

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

WEDNESDAY, FEBRUARY 5, 2014 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Hayden Beckman, Jennifer Villasenor, Tess Nguyen, Kristi Rojas, Ethan Edwards, Judy Demers (recording secretary)

MINUTES: June 5, 2013
August 7, 2013
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 13-031/ COASTAL DEVELOPMENT PERMIT NO. 13-020/ SPECIAL PERMIT NO. 14-001 (MAKAR RESIDENTIAL ADDITION- CONTINUED FROM THE JANUARY 15, 2014 MEETING)

APPLICANT: George Bostros, 400 N. Mountain Avenue, Suite 203, Upland, CA 91786
PROPERTY OWNER: George Makar, 920 N. State Street, Hemet, CA 92543
REQUEST: **CUP:** To permit an approximately 1,758 sq. ft. three-story addition at the rear of an existing, two-story legal nonconforming structure. **CDP:** To permit an approximately 1,758 sq. ft. three-story addition in the non-appealable area of the coastal zone. **SP:** To permit a 55% maximum building lot coverage in lieu of 50% maximum building lot coverage..
LOCATION: 123 8th Street, 92648, (north side of 8th Street, east of Pacific Coast Highway)
CITY CONTACT: Hayden Beckman

Hayden Beckman, Assistant 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, inquired with staff if the structure is considered nonconforming as it does not meet the required setbacks. Mr. Beckman verified that the structure does not meet setback requirements and therefore is considered a nonconforming structure.

Mr. Ramos asked if the applicant was given a copy of the added conditions. Mr. Beckman noted that he discussed with the applicant the additional conditions during a phone conversation. Mr. Ramos also asked staff to explain the need for the special permit. Mr. Beckman stated that the

The special permit is due to the internal circulation as well as the structural limitations on the second floor. He noted that the structure is a historic property and therefore any addition must be consistent with the Secretary Interior Standards for Rehabilitation of a Historic Property.

THE PUBLIC HEARING WAS OPENED.

George Bostros, applicant, stated he had no comments and concerns with staff recommendations. He noted that he was grateful for staff support.

George Makar, property owner, stated that he had no comments or concerns with staff recommendations.

Mary Urashima expressed her appreciation to the property owner for respecting the historic aspect of the building.

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

Mr. Beckman stated that he would like to propose an additional condition that would limit on the operation of the structure following the addition to remain a single unit. Mr. Ramos verified with the applicant that the additional condition would be acceptable. Mr. Bostros agreed to the additional condition.

Mr. Ramos informed staff that under the CEQA exemptions in 15301, staff may need to verify 15331, for historic structures to determine if the exemptions include this structure. Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 13-031, COASTAL DEVELOPMENT PERMIT NO. 13-020, AND SPECIAL PERMIT NO. 14-001 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. The Zoning Administrator also finds that the project is exempt from the provisions of the California Environmental Quality Act pursuant to section 15331 because the project consists of the rehabilitation of a local historic resource in a manner consistent with Secretary of the Interior's Standards for the Treatment of Historic Properties.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-020:

1. Coastal Development Permit No. 13-020 to permit an approximately 1,758 sq. ft. three-story addition to an existing two-story legal nonconforming structure conforms with the General Plan, including the Local Coastal Program. The project is consistent with Coastal Element Policy C 1.1.1, which encourages development within, or 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 single-family 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 except for the special permit for increased lot coverage. The project complies with the minimum onsite parking, minimum front and rear setbacks, maximum floor area, and maximum building height requirements. The existing legal nonconforming structure is a historic landmark which the property owner is electing to preserve in place. The size and dimension of the existing historic structure minimizes the amount of buildable area for the addition of habitable space. The requested special permit provides the opportunity to remain consistent with other residences in the vicinity.
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 to an existing legal nonconforming single-family dwelling will be constructed on a 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 proposed project will not impede public access, recreation, or views to coastal resources.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 13-031:

1. Conditional Use Permit No. 13-031 permit an approximately 1,758 sq. ft. three-story addition at the rear on an existing, two-story legal nonconforming structure will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed project will add new habitable square footage to an existing two-story legal nonconforming single-family residence in a manner consistent with the development standards of the surrounding residential neighborhood, with the exception of the requested special permit for increased lot coverage. The project will protect an existing historically significant structure in place and the addition has been designed to be consistent with the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties, which recommends constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed.
2. The conditional use permit will be compatible with surrounding uses because the design of the proposed addition is similar to existing three-story homes in the adjacent neighborhood. The overall building height will match the surrounding properties because the subject site is adjacent to existing three-story residential structures with similar building heights and massing.
3. The proposed expansion of floor area to an existing legal nonconforming structure 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, with the exception of the requested special permit to increase lot coverage. Excepting the special permit request, the proposed project will comply with all code provisions, including setbacks, maximum height, floor area ratio, open space, and parking.
4. The granting of the conditional use permit will not adversely affect the General Plan. An existing single family residence is consistent with the Land Use Element designation of

Residential High Density on the subject property. In addition, the project is consistent with the following goals and policies 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 proposed project 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 building height, and minimum on-site parking, with the exception of the requested special permit for increased site coverage. The proposed third floor habitable area will not project over or beyond the second-story roof volume of the existing historic structure and is compatible with adjacent three-story residences. Further, the second and third-story balconies will be oriented toward the street and the alley, minimizing impact to privacy on adjoining properties. The proposed project is designed to minimize the impact of bulk and massing along the street, thereby reducing adverse impacts to adjacent properties.

FINDINGS FOR APPROVAL – SPECIAL PERMIT NO. 14-001:

1. The granting of Special Permit No. 14-001 to permit a 55% maximum building lot coverage in lieu of 50% maximum building lot coverage will result in a greater benefit to the project and will promote a better living environment by providing internal circulation between the proposed addition and an existing two-story single family residence identified as a historically significant structure. The additional lot coverage will enable the property owner to attach new habitable square footage to the historic structure in a manner consistent with the Secretary of the Interior's Standards and Guidelines for the Rehabilitation of Historic Properties.
2. The granting of a Special Permit will provide better land planning techniques with maximum use of aesthetically pleasing architecture, landscaping, site layout and design. The proposed addition utilizes the existing historic structure as habitable area, and the addition will provide new habitable square footage thereby preserving the historic structure in place. With the exception of the subject Special Permit request, the three-story addition will comply with the applicable development standards of the Downtown Specific Plan and Huntington Beach Zoning and Subdivision Ordinance. The project will provide additional bedrooms, bathrooms and living spaces, including second and third floor balconies and a fourth floor deck for greater private open space areas than is required. Further, the exterior finishes and materials are specific to the new addition, consistent with the applicable Secretary of the Interior's Standards. The design of the addition is further enhanced by utilized colors and materials that complement the historic structure and coastal setting of the property.

3. The granting of a Special Permit will not be detrimental to the general health, welfare, safety, and convenience of the neighborhood or City in general. The Special Permit will allow for construction of a three-story addition behind the existing historic structure fronting the site and will comply with setbacks, maximum building height and minimum on-site parking. The massing and bulk that would result from the proposed project is consistent with other adjacent residential structures in the surrounding neighborhood.
4. The granting of a Special Permit will be consistent with the objectives of the Downtown Specific Plan in achieving a development adapted to the existing historic structure and terrain of the property in a manner compatible with the surrounding environment. The expansion of the single family dwelling is comparable in size to dwellings existing in the neighborhood, while promoting architectural differentiation and variable massing along the 8th Street and alley frontages. The granting of a Special Permit will be consistent with the policies of the Coastal Element of the City's General Plan and the California Coastal Act by allowing the addition of a previously developed site, contiguous to existing residential development. The proposed addition will not impede public access or impact public views to coastal resources. The development complies with State and Federal Law and is subject to all standard construction and permitting procedures under the Uniform Building Code. The subject site has been previously developed and would not result in any adverse impacts to environmentally sensitive habitat areas.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-020
/CONDITIONAL USE PERMIT NO. 13-031 /SPECIAL PERMIT NO. 14-001:**

1. The site plan, floor plans, and elevations received and dated October 23, 2013, 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 provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning & 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.
4. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.
5. Prior to final approval of building permits, the property owner shall record a Covenant agreement on the site affirming the existence of a maximum of one residential unit at the property. The covenant agreement form shall be reviewed and approved by the City and subsequently recorded on the property through the County of Orange. A copy of the recorded Covenant shall be submitted to the Planning & Building Department for inclusion in the entitlement file prior to the final of building permits.
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: TENTATIVE PARCEL MAP NO. 13-169 (WILLIAMS CONDOS):

APPLICANT: Billy Chen, Land Co. Development, 8001 Irvine Center Drive, Suite # 400, Irvine, CA 92618
PROPERTY OWNER: SCEL Properties, LLC, 620 Newport Center Drive, suite 1200, Newport Beach, CA 92660004
REQUEST: To permit the subdivision of a 10,131 sq. ft. parcel proposed for the development of two residential units for condominium purposes
LOCATION: 727 Williams Drive, 92648 (north side of Williams Drive, west of Beach Boulevard)
CITY CONTACT: Tess Nguyen

Tess Nguyen, Associate 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. Ms. Nguyen noted that staff had not received any public comments regarding the proposed project.

THE PUBLIC HEARING WAS OPENED.

Billy Chen, applicant, stated that he had no comments 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 with minor changes to the findings for approval.

TENTATIVE PARCEL MAP NO. 13-169 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED 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 15315 of the CEQA Guidelines, because the project consists of the division of property in an urbanized area zoned for residential into four or fewer parcels, in conformance with the General Plan and zoning, with no variances or exceptions required, and all services and access to the proposed parcels to local standards are available.

FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 13-169:

1. Tentative Tract Map No. 13-169 for the subdivision of a 10,131 sq. ft. parcel proposed for the development of two residential units for condominium purposes is consistent with the General Plan Land Use Element designation of RM-15 (Residential Medium Density – 15 dwelling units/acre) on the subject property and other applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because the proposed subdivision will create a total of two residential condominium units.

2. The site is physically suitable for the type and density of development. The site consists of one parcel of land of approximately 10,131 sq. ft., which is currently vacant and proposed for the development of two detached residential units. The project involves the subdivision of these units for condominium purposes. The site will comply with minimum lot area, width, and maximum density requirements of the HBZSO.
3. The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subdivision is proposed on property currently zoned for residential development, and located in an urbanized area. The subject parcel does not serve as habitat for fish or wildlife. The proposed condominium map will comply with the HBZSO.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. No easements acquired by the public at large for access through or use of the property exist within the proposed subdivision.

CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 13-169:

1. The Tentative Parcel Map No. 13-169 for condominium purposes received and dated December 6, 2013 shall be the approved layout.
2. 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 maps and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed map/project revisions shall be called out on the sets submitted for final maps. Maps shall not be finalized 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.

ITEM 3: COASTAL DEVELOPMENT PERMIT NO. 13-019 (NODLAND-HASKETT ADDITION):

APPLICANT: Mark Wheeler, 325 Roycraft Avenue, Long Beach, CA 90814
PROPERTY OWNER: James Haskett and Larry Nodland, 3301 Easter Circle, Huntington Beach, CA 92649
REQUEST: To permit the construction of an approximately 2,580 sq. ft. second floor addition to an existing 2,795 sq. ft. one-story single family residence for a total square footage of approximately 5,375 sq. ft.
LOCATION: 3301 Easter Circle, 92649 (north side of Easter Circle, east of Channel Lane)
CITY CONTACT: Kristi Rojas

Kristi Rojas, 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, stated that he had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Mark Wheeler, applicant, stated that he had no comments 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.

COASTAL DEVELOPMENT PERMIT NO. 13-019 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 15301 of the CEQA Guidelines, because the addition is being made to an existing single-family residence.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-019:

1. Coastal Development Permit No. 13-019 for the development project, as proposed, conforms with the General Plan, including the Local Coastal Program. The project is consistent with Coastal Element Policy C 1.1.1, which encourages development within, or 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 single-family 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 project complies with the minimum onsite parking, minimum building setbacks, maximum lot coverage, and maximum building height requirements.
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 to the single-family residence is 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 proposed addition to the residence will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-019:

1. The site plan, floor plans, and elevations received and dated November 22, 2014 shall be the conceptually approved design.
2. If 50% percent or more of the existing residence is demolished, the property shall be subject to the Residential Infill Lot Development Standards as set within Section 230.22 in the Hunting Beach Subdivision and Zoning Ordinance.
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 Building & Planning, 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. CDP No. 13-019 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 Director pursuant to a written request submitted to the Planning Division 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 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.

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>).
7. 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.
8. 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 & 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.
9. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

ITEM 4: COASTAL DEVELOPMENT PERMIT NO. 13-015/ VARIANCE NO. 13-009 (OCSD SLUDGE DEWATERING AND ODOR CONTROL FACILITIES REPLACEMENT PROJECT):

APPLICANT/

PROPERTY OWNER: Orange County Sanitation District, Daisy Covarrubias, 10844 Ellis Avenue, Fountain Valley, CA 92708

REQUEST: **CDP:** To permit the demolition of existing Plant 2 sludge dewatering and odor control system and construction of a new 2-story approximately 13,000 sq. ft. building footprint sludge dewatering and odor control system, associated power distribution center and utilities. **VAR:** To permit a maximum building height of up to approximately 51 feet in lieu of the maximum permitted height of 40 feet to the roof peak and 44 feet to the top of the parapet.

LOCATION: 22212 Brookhurst Street, 92646 (east side of Brookhurst Street, and north of Pacific Coast Highway)

CITY CONTACT: 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 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, stated that he had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Jeff Moore, representing the applicant, noted that Condition 3 requiring building permits does not apply as the Orange County Sanitation District is not required to obtain permits for wastewater facilities.

Mary Urashima, Ascon, inquired if there were odor control measures in place during the demolition of the existing facility. She also asked if the area residents would be notified so they would not be confused with the Ascon project and the Orange County Sanitation District project. She commented that she would like contact information be available for the project.

Daisy Covarrubias, applicant, stated that the Orange County Sanitation District has a public outreach team which will notify the community of the construction within a ½ mile radius. The District also uses email distribution list to notify the community as well.

Mr. Ramos verified with staff that the purpose for the Variance request is that the lot is built out and cannot accommodate the proposed project as needed. Mr. Edwards verified the need for the Variance.

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. 13-015/ VARIANCE 13-009 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.

FINDING FOR CEQA:

The Zoning Administrator finds that the project is covered by Final Subsequent Impact Report SCH No. 2012041061, in reference of SCH No. 2004031076 and subject to compliance with all applicable mitigation measures.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-015:

1. Coastal Development Permit No. 13-015 to permit the demolition of existing Plant 2 sludge dewatering and odor control system and construction of a new 2-story approximately 13,000 sq. ft. building footprint sludge dewatering and odor control system with biofilters, associated power distribution center and utilities as proposed, conforms with the General Plan, including the Local Coastal Program. Completion of the project will implement the Coastal Element goal of providing water, sewer, and drainage systems that are able to support the permitted land uses and upgrading existing systems. The facility will not be visible from Pacific Coast Highway and is adequately screened from view along Brookhurst Street by existing and proposed landscaping.
2. The project is consistent with the requirements of the CZ Overlay District, the IL (Industrial Limited) base zoning district, as well as other applicable provisions of the Zoning & Subdivision Ordinance and Municipal Code. The proposed project complies with applicable development standards except for any variances approved concurrently. A variance is requested concurrently with this application to permit a maximum building height of up to approximately 51 feet in lieu of the maximum permitted height of 40 feet to the roof peak and 44 feet to the top of the parapet.
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. All necessary infrastructure, such as roadways and utilities currently exist to serve the site. The proposed project will upgrade the wastewater treatment infrastructure to serve the needs of the community.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. No public access or recreational opportunities will be affected by the new construction.

FINDINGS FOR APPROVAL - VARIANCE NO. 13-009:

1. The granting of Variance No. 13-009 to permit a maximum building height of up to approximately 51 feet for the proposed sludge dewatering and odor control building in lieu of the maximum permitted height of 40 feet to the roof peak and 44 feet to the top of the parapet will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification due to the special circumstances identified. The height of the proposed sludge dewatering and odor control building is necessary to accommodate the increased demand and processing efficiencies that would produce drier biosolids with improved odor control resulting in significantly less dewatering truck deliveries per month thereby decreasing air quality impacts. Because of existing and required infrastructure, the limited space and irregular (triangular) shape of the

property, the proposed location and increased height of the sludge dewatering and odor control building is necessary. Additionally, new mechanical equipment will use less energy resulting in additional efficiencies. Furthermore, any land use in an identical zoning classification which provided a service that was critical for the health and safety of City residents and businesses could be granted a similar variance that was deemed necessary for health and safety reasons.

2. Because of special circumstances applicable to the subject property, including size, shape, and a unique use, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The site was chosen as a wastewater treatment facility to serve the needs of the community because of the property's size (over three acres) shape (triangular), topography (located at a lower elevation), and surroundings (adjacent to the Santa Ana River and coastline). The proposed sludge dewatering and odor control building requires the proposed height to operate. Any reduction of the proposed height would require constructing the first floor underground; however, because of the limited space and irregular shape of the property, the necessary emergency access roads and access ramps could not be accommodated. Because of existing and required infrastructure, the limited space and irregular (triangular) shape of the property, the proposed location and increased height of the sludge dewatering and odor control building is necessary. The increased height of the proposed sludge dewatering and odor control building is necessary for the treatment plant to continue to provide the services it was granted approval for at this site. Strict application of the Zoning and Subdivision Ordinance would deprive the property of its ability to operate at its optimum capacity and efficiency.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. In order for the Orange County Sanitation District to meet the wastewater treatment needs of the regional population, it must have capacity to function at the necessary level to meet those demands. The necessary height of the proposed sludge dewatering and odor control building is determined by the capacity and efficiency of the treatment plant. The granting of a variance from the height restrictions will enable the treatment plant to continue to provide the service it was previously granted approval to provide at this specific site.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The proposed building is setback approximately 215 ft. from the front property line along Brookhurst Street which well exceeds the required minimum setback of 10 ft. The granting of the variance will enhance the public welfare because it ensures that the Orange County Sanitation District can provide adequate wastewater treatment service, which is necessary for health and safety of the residents and businesses of Huntington Beach. A subsequent final environmental impact report has been prepared and identifies mitigation measures to mitigate any anticipated adverse impact to the public welfare.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of P (Public) on the subject property. In addition, it is consistent with the following policy of the General Plan:

LU 2.1.1: Plan and construct public infrastructure and serve improvements as demand necessitates to support the land uses specified in the Land Use Plan.

The proposed sludge dewatering and odor control building will provide infrastructure necessary to meet current and future demands of treating wastewater within the community.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-015 / VARIANCE NO. 13-009:

1. The site plan, floor plans, and elevations received and dated November 27, 2013 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. Variance No. 13-009 in conjunction with Coastal Development Permit No. 13-015 shall become null and void unless exercised within two years of the date of final approval by the or within one year of the date of final Coastal Development Permit approval 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 Planning Department a minimum 30 days prior to the expiration date.
4. 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. 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.

ITEM 5: COASTAL DEVELOPMENT PERMIT NO. 13-022 (OCSD FINAL EFFLUENT SAMPLER BUILDING REPLACEMENT AND AREA UPGRADES PROJECT):

APPLICANT/

PROPERTY OWNER: Orange County Sanitation District, Daisy Covarrubias, 10844 Ellis Avenue, Fountain Valley, CA 92708

REQUEST: To permit the demolition of two existing trailers (Final Sampler and Ocean Monitoring) and a masonry block storage building and construction of a new Final Effluent Sampler Building; rehabilitation of the inland portion of the 120-inch short ocean outfall; and site improvements including drainage correction, paving replacement, improved landscaping along the easterly property line, replacement of a 2-inch high-pressure air supply to Surge Tower No. 1, and the replacement of a 4-inch and a 6-inch natural gas supply lines..

LOCATION: 22212 Brookhurst Street, 92646 (east side of Brookhurst Street, and north of Pacific Coast Highway

CITY CONTACT: 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 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 project with staff.

THE PUBLIC HEARING WAS OPENED.

Daisy Covarrubias, applicant, noted that the elevations had changed due to the potential for flooding, There would be an additional 2 ½ ft. added to the height of the proposed project. Mr. Ramos verified with staff that the additional height would be within the code and not create negative impacts. Mr. Edwards verified the additional height would not impact the proposed project. Ms. Covarrubias also noted that the landscaping on the current plan would be withdrawn as there will be a larger proposed landscaping project being brought forward for staff approval in the near future. A brief discussion took place regarding landscaping.

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. 13-022 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED FINDINGS AND MODIFIED 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.

FINDING 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 (b) of the CEQA Guidelines, because the project involves replacement of existing facilities involving no expansion of use or capacity beyond that existing at the time of the lead agency's determination.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-022:

1. Coastal Development Permit No. 13-022 to permit the demolition of two existing trailers (Final Sampler and Ocean Monitoring) and a masonry block storage building and construction of a new Final Effluent Sampler Building; rehabilitation of the inland portion of the 120-inch short ocean outfall; and site improvements including drainage correction, paving replacement, improved landscaping along the easterly property line, replacement of a 2-inch high-pressure air supply to Surge Tower No. 1, and the replacement of a 4-inch and a 6-inch natural gas supply lines as proposed, conforms with the General Plan, including the Local Coastal Program. Completion of the project will implement the Coastal Element goal of providing water, sewer, and drainage systems that are able to support the permitted land uses and upgrading existing systems.
2. The project is consistent with the requirements of the CZ Overlay District, the IL (Industrial Limited) base zoning district, as well as other applicable provisions of the Zoning & Subdivision Ordinance and Municipal Code. The proposed project complies with applicable development standards including maximum building height and minimum building 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. All necessary infrastructure, such as roadways and utilities currently exist to serve the site. The proposed project will upgrade the wastewater treatment infrastructure to serve the needs of the community.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. No public access or recreational opportunities will be affected by the new construction.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-022:

1. The site plan, floor plans, and elevations received and dated December 12, 2013 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. Coastal Development Permit No. 13-022 shall become null and void unless exercised within two years of the date of final approval or within one year of the date of final Coastal Development Permit approval 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 Planning Department a minimum 30 days prior to the expiration date.
 4. 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. 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.

ITEM 6: COASTAL DEVELOPMENT PERMIT NO. 13-016 (KAVOIAN ADDITION):

APPLICANT/

PROPERTY OWNER:

REQUEST:

Peter Kavoian, PO Box 5249, Santa Barbara, CA 93150

To permit an approximately 812 sq. ft. first and second floor addition, 267 sq. ft. balcony and remodel to an existing 2,155 sq. ft. two-story townhome.

LOCATION:

CITY CONTACT:

16122 Bonaire Circle, 92649 (southern terminus of Bonaire)

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 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, stated he had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

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

Janet Negele, resident, stated that she had no objections to the proposed project but did have concerns with the size of the project, potential negative impacts to the foundation, and the structural integrity. A discussion took place giving an overview of the proposed project.

Mr. Kavoian gave a brief history of the proposed project.

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. 13-016 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED FINDINGS AND MODIFIED 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 structure that will not result in an increase of more than 50 percent of the floor area.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-016:

1. Coastal Development Permit No. 13-016 to permit the construction of an approximately 812 sq. ft. first and second floor addition, 267 sq. ft. balcony and remodel to an existing 2,155 sq. ft. two-story townhome conforms with the General Plan, including the Local Coastal Program Land Use Designation of Residential Low Density. 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 construction 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 minimum setbacks, maximum lot coverage, maximum building height, and minimum onsite 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, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-016:

1. The site plan, floor plans, and elevations received and dated November 21, 2013 shall be the conceptually approved design.
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 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 & 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 applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.
6. Coastal Development Permit No. 13-016 shall become null and void unless exercised within two years of the date of final approval or within one year of the date of final Coastal Development Permit approval 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 Planning Division a minimum 30 days prior to the expiration date.

7. 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.
8. 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 2:17 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, FEBRUARY 19, 2014, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:EE:jd