

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

TEMPORARY USE PERMIT NO. 19-002

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

FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 19-002:

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the provisions of the Huntington Beach Zoning and Subdivision Ordinance Chapter 241 and the following goals, objectives and policies of the General Plan:

Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.

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.

Policy LU-11 C: Maximize the economic development services provided by the City to existing and prospective businesses and industries.

The proposed temporary use will locate a display trailer within the parking lot of an existing commercial shopping center in an effort to increase visibility of major sales events, which attract local and regional customers. The proposed temporary use furthers the goals of the General Plan by helping to increase the local and regional draw to the existing business and capturing an increase in sales tax revenues.

The trailer will occupy five parking spaces adjacent to Goldenwest Street and will advertise two sales events associated with the subject business. The proposed temporary truck trailer display is sited to maintain adequate clearance for vehicular access, as well as pedestrian circulation and visibility while minimizing potential conflicts with on-site vehicular circulation. The trailer will not involve the outdoor sale and display of merchandise, but will only serve to provide increased visibility for the sales events.

2. Approval of the proposed temporary use, as conditioned, will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The proposed displacement of approximately five parking stalls within the shopping center, as conditioned for a period of 50 days per year, will have a less than significant impact since five stalls represents less than two percent of the

parking spaces existing in the shopping center. The display is not anticipated to interfere with pedestrian or vehicular access to or within the center. No complaints regarding the truck trailer display approved for previous years have been received by the Code Enforcement Division.

CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 19-002:

1. The site plan, photos, and photo simulations received and dated June 4, 2019, shall be the conceptually approved design with the following modification: Compliance with vehicular and pedestrian visibility of the adjacent driveway shall be provided by forming a triangular area measuring 10 ft. from the intersecting driveway and the street.
2. The use shall comply with the following:
 - a. The temporary truck trailer display shall be limited to a maximum of fifty (50) days per calendar year not to exceed a period of five years (2019 – 2023).
 - b. A minimum of ten (10) calendar days prior to commencement of the use each year, a schedule for the temporary trailer display to occur in that year shall be submitted for review and approval by the Planning Department. A copy of the stamped and approved schedule shall be posted on the trailer at all times during display.
 - c. Outdoor sales and temporary outdoor lighting shall be prohibited.

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.