC License) within an approximately 1,474 sq. ft. craft spirits/liquor distillery will be compatible with surrounding uses because the proposed use is surrounded by similar industrial uses and the tasting area will be limited to a small portion of the existing distillery. Additionally, the nearest residential use is approximately 180 ft. to the west, across an existing flood control channel, 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 request to permit an approximately 424 sq. ft. tasting room (type 74 ABC License) within an approximately 1,474 sq. ft. craft spirits/liquor distillery conforms to applicable site development requirements including minimum onsite parking. The alcohol tasting room within an approximately 1,474 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, the request to permit an approximately 424 sq. ft. tasting room (type 74 ABC License) within an approximately 1,474 sq. ft. craft spirits/liquor distillery 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 424 sq. ft. tasting room (type 74 ABC License) within an approximately 1,474 sq. ft. craft spirits/liquor distillery 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. As conditioned, all operations will occur indoors unless otherwise approved by the Community Development Department. The nearest residential uses are approximately 180 ft. to the west and are buffered by an existing flood control channel therefore, no impacts to the residences are anticipated.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 18-005:**

1. The site plan, floor plans, and elevations received and dated February 12, 2018 shall be the conceptually approved design.
2. The use shall comply with the following:
  - a. The onsite service and consumption of alcoholic beverages shall be limited to the following hours:
    - i. Monday through Thursday from 4:00 PM – 9 PM
    - ii. Friday through Sunday from 12:00 PM – 9 PM
  - b. Tastings shall only be open for customers while an employee is designated to work and monitor the area.
  - c. The alcohol tasting room, the distillery/manufacturing operations, and all activities shall occur entirely indoors unless approval is obtained from 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 February 12, 2018.
  - f. Dancing and live entertainment is prohibited without the approval of an Entertainment Permit as defined by the Huntington Beach Municipal Code. **(PD)**
  - g. All persons serving alcohol shall have previously attended LEADS alcohol safety training through the Alcohol Beverage Control (ABC) or course approved by ABC. **(PD)**
  - h. A clearly legible sign shall be affixed inside the tasting area entrance stating "No open alcoholic beverages will be permitted outside the tasting area". **(PD)**
  - i. Only samples provided by the business shall be allowed. **(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)**
  - k. No reduced price promotions of alcoholic beverage shall be allowed after 7:00 PM. **(PD)**
3. CUP No. 18-005 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.
4. 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.

5. 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 1:35 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, APRIL 21, 2018, AT 1:30 P. M.**



---

Ricky Ramos  
Zoning Administrator

RR:jg