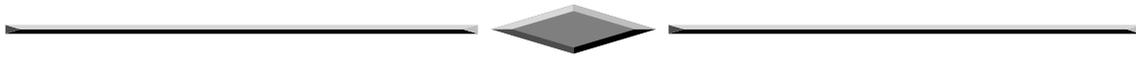


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Jessica Bui, Assistant Planner  
**DATE:** January 17, 2018

**SUBJECT:        CONDITIONAL USE PERMIT NO. 17-043 (FOUR SONS CRAFT  
DISTILLERY & TASTING ROOM)**

**LOCATION:**       18421 Gothard Street, 92648 (west side of Gothard St. and north of Ellis  
Ave.)



**Applicant/  
Property**

**Owner:**           Gerard Dufresne, 1506 Pacific Coast Highway, Huntington Beach, CA 92648

**Request:**         To permit an approximately 430 sq. ft. alcohol tasting room (type 74 ABC  
License) within an approximately 2,195 sq. ft. proposed  
distillery/manufacturing industrial space.

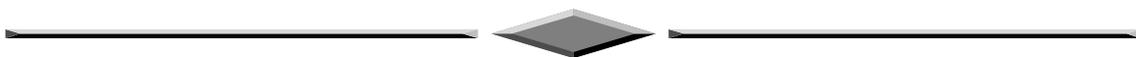
**Environmental**

**Status:**           This request is covered by Categorical Exemption, Section 15301, Class 1,  
California Environmental Quality Act.

**General Plan:**    RT (Research and Technology)

**Zone:**             IG (Industrial General)

**Existing Use:**    Industrial



**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 15301 of the CEQA Guidelines because the project consists of negligible or no expansion of an existing structure.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 17-043:**

1. Conditional Use Permit No. 17-043 to permit an approximately 430 sq. ft. alcohol tasting room (Type 74 ABC License) within an approximately 2,195 sq. ft. proposed distillery/manufacturing industrial space 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 approximately 430 sq. ft. alcohol tasting room within an approximately 2,195 sq. ft. distillery/manufacturing industrial space is not anticipated to generate noise, traffic, parking, or other impacts detrimental to surrounding properties and is consistent with the subject property's industrial zoning. The proposed use, as conditioned, will have sufficient parking to accommodate the alcohol tasting room and distillery/manufacturing use. Moreover, the site is entirely surrounded by industrial uses and the nearest residential use is approximately 450 ft. to the south, across Ellis Avenue. The residential uses are buffered by buildings, parking lots, drive aisles and Ellis Avenue, and the proposed use is not anticipated to generate impacts to those residences.
2. Conditional Use Permit No. 17-043 to permit an approximately 430 sq. ft. alcohol tasting room (Type 74 ABC License) within an approximately 2,195 sq. ft. proposed distillery/manufacturing industrial space will be compatible with surrounding uses because as conditioned, the onsite distillery/manufacturing and alcohol tasting room will occur entirely within the interior of the industrial building and use of the alcohol tasting room will operate on an appointment basis. Furthermore, the use is conditioned to update an existing joint use parking arrangement, identifying specific units within the industrial complex to have divergent hours of operation to ensure adequate parking will be provided onsite. The use is entirely surrounded by similar industrial uses which include an existing brewery and onsite tasting room which is compatible to the proposed use. Lastly, the nearest residential use is approximately 450 ft. to the south, across Ellis Avenue, and any potential impacts to residential uses within the vicinity are not anticipated.
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. The proposed approximately 430 sq. ft. alcohol tasting room within an approximately 2,195 sq. ft. proposed distillery/manufacturing industrial space conforms to applicable site development requirements including minimum setbacks, minimum landscaping, and minimum onsite parking (with the condition requiring an update to an existing joint use parking arrangement). The alcohol tasting room within an approximately 2,195 sq. ft. distillery/manufacturing use is permitted within the IG (Industrial General) zoning district with 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 Research and Technology on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal LU-5: Industrial businesses provide employment opportunities for residents, supporting the local economy.

Policy LU-5 A: Support and attract new businesses in the City's industrial areas.

Policy LU-5 D: Explore opportunities to optimize use of underutilized or underperforming industrial land that is sensitive to surrounding uses, and to introduce new industrial uses that create jobs.

Goal LU-13: The City provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.

Policy LU-5 A: Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

The approximately 430 sq. ft. alcohol tasting room (Type 74 ABC License) within an approximately 2,195 sq. ft. proposed distillery/manufacturing industrial space will provide the City with a new business within an industrial area and additional employment opportunities. The proposed use will expand on the range of goods and services for the community and surrounding area. Furthermore, the use is compatible with the surrounding industrial uses including an existing brewery and tasting room within the industrial complex. As conditioned, all operations will occur indoors unless otherwise approved by the Community Development Department. The nearest residential uses are approximately 450 ft. to the southwest and are buffered by buildings, parking lots, drive aisles, and Ellis Avenue and no impacts to the residences are anticipated.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 17-043:**

1. The site plan, floor plans, and elevations received and dated December 18, 2017 shall be the conceptually approved design.
2. The indoor use shall comply with the following:
  - a. The onsite service and consumption of alcoholic beverages shall be permitted between the following hours:
    - i. Monday through Thursday from 4:00PM – 9:00PM;
    - ii. Friday through Sunday from 12:00PM – 9:00PM
  - b. Tastings shall only be open for customers by appointment only and while an employee is designated to work and monitor the area.
  - c. The alcohol tasting room and the distillery/manufacturing operations and all activities shall occur entirely indoors unless approval is obtained by the Department of Community Development Department.
  - d. Prior to sales, service, or consumption of alcoholic beverages, the business shall obtain an Alcohol Beverage Control (ABC) license authorizing alcohol use. The business shall be limited to a Type 74 (Craft Distiller) ABC license.
  - e. The onsite service and consumption of alcoholic beverages shall be limited to the designated tasting area indicated on the submitted plans received and dated December 18, 2017.

- f. There shall be no dancing or live entertainment allowed without a valid Entertainment Permit issued by the Huntington Beach Police Department. **(PD)**
  - g. All persons serving alcohol shall have previously attended LEADS alcohol safety training through the ABC or course approved by ABC. **(PD)**
  - h. A clearly legible sign shall be affixed inside the tasting area entrance state, “No open alcoholic beverages will be permitted outside the tasting area.” **(PD)**
  - i. Only samples provided by the business shall be provided. **(PD)**
  - j. All owners, employees, representatives, and agents shall obey all state, local, and municipal laws, conditions of the Conditional Use Permit, and any other regulations, provision, or restrictions prescribed at all times. **(PD)**
3. Prior to use of the alcohol tasting room and the distillery/manufacturing, a covenant shall be recorded on the property limiting the uses onsite to meet minimum parking requirements for all businesses. The legal instrument shall be submitted to the Community Development Department a minimum of 30 days prior to use of the alcohol tasting room and distillery. A copy of the legal instrument shall be approved by the City Attorney as to form and content, and when approved, shall be recorded in the Office of the County Recorder. A copy of the recorded agreement shall be filed with the Community Development Department. The recorded agreement shall remain in effect in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach and reflect the following:
- a. As requested by the applicant and indicated on plans received and dated December 18, 2017, the following suites shall be restricted from operating during the following hours: Monday through Thursday from 4:00PM – 9:00PM; Friday through Sunday from 12:00PM – 9:00PM.
    - i. 18411 Gothard Street, Suite C
    - ii. 18411 Gothard Street, Suite D
    - iii. 18411 Gothard Street, Suite E
  - b. Update the parking breakdown to include the square footage of the distillery/manufacturing area and alcohol tasting room when the other tasting room and brewery with food service is open to demonstrate adequate parking is provided during hours of operation.
4. CUP No. 17-043 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 Community Development Department a minimum 30 days prior to the expiration date.
5. 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 Community Development 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 Zoning Administrator's action. 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.

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.