

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, NOVEMBER 15, 2006 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Rami Talleh, Ron Santos, Jeanie Cutler (recording secretary), Cathy Salcedo

MINUTES: October 25, 2006 (continued from Nov 8, 2006)
November 1, 2006

APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 2006-014 (ORANGE COUNTY SANITATION DISTRICT DIGESTER REPLACEMENT)

APPLICANT/
PROPERTY OWNER: Orange County Sanitation District, P.O. Box 8127, Fountain Valley, CA 92728

REQUEST: **CDP:** To permit the construction of a new digester facility consisting of two tanks with an overall height of 32 ft., an electrical building with an overall height of 22 ft. and associated piping. The existing digester facility would be demolished to make room for the new structures.

LOCATION: 22212 Brookhurst Street (east side of Brookhurst Street, north of Pacific Coast Highway)

PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, displayed project plans and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary. Staff stated that one inquiry was made at the Zoning Counter with questions of a general nature and no comments or concerns were made. No other written or verbal comments were received in response to the public notification.

THE PUBLIC HEARING WAS OPENED.

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

COASTAL DEVELOPMENT PERMIT NO. 2006-014 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

FINDINGS FOR PROJECTS SUBJECT TO CEQA:

The Zoning Administrator finds that the project is covered by Final Subsequent Environmental Impact Report SCH No. 2003051054 and subject to compliance with all applicable mitigation measures.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2006-014:

1. Coastal Development Permit No. 2006-014 for the construction of a new digester facility consisting of two tanks with an overall height of 32 ft., an electrical building with an overall height of 22 ft. and associated piping, conforms with the General Plan, including the Local Coastal Program. Completion of the project will implement the Coastal Element goal of providing water sewer and drainage systems that are able to support permitted land uses and upgrading existing deficient systems.
2. The project is consistent with the requirements of the CZ Overlay District, the IL (Industrial Limited) base zoning district, as well as other applicable provisions of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Code. Major Utilities are conditionally permitted uses within the IL zoning district. The proposed project complies with applicable development standards including maximum building height and minimum building setbacks.
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. All necessary infrastructure, such as roadways and utilities currently exist to the serve the site. The proposed project will upgrade the wastewater treatment infrastructure to serve the needs of the community.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. No public access or recreational opportunities will be affected by the new construction.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2006-014:

1. The site plan, floor plans, and elevations received and dated August 9, 2006, shall be the conceptually approved design.
2. There shall be no parking of employee/worker vehicles on residential public streets. **(PW)**
3. No equipment or material storage will be allowed within the public right-of-way. **(PW)**
4. Any resident complaints about related contractor work shall be dealt with by OCSD (or affiliated General Contractor) and a copy of the written response shall be sent to the City Public Works Department. **(PW)**

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: TENTATIVE PARCEL MAP NO. 2005-304/CONDITIONAL USE PERMIT NO. 2006-010 (HOOD INDUSTRIAL BUILDING)

APPLICANT/
PROPERTY OWNER: Michael Ferrero – Hood Development Co., P.O. Box 2014, Los Alamitos, CA 90720
REQUEST: **TPM:** To permit a one-lot, two-unit, industrial condominium subdivision; **CUP:** To permit construction of an 11,290 sq. ft. (approx.), 31 ft. tall, industrial building
LOCATION: 5732 Engineer Drive (southwest corner of Engineer Drive and Pipeline Lane)
PROJECT PLANNER: Ron Santos

Ron Santos, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary. Staff stated that one telephone call was received with questions of a general nature, in response to the public notification, however, no concerns were stated.

Mary Beth Broeren, Zoning Administrator, confirmed with staff that the project was in Flood Zone X. Discussion ensued in relation to the truck loading/unloading requirements and the air space map which will be included with the CC&R's as part of the code requirement.

THE PUBLIC HEARING WAS OPENED.

Michael Ferrero, property owner, spoke in favor of the project and made himself available to answer questions.

Carl Heinz, previous property owner, questioned the parking provisions for employees. Staff confirmed 30 on-site parking spaces for employees and Mr. Ferrero advised he currently has 4 employees. Mr. Heinz stated his support of the project and had no further questions.

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

Mr. Ferrero confirmed that his company would be occupying the building and may take another tenant; however, the parking would be reciprocal.

TENTATIVE PARCEL MAP NO. 2005-304/CONDITIONAL USE PERMIT NO. 2006-010 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN 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 15332 – *In-fill Development Projects* of the CEQA Guidelines, which exempts projects meeting the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 2005-304:

1. Tentative Parcel Map No. 2005-304 to permit a one-lot, two-unit, industrial condominium subdivision is consistent with the General Plan Land Use Element designation of I-F2-d (Industrial –0.5 maximum floor area ratio – design overlay) on the subject property and other applicable provisions of this Huntington Beach Zoning & Subdivision Ordinance. The I-F2 General Plan designation and IL zoning designation provide for industrial development with a maximum building floor to land area ratio of 0.5. The proposed project complies with the permitted land use and development standards, including the maximum floor area ratio.
2. The site is physically suitable for the type and density of development. The project site has no significant topographic features, contains no wetlands, environmental hazards or other development constraints, is accessible from existing public streets, and is surrounded by compatible industrial land uses. The subject property can accommodate the proposed one lot subdivision and two unit industrial development project in conformance with all applicable land use and development standards including minimum lot size and lot width, and maximum development intensity (floor area ratio).
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. The project site is located is surrounded by existing industrial development, is not environmentally sensitive, contains no fish or wildlife habitat, and is not located within an earthquake fault zone, flood zone, hazardous waste site or other known environmental hazard area. Proposed improvements will be constructed in accordance with all applicable City building codes and engineering standards.

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. All necessary public easements will be dedicated in conjunction with the final parcel map. In addition, an existing, private shared driveway easement will be maintained.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-010:

1. Conditional Use Permit No. 2006-010 to permit construction of an 11,290 sq. ft. (approx.), 31 ft. tall, industrial building 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 project will not generate traffic, noise or other impacts at levels inconsistent with the industrial zoning and surrounding land uses. No residential or other sensitive land uses exist in proximity to the project site.
2. The conditional use permit will be compatible with surrounding uses because the proposed industrial project will be constructed on an industrially zoned site surrounded by industrial uses, in conformance with all applicable development standards. In addition, the project features quality design and architecture in accordance with the City of Huntington Beach Urban Design Guidelines.
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 project will comply with all other development standards, including requirements for minimum on-site parking, landscaping, building setbacks and maximum floor area ratio and building height.
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 I-F2-d (Industrial –0.5 maximum floor area ratio – design overlay) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Policy LU 12.1.4: Require that new and recycled industrial projects be designed and developed to achieve a high level of quality, distinctive character, and be compatible with existing uses.

Policy LU 12.1.5: Require that new and recycled industrial structures and sites be designed to convey visual interest and character and to be compatible with adjacent uses.

The proposed project is designed in conformance with the City's Urban Design Guidelines, including features such as screened loading areas, shared driveway access, separation of truck traffic and loading areas from main building entries, decorative site entry paving, and building façade and roof articulation.

CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 2005-304:

1. Tentative Parcel Map No. 2005-304, to permit a one-lot, two-unit, industrial condominium subdivision received and dated October 25, 2006, shall be the approved layout.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-010:

1. The site plan, floor plans, and elevations received and dated October 19, 2006 shall be the conceptually approved design with the following modification: The site plan shall accurately reflect the location and configuration of the existing building on the adjacent property to the south and the width of the driveway between the proposed trash enclosure and the existing building.

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 2:05 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, NOVEMBER 22, 2006 AT 1:30 PM.

Mary Beth Broeren
Zoning Administrator

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