

**ATTACHMENT NO. 1**

**FINDINGS AND CONDITIONS OF APPROVAL**

**COASTAL DEVELOPMENT PERMIT NO. 23-015**  
**SPECIAL PERMIT NO. 24-002**

**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 one single-family residence within a residential zone.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 23-015:**

1. Coastal Development Permit No. 23-015 to permit the construction of a new 2,873 sq. ft., 3-story single family residence consisting of 3-bedrooms, 2-1/2 bathrooms, and a 2-car garage with a Special Permit for a reduced upper-story setback on the front elevation 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 developed site, contiguous to existing single-family residential development.
2. The request to permit the construction of a new 2,873 sq. ft., 3-story single family residence consisting of 3-bedrooms, 2-1/2 bathrooms, and a 2-car garage with a Special Permit for a reduced upper-story setback on the front elevation 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 project, as conditioned and approved with a Special Permit, will comply with applicable development regulations, including setbacks, lot coverage, and residential privacy 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. 23-015, for the construction of a new 2,873 sq. ft., 3-story single family residence consisting of 3-bedrooms, 2-1/2 bathrooms, and a 2-car garage with a Special Permit for a reduced upper-story setback on the front elevation is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. Coastal Development Permit No. 23-015 to permit the construction of a new 2,873 sq. ft., 3-story single family residence consisting of 3-bedrooms, 2-1/2 bathrooms, and a 2-car garage with a Special Permit for a reduced upper-story setback on the front elevation 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.

## **FINDINGS FOR APPROVAL - SPECIAL PERMIT NO. 24-002:**

1. The granting of a Special Permit pursuant to Section 2.5.6 of the Downtown Specific Plan in conjunction with Coastal Development Permit No. 23-015 for a reduced upper-story setback on the front elevation in lieu of providing a 10-foot upper story setback results in maintaining existing open space amenities including private yard area and a pool while designing a 3-story single family residence that is comparable in floor area as those in the surrounding area. Furthermore, the proposed residence will be setback from the front property line twice as far as abutting residences minimizing visual impacts from the front.
2. The granting of a Special Permit will provide for the use of an existing yard and pool area at the front of the property by constructing a home on the rear half of the lot. The front elevation is designed with architectural features, including a covered patio and Juliet balconies. The Special Permit allows for a 3-story residence with comparable floor areas while maintaining existing open space amenities.
3. The granting of a Special Permit will not be detrimental to the general health, welfare, safety, and convenience of the neighborhood or City in general, nor detrimental or injurious to the value of property or improvements of the neighborhood or City in general. The project has been evaluated for compatibility with the surrounding neighborhood and incorporates a design that minimizes impacts to adjacent homeowners. The proposed residence is setback over 50 feet from the front property line, and will be located between two existing homes providing a 25' front setback. No visual impacts from the front are anticipated.
4. The granting of a Special Permit will be consistent with objectives of the Downtown Specific Plan in achieving a development adapted to the terrain and compatible with the surrounding environment. The Special Permit benefits the overall design of the project by maintaining existing yard and pool areas at the front of the lot without adversely impacting abutting residences.
5. The granting of a Special Permit is consistent with the policies of the Coastal Element of the City's General Plan and the California Coastal Act. The project is consistent with applicable Coastal Element goals, objectives, and policies as noted under the Coastal Development Permit findings. Public services are currently available to the project site, as well as surrounding parcels. The proposed Special Permit in conjunction with Coastal Development Permit No. 23-015 will comply with State and Federal Law.

**CONDITIONS OF APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 23-015/SPECIAL PERMIT NO. 24-002:**

1. The site plan, floor plans, and elevations received and dated July 28, 2024 shall be the conceptually approved layout with the following modifications to the Cover Sheet (A-1.0):
  - a. The Site Plan shall depict min. 3' side setbacks, the location of the new rear lot line, and correct lot depth (after 2.5' alley dedication).
  - b. Add applications numbers "PA-2023-0140/CDP-2023-015/SP-2024-002" to the title for reference.
  - c. The Project Summary shall reflect Net Lot Area of 3,712 sq. ft.
  - d. Lot Coverage and Floor Area Ratio (FAR) calculations shall be revised utilizing the 3,712 sq. ft. net lot area. Gross Lot Area figures shall be deleted.
2. 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. The final building permit(s) cannot be approved until the following have been 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.
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. Coastal Development Permit No. 23-015 shall become null and void unless exercised within one year 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 as modified by condition of approval. An 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.
6. 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.