

**ATTACHMENT NO. 1**

**FINDINGS AND CONDITIONS OF APPROVAL**

**CONDITIONAL USE PERMIT NO. 22-020**

**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 the operation and minor alteration of an existing commercial structure involving negligible or no expansion of use beyond that previously existing.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 22-008:**

1. Conditional Use Permit No. 22-020 to permit the establishment and operation of a 2,916 sq. ft. animal hospital 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 located within a commercial center with similar uses. Residential uses are located to the immediate west of the subject site, however the subject tenant suite is located on the eastern portion of the site, facing Brookhurst Street, and the use is adequately buffered by the building, parking spaces, and an existing seven ft. tall block wall. Additionally, the use will occur in an enclosed, soundproofed, and air-conditioned building to further reduce the potential for noise impacts to nearby sensitive uses.
2. Conditional Use Permit No. 22-020 to permit the establishment and operation of a 2,916 sq. ft. animal hospital will not adversely affect the General Plan because it is consistent with the Land Use Element designation of CG (General General) on the subject property. In addition, it is consistent with the following objectives 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-2.D:* Maintain and protect residential neighborhoods by avoiding encroachment of incompatible land uses.

The operation of an approximately 2,916 sq. ft. animal hospital within an existing commercial building will provide additional services to the surrounding neighborhood and diversify the land uses. The use will be located within an existing commercial building which includes other tenant suites and commercial service related uses consistent with the Land Use and Density Schedules in the General Plan. With the conditions of approval, the use will be compatible with the adjacent uses. In addition, the project will provide for new job opportunities for existing and future residents and promote the economic viability of the shopping center.

3. Conditional Use Permit No. 22-020 to permit the establishment and operation of a 2,916 sq. ft. animal hospital will comply with the provisions of the base district, other applicable provisions in Titles 21-25 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 HBZSO allows animal hospitals within the Commercial General zoning designation with the approval of a conditional use permit. The use will comply with applicable development standards such as parking and setbacks.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 22-020:**

1. The site plan and floor plan received and dated May 27, 2022, shall be the conceptually approved layout.
2. The use shall comply with the following:
  - a. The hours of operation shall be 12:00 PM – 10:00 PM, daily.
  - b. All doors located along the southern and eastern portion of the building shall only be used for dropping off of animals during the permitted hours of operation only and shall remain closed at all other times.
  - c. No outdoor exercising or animal activities shall be permitted in the rear or front of the building.
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. 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.
  - 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.
4. CUP No. 22-020 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.
5. 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.