

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

TO: Zoning Administrator
FROM: John Ramirez, Project Planner
DATE: October 7, 2015

SUBJECT: **COASTAL DEVELOPMENT PERMIT NO. 15-014, TENTATIVE PARCEL MAP NO. 15-026 (DOLPHIN LLC CONDOS)**

LOCATION: 16891 11th Street, 90742 (North side of 11th St., between North Pacific Ave. and PCH – Sunset Beach)

**Applicant/
Property**

Owner: George P. Brown III, 129 Dolphin LLC, 17212 Argo Circle, Huntington Beach CA 92647

Request: **TPM:** To permit the one-lot subdivision of a 2,700 sq. ft. parcel for two residential condominium units. **CDP:** To “approve in concept” the demolition of an existing 1,200 sq. ft. duplex and construction of a new 5,040 sq. ft. 3-story duplex with a rooftop deck and a one-lot subdivision.

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

Coastal Status: Appealable

Zone: SP17 – SBR (Sunset Beach Specific Plan, Sunset Beach Residential)

General Plan: RH-30 (Residential High Density – 30 du/acre max density)

Existing Use: Duplex

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project involves the construction and subdivision of a duplex, totaling less than four dwelling units.

SUGGESTED FINDINGS FOR APPROVAL IN CONCEPT - COASTAL DEVELOPMENT PERMIT NO. 15-014:

1. Coastal Development Permit No. 15-026 to “approve in concept” the demolition of an existing 1,200 sq. ft. duplex and construction of a new 5,040 sq. ft. 3-story duplex with a roof top deck conforms to the General Plan land use designation of RH-30 (Residential High Density – 30 dwelling units/acre) on the subject property. The Land Use Plan establishes and designates areas of residential and commercial development that will not impair coastal resources or public access to the coast. Since the project site is in the uncertified portion of the Local Coastal Program, the applicant will be submitting a coastal development permit application to the California Coastal Commission for the proposed development for final approval after City action on the project. While the City will not be issuing a coastal development permit, the applicant has submitted site plans, floor plans, and elevations for the new 5,040 sq. ft. 3-story duplex with a roof top deck, which staff has reviewed for compliance with the Draft Sunset Beach Specific Plan, Sunset Beach Residential zoning designation and other applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The project is consistent with Coastal Element Policy C 1.1.1, which encourages development within, or contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing single-family and duplex/multifamily residential developments.
2. The project 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 project will comply with all applicable development regulations, including minimum setbacks and onsite parking, and maximum building height and site coverage.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Draft Local Coastal Program and Draft Sunset Beach Specific Plan Zoning designation. The project will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roads.
4. The development conforms to 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 as it is located on a previously developed site and complies with the height limitations prescribed within the Draft Sunset Beach Specific Plan.

SUGGESTED FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 15-026:

1. Tentative Parcel Map No. 15-026 for the one-lot subdivision of a 2,700 sq. ft. parcel proposed for the development of two residential units for condominium purposes is consistent with the General Plan land use designation of RH-30 (Residential High Density – 30 dwelling units/acre) on the subject property. The Land Use Plan establishes and designates areas of residential and commercial development that will not impair coastal resources or public access to the coast. This tentative parcel map is consistent with the Draft Sunset Beach Specific Plan, Sunset Beach Residential zoning designation and other applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because the proposed subdivision will create a total of two residential condominium units.

2. The site is physically suitable for the type and density of development. The site consists of one parcel of land, approximately 2,700 sq. ft. in area developed with an existing 1,200 sq. ft. duplex apartment that would be demolished to facilitate the construction of a new 5,040 sq. ft. 3-story duplex with a rooftop deck. The project involves a one-lot subdivision for condominium purposes. The site will comply with minimum lot area, width, and maximum density requirements of the Draft Sunset Beach Specific Plan and the HBZSO.
3. The design of the subdivision and the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subdivision is proposed on property currently zoned for residential development, and located in an urbanized area. The subject parcel does not serve as habitat for fish or wildlife and is currently developed with a duplex apartment structure. The proposed condominium map will comply with the Draft Sunset Beach Specific Plan and the HBZSO.
4. The design of the subdivision and the proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision since no easements acquired by the public at large for access through or use of the property exist within the proposed subdivision. Vehicular access to the site would be along 11th Street abutting the front property line and along the rear property line abutting the alley. No easements for street or alley widening would be required as a part of this proposed tentative parcel map.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-014 /TENTATIVE PARCEL MAP NO. 15-026:

1. The site plan, floor plans, and elevations received and dated August 31, 2015 shall be the conceptually approved design.
2. 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 Planning and Building 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.
3. 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.
4. 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 Planning & Building 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.
5. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.
6. The (development/subdivision) shall comply with all applicable requirements of the Municipal Code, Planning and Building Department, and Fire Department, as well as all applicable local, State and Federal Codes, Ordinances and standards, except as noted herein. **(City Charter, Article V)**
7. Tentative Parcel Map No. 15-026 in conjunction with Coastal Development Permit No. 15-014 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 Planning and Building Department a minimum 30 days prior to the expiration date.
8. The final map for Tentative Parcel Map No. 15-026 shall not be approved by the City Engineer until the California Coastal Commission has approved the Coastal Development Permit for the development.
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 Planning and Building 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.