

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

**WEDNESDAY, SEPTEMBER 3, 2014 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** Joanna Cortez, Tess Nguyen, Ethan Edwards, Judy Demers  
(recording secretary)

**MINUTES:** **FEBRUARY 5, 2014**  
**AUGUST 20, 2014**  
**APPROVED AS SUMMITTED**

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

**ITEM 1: TEMPORARY USE PERMIT NO. 13-005 (FIRST CHRISTIAN CHURCH DRIVE-THRU NATIVITY SCENE)**

**APPLICANT:** Dave Moses, 1207 Main Street, Huntington Beach, CA 92648  
**PROPERTY OWNER:** First Christian Church, Bob Ewing, 1207 Main Street, Huntington Beach, CA 92648  
**REQUEST:** To permit a three day drive-thru exhibition, including live animals, live actors, and amplified sound. The proposed event would occur annually during the month of December for five consecutive years commencing in 2014. The exhibition's hours of operation are between 6:00 p.m. and 10:00 p.m.  
**LOCATION:** 1207 Main Street, 92648 (west side of Main St., near 17<sup>th</sup> St. and Adams Ave.)  
**CITY CONTACT:** Joanna Cortez

Joanna Cortez, 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, stated that he had no questions for staff.

**THE PUBLIC HEARING WAS OPENED.**

Dave Moses, 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.

**TEMPORARY USE PERMIT NO. 13-005 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 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

**FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 13-005:**

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The event is temporary in nature, compatible with surrounding uses, and consistent with the following General Plan Goals and Policies:

LU 7.1 Accommodate the development of a balance of land uses that provides for the housing, commercial, employment, educational, cultural, entertainment, and recreation needs of existing and future residents.

LU 13.1.1 Allow for the continuation of existing public and private institutional, cultural, educational, and health uses at their present locations and development of new uses in areas designated on the Land Use Plan Map in accordance with Policy LU 7.1.1.

Approval of the proposed temporary event provides for the cultural, educational and entertainment needs of Huntington Beach residents and allows for the continuance of a use that has been occurring on the site for decades.

2. Approval of the application for the three day drive-thru exhibition event will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The proposed use has a limited duration (up to 4 hours each day for three consecutive days) and concludes by 10:00 p.m. Moreover, the City has no records of complaints associated with past occurrences of the proposed event. No detrimental impacts are anticipated.

**CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 13-005:**

1. The site plan, floor plans, and elevations received and dated June 5, 2014 shall be the conceptually approved design.
2. The Temporary Use Permit shall permit the drive-thru exhibition event subject to the following:
  - a. 5 years maximum per permit (2014-2018) and limited to the following dates:
    - i. December 2014: 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>
    - ii. December 2015: 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>
    - iii. December 2016: 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>

iv. December 2017: 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>

v. December 2018: 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>

3. The use shall comply with the following:

- a. All fire apparatus access lane must be maintained at approved clear dimensions and cannot have vehicles or nativity scenes blocking them. This includes all entrances/exits and all interior roadways in the parking areas. **(FD)**
  - b. Fire extinguishers (2A:10B:C) must be located such that no nativity scene is further than 75 feet from one. They must be mounted at four feet in height and be readily accessible. **(FD)**
  - c. All temporary electrical to the nativity scenes must be inspection approved by the Huntington Beach Building Division prior to any use. Wiring, receptacles, and lighting must be maintained in a safe condition for the duration of the nativity scene display. **(FD)**
4. The Director of Planning & Building ensures that all conditions of approval herein are complied with. The Director of Planning & Building shall be notified in writing of any changes to the event. 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 Huntington Beach Zoning and Subdivision Ordinance.
5. 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.
6. In the event that there are any violations of the foregoing conditions or any violations of life safety codes, the outdoor retail sales activity may be terminated by any Police Officer, Fire Inspector or authorized personnel of the Department of Planning & Building.
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. 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 2: CONDITIONAL USE PERMIT NO. 14-012 (MY PLACE SPORTS BAR & GRILL OUTDOOR DINING):**

APPLICANT: Jim Sdrales, 5452 Commercial Drive, Huntington Beach, CA 92649  
PROPERTY OWNER: Maria Bizakis, 518 S. Laureltree Drive, Anaheim, CA 92808  
REQUEST: To permit the establishment of a 400 sq. ft. outdoor dining area with on-site consumption of beer and wine in conjunction with an existing restaurant.  
LOCATION: 5452 Commercial Drive, 92649 (southwest corner of Commercial Dr. and Graham St.)  
CITY CONTACT: Joanna Cortez

Ricky Ramos, Zoning Administrator, stated that the Item was being continued to the September 17, 2014, meeting at staff's request.

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

**CONDITIONAL USE PERMIT NO. 14-012 WAS CONTINUED TO THE SEPTEMBER 17, 2014 MEETING.**

**ITEM 3: CONDITIONAL USE PERMIT NO. 14-009 (ANAHEIM DUCKS FUTSAL FACILITY):**

APPLICANT: Art Trottier, Huntington Beach Roller Rink, LLC, c/o Anaheim Ice, 300 W. Lincoln Avenue, Anaheim CA 92805  
PROPERTY OWNER: WCC Phase II Realty Holdings Co., LLC, c/o Saris-Regis Group Attn: Property Manager Commercial Property Services Division, 18802 Bardeen Avenue, Irvine CA 92612  
REQUEST: (a) To establish a 27,000 sq. ft. commercial recreation and entertainment use as an indoor soccer facility within an existing multi-tenant industrial center and (b) a 300-space parking reduction associated with the continuation of an existing 73,051 sq. ft. inline hockey facility and the establishment of a 27,000 sq. ft. indoor soccer facility based on a parking demand study.  
LOCATION: 5555 McFadden Avenue, 92649 (north side of McFadden Ave. and east of Graham St.)  
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 did not receive any public comments regarding the proposed project.

Ricky Ramos, Zoning Administrator, asked staff to give a brief overview regarding the parking requirement and parking study history. Staff gave a brief history of the parking studies and requirements.

**THE PUBLIC HEARING WAS OPENED.**

Art Trottier, 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.

**CONDITIONAL USE PERMIT NO. 14-009 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 minor alterations to an existing industrial building involving no expansion in the overall floor area of the structure.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 14-009:**

1. Conditional Use Permit No. 14-009 for the establishment of the 27,000 sq. ft. commercial recreation and entertainment use as an indoor soccer facility within an existing multi-tenant industrial center and a 300-space parking reduction associated with the continuation of an existing 73,051 sq. ft. inline hockey facility and the establishment of a 27,000 sq. ft. indoor soccer facility based on parking demand study will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood. The project will be within an existing multi-tenant industrial center with a similar commercial recreation and entertainment use (inline hockey facility). The proposed use will be fully contained within the unit's interior and will not result in additional building floor area. The project will not be located in close proximity to potentially sensitive land uses. The proposed use will not create any significant noise, traffic, odors, or other detrimental impacts onto surrounding properties and inconsistent with the subject property's industrial zoning. In addition, the request for reduced parking will not be detrimental to the value of the property and improvements in the neighborhood and was based on a parking demand analysis prepared by Kimley Horn and Associates, Inc. and Jason Melchor, a state-registered engineer (March 2014 and July 2014) and a transportation demand management plan prepared by Art Trottier (June 2014). The parking demand analysis compared the City's off-street parking requirements for the inline hockey facility and a field survey of the existing parking usage during two weekdays between 7:00 am and 11:00 pm and one weekend day between 10:00 am and 8:00 pm. An analysis was also provided between the City's off-street parking requirements for the indoor soccer facility and the forecasted parking demand as determined by a case study of another indoor soccer facility (Long Beach Futsal) located in the City of Signal Hill during two weekday days between 4:00 pm and 10:00 pm. The study found that peak parking demand was 120 parking spaces for the inline hockey facility and 43 parking spaces for the indoor soccer facility. The study concluded that the required 501 parking spaces under the HBZSO for both facilities was more than expected to be utilized during the highest peak parking demand. As a result, the parking demand analysis supports a 300-space reduction and concludes that adequate on-site parking can be accommodated for the existing inline

hockey facility and proposed indoor soccer facility and all existing uses within the industrial center.

2. The proposed commercial recreation use within an existing multi-tenant industrial center will be compatible with surrounding uses because the commercial recreation and entertainment use will be conducted entirely within the building of an established multi-tenant industrial center containing similar and complementary uses. Potential noise impacts would be negligible since the unit is surrounded by industrial uses. Other existing indoor recreational uses have been primarily established within industrial areas and maintain similar characteristics to permitted industrial uses. The proposed commercial recreation and entertainment facility will not require additional parking based on a parking demand analysis which concluded that sufficient on-site parking can be accommodated for the proposed use and all existing uses within the industrial center.
3. The proposed commercial recreation use 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 (HBZSO), except minimum parking requirements, and any specific condition required for the use in the district in which it is located. The proposed commercial recreation and entertainment use is permitted within the IL (Industrial Limited) zoning district, subject to approval of a conditional use permit, pursuant to Section 212.04 of the HBZSO. The proposed commercial recreation and entertainment facility will be located within an existing industrial center, which conforms to applicable site development standards in terms of minimum yard setbacks, minimum landscaping, and maximum floor area ratio with exception of the request for reduced parking. The request for reduced parking was submitted in conjunction with a parking demand analysis and a Transportation Demand Management Plan. The Plan incorporates transportation demand management measures such as bicycle racks, vanpool parking, and transit information.
4. The granting of the proposed commercial recreation and entertainment facility will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Industrial on the subject property. In addition, it is consistent with the following goals and objective of the General Plan:

A. Land Use Element

Goal LU 12: Achieve the development of industrial uses that provide job opportunities for existing and future residents, as well as the surrounding subregion, and generate revenue for the City.

B. Recreation and Community Services Element

Goal RCS 1: Enrich the quality of life for all citizens of Huntington Beach by providing constructive and creative leisure opportunities.

Objective RCS 1.1: Encourage recreational opportunities unique to Huntington Beach which will enhance visitation and economic development.

The proposed use provides creative recreation activities for children and families. The indoor recreational use will add to the diversity of entertainment uses offered in the City. The industrial building provides sufficient space to be occupied by the proposed commercial recreation use. Other existing indoor recreational uses are primarily located in industrial areas and maintain similar characteristics of permitted industrial uses. The proposed use will market its services to local residents and residents in the surrounding region.

Additionally, the granting of reduced parking will not adversely affect the General Plan as it is consistent with the following goals and policy of the General Plan:

*C. Circulation Element*

Goal – CE 5: Maximize use of transportation demand management strategies to reduce total vehicle miles traveled and improve regional air quality.

Goal – CE 6: Ensure that the parking demands of non-residential uses do not adversely impact the City's residential neighborhoods, that the City's parking policies support reduced reliance on personal auto use and that the parking supply is adequate to meet City economic development objectives.

Policy – CE 6.1: Require that development projects supply parking that supports anticipated demands.

The parking demand analysis supports a 300-space reduction and concludes that adequate on-site parking can be accommodated for the proposed commercial recreation and entertainment use and all existing uses within the industrial center. A Transportation Demand Management Plan was included as part of the request and incorporates measures such as bicycle racks, vanpool parking spaces, and transit information to reduce vehicle trips.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 14-009:**

1. The site plan and floor plan received and dated March 12, 2014 shall be the conceptually approved design.
2. The use shall comply with the following:
  - a. The indoor soccer facility shall have no team building events.
  - b. Tournaments for the indoor soccer facility shall not occur at the same time as the tournaments for the inline hockey facility.
  - c. Only two (2) birthday parties per weekend shall be allowed each for the inline hockey facility and indoor soccer facility.
3. CUP No. 14-009 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 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 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.

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 4: CONDITIONAL USE PERMIT NO. 14-018 (COMPASS BIBLE CHURCH):**

APPLICANT: Rick Talcott, 140 Columbia, Aliso Viejo CA 92656  
PROPERTY OWNER: Huntington Beach Union High School District, 5832 Bolsa Avenue, Huntington Beach CA 92649  
REQUEST: To establish a new religious assembly use at Marina High School. The proposed religious assembly will utilize the amphitheater bowl, cafeteria, outdoor area between the amphitheater bowl and cafeteria, and one classroom on Sundays from 8:00 am to 1:00 pm.  
LOCATION: 15871 Springdale Street, 92649 (northwest corner of Springdale St. and Edinger Ave.)  
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.

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

**THE PUBLIC HEARING WAS OPENED.**

Rick Talcott, applicant, stated that he had no comments or concerns with staff 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.

**CONDITIONAL USE PERMIT NO. 14-018 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, Class 1, of the CEQA Guidelines, which states that minor alterations to existing or approved structures are exempt from further environmental review.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 14-018:**

1. Conditional Use Permit No. 14-018 for the establishment of a new religious assembly use in the amphitheater bowl, cafeteria, outdoor area between the amphitheater bowl and cafeteria, and one classroom on Sundays from 8:00 a.m. to 1:00 p.m. at Marina High School 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 use of the school amphitheater and building will not involve any expansion beyond that which currently exists. The proposed religious assembly use is not anticipated to generate any significant noise, traffic, parking, or other impacts detrimental to surrounding properties and inconsistent with the subject property's zoning. The church activities will be in the amphitheater and inside the building which are approximately 430 ft. away to the south across Edinger Avenue, 660 ft. away to the east across Springdale Street, and 1,250 ft. away to the west across the high school campus from the nearest residential uses. Additionally, the amphitheater is surrounded by buildings on all four sides. As conditioned, the church activities will be conducted in a manner that prevents the use from exceeding established noise thresholds as defined by the City Noise Ordinance (Huntington Beach Municipal Code Chapter 8.40 Noise Control).
2. The establishment of a religious assembly use at Marina High School on Sundays from 8:00 a.m. to 1:00 p.m. will be compatible with surrounding commercial and residential uses because it uses the existing institutional facility for a community serving use which is consistent with the goals and objectives of the City's General Plan. The proposed church represents the establishment of a new religious facility where it will be compatible with adjacent uses and supports the needs of Huntington Beach residents.
5. The proposed religious assembly use 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 (HBZSO). The HBZSO authorizes religious assembly uses in the PS (Public-Semipublic) zone, subject to approval of a conditional use permit. In addition, the proposed use will comply with the applicable development standards in the district in which it is located, including minimum on-site parking. There is no physical expansion proposed as part of the request.
3. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Public (Industrial) on the subject

property. In addition, it is consistent with the following objectives, goal and policy of the General Plan:

Land Use Element

Objective LU 9.4: Provide for the inclusion of recreational, institutional, religious, educational, and service uses that support resident needs within residential neighborhoods.

Goal LU 13: Achieve the development of a mix of governmental service, institutional, educational, and uses that support the needs of Huntington Beach residents.

Objective LU 13.1: Provide for the continuation of existing and development of new uses, such as governmental, administrative, public safety, human service, cultural, educational, and other uses that support the needs of existing and future residents and businesses.

Policy LU 13.1.2: Allow for the continuation of existing and development of new religious facilities in any land use zone where they are compatible with adjacent uses and subject to City review and approval.

The proposed use provides for the establishment of religious services which support the needs of the surrounding community. The project is consistent with General Plan goals, objectives and policies, which encourage development of a mix of governmental service, institutional, educational and uses that support the needs of Huntington Beach residents and advocate development of new religious facilities where they are compatible with adjacent uses.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 14-018:**

1. The site plan and floor plans received and dated July 25, 2014 shall be the conceptually approved design.
2. The use shall comply with the following:
  - a. Hours of operation shall be limited to between 8:00 AM to 1:00 PM on Sundays only.
  - b. A maximum of 500 seats in the amphitheater bowl shall be utilized by the church use.
  - c. A total of 167 parking spaces out of 631 spaces on campus shall be available for the church use only.
  - d. Exterior amplified sound (singing, message, or public address announcements) associated with the church service and activities shall be monitored to ensure compliance with the established noise thresholds as defined by the City Noise Ordinance (Chapter 8.40 Noise Control).
3. CUP No. 14-018 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 Department a minimum 30 days prior to the expiration date.

4. The development services departments (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 Planning Commission 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 1:44 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, SEPTEMBER 17, 2014, AT 1:30 P. M.**

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Ricky Ramos  
Zoning Administrator

RR:EE:jd