

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

**TO:** Zoning Administrator  
**FROM:** Andrew Gonzales, Associate Planner  
**DATE:** October 19, 2011

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 11-019 (LUTHERAN CHURCH OF THE RESURRECTION COLUMBARIUM – CONTINUED FROM THE OCTOBER 5, 2011 MEETING)**

**LOCATION:** 9812 Hamilton Avenue, 92646 (west of Brookhurst Street, south side of Hamilton Avenue)

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**Applicant:** Leonard Bekemeyer, Len Bekemeyer & Associates, 2670 Harbor Boulevard, Suite No. 201, Costa Mesa, CA 92626

**Property Owner:** Lutheran Church of the Resurrection, c/o Sue Taylor, 2970 Hamilton Avenue, Huntington Beach, CA 92646

**Request:** To permit the construction and maintenance of two approximately 20 sq. ft., 10 ft. 6 in. high outdoor columbariums to be located within the courtyard area of an existing church facility.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15311, Class 11, California Environmental Quality Act.

**Zone:** PS (Public - Semipublic)

**General Plan:** P (RM-15) (Public – Residential Medium Density – Max. 15 Units Per Acre)

**Existing Use:** Church facility

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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 15311 of the CEQA Guidelines, because the project involves the negligible expansion of an existing use involving the construction of minor structures that are accessory to the existing institutional facility (i.e., church use).

## **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 11-019:**

1. Conditional Use Permit No. 11-019 for the construction and maintenance of two approximately 20 sq. ft., 10 ft. 6 in. high outdoor columbariums to be located within the courtyard area of an existing church facility 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 columbariums are intended to be located along the easterly elevation of the sanctuary building within the courtyard of the church. The courtyard is partially screened by buildings of the church facility, which will result in the columbariums not being directly visible from public view. The columbariums is intended to hold the cremated remains of members of the congregation. Cremation activities will take place at an offsite location. The placement of niches within each columbarium will not be accompanied by a public ceremony and based upon the project scope is not anticipated to generate additional noise, lighting, traffic, and safety impacts beyond which already exists in the surrounding area. No additional parking is required for the use.
2. The conditional use permit will be compatible with surrounding uses because the construction and maintenance of two columbariums will serve as an ancillary use to an existing church facility. The columbariums will be located within two alcove areas located on the eastside of the sanctuary building within the courtyard of the church. The columbariums will be designed to match the design, colors, and materials utilized on the surrounding buildings. The columbariums will serve as an area for reflection and meditation which will compliment the existing onsite uses.
3. The proposed conditional use permit will comply with the provisions of the base zoning district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The two columbariums will be located on a site containing a religious assembly use and will comply with minimum setbacks, maximum building height, and minimum onsite parking requirements. Columbariums are permitted as an accessory use to an existing religious assembly use within the PS (Public-Semipublic) zoning district subject to the approval of a Conditional Use Permit.
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 Public on the subject property. In addition, it is consistent with the following objectives and policies of the General Plan:
  - A. Land Use Element
    - Objective LU 9.4: Provide for the inclusion of recreational, institutional, religious, educational and service uses that support resident needs within residential neighborhoods
    - Policy LU 9.4.1: Accommodate the development of parks, sports facilities, schools, libraries, community meeting facilities, religious facilities, and similar community-serving uses in all residential areas, provided that they are compatible with adjacent residential uses and subject to review and approval by the City and other appropriate agencies.
    - Objective LU 13.1: Provide for the continuation of existing and development of new uses, such as governmental administrative, public safety, human service, cultural,

educational, infrastructure, religious, and other uses that support the needs of existing and future residents and businesses.

Policy LU 13.1.2: Allow for the continuation of existing and development of new religious facilities in any land uses zone where they are compatible with adjacent uses and subject to the City review and approval.

The proposed columbariums are consistent with the General Plan objectives and policies by advocating the inclusion of religious uses that support resident needs in the City and surrounding region. Lutheran Church of the Resurrection will provide a basic public necessity for the interment of family members and loved ones and is consistent with the General Plan designation of Public on the subject property.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO 11-019:**

1. The site plans and elevations received and dated September 29, 2011, shall be the conceptually approved design with the following modifications:
  - a. Depict the columbarium growth option on the site plan(s) with all affiliated courtyard improvements.
2. Prior to submittal for building permits, the following shall be completed:
  - a. One set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Division.
  - b. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works 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.
3. During 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 10 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.
  - g. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, remodeling, or repair shall be limited to Monday -

Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.

4. The final building permit(s) cannot be approved until the following has been completed:
  - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
  - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building 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.
5. CUP No. 11-019 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 and Building Department a minimum 30 days prior to the expiration date.
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.