

## **ATTACHMENT NO. 1**

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

#### **CONDITIONAL USE PERMIT NO. 25-023**

#### **SUGGESTED 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, Existing Facilities, because the project consists of a change of use within an existing structure and does not involve an expansion in use or to the building facility.

#### **SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 25-023:**

1. Conditional Use Permit No. 25-023 to establish a general day care use by repurposing two buildings on a property previously used for religious assembly 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 use is an allowed use within the Residential Medium Density zoning district. The 15,549 sq. ft. project site is located at the northeast corner of Glencoe Drive and Silver Lane and is adjacent to Sun View Elementary School within an existing residential low/medium density area similar to other daycare facilities in residential districts. The proposed use will utilize the two existing single-story buildings that occupy the project site, with building one measuring 2,668 sq. ft. and building two measuring 1,470 sq. ft. for a combined total of 4,138 sq. ft.

The general day care use will be operated by an organization named “Behavior Function Inc.” and specializes in delivering high-quality educational, social development, and behavioral support services to individuals with autism and other special needs. The facility proposes to serve children, adolescents, and young adults by fostering an environment structured with enrichment activities that focus on education, self-help, and social skills development. There are no plans to expand the facility/buildings beyond their current size. The activities will occur indoors during school hours and on Saturdays, thus minimizing any impacts to the surrounding residential neighborhood. Furthermore, the general day care facility provides the minimum onsite parking requirements per the HBZSO, by providing 15 spaces total. 12 spaces are designated for up to 12 staff members, and 2 spaces are designated for each of the classrooms. In addition, 1 additional space has been designated as a drop-off space. The proposed use will fulfill community serving needs of existing and future residents of Huntington Beach.

2. Conditional Use Permit No. 25-023 to establish a general day care use by repurposing two buildings on a property previously used for religious assembly will not adversely affect the General Plan because the request is consistent with the Land Use Element designation of RM (Residential Medium Density) on the subject property. In addition, the proposed use 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-1A: Ensure that the 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-1C: Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

The proposed establishment of a general day care use by repurposing two buildings on a property previously used for religious assembly will offer a service that meets the regional and local community needs on a Residential Medium Density zoned property with an optimal location and accessibility near major streets.

3. Conditional Use Permit No. 25-023 to establish a general day care use by repurposing two buildings on a property previously used for religious assembly will comply with the provisions of the RM (Residential Medium Density) district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance and any specific condition required for the proposed use in the district in which it would be located. Residential Medium District allows general day care uses with the approval of a Conditional Use Permit from the Zoning Administrator.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 25-023:**

1. The site plan, floor plan, and elevations received and dated October 2, 2025, shall be the conceptually approved design.
2. The use shall comply with the following items:
  - a. The hours of operation shall be limited to the following:
    - i. 9:00 A.M. to 6:00 P.M. Monday through Friday
    - ii. 9:00 A.M. to 4:00 P.M. on Saturday

3. Conditional Use Permit No. 25-023 shall be limited to this specific use and operator (Behavior Functions, Inc.). Any subsequent changes in use as described in the approved narrative or operator shall require an amendment to this permit.
4. Prior to the submittal of building permits, zoning entitlement conditions of approval and code requirements 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.
5. The structure(s) cannot be occupied until the following have been completed:
  - a. Compliance with all conditions of approval specified herein shall be accomplished and verified by the Community Development Department.
  - b. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
  - c. A Certificate of Occupancy must be approved by the Planning Division and issued by the Building Division.
6. 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.
7. Conditional Use Permit No. 25-023 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 Department a minimum 30 days prior to the expiration date.
8. Conditional Use Permit No. 25-023 shall not become effective until the appeal period following the approval of the entitlement has elapsed.
9. The Development Services Departments (Fire, Community Development, 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.