

## **ATTACHMENT NO. 1**

### **FINDINGS AND CONDITIONS OF APPROVAL**

#### **TENTATIVE PARCEL MAP NO. 23-001/COASTAL DEVELOPMENT PERMIT NO. 23-006**

##### **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 15315 of the CEQA Guidelines because the project consists of a one-lot subdivision for condominium purposes of a property in an urbanized area zoned for residential into four or fewer parcels, in conformance with the General Plan and zoning, with no variances or exceptions required, and all services and access to the proposed parcels to local standards are available.

##### **SUGGESTED FINDINGS FOR APPROVAL – TENTATIVE PARCEL MAP NO. 23-001:**

1. Tentative Parcel Map No. 23-001 to allow for a one-lot subdivision of a 4,887 sq. ft. lot for two residential condominiums is consistent with the General Plan land use designation of RMH (Residential Medium High Density) of the subject property in that it permits the proposed subdivision and residential use. The site is currently under construction for two new attached townhomes. This subdivision will allow for the conversion of these two units into marketable dwellings. This tentative parcel map is consistent with the General Plan, the RMH-A zoning district, as well as other applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).
2. The site is physically suitable for the type and density of development in that the site consists of one parcel of land, approximately 4,887 sq. ft., which was previously developed with a single-family residence, which was then demolished to facilitate the construction of two attached townhome units. This project involves a one-lot subdivision for condominium purposes of the two units. The site will comply with maximum density requirements of the General Plan and the HBZSO.
3. The design of the one-lot subdivision of a 4,887 sq. ft. lot for condominiums purposes for two residential units and the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidable injure fish or wildlife of their habitat because the subdivision is proposed on a property currently zoned for residential development and located in an urbanized area. The subject parcel does not serve as habitat for fish or wildlife and is currently under construction of two attached townhome units. The proposed condominium map will comply with the General Plan and HBZSO.
4. The design of the one-lot subdivision of a 4,887 sq. ft. lot for two residential condominiums and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of, the property within the proposed subdivision since no easements exist within the proposed subdivision. Vehicular access to the site would be along the north property line abutting the alley. Utility services will be provided for both proposed units.

**SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 23-006:**

1. Coastal Development Permit No. 23-006 for a one-lot subdivision of a 4,887 sq. ft. lot for condominium purposes for two units, conforms with the General Plan, including the Local Coastal Program because the project is consistent with the Coastal Element Land use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed project will occur entirely on a site developed with two townhome units, contiguous to properties developed with existing residential uses.
2. Coastal Development Permit No. 23-006 for a one-lot subdivision of a 4,887 sq. ft. lot for condominium purposes for two units is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code because the site is physically suitable for the proposed subdivision and the project will comply with all applicable development regulations, including maximum building height, minimum yard setbacks, lot coverage, and privacy design standards.
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 because Coastal Development Permit No. 23-006 for a one-lot subdivision of a 4,887 sq. ft. lot for condominium purposes for two units is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 23-006 for a one-lot subdivision of a 4,887 sq. ft. lot for condominium purposes for two units conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will not impede public access, recreation, or views to coastal resources.

**SUGGESTED CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 23-001/COASTAL DEVELOPMENT PERMIT NO. 23-006:**

1. Tentative Parcel Map No. 23-001 received and dated July 25, 2023 shall be the conceptually approved layout.
2. Prior to submittal of the final parcel map to the Public Works Department for processing and approval, the following shall be required:
  - a. CC&Rs shall be submitted to the Planning and Building Department and approved by the City Attorney. The CC&Rs shall identify the maintenance of all walls and common landscape areas by the Homeowners' Association. The CC&Rs must be in recordable form prior to recordation of the map. **(HBZSO Section 253.12.H)**
  - b. Final parcel map and CC&Rs review fees shall be paid, pursuant to the fee schedule adopted by resolution of the City Council. **(HBZSO Section 254.16)**
3. Prior to submittal of building permits, the following shall be completed: Zoning entitlement conditions of approval 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. 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.
5. The subdivision shall comply with all applicable requirements of the Municipal Code, Community Development Department, and Fire Department, as well as all applicable local, State and Federal Codes, Ordinances and standards, except noted herein. **(City Charter, Article V)**
6. Tentative Parcel Map No. 23-001 in conjunction with Coastal Development Permit No. 23-006 shall become null and void unless exercised within two years of the date of final approval or within one year of the date of final Coastal Development Permit approval 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.
7. 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.