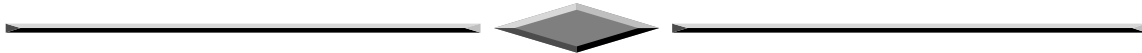


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Jessica Bui, Assistant Planner  
**DATE:** November 1, 2017

**SUBJECT:** **COASTAL DEVELOPMENT PERMIT NO. 17-013/ CONDITIONAL USE PERMIT NO. 17-007 (STRODE RESIDENCE)**

**LOCATION:** 16121 Santa Barbara Lane, 92649 (west side of Santa Barbara Ln. and north of San Clemente Cir.)



**Applicant:** Martin Bard, Brion Jeanette Architecture, 470 Old Newport Boulevard, Newport Beach, CA 92663

**Property Owner:** Scott Strode, 28 Coral Reef, Newport Coast, CA 92657

**Request:** **CDP:** To construct an approximately 711 sq. ft. addition to an existing 3,658 sq. ft. single family residence and approximately 148 sq. ft. addition to an existing 563 sq. ft. garage. **CUP:** To construct an approximately 329 sq. ft. roof top deck above the second story top plate at a height of approximately 34.17 ft. 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.

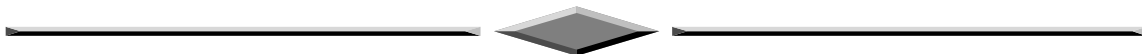
**Environmental Status:** This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

**Coastal Status:** Appealable

**General Plan:** Residential Low Density (RL)

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

**Existing Use:** Residential



**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 - COASTAL DEVELOPMENT PERMIT NO. 17-013:**

1. Coastal Development Permit No. 17-013 to construct an approximately 711 sq. ft. addition to an existing 3,658 sq. ft. single family residence and approximately 148 sq. ft. addition to an existing 563 sq. ft. garage conforms with the General Plan, including the Local Coastal Program. The project is consistent with the 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 to accommodate it. The proposed 711 sq. ft. addition to the existing 3,658 sq. ft. single family residence and approximately 148 sq. ft. addition to an existing 563 sq. ft. garage will occur on a developed lot, contiguous to existing residential development.
2. Coastal Development Permit No. 17-013 to construct an approximately 711 sq. ft. addition to an existing 3,658 sq. ft. single family residence and approximately 148 sq. ft. addition to an existing 563 sq. ft. garage is consistent with the requirements of the Coastal Zone Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The addition, as conditioned, will comply with all applicable development regulations, including lot coverage, minimum yard setbacks, landscaping requirements, parking, and building height.
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. Coastal Development Permit No. 17-013 to construct an approximately 711 sq. ft. addition to an existing 3,658 sq. ft. single family residence and approximately 148 sq. ft. addition to an existing 563 sq. ft. garage is located on a developed lot in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 17-013 to construct an approximately 711 sq. ft. addition to an existing 3,658 sq. ft. single family residence and approximately 148 sq. ft. addition to an existing 563 sq. ft. garage 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 coast resources.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 17-027:**

1. Conditional Use Permit No. 17-027 to construct an approximately 329 sq. ft. roof top deck above the second story top plate at a height of approximately 34.17 ft. to an existing single family residence 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 roof top deck will maintain a five foot setback from the building exterior around the perimeter of the deck and is oriented toward the public right-of-way to ensure privacy is provided for abutting neighbors. Furthermore, the roof top deck is designed to be integrated with the roof and is under the maximum height requirement of 35 ft. for the single

family residence. The roof top deck is architecturally compatible with the existing dwellings in the neighborhood as the design, materials, and colors will complement the existing neighborhood.

2. Conditional Use Permit No. 17-027 to construct an approximately 329 sq. ft. roof top deck above the second story top plate at a height of approximately 34.17 ft. to an existing single family residence will be compatible with surrounding uses because the roof top deck is an ancillary addition to the single family residence and the use will be maintained as a single family residence, consistent with the surrounding residential uses. The roof top deck is designed to be architecturally compatible with the existing single family residence and is approximately 34.17 ft. in height, which is 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 as the roof is designed with the required 5/12 roof pitch for all parts of the roof that exceeds 30 ft. to ensure compatibility with the existing neighborhood. Furthermore, the roof top deck shall maintain a five foot setback from the building exterior along the perimeter of the deck and is oriented toward the public right-of-way to ensure compatibility with the existing neighborhood and privacy is maintained.
3. Conditional Use Permit No. 17-027 to construct an approximately 329 sq. ft. roof top deck above the second story top plate at a height of approximately 34.17 ft. to an existing single family residence 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 (HBZSO). The HBZSO allows for roof top decks above the second story top plate and single family dwellings to exceed 30 ft. with the approval of a conditional use permit. The roof top deck, as proposed, meets the minimum code requirement of a five foot setback from the building exterior along the perimeter of the deck, and all portions of the dwelling that exceeds 30 ft. has the required minimum roof pitch of 5/12.
4. The granting of the Conditional Use Permit No. 17-027 to construct an approximately 329 sq. ft. roof top deck above the second story top plate at a height of approximately 34.17 ft. to an existing single family residence 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.

The proposed request to construct an approximately 329 sq. ft. roof top deck above the second story top plate at a height of approximately 34.17 ft. to an existing single family residence is consistent with the requirements of the base zoning district, as well as other provisions of the Municipal Code including lot coverage, minimum yard setbacks, landscaping requirements, parking, and building height. The overall building height of 34.17 ft. will match the surrounding properties in scale and character because the neighborhood is developed with two-story, single-family residences with similar roof pitches and building

heights. Furthermore, the proposed deck above the second story top plate is oriented toward the public right-of-way, and will maintain a five foot setback from the building exterior around the perimeter of the deck to ensure privacy is maintained for neighbors.

**SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 17-013 /CONDITIONAL USE PERMIT NO. 17-027:**

1. The site plan, floor plans, and elevations received and dated September 28, 2017 shall be the conceptually approved design with the following modification: Plans shall note NAVD 88 as the datum for compliance with flood zone AE and show compliance with elevation requirements per Chapter 222 of the Huntington Beach Zoning and Subdivision Ordinance.
2. Prior to 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. 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.
4. Prior to the issuance of a building permit, the elevation of the lowest floor shall be certified by a California registered engineer or surveyor. The completed FEMA elevation certificate shall be submitted to the Community Development Department.
5. Conditional Use Permit No. 17-027 and Coastal Development Permit No. 17-013 shall become null and void unless exercised within two years of the date of final approval by the City Council, 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.
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.