



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JULY 26, 2004

ITEM NUMBER:

SUBJECT: APPEAL OF MINOR DESIGN REVIEW ZA-04-30
281 WALNUT STREET

DATE: JULY 15, 2004

FOR FURTHER INFORMATION CONTACT: MEL LEE, ASSOCIATE PLANNER
(714) 754-5611

PROJECT DESCRIPTION

The applicant is proposing to construct a new two-story, 3,108 square-foot residence with a detached 512 square-foot granny unit, proposed to be constructed over a 635 square-foot, three-car garage. The three-car garage and two open parking spaces, on either side of the garage, will take access from the alley at the rear of the property. A minor design review is required for the proposed second story of both structures because they will exceed 50% of the first floor areas. A development review is required for the granny unit; the occupancy of which will be restricted to no more than two residents, each at least 62 years of age or older. Finally, a minor modification is requested to allow the support posts for the covered porch to encroach 2 feet into the required front yard setback (20 feet required; 18 feet proposed).

APPLICANT

The project applicant is Darlene LaCombe, representing the property owners, Barron and Jance Hurlbut. The appellant is Lori McDonald.

RECOMMENDATION

Uphold Zoning Administrator's approval of ZA-04-30.

Handwritten signature of Mel Lee in black ink.

MEL LEE
Associate Planner

Handwritten signature of Perry L. Valentine in black ink.

PERRY L. VALANTINE
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 281 Walnut Street Application: ZA-04-30

Request: 2 story residence and detached granny unit over 3 car garage

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: <u>R1</u>	North: <u>Surrounding properties are residential and constructed</u>
General Plan: <u>Low Density Residential</u>	South: <u>with residences</u>
Lot Dimensions: <u>50 FT x 127 FT</u>	East: _____
Lot Area: <u>6,381 SF</u>	West: _____
Existing Development: <u>1 Story residence and detached garage</u>	

DEVELOPMENT STANDARD COMPARISON

Development Standard	Required/Allowed	Proposed/Provided
Lot Size:		
Lot Width	50 FT	50 FT
Lot Area	6,000 SF	6,381 SF
Density:		
Zone	1 du/6,000 SF	1 du/6,381 SF
General Plan	1 du/6,000 SF	1 du/6,381 SF
Building Coverage:		
Buildings	NA	2,410 SF (38%)
Paving	NA	945 SF (15%)
Open Space	2,552 SF (40%)	3,026 SF (47%)
TOTAL		6,381 SF (100%)
Building Height:		
	2 Stories 27 FT	27 FT (Main House) 22 FT (Detached Granny Unit)
Chimney Height	29 FT	27 FT
First Floor Area	NA	1,775 SF (Main House) 635 SF (Detached 3-Car Garage)
Second Floor Area	NA	1,334 SF (Main House) 512 SF (Detached Granny Unit)
Ratio of First Floor to Second Floor*	80%	75% (Main House) 80% (Detached Granny Unit)
Setbacks		
Front	20 FT	18 FT**
Side (left/right)	5 FT (1 Story) 10 FT Avg. (2 Story)*	5 FT (1 Story) 8-10 FT Avg. (2 Story)(Main House) 9 FT, 8 IN (1 and 2 Story) (Detached Granny Unit)
Rear (alley)	5 FT	10 FT
Roof Overhang (Front)	15 FT	17 FT
Rear Yard Lot Coverage	NA	NA
Parking:		
Covered	2	3
Open	3	2
TOTAL	5 Spaces	5 Spaces
Driveway Width:	NA	NA

NA = Not Applicable or No Requirement

*Design Guideline

**Does not comply with code/minor modification requested

CEQA Status Exempt, Class 3

Final Action Zoning Administrator

BACKGROUND

On June 24, 2004, the Zoning Administrator approved the minor design review as described on the first page of this report. An appeal was filed by area resident Lori McDonald on July 1, 2004. The appeal states, among other things, that (1) the public notice was faulty; (2) the proposed project violates several city zoning ordinances, including open space; (3) the project will invade the privacy of her property, 284 Walnut Street, across the street from the subject property; (4) the proposed project will result in 2, two-story structures on one lot; and (5) the proposed second unit will not be used as a granny unit.

ANALYSIS

Public Notice

There were no errors in the notification of the project that would have invalidated the Zoning Administrator's decision. The public notice of the project included the proposed 2-story residence, the 2nd story granny unit, and the proposed 3-car garage. Public notice was posted on the subject property, sent via postcards to all property owners within 500 feet of the subject property (including the appellant), and published in the newspaper. The appellant states that the property is owned by Barron Hurlbut, while the application and notice refer to Barron and Jance Hurlbut. The addition of a spouse's name is not material to proper consideration of a land use application.

City Zoning Code

The proposed project meets or exceeds all applicable provisions of the City's zoning code for residential development including building setbacks, parking and open space. No variances are required for this project. With regard to open space, the project provides 47% open space, which exceeds code requirement by 7%. Open space includes all areas of the lot which are not covered by buildings, driveways, or parking spaces.

The applicant is requesting a minor modification to allow the support posts for the covered porch to encroach 2 feet into the required 20-foot front setback. Code allows the porch roof to encroach a maximum of 5 feet into the required setback without a minor modification. The proposed porch enhances the architecture and design of the portion of the residence visible from the street and provides a transition between the first and second floors. The main residence meets or exceeds the required 20-foot front setback from property line.

Privacy

Privacy impacts on the appellant's property (directly across Walnut Street from the subject property) will be minimized due to the 22-foot setback from the front

property line to the second story of the proposed residence, coupled with the 60-foot width of the public right-of-way for Walnut Street (10 feet from property line to face of curb, 40 foot street width, and 10 feet from face of curb to property line on the opposite side of the street), and the approximately 20-foot setback of the appellant's residence. The only way to completely eliminate the privacy impacts on the appellant's property would be to eliminate the windows on the elevation facing toward the street, which would result in a rather stark appearance.

Two-Story Structures

As indicated previously, both the main residence and the detached granny unit are two-story structures. A minor design review is required for the proposed second story of both structures because they will exceed 50% of the first floor areas. The Zoning Administrator found that the proposed construction complies with the intent of the residential design guidelines because the elevations incorporate multiple building planes and breaks in the roofline to create visual interest. The residence incorporates variation in building heights and forms, as well as variation in the depth of the floor plans to alleviate building mass. Appropriate transitions between first and second floors have been made, as well as the provision of second floor offsets to avoid unrelieved, two-story walls.

The City's Residential Design Guidelines recommend an average 2nd floor side setback of 10 feet. The proposed primary residence provides an 8-foot average right (west) side setback and a 10-foot average left (east) side setback. The granny unit provides a minimum 9'8" second-story side setback on both sides. There are several 2-story structures in the area that predate the current residential design guidelines having less than 10 foot average, second-story, side setbacks.

Granny Unit

As indicated previously, a detached 512 square-foot granny unit is proposed to be constructed over a 635 square-foot, three-car garage. State law requires cities to allow granny units in R1 zoned properties provided that the occupant(s) is at least 62 years of age and the structure complies with local zoning requirements. The proposed granny unit satisfies these requirements. A condition of approval has been included (condition number 8) requiring a land use restriction be recorded prior to the issuance of building permits. This land use restriction will inform future property owners that no more than two residents, who are no less than 62 years of age, can occupy the granny unit.

ALTERNATIVES

The Commission has the following alternatives:

1. Uphold the Zoning Administrator's approval of ZA-04-30;
2. Overturn the Zoning Administrator's approval and deny ZA-04-30; or

3. Approve ZA-04-30 with modifications.

CONCLUSION

Based on the issues identified in the Zoning Administrator's decision letter and this report, staff recommends upholding the Zoning Administrator's approval of ZA-04-30.

Attachments: Planning Commission Resolution
 Exhibit "A" Draft Findings
 Exhibit "B" Conditions of Approval
 Appeal
 Zoning Administrator Letter dated June 24, 2004
 Applicant's Project Description and Justification
 Zoning/Location Map
 Plans

File Name: 072604ZA0430A

Date: 07/13/04

Time: 10:45am

cc: Deputy City Manager - Dev. Svcs. Director
 Sr. Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Darlene LaCombe
2022 Orchard Drive
Newport Beach, CA 92660

Mr. and Mrs. Hurlbut
3341 Alabama
Costa Mesa, CA 92626

Lori McDonald
284 Walnut Street
Costa Mesa, CA 92627

RESOLUTION NO. PC-04-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING MINOR DESIGN
REVIEW ZA-04-30**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Darlene LaCombe, representing Barron and Jance Hurlbut, owners of the real property located at 281 Walnut Street, requesting approval of a minor design review to construct a two-story, 3,108 square-foot residence and a detached 512 square-foot granny unit, over a 635 square-foot, three-car garage with a development review for the granny unit and a minor modification to allow the support posts for the covered porch to encroach 2 feet into the required front yard setback (20 feet required; 18 feet proposed); and

WHEREAS, the Zoning Administrator approved Minor Design Review ZA-04-30 on June 24, 2004; and

WHEREAS, on July 1, 2004, Minor Design Review ZA-04-30 was appealed to the Planning Commission; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 26, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Minor Design Review ZA-04-30 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for Minor Design Review ZA-04-30 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review,

modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 26th day of July, 2004.

Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Perry L. Valantine, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 26, 2004, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) with regard to the minor design review in that the project complies with the City of Costa mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. The proposed construction complies with the intent of the residential design guidelines because the elevations incorporate multiple building planes and breaks in the roof to create visual interest. The residence incorporates variation in building heights and forms, as well as variation in the depth of the floor plans to alleviate building mass. Appropriate transitions between first and second floors have been made as well as the provision of second floor offsets to avoid unrelieved two-story walls. This minor design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The proposed development and use is compatible and harmonious with uses on surrounding properties.
 - Safety and compatibility of the design of the buildings, landscaping, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - The project is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
- C. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(6) with regard to the minor modification because the encroachment will be for posts supporting a covered porch (the porch roof itself complies with code). The encroachment of the support posts will not be materially detrimental to the health, safety, and general welfare of persons residing within the immediate vicinity of the project or to property and improvements within the neighborhood. The proposed porch enhances the architecture and design of the portion of the residence visible from the street and provides a transition between the first and second floors. The main residence meets or exceeds the 20-foot front setback from property line.
- D. The information presented substantially complies with Costa Mesa Municipal Code with regard to the development review in that the granny unit complies with all applicable provisions of the General Plan and the Zoning Code.

- E. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.

- F. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. Street addresses shall be displayed on the fascia adjacent to the main entrance or front door in a manner visible from the public street and alley. Numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
2. The conditions of approval for ZA-04-30 and DR-04-04 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 7 p.m., on Saturday. Construction is prohibited on Sundays and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off site, such as painting and other quiet interior work.
4. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties. Applicant is advised that recordation of a drainage easement across the private street may be required to fulfill this requirement.
5. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
6. Exterior elevations shall be submitted for pre-plan check review and approval by the Planning Division. Once the exterior elevations have been reviewed and approved by the Planning Division, the exterior elevations shall be incorporated into the plan check drawings.
7. Existing mature vegetation shall be retained wherever possible. Should it be necessary to remove existing vegetation, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees

to be removed, and shall be replaced on a 1-to-1 basis. This condition shall be completed under the direction of the Planning Division.

8. A land use restriction, executed by and between the applicant and the City of Costa Mesa, shall be recorded prior to the issuance of building permits. This land use restriction shall inform future property owners that no more than two residents, who are no less than 62 years of age, shall occupy the granny unit. Additionally, the granny unit shall be served from the same utility meters (electric, gas, and water) as the main dwelling unit on the property. Applicant shall submit to the Planning Division a copy of the legal description for the property, and either a lot book report or current title report identifying the current legal property owner so that the document may be prepared.
9. Second floor windows shall be designed and placed to minimize visibility into the abutting yards. Every effort shall be made to maintain the privacy of abutting property owners.
- Eng. 10. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.

CITY OF COSTA MESA
P.O. BOX 1200
COSTA MESA, CALIFORNIA 92626
APPLICATION FOR APPEAL OR REHEARING

FEE: \$ 470.00

Applicant Name Loei McDonald 04 JUL -1 PM 4:45
Address 284 Walnut St
Phone (949) 6504242 Representing 284 Walnut St.

Decision upon which appeal or rehearing is requested: (Give number of rezone, zone exception, ordinance, etc., if applicable, and the date of the decision, if known.) June 24, 2004

Decision by: _____

Reason(s) for requesting appeal or rehearing: the city notification was faulty (to be commended later)

I am appealing the application 2A-04-30 281 Walnut St cm
Because I am basing the appeal on my contention that there are several (or more) violations of city zoning ordinances involved in this (new) construction.

For example, the postcard mailed to my address by the city of cm. Lists the new construction as a total of 4,355 sq. ft. on a lot with a total sq. ft. of: 6381. 32% of the property is open space + (10 feet) needed to rear of garages (3) in back will violate the 40% open space rule configuration.

this will violate the fair use of my property and invade my privacy in a bedroom, living room, kitchen etc. at only 18 feet to the curb. (another variation, 20 ft. required)
Date: July 1, 2004 Signature: Loei McDonald

For Office Use Only — Do Not Write Below This Line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF: 7/26/04

also: the surrounding houses are configured with side driveways. this project will do away with that, and should not be (2) 2 stories on one lot without at least 12000 sq. ft. It would not be used for a "granny" flat by my estimation, rather an accessory unit in back.



OFFICIAL CITY NOTICE

The Costa Mesa Zoning Administrator will render a decision on **Thursday, June 24, 2004**, or as soon as possible thereafter, on the following item:

Minor Design Review ZA-04-30 for Darlene La Combe, authorized agent for Barron and Jance Hurlbut, to construct a new 3,108 sq. ft. two-story, single-family residence and a 1,247 sq. ft. 2-story detached granny unit (including a 3-car garage), with a minor modification to allow a 2 ft. encroachment into the front setback (20' required; 18' proposed) for a porch, located at 281 Walnut Street in an R1 zone. Environmental determination: exempt.

If you wish to make any oral or written comments regarding the application, please call or write the Planning Division at (714) 754-5245 or at the return address on the opposite side of the card. You have until the action date mentioned above to respond. There will be no public hearing on this request. Notice of the decision will be mailed to any affected party requesting said notice. Challenge of this item in court may be limited to issues raised in writing prior to the above action date.



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

June 24, 2004

Darlene Lacombe
2022 Orchard Drive
Newport Beach, CA 92660

**RE: MINOR DESIGN REVIEW ZA-04-30 AND
DEVELOPMENT REVIEW DR-04-04
281 WALNUT STREET, COSTA MESA**

Dear Ms. Lacombe:

The review of the above-referenced project has been completed. The application has been approved, based on the following project description and findings, subject to the conditions set forth below:

PROJECT DESCRIPTION

The applicant is proposing to construct a new two-story, 3,108 square-foot residence with a detached 512 square-foot granny unit, proposed to be constructed over a 635 square-foot, three-car garage. The three-car garage and two open parking spaces on either side of the garage, will take access from the alley at the rear of the property. A minor design review is required for the proposed second story of both structures because they will exceed 50% of the first floor areas. A development review is required for the granny unit; the occupancy of which will be restricted to no more than two residents, each at least 62 years of age or older. Finally, a minor modification is requested to allow the support posts for the covered porch to encroach 2 feet into the required front yard setback (20 feet required; 18 feet proposed).

The proposed primary residence consists of a living room, dining room, kitchen, and two bedrooms on the first floor, and three bedrooms and a bonus room on the second floor. Access to the second floor is via an interior stairway. The proposed granny unit consists of a living room, kitchen, bedroom and bathroom on the second floor over the three-car garage. Access to the second floor is via an exterior stairway.

The exterior design for both structures is a Cape Code type theme with asphalt shingle roofs, decorative window and door trims, and shiplap siding on the exterior. The existing homes abutting the property are one-story, although there are several two-story residences in the surrounding neighborhood.

The City's Residential Design Guidelines recommend an average 2nd floor side setback of 10 feet. The proposed primary residence provides an 8-foot average right (west) side setback and a 10-foot average left (east) side setback. The granny unit provides a minimum 9' 8" second-story side setback on both sides. There are several 2-story structures in the area that predate the current residential design guidelines having less than 10-foot average, second-story, side setbacks.

The proposed construction complies with the intent of the residential design guidelines because the elevations incorporate multiple building planes and breaks in the roofline to create visual interest. The residence incorporates variation in building heights and forms, as well as variation in the depth of the floor plans to alleviate building mass. Appropriate transitions between first and second floors have been made, as well as the provision of second floor offsets to avoid unrelieved, two-story walls.

The applicant is requesting a minor modification to allow the support posts for the covered porch to encroach 2 feet into the required 20-foot front setback. Code allows the porch roof to encroach a maximum of 5 feet into the required setback without a minor modification. The proposed porch enhances the architecture and design of the portion of the residence visible from the street and provides a transition between the first and second floors. The main residence meets or exceeds the 20-foot front setback from property line.

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) with regard to the minor design review in that the project complies with the City of Costa mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. The proposed construction complies with the intent of the residential design guidelines because the elevations incorporate multiple building planes and breaks in the roof to create visual interest. The residence incorporates variation in building heights and forms, as well as variation in the depth of the floor plans to alleviate building mass. Appropriate transitions between first and second floors have been made as well as the provision of second floor offsets to avoid unrelieved two-story walls. This minor design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The proposed development and use is compatible and harmonious with uses on surrounding properties.
 - Safety and compatibility of the design of the buildings, landscaping, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - The project is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
- C. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(6) with regard to the minor modification because the encroachment will be for posts supporting a covered porch (the porch roof itself complies with code). The encroachment of the support posts will not be materially detrimental to the health, safety, and general welfare of persons residing within the immediate vicinity of the project or to property and improvements within the neighborhood. The proposed porch enhances the architecture and design of the portion of the residence visible from the street and provides a transition between the first and second floors. The main residence meets or exceeds the 20-foot front setback from property line.
- D. The information presented substantially complies with Costa Mesa Municipal Code with regard to the development review in that the granny unit complies with all applicable provisions of the General Plan and the Zoning Code.
- E. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- F. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

- Ping. 1. Street addresses shall be displayed on the fascia adjacent to the main entrance or front door in a manner visible from the public street and alley. Numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
2. The conditions of approval for ZA-04-30 and DR-04-04 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8

- a.m. and 7 p.m., on Saturday. Construction is prohibited on Sundays and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
4. The subject property's ultimate finished grade level may not be filled/raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site storm water flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
 5. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 6. Exterior elevations shall be submitted for pre-plan check review and approval by the Planning Division. Once the exterior elevations have been reviewed and approved by the Planning Division, the exterior elevations shall be incorporated into the plan check drawings.
 7. Existing mature vegetation shall be retained wherever possible. Should it be necessary to remove existing vegetation, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees to be removed, and shall be replaced on a 1-to-1 basis. This condition shall be completed under the direction of the Planning Division.
 8. A land use restriction, executed by and between the applicant and the City of Costa Mesa, shall be recorded prior to the issuance of building permits. This land use restriction shall inform future property owners that no more than two residents, who are no less than 62 years of age, shall occupy the granny unit. Additionally, the granny unit shall be served from the same utility meters (electric, gas, and water) as the main dwelling unit on the property. Applicant shall submit to the Planning Division a copy of the legal description for the property, and either a lot book report or current title report identifying the current legal property owner so that the document may be prepared.

9. Second floor windows shall be designed and placed to minimize visibility into the abutting yards. Every effort shall be made to maintain the privacy of abutting property owners.
- Eng. 10. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.

CODE REQUIREMENTS

For the developer's reference, staff has compiled the following list of federal, state and local laws applicable to the project. Any reference to "City" pertains to the City of Costa Mesa.

- Plng. 1. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
2. Approval of the zoning action is valid for one (1) year and will expire at the end of that period unless building permits are obtained and business commences or the applicant applies for and is granted an extension of time.
3. Development shall comply with all requirements of Section 13-32, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects.
4. All new on-site utility services shall be installed underground.
5. Installation of all new utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
6. Any mechanical equipment such as air-conditioning equipment and ductwork shall be screened from view in a manner approved by the Planning Division. No rooftop mechanical equipment shall be permitted.
- Bldg. 7. Comply with the requirements of the California Code of Regulations, Title 24, also known as the California Building Standards Code, as amended by the City of Costa Mesa.
8. Prior to or concurrent with the submittal of plans for grading/building/plan check/submittal of final subdivision map for engineering plan check, the applicant shall prepare and submit documentation for compliance with the State Water Resources Control Board (SWRCB) Water Quality Order 99-08-DWQ; National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002 for Storm Water Discharges Associated with Construction Activity (General Permit); the California Regional Water Quality Control Board (RWQCB) Santa Ana Region Order No. R8-2002-0010 and NPDES Permit No. CAS618030;

and, the City of Costa Mesa Ordinance No. 97-20 for compliance with NPDES Permit for the City of Costa Mesa. Such documentation shall include a Storm Water Pollution Prevention Plan (if over 5 acres) and a Water Quality Management Plan (WQMP) identifying and detailing the implementation of the applicable Best Management Practices (BMPs).

9. The project applicant shall require the contractor to comply with the SCAQMD's regulations during construction, including Rule 402 which specifies that there be no dust impacts offsite sufficient to cause a nuisance, and SCAQMD Rule 403, which restricts visible emissions from construction. Specific measures to reduce fugitive dust shall include the following:
 - a. Moisten soil prior to grading.
 - b. Water exposed surfaces at least twice a day under calm conditions and as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
 - c. Treat any area that will be exposed for extended periods with a soil conditioner to stabilize soil or temporarily plant with vegetation.
 - d. Wash mud-covered tires and under-carriages of trucks leaving construction sites.
 - e. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud which would otherwise be carried off by trucks departing project sites.
 - f. Securely cover loads of dirt with a tight fitting tarp on any truck leaving the construction sites to dispose of excavated soil.
 - g. Cease grading during periods when winds exceed 25 miles per hour.
 - h. Provide for permanent sealing of all graded areas, as applicable, at the earliest practicable time after soil disturbance.
- Eng. 10. A construction access permit and deposit of \$350 for street sweeping will be required by the Engineering Division prior to the start of any on- or off-site work.
11. Submit required cash deposit or surety bond to guarantee construction of offsite street improvements at time of permit per Costa Mesa Municipal Code Section 15-32, and as approved by City Engineer. Cash deposit or surety bond amount to be determined by the City Engineer.
12. Obtain a permit from the Engineering Division at the time of development and then construct P.C.C. residential sidewalk per City of Costa Mesa standards as shown on the offsite plan, including four feet clear around obstructions in the sidewalk. This requirement may be modified in accordance with the procedures described in City Code Section 13-72.1.

13. Obtain a permit from the Engineering Division at the time of development and then remove any existing driveways and/or curb depressions that will not be used and replace with full height curb and sidewalk at applicant's expense.
14. Private on-site drainage facilities and parkway culverts or drains will not be maintained by the City of Costa Mesa, they shall be maintained by the owner of the property.
15. Reconstruct abutting driveway approach to the east of the subject property. An encroachment permit from Public Services shall be required prior to all work within public right-of-way.
- Trans. 16. Provide minimum 10-foot setback at alley for all parking spaces to provide adequate space for turning movements.
17. Provide pedestrian accessible pathway from Walnut Street leading to entrance of new rear granny unit for visitors, deliveries, or emergency response.
18. Redesign stairway adjacent to new 3-car garage such that front of open parking space remains unobstructed.
- Fire 19. Provide an approved smoke detector to be installed in accordance with the 2001 Edition of the Uniform Fire Code.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- Sani. 1. Developer will be required to construct sewers to serve this project, at his own expense, meeting the approval of the Costa Mesa Sanitary District.
2. County Sanitation District fees, fixture fees, inspection fees, and sewer permit are required prior to installation of sewer. To receive credit for buildings to be demolished, call (714) 754-5307.
3. Developer shall submit a plan showing sewer improvements that meets the District Engineer's approval to the Building Division as part of the plans submitted for plan check.
4. The developer is required to contact the Costa Mesa Sanitary District at (714) 754-5307 to arrange final sign-off prior to certificate of occupancy being released.
5. Developer shall contact the Costa Mesa Sanitary District at (714) 754-5043 to pay trash collection program fees and arrange for service for all new residences using curbside services. Residences using bin or dumpster services are exempt from this requirement.
- School 6. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.
- State 7. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.

Upon receipt of this letter, your project has been approved, subject to the above-listed conditions. A copy of the conceptually-approved plans is enclosed. The decision will become final at 5 p.m. on July 1, 2004, unless appealed by an affected party, or by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Mel Lee, at (714) 754-5611, between 1 p.m. and 5 p.m., Monday through Friday.

Sincerely,



for PERRY L. VALANTINE
Zoning Administrator

Enclosure: Conceptually-approved plans

cc: Engineering
Fire Protection Analyst
Water District
Building Division

Mr. and Mrs. Hurlbut
3341 Alabama
Costa Mesa, CA 92626

PLANNING DIVISION - CITY OF COSON MESA
DESCRIPTION/JUSTIFICATION

Application #: ZA-04-30
Address: 281 Walnut St

Environmental Determination: EXEMPT

1. Fully describe your request:

Permission to construct new 2-story single family residence @ 281 Walnut with new 612 S.F. granny unit above (w) 3-car garage. Seek also permission to encroach 3' into front setback with covered porch.

2. Justification

A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate) N/A Urban

- In a flood zone. In the Redevelopment Area.
 Subject to future street widening. In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

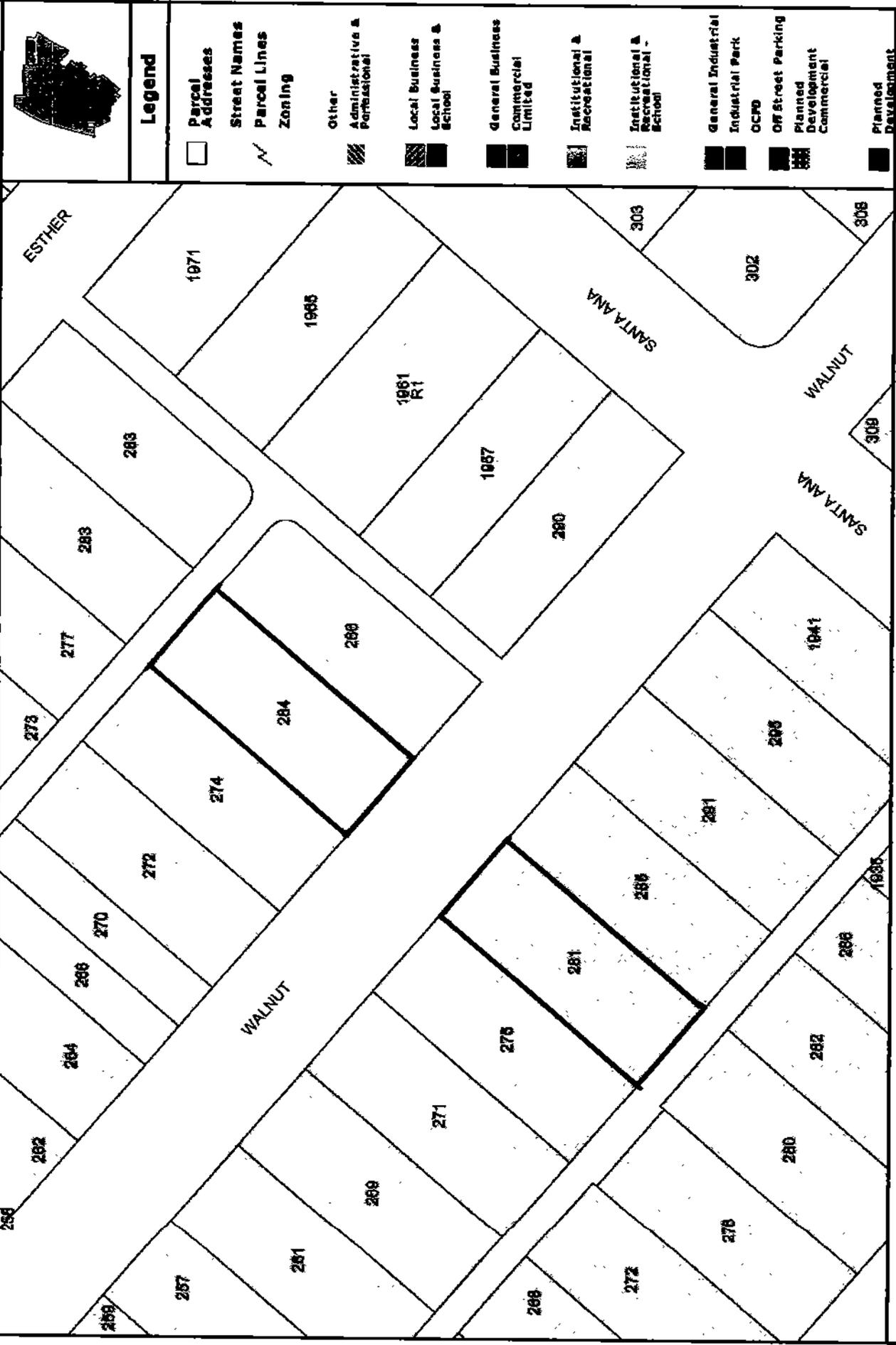
- Is not included in the publication indicated above.
 Is included in the publication indicated above.

Barbara LaCombe
Signature

5-11-04
Date

ZONING/LOCATION MAP

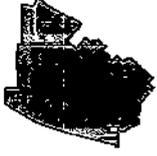
281 AND 284 WALNUT



Legend

- Parcel Addresses
- Street Names
- Parcel Lines
- Zoning
- Other
- Administrative & Professional
- Local Business
- Local Business & School
- General Business Commercial Limited
- Institutional & Recreational
- Institutional & Recreational - School
- General Industrial
- Industrial Park
- OCFD
- Off Street Parking
- Planned Development Commercial
- Planned Development

281 AND 284 WALNUT



Legend

Street Names

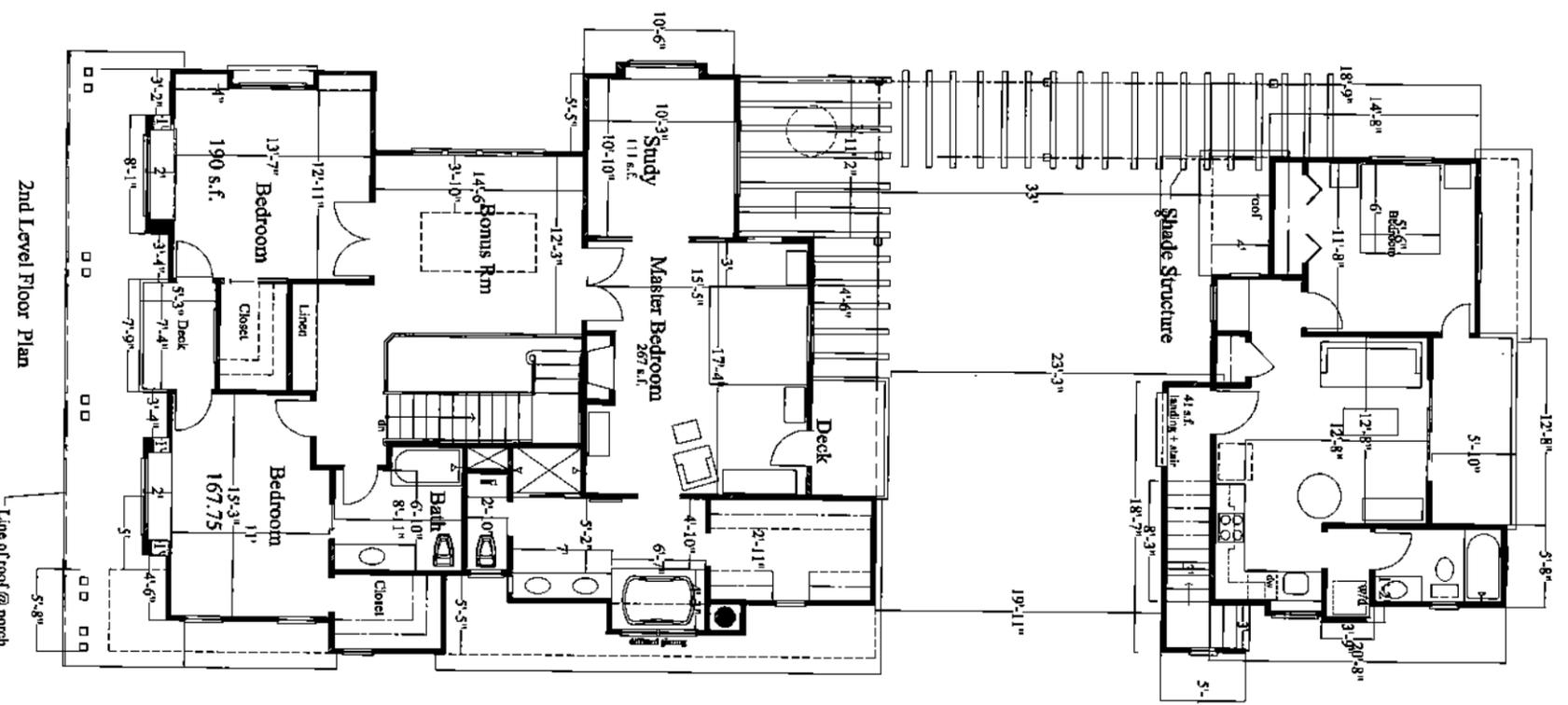
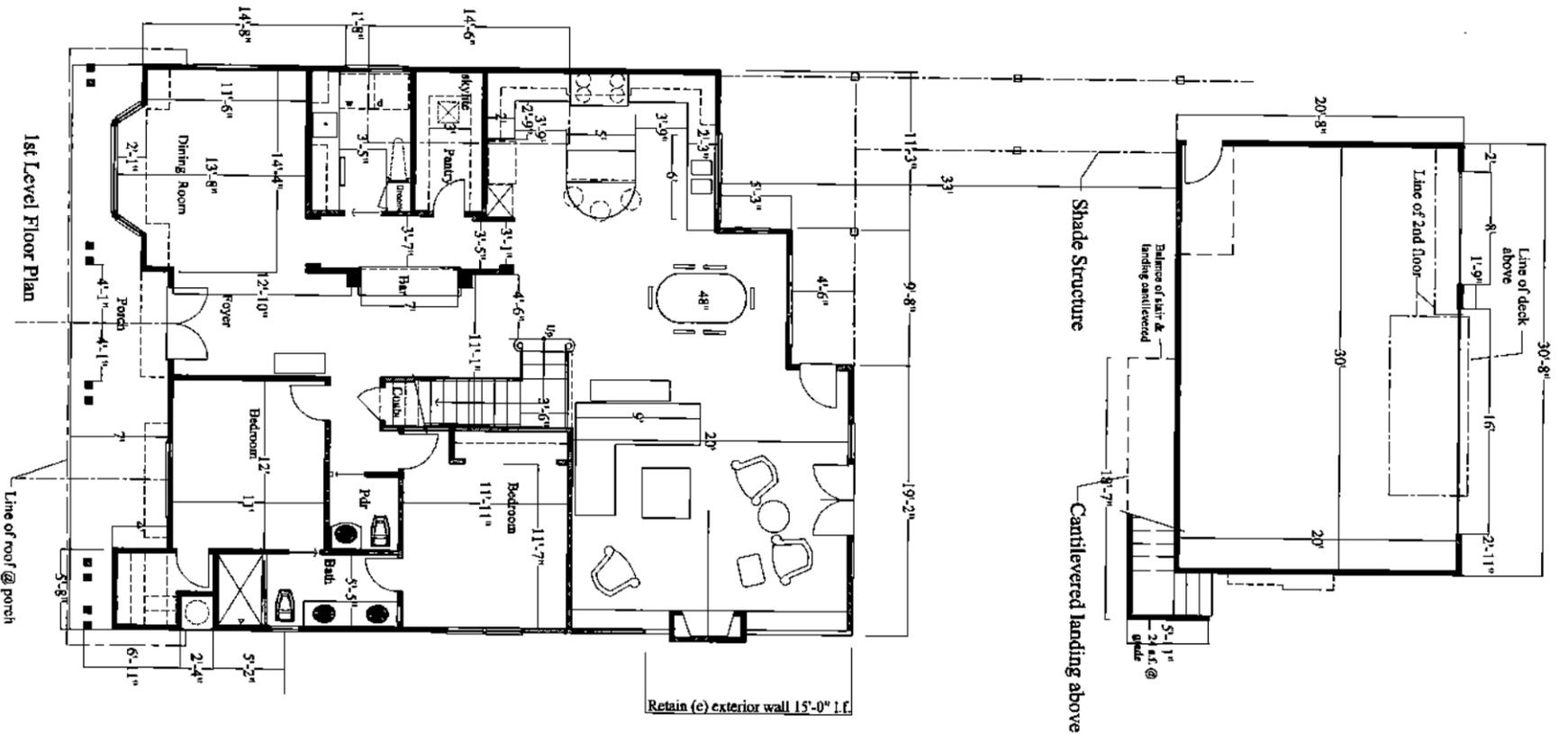
Parcel Lines

Ortho

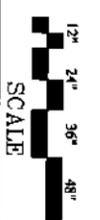
Photography

Parcels





Floor Plans



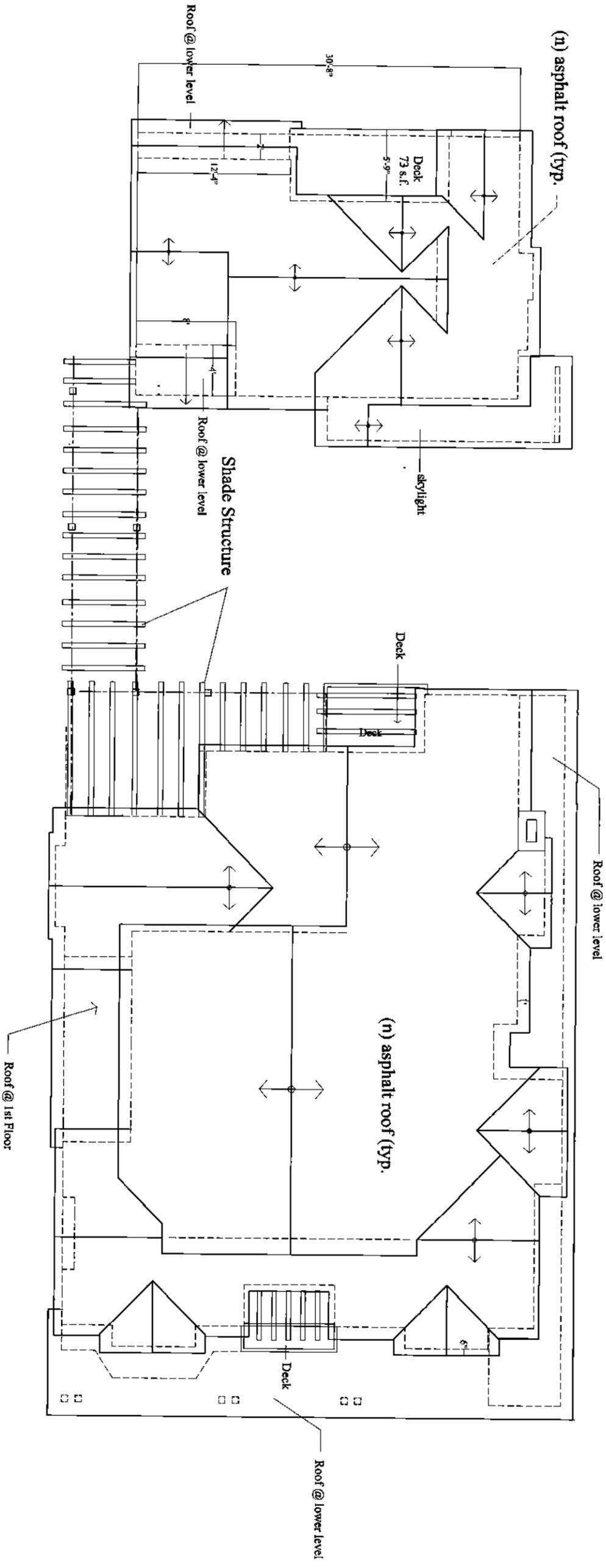
DATE	SCALE	SHEET

A-2

Mr. and Mrs. Hurlbut
 281 Walnut St.
 Costa Mesa, CA

D L C A
 2022 ORCHARD DRIVE
 NEWPORT BEACH, CA.
 TEL. # 714-971-3016

REVISION	BY



Roof Plan



OWNER	
DESIGNED	
DRAWN	
CHECKED	
DATE	
PROJECT	
JOB NO.	
SHEET	

Mr. and Mrs. Hurlbut
281 Walnut St.
Costa Mesa, CA

D L C A
2022 ORCHARD DRIVE
NEWPORT BEACH, CA.
TEL. # 714-971-3016

REVISION	BY

