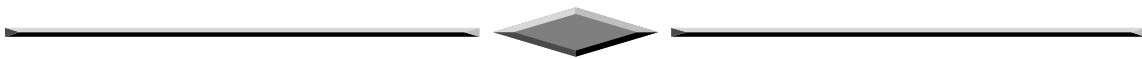


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Associate Planner
DATE: July 15, 2015

SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 15-008/ ADMINISTRATIVE PERMIT NO. 15-006 (CYPRUS RESIDENCE)

LOCATION: 16836 Marinabay Dr., 92649 (terminus of Marinabay Dr., west of Coral Cay Ln.)



Applicant: John Stuetzel, 3130 Airway Ave., Costa Mesa, CA 92626

Property Owner: Brett Cyprus, 3641 Pirate Cir., Huntington Beach, CA 92649

Request: **CDP:** To permit the construction of an approximately 6,705 sq. ft. two-story residence with 814 sq. ft. garage. This includes a review and analysis for compliance with the Infill Lot Ordinance. 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. **AP:** To permit a single family dwelling with lot coverage of 54.2% in lieu of the maximum 50%.

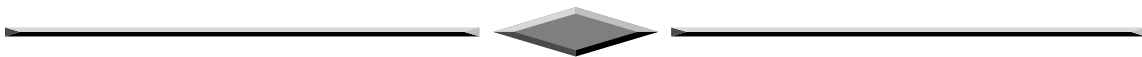
Environmental Status: This request is covered by Categorical Exemption, Section 15302, Class 2, California Environmental Quality Act.

Coastal Status: Appealable

Zone: RL-CZ (Residential Low Density - Coastal Zone Overlay)

General Plan: RL-7 (Residential Low Density)

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 15302 of the CEQA Guidelines, because the project consists of the construction of a single family residence on the same site as the structure replaced with substantially the same purpose and capacity.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-008:

1. Coastal Development Permit No. 15-008 to permit the construction of an approximately 6,705 sq. ft. two-story residence with 814 sq. ft. garage conforms with the General Plan, including the Local Coastal Program. The project is consistent with Coastal Element Policy C 1.1.1, which encourages development within, or contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing single-family residential developments.
2. The project, with the exception of the request to exceed maximum lot coverage, 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 will comply with minimum onsite parking, maximum building height, and minimum setbacks. The proposed 6,705 sq. ft. residence will exceed lot coverage as a result of a second floor balcony at the rear of the building oriented towards the water. The Huntington Beach Zoning and Subdivision Ordinance (HBZSO) allows for a waiver of development standards with approval of an Administrative Permit. As such, the applicant is seeking approval of an Administrative Permit in conjunction with the Coastal Development Permit.
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 project 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 FINDINGS FOR APPROVAL - ADMINISTRATIVE PERMIT NO. 15-006:

1. Administrative Permit No. 15-006 for a single family residence with lot coverage of 54.2% does not exceed a 10% deviation from the maximum allowable 50% lot coverage applicable in the RL (Residential Low Density) zoning district.
2. The waiver of development standards to exceed maximum lot coverage improves project design because it maximizes the views of the water through the strategic placement of a second floor balcony without adding bulk to the building that is visible from the adjacent neighbors' homes. The second floor balcony adds approximately 358 sq. ft. of lot coverage that will not impact the neighbors' views of the water. The architectural enhancements of the building also improve the overall project design.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-008/ ADMINISTRATIVE PERMIT NO. 15-006:

1. The site plan, floor plans, and elevations received and dated June 22, 2015 shall be the conceptually approved design.
2. Prior to submittal for building permits, zoning entitlement conditions of approval and code requirements 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 5 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 final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning & 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. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
6. CDP 15-008/ AP 15-006 shall become null and void unless exercised within two years of the date of final approval or within one year of the date of final Coastal Development Permit approval by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.

7. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
8. 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.