

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

**TO:** Zoning Administrator  
**FROM:** Kristi Rojas, Project Planner  
**DATE:** May 15, 2013

**SUBJECT: CONDITIONAL USE PERMIT NO. 13-005 (DOGGY DAY FACILITY)**

**LOCATION:** 17052 Gothard Street, 92647 (east side of Gothard Street, between Warner Avenue and Cain Drive)

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**Applicant:** Jerauld Clarke, 27389 Paseo Placentia, San Juan Capistrano, CA 92660

**Property**

**Owner:** Yvette Solomon, 1712 Highland Drive, Newport Beach, CA 92660

**Request:** To permit the establishment of a 1,228 sq. ft. dog daycare facility within an existing historic structure and to allow a 6 ft. high wood fence in lieu of a maximum height of 42 in. permitted within the front yard setback area.

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

**Zone:** IG (Industrial General)

**General Plan:** I – F2 - d (Industrial - .50 Floor Area Ratio – Design Overlay)

**Existing Use:** Residential

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**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 the operation and minor alteration of an existing non-conforming structure involving no expansion in the overall floor area of the structure.

## **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 13-005:**

1. Conditional Use Permit No. 13-005 for the establishment, maintenance and operation of the to permit the establishment of a 1,228 sq. ft. dog daycare facility within an existing non-conforming structure and to allow a 6 ft. high wood fence in lieu of a maximum height of 42 in. permitted within the front yard setback area 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 industrial zoning. The project site is approximately 350 ft southeast from surrounding residential uses, which provides an adequate buffer from potential negative impacts associated with the use. The project will comply with the Secretary of Interior Standards for the rehabilitation of a historic property, located within the Gothard Historic District.
2. The conditional use permit will be compatible with surrounding uses because the animal boarding facility will be located within a primarily industrial use neighborhood such as manufacturing and contracting storage yards. The majority of the use will be conducted within an enclosed building with occasional outdoor playtime. The proposed use will not detrimentally impact the surrounding uses; and will be consistent and compatible with the nearby neighborhood.
3. The proposed conditional use permit 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. In addition, any specific condition required for the proposed use in the district in which it would be located. Animal boarding facilities are permitted in the IG (Industrial General) zone, subject to the approval of a conditional use permit. The project is located within an existing non-conforming building and will not alter the existing setbacks or over all height of the structure.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Industrial on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
  - a. Goal LU 12: Achieve the development of industrial uses that provide job opportunities for existing and future residents, as well as the surrounding sub region, and generate revenues for the City.
  - b. Policy LU 12.1.1: Accommodate the continuation of existing and development of new manufacturing, research and development, professional offices, supporting retail commercial (including, but not limited to, sales area for manufacturers and photocopy stores), restaurants, financial institutions, and similar uses consistent with the Land Use and Density Schedules in the General Plan.

The conditional use permit will accommodate a new business by allowing the establishment of an animal boarding facility. The proposed use will provide new job opportunities for existing and future residents, including those located within the surrounding region. The proposed use will be located within an existing non-conforming building, which is surrounded by industrial uses that is consistent with the Land Use and Density Schedules in the General Plan.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 13-005:**

1. The site plan, floor plans, and elevations received and dated April 3, 2013 shall be the conceptually approved design.
2. A Certificate of Occupancy shall not be issued until building permits have been obtained for any non-permitted structures on the site.
3. CUP No. 13-005 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 Division a minimum 30 days prior to the expiration date.
4. Prior to issuance of final building permits, the Planning Division shall verify compliance of any exterior modifications with the Secretary of Interior Standards such as painting, replacement of windows, and replacement of siding, etc.
5. 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.