

## **ATTACHMENT NO. 1**

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

#### **TEMPORARY USE PERMIT NO. 26-001**

##### **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 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

##### **SUGGESTED FINDINGS FOR APPROVAL – TEMPORARY USE PERMIT NO. 26-001:**

1. Temporary Use Permit No. 26-001 to permit an arts and crafts fair, with live entertainment, that occurs once monthly for a period of five years from 2026-2030 will be located, operated and maintained in a manner consistent with following goals and policies of the General Plan:

###### **Noise Element**

**Policy N-4.B:** Require that new discretionary uses and special events such as restaurants, bars, entertainment, parking facilities, and other commercial uses or beach event where large numbers of people may be present adjacent to sensitive noise receptors comply with the noise standards in Table N-2 and the City Noise Ordinance.

###### **Land Use Element**

**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-11.A:** Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

The proposed arts and crafts fair will be held on a property developed with retail, office, and a restaurant within the Beach and Edinger Corridor Specific Plan. The fair is temporary in nature and provides retail opportunities that are consistent with the existing development on site and within the surrounding area. There is adequate parking onsite that will be managed by four event staff. The fair is subject to the regulations of Chapter 8.40 Noise Control of the Huntington Beach Municipal Code.

2. The granting of Temporary Use Permit No. 26-001 to permit an arts and crafts fair, with live entertainment that occurs once monthly for a period of five years from 2026-2030 will not be detrimental to property or improvements in the surrounding area or to public health, safety or general welfare. The fair is proposed within an existing commercial development within the Beach and Edinger Corridor Specific Plan. A total of 67 parking stalls will be utilized for the booths. All temporary structures will be removed at the end of each event date and will not alter the existing property. According to the narrative, there will be four event staff that manage the parking for the event. The fair will have amplified music that is located approximately 400 feet from the nearest residential properties to the east. There is a condition of approval requiring the fair to comply with Chapter 8.40 Noise Control of the Huntington Beach Municipal Code.

**SUGGESTED CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 26-006:**

1. The site plan, floor plan, and narrative received and dated March 10, 2026, shall be the conceptually approved design.
2. The use shall comply with the following:
  - a. Hours of operation shall be 10:00 AM to 4:00 PM, every first Sunday of each month from 2026-2030.
  - b. Set up and breakdown is from 8:30 AM to 5:00 PM.
  - c. The temporary event is subject to the regulations of Chapter 8.40 Noise Control of the Huntington Beach Municipal Code.
  - d. The pop-up canopies are configured so that the aggregate area of pop-up canopies do not exceed 700 sq. ft. Groupings of canopies with a 12 ft fire break shall be considered separate groupings **(FD)**.
  - e. All drive aisles remain open to allow fire department access to the event and all surrounding buildings **(FD)**.
  - f. Cooking tents shall be separated from all other tents and structures by a minimum of 20 feet **(FD)**.
3. 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.
4. TUP-2026-001 shall be effective 10 days after the date of its approval, unless appealed in accord with Chapter 248. The permit shall be valid for a specified time period not to exceed 30 days unless a longer period is granted by the Zoning Administrator. A temporary use permit shall lapse if not used within the dates approved and may be revoked by the Zoning Administrator effective immediately upon verbal or written notice for violation of the terms of the permit. Verbal notice shall be confirmed by written notice mailed to the permit holder within 48 hours. The Zoning Administrator may approve changes in a temporary use permit.
5. The Zoning Administrator reserves the right to revoke Temporary Use Permit 26-006 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
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.