

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 25-006

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 15301 of the CEQA Guidelines because the project would develop an addition less than 50 percent of existing floor area of an existing multi-family residence within an existing urbanized residential zone.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 25-006:

1. Conditional Use Permit No. 25-006 to remodel an existing three-story 3,489 sq. ft. multi-family dwelling unit at an overall height of 28 ft. 10 in. by adding approximately 522 sq. ft. of living space and a 140 sq. ft. third story deck 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 addition is located towards the rear of the residential structure and is designed to expand 426 sq ft on the ground floor, and 96 sq. ft. onto the second floor for a total of 522 sq. ft. The existing third floor will be expanded by 140 sq. ft. to expand into the existing deck area by enclosing it and adding a covered deck. The addition to the second and third floors will result in a slight increase in height from 26 ft. 1 in. to 28 ft. 10 in. Although the second and third floor decks are oriented towards the side yard, they are designed to maintain a 20-foot separation between the exterior face of the deck and the existing adjacent structure. The increased height of the third story addition with deck will have a mass and scale that is similar to the proportion of homes in the surrounding neighborhood. Furthermore, the proposed third-floor deck will not expand beyond the second-floor footprint below, does not exceed the height limit and will only be accessible from the interior of the residence.
2. The granting of the Conditional Use Permit No. 25-006 to remodel an existing three-story 3,489 sq. ft. multi-family dwelling unit at an overall height of 28 ft. 10 in. by adding approximately 522 sq. ft. of living space and a 140 sq. ft. third story deck will not adversely affect the General Plan because it is consistent with the Land Use Element designation of RMH (Residential Medium High Density) on the subject property and 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.

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.

The proposed project is consistent with the requirements of the base zoning district such as parking, building setbacks, building height, and lot coverage. The overall height will match the surrounding properties because the neighborhood is developed with multi-family residences with similar building heights.

3. The proposed Conditional Use Permit No. 25-006 to remodel an existing three-story 3,489 sq. ft. multi-family dwelling unit at an overall height of 28 ft. 10 in. by adding approximately 522 sq. ft. of living space and a 140 sq. ft. third story deck 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 parking, building setbacks, building height, and lot coverage. Furthermore, the third-floor habitable area will be set back at least 20 ft. from the exterior face of the deck and the existing adjacent structure. Multi-family development exceeding 25 ft. in height in the RMH-A zoning district is permitted with the approval of a conditional use permit.

SUGGESTED CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 25-006

1. The site plan, floor plans, and elevations received May 9, 2025, shall be the conceptually approved layout.
2. 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.
3. 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.
4. 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.
5. 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.
6. Conditional Use Permit No. 25-006 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.
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.