

**ATTACHMENT NO. 1**

**FINDINGS AND CONDITIONS OF APPROVAL**

**COASTAL DEVELOPMENT PERMIT NO. 20-018**

**ADMINISTRATIVE PERMIT NO. 20-010**

**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 a live/work unit within a mixed-use zone.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 20-018:**

1. Coastal Development Permit No. 20-018 to construct a three-story, approximately 2,996 sq. ft. live/work unit, consisting of 344 sq. ft. non-residential area and 2,652 sq. ft. habitable area with a three-car garage at a maximum overall height of 34 ft.-10 in. conforms with the General Plan, including the Local Coastal Program land use designation of the Downtown Specific Plan because the project is consistent with Coastal Element Policy C.1.1.1, which encourages development within, or contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction of a new live/work unit will occur on a developed site, contiguous to existing residential and commercial developments that are compatible with a live/work use.
2. Coastal Development Permit No. 20-018 to construct a three-story, approximately 2,996 sq. ft. live/work unit, consisting of 344 sq. ft. non-residential area and 2,652 sq. ft. habitable area with a three-car garage at a maximum overall height of 34 ft.-10 in. 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 project complies with the minimum onsite parking, minimum building setbacks, maximum square footages of the live/work unit, including the non-residential area, and building height requirements. The Downtown Specific Plan permits the development of a live/work unit with approval of an administrative permit. As such, the applicant is seeking approval of an administrative permit in conjunction with a coastal development permit.
3. At the time of occupancy, Coastal Development Permit No. 20-018 to construct a three-story, approximately 2,996 sq. ft. live/work unit, consisting of 344 sq. ft. non-residential area and 2,652 sq. ft. habitable area with a three-car garage at a maximum overall height of 34 ft.-10 in. can be provided with infrastructure in a manner that is consistent with the Local Coastal Program in that the proposed live/work unit will be constructed on a developed site located within an urbanized area with all necessary services and infrastructure available, including water, sewer and roadways.
4. Coastal Development Permit No. 20-018 to construct a three-story, approximately 2,996 sq. ft. live/work unit, consisting of 344 sq. ft. non-residential area and 2,652 sq. ft. habitable area with a three-car garage at a maximum overall height of 34 ft.-10 in. conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the proposed live/work unit is designed to be compatible in design, massing, and scale of the

surrounding neighborhood and will not impede public access, recreation, or public views to coastal resources.

**FINDINGS FOR APPROVAL - ADMINISTRATIVE PERMIT NO. 20-010:**

1. Administrative Permit No. 20-010 for the construction of a new three-story 2,996 sq. ft. live/work unit at an overall height of 34 ft. 10 in. that includes a 344 sq. ft. non-residential area, 2,652 sq. ft. habitable area, and an attached three-car garage 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 project is designed to be compatible with the surrounding mix of commercial and residential uses. In addition, there are necessary services and infrastructure in place to accommodate the live/work use, and the project will not impede public access, recreation, or views to coastal resources. Lastly, the project complies with the minimum onsite parking, minimum building setbacks, maximum square footage of the live/work unit, maximum square footage of non-residential area, and the building height requirements.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 20-018 /ADMINISTRATIVE PERMIT NO. 20-010:**

1. The site plan, floor plans, and elevations received and dated May 31, 2021 shall be the conceptually approved design with the following modification: ADA access shall be provided from the commercial parking space to the on-site public open space and non-residential areas.
2. Prior to submitting for building permits, the applicant shall submit a revised set of plans pursuant to Condition No. 1 in order to update and include the approved plans for the entitlement records for CDP No. 20-018.
3. CDP No. 20-018 and AP No. 20-010 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 Planning Division a minimum 30 days prior to the expiration date.
4. 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.