

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

**TO:** Zoning Administrator  
**FROM:** Ethan Edwards, Associate Planner  
**DATE:** April 17, 2013  
**SUBJECT:** **CONDITIONAL USE PERMIT NO. 13-002 (VERIZON WIRELESS FACILITY)**  
**LOCATION:** 21261 Brookhurst Street, 92646 (east side of Brookhurst Street, between Effingham Drive and Hamilton Avenue)

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**Applicant:** Yumi Kim, Core Development Services, 2749 Saturn Street, Brea, CA 92821  
**Property Owner:** Bryan Ryan, Edison Carrier Solutions, 4900 Rivergrade Road, Bldg. 2-B, 1<sup>st</sup> Floor, Irwindale, CA 91706  
**Request:** To permit the installation of wireless communication antennas mounted onto an existing 138 foot tall Southern California Edison (SCE) transmission tower at an overall height of 65 ft. in lieu of the maximum height of 45 feet permitted. The facility consists of the installation of twelve (12) panel antennas, and associated support equipment within a 244 sq. ft. 12-foot high enclosure constructed at grade directly beneath the transmission tower.  
**Environmental Status:** This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.  
**Zone:** OS – PR (Open Space – Parks and Recreation Subdistrict)  
**General Plan:** P (Public)  
**Existing Use:** SCE Tower

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**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 a small new equipment.

## **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 13-002:**

1. Conditional Use Permit No. 13-002 to permit the installation of wireless communication antennas mounted onto an existing 138 foot tall Southern California Edison (SCE) transmission tower at an overall height of 65 ft. in lieu of the maximum height of 45 feet permitted. The facility consists of the installation of twelve (12) panel antennas, and associated support equipment within a 244 sq. ft. 12-foot high enclosure constructed at grade directly beneath the transmission tower, 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 proposed facility will not generate noise, traffic, and demand for any additional parking or other impacts detrimental to surrounding property.
2. The conditional use permit will be compatible with surrounding uses because the proposed facility will be located on and adjacent to existing Southern California Edison transmission towers and an existing wireless facility is located approximately 30 feet from the proposed facility on another Southern California Edison tower within the existing Southern California Edison right-of-way. The design of the facility will have the antennas painted to match the color of the tower and the equipment shelter will be constructed in masonry with a tiled roof painted to match the adjacent equipment enclosure, which ensures compatibility of the proposed facility with surrounding uses. Because the facility is located within 300 feet of a residential district or zone the Design Review Board was required to review the design, and recommended approval of the facility design as proposed.
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. The proposed height of 65 feet in lieu of 45 feet, which is the same height as the adjacent wireless facility antennas, is permitted by 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 the P (Public) 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 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

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 project is consistent with the General Plan because the proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. The proposed location is approximately 80 ft. from the nearest sensitive land use. In addition, the proposed structure incorporates stealth techniques by painting the antenna the same as the tower.

### **SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 13-002:**

1. The site plan, floor plans, and elevations received and dated February 4, 2013 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. Any graffiti on the proposed wireless communication equipment enclosure shall be removed by the applicant within 72 hours of being notified. (**DRB**)
5. 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.
6. Conditional Use Permit No. 13-002 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 and Building Department a minimum 30 days prior to the expiration date.
7. 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/index.cfm?fuseaction=guidelines>).

**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.