

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

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: August 1, 2012
SUBJECT: **SITE PLAN REVIEW NO. 12-05 (COASTAL FARMS PRODUCE STAND)**
LOCATION: 19401 Beach Boulevard, 92648 (west side of Beach Boulevard, north of Yorktown Avenue)

Applicant: Frank Patti, 218 Hudson Avenue, Placentia, CA 92870

Property

Owner: Victoria Lane, 637 Frankfort Avenue, Huntington Beach, CA 92648

Request: To permit the establishment and operation of a temporary seasonal goods and foods use on a vacant site. The proposed use will consist of the sale of fruits and vegetables on a yearly basis for a period of two years (2012-2014) between January 1st and September 30th.

Environmental Status: This request is covered by Categorical Exemption, Section 15304, Class 4, California Environmental Quality Act.

Zone: SP14 (Beach and Edinger Corridors Specific Plan – Neighborhood Parkway Segment)

General Plan: M-sp-d (Mixed Use – Specific Plan – Design Overlay)

Existing Use: Vacant

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 15304 of the CEQA Guidelines, because the project involves the minor temporary use of land having negligible or no permanent impacts on the environment.

SUGGESTED FINDINGS FOR APPROVAL – SITE PLAN REVIEW NO. 12-05:

1. The Project is consistent with the City's General Plan and all applicable requirements of the Municipal Code. The granting of the site plan review will not adversely affect the General Plan. It is consistent with the Land Use Element designation of M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay) on the subject property. In addition, it is consistent with the following goal, objective, and policy of the General Plan:

A. Land Use Element

Goal LU 7: Achieve a diversity of land uses that sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.

Objective LU 7.1: Accommodate the development of a balance of land uses that provides for the housing, commercial, employment, educational, cultural, and entertainment, and recreation needs of existing and future residents.

B. Economic Development Element

Policy ED 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

The temporary seasonal goods and foods use will provide a balance of land uses by establishing a commercial use on a temporary basis adjacent to nearby residential areas. The produce stand will provide an option for the purchase of fruits and vegetables within close proximity to the residents intended to be served by the project. Additionally, the produce stand intends to provide the community with nutritious and healthy eating options.

2. Site Plan Review No. 12-05 to permit the establishment of a temporary seasonal goods and foods use from January to September on a vacant site for a period of two years 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 temporary use will occur on a vacant site, surrounded by commercial uses to the north, south, and east. The seasonal goods and foods use will be located more than 215 feet from the nearest sensitive land uses (i.e. residential) to the west. The temporary use will not involve the construction of permanent structures. Parking for the use will be provided onsite, north of the produce stand. The project will not generate significant noise, odors, or other detrimental impacts to the surrounding area.
3. The project will not adversely affect the Circulation Plan of the Beach and Edinger Corridors Specific Plan (SP14). Since the proposed use is temporary in nature, frontage improvements are not required. Vehicular access to the site is provided by a driveway located to the north of the site. Pedestrian access is provided by a paved walkway located to the south of the site.
4. The proposed temporary seasonal goods and foods use will comply with the provisions of the SP14 development code as specified in the Neighborhood Parkway Segment. The proposed produce stand meets code requirements in terms of building height and setbacks. The proposed use is permitted within the Neighborhood Parkway Segment of the SP14 zoning district.

SUGGESTED CONDITIONS OF APPROVAL – SITE PLAN REVIEW NO. 12-05:

1. The site plan received and dated June 11, 2012, and elevations received and dated May 30, 2012, shall be the conceptually approved design.
2. Site Plan Review No. 12-05 shall be 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.
3. Site Plan Review No. 12-05 shall be valid for a period of two years (2012-2014). The applicant may apply for a two-year extension of the application after Site Plan Review No. 12-05 expires in 2014. The two-year extension shall be reviewed and approved by the Director of Planning and Building for compliance with the conditions of approval.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project property owner/developer 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 property owner/developer of any claim, action or proceeding and should cooperate fully in the defense thereof.