

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

WEDNESDAY, January 14, 2009 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Ethan Edwards, Tess Nguyen, Rami Talleh, Kimberly De Coite
(recording secretary)

MINUTES: April 16, 2008
May 14, 2008
May 28, 2008
June 4, 2008
June 11, 2008
December 23, 2008
January 7, 2009

APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 2008-023 (SAGER ADDITION)

APPLICANT: Walt Patroske
PROPERTY OWNER: Gary & Carole Sager, 16443 Ladona Circle, Huntington Beach, CA 92649
REQUEST: To permit the construction of an approximately 818 sq. ft. addition to an existing 2,834 sq, ft, single-family residence with a 466 sq. ft. garage.
LOCATION: 16443 Ladona Circle, 92649 (south side of Ladona Circle, west of Mistral Drive – Humboldt Island, Huntington Harbour)
PROJECT PLANNER: Ethan Edwards

Ethan Edwards, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Mr. Edwards stated that the Homeowner's Association had been noticed but that no response had been received. He stated that no public comments had been received.

Mr. Edwards stated that an additional condition, Condition No. 3, from the Public Works Department staff had been received requiring that the damaged curb, gutter, and sidewalk be removed and replaced.

THE PUBLIC HEARING WAS OPENED.

Carl Kaplan, representative for the applicant, stated that he had no comments or concerns. Mr. Ramos asked if the applicant had reviewed the additional requirement from Public Works. Mr. Kaplan stated that he had reviewed it and had no concerns.

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 project as recommended by staff, including Condition No. 3.

COASTAL DEVELOPMENT PERMIT NO. 2008-023 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND MODIFIED 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 less than 50% of the total existing square footage.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-023:

1. Coastal Development Permit No. 2008-023 for the development project, as proposed conforms to the General Plan, including the Local Coastal Program Land Use designation of Residential Low-Density. The proposed 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.
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 project complies with all applicable development regulations, including maximum building height, minimum yard setbacks, maximum site coverage and minimum on-site parking.
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 or impact public views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-023:

1. The site plan, floor plans, and elevations received and dated November 6, 2008 shall be the conceptually approved design.
2. 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/index.cfm?fuseaction=guidelines>).
3. Prior to final inspection or occupancy, the damaged rolled curb, gutter and sidewalk along the Ladona Circle frontage shall be replaced per City Standard Plans to match existing conditions.

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: COASTAL DEVELOPMENT PERMIT NO. 2008-024 (PACIFIC COAST HIGHWAY BUS TURNOUT UPGRADES)

APPLICANT: City of Huntington Beach, Public Works Department
PROPERTY OWNER: City of Huntington Beach, Public Works Department, 2000 Main Street, Huntington Beach, CA 92648
REQUEST: To permit the construction of 8 bus shelters, 16 bus benches, and other amenities (trash and ash containers, planters) for bus riders at existing Orange County Transportation Authority (OCTA) bus stops.
LOCATION: 20903 Pacific Coast Highway, 92648 (west side of Pacific Coast Highway between First Street and Huntington Street)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the subject site. Staff presented an overview of

the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ms. Nguyen stated that no public comments had been received.

Mr. Ramos asked staff if the application had been presented to the Design Review Board (DRB). Ms. Nguyen stated that it had been presented to the DRB, which had recommended that trash receptacles be placed at each shelter. She noted that there are only four trash receptacles on the current plans.

Mr. Ramos asked if Condition No.1 was the only condition recommended by the DRB. Ms. Nguyen confirmed that it was.

Mr. Ramos asked why the benches were not the city standard design. Ms. Nguyen indicated that the project would be using the city standard design and that the plans would be amended to reflect that.

THE PUBLIC HEARING WAS OPENED.

Darren Sam, Public Works Department representative, stated that he had no comments or concerns.

Mr. Ramos asked if the intent was to use the standard city design for the benches. Mr. Sam stated that it was.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Talleh asked Mr. Ramos if he would like to include a condition regarding the design of the benches. Mr. Ramos asked staff if that was needed or if the change was clear in the record. Ms. Nguyen stated that plans had been revised to reflect the change and would be included with the file. Mr. Ramos stated that he was satisfied with that.

Mr. Ramos stated that, based on information provided, he would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 2008-024 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 15303 of the CEQA Guidelines, because the project consists of the construction of small structures such as bus shelters, benches, and other amenities at the existing Orange County Transportation Authority bus stops.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-024:

1. Coastal Development Permit No. 2008-024 to permit construction of 8 bus shelters, 16 bus benches, and other amenities (trash and ash containers, planters), as proposed, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following Coastal Element Objectives and Policies:
 - a. C 2.3: Promote mass transit opportunities within the Coastal Zone.
 - b. C 2.3.1: In serving additional recreational traffic demand, place primary emphasis on facilitating public transit such as providing incentives to use public transit while maintaining the present level of parking.

The current Orange County Transportation Authority bus turnout on Pacific Coast Highway has no bus shelters and only a few bus benches with no other amenities. The proposed construction of 8 bus shelters, 16 bus benches, and other amenities will encourage additional use of the transit system as an alternative to automobiles by providing transit riders with protection from the elements. In addition, the bus shelters, benches, trash containers, and planters are designed to be aesthetically attractive and complement the surrounding buildings.

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 including permitted uses and location.
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 bus shelters, bus benches, trash containers, and planters will be constructed at an existing transit facility where electrical services are available for the bus shelters.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed bus shelters, bus benches, trash containers, and planters will not impede public access or impact public views to coastal resources. The existing 6-foot wide sidewalk will be maintained to allow for pedestrian access. The bus shelters will be designed to have stainless steel mesh and translucent panels to allow views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-024:

1. The site plan and elevations received and dated November 13, 2008 shall be the conceptually approved design with the modification that trash receptacles shall be provided at each of the bus shelters. (DRB)
2. Prior to the start of any construction activity, the following shall be completed: (CS)
 - a. Alterations to the existing planter area, including plant material and irrigation system, shall be reviewed and approved by the City's Landscape Architect.

- b. The applicant shall provide a construction schedule to the Community Services Department.
3. Prior to completion of construction, any damage to the existing retaining walls, parking lots and landscape areas resulting from construction of the bus shelters shall be repaired. (CS)
4. 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/index.cfm?fuseaction=guidelines>).

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 1:44 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JANUARY 28, 2009 AT 1:30 PM.



Ricky Ramos
Zoning Administrator

RR:kdc