

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, JUNE 6, 2018 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Lindsay Ortega, Jessica Bui, Judy Graham

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 18-004 (SNEIDER MIXED USE):

APPLICANT: Susan Vanderpool, 16231 Annatto Court, Chino Hills, CA 91709
PROPERTY OWNER: Murrey Sneidner, 1949 Auto Center Drive, Glendora, CA 91741
REQUEST: To construct an approximately 4,330 sq. ft. mixed use building which includes classic car sales on the first floor and two residential units on the second floor. The project is located in the non-certified Sunset Beach Specific Plan area and the development of the mixed use building with two compact parking spaces (minimum dimensions of 8 ft. by 15 ft. 6 in.) will require coastal development review by the California Coastal Commission.
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.
LOCATION: 16655 Pacific Coast Highway, 90742 (west side of Pacific Coast Hwy. and north of 19th St.)
CITY CONTACT: Lindsay Ortega

Lindsay Ortega, Project Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Ms. Ortega noted that staff received five emails stating frustration due to the lack of availability to view the plans on line.

Ricky Ramos, Zoning Administrator, had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Susan Vanderpool, applicant, stated that she had no comments or concerns with the staff's recommendations.

Scott Dodson, resident, inquired what percentage of square footage is designated as residential compared to the commercial area. Ms. Ortega stated that a little less than 50% of the space would be residential. Mr. Dodson also inquired if the property is sold do the parking spaces become available for residential. Ms. Ortega explained that the property has a commercial

enclosed space and five of the proposed parking spaces will be designated for the commercial use.

Sue Porter, resident, verified that there are two residential units and inquired what the parking space ratio for those units would be. Ms. Ortega explained that the residential units are required to provide two spaces per unit. The proposed project has three garage units and one open parking space.

Diana Dodson, resident, inquired about the zoning for the project. She believed it to be commercial/ tourist. Ms. Ortega explained that the Specific Plan allows residential spaces to be included in a project as long as it is less than 50% of the total square footage.

George Barfield, resident, inquired if the proposed project had one less parking space than required and if 50% of the spaces would be designated compact. Ms. Ortega stated that the proposed parking meets all code requirements, she noted that the compact spaces are the same length as regular parking, however, they are more compact in width.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that he would approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 18-004 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

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 involves construction of a 4,330 sq. ft. mixed use structure within an urbanized area.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-004:

1. Conditional Use Permit No. 18-004 for the development of a 4,330 sq. ft. two-story mixed use building consisting of a 2,015 sq. ft. classic car sales business on the ground floor and two residential units on the second floor 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 project is proposed to meet all required development standards and will provide the code required parking on-site. The building footprint of the proposed building is similar to the existing building and the parking and circulation is proposed to function similarly to the previous use. The project, as designed, addresses vehicular, pedestrian and bicycle traffic safety, provides sufficient parking to accommodate the uses on site, and does not impact coastal access in the vicinity.
2. Conditional Use Permit No. 18-004 for the development of a 4,330 sq. ft. two-story mixed use building consisting of a 2,015 sq. ft. classic car sales business on the ground floor and two residential units on the second floor will be compatible with surrounding uses because the proposed mixed-use building will maintain a relatively similar layout as the original structure, the building scale is compatible with the adjacent buildings, the project is

consistent with the Sunset Beach Specific Plan development standards, and the project is adjacent to other visitor-serving commercial uses along Pacific Coast Highway. The use is not anticipated to generate additional traffic, noise, or other impacts to surrounding properties. All commercial uses will occur indoors. Therefore, granting a conditional use permit will be compatible with the surrounding land uses.

3. The proposed conditional use permit for the development of a 4,330 sq. ft. two-story mixed use building consisting of a 2,015 sq. ft. classic car sales business on the ground floor and two residential units on the second floor will comply with the development standards and land use provisions in the Sunset Beach Specific Plan, including maximum height, setback requirements, and parking, as well as the requirements of the Coastal Zone (CZ) Overlay District. The project is located within the Sunset Beach Tourist (SBT) District of Sunset Beach, which requires approval of a conditional use permit from the Zoning Administrator for commercial land uses. Adequate vehicular circulation and access are provided for the project.
4. The granting of Conditional Use Permit No. 18-004 will not adversely affect the General Plan. The General Plan Land Use Map designation on the subject property is currently CVmu (Commercial Visitor – Mixed Use Overlay). Mixed use projects are allowed within the property zoning and land use designation, and the project as designed is consistent the General Plan goals and policies identified below:

Goal LU 1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU 1 (A): Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

Policy LU 1 (C): Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

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 (C): Encourage a mix of residential types to accommodate people with diverse housing needs.

Goal LU 11: Commercial land uses provide goods and services to meet regional and local needs.

Goal LU 1 (B): Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.

Goal LU 14: Huntington Beach continues to attract visitors and provides a variety of attractions and accommodations during their stay.

Policy LU 14 (B): Encourage both coastal and inland visitor-serving uses to offer a wide spectrum of opportunities for residents and visitors

Policy C 2.4.1: Maintain an adequate supply of parking that supports the present level of demand and allows for the expected increase in private transportation use.

Goal C 3: Provide a variety of recreational and visitor commercial serving uses for a range of cost and market preferences.

Policy C 3.2.4: Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, and day spas.

The proposed project consists of the development of a two-story mixed-use project with a classic car sales business on the ground floor and two residential units on the second floor. The new mixed-use building is located in an area designated for commercial uses that will serve tourists and visitors. The proposed project will provide a visitor-serving commercial use with an adequate supply of parking that meet regional needs. Additionally, the project provides both a visitor serving commercial use and residential units that will meet the need of future and existing residents on an underutilized parcel consistent with the General Plan.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 18-004:

1. The site plan, floor plans, and elevations received and dated May 3, 2018 shall be the conceptually approved design with the following modification: the commercial parking shall be clearly signed and identified as parking available for the commercial use on-site and shall be also be depicted on the plans.
2. Any conditions of approval, imposed by the California Coastal Commission that are more restrictive than those set forth in this approval shall be adhered to.
3. The operation of the mixed-use building shall remain as described in the project narrative received and dated May 23, 2018.
4. Prior to submittal for building permits, the following shall be completed:
 - a. Evidence of Coastal Development Permit approval by the California Coastal Commission shall be submitted to the Community Development Department.
 - b. Zoning entitlement conditions of approval, California Coastal Commission 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.
5. At least 14 days prior to any grading activity, the applicant shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.

6. 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.
7. 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.
8. Conditional Use Permit No. 18-004 shall become null and void unless exercised within two years of the date of final Coastal Commission approval, 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.
9. 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.
10. 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.

ITEM 2: CONDITIONAL USE PERMIT NO. 18-010/COASTAL DEVELOPMENT PERMIT NO. 18-005 (NGUYEN NEW SINGLE FAMILY RESIDENCE):

APPLICANT: Jointow Lin, 392 Camino De Estrella, San Clemente, CA 92672
PROPERTY OWNER: Toan Nguyen, 21581 Bahama Lane, Huntington Beach, CA 92646
REQUEST: To demolish an existing single-family residence and construct an approximately 4,596 sq. ft. two-story single family residence, a 580 sq. ft. third floor deck, and a privacy gate across the driveway. 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. Appealable
LOCATION: 9162 Christine Drive, 92646 (south side of Christine Dr. and north of Capistrano Ln.)
CITY CONTACT: Jessica Bui

Jessica Bui, Assistant Planner, stated that due to public notification errors, staff is requesting a continuance to the June 20, 2018, meeting.

THE PUBLIC HEARING WAS OPENED.

Marilyn Thompson, resident, stated that she would not be able to attend the June 20, 2018, meeting. She stated she had concerns with the proposed project citing her concerns with the potential negative impact to her privacy, ocean views, and the proposed privacy gate.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that he would continue the request to the June 20, 2018 meeting at staff's request.

CONDITIONAL USE PERMIT NO. 18-010/COASTAL DEVELOPMENT PERMIT NO. 18-005 WERE CONTINUED TO THE JUNE 20, 2018 MEETING AT STAFF'S REQUEST.

ITEM 3: CONDITIONAL USE PERMIT NO. 18-007/COASTAL DEVELOPMENT PERMIT NO. 18-004 (NGUYEN & NEWTON RESIDENCE):

APPLICANT: Mark Tran, 2744 East Bennett Ave., Orange, CA 92869
PROPERTY OWNER: Van Ngyuen, 1814 Main Street, Huntington Beach, CA 92648
REQUEST: To remodel an existing 2,800 sq. ft. two-story, single family residence and construct an approximately 2,497 sq. ft. addition, which includes a 472 sq. ft. third floor addition, 260 sq. ft. second floor balcony, and a 442 sq. ft. third floor deck. 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. Appealable

LOCATION: 16861 Marina Bay Dr., 92649 (near the terminus of Marina Bay Dr.)

CITY CONTACT: Joanna Cortez

Joanna Cortez, Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval and denial as presented in the executive summary. Ms. Cortez noted that staff received one inquiry wanting general information regarding the proposed project.

THE PUBLIC HEARING WAS OPENED.

Mark Tran, applicant, stated that he had no comments or concerns with the staff's recommendations.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that he would approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 18-007/COASTAL DEVELOPMENT PERMIT NO. 18-004 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

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 an addition to an existing single-family residence within a residential zone.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-007:

1. Conditional Use Permit No. 18-007 to remodel an existing 2,800 sq. ft. two-story, single family residence and construct an approximately 2,497 sq. ft. addition, which includes a 472 sq. ft. third floor addition, 260 sq. ft. second floor balcony, and a 442 sq. ft. third floor deck 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 472 sq. ft. third floor addition will include a game room; it is designed to be confined within the second floor roof volume and all windows are oriented toward the public right-of-way. The proposed project includes a 442 sq. ft. third floor deck that is set back five feet from the building exterior and is oriented toward the channel. Moreover, the third floor addition and deck does not exceed the height limit of 35 ft. and will be accessible only from the interior of the building, therefore, the overall design will be consistent with the surrounding properties.
2. The conditional use permit to remodel an existing 2,800 sq. ft. two-story, single family residence and construct an approximately 2,497 sq. ft. addition, which includes a 472 sq. ft. third floor addition, 260 sq. ft. second floor balcony, and a 442 sq. ft. third floor deck will be compatible with surrounding uses. The proposed third floor habitable area will be integrated within the confines of the second story roof volume. All windows will also be oriented towards the public right-of-way, which will protect direct views onto adjacent residences. The proposed third floor deck is also setback five feet from the building exterior, further preserving views onto adjacent residences. In addition, the overall building height (33 ft.-6 in.) will be consistent with the height of existing homes in the neighborhood.
3. The proposed to remodel an existing 2,800 sq. ft. two-story, single family residence and construct an approximately 2,497 sq. ft. addition, which includes a 472 sq. ft. third floor addition, 260 sq. ft. second floor balcony, and a 442 sq. ft. third floor deck 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. The project complies with minimum on-site parking, building setbacks, lot coverage, as well building height. The proposed roof deck will be setback a minimum of five feet from the second-story façade as required by the HBZSO. The third floor habitable area and third floor deck is allowed for all single-family dwellings in the RL (Residential Low Density), with approval of a Conditional Use Permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation RL on the subject property. In addition, the request to remodel an existing 2,800 sq. ft. two-story, single family residence and construct an approximately 2,497 sq. ft. addition, which includes a 472 sq. ft. third floor addition, 260 sq. ft. second floor balcony, and a 442 sq. ft. third floor deck 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 is consistent with the requirements of the base zoning district, as well as other provisions of the Municipal Code including setbacks, maximum building height, and minimum on-site parking, and lot coverage. The overall building height will match the

surrounding properties because the neighborhood is developed with single-family residences with similar building heights. The proposed third floor habitable area will be integrated within the confines of the second story roof volume. All windows will also be oriented towards the channel, which will protect direct views onto adjacent residences. Additionally, the proposed third floor deck is setback five feet from the building exterior, further preserving views onto adjacent residences.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-004:

1. Coastal Development Permit No. 18-004 to remodel an existing 2,800 sq. ft. two-story, single family residence and construct an approximately 2,497 sq. ft. addition, which includes a 472 sq. ft. third floor addition, 260 sq. ft. second floor balcony, and a 442 sq. ft. third floor deck, with 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 to existing developed areas able to accommodate it. The proposed project will occur on a developed site, contiguous to existing residential development.
2. The project to remodel an existing 2,800 sq. ft. two-story, single family residence and construct an approximately 2,497 sq. ft. addition, which includes a 472 sq. ft. third floor addition, 260 sq. ft. second floor balcony, and a 442 sq. ft. third floor deck 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 addition will comply with all applicable development regulations such as minimum on-site parking, building setbacks, lot coverage, as well as building height
3. At the time of occupancy, the proposed development to remodel an existing 2,800 sq. ft. two-story, single family residence and construct an approximately 2,497 sq. ft. addition, which includes a 472 sq. ft. third floor addition, 260 sq. ft. second floor balcony, and a 442 sq. ft. third floor deck 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 roadways.
4. The development to remodel an existing 2,800 sq. ft. two-story, single family residence and construct an approximately 2,497 sq. ft. addition, which includes a 472 sq. ft. third floor addition, 260 sq. ft. second floor balcony, and a 442 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.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 18-007/COASTAL DEVELOPMENT PERMIT NO. 18-004:

1. The site plan, floor plans, and elevations received and dated May 30, 2018 shall be the conceptually approved design with the following modifications:
 - a. The three proposed second floor windows on the south (left) elevation shall be offset from the existing residence to the south (left) or consider locating the windows high on the elevations (5.5-6 feet from the ground) in compliance with the Infill Lot Ordinance.
 - b. The exterior spiral staircase on the south (left) elevation shall be removed.
2. Final building permit(s) cannot be approved until the following has been completed:

- a. The applicant shall provide approval from the property's Homeowner Association.
 - b. All improvements shall be completed in accordance with approved plans.
 - c. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - d. 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.
3. 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.
 4. Conditional Use Permit No. 18-007 and Coastal Development Permit No. 18-004 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.
 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.

ITEM 4: CONDITIONAL USE PERMIT NO. 18-013/COASTAL DEVELOPMENT PERMIT NO. 18-006 (REINHOLM RESIDENCE REMODEL):

APPLICANT/
PROPERTY OWNER: Erick and Mary Jane Reinholm, 3191 Remora Drive, Huntington Beach, CA 92649

REQUEST: To remodel the second floor of an existing 2,545 sq. ft. two-story, single family residence and construct an approximately 695 sq. ft. third floor addition and a 140 sq. ft. third floor deck.

ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Section 15301 Class 1, California Environmental Quality Act.

COASTAL STATUS: Appealable

LOCATION: 3191 Remora Drive, 92649 (near the northeast corner of Remora Dr. and Intrepid Ln.)

CITY CONTACT: Joanna Cortez

Joanna Cortez, Associate Planner, displayed project plans and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval and denial as presented in the executive summary. Ms. Cortez noted that staff received one inquiry wanting general information regarding the proposed project.

Ricky Ramos verified with staff that the elevation was from the channel.

THE PUBLIC HEARING WAS OPENED.

Erick Reinholm, applicant, stated that he had no comments or concerns with the staff's recommendations.

Karen Otis, applicant, thanked staff for the hard work. She stated that she had no comment or concerns with staff's recommendations.

THERE WAS NO ONE ELSE PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that he would approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 18-013/COASTAL DEVELOPMENT PERMIT NO. 18-006 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

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 15301 of the CEQA Guidelines, because the project consists of an addition to an existing single-family residence within a residential zone.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-013:

1. Conditional Use Permit No. 18-013 to remodel the second floor of an existing 2,545 sq. ft. two-story, single family residence and construct an approximately 695 sq. ft. third floor addition and a 140 sq. ft. third floor deck 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 695 sq. ft. third floor addition will include two bedrooms, a bathroom, and loft; it is designed to be confined within the second floor roof volume and all windows are oriented toward the public right-of-way. The proposed project includes a 140 sq. ft. third floor deck that is set back five feet from the building exterior, and is oriented toward the channel. Moreover, the third floor addition and deck does not exceed the height limit of 35 ft. and will be accessible only from the interior of the building, therefore, the overall design will be consistent with the surrounding properties.
2. The conditional use permit to remodel the second floor of an existing 2,545 sq. ft. two-story, single family residence and construct an approximately 695 sq. ft. third floor addition and a 140 sq. ft. third floor deck will be compatible with surrounding uses. The third floor addition, which includes two bedrooms, bathroom, and loft, is designed to be within the confines of the roof volume and all proposed windows are oriented toward the public right-of-way. This facilitates the structures resemblance as a two-story home with mass and scale that is similar to homes in the neighborhood. In addition, the overall building height (28 ft.-7 in.) will be consistent with the height of existing homes in the neighborhood. The proposed 140 sq. ft. third floor deck is set back five feet from the building exterior, and is oriented toward the channel.
3. The proposed request to remodel the second floor of an existing 2,545 sq. ft. two-story, single family residence and construct an approximately 695 sq. ft. third floor addition and a 140 sq. ft. third floor deck 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 project complies with minimum on-site parking and building setbacks, as well building height. The proposed roof deck will be setback a minimum of five feet from the second-story façade as required by the HBZSO. The third floor habitable area and third floor deck is allowed for all single-family dwellings in the RL (Residential Low Density), with approval of a Conditional Use Permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. The request to remodel the second floor of an existing 2,545 sq. ft. two-story, single family residence and construct an approximately 695 sq. ft. third floor addition and a 140 sq. ft. third floor deck is consistent with the Land Use Element designation 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 is consistent with the requirements of the base zoning district, as well as other provisions of the Municipal Code including setbacks, maximum building height, and minimum on-site parking. The overall building height will match the surrounding properties because the neighborhood is developed with single-family residences with similar building heights. The proposed third floor habitable area will be integrated within the confines of the second story roof volume. All windows will also be oriented towards public right-of-way, which will protect direct views onto adjacent residences. Additionally, the proposed third floor deck is setback five feet from the building exterior, further preserving views onto adjacent residences.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-006:

1. Coastal Development Permit No. 18-006 to remodel the second floor of an existing 2,545 sq. ft. two-story, single family residence and construct an approximately 695 sq. ft. third floor addition and a 140 sq. ft. third floor deck conforms with 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 to existing developed areas able to accommodate it. The proposed project will occur on a developed site, contiguous to existing residential development.
2. The project to remodel the second floor of an existing 2,545 sq. ft. two-story, single family residence and construct an approximately 695 sq. ft. third floor addition and a 140 sq. ft. third floor deck 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 addition will comply with all applicable development regulations such as minimum on-site parking and building setbacks, as well as building height.
3. At the time of occupancy, the proposed development to remodel the second floor of an existing 2,545 sq. ft. two-story, single family residence and construct an approximately 695 sq. ft. third floor addition and a 140 sq. ft. third floor deck 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 roadways.
4. The development to remodel the second floor of an existing 2,545 sq. ft. two-story, single family residence and construct an approximately 695 sq. ft. third floor addition and a 140 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.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 18-013/ COASTAL DEVELOPMENT PERMIT NO. 18-006:

1. The site plan, floor plans, and elevations received and dated April 3, 2018 shall be the conceptually approved design with the following modification: include a site plan that depicts the dimension between the edge of the third floor deck and the exterior of the building.
2. Final building permit(s) cannot be approved until the following has 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.
3. 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.
4. Conditional Use Permit No. 18-013 and Coastal Development Permit No. 18-006 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.
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.

THE MEETING WAS ADJOURNED AT 1:48 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JUNE 20, 2018, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:jg