

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-7 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, DECEMBER 19, 2012 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Hayden Beckman, Ethan Edwards, Judy Demers (recording secretary)

MINUTES: April 18, 2012
June 6, 2012

APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 12-013 (RIETSCH SINGLE FAMILY RESIDENCE- CONTINUED FROM THE DECEMBER 5, 2012, MEETING):

APPLICANT: Jim Caldwell, Developer
PROPERTY OWNER: Kurt Rietsch, 16836 Marinabay, Huntington Beach, CA 92649
REQUEST: To permit the demolition of the existing single-family residence and construction of a new approximately 5,718 sq. ft., two-story single-family residence.
LOCATION: 17066 Marinabay Drive, 92649 (south of Coral Cay Lane at the terminus of Marinabay Drive)
PROJECT PLANNER: Ethan Edwards

Ethan Edwards, Associate Planner, displayed project plans and photographs 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, confirmed with staff that the project met residential infill requirements. Mr. Edwards confirmed that the project does meet the infill requirements and the applicant was aware of the requirements.

THE PUBLIC HEARING WAS OPENED.

Jim Caldwell, applicant, stated that he has no comments or concerns with staff's recommended conditions of approval.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 12-013 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED 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 is located within an urbanized residential zone and involves the reconstruction of a new single-family dwelling.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-013:

1. Coastal Development Permit No. 12-013 for the demolition of an existing single-family residence and construction of an approximately 5,718 sq. ft., two-story single family residence with an attached 608 sq. ft. garage conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density (RL). 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 residential development.
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 complies with the minimum onsite parking, minimum building setbacks, maximum lot coverage, and maximum building height requirements.
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. The proposed residence will be constructed on a previously developed site in an urbanized area with all the necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed residence will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-013:

1. The site plan, conceptual landscaping plan, floor plans, roof plan, exterior elevation plans received and dated September 18, 2012, shall be the conceptually approved design with the following modifications:
 - a. Revise the plans to show that all accessory structures, such as the proposed pool and covered patio, are not occupying the required front yard setback or projecting beyond the front building line of the principal structure.

- b. Depict the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items on the site plan and elevations. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks.
2. At least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties immediately adjacent to the project site. 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 Planning and Building Department.
3. Prior to submittal for building permits, the following shall be completed:
 - a. One set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning and Building Department.
 - b. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Building & Planning, Fire and Public Works 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
4. 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 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 structure cannot be occupied, the final building permit cannot be approved, and utilities cannot be released until the following has been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and 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.
- 6. CDP No. 12-013 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 Planning and Building Department a minimum 30 days prior to the expiration date.
- 7. 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.
- 8. 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: COASTAL DEVELOPMENT PERMIT NO. 12-015 (KOELLER NEW SINGLE-FAMILY RESIDENCE):

APPLICANT:	Tracy Marx, Recreational Land Investments
PROPERTY OWNER:	Keith Koeller, 3 Park Plaza, Suite 1500, Irvine, CA 92614
REQUEST:	To permit A) the demolition of an existing 2,290 sq. ft. single family dwelling with an attached garage; and B) the construction of a new 4,053 sq. ft. two-story single family dwelling with an attached 362 sq. ft. garage on a property located within the Coastal Zone.
LOCATION:	17011 Bolero Lane, 92649 (south of Davenport Drive, west of Bolero Lane, Huntington Harbour)
PROJECT PLANNER:	Hayden Beckman

Hayden Beckman, Planning Aide, displayed project plans and photographs 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, confirmed with staff that the 50 % site coverage is referring to net lot size versus gross lot size. Mr. Beckman verified that the percentage is based on net lot size.

Ricky Ramos, inquired if Condition 1(b) regarding the balcony dimensions was to ensure that it is placed on the plans. Mr. Beckman verified the Condition was placed to ensure the dimensions be marked on the plans.

THE PUBLIC HEARING WAS OPENED.

Tracy Marx, applicant, stated that he had no comments or concerns with staff's recommended conditions.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 12-015 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED 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 consists of the construction of one single family residence in a residential zone.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-015:

1. Coastal Development Permit No. 12-015 for the demolition of an existing single family residence and the construction of a new 4, 053 sq. ft. single family residence at an overall building height of 28 ft. 10.5 in with a 362 sq. ft. garage, as modified by conditions of approval, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low Density. The project is consistent with Coastal Element Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas to accommodate it. The proposed construction will occur on a developed site, contiguous to existing single-family 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 complies with the maximum site coverage, maximum building height, minimum yard setbacks, and minimum on-site parking.
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. The proposed single-family residence 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 conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed single-family residence will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-015:

1. The site plan, floor plans, and elevations received and dated October 19, 2012 shall be the conceptually approved design with the following modifications:
 - a. Provide a percentage lot coverage calculation on the title sheet (A0.1). Lot coverage shall not exceed 50% of the net lot size **(HBZSO 210.06)**.
 - b. Depict location and dimensions of the 2nd floor balcony on the site plan (A1.1).
 - c. Doorway entrances shall not swing into garage parking area. Revise doors to show entry doors swinging out, or away from the parking area (A1.2).
 - d. Provide a detail or cross section demonstrating any and all equipment located on the rooftop equipment platform will be screened from view on all sides. Rooftop mechanical equipment shall be screened from view on all sides **(HBZSO 230.76)**.
 - e. Demonstrate compliance with the Infill Lot Ordinance **(HBZSO 230.22)**. On sheet A1.2:
 - i. Modify the two largest proposed windows along the north elevation of the second floor to demonstrate that they will not align or overlap any second floor window on the adjacent residential structure.
 - ii. Modify the proposed second floor bathroom window located along the south elevation to demonstrate that it will not align or overlap any second floor window on the adjacent residential structure. Add a note that this bathroom window shall be obscure.
 - iii. Modify the most easterly window in the living room and the dining room window on the first floor plan to demonstrate that they will not align or overlap any first floor window on the adjacent residential structure.
 - iv. Submit evidence of adjacent neighbor notification (to neighbors located at the north and south of the subject property) providing a minimum 10-day review and comment period **(HBZSO 230.22 (D))**.

2. At least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties immediately adjacent to the project site. 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 Planning and Building Department.
3. Prior to issuance of building permits, the following shall be completed:
 - a. A revised sheet A1.2 in compliance with Condition No. 1 above shall be submitted for review and approval by the Planning and Building Department.
 - b. Zoning entitlement (CDP No. 12-015) conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Planning and Building, Fire and Public Works shall be printed verbatim on one of the first three pages of all the working architectural drawing sets used for issuance of building permits and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
 - c. Staff shall stamp the demo/infill requirements on the plans.
4. 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 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 final building permit cannot be approved until the following has been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - 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.

6. Coastal Development Permit No. 12-15 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 Planning Division a minimum 30 days prior to the expiration date.
7. 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.
8. 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 1:43 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JANUARY 16, 2013, AT 1:30 PM.



Ricky Ramos
Zoning Administrator

RR:jd