



OFFICE of the ZONING ADMINISTRATOR

CITY OF HUNTINGTON BEACH • CALIFORNIA

P. O. Box 190, Huntington Beach, California 92648

NOTICE OF ACTION

June 20, 2024

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

SUBJECT: **CONDITIONAL USE PERMIT NO. 23-014 (HBCSD MAINTENANCE AND OPERATIONS BUILDING)**

APPLICANT: Chris Garcia for Tony Pacheco-Taylor, 424 32nd Street, Newport Beach, CA 92663

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

PROPERTY OWNER: Huntington Beach City School District, 8750 Dorsett Drive, Huntington Beach, CA 92648

LOCATION: 8750 Dorsett Drive (South of Dorsett Drive, between Poston Lane and Miramar Lane)

CITY CONTACT: Madalyn Welch,

DATE OF ACTION: June 19, 2024

On Wednesday, June 19, 2024, the Huntington Beach Zoning Administrator took action on your application, and your application was **conditionally approved**. Attached to this letter are the findings and conditions of approval.

Please be advised that the Zoning Administrator reviews the conceptual plan as a basic request for entitlement of the use applied for and there may be additional requirements prior to commencement of the project. It is recommended that you immediately pursue completion of the conditions of approval and address all requirements of the Huntington Beach Zoning and Subdivision Ordinance in order to expedite the processing/completion of your total application. The conceptual plan should not be construed as a precise plan, reflecting conformance to all Zoning and Subdivision Ordinance requirements.

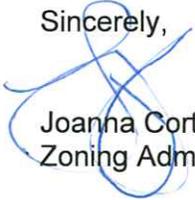
Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator becomes final at the expiration of the appeal period. A person desiring to appeal the decision shall file a written notice of appeal to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action. The notice of appeal shall include the name and address of the appellant, the decision being appealed, and the grounds for the appeal. Said appeal must be accompanied by a filing fee of Three Thousand Seven Hundred Sixty-Two Dollars (\$3,762.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Five Thousand One Hundred Ninety-Three Dollars (\$5,193.00) if the appeal is filed by any other party. In your case, the last day for filing an appeal and paying the filing fee is **July 3, 2024, at 5:00 PM.**

Provisions of the Huntington Beach Zoning and Subdivision Ordinance are such that any application becomes null and void one (1) year after final approval, unless *actual construction has begun/the use has been established*, or as modified by condition of approval.

Excepting those actions commenced pursuant the California Environmental Quality Act, you are hereby notified that you have 90 days to protest the imposition of the fees described in this Notice of Action. If you fail to file a written protest regarding any of the fees contained in this Notice, you will be legally barred from later challenging such action pursuant to Government Code §66020.

If you have any questions regarding this Notice of Action letter or the processing of your application, please contact Madalyn Welch, the city contact at (714) 374-5353 or via email at madalyn.welch@surfcity-hb.org or the Department of Community Development Zoning Counter at (714) 536-5271.

Sincerely,



Joanna Cortez
Zoning Administrator

JC:MW:mr
Attachment

c: Honorable Mayor and City Council
Chair and Planning Commission
Chief Eric Parra, Interim City Manager
Travis Hopkins, Assistant City Manager
Jennifer Villasenor, Director of Community Development
Ricky Ramos, Planning Manager
Martin Ortiz, Fire Deputy Chief
Bob Milani, Principal Civil Engineer
Steve Eros, Fire Protection Analyst
Jacob Worthy, Fire Protection Analyst
Jasmine Daley, Building Official
Madalyn Welch, Associate Planner
Property Owner
Project File

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 23-014

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 15301 and 15303 of the CEQA Guidelines, as 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.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 23-014:

1. Conditional Use Permit 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 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 it involves an addition in structures which are similar to what already exists on site in terms of design, colors, materials, and function and the proposed project is consistent with the General Plan land use and zoning designations. The project will construct a one-story maintenance and operations building for the school district that has been designed to minimize impacts to surrounding properties. The height of the proposed building (one story, 17 ft.-6 in.) would be consistent with other one-story buildings on site and within the vicinity. The project was reviewed by the Design Review Board and recommendations were added as suggested conditions of approval with regards to design of the project to minimize the impact to the surrounding residents. The construction of a six-foot block wall at the western property line where the project area is located, substantial landscaping between the western property line and the proposed building, and the proposed architectural elements on the western façade will minimize the impact on the surrounding properties. The primary use of the building will be for storage of materials with minimal maintenance work and office all conducted within the proposed building to minimum noise impacts. The proposed building will be oriented east, towards the middle of the subject site to further minimize potential noise impact to surrounding uses.
2. The granting of the Conditional Use Permit No. 23-014 to construct an approximately 7,510 sq. ft. maintenance and operations building at an overall height of 17 ft.-6 in. will not adversely affect the General Plan because the maintenance and operations use is consistent with the Land Use Element designation of Public Semipublic (PS) 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-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.

The proposed project will develop a maintenance and operations building on a site that is currently used for the Huntington Beach City School District offices that is consistent with permitted uses in the PS land use designation and is consistent with the other existing buildings on site. The proposed project will also improve the aesthetic appearance of the site that will exhibit a design that is in keeping with the character of the existing site with elements added that support the architectural style of the surrounding residential area. The design of the project, including the façade breaks provided by the use of varied colors and materials and architectural elements that are compatible with the surrounding area, will enhance the appearance of the building and improve the character of the site. The proposed building will be oriented to face the interior of the site, away from the adjacent single family residential properties. The one-story height of the building will also be consistent with other one-story properties on site and in the surrounding vicinity.

3. Conditional Use Permit 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 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 pertaining to height, setbacks, floor area ratio, minimum landscaping requirements, and parking. Additionally, the proposed development and use is permitted in the PS (Public Semipublic) zone, subject to conditional use permit approval, pursuant to Section 214.06 of the HBZSO – PS District Land Use Controls.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 23-014

1. The site plan, floor plans, elevations, and colors/materials board received and dated April 10, 2024 shall be the conceptually approved design with the following modifications:

- a. A six-foot high, decorative concrete wall shall be added along the portion of the western property line at the project area, approximately 265 linear feet. The block wall shall be of graffiti resistant material, subject to approval by the Community Development department.
 - b. Lighting shall be added along the walkway located along the western property line at the rear of the site, used for accessing Edison Park. A photometric lighting plan shall be submitted and subject to review and approval by the Community Development Department to ensure there will be no spillage onto adjacent residential properties.
 - c. The plans shall reflect landscaping between the proposed building and the adjacent residential properties. Proposed landscaping shall comply with Condition No. 2.d of CUP No. 23-014.
2. The use shall comply with the following:
- a. There shall be no outdoor vehicle storage, vehicle parts, equipment or trailers other than vehicles incidental to the maintenance facility use.
 - b. All operations shall be conducted within the interior of the building. Outdoor operations shall be prohibited unless a plan amendment is approved by the City of Huntington Beach.
 - c. Hours of Operation shall be limited to 7:00 AM – 4:00 PM, daily, and shall adhere to Chapter 8.40, Noise Control, of the Huntington Beach Municipal Code including, but not limited to: Loud noises shall comply with Noise Control requirements such as make or allow to be made any noise which continues for more than a five-minute period between the hours of 10:00 p.m. and 7:00 a.m. if such noise is audible for 50 feet or more from the source of the noise and when within 200 feet of residences, load, unload, open, close or other handling of boxes, crates, containers, building materials, refuse handling or similar objects, between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to cause a noise disturbance across a noise-sensitive property line. This includes, but is not limited to, noise disturbances related to commercial delivery operations, vehicle idling, vehicle queuing, vehicle backup alarms, and vehicle refrigeration equipment. **(Municipal Code 8.40.112)**
 - d. The landscaping along the western side of the proposed building shall be maintained regularly to ensure there will be no debris spillage onto adjacent properties and to serve as a landscaping buffer at all times. The landscaping shall be substantial and demonstrate a quantity and variation of plants and trees, of at least 36 in. box size, to properly serve as a visual buffer of the proposed maintenance building.
3. 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 submittal of building permits, zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments of Fire, Community Development, and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
5. The structure cannot be occupied and 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, except as provided for by the conditions of approval.
 - 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.
 - d. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Community Development Department for review and approval. **(HBZSO 232.04)**
6. New signage shall be reviewed under separate permits and applicable processing.
7. Prior to approval of building permits, submittal of an Address Assignment will be required for the new proposed building on site, along with the corresponding application processing fee as established on the fee schedule. **(City Specification No. 409)**
8. Conditional Use Permit No. 23-014 shall not become effective until the ten-calendar day appeal period has elapsed.
9. Conditional Use Permit No. 23-014 shall become null and void unless exercised within two (2) 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.
10. 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.
11. The Development Services Departments and divisions (Building, 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.