

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

TO: Zoning Administrator
FROM: Jennifer Villasenor, Senior Planner
DATE: January 15, 2014

SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 13-021 (BRIGHTWATER CONSTRUCTION TRAILERS)

LOCATION: 17202 Bolsa Chica, 92649 (southeast corner of Bolsa Chica Street and Los Patos Avenue)

Applicant: Ed Mountford, 27285 Las Ramblas, Suite 210, Mission Viejo, CA 92691

Property

Owner: Signal Landmark, 27285 Las Ramblas, Suite 210, Mission Viejo, CA 92691

Request: To permit three construction office trailers and several storage bins on the subject property during build-out of the adjacent Brightwater Residential Project. The trailers and storage bins would be relocated from the Brightwater Project site and are anticipated to be placed on the subject property until July, 2016.

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

Zone: RA – CZ (Residential Agriculture – Coastal Zone Overlay)

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

Existing Use: Undeveloped Site

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 consists of a minor temporary use of land having no permanent effects on the environment and does not involve the removal of existing healthy, mature trees.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-021:

1. Coastal Development Permit No. 13-021 for the placement of temporary construction trailers and storage bins on the subject site conforms to the General Plan, including the Local Coastal Program. The temporary use of the site as a construction staging area would not conflict with the General Plan Land Use Element or Coastal Land Use Plan as no permanent development is proposed. In addition, consistent with General Plan and Local Coastal Program policies, existing requirements regulating erosion, sediment from construction vehicles and construction hours would ensure that sensitive resources in the surrounding area would not be adversely affected by the temporary use of the site.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project includes temporary use of the property as a staging area for an adjacent residential development project. No grading, permanent structures, or permanent uses are proposed for the site that would conflict with the requirements of the Coastal Zone Overlay and base zoning district. The project will require an erosion control plan and building permits to ensure compliance with applicable provisions of the Municipal Code
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 temporary use of the site does not require new infrastructure. Electrical power will be provided to the site via a temporary power pole. No other infrastructure would be necessary.
4. The development conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act. The temporary use of the project site does not impede existing coastal access or interfere with public recreation opportunities. The property is privately owned and not currently used for public coastal access or recreation. In addition, the use of the property as a temporary construction staging area will provide space for employees to park on the site ensuring that existing on-street parking in the vicinity would be available for use by the public for coastal access.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-021:

1. The site plan, floor plans, and elevations received and dated November 12, 2013 shall be the conceptually approved design.
2. Prior to issuance of building permits, a \$500.00 cash bond shall be posted with the City to ensure removal of the temporary structures, cleanup of the site upon termination of the temporary use, and to guarantee maintenance of the property.
3. The temporary use shall be discontinued within 30 days following final inspection of the last unit of the Brightwater Development.
4. Coastal Development Permit No. 13-021 shall become null and void unless exercised within **two** years of the date of final approval by the City Council, or within one year of the date of final Coastal Development Permit approval by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.

5. 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 Planning and Building 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.