

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Council Chambers - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, September 6, 2023 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Tess Nguyen, Madalyn Welch, Joanna Cortez, Michelle Romero

PUBLIC COMMENTS: **NONE**

ITEM 1: TENTATIVE PARCEL MAP NO. 23-115 (12TH STREET SUBDIVISION):

APPLICANT: Grant Keene, 28392 Airoso Street, Rancho Mission Viejo CA 92694
PROPERTY OWNER: Tripp Family Investments, LLC, 28392 Airoso Street, Rancho Mission Viejo CA 92694
REQUEST: To subdivide a 50 ft. wide lot into two, 2,875 sq. ft. parcels for residential purposes.
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Class 15, Section 15315 of the California Environmental Quality Act.
LOCATION: 506 12th Street, 92648 (east side of 12th Street, north of Pecan Avenue)
CITY CONTACT: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Staff received no public comments on this item.

Ricky Ramos, Zoning Administrator, had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

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

Mr. Ramos stated that he would approve the request as recommended by staff.

TENTATIVE PARCEL MAP NO. 23-115 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15315 of the CEQA Guidelines, because the project consists of the creation of four or fewer parcels in conformance with the General Plan and Zoning requirements.

FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 23-115:

1. Tentative Parcel Map No. 23-115 to subdivide a 50 ft. wide lot into two parcels (25 ft. wide and 2,875 sq. ft. each) for residential purposes is consistent with the General Plan Land Use Element designation of RMH (Residential Medium High Density) on the subject property in that the proposed subdivision complies with all applicable code provisions of the Subdivision Map Act and the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).
2. The site is physically suitable for the type and density of development because the proposed subdivision of a 50 ft. wide lot into two, 2,875 sq. ft. parcels for residential purposes will comply with applicable code provisions of the HBZSO, including minimum parcel size of 2,500 sq. ft. and width of 25 ft. as required by RMH-A (Residential Medium High Density – Small Lot Subdistrict) zoning district. The site is located in a residential area, is regular in shape, and has no unique topographical or other constraints for development.
3. The design of the subdivision of a 50 ft. wide lot into two, 2,875 sq. ft. parcels for residential purposes 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 subdivision is proposed on property currently zoned for residential development and located in an urbanized area. The subject parcel does not serve as habitat for fish or wildlife.
4. The design of the subdivision of a 50 ft. wide lot into two, 2,875 sq. ft. parcels for residential purposes or the type of improvements will not conflict with easements acquired by the public at large, for access through or use of, the property within the proposed subdivision unless alternative easements, for access or for use, will be provided. Vehicular access is along the rear property line abutting the alley. All required easements for alley widening will be required to be dedicated to the City.

CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO 23-115:

1. The Tentative Parcel Map No. 23-115 received and dated June 14, 2023 shall be the conceptually approved layout.
2. Prior to recordation of the final map, the applicant/developer shall comply with the following: Parkland dedication in-lieu fees (Quimby Fees) shall be paid to the Community Development Department.
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-ft. radius of the project site as noticed in 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. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.
5. The subdivision shall comply with all applicable requirements of the Municipal Code, Community Development Department, and Fire Department, as well as all applicable local, State and Federal Codes, Ordinances and standards, except as noted herein. **(City Charter, Article V)**
6. Tentative Parcel Map No. 23-115 shall become null and void unless exercised within two years of the date of final Zoning Administrator 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.
7. 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 maps and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed revisions shall be called out on the plan sets submitted for Final Map Review. The map shall not be finalized until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

ITEM 2: CONDITIONAL USE PERMIT NO. 22-036 (RALLY'S DRIVE-THRU):

APPLICANT:	Keith Bohr, 221 Main Street, Suite S, Huntington Beach, CA 92648
PROPERTY OWNER:	MacArthur Group LLC, 4040 MacArthur Blvd., Suite 250, Newport Beach, CA 92660
REQUEST:	To construct an approximately 1,064 sq. ft. fast food restaurant with 1,308 sq. ft. of outdoor dining and two drive-thru lanes on a vacant lot.
ENVIRONMENTAL	The request is covered by Categorical Exemption, Class 3,

STATUS: Section 15303 of the California Environmental Quality Act.
LOCATION: 4932 Edinger Avenue (southwest corner of Edinger Avenue and
Bolsa Chica Street)
CITY CONTACT: Madalyn Welch

Madalyn Welch, Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Staff has suggested a condition of approval to provide adequate onsite queuing in the drive-thru with a traffic study and referenced code policy PP-61. Staff received no public comments on this item.

Ricky Ramos, Zoning Administrator, had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Tristin Harris, property owner's representative, had no comments or concerns with staff's recommendations.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that he would approve the request as recommended by staff with the modification to condition 2C to incorporate the code requirement to clarify that the traffic study is confirming the adequacy of the drive-thru queuing.

CONDITIONAL USE PERMIT NO. 22-036 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project involves the construction of a new restaurant building not exceeding 2,500 sq. ft. in floor area in an urbanized area with all necessary public services and facilities.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 22-036:

1. Conditional Use Permit No. 22-036 to construct an approximately 1,064 sq. ft. fast food restaurant with 1,308 sq. ft. of outdoor dining and two drive-thru lanes on a vacant lot 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 proposed project is surrounded by other commercial uses to the east and south, the Seal Beach Naval Weapon Station and flood channel is located to the north, across the street from Edinger Avenue, and residential uses are located to the west of the subject site and are separated by a drive aisle. The proposed project will not significantly impact nearby sensitive land uses as the building is oriented north towards Edinger Avenue, away from the

nearest residential properties, approximately 38 ft. to the west. The outdoor dining areas will be located to the north and east of the building and to ensure compatibility with the surrounding neighborhood, the hours of operation for the use of the outdoor patio area are limited to 7:00 a.m. to 10:00 p.m. Impacts to circulation are not anticipated as adequate on-site parking spaces are provided as well as queuing for both drive-thru lanes. The drive-thru lane to the west will be used for pick-up for pre-orders only. New landscaping will be added throughout the site and along Edinger Avenue.

2. The granting of Conditional Use Permit No. 22-036 to construct an approximately 1,064 sq. ft. fast food restaurant with 1,308 sq. ft. of outdoor dining and two drive-thru lanes on a vacant lot will not adversely affect the General Plan because it is consistent with the Land Use Element designation of Commercial General (CG) on the subject property. In addition, it is consistent with the following objective goals and policies of the General Plan:

A. Land Use Element

- a. 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.
- b. 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.
- c. Policy LU-1 (D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.
- d. Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.
- e. Policy LU-11 (B): Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.
- f. Goal LU-12: Commercial and industrial corridors throughout the planning area are renovated and revitalized.

The proposed project will develop a vacant site with a new drive-thru restaurant that is consistent with the CG land use designation. The proposed project will enhance the economic vitality of the site and surrounding areas by providing new job opportunities and general sales tax revenue and by promoting infill development on a vacant site that is surrounded by development. The proposed project will also improve the aesthetic appearance of the site by converting a vacant property to a drive-thru restaurant that will exhibit a retro 1950's architectural style that will improve the character of the site along Edinger Avenue. There will be a 25-foot landscaping buffer area along Edinger Avenue to soften and improve the functionality of the site and the outdoor dining areas from the adjacent arterial.

3. The proposed conditional use permit to construct an approximately 1,064 sq. ft. fast food restaurant with 1,308 sq. ft. of outdoor dining and two drive-thru lanes on a vacant lot 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, street side setbacks, floor area ratio, minimum landscaping requirements, and parking. Additionally, the proposed development and use is permitted in the CG (Commercial General) zone, subject to conditional use permit approval, pursuant to Section 211.04 of the HBZSO – *CO, CG, and CV Districts: Land Use Controls*.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 22-036:

1. The site plan and floor plan received and dated July 25, 2023, shall be the conceptually approved design with the following modification: the westerly drive-aisle shall be updated to depict adequate on-site queuing distance to accommodate five vehicles before the pick-up window.
2. The use shall comply with the following:
 - a. The hours of operation for the outdoor patio shall be limited to 7:00 AM – 10:00 PM, daily.
 - b. The westerly drive-aisle shall be used for pick-up of pre-orders only.
 - c. Prior to any new drive-thru business occupying the site, a traffic study shall be submitted and approved by the Planning Division for considering the adequacy of the drive-thru lane.
 - d. The outdoor dining area shall not exceed 5 tables and 20 seats. Outdoor dining areas exceeding such threshold shall be subject to additional parking requirements.
(PP-61(R2))
3. At least 14 days prior to any grading activity, the applicant/develop 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 timelines 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 the following shall be completed:
 - a. One set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file to the Planning Division.
 - b. 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 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.

- c. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Community Development Department for review and approval.
5. 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.
6. Signage shall be reviewed and approved under a separate permit.
7. 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 5 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.
8. 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 Certificate of Occupancy must be approved by the Planning Division and issued by the Building Division.
9. CUP No. 22-036 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.
10. 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 or approval. The Director of Community Development may approval minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits.

Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

ITEM 3: TENTATIVE PARCEL MAP NO. 23-122/COASTAL DEVELOPMENT PERMIT NO. 23-006 (ALABAMA PALMS):

APPLICANT:	Thom Jacobs, 202 Alabama Street, Huntington Beach, CA 92648
PROPERTY OWNER:	Alabama Palms LLC, 1741 Torrance Blvd., Torrance, CA 90501
REQUEST:	To allow a one-lot subdivision of a 4,887 sq. ft. lot for two residential condominiums.
ENVIRONMENTAL STATUS:	This request is covered by Categorical Exemption, Class 15, Section 15315, of the California Environmental Quality Act.
LOCATION:	210 Alabama Street (north of Baltimore Street, east of Alabama Street)
CITY CONTACT:	Madalyn Welch

Madalyn Welch, Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Staff received one public comments on this item.

Ricky Ramos, Zoning Administrator, had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Thom Jacobs, applicant, had no comments or concerns with staff's recommendations.

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

Mr. Ramos stated that he would approve the request as recommended by staff.

TENTATIVE TRACT MAP NO. 23-122/COASTAL DEVELOPMENT PERMIT NO. 23-006 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS

AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15315 of the CEQA Guidelines because the project consists of a one-lot subdivision for condominium purposes of a property in an urbanized area zoned for residential into four or fewer parcels, in conformance with the General Plan and zoning, with no variances or exceptions required, and all services and access to the proposed parcels to local standards are available.

FINDINGS FOR APPROVAL – TENTATIVE PARCEL MAP NO. 23-122:

1. Tentative Parcel Map No. 23-122 to allow for a one-lot subdivision of a 4,887 sq. ft. lot for condominium purposes for two units is consistent with the General Plan land use designation of RMH (Residential Medium High Density) of the subject property in that it permits the proposed subdivision and residential use. The site is currently under construction for two new attached townhomes. This subdivision will allow for the conversion of these two units into marketable dwellings. This tentative parcel map is consistent with the General Plan, the RMH-A zoning district, as well as other applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).
2. The site is physically suitable for the type and density of development in that the site consists of one parcel of land, approximately 4,887 sq. ft., which was previously developed with a single-family residence, which was demolished to facilitate the construction of two attached townhome units. This project involves a one-lot subdivision for condominium purposes of the two units. The site will comply with maximum density requirements of the General Plan and the HBZSO.
3. The design of the one-lot subdivision of a 4,887 sq. ft. lot for condominiums purposes for two units and the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidable injure fish or wildlife of their habitat. The subdivision is proposed on a property currently zoned for residential development and located in an urbanized area. The subject parcel does not serve as habitat for fish or wildlife and is currently under construction of two attached townhome units. The proposed condominium map will comply with the General Plan and HBZSO.
4. The design of the one-lot subdivision of a 4,887 sq. ft. lot for condominiums purposes for two units and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of, the property within the proposed subdivision since no easements exist within the proposed subdivision. Vehicular access to the site would be along the north property line abutting the alley. Utility services will be provided for both proposed units.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 23-006:

1. Coastal Development Permit No. 23-006 for a one-lot subdivision of a 4,887 sq. ft. lot for condominium purposes for two units, conforms with the General Plan, including the Local Coastal Program because the project is consistent with the Coastal Element Land use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed project will occur entirely on a site developed with two townhome units, contiguous to properties developed with existing residential uses.
2. Coastal Development Permit No. 23-006 for a one-lot subdivision of a 4,887 sq. ft. lot for condominium purposes for two units is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code because the site is physically suitable for the proposed subdivision and the project will comply with all applicable development regulations, including minimum lot size, minimum lot width, maximum building height, minimum yard setbacks, lot coverage, and privacy design standards.
3. At the time of occupancy, the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program because Coastal Development Permit No. 23-006 for a one-lot subdivision of a 4,887 sq. ft. lot for condominium purposes for two units is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 23-006 for a one-lot subdivision of a 4,887 sq. ft. lot for condominium purposes for two units conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 23-122/COASTAL DEVELOPMENT PERMIT NO. 23-006:

1. Tentative Parcel Map No. 23-122 received and dated July 25, 2023 shall be the conceptually approved layout.
2. Prior to submittal of the final parcel map to the Public Works Department for processing and approval, the following shall be required:
 - a. CC&Rs shall be submitted to the Community Development Department and approved by the City Attorney. The CC&Rs shall identify the maintenance of all walls and common landscape areas by the Homeowners' Association. The CC&Rs must be in recordable form prior to recordation of the map. **(HBZSO Section 253.12.H)**
 - b. Final parcel map and CC&Rs review fees shall be paid, pursuant to the fee schedule adopted by resolution of the City Council. **(HBZSO Section 254.16)**
3. Prior to submittal of building permits, the following shall be completed: 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.

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. The subdivision shall comply with all applicable requirements of the Municipal Code, Community Development Department, and Fire Department, as well as all applicable local, State and Federal Codes, Ordinances and standards, except noted herein. **(City Charter, Article V)**
6. Tentative Parcel Map No. 23-122 in conjunction with Coastal Development Permit No. 23-006 shall become null and void unless exercised within two years of the date of final approval or within one year of the date of final Coastal Development Permit approval by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
7. 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 maps and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed revisions shall be called out on the plan sets submitted for Final Map Review. The map shall not be finalized 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.

THE MEETING WAS ADJOURNED AT 1:40 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, SEPTEMBER 20, 2023, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:mr