

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

**TO:** Zoning Administrator  
**FROM:** Jill Arabe, Assistant Planner  
**DATE:** November 2, 2011

**SUBJECT: CONDITIONAL USE PERMIT NO. 11-013 (POLHAMUS APARTMENTS)**

**LOCATION:** 904 Palm Avenue, 92648 (northeast side of Palm Avenue, between 9<sup>th</sup> and 10<sup>th</sup> Streets)

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**Applicant/  
Property**

**Owner:** Rick Polhamus, 19802 Sea Canyon Circle, Huntington Beach, CA 92648

**Request:** To permit the construction of an approximately 4,200 sq. ft., three-story triplex with (a) an overall building height of 32 ft. 8 in. and (b) approximately 260 sq. ft. of private open space within the third story decks. The multiple family development will have a total of four onsite residential units.

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

**Zone:** RMH (Residential Medium High Density)

**General Plan:** RMH (Residential Medium High Density)

**Existing Use:** Single Family Dwelling

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**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 a maximum of four residential units within an urbanized area.

## **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 11-013:**

1. Conditional Use Permit No. 11-013 for construction of an approximately 4,200 sq. ft., three-story triplex with (a) an overall building height of 32 ft. 8 in. and (b) approximately 260 sq. ft. of private open space within the third story decks 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 triplex building will be located approximately 70 ft. from the front property line, behind an existing single family structure. The design of the new building will incorporate wall offsets, roof articulation, material 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. Furthermore, the distribution of the upper story decks is not anticipated to impact the privacy of nearby residences, as each deck is proposed not to exceed 100 sq. ft., surrounded on two sides by the building, and will be offset from adjacent residential structures. The decks are also oriented toward the street and provided with either additional side yard setbacks or solid balcony railing. 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 triplex within a neighborhood permitted for multi-family development. Although adjacent properties are comprised of single family residences, a variety of duplexes and multi-unit residences 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 similar building materials of 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. New landscaping will be incorporated to further enhance and minimize the mass and scale of the proposed development.
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 and to allow a maximum 50 percent of the private open space requirement to be located on open decks above the second story.
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 (Residential Medium High Density) 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 convert an existing single family residence into a multi-family development, while maintaining an existing cottage 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, material changes in planes, and hipped roofs. The design of the building will incorporate similar features of the existing cottage and include enhanced landscaping within the front and 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. 11-013:**

1. The site plan, floor plans, and elevations received and dated October 11, 2011, shall be the conceptually approved design with the following modifications:
  - a. The man door at the north side of the private garage (serving Unit C) shall be depicted to swing outside of the required 9 ft. by 19 ft. parking space.
  - b. The building area of the cottage unit shall be revised for consistency with the area shown in the zoning conformance matrix.
  - c. Provide dimensions of all setbacks on the site plan, including front and side yard setbacks to the existing structure and rear setbacks from the new structure to the ultimate right-of-way.
  - d. The new property lines along the alley shall be identified on the site plan by identifying the required 2 ft. 6 in. alley dedication.
  - e. The common open space area shall be recalculated to include common areas with no dimension less than 10 ft.
  - f. The dimensions of all common open space areas shall be provided on the site plan.
  - g. The height of fencing and hedges separating the private open space areas from the common areas (exceeding 42 inches in height) shall be depicted on the site plan.



**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.