



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, SEPTEMBER 28, 2021

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 Vice Chair Perkins

P P P P P P
ROLL CALL: *Rodriguez, Acosta-Galvan, Perkins, Ray, Mandic, Scandura*

PUBLIC COMMENTS - None

PUBLIC HEARING ITEMS

21-644 GENERAL PLAN AMENDMENT (GPA) NO. 20-002, ZONING MAP AMENDMENT (ZMA) NO. 20-002, TENTATIVE TRACT MAP (TTM) NO. 19136, CONDITIONAL USE PERMIT (CUP) NO. 20-024, MITIGATED NEGATIVE DECLARATION (MND) NO. 20-002 (GISLER RESIDENTIAL)

REQUEST:

To amend the land use designation from Public-Semipublic (underlying Residential Low Density) (PS(RL)) to Residential Low Density (RL); to amend the zoning designation from Public-Semipublic (PS) to Residential Low Density; to subdivide a 13.9 gross acre site into a Planned Unit Development project with 85 single family residential numbered lots with reduced size and width and 15 lettered lots for private streets, open space, and landscaping; to allow retaining walls over 2 feet tall topped with a 6 foot tall wall/fence; to analyze the potential environmental impacts of the proposed project.

LOCATION:

21141 Strathmoor Lane (west side, south of Bluefield Drive)

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Recommend approval of Mitigated Negative Declaration No. 20-002 with findings (Attachment No. 1) and mitigation measures; and
- B) Recommend approval of General Plan Amendment No. 20-002 by approving draft City Council Resolution (Attachment No. 2) and Zoning Map Amendment No. 20-

002 with findings (Attachment No. 1) by approving draft City Council Ordinance (Attachment No. 3); and

- C) Approve Tentative Tract Map No. 19136 and Conditional Use Permit No. 20-024 with findings and suggested conditions of approval (Attachment No.1)

The Commission made the following disclosures:

- Commissioner Rodriguez visited the site, and spoke with Councilmembers Moser and Kalmick, residents, and the applicant.
- Commissioner Acosta-Galvan spoke with staff and the applicant.
- Vice-Chair Perkins visited the site, and spoke with Mayor Carr and the applicant.
- Chair Ray visited the site.
- Commissioner Scandura visited the site, voted on previous entitlements for the site, attended the Historic Resources Board meeting, and spoke with staff.
- Commissioner Mandic visited the site and spoke with residents and the applicant.

Ricky Ramos, Principal Planner, gave the staff presentation for the proposed project.

There was discussion on the following items: the common wall between the site and adjacent properties, affordable housing requirements, the concrete path on the property, the process for street naming, the differences between Planned Unit Development and small lot development, the potential sites for field light replacement, the process for the city to obtain former school site properties, potentially conditioning the use of the park funds associated with the project, and the impacts of SB9 and SB10 on the development.

THE PUBLIC HEARING WAS OPENED.

Derek Spalding and Marlo Mole, Brookfield Residential, spoke in support of Item No. 21-644, citing neighborhood compatibility, the decrease in traffic compared to the previous school use, the community outreach, and the proposed park improvements.

Jenny Delgado, Assistant Superintendent of HB City School District, spoke in support of Item No. 21-644, noting that proceeds from the property sale will be used to add improvements at Sowers School. She stated that AYSO brings a value to the community and the district will be working with Brookfield to develop lighting at another field.

Ann McCarthy, AYSO Region Commissioner for Region 56, spoke in opposition to Item No. 21-644, citing the impact of the loss of lighted field space and the loss of a large field space. She noted that the southeast area children will be severely impacted if the site is developed and alternate field space is not created.

Alan Gandall, resident and Central OC Area Director of AYSO, spoke in opposition to Item No. 21-644, due to the impacts with the loss of lighted fields and the loss of the full size field, as well as the loss of open space.

Pano Frousiakis, resident, spoke in opposition to Item No. 21-644, citing the loss of the open space and soccer fields.

Connor Medina, government affairs manager for the OC Business Council, spoke in support of Item No. 21-644, citing the crucial need for new housing for the Orange County workforce.

Paul Slavik, resident, spoke in opposition to Item No. 21-644, stating that the selling of school sites is a dereliction of duty and negatively impacts the community. He cited concerns that there is not adequate egress/ingress for the neighborhood and expressed concern about the potential traffic impacts.

Pam Bertsch, resident, spoke in support of Item No. 21-644, citing the current negative impacts of the vacant project site. She encouraged the stakeholders to work together to replace the fields.

Judi Reiner, resident, spoke in support of Item No. 21-644, citing the appropriate density of the proposed project.

Paul Bertsch, resident, spoke in support of Item No. 21-644, stating that the developer has been responsive and transparent with the community.

Brian Cleugh, resident, asked that the Planning Commission condition the replacement of the sports fields, not just the field lights.

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

There was discussion on the following items: ingress and egress from the neighborhood, the impacts to the youth sports community, the proposed community benefits, the placement of the field lights, and the need for additional housing.

There was a lengthy discussion regarding the agreement for field light replacement and the timeline for that to be resolved.

A MOTION WAS MADE BY MANDIC, SECONDED BY PERKINS, TO RECOMMEND APPROVAL OF MITIGATED NEGATIVE DECLARATION NO. 20-002 WITH FINDINGS AND RECOMMEND APPROVAL OF GENERAL PLAN AMENDMENT NO. 20-002 BY APPROVING DRAFT CITY COUNCIL RESOLUTION AND ZONING MAP AMENDMENT NO. 20-002 WITH FINDINGS BY APPROVING DRAFT CITY COUNCIL ORDINANCE AND APPROVE TENTATIVE TRACT MAP NO. 19136 AND CONDITIONAL USE PERMIT NO. 20-024 WITH FINDINGS AND MODIFIED CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES:	Rodriguez, Acosta-Galvan, Perkins, Mandic, Scandura
NOES:	Ray
ABSENT:	None
ABSTAIN:	None

MOTION APPROVED

FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 20-002:

1. Mitigated Negative Declaration No. 20-002 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 Mitigated Negative Declaration No. 20-002, General Plan Amendment No. 20-002, Zoning Map Amendment No. 20-002, Tentative Tract Map No. 19136, and Conditional Use Permit No. 20-024.
2. Mitigation measures, incorporated into the Mitigation, Monitoring, and Reporting Program avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. No significant impacts are anticipated with implementation of mitigation measures in the areas of biological resources, cultural resources, geology, noise, transportation, and tribal cultural resources.
3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated, will have a significant effect on the environment. Potential impacts from the project are reduced to less than significant through the project design, regulatory requirements, and mitigation measures.

FINDINGS FOR APPROVAL - ZONING MAP AMENDMENT NO. 20-002:

1. Zoning Map Amendment (ZMA) No. 20-002 to change the zoning on an approximately 13.9 gross acre parcel from PS (Public-Semipublic) to RL (Residential Low Density) is consistent with the goals and policies of the General Plan as identified below.

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 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-1B - Ensure new development supports the protection and maintenance of environmental and open spaces resources.

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.

Policy LU-2D - Maintain and protect residential neighborhoods by avoiding encroachment of incompatible land uses.

Policy LU-2E - Intensify the use and strengthen the role of public art, architecture, landscaping, site design, and development patterns to enhance the visual image of Huntington Beach.

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

Goal LU-6 - Neighborhood school sites adapt over time to meet the changing needs of the community.

The ZMA will implement the land use designation proposed with General Plan Amendment No. 20-002. It will enable redevelopment of the closed school site into a single-family residential development that is compatible with the character of the neighborhood and meets the changing needs of the community. The proposed residential plans include three architectural styles that are in keeping with the proportion, scale, and character of the neighborhood and consistent with the development standards in the HBZSO. The project provides enhanced landscaping areas along street side yards, street corners, and mid-block. The project will maintain open space resources by improving Gisler Park as a community benefit in association with the request for reduced lot size and width.

B. Housing Element

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

Policy 2.4 - Utilize surplus publicly owned land for residential use where appropriate and consistent with the City's General Plan.

Policy 3.4 - Explore collaborative partnerships with non-profit organizations, developers, the business community and governmental agencies in the provision of affordable housing.

Goal 4: Reduce potential governmental constraints to housing production and affordability.

The project is located on a surplus publicly owned land that is appropriate for residential use. The project is required to meet the City's affordable housing requirement equivalent to 10 percent of the proposed dwelling units. The project is proposed as a PUD, which allows for reduced lot size and width with the provision that the developer provides mutual community benefits for the enjoyment of the residents and the public. As such, flexibility with the development standards such as reduced lot size and width provides a mechanism to accommodate additional housing.

2. The ZMA would only change the land use designation of the subject property rather than a general land use provision and would not affect the uses authorized in and the standards prescribed for the proposed zoning district.
3. A community need is demonstrated for the change proposed because it will allow a surplus school site to be redeveloped into a residential development that is consistent with the character of the area and will add to the housing stock.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because the proposed zoning will implement the land use designation proposed

with General Plan Amendment No. 20-002 and is compatible with the surrounding neighborhood.

FINDINGS FOR APPROVAL - TENTATIVE MAP NO. 19136:

1. Tentative Tract Map (TTM) No. 19136 for the subdivision of an approximately 13.9 gross acre site into 85 single family residential numbered lots and 15 lettered lots for private streets, open space, and landscaping is consistent with the General Plan Land Use Element designation of Residential Low Density on the subject property, or any applicable specific plan, or other applicable provisions of this Code which permit the residential tract. The project is proposed as a Planned Unit Development (PUD) and includes residential lots with reduced size and width. The proposed residential lots average 4,952 square feet and 50 feet wide, in lieu of minimum 6,000 square feet and 60 feet wide required in the RL zone. The lot sizes range from 4,661 to 9,241 square feet with the most common lot size at 4,750 square feet (50 by 95 feet). Project density is 6.23 dwelling units per net acre, consistent with the proposed RL designation, which permits up to 7 units per acre. In accordance with Huntington Beach Zoning Subdivision Ordinance (HBZSO) Section 210.12 (Planned Unit Development Supplemental Standards and Provisions), the project is providing mutual community benefits for the new residents as well as the general public that exceed the minimum infrastructure improvements required for the project itself.
2. The site is physically suitable for the type and density of development because it is located in a residential neighborhood with similar residential development under the same Residential Low Density General Plan land use and zoning designations. The site's size, shape, and topography are conducive to the development of a new residential development that conforms to the General Plan, HBZSO, and other city requirements and is in keeping with the character of the surrounding neighborhood.
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 because the site has been previously developed as a school. The site does not contain any significant fish or wildlife habitat. Project design features, compliance with regulatory requirements, and mitigation measures will ensure that the subdivision will not cause serious health problems or substantial environmental damage.
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 streets, sidewalk, and utility easements to serve the new development. The existing pedestrian access shown as Lot B that was dedicated in fee to the City on Tract Map 6893 will no longer be needed for access to the school but will be retained by the City in the interim until vacated in the future.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 20-024:

1. Conditional Use Permit No. 20-024 for the establishment and maintenance of retaining walls over 2 feet tall topped with a 6 foot tall wall/fence along the western corners of the project site on 4 lots (Lots 14, 15, 25, and L) adjacent to Gisler Park and a couple of existing residences and 1 location on the northeast corner of the development along the side of Lot 78 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 they are found on only about 5 lots and will be screened by common area landscaping or Gisler Park to soften their appearance. The tallest retaining wall is 4.4 feet topped with a 6-

foot wall and located on the northwest corner of the project site behind 5 feet of common area landscaping that the applicant intends to convey to the abutting property owners. The proposed grading plan minimizes pad elevations and retaining walls as much as possible while still allowing the site to function and drain properly.

2. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Residential Low Density on the subject property. Retaining walls over 2 feet tall topped with a 6 foot tall wall/fence is a common occurrence with new subdivisions. In addition, it is consistent with the following goals and policies of the General Plan by enabling the redevelopment of the closed school site into a single-family residential development that conforms to the Residential Low Density General Plan designation, is compatible with the character of the neighborhood, and meets the changing needs of the community.

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 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.

Policy LU-2E - Intensify the use and strengthen the role of public art, architecture, landscaping, site design, and development patterns to enhance the visual image of Huntington Beach.

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

Goal LU-6 - Neighborhood school sites adapt over time to meet the changing needs of the community.

3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance because retaining walls over 2 feet tall topped with a 6 foot tall wall/fence are permitted with the approval of a conditional use permit.

CONDITIONS OF APPROVAL – TENTATIVE TRACT MAP NO. 19136:

1. The Tentative Tract Map No. 19136 received and dated July 14, 2021 shall be the approved layout.
2. The site plan, floor plans, elevations, landscaping plan, fencing plan, and colors/materials board received and dated July 14 and Aug. 27, 2021 shall be the conceptually approved design with the following modifications subject to the approval of planning staff **(DRB)**:
 - a. Revise the Plan 1C front and rear elevations to provide a more symmetrical roofline.

- b. Provide four-sided architecture by adding architectural features to the rear and side elevations including architectural trim on all windows, accent materials on the front elevations shall wrap around the side elevations more, and adding one more architectural feature to the rear elevations.
 - c. The Plan 2c covered front entry shall comply with the required 15-foot front setback **(HBZSO Section 210.06)**.
 - d. Revise porches to open concept with corner columns.
 - e. Provide rafter tails on Adobe Ranch architectural elevations.
3. The final map for Tentative Tract Map No. 19136 shall not be approved by the City Council until General Plan Amendment No. 20-002 and Zoning Map Amendment No. 20-002 are approved and in effect.
4. At least 90 days before City Council action on the final map, Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to the Community Development Department, Public Works Department, and the City Attorney's office for review and approval. The CC&Rs shall provide for maintenance, repair, and replacement by a Homeowner's Association (HOA) of all common area improvements, including but not limited to, on-site private streets and sidewalks, private storm drain system and appurtenances, including all pumps; landscaping and irrigation improvements; private sewer systems and appurtenances, including all pumps and lift stations; Best Management Practices (BMPs) as per the approved Water Quality Management Plan (WQMP).
5. The following conditions shall be completed prior to issuance of a grading permit:
- a. 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 1,000-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 **(CD)**.
 - b. Reconstruct the two (2) driveways on Strathmoor Lane serving the Gisler Park public parking lot per Standard Plan No. 209 **(PW)**.
 - c. Reconstruct the Gisler Park public parking lot with a minimum of new 2" asphalt grind and overlay per City standards and specifications **(PW)**.
 - d. Due to high groundwater conditions, the proposed storm drain system shall be constructed with water-tight joints to address inflow/infiltration into the pipe **(PW)**.
 - e. Reconstruct the entire width of Effingham Drive from Strathmoor Lane to Brookhurst Street with a minimum of new 2" asphalt grind and overlay per City standards and specifications **(PW)**.
 - f. Repair any existing public improvements in the surrounding neighborhood (Tract 5841, 6068, 6893) damaged by construction and/or hauling activities to the satisfaction of the City inspector **(PW)**.
6. Prior to submittal for building permits:

- a. Submit a street naming application to the Fire Department which shall include the name Gisler if feasible.
 - b. Submit three (3) copies of the site plan and the processing fee to the Community Development Department for addressing purposes after street name approval by the Fire Department.
 - c. Contact the United States Postal Service for approval of mailbox location(s).
 - d. The applicant shall obtain the necessary permits from the South Coast Air Quality Management District and submit a copy to Community Development Department.
 - e. 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.
 - f. Submit a copy of the revised plans pursuant to Condition No. 2 for review and approval and inclusion in the entitlement file to the Community Development Department.
7. The following shall be completed prior to issuance of building permits:
- a. The applicant's \$250,000 contribution for overhead lighting fixtures at a Huntington Beach City School District (HBCSD) property to provide lighted fields to be utilized by a non-profit group(s) providing recreational opportunities shall be deposited in an account by the Community Development Department to be retained until the HBCSD is ready to apply the money towards the field lighting project. If the money is not applied towards the field lighting project within two years of City Council approval of the project, the City shall have the right to use the money for another park and recreation community benefit at its sole discretion with priority given to southeast Huntington Beach (**Community Benefit**).
 - b. 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. 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.
9. The structure cannot be occupied, the final building permit cannot be approved, and utilities cannot be released for the first residential unit until the following have been completed:
- a. Compliance with all conditions of approval specified herein shall be accomplished and verified by the Community Development Department.
 - b. 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.
 - c. All Gisler Park improvements proposed as the project's community benefits in the project narrative dated August 27, 2021 and project entitlement plans dated July 14, and August 27, 2021 shall be permitted and constructed (**Community Benefit**).
10. Comply with all mitigation measures adopted for the project in conjunction with Mitigated Negative Declaration No. 20-002.
11. Upon the recordation of the final map, the completion of the project's new perimeter wall and no later than final building permit approval for the first residential unit (not model homes), the applicant will convey Lot O to the adjacent property owner located at 21122 Inferno Lane (APN: 149-313-01) and Lot N to the adjacent property owner located at 9562 Volante Drive (APN: 149-302-01). The applicant will deliver both lettered lots to the adjacent owners with the existing wall removed, side yard walls/fence extensions to the new perimeter wall, and provide landscaping in the 15 foot front yard areas within the conveyed lots adjacent to the public right-of-way. All work will be in coordination with the adjacent property owners and subject to review by Planning Division staff.
12. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).
13. The development services departments (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. Final map review and 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.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 20-024:

1. The conceptual grading plan, sections, community wall plan and elevations dated July 14, 2021 shall be the conceptually approved design with the following modifications subject to the approval of planning staff **(DRB)**:
 - a. Vinyl private yard fencing shall be 6 feet tall.
 - b. Add at least two design features (enhanced landscaping on city parking lot, pilasters, change in plane, raised planter, view fencing) to the tract wall segments along street side yards and facing the city parking lot in compliance with the Urban Design Guidelines (Chapter 2, Section C.10). The tract wall segments along Gisler Park and facing B Street shall incorporate pilasters at minimum every 100 feet.
2. Conditional Use Permit No. 20-024 shall not become effective until General Plan Amendment No. 20-002 and Zoning Map Amendment No. 20-002 are approved by City Council and in effect.
3. Prior to issuance of grading permits, block wall/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. Applicant shall coordinate with adjacent property owners and make reasonable attempts to construct one common property line wall. Evidence of communication between the parties shall be submitted. If coordination between property owners cannot be accomplished, the applicant shall construct the project walls located entirely within the subject property and with a two (2) inch maximum separation from the property line. The plans shall include some mechanism to close and secure any gaps between walls. 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. Plans shall depict any removal of walls on private residential property and construction of new common walls and sidewalls, and shall include approval by property owners of adjacent properties. The plans shall identify materials, seep holes and drainage.
4. The following shall be completed prior to submittal for 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. Submit a copy of the revised community wall plan and elevations pursuant to Condition No. 1 for review and approval and inclusion in the entitlement file to the Community Development Department.
5. Conditional Use Permit No. 20-024 shall become null and void unless exercised within two years of the date of the final approval of such extension of time as may be granted by the

Director pursuant to a written request submitted to the Community Development Department a minimum of 30 days prior to the expiration date.

6. The development services departments (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.
7. 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.

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

Jane James, Planning Manager, reported on recent and upcoming City Council meetings, and on items scheduled for upcoming Planning Commission meetings.

PLANNING COMMISSION ITEMS

Commissioners Acosta-Galvan, Rodriguez, and Mandic thanked staff for the detailed presentation for Item No. 21-644.

Commissioner Scandura reported on the recent Historic Resources Board.

ADJOURNMENT: Adjourned at 7:31 PM to the next regularly scheduled meeting of Tuesday, October 12, 2021.

APPROVED BY:

Jennifer Villaseñor, Acting Secretary

Alan Ray, Chairperson