

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 23-014

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The City Council 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 sections 15303 of the CEQA Guidelines, as the project consists of the construction and location of limited numbers of new, small facilities and small equipment in small structures.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 23-014:

1. Conditional Use Permit No. 23-014 to construct an approximately 7,510 sq. ft. maintenance and operations building at an overall height of 17 ft.-6 in. at an existing school district office site 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 it involves an additional structure similar to what already exists on site in terms of design, colors, materials, and function and the proposed project is consistent with the General Plan land use and zoning designations. The project will construct a one-story maintenance and operations building for the school district that has been designed to minimize impacts to surrounding properties. The height of the proposed building (one story, 17 ft.-6 in.) would be consistent with other one-story buildings on site and within the vicinity. The project was reviewed by the Design Review Board and recommendations were added as suggested conditions of approval with regards to design of the project to minimize the impact to the surrounding residents. The construction of a six-foot high block wall at the western property line where the project area is located, substantial landscaping between the western property line and the proposed building, and the proposed architectural elements on the west façade will help buffer adjacent properties from potential impacts. The primary use of the building will be for storage of materials with minimal maintenance work and office operations, all conducted within the proposed building to minimize noise impacts. The proposed building will also be oriented east, towards the middle of the subject site to further reduce potential noise impacts to surrounding uses.
2. The granting of Conditional Use Permit No. 23-014 to construct an approximately 7,510 sq. ft. maintenance and operations building at an overall height of 17 ft.-6 in. will not adversely affect the General Plan because the maintenance and operations use is consistent with the Land Use Element designation of Public Semipublic (PS) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

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

Goal LU-2: New development preserves and enhances a distinct Surf City identity, culture, and character in neighborhoods, corridors, and centers.

Policy LU-2(B): Ensure that new and renovated structures and building architecture and site design are context-sensitive, creative, complementary of the city's beach culture, and compatible with surrounding development and public spaces.

B. Public Services and Infrastructure Element

Goal PSI-5: A range of educational programs and facilities meets the needs of all ages of the community.

The proposed project will develop a maintenance and operations building on a site that is currently used for the Huntington Beach City School District offices and consistent with permitted uses in the PS land use designation. The proposed project will also improve the aesthetic appearance of the site and exhibit a design that is in keeping with the character of the existing use with elements added that support the architectural mix of the surrounding neighborhood. The design includes façade breaks through the use of varied colors and materials and architectural elements that are compatible with the surrounding area. The proposed building will be oriented towards the interior of the site, away from the adjacent single family residential properties to the west. The single-story height of the building will also be consistent with the main single-story building on site and in the surrounding vicinity. It will continue to provide a central maintenance and operations location for respective school district properties.

3. Conditional Use Permit No. 23-014 to construct an approximately 7,510 sq. ft. maintenance and operations building at an overall height of 17 ft.-6 in. at an existing school district office site 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) and any specific condition required for the proposed use in the district in which it would be located because the project complies with development standards pertaining to height, setbacks, floor area ratio, minimum landscaping requirements, and parking. Additionally, the proposed development and use is permitted in the PS (Public Semipublic) zone, subject to conditional use permit approval, pursuant to Section 214.06 of the HBZSO – PS District Land Use Controls.

SUGGESTED CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 23-014

1. The site plan, floor plans, elevations, and colors/materials board received and dated April 10, 2024 shall be the conceptually approved design with the following modifications:
 - a. A six-foot high, decorative concrete wall shall be added along the portion of the western property line at the project area, approximately 265 linear feet. The block wall shall be of graffiti resistant material, subject to approval by the Community Development Department.

- b. Lighting shall be added along the walkway located along the western property line at the rear of the site, used for accessing Edison Park. A photometric lighting plan shall be submitted and subject to review and approval by the Community Development Department to ensure there will be no spillage onto adjacent residential properties.
2. The use shall comply with the following:
 - a. There shall be no outdoor vehicle storage, vehicle parts, equipment or trailers other than vehicles incidental to the maintenance facility use.
 - b. All operations shall be conducted within the interior of the building. Outdoor operations shall be prohibited unless a plan amendment is approved by the City of Huntington Beach.
 - c. Hours of Operation shall be limited to 7:00 AM – 4:00 PM, daily, and shall adhere to Chapter 8.40, Noise Control, of the Huntington Beach Municipal Code including, but not limited to: Loud noises shall not continue for more than a five-minute period between the hours of 10:00 p.m. and 7:00 a.m. if such noise is audible for 50 feet or more from the source of the noise; and when within 200 feet of residences, no person shall load, unload, open, close or other handling of boxes, crates, containers, building materials, refuse handling or similar objects, between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to cause a noise disturbance across a noise-sensitive property line. This includes, but is not limited to, noise disturbances related to commercial delivery operations, vehicle idling, vehicle queuing, vehicle backup alarms, and vehicle refrigeration equipment. **(Municipal Code 8.40.112)**
 - d. The landscaping along the western side of the proposed building shall be maintained regularly to ensure there will be no debris spillage onto adjacent properties and to serve as a landscaping buffer at all times. The landscaping shall be substantial and demonstrate a quantity and variation of plants and trees, of at least 36 in. box size, to properly serve as a visual buffer of the proposed maintenance building, subject to the review and approval of the Community Development Department.
3. At least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.
4. Prior to submittal of building permits the following shall be completed:
 - a. Zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments of Fire, Community Development, and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

- b. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Community Development Department for review and approval. The plans shall reflect landscaping between the proposed building and the adjacent residential properties in compliance with Condition No. 2d. **(HBZSO 232.04)**
5. The structure cannot be occupied and the final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by the conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
6. New signage shall be reviewed under separate permits and applicable processing.
7. Prior to approval of building permits, submittal of an Address Assignment will be required for the new proposed building on site, along with the corresponding application processing fee as established on the fee schedule. **(City Specification No. 409)**
8. Conditional Use Permit No. 23-014 shall not become effective until the ten-calendar day appeal period has elapsed.
9. Conditional Use Permit No. 23-014 shall become null and void unless exercised within two (2) 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.
10. 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.
11. The Development Services Departments and divisions (Building, 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 City Council's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the City Council 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.