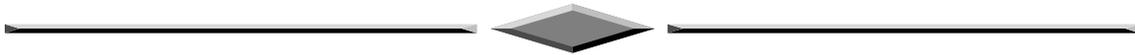


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: John Ramirez, Project Planner
DATE: April 20, 2016

SUBJECT: **ENTITLEMENT PLAN AMENDMENT NO. 16-003 (BARBATA RESIDENCE WINDOW-CONTINUED FROM THE APRIL 6, 2016, MEETING)**

LOCATION: 16581 Peale Lane, 92649 (west side of Peale Ln., between Malden Cir. and Gilbert Dr.)



Applicant: Karen Otis, Otis Architecture, 909 Electric Avenue, Seal Beach CA 90740

Property Owner: Mike & Gail Barbata, 16581 Peale Lane, Huntington Beach CA 92649

Request: To amend Condition of Approval No. 1 of Coastal Development Permit No. 04-05 to allow transparent glass in the two most southerly windows of the second floor master bedroom within an existing single family home.

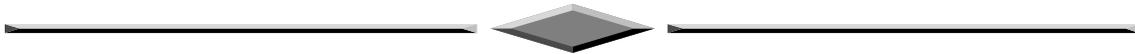
Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Coastal Status: Appealable

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

General Plan: Residential Low Density – (RL-7)

Existing Use: Residential



RECOMMENDATION: Staff recommends denial 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 involves the replacement and expansion of two windows within an existing single family home.

SUGGESTED FINDING FOR DENIAL – ENTITLEMENT PLAN AMENDMENT NO. 16-003:

1. Entitlement Plan Amendment No. 16-003 to amend Condition of Approval No. 1 of Coastal Development Permit No. 04-05 to allow transparent glass in the two most southerly windows of the second floor master bedroom within an existing single family home does not conform with the General Plan. The project is inconsistent with Land Use Policy LU 9.2.1, which requires that all new residential development within existing neighborhoods (i.e. infill) be compatible with existing structures, including the maintenance of privacy on abutting properties. The removal of the opaque glass and replacement with transparent glass in the two most southerly windows of the second floor master bedroom will not maintain the privacy between the living areas of the two single family homes as originally approved. The condition requiring the opaque glass within these windows was intended to preserve the privacy between the residences and removal of such will enable a direct view from the respective homes into the adjacent bedroom areas.

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.