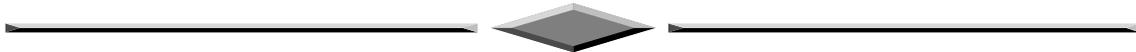


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: September 15, 2010

SUBJECT: TEMPORARY USE PERMIT NO. 2010-005 (JADE BUDDHA EXHIBITION)

LOCATION: 7641 Talbert Avenue, 92648 (northwest corner of Talbert Avenue and Brookshire Lane)



Applicant: Kathy Pham, Compassionate Eyes, Inc., P.O. Box 1128 Westminster, CA 92683

Property Owner: Sangha Center for Spiritual Living, 7641 Talbert Avenue, Huntington Beach, CA 92684

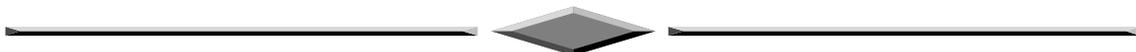
Request: To permit a Jade Buddha exhibition which consists of meditation training classes, Dharma talks, and related activities. The event will occur for a period of 11 days, from November 5, 2010 through November 15, 2010.

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

Zone: IG (Industrial General)

General Plan: I-F2-D (Industrial – max. 0.50 Floor Area Ratio - Design Overlay)

Existing Use: Church



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 minor temporary use of land having negligible or no permanent impact on the environment are exempt from further environmental review.

SUGGESTED FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 2010-005:

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 temporary use permit will be compatible with the surrounding uses, and consistent with the following General Plan objective and policy:

Land Use Element

Objective – LU 7.1: Accommodate the development of a balance of land uses that provides for the housing, commercial, employment, educational, cultural, and 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.

The temporary use permit will provide a balance of land uses by establishing a recreational/cultural use on an existing church site. The Jade Buddha exhibition will provide opportunities, free of charge to the public, for meditation training classes, Dharma talks, and lectures on Buddhism. The event will be compatible with the surrounding uses and character of the area because the project site is located in an area with a mix of industrial, commercial, cultural, and residential uses. It will not alter the existing property or physical improvements in the surrounding area because the event is temporary in nature.

2. Approval of the application to permit a Jade Buddha exhibition for a period of 11 days, from November 5, 2010, through November 15, 2010, will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The temporary use will occur on a site containing an existing church, which is surrounded by industrial uses. The applicant will provide adequate traffic controls and security measures to mitigate potential impacts to the surrounding area. To minimize any associated parking impacts, organizers will direct visitors through event announcements to utilize alternative means of transportation via a shuttle service made available at four offsite temple locations. Two onsite security guards will be present on a 24-hour basis for the duration of the temporary event. The temporary nature of the event will not alter the subject site.

SUGGESTED CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 2010-005:

1. The site plan received and dated July 23, 2010 shall be the conceptually approved design.
2. The loading and unloading of passengers by shuttle buses shall not interfere with any ongoing operations of the Orange County Transportation Authority (OCTA) bus stop on Talbert Avenue. **(PD)**
3. 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.
4. The Director of Planning and Building ensures that all conditions of approval herein are complied with. At the discretion of the Directors of Public Works and Planning and

Building, the conditions of approval contained herein may be modified. The Director of Planning and Building shall be notified in writing if any changes to the site plan and list of activities are proposed as a result of the ongoing operation and oversight of the event.

5. In the event that there are any violations of the foregoing conditions of any violations of life and safety code, the temporary event may be terminated by any Police Officer, Fire Inspector or authorized personnel of the Department of Planning and Building.
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