



City of Huntington Beach

File #: 25-516

MEETING DATE: 7/8/2025

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission
FROM: Jennifer Villaseñor, Director of Community Development
BY: Wayne Carvalho, Contract Principal Planner

SUBJECT:
APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT NO. 24-032 AND COASTAL DEVELOPMENT PERMIT NO. 24-036 (VU RESIDENCE)

REQUEST:

To demolish an existing residence and construct a 7,392 sq. ft., 3-story single-family dwelling at a height of 35 ft. with an attached 682 sq. ft. 3-car garage, a 35 sq. ft. 2nd floor balcony, and two (2) 3rd floor balconies totaling 166 sq. ft.

LOCATION:

16482 Somerset Lane, 92649 (Gilbert Island in Huntington Harbour)

APPELLANT: Mayor Pat Burns

APPLICANT:
ANHA Studio, 13472 Jessica Dr., Garden Grove, CA 92843

PROPERTY OWNER:
Chi Hoang Thuy Vu, 3932 Sirius Dr., Huntington Beach, CA 92649

In considering this request, the Planning Commission may either uphold the Zoning Administrator's decision (with or without modifications) or take an alternative action.

ZONING ADMINISTRATOR ACTION:

A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3; and

B) Approve Conditional Use Permit No. 24-032 and Coastal Development Permit No. 24-036 with suggested findings and conditions of approval (Attachment No. 1)

ALTERNATIVE ACTION(S):

A) Do not make the suggested findings, which will result in a mandatory denial per Section 241.10(C) and Section 245.30 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO); or

B) Continue Conditional Use Permit No. 24-032 and Coastal Development Permit No. 24-036 and direct staff accordingly.

PROJECT PROPOSAL:

The project includes the following requests: Conditional Use Permit (CUP) No. 24-032/Coastal Development Permit (CDP) No. 24-036 - To demolish an existing residence and construct a 7,392 sq. ft., 3-story single-family dwelling at a height of 35 ft. with an attached 682 sq. ft. 3-car garage, a 35 sq. ft. 2nd floor balcony, and two (2) 3rd floor balconies totaling 166 sq. ft. (Attachment No. 2)

Zoning Administrator Action:

The Zoning Administrator (ZA) held a public hearing on May 21, 2025, to consider the proposed project. The applicant/architect, An Ha, and the property owner's representative, Kyle Tran, were present to answer questions. There was one person who spoke in opposition to the proposed project. An adjacent neighbor commented on the proposed height of the new residence, stating that the height may impact his solar panels. He also inquired about the potential design of fencing and a rolling vehicular access gate along the front property line, requesting that the project not be designed as a compound (Attachment No. 4).

Staff reported that the project was in compliance with all development standards for the RL (Residential Low Density) zoning designation, including maximum height, lot coverage, and minimum building setbacks. Staff further explained that the proposed third floor was designed within the confines of the second-floor roof volume with the third-floor balconies oriented toward the public right of way (street/channel). There was no proposal for walls, fencing, or gates along the front property line with the request. The conceptual plans had been routed to the Fire and Public Works Departments, and the Building Division for comments and, if approved, would be reviewed for compliance during the building plan check process.

While the ZA agreed with staff's findings, an additional condition was included:

- All windows shall be proportional in size, alignment, and symmetry along the front elevation of the third floor.

With this added condition, the ZA approved the project with staff's suggested findings and modified conditions of approval (Attachment No. 3).

Appeal:

On May 29, 2025, following the ZA's action, the project was appealed by Mayor Pat Burns citing that the house was out of scale with the neighborhood, and that the proposed structure was not consistent with General Plan Land Use Policy LU-4 (D) in that it was not compatible in proportion and/or scale to the surrounding neighborhood. (Attachment No. 5)

Architectural consistency and compatibility with the neighborhood

There is a range of single story, two-story and three-story homes located in Huntington Harbour, many of which are located along the channel. The proposed three-story residence has been designed to conform to the City's zoning ordinance. Specifically, the structure is designed to appear as a two-story structure with all third-floor habitable area within the confines of the roof volume. Exceptions for vertical projections include dormers and decks provided those features are setback a minimum of five feet from the exterior of the building and meet height requirements. Open decks and balconies must be oriented towards the public right of way. In this case, the proposed third floor decks are oriented toward the street and channel.

On a historical note, the City Council adopted an ordinance in 1992 to regulate third-story design applicable to single-family homes in low density residential districts. Between 1986 and 1992, the zoning code permitted 3 stories without design limitations subject to approval of a CUP by the Planning Commission. Before 1986, third story construction was permitted by right provided the overall height did not exceed 30 feet.

Prior to adoption of the 3rd story ordinance in 1992, a Harbor Code Committee was created by the City Council to review 3-story construction in Huntington Harbour. The focus of the committee was to review design requirements taking into account issues of compatibility with the surrounding neighborhood. The committee ultimately determined not to prohibit 3rd stories, but allow them subject to restrictions on size, design and interior use. Such restrictions were intended to minimize the obtrusiveness of third stories and maximize compatibility with surrounding one- and two-story homes. These provisions are incorporated in the current zoning code and the project complies with them.

Gilbert and Admiralty Islands include a variety of single story to three-story homes that have a diverse range of architectural styles. The proposed height of the home is compatible with other two and three-story homes in the area that generally range from 25 to 35 feet. Note that the adjacent property directly southeast is occupied with an approximate 6,300 sq. ft., 35 ft. high, 3-story home. The adjacent property directly northwest had a CDP and CUP previously approved in 2002 for a 7,054 sq. ft., 34'-9" high, 3-story home. However, the third story addition on that project was never constructed.

ISSUES AND ANALYSIS:

Subject Property and Surrounding General Plan Designations, Zoning and Land Uses:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	RL (Residential Low Density)	RL-CZ (Residential Low Density - Coastal Zone Overlay)	Residential
North, South, East (across Huntington Harbour), and West (across Somerset Ln.) of Subject Property:	RL	RL-CZ	Residential

General Plan Conformance:

The project is consistent with the Land Use Element designation of RL (Residential Low Density) on the subject property and with the following goal and policies of the General Plan:

Land Use Element

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(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

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

The proposed project complies with requirements of the base RL zoning district including parking, building setbacks, building height, lot coverage, and privacy design standards. Huntington Harbour is developed with single story, 2-story and 3-story homes ranging in height of up to 35-feet. This project proposes a 35 ft. height limit which will be compatible with other 2-story and 3-story homes in the area. The proposed third-floor habitable space is designed within the confines of the second-story roof volume ensuring compatibility with other multi-story homes in the area including those directly adjacent to the subject property. As required by code, the proposed third-floor balcony decks will be oriented toward the public street and channel and will be setback a minimum of five feet from the building exterior. This code requirement provides privacy for abutting properties.

Zoning Compliance:

The proposed project complies with the provisions in Titles 20-25 of the HBZSO including setbacks, building height, minimum landscape, privacy standards, and parking requirements as demonstrated in the table below:

STANDARD	REQUIRED	PROPOSED
Setbacks Front Side Rear Garage	Min. 15 ft. Min. 5 ft. Min. 10 ft. Min. 20 ft.	17 ft., 10 in. 5 ft. 20 ft., 1 in. 20 ft., 5 in.
Lot Coverage (Building Footprint)	Max. 50% of 7,215 sq. ft. 3,607.5 sq. ft.	49.9% 3,606 sq. ft.
Building Height	Max. 35 ft.	34 ft., 11 in.
Landscaping	Min. 40% of front setback 414 sq. ft.	761 sq. ft.
Parking	Min. 3 enclosed, 3 open	3 enclosed, 3 open

Single-family residences proposed over 30 feet in height or with any habitable living space above the second floor, including roof top decks, are subject to approval of a Conditional Use Permit (CUP) by

the Zoning Administrator. Within the RL zoning designation, residential projects that do not include improvements above the second floor are not subject to a CUP, do not need a public hearing, and may proceed directly to the building permit process. As detailed in the table above, the proposed single-family dwelling complies with minimum RL development standards but is subject to CUP approval due to the proposed third floor. A Coastal Development Permit (CDP) is required for new construction on a waterfront lot.

The subject property is approximately 7,215 sq. ft., slightly larger than the typical 5,000 to 6,000 sq. ft. lots for single-family homes in Huntington Harbour. Homes in the neighborhood vary between single-story, two-stories, and three-stories with a maximum height of 35 feet. The proposed three-story residence is consistent with residential developments that have been built throughout Huntington Harbour within the same zoning district.

As older properties redevelop, projects are typically designed to the fullest extent allowed by the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The new residence is consistent with the requirements of the zoning district and will be compatible with the area. The third-floor space is designed within the confines of the second-floor roof volume, which facilitates the structure's resemblance to a two-story home. The 35-ft. building height and appearance of a two-story home is similar to the proportion and scale of two- and three-story homes in the area. Furthermore, the third-floor balcony decks are setback five feet from the building exterior and are oriented towards the front (street) and rear (channel), which will maintain privacy for abutting residences.

Urban Design Guidelines Conformance:

The proposed single-family residence is designed to convey a high level of quality and a character that incorporates quality materials and design such as stucco siding, tempered glass railings, and a standing seam metal roof which are consistent with the City of Huntington Beach Urban Design Guidelines. Although the applicant is proposing a three-story structure, the third story is designed within the confines of the second-story roof volume. The third-floor balconies are setback from the second story building exterior to provide articulation and reduce massing.

Environmental Status:

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 would develop a single-family residence within an existing urbanized residential zone.

Coastal Status:

The project involves the removal and replacement of a single-family residence that is located within the appealable area of the Coastal Zone. The proposed residence with third floor habitable area is subject to the requirements of HBZSO Chapter 245, and a Coastal Development Permit is required.

Other Departments Concerns and Requirements:

The Departments of Community Development, Fire, and Public Works have reviewed the project and identified a list of code requirements (Attachment No. 6) applicable to the project.

Public Notification:

Legal notice was published in the Huntington Beach Wave on June 26, 2025, and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property,

individuals/organizations requesting notification (Planning Division's Notification Matrix), applicant, and interested parties.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:	MANDATORY PROCESSING DATE(S):
April 25, 2025	Not applicable to appeals

This item was originally presented to the Zoning Administrator on May 21, 2025.

SUMMARY:

The Planning Commission may approve the proposed project based on the following summary of findings (Attachment No. 1):

- Complies with the General Plan including the Local Coastal Program;
- Consistent with the requirements of the base zoning district, as well as other applicable provisions of the Municipal Code;
- Compatible with the existing surrounding uses in proportion, scale, and character; and
- Incorporates quality materials and design such as stucco siding, tempered glass railings, standing seam metal roofs, and building articulation.

~~ATTACHMENTS:~~

- ~~1. Suggested Findings and Conditions of Approval~~
- ~~2. Plans received and dated April 8, 2025~~
- ~~3. ZA Notice of Action~~
- ~~4. ZA Meeting Minutes~~
- ~~5. Appeal received and dated May 29, 2025~~
- ~~6. Code Requirements~~
- ~~7. Vicinity Map~~
- ~~8. Project Narrative~~
- ~~9. Photos of Project Site and Neighboring Properties~~
- ~~10. PowerPoint~~