

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

WEDNESDAY, SEPTEMBER 19, 2018 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Hayden Beckman, Christopher Wong, Nicolle Bourgeois,
Joanna Cortez, Katie James, Tania Moore

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 18-014 (AT&T SMALL CELL WIRELESS INSTALLATION):

APPLICANT: Franklin Orozco, MSquare Wireless, 1378 Calle Avanzado, San Clemente, CA 92673
PROPERTY OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648
REQUEST: To remove an existing 28 ft. 9 in. high street light pole and replace with a new 29 ft. 3 in. high street light pole to install a small cell wireless facility at an overall height of 34 ft. 9 in. and associated below-grade and grade-level equipment in the public right-of-way located within the Coastal Zone.
LOCATION: 1881 Pacific Coast Highway – Public Right-of-Way, 92648 (Northwest corner of 19th Street at Pacific Coast Highway)
CITY CONTACT: Hayden Beckman

Hayden Beckman, Senior 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.

Franklin Orozco, applicant, stated that he no comments or concerns with staff's recommendations.

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

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 18-014 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 sections 15302 and 15303 of the CEQA Guidelines, because the project involves the removal of an existing street light pole and the replacement of a new street light pole on the same site, and includes the installation of small new equipment for a wireless communication facility.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-014:

1. Coastal Development Permit No. 18-014 to remove an existing 28 ft. 9 in. high street light pole and replace with a new 29 ft. 3 in. high street light pole to install a small cell wireless facility at an overall height of 34 ft. 9 in. and associated below-grade and grade-level equipment in the public right-of-way located within the Coastal Zone, conforms with the General Plan, including the Local Coastal Program in that it is consistent with Coastal Element Land Use Policy C 4.2.4, that wireless communication facilities shall be sited, to the maximum extent feasible, to minimize visual resource impacts. The proposed wireless communication facility's stealth design will minimize any impact to visual resources through co-location on an existing street light pole, reduces visual prominence through colorization (painted to match existing pole), and locates accessory equipment below ground. The proposed wireless telecommunication facility will occur within the public right of way contiguous to existing residential development and will enhance the provision of personal communication capacity within the Coastal Zone.
2. Coastal Development Permit No. 18-014 to remove an existing 28 ft. 9 in. high street light pole and replace with a new 29 ft. 3 in. high street light pole to install a small cell wireless facility at an overall height of 34 ft. 9 in. and associated below-grade and grade-level equipment in the public right-of-way located within the Coastal Zone is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code because the proposed light pole replacement including small cell wireless communications facility equipment will comply with all applicable stealth design regulations to minimize visual impacts of the equipment.
3. At the time of occupancy, the proposed replacement of an existing 28 ft. 9 in. high street light pole with a new 29 ft. 3 in. high light pole to install a small cell wireless facility at an overall height of 34 ft. 9 in. and associated below-grade and grade-level equipment in the public right-of-way located within the Coastal Zone can be provided with infrastructure in a manner that is consistent with the Local Coastal Program because the wireless telecommunication facility will be within the public right-of-way in an urbanized area with all necessary services and infrastructure available, including electricity and roadways.
4. The proposed replacement of an existing 28 ft. 9 in. high street light pole with a new 29 ft. 3 in. high light pole to install a small cell wireless facility at an overall height of 34 ft. 9 in. and associated below-grade and grade-level equipment in the public right-of-way located within the Coastal Zone conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-014:

1. The site plan and elevations received and dated June 25, 2018 shall be the conceptually approved design.
2. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Fire/Emergency Access and Site Safety shall be maintained during project construction phases in compliance with CFC Chapter 14, "Fire Safety During Construction and Demolition." **(FD)**
 - b. Any impact to traffic flow, such as lane or street closures, shall be reported to the Huntington Beach Fire Department with a minimum of 48 hours' notice in order to advise emergency response crew of potential impacts. **(FD)**
 - c. Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified in compliance with City Specification #431-92 "Soil Clean-Up Standards." **(FD)**
 - d. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - e. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - f. Truck idling shall be prohibited for periods longer than 5 minutes.
 - g. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - h. Discontinue operation during second stage smog alerts.
 - i. 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.
 - j. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.
3. Coastal Development Permit No. 18-014 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
4. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on

changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

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. 18-017 (MOBILITIE SMALL CELL WIRELESS INSTALLATION):

APPLICANT: Barbara Breeden, Mobilitie LLC, 2955 Red Hill Avenue, Suite 200, Costa Mesa, CA 92626

PROPERTY OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

REQUEST: To remove an existing 29 ft. 3 in. high street light pole and replace with a new 29 ft. 3 in. high street light pole to install a small cell wireless facility at an overall height of 33 ft. 4 in. and associated below-grade and grade-level equipment in the public right-of-way located within the Coastal Zone.

LOCATION: 1402 Pacific Coast Highway – Public Right-of-Way, 92648 (Southeast corner of 15th Street at Pacific Coast Highway)

CITY CONTACT: Hayden Beckman

Hayden Beckman, Senior 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 calls and one letter opposing the proposed project citing concerns with negative impacts to health and the environment.

THE PUBLIC HEARING WAS OPENED.

Barbara Breeden, applicant, stated that she had no comment or concerns with staff's recommendations.

Jean Piscassio, resident, spoke in opposition of the proposed project, citing concerns with potential negative impacts to health, the environment, and property values.

Sarah McCourt, resident, spoke in opposition of the proposed project, citing concerns with potential negative impacts to health and the environment.

Ricky Ramos, Zoning Administrator, stated that while he understands the concerns presented to him. Federal Law prohibits local jurisdictions from denying the proposed project based on health and environmental impacts.

Ira Warner, resident, spoke in opposition of the proposed project citing concerns with the amount of radiation being transmitted. Ms. Breeden provided information regarding the radio frequency being emitted. A lengthy discussion took place regarding the radiation emitted and the Federal regulations overseeing the cell tower industry.

A lengthy discussion took place regarding the design of the proposed project.

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

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 18-017 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 sections 15302 and 15303 of the CEQA Guidelines, because the project involves the removal of an existing street light pole and the replacement of a new street light pole on the same site, and includes the installation of small new equipment for a wireless communication facility.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-017:

2. Coastal Development Permit No. 18-017 to remove an existing 29 ft. 3 in. high street light pole and replace with a new 29 ft. 3 in. high street light pole to install a small cell wireless facility at an overall height of 33 ft. 4 in. and associated below-grade and grade-level equipment in the public right-of-way located within the Coastal Zone conforms with the General Plan, including the Local Coastal Program in that it is consistent with Coastal Element Land Use Policy C 4.2.4, that wireless communication facilities shall be sited, to the maximum extent feasible, to minimize visual resource impacts. The proposed wireless communication facility's stealth design will minimize any visual impacts by co-locating on an existing street light pole, painting the facility to match existing pole, and locate accessory equipment below ground. The proposed wireless telecommunication facility will occur within the public right of way contiguous to existing residential development and will enhance the provision of personal communication capacity within the Coastal Zone.
2. Coastal Development Permit No. 18-017 to remove an existing 28 ft. 9 in. high street light pole and replace with a new 29 ft. 3 in. high street light pole to install a small cell wireless facility at an overall height of 34 ft. 9 in. and associated below-grade and grade-level

equipment in the public right-of-way located within the Coastal Zone is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code because the proposed light pole replacement, including small cell wireless communications facility equipment, will comply with all applicable stealth design regulations to minimize visual impacts of the equipment.

3. At the time of occupancy the proposed removal of an existing 29 ft. 9 in. high street light pole and replacement with a new 29 ft. 3 in. high street light pole to install a small cell wireless facility at an overall height of 34 ft. 9 in. and associated below-grade and grade-level equipment in the public right-of-way located within the Coastal Zone can be provided with infrastructure in a manner that is consistent with the Local Coastal Program because the wireless telecommunication facility will be within the public right-of-way in an urbanized area with all necessary services and infrastructure available, including electricity and roadways.
4. The proposed removal of an existing 29 ft. 9 in. high street light pole and replacement with a new 29 ft. 3 in. high street light pole to install a small cell wireless facility at an overall height of 34 ft. 9 in. and associated below-grade and grade-level equipment in the public right-of-way located within the Coastal Zone conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-017

1. The site plan and elevations received and dated June 27, 2018 shall be the conceptually approved design.
2. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. The Fire Department Connection (FDC) serving the building adjacent to the project (1400 PCH) shall remain operable and accessible during the duration of the project. **(FD)**
 - b. The public fire hydrant adjacent to the project shall remain operable and accessible during the duration of the project. **(FD)**
 - c. Fire/Emergency Access and Site Safety shall be maintained during project construction phases in compliance with CFC Chapter 14, "Fire Safety During Construction and Demolition." **(FD)**
 - d. Any impact to traffic flow, such as lane or street closures, shall be reported to the Huntington Beach Fire Department with a minimum of 48 hours' notice in order to advise emergency response crew of potential impacts. **(FD)**
 - e. Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified in compliance with City Specification #431-92 "Soil Clean-Up Standards." **(FD)**
 - f. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - g. Use low sulfur (0.5%) fuel by weight for construction equipment.

- h. Truck idling shall be prohibited for periods longer than 5 minutes.
 - i. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - j. Discontinue operation during second stage smog alerts.
 - k. 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.
 - l. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.
3. Coastal Development Permit No. 18-017 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
4. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

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. 18-025/CONDITIONAL USE PERMIT NO. 18-027 (KINDNESS NEW SINGLE FAMILY RESIDENCE)

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| APPLICANT: | Jim Caldwell, 1614 Warwick Lane, Newport Beach, CA 92660 |
| PROPERTY OWNER: | Jeff Kindness, 16872 Baruna Lane, Huntington Beach, CA 92649 |
| REQUEST: | To demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with |

a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck. The 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:

3552 Gilbert Drive, 92649 (at the terminus of Gilbert Dr. and Somerset Ln.)

CITY CONTACT:

Jessica Bui

Jessica Bui, Assistant Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

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

THE PUBLIC HEARING WAS OPENED.

Jim Caldwell, applicant, stated that he had no comment or concerns with staff's recommendations.

Mr. Williams, resident, stated that he had no objections to the proposed project.

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

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 18-025/CONDITIONAL USE PERMIT NO. 18-027 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 15303 of the CEQA Guidelines, because the project consists of the construction of one single-family residence within a residential zone.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-027:

1. Conditional Use Permit No. 18-027 to demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck 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 because the roof top deck will maintain a five-foot setback from the building exterior around the perimeter of the deck. The roof top deck is oriented toward the public right-of-way to ensure privacy is provided for abutting neighbors. The roof top deck is designed to be integrated

with the roof and is under the maximum height requirement of 35 ft. for the single-family residence. The roof top deck is architecturally compatible with the existing dwellings in the neighborhood as the design, materials, and colors will complement the existing neighborhood.

2. Conditional Use Permit No. 18-027 to demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck will be compatible with surrounding residential uses because the roof top deck is designed to be architecturally compatible with the new single-family residence and is approximately 35 ft. in height, which meets the maximum height of 35 ft. in the RL (residential low density) zone. The height is consistent with the surrounding dwellings within the neighborhood. The roof top deck shall maintain a five-foot setback from the building exterior along the perimeter of the deck, and is oriented toward the public right-of-way to ensure compatibility with the existing neighborhood and privacy is maintained.
3. Conditional Use Permit No. 18-027 to demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) in that the HBZSO allows for roof top decks above the second story top plate and single-family dwellings to exceed 30 ft. in height with the approval of a conditional use permit. The roof top deck, as proposed, meets the minimum code requirement of a five-foot setback from the building exterior and all portions of the dwelling that exceeds 30 ft. in height has the required minimum roof pitch of 5/12. Furthermore, as designed, the project is in compliance with the requirements of the base zoning district such as lot coverage, minimum yard setbacks, landscaping, parking, and building height; and therefore, protects the neighborhood character and is compatible in proportion and scale with the existing neighborhood.
4. The granting of the Conditional Use Permit No. 18-027 to demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck will not adversely affect the General Plan because it is consistent with the Land Use Element designation of RL on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal LU-4: A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

Policy LU-4 (D): Ensure that single-family residences are of compatible proportion, scale and character to surrounding neighborhoods.

Conditional Use Permit No. 18-027 to demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck is consistent with the goals and policies of the General Plan as the project allows for a range of housing types to meet the needs of future and existing residents. Furthermore, as designed, the project is in

compliance with the requirements of the base zoning district such as lot coverage, minimum yard setbacks, landscaping, parking, and building height; and therefore, protects the neighborhood character and is compatible in proportion and scale with the existing neighborhood.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-025:

1. Coastal Development Permit No. 18-025 to demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck conforms to the General Plan, including the Local Coastal Program because the project is consistent with the 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 development will occur entirely on a developed site, contiguous to existing single-family residential development.
2. Coastal Development Permit No. 18-025 to demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code in that the project will comply with all applicable development regulations, including maximum building height, lot coverage, and minimum yard setbacks.
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 because Coastal Development Permit No. 18-025 to demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 18-025 to demolish an existing single-family residence to construct an approximately 7,336 sq. ft., two-story, single-family residence with a 759 sq. ft. three-car garage that is approximately 35 ft. in height with a 637 sq. ft. roof top deck conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act because the project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 18-027/COASTAL DEVELOPMENT PERMIT NO. 18-025:

1. The site plan, floor plans, and elevations received and dated August 6, 2018 shall be the conceptually approved design.
2. Prior to submittal of building permits, the following shall be completed: 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 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. 18-027 and CDP 18-025 shall become null and void unless exercised within two years of the date of final approval by the City, or within one year of the date of final Coastal Development Permit approval by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
 5. 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.
 6. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

ITEM 4: COASTAL DEVELOPMENT PERMIT NO. 18-023 (OCWD GROUNDWATER SYSTEM)

APPLICANT: Kathryn De Mesa, Orange County Water District, 10844 Ellis Ave., Fountain Valley, CA 92708
PROPERTY OWNER: Orange County Sanitation District, 10844 Ellis Ave. Fountain Valley, CA 92708
REQUEST: To permit the expansion of a groundwater replenishment system that includes a 25 ft. high, 4,700 sq. ft. pump station; two 33 ft. high flow equalization tanks; and pipeline rehabilitation on a vacant portion of the Orange County Sanitation District (OCSD) facility.
LOCATION: 22212 Brookhurst Street, 92646 (Northeast corner of Brookhurst St. and Pacific Coast Hwy. – OCSD).
CITY CONTACT: Joanna Cortez

Joanna Cortez, 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.

THE PUBLIC HEARING WAS OPENED.

Kathryn De Mesa, applicant, stated that she had no comment or concerns with staff's recommendations.

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

Mr. Ramos stated that, based on the information provided, he would approve the requests as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 18-023 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 covered under the Orange County Water District Groundwater Replenishment System Water Conveyance Facilities Project (April 2018) Final Initial Study/ Mitigated Negative Declaration and CEQA-Plus Federal Consultation Review prepared by the Orange County Water District in accordance with the California Environmental Quality Act.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-023:

1. Coastal Development Permit No. 18-023 for the expansion of a groundwater replenishment system that includes a 25 ft. high, 4,700 sq. ft. pump station; two 33 ft. high flow equalization tanks; and pipeline rehabilitation on a vacant portion of the Orange County Sanitation District (OCSD) facility conforms with the General Plan, including the Local Coastal Program, because completion of the project will implement the Coastal Element

goal of providing water, sewer, and drainage systems that are able to support the permitted land uses and upgrading existing systems.

2. The expansion of a groundwater replenishment system that includes a 25 ft. high, 4,700 sq. ft. pump station; two 33 ft. high flow equalization tanks; and pipeline rehabilitation on a vacant portion of the Orange County Sanitation District (OCSD) facility is consistent with the requirements of the CZ Overlay District, the IL (Industrial Limited) base zoning district, as well as other applicable provisions of the Zoning and Subdivision Ordinance and Municipal Code because, as conditioned, it complies with applicable development standards including maximum building height and minimum building setbacks.
3. At the time of occupancy, the proposed development for the expansion of a groundwater replenishment system that includes a 25 ft. high, 4,700 sq. ft. pump station; two 33 ft. high flow equalization tanks; and pipeline rehabilitation on a vacant portion of the Orange County Sanitation District (OCSD) facility can be provided with infrastructure in a manner that is consistent with the Local Coastal Program in that all necessary infrastructures, such as roadways and utilities currently exist to serve the site. The proposed groundwater replenishment system and facility rehabilitation within the site will ensure a reliable supply of high-quality water to serve the needs of the community.
4. The proposed development for the expansion of a groundwater replenishment system that includes a 25 ft. high, 4,700 sq. ft. pump station; two 33 ft. high flow equalization tanks; and pipeline rehabilitation on a vacant portion of the Orange County Sanitation District (OCSD) facility conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the entire project is proposed within the confines of the existing Orange County Sanitation Facility. No public access or recreational opportunities will be affected by the new construction.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-023:

1. The site plan, floor plans, and elevations received and dated June 27, 2018 shall be the conceptually approved design with the following modification: Include the height of the pump station from the nearest adjacent curb and the finished floor.
2. Comply with the mitigation measures identified in the Orange County Water District Groundwater Replenishment System Water Conveyance Facilities Project (April 2018) Final Initial Study/ Mitigated Negative Declaration and CEQA-Plus Federal Consultation Review prepared by the Orange County Water District
3. During demolition, grading, site development, and/or construction, the following shall be completed:
 - 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. Coastal Development Permit No. 18-023 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 Community Development Department a minimum 30 days prior to the expiration date.
5. 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.
6. 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 2:17 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, OCTOBER 3, 2018, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:JC:jg