

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

**TO:** Zoning Administrator  
**FROM:** Andrew Gonzales, Associate Planner  
**DATE:** December 10, 2008

**SUBJECT:** **ENTITLEMENT PLAN AMENDMENT NO. 2008-009 (SARTOR RESIDENCE- AMENDMENT TO COASTAL DEVELOPMENT PERMIT NO. 2007-009; CONDITIONAL USE PERMIT NO. 2007-040)**

**LOCATION:** 16136 Tortola Circle, 92649 (south of Edinger Avenue, between Trinidad and Bimini Lanes- Huntington Harbour)



**Applicant:** Walter Heim, 504 Westminster Avenue, Newport Beach, CA 92663

**Property Owner:** Gary and Milly Sartor, 16136 Tortola Circle, Huntington Beach, CA 92649

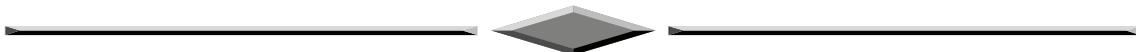
**Request:** An entitlement plan amendment to permit the demolition of an existing two-story, attached residential unit and construction of a new 2,547 sq. ft. three-story, attached unit within a Planned Unit Development. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.

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

**Zone:** RL – CZ (Residential Low Density – Coastal Zone)

**General Plan:** RL – 7 (Residential Low Density – maximum 7 dwelling units per acre)

**Existing Use:** Planned Residential Development



**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 is located within an urbanized residential zone and involves the construction of a new single-family dwelling.

**SUGGESTED FINDING FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 2008-009 (AMENDMENT TO COASTAL DEVELOPMENT PERMIT NO. 2007-009):**

1. Entitlement Plan Amendment No. 2008-009 to permit the demolition of an existing two-story, attached residential unit and construction of a new 2,547 sq. ft. three-story, attached unit within a Planned Unit Development, conforms to the General Plan, including the Local Coastal Program Land Use designation of Residential Low-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 is a new attached residential unit on a site developed with other attached housing units.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project complies with all applicable development regulations, including maximum building height, minimum yard setbacks, and minimum 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 roads.
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 or impact public views to coastal resources.

**SUGGESTED FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 2008-009 (AMENDMENT TO CONDITIONAL USE PERMIT NO. 2007-040):**

1. Entitlement Plan Amendment No. 2008-009 to permit the demolition of an existing two-story, attached residential unit and construction of a new 2,547 sq. ft. three-story, attached unit within a Planned Unit Development 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 residential unit is compatible with the existing planned unit condominium development. The unit matches the building heights, setbacks, exterior finishes, and colors of the adjoining attached units. The unit complies with the requirements of the Zoning & Subdivision Ordinance and requires no additional on-site parking. The proposed unit will result in a negligible increase from the existing building envelope and overall floor area. The proposed unit is not anticipated to create a detriment as it is consistent with previously approved improvements in the surrounding area.
2. The entitlement plan amendment will be compatible with surrounding uses because the proposed residential unit will not significantly alter the design, size, or massing from the

existing dwelling. The proposed unit will not increase the overall height above the existing dwelling and is designed to match the materials and colors of the attached dwelling units

3. The proposed Entitlement Plan Amendment No. 2008-009 will also 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 building height, minimum yard setbacks, maximum site coverage and minimum on-site parking.
4. The granting of the entitlement plan amendment will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Residential Low-Density – maximum 7 units per acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 9.2.1: Require that all new residential development within existing neighborhoods be compatible with existing structures, including the:

LU 9.2.1b: Use of building heights, grade elevations, orientation, and bulk that are compatible with surrounding development.

LU 9.2.1c: Maintenance of privacy on abutting residence.

The proposed dwelling unit will be constructed to maintain the height of the existing dwelling. The new unit will be constructed largely within the existing volume of the residence and will feature a roof pitch which closely matches the existing roof, thus maintaining compatibility with structures in the complex. Windows in the proposed addition are oriented toward the street and the harbor channel, and consequently will have no detrimental impact to the privacy of abutting residences

**SUGGESTED CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENDMENT NO. 2008-009:**

1. The site plan, floor plans, and elevations received and dated October 26, 2007 shall be the conceptually approved design.
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.