

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

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DATE: March 22, 2001

TO: Orange County Zoning Administrator

FROM: Planning and Development Services Department/Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA00-0145 for Coastal Development Permit

PROPOSAL: Demolition of two existing single-family homes constructed on three lots of record; and, the construction of a new two-family (duplex) condominium dwelling on each of the three lots of record.

LOCATION: In the community of Sunset Beach, at 16750 and 16756 Bay View Drive, Sunset Beach. Second Supervisorial District.

APPLICANT: Dick Boogaard and Anthony Runkle, property owners/developers

STAFF William V. Melton, Project Manager

CONTACT: Phone: (714) 834-2541 FAX: (714) 834-4652

SYNOPSIS: Current Planning Services Division's review of the proposal determined that the proposal is consistent with applicable development regulations of the Sunset Beach Specific Plan/LCP and recommends Zoning Administrator approval of PA00-0145 for Coastal Development Permit.

BACKGROUND:

The subject site consists of three legal lots of record, Lots 12, 13 and 14, Block 415, Tract No. 21. The site is developed with a two-story and a one-story single-family dwelling. Each dwelling is built on 1 ½ lots. The applicant proposes to remove the two existing homes. After removal of the homes, a duplex condominium is proposed on each building site. Once the existing homes are removed, the site becomes three legal building lots again. Each proposed duplex structure is identical (one duplex has a reverse plan) and is three-stories (35 feet) in height. Each unit in the duplex has 1,250 square feet of living area including two bedrooms, two full bathrooms and a powder room. Each unit in the duplex is provided with a two-car garage (parking is in tandem) and a balcony.

The building sites are in the Sunset Beach Specific Plan/Local Coastal Program and have a land use designation of SBR "Sunset Beach Residential. The properties front on Bay View Drive with the rear property line on Intrepid Drive right of way, which is also the boundary line between Sunset Beach and the City of Huntington Beach. There was a proposal in 1981 for a two-unit condominium and parcel map on lot 14 and one-half of lot 13. Both the condominium proposal and parcel map were approved. However, the parcel map was never recorded nor was the two-unit condominium constructed and therefore those past approvals are now null and void.

SURROUNDING LAND USE: (assumes Bay View runs north/south)

Direction	Land Use Designation	Existing Land Use
Project Site	SBR “Sunset Beach Residential”	Two single-family dwellings
North	SBR “Sunset Beach Residential”	Residential
South	SBR “Sunset Beach Residential”	Vacant
East	City of Huntington Beach	Residential
West	SBR “Sunset Beach Residential”	Residential

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to each property owner of record within 300 feet of the subject site, the LCP Board of Review and the California Coastal Commission. Coastal Development regulations also require mailing of the notice to the resident of a house within 100 feet of the subject site. However, the Post Office in Sunset Beach does not deliver mail directly to the homes. All U.S. Postal Service delivery is through post office boxes at the Sunset Beach Post Office. To satisfy Coastal Development requirements, a Notice of Hearing was posted at the Sunset Beach Post Office. Additionally, a Notice of Hearing was posted at the site as well as the Osborn Building. A copy of the planning application along with a copy of the proposed site plan was distributed for review and comment to six County divisions and the Sunset Beach LCP Review Board.

As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions by staff. The Sunset Beach LCP Review Board reviewed and approved the proposal.

CEQA COMPLIANCE:

Negative Declaration No. PA00-0145 (Exhibit 2) has been prepared for this proposal. It was posted for public review on 1-25-01 and became final on 2-15-01. Prior to project approval, this ND must be found adequate to satisfy the requirements of CEQA by the Zoning Administrator. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

The Sunset Beach Specific Plan/LCP site development regulation for the Sunset Beach Residential District permits the construction of either a one-family dwelling or a two-family dwelling on any legal building site. Even though the existing dwelling units are constructed across property lines, once the

homes are removed; the lots revert back to their original status as three legal building sites. While each lot is only 1,875 square feet in area, each lot is a separate legal building site and a two-family dwelling is a permitted use on each lot. Staff’s review of the project determined that it conforms to the site development standard for lots between Bay View Drive and Intrepid Lane. The following chart details the proposed development and the required development standards.

Development Standard	Proposed	Sunset Beach Requirement
Front setback, ground floor	5 feet	5 feet
Garage setback	5 feet	5 feet
Front setback, other floors	6 inches	6 inches
Side setback, all floors	3 feet – 1 inch	3 feet
Rear setback, all floors	5 feet	5 feet
Upper level open decks	6 inches	6 inches
Building height	35 feet	35 feet
Off-street parking	2 tandem spaces per unit	2 per unit, may be in tandem
Garage size	9 ½ feet by 38 feet	9 feet by 36 feet (each space 9 feet by 18 feet, covered or uncovered)
Open area	107 square feet per dwelling unit	90 square feet per dwelling unit

While the proposed structures are substantially taller and larger than the structures they replaces; it is not out of place with current development trends that have taken place in the vicinity. The site to the north is developed with an older two-story structure and the site to the south is vacant. There are still a few older one-story buildings on Bay View Drive. These older homes will most likely be replaced by larger three-story residential, single-family or two-family, structures in the future.

Recently Bay View Drive has experienced a growth of duplex construction. To the south of the subject site, Coastal Development Permit Nos. PA99-0087 (approved September 2, 1999) and PA00-0051 (approved August 3, 2000) were approved to demolish a single-family dwelling and construct a new two-unit condominium. The subject lots are similar in size as were the two other sites and condominiums previously approved. One reason for the rise in duplex construction over a single-family dwelling is new building code requirements. Recently, the County has been requiring special foundation work to meet new seismic regulations. This new foundation work required for seismic construction substantially increases the cost of new home construction. Because of this added cost, duplexes are being constructed instead of single-family dwellings.

Because Bay View Drive is a narrow street, this recent construction of duplexes on Bay View Drive is a concern of the Sunset Beach Community Association. This concern was discussed at the Sunset Beach LCP Review Board meeting during their review of this proposal. The review board approved the proposal since it was determined to be consistent with the current development regulations of the SBR District of Sunset Beach Specific Plan.

The site plans submitted for this proposal indicates that all three structures have the same floor plan and same building elevations. Construction of new structures in Sunset Beach are on a lot by lot basis with each structure being architecturally different with its own identity and individual character. In order to maintain individual identity, staff recommends a condition of approval (Condition of Approval No. 18) requiring the applicant to provide minor changes to each front and rear building elevation. These differences in design elements could include minor changes such as: different garage door design, different front door design, different paint schemes, different trim elements and different balcony railings.

Staff review of the proposal has also determined that the proposed construction on a two-unit residential condominium conforms to the policies and site development regulations of the Sunset Beach Residential District as previously shown. Staff also determined that the three lots never lost their status as three separated legal building sites. With the recommended conditions of approval, the proposal will be compatible with surrounding land uses. The proposal is consistent with development taking place in this area of Sunset Beach. Staff supports the proposal and submits the recommendation as follows.

RECOMMENDED ACTION:

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA00-0145 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief
CPSD/Site Planning Section

WVM

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APPENDICES:

- A. Recommended Findings
- B. Recommended Conditions of Approval

EXHIBITS:

- 1. Applicant's Letter of Explanation
- 2. Environmental Documentation
- 3. Site Plans with site photos

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

In addition, this project is within the Coastal Zone and is an "appealable development". Approval of an appealable development may be appealed directly to the California Coastal Commission (telephone number 562-560-5071), in compliance with their regulations, without exhausting the County's appeal procedures.