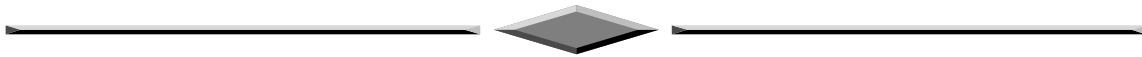


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Ethan Edwards, Associate Planner
DATE: June 19, 2013

SUBJECT: CONDITIONAL USE PERMIT NO. 12-091/ COASTAL DEVELOPMENT PERMIT NO. 13-007 (BARK CITY DOG DAYCARE FACILITY)

LOCATION: 8451 Edison Drive, 92646 (north side of Edison Drive, between Newland Street and Beach maintenance Yard)



Applicant: Bryson Berryman, 2120 Pacific Coast Highway, Huntington Beach, CA 92648

Property Owner: Daniel Brimlow, 1820 NW Carty Road, Ridgefield, WA 98642

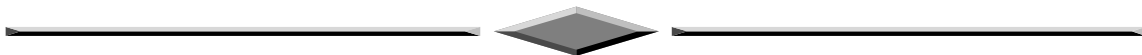
Request: To permit the establishment of a dog daycare facility, including the placement and operation of two, 1-story modular structures totaling approximately 2,160 sq. ft. within the appealable area of the Coastal Zone..

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Zone: IG – O – CZ (Industrial General – Oil Overlay – Coastal Zone Overlay)

General Plan: I – F2 – d (Industrial - 0.50 Maximum FAR - Design Overlay)

Existing Use: Vacant



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 15303 of the CEQA Guidelines, because the use will establish and operate modular buildings for animal boarding not exceeding 10,000 sq. ft. in floor area on a site zoned for such a use with approval of a conditional use permit.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-007

1. Coastal Development Permit No. 13-007 for the establishment of a dog daycare facility, including the placement and operation of two, 1-story modular structures totaling approximately 2,160 sq. ft. conforms with the General Plan, including the Local Coastal Program designation of Industrial General. The proposed project is consistent with Coastal Element Policy C 1.2.1 to accommodate existing uses and new development oriented towards coastal activities and the needs of local residents and city visitors. The establishment of a dog daycare facility promotes the re-use of an underutilized site which is consistent with General Plan goals, policies, and objectives, encouraging the establishment of new businesses and creation of job opportunities including those that support the needs of Huntington Beach residents and development of new animal boarding services that are compatible with adjacent land uses.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project complies with all applicable development standards, including on-site parking requirements. The placement of two, 1-story modular structures will comply with all building code regulations including occupancy/exiting requirements.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The project will involve site improvements on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 12-091:

1. Conditional Use Permit No. 12-091 for the establishment of a dog daycare facility, including the placement and operation of two, 1-story modular structures totaling approximately 2,160 sq. ft. 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 project site is approximately 425 ft. northeast from the nearest residential use (mobile home park) and separated by Newland Street, which provides an adequate buffer from potential negative impacts associated with the use. Additionally, a proposed 10 ft. landscape planter along Edison Drive will help buffer the proposed parking area; and an 8 ft. high fence will be installed along the northern property line to screen the proposed use from the existing industrial uses to the north.
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 containing manufacturing, animal hospital, power generation facility, and storage yards. The use will be conducted within enclosed modular buildings and outside within fenced play yards. Noise generated from outside activity is required to comply with the City's Noise Ordinance

(Municipal Code Chapter 8.40). 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, other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance, and 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 placement and operation of modular buildings will comply with required site development standards for nonresidential development including minimum setbacks, maximum height of structures and floor area ratio.
4. The granting of the conditional use permit for the proposed animal boarding facility 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 goal and policy 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 animal boarding facility will operate within two proposed modular building and fenced outdoor play yards, which is surrounded by industrial uses that is consistent with the Land Use and Density Schedules in the General Plan.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-007/ CONDITIONAL USE PERMIT NO. 12-091:

1. The site plan and floor plans received and dated March 13, 2013 shall be the conceptually approved design.
2. The hours of operation (open to the public) shall be between 6:00 AM and 7:00 PM daily.
3. Conditional Use Permit No. 12-091 in conjunction with Coastal Development Permit No. 13-007 shall become null and void unless exercised within two years of the date of final approval by the City Council, or within one year of the date of final Coastal Development Permit approval by the Coastal Commission if the Coastal Development Permit is appealed, 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.

4. 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.f.