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

WEDNESDAY, OCTOBER 20, 2010 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Hayden Beckman, Andrew Gonzales, Judy Demers (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 10-019 (CENTRAL LIBRARY SOLAR PV SYSTEM)

APPLICANT:	Sam Youneszadeh, SunEdison
PROPERTY OWNER:	City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648
REQUEST:	To permit the construction and operation of a proposed photovoltaic energy generation system consisting of solar panel array installations on top of new freestanding carport structures and three (3) new onsite electrical inverter enclosures
LOCATION:	7111 Talbert Avenue (northeast corner of Talbert Avenue and Goldenwest Street
PROJECT PLANNER:	Hayden Beckman

Hayden Beckman, Planning Aide, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Mr. Beckman stated that staff had not received any comments regarding the item

THE PUBLIC HEARING WAS OPENED.

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

Mr. Ramos stated that based on the information provided, he would approve the request as recommended by staff with minor changes to the order of the conditions of approval.

CONDITIONAL USE PERMIT NO. 10-019 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) WORKING DAYS.

ENVIRONMENTAL STATUS:

This project is covered by Mitigated Negative Declaration No. 10-006 which was approved by the Zoning Administrator on September 15, 2010.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 10-019:

1. Conditional Use Permit No. 10-019 to permit the construction and operation of a proposed photovoltaic energy generation system consisting of solar panel array installations on top of new freestanding carport structures and three new onsite electrical inverter enclosures 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 site is not anticipated to generate additional noise, traffic, parking, or other impacts detrimental to surrounding properties and inconsistent with the subject property's Open Space-Parks and Recreation zoning. The project site is located in Central Park East, surrounded by park areas to the north, east, and west, and the sports complex to the south. Residential uses, located approximately 1,000 ft. to the northwest of the site, are adequately buffered from the carport structures.

2. The conditional use permit will be compatible with surrounding uses because elements of the carport structures' and inverters' design are consistent with the colors and materials of the adjacent library building. The carports will be located within an existing parking lot and will not alter the primary use of this area.

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, including building height and setbacks. In addition, the project is conditioned to comply with all applicable landscaping requirements. Minor utilities are permitted in the OS-PR (Open Space-Parks and Recreation Subdistrict) zoning district 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 OS-P (Open Space-Park) on the subject property. In addition, it is consistent with the following policies of the General Plan:

   A. *Land Use Element*

   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).

   Policy LU 4.1.4: Encourage developers to incorporate mature and specimen trees and other significant vegetation, as defined by the City, that may exist on a site into the design of a development project for that site.

B. *Environmental Resources/Conservation Element*

Policy ERC 5.2.3: Require that the use of energy saving designs and materials be incorporated into the construction of all public buildings, while encouraging their use City-wide.

The project will be consistent with the policies listed above because it includes the installation of photovoltaic panels, which intends to save energy at the Central Library and support the energy needs of the City. The project has been designed to avoid impacting existing mature trees. As conditioned, additional protection measures are incorporated to ensure existing trees are replaced in the event that they are negatively impacted by the onsite improvements. In addition, all proposed carport structures comply with the development standards of the OS-PR zoning district.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 10-019:

1. The site plan and elevations received and dated October 5, 2010 shall be the conceptually approved design with the following modifications:

   a. Inverters #2 and #3 (within the parking lot areas) shall be constructed with stucco finish to match the existing Central Library Building colors and materials. (**DRB**)

   b. Inverter #1 (north side of the site) shall have climbing vegetation to screen the chain link fencing materials. (**DRB**)

   c. The design of the carport structure column pedestal shall match the existing walkway light post. (**DRB**)

   d. Depict vertical clearances on all carport structures to verify compliance with City Fire Department Standards. (**DRB**)

   e. Depict the number and location of all removed trees and the number and location of all replaced trees to comply with mitigation measures and Chapter 232 of the Huntington Beach Zoning and Subdivision Ordinance. (**DRB**)

2. Trimming, removing, or replacing on-site trees is subject to the review and approval of the Director of Public Works. (**DRB**)

3. All tree trimming shall be subject to the Tree Care Industry of America's ANSI-A 300 Tree Pruning Standards. (**DRB**)

4. Trees determined to exceed ANSI-A 300 standards shall be removed from their location and replaced with a 36" box tree at the required 2:1 ratio. (**DRB**)

5. Adherence to the tree trimming requirements shall be followed by an ISA Certified Arborist or a Certified Tree worker under the direct supervision of an ISA Certified Arborist. (**DRB**)

6. The plantings in the island areas that are nearest to the carport structures or under the carports shall be shrub forms. Selection of shrub forms shall be based upon the shrub's tolerance to full sun, partial shade, or full shade. (**DRB**)

7. The revised irrigation system shall meet the requirements of the Water Efficient Landscape Requirements, HBMC 14.52 and modified to work with the revised hydrozones created to accommodate the new shade patterns of the solar panels and carports. (**DRB**)

8. Prior to submittal for 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 and Building Department.

   b. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Department 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 and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

9. 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 10 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.

   f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.

10. The structure(s) cannot be occupied and the final building permit(s) cannot be approved, until the following has 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.

    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.

11. The project shall comply will all mitigation measures adopted in conjunction with Mitigated Negative Declaration No. 10-006.

12. The Director of Planning and Building ensures that all conditions of approval herein are complied with. The Director of Planning and Building shall be notified in writing of any changes to the conceptually approved plans. 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 Huntington Beach Zoning and Subdivision Ordinance.

13. 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.

14. Conditional Use Permit No. 10-019 shall become null and void unless exercised within two (2) 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 & Building Department a minimum 30 days prior to the expiration date.

15. 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

THE MEETING WAS ADJOURNED AT 1:39 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, NOVEMBER 3, 2010, AT 1:30 PM.

R Ramos

Ricky Ramos
Zoning Administrator

RR:jd