

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 24-008

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 consists of the construction of two dwelling units within a residential zone.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 24-008:

1. Conditional Use Permit No. 24-008 to demolish an existing single-family residence and construct a three-story duplex, at an overall height of 33 ft. 5 in. will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood because the proposed new duplex is designed to be compatible in proportion and scale with the surrounding neighborhood. Each unit in the duplex will measure approximately 2,597 sq. ft. and are provided with a 388 sq. ft. garage. The second and third floor decks/balconies are oriented toward the rear yard and public right of way (Liberty Drive), ensuring privacy of adjacent properties. The decks/balconies do not exceed the height limit and will be accessible only by a staircase located in the interior of each residence. The third-floor habitable area is setback a minimum of 9 ft. 2 in. from the side property lines, which will minimize the visual mass and bulk of the structure. This request also includes the construction of two detached 1,200 sq. ft. ADU's that are not subject to approval of this Conditional Use Permit request.
2. The granting of the Conditional Use Permit No. 24-008 to demolish an existing single-family residence and construct a three-story duplex, at an overall height of 33 ft. 5 in. will not adversely affect the General Plan because it is consistent with the Land Use Element designation RM (Residential Medium Density) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1(A): Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

Policy LU-1(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Policy LU-4(D): Ensure that single-family residences are of compatible proportion, scale, and character to surrounding neighborhoods.

The proposed project is consistent with the requirements of the base zoning district such as parking, building setbacks, building height, lot coverage, and privacy standards. The overall height will match the surrounding properties because the neighborhood is developed with residences with similar building heights. The proposed decks/balconies will be oriented toward the rear and public street, minimizing impact to privacy on adjoining properties and the third-floor habitable area will be setback a minimum of nine feet two inches from the side property lines to reduce the mass and bulk of the structure.

3. Conditional Use Permit No. 24-008 to demolish an existing single family residence and construct a three-story duplex, at an overall height of 33 ft. 5 in. will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because the project complies with minimum required parking spaces, building setbacks, building height, lot coverage, and privacy standards. Furthermore, the third-floor habitable area will be set back a minimum of nine feet two inches from the side property line, and all decks/balconies are oriented toward the public right-of-way and/or rear yard, as required by the HBZSO. Multi-family development exceeding 25 feet in height in the RM zoning district is permitted with the approval of a conditional use permit.

SUGGESTED CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 24-008:

1. The site plan, floor plans, and elevations dated October 24, 2025, and received November 17, 2025, shall be the conceptually approved design.
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 within a 500-foot radius of the project site as noticed for the public hearing. 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 Community Development Department.
3. Prior to submittal of building permits, zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments of Fire, Community Development, 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 completed:
 - 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. Prior to issuance of final building permits, the following shall be 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
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. Conditional Use Permit No. 24-008 shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval or by the Coastal Commission if the Coastal Development Permit is appealed, 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. 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.