

**ATTACHMENT NO. 1**

**FINDINGS AND CONDITIONS OF APPROVAL**

**COASTAL DEVELOPMENT PERMIT NO. 18-039**

**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. 18-039:**

1. Coastal Development Permit No. 18-039 to demolish an existing 3,441 sq. ft. single-family residence and construct a two-story, 5,187 sq. ft. single-family residence and 640 sq. ft. garage at an overall height of 27.5 ft. conforms to the General Plan, including the Local Coastal Program because the project is consistent with 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 on a previously developed site, contiguous to existing residential development.
2. The project to demolish an existing 3,441 sq. ft. single-family residence and construct a two-story, 5,187 sq. ft. single-family residence and 640 sq. ft. garage at an overall height of 27.5 ft. is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code in that the new development will comply with all applicable development regulations including minimum building setbacks, minimum on-site parking and maximum building height.
3. At the time of occupancy, the project to demolish an existing 3,441 sq. ft. single-family residence and construct a two-story, 5,187 sq. ft. single-family residence and 640 sq. ft. garage at an overall height of 27.5 ft. can be provided with infrastructure in a manner that is consistent with the Local Coastal Program because the proposed development will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The development to conform to the public access and public recreation policies of Chapter 3 of the California Coastal Act because the project to demolish an existing single-family residence and construct a two-story, 5,187 sq. ft. single-family residence and 640 sq. ft. garage at an overall height of 27.5 ft. does not affect or alter public access to the coast or public recreation opportunities.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-039:**

1. The site plan, floor plans, and elevations received and dated January 23, 2019 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. 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. Coastal Development Permit No. 18-039 shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval by the City or 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.
5. 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.
6. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

#### **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.