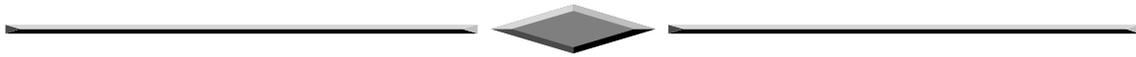


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Assistant Planner
DATE: November 17, 2010

SUBJECT: CONDITIONAL USE PERMIT NO. 10-025 (HB SPORTS COMPLEX SOLAR PV SYSTEM)

LOCATION: 18100 Goldenwest Street, 92647 (east side of Goldenwest Street, between Slater and Ellis Avenues – Central Park)



Applicant: Jai Agaram, Digital Energy, 128 Auburn Court, Suite #106, Westlake Village, CA 91362

Property Owner: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

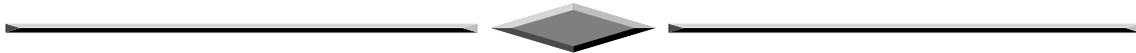
Request: To permit the construction and operation of a proposed photovoltaic energy generation system consisting of solar panel array installations on top of new freestanding carport structures and two (2) new onsite electrical inverter enclosures.

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

Zone: OS-PR (Open Space – Parks and Recreation)

General Plan: OS-P (Open Space – Park)

Existing Use: Huntington Beach Sports Complex



RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

ENVIRONMENTAL STATUS:

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

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 10-025:

1. Conditional Use Permit No. 10-025 for 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 installation of two (2) onsite electrical support equipment within a 10 ft. high block wall enclosure 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 project is located within Central Park, adjacent to the Central Library to the north and surrounded by playing fields and park areas to the south and east. The carport structures will be located over existing parking areas and will not result in the removal of any existing parking stalls and/or trees. Electrical support equipment will be located within two new 10 ft. high block wall enclosures, as conditioned, within a landscaped area between the Central Library and subject site. The carport structures will not impact onsite circulation or existing onsite recreational activities. Furthermore, 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.
2. The conditional use permit will be compatible with surrounding uses because elements of the project design are consistent with the colors and materials utilized at the existing site. The electrical inverters are proposed with decorative block walls consistent with the monument sign of the sports complex. 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 within 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 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).
 - 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 consists of the installation of photovoltaic panels, which intends to save energy at Central Park and support the energy needs of the City. The project has been designed to avoid removal of existing parking spaces and existing mature trees, including impacting existing onsite park activities. As conditioned additional protection measures are

incorporated to ensure existing trees are not negatively impacted and replaced in the event that they are affected by the onsite improvements. In addition, all proposed carport structures comply with the development standards of the OS-PR zoning district.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 10-025:

1. The site plans and elevations received and dated August 24, 2010, shall be the conceptually approved design with the following modifications:
 - a. The inverter enclosures shall be re-located to the northernmost landscaped area between the Central Library site and the subject site, including proposed plant shrubs around the enclosures. **(DRB)**
 - b. On Sheet PV3, the columns shall not be located within the required 9'x19' parking stalls, except as permitted along the side of each space only within three (3) feet of the head of each stall. **(DRB)**
 - c. On Sheet PV-S4.0, the inverter enclosures (size and design) shall be consistent with proposed drawings on Sheet G2. **(DRB)**
 - d. 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.
 - e. On Sheet PV3-S2.0, PV3-S2.1, and PV3-S2.3, provide the overall height of each carport structure. **(DRB)**
 - f. Depict the location of all solar-powered parking pay stations.
2. 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 Departments 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.
3. Trimming, removing, or replacing on-site trees is subject to the review and approval of the Director of Public Works. **(DRB)**
4. All tree trimming shall be subject to the Tree Care Industry of America's ANSI-A 300 Tree Pruning Standards. **(DRB)**
5. 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)**

6. 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)**
7. Any new plantings in the island areas that are nearest to the carport structures 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)**
8. 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)**
9. The applicant shall submit the electrical plans for the parking bay lighting to Public Works Department, Transportation Division for review and comments. **(PW)**
10. The project shall comply with all mitigation measures adopted in conjunction with Mitigated Negative Declaration No. 10-006.
11. Prior to issuance of building permits, a Site Improvement Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. The following shall be shown on the plan: **(PW)**
 - a. All existing water pipelines, services, fire hydrants, and all irrigation system shall be accurately shown on future plans, along with all proposed infrastructure such as solar panels, underground conduits, footings and foundations, in order to assure adequate horizontal separation from all existing water infrastructure for future water repair and water maintenance activities.
 - b. All proposed solar panels, beams, underground conduits shall maintain a minimum of 5 feet horizontal separation from the edge of the proposed facility to the edge of existing water pipelines, services, fire hydrants and all irrigation pipelines.
 - c. All proposed columns and structural foundations (i.e. Concrete pad) shall maintain a minimum of 10 feet horizontal separation from the edge of the proposed facility to the edge of existing water pipelines, services, and fire hydrants.
 - d. All proposed columns and structural foundations (i.e. Concrete pad) shall maintain a minimum of 5 feet horizontal separation from the edge of the proposed facility to the edge of all irrigation pipelines.
 - e. All existing landfill gas collection pipes, passive gas vents, and monitoring system shall be accurately shown on future plans, along with all proposed infrastructure such as solar panels, underground conduits, footings and foundations, in order to assure adequate horizontal separation from all existing landfill gas infrastructure for future repair and maintenance activities.
 - f. The approximate limit of trash dumped in this closed landfill site shall be shown on future plans, along with all proposed infrastructure such as solar panels, underground conduits, footings and foundations, in order to assure all proposed solar infrastructure will be located outside of the area where trash was dumped.

16. 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.
17. CUP No. 10-025 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.
18. 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/index.cfm?fuseaction=guidelines>).

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.