

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 22-040

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. 22-040:

1. Conditional Use Permit No. 22-040 for the establishment, maintenance and operation of a full service veterinary hospital including medical services, vaccinations, and surgery within an existing 8,795 sq. ft. multi-tenant commercial building that will be combined into one tenant space, 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 will not generate traffic, demand for parking, or other impacts detrimental to surrounding properties and inconsistent with the subject property's commercial zoning. Residential uses are located approximately 20 ft. to the south and 30 ft. to the west of the subject site and is separated by landscaping buffer and a 6 ft. tall block wall. In addition, the building entrance is oriented east towards Springdale Street, away from the nearest residential properties. The use will occur within an enclosed, soundproofed, and air-conditioned building to further reduce potential noise impacts to surrounding properties. Conditions to prohibit outdoor animal activities along the westerly and southerly areas of the site have been added to ensure there will be no detrimental impact to the adjacent properties.
2. The granting of the conditional use permit for the establishment, maintenance and operation of a full service veterinary hospital including medical services, vaccinations, and surgery within an existing 8,795 sq. ft. multi-tenant commercial building that will be combined into one tenant space will not adversely affect the General Plan because it is consistent with the Land Use Element designation of Commercial General on the subject property because 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-2 (D): Maintain and protect residential neighborhoods by avoiding encroachment of incompatible land uses.

Policy LU-13 (A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

The operation of an approximately 8,795 sq. ft. animal hospital within an existing commercial building will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City. With the conditions of approval, sound attenuation measures are incorporated into the project to ensure the protection of residential properties from potential noise impacts.

3. The proposed conditional use permit for the establishment, maintenance and operation of a full service veterinary hospital including medical services, vaccinations, and surgery within an existing 8,795 sq. ft. multi-tenant commercial building that will be combined into one tenant space 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 proposed use is permitted in the CG (Commercial General) zone, subject to conditional use permit approval, pursuant to Section 211.04 of the HBZSO – CO, CG, and CV Districts: *Land Use Controls*. The project is located within an existing commercial building and will include on-site improvements that will not affect previously approved parking, setbacks or building height.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 22-040:

1. The site plan and floor plan received and dated January 4, 2023, shall be the conceptually approved design.
2. The use shall comply with the following:
 - a. Hours of operation of the veterinary hospital shall be limited to 7:00 AM - 11:00 PM, daily.
 - b. All exterior rear doors along the western and southern building walls to the veterinary hospital shall remain closed at all times.
 - c. No animal activities shall be permitted on the western or southern areas of the site, adjacent to residential uses.
 - d. The staff of the veterinary hospital shall clean up after the animals that are taken outside and all landscaping and hospital grounds shall be permanently maintained in a neat and clean manner.
 - e. Temporary boarding of animals (maximum 30 days) is allowed only if in conjunction with medical care and incidental to the hospital use. **(HBZSO 204.10(B)(2))**
3. Prior to submittal of building permits, zoning entitlement conditions of approval 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.

4. 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.
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.
 - 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. CUP No. 22-040 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.
7. 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.