

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

WEDNESDAY, DECEMBER 16, 2015 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Hayden Beckman, Ethan Edwards, Judy Graham

MINUTES: April 15, 2015
May 6, 2015

APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 15-026 (MARROQUIN RESIDENCE)

APPLICANT: Kirt Eckmann, 1348 Windermere Court, Palmdale, CA 93551

PROPERTY OWNER: Hernando and Mary Marroquin, 3979 Mistral Drive, Huntington Beach, CA 92648

REQUEST: To permit the construction of an approximately 1,549 sq. ft. second floor addition and interior remodel to an existing 3,167 sq. ft. two-story single family dwelling..

LOCATION: 3979 Mistral Drive, 92648 (near the northwest corner of Davenport Dr. and Edgewater Ln.)

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. Mr. Edwards noted that staff had received one call stating concerns with potential impacts to the view of the harbor.

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

THE PUBLIC HEARING WAS OPENED.

Kirt Eckmann, 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 and include the additional conditions as requested by staff.

COASTAL DEVELOPMENT PERMIT NO. 15-026 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 project consists of an addition to an existing single-family residence within a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-026:

1. Coastal Development Permit No. 15-026 for an approximately 1,549 sq. ft. addition and interior remodel to an existing 3,167 sq. ft. two-story single family dwelling conforms to the General Plan, including the Local Coastal Program. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage new development to locate within, contiguous to, or in close proximity to existing developed areas able to accommodate it. The proposed addition will occur within an existing single family dwelling located within an established residential neighborhood.
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, including maximum height, maximum lot coverage, minimum yard setbacks, and required 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 project 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. 15-026:

1. The site plan, floor plans, and elevations received and dated November 17, 2015 shall be the conceptually approved design.
2. Prior to submittal for building permits, zoning entitlement conditions of approval and code requirements shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. The final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Department of Community Development.
 - 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. CDP No. 15-026 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 of Community

Development pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.

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. The Development Services Departments and Divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
7. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

ITEM 2: CONDITIONAL USE PERMIT NO. 15-057/ COASTAL DEVELOPMENT PERMIT NO. 15-029 (WEBSTER RESIDENCE)

APPLICANT/
PROPERTY OWNER: Mike Webster, 16371 Ardsley Circle, Huntington Beach, CA 92649

REQUEST: To permit the construction of an approximately 390 sq. ft. first floor, 850 sq. ft. second floor and 1,200 sq. ft. third floor addition with two third floor decks to an existing 2,900 sq. ft. two-story single-family dwelling at a maximum height of 34 ft. 5 in.

LOCATION: 16525 Cotuit Circle, 92649 (south side of Cotuit Cir., east of Humboldt Dr. – Huntington Harbour)

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 Jonsson, architect representing the applicant, stated that if possible he would like to see the bathroom window stay as shown on the plans. Mr. Ramos explained that the window location is a code requirement and he does not have the authority to change it.

Gayle Wayne, resident, stated that she wanted an opportunity to see the plans being presented. She has no comments or concerns with the proposed project.

Mike Webster, applicant, stated that he has 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 he would approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 15-057/ COASTAL DEVELOPMENT PERMIT NO. 15-029 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

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

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 15-057:

1. Conditional Use Permit No. 15-057 to permit the construction of an approximately 390 sq. ft. first floor, 850 sq. ft. second floor and 1,200 sq. ft. third floor addition with two third floor decks to an existing 2,900 sq. ft. two-story single-family dwelling at a maximum height of 34 ft. 5 in. 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 third floor habitable area will be located within the confines of the second story roof volume and will be accessible only from the interior of the building. The decks above the second story top plate line will face the harbor thereby protecting privacy of adjacent residences. Based on code requirements, the proposed decks will be setback a minimum of 5 ft. from the building exterior which will minimize the visual mass and bulk of the residence.
2. The proposed construction of an approximately 390 sq. ft. first floor, 850 sq. ft. second floor and 1,200 sq. ft. third floor addition with two third floor decks to an existing 2,900 sq. ft. two-story single-family dwelling at a maximum height of 34 ft. 5 in. will be compatible with

surrounding uses because the third floor habitable area will be integrated into the design of the residence in order to resemble the two-story homes in the neighborhood. The overall building height will match the surrounding properties because the project is adjacent to existing two-story, single-family residences with similar building heights. The third story decks will be oriented towards the harbor which will protect direct views onto adjacent residences. Furthermore, the proposed decks will be setback 5 ft. from the rear and side building exteriors which allows the residence to be compatible with the mass and scale of structures in the surrounding neighborhood.

3. The proposed construction of an approximately 390 sq. ft. first floor, 850 sq. ft. second floor and 1,200 sq. ft. third floor addition with two third floor decks to an existing 2,900 sq. ft. two-story single-family dwelling at a maximum height of 34 ft. 5 in. will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance, as well as any specific condition required for the proposed use in the district in which it would be located. The project complies with minimum onsite parking and building setbacks, and maximum lot coverage and building height. The third floor habitable area with an approximately overall building height of 34 ft. 5 in. and third floor decks are allowed within the RL (Residential Low Density) zoning district with approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Residential Low Density—7 units per acre) on the subject property. In addition, it is consistent with the following 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 construction of an approximately 390 sq. ft. first floor, 850 sq. ft. second floor and 1,200 sq. ft. third floor addition with two third floor decks to an existing 2,900 sq. ft. two-story single-family dwelling at a maximum height of 34 ft. 5 in., is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other provisions of the Municipal Code including maximum site coverage, maximum building height, and minimum on-site parking. The proposed third floor habitable area will be integrated within the confines of the second story roof volume. The third story balconies will be oriented toward the harbor, minimizing impact to privacy on adjoining properties. The balcony will also be setback from the building exterior to reduce the mass and bulk of the structure.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-029:

1. Coastal Development Permit No. 15-029 to permit the construction of a new approximately 2,446 sq. ft. addition to an existing 2,900 sq. ft. single-family dwelling with a 475 sq. ft. attached garage, 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, including maximum height, maximum lot coverage, minimum yard setbacks, and required onsite parking.
3. At the time of occupancy the proposed addition can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The project 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.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 15-057/
COASTAL DEVELOPMENT PERMIT NO. 15-029:**

1. The site plan, floor plans, and elevations received and dated November 9, 2015 shall be the conceptually approved design with the following modification:
 - a. Windows above the second story plate line shall orient toward public rights-of-way only. The dormer windows oriented toward private property (right side elevation) shall be removed. (HBZSO Section 210.06.M.d)
2. Prior to submittal of building permits:
 - a. One set of revised architectural plans including elevations in accordance with Condition No. 1 shall be submitted to the Planning Division for review and approval and inclusion in the entitlement file.
 - b. Zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments and Divisions of Fire, Planning, Building & Safety, and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. The final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
4. CUP No.15-057 and CDP No. 15-029 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 of Community Development pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.

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. The Development Services Departments and Divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
7. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems <http://www.builditgreen.org/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

ITEM 3: MITIGATED NEGATIVE DECLARATION NO. 15-002 (ADMIRALTY DRIVE BRIDGE PREVENTIVE MAINTENANCE PROJECT)

APPLICANT/

PROPERTY OWNER: Jonathan Claudio, P.E., Public Works Department, City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

REQUEST:

To analyze the potential environmental impacts associated with maintenance activities on the existing Admiralty Drive Bridge to restore the integrity of its original design. Parts of the bridge have deteriorated due to normal wear from vehicular traffic and from tidal flux of the marine ecosystem setting during the last five decades, and the bridge has been deemed structurally deficient. Repair/rehabilitation would require the following maintenance measures: remove and replace the concrete barriers, sidewalks, and bridge deck; clean and paint I-girders and other steel members; remove unsound concrete and patch concrete at the bridge columns, requiring working platforms with fully enclosed

protective covers. All existing utilities would be temporarily relocated and/or supported during construction, and replaced upon completion of the project. Access to Admiralty and Gilbert Islands will remain open during construction. A Coastal Development Permit from the California Coastal Commission will be required.

LOCATION: The project site is the existing Admiralty Drive Bridge, spanning approximately 155 linear feet over the Queen Elizabeth Passage, a tidally influenced waterway functioning as an outlet between the Huntington Harbour residential community and the adjacent Bolsa Chica channel.

CITY CONTACT: Hayden Beckman

Hayden Beckman, 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. Mr. Beckman noted that staff received one comment regarding the lack of ADA accessibility.

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

THE PUBLIC HEARING WAS OPENED.

Jo Claudio, applicant, stated that he had no comments or concerns with staff's recommendations. Mr. Claudio noted there is always concern to ensure the projects are complete prior to nesting season.

Gayle Wayne, resident, commented that it would be nice to have lighting along the Humboldt Bridge as it can be a safety hazard without them.

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

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

MITIGATED NEGATIVE DECLARATION NO. 15-002 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) CALENDAR DAYS.

FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 15-002:

1. The Mitigated Negative Declaration No. 15-002 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of thirty (30) days. Comments received during the comment period were considered by the Zoning Administrator prior to action on the Mitigated Negative Declaration.
2. Mitigation measures avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. Mitigation measures address potential impacts to nesting habitat for bird species protected by the Migratory Bird Treaty Act, the potential discovery of human remains, or archaeological or paleontological resources during

ground-disturbing activities, and potential impacts regarding water quality, hazardous materials, and construction noise.

3. There is no substantial evidence in light of the whole record before the Zoning Administrator that the project, as mitigated through the attached mitigation measures for Mitigated Negative Declaration No. 15-002, will have a significant effect on the environment.

MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS:

1. Work areas will be reduced to the maximum extent feasible to avoid the channel and minimize impacts on waters of the U.S. and state. **(Mitigation Measure)**
2. Measures for preventing material, equipment, and debris from falling into the channel would be in place at all times while the bridge deck is being removed. The work area would be tented and isolated to minimize the potential for concrete dust, debris, paint chips, rust, and construction material to fall into the channel. **(Mitigation Measure)**
3. During construction, a cofferdam would be installed around one column of the eastern bridge pier to dewater the area in order to patch existing cracks in the pier and prevent concrete debris, bonding materials, and fresh concrete from contacting seawater and contaminating waters in the channel. Additionally, installation and removal of the cofferdam and any work on the piers would be performed during low tide to minimize the potential for water currents to carry sediment plumes and turbidity into the surrounding waters. The cofferdam would remain in place for a sufficient amount of time to allow for fresh concrete and bonding materials to cure prior to removal to prevent contamination of waters in the channel. **(Mitigation Measure)**
4. The contractor will implement appropriate hazardous material BMPs to reduce the potential for chemical spills or contaminant releases, including any non-stormwater discharge. A spill prevention plan would be developed and included as part of the SWPPP. Implementation of standard hazardous materials management and spill control response measures will minimize the potential for contamination of road surfaces and waters of the U.S. in the channel. All vehicles and equipment will be checked daily for fluid and fuel leaks, and drip pans will be placed under all equipment that is parked and not in operation. Vehicles and equipment will not be refueled or maintained in areas where pollutants could be released into the channel. **(Mitigation Measure)**
5. Construction areas would be reduced to the maximum extent feasible to avoid impacts on migratory birds. **(Mitigation Measure)**
6. Construction activities would be scheduled outside of the nesting bird season (typically February 15 to September 1) to the extent feasible. Although not anticipated, if vegetation removal is required it would be minimized and would be performed outside of the nesting season (typically February 15 to September 1) to the extent feasible. **(Mitigation Measure)**
7. If construction is required during bird nesting season, preconstruction nesting bird surveys would be completed by a qualified biologist within 48 hours prior to determine if nesting birds or active nests are within 300 feet of the construction area. Surveys would be repeated if construction activities are suspended for five days or more. **(Mitigation Measure)**
8. If vegetation removal must be conducted during the nesting season, nesting bird surveys would be completed by a qualified biologist within 48 hours prior to these activities to determine whether nesting birds are in these areas. **(Mitigation Measure)**

9. If nesting birds are found in the project site, appropriate buffers (typically 300 feet for songbirds) will be installed, in coordination with the appropriate resource agencies, to ensure that birds and/or their nests are not harmed. **(Mitigation Measure)**
10. Pre-construction wildlife surveys would be completed by a qualified biologist no more than 48 hours prior to clearing, grubbing, or other activities to determine the presence/absence of nesting birds, bats or other sensitive species within 300 feet of the construction area. Surveys would be repeated if construction activities are suspended for five days or more. If any wildlife species are identified, appropriate measures would be developed and implemented to avoid impacts on these species, in consultation with resource agencies as applicable. **(Mitigation Measure)**
11. A lead and asbestos survey will be completed by a licensed specialist prior to construction to determine if there are lead- and asbestos-containing materials in the bridge structure. If none are found, no further action is necessary. **(Mitigation Measure)**
12. If found in the bridge structure, lead- and asbestos-containing materials will be handled and disposed of in a manner approved by the California Division of Occupational Safety and Health (Cal- OSHA), and the SCAQMD would be notified of the asbestos removal. **(Mitigation Measure)**
13. The construction contractor shall ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and that mufflers are working adequately. **(Mitigation Measure)**
14. The construction contractor shall ensure that all construction equipment is located so that emitted noise is directed away from sensitive noise receivers. **(Mitigation Measure)**
15. The construction contractor shall ensure that stockpiling and vehicle-staging areas are located as far as practical from noise-sensitive receivers during construction activities. **(Mitigation Measure)**
16. Two weeks prior to the construction, the construction contractor shall provide notification in writing to adjacent residences if they would be located within 150 feet of the active construction activity. **(Mitigation Measure)**
17. The construction contractor shall, as necessary, provide temporary noise barriers, including sound blankets, between the areas of active construction and sensitive receivers. **(Mitigation Measure)**
18. If archaeological resources, paleontological resources, or unique geologic features are encountered during construction, all ground disturbing work will be stopped until an archaeologist or monitor can properly assess the resource(s) and identify the appropriate measures to ensure that resource(s) would not be adversely affected. If human remains are encountered during construction, all ground-disturbing work will be stopped and standard measures required by California Health and Safety Code Section 7050.5 will be followed to notify the County Coroner and identify the remains. **(Mitigation Measure)**

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: MITIGATED NEGATIVE DECLARATION NO. 15-003 (HUMBOLDT DRIVE BRIDGE PREVENTATIVE MAINTENANCE PROJECT)

APPLICANT/

PROPERTY OWNER: Jonathan Claudio, P.E., Public Works Department, City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

REQUEST: To analyze the potential environmental impacts associated with maintenance activities on the existing Humboldt Drive Bridge to restore the integrity of its original design. Parts of the bridge have deteriorated due to normal wear from vehicular traffic and from tidal flux of the marine ecosystem setting during the last five decades, and the bridge has been deemed functionally obsolete due to aspects of its existing condition and a narrow roadway width identified by a routine Caltrans Bridge Inspection Report. Repair/rehabilitation will be conducted in two phases to allow the continued use of the bridge for vehicular and pedestrian access, and will require the following maintenance measures: remove and replace the concrete barriers, sidewalks, and bridge deck; sandblast, clean and paint the steel girders and other steel members; and remove unsound concrete and patch concrete at the bridge columns, requiring working platforms with fully enclosed protective covers. The existing bridge will be widened by approximately two feet on each side (from the existing width of 35 feet to a total width of 39 feet) and provide standard sidewalks on both sides. All existing utilities would be temporarily relocated and/or supported during construction, and replaced upon completion of the project. Access to Humboldt Island will remain open during construction. A Coastal Development Permit from the California Coastal Commission will be required.

LOCATION: The project site is the existing Humboldt Drive Bridge, spanning approximately 156 linear feet over the Short Channel, a tidally influenced waterway within the Huntington Harbour residential community.

CITY CONTACT: Hayden Beckman

Hayden Beckman, 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.

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

Mark Sheldon, resident and member of the Huntington Beach Environmental Board, spoke in support of the proposed project. He noted that he would like to see a bike path and street signals added to the proposal. He also, noted that there may be a school bus on the corner near the bridge and if there is, staff may want to discuss possibly relocating it due to traffic.

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

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

MITIGATED NEGATIVE DECLARATION NO. 15-003 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 APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 15-003:

1. The Mitigated Negative Declaration No. 15-003 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of thirty (30) days. Comments received during the comment period were considered by the Zoning Administrator prior to action on the Mitigated Negative Declaration.
2. Mitigation measures avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. Mitigation measures address potential impacts to nesting habitat for bird species protected by the Migratory Bird Treaty Act, the potential discovery of human remains, or archaeological or paleontological resources during ground-disturbing activities, and potential impacts regarding water quality, hazardous materials, and construction noise.
3. There is no substantial evidence in light of the whole record before the Zoning Administrator that the project, as mitigated through the attached mitigation measures for Mitigated Negative Declaration No. 15-003, will have a significant effect on the environment.

MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS:

1. During construction, the contractor shall ensure that work areas are reduced to the maximum extent feasible to avoid the channel and minimize impacts on waters of the U.S. and state. **(Mitigation Measure)**
2. During construction, the Contractor shall ensure that measures for preventing material, equipment, and debris from falling into the channel would be in place at all times while the bridge deck is being removed. The work area would be tented and isolated to minimize the

for construction materials to fall and carry pollutants and sediment plumes into the channel. The protective cover enclosures would be removed and the working platforms would be cleaned each day before high tide, when platforms would become submerged. Initial installation and final removal of the working platforms would be completed during low tide to minimize sedimentation and turbidity in the channel. **(Mitigation Measure)**

4. During construction, the contractor shall implement appropriate hazardous material BMPs to reduce the potential for chemical spills or contaminant releases, including any non-stormwater discharge. A spill prevention plan would be developed and included as part of the SWPPP. Implementation of standard hazardous materials management and spill control response measures will minimize the potential for contamination of road surfaces and waters of the U.S. in the channel. All vehicles and equipment will be checked daily for fluid and fuel leaks, and drip pans will be placed under all equipment that is parked and not in operation. Vehicles and equipment will not be refueled or maintained in areas where pollutants could be released into the channel. **(Mitigation Measure)**
5. During construction, the Contractor shall ensure that construction areas would be reduced to the maximum extent feasible to avoid impacts on migratory birds. **(Mitigation Measure)**
6. During Construction, the contractor shall ensure that construction activities, including vegetation removal, are scheduled outside of the nesting bird season (typically February 15 to September 1) to the extent feasible. Although not anticipated, if vegetation removal is required it would be minimized and would be performed outside of the nesting season (typically February 15 to September 1) to the extent feasible. **(Mitigation Measure)**
7. If construction is required during bird nesting season, the contractor shall ensure that pre-construction nesting bird surveys would be completed by a qualified biologist within 48 hours prior to determine if nesting birds or active nests are within 300 feet of the construction area. Surveys would be repeated if construction activities are suspended for five days or more. **(Mitigation Measure)**
8. If vegetation removal must be conducted during the nesting season, the Contractor shall ensure that nesting bird surveys would be completed by a qualified biologist within 48 hours prior to these activities to determine whether nesting birds are in these areas. **(Mitigation Measure)**
9. If nesting birds are found in the project site, the contractor shall ensure during construction that appropriate buffers (typically 300 feet for songbirds) will be installed, in coordination with the appropriate resource agencies, to ensure that birds and/or their nests are not harmed. **(Mitigation Measure)**
10. The contractor shall ensure that pre-construction wildlife surveys are completed by a qualified biologist no more than 48 hours prior to clearing, grubbing, or other activities to determine the presence/absence of nesting birds, bats or other sensitive species within 300 feet of the construction area. Surveys would be repeated if construction activities are suspended for five days or more. If any wildlife species are identified, appropriate measures would be developed and implemented to avoid impacts on these species, in consultation with resource agencies as applicable. **(Mitigation Measure)**
11. The contractor shall ensure that a lead and asbestos survey will be completed by a licensed specialist prior to construction to determine if there are lead- and asbestos-

containing materials in the bridge structure. If none are found, no further action is necessary. **(Mitigation Measure)**

12. If lead- and asbestos-containing materials are found in the bridge structure, the contractor shall ensure during construction that handling and disposal are conducted in a manner approved by the California Division of Occupational Safety and Health (Cal- OSHA), and the SCAQMD would be notified of the asbestos removal. **(Mitigation Measure)**
13. The construction contractor shall ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and that mufflers are working adequately. **(Mitigation Measure)**
14. The construction contractor shall ensure that all construction equipment is located so that emitted noise is directed away from sensitive noise receivers. **(Mitigation Measure)**
15. The construction contractor shall ensure that stockpiling and vehicle-staging areas are located as far as practical from noise-sensitive receivers during construction activities. **(Mitigation Measure)**
16. Two weeks prior to the construction, the construction contractor shall provide notification in writing to adjacent residences if they would be located within 150 feet of the active construction activity. **(Mitigation Measure)**
17. The construction contractor shall, as necessary, provide temporary noise barriers, including sound blankets, between the areas of active construction and sensitive receivers. **(Mitigation Measure)**
18. If archaeological resources, paleontological resources, or unique geologic features are encountered during construction, the contractor shall ensure that all ground disturbing work will be stopped until an archaeologist or monitor can properly assess the resource(s) and identify the appropriate measures to ensure that resource(s) would not be adversely affected. If human remains are encountered during construction, all ground-disturbing work will be stopped and standard measures required by California Health and Safety Code Section 7050.5 will be followed to notify the County Coroner and identify the remains. **(Mitigation Measure)**

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 1:57 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JANUARY 6, 2016, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:EE:jd