

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

WEDNESDAY, MAY 2, 2012 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Tess Nguyen, Jill Arabe, Judy Demers (recording secretary)

MINUTES: November 2, 2011
December 7, 2012

APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 12-004 (NISSAN TEMPORARY VEHICLE STORAGE)

APPLICANT: Tony Kraatz, Ken Garff Automotive Group
PROPERTY OWNER: John Thomas, Mountainview Properties,
REQUEST: To permit a temporary parking lot for the storage of new cars on a 1.78-acre unimproved site secured with a 6 ft. high perimeter chain-link fence for a period of four-months in association with the remodel of the Nissan dealership.
LOCATION: 19070 Holly Street, 92648 (bounded by Holly Street, Main Street, and Garfield Avenue)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

THE PUBLIC HEARING WAS OPENED.

Ricky Ramos, Zoning Administrator, inquired with staff if the applicant had any comments or concerns with the staff recommendations. Ms. Nguyen noted that she emailed and left a phone message for the applicant and had not had a response..

THERE WERE NO 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.

CONDITIONAL USE PERMIT NO. 12-004 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) 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 15304 of the CEQA Guidelines. The temporary parking lot is proposed for a period of up to four months and will not alter the condition of land and will not involve the removal of healthy, mature scenic trees. No grading or excavation is proposed. Furthermore, there are no sensitive resources that will be removed or impacted.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 12-04:

1. Conditional Use Permit No. 12-04 for a temporary parking lot for the storage of new cars on a 1.78-acre unimproved site secured with a 6 ft. high perimeter chain-link fence for a period of four months in association with the remodel of the Nissan dealership 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. Main Street, Garfield Avenue, and Holly Lane bound the proposed temporary parking lot and provide an adequate buffer for the adjacent residential uses. The site will be accessed off of Holly Lane, a local street. Thus, vehicular traffic on Garfield Avenue and Main Street will not be obstructed by vehicles entering and exiting the site. The site will only be accessed during the hours of operation of the dealership, which are between 8:00 AM and 9:00 PM seven days a week. The proposed use will not generate noise, traffic, light or other impacts at levels inconsistent with the commercial zoning applicable to the subject property and surrounding residential areas.
2. The conditional use permit will be compatible with surrounding uses because the temporary parking lot is a short-term use on an undeveloped parcel of land where no physical alterations to the existing conditions of the site are proposed. Other similar parking facilities can be found on surrounding properties. The lot will be utilized for parking/storage purposes only. No truck deliveries, customer pick-up, or vehicular repair, sales, washing or other uses incompatible with the surrounding residential neighborhood are proposed.
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) and the Holly-Seacliff Specific Plan. The proposed temporary parking lot complies with the applicable development standards such as paving surface, boundary fencing, and aisle widths. The HBZSO permits the establishment of temporary parking lots with approval of a conditional use permit for a period of up to five years.
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 CN-F1 (Neighborhood Commercial – 0.35 maximum Floor Area Ratio) 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 10.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreational resources.

B. Economic Development Element

Policy ED 1.1.1: Maintain and expand economic and business development programs that encourage and stimulate business opportunities with the City.

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 proposed interim parking lot will facilitate the remodel of an existing car dealership located on Beach Boulevard by providing for a short-term storage area of vehicle inventory during construction. The proposed use will allow the car dealership to remain open to the public during construction.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 12-04:

1. The site plan received and dated February 28, 2012 shall be the conceptually approved design.
2. Only the uses described in the narrative received and dated February 28, 2012 shall be permitted, including the following:
 - a. The site shall only be accessed between the hours of 8:00 AM and 9:00 PM, seven days a week.
 - b. Primary access to the site shall be from Holly Lane only.
 - c. The site shall discontinue operation as a temporary parking lot four months from the commencement of this use.
 - d. No truck deliveries, customer pick-up, or vehicular repair, sales, washing or other uses shall be allowed.
3. The existing boundary fence shall be properly maintained and repaired when necessary.
4. The Director of Planning & Building may approve minor amendments or modifications to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required.

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: COASTAL DEVELOPMENT PERMIT NO. 12-002 (CITYWIDE RECEPTACLES)

APPLICANT: City of Huntington Beach, Economic Development
PROPERTY OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA, 92648
REQUEST: To permit the installation of approximately 50 receptacle housing bins for trash and recyclables located within City-owned property including beach parking lots, the pier and Pier Plaza, and along the blufftop and bike paths. The 4 ft. high and 8 sq. ft. receptacles will feature two 8 sq. ft. advertising panels (front and back) displaying sponsored messages promoting recycling and environmental stewardship. The CDP is part of a Citywide project for installing approximately 150 receptacles at locations which include Central Park, Sports Complex, select parks and community centers, bus stops, and sidewalks in the downtown area.
LOCATION: Citywide
PROJECT PLANNER: Jill Arabe

Jill Arabe, Assistant Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ms. Arabe stated that she had received two phone calls from residents opposing the project citing the negative visual impact as well as the proliferation of signage in the downtown area.

Ricky Ramos inquired of staff if the recommended site of the signage is a recommendation or a code requirement. Ms. Arabe stated that it is not a code requirement. She further explained staff's recommendation is to limit the amount of advertising and encourage public service announcements.

Mr. Ramos asked staff if the recommended size of the signage is based on the City's past practice. Ms. Arabe stated that staff recommendation is actually smaller than prior requests.

Mr. Ramos verified with staff that the required pedestrian pathways in the downtown area will not be impacted by the receptacles. Ms. Arabe verified that the receptacles will comply with the required pathway widths. She noted that the new receptacles will be replacing existing receptacles. Mr. Ramos inquired with staff if there were City-owned properties with other than bus stops, community centers and community parks where receptacles would be placed within the Coastal Zone. Ms. Arabe stated there are no other locations.

THE PUBLIC HEARING WAS OPENED.

Simone Slifman, applicant, stated that she had reviewed staff's recommendations and gave a brief overview of the project. Ms. Slifman asked the Zoning Administrator to consider increasing the signage size. She explained that the larger size would increase Economic Development Department opportunities to attract large name sponsors.

Gil Schauer, 1000 Pacific Coast Highway, spoke in opposition of the project. He cited concerns with visual pollution, the size of the receptacles, and the lack of a need for this type of program.

He noted that the beaches are very clean and the receptacles would contribute to visual pollution.

Ms. Slifman, explained that California mandates that cities implement a variety of recycling programs. The goal of this program is to encourage recycling by the City's residents as well as the many visitors to the City. She went on to note that many of the receptacles will be replacing existing receptacles. She noted that the advertisements on the receptacles are not intended to become billboards.

Mr. Schauer noted that he believes that the receptacles will become a visual nuisance.

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

Mr. Ramos noted that he will support the recommend size of the signs recommended by the Design Review Board. He also noted that based on the information provided, he would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 12-002 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.

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 15303 of the CEQA Guidelines, because the project involves the installation of small accessory structures (i.e. trash and recycling receptacles) city-wide.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-002:

1. Coastal Development Permit No. 12-02 for the installation of approximately 50 receptacles housing bins for trash and recyclables located within City-owned property conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following policies:

Policy – C-4.7.6: Ensure beaches and associated facilities are clean and litter free.

Policy – 4.1.2: Investigate the feasibility of providing trash and recycling receptacles along City streets in pedestrian oriented commercial areas (i.e., Downtown, Peter's Landing, Beach Boulevard nodes, etc.); design receptacles to be aesthetically compatible with the district in which they are located.

The proposed receptacles will be located next to existing trash containers. The structures are small in size and height and are not anticipated to impact coastal views. They will be located on paved areas and shall not encroach into walkways or impede traffic. As conditioned, the 8 sq. ft. advertising panels on each receptacle will be limited such that public service announcements shall occupy a minimum of 75% of the sign area.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of SP5 (Downtown Specific Plan), the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), and Municipal Code. The new receptacles will provide recycling opportunities for residents and visitors traversing within the vicinity. The receptacles shall not impede pedestrian walkways and coastal access.
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. The project consists of accessory structures that will not significantly change the physical environment or result in any impacts. The project is within previously developed sites in an urbanized area with all necessary services and infrastructure available.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The receptacles will be located on paved areas adjacent to pedestrian walkways. They will be located in conformance with accessibility requirements and will not impede public access to coastal resources. Advertisement on the panels will primarily promote recycling and environmental stewardship.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-02:

1. The narrative and exhibits received and dated March 7, 2012, shall be the conceptually approved design with the modification that each 8 sq. ft. advertising panel shall be limited to a minimum of 75% of the sign area for public service announcements and a maximum of 25% of the sign area for sponsorships or logos. **(DRB)**
2. The site plans received and dated April 4, 2012, shall be the conceptually approved locations for the receptacles with the modification that receptacles may also be located within other City-owned properties such as bus stops. **(DRB)**
3. The use shall comply with the following:
 - a. The receptacles shall not encroach into the required widths for pedestrian access, bike paths, and parking spaces.
 - b. All receptacles shall be maintained in a neat and clean manner.
4. The Director of Planning & Building may approve minor amendments or modifications to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required.
5. 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 2:06 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, MAY 16, 2012, AT 1:30 PM.



Ricky Ramos
Zoning Administrator

RR:jd

