

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

WEDNESDAY, JANUARY 24, 2007 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Tess Nguyen, Andrew Gonzales, Ron Santos, Jeanie Cutler (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 2006-041 (METRO PCS WIRELESS COMMUNICATION FACILITY):

APPLICANT: Ryan Hammersmith, 15131 Triton Lane #106, Huntington Beach, CA 91770

PROPERTY OWNER: Scott Haney, Southern California Edison, 2244 Walnut Grove Ave., Rosemead, CA 91770

REQUEST: To permit the installation of a wireless communication facility consisting of antennas on an existing Edison tower and equipment cabinets located at the base of the tower within an enclosure.

LOCATION: 10160 Atlanta Avenue (south of Spar Circle, west of Santa Ana River)

PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary emphasizing the suggested modifications to the plans.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary. Staff stated that a neighboring property owner came to the Planning Counter on January 17, 2007 with questions related to the aesthetics of the project. No other verbal or written comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator, confirmed with staff the existence of a general access road which is currently being used by Southern California Edison employees.

THE PUBLIC HEARING WAS OPENED.

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

Ms. Broeren confirmed with Ryan Hammersmith, Applicant, the location of the existing access area to the structure.

CONDITIONAL USE PERMIT NO. WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN 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 15303—*New Construction or Conversion of Small Structures* of the CEQA Guidelines because the project consists of the installation of small new equipment and facilities in small structures.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-041

1. Conditional Use Permit No. 2006-041 to install a wireless communication facility, consisting of antennas attached to an existing Southern California Edison tower at a height of approximately 50 ft. and an equipment enclosure located at grade, beneath the tower, 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 facility will not generate noise, traffic, and demand for additional parking or other impacts detrimental to surrounding property.
2. The conditional use permit will be compatible with surrounding uses because the proposed facility will be located on and adjacent to existing Southern California Edison transmission towers, on an existing SCE right-of-way. The design of the facility, which features antennas painted to match the tower to which it is attached, and an equipment shelter constructed of masonry with a tiled roof and painted with an earth-tone color, will ensure compatibility of the proposed facility with surrounding uses.
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, including the provisions of HBZSO Section 230.96—Wireless Communication Facilities.
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 P (Public) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - a. L.U. 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

- b. U.D. 2.2: Minimize the visual impact of oil production facilities and other utilities where they encroach upon view corridors or are visually incompatible with their surrounding uses.
- c. U. 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.
- d. U.5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the proposed installation of antennas with an existing transmission tower, and the use of compatible materials to screen the equipment cabinets, will minimize the project's visual impacts.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-041

1. The site plan, floor plans, and elevations received and dated October 20, 2006 shall be the conceptually approved layout with the following modifications:
 - a. The proposed wireless communication equipment enclosure shall be modified to include a mansard roof along the perimeter of the enclosure but open at the center of the roof to provide ventilation for the equipment inside. **(DRB)**
 - b. The proposed wireless communication equipment enclosure shall be painted with an earth-tone color. **(DRB)**
2. Any graffiti on the proposed wireless communication equipment enclosure shall be removed by the applicant within 72 hours of being notified. **(DRB)**
3. Prior to building permit final, any trenching done during the construction of the wireless communication facility shall be repaired to the original condition. **(DRB)**

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. 2006-042 (METRO PCS WIRELESS COMMUNICATION FACILITY)

APPLICANT: Ryan Hammersmith, 15131 Triton Lane #106, Huntington Beach, CA 92649
PROPERTY OWNER: Scott Haney, Southern California Edison, 2244 Walnut Grove Ave., Rosemead, CA 91770
REQUEST: To permit the installation of a wireless communication facility consisting of antennas on an existing Edison tower and equipment cabinets located at the base of the tower within an enclosure
LOCATION: 20470 Ravenwood Lane (south of Warwick Drive, west of Santa Ana River in Le Bard Park)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary. Staff stated that one phone call was received with concerns relating to the impact of the construction with the park, and Merrilee Madrigal, local resident, submitted a letter in opposition to the project. No other written or verbal comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator confirmed with staff that changes may be necessary to the access easement of the conceptual master plan for Le Bard Park based on comments received from the Community Services Department.

Ms. Broeren, stated that she had read the letter from Ms. Madrigal.

THE PUBLIC HEARING WAS OPENED.

Merrilee Madrigal, 10231 Cliff Drive, Orange Coast River Park Committee member, local resident, and Director of HB Park Foundation, spoke in opposition to the project stating she is working with the City's Community Services Department to put together a park plan. Ms. Madrigal's concerns were related to flooding and drainage issues and she stressed the need for a watershed plan and biological study prior to approving the project. Ms. Madrigal urged the Zoning Administrator to consider postponing the project until after the Environmental Review of the Le Bard Park Master Plan is completed.

Ryan Hammersmith, Applicant, spoke in support of the project and emphasized the need to avoid postponing the project, stating his willingness to work with City departments to approve the grading and the conceptual plan.

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

Ms. Broeren stressed her familiarity with the project site, the conceptual plan and the Environmental Review process that the City is undertaking. Ms. Broeren stated she did not believe it necessary to postpone the project because it is considered a minor structure, and the California Environmental Quality Act (CEQA) allows minor projects to go forward with categorical exceptions.

Ms. Broeren stated her understanding of the drainage issue and what is currently occurring on site, however she did not believe that the project would cause any further drainage issues, nor would it present any health and safety issues that would warrant postponing the project until the Environmental Review is completed.

Ms. Broeren stated that the grading plan would be reviewed prior to approval by the Public Works Department, and the condition requiring the site be returned to its original grade addressed the short term drainage issues. The Zoning Administrator stated that because there is an existing wireless communication building on the site, it is evidence to the fact that the drainage situation that has not been exacerbated by those structures.

The Zoning Administrator stated her agreement with the DRB recommended conditions. She also noted to the applicant that the Community Services Department had outlined their access plan based upon the conceptual park plan and that plan could change as a result of the Environmental Review process. Ms. Broeren stressed the need for the applicant to advise his client regarding possible changes and for flexibility when working with the Community Services Department.

Ms. Broeren stated that she was going to approve the requested Conditional Use Permit with the suggested conditions based upon the findings recommended by staff. .

CONDITIONAL USE PERMIT NO. 2006-042 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN 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 15303—*New Construction or Conversion of Small Structures* of the CEQA Guidelines because the project consists of the installation of small new equipment and facilities in small structures.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-042

1. Conditional Use Permit No. 2006-042 to install a wireless communication facility, consisting of antennas attached to an existing Southern California Edison tower at a height of approximately 50 ft. and an equipment enclosure located at grade, beneath the tower, will not be detrimental 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 facility will not generate noise, traffic, and demand for additional parking or other impacts detrimental to surrounding property.
2. The conditional use permit will be compatible with surrounding uses because the proposed facility will be located on and adjacent to existing Southern California Edison transmission towers, on an existing SCE right-of-way. The design of the facility, which features antennas painted to match the tower to which it is attached, and an equipment shelter constructed of

masonry with a tiled roof to match an existing equipment shelter adjacent to the subject site, will ensure compatibility of the proposed facility with surrounding uses.

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, including the provisions of HBZSO Section 230.96—Wireless Communication Facilities.
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 P (Public) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - a. L.U. 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.
 - b. U.D. 2.2: Minimize the visual impact of oil production facilities and other utilities where they encroach upon view corridors or are visually incompatible with their surrounding uses.
 - c. U. 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.
 - d. U.5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the proposed installation of antennas with an existing transmission tower, and the use of compatible materials to screen the equipment cabinets, will minimize the project's visual impacts.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-042

1. The site plan, floor plans, and elevations received and dated October 20, 2006 shall be the conceptually approved layout with the following modifications:
 - a. The access easement on the site plan shall be revised to comply with the Master Plan for Le Bard Park as approved by the City Council. (The Plan is pending approval).
2. Building permits shall not be issued until Environmental Assessment No. 06-09 for the Master Plan for Le Bard Park is completed.
3. Any graffiti on the proposed wireless communication equipment enclosure shall be removed by the applicant within 72 hours of being notified. **(DRB)**
4. Prior to building permit final, any trenching done during the construction of the wireless communication facility shall be repaired to the original condition. **(DRB)**

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. 2006-017 (WONG ROOM ADDITION):

APPLICANT: Dennis Braeutigam, 696 E. Colorado Blvd., Suite 226, Pasadena, CA 91101
PROPERTY OWNER: Dr. Ing Liong Wong, 16891 Bolero Lane, Huntington Beach, CA 92649
REQUEST: To permit a 548 sq. ft. first and second floor addition to an existing two-story residence located adjacent to Huntington Harbor
LOCATION: 16891 Bolero Lane (west side of Bolero Lane, near corner of Bolero Lane and Finisterre Drive)
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary. Staff stated that no written or verbal comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator, confirmed with staff the 5 ft. roof pitch requirement does not apply due to the height of the structure being less than 30 ft.

THE PUBLIC HEARING WAS OPENED.

Dennis Braeutigam, Applicant, stated his availability to answer any questions and presented the Zoning Administrator with a colored drawing of the project.

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

CONDITIONAL USE PERMIT NO. WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN 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 less than 50% of the existing single-family home.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2006-017:

1. Coastal Development Permit No. 2006-017 for the construction of a 548 sq. ft. first and second floor addition to an existing single-family home with an overall building height to match the existing home at 20 ft. 6 in., as proposed, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project complies with all other applicable development regulations, including maximum building height, minimum yard setback, minimum on-site parking, and site coverage.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and road.
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 to coastal resources.

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: VARIANCE NO. 2006-013 (BISSON INDUSTRIAL BUILDING):

APPLICANT/
PROPERTY OWNER: Monty Bisson, 15651 Container Lane, Huntington Beach, CA
92649
REQUEST: To permit a zero side yard setback in lieu of 30 ft. required for a
2,500 sq. ft., 15 ft. high, metal awning structure.
LOCATION: 15651 Container Lane (west side of Container Lane, between Mc
Fadden Avenue and Research Drive)
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, history, and existing uses of the requested project. Staff presented

an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary. Staff stated that one inquiry was received with questions of a general nature and no comments or concerns were stated. No other written or verbal comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator, asked staff about the Development Standards Matrix and confirmed that the floor area ratio maximum is not applicable to an unenclosed structure. Ms. Broeren advised staff that the plans are to be corrected to remove the maximum site coverage requirement before completing Plan Check.

THE PUBLIC HEARING WAS OPENED.

Paul Ginder, 15632 Container Lane, neighboring property owner, stated his major concerns related to parking issues and the presence of product being stored in the outside parking lot, and presented a letter to the Zoning Administrator outlining such.

Monty Bisson, Applicant, spoke in favor of the project and stated the reasons for the parking issues were related to the pending installation of new storage racks.

Dan Beauchamp, Architect for the project, stated that he expected to have a building permit for the storage rack installation within 30 days which would resolve the parking issues.

Ms. Broeren engaged in discussions with Mr. Bisson concerning Rainbow Disposal's access to the property, storage in the parking lot, and alternate storage options in the case of any further delay. Ms. Broeren stated that outdoor storage within the city requires approval and noted that Code Enforcement would follow up in 60 days to ensure that the parking lot was not being used for storage purposes.

Mr. Ginder and Mr. Bisson agreed on working together to come to a positive resolution in relation to any concerns or issues they may have.

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

Ms. Broeren stated she would approve the variance with the suggested findings and conditions as recommended by staff and asked staff to follow up with Code Enforcement, and have the site plan corrected with respect to the site coverage issue.

CONDITIONAL USE PERMIT NO. 2006-013 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN 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 an addition less than 50% of the existing industrial building.

FINDINGS FOR APPROVAL - VARIANCE NO. 2006-013:

1. The granting of Variance No. 2006-013 for a zero side yard setback in lieu of 30 feet required for an approximately 2,500 square foot, 15 feet high, metal awning structure will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The subject property is located within a developed industrial area with properties of similar building setbacks. The proposed awning, located between existing buildings and a parking lot, will expaense a portion of the rear subject property and will not generate additional noise, traffic, parking, or other impacts detrimental to surrounding property and consistent with the subject property's industrial zoning. The site provides the necessary parking to accommodate the proposed structure.
2. Because of special circumstances applicable to the subject property, including surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The metal awning structure shall adjoin a portion of an existing building in order to provide shelter to employees and products from weather related elements during shipping activities. The awning shelter will cover a portion of the site's parking lot and abut a building with a zero side yard setback located on the neighboring property. The awning encroachment will not remove or create the need for additional onsite parking. Pursuant to the Huntington Beach Zoning and Subdivision Ordinance, structures within an industrial district are permitted with a zero side yard setback if not abutting a residential district, provided that the opposite side yard is a minimum of 30 feet which the existing industrial building exceeds. The metal awning structure will not be enclosed and will utilize the roofed area along the rear portion of the property for parking purposes only.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. Due to the nature of the proposed business, the proposed awning will allow necessary protection for shipping activities. The existing building is developed to site capacity, and the metal awning structure allows modernization of the subject building without interfering with parking and access.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The subject site is located within a developed industrial area and bounded by buildings constructed to their corresponding property line. Minimum side yard setbacks will be maintained along a majority of the northerly property line allowing for site access. Adequate buffers on the subject property and adjacent lots will be maintained.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Industrial Limited (I-F2-d) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - a. LU 12.1.1 Accommodate the continuation of existing and development of new manufacturing and similar uses in the area designated on the Land Use Plan Map in accordance with Policy LU 7.1.1.
 - b. ED 1.1 Enhance the City's marketing potential in terms of retail, office, industrial, and visitor serving activity. This would allow Huntington Beach to provide for retail, office,

and industrial opportunities that serve the current and project population and enhance sales and occupant tax revenue.

- c. ED 2.5.1 Encourage and assist existing and potential industrial owners to update, modernize, and expand their industrial properties.

The granting of the variance will aid to sustain the operation of an existing business, and ensure that an evolving business remains within the City of Huntington Beach by providing opportunities for the owner to modernize their property in order to remain competitive within a specific field. The proposed metal awning structure allows the subject property owner to tailor their site to accommodate to the operational characteristics of their business without relocating to a site outside of Huntington Beach.

CONDITIONS OF APPROVAL VARIANCE NO. 2006-013

1. The site plan, floor plans, and elevations received and dated November 15, 2006, shall be the conceptually approved design.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

THE MEETING WAS ADJOURNED AT 2:10PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, JANUARY 31, 2007 AT 1:30 PM.

Mary Beth Broeren
Zoning Administrator

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