

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

ENTITLEMENT PLAN AMENDMENT NO. 21-006

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. 21-006:

1. Entitlement Plan Amendment No. 21-006 to amend CUP 91-21, CE-91-017, EPA-16-005 and EPA-19-006 to allow the existing religious assembly use to expand into an approximately 18,697 sq. ft. building to create a new main worship center and to convert the existing worship center to a children's ministry 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 use is located within an existing industrial building with other similar uses surrounding the site. The relocation of the existing worship center to its new location and the conversion of the existing worship center to a children's ministry 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 Ordinance. Additionally, the conditions of approval limiting the hours of operation and requiring all parking to be available onsite 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. A parking demand study prepared by RK Engineering Group, Inc., received and dated October 11, 2021, demonstrates that with the divergent hours, the parking demand for the proposed expansion and all other uses on site is adequately provided. Based on the parking demand study, there is an excess of approximately 25 spaces at all times. Furthermore, the conditions of approval requiring an updated joint use parking agreement to be recorded ensures the property will maintain sufficient parking spaces to serve the needs of all uses onsite.
2. The granting of Entitlement Plan Amendment No. 21-006 to allow the existing religious assembly use to expand into an approximately 18,697 sq. ft. building to create a new main worship center and to convert the existing worship center to a children's ministry 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 and relocation of the existing religious assembly for ministry services and the children's 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 regional area. The proposed uses is a conditionally permitted use in the RT land use designation and supports infill development because it is located in 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 commercial recreational uses and industrial uses that will be mostly likely be closed during the religious assembly use's primary operating hours.

3. Entitlement Plan Amendment No. 21-006 to amend CUP 91-21, CE-91-017, EPA-16-005 and EPA-19-006 to allow the existing religious assembly use to expand into an approximately 18,697 sq. ft. building to create a new main worship center and to convert the existing worship center to a children's ministry 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.

CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENMENT NO. 21-006:

1. The site plan, floor plan, and elevations received and dated July 30, 2021 shall be the conceptually approved layout.
2. Prior to the occupancy of the expanded area, the existing joint use parking agreement shall be amended to ensure adequate parking is available for the proposed expansion. The agreement shall be approved by the Planning Division and City Attorney as to form and content, and recorded with the Office of the County Recorder. A copy of the recorded agreement shall be submitted and filed with the Planning Division.

3. The uses at 15272 Jason Circle and 5082 Argosy Avenue shall be limited to ancillary uses that support the main religious assembly use relocated to 15282 Jason Circle. 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 15282 Jason Circle.
4. All activities shall be conducted entirely within the interior of the building. Outdoor activities shall be prohibited unless otherwise permitted by the City.
5. The hours of operation for religious assembly services and group related activities shall be limited to the following times:
 - a. Sunday from 8:30 AM to 10:00 PM;
 - b. Tuesday through Thursday; 6:00 PM to 10:00 PM; and
 - c. Saturday from 6:00 PM to 10:00 PM.
6. The hours of operation for the office and administrative component of the religious assembly use shall be limited to Tuesday through Friday from 9:00 AM to 6:00 PM.
7. All parking spaces shall be onsite and accessible during the approved hours of operation of the religious assembly use.
8. 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.
9. All previous conditions of approval of Conditional Use Permit No. 91-021 and Conditional Exception No. 91-017 shall apply.
10. 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.
11. EPA No. 21-006 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.
12. 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.