City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Andrew Gonzales, Assistant Planner AG
DATE: May 27, 2008

SUBJECT: **APPEAL OF ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT NO. 2008-006 (HB MOTOR CARS ELECTRONIC READERBOARD POLE SIGN)**

LOCATION: 16401 Beach Blvd., 92647 (westside of Beach Blvd., north of Heil Ave.)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

The item is an appeal filed by Planning Commissioner Farley of the April 30, 2008, Zoning Administrator's approval of Conditional Use Permit (CUP) No. 08-007. The request is to permit the construction of a 25 ft. high, 115 sq. ft. electronic readerboard pole sign at an existing automobile dealership. The electronic readerboard sign will advertise the sale of onsite vehicles. It is conditioned to be located in an area in front of the main building along Beach Blvd. to screen the sign from nearby residences. The sign will be 150 ft. away from the nearest residential property. Furthermore, the sign is conditioned to provide a 2 in. deep metal blinder around the perimeter of the display screen to minimize potential glare onto adjacent properties. In addition, the sign will incorporate technology which will allow for manual control of illumination levels during the daytime and nighttime hours. The proposed electronic readerboard sign complies with the General Plan and with all requirements of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) including maximum sign height and sign area, minimum separation from residences, and maximum lighting intensity.

CURRENT LAND USE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CG-F2-a (Commercial General – 0.50 max. floor area ratio – Auto District Overlay)	CG (Commercial General)	Automobile dealership
North and South (across Alhambra and Glencoe Drives) of Subject Property	CG-F2-a	CG and RM (Residential Medium Density)	Commercial/ Multi-family Residential
West of Subject Property	CG-F2-a	RM (Residential Medium Density)	Multi-family Residential
East of Subject Property (across Beach Blvd.)	N/A (within the City of Westminster)	N/A	Commercial Shopping Center

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:	MANDATORY PROCESSING DATE(S):
March 13, 2008	May 13, 2008

Conditional Use Permit No. 08-006 was filed on February 12, 2008 and deemed complete on March 13, 2008. The Design Review Board recommended approval of the application on April 10, 2008. The Zoning Administrator acted on the application on April 23, 2008, in compliance with the mandatory processing timelines. An appeal was filed by Planning Commissioner Farley on April 30, 2008. The application is tentatively scheduled for public hearing before the Planning Commission on June 10, 2008.

CEQA ANALYSIS/REVIEW

The proposed project is Categorically Exempt, pursuant to Section 15311, Class 11 of the California Environmental Quality Act, because the project involves the construction of an on-premise freestanding sign that is accessory to the existing vehicle sales use.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Departments of Building & Safety, Fire, and Public Works have reviewed the application and identified comments and applicable code requirements provided in Attachment No. 4.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

On April 10, 2008, the Design Review Board (DRB) recommended approval of the electronic readerboard sign with modifications to the Zoning Administrator. The DRB discussed concerns with the location and design of the sign. The DRB recommended the following modifications:

- An architectural cap shall be provided on the top of the electronic readerboard sign.
- The sign's encasement shall be treated with colors and materials that match that of the main building.
- A metal blinder shall be provided around the perimeter of the electronic readerboard sign that projects a minimum of 2 inches beyond the face of the sign.
- The electronic readerboard sign shall be relocated further south subject to review and approval by the Design Review Board.

Commissioner Farley voted in opposition of the DRB's recommendation stating that the sign may be incompatible with the long term development plan of Beach Blvd. despite the suggested modifications and may lead to the proliferation of similar signage along this highway.

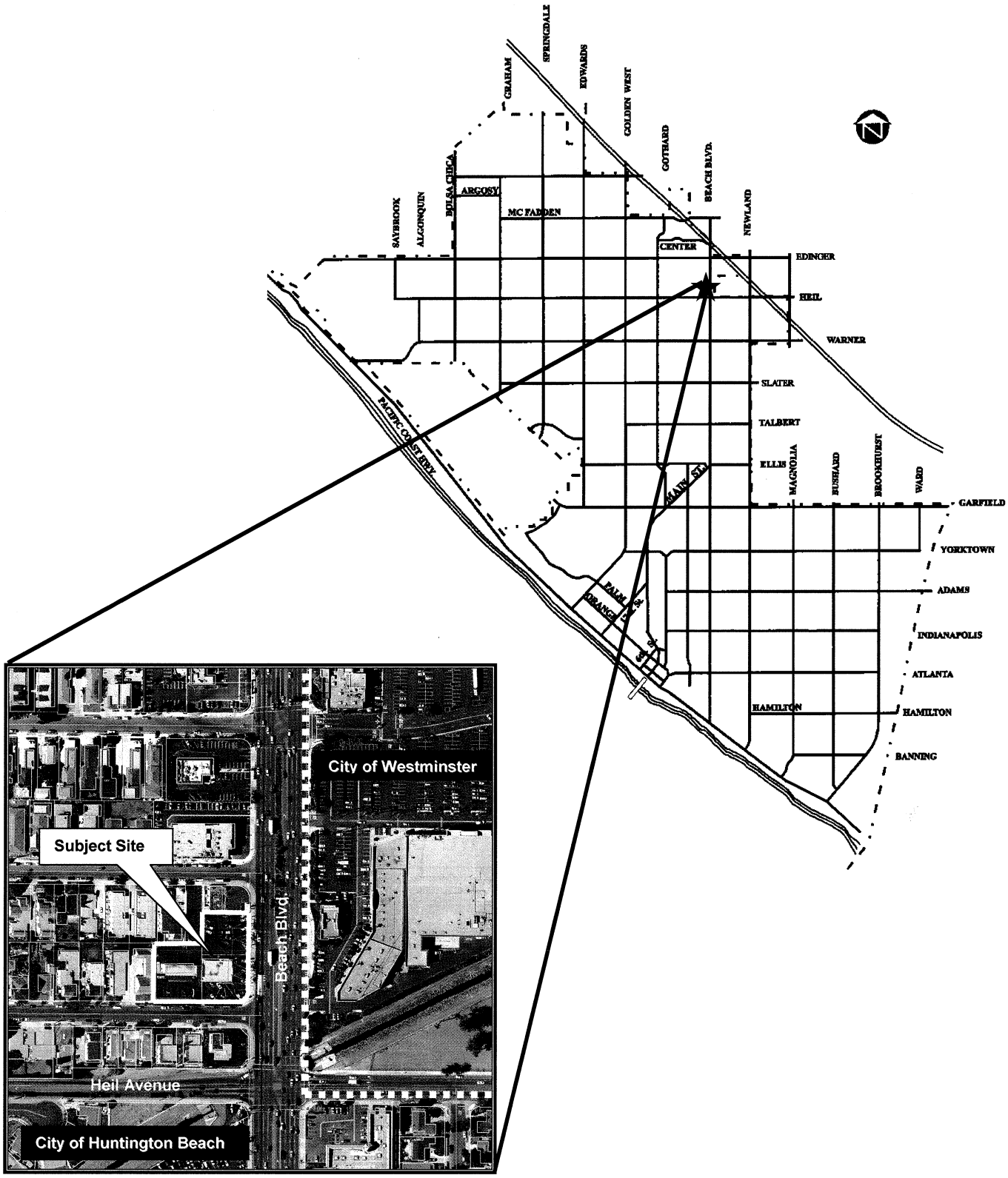
On April 23, 2008, the Zoning Administrator approved the electronic readerboard sign with the modifications recommended by the DRB. The applicant spoke in favor of the request and noted that the proposed electronic readerboard sign complies with all development standards of the base zoning district and is designed to compliment the surrounding buildings and area. No other interested parties were present at the public hearing meeting. The Zoning Administrator found that with the recommended conditions the proposed electronic readerboard pole sign is compatible with the neighborhood.

PLANNING ISSUES

The primary issue for the Planning Commission to consider are compatibility with other sign's in the vicinity, impacts to traffic circulation, conformance with HBZSO sign standards and criteria, and compatibility with surrounding uses.

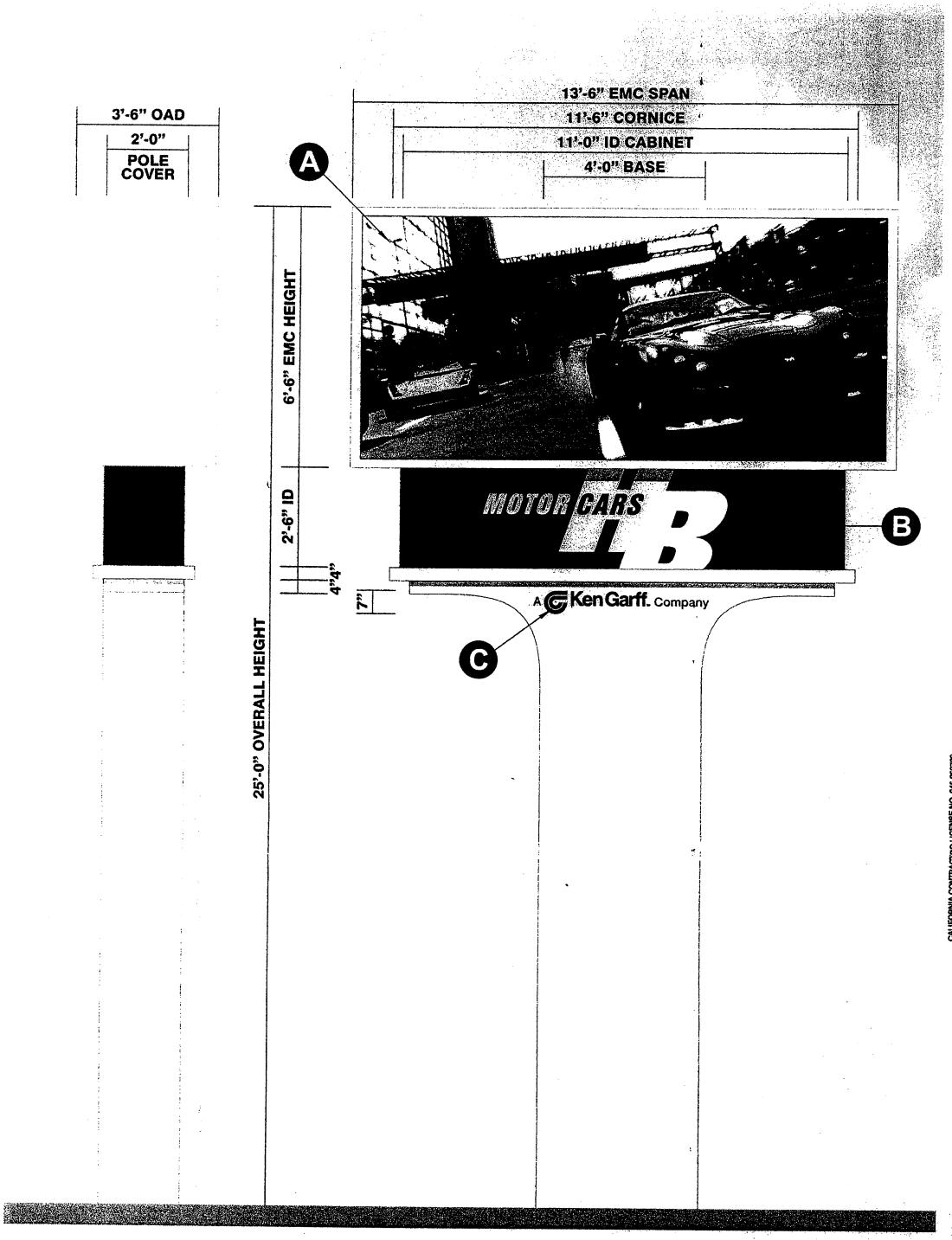
ATTACHMENTS:

1. Vicinity Map
2. Site plan, elevations, and photo simulations received and dated January 10, 2008
3. Design Review Board Notice of Action – DR No. 08-007 dated April 14, 2008
4. Zoning Administrator Notice of Action – CUP 08-006 dated April 24, 2008
5. Code Requirements Letter – CUP 08-006/ DR No. 08-007 dated April 7, 2008.
6. Planning Commissioner Farley appeal letter dated April 30, 2008



VICINITY MAP
CONDITIONAL USE PERMIT NO. 08-006
(HB MOTOR CARS ELECTRONIC READERBOARD SIGN – 16401 BEACH BLVD.)

ATTACHMENT NO. 1



MANUFACTURE & INSTALL ONE (1) D/F PYLON SIGN w/FULL-COLOR LED

Scale: 3/8" = 1'-0"

[A] D/F LED TO BE FULL-COLOR 20mm 88 X 192 MATRIX
LED CABINET RETAINER & RETURN TO BE BRUSHED ALUMINUM FINISH
[B] ID CABINET TO BE FULL-BLEED PANA-FLEX with BLACK & GREY VINYL OVERLAY
INTERNAL ILLUMINATION PROVIDED BY CWHO FLUORESCENT LAMPS
[C] KEN GARFF COPY TO BE VINYL OVERLAY
BLACK & RED VINYL COLORS

POLE COVER TO BE BRUSHED ALUMINUM FINISH

THE MAXIMUM SIGN AREA SHALL BE 115 SQUARE FEET; 90 SQUARE FEET FOR MESSAGE; AND 25 SQUARE FEET FOR OTHER INFORMATION.
THE MAXIMUM HEIGHT OF A FREESTANDING ELECTRONIC READERBOARD SIGN SHALL BE 25 FEET.
THE ELECTRONIC READERBOARD SHALL HAVE CYLINDERS, A SHADE SCREEN AND A PHOTOCELL FOR REDUCING THE INTENSITY OF LIGHTING AT NIGHT.
THE MAXIMUM MEASURABLE LIGHT OUTPUT OF THE ELECTRNOIC READERBOARD SHALL NOT EXCEED 50 FOOT-CANDLES AT ANY PROPERTY LINE.

ATTACHMENT NO. 2.1

PROD. APPROVAL	DATE	BY
CLIENT		
SALES		
DESIGN		
ESTIMATING		
ENGINEERING		
EXPEDITING		

DRAWINGS	DESIGN NO.	SHEET NO.	SCALE	DATE	BY
ORIG. DSG.		1 OF 2	NOTED	08/02/07	Tork
REVISIONS	R1		NOTED	09/26/07	Tork
	R2		NOTED	09/26/07	Tork
	R4		NOTED	10/23/07	Tork
			NOTED	11/06/07	Tork

CALIFORNIA CONTRACTOR LICENSE NO. 045 250729

FIRM NAME/LOCATION ADDRESS
HUNTINGTON BEACH MOTOR CARS
16401 Beach Blvd.
Huntington Beach, CA. 92647

SALESPERSON S. Record

07-8131.5
FILE DESIGN NUMBER

W.O. NUMBER

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

LOS ANGELES DIVISION
YOUNG ELECTRIC SIGN COMPANY
1443 So. Cucamonga Ave., Ontario, CA. 91761 (909) 923-7668
yesco® CALIFORNIA CONTRACTOR LICENSE NO. 045 250729

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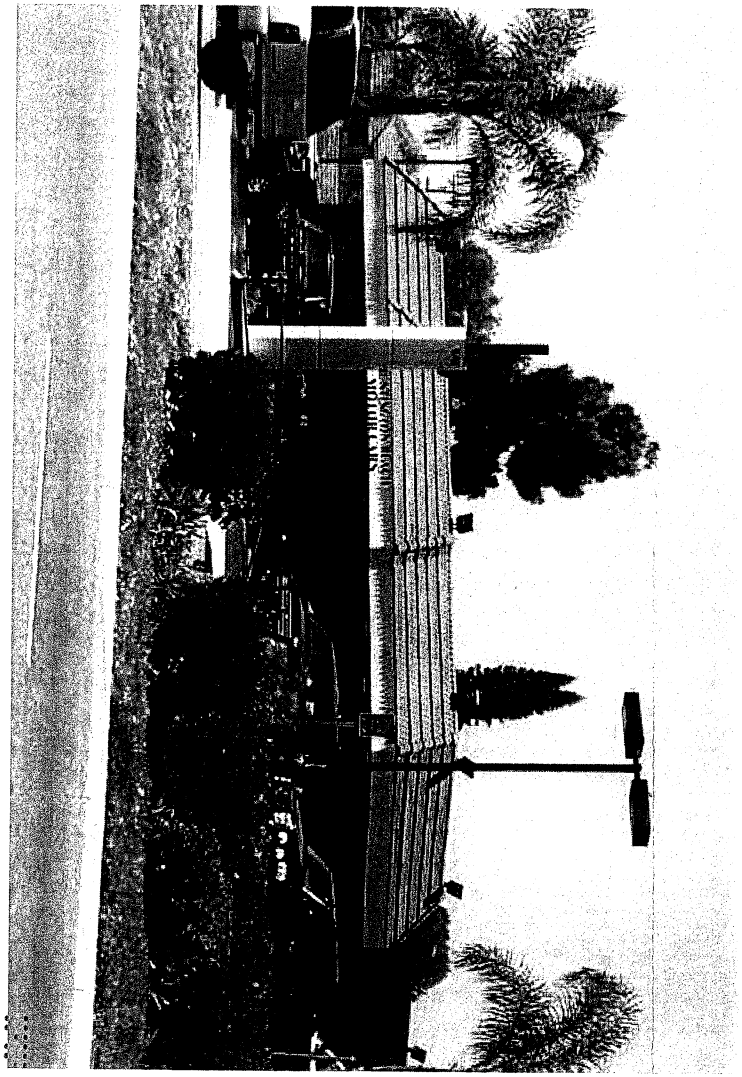

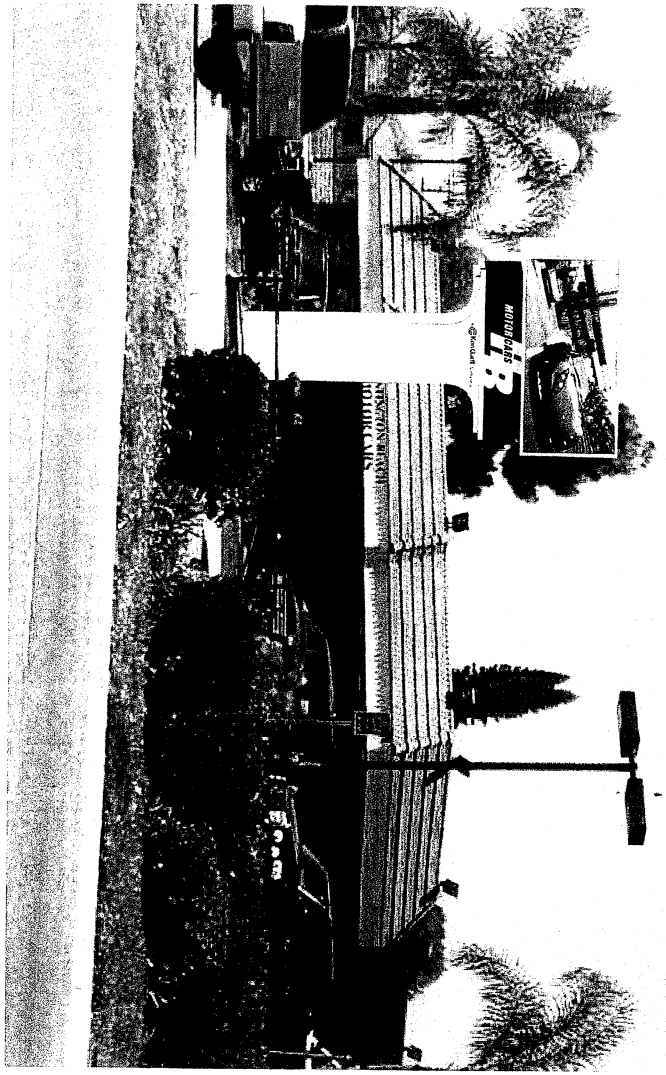

ATTACHMENT NO. 2.2

CALIFORNIA CONTRACTOR LICENSE NO. 045 250739

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN. COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION ONLY. THEY CAN NOT MATCH ACTUAL PAINTS BEING USED ON FINISHED PRODUCTS. ALL SALESPERSONS CAN REFERENCE MANUFACTURES COLOR CHARTS AT YOUR REQUEST. COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

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PROD. APPROVAL	DATE	BY
CLIENT		
SALES		
DESIGN		
ESTIMATING		
ENGINEERING		
EXPEDITING		

DRAWINGS	DESIGN NO.	SHEET NO.	SCALE	DATE	BY
ORIG. DES.		2 OF 2	NOTED	08/02/07	Tork
REVISIONS	R1		NOTED	09/26/07	Tork
	R2		NOTED	09/26/07	Tork
	R4		NOTED	10/23/07	Tork
			NOTED	11/06/07	Tork

FIRM NAME/LOCATION ADDRESS
HUNTINGTON BEACH MOTOR CARS
16401 Beach Blvd.
Huntington Beach, CA. 92647
SALESPERSON S. Record

07-8131.5
FILE DESIGN NUMBER

W.O. NUMBER

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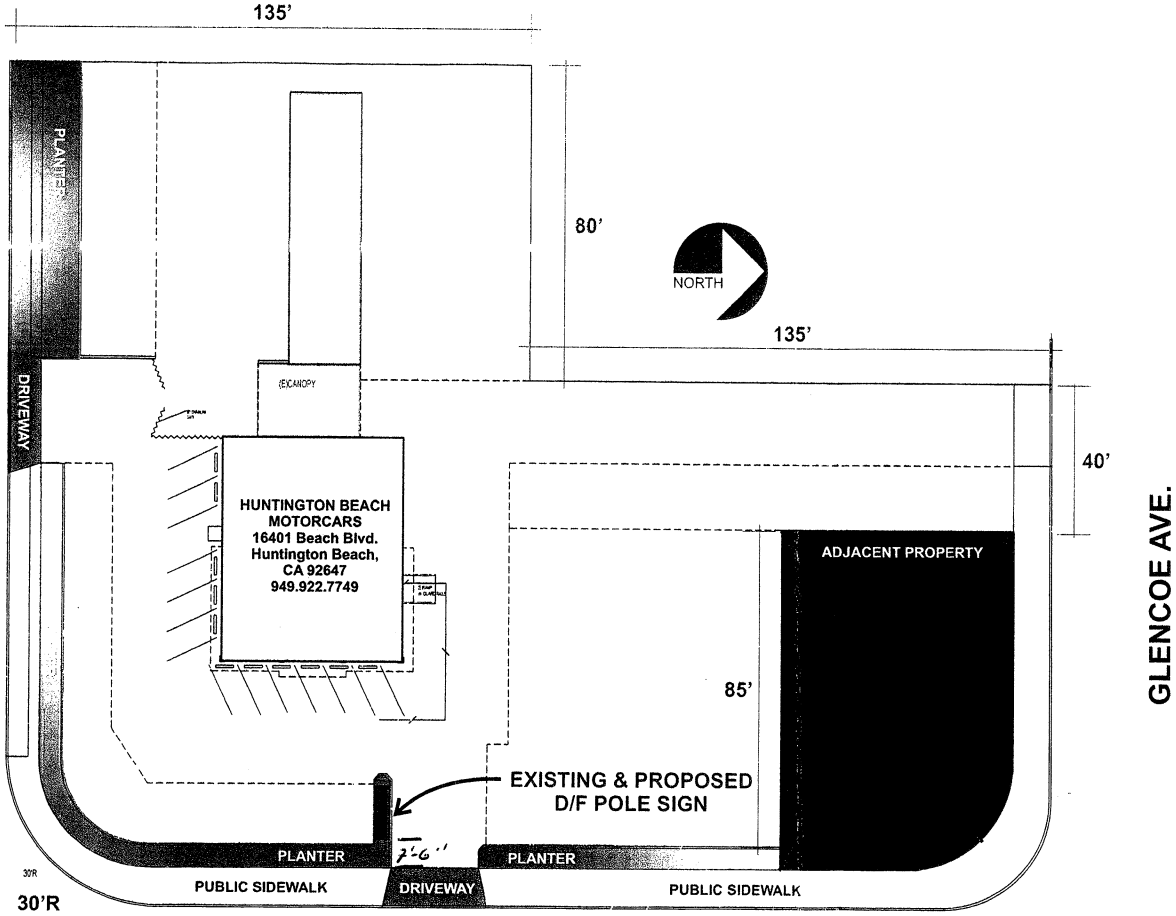

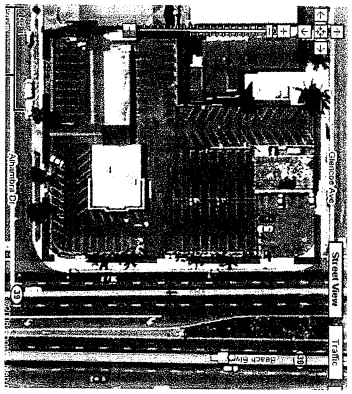

LEGAL DESCRIPTION

Tract 522 of Lot 17
Block B and Lots 18 through 20

CONTACTS

Owner: Howard L. Abel
16401 Beach Blvd.
Huntington Beach, CA 92647
949.922.7749

Applicant: Tony Shreve (YESCO)
1443 South Cucamonga ave.
Ontario, CA 91761
909.923.7668

SCALE: 1/32" = 1'

ATTACHMENT NO. 2.3

CALIFORNIA CONTRACTOR LICENSE NO. 045 250739

THE SIGNS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN. COLORS REPRESENTED IN THIS DRAWING ARE FOR PRESENTATION ONLY. THEY CAN NOT MATCH ACTUAL PAINTS BEING USED ON FINISHED PRODUCTS. ALL SALESPERSONS CAN REFERENCE MANUFACTURES COLOR CHARTS AT YOUR REQUEST. COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

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CLIENT		
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ORIG. DES.		OF 2	NOTED	08/02/07	Tork
REVISIONS	R1		NOTED	09/26/07	Tork
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FIRM NAME/LOCATION ADDRESS
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16401 Beach Blvd.
Huntington Beach, CA. 92647
SALESPERSON **S. Record**

07-8131.5
FILE DESIGN NUMBER

W.O. NUMBER

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

CITY OF HUNTINGTON BEACH

2000 MAIN STREET CALIFORNIA 92648

DESIGN REVIEW BOARD

Phone 536-5271
Fax 374-1540
374-1648

NOTICE OF ACTION

April 14, 2008

Tony Shreve
1443 S. Cucamonga Avenue
Ontario, CA 91761

APPLICATION: **DESIGN REVIEW NO. 2008-007 (HB MOTOR CARS ELECTRONIC READERBOARD POLE SIGN)**

APPLICANT: Tony Shreve

PROPERTY OWNER: Howard Label, 5 Rye Fontaine, Newport Beach, CA 92660

REQUEST: To review the design, colors and materials of a proposed 25 ft. high, 115 sq. ft. electronic readerboard pole sign for an existing automobile dealership.

LOCATION: 16401 Beach Boulevard, 92647 (northwest corner of Beach Blvd. and Alhambra St.)

DATE OF ACTION: April 10, 2008

The Design Review Board of the City of Huntington Beach took action on your application on April 10, 2008, and your application was recommended for **approval** to the Zoning Administrator. Attached to this letter are the recommended conditions of approval.

Please be advised that the Design Review Board reviews the conceptual plan as a basic request for entitlement and forwards a recommendation to the Zoning Administrator. The conceptual plan should not be construed as a precise plan, reflecting conformance to all Zoning and Subdivision Ordinance requirements. Please note that there may be additional requirements prior to commencement of the project.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Design Review Board is only a recommendation and is not appealable. The recommendation of the Design Review Board will be forwarded to the Zoning Administrator for consideration. You will be notified of the pending hearing date.

ATTACHMENT NO. 3.1

If you have any questions, please contact Andrew Gonzales, Assistant Planner at (714) 374-1547 or at agonzales@surfcity-hb.org.

Sincerely,

Ron Santos, Secretary
Design Review Board

RS:AG

ATTACHMENTS:

Recommended Conditions of Approval: DR No. 08-007

Cc: Howard Label (Property Owner)
Herb Fauland, Planning Manager
Project File

ATTACHMENT NO. 3.2

ATTACHMENT NO. 1

RECOMMENDED CONDITIONS OF APPROVAL - DESIGN REVIEW NO. 08-007:

1. The site plan and elevations received and dated January 10, 2008 shall be the conceptually approved design with the following modifications:
    a. An architectural cap shall be provided on the top of the electronic readerboard sign.
    b. The sign's encasement is to be treated with colors and materials that match the existing onsite buildings.
    c. Provide a lip/screen around the perimeter of the electronic readerboard sign which projects a minimum of 2 inches beyond the face of the sign.
    d. Screen the electronic readerboard sign from adjoining residences by relocating the sign behind existing onsite buildings.
2. Prior to plan check submittal the Design Review Board shall review and approve the final electronic readerboard design concept plans.

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 defense thereof.

OFFICE of the ZONING ADMINISTRATOR
CITY OF HUNTINGTON BEACH • CALIFORNIA

P.O. BOX 190 CALIFORNIA 92648

(714) 536-5271

NOTICE OF ACTION

April 24, 2008

Shawn Record
5405 N. Industrial Parkway
San Bernardino, CA 92407

SUBJECT: **CONDITIONAL USE PERMIT NO. 2008-006 (HB MOTOR CARS ELECTRONIC READERBOARD POLE SIGN)**

APPLICANT: Shawn Record

REQUEST: To permit the construction of an electronic readerboard pole sign.

PROPERTY OWNER: Howard Label, 5 Rye Fontaine, Newport Beach, Huntington Beach, CA 92660

LOCATION: 16401 Beach Boulevard, 92647 (westside of Beach Blvd., north Heil Ave.)

PROJECT PLANNER: Andrew Gonzales

DATE OF ACTION: April 23, 2008

On Wednesday, April 23, 2008, the Huntington Beach Zoning Administrator took action on your application, and your application was **conditionally approved**. Attached to this letter are the findings and conditions of approval.

Please be advised that the Zoning Administrator reviews the conceptual plan as a basic request for entitlement of the use applied for and there may be additional requirements prior to commencement of the project. It is recommended that you immediately pursue completion of the conditions of approval and address all requirements of the Huntington Beach Zoning and Subdivision Ordinance in order to expedite the processing/completion of your total application. The conceptual plan should not be construed as a precise plan, reflecting conformance to all Zoning and Subdivision Ordinance requirements.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator becomes final at the expiration of the appeal period. A person desiring to appeal the decision shall file a written notice of appeal to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action. The notice of appeal shall include the name and address of the appellant, the decision being appealed, and the grounds for the appeal.

ATTACHMENT NO. 4.1

Said appeal must be accompanied by a filing fee of One Thousand Five Hundred Sixty-Nine Dollars ($1569.00). In your case, the last day for filing an appeal and paying the filing fee is May 5, 2008.

Provisions of the Huntington Beach Zoning and Subdivision Ordinance are such that any application becomes null and void one (1) year after final approval, unless actual construction has begun.

Excepting those actions commenced pursuant the California Environmental Quality Act, you are hereby notified that you have 90 days to protest the imposition of the fees described in this Notice of Action. If you fail to file a written protest regarding any of the fees contained in this Notice, you will be legally barred from later challenging such action pursuant to Government Code §66020.

If you have any questions regarding this Notice of Action letter or the processing of your application, please contact the project planner at Andrew Gonzales, (714) 374-1547/ AGonzales@surfcity-hb.org or the Planning Department Zoning Counter at (714) 536-5271.

Sincerely,

Mary Beth Broeren
Zoning Administrator

MBB:AG:pa

Attachment

c: Honorable Mayor and City Council
Chair and Planning Commission
Paul Emery, Interim City Administrator
Scott Hess, Director of Planning
William H. Reardon, Division Chief/Fire Marshal
Herb Fauland, Planning Manager
Terri Elliott, Principal Civil Engineer
Gerald Caraig, Permit-Plan Check Manager
Howard Label, Property Owner
Project File

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 2008-006

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 15311 of the CEQA Guidelines, because the project involves the construction of an on-premise freestanding sign that is accessory to the existing vehicle sales use.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-006:

1. Conditional Use Permit No. 2008-006 for the construction of an electronic readerboard pole sign 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 electronic readerboard sign will be located more than 150 ft. from adjacent residences and is conditioned to be relocated to an area in front of the main building to block visibility of the sign from nearby residences. Furthermore, the sign is conditioned to provide a 2" deep metal blinder around the display screen to minimize impacts from glare onto adjacent properties. The proposed sign will not impact vehicular and pedestrian traffic on Beach Blvd. and Alhambra St. because the sign will not obstruct visibility at driveways and street intersections. In addition, the sign will incorporate technology which will allow for manual control of illumination levels during the daytime and nighttime hours.

2. The conditional use permit will be compatible with surrounding uses because the electronic readerboard sign will be similar to existing readerboard signs along Beach Blvd. The proposed signage will be consistent with existing vehicle dealership signage in terms of size, height, and location. The sign design will be brought up-to-date and consistent with similar signage in the surrounding area. To ensure compatibility with the site, the sign is conditioned to incorporate colors and materials found on the subject property.

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). The proposed electronic readerboard complies with the sign requirements in terms of maximum sign height, maximum sign area, and minimum separation distances to residences. The sign will be required to comply with the maximum lighting intensity of the HBZSO. Electronic readerboard signs are allowed with 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 CG-F2-a (Commercial General – 0.50 max. floor area – Auto District Overlay) on the subject property. In addition it is consistent with the following goals and policies of the General Plan:

LU 15.4.5: Require that the site and structures of an automobile district be designed to convey a high quality character and be compatible with adjacent land uses, considering the following:

d. Incorporation of well-designed and unified signage, including temporary signs pennants, and balloons.

UD 1.1: Identify and reinforce a distinctive architectural and environmental image for each district in Huntington Beach.

ED 3: Upgrade and modernize high-activity nodes and districts.

The construction of an electronic readerboard pole sign will improve the architectural quality of the current sign by integrating and architectural components of the site's buildings to provide a distinct but consistent visual character in the area. The electronic readerboard provides an opportunity to upgrade and modernize the look and technology of the existing sign. The project enhances signage opportunities and economic development potential by increasing visibility of the automobile sales business to Beach Blvd.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2008-006:

1. The site plan and sign elevations received and dated January 10, 2008 shall be the conceptually approved design with the following modifications:
    a. An architectural cap shall be provided on the top of the electronic readerboard sign.
    b. The sign's encasement shall be treated with colors and materials that match that of the main building.
    c. A metal blinder shall be provided around the perimeter of the electronic readerboard sign that projects a minimum of 2 inches beyond the face of the sign.
    d. The electronic readerboard sign shall be relocated further south subject to review and approval by the Design Review Board.

2. Prior to submittal for building permits:
    a. The Design Review Board shall review and approve the final electronic readerboard design concept plans.
    b. The applicant shall notify Caltrans and provide written verification to the Planning Department that no issues exist with the electronic readerboard sign.

3. During demolition, grading, site development, and/or construction, the following shall be adhered to: (**PW**)
    a. All existing onsite (and offsite) palm trees shall be protected in place.
    b. No existing trees shall be damaged or removed.

4. 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.

City of Huntington Beach

2000 MAIN STREET CALIFORNIA 92648

DEPARTMENT OF PLANNING

Phone 536-5271
Fax 374-1540

April 7, 2008

Tony Shreve
1443 S. Cucamonga Avenue
Ontario, CA 91761

SUBJECT: CONDITIONAL USE PERMIT NO. 2008-006 AND DESIGN REVIEW NO. 2008-007 (HB MOTOR ELECTRONIC READERBOARD POLE SIGN) – 16401 BEACH BOULEVARD
PROJECT IMPLEMENTATION CODE REQUIREMENTS (REVISED)

Dear Applicant,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Zoning Administrator. Please note that if the design of your project or site conditions change, the list may also change.

The attached project implementation code requirements may be appealed to the Planning Commission as a matter separate from the associated entitlement(s) within ten calendar days of the approval of the project pursuant to the Huntington Beach Zoning and Subdivision Ordinance Section 248.24. The appeal fee is $494.00.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at agonzales@surfcity-hb.org or 714-374-1547 and/or the respective source department (contact person below).

Sincerely,

Andrew Gonzales
Assistant Planner

Enclosures: Planning Department requirements dated April 21, 2008

ATTACHMENT NO. 5.1

Public Works Department requirements dated March 6, 2008
Fire Department requirements dated March 5, 2008
Building Department requirements dated March 3, 2008

Cc: Steve Bogart, Public Works – 714-536-5431
Lee Caldwell, Fire Department – 714-536-5531
Edward Lee, Building and Safety Department – 714-374-1538
Herb Fauland, Planning Manager
Jason Kelley, Planning Department
Howard Label, 5 Rye Fontaine, Newport Beach, CA 92660
Project File

ATTACHMENT NO. 5.2

CITY OF HUNTINGTON BEACH
PLANNING DEPARTMENT
(REVISED)

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE:	APRIL 21, 2008
PROJECT NAME:	HB MOTOR ELECTRONIC READERBOARD SIGN
ENTITLEMENTS:	CONDITIONAL USE PERMIT NO. 2008-006; DESIGN REVIEW NO. 2008-007
PLANNING APPLICATION NO.:	2008-029
PROJECT LOCATION:	16401 BEACH BOULEVARD, HUNTINGTON BEACH
PROJECT PLANNER:	ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL:	(714) 536-1547/ AGONZALES@SURFCITY-HB.ORG
PROJECT DESCRIPTION:	**CUP:** TO PERMIT THE CONSTRUCTION OF A 115 SQ. FT., 25 FT. HIGH ELECTRONIC READERBOARD FOR AN EXISTING CAR DEALERSHIP; **DR:** TO REVIEW THE DESIGN, COLORS, AND MATERIALS ASSOCIATED WITH THE CONSTRUCTION OF AN ELECTRONIC READERBOARD SIGN.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated February 12, 2008. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Zoning Administrator in conjunction with the requested entitlement(s), if any, will also be provided should the project be approved. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CONDITIONAL USE PERMIT NO. 2008-006:

1. The site plan and elevations approved by the Zoning Administrator shall be the conceptually approved design with the following modifications:
   a. All plans shall depict the readerboard sign outside a triangular area formed by measuring ten ft. from the adjacent intersecting driveway and street.
   b. All plans shall depict the omission of "A Ken Grarff Company" from the sign's content.
   c. The site plan shall depict the electronic readerboard sign a minimum 150 ft. distance to any residence.
   d. The electronic readerboard sign shall include the street address with minimum six inch numerals at a minimum two ft. height above the adjacent grade.

ATTACHMENT NO. 5.3

2. Prior to submittal for building permits, the following shall be completed:
   a. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of 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, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

3. The use shall comply with the following:
   a. The electronic readerboard shall have cylinders, a shade screen and a photocell for reducing the intensity of lighting at night.
   b. The maximum measurable light output of the electronic readerboard shall not exceed 50 foot-candles at any property line.
   c. Where a site has an electronic readerboard, temporary banners, balloons, flags, etc. shall be permitted a maximum of 15 days per calendar year.
   d. Hours of operation: 6:30 AM to 10:30 PM. At least 10 percent of the message time, or any percentage deemed necessary by the City for emergency conditions, shall be used for public service announcements.
   e. Messages in an electronic readerboard shall be no faster than one message every four seconds, and the minimum interval between messages shall be at least one second. Continuous motion of messages is not permitted.
   f. Light intensity changes (other than between day and night uses) are not permitted.
   g. Off-premises signs, installed for the purpose of advertising a project, subject or business unrelated to the premises upon which the sign is located is prohibited.

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. Conditional Use Permit No. 2008-006 shall become null and void unless exercised within one year 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. The Zoning Administrator reserves the right to revoke Conditional Use Permit No. 2008-006 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.

7. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.

8. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays.

9. The applicant shall submit a check in the amount of $50.00 for the posting of the Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Zoning Administrator's approval of entitlements.

10. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Public Works for Code requirements. Substantial changes may require approval by the Zoning Administrator.

11. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs.

CITY OF HUNTINGTON BEACH
PUBLIC WORKS DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE:	MARCH 6, 2008
PROJECT NAME:	HB MOTOR ELECTRONIC READERBOARD SIGN
ENTITLEMENTS:	CONDITIONAL USE PERMIT NO. 2008-006; DESIGN REVIEW NO. 2008-007
PLANNING APPLICATION NO:	2008-0029
DATE OF PLANS:	FEBRUARY 12, 2008
PROJECT LOCATION:	16401 BEACH BOULEVARD, HUNTINGTON BEACH
PROJECT PLANNER:	ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL:	714-374-1547 / AGONZALES@SURFCITY-HB.ORG
PLAN REVIEWER:	STEVE BOGART, SENIOR CIVIL ENGINEER
TELEPHONE/E-MAIL:	714-536-5431 / SBOGART@SURFCITY-HB.ORG
PROJECT DESCRIPTION:	**CUP:** TO PERMIT THE CONSTRUCTION OF A 115 SQ. FT., 25 FT. HIGH ELECTRONIC READERBOARD FOR AN EXISTING CAR DEALERSHIP; **DR:** TO REVIEW THE DESIGN, COLORS, AND MATERIALS ASSOCIATED WITH THE CONSTRUCTION OF AN ELECTRONIC READERBOARD SIGN.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. An "Illumination Study" shall be submitted for approval by the Public Works Department prior to permit issuance. The "Illumination Study" should demonstrate that the proposed electronic reader board sign is in compliance with Section 21466.5 of the California Vehicle Code (CVC) which reads as follows:

ATTACHMENT NO. 5.6

21466.5. Light impairing driver vision.
No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway. A light source shall be considered vision impairing when its brilliance exceeds the values listed below.
The brightness reading of an objectionable light source shall be measured with a 1.5 degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.
The provisions of this section shall not apply to railroads as defined in Section 229 of the Public Utilities Code.

2. An Encroachment Permit shall be required for all work within CALTRANS' right-of-way.

CITY OF HUNTINGTON BEACH
FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE:	MARCH 5, 2008
PROJECT NAME:	HB MOTOR ELECTRONIC READERBOARD SIGN
ENTITLEMENTS:	CONDITIONAL USE PERMIT NO. 2008-006; DESIGN REVIEW NO. 2008-007
PLANNING APPLICATION NO.:	2008-0029
PROJECT LOCATION:	16401 BEACH BOULEVARD, HUNTINGTON BEACH
PLANNER:	ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL:	(714) 374-1547/ AGONZALES@SURFCITY-HB.ORG
PLAN REVIEWER-FIRE:	LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST
TELEPHONE/E-MAIL:	(714) 536-5531/ LCALDWELL@SURFCITY-HB.ORG
PROJECT DESCRIPTION:	**CUP:** TO PERMIT THE CONSTRUCTION OF A 115 SQ. FT., 25 FT. HIGH ELECTRONIC READERBOARD FOR AN EXISTING CAR DEALERSHIP; **DR:** TO REVIEW THE DESIGN, COLORS, AND MATERIALS ASSOCIATED WITH THE CONSTRUCTION OF AN ELECTRONIC READERBOARD SIGN.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated February 12, 2008. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

a. No requirements this section. **(FD)**

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

a. Fire/Emergency Access and Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety during Construction and Demolition. **(FD)**

b. Discovery of soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. **(FD)**

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office City Hall 2000 Main Street, 5th floor Huntington Beach, CA 92648 or through the City's website at **www.surfcity-hb.org**

ATTACHMENT NO. 5.3

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.

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ATTACHMENT NO. 5.9

CITY OF HUNTINGTON BEACH
BUILDING AND SAFETY DEPTARTMENT
PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE:	**03/03/2008**
PROJECT NAME:	HB Motor Electronic Reader-board Sign
ENTITLEMENTS:	Conditional Use Permit No. 2008-006: Design Review No. 2008-007: Planning Application No. 2008-029
PROJECT LOCATION:	16401 Beach Blvd., Huntington Beach
PROJECT PLANNER:	Andrew Gonzales, Assistant Planner
PLAN REVIEWER:	Edward S. Lee, Plan Checker II
TELEPHONE/E-MAIL:	(714) 374-1538 / elee@surtcity-hb.org
PROJECT DESCRIPTION:	**CUP:** To permit the construction of a 115 sq. ft., 25 ft. high electronic reader-board for an existing car dealership; **DR:** To review the design, colors and materials associated with the construction of an electronic reader-board sign

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated 02/12/08. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer. Compliance is required prior to building permit issuance and all applicable items must meet the Huntington Beach Municipal Code (HBMC) and the California Code of Regulations (CCR or Title 24).

II. CODE ISSUES:

GENERAL:

1. The codes in effect are: 2007California Building Code ('07CBC), 2007California Plumbing Code ('07CPC), 2007California Mechanical Code ('07CMC), 2007California Electrical Code ('07CEC) and 2007California Energy Efficiency Standards as adopted by the City where applicable.

2. A building permit shall be required for the proposed reader-board sign with structural calculation & details prepared by a California registered engineer.

ATTACHMENT NO. 5.10

with all development standards of the base zoning district and is designed to compliment the surrounding buildings and area. In addition, the applicant stated that the illumination of the sign would not adversely impact adjoining residences and vehicular/pedestrian traffic because illumination levels are controlled manually. No interested parties were present at the public hearing meeting.

The Zoning Administrator found that with the recommended conditions the proposed electronic readerboard pole sign will be compatible with the neighborhood. Therefore, the Zoning Administrator approved Conditional Use Permit No. 08-006 and Design Review No. 08-007 based on the suggested findings and conditions of approval.

PLANNING ISSUES

The primary issue for the Planning Commission to consider is whether or not approval of the CUP for the construction of the proposed electronic readerboard pole sign is compatible with the long term development plan of Beach Blvd. and complies with the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) requirements for electronic readerboard signs, and is consistent with the goals, objectives, and policies of the General Plan.

ATTACHMENTS:

1. Vicinity Map
2. Site plan, elevations, and photo simulations received and dated January 10, 2008
3. Design Review Board Notice of Action – DR No. 08-007 dated April 14, 2008
4. Zoning Administrator Notice of Action –CUP 08-006 dated April 24, 2008
5. Code Requirements Letter – CUP 08-006/ DR No. 08-007 dated April 7, 2008.
6. Planning Commissioner Farley appeal letter dated April 30, 2008

ATTACHMENT NO. 5.11

CITY OF HUNTINGTON BEACH
City Council Communication

City of Huntington Beach
APR 30 2008

TO: Scott Hess, Planning Commission Secretary

FROM: Blair Farley, Planning Commissioner BF & HF

DATE: April 30, 2008

SUBJECT: **APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT NO. 08-006 (HB MOTOR CARS ELECTRONIC READERBOARD POLE SIGN)**

I am hereby appealing the Zoning Administrator's April 28, 2008 approval of Conditional Use Permit No. 08-006. The request is to permit the construction of an electronic readerboard pole sign for an existing auto dealership located at 16401 Beach Boulevard (westside of Beach Blvd., north of Heil Ave.).

The basis of my appeal is that approval for the development of the proposed electronic readerboard may be incompatible with the long term development plan of Beach Boulevard. Additionally, the proposed signage may facilitate business/property owners to pursue similar signage along this highway. Taking into consideration that the City is pursuing changes to the development standards along Beach Boulevard, especially with signage, the implications associated with such development should require further review and consideration by the Planning Commission.

Pursuant to Section 248.18 of the HBZSO, the Planning Commission shall hear an appeal from the decision of the Zoning Administrator.

SH:HF:ag

Cc: Planning Commissioners
Paul Emery, Interim City Administrator
Herb Fauland, Planning Manager
Andrew Gonzales, Assistant Planner
Stephen Herman, Property Owner

(g:\Planning\Admltr08\0501AG1 (Farley Appeal)

ATTACHMENT NO. 6.1