

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, JUNE 5, 2013 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Kristi Rojas, Tess Nguyen, David Schlegel, Ethan Edwards,
Judy Demers (recording secretary)

MINUTES: August 15, 2012
September 19, 2012
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 13-011 (RAFFAY DECORATIVE WALL)

APPLICANT: Karen Holt, Designer
PROPERTY OWNER: Kevin and Michelle Raffay, 205 Chicago Avenue, Huntington Beach, CA 92648
REQUEST: To permit the construction of a 5'-6" high decorative wall in lieu of the maximum allowed height of 42 in. and a 1 ft. setback in lieu of 3 ft. within the front yard setback area.
LOCATION: 205 Chicago Avenue, 92648 (north side of Chicago Avenue, between Alabama Street and Huntington Street)
PROJECT PLANNER: Kristi Rojas

Kristi Rojas, Project Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Ms. Rojas noted that she received 3 letters supporting the project, and 2 letters opposing the project citing concerns with the height and appearance of the wall.

Ricky Ramos, Zoning Administrator, stated that he had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Karen Holt, applicant stated that she had no comments or concerns with staff's recommendations. She gave a summary of the project and a description of the wall.

Sue T, resident, spoke in support of the proposed project. She stated that decorative wall is a beautiful accent to the property.

Charlie Brown, resident, spoke in support of the proposed project. He stated that the wall is beautiful and also provides security.

Kristin, resident, spoke in opposition of the proposed project. She cited concerns with the height of the wall and the location of the wall which could limit her choices to improve her property. She also noted that there were issues regarding the exact location of property lines.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos noted that he went to the site and his first impression was that the wall was a nice feature. However, he has an obligation to look at it through the context of the neighborhood in which it is located. He stated that he did not see any comparable fencing in the immediate area. He chose to look outside the immediate area and although he did see some fencing that may be comparable they were not permitted. He asked the applicant if she was open to considering lowering the fence to a 42" height. A discussion took place regarding the option of modifying the fence to a height of 42". Ms. Holt agreed to lower the fence.

CONDITIONAL USE PERMIT NO. 13-011 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

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 project consists of construction of a small accessory structure (new wall/fence) on property developed with a single-family home.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 13-011:

1. Conditional Use Permit No. 13-011 for the construction of a 5'-6" high decorative wall in lieu of the maximum allowed height of 42 in. and a 1 ft. setback in lieu of 12 ft. within the front yard setback area, as modified by condition to reduce the height to 42 inches within the 12 foot front yard setback, 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 wall is located on an interior lot and constructed at a height that will not pose any significant traffic or safety concerns. The proposed wall will not negatively impact the visual character of the neighborhood because of the overall design of materials and incorporation of a landscape planter in front of the wall to soften the appearance.
2. The conditional use permit, as modified by condition to reduce the height to 42 inches within the 12 foot front yard setback, will be compatible with other residential properties containing similar walls in the surrounding area in terms of setback and height. The design will be improved with a landscaped planter in front the wall that will visually soften its overall appearance and provide compatibility with the surrounding environment.
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 which allows walls to exceed the 1 ft. 6 in. maximum height within 3 ft. of the front property line in the RMH-A zone subject to 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 RM-25-d (Residential Medium High Density – 25 du/ac—Design Overlay) 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 9.2: Provide for the preservation of existing residential neighborhoods.

Policy LU 16.1.1: Accommodate development of the City's neighborhoods, boulevards, and districts according to the Community Districts and Subarea Schedules, which requires (Subarea 3b) front yard setbacks to maintain the existing residential neighborhood character.

B. Urban Design Element

Policy UD 1.1.1: Coordinate streetscape and landscape design in all residential neighborhoods to strengthen their identities.

The proposed wall will not change the residential character of the neighborhood, as there are other properties in the vicinity that have similar setbacks for similar walls. The materials and design used to construct the proposed wall is attractive and does not negatively impact the neighborhood. Landscaping will be planted in front of the decorative wall within a 1' planter which will help soften its overall appearance. The subject property will maintain a minimum 40% landscaped area within the front yard, including a 4 ft. wide landscaped planter.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 13-011

1. The site plan and elevations received and dated March 25, 2013 shall be the conceptually approved design with the following modification: The decorative wall and gate shall be reduced to 42 inches high within the 12 foot front setback. The applicant shall confirm that the wall/gate and one foot landscape planter are located entirely within the subject property and not in the public right-of-way.
2. Prior to issuance of a building permit for the remainder of the unpermitted wall over 42 inches high, the applicant shall submit revised plans pursuant to Condition No. 1 to the Planning Division for review, approval and inclusion in the file.
3. All landscaping within the front yard setback area shall be maintained in a neat and clean manner.
4. CUP No. 13-011 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.
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.

ITEM 2: COASTAL DEVELOPMENT PERMIT NO. 13-004/ ADMINISTRATIVE PERMIT NO. 13-008 (PEPE RESIDENCE ADDITION):

APPLICANT/
PROPERTY OWNER: Spencer Pepe, 16521 Channel Lane, Huntington Beach, CA 92649
REQUEST: **CDP:** To permit an 807 sq. ft. addition and a 363 sq. ft. deck to an existing 4,391 sq. ft. two-story single family residence. **AP:** To permit the addition at the existing nonconforming rear setback of 9 ft. 6.5 in.
LOCATION: 16521 Channel Lane, 92649 (west side of Channel Lane, north of Admiralty Drive, Huntington Harbour)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Ms. Nguyen noted that she had not received any comments regarding

Ricky Ramos, Zoning Administrator, verified the location of the existing deck with staff.

THE PUBLIC HEARING WAS OPENED.

John Morgan, architect, stated he had no comments or concerns with staff's recommendations.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff

COASTAL DEVELOPMENT PERMIT NO. 13-004/ ADMINISTRATIVE PERMIT NO. 13-008 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

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 an addition to an existing structure that will not result in an increase of more than 50 percent of the floor area.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-004:

1. Coastal Development Permit No. 13-004 to permit the construction of an approximately 807 sq. ft. addition and an approximately 363 sq. ft. deck to an existing 4,391 sq. ft. two-story single-family residence conforms to the General Plan, including the Local Coastal Program Land Use Designation of Residential Low Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing residential development.
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 addition will comply with all applicable development regulations, including minimum on-site parking, maximum building height, and minimum yard setbacks, with the exception of the rear yard setback. The project proposes to construct the addition to match the existing nonconforming rear yard setback of 9 ft.-6.5 in. in lieu of the minimum required 10 ft. The Huntington Beach Zoning and Subdivision Ordinance permits construction of an addition at an existing nonconforming setback with approval of an administrative permit. As such, the applicant is seeking approval of an administrative permit in conjunction with a coastal development permit.
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 proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms to 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.

FINDING FOR APPROVAL – ADMINISTRATIVE PERMIT NO. 13-008:

1. Administrative Permit No. 13-08 to permit the 807 sq. ft. addition at the existing nonconforming rear setback of 9 ft.-6.5 in. in lieu of the required minimum of 10 ft. at an existing two-story single family residence 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.

Although the proposed addition does not meet the minimum required rear yard setback, constructing the addition at the existing nonconforming setback will not adversely impact adjacent properties. The addition is proposed to encroach 5.5 inches into the required rear yard leaving a 9 ft. 6.5 in. setback from the rear property line at the nearest point. The length of the addition along the nonconforming setback is 21 ft., which represents approximately 33% of the total width of the dwelling and 23% of the total width of the lot. Because the rear property line faces a 150-ft. wide channel in Huntington Harbour, the

addition will be buffered from the neighboring residence to the west. Therefore, impacts from the portion of the addition that encroaches into the required rear yard setback are minimal.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-004
/ADMINISTRATIVE PERMIT NO. 13-008:

1. The site plan, floor plans, and elevations received and dated April 23, 2013 shall be the conceptually approved design.
2. Prior to submittal for building permits, zoning entitlement conditions of approval 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 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 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.
4. The final building permit cannot be approved until the following have 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 & 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. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.
6. Coastal Development Permit No. 13-04/Administrative Permit No. 13-08 shall become null and void unless exercised within two years of the date of final approval 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 Division a minimum 30 days prior to the expiration date.

7. 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.

ITEM 3: TEMPORARY USE PERMIT NO. 13-001 (TRADING POST TEMPORARY TRUCK TRAILER DISPLAY):

APPLICANT: Bryan Schauer, General Manager, 6952 Warner Avenue, Huntington Beach, CA 92648
PROPERTY OWNER: Paul Christ, P.O. Box 9757, Huntington Beach, CA 92647
REQUEST: To permit the temporary display of a truck trailer which will occupy a total of five (5) spaces in an existing shopping center parking lot for up to fifty-nine (59) days per year for a period of five (5) years (2013 – 2017).
LOCATION: 6952 Warner Avenue, 92647 (southwest corner of Goldenwest and Warner Avenue)
PROJECT PLANNER: Ethan Edwards

David Schlegel, Project Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ricky Ramos, Zoning Administrator, stated he had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Bryan Schauer, applicant, stated that he would like a permit for 59 days but understands that if the City will only allow 50 days, he will comply. Mr. Ramos explained the 50 days is consistent with the other businesses in the area.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

TEMPORARY USE PERMIT NO. 13-001 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

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 15304 of the CEQA Guidelines, because it is considered a minor, temporary use of land having negligible or no permanent effects on the environment. The minor private alteration of land use is temporary and does not involve removal of healthy, mature and scenic trees.

FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 13-001:

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the provisions of the Huntington Beach Zoning and Subdivision Ordinance Chapter 241 and the following goals, objectives and policies of the General Plan:

Policy ED 2.2.3: Promote Huntington Beach businesses to increase their visibility and local patronage.

The proposed temporary use will locate a display trailer within the parking lot of an existing commercial shopping center. The trailer will occupy five (5) parking spaces adjacent to Goldenwest Street and will advertise two sales events associated with the subject business. The proposed temporary truck trailer display is sited to maintain adequate clearance for vehicular access, as well as pedestrian circulation and visibility while minimizing potential conflicts with on-site vehicular circulation. The trailer will not involve the outdoor sale and display of merchandise, but will only serve to provide increased visibility for the sales events.

2. Approval of the application for the proposed temporary use, as conditioned, will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The proposed displacement of approximately five (5) parking stalls within the shopping center, as conditioned for a period of 50 days per year, will have a less than significant impact since five (5) stalls represents less than two percent of the parking spaces existing in the shopping center. The display is not anticipated to interfere with pedestrian or vehicular access to or within the center. No complaints regarding the truck trailer display approved for previous years have been received by the Code Enforcement Division.

CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 13-001:

1. The site plan, photos, and photo simulations received and dated March 26, 2013, shall be the conceptually approved design with the following modifications:
 - a. Compliance with vehicular and pedestrian visibility of the adjacent driveway shall be provided by forming a triangular area measuring 10 ft. from the intersecting driveway and the street.

- b. All existing signs which do not conform to Special Sign Permit No. 89-003 or Chapter 233 (Signs) of the Huntington Beach Zoning & Subdivision Ordinance shall be removed or modified to conform.
2. The use shall comply with the following:
- a. The temporary truck trailer display shall be limited to a maximum of fifty (50) days per calendar year not to exceed a period of five years (2013 – 2017).
 - b. A revised schedule for the truck trailer display shall be submitted to the Planning Division for review and approval a minimum of ten (10) calendar days prior to commencement of the use. A copy of the stamped and approved schedule shall be posted on the trailer at all times during display.
 - c. Outdoor sales and temporary outdoor lighting shall be prohibited.

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.

ITEM 4: CONDITIONAL USE PERMIT NO. 13-004 (RADIANT CHURCH):

APPLICANT: James Randall, 5022 Galway Circle, Huntington Beach, CA 92649
 PROPERTY OWNER: VDAP Properties LLC, 26440 La Alameda, Suite 270, Mission Viejo, CA 92691
 REQUEST: To establish an approximately 5,100 sq. ft. religious assembly use within an existing industrial building and reduction of required parking spaces based on divergent business hours.
 LOCATION: 15155 Springdale Street, 92649 (southwest corner of Springdale Street and Bolsa Avenue)
 PROJECT PLANNER: Ethan Edwards

Ethan Edwards, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Mr. Ramos inquired with staff if the parking would be provided within the complex. Mr. Edwards verified that parking would be provided within the complex. Mr. Ramos verified with staff that a Certificate of Occupancy is required as a building permit is not anticipated.

THE PUBLIC HEARING WAS OPENED.

James Randall, applicant, stated that he had no comments or concerns with staffs' recommendations.

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 13-0004 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

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 a minor alteration of an existing industrial building involving no expansion in the overall floor area of the structure.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 13-004:

1. Conditional Use Permit No. 13-004 for the establishment of a 5,100 sq. ft. religious assembly use within an existing industrial building and reduction of required parking spaces based on divergent business hours 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 religious assembly use is not anticipated to generate any significant noise, traffic, parking or other impacts detrimental to surrounding properties and inconsistent with the subject property's industrial zoning. The main entrance of the use will face Springdale Street and the nearest residential use is approximately 290 ft. northeast of the subject building. As conditioned, the use will be conducted within the interior of the building with a limitation on both the hours of operation and business activities to prevent the use from exceeding established noise thresholds as defined by the City Noise Ordinance (Chapter 8.40 Noise Control). The project will provide adequate parking within 250 ft. of the subject building, in accordance with applicable Huntington Beach Zoning and Subdivision (HBZSO) code requirements, based on divergent business hours of operation within the industrial center.
2. The conditional use permit will be compatible with surrounding uses because the religious assembly use will be conducted wholly within the interior of an existing building. The facility will operate daily with the highest demand for parking (primarily on evenings and weekends), occurring at times when most surrounding businesses are closed. Other existing indoor religious assembly uses have been primarily established within industrial areas and maintain similar characteristics to permitted industrial uses.
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 (HBZSO). The HBZSO authorizes religious assembly uses in the IL (Industrial Limited) zone, subject to approval of a conditional use permit. In addition, the conditional use permit will comply with the applicable development standards in the district in which it will be located, including minimum onsite parking (with the exception of the requested reduction of required parking spaces), minimum setbacks, and maximum floor area ratio.
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 objectives and policies of the General Plan:

Land Use Element

Objective LU 9.4: Provide for the inclusion of recreational, institutional, religious, educational and services uses that support resident needs within residential neighborhoods.

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 13.1.1: Allow for the continuation of existing public and private institutional, cultural, educational and health uses at their present locations and development of new uses in areas designated on the Land Use Plan Map in accordance with Policy LU 7.1.1.

Policy LU13.1.2: Allow for the continuation of existing and development of new religious facilities in any land use zone where they are compatible with adjacent uses and subject to City review and approval.

The proposed use provides for the establishment of religious services which support the needs of the surrounding community. The divergent hours ensure that adequate parking is provided to serve the proposed use within the existing industrial center. Other existing indoor religious assembly uses are primarily located in industrial areas and maintain similar characteristics of permitted industrial uses.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 13-004:

1. The site plan, floor plans, and elevations received and dated February 8, 2013 shall be the conceptually approved design.
2. Prior to issuance of Certificate of Occupancy, a covenant restricting the mix of uses (manufacturing, warehouse, and religious assembly) based on the parking rate calculation and hours of operation for each use to comply with the parking requirement shall be approved by the Planning Division as to form and content, and recorded with the Office of the County Recorder. A copy of the recorded covenant shall be submitted and filed with the Planning Division.
3. Use activities shall be conducted entirely within the interior of the building. Outdoor activities shall be prohibited.
4. Hours of operation for assembly and group activities shall be consistent with the project narrative received and dated February 8, 2013.
5. CUP No. 13-004 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.
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.

THE MEETING WAS ADJOURNED AT 2:11 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JUNE 19, 2013, AT 1:30 PM.



Ricky Ramos
Zoning Administrator

RR:jd