

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

TO: Zoning Administrator
FROM: Lindsay Ortega, Project Planner
DATE: August 1, 2018
SUBJECT: **CONDITIONAL USE PERMIT NO. 18-021/COASTAL DEVELOPMENT PERMIT NO. 18-009 (DOHMAN RESIDENCE)**
LOCATION: 3531 Courtside Circle (west of Coral Cay Lane)

Applicant: Jeffrey Dahl, 1102 Main Street, Huntington Beach, CA 92648

Property Owner: Matthew Dohman, 17341 Tidal View Lane, Huntington Beach, CA 92648

Request: To demolish an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high. The request 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)

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 15303 of the CEQA Guidelines, because the project consists of the construction of a single-family residence within a residential zone.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-021:

1. Conditional Use Permit No. 18-021 to demolish an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high 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 because 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 railing for the roof top deck, is approximately 29 ft. 9 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. The conditional use permit to demolish an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high will be compatible with surrounding uses because the overall building height (29 ft. 9 in.) will be consistent with the height of existing two-story homes in the neighborhood. 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. 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.
3. The proposed conditional use permit to demolish an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high 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 in that the project complies with minimum on-site parking and building setbacks, as well as maximum lot coverage and building height. The roof top deck above the second story plate line is allowed for all single-family dwellings in the RL (Residential Low Density), with approval of a Conditional Use Permit. 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 railing for the roof top deck, is approximately 29 ft. 9 in., which is under the maximum height requirement of 35 ft. for single-family residences.
4. The granting of the conditional use permit to demolish an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high will not adversely affect the General Plan because it is consistent with the Land Use Element designation of RL (Residential Low Density) 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.

B. Coastal Element

Objective – C 1.1: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

Conditional Use Permit No. 18-021 to permit the demolition of an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high 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 proposed, 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. 18-009:

1. Coastal Development Permit No. 18-009 to demolish an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high conforms with the General Plan, including the Local Coastal Program in that 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 to existing developed areas able to accommodate it. The proposed addition will occur on a developed site, contiguous to existing residential development.
2. The request to demolish an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code because the construction will comply with all applicable development regulations, including maximum building height and minimum yard setbacks.
3. At the time of occupancy the proposed development to demolish an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high can be provided with infrastructure in a manner that is consistent with the Local Coastal Program because the proposed single-family residence 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 request to demolish an existing single-family residence and construct a two-story, 6,024 sq. ft. single-family residence with a 490 sq. ft. roof top deck at a height of 29.75 ft. high conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act because the project will not impede public access, recreation, or views to coastal resources.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-009 /CONDITIONAL USE PERMIT NO. 18-021:

1. The site plan, floor plans, and elevations received and dated July 9, 2018 shall be the conceptually approved design.
2. 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.
3. Prior to submittal of 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.
4. The structure cannot be occupied and the final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements shall 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. Conditional Use Permit No. 18-021 and Coastal Development Permit No. 18-009 shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval by the City or 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.
6. 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.
7. 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.