

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

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: May 5, 2010
SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 2010-006 (SMITH RESIDENCE)
LOCATION: 16291 Countess Drive, Unit No. 308, 92649 (west side of Countess Drive, south of Edinger Avenue)

Applicant: Tee Neighbors, 14282 Hoover Street, Unit A-19, Westminster, CA 92683

Property Owner: James Smith, 17442 N 60th Place, Scottsdale, AZ 85254

Request: To permit the conversion of approximately 495 sq. ft. of attic space into habitable area (loft, bathroom, closet) for an existing attached third floor condominium unit.

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

Zone: RM-CZ (Residential Medium Density – Coastal Zone)

General Plan: RM-15 (Residential Medium Density – 15 dwelling units per acre maximum)

Existing Use: Residential condominiums

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 15301 of the CEQA Guidelines, because additions to existing structures are exempt provided that they are less than 50% of the floor area of the existing structure.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2010-006:

1. Coastal Development Permit No. 2010-006 to permit the conversion of approximately 495 sq. ft. of attic space into habitable area (loft, bathroom, closet) for an existing attached third floor condominium unit conforms with the General Plan, including the Local Coastal Program Land Use Designation of Residential Medium 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. The proposal includes a minor addition to an existing condominium unit on a site developed with other residential condominiums.
2. The project is consistent with the requirements of the Coastal Zone Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The addition will be within the building envelope with no increase in overall building height or total number of bedrooms. The project complies with all applicable development regulations, including maximum building height and site coverage, minimum yard setbacks and 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, recreation, or views to coastal resources.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2010-006:

1. The site plan, floor plans, and elevations received and dated March 3, 2010 shall be the conceptually approved design.
2. Prior to submittal for building permits, zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments of Fire, Planning and Building, and Public Works dated April 12, 2010, 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 10 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 structure(s) cannot be occupied and the final building permit(s) cannot be approved, until the following has been completed:
- a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and 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.
5. 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.