

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

WEDNESDAY, MARCH 19, 2014 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Hayden Beckman, Jennifer Villasenor, Tess Nguyen, Kristi Rojas, Ethan Edwards, Judy Demers (recording secretary)

MINUTES: June 19, 2013
September 18, 2013
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: VARIANCE NO. 14-001 (GUPTA RESIDENCE ADDITION)

APPLICANT: John Stutzel, 3130 Airway Avenue, Costa Mesa CA 92626
PROPERTY OWNER: Shalesh and Indu Gupta, 19636 Village Oaks Circle, Huntington Beach, CA 92648
REQUEST: To permit a 10 ft. rear yard setback in lieu of a 20 ft. setback for a 1,012 sq. ft. first and second story addition to an existing two-story single family residence.
LOCATION: 19636 Village Oaks Circle, 92648 (east side of Village Oaks Circle, south of Dewberry Drive)
CITY CONTACT: 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.

Ricky Ramos, Zoning Administrator, inquired with staff if the existing rear yard went through a variance process. Ms. Nguyen stated that the property was approved to be constructed with the rear yard as is. She noted that the rear yard requirements at the time of construction were different than the requirements currently.

THE PUBLIC HEARING WAS OPENED.

Mr. Gupta, property owner, gave an overview and history of the proposed project. He noted that prior to beginning the Variance process he met with the surrounding neighbors to advise them of the plans for the proposed project.

Norman Branyan, resident, spoke in opposition of the proposed project. He cited concerns with the 20' setback, potential negative impact to his view, and the potential for the proposed project to block sunlight to his pool area..

Tsarina Branyan, resident, spoke in opposition of the proposed project. She cited concerns with the Variance process, potential negative impact to her view, and potential blockage of sunlight to her outdoor area.

A lengthy discussion took place regarding the Variance process and the validity of the requested Variance.

THERE WERE NO OTHER 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 with minor changes to the findings for approval.

VARIANCE NO. 14-001 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 15301 of the CEQA Guidelines, because the project consists of an addition to an existing structure that will not result in an increase of more than 50 percent of the floor area.

FINDINGS FOR APPROVAL - VARIANCE NO. 14-001:

1. The granting of Variance No. 14-001 for a 10 ft. rear yard setback in lieu of a 20 ft. setback (10 ft. reduction) for a 1,012 sq. ft. first and second story addition to an existing two-story single family residence will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The subject property is located at the terminus of a cul-de-sac creating a flag lot configuration with two rear yards. There is one similarly shaped lot at the terminus of the same cul-de-sac as the project site, which has a residence with a 5 ft. setback along one rear yard. The proposed setback of 10 ft. along one rear yard for an addition at the subject site is consistent with other properties in the vicinity and under an identical zone classification.
2. Because of special circumstances applicable to the subject property, including shape and location, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The subject site is located at the terminus of a cul-de-sac, which creates a narrow front property line resulting in a flag lot configuration with two rear yards. The shape of the lot and the two rear yards deprive the property owner of the ability to construct an addition that meets the rear yard setback on the side of the house.

3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. Due to the odd shape of the lot created by the property's location at the terminus of a cul-de-sac, the resulting flag lot has two rear yards, which is similar to a nearby property. The proposed addition will allow the subject property to be designed in the same manner as the property with the similar flag lot configuration.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The proposed addition is designed to match the architectural style and exterior finishes of the existing residence. In addition, adequate building separation will be provided between the proposed addition and the single-family dwelling abutting the rear of the lot. No detrimental impacts to surrounding properties are anticipated.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7-sp (Residential Low Density-7 units/acre-Specific Plan) on the subject property, including the following policy.

LU 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objectives for community character as appropriate.

The requested variance accounts for the unique configuration of the subject property resulting from the property's location at the terminus of a cul-de-sac, creating a flag lot with two rear yards. Granting a reduced setback for the proposed addition would allow the subject property the opportunity to be designed in the same manner as the nearby property with similar lot configuration under the identical zone classification.

CONDITIONS OF APPROVAL VARIANCE NO. 14-001:

1. The site plan, floor plans, and elevations received and dated January 17, 2014 shall be the conceptually approved design.
2. Prior to submittal for building permits, the following shall be completed:
 - a. A letter from the Property Owners Association shall be submitted indicating that the proposed project has been approved, denied, or that the CC&R's do not require Association or Committee review.
 - b. Zoning entitlement conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point
3. VAR No. 14-001 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 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 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.

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.

ITEM 2: CONDITIONAL USE PERMIT NO. 13-028 (DAWSON WALL):

APPLICANT: Leslie Carrillo, 31918 Via Seron, Temecula, CA 92592
31918 Via Seron, Temecula, CA 92592

PROPERTY OWNER: Verda Dawson, 620 18th St., Huntington Beach, CA 92648

REQUEST: To permit a wall at a maximum height of five feet, nine inches in lieu of a maximum height of 18 inches along the front property line and 42 inches within the front yard. The wall consists of a combination of stone veneer pilasters, and a stone veneer base topped with vinyl fencing.

LOCATION: 620 18th Street, 92648 (east side of 18th Street, between Acacia Ave. and Palm Ave.)

CITY CONTACT: Jill Arabe

Jill Arabe, 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. Ms. Arabe noted that staff had one phone call in support of the wall.

In response to a question, Ms. Arabe verified that there are walls in the area that are the same height as the proposed wall and have been permitted.

THE PUBLIC HEARING WAS OPENED.

Leslie Carrillo, applicant, stated that she had no comments or concerns with staff's recommendations.

Mike Oleson, resident, stated that the wall is a nice looking wall. His only concern is that the footing meets the City's standards. Mr. Ramos explained that if the application is approved, the applicant will need to obtain permits and have the wall inspected by a City Inspector.

THERE WERE NO OTHER 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 with minor modifications to the findings for approval.

CONDITIONAL USE PERMIT NO. 13-028 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED 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 15303 of the CEQA Guidelines, because the project involves the construction of a wall, ancillary to a single family residence.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 13-028:

1. Conditional Use Permit No. 13-028 for the construction of a wall at a maximum height of five feet, nine inches in lieu of a maximum height of 18 inches along the front property line and 42 inches within the front yard 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 the subject site is an interior lot. The visual character of the neighborhood will not be negatively impacted because proposed landscaping behind the wall will be visible between the vinyl slats and will soften the appearance of the wall. The wall is consistent with other legally established walls or fences located along the front property line in the vicinity. It is composed of a combination of stone veneer pilasters, stone veneer base and vinyl fencing, and creates an attractive appearance.
2. The conditional use permit will be compatible with surrounding uses because landscaping proposed behind the wall will soften the aesthetic appearance of the structure and the wall is consistent with the height of other legally established walls in the vicinity. The design provides visual relief from other six feet high fence combinations and solid stucco walls by providing visibility between the vinyl fencing slats.
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, which allows walls to exceed the maximum height within the front yard setback with 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 of RMH-25-d (Residential Medium High Density – 25 du/ac – Design Overlay) on the subject property. In addition, it is consistent with the following objective 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 behind the wall which improves the aesthetics of the streetscape. It does not negatively impact the character of the neighborhood because the design is attractively constructed with stone veneer and vinyl slats. In addition, other legal walls have been built at a similar height and location in the front yard.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 13-028:

1. The site plan, elevations, and renderings received and dated January 24, 2014 shall be the conceptually approved design with the modification that the top stones of the three existing pilasters along the front property line shall be trimmed/modified to eliminate any encroachments into the public right-of-way. **(PW)**
2. Within 30 days of the Zoning Administrator's action, the following shall be completed:
 - a. The applicant and/or property owner shall submit construction plans (i.e., site plans, engineering plans) to the Planning and Building Department for legalizing the construction of the wall.
 - b. Landscaping per CUP No. 13-028 shall be provided on-site and maintained with abundant landscaping.
 - c. Building permits shall be inspected and finalized by the Planning and Building Department.
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 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.

4. The applicant and property owner shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
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.

ITEM 3: COASTAL DEVELOPMENT PERMIT NO. 14-002 (REILAND RESIDENCE REMODEL):

APPLICANT/
PROPERTY OWNER: Kathleen Reiland, 3916 Montego Drive, Huntington Beach, CA 92649
REQUEST: To permit the conversion of an approximately 333 sq. ft. 3rd floor attic space into habitable area of an existing 1,833 sq. ft. townhome.
LOCATION: 3916 Montego Drive, 92649 (south side of Montego Drive, south of Edinger Avenue)
CITY CONTACT: Kristi Rojas

Kristi Rojas, Project 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.

Ricky Ramos, Zoning Administrator, inquired if the roof line would be changing. Ms. Rojas explained that the roof line would be slightly changing where the roof line would be popped out with a new gable. Mr. Ramos verified that the height of the roof would stay the same. Staff verified that the height of the roof would not be impacted. Mr. Ramos also verified that the parking requirements would not be impacted.

THE PUBLIC HEARING WAS OPENED.

Kathleen Reiland, applicant, stated that he had no comments or concerns with staff's recommendations.

Tony Guicnaep, designer, noted that the property is required to have the plans approved by the architectural review board of the HOA and after reviewing the plans, the HOA did approve the request.

Michael Vu, architect, had no comments or concerns with staff's recommendations.

THERE WERE NO OTHER 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.

COASTAL DEVELOPMENT PERMIT NO. 14-002 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 15301 of the CEQA Guidelines, because the project consists of an addition to an existing single-family residence within a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 14-002:

1. Coastal Development Permit No. 14-002 for the development project, as proposed, conforms with the General Plan, including the Local Coastal Program. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed addition will occur on a developed site, contiguous to existing residential development.
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 addition will comply with all applicable development regulations, including maximum building height and minimum yard setbacks.
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 proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 14-002:

1. The site plan, floor plans, and elevations received and dated January 13, 2014, shall be the conceptually approved design.
2. CDP No. 14-002 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 Division a minimum 30 days prior to the expiration date.
3. Prior to submittal for building permits, zoning entitlement conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
4. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 10 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
5. The final building permit cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning & Building Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
6. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.
7. 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.

8. 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.

ITEM 4: COASTAL DEVELOPMENT PERMIT NO. 14-003 (KANE RESIDENCE REMODEL):

APPLICANT: Michael Vu, 6091 E. Nugget Ct., Anaheim, CA 92807
PROPERTY OWNER: Laura Kane, 16052 Bonaire Circle, Huntington Beach, CA 92649
REQUEST: To permit the conversion of an approximately 588 sq. ft. 3rd floor attic space into habitable area of an existing 1,833 sq. ft. townhome
LOCATION: 16052 Bonaire Circle, 92649 (east side of Bonaire Circle, south of Montego Drive)
CITY CONTACT: Kristi Rojas

Kristi Rojas, Project 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.

Ricky Ramos, Zoning Administrator, stated that he had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Michael Vu, applicant, stated that he had no comments or concerns with staff's recommendations..

Tony Guicnaep, designer, inquired how long the process may be to get the project started if approved. Mr. Ramos explained that there is a ten day appeal period, if there are no appeals filed, the plans may be submitted after the appeal period expires.

THERE WERE NO OTHER 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

COASTAL DEVELOPMENT PERMIT NO. 14-003 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 15301 of the CEQA Guidelines, because the project consists of an addition to an existing single-family residence within a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 14-003:

1. Coastal Development Permit No. 14-003 for the development project, project, as proposed, conforms with the General Plan, including the Local Coastal Program. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed addition will occur on a developed site, contiguous to existing residential development.
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 addition will comply with all applicable development regulations, including maximum building height and minimum yard setbacks.
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 proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 14-003:

1. The site plan, floor plans, and elevations received and dated January 13, 2014, shall be the conceptually approved design.
2. CDP No. 14-003 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 Division a minimum 30 days prior to the expiration date.

3. Prior to submittal for building permits, zoning entitlement conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
4. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 10 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
5. The final building permit cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning & Building Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
6. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.

7. 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.
8. 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 2:12 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, APRIL 2, 2014, AT 1:30 P. M.

Ricky Ramos
Zoning Administrator

RR:EE:jd