

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

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: February 25, 2009

SUBJECT: CONDITIONAL USE PERMIT NO. 2008-038 (ZANT BLOCK WALL EXTENSION)

LOCATION: 19532 Summerbreeze Lane, 92648 (east side of Summerbreeze Lane, north of Little Harbor Drive)



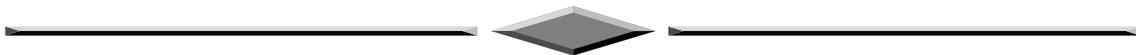
Applicant: Tom Graham, 18337 Colville Street, Fountain Valley, CA 92708
Property Owner: Will and Mary Zant, 19532 Summerbreeze Lane, Huntington Beach, CA 92648

Request: To permit the construction of a 2 ft. extension to an existing perimeter block wall located along Goldenwest Street for a total height of up to 9 ft.-10 in. (combined 3 ft.-2 in. retaining wall plus 6 ft.-8 in. screen wall) in lieu of the maximum allowed height of 8 ft. for a perimeter blockwall.

Zone: RL (Residential Low Density)

General Plan: RL – 7 (Residential Low Density – 7 units/acre max.)

Existing Use: Single-family residence



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 minor construction of accessory structures on a property developed with a single family home.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-038:

1. Conditional Use Permit No. 2008-038 to allow the construction of a 2 ft. extension to an existing perimeter block wall to a total height of up to 9 ft.-10 in. (combined 3 ft.-2 in. retaining wall plus 6 ft.-8 in. screen wall) in lieu of the maximum allowed height of 8 ft. for a perimeter blockwall 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 in that the wall is consistent with other block walls in the neighborhood. The

project, as conditioned to provide landscaping material to obscure and soften the appearance of the wall, will not negatively impact the visual character of the neighborhood.

2. The conditional use permit will be compatible with surrounding uses because adjacent single family dwellings are developed with perimeter walls along the property lines at the same height or higher. Because of the slope of Goldenwest Street, some portions of all perimeter walls along the street are higher than the maximum allowed height of 8 ft. Therefore, the proposed wall extension is consistent with the perimeter walls along Goldenwest Street.
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 (HBZSO). The HBZSO authorizes deviations from the fence height restrictions 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 goals and policies of the General Plan:
 - a. LU 9.2.1: Require that all new residential development within existing residential neighborhoods (i.e. infill) be compatible with existing structures, including the use of complimentary building materials, colors, and forms, while allowing flexibility for unique design solutions.
 - b. UD 1.3.5: Require that privately developed walls make a positive visual contribution to the public streetscape including provisions for plant material enhancements such as vine pockets or decorative plantings, and design features such as sculptured or textured masonry units.

The proposed wall will be consistent with other block walls in the neighborhood. The required landscaping material will obscure the appearance of the wall and at the same time soften the streetscape.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2008-038:

1. The site plan and elevations received and dated October 27, 2008 and December 1, 2008 shall be the conceptually approved design with the following exception: landscaping material shall be planted on the private property to hang over the wall.
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>).

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.