

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

ZONING MAP AMENDMENT NO. 19-001

TENTATIVE TRACT MAP NO. 16295

CONDITIONAL USE PERMIT NO. 19-003

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission 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 15332 of the CEQA Guidelines. The Project meets all conditions described in CEQA Guidelines Section 15332(a) through (e) pertaining to in-fill development projects (Class 32 categorical exemption): (a) The Project is consistent with all applicable general plan designations and policies, as well as applicable zoning designations and regulations; (b) the Project occurs entirely within City of Huntington Beach limits on a 1.23-acre site and is surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the site can be adequately served by all required utilities and public services. Therefore, the Project qualifies for Class 32 exemption and is categorically exempt under Section 15332 of the CEQA Guidelines. Additionally, the project will not have any significant effect on the environment and is exempt from the provisions of the CEQA pursuant to section 15303 of the CEQA Guidelines, because the project consists of the construction of a wall, ancillary to a proposed multi-family residence, within a residential area. Finally, the project request to rescind the PPSA for this area will not have a significant effect as it is covered under section 15061(b)(3) of the CEQA because the general plan is not changing or affected by this project nor are there impacts to the access easements of this site.

SUGGESTED FINDINGS FOR APPROVAL – ZONING MAP AMENDMENT NO. 19-001:

1. Zoning Map Amendment No. 19-001 to rescind Precise Plan Street of Alignment (PPSA) No. 80-1 and remove existing paper streets over existing private easements is consistent with the goals and policies of the General Plan as follows:

A. Land Use Element

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

Policy LU-1A: 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.

The project site is comprised of multiple small lots on the west side of Green Lane and north of Pearce Drive. The 1.23-acre site is predominantly vacant with an existing single-family residence and a residential four-plex near the northwest corner of the site. The PPSA was originally implemented to plan for development over small lots with multiple owners and over

existing 20-foot-wide private access easements. This plan would require the construction of wider public streets over existing easements to ensure access to all lots within this tract. The proposed project will consolidate 20 parcels to construct a cohesive one-lot subdivision for 18 residential condominiums. The new development will maintain existing access easements and is proposed to be improved and configured in a manner that ensures that all lots have adequate pedestrian and vehicular access. Additionally, the design of this development is consistent with other condominium projects in similar zones and compatible with the surrounding neighborhood. The zoning map amendment does not change the land use designation of the site and supports infill development of 18 multi-family residences that are compatible in proportion, scale, and character with the surrounding neighborhood because there are similar residential units to the north and east of the site.

B. Housing Element

Policy 1.1: Preserve the character, scale, and quality of established residential neighborhoods.

Policy 2.1: Provide site opportunities for development of housing that responds to diverse community needs in terms of housing types, cost and location, emphasizing locations near services and transit that promote walkability.

The zoning map amendment will help preserve the character, scale, and quality of the existing neighborhood because it will allow the construction of multi-family residences that are similar to the surrounding multi-family residential units. This amendment will facilitate the construction of 18 new condominium homes, which will continue the land use pattern of diverse residential uses in the surrounding areas and assist in meeting the overall housing needs of the community.

C. Circulation Element

Goal CIRC-1a: The circulation system supports existing, approved, and planned land uses while maintaining a desired level of service and capacity on streets and at critical intersections.

The ZMA to rescind the 1980 PPSA will remove paper streets and allow vehicular access within the site to be reconfigured over existing private access easements. The new development will maintain existing access easements and develop a private street which will be maintained by the project's homeowner's association; therefore, this PPSA is no longer needed to provide circulation to the surrounding area. Additionally, rescinding the PPSA does not conflict with the requirements of the City's Master Plan of Arterial Highways (MPAH).

2. Zoning Map Amendment No. 19-001 to rescind Precise Plan Street of Alignment (PPSA) No. 80-1 and remove existing paper streets over existing private easements is compatible with surrounding residential area. It will not change the general land use provision, the uses authorized in, and the standards prescribed for in the zoning district.
3. A community need is demonstrated for the change proposed because the request to rescind PPSA No. 80-1 will lead to a development that is more cohesive and compatible with the surrounding residential area while still maintaining adequate vehicular and pedestrian access.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because rescinding PPSA No. 80-1 will allow for the cohesive development of the

1.23-acre site without requiring streets that are wider than necessary for proper access to the proposed residential development and existing residences.

SUGGESTED FINDINGS FOR APPROVAL - TENTATIVE TRACT MAP NO. 16295:

1. Tentative Tract Map No. 16295 to permit a one-lot subdivision of an approximately 1.23 acre site for condominium purposes is consistent with the General Plan Land Use Element designation of Residential Medium Density (RM) on the subject property and other applicable provisions of the Subdivision Map Act and the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) including proposed use, maximum density, minimum lot size, and minimum lot width.
2. The site is physically suitable for the type and density of development. The project site is able to accommodate the type of development proposed from a public service, circulation, and drainage perspective. The size, depth, frontage, street width and other design features of the proposed subdivision are in compliance with the HBZSO. The project site is able to accommodate the type of development proposed. The proposed subdivision will result in a density of 14.63 units per acre, which is less than the allowable density of 15 dwelling units per acre of the Residential Medium Density land use designation. The proposed density would be compatible with surrounding multi-family developments.
3. The design of the subdivision or 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 site does not contain any significant habitat for wildlife or fish. The project site was previously developed and is located in an urban setting. The design features of the project, as well as compliance with the provisions of the HBZSO, will ensure that the subdivision will not significantly impact the function and value of any resources adjacent to the project site.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. The subdivision will provide all necessary easements and will not affect any existing easements, including the three 20-foot-wide access easements that run through the site. The project will provide improved sidewalks and pavements along Pearce Drive and Green Lane as a part of this proposed tentative tract map.

SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 19-003:

1. Conditional Use Permit No. 19-003 to permit the development of 18 attached, three-story residential condominiums at 33 feet in height, and the construction of 60-inch high walls within the front yard setback for private yards will not be detrimental, as conditioned, 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. The subject site is comprised of multiple small lots on the west side of Green Street and north of Pearce Drive. The 1.23-acre site is predominantly vacant with an existing single-family residence and a residential four-plex near the southeast corner of the site. The project will improve an existing underutilized and vacant parcel of land with a development consistent with the underlying General Plan land use and zoning designations. The project will not result in any adverse or significant environmental impacts including traffic, noise, lighting, aesthetics, and hazardous materials. The project is located within an existing multi-family residential neighborhood and is compatible with

surrounding uses in that other structures of similar height, mass, and siting exist in the adjacent area. The proposed project is designed to convey a high level of quality and a character that incorporates quality materials and design, consistent with the City of Huntington Beach Urban Design Guidelines. Building volumes are articulated with variation in wall planes to reduce building mass. The building facades incorporate a variety of building materials and colors to provide visual interest, including stucco, siding, and stone and metal accents. New landscaping and new site improvements are also proposed on the site.

2. The granting of the conditional use permit to permit the development of 18 attached, three-story residential condominiums at 33 feet in height, and the construction of 60-inch high walls within the front yard setback for private yards will not adversely affect the General Plan because the request is consistent with the Land Use Element designation of 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-1A: Ensure that the 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-1C: Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

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

Goal LU-4: A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

Policy LU-4A: Encourage a mix of residential types to accommodate people with diverse housing needs.

The proposed development is consistent with the land use designation and will continue the land use pattern of multi-family residential uses in the surrounding area. The project site supports infill development, as the project is located on an underutilized lot with dated residential buildings that will be demolished with the construction of the proposed 18-unit project. In addition, the proposed project is compatible in proportion, scale, and character with the surrounding neighborhood because there are similar attached multi-family units to the north, east, and south of the site. The condominium project will provide a mix of housing types to meet the diverse economic, social, and housing needs of the community. By providing new housing opportunities to the area, the proposed project assists in meeting the overall housing needs of the community.

B. Housing Element

Goal 1: Maintain and enhance the quality and affordability of existing housing in Huntington Beach.

Policy 1.1: Preserve the character, scale, and quality of established residential neighborhoods.

Goal 2: Provide adequate housing sites through appropriate land use, zoning and specific plan designations to accommodate Huntington Beach's share of regional housing needs.

Goal 3.1: Encourage the production of housing that meets all economic segments of the community, including lower, moderate, and upper income households, to maintain a balanced community.

The project is consistent with the Housing Element because it will enhance the quality of the existing multi-family residential neighborhood and the project is subject to the HBZSO inclusionary ordinance that requires ten percent of the units to be affordable, which can be satisfied through the provision of units onsite, off-site or through in-lieu fees. The applicant is proposing to pay in-lieu fees, which will be used toward affordable housing needs in the community. The project will also preserve the character, scale, and quality of the existing neighborhood because it involves the construction of 18 attached condominiums that are similar to the surrounding multi-family residential units, meets the zoning code requirements for the proposed product type, and complies with the density limits for the zoning district and General Plan land use.

3. The proposed project will comply with the provisions of the RM (Residential Medium Density) district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. As conditioned, the project is designed to comply with all applicable development standards including building setbacks, onsite parking, lot coverage, building height, and open space. The HBZSO permits walls exceeding 42 inches in height within the required front setback subject to approval of a Conditional Use Permit. As modified, the 44-inch high privacy walls within the front yard setback would provide ground floor open space to two units. Each proposed patio area is setback from the property line by four feet and separated from the public right-of-way by a landscaped area. The landscaping proposed between the wall and sidewalk softens the aesthetic appearance of the wall and enhances the streetscape; these patio walls will only encroach into approximately 23% of the project's street frontage. The configuration provides for a varied setback along the street frontage, in accordance with the City's Urban Design Guidelines, and a green-space buffer adjacent to the sidewalk. The three-story project proposes a contemporary design with building volumes that are articulated with variation in wall planes to reduce building mass.

CONDITIONS OF APPROVAL - TENTATIVE TRACT MAP NO. 16295:

1. The Tentative Tract Map No. 16295 for a one lot subdivision on approximately 1.23 acre lot for condominium purposes received and dated March 16, 2026, shall be the approved layout.
2. Prior to submittal of the final tract and at least 90 days before City Council action on the final map, CC&Rs shall be submitted to the Community Development Department and approved by the City Attorney. The CC&Rs shall identify the common driveway access easements, and maintenance of all walls, and common landscape and parking areas by the Homeowners' Association, as well as a parking management plan to ensure the ongoing availability of on-site residential guest parking including but not limited to: restricting spaces to not be converted

to living quarters, workshops, or storage that will preclude the parking of two vehicles, all open parking spaces within the project shall be unassigned and available for visitors and guests; no boat, trailer, camper, off-road vehicle, golf cart, commercial vehicle, mobile home, motor home, bus, or other recreational vehicle or any non-operating vehicle shall be parked or stored in any parking spaces; and towing of any vehicles violating the restrictions within the CC&Rs. The CC&Rs must be in recordable form prior to recordation of the map. **(HBZSO Section 253.12.H)**

3. Prior to issuance of a grading permit and 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.
4. Prior to issuance of building permits, the applicant shall satisfy the minimum ten percent Inclusionary Affordable Housing requirement by paying the applicable in-lieu fee.
5. At least 90 days before City Council action on the final map, Conditions Covenants & Restrictions (CC&Rs) shall be submitted to the Community Development Department, Public Works, Fire, and City Attorney's office for review and approval. The CC&Rs shall include the following:
 - a. Provide for maintenance, repair and replacement by a Homeowner's Association (HOA) for all common area landscaping, maintenance of walls, irrigation, drainage facilities, water quality BMP's, water system lines, fire system lines, sewer system lines, and private service utilities.
 - b. Best Management Practices (BMP's as per the approved Water Quality Management Plan (WQMP).
 - c. The CC&Rs shall restrict any revision or amendment of the WQMP except as may be dictated by either local, state, or federal law and the LIP.
 - d. Identify the common driveway access easements, and maintenance of all walls, and common landscape and parking areas by the Homeowners' Association.
 - e. Appropriate language shall be included to restrict garages from being converted to living quarters, workshops, or storage that will preclude the parking of two vehicles. All open parking spaces within the project shall be unassigned and available for visitors and guests.
 - f. Appropriate language shall be included to restrict boat, trailer, camper, off-road vehicle, golf cart, commercial vehicle, mobile home, motor home, bus, or other recreational vehicle or any non-operating vehicle from being parked or stored in any open parking spaces. Towing of vehicles violating the parking restrictions shall be included.
 - g. On-site private landscaped parkways, sidewalks and common open spaces. **(PW)**
 - h. On-site private sewer main and appurtenances. **(PW)**

- i. On-site private storm drain pipeline and appurtenances. **(PW)**
- j. On-site private domestic water main and appurtenances. **(PW)**
- k. Pavement, hardscape, striping, signage, lighting and any necessary ADA features within all onsite drive aisles, including any public alley easements and fire access lanes. **(PW)**
- l. The CC&Rs must be in recordable form prior to recordation of the map.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 19-003:

1. The site plan, floor plans, and elevations received and dated March 16, 2026 shall be the conceptually approved design with the following modifications:
 - a. Reduce the height of the backyard walls along Pearce Drive to a maximum height of 44 inches.
 - b. On all Plan 2 designs, rotate the second-floor bathroom window to be oriented vertically. **(DRB)**
 - c. Provide a stucco parapet cap to the top of each building. The cap shall be painted to match each structure. **(DRB)**
 - d. Replace windows with recessed windows or window framing. **(DRB)**
 - e. Relocate all trees and lighting along southwest portion of the drive aisle to ensure clear access to the properties not part of this project. **(DRB)**
2. Prior to submittal of building permits, the following shall be completed:
 - a. One set of project plans and a set of all colored renderings, elevations, and materials sample and color palette, revised pursuant to Condition Number One and Code Requirements, shall be submitted for review, and approval and inclusion in the entitlement file, to the Planning Division.
 - b. Zoning entitlement 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. Prior to issuance of building permits, the following shall be completed:
 - a. Blockwall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Community Development Department. Double walls shall be avoided to the greatest extent feasible. Prior to the construction of any new walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private residential property and construction of new common walls shall include approval by property owners of adjacent properties. The plans shall identify materials, seep holes and drainage.

- b. Contact the United States Postal Service for approval of mailbox location(s).
 - c. An interim parking and building materials storage plan shall be submitted to the Community Development Department to assure adequate parking and restroom facilities are available for employees, customers and contractors during the project's construction phase and that adjacent properties will not be impacted by their location. The plan shall also be reviewed and approved by the Fire Department and Public Works Department. The applicant shall obtain any necessary encroachment permits from the Department of Public Works.
 - d. The developer shall execute a Maintenance License Agreement (with the City) for maintenance of all paving, hardscape, striping, signage, lighting and any necessary ADA features within all onsite drive aisles, including any public alley easements and fire access lanes. Maintenance shall include but not be limited to all facets of landscape irrigation, planting, weed and pest control, any water quality features, trash clean up, repair, replacement and other items that may be shown and developed within the public easement right-of-way. The Homeowner's Association shall be responsible for all costs related to the maintenance, and any fees required for water and electrical use. This agreement shall remain in effect in perpetuity. **(PW)**
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.
 - g. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 7:00 PM. Such activities are prohibited Sundays and Federal holidays.
5. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released for the first residential unit until the following have been completed:
- a. The applicant shall obtain the necessary permits from the South Coast Air Quality Management District and submit a copy to Community Development Department.

- b. Compliance with all conditions of approval specified herein shall be accomplished and 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.
 - d. Parkland dedication in-lieu fees (Quimby Fees) shall be paid to the Community Development Department.
- 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. Zoning Map Amendment No. 19-001, Tentative Parcel Map No. 16295, Conditional Use Permit No. 19-003 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 Community Development Department a minimum 30 days prior to the expiration date.
 - 8. The Development Services Departments (Fire, Community Development, 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.