

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

**WEDNESDAY, MAY 4, 2016- 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos  
**STAFF MEMBER:** John Ramirez, Kimo Burden, Ethan Edwards, Judy Graham  
**MINUTES:** **NONE**  
**ORAL COMMUNICATION:** **NONE**

**ITEM 1: CONDITIONAL USE PERMIT NO. 16-014/ COASTAL DEVELOPMENT PERMIT NO. 16-006 (ZHANG REMODEL)**

**APPLICANT:** Robert Lzu, 199 West Hillcrest Drive, Thousand Oaks, CA 91360  
**PROPERTY OWNER:** Wing Shine, Inc., 600 North Atlantic Boulevard, #312, Monterey Park, CA 92754  
**REQUEST:** To permit the remodel of an existing two story 2,435 sq. ft. house with a 544 sq. ft. second and third floor addition, including a third floor deck with an over-head wood trellis.  
**LOCATION:** 3261 Falkland Circle, 92649 (north side of Falkland Cir. east of Channel Ln. – Huntington Harbour)  
**CITY CONTACT:** John Ramirez

John Ramirez, Project Planner, 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.

Ricky Ramos, Zoning Administrator, verified the location of the proposed privacy wall. He stated that he had no questions for staff.

**THE PUBLIC HEARING WAS OPENED.**

Robert Lzu, applicant, stated that he had no comments or concerns with staff's recommendations.

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

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

**COASTAL DEVELOPMENT PERMIT NO. 16-006/ CONDITIONAL USE PERMIT NO. 16-014 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.**

### **FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of an addition to an existing single-family residence within a residential zone.

### **FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-006:**

1. Coastal Development Permit No. 16-006 to permit the remodel of an existing two story 2,435 sq. ft. house with a 544 sq. ft. second and third floor addition, including a third floor deck with an over-head wood trellis, conforms with the General Plan, including the Local Coastal Program. The 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 proposed addition will occur on a developed site, contiguous to existing residential development.
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 comply with all applicable development regulations, including maximum building height 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. 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, recreation, or views to coastal resources.

### **FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 16-014:**

1. Conditional Use Permit No. 16-014 to permit the remodel of an existing two story 2,435 sq. ft. house with a 544 sq. ft. second and third floor addition, including a third floor deck with an over-head wood trellis, 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. Although the rooftop deck is a vertical projection above the roof volume, it is set back five feet from the building exterior and is oriented toward the channel. Moreover, the deck does not exceed the height limit and will be accessible only from the interior of the building, thus minimizing mass and bulk of the structure. The overall building height for the single family residence is 27 feet; however, most of the proposed residence is only 18 feet in height, with only an enclosed stairway, elevator and open trellis extending 27 feet in height. The enclosed stairway, elevator and open trellis are set back from the exterior wall elevations between eight and 15 feet, thus minimizing the perceived height and impact to adjacent and surrounding properties. In addition, the deck includes a privacy wall along the east elevation to enhance privacy between the new roof deck and the adjacent single family home.
2. The proposed remodel of an existing two story 2,435 sq. ft. house with a 544 sq. ft. second and third floor addition, including a third floor deck with an over-head wood trellis, will be compatible with surrounding uses because the overall proposed height is 27 feet, in keeping

with the design and character of homes in the neighborhood. Additionally, most of the proposed residence is only 18 feet in height, with only an enclosed stairway, elevator and open trellis extending 27 feet in height. The enclosed stairway, elevator and open trellis are set back from the exterior wall elevations between four and 15 feet, thus minimizing the perceived height and impact to adjacent and surrounding properties. The third story deck will be oriented towards the harbor and street with a privacy wall along the east elevation, which will protect direct views onto adjacent residences. Furthermore, the proposed deck will be setback 5 ft. from the rear, side and front building exteriors which allows the residence to be compatible with the mass and scale of structures in the surrounding neighborhood.

3. The proposed remodel of an existing two story 2,435 sq. ft. house with a 544 sq. ft. second and third floor addition, including a third floor deck with an over-head wood trellis 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, as well as any specific condition required for the proposed use in the district in which it would be located. The project complies with minimum onsite parking and building setbacks, and maximum lot coverage and building height. The third floor habitable area with an approximately overall building height of 27 feet and third floor deck are allowed within the RL (Residential Low Density) zoning district with 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 RL-7 (Residential Low Density—7 units per acre) on the subject property. In addition, it is consistent with the following policy and objective of the General Plan:

A. Land Use Element

Policy – 9.2.1: Require that all new residential development within existing residential neighborhoods be compatible with existing structures, including (b) use of building heights, grade elevations, orientation and bulk that are compatible with the surrounding development; and (d) maintenance of privacy on abutting residences.

B. Coastal Element

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

The remodel of an existing two story 2,435 sq. ft. house with a 544 sq. ft. second and third floor addition, including a third floor deck with an over-head wood trellis, is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other provisions of the Municipal Code including maximum site coverage, maximum building height, and minimum on-site parking. Most of the proposed residence is only 18 feet in height, with only an enclosed stairway, elevator and open trellis extending 27 feet in height. The enclosed stairway, elevator and open trellis are set back from the exterior wall elevations between four and 15 feet, thus minimizing the perceived height and impact to adjacent and surrounding properties. The third story deck will be oriented towards the harbor and street with a privacy wall along the east elevation, which will protect direct views onto adjacent residences and the deck will be setback 5 ft. from the rear, side and front building exteriors which allows the residence to be compatible with the mass and scale of structures in the surrounding neighborhood.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-006/  
CONDITIONAL USE PERMIT NO. 16-014:**

1. The site plan, floor plans, and elevations received and dated April 25, 2016, shall be the conceptually approved design.
2. Prior to submittal of building permits, the following shall be completed:
  - a. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire, Community Development, 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. The structure(s) cannot be occupied and the final building permit(s) cannot be approved until the following have been completed:
  - a. All improvements shall 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
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. Coastal Development Permit No. 16-006 and Conditional Use Permit No. 16-014 shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval by the City or by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
6. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building 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. 16-016 (MR. B'S LIQUOR STORE)**

APPLICANT: Sal Amash, 17196 Pacific Coast Highway, Huntington Beach, CA 92649  
PROPERTY OWNER: Baldavia LLC., 645 West 9<sup>th</sup> St. #110-207, Los Angeles, CA 90015  
REQUEST: To permit the establishment of a 1,600 sq. ft. retail store devoted to the sales, display, and storage of alcoholic beverages (ABC Type 21 License) and other convenience goods within an existing shopping center.  
LOCATION: 17204 Pacific Coast Highway, 92649 (north of Warner Ave. and east of Pacific Coast Highway)  
CITY CONTACT: Kimo Burden

Kimo Burden, Planning Aide, stated that the applicant had requested a continuance of the item to a date uncertain.

**AS THERE WAS A REQUEST FOR CONTINUANCE, THE PUBLIC HEARING WAS NOT OPENED**

Mr. Ramos stated that he would continue the item as requested by the applicant.

**CONDITIONAL USE PERMIT NO. 16-016 WAS CONTINUED TO A DATE UNCERTAIN AT THE APPLICANT'S REQUEST.**

**THE MEETING WAS ADJOURNED AT 1:35 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, MAY 18, 2016, AT 1:30 P. M.**



Ricky Ramos  
Zoning Administrator

RR:EE:jg