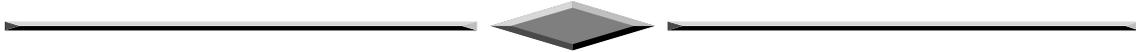


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: John Ramirez, Contract Planner
DATE: November 18, 2015

SUBJECT: CONDITIONAL USE PERMIT NO. 15-051 (YELLOW VAN DUPLEX)

LOCATION: 900 Palm Avenue, 92648 (on the north side of Palm Ave., at 9th St.)



Applicant: Greg Howell, Sky View Designs, 20561 Suburbia Lane, Huntington Beach
CA 92646

**Property
Owner:** Yellow Van Development, LLC. c/o Greg Howell, Sky View Designs, 20561
Suburbia Lane, Huntington Beach CA 92646

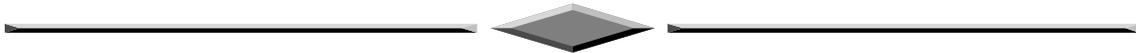
Request: To permit the demolition of existing accessory structures and a portion of an
existing single family home and construct a 35-foot high, 2,990 square foot
duplex.

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

Zone: RMH (Residential Medium High Density)

General Plan: RMH (Residential Medium High Density)

Existing Use: Single Family Home and accessory structures



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 involves the construction of two additional dwelling units for a total of three units onsite.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 15-051:

1. Conditional Use Permit No. 15-051 to permit the demolition of existing accessory structures and a portion of an existing single family home and construct a 35-foot high, 2,990 square foot duplex 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 proposed detached three-story duplex building will be located approximately 72 ft. from the front property line, behind an existing single family structure. The design of the new building will incorporate wall offsets, roof articulation, changes in plane, and similar building materials utilized on the existing single unit structure in order to reduce the overall building mass of the new multi-story structure. The third story interior floor areas will be sufficiently setback to buffer adjacent residences from the proposed development. The project will not generate additional noise, traffic, odors or other impacts at levels inconsistent with the residential character of the existing neighborhood.
2. The conditional use permit will be compatible with surrounding uses because the project involves construction of a three-story duplex within a neighborhood permitted for multi-family development. Although adjacent properties are comprised of both single family and multi-family residences of both single and two story heights, a variety of duplexes and multi-unit residences in addition to three story structures exist within the vicinity. The proposed development will maintain an existing single unit structure that will continue the existing single-story streetscape along Palm Avenue. The façades of the new building will incorporate building materials similar to the existing residence and include new wall offsets, variations in rooflines, and upper story setbacks to minimize the potential visual impact of the building's overall height and third story decks.
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, including maximum density, height, lot coverage, building setbacks, landscaping, off-street parking, and open space requirements. Approval of a conditional use permit is required for multi-family buildings greater than 25 ft. high.
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/maximum 25 dwelling units per acre) on the subject property. In addition, it is consistent with the following objectives and policies of the General Plan:

A. Land Use Element

Objective LU 9.1: Provide for the development of single- and multi-family residential neighborhoods.

Policy LU 9.1.1: Accommodate the development of single- and multi-family residential units in areas designated by the Land Use Plan Map, as stipulated by the Land Use and Density Schedules.

B. Urban Design Element

Objective UD 1.1: Identify and reinforce a distinctive architectural and environmental image for each district in Huntington Beach.

Policy UD 1.1.1: Coordinate streetscape and landscape design in all residential neighborhoods to strengthen their identities.

The project will demolish accessory structures related to the existing single family home and construct a new duplex at the rear of the property, while maintaining an existing craftsman style appearance along the streetscape. The neighborhood comprises of a mixture of single story and multi-story complexes. The height of the development will appear to gradually increase from the front to the rear of the property, which is enhanced by balconies at each level, plane breaks in the elevations and decorative wood posts. The design of the building will incorporate similar features of the existing craftsman home and include new landscaping within the interior yards. The third story will be sufficiently setback to increase the buffer between adjacent residences and still accommodate new views.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 15 15-051:

1. The site plan, floor plans, and elevations received and dated October 14, 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. 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 5 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.
4. 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 Community Development Department.

- c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an offsite facility equipped to handle them.
5. 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.
6. Prior to final of building permits, the following shall be completed:
 - a. The existing front single family home shall be inspected for compliance as a three bedroom unit as shown on the site plan and floor plan received and dated October 14, 2015.
7. CUP No. 15-051 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 Community Development Department a minimum 30 days prior to the expiration date.
8. 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.
9. 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.