

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

TO: Zoning Administrator
FROM: Hayden Beckman, Senior Planner
DATE: July 18, 2018

**SUBJECT: CONDITIONAL USE PERMIT NO. 18-018/ COASTAL DEVELOPMENT
 PERMIT NO. 18-007 (DEGELAS RESIDENCE)**

LOCATION: 3632 Venture Circle, 92649 (south side of Venture Drive cul-de-sac,
 southeast of Venture Drive at Sundancer Lane)



Applicant: Katelynn Rodgers, Brion Jeannette Architecture, 470 Old Newport Blvd.,
 Newport Beach CA 92663

**Property
Owner:** Frank and Donna DeGelas, 3632 Venture Circle, Huntington Beach, CA 92649

Request: To demolish an existing two story single-family residence and permit the
 construction of a 5,365 sq. ft. two story single-family residence, a 749 sq. ft.
 three car garage, and a 973 sq. ft. third floor deck with a maximum overall
 height of 29 ft. 2 in. 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.

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

Coastal Status: Appealable

General Plan: RL (Residential Low Density)

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

Existing Use: Residential



RECOMMENDATION: Staff recommends approval with modifications 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 consists of the construction of a new single family residence in a residential zone.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-018:

1. Conditional Use Permit No. 18-018 for the demolition of an existing two story single-family residence and the construction of a new 5,365 sq. ft. two story single-family residence with a 749 sq. ft. three car garage and a 973 sq. ft. third floor deck, as modified by conditions of approval, 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. Based upon the conditions imposed, the roof top deck will maintain a five foot setback from the building exterior around the perimeter of the deck and the roof top deck is oriented toward the public right-of-way to ensure privacy is provided for adjacent neighbors. The maximum overall height of the new residence, including the entry façade and railing for the roof top deck, is approximately 29 ft. 2 in., which is under the maximum height requirement of 35 ft. for single-family residences. The new home is consistent with existing dwellings in the neighborhood and the architectural features of the residence, as well as the design, colors, and materials, will complement the existing neighborhood.
2. Conditional Use Permit No. 18-018 for the demolition of an existing two story single-family residence and the construction of a new 5,365 sq. ft. two story single-family residence with a 749 sq. ft. three car garage and a 973 sq. ft. third floor deck, as modified by conditions of approval, will be compatible with surrounding residential uses. The roof top deck is designed to be architecturally compatible with the new single-family residence and is approximately 29 ft. 2 in. in height, under the maximum height of 35 ft. in the RL (residential low density) zone. The height is consistent with the surrounding dwellings within the neighborhood. The roof top deck shall maintain a five-foot setback from the building exterior along the perimeter of the deck, and is oriented towards the public right-of-way to ensure privacy and compatibility with the existing neighborhood. The new residence features design, colors, and materials that are consistent with surrounding single family residences.
3. Conditional Use Permit No. 18-018 for the demolition of an existing two story single-family residence and the construction of a new 5,365 sq. ft. two story single-family residence with a 749 sq. ft. three car garage and a 973 sq. ft. third floor deck, as modified by conditions of approval, 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. As conditioned, the project complies with the requirements of the base zoning district such as lot coverage, minimum yard setbacks, landscaping, parking, and building height; therefore, the proposed project protects the neighborhood character and is compatible in proportion and scale with the existing neighborhood.
4. The granting of Conditional Use Permit No. 18-018 for the demolition of an existing two story single-family residence and the construction of a new 5,365 sq. ft. two story single-

family residence with a 749 sq. ft. three car garage and a 973 sq. ft. third floor deck, as modified by conditions of approval, will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal LU-4: A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

Policy LU-4 (D): Ensure that single-family residences are of compatible proportion, scale and character to surrounding neighborhoods.

Conditional Use Permit No. 18-018 for the demolition of an existing two story single-family residence and the construction of a new 5,365 sq. ft. two story single-family residence with a 749 sq. ft. three car garage and a 973 sq. ft. third floor deck is consistent with the goals and policies of the General Plan, as the project allows for a range of housing types to meet the needs of future and existing residents. Further, as conditioned, the project complies with the requirements of the base zoning district such as maximum height, lot coverage, minimum yard setbacks, landscaping, and parking. The proposed project is compatible in scale and proportion with the existing neighborhood.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-008:

1. Coastal Development Permit No. 18-008 for the demolition of an existing two story single-family residence and the construction of a new 5,365 sq. ft. two story single-family residence with a 749 sq. ft. three car garage and a 973 sq. ft. third floor deck, as modified by conditions of approval, conforms to the General Plan, including the Local Coastal Program. The 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 with existing developed areas able to accommodate it. The proposed project will occur on a developed site, contiguous to existing single-family residential development.
2. Coastal Development Permit No. 18-008 for the demolition of an existing two story single-family residence and the construction of a new 5,365 sq. ft. two story single-family residence with a 749 sq. ft. three car garage and a 973 sq. ft. third floor deck is, as modified by conditions of approval, 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, as conditioned, will comply with all applicable development regulations, including maximum building height, lot coverage, and minimum yard setbacks.
3. Coastal Development Permit No. 18-008 for the demolition of an existing two story single-family residence and the construction of a new 5,365 sq. ft. two story single-family residence with a 749 sq. ft. three car garage and a 973 sq. ft. third floor deck is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.

4. Coastal Development Permit No. 18-008 for the demolition of an existing two story single-family residence and the construction of a new 5,365 sq. ft. two story single-family residence with a 749 sq. ft. three car garage and a 973 sq. ft. third floor deck 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 - CONDITIONAL USE PERMIT NO. 18-018/COASTAL DEVELOPMENT PERMIT NO. 18-007:

1. The site plan, floor plans, and elevations received and dated May 4, 2018 shall be the conceptually approved design with the following modifications:
 - a. All portions of the glass railing for the proposed rooftop deck shall be setback a minimum of 5 feet from any exterior building wall. **(HBZSO Section 210.06 (M)(1)(d))**
 - b. The proposed entry tower structure shall be attached to the dwelling by both the proposed entry trellis and a solid exterior wall extending from top of slab to the maximum overall height of the trellis.
2. Prior to the submittal of building permits the following shall be completed: 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. Conditional Use Permit No. 18-018 and Coastal Development Permit No. 18-007 shall become null and void unless exercised within two years of the date of final approval by the Zoning Administrator, 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 Community Development Department a minimum 30 days prior to the expiration date.
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 Community Development 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 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 Community Development 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.

6. 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.