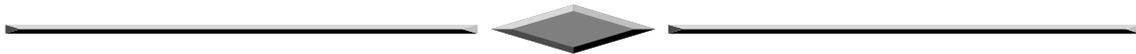


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Joanna Cortez, Assistant Planner
DATE: March 18, 2015

SUBJECT: **COASTAL DEVELOPMENT PERMIT NO. 15-001/ ADMINISTRATIVE PERMIT NO. 15-002 (PROSSER RESIDENCE)**

LOCATION: 3291 Falkland Circle, 92649 (at the terminus of Falkland Cir. - Huntington Harbor)



Applicant: Jay Earl, 16541 Mariana Circle, Huntington Beach, CA 92649

Property Owner: Ron and Christine Prosser, 3291 Falkland Circle, Huntington Beach, CA 92649

Request: To permit an approximately 822 sq. ft. addition to an existing two-story single family dwelling and allow the expansion of an existing room at a 7 ft. 8 in. non-conforming rear yard setback in lieu of 10 ft.

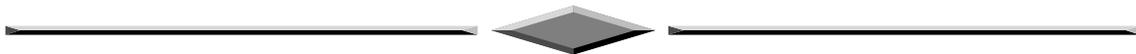
Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Coastal Status: Appealable

Zone: RL-CZ (Residential Low Density - Coastal Zone Overlay)

General Plan: RL-7 (Residential Low Density)

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 15301 of the CEQA Guidelines, because the project consists of an addition to an existing single-family residence within a residential zone.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-001:

1. Coastal Development Permit No. 15-001 for the 822 sq. ft. addition to the first and second floor of a single family residence conforms to the General Plan and 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 within an existing single family dwelling located within an established residential neighborhood.
2. The proposed addition 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, site coverage, and minimum yard setbacks, with the exception of the rear yard setback. The project proposes to construct the addition to match the existing nonconforming rear yard setback of 7 ft. 8 in. in lieu of the minimum required 10 ft. The Huntington Beach Zoning and Subdivision Ordinance permits construction of an addition at an existing nonconforming setback with approval of an administrative permit. As such, the applicant is seeking approval of an administrative permit in conjunction with a coastal development permit.
3. At the time of occupancy, the proposed addition can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The project 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 addition conforms to 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.

SUGGESTED FINDINGS FOR APPROVAL – ADMINISTRATIVE PERMIT NO. 15-002:

1. Administrative Permit No. 15-002 to permit a residential addition to match the existing non-conforming rear yard setbacks of 7 ft.-8 in. in lieu of the minimum required rear yard setback of 10 ft. 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 length of the addition along the nonconforming setback represents approximately 5% of the total width of the dwelling; therefore, the impacts from the addition are minimal and will allow the addition to match the architecture style of the existing house and maintain neighborhood compatibility
2. Administrative Permit No. 15-002 to permit a residential addition to match the existing non-conforming rear yard setback of 7 ft. 8 in. in lieu of the minimum required rear yard setback of 10 ft. will be compatible with surrounding uses and will result in a single family home with similar height and materials as other properties within the neighborhood. The addition is proposed to encroach 2 ft. 4 in. into the required rear yard leaving 7 ft. 8 in. from the rear property line at the nearest point. The length of the addition along the nonconforming setback is 2 ft. 6 in., which represents approximately 5% of the total width of the dwelling. Therefore, impacts from the portion of the addition that encroaches into the required rear

yard setback are minimal and will allow the addition to meet desired design objectives, match the architecture style of the existing house, and maintain neighborhood compatibility.

3. The proposed addition to match the existing non-conforming rear yard setback of 7 ft. 8 in. in lieu of the minimum required rear yard setback of 10 ft. 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.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-001/ ADMINISTRATIVE PERMIT NO. 15-002:

1. The site plan, floor plans, and elevations received and dated February 3, 2015 shall be the conceptually approved design.
2. Prior to submittal for building permits, zoning entitlement conditions of approval and code requirements 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. The final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans.
 - 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.
4. CDP No. 15-001 and AP No. 15-002 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.
5. 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.
6. 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.
7. 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.