

**MINUTES**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Council Chambers - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, NOVEMBER 5, 2025 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Joanna Cortez

**STAFF MEMBER:** Jason Kelley, Wayne Carvalho, Michelle Lopez

**PUBLIC COMMENTS:**

**ITEM 1: CONDITIONAL USE PERMIT NO. 25-009/COASTAL DEVELOPMENT PERMIT NO. 25-005 (LE RESIDENCE):**

**APPLICANT:** An Ha, An Ha Studio, 13472 Jessica Dr., Garden Grove CA, 92843  
**PROPERTY OWNER:** Tom Le & Ha Family Trust, 9822 Raretan Ave., Fountain Valley, CA 92708  
**REQUEST:** To demolish an existing residence and construct a new 5,148 sq. ft. three-story single-family dwelling at a height of 30 ft.  
**ENVIRONMENTAL STATUS:** The proposed project is covered by Section 15301, Class 1 of the California Environmental Quality Act (CEQA).  
**LOCATION:** 16472 Barnstable Circle (Humboldt Island in Huntington Harbour)  
**CITY CONTACT:** Wayne Carvalho

Wayne Carvalho, Principal Contract 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. Staff modified the findings to limit an overall height of 30 ft., based on the applications that have previously come before the city, over the last few months. He stated that the position of the city council has been to limit the overall height to 30 ft. Staff received one public comment from a planning commissioner in support of the project to be allowed with an overall height of 30 ft.

Joanna Cortez, Zoning Administrator, had no questions for staff.

An Ha, applicant, stated that he was aware that city council has been limiting projects to an overall height of 30 ft. and didn't understand their reasoning. He noted that in the past many projects were approved over 30 ft. height. He commented that the proposed item is structured, engineered, calculated, and perfectly proportionated in accordance with code. He confirmed that he understood staff's recommendations but would like the item to be approved with the originally proposed overall height of 34 ft.

Tom Ha, property owner, stated that he didn't understand why the project was not being supported with the originally proposed overall height of 34 ft in accordance with code. He noted that if the project would be challenged then he would agree to the modified height to avoid delaying the project.

Ms. Cortez stated that she understood their concerns. She clarified that when a project complies with code that is in reference to parameters such as: maximum height and setbacks. She added that through the public hearing process for a conditional use permit or coastal development permit the code does allow up to 35 ft. these projects are discretionary. She stated that she understood that the modified project is consistent with projects that have been approved in the surrounding neighborhood. She stated that the findings were met with the modified conditions of approval in terms of compatibility.

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

Joanna Cortez stated that she would approve the request as recommended by staff.

**CONDITIONAL USE PERMIT NO. 25-009 & COASTAL DEVELOPMENT PERMIT NO. 25-005 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED FINDINGS AND MODIFIED 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 the construction of a single-family residence within a residential zone.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 25-009:**

1. Conditional Use Permit No. 25-009 to demolish an existing residence and construct a 5,148 sq. ft., 3-story, single-family residence with an attached 437 sq. ft. 2-car garage at an overall height of 30 ft., as conditioned, 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 third floor space, as modified, is designed to be confined within the second floor volume, which facilitates the structure's resemblance to a two-story home with a mass and scale that is similar to the proportion and scale of homes in the surrounding neighborhood. In addition, the third-floor balcony is setback a minimum of five feet from the building exterior and is oriented toward the channel (public right-of-way), which will minimize the visual mass and bulk of the structure and maintain privacy for abutting residences.
2. The granting of the Conditional Use Permit No. 25-009 to demolish an existing residence and construct a 5,148 sq. ft., 3-story, single-family residence with an attached 437 sq. ft. 2-car garage at an overall height of 30 feet, 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 and with the following goals and policies of the General Plan:

A. 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 conforms with the requirements of the RL base zoning district including parking, building setbacks, building height, lot coverage, and privacy design standards. The proposed third-floor balcony will be oriented toward the rear (channel) and will be setback a minimum of five feet from the building exterior, ensuring privacy is maintained for abutting residences. The conditioned 30-ft. building height is similar and more consistent to the height of homes in the neighborhood.

3. The proposed Conditional Use Permit No. 25-009 to demolish an existing residence and construct a 5,148 sq. ft., 3-story, single-family residence with an attached 437 sq. ft. 2-car garage at an overall height of 30 ft., as conditioned, 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) because as conditioned, the project complies with parking, building setbacks, building height, lot coverage, and privacy design standards. In addition, the third-floor habitable area is designed to be within the confines of the second story roof volume and the proposed third floor balcony will be setback five feet from the building façade, as required by the HBZSO. Third floor habitable area is permitted for all single-family dwellings in the RL zoning district with the approval of a conditional use permit.

#### **FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 25-005:**

1. Coastal Development Permit No. 25-005 for the development project conforms with the General Plan, including the Local Coastal Program. The request to demolish an existing residence and construct a 5,148 sq. ft., 3-story, single-family residence with an attached 437 sq. ft. 2-car garage at an overall height of 30 ft., as conditioned, conforms with the City's Local Coastal Program, including Coastal Element Land Use Policy C 1.1.1 which encourages new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed development will occur entirely on a site previously occupied by a single-family residence, contiguous to properties also developed with single-family residential uses at similar building heights.
2. Coastal Development Permit No. 25-005 to demolish an existing residence and construct a 5,148 sq. ft., 3-story, single-family residence with an attached 437 sq. ft. 2-car garage at an overall height of 30 ft., as conditioned, 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 as conditioned, the project will comply with all applicable development regulations, including maximum building height, minimum yard setbacks, lot

coverage, and privacy design standards. No code exceptions are requested as part of this project.

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 because Coastal Development Permit No. 25-005 to demolish an existing residence and construct a 5,148 sq. ft., 3-story, single-family residence with an attached 437 sq. ft. 2-car garage at an overall height of 30 ft., as conditioned, is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 25-005 to demolish an existing residence and construct a 5,148 sq. ft., 3-story, single-family residence with an attached 437 sq. ft. 2-car garage at an overall height of 30 ft., as conditioned, conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will not impede public access, recreation, or views to coastal resources.

**CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 25-009/COASTAL DEVELOPMENT PERMIT NO. 25-005:**

1. The site plan, floor plans, and elevations received October 3, 2025, shall be the conceptually approved layout with the following modifications:
  - a. The habitable area above the second story plate line shall be designed to be within the confines of the roof volume and reach the second story top plate. **(HBZSO 210.07 (M)(1)(d))**
  - b. The maximum height of the structure shall not exceed 30 feet.
  - c. All rooftop mechanical equipment shall be screened from public view (including views from channel). **(HBZSO 230.76)**
2. Prior to submittal of building permits, the following shall be completed:
  - a. One set of project plans, revised pursuant to Condition No. 1 of this approval, shall be submitted for review, approval, and inclusion in the entitlement file, to the Community Development Department.
  - b. Zoning entitlement conditions of approval 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. Prior to issuance of final building permits, the following shall be 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.

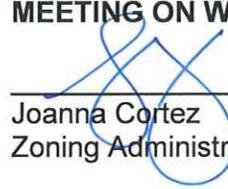
4. During demolition, grading, site development, and/or construction, the following shall be completed:
  - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
  - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
  - c. Truck idling shall be prohibited for periods longer than 10 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.
5. 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.
6. Conditional Use Permit No. 25-009 and Coastal Development Permit No. 25-005 shall become null and void unless exercised within two years of the date of final approval 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.
7. 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.

**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,

Zoning Administrator 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 1:45 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, DECEMBER 3, 2025, AT 1:30 P.M.**

  
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Joanna Cortez  
Zoning Administrator

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