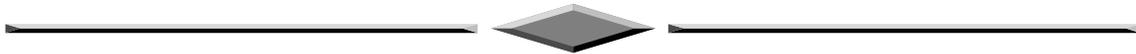


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Joanna Cortez, Assistant Planner
DATE: September 3, 2014

SUBJECT: TEMPORARY USE PERMIT NO. 13-005 (FIRST CHRISTIAN CHURCH DRIVE-THRU NATIVITY SCENE)

LOCATION: 1207 Main Street, 92648 (west side of Main St., near 17th St. and Adams Ave.)



Applicant: Dave Moses, 1207 Main Street, Huntington Beach, CA 92648

Property Owner: First Christian Church, Bob Ewing, 1207 Main Street, Huntington Beach, CA 92648

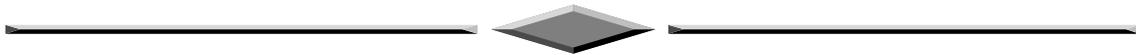
Request: To permit a three day drive-thru exhibition, including live animals, live actors, and amplified sound. The proposed event would occur annually during the month of December for five consecutive years commencing in 2014. The exhibition's hours of operation are between 6:00 p.m. and 10:00 p.m.

Environmental Status: This request is covered by Categorical Exemption, Section 15304, Class 4, California Environmental Quality Act.

Zone: PS (Public - Semi-public)

General Plan: P (Public-Residential Low Density)

Existing Use: Religious Assembly



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 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

SUGGESTED FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 13-005:

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The event is temporary in nature, compatible with surrounding uses, and consistent with the following General Plan Policies:

Land Use Element

Policy LU 7.1: Accommodate the development of a balance of land uses that provides for the housing, commercial, employment, educational, cultural, entertainment, and recreation needs of existing and future residents.

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.

Approval of the proposed temporary event provides for the cultural, educational and entertainment needs of Huntington Beach residents and allows for the continuance of a use that has been occurring on the site for decades.

2. Approval of the application for the three day drive-thru exhibition event will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The proposed use has a limited duration (up to 4 hours each day for three consecutive days) and concludes by 10:00 p.m. Moreover, the City has no records of complaints associated with past occurrences of the proposed event. No detrimental impacts are anticipated.

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

1. The site plan, floor plans, and elevations received and dated June 5, 2014 shall be the conceptually approved design.
2. The Temporary Use Permit shall permit the drive-thru exhibition event subject to the following:
 - a. 5 years maximum per permit (2014-2018) and limited to the following dates:
 - i. December 2014: 10th, 11th, 12th
 - ii. December 2015: 9th, 10th, 11th
 - iii. December 2016: 7th, 8th, 9th
 - iv. December 2017: 6th, 7th, 8th
 - v. December 2018: 5th, 6th, 7th
3. The use shall comply with the following:

- a. All fire apparatus access lane must be maintained at approved clear dimensions and cannot have vehicles or nativity scenes blocking them. This includes all entrances/exits and all interior roadways in the parking areas. **(FD)**
 - b. Fire extinguishers (2A:10B:C) must be located such that no nativity scene is further than 75 feet from one. They must be mounted at four feet in height and be readily accessible. **(FD)**
 - c. All temporary electrical to the nativity scenes must be inspection approved by the Huntington Beach Building Division prior to any use. Wiring, receptacles, and lighting must be maintained in a safe condition for the duration of the nativity scene display. **(FD)**
4. The Director of Planning & Building ensures that all conditions of approval herein are complied with. The Director of Planning & Building shall be notified in writing of any changes to the event. 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 Huntington Beach Zoning and Subdivision Ordinance.
 5. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
 6. In the event that there are any violations of the foregoing conditions or any violations of life safety codes, the event may be terminated by any Police Officer, Fire Inspector or authorized personnel of the Department of Planning & Building.
 7. 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 Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. 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.

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.