

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

WEDNESDAY, MARCH 4, 2020 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Nicolle Aube, Joanna Cortez, Isela Siordia

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 19-015 (MARINABAY REMODEL AND ADDITION):

APPLICANT: Jeffrey Dahl, 1102 Main Street, Huntington Beach, CA 92648
PROPERTY OWNER: Angel Del Villar, 16842 Marinabay Dr., Huntington Beach, CA 92649
REQUEST: To permit an interior remodel and an approximately 1,143 sq. ft. first and second floor addition to an existing 4,250 sq. ft., two-story single family dwelling.
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.
Appealable
LOCATION: 16842 Marinabay Drive, 92649 (near the terminus of Marinabay Dr.)
CITY CONTACT: Nicolle Aube

Nicolle Aube, 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 as presented in the executive summary.

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

THE PUBLIC HEARING WAS OPENED.

Jeffrey Dahl, 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.

COASTAL DEVELOPMENT PERMIT NO. 19-015 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) 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 a remodel and addition to an existing single-family residence within a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 19-015:

1. Coastal Development Permit No. 19-015 to permit an interior remodel and an approximately 1,143 sq. ft. first and second floor addition to an existing 4,250 sq. ft., two-story single family dwelling conforms with the General Plan, including the Local Coastal Program because 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 able to accommodate it. The proposed addition will occur entirely on a developed site, contiguous to existing single-family residential development.
2. The request to permit an interior remodel and an approximately 1,143 sq. ft. first and second floor addition to an existing 4,250 sq. ft., two-story single family dwelling 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 project, as conditioned, will comply with all applicable development regulations, including setbacks, parking, and lot coverage.
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. 19-015 for interior remodel and an approximately 1,143 sq. ft. first and second floor addition to an existing 4,250 sq. ft., two-story single family dwelling is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 19-015 to permit an interior remodel and an approximately 1,143 sq. ft. first and second floor addition to an existing 4,250 sq. ft., two-story single family dwelling 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 - COASTAL DEVELOPMENT PERMIT NO. 19-015:

1. The site plan, floor plans, and elevations received and dated January 2, 2020 and supplemental plans dated February 4, 2020 shall be the conceptually approved layout with the following modifications:
 - a. All portions of the proposed covered patio (including eaves) shall not project more than five ft. into the rear yard setback. **(HBZSO 230.08(E))**
 - b. Depict a minimum of 40% of the front yard setback area as landscaped. Include dimensions of the landscaped areas within the front yard setback area on the site plan. **(HBZSO 210.06(S))**
2. 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. 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.
5. Coastal Development Permit No. 19-015 shall become null and void unless exercised within two years of the date of final 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.
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.

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: TENTATIVE PARCEL MAP NO. 19-123 (MARINIA SUBDIVISION - CONTINUED FROM THE FEBRUARY 19, 2020, MEETING):

APPLICANT: Michael Knapton, Kimley Horn and Associates, 401 B Street,
Suite 600, San Diego, CA 92612

PROPERTY OWNER: Ryan Prager, Zeal Palace, LP, 3337 Michelson Drive, Suite 380, Irvine, CA 92612

REQUEST: To subdivide an existing 5.62 acre (marina) parcel and create a .384 acre parcel that will consist of a dock and five existing boat slips. This request also requires review and approval from the California Coastal Commission.

ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption Section 15315, Class 15, California Environmental Quality Act. Appealable

LOCATION: APN: 178-291-33 (Associated with 4121 Warner Ave., 92649, near the northeast corner of Warner Ave. and Sceptre 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 as presented in the executive summary. Staff indicated that they had received 4 inquiries citing concerns with potential new construction, and 1 in-person comment citing opposition against the request.

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

THE PUBLIC HEARING WAS OPENED.

Brian Davis, attorney for applicant, stated that he had no comments or concerns with the staff's recommendations.

Son Nguyen, resident, spoke in opposition of request, citing concerns with potential safety, noise, and property value impacts.

A brief discussion took place to confirm the addition of new boat slips. Mr. Ramos reviewed the request and clearly stated the request is to subdivide the parcel and no additional boat slips would be added.

Mr. Davis, attorney for applicant, confirmed.

Chris Casillas, resident, spoke citing concerns with potential parking impacts. Mr. Casillas requested further clarification of the request.

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 with modified conditions.

TENTATIVE PARCEL MAP NO. 19-123 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING 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) 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 15315 of the CEQA Guidelines, because the proposed project consists of the division of property into four or fewer parcels and is in conformance with the General Plan, no variances or exceptions are required, and all services and access to the proposed parcels are available.

FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 19-123:

1. Tentative Parcel Map No. 19-123 to subdivide (for sale, lease, or finance purposes) an existing 5.62 acre (marina) parcel and create a .384 acre parcel with a dock and five existing boat slips is consistent with the General Plan Land Use Element designation of OS-W (Open Space-Water Recreation) on the subject property in that the existing public marina use will continue on both parcels. The proposed subdivision, for sale, lease, or financing purposes, complies with other applicable provisions of the Subdivision Map Act and the Huntington Beach Zoning, Subdivision Ordinance (HBZSO) and the California Coastal Act (CCA). Because this location is in the original permit jurisdiction, the City has reviewed it for compliance with the CCA and has determined that this subdivision request meets the standards for an "approval in concept."
2. Tentative Parcel Map No. 19-123 to subdivide (for sale, lease, or finance purposes) an existing 5.62 acre (marina) parcel and create a .384 acre parcel with a dock and five existing boat slips is physically suitable for the type and density of the development because the proposed subdivision does not propose any new construction and the existing improvements will continue to serve as a public marina. The outcome of the proposed subdivision is the continuance of a publically accessible marina, which is allowable in SP4 (Huntington Harbour Bay Club Specific Plan), OS-W land use designation, and is compatible with surrounding development.
3. The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is located in an urban setting and is currently developed as a public marina with five boat slips and does not contain wildlife or habitat. The subdivision does not propose to modify the existing use nor is any construction proposed with this request.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. As conditioned, the project will maintain existing utility easements and public access walkways as a part of this proposed tentative parcel map.

CONDITIONS OF APPROVAL - TENTATIVE PARCEL MAP NO. 19-123:

1. The tentative parcel map received and dated November 20, 2019, shall be the conceptually approved design.
2. This subdivision is for the sale, lease, or financing purposes only and the applicant/property owner shall continue to operate the subdivided portion of the marina as approved by the

California Coastal Commission (CCC) and as detailed in Specific Plan No. 4 (Huntington Harbour Bay Club Specific Plan). This includes, but not limited to: Banquet/restaurant activities shall be limited to Area B of the Specific Plan and shall not occur within the public marina (Area C) nor shall they obstruct public access to the marina.

3. Prior to submittal of final map, the property owner shall obtain all required approvals for the subdivision from the appropriate regulatory agencies, including but not limited to, the California Coastal Commission. A copy of the written notice of approval from each applicable agency shall be submitted to the Community Development Department for inclusion in the entitlement file.
4. Public access consistent with recorded Tract Map No. 11881 (recorded as Instrument No. 87-719660 in Book 592/Pages 20-23 of Miscellaneous Maps in the County of Orange Records), and per the Irrevocable Offer of Dedication (per Document No. 88-663292, recorded on December 20, 1988), shall be preserved. **(PW)**
5. Should the owner sell the divided parcel in the future and the new owner desires to provide domestic water to the parcel, a new domestic water service and meter shall be installed per Water Division Standards, and sized to meet the minimum requirements set by the California Plumbing Code (CPC). **(PW)**
6. 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.
7. Tentative Parcel Map No. 19-123 shall become null and void unless exercised within two years of the date of final 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.
8. 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. Final Map review 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, 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 3: COASTAL DEVELOPMENT PERMIT NO. 20-001 (HO RESIDENCE):

APPLICANT: David Pockett, BLA Architects, 2031 Orchard Drive, Suite 100, Newport Beach, CA 92706
PROPERTY OWNER: Steven Ho, 2457 N. Avalon Avenue, Orange, CA 92867
REQUEST: To permit an interior remodel and an approximately 942 sq. ft. first and second floor addition to an existing 3,543 sq. ft., two-story single family dwelling.
ENVIRONMENTAL STATUS: This request is covered by Categorical Exemption Section 15301, Class 01, California Environmental Quality Act. Appealable
LOCATION: 16081 Santa Barbara Lane, 92649 (west side of Santa Barbara Ln., south of Edinger Ave.)
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 as presented in the executive summary. Ms. Cortez noted that staff did not receive any inquiries regarding the proposed permits.

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

THE PUBLIC HEARING WAS OPENED.

David Pockett, 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.

COASTAL DEVELOPMENT PERMIT NO. 20-001 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) 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 a remodel and addition to an existing single-family residence within a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 20-001:

1. Coastal Development Permit No. 20-001 to permit an interior remodel and an approximately 942 sq. ft. first and second floor addition to an existing 3,543 sq. ft., two-story single family dwelling conforms with the General Plan, including the Local Coastal Program because 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

able to accommodate it. The proposed addition will occur entirely on a developed site, contiguous to existing single-family residential development.

2. The request to permit an interior remodel and an approximately 942 sq. ft. first and second floor addition to an existing 3,543 sq. ft., two-story single family dwelling 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 project, as proposed, complies with all applicable development regulations, including setbacks, parking, and lot coverage.
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. 20-001 to permit an interior remodel and an approximately 942 sq. ft. first and second floor addition to an existing 3,543 sq. ft., two-story single family dwelling is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 20-001 to permit an interior remodel and an approximately 942 sq. ft. first and second floor addition to an existing 3,543 sq. ft., two-story single family dwelling 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 - COASTAL DEVELOPMENT PERMIT NO. 20-001:

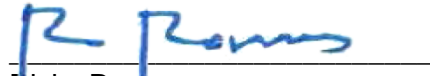
1. The site plan, floor plans, and elevations received and dated February 11, 2020 shall be the conceptually approved layout.
2. The final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans.
 - b. Compliance 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.
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. Coastal Development Permit No. 20-001 shall become null and void unless exercised within two years of the date of final 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.
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.

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 1:54 P.M. TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, MARCH 18, 2020, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

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