

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 19-017

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 minor alterations to an existing commercial building involving no expansion in the overall floor area of the structure.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 19-017:

1. Conditional Use Permit No. 19-017 to establish a 1,800 sq. ft. veterinary dental facility within an existing multi-tenant mixed commercial and industrial center 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 or other impacts detrimental to surrounding properties and inconsistent with the adjacent property's zoning. The use is within an existing tenant space, approximately 180 ft. east from the nearest residential use located across Gothard St., which provides an adequate buffer from potential negative impacts associated with the use. As conditioned, the use will occur within the interior of the tenant space.
2. The granting of Conditional Use Permit No. 19-017 to establish a 1,800 sq. ft. veterinary dental facility within an existing multi-tenant mixed commercial and industrial center will not adversely affect the General Plan because it is consistent with the Land Use Element designation of Research and Technology (RT) 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-11.B: Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.

The proposed veterinary dental facility will provide an additional service within an existing industrial and commercial center that enhances the surrounding

neighborhood. This will provide new job opportunities for existing and future residents and promote economic viability of the center. The proposed use is approximately 180 ft. east from the nearest residential use located across Gothard St., which provides an adequate buffer from potential negative impacts associated with the use.

3. Conditional Use Permit No. 19-017 to establish a veterinary dental facility within an existing multi-tenant mixed commercial and industrial center 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) in that the proposed veterinary dental facility use is permitted subject to a Conditional Use Permit within the IG (Industrial General) zoning district pursuant to Section 212.04 of the HBZSO—*IG and IL Districts: Land Use Controls*. There is no physical expansion of additional floor area and the use will comply with all building occupancy and exiting requirements.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 19-017:

1. The site plan and floor plan received and dated July 10, 2019 shall be the conceptually approved design.
2. The hours of operation shall be limited to 8:00 A.M. – 5:00 P.M., daily.
3. The rear and rollup door along the easterly portion of the building shall only be used for deliveries and for employee access to the facility. The doors shall remain closed at all other times.
4. The use shall not include outdoor facilities, boarding, or overnight care.
5. The development services departments and divisions (Planning, Building and Safety, Fire, 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 Community Development Director's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Director of Community Development may be required pursuant to the provisions of HBZSO Section 241.18.
6. Conditional Use Permit No. 19-017 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 of Community Development pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.

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.