

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

TO: Zoning Administrator
FROM: Jill Arabe, Associate Planner
DATE: June 17, 2015
SUBJECT: **CONDITIONAL USE PERMIT NO. 15-010 (GALITZEN PARKING CONTROLS):**
LOCATION: 315 3rd Street, 92648 (west side of 3rd St. between Olive Ave. and Orange Ave.)

Applicant: Aaron & Melissa Galitzen, PO Box 151, Huntington Beach, CA 92648

Property Owner: Don & Hanya Galitzen, PO Box 151, Huntington Beach, CA 92648

Request: To permit the establishment of parking controls with the use of a security and revenue control company to ensure parking for tenants and customers and the collection of fees for public parking opportunities. The parking control operation is requested on weekends (Friday through Sunday) between Memorial Day weekend and Labor Day weekend, during seven holidays, the SuperBowl/Surf City Marathon, and Surf City Nights (Tuesdays).

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

Zone: SP5-CZ (Downtown Specific Plan – Coastal Zone Overlay)

General Plan: M>30-d-sp-pd (Mixed Use > 30 du/ac – Design Overlay – Specific Plan Overlay – Pedestrian Overlay)

Existing Use: Commercial

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 consists of parking controls for an existing parking lot involving no expansion of the existing commercial uses.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 15-010:

1. Conditional Use Permit No. 15-010 for the establishment and operation of parking controls with the use of a security and revenue control company to ensure parking for tenants and the collection of fees for public parking opportunities 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 conditional use permit will improve parking capacity during peak parking conditions (i.e., holidays, summer weekends, Surf City nights) within the downtown area by allowing the public to park in onsite vacant spaces at a cost. Based upon the conditions imposed, the proposed use will also supply adequate surveillance for the property through the presence of onsite security and control unauthorized vehicles from occupying parking spaces necessary for the use of the tenants and customers.
2. The conditional use permit will be compatible with surrounding uses because it will help alleviate parking impacts during peak parking conditions by providing public parking opportunities onsite. Security at the entrance of the property during certain times of the year, as conditioned, will control the use of parking spaces and any potential activities in the parking lot.
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. The project will not result in major physical changes to the site. Onsite security will ensure proper usage of the parking lot during peak parking conditions by the tenants and the public.
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 M>30-d-sp-pd (Mixed Use – 30 du/acre – Design Overlay – Specific Plan Overlay – Pedestrian Overlay) on the subject property. In addition, it is consistent with the following objective and policies of the General Plan:
 - A. Circulation Element

Policy CE 6.2: Support and collaborate with property owners to manage the supply of parking.

Policy CE 6.3: Allow for shared parking and other creative parking arrangements that optimize available parking areas.
 - B. Coastal Element

Objective C 2.4: Balance the supply of parking with the demand for parking.

The conditional use permit will prevent the use of the parking lot from unauthorized vehicles and minimize towing occurrences. Additional public parking opportunities during peak times are beneficial to the downtown area because the demand for parking is high. Increasing the overall parking capacity will help meet the demand. Based upon conditions imposed, adequate parking will also be provided for tenants and respective customers to ensure proper usage of the parking lot.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 15-010:

1. The site plan received and dated April 14, 2015 shall be the conceptually approved design.
2. The use shall comply with the following:
 - a. Parking controls shall be limited to tenants, customers and public parking as described in the narrative received and dated April 14, 2015.
 - b. The use shall only operate between the hours of 5:00 a.m. and 11:00 p.m. on the following days annually:
 - A. Weekends (Friday – Sunday) between Memorial Day weekend and Labor Day weekend
 - B. Seven holidays – New Year’s Day, St. Patrick’s Day, Cinco de Mayo, 4th of July, Memorial Day, Labor Day, and Halloween
 - C. Superbowl / Surf City Marathon day
 - D. Surf City Nights (Tuesdays year round)
 - c. A security person and/or attendant shall be present during all days/hours of operation listed under Condition No. 2b. Security/attendant shall ensure that no vehicle queuing occurs within the public right-of-way.
 - d. Temporary signage (i.e., posted hours of operation, prices, etc.) during hours of operation may be permitted subject to review and approval by the Planning and Building Department.
 - e. A-frame signs shall not be permitted. **(HBZSO Section 233.10)**
 - f. The parking lot shall be maintained clear of trash and debris.
 - g. Temporary structures associated with the use shall be removed after the closing of each scheduled operation.
3. CUP No. 15-010 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 and Building Department a minimum 30 days prior to the expiration date.
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. The Director of Planning and Building shall be notified in writing if any changes to parking control operations are proposed as a result of the ongoing operation and oversight of the use.
6. Minor modifications to the plans and operations shall be reviewed and approved by the Department of Planning and Building 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.

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.