

## **ATTACHMENT NO. 1**

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

#### **ENTITLEMENT PLAN AMENDMENT NO. 22-011**

##### **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 negligible or no expansion of an existing structure.

##### **FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 22-011:**

1. Entitlement Plan Amendment No. 22-011 to amend Conditional Use Permit (CUP) No. 91-022 to allow an existing religious assembly use to expand into an approximately 3,000 sq. ft. adjacent tenant suite to create a new ancillary youth ministry center 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 proposed youth ministry area is ancillary to the primary religious assembly use, and is located within an existing industrial building with other similar uses surrounding the site. The relocation of the existing youth ministry area to its new location is not anticipated to generate any significant noise, traffic, parking or other impacts detrimental to surrounding properties and is consistent with the subject property's zoning. As conditioned, the use will be conducted within the interior of the building, unless otherwise permitted by the City, to prevent the use from exceeding established noise thresholds as defined by the City's Noise Control Ordinance. Additionally, the conditions of approval limiting the hours of operation and requiring all parking to be available onsite pursuant to the existing shared parking agreement will ensure the proposed expansion will have divergent hours with the surrounding uses and will have no impacts to the adjacent properties. The religious assembly use will primarily operate during the weekday nights and weekends when most industrial uses onsite will be closed which will ensure adequate parking is available. Based on the shared parking agreement, there are 99 spaces available on the subject site and adjacent parcel for use by the church during regularly scheduled worship assembly events. The new and pre-existing conditions of approval of CUP No. 91-022 will ensure that the property will maintain sufficient parking spaces to serve the needs of all uses onsite.
2. The granting of Entitlement Plan Amendment No. 22-011 to allow the existing religious assembly use to expand into an adjacent approximately 3,000 sq. ft. building to create a new ancillary youth ministry center will not adversely affect the General Plan because it is consistent with the Land Use Element designation of Research and Technology (RT) zoning designation on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

##### **Land Use Element**

Goal LU-1: New commercial, industrial and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1 (A): Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

Policy LU-1 (C): Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

Policy LU1-(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

The proposed expansion of the existing religious assembly to accommodate a new ancillary space for youth ministry is consistent with the overall goals and needs of the community by providing a religious assembly use for the residents with the city and surrounding region. The proposed use is a conditionally permitted use in the RT land use designation and supports infill development because it is located on an underutilized industrial suite. In addition, the proposed use is compatible with the adjoining uses because the main religious assembly use and its ancillary uses and services held onsite are only shifting to an additional suite. The adjacent uses also include industrial uses that will be closed during the religious assembly use's primary operating hours.

3. Entitlement Plan Amendment No. 22-011 to amend Conditional Use Permit No. 91-022 to allow an existing religious assembly use to expand into an approximately 3,000 sq. ft. adjacent tenant suite to create a new ancillary youth ministry center will comply with the provisions of the base district and other applicable provision in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance because the General Plan land use designation and RT zoning designation allows for religious assembly uses with the approval of a conditional use permit and amendments to approved conditional use permits are subject to the approval of an entitlement plan amendment. The proposed use will comply with the applicable development standards because there will be minimal interior changes to the existing structure for the new youth ministry area.

**CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENMENT NO. 22-011:**

1. The site plan, floor plan, and elevations received and dated July 30, 2021 shall be the conceptually approved layout.
2. The uses and activities at 15541 Product Lane, Suite B, shall be limited to ancillary uses and activities that support the main religious assembly use located at 5772 McFadden Lane. Ancillary uses include youth group meetings, children's ministry, small adult group meetings and administrative office use. The primary assembly use shall only be permitted at 5772 McFadden Lane.
3. All activities shall be conducted entirely within the interior of the building. Outdoor activities shall be prohibited unless otherwise permitted by the City.
4. The hours of operation for religious assembly services and group related activities shall be limited to the following times:
  - a. Sunday from 8:00 AM to 12:00 PM; and

- b. Wednesday from 6:30 PM to 9:00 PM.
5. The hours of operation for the office and administrative component of the religious assembly use shall be limited to:
  - a. Monday to Thursday from 9:00 AM to 5:00 PM.
6. All parking spaces shall be onsite and accessible during the approved hours of operation of the religious assembly use.
7. No employees or members of the religious assembly use shall park on adjacent private properties without the consent of the property owner(s) and tenant(s), illegally park on public streets, or block any driveways or fire access lanes at any time.
8. All previous conditions of approval of Conditional Use Permit No. 91-022 shall apply.
9. Schedule 1 and Schedule II controlled substances as listed under US Drug Enforcement Administration shall not be kept, consumed, distributed, sold or otherwise used at this site or at this location, unless the site/location is a State Certified and State Regulated hospital with no fewer than 100 beds for patient care.
10. EPA No. 22-011 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.
11. 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.