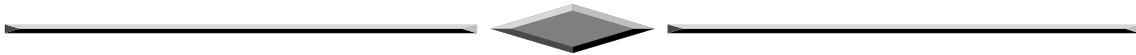


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Ethan Edwards, Associate Planner  
**DATE:** November 18, 2015

**SUBJECT:       CONDITIONAL USE PERMIT NO. 15-054, COASTAL DEVELOPMENT  
                  PERMIT NO. 15-028 (RUSSELL RESIDENCE)**

**LOCATION:**       16691 Peale Lane, 92649 (west side of Peale Ln., north of Gilbert Dr. –  
                  Huntington Harbour)



**Applicant:**       Karen Otis, 909 Electric Avenue, Suite 207, Seal Beach, CA 90740

**Property  
Owner:**         Bob & Julie Russell, 16691 Peale Lane, Huntington Beach, CA 92649

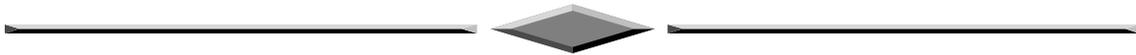
**Request:**        **CDP:** To permit an approximately 460 sq. ft. addition to an existing 1,517 sq.  
                  ft. single-story single-family dwelling. **CUP:** To permit a 6 ft. high courtyard  
                  wall 5 ft. from the front property line in-lieu of the maximum height of 42  
                  inches within the front yard setback.

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

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

**General Plan:**  RMH (Residential Medium High Density)

**Existing Use:**  Single Family Dwelling



**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 consists of an addition and courtyard wall to an existing single-family residence within a residential zone.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 15-054:**

1. Conditional Use Permit No. 15-054 to permit the construction of a 6 ft. high courtyard wall 5 ft. from the front property line in lieu of the maximum height of 42 inches within the front yard setback 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 any significant traffic, visibility, or other safety concerns because the subject site is an interior lot. The visual character of the neighborhood will not be negatively impacted because proposed landscaping in front of the courtyard wall will soften the appearance of the wall. Additionally, the courtyard wall is consistent with other legally established walls and fences located within front yard setbacks in the vicinity. The design consists of a combination of stucco, wood panels, and stainless steel accents, which creates an attractive appearance.
2. The construction of a 6 ft. high courtyard wall 5 ft. from the front property line in-lieu of the maximum height of 42 inches within the front yard setback will be compatible with surrounding walls in terms of setback and height. The design is architecturally compatible with the associated remodel and includes stucco, wood panels and stainless steel accents. Additionally, the design will be improved with a landscaping in front the wall that will visually soften its overall appearance and provide compatibility with the surrounding environment.
3. The proposed construction a 6 ft. high courtyard wall 5 ft. from the front property line in-lieu of the maximum height of 42 inches within the front yard setback 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 42 inch maximum height within the front yard setback 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 of Residential Low Density 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.

The proposed courtyard wall will not change the residential character of the neighborhood, as there are other properties in the vicinity that have similar setbacks for similarly permitted walls. The materials and design used to construct the proposed wall is attractive and will not negatively impact the neighborhood. Landscaping will be planted in front of the wall which will help soften its overall appearance.

**SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-028:**

1. Coastal Development Permit No. 15-028 to permit the construction of an approximately 460 sq. ft. addition to an existing 1,517 sq. ft. single-story single-family dwelling, as proposed, conforms to 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 within an existing single family dwelling located within an established residential neighborhood.
2. The proposed construction of an approximately 460 sq. ft. addition to an existing 1,517 sq. ft. single-story single-family dwelling is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum height, maximum lot coverage, minimum yard setbacks, and required onsite parking.
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 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.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 15-054/ COASTAL DEVELOPMENT PERMIT NO. 15-028:**

1. The site plan, floor plans, and elevations received and dated October 22, 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. Conditional Use Permit No. 15-054 in conjunction with Coastal Development Permit No. 15-028 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 Community Development Department 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 (Community Development, Fire, 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.
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.