

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 19-029

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 15303 of the CEQA Guidelines, because the project involves the construction of a 467 s.f. two car garage in a residential urbanized area.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 19-029:

1. Conditional Use Permit No. 19-029 to construct a 467 s.f. two-car garage with vehicular access from B Lane instead of the alley 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 site layout will provide four additional off-street parking spaces in a residential area. The property will exceed applicable parking requirements for onsite parking. The property currently provides four parking spaces with vehicular alley access and can only accommodate additional onsite parking if access is taken from the street. The proposed garage will provide additional on-site parking options without impacting the existing circulation pattern on B Lane. The visual character of the neighborhood will not be negatively impacted because five properties on B Lane currently take vehicular access from the street, including the property adjacent to the north of the proposed project.
2. The granting of Conditional Use Permit No. 19-029 will not adversely affect the General Plan. It 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 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.

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.

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

B. 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 proposed two-car garage with vehicular access from the local street instead of the alley is consistent with the existing multi-family residential neighborhood. Five properties on B Lane currently take vehicular access from the street, including the adjacent property to the north. The garage will be constructed in a manner that is consistent with the zoning district regulations and compatible with the immediate area in terms of design. The property will exceed applicable parking requirements for onsite parking. The property currently provides four parking spaces with vehicular alley access and can only accommodate additional onsite parking if access is taken from the street. The circulation pattern on B Lane will not be obstructed due to the proposed vehicular access from the street instead of the alley.

3. Conditional Use Permit No. 19-029 to construct a 467 s.f. two car garage with vehicular access from B Lane instead of the alley area 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, which allows vehicular access to be taken from the local street instead of the alley with approval of a conditional use permit.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 19-029:

1. The site plan, floor plans, and elevations received March 24, 2020 shall be the conceptually approved design.
2. Final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements shall 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.
3. 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.
- 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. CUP No. 19-029 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.
 - 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 Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission 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.