

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 19-023 **COASTAL DEVELOPMENT PERMIT NO. 19-012**

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 – CONDITIONAL USE PERMIT NO. 19-023:

1. Conditional Use Permit No. 19-023 to allow the storage of approximately 2,000 new vehicles on a vacant site (approximately 29 acres) within the Coastal Zone, as conditioned, 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 vehicle storage is a short-term use on an undeveloped parcel of land where no physical alterations to the existing conditions of the site are proposed and no significant impacts related to traffic, safety, and noise will be generated by the use. The site's existing berm, Magnolia Street, and an existing eight ft. high chain link fence provide an adequate visual and noise buffer for the nearest adjacent residential uses to the east (more than 200 ft. away). The lot will be utilized for parking/storage purposes only. No lighting, non-auto transport deliveries, customer pick-up, auto repair, or auto sales are proposed. New vehicles will be transported to and from the site by way of Pacific Coast Highway and Beach Blvd. The site will be accessed off of Magnolia Street and impacts to vehicular traffic are not anticipated as the project is conditioned to have all loading, delivering, and staging to occur onsite. The site will only be accessed during the conditioned hours of operation, which are 9:00 AM and 6:00 PM, Monday through Saturday. The proposed use will not generate noise, traffic, light or other impacts at levels inconsistent with the existing industrial uses that surround the property to the west.
2. The granting of Conditional Use Permit No. 19-023 will not adversely affect the General Plan in that it is consistent with the land use designation of P (Public) and the following General Plan goals and policies:
 - a. Land Use Element
Policy LU-1-D: Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.
 - b. Coastal Element
Objective C1.1: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to greatest extent feasible.

Conditional Use Permit No. 19-023 will allow a vacant lot to be utilized for vehicle storage purposes only. The facility is designed, and conditioned, in a manner that will be minimally

noticeable from the public right-of-way and the residential uses approximately 220 ft. away across Magnolia Street. No lighting, non-auto transport deliveries, customer pick-up, auto repair, or auto sales, washing or other uses incompatible with the surrounding residential neighborhood are proposed with this request. All loading, delivering, and staging will occur onsite and the hours of operation have been conditioned to avoid any conflict with peak traffic hours.

3. Conditional Use Permit No. 19-023 to allow the storage of approximately 2,000 new vehicles on a vacant site (approximately 29 acres) within the Coastal Zone 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) in that the proposed vehicle storage lot complies with the applicable development standards such as paving surface and boundary fencing. The HBZSO allows vehicle storage with approval of a conditional use permit.

FINDINGS FOR APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 19-012:

1. Coastal Development Permit No. 19-012 to allow the storage of approximately 2,000 new vehicles on a vacant site (approximately 29 acres) within the Coastal Zone conforms with the General Plan, including the Local Coastal Program in that a vacant lot will be utilized for vehicle storage in a manner that will be minimally noticeable from the public right-of-way and the residential uses. No coastal access will be impeded with the proposed use. No lighting, non-auto transport deliveries, customer pick-up, auto repair, or auto sales, washing or other uses incompatible with the surrounding residential neighborhood are proposed with this request. All loading, delivering, and staging will occur onsite and the hours of operation have been conditioned to avoid any conflict with peak traffic hours.
2. The granting of Coastal Development Permit No. 19-012 to allow the storage of approximately 2,000 new vehicles on a vacant site (approximately 29 acres) within the Coastal Zone is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code because the proposed is temporary and will comply with all applicable development standards such as paving surface and boundary fencing.
3. Coastal Development Permit No. 19-012 to allow the storage of approximately 2,000 new vehicles on a vacant site (approximately 29 acres) within the Coastal Zone can be provided with infrastructure in a manner that is consistent with the Local Coastal Program because the proposed vehicle storage facility will be in an urbanized area with all necessary services and infrastructure available, including electricity and roadways.
4. Coastal Development Permit No. 19-012 to allow the storage of approximately 2,000 new vehicles on a vacant site (approximately 29 acres) within the Coastal Zone conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO.19-023 AND COASTAL DEVELOPMENT PERMIT NO. 19-012:

1. The site plan, security plan, and narrative received and dated January 7, 2020 shall be the conceptually approved design with the following modification: The proposed “Future

Stockpile Area” shall be removed from the plans. The use is prohibited, unless a separate Stockpile permit is obtained from Public Works. **(PW)**

2. The use shall comply with the following:

- a. The hours of operation shall be limited to 9:00 AM – 6:00 PM, Monday – Saturday. No operations shall occur on Sundays or federal holidays.
- b. All vehicles shall be transported to and from the site by way of Pacific Coast Highway and Beach Boulevard only. With exception of site access, no vehicle transportation shall occur along Magnolia Street.
- c. Any loading, unloading, or staging of vehicles transported to and from the temporary vehicle storage facility shall not be permitted on Magnolia Street. All loading, unloading, or staging of vehicles shall be conducted on private property and off of the public right-of-way. **(PW)**
- d. Vehicle detailing, including (but not limited to) car washing, vehicle body repairs and paint touchup shall be prohibited at the subject site. **(PW)**
- e. Non-auto transport deliveries and customer pick-up shall be prohibited on the site.
- f. All vehicles stored on the site shall be new vehicles.
- g. The existing boundary fence shall be properly maintained and repaired when necessary.
- h. A fabric/mesh barrier shall be installed on the existing chain-link fence along the entire perimeter of the site to screen the automobiles from view and shall be properly maintained.
- i. The perimeter landscaping shall be properly maintained at all times.

3. Prior to issuance of grading permit, the following items shall be completed:

- a. A letter from the Department of Toxic Substances Control (DTSC) shall be submitted stating that the DTSC has no objections to the proposed temporary use. **(FD)**
- b. A Dust Control Plan shall be submitted and approved prior to the issuance of any grading permits. The Dust Control Plan shall address the following items:
 - i. The applicant has stated that a soil stabilizing product will be sprayed over the site to provide erosion control and dust suppression. Provide specification documents of the product and provide details of the correct application of the product.
 - ii. The plan shall identify how often the spray shall be applied. The spraying intervals shall follow the manufacturer’s recommendations.
 - iii. The plan shall address how often the site will be evaluated for dust control.

- iv. The Huntington Beach Fire Department shall be notified every time the soil stabilizing product is applied within the parcel. **(FD)**
4. CUP No. 19-023 and CDP No. 19-012 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.
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.

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.