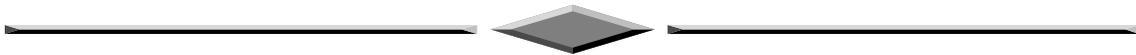


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Ethan Edwards, Associate Planner
DATE: January 20, 2016

SUBJECT: CONDITIONAL USE PERMIT NO. 15-059 (FARRELL WALL)

LOCATION: 815 Lake Street, 92648 (west side of Lake St., between 10th St. and Crest Ave.)



Applicant: City of Huntington Beach, Public Works Department, c/o James Wagner, 2000 Main Street, Huntington Beach, CA 92648

Property Owner: Patrick Farrell, 216 Crest Avenue, Huntington Beach, CA 92648

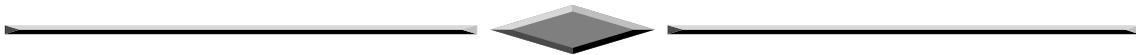
Request: To construct a 6 ft. high block wall (approx. 80 lf.) at a 1 ft. front yard setback in lieu of maximum 42 inches within the front yard.

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Zone: Residential Medium Density (RM)/ Residential Medium High Density (RMH)

General Plan: Residential Medium Density (RM)

Existing Use: Residential



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 15303 of the CEQA Guidelines, because the project involves construction of a wall, ancillary to a single family residence.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 15-059:

1. Conditional Use Permit No. 15-059 for the construction of a 6 ft. high block wall (approx. 80 lf.) at a 1 ft. front yard setback in lieu of maximum 42 inches high within the front yard setback area 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. Although the wall exceeds the maximum allowed height in the front yard setback, the proposed height will not pose a safety/traffic hazard because minimum visual clearance is maintained abutting the alley. The visual character of the neighborhood will not be negatively impacted because the proposed wall is consistent with other legally established walls or fences located along front property lines in the vicinity. The proposed design is composed of 6 ft. high tan colored split-face concrete masonry units (CMU) setback 1 foot along the property line. As conditioned, the wall will be buffered by native California or other drought tolerant landscaping consistent with the City's Parkway Design Guidelines, creating an attractive appearance in conjunction with the adjacent parkway landscaping.
2. The 6 ft. high block wall (approx. 80 lf.) at a 1 ft. front yard setback in lieu of maximum 42 inches high within the front yard setback area will be compatible with surrounding uses because landscaping proposed between the wall and sidewalk will soften the aesthetic appearance of the structure and the wall is consistent with the location and height of other legally established walls in the vicinity.
3. The proposed 6 ft. high block wall 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, which allows walls to exceed the maximum height within the front yard setback with 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 RM-15 (Residential Medium Density – 15 du/ac) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - A. Land Use Element

Objective LU 9.2: Provide for the preservation of existing residential neighborhoods.

Policy LU 16.1.1: Accommodate development of the City's neighborhoods, boulevards, and districts according to the Community Districts and Subarea Schedules, which requires (Subarea 3B) front yard setbacks to maintain the existing residential neighborhood character.
 - B. Urban Design Element

Policy UD 1.1.1: Coordinate streetscape and landscape design in all residential neighborhoods to strengthen their identities.

Landscaping is proposed between the wall and the sidewalk which improves the aesthetics of the streetscape. The visual character of the neighborhood will not be negatively impacted because the proposed wall is consistent with other legally established walls or fences located along property lines in the vicinity. In addition, the proposed wall will assist in

effectuating the City's Lake Street Rehabilitation Project, which includes new sidewalk, curb/gutter, and trees within the Lake Street public right of way.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 15-059:

1. The site and elevation plan received and dated October 14, 2015 shall be the conceptually approved design.
2. Landscaping between the wall and sidewalk shall be maintained in a neat and clean manner by the property owner and include native California or other drought tolerant landscaping consistent with the City of Huntington Beach Parkway Design Guidelines http://www.huntingtonbeachca.gov/files/users/public_works/HB-Parkway-Brochure-Final-10-05-15.pdf.
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.
4. The applicant shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
5. CUP No. 15-059 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 Community Development Department a minimum 30 days prior to the expiration date.
6. 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.