

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Joanna Cortez, Assistant Planner
DATE: August 3, 2016

SUBJECT: **CONDITIONAL USE PERMIT 16-023 (BANFIELD VETERINARY CLINIC) –
CONTINUED FROM THE JULY 20, 2016 ZONING ADMINISTRATOR
MEETING**

LOCATION: 5840 Edinger Avenue, Unit A, 92649 (near the southwest corner of Edinger
Ave. and Springdale St.)

Applicant: Jeff Hammond, 2525 E. Burnside St., Portland, OR, 97214

**Property
Owner:** PK II Marina Village, LP, c/o Kimco Realty Corp., 1621-B S Melrose Dr.,
Vista, CA 92081

Request: To permit a 2,500 sq. ft. veterinary clinic with no outdoor facilities, boarding,
or overnight care within an existing commercial shopping center.

**Environmental
Status:** This request is covered by Categorical Exemption, Section 15301, Class 1,
California Environmental Quality Act.

Zone: CG (Commercial General)

General Plan: CG – F1 (Commercial General – 0.35 maximum floor area ratio)

Existing Use: Commercial

RECOMMENDATION: Staff recommends approval of the proposed project based upon
the following findings:

SUGGESTED 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.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 16-023:

1. Conditional Use Permit No. 16-023 to permit a 2,500 sq. ft. veterinary clinic with no outdoor facilities, boarding, or overnight care within an existing commercial shopping 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. 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 130 ft. east from the nearest residential use, which provides an adequate buffer from potential negative impacts associated with the use. Additionally, the use is proposed to occur within the interior of the tenant space.
2. The 2,500 sq. ft. veterinary clinic with no outdoor facilities, boarding, or overnight care within the existing commercial shopping center proposed use will be compatible with surrounding uses because the subject business is located on a property designated for commercial use. The proposed use is consistent with the existing land use pattern and compatible with adjacent uses.
3. The 2,500 sq. ft. veterinary clinic with no outdoor facilities, boarding, or overnight care within the existing commercial shopping 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. There is no physical expansion that includes additional floor area to the building as a part of this request and the use will comply with all building occupancy and exiting requirements.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation CG – F1 (Commercial General – Maximum FAR 0.35) 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 7: Achieve a diversity of land uses that sustain a City's economic viability, while maintaining the City's environmental resources and scale and character.

Policy LU 7.1.1: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

B. Economic Development Element

Policy ED 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

The proposed 2,500 sq. ft. veterinary clinic with no outdoor facilities, boarding, or overnight care will provide an additional service within an existing commercial shopping center that enhances the surrounding neighborhood. The project will provide new job opportunities for existing and future residents and promote economic viability of the shopping center.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 16-023:

1. The site plan, floor plans, and elevations received May 18, 2016 shall be the conceptually approved design.
2. The hours of operation shall be limited to between Monday – Sunday from 7:00 A.M. – 7:00 P.M.
3. Animals shall not be allowed outside at the west of the building.
4. CUP No. 16-023 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 Planning 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.
6. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

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.