

**PLANNING COMMISSION STAFF REPORT**

**TO:** Planning Commission  
**FROM:** Jennifer Villasenor, Director of Community Development  
**BY:** Jason Kelley, Senior Planner

**SUBJECT:**

**APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT (CUP) NO. 23-014 (HBCSD MAINTENANCE AND OPERATIONS BUILDING – Continued from July 23, 2024)**

**REQUEST:**

To construct an approximately 7,510 sq. ft. maintenance and operations building at an overall height of 17ft.-6in. at an existing school district office site.

**LOCATION:**

8750 Dorsett Drive (south of Dorsett Drive, between Poston Lane and Miramar Lane)

**APPELLANT:**

Councilman Butch Twining

**APPLICANT:**

Chris Garcia for Tony Pacheco-Taylor, 424 32<sup>nd</sup> Street, Newport Beach, CA 92663

**PROPERTY OWNER:**

Huntington Beach City School District, 8750 Dorsett Drive, Huntington Beach, CA 92646

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In considering this request, the Planning Commission may either uphold the Zoning Administrator decision (with or without modifications) or take an alternative action.

**ZONING ADMINISTRATOR ACTION:**

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 – Existing Facilities and 15303, Class 3 – New Construction or Conversion of Small Structures; and
- B) Approve Conditional Use Permit No. 23-014 with suggested findings and conditions of approval (Attachment No. 1)

**ALTERNATIVE ACTION(S):**

A) Do not make the suggested findings, which will result in a mandatory denial per Section 241.10 (c) of the Zoning and Subdivision Ordinance. or

B) Continue Conditional Use Permit No. 23-014 and direct staff accordingly. |

**PROJECT PROPOSAL:**

The project includes the following request:

Conditional Use Permit (CUP) No. 23-014 – To construct an approximately 7,510 sq. ft. maintenance and operations building at an overall height of 17 ft.-6 in. at an existing school district office site.

**Background:**

The project site is approximately 4.8 acres and consists of an approximately 21 ft. high, 34,704 sq. ft. existing building that formerly operated as Kettler Elementary School and is now operating as the Huntington Beach City School District offices with maintenance, repair, and storage occurring outdoors in the rear parking lot. The existing school district office building will remain, and the proposed maintenance and operations building is proposed along the west side of the property at the rear of the site. The hours of operation for the maintenance and operations building are 7:00 AM – 4:00 PM, Monday - Friday.

**Zoning Administrator Action:**

The project was presented at the June 19, 2024, Zoning Administrator hearing, and five residents adjacent to the subject property identified multiple concerns with the design of the project as explained below. Following discussion between staff, the applicant, and neighboring property owners, the Zoning Administrator approved the project with modified findings and conditions of approval.

**Appeal:**

On June 25, 2024, the Zoning Administrator's approval was appealed by Butch Twining, then Planning Commission Chair (Attachment No. 5). Butch Twining identified concerns with regards to the environmental review of the project including the information accompanying the notice of exemption document, which was prepared by the applicant who served as the lead agency. The appellant expressed that prior to and at the Zoning Administrator hearing, residents' concerns were not acknowledged. The residents' concerns were primarily regarding the location of the building, potential noise impacts, as well as the Notice of Exemption document. The appellant requests the item to be presented to the Planning Commission to provide an opportunity for the residents' concerns to be heard and for clarification regarding the qualifications for an exemption from CEQA.

**Planning Commission Action:**

The project was presented at the July 23, 2024, Planning Commission meeting. During the Commission's deliberation, discussion focused on two primary issues: whether the imported soil had been tested for potential contaminants, and the possibility of relocating

the building to mitigate noise concerns raised by adjacent property owners. Following the discussion, a motion was made to continue the appeal to a date uncertain to allow the applicant to submit a noise study and provide documentation confirming that the imported soil was tested for contaminants. The applicant has since submitted a project-specific noise study and reports pertaining to the soils that were placed on the subject site which are discussed below.

***Conditional Use Permit:***

Staff evaluated the project for consistency with development standards of the HBZSO and determined that the project complies and furthers the intended development pattern of the Public Semipublic zoning designation.

The project was presented to the Design Review Board on May 23, 2024, with recommendations to the Zoning Administrator including raising the height of the proposed block wall along the western property line and along the east side of the walkway to Edison Park from six feet to eight feet and increasing the setback of the building an additional 20 feet beyond the proposed 22.5 feet. At the Zoning Administrator meeting, residents expressed concerns related to the height of the proposed block wall along the west side of the property, the location of the proposed building, the notice of exemption from CEQA, noise generated from the proposed use and a few residents suggested that the applicant had raised the grade of the site an additional four feet. One resident opposed the eight-foot block wall due to a three-foot grade differential between the residential property and the school site. The Zoning Administrator took the wall concern into consideration and limited the block wall height to six feet instead of eight feet.

The proposed side yard setback for the new building is 22 ft.-6 in. Per the HBZSO, the required minimum side yard setback is 10 feet, therefore, the project proposes a side setback greater than what the code requires. While the HBZSO does not have any provisions that require preservation of private views, staff worked with the applicant to incorporate elements to soften the west façade of the building and enhance its visual appearance. A suggested condition of approval adds substantial landscaping of minimum 36-inch box trees in the side yard setback area to maintain privacy for the residents. Furthermore, the HBZSO states that buildings within 45 feet of a district boundary, such as proposed, are limited to a maximum height of 18 feet. The maintenance building is proposed at 17 ft.-6 in. in height, which complies with this code requirement. In conditionally approving the project, the Zoning Administrator noted that the six-foot high block wall, 22 ft.-6 in. setback, substantial landscaping between the building and residences, and the orientation of the building away from the nearest residences were all considerable efforts to minimize the potential impacts that the proposed building would have on the adjacent residential properties.

The California Environmental Quality Act (CEQA) includes a list of classes of projects, or categorical exemptions, that are determined to not have any significant environmental impacts and are therefore exempt from the provisions of CEQA. The project scope qualifies under Class 1 and 3 exemptions and does not warrant further environmental studies. The applicant (school district) served as the lead agency for the environmental

analysis of the project and prepared a Notice of Exemption (Attachment No. 3) stating the categorical exemptions in which this project falls under. It should be noted that at the Zoning Administrator meeting, the applicant's CEQA representative was in attendance and provided clarity on the determination that the site was already operating with a maintenance use within the parking lot at the rear of the site. Therefore, the construction of a maintenance and operations building would bring the site further into compliance by conducting the maintenance use entirely within the building rather than operating outdoors.

The applicant's narrative provides a breakdown of the uses in the proposed building which are primarily storage, utilizing 3,845 sq. ft. of the building area, as well as 1,714 sq. ft. of office area and 1,951 sq. ft. dedicated to workshop areas where the maintenance and repairs would be conducted. Conditions of approval were added to the project to mitigate any potential noise impacts on the surrounding sites such as the requirement that all work be conducted entirely within the proposed building. To further abate any noise concerns, the site is required to adhere to the Huntington Beach Noise Ordinance which is outlined in Chapter 8.40 of the Municipal Code. The Noise Ordinance outlines the maximum dBA noise level for exterior noises at 75 dBA for both low-density residential and schools within their operating hours. The proposed building is insulated and the offices at the front of the building are air-conditioned. Staff confirmed with the applicant that the mechanical equipment for the air-conditioning would be located on the eastern side of the building, as called out on the plans, and away from residential properties to the west.

It should be noted that the Planning Commission or Zoning Administrator reviews and acts only on conceptual plans to determine that the proposed project meets land use, zoning, and minimum development standards. As is typical for all entitlements, if the conceptual plans are approved during the entitlement stage, the architect and civil engineer then prepare grading and construction plans for review and approval through the grading and building permit plan check process. The code permits a grade differential maximum of two feet measured from the highest top of curb to top of slab. Therefore, at the time of grading submittal, the grade differential would be reviewed for compliance with this requirement.

The applicant has submitted a Phase 1 Environmental Site Assessment to address the Planning Commission's concern of the possibility of contaminated soil imported to the site (Attachment No. 7). The report identifies that the soil was taken from Peterson Elementary School located at 20661 Farnsworth Lane. Based on the report, the site was developed as an elementary school site between 1953 and 1963. The assessment revealed no recognized environmental conditions; therefore, no further action with regards to environmental site assessment is necessary. It should be noted that the Fire Department is requiring soil sampling prior to issuance of grading or building permits. Additionally, any additional soil import required for the proposed project would be required to be tested for contaminants prior to grading in accordance with existing City specifications.

Additionally, the applicant has submitted a noise study dated July 24, 2025 (Attachment No. 8) to address the Planning Commission’s concern of relocating the building to minimize potential noise impacts. The noise study performed ambient noise surveys of the existing conditions of the site and surrounding uses and modeled future noise generation from the proposed project and at an alternate location, considering operations conducted within the interior of the proposed building. The noise study reinforces that the construction and operations of the building at its proposed location would comply with the City’s noise ordinance.

A complete discussion of compliance with zoning code development standards can be found in the Zoning Compliance section below.

**ISSUES AND ANALYSIS:**

**Subject Property And Surrounding General Plan Designations, Zoning And Land Uses:**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	PS(RL) (Public Semipublic – Low Density Residential Underlying Designation)	PS (Public Semipublic)	Huntington Beach City School District Office
East, West, and North of Subject Property (across Dorsett Drive):	RL (Low Density Residential)	RL (Low Density Residential)	Single family residential
South of Subject Property:	PS(RL)	PS	Sports fields

**General Plan Conformance:**

The General Plan Land Use Map designation on the subject property is PS(RL) (Public Semipublic – Low Density Residential Underlying Designation). The proposed project is consistent with this designation and the goals and policies of the City’s General Plan as follows:

Land Use Element

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1(A): Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

Policy LU-1(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Goal LU-2: New development preserves and enhances a distinct Surf City identity, culture, and character in neighborhoods, corridors, and centers.

Policy LU-2(B): Ensure that new and renovated structures and building architecture and site design are context-sensitive, creative, complementary of the city's beach culture, and compatible with surrounding development and public spaces.

#### Public Services and Infrastructure Element

Goal PSI-5: A range of educational programs and facilities meets the needs of all ages of the community.

The proposed construction of an approximately 7,510 sq. ft. maintenance and operations building at an overall height of 17 ft.-6 in. at an existing school district office site is coordinated to ensure the land use pattern is consistent with the goals and needs of the community. The proposed use of maintenance and operations is in conjunction with the existing school district use and will serve their properties throughout the school district. The proposed development project is compatible with the proportion, scale, and character of the existing and adjoining uses. The height and massing of the proposed building will be lower than the existing 21 ft.-9 in. high, 34,704 sq. ft. single-story building on site, which is located at the front of the property. The proposed architectural elements such as the faux windows, cement siding, wall panels and vertical trellis, and wall color to match the existing building on site are all elements which support the architectural style of the existing structure as well as the surrounding residential area. The architectural elements were proposed in effort to improve the aesthetic appearance of the site. Furthermore, the proposed development is consistent with the permitted uses within the PS land use and zoning designations.

#### **Zoning Compliance:**

The proposed conditional use permit to construct an approximately 7,510 sq. ft. maintenance and operations building at an overall height of 17 ft.-6 in. at an existing school district office site complies with the provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The proposed use of the building will be primarily storage and office space with about 1,951 sq. ft. dedicated to maintenance workshop areas. It will operate ancillary to the existing 21 ft.-9 in. high, 34,704 sq. ft. school district office building, which is located 71 feet north of the proposed building. The Zoning Ordinance allows for maintenance and service facilities with the approval of a conditional use permit from the Zoning Administrator. Given that the maintenance use is currently being conducted outdoors, the proposed maintenance building will bring the site further into compliance with the HBZSO by providing a structure for the use to be conducted in.

The proposed maintenance and service facility will provide maintenance services to the local schools which serve the community, on a site that is already operating as a school district office, with access to the site from Dorsett Drive. The surrounding uses to the north, east, and west are single family residential, with sports fields and Edison Park located adjacent to the south of the subject site. As conditioned, the proposed

approximately 7,510 sq. ft. one-story maintenance and operations building will be compatible with the existing and surrounding uses. The proposed building orients towards the center of the site, away from the nearest residential properties to the west and is approximately 287 ft. to the nearest residential building to the east. The location of the proposed building is intentional to mitigate any potential noise impacts on the surrounding properties. The building and landscaping would serve as a noise buffer to the properties to the west. The maintenance and operations building will also be required to comply with the code, including the noise ordinance, and conditions of approval (Attachment No. 1); all operations will be conducted within the interior of the building; and hours of operation will be limited to 7:00 A.M. – 4:00 P.M. The noise study (Attachment No. 8) also supports the proposed building location for conformance with code.

In accordance with the HBZSO, the side setback for a PS zone abutting an R district is 10 ft., and structures within 45 ft. of the district boundary shall not exceed 18 ft. in height. The building is proposed to be constructed with a 22 ft.-6 in. side setback and 17 ft.-6 in. in height. The building also complies with other development standards such as lot coverage, landscaping, and parking requirements. Conditions of approval were placed on the project to ensure the west side of the building will be substantially landscaped and visually buffered from adjacent residential properties. In addition, a new six feet-high block wall will replace approximately 265 feet of existing chain link fence along the west property line and east of the walkway connection to the Edison Park fields south of the site. The proposed block wall will also serve as a visual buffer and noise attenuating feature between the residential and school district sites.

The existing walkway, located at the southwest portion of the site, and leads from the neighborhood to Edison Park, is currently surrounded by a chain-link fence along the school district side and vinyl and wood fences along the residential properties. A condition of approval will replace the chain-link fence with a six-foot high block wall. With that condition, the applicant is also required to provide lighting along the walkway to improve the safety of pedestrians utilizing the walkway and deter undesirable activity. A photometric plan will also be submitted to Planning staff demonstrating there will be no lighting spillage onto the adjacent residential properties.

**Urban Design Guidelines Conformance:**

Design Guidelines were implemented to enhance the visual appearance of the proposed building, maintain compatibility and character with the existing buildings on site as well as the surrounding sites. Some of the key design guidelines include:

- Architectural compatibility with the surrounding character
- Harmonious building style, color, and materials to existing buildings on site
- Screening and/or landscaping of uses when located adjacent to less intense uses to mitigate potential effects

**Environmental Status:**

The HBCSD served as the lead agency on the CEQA analysis for the proposed project and a Notice of Exemption was prepared (Attachment No. 3). The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act

(CEQA) pursuant to Section 15301, Class 1 – Existing facilities as well as Section 15303, Class 3 - New Construction or Conversion of Small Structures, because the project consists of minor alterations of existing public structures and facilities involving negligible or no expansion of existing or former use; and the construction and location of limited numbers of new, small facilities and small equipment in small structures.

**Coastal Status:**

Not applicable.

**Design Review Board:**

On May 23, 2024, the Design Review Board reviewed the proposed project. Public comments were received at the meeting regarding opposition to the proposed use as well as the project's location on the site. The Design Review Board made the following recommendations, which staff brought to the Zoning Administrator as suggested conditions of approval:

- a. Move the location of the proposed building 20 feet east. *(NOT ADOPTED BY THE ZA)*
- b. The proposed block wall along the western property line shall be added along the entire length of the property line at 8 feet in height instead of the proposed 6 feet. *(NOT ADOPTED BY THE ZA)*
- c. The proposed block wall along the western property line shall be either decorative block wall, a graffiti resistant material, or landscaped, subject to Planning staff approval.
- d. Lighting shall be added along the walkway at the southwest corner of the lot that is used for accessing the park.
- e. The landscaping between the proposed building and the adjacent residential properties shall be mature at time of installation.
- f. The material on the western elevation of the building shall be changed from the proposed metal to a residential type material subject to Planning staff approval.

**Other Departments Concerns and Requirements:**

The Departments of Community Development, Public Works, and Fire have reviewed the project and identified a list of code requirements (Attachment No. 6) applicable to the project.

**Public Notification:**

Legal notice was published in the Huntington Beach Wave on Thursday, February 19, 2026, and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Division's Notification Matrix), applicant, and interested parties. As of March 3, 2026, all communications supporting or opposing the request received are included in Attachment Nos. 10 and 12.

**Application Processing Dates:**

DATE OF COMPLETE APPLICATION:  
May 7, 2024

MANDATORY PROCESSING DATE(S):  
Not applicable to appeals

### **SUMMARY:**

Should the Planning Commission approve the proposed project, it may do so based upon the following summary of findings:

- Consistency with the PS (Public Semipublic) Land Use Designation of the General Plan and zoning designation;
- Compatibility with the surrounding land uses with conditions imposed upon the proposed development and its operations;
- Compliance with the HBZSO and applicable provisions of the Municipal Code; and
- No significant impacts to the surrounding area.]

### **ATTACHMENTS:**

1. ~~Suggested Findings and Conditions of Approval for Conditional Use Permit No. 23-014~~
2. ~~Vicinity Map~~
3. ~~Notice of Exemption~~
4. ~~Plans received and dated April 30, 2024~~
5. ~~Appeal letter dated June 24, 2024~~
6. ~~Code Requirements~~
7. ~~Phase 1 Environmental Site Assessment dated August 12, 2025~~
8. ~~HBCSD Noise Study dated July, 24, 2025~~
9. ~~ZA Notice of Action~~
10. ~~Email Correspondence~~
11. ~~June 19, 2024 ZA Minutes~~
12. ~~Email Communication 2025~~
13. ~~PowerPoint Presentation~~