

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

WEDNESDAY, JULY 1, 2015 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Tess Nguyen, Joanna Cortez, Hayden Beckman, Ethan Edwards, Judy Demers

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 15-013 (CROWN CASTLE WIRELESS COMMUNICATION FACILITIES)

APPLICANT: Carver Chiu, 32 Technology Suite 250, Irvine, CA 926180803
PROPERTY OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

REQUEST: To permit the installation of four (4) new wireless communication facilities on four (4) separate utility poles located within the public right-of-way. Each wireless communication facility consists of new aerial fiber, one (1) omni antenna, communications and power risers, and a new electrical power connection. Three of the installations are proposed on existing utility poles, and one of the proposed installations will be placed on a new utility pole replacing the existing pole in the same location.

LOCATION: Four Sites: Site #HBN07: Southwest Corner of Pecan Ave. at 17th St.; Site #HBN10: North side of Palm Ave., Southeast of Goldenwest St.; Site #HBN11: In alley southwest of Pecan Ave. between 6th St. & 7th St.; and Site #HBN13: In alley northeast of Walnut Ave. between 11th St. & 12th St.

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 two phone calls and three written comments opposing the proposed project. The comments cited concerns with potential negative impacts to property values.

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

THE PUBLIC HEARING WAS OPENED.

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

Fran Varga, resident, spoke in opposition of the proposed project, citing concern for potential negative impacts to property values.

Judith Handover, resident, spoke in opposition of the proposed project citing concerns with potential health risks for residents in the area. Mr. Ramos explained that federal law prohibited municipalities from considering potential health issues on this type request.

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. 15-013 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 15303 of the CEQA Guidelines, because the project involves the construction of a new utility pole with wireless communication equipment and modifications to existing utility poles with wireless communication equipment.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 15-013:

1. Conditional Use Permit No. 15-013 for the installation of four (4) new wireless communication facilities on four (4) separate utility poles located within the public right-of-way 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. Each separate wireless communication facility is composed of two ft. long omni antennas and ancillary equipment that will be placed on a utility pole and will blend with the surroundings. Three of the facilities will be located upon existing utility poles with other telecommunication wires and equipment. The antennas are proposed at a minimum height of 26 ft. from the ground to allow for adequate signal reception. The compact size of the antennas and ancillary equipment are compatible with the existing visual character of the utility infrastructure. Furthermore, the proposed wireless facilities and associated equipment will not obstruct the public right-of-way. Where feasible, electrical equipment will be enclosed and flush-mounted to the pole. Otherwise, the facilities will be energized by a ground mounted electrical equipment cabinet located behind the public sidewalk and within an existing landscaped planter. No significant impacts related to traffic, safety, or noise will be generated by the wireless communication facilities.
2. The conditional use permit will be compatible with surrounding uses because the wireless facilities are composed of a compact design and are minimally noticeable from different views along the public right-of-way. The facilities are located at heights above average vehicular and pedestrian lines of sight. The project incorporates flush-mounted utility connections to minimize visual impacts of the installation. Additionally, the unmanned facilities will not interfere with other communication, radio or television transmission/reception in and around the subject site.
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. A conditional use permit is required because the wireless communication facilities do not incorporate completely stealth techniques as the antennas and ancillary equipment are visible from the public right-of-way. The facilities are compatible with utility

infrastructure in the surrounding area because the small scale of the equipment blends with the existing streetscape.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the following goals and policy of the General Plan:

A. Land Use Element

Goal – LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

B. Utilities Element

Goal U 5: Maintain and expand service provision to City of Huntington Beach residences and businesses.

Policy U 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The conditional use permit will permit the installation of four wireless communication facilities upon new and existing utility poles. The facilities are designed in a manner that will be minimally noticeable from the public right-of-way and are located outside of typical vehicular and pedestrian lines of sight. The antennas and associated equipment blend in with the existing utility infrastructure of the streetscape. The conditional use permit will provide improved wireless communication services to surrounding residences and businesses.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 15-013:

1. The site plan, floor plans, and elevations received and dated June 24, 2015 shall be the conceptually approved design.
2. Zoning entitlement conditions of approval and code requirements, identified in separately transmitted memorandum from the Departments of Fire, Planning and Building, and Public Works, shall be printed verbatim on one of the first three pages of the working architectural drawing sets used for issuance of building permits and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. CUP No. 15-013 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning & Building Department a minimum 30 days prior to the expiration date.
4. The Development Services Departments and divisions (Planning & Building, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

5. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

ITEM 2: COASTAL DEVELOPMENT PERMIT NO. 15-003/ CONDITIONAL USE PERMIT NO. 15-006 (BUSCHE RESIDENCE)

APPLICANT: Jay Earl, 16541 Mariana Circle, Huntington Beach CA 92649
PROPERTY OWNER: Jeff and Cindy Busche, 17041 Lowell Circle, Huntington Beach CA 92649
REQUEST: **CDP:** To permit the demolition of an existing single family residence and construct a new 4,229 sq. ft. three-story residence with a 661 sq. ft. attached garage. **CUP:** To permit (a) a third story of approximately 546 sq. ft. and (b) an overall building height of approximately 34 ft. This request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.
LOCATION: 4111 Morning Star Drive, 92649 (north side of Morning Star Dr., east of Edgewater Ln.)
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.

Jay Earl, 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. 15-003/ CONDITIONAL USE PERMIT NO. 15-006 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) 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 of the CEQA Guidelines, because the project consists of the construction of a single family residence within a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-003:

1. Coastal Development Permit No. 15-003 to permit the demolition of an existing single family residence and the construction of a new approximately 4,229 sq. ft. three-story residence with a 661 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. The project, as conditioned, complies with all applicable development regulations, including minimum setbacks and on-site parking, and maximum building height 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 project will be constructed 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. 15-006:

1. Conditional Use Permit No. 15-006 to permit a new single-family residence with a third story of approximately 546 sq. ft. and an overall building height of approximately 34 ft. 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, thus minimizing mass and bulk of the structure. In addition, the residence features a variety of roof lines, thereby ensuring that the proposed building height will not be detrimental to surrounding properties.

2. The proposed single-family residence 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.
3. The proposed single-family residence 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 would be located. The project, as conditioned, complies with minimum onsite parking and building setbacks, and maximum lot coverage and building height. The third floor habitable area is allowed within the Residential Low Density zoning district with approval of a conditional use permit. The proposed third story will be setback a minimum of five feet from the second-story façade as required by the HBZSO.
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 policy and objective of the General Plan:

A. Land Use Element

Policy – LU 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

Objective – C 1.1.: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

The construction of a new single-family residence, including a third story of approximately 546 sq. ft. with an overall building height of approximately 34 ft. 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.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-003 /CONDITIONAL USE PERMIT NO. 15-006 :

1. The site plan, floor plans, and elevations received and dated April 1, 2015 shall be the conceptually approved design with the following modifications:
 - a. Revise the lot coverage to comply with the maximum lot coverage of 50%. **(HBZSO Section 210.06)**
 - b. Provide a minimum 40% of the front yard with landscaping. **(HBZSO Section 210.06.S)**
 - c. Revise the layout of the garage to provide the minimum dimensions for two required parking spaces at 19 ft. deep and 9 ft. wide without any obstructions. **(HBZSO Section 231.14)**
 - d. Provide one 36-inch box tree within the front setback area. **(HBZSO Section 232.08)**

2. Prior to submittal of building permits, zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments of Fire, Planning and Building, 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. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 10 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
4. The structure(s) cannot be occupied and the final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements shall be completed in accordance with approved plans, except as modified by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them
5. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
6. Coastal Development Permit No. 15-003 and Conditional Use Permit No. 15-006 and shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval by the City or by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning & Building Department a minimum 30 days prior to the expiration date.
7. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

8. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but 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: TEMPORARY USE PERMIT NO. 15-003 (OLD WORLD FARMERS/ VINTAGE MARKET & ART WALK)

APPLICANT: Bernie Bischof, 8165 Pickwick Circle, Huntington Beach, CA 92649

PROPERTY OWNER: Old World Owners Association, c/o Bernie Bischof, 1900 E. Warner Avenue, #1P, Santa Ana, CA 92705

REQUEST: To permit a temporary outdoor retail sales event (farmers market, vintage market & art walk) located within Old World Village and the west parking lot. The event would occur every Saturday, the second Sunday and an alternate Sunday of every month throughout the year between the hours of 8:00 AM and 3:00 PM for a period of five (5) years from 2015 to 2019..

LOCATION: 7561 Center Avenue, 92647 (northwest corner of Center Ave. and Huntington Village 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.

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

THE PUBLIC HEARING WAS OPENED.

Gabriele Utz, representing the applicant, stated that she had no comments or concerns with staff's recommendations.

Robin Jones, business owner, spoke in support of the proposed project. He noted that allowing the application would be a positive opportunity for local businesses.

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.

TEMPORARY USE PERMIT 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 PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15304 of the CEQA Guidelines, because minor temporary use of land having negligible or no permanent effects on the environment is exempt from further environmental review.

FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 15-003:

1. The proposed outdoor retail sales event (farmers market, vintage market & art walk) will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The temporary use permit will be compatible with the surrounding uses because the event is temporary in nature and is consistent with the character of the area. The temporary use permit will be consistent with following General Plan Objective and Policies:

A. Land Use Element

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

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

B. Recreation and Community Services Element

Policy – RCS 7.1.1: Design recreation facilities and programs that are functional, efficient, and affordable.

The temporary use permit will provide a balance of land uses by establishing a commercial/recreational/cultural use on a temporary basis within an existing development (Old World Village). The events will provide a unique option for the purchase of groceries and vintage/artistic goods within close proximity to the area's local residents intended to be served by the project.

2. Approval of the application to permit a temporary outdoor retail sales event (farmers market, vintage market & art walk) located within Old World Village and the west parking lot every Saturday, the second Sunday and an alternate Sunday of every month throughout the year between the hours of 8:00 AM and 3:00 PM for a period of five (5) years from 2015 to 2019 will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. Noise impacts are not anticipated because the proposed events will be located more than 350 feet from the nearest sensitive land use (residential) to the north. The temporary events will be within walking distance to the surrounding

residential neighborhood it serves and the use itself will not alter the subject site because no development is proposed. No health impacts are anticipated because proper permits are required from the Orange County Health Care Agency's Department of Environmental Health prior to commencement of the farmers market.

CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 15-003:

1. The site plans received and dated May 13, 2015, shall be the conceptually approved design.
2. Prior to commencement of the farmers market, the Planning and Building Department shall receive documentation from the applicant verifying approval from the Orange County Health Care Agency's Department of Environmental Health.
3. The temporary use shall comply with the following:
 - a. Uses shall be limited to a farmers market, vintage market and art walk as described in the submitted narrative received and dated May 13, 2015.
 - b. Hours of operation shall be limited to every Saturday, the second Sunday and an alternate Sunday of every month throughout the year between the hours of 8:00 AM and 3:00 PM for a period of five (5) years from 2015 to 2019.
 - c. All trash, debris, and garbage, as well as special dumpsters, shall be removed from the site prior to the closing of each event.
 - d. The applicant shall ensure the clean-up of the adjacent streets of any associated trash and debris after each event closure.
 - e. The set up and break down of the events shall be limited to between the hours of 7:00 AM and 4:00 PM.
 - f. Vendor vehicles for the vintage market and art walk shall park within One Pacific Plaza parking structure during operation of an event. Vendor vehicles for the farmers market may park adjacent to their display tables/tents.
4. In the event that there are any violations of the foregoing conditions or any violations of life and safety code, the market may be terminated by any Police Officer, Fire Inspector or authorized personnel of the Department of Planning and Building.
5. The Director of Planning and Building ensures that all conditions of approval herein are complied with. The Director of Planning and Building shall be notified in writing of any changes to the event and may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
6. 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.
7. Temporary Use Permit No. 15-003 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the

Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.

8. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

THE MEETING WAS ADJOURNED AT 2:01 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JULY 15, 2015, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:EE:jd