

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

**TO:** Zoning Administrator  
**FROM:** Lindsay Ortega, Project Planner  
**DATE:** November 7, 2018

**SUBJECT:       CONDITIONAL USE PERMIT NO. 18-033/ DESIGN REVIEW NO. 18-023  
(AT&T SCE TOWER WIRELESS COMMUNICATIONS FACILITY)**

**LOCATION:**       7978 Center Avenue, 92647 (southeast corner of Center Avenue and One Pacific Plaza)



**Applicant:**       Tyler Kent, Smartlink, 18401 Von Karman Avenue, Irvine, CA 92612

**Property Owner:**       Brian Ryan, Southern California Edison, 3 Innovation Way, Pomona, CA 91768

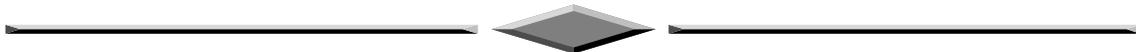
**Request:**        To permit a new unscreened wireless communications facility consisting of twelve (12) 6 ft. panel antennas, one (1) 2 ft. microwave, twelve (12) remote radio units, and three (3) DC surge suppressors at an overall height of 80 ft. on an existing utility tower.

**Environmental Status:**       This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

**General Plan:**       M-sp (Mixed Use – Specific Plan)

**Zone:**            SP 13 (Bella Terra Specific Plan)

**Existing Use:**       Southern California Edison Utility Tower



**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 15301 of the CEQA Guidelines, because the project involves the installation of antennas and associated equipment on an existing utility tower.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-033:**

1. Conditional Use Permit No. 18-033 for the establishment, maintenance and operation of a new unscreened wireless communications facility consisting of twelve (12) 6 ft. panel antennas, one (1) 2 ft. microwave, twelve (12) remote radio units, and three (3) DC surge suppressors at an overall height of 80 ft. on an existing utility 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 because no significant impacts related to traffic or safety will be generated by the wireless communication facility. The facility is unmanned and will be installed on an existing utility tower with associated equipment located within the CMU equipment enclosure.

2. The granting of the conditional use permit will not adversely affect the General Plan because it is consistent with the Land Use Element designation of M-sp (Mixed Use) 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-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

B. Public Services and Infrastructure Element

Goal PSI-10: Superior electricity, natural gas, telephone, and data services improve quality of life and support economic development.

Policy PSI-10 C.: Support the use of new and emerging communication technologies.

The conditional use permit will permit the installation of a wireless communication facility on an existing utility tower providing additional capacity to handle increased volume of wireless users in a dense area of the City. Therefore, the proposed facility will provide improved wireless data services to surrounding residences and businesses consistent with goals and policies of the City's General Plan Land Use Element and Public Services and Infrastructure Element.

3. Conditional Use Permit No. 18-033 for the establishment, maintenance and operation of a new unscreened wireless communications facility consisting of twelve (12) 6 ft. panel antennas, one (1) 2 ft. microwave, twelve (12) remote radio units, and three (3) DC surge suppressors at an overall height of 80 ft. on an existing utility tower 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 because utility-mounted wireless communication facilities are subject to approval of a conditional use permit. Furthermore, the proposed facility will comply with all applicable Building Codes, current federal and state laws, as well as standards and regulations of the Federal Communications Commission (FCC).

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 18-033:**

1. The site plan, floor plans, and elevations received and dated September 18, 2018 shall be the conceptually approved design.
2. CUP No. 2018-033 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 Department a minimum 30 days prior to the expiration date.
3. The Development Services Departments and divisions (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 Community Development 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.

**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.