



AGENDA
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 – Lower Level - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, FEBRUARY 20, 2013, 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos
STAFF MEMBERS: Ethan Edwards, Judy Demers (recording secretary)
MINUTES: May 2, 2012
May 30, 2012
July 11, 2013
September 5, 2012
November 21, 2012

ORAL COMMUNICATION: Anyone wishing to speak on an item not on the agenda may do so. No action can be taken by the Zoning Administrator on items not on the agenda.

SCHEDULED ITEMS:

1. PETITION DOCUMENT: **CONDITIONAL USE PERMIT NO.. 12-034 (METRO PCS WIRELESS FACILITY)**

APPLICANT: Tanner Young, The Derma Group
 PROPERTY OWNER: Jason Gagnon, 18961 Gothard Street, Huntington Beach, CA 92647
 REQUEST: To permit the installation, maintenance, and operation of a 50 ft. high wireless communication facility designed as a pine tree (monopine) with six (6) 57.5" long x 10.6" wide x 5.2" deep panel antennas and three (3) two-foot diameter parabolic antennas, one (1) GPS antenna, and five (5) at grade equipment cabinets within an eight (8) foot high block wall enclosure.
 LOCATION: 18951 Gothard Street, 92647 (northwest corner of Garfield Avenue and Gothard Street)
 PROJECT PLANNER: Ethan Edwards
 STAFF RECOMMENDS: Approval based upon suggested findings and conditions of approval.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator is final unless an appeal is filed to the Planning Commission by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Nine Hundred Seventeen Dollars (\$1,917.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Two Thousand Five Hundred One Dollars (\$2,501.00) if the appeal is filed by any other party. The appeal shall be submitted to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action or ten (10) working days for a coastal development permit.

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Ethan Edwards, Associate Planner
DATE: February 20, 2013

SUBJECT: CONDITIONAL USE PERMIT NO. 12-034 (METRO PCS WIRELESS FACILITY)

LOCATION: 18951 Gothard Street, 92647 (northwest corner of Garfield Avenue and Gothard Street)

Applicant: Tanner Young, The Derma Group, 63 Via Vicini, Rancho Santa Margarita, CA 92688

Property Owner: Jason Gagnon, 18961 Gothard Street, Huntington Beach, CA 92647

Request: To permit the installation, maintenance, and operation of a 50 ft. high wireless communication facility designed as a pine tree (monopine) with six (6) 57.5" long x 10.6" wide x 5.2" deep panel antennas and three (3) two-foot diameter parabolic antennas, one (1) GPS antenna, and five (5) at grade equipment cabinets within an eight (8) foot high block wall enclosure..

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Zone: SP9 (Holly-Seacliff Specific Plan)

General Plan: I – F2 – d – sp (Industrial – 0.50 Max FAR – Design Overlay – Specific Plan)

Existing Use: Industrial

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED 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 – New construction or Conversion of Small Structures of the CEQA Guidelines, because the project consists of the installation of small new equipment and facilities.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 12-034:

1. Conditional Use Permit No. 12-034 for the installation, maintenance, and operation of a 50 ft. high wireless communication facility designed as a pine tree (monopine) with six (6) 57.5" long x 10.6" wide x 5.2" deep panel antennas and three (3) two-foot diameter parabolic antennas, one (1) GPS antenna, and five (5) at grade equipment cabinets within an eight (8) foot high block wall enclosure 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. The facility is located approximately 630 feet from the nearest residential use to the east; and the structure is located at the rear (northwest corner) of the parcel to help mitigate any visual impacts. Additionally, the antennas will be painted green to match the color of the pine needle branches and foliage (socks), blending the panel antennas into the design of the monopine tree. The facility will not generate noise, traffic, or demand for additional parking above that which already exists on the subject site. The associated equipment will be located within an approximately 600 sq. ft., 8 foot high block wall equipment enclosure.
2. The conditional use permit will be compatible with surrounding uses because the wireless communication facility will be designed as a pine tree (monopine). The 50 ft. high facility will be located at the rear of the existing parcel and behind industrial buildings which vary in height from 1 to 2-stories. The height of the monopine will not exceed the maximum height allowed in the zoning district. Associated equipment will not be visible from the street.
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 (HBZSO) including the provisions of HBZSO Section 230.96. New ground mounted wireless communication facilities are subject to approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Commercial General on the subject property. In addition, it is consistent with the following goal and policies of the General Plan:

A. Land Use Element

Goal LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Policy LU 2.1.1: Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

B. Utility Element

Policy U 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.

Policy U 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the

proposed stealth facility is designed as a pine tree (monopine). The location of associated equipment will be within an equipment enclosure behind the existing industrial buildings. As designed, the antennas will be painted green to match the color of the pine needle branches and foliage (socks), blending the panel antennas into the design of the monopine tree.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 12-034:

1. The site plan, floor plans, and elevations received and dated November 28, 2012 shall be the conceptually approved design.
2. Prior to submittal for building permits, the Zoning entitlement conditions of approval and code requirements identified in a separately transmitted memorandum from the Departments of Planning and Building, Fire 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, and mechanical) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. 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 conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building Department.
4. 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 Planning and Building 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.
5. CUP No. 12-034 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 Planning Department a minimum 30 days prior to the expiration date.
6. 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>).

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..