



City of Huntington Beach Planning and Building Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Ethan Edwards, AICP, Associate Planner *ce*
DATE: October 11, 2011

SUBJECT: CONDITIONAL USE PERMIT NO. 11-018 (TOTAL WINE & MORE)

APPLICANT: Phil Armstrong, California Fine Wine & Spirits LLC, 11325 Seven Locks Road, Suite 214, Potomac, MD, 20854

PROPERTY

OWNER: Huntington Beach Properties, Inc., c/o Eric Olberz, PO Box 376, La Canada Flintridge, CA 91012

LOCATION: 16272 Beach Boulevard, 92647 (southeast corner at Stark Drive)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Conditional Use Permit 11-018 is a request to permit the offsite sale and limited onsite consumption of alcohol within an existing 23,990 sq. ft. building. The project consists of establishing a specialty food market use pursuant to the Beach and Edinger Corridors Specific Plan (SP14) for primarily alcohol sales (wine, beer, and spirits) and related sundries such as cigars, mixers, accessories, and a small assortment of gourmet food. The proposed project also includes approximately 870 sq. ft. of dedicated alcohol education and tasting areas. Minor façade improvements including repainting and repair; and parking area improvements including resurfacing and restriping for accessibility requirements are proposed.

The proposed use would employ approximately 25 people with hours of operation between 9:00 AM and 10:00 PM every day of the week. The building is within an existing commercial center, which includes a sporting goods retailer and café (Sports Chalet and Adams Avenue Coffee).

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp-d (Mixed use – specific plan – design overlay)	SP-14 (Beach & Edinger Corridors Specific Plan – Town Center Boulevard Segment)	Commercial
North of Subject Property (across Stark Dr.):	M-sp-d	SP-14	Office
East of Subject Property:	RMH-25 (Residential Medium High Density – 25 du/acre)	RMH (Residential Medium High Density)	Residential
South of Subject Property (City of Westminster):	Commercial – General	C2 (General Business)	Commercial
West of Subject Property (across Beach Blvd.):	M-sp-d	SP-14	Restaurant/Commercial

The project is located within an existing building, originally permitted as a bookstore and coffee bar (Barnes & Noble and Starbucks) and most recently utilized as an office supply retail store (Office Max). On August 9, 1994 the City approved Use Permit No. 93-68R for the construction of a 53,321 sq. ft. sporting goods retailer and 23,990 sq. ft. bookstore and coffee bar, with Conditional Exception (variance) No. 93-36R to permit a reduction in the required amount of parking from 394 spaces to 295 spaces.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

September 2, 2011

MANDATORY PROCESSING DATE(S):

November 1, 2011

Conditional Use Permit No. 11-018 was filed on August 4, 2011 and deemed complete on September 2, 2011. The application is tentatively scheduled for a public hearing before the Planning Commission on October 25, 2011.

CEQA ANALYSIS/REVIEW

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project involves the operation and permitting of the existing development involving negligible expansion of an existing use.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Departments of Planning and Building, Public Works, Police, and Fire have reviewed the application and identified applicable code requirements (Attachment No. 4).

PUBLIC MEETINGS, COMMENTS AND CONCERNS

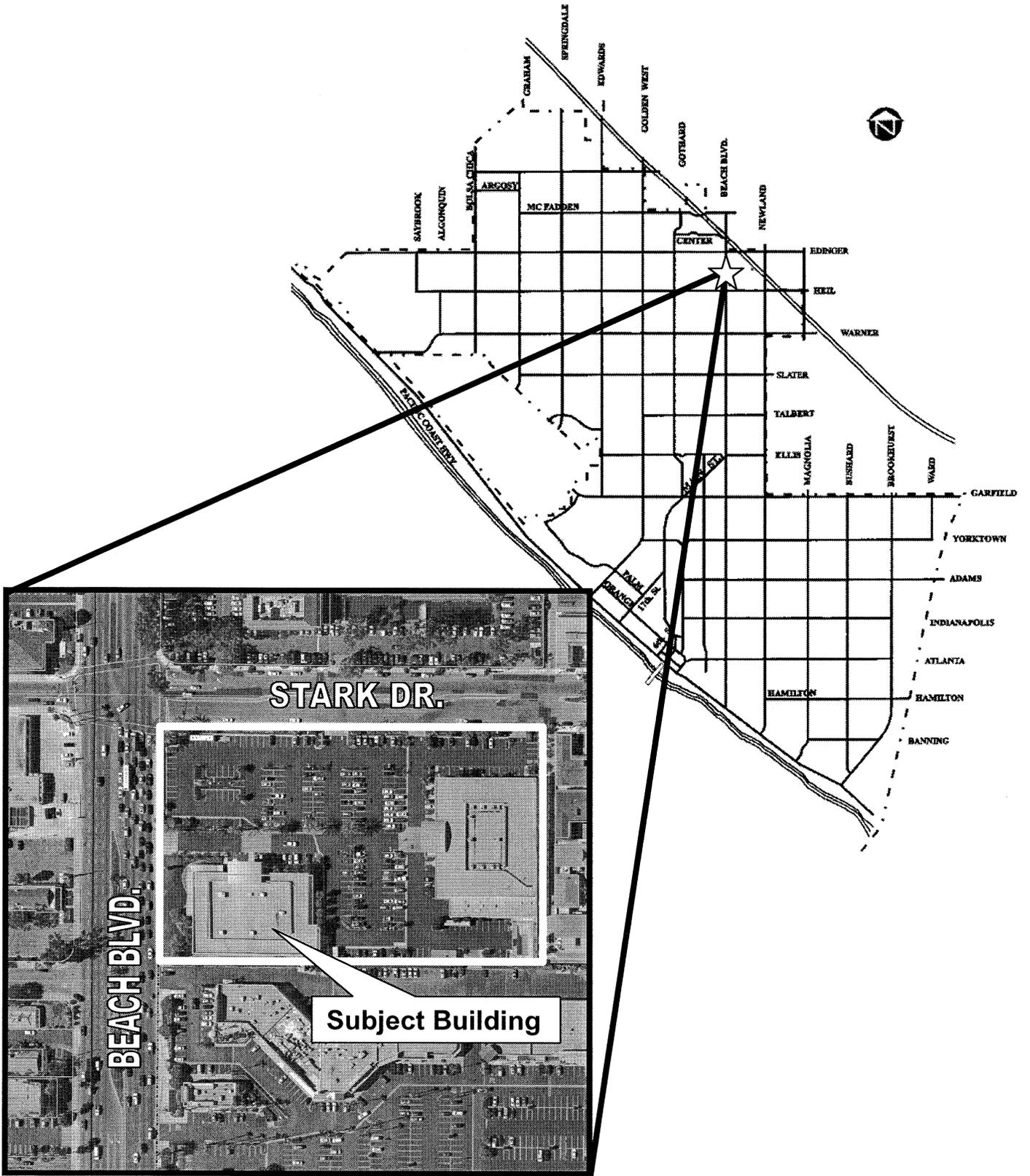
There have been no public meetings regarding this request. To date, there have been no comments from the public regarding this request.

PLANNING ISSUES

The primary issue with the proposed project is related to land use compatibility including the offsite sale and onsite consumption of alcoholic beverages. In general, the proposed use is consistent with scope and intent of the development in the Beach and Edinger Corridors Specific Plan and supported by the General Plan.

ATTACHMENTS:

1. Vicinity Map
2. Site Plan and Floor Plan received and dated August 4, 2011
3. Project Narrative received and dated August 4, 2011
4. Code Requirements Letter dated September 7, 2011



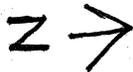
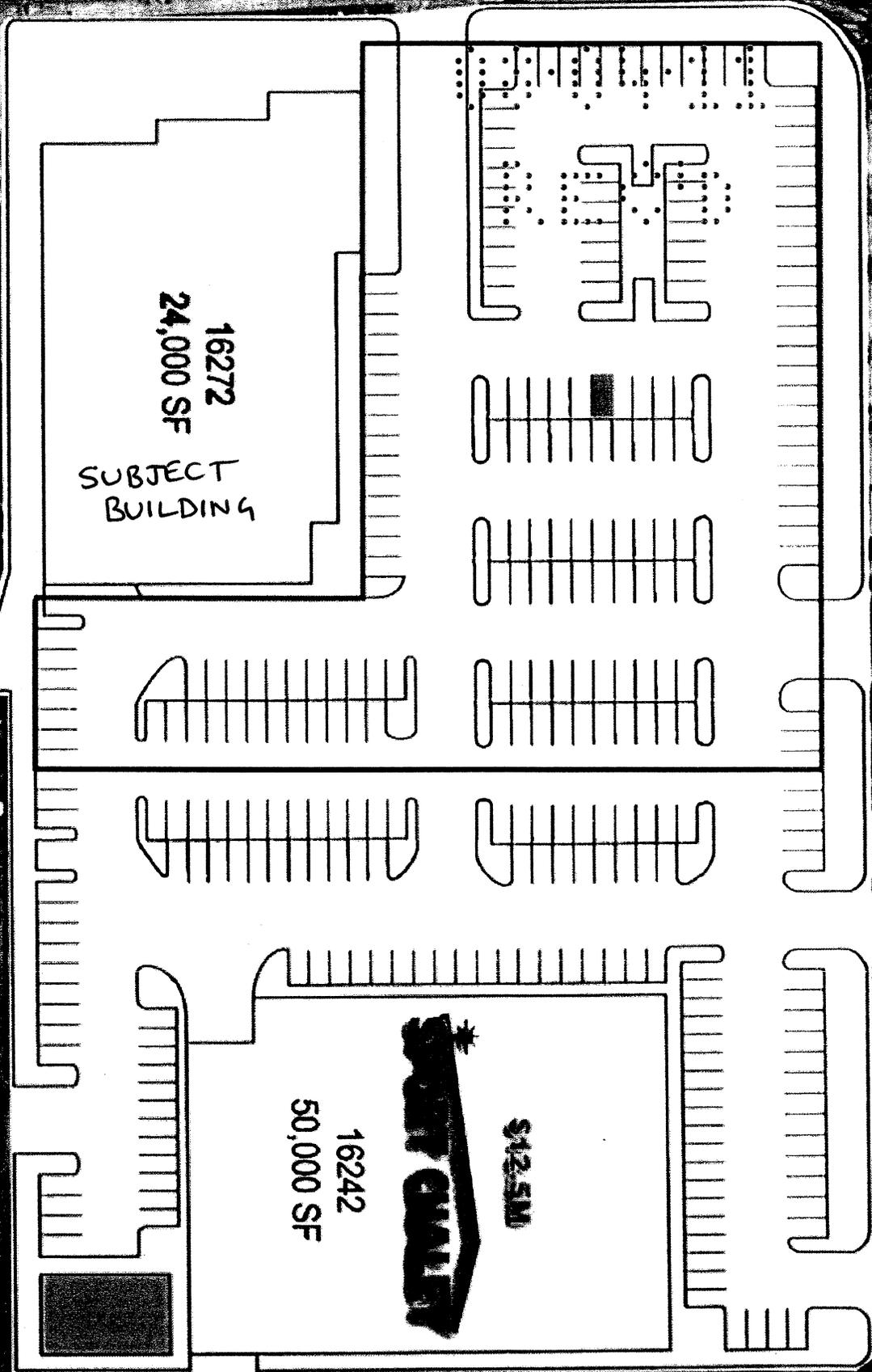
VICINITY MAP

**CONDITIONAL USE PERMIT NO. 11-018
 (TOTAL WINE & MORE – 16272 BEACH BOULEVARD)**



Beach Blvd

- = cart corral
- = No-Build Zone



Memorandum

03.04.11

To: City of Huntington Beach, Planning Department
CC: Alcoholic Beverage Consulting Services
From: Phil Armstrong, VP – Real Estate, Total Wine & More (Tenant)
Date: 7/27/2011
Re: Conditional Use Permit

REQUEST:

California Fine Wine & Spirits LLC (d/b/a Total Wine & More) is the Tenant at the site located at 16272 Beach Blvd (former Office Max space). Total Wine is a retail store selling adult beverages (wine, beer, and spirits) for off-premises consumption as well as cigars, mixers, accessories, and a small assortment of gourmet foods to accompany wine. Total Wine would also conduct wine tasting classes.

The proposed use is ideal for the space and a compliment to the retail area and neighborhood. The expected impact of the proposed use on adjoining uses and future retail development in the area will be extremely positive. Bringing a high-end wine retailer to the neighborhood is a compatible retail use. Total Wine is a unique retailer that draws from a large distance, which would assist in generating more tax revenues for the city. This will be the third Total Wine store in Orange County (also located in Brea and Tustin).

Total Wine® & MORE

Redondo

Total Wine & More is America's Wine Superstore with 74 stores in 11 states across the nation. The company was founded in 1991 with two stores by two brothers, David and Robert Trone, and continues to be privately owned by the Trones. Total Wine & More has an extensive selection with 8,000 different wines, 2,000 various spirits and 1,000 beers to enjoy. Our customers are well-educated with higher income levels. Our stores are large, clean and comfortable with excellent design features that provide an up-scale shopping environment for our customers. Total Wine's California stores are currently located in Tustin, Brea, Northridge, Rancho Cucamonga, Thousand Oaks, Redondo Beach and Roseville, with additional locations planned.

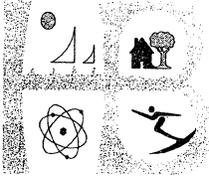
Total Wine & More has leased 24,000 SF adjacent to the Sport Chalet store, occupying a previously existing but vacant site. Total Wine & More will be a great compliment to the tenant mix and the surrounding area. The region is a well-known retail area with a well established road network. The Center will have good parking and good truck loading for Total Wine's operations.

Total Wine & More focuses on fine wine and wine sales amount to 65% of our total sales volume. Our store hours in California are a standard Monday through Sunday 9 a.m. to 10 p.m. We employ approximately 25 people at each of our stores, 40% of which are full-time employees. Total Wine & More sells wine, beer and spirits for off-premises consumption and our stores also offer wine tastings and customer education classes as well. Total Wine has applied for two licenses with the Department of Alcoholic Beverage Control (ABC): Type 21 (off-sale general) and Type 42 (on-sale beer and wine for public premises limited tastings).

Total Wine & More is committed to wine education, both for our staff and our customers. We host wine education seminars for our customers in our store education rooms. We can also provide private wine tasting seminars when requested by customers or as fundraisers for charitable organizations. Total Wine & More takes great pride and responsibility in our staff development and the service they provide. A staff member takes 150 hours of classroom training before joining the sales floor to serve customers. As part of continuing education for our staff, we host annual trips to the California wine country and biannual trips to European wineries and vineyards where our staff learns firsthand about winemaking. We feel the experience greatly helps the customer service our staff provides and enhances our customers' experience in our stores.

Total Wine & More has an aggressive minor policy which has proven successful for our company. We comply with all education/certification requirements for each state we are in, and conduct our internal training and refresher training programs in addition to state required education. Our staff is well-trained on procedures for handling minors and there are reminders of our policy (via signs and pins our staff wear) located around our stores.

Total Wine & More is committed to the communities we serve. During our grand opening events we provide \$10,000 to the communities' charities of choice. We have a program specifically designed for service to our community, and display brochures for our program at our stores. Total Wine & More and owners David and Robert Trone donated over \$1 million to charities across the country over the last 2 years and our commitment continues to provide resources to community organizations.



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271

September 7, 2011

Building Division

714.536.5241

Phil Armstrong
11325 Seven Locks Road, Suite 214
Potomac, MD 20854

**SUBJECT: CONDITIONAL USE PERMIT 11-018 (TOTAL WINE & MORE) – 16272 Beach Boulevard, 92647
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Applicant,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please feel free to contact me at (714) 536-5561 or ethan.edwards@surfcity-hb.org and/or the respective source department (contact person below).

Sincerely,

Ethan Edwards, AICP
Associate Planner

Enclosures

cc: Khoa Duong, P.E., Building Division – 714-872-6123
Daren Maresh, Fire Department – 714-536-5531
Josh McDonald, Public Works – 714-536-5509
Jan Thomas, Police Department – 949-348-8186
Herb Fauland, Planning Manager
Property Owner
Project File

ATTACHMENT NO. 4.1



HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: SEPTEMBER 6, 2011

PROJECT NAME: TOTAL WINE & MORE

ENTITLEMENTS: PLANNING APPLICATION NO. 11-0115

PROJECT LOCATION: 16272 BEACH BOULEVARD (SOUTHEAST CORNER AT STARK DRIVE)
HUNTINGTON BEACH, CA

PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5561/ Ethan.Edwards@surfcity-hb.org

PLAN REVIEWER-FIRE: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST

TELEPHONE/E-MAIL: (714) 536-5531/ dmaresh@surfcity-hb.org

PROJECT DESCRIPTION: TO PERMIT AN APPROXIMATELY 24,000 SQ. FT. SPECIALTY FOOD MARKET WITHIN AN EXISTING BUILDING WITH APPROXIMATELY 870 SQ. FT. OF DEDICATED ALCOHOL EDUCATION AND TASTING AREAS.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated August 8, 2011. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO BUILDING PERMITS, THE FOLLOWING SHALL BE REQUIRED:

Fire Suppression Systems

Fire Alarms

Fire Alarm System is required. For Fire Department approval, shop drawings shall be submitted to the Fire Department as separate plans for permits and approval. For Fire Department approval, reference and demonstrate compliance with *IBC 305.9* on the plans. A C-10 electrical contractor, certified in fire alarm systems, must certify the system is operational annually. **(FD)**

Modification, additions, or deletions to an existing fire alarm system shall require that separate plans (three sets) shall be submitted to the Fire Department for permits and approval.

Any extended interruption of the fire alarm system operation will require a "fire watch", approved by the Fire Department.

Fire Sprinklers

Modification, additions, or deletions to an existing automatic fire sprinkler system or fire alarm system shall require that separate plans (three sets) shall be submitted to the Fire Department for permits and approval. Any extended interruption of the fire sprinkler system operation will require a "fire watch", approved by the Fire Department. Reference compliance with City Specification # 420 - Automatic Fire Sprinkler Systems and NFPA 13 in the plan notes. **(FD)**

Fire Protection Systems

Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in *City Specification #424*. The minimum required dry chemical fire extinguisher size is 2A 10BC and shall be installed within 75 feet travel distance to all portions of the building. Extinguishers are required to be serviced or replaced annually. **(FD)**

Building Construction

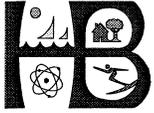
Exit Signs And Exit Path Markings will be provided in compliance with the Huntington Beach Fire Code and Title 24 of the California Administrative Code. Reference compliance in the plan notes. **(FD)**

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. **(FD)**
- b. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. **(FD)**

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office
City Hall 2000 Main Street, 5th floor
Huntington Beach, CA 92648
or through the City's website at www.surfcity-hb.org

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: 8/30/11
PROJECT NAME: TOTAL WINE & MORE
ENTITLEMENTS: CUP 11-18
PLNG APPLICATION NO: 2011-0115
DATE OF PLANS: 8/4/11
PROJECT LOCATION: 16272 BEACH BLVD.
PROJECT PLANNER: ETHAN EDWARDS, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: 714-536-5561 / ETHAN.EDWARDS@SURFCITY-HB.ORG
PLAN REVIEWER: JOSH MCDONALD, CIVIL ENGINEERING ASSISTANT
TELEPHONE/E-MAIL: 714-536-5509 / JOSHUA.MCDONALD@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT AN APPROXIMATELY 24,000 SQ. FT. SPECIALTY FOOD MARKET WITHIN AN EXISTING BUILDING WITH APPROXIMATELY 870 SQ. FT. OF DEDICATED ALCOHOL EDUCATION AND TASTING AREAS.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. The existing domestic water service currently serving the existing development may potentially be utilized if it is of adequate size, conforms to current standards, and is in working condition as determined by the Water Inspector. If the property owner elects to utilize the existing water service for the existing and/or proposed development, any non-conforming water service, meter, and backflow protection device shall be upgraded to conform to the current Water Division Standards. Alternatively, new and/or separate domestic water services, meters and backflow protection devices

may be installed per Water Division Standards and shall be sized to meet the minimum requirements set by the California Plumbing Code (CPC). (ZSO 230.84)

2. The existing irrigation water service currently serving the existing development may potentially be utilized if it is of adequate size, conforms to current standards, and is in working condition as determined by the Utilities Division. If the property owner elects to utilize the existing water service for existing and/or proposed development, any non-conforming service, water meter and backflow protection device shall be upgraded to conform to the current Water Division Standards. Alternatively, new and/or separate irrigation water services, meters and backflow protection devices may be installed per Water Division Standards. (ZSO 232)
3. The existing fire service and backflow protection device currently serving the existing development may potentially be utilized if it is of adequate size, conforms to current standards, and is in working condition as determined by the Utilities Division. If the property owner elects to utilize the existing fire water service for existing and/or proposed development, any non-conforming service and backflow protection device shall be upgraded to conform to the current Water Division Standards. Alternatively, new and/or separate fire water services and backflow protection devices may be installed per Water Division Standards and shall be sized to satisfy fire flow requirements. (ZSO 230.84)
4. The developer shall submit for approval by the Fire Department and Water Division, a hydraulic water analyses to ensure that fire service connections from the point of connection to City public water main, to the backflow protection devices satisfies Water Division standard requirements.
5. A water utility easement shall be dedicated to and accepted by the City of Huntington Beach, covering the public water facilities and appurtenances located within the project site. The easement shall be a minimum total width of 10 feet clear (5 feet either side of the water pipeline or appurtenance), unobstructed paved or landscaped surface, pursuant to Water Division Standards. Where access is restricted or impacted by structures, walls, curbs, etc., the easement width shall be 20 feet to allow for equipment access and maintenance operations. No structures, parking spaces, trees, curbs, walls, sidewalks, etc., shall be allowed within the easement. No modifications to the water facilities and pavement located within the easement shall be allowed without proper notification and written approval from the City in advance. Such modifications may include, but are not limited to, connections to the water system, pavement overlay, parking lot re-striping, and parking lot reconfiguration. City personnel shall have access to public water facilities and appurtenances at all times. (ZSO 230.84)
6. The Property Owner(s) shall enter into a Special Utility Easement Agreement with the City of Huntington Beach, for maintenance and control of the area within the public water pipeline easement, which shall address repair to any enhanced pavement, etc., if the public water pipelines and/or appurtenances require repair or maintenance. The Property Owner(s) shall be responsible for repair and replacement of any enhanced paving due to work performed by the City in the maintenance and repair of any water pipeline. The Special Utility Easement Agreement shall be referenced in the CC&R's. (Resolution 2003-29)
7. The City has approved the Beach Edinger Corridor Specific Plan, which will ultimately require the existing 8-inch waterline in Beach Boulevard to be upsized to a 12-inch waterline. While the existing 8-inch waterline may provide water service and fire flow to the property at this time, the ultimate upsizing of the public waterline will require some form of impact fees to be paid by the property owner for the proposed development. The impact fees have yet to be determined at this time. (Beach/Edinger Corridor Specific Plan)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION OR OCCUPANCY:

8. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf. (ZSO 240.06/ZSO 250.16)



HUNTINGTON BEACH BUILDING DEPARTMENT

PROJECT IMPLEMENTATION CONDITIONS OF APPROVAL & CODE REQUIREMENTS

DATE: AUGUST 11, 2011
PROJECT NAME: TOTAL WINE & MORE
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 11-0115
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 11-018
DATE OF PLANS: AUGUST 4, 2011
PROJECT LOCATION: 16272 BEACH BOULEVARD (SOUTHEAST CORNER AT STARK DRIVE)
PLAN REVIEWER: KHOA DUONG, P.E
TELEPHONE/E-MAIL: (714) 872-6123 / KHOA@CSGENGR.COM
PROJECT DESCRIPTION: CUP: TO PERMIT AN APPROXIMATELY 24,000 SQ. FT. SPECIALTY FOOD MARKET WITHIN AN EXISTING BUILDING WITH APPROXIMATELY 870 SQ. FT. OF DEDICATED ALCOHOL EDUCATION AND TASTING AREAS.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Zoning Administrator in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

I. SPECIAL CONDITIONS:

1. None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

1. Project shall comply with the current state building codes adopted by the City at the time of permit application submittal. Currently they are 2010 California Building Code (CBC), 2010 California Mechanical Code (CMC), 2010 California Plumbing Code (CPC), 2010 California Electrical Code (CEC), 2010 California Energy Code and The Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.

2. Submit the egress analysis.
 - a. Review the number of required exits to comply with section 1015.
 - b. All submittals to date do not have this information which is critical for project of this magnitude.
3. Provide compliance to disabled accessibility requirements of Chapter 11B of CBC.
4. Recommendation: Please contact me or our office to review preliminary code analyses to examine any possible building code issue that may arise.



**CITY OF HUNTINGTON BEACH
PLANNING DEPARTMENT**

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: August 19, 2011
PROJECT: TOTAL WINE
PROJECT LOCATION: 16272 BEACH BLVD.
REQUESTS: 24,000 SF SPECIALTY FOOD MARKET
PROJECT PLANNER: ETHAN EDWARDS
PLAN REVIEWER: JAN THOMAS
TELEPHONE/E-MAIL: (949) 348-8186 JCKTHOMAS@COX.NET

The following is a list of code requirements deemed applicable to the proposed project based on plans received. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. If you have any questions regarding these requirements, please contact the Plan Reviewer.

Concern:

The 9-door fine wine refrigerated cooler is near the entrance of the store. Its vicinity to the entrance makes it vulnerable to a "grab and run," out the front door. In addition, it's not clearly visible to the cashiers.

Recommendation:

Consider relocating this cooler to an area visible to the cashiers, including controlled access to the bottles inside (via key or some other regulatory process).

Concern:

Wine Education Center. The location appears to be fine. However, in the current chair set-up/configuration, the guests' backs are to the main store.

Recommendation:

Possibly consider changing the set-up of the chairs so that the guests face the main area of the store. For example consider three long rows facing the store, with the educator's back to the store. This allows more eyes and ears on the store.



HUNTINGTON BEACH PLANNING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: AUGUST 8, 2011

PROJECT NAME: TOTAL WINE & MORE

PLANNING APPLICATION NO.: PLANNING APPLICATION NO. 11-0115

ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 11-018

DATE OF PLANS: AUGUST 4, 2011

PROJECT LOCATION: 16272 BEACH BOULEVARD (SOUTHEAST CORNER AT STARK DRIVE)

PLAN REVIEWER: ETHAN EDWARDS

TELEPHONE/E-MAIL: (714) 536-5561, ETHAN.EDWARDS@SURFCITY-HB.ORG

PROJECT DESCRIPTION: **CUP:** TO PERMIT AN APPROXIMATELY 24,000 SQ. FT. SPECIALTY FOOD MARKET WITHIN AN EXISTING BUILDING WITH APPROXIMATELY 870 SQ. FT. OF DEDICATED ALCOHOL EDUCATION AND TASTING AREAS.

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CONDITIONAL USE PERMIT:

1. Parking lot striping shall comply with Chapter 231 of the Zoning and Subdivision Ordinance and Title 24, California Administrative Code. **(HBZSO Chapter 231)**
2. All exterior mechanical equipment shall be screened from view on all sides. Rooftop mechanical equipment shall be setback a minimum of 15 feet from the exterior edges of the building. Equipment to be screened includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork and transformers. Said screening shall be architecturally compatible with the building in terms of materials and colors. If screening is not designed specifically into the building, a rooftop mechanical equipment plan showing proposed screening must be submitted for review and approval with the application for building permit(s). **(HBZSO Section 230.76)**

3. All parking area lighting shall be energy efficient and designed so as not to produce glare on adjacent residential properties. Security lighting shall be provided in areas accessible to the public during nighttime hours, and such lighting shall be on a time-clock or photo-sensor system. **(HBZSO 231.18.C)**
4. Bicycle parking facilities shall be provided in accordance with the provisions of HBZSO Section 231.20 – *Bicycle Parking*. **(HBZSO Section 231.20)**
5. Prior to issuance of building permits, the Beach and Edinger Corridors Specific Plan fee shall be paid. *(for new construction and remodels including tenant improvements in the Beach and Edinger Corridors Specific Plan (SP-14) area)* **(Resolution No. 2010-80)**
6. The structure(s) cannot be occupied until a Certificate of Occupancy is approved and issued by the Planning & Building Department. **(HBMC 17.04.036)**
7. The Development Services Departments (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 & Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18. **(HBZSO Section 241.18)**
8. CUP No. 11-018 shall not become effective until the appeal period following the approval of the entitlement has elapsed. **(HBZSO Section 241.14)**
9. The Planning Commission reserves the right to revoke CUP No. 11-018 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs. **(HBZSO Section 241.16.D)**
10. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein. **(City Charter, Article V)**
11. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
12. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption/Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's/ Zoning Administrator's approval of entitlements. *(The fee of \$50 is not required for projects where the City is the applicant)* **(California Code Section 15094)**
13. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Public Works for Code requirements. Substantial changes may require approval by the Planning Commission. **(HBZSO Section 232.04)**

14. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. **(HBZSO Chapter 233)**