



# MINUTES

## HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, APRIL 28, 2026  
HUNTINGTON BEACH CIVIC CENTER  
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

6:00 P.M. – COUNCIL CHAMBERS

### CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Goldberg

A P P P P P P

ROLL CALL: McGee, Babineau, Bush, Thienes, Palmer, Goldberg, Clifford

Commissioner McGee was absent.

PUBLIC COMMENTS - NONE

### PUBLIC HEARING ITEMS

**25-306 APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT NO. 24-011/MITIGATED NEGATIVE DECLARATION NO. 24-002 (REDONDO CIRCLE INDUSTRIAL PROJECT)**

**REQUEST:**

**CUP:** To remove an existing lumber yard and all associated site improvements and construct two industrial warehouse buildings, approximately 40 ft. high, totaling 185,912 sq. ft., with each building containing two office/mezzanine floor units and a truck loading dock on an approximately 9.59-acre site. **MND:** To analyze the potential environmental impacts associated with the project pursuant to the California Environmental Quality Act (CEQA).

**LOCATION:**

**7600 Redondo Circle, 92648 (at the terminus of Redondo Cir.)**

**RECOMMENDED ACTION:**

That the Planning Commission take the following actions:

- A) Approve Mitigated Negative Declaration No. 24-002 with suggested findings and mitigation measures; and
- B) Approve Conditional Use Permit No. 24-011 with suggested findings and conditions of approval (Attachment No. 1)

The Commission made the following disclosures:

- Commissioner Clifford spoke with staff and residents.
- Vice-Chair Babineau spoke with Mayor Pro-Tem Twining and Councilmember Van Der Mark.
- Chair Bush spoke with Councilmember Williams.
- Commissioner Thienes spoke with staff, residents, and Councilmember Burns.
- Commissioner Palmer spoke with residents, the applicant, and Councilmember Burns.
- Commissioner Goldberg spoke with Councilmembers Gruel and Van Der Mark, and Mayor McKeon.

Joanna Cortez, Principal Planner, gave a staff presentation for the proposed project.

There was discussion on the following items: landscaping maintenance, the items proposed that triggered the conditional use permit requirement, the submitted noise study, the OSHA requirements for back up alarms on delivery vehicles, the proposed wall height, the proposed frequency of truck deliveries, the city's noise ordinance, community outreach, the maximum allowed wall height, potential noise mitigation measures, the potential railroad removal, and the previous removal or all onsite tanks.

#### **THE PUBLIC HEARING WAS OPENED.**

Matthew Biggs, applicant, spoke in support of Item No. 25-306, giving an overview of the proposed project. Mr. Biggs noted that the project was designed to minimize impacts on residents, increase functionality, and to comply with the zoning requirements.

Ronald Wolf, resident, spoke in opposition to Item No. 25-306, citing concerns with potentially significant noise impacts, particularly during the overnight hours. Mr. Wolf requested that no overnight deliveries be permitted.

Alan Fenstenmacher, attorney for the applicant, spoke in support of Item No. 25-306 and made himself available for any questions.

Taylor, resident, with donated time from Murnez Blades and Heyman, spoke in opposition to Item No. 25-306. Taylor cited concerns with the level of environmental review and requested an Environmental Impact Report be produced to address concerns with sensitive receptors, groundwater pollution concerns, and legacy toxins from previous developments.

Irene Contreras Garcia, resident, spoke in opposition to Item No. 25-306, citing concerns with the potential negative noise and dust impacts, the proposed building height, night deliveries, proposed wall height, and potential inadequacies in the noise study.

Steve Grolende, resident, spoke in opposition to Item No. 25-306, citing concerns with the potential negative impacts from nighttime operations and inadequate noise buffering.

Daniel Tassa, resident, spoke in opposition to Item No. 25-306, citing concerns with potential negative impacts from noise, night operations, delivery frequency, neighborhood compatibility, parking, and inadequate information regarding the potential business.

Bill Cuppy, resident, spoke in opposition to Item No. 25-306, citing concerns with the proposed building height, the hours of operation, the potential noise impacts, the potential traffic impacts, and the proposed noise mitigation measures.

Dale Fike, resident, spoke in opposition to Item No. 25-306, citing concerns with potential noise impacts, the proposed wall height, the potential negative impacts to neighboring property values, and the proposed hours of operation.

Jerry Vinland, resident, spoke in opposition to Item No. 25-306, citing concerns with potential negative health and life expectancy impacts from diesel engine exhaust produced during deliveries.

Shelby, resident, spoke in opposition to Item No. 25-306, citing concerns with the noise study, the proposed hours of operation, the potential noise impacts, traffic impacts, and potential environmental impacts. Shelby asked for air monitoring for potential toxic soil onsite.

Alice Fike, resident, spoke in opposition to Item No. 25-306, citing potential negative noise, air pollution, and diesel fuel impacts, particularly on sensitive receptors in the adjacent neighborhood. Ms. Fike asked for additional environmental review.

Cesar Lamas, Labor International Union, spoke in support of Item No. 25-306, citing the potential employment opportunities for laborers and veterans.

Larry Bustos, Labor union, spoke in support of Item No. 25-306, citing the potential new investment in the city, the benefits to union workers, local workers, and the benefits to the community.

**WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

There was discussion regarding the following items: the need for modern industrial buildings within the city, the adequacy of the noise study, limiting the number of allowed truck trips during overnight hours, the number of allowed truck trips overall, the current operating hours, the proposed operating hours, the type of equipment currently in use, the type of equipment needed for the proposed use, the height of the wall, the need for an additional entitlement to allow for a taller wall within the setback, the design and orientation of the proposed buildings, the potential impacts of moving the buildings closer together, the proposed building height, neighborhood compatibility, the maximum allowed truck trips in the zoning code, the enforcement process for noise issues, the viability of limiting truck deliveries, the vacancy rate for Class A buildings, and the zoning of the property.

**A MOTION WAS MADE BY THIENES, SECONDED BY PALMER, TO CONTINUE TO A DATE UNCERTAIN TO REQUIRE A NEW SOUND STUDY AND REDESIGNED SITE PLAN, BY THE FOLLOWING VOTE:**

**AYES: Thienes, Palmer**  
**NOES: Clifford, Babineau, Bush, Goldberg**  
**ABSENT: McGee**  
**ABSTAIN: None**

**MOTION FAILED**

**A MOTION WAS MADE BY GOLDBERG, SECONDED BY BABINEAU, TO APPROVE MITIGATED NEGATIVE DECLARATION NO. 24-002 WITH SUGGESTED FINDINGS AND MITIGATION MEASURES; AND APPROVE CONDITIONAL USE PERMIT NO. 24-011 WITH AMENDED FINDINGS AND CONDITIONS OF APPROVAL INCLUDING A 50% REDUCTION OF TRUCKS PER BUILDING PER HOUR AT NIGHT, BY THE FOLLOWING VOTE:**

**AYES: Babineau, Bush, Goldberg,**  
**NOES: Clifford, Thienes, Palmer**  
**ABSENT: McGee**  
**ABSTAIN: None**

**MOTION FAILED**

**A MOTION WAS MADE BY CLIFFORD, APPROVE MITIGATED NEGATIVE DECLARATION NO. 24-002 WITH SUGGESTED FINDINGS AND MITIGATION MEASURES; AND APPROVE CONDITIONAL USE PERMIT NO. 24-011 WITH AMENDED FINDINGS AND CONDITIONS OF APPROVAL INCLUDING A 75% REDUCTION OF TRUCKS PER BUILDING PER HOUR AT NIGHT, BY THE FOLLOWING VOTE:**

**MOTION NOT SECONDED**

**A MOTION WAS MADE BY BABINEAU, SECONDED BY BUSH, APPROVE MITIGATED NEGATIVE DECLARATION NO. 24-002 WITH SUGGESTED FINDINGS AND MITIGATION MEASURES; AND APPROVE CONDITIONAL USE PERMIT NO. 24-011 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL WITH 50% REDUCTION OF TRUCKS AT NIGHT TIME, BY THE FOLLOWING VOTE:**

**AYES: Clifford, Babineau, Bush, Goldberg**  
**NOES: Thienes, Palmer**  
**ABSENT: McGee**  
**ABSTAIN: None**

**MOTION APPROVED**

**FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 24-002:**

1. The Mitigated Negative Declaration No. 24-002 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of twenty (20) days. Comments received during the comment period were considered by the Planning Commission prior to action on the Mitigated Negative Declaration.
2. Mitigation measures avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. Mitigation measures address compliance with bird nesting procedures, the recommendations of geotechnical investigations related to potential discovery of archaeological or paleontological resources during ground-disturbing activities, and potential impacts regarding hazardous materials encountered during demolition or construction.
3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated through the attached mitigation measures for Mitigated Negative Declaration No. 24-002, will have a significant effect on the environment.

**MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS**

1. Prior to the issuance of any grading permits, the Community Development Director or designee shall verify that the following requirements for nesting birds and preconstruction survey are completed by the Project Applicant:
  - 1.1. The start of site-preparation activities shall be scheduled outside of the bird nesting and breeding season (typically March 1 through August 15), if feasible. If site-preparation activities start during the nesting season, a qualified Biologist shall conduct a nesting bird survey in potential bird nesting areas within 200 feet of any proposed disturbance. The survey shall be conducted no more than three days prior to the start of any ground disturbance activities.
  - 1.2. If active nests of bird species protected by the Migratory Bird Treaty Act (MBTA) and/or the California Fish and Game Code (which, together, apply to all native nesting bird species) are present in the impact area or within 200 feet of the impact area, a temporary buffer fence shall be erected a minimum of 200 feet around the nest site. This temporary buffer may be greater or lesser depending on the bird species and type of disturbance, as determined by the Biologist.
  - 1.3. Clearing and/or construction within temporarily fenced areas shall be postponed or halted until juveniles have fledged from the nest and there is no evidence of a second nesting attempt. The Biologist shall serve as a construction monitor during those periods when disturbance activities occur near active nest areas to ensure that no inadvertent impacts on these nests would occur. **(Mitigation Measures)**
2. A qualified archaeologist (the "Project Archaeologist") that meets the Secretary of Interior Standards (SOI) shall be retained prior to the start of grading for Project-related construction. The Project Archaeologist shall monitor all ground-disturbing activities within the areas of native soil (i.e., below existing areas of artificial fill from previous construction). If archaeological or historical resources are encountered during implementation of any phase of the Project, the Project Archaeologist will be allowed to temporarily divert or redirect grading

or excavation activities in the vicinity of the find in order to make an evaluation of the find.  
**(Mitigation Measure)**

3. Prior to issuance of a grading permit, site preparation shall follow the recommendations in the Geotechnical Report for Proposed Warehouses, 7600 Redondo Circle, Huntington Beach, California 92648 (dated August 16, 2023) and additional future site-specific, design-level geotechnical investigations of the Project. Based on the Geotechnical Report, recommendations to be included in the Project specifications pertain to seismic building safety requirements, subgrade preparation, earthwork – structural fill/excavations, underground pipeline installation – structural backfill, cast-in-place concrete, foundations, laterally loaded structures, excavations and dewatering, waterproofing and drainage, chemical treatment of soils, paving, and site grading and drainage. **(Mitigation Measure)**
4. In the event paleontological resources are encountered during construction, ground-disturbing activity shall cease. It is recommended that a Qualified Paleontologist that meets the Society for Vertebrate Paleontology (SVP) be retained by the Applicant to examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens shall be made explicit. If a Qualified Paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by Project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction; monitoring work and halting construction if an important fossil needs to be recovered; and/or cleaning, identifying, and cataloging specimens for curation and research purposes. The cost associated with recovery, salvage, and treatment shall be borne by the Applicant. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the Qualified Paleontologist. Resources shall be identified and curated into an established accredited professional repository. The Qualified Paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource. **(Mitigation Measure)**
5. Prior to the issuance of grading permit, the Applicant shall retain a qualified environmental remediation firm or environmental engineering consultant to remediate the subsurface VOC impacts at the site to mitigate the risk of vapor intrusion and reduce groundwater impacts. **(Mitigation Measure)**
6. Prior to commencement of Project construction, erect a temporary noise barrier along the east Project site boundary. To be effective in reducing Project construction noise levels to less than significant impacts, the temporary noise barrier would have to block the line of sight from the residences to the Project construction equipment, must be continuous without gaps, and made of massive enough materials to minimize transmission of sound waves through the material itself. **(Mitigation Measure)**
7. Prior to Commencement of Ground-Disturbing Activities:
  - 7.1. The Project Applicant shall retain two Native American Monitors, one from Gabrieleno Band of Mission Indians – Kizh Nation and one from Juaneño Band of Mission Indians, Acjachemen Nation – Belardes, prior to the commencement of any ground-disturbing activity for the subject Project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing

activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

- 7.2. A copy of the executed monitoring agreement shall be submitted to the (City) prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence ground disturbing activity.
- 7.3. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the tribe. Monitor logs will identify and describe any discovered tribal cultural resources (TCRs), including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the Project Applicant upon written request to the tribe.
- 7.4. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the tribe or tribal monitoring agency from a designated point of contact for the Project Applicant that all ground-disturbing activities and phases that may involve the Project are complete; or (2) a determination and written notification by the tribe or tribal monitoring agency to the Director of Community Development, or designee that no future, planned construction activity and/or development/construction phase at the Project site possesses the potential to impact TCRs. **(Mitigation Measures)**
8. Upon discovery of any tribal cultural resources (TCRs), all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Native American Monitor. The tribe or tribal monitoring agency will recover and retain all discovered TCRs in the form and/or manner of the tribe deems appropriate, in the tribe’s sole discretion, and for any purpose the tribe deems appropriate, including for educational, cultural, and/or historic purposes. **(Mitigation Measure)**
9. Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects:
  - 9.1. Native American human remains are defined in Public Resources Code (PRC) Section 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC Section 5097.98, are also to be treated according to this statute.
  - 9.2. If Native American human remains and/or grave goods are discovered or recognized on the Project site, then PRC Section 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.
  - 9.3. Human remains and grave/burial goods shall be treated alike per PRC Section 5097.98(d)(1) and (2).
  - 9.4. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
  - 9.5. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance. **(Mitigation Measures)**

**FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 24-011:**

1. Conditional Use Permit No. 24-011 to remove an existing lumber yard and all associated site improvements and construct two industrial warehouse buildings, approximately 40 ft. high, totaling 185,912 sq. ft., with each building containing two office/mezzanine floor units and a truck loading dock on an approximately 9.59-acre site 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 project currently operates as a lumber yard. The request to replace the lumber yard with two new warehouse buildings will benefit the residential uses in the vicinity by removing outdoor operations and conditioning future uses to operate within an industrial structure. In addition to removing outdoor operations, the proposed project will cease train operations as future tenants will no longer need the train for deliveries. Primary access to the site will only occur from Redondo Circle away from sensitive uses with emergency vehicle access only along Taylor Drive, as conditioned. Similar industrial uses surround the proposed project, and the proposed contemporary architecture provides high-quality modern design within the surrounding industrial district. Additionally, new perimeter and interior site landscaping are proposed. The overall height of the buildings is approximately 40 ft., which is similar in height with the surrounding industrial buildings. The conditioned additional landscaping and taller walls along the south and east property lines in conjunction with the orientation of the buildings provide an adequate buffer of approximately 70 feet from the nearest building to the nearest residential property to the south. The arrangement of structures, parking and circulation areas exceed the quality that has been set by the existing development by incorporating more than the minimum required parking spaces and building setbacks; therefore, no significant impacts will be generated by the proposed improvements, as conditioned and mitigated.
2. The granting of Conditional Use Permit No. 24-011 to remove an existing lumber yard and all associated site improvements and construct two industrial warehouse buildings, approximately 40 ft. high, totaling 185,912 sq. ft., with each building containing two office/mezzanine floor units and a truck loading dock on an approximately 9.59-acre site will not adversely affect the General Plan as it is consistent with the Land Use Element designation of I (Industrial) on the subject property and the following General Plan goals and policies:

A. 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-D: Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Policy – LU-13C: Support development of new commercial and industrial projects and retrofits of existing buildings.

The new warehouse buildings will be compatible and architecturally complimentary to the surrounding industrial land uses in that the buildings are of similar height and character as comparable new industrial development. The proposed project is located within an established industrial area and incorporates contemporary architectural treatments that result in quality new buildings. The project location, size of the new buildings, and adequate quantity of on-site parking will allow industrial businesses to occupy the tenant spaces, providing opportunities for both new businesses to be established and existing businesses to remain in the City. The layout of the proposed warehouses, along with the conditions for additional

landscaping and taller block walls, will allow for the development of an industrial site that is more compatible and therefore less impacting on the residential uses to the south and east.

#### B. Circulation Element

Goal – CIRC-1a: The circulation system supports existing, approved, and planned land uses while maintaining a desired level of service and capacity on streets and at critical intersections.

The project will utilize two existing public driveways, minimizing disruptions to existing circulation patterns around the project site. The project is located at the terminus of Redondo Circle and the nearest major arterials are Talbert Avenue and Gothard Street, which support the industrial uses in this area. The project is conditioned to use Redondo Circle as the primary means of ingress and egress, which is consistent with the existing lumber yard and surrounding industrial uses.

3. Conditional Use Permit No. 24-011 to remove an existing lumber yard and all associated site improvements and construct two industrial warehouse buildings, approximately 40 ft. high, totaling 185,912 sq. ft., with each building containing two office/mezzanine floor units and a truck loading dock on an approximately 9.59-acre site 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) and any specific condition required for the proposed use in the district in which it would be located because the project complies with development standards including but not limited to height, setbacks, floor area ratio, minimum landscaping requirements, and parking.

#### **CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 24-011:**

1. The site plan, floor plans, and elevations received and dated December 9, 2025 shall be the conceptually approved design with the following modifications:
  - a. The parking calculations on Page A0.1 and A0.5 shall be updated to reflect 192 parking spaces.
  - b. The southern and eastern perimeter walls shall be extended to a nine-foot-high masonry block wall.
  - c. Additional trees and denser landscaping with a tiered design to minimize the visibility of the blank wall and deter graffiti shall be incorporated into the new and existing planter area along the southern and eastern property lines, subject to the review and approval of the Community Development Department and Public Works Department.
  - d. All on-site trees shall comply with minimum size requirements. **(HBZSO Chapter 232)**
  - e. Perimeter landscaping along the eastern and western property lines shall be updated to comply with minimum landscape requirements. **(HBZSO Chapter 232.08.C.2.a)**
2. The use shall comply with the following:
  - a. All warehouse vehicles shall be parked on-site. Truck trailers shall not occupy required on-site vehicle parking spaces.
  - b. Vehicles associated with the site's operation shall not use surrounding residential streets at any time.
  - c. There shall be no loudspeaker or amplified announcements.

- d. Exterior building light fixtures and parking lot lighting shall be shielded and directed to cast light downward and inward toward the property so as to prevent glare and spillage onto adjacent residential properties.
  - e. Lights shall be dimmed to the lowest security level from 10:00 PM to 7:00 AM, daily.
  - f. All primary warehouse operations shall occur within the interior of a building.
  - g. Outdoor storage and display of merchandise, materials, or equipment shall not be permitted unless a Conditional Use Permit is approved for the use.
  - h. During construction and operation, the use shall have ingress and egress from Redondo Circle only. The driveway on Taylor Street shall be for emergency vehicle access only.
  - i. No more than three trucks per building, per hour, shall be permitted on site between the hours of 10:00 PM to 7:00 AM.
  - j. Truck idling shall be limited to five minutes.
  - k. All onsite truck circulation shall be limited to the center truck court area between 10:00 PM to 7:00 AM, daily. The perimeter drive aisles shall not be used for onsite truck circulation during this time.
  - l. In the event of multiple verified violations of the Huntington Beach Noise Control Ordinance (HBMC Chapter 8.40), the applicant shall immediately meet with the Community Development Department to discuss mitigation measures.
3. Prior to submittal of building permits:
- a. Zoning entitlement conditions of approval 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.
  - b. The applicant shall submit an application to hold both lots as one parcel through a Lot Line Adjustment or similar process that is acceptable to the Community Development and Public Works Departments. The document shall be recorded at the County of Orange Recorder's Office prior to issuance of final building permit.
  - c. An application for address assignment, along with the corresponding application processing fee and applicable plans (as specified in the address assignment application form), shall be submitted to the Community Development Department. **(City Specification No. 409)**
  - d. A landscape plan submittal consistent with Condition No. 1 shall be submitted for review and approval by the Community Development and Public Works Department.
4. 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.
5. 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.
  - g. 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 7:00 PM. Such activities are prohibited Sundays and Federal holidays.
6. Prior to issuance of a grading permit and at least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.
  7. Prior to issuance of building permits, the following shall be completed: An interim parking and building materials storage plan shall be submitted to the Community Development Department to assure adequate parking and restroom facilities are available for employees, customers and contractors during the project's construction phase and that adjacent properties will not be impacted by their location. The plan shall also be reviewed and approved by the Fire Department and Public Works Department. The applicant shall obtain any necessary encroachment permits from the Department of Public Works.
  8. Conditional Use Permit No. 24-011 shall become null and void unless exercised within two years of the date of approval by the City 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.
  9. 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 Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to

the original entitlement reviewed by the Planning Commission 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.

**25-723 ZONING MAP AMENDMENT NO. 19-001/TENTATIVE TRACT MAP NO. 16295/CONDITIONAL USE PERMIT NO. 19-003 (PEARCE AND GREEN CONDOS)**

**REQUEST:**

**ZMA: To rescind Precise Plan of Street Alignment No. 80-1 to remove existing paper streets over existing private easements. TTM: To permit a one-lot subdivision of an approximately 1.23-acre lot for condominium purposes. CUP: To permit the development of 18 attached, three-story residential condominiums at 33 feet in height, and the construction of 6 ft.-6 in. high walls within the 15-foot front yard setback for private yards along Pearce Drive.**

**LOCATION:**

**4861 Pearce Drive, 92649 (northwest corner of Pearce Dr. and Green Ln.)**

**RECOMMENDED ACTION:**

That the Planning Commission take the following actions:

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), Section 15303, Class 3 and Section 15332, Class 32 and
- B) Approve Zoning Map Amendment No. 19-001, Tentative Tract Map No. 16295, and Conditional Use Permit No. 19-003 with suggested findings and conditions of approval (Attachment No. 1).

The Commission made the following disclosures:

- Commissioner Clifford had no disclosures.
- Vice-Chair Babineau spoke with Mayor Pro-Tem Twining.
- Chair Bush spoke with Councilmember Williams.
- Commissioner Thienes spoke with Councilmember Williams.
- Commissioner Palmer spoke with residents.
- Commissioner Goldberg spoke with the applicant, Mayor McKeon, and Councilmembers Gruel and Williams.

Joanna Cortez, Principal Planner, gave a staff presentation for the proposed project.

There was discussion on the following items: the Design Review Board recommendations, the front yard setbacks for the development, the proposed wall heights, the potential for changing the front yard orientation for two townhouses, maintaining alleyway access, the potential for applying the development to the Regional Housing Needs Assessment (RHNA), and the proposed parking.

**THE PUBLIC HEARING WAS OPENED.**

Brian Sassounian, applicant, spoke in support of Item No. 25-723, noting the work required to compile the encyclopedia lots and easements to make the proposed project viable, and stated the proposed wall height is needed for safety and aesthetics.

Tracy Souders, resident and durable power of attorney for adjacent lots, spoke in opposition to Item No. 25-723, citing the potential negative impacts to the shared easement, the access to adjacent properties, emergency access, and traffic. Ms. Souders requested a full environmental review and traffic study be completed.

Claire Souders, resident, spoke in opposition to Item No. 25-723, citing concerns with potential negative traffic impacts and asked for updated traffic study.

Jack Souders, resident, spoke in opposition to Item No. 25-723, citing the potential negative impacts to the private easement, traffic, and safety.

Danny O'Leary, resident, spoke in opposition to Item No. 25-723, citing concerns with potential negative impacts to safety, parking, private easements, and the local bird population. Mr. O'Leary asked for the item to be continued to address the easement impacts and get accurate data on the associated impacts.

Kevin Morgenstern, resident, spoke in support of Item No. 25-723, citing potential positive impacts property values and property insurance costs in the adjacent area.

Wun Sze Li, architect, spoke in support of Item No. 25-723, noting that the front yard orientation was modified to address staff's comments to minimize curb cuts and allow for additional landscaping. Ms. Li noted that the project will add additional housing stock and will be a benefit to the community.

**WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

There was a lengthy discussion regarding public and private easements, the proposed wall heights, the proposed unit configuration, and the potential safety impacts of a 60 inch fence in the front yard setback for one unit.

**A MOTION WAS MADE BY GOLDBERG, SECONDED BY BABINEAU, FIND THE PROPOSED PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061(B)(3), SECTION 15303, CLASS 3 AND SECTION 15332, CLASS 32 AND; AND APPROVE ZONING MAP AMENDMENT NO. 19-001, TENTATIVE TRACT MAP NO. 16295, AND CONDITIONAL USE PERMIT NO.**

**19-003 WITH AMENDED FINDINGS AND CONDITIONS OF APPROVAL TO ALLOW A 60 INCH FENCE, BY THE FOLLOWING VOTE:**

**AYES:** Clifford, Babineau, Bush, Thienes, Palmer, Goldberg  
**NOES:** None  
**ABSENT:** McGee  
**ABSTAIN:** None

**MOTION APPROVED**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Planning Commission 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 15332 of the CEQA Guidelines. The Project meets all conditions described in CEQA Guidelines Section 15332(a) through (e) pertaining to in-fill development projects (Class 32 categorical exemption): (a) The Project is consistent with all applicable general plan designations and policies, as well as applicable zoning designations and regulations; (b) the Project occurs entirely within City of Huntington Beach limits on a 1.23-acre site and is surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the site can be adequately served by all required utilities and public services. Therefore, the Project qualifies for Class 32 exemption and is categorically exempt under Section 15332 of the CEQA Guidelines. Additionally, the project will not have any significant effect on the environment and is exempt from the provisions of the CEQA pursuant to section 15303 of the CEQA Guidelines, because the project consists of the construction of a wall, ancillary to a proposed multi-family residence, within a residential area. Finally, the project request to rescind the PPSA for this area will not have a significant effect as it is covered under section 15061(b)(3) of the CEQA because the general plan is not changing or affected by this project nor are there impacts to the access easements of this site.

**FINDINGS FOR APPROVAL – ZONING MAP AMENDMENT NO. 19-001:**

1. Zoning Map Amendment No. 19-001 to rescind Precise Plan Street of Alignment (PPSA) No. 80-1 and remove existing paper streets over existing private easements is consistent with the goals and policies of the General Plan as follows:

A. Land Use Element

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

**Policy LU-1A:** 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.

The project site is comprised of multiple small lots on the west side of Green Lane and north of Pearce Drive. The 1.23-acre site is predominantly vacant with an existing single-family residence and a residential four-plex near the northwest corner of the site. The PPSA was originally implemented to plan for development over small lots with multiple owners and over existing 20-foot-wide private access easements. This plan would require the construction of

wider public streets over existing easements to ensure access to all lots within this tract. The proposed project will consolidate 20 parcels to construct a cohesive one-lot subdivision for 18 residential condominiums. The new development will maintain existing access easements and is proposed to be improved and configured in a manner that ensures that all lots have adequate pedestrian and vehicular access. Additionally, the design of this development is consistent with other condominium projects in similar zones and compatible with the surrounding neighborhood. The zoning map amendment does not change the land use designation of the site and supports infill development of 18 multi-family residences that are compatible in proportion, scale, and character with the surrounding neighborhood because there are similar residential units to the north and east of the site.

## B. Housing Element

Policy 1.1: Preserve the character, scale, and quality of established residential neighborhoods.

Policy 2.1: Provide site opportunities for development of housing that responds to diverse community needs in terms of housing types, cost and location, emphasizing locations near services and transit that promote walkability.

The zoning map amendment will help preserve the character, scale, and quality of the existing neighborhood because it will allow the construction of multi-family residences that are similar to the surrounding multi-family residential units. This amendment will facilitate the construction of 18 new condominium homes, which will continue the land use pattern of diverse residential uses in the surrounding areas and assist in meeting the overall housing needs of the community.

## C. Circulation Element

Goal CIRC-1a: The circulation system supports existing, approved, and planned land uses while maintaining a desired level of service and capacity on streets and at critical intersections.

The ZMA to rescind the 1980 PPSA will remove paper streets and allow vehicular access within the site to be reconfigured over existing private access easements. The new development will maintain existing access easements and develop a private street which will be maintained by the project's homeowner's association; therefore, this PPSA is no longer needed to provide circulation to the surrounding area. Additionally, rescinding the PPSA does not conflict with the requirements of the City's Master Plan of Arterial Highways (MPAH).

2. Zoning Map Amendment No. 19-001 to rescind Precise Plan Street of Alignment (PPSA) No. 80-1 and remove existing paper streets over existing private easements is compatible with surrounding residential area. It will not change the general land use provision, the uses authorized in, and the standards prescribed for in the zoning district.
3. A community need is demonstrated for the change proposed because the request to rescind PPSA No. 80-1 will lead to a development that is more cohesive and compatible with the surrounding residential area while still maintaining adequate vehicular and pedestrian access.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because rescinding PPSA No. 80-1 will allow for the cohesive development of the 1.23-acre site without requiring streets that are wider than necessary for proper access to the proposed residential development and existing residences.

**FINDINGS FOR APPROVAL - TENTATIVE TRACT MAP NO. 16295:**

1. Tentative Tract Map No. 16295 to permit a one-lot subdivision of an approximately 1.23 acre site for condominium purposes is consistent with the General Plan Land Use Element designation of Residential Medium Density (RM) on the subject property and other applicable provisions of the Subdivision Map Act and the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) including proposed use, maximum density, minimum lot size, and minimum lot width.
2. The site is physically suitable for the type and density of development. The project site is able to accommodate the type of development proposed from a public service, circulation, and drainage perspective. The size, depth, frontage, street width and other design features of the proposed subdivision are in compliance with the HBZSO. The project site is able to accommodate the type of development proposed. The proposed subdivision will result in a density of 14.63 units per acre, which is less than the allowable density of 15 dwelling units per acre of the Residential Medium Density land use designation. The proposed density would be compatible with surrounding multi-family developments.
3. The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The site does not contain any significant habitat for wildlife or fish. The project site was previously developed and is located in an urban setting. The design features of the project, as well as compliance with the provisions of the HBZSO, will ensure that the subdivision will not significantly impact the function and value of any resources adjacent to the project site.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. The subdivision will provide all necessary easements and will not affect any existing easements, including the three 20-foot-wide access easements that run through the site. The project will provide improved sidewalks and pavements along Pearce Drive and Green Lane as a part of this proposed tentative tract map.

**FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 19-003:**

1. Conditional Use Permit No. 19-003 to permit the development of 18 attached, three-story residential condominiums at 33 feet in height, and the construction of 60-inch high walls within the front yard setback for private yards will not be detrimental, as conditioned, 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 subject site is comprised of multiple small lots on the west side of Green Street and north of Pearce Drive. The 1.23-acre site is predominantly vacant with an existing single-family residence and a residential four-plex near the southeast corner of the site. The project will improve an existing underutilized and vacant parcel of land with a development consistent with the underlying General Plan land use and zoning designations. The project will not result in any adverse or significant environmental impacts including traffic, noise, lighting, aesthetics, and hazardous materials. The project is located within an existing multi-family residential neighborhood and is compatible with surrounding uses in that other structures of similar height, mass, and siting exist in the adjacent area. The proposed project is designed to convey a high level of quality and a character that incorporates quality materials and design, consistent with the City of Huntington Beach Urban Design Guidelines. Building volumes are articulated with variation in wall planes to reduce building mass. The building facades incorporate a variety of building

materials and colors to provide visual interest, including stucco, siding, and stone and metal accents. New landscaping and new site improvements are also proposed on the site.

2. The granting of the conditional use permit to permit the development of 18 attached, three-story residential condominiums at 33 feet in height, and the construction of 60-inch high walls within the front yard setback for private yards will not adversely affect the General Plan because the request is consistent with the Land Use Element designation of RM (Residential Medium Density) 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-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-1A:* Ensure that the 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-1C:* Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

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

*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-4A:* Encourage a mix of residential types to accommodate people with diverse housing needs.

The proposed development is consistent with the land use designation and will continue the land use pattern of multi-family residential uses in the surrounding area. The project site supports infill development, as the project is located on an underutilized lot with dated residential buildings that will be demolished with the construction of the proposed 18-unit project. In addition, the proposed project is compatible in proportion, scale, and character with the surrounding neighborhood because there are similar attached multi-family units to the north, east, and south of the site. The condominium project will provide a mix of housing types to meet the diverse economic, social, and housing needs of the community. By providing new housing opportunities to the area, the proposed project assists in meeting the overall housing needs of the community.

*B. Housing Element*

*Goal 1:* Maintain and enhance the quality and affordability of existing housing in Huntington Beach.

*Policy 1.1:* Preserve the character, scale, and quality of established residential neighborhoods.

Goal 2: Provide adequate housing sites through appropriate land use, zoning and specific plan designations to accommodate Huntington Beach's share of regional housing needs.

Goal 3.1: Encourage the production of housing that meets all economic segments of the community, including lower, moderate, and upper income households, to maintain a balanced community.

The project is consistent with the Housing Element because it will enhance the quality of the existing multi-family residential neighborhood and the project is subject to the HBZSO inclusionary ordinance that requires ten percent of the units to be affordable, which can be satisfied through the provision of units onsite, off-site or through in-lieu fees. The applicant is proposing to pay in-lieu fees, which will be used toward affordable housing needs in the community. The project will also preserve the character, scale, and quality of the existing neighborhood because it involves the construction of 18 attached condominiums that are similar to the surrounding multi-family residential units, meets the zoning code requirements for the proposed product type, and complies with the density limits for the zoning district and General Plan land use.

3. The proposed project will comply with the provisions of the RM (Residential Medium Density) district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. As conditioned, the project is designed to comply with all applicable development standards including building setbacks, onsite parking, lot coverage, building height, and open space. The HBZSO permits walls exceeding 42 inches in height within the required front setback subject to approval of a Conditional Use Permit. As modified, the 60-inch high privacy walls within the front yard setback would provide ground floor open space to two units. Each proposed patio area is setback from the property line by four feet and separated from the public right-of-way by a landscaped area. The landscaping proposed between the wall and sidewalk softens the aesthetic appearance of the wall and enhances the streetscape; these patio walls will only encroach into approximately 23% of the project's street frontage. The configuration provides for a varied setback along the street frontage, in accordance with the City's Urban Design Guidelines, and a green-space buffer adjacent to the sidewalk. The three-story project proposes a contemporary design with building volumes that are articulated with variation in wall planes to reduce building mass.

#### **CONDITIONS OF APPROVAL - TENTATIVE TRACT MAP NO. 16295:**

1. The Tentative Tract Map No. 16295 for a one lot subdivision on approximately 1.23 acre lot for condominium purposes received and dated March 16, 2026, shall be the approved layout.
2. Prior to submittal of the final tract and at least 90 days before City Council action on the final map, CC&Rs shall be submitted to the Community Development Department and approved by the City Attorney. The CC&Rs shall identify the common driveway access easements, and maintenance of all walls, and common landscape and parking areas by the Homeowners' Association, as well as a parking management plan to ensure the ongoing availability of on-site residential guest parking including but not limited to: restricting spaces to not be converted to living quarters, workshops, or storage that will preclude the parking of two vehicles, all open parking spaces within the project shall be unassigned and available for visitors and guests; no boat, trailer, camper, off-road vehicle, golf cart, commercial vehicle, mobile home, motor home, bus, or other recreational vehicle or any non-operating vehicle shall be parked or stored in any parking spaces; and towing of any vehicles violating the restrictions within the CC&Rs. The CC&Rs must be in recordable form prior to recordation of the map. **(HBZSO Section 253.12.H)**

3. Prior to issuance of a grading permit and at least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.
4. Prior to issuance of building permits, the applicant shall satisfy the minimum ten percent Inclusionary Affordable Housing requirement by paying the applicable in-lieu fee.
5. At least 90 days before City Council action on the final map, Conditions Covenants & Restrictions (CC&Rs) shall be submitted to the Community Development Department, Public Works, Fire, and City Attorney's office for review and approval. The CC&Rs shall include the following:
  - a. Provide for maintenance, repair and replacement by a Homeowner's Association (HOA) for all common area landscaping, maintenance of walls, irrigation, drainage facilities, water quality BMP's, water system lines, fire system lines, sewer system lines, and private service utilities.
  - b. Best Management Practices (BMP's as per the approved Water Quality Management Plan (WQMP).
  - c. The CC&Rs shall restrict any revision or amendment of the WQMP except as may be dictated by either local, state, or federal law and the LIP.
  - d. Identify the common driveway access easements, and maintenance of all walls, and common landscape and parking areas by the Homeowners' Association.
  - e. Appropriate language shall be included to restrict garages from being converted to living quarters, workshops, or storage that will preclude the parking of two vehicles. All open parking spaces within the project shall be unassigned and available for visitors and guests.
  - f. Appropriate language shall be included to restrict boat, trailer, camper, off-road vehicle, golf cart, commercial vehicle, mobile home, motor home, bus, or other recreational vehicle or any non-operating vehicle from being parked or stored in any open parking spaces. Towing of vehicles violating the parking restrictions shall be included.
  - g. On-site private landscaped parkways, sidewalks and common open spaces. **(PW)**
  - h. On-site private sewer main and appurtenances. **(PW)**
  - i. On-site private storm drain pipeline and appurtenances. **(PW)**
  - j. On-site private domestic water main and appurtenances. **(PW)**
  - k. Pavement, hardscape, striping, signage, lighting and any necessary ADA features within all onsite drive aisles, including any public alley easements and fire access lanes. **(PW)**
  - l. The CC&Rs must be in recordable form prior to recordation of the map.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 19-003:**

1. The site plan, floor plans, and elevations received and dated March 16, 2026 shall be the conceptually approved design with the following modifications:
  - a. Reduce the height of the backyard walls along Pearce Drive to a maximum height of 60 inches. **(PC)**
  - b. On all Plan 2 designs, rotate the second-floor bathroom window to be oriented vertically. **(DRB)**
  - c. Provide a stucco parapet cap to the top of each building. The cap shall be painted to match each structure. **(DRB)**
  - d. Replace windows with recessed windows or window framing. **(DRB)**
  - e. Relocate all trees and lighting along southwest portion of the drive aisle to ensure clear access to the properties not part of this project. **(DRB)**
2. Prior to submittal of building permits, the following shall be completed:
  - a. One set of project plans and a set of all colored renderings, elevations, and materials sample and color palette, revised pursuant to Condition Number One and Code Requirements, shall be submitted for review, and approval and inclusion in the entitlement file, to the Planning Division.
  - b. 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. Prior to issuance of building permits, the following shall be completed:
  - a. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Community Development Department. Double walls shall be avoided to the greatest extent feasible. Prior to the construction of any new walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private residential property and construction of new common walls shall include approval by property owners of adjacent properties. The plans shall identify materials, seep holes and drainage.
  - b. Contact the United States Postal Service for approval of mailbox location(s).
  - c. An interim parking and building materials storage plan shall be submitted to the Community Development Department to assure adequate parking and restroom facilities are available for employees, customers and contractors during the project's construction phase and that adjacent properties will not be impacted by their location. The plan shall also be reviewed and approved by the Fire Department and Public Works Department. The applicant shall obtain any necessary encroachment permits from the Department of Public Works.
  - d. The developer shall execute a Maintenance License Agreement (with the City) for maintenance of all paving, hardscape, striping, signage, lighting and any necessary ADA

features within all onsite drive aisles, including any public alley easements and fire access lanes. Maintenance shall include but not be limited to all facets of landscape irrigation, planting, weed and pest control, any water quality features, trash clean up, repair, replacement and other items that may be shown and developed within the public easement right-of-way. The Homeowner's Association shall be responsible for all costs related to the maintenance, and any fees required for water and electrical use. This agreement shall remain in effect in perpetuity. **(PW)**

4. 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.
  - g. 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 7:00 PM. Such activities are prohibited Sundays and Federal holidays.
5. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released for the first residential unit until the following have been completed:
  - a. The applicant shall obtain the necessary permits from the South Coast Air Quality Management District and submit a copy to Community Development Department.
  - b. Compliance with all conditions of approval specified herein shall be accomplished and 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.
  - d. Parkland dedication in-lieu fees (Quimby Fees) shall be paid to the Community Development Department.
6. 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.

7. Zoning Map Amendment No. 19-001, Tentative Parcel Map No. 16295, Conditional Use Permit No. 19-003 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 Community Development Department a minimum 30 days prior to the expiration date.
8. The Development Services Departments (Fire, Community Development, 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.

**CONSENT CALENDAR - NONE**

**NON-PUBLIC HEARING ITEMS - NONE**

**PLANNING ITEMS**

Mr. Ramos reported on upcoming planning items for Planning Commission and City Council.

**PLANNING COMMISSION ITEMS**

The commissioners expressed appreciation for the civil discussion on the public hearing items.

**ADJOURNMENT: Adjourned at 9:16 PM to the next regularly scheduled meeting of Tuesday, May 12, 2026.**

APPROVED BY:

\_\_\_\_\_  
Jennifer Villasenor, Secretary

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Brett Bush, Chairperson