

## **ATTACHMENT NO. 1**

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

#### **COASTAL DEVELOPMENT PERMIT NO. 21-011**

#### **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 15301 of the CEQA Guidelines because the project consists of a minor alteration to existing public sidewalk, bicycle and pedestrian trails involving negligible expansion of the existing facilities.

#### **FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 21-011:**

1. Coastal Development Permit No. 21-011 to improve the Bluff Top Park Trail including: 1) widening the existing 12 ft. wide trail to 18 ft.; 2) improving the landscaping and irrigation; 3) installing new sidewalk east of the trail adjacent to the curb from 11<sup>th</sup> Street to Goldenwest Street; 4) rehabilitating the existing pavement areas of the trail from Goldenwest Street to the North Bluff Top Parking Lot; and 5) planting 59 mature trees to replace 59 Mexican Fan palms, which are to be removed and relocated outside of the project area conforms with the General Plan, including the Local Coastal Program, because the project is consistent with the Coastal Element Land Use objectives to encourage the use of City and State beaches as a destination point for bicyclists and pedestrians (Objective C 2.2) and pursue widening the existing Class I Coastal Bikeway between the Pier and Bolsa Chica State Beach (Objective C 2.2.8). The proposed improvements will widen the existing trail from 12 ft. to 18 ft., closer to the objective of a 20 ft. wide trail. The 18 ft. wide trail will be delineated to include (from west to east) a 7 ft. wide pedestrian path, a 5 ft. wide southbound bike lane, and 6 ft. wide northbound bike lane. As a result, the improvements will enhance public recreational opportunities in the Coastal zone through additional trail capacity and increased safety for all pedestrians and bicyclists.
2. Coastal Development Permit No. 21-011 is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project occurs on property zoned District 7 (Beach) of the Downtown Specific Plan. The project consists of improving the Bluff Top Park Trail including: 1) widening the existing 12 ft. wide trail to 18 ft.; 2) improving the landscaping and irrigation; 3) installing new sidewalk east of the trail adjacent to the curb from 11<sup>th</sup> Street to Goldenwest Street; 4) rehabilitating the existing pavement areas of the trail from Goldenwest Street to the North Bluff Top Parking Lot; and 5) planting 59 mature trees to replace 59 Mexican Fan palms, which are to be removed and relocated outside of the project area. The project will enhance the trail for bicyclists and pedestrians and provide the public, including people who require assistive devices such as wheelchairs and strollers, with access to coastal recreation amenities and opportunities.
3. At the time of occupancy, the proposed development to improve the Bluff Top Park Trail can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. Existing water lines and utilities will not be affected by the improvements. Any necessary irrigation improvements as part of the project will connect with the existing irrigation system.

4. Coastal Development Permit No. 21-011 to improve the Bluff Top Park Trail to increase accessibility for multiple users, including bicyclists and pedestrians, including: 1) widening the existing 12 ft. wide trail to 18 ft.; 2) improving the landscaping and irrigation; 3) installing new sidewalk east of the trail adjacent to the curb from 11<sup>th</sup> Street to Goldenwest Street; 4) rehabilitating the existing pavement areas of the trail from Goldenwest Street to the North Bluff Top Parking Lot; and 5) planting 59 mature trees to replace 59 Mexican Fan palms, which are to be removed and relocated outside of the project area conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will improve public access, recreation, or views to coastal resources. The project will provide additional access to coastal resources through additional trail capacity and increased safety for all users, including pedestrians, bicyclists, and people who require assistive devices such as wheelchairs and strollers.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 19-016:**

1. The site plan, floor plans, and elevations received and dated July 21, 2021 shall be the conceptually approved layout.
2. 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.
3. Coastal Development Permit No. 21-011 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.
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.