

RDMD/Planning and Development Services

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DATE: August 5, 2004

TO: Orange County Zoning Administrator

FROM: RDMD/PDS/Current and Advance Planning Services

SUBJECT: Public Hearing on Planning Application PA04-0038 for Coastal Development Permit

PROPOSAL: The applicant requests approval of a Coastal Development Permit to demolish an existing one-story single-family dwelling and construct a new three-story 4,960 square feet single-family dwelling. The proposal includes a new ground level 24 feet wide and 20 feet deep deck on the County encroachment area at the rear of the property.

LOCATION: The property is located in the community of Sunset Beach, on the ocean side of South Pacific Avenue, northerly of 9th Street at 16931 South Pacific Avenue. Second Supervisorial District.

APPLICANT: Kevin and Jacqueline Wasserman, property owners
Jay S. Crawford, agent

STAFF William V. Melton, Project Manager

CONTACT: Phone: (714) 834-2541 FAX: (714) 834-3522

SYNOPSIS: PDS/Current and Advance Planning Services recommends Zoning Administrator approval of PA04-0038 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

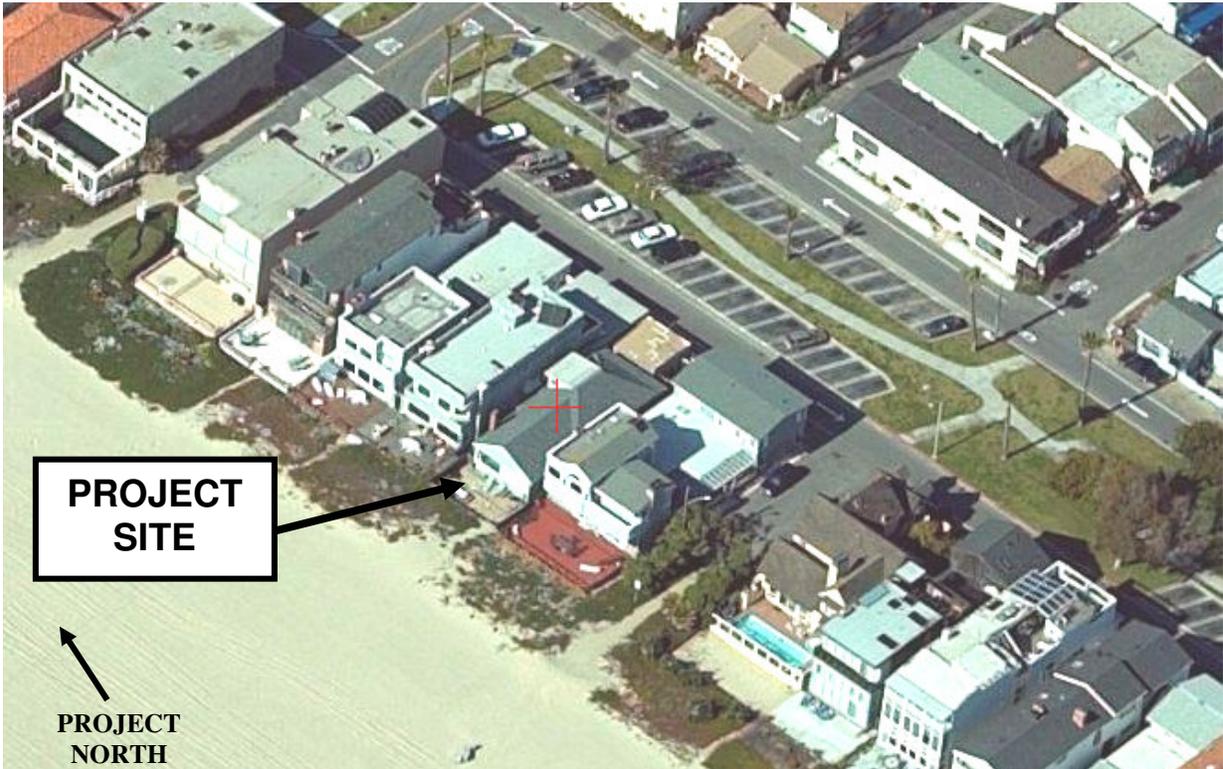
BACKGROUND:

The subject property is located in the Sunset Beach Specific Plan/Local Coastal Program. Sunset Beach is generally located between Warner Avenue to the south, the City of Seal Beach to the north, the City of Huntington Beach to the east, and Pacific Ocean beach to the west. The project site is typical of non-corner lots measuring 30 feet wide by 90 feet deep. The site is development with a one-story single-family dwelling with a detached garage. Records indicate that the structure was constructed in the 1920s.

Two story residential structures area located on either side of the subject site. The site is subject to the land use regulations of the Sunset Beach Specific Plan/Local Coastal Program. The land use designation for the subject site is SBR "Sunset Beach Residential". This designation permits the construction of a one-family dwelling or a two-family dwelling. The applicant proposes to demolish the existing dwelling and construct a new single-family dwelling in conformance with the SBR site development standards.

SURROUNDING LAND USE:

Direction	Sunset Beach Land Use Designation	Existing Land Use
Project Site	SBR “Sunset Beach Residential”	Single-family residential dwelling
North	SBR “Sunset Beach Residential”	Single-family residential dwelling
South	SBR “Sunset Beach Residential”	Single-family residential dwelling
East	SBP “Sunset Beach Parking”	Public parking area and open space
West	SBB “Sunset Beach Beach”	County encroachment area and beach



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 Osborne Building. A copy of the planning application along with a copy of the proposed site plan was distributed for review and comment to seven County divisions, the Orange County Fire Authority 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 had no issues with the proposal and approved the project at the May meeting.

CEQA COMPLIANCE:

Negative Declaration No. PA040038 (Exhibit 4) has been prepared for this proposal. It was posted for public review on July 6, 2004 and became final on July 26, 2004. 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 proposed project is typical of new construction occurring throughout Sunset Beach and conforms to the site development standards as shown below. New residential development along South Pacific Avenue is typically a three-story single-family dwelling with flat roofs. Two-family dwellings are permitted, but would require tandem parking. Corner lots are easier developed for duplexes because access to garages can be from both South Pacific and the side street. New residential development between North Pacific Avenue and Pacific Coast Highway is predominately three-story two-family dwellings (duplex). This is because of the lot configuration in this area where access to required off-street parking (garages) can be accomplished from both a front street and a rear alley. Following is a chart of the SBR site development standards and that proposed for this project.

DEVELOPMENT STANDARD	REQUIRED	PROPOSED
Front setback (South Pacific) Garage, ground level 2 nd and 3 rd levels	5 feet 6 inches	5 feet – 6 inches 6 inches
Rear setback, all levels	0 feet	0 feet
Side setback All levels	3 feet	3 feet – 6 inches
Ground level elevation (living area)	2 feet above S. Pacific.	2 feet above S. Pacific.
Max Building height	3-stories, no more than 35 feet above S. Pacific	3-stories, 34 feet –11 inches above S. Pacific
Parking	2 covered spaces	2 garaged spaces
Rear ground level deck	24 feet wide by 20 feet deep	Conditioned to be 24 feet wide by 20 feet deep

As noted in the chart on the preceding page, the proposed project conforms to the site development standards for new construction in the SBR District of the Sunset Beach Specific Plan/Local Coastal Program. The applicant is proposing some unique architectural elements and a special roofline that is somewhat different from other homes recently approved dwelling in the vicinity. Staff notes that there are no architectural guidelines in the Sunset Beach Specific Plan that would detour individually in structure design. However, the proposed dwelling should be compatible.

As mentioned in the Background section of the report, the existing structure was, according to available records, built in the 1920s. The project site plan along with site photos was submitted to HBP/Historical for review and comment. Their review of the existing structure determined that the building had no historical or architectural significance and had no concerns with the demolition of the structure.

CONCLUSION:

The proposed project conforms to the site development standards of the SBR District. The Sunset Beach LCP Review Board approved the project. The project is similar in scale as previously approved dwelling units on South Pacific Avenue. The project is compatible with dwelling units in the vicinity subject to the same development standards. Staff supports the project as proposed and recommends project approval as follows.

RECOMMENDED ACTION:

PDS/Current and Advance Planning Services recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA04-0038 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

William V. Melton, Project Manager
CAPS/Site Planning Section

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APPENDICES:

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

EXHIBITS:

- 1. Applicant's Letter of Explanation
- 2. Comment memo from the Sunset Beach LCP Review Board dated 5-18-04.
- 3. Site Photos
- 4. Environmental Documentation
- 5. Site Plans

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 \$245.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to the RDMD/Planning and Development Services.

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.