

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

**WEDNESDAY, APRIL 6, 2015 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** John Ramirez, Tess Nguyen, Nicolle Bourgeois, Kimo Burden,  
Ethan Edwards, Judy Graham

**MINUTES:** **NONE**

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

**ITEM 1: ENTITLEMENT PLAN AMENDMENT NO. 16-003 (BARBATA RESIDENCE WINDOW)**

APPLICANT: Otis Architecture, Karen Otis, 909 Electric Avenue, Suite 207,  
Seal Beach CA 90740

PROPERTY OWNER: Mike & Gail Barbata, 16581 Peale Lane, Huntington Beach CA  
92649

REQUEST: To amend Condition of Approval No. 1 of Coastal Development  
Permit No. 04-05 to allow transparent glass in the two most  
southerly windows of the second floor master bedroom within an  
existing single family home

LOCATION: 16581 Peale Lane, 92649 (west side of Peale Ln., between  
Malden Cir. and Gilbert Dr.)

CITY CONTACT: John Ramirez

John Ramirez, Project Planner, stated that due to insufficient public notice, staff is requesting a continuance to the April 20, 2016, meeting.

Ricky Ramos, Zoning Administrator, stated he would continue the item at the staff's request.

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

**ENTITLEMENT PLAN AMENDMENT NO. 16-003 WAS CONTINUED TO THE APRIL 20, 2016, MEETING.**

**ITEM 2: CONDITIONAL USE PERMIT NO. 16-004 (OC SONG AND DANCE STUDIO PARKING)**

APPLICANT: Marcus Kemmerer, 228 Crest Avenue, Huntington Beach CA  
92648

PROPERTY OWNER: Fiorentina Properties LLC, P.O. Box 1040, Huntington Beach CA  
92647

REQUEST: To permit the establishment of joint use parking (with divergent hours) for a dance/vocal studio (personal enrichment) to occupy a portion (2,918 sq. ft.) of an existing industrial building

LOCATION: 5301 Oceanus Drive, 92649 (north side of Oceanus Dr., west 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.

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

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

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

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

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

**CONDITIONAL USE PERMIT NO. 16-004 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 a minor alteration of an existing industrial building involving no expansion in the overall floor area of the structure.

#### **FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 16-004:**

1. Conditional Use Permit No. 16-004 for the establishment of joint use parking (with divergent hours) for a dance/vocal studio (personal enrichment) to occupy a portion (2,918 sq. ft.) of an existing industrial building 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 joint use parking arrangement is not anticipated to generate any significant traffic, parking, or other impacts detrimental to surrounding properties. Adequate parking within 250 feet of the subject building will be provided, in accordance with applicable Huntington Beach Zoning and Subdivision code requirements, based on divergent business hours of operation within the industrial building. Based on the conditions imposed, the project will be required to maintain adequate parking at all times.
2. The establishment of joint use parking will be compatible with surrounding uses because the personal enrichment use occurs when the other tenant is closed. The project is subject to conditions of approval to ensure that adequate parking is maintained at all times.

3. The proposed establishment of joint use parking 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 and any specific condition required for the proposed use in the district in which it is located. A joint use parking arrangement requires a Conditional Use Permit subject to review and approval of the Zoning Administrator. All uses within the industrial building will comply with the parking requirements.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Industrial on the subject property. In addition, it is consistent with the following objective and policy of the General Plan:

A. Land Use Element

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, infrastructure, religious, and other uses that support the needs of existing and future residents and businesses.

B. Circulation Element

Policy CE 6.3: Allow for shared parking and other creative parking arrangements that optimize available parking areas.

The proposed use provides for the establishment of cultural and educational services which support the needs of the surrounding community. The divergent hours ensure that adequate parking is provided to serve the proposed use within the existing industrial building.

**CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 16-004:**

1. The site plan and floor plan received and dated January 7, 2016 shall be the conceptually approved design.
2. Prior to issuance of building permit and/or Certificate of Occupancy (whichever occurs first), the following shall be completed:
  - a. A joint use agreement, in proper legal form and content, shall be submitted for review and approval by the Planning Division and City Attorney. The agreement shall restrict the mix of uses (warehouse, office, personal enrichment instruction area) based on the parking calculation and hours of operation of each use to comply with the parking requirements.
  - b. The approved agreement shall be recorded with the Orange County Office of County Recorder. A copy of the recorded covenant shall be submitted and filed with the Planning Division.
3. The hours of operation for the warehouse use and the personal enrichment use shall be consistent with the project narrative received and dated on March 4, 2016.
4. There shall be no conflict in the operating hours based on parking requirements for the different uses in the building. The minimum required parking for different uses shall be maintained at all times.
5. The uses in the building shall comply with the approved joint use parking agreement.

6. CUP No. 16-004 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
7. The Development Services Departments and divisions (Building & Safety, Fire, Community Development, and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
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.

#### **ITEM 3: COASTAL DEVELOPMENT PERMIT NO. 16-005/ CONDITIONAL USE PERMIT NO. 16-008 (TABU SHABU RESTAURANT BEER AND WINE)**

APPLICANT:	Randy Nguyen, 7752 13 <sup>th</sup> St. #A, Westminster, CA 92683
PROPERTY OWNER:	D.D. Dunlap Companies Inc., 16897 Algonquin St. #A, Huntington Beach, CA 92649
REQUEST:	<b>CDP:</b> To permit the conversion of an existing retail space into a new 1,300 sq. ft. restaurant. <b>CUP:</b> To permit the sales, service, and consumption of beer and wine (ABC Type 41 License) within a proposed restaurant.
LOCATION:	16821 Algonquin St., Suite 102, 92649 (northwest corner of Davenport Dr. and Algonquin St. – Huntington Harbour Mall
CITY CONTACT:	Kimo Burden

Kimo Burden, Planning Aide, 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.**

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

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

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

**COASTAL DEVELOPMENT PERMIT NO. 16-005/ CONDITIONAL USE PERMIT NO. 16-008 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 minor alterations to an existing commercial building involving no expansion in the overall floor area of the structure.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-005:**

1. Coastal Development Permit No. 16-005 to permit the conversion of existing retail space into a new 1,300 sq. ft. restaurant conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following policies:

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

Policy – C 1.2.1: Accommodate existing uses and new development in accordance with the Coastal Element Land Use Plan and the Development and Density Schedule Table C-1.

The proposed use is similar to and compatible with existing uses in the Huntington Harbour Mall. It will be located within the interior of the existing commercial center to serve the residents in the community and visitors to the area.

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 all applicable land use controls and development standards, including on-site parking 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 project will involve tenant improvements on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roads.

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

#### **FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 16-008:**

1. Conditional Use Permit No. 16-008 to permit the onsite sales, service, and consumption of beer and wine within a proposed restaurant 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 restaurant is located within the interior of the commercial center and more than 200 feet from the nearest residential uses. Nearby residences will be buffered from the restaurant by parking lots, streets, and buildings. The proposed use is not anticipated to generate additional noise, traffic, and safety impacts beyond which already exist in the surrounding area.
2. The conditional use permit will be compatible with surrounding uses because the onsite sales, service, and consumption of beer and wine will be ancillary to the restaurant use. The proposed use will occur entirely within the restaurant and operate during business hours similar to other commercial uses in the vicinity. The restaurant is located within an existing multi-tenant commercial shopping center and will be compatible with adjacent uses which provide service to nearby residents and visitors.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The restaurant with beer and wine sales is located within an existing commercial center, which conforms to applicable site development standards in terms of minimum onsite parking requirements. Restaurants with alcohol sales are permitted in the CG (Commercial General) zoning district subject to approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Commercial General (CG) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

##### **A. Land Use Element**

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

Policy LU 10.1.8: Require that entertainment, drinking establishments, and other similar uses provide adequate physical and safety measures to prevent negative impacts on adjacent properties.

##### **B. Economic Development Element**

Policy ED 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach and to accommodate the needs of all residents in Huntington Beach and the market area.

The proposed use will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City. It will be located within an existing commercial center, which includes restaurants, retail, and service

uses. Based upon the operational conditions imposed, the restaurant is not anticipated to result in negative impacts on adjacent properties.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-005**  
**/CONDITIONAL USE PERMIT NO. 16-008:**

1. The site plan and floor plan received and dated February 3, 2016, shall be the conceptually approved design.
2. The use shall comply with the following:
  - a. Restaurant business hours shall be limited to between 10:00 AM to 11:00 PM daily. **(PD)**
  - b. Prior to sales, service or consumption of alcoholic beverages the business shall obtain an ABC license authorizing alcohol use in the restaurant. The business shall be limited to a Type 41 (On Sale Beer and Wine for Bona Fide Public Eating Place) ABC License. **(PD)**
  - c. There shall be no entertainment allowed without a valid Entertainment Permit issued by the Huntington Beach Police Department. **(PD)**
  - d. To ensure the location maintains a restaurant atmosphere, food service from the regular menu shall be available from the time the business opens to the public, until at least one hour prior to the scheduled closing time. **(PD)**
  - e. All alcoholic beverages shall remain within the interior of the restaurant and bar, per §9.44.010 of the Huntington Beach Municipal Code (HBMC). Service of alcoholic beverages for consumption off-site will not be permitted. A sign shall be posted stating alcoholic beverages are not allowed outside of the restaurant. **(PD)**
  - f. A sign shall be posted in a conspicuous space at the entrance/exit point of the restaurant, which shall state, "No ALCOHOLIC BEVERAGES BEYOND THIS POINT". **(PD)**
  - g. In order to reduce noise disturbances to the residential community located less than 100 feet from the west end of the building, all exterior doors will remain closed during business hours. **(PD)**
  - h. All employees engaged in the sale or service of alcohol shall complete a Mandatory Responsible Beverage Service (RBS). Training and certification shall be required for new employees within 90 days of being hired and for existing employees every 12 months. Training shall be provided by an ABC approved RBS trainer and records of the training must be maintained on-site for review. **(PD)**
  - i. An employee of the establishment must monitor all areas where alcohol is served. **(PD)**
  - j. No reduced price or promotions of alcoholic beverages shall be allowed after 7:00 PM. **(PD)**
  - k. Consumption of alcoholic beverages by on-duty employees; including servers, bartenders, kitchen staff, management and supervisory personnel is forbidden. **(PD)**
  - l. All areas where the sales, service, and consumption of alcoholic beverages will be permitted must be sufficiently illuminated to permit the identification of patrons. **(PD)**

- m. Signage, posters, and advertising with "Do Not Drink and Drive" shall be posted in the business. **(PD)**
  - n. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition. **(PD)**
  - o. There shall be no window coverings or advertisements that reduce the visibility inside of the business. This will assist officers in observing crimes in progress. **(PD)**
  - p. Per Section 5.44.140 HBMC: All owners, employees, representatives, and agents shall obey all state, local, and municipal laws, conditions of the Conditional Use Permit, Entertainment Permit, Alcoholic Beverages Control License, or any other regulations, provision, or restrictions prescribed at all times. Any violations of any law or conditions will be considered violations of the permit to constitute permit suspension or revocation in addition to civil or criminal enforcement. **(PD)**
3. CUP No. 16-008/ CDP No. 16-005 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
  4. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
  5. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems <http://www.builditgreen.org/green-building-guidelines-rating>

#### **INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

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



#### **ITEM 4: COASTAL DEVELOPMENT PERMIT NO. 16-002 (STATE BEACH PLAYGROUND)**

APPLICANT: David Dominguez, Department of Community Services, 2000 Main Street, Huntington Beach, CA 92648  
PROPERTY OWNER: State of California, Department of Parks and Recreation, 1416 9<sup>th</sup> St., Sacramento, CA 95814  
REQUEST: To permit the construction of a public playground on the beach/sand.  
LOCATION: 913 Pacific Coast Highway, 92648 (ocean side of PCH, between 9<sup>th</sup> St. and 10<sup>th</sup> St. – State Beach)  
CITY CONTACT: Nicolle Bourgeois

Nicolle Bourgeois, Planning Aide, 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.**

David Dominguez, applicant, gave a brief summary of the proposed project noting that although the Police Department recommended lights, the majority of city parks do not have lights. This proposed park will not have lights. He stated that he had no comments or concerns with staff's recommendations

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

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

**COASTAL DEVELOPMENT PERMIT NO. 16-002 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 15303 of the CEQA Guidelines, because the project consists of the construction of small structures where necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

#### **FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-002:**

1. Coastal Development Permit No. 16-002 for the installation of a public playground at the beach, as proposed, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following Coastal Element Objective and Policies:

C 1.2.1: Accommodate existing uses and new development in accordance with the Coastal Element Land Use Plan and the Development and Density Schedule Table C-1.

- C 3: Provide a variety of recreational and visitor commercial serving uses for a range of cost and market preferences.
- C 3.2: Ensure that new development and uses provide a variety of recreational facilities for a range of income groups, including low cost facilities and activities.
- C 3.2.1: Encourage, where feasible, facilities, programs and services that increase and enhance public recreational opportunities in the Coastal Zone.
- C 4.2.2: Require that the massing, height, and orientation of new development be designed to protect public coastal views.

The project will consist of installing a public playground at the beach. Access to the playground will be provided by an existing asphalt bike and wheel chair path. The playground will be located approximately 58 feet from the existing service road and Bluff Top Park. The base of the playground will have rubber surfacing and no grading or sand removal will occur as part of the installation process. The playground will include a variety of play structures, swing set, benches, picnic tables, and trash/recycle receptacles. The playground will be surrounded by a 30 inch high sand wall to deter children from running on the service road and to protect sand from blowing onto the rubberized surface.

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 proposed playground is permitted as ancillary development to publicly owned coastal beaches. The playground will be located on the sandy beach and will be designed with materials to withstand the beach environment. The structures will comply with development standards including setbacks and building height.
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 project will be installed on the beach with access to existing utilities including sewer, water, and roads. An existing public restroom located near Bluff Top Park is in close proximity to the project location.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views. The playground will be minimally visible from the street because it will sit approximately 22 ft. below Pacific Coast Highway. Existing paths in compliance with current ADA standards will provide accessibility to the playground.

#### **CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-002:**


1. The site plan and elevations received and dated January 21, 2016 shall be the conceptually approved design with a modification that the playground abuts a paved walkway to increase accessibility.
2. Coastal Development Permit No. 16-002 shall become null and void unless exercised within two years of the date of final approval by the City Council, 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 Community Development Department a minimum 30 days prior to the expiration date.

3. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

**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 1:42 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, APRIL 20, 2016, AT 1:30 P. M.**

  
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Ricky Ramos  
Zoning Administrator

RR:EE:jg