

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS OF APPROVAL

ENTITLEMENT PLAN AMENDMENT NO. 20-003

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that this project will not have any significant effect on the environment and is covered under Negative Declaration No. 04-12 in accordance with the California Environmental Quality Act.

FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 20-003:

1. Entitlement Plan Amendment No. 20-003 to amend Conditional Use Permit No. 04-028 to construct an approximately 8,708 sf children's building, convert the existing 10,500 sf children's building to an administrative office building, provide landscape improvements, and revise the associated construction phasing plan 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 site is located within an existing industrial area with other similar uses surrounding the site. The construction of a children's ministry building and conversion of the existing children's building to administrative offices for the religious assembly use employees 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. The mix of onsite uses including religious assembly, office, meeting groups, childcare during church activities, and seasonal basketball will not exceed the number of available parking spaces onsite.
2. The granting of Entitlement Plan Amendment No. 20-003 to amend Conditional Use Permit No. 04-028 to construct an approximately 8,708 sf children's building, convert the existing 10,500 sf children's building to an administrative office building, provide landscape improvements, and revise the associated construction phasing plan 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 LU-1 (D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

The proposed construction an approximately 8,708 sf children's building and conversion of the existing 10,500 sf children's building to an administrative office building is consistent with the overall goals and needs of the community by providing a religious assembly use for the residents within the city and regional area. The proposed use is a conditionally permitted use in the RT land use designation and supports infill development because it is located in an existing urbanized area. The proposed use is compatible with the surrounding area because other nearby properties also operate conditionally permitted industrial uses such as commercial recreation. Further, all activities associated with the religious assembly use will occur onsite and all code required parking will be provided onsite.

3. Entitlement Plan Amendment No. 20-003 to amend Conditional Use Permit No. 04-028 to construct an approximately 8,708 sf children's building, convert the existing 10,500 sf children's building to an administrative office building, provide landscape improvements, and revise the associated construction phasing plan 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 because the RT zoning designation allows for religious assembly uses with 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 including setbacks, height, and parking.

CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENDMENT NO. 20-003:

1. The site plan, floor plans, and elevations received and dated August 18, 2020 shall be the conceptually approved design.
2. The construction phasing plan received July 20, 2020 shall be the conceptually approved phasing plan. The phasing program shall commence effective the issuance of the first building permit for the site. The Community Development Director may authorize modifications to the phasing of the project based on a written request by the applicant.
3. The mix of uses at the property shall not exceed the code required parking requirements at any given time.
4. All previous conditions of approval per Conditional Use Permit No. 04-028 and Negative Declaration No. 04-012 shall apply.
5. 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.
6. 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.

7. 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.
8. At least 14 days prior to any grading activity, the applicant shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.
9. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 5 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
10. 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.
11. EPA No. 20-003 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.