

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

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: June 17, 2015
SUBJECT: **CONDITIONAL USE PERMIT NO. 15-009 (RIIP BEER COMPANY)**
LOCATION: 17214 Pacific Coast Highway, 92649 (east side of PCH, north of Warner Ave.)

Applicant: Ryan Rasmussen, Riip Beer Company, 301 Main Street, Suite 208, Huntington Beach CA 92648

Property Owner: Village Plaza, 645 W. 9th Street, Unit 110-207, Los Angeles CA 90015

Request: To establish a 1,075 sq. ft. craft beer supply store and a beer tasting area (onsite and offsite consumption).

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

Zone: CG-CZ (Commercial General – Coastal Zone)

General Plan: CG-F1 (Commercial General – 0.35 FAR Max)

Existing Use: Vacant Commercial Space

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 15301 of the CEQA Guidelines, because the project involves no expansion in the overall floor area of an existing commercial building.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 15-009:

1. Conditional Use Permit No. 15-009 for the establishment, maintenance and operation of an approximately 1,075 sq. ft. craft beer supply store and a beer tasting area (onsite and offsite consumption) 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 use is not anticipated to generate noise, traffic, parking and other impacts detrimental to surrounding properties and inconsistent with the subject property's commercial zoning. The site is surrounded by commercial uses to the east, west, and south. Residential uses to the north of the subject site are buffered from the existing building by a 6 ft. high perimeter block wall. The storefront and entrance are oriented toward Pacific Coast Highway, away from nearby residences. The consumption of alcoholic beverages will be for sampling purposes and be contained within a delineated area inside the store.
2. The conditional use permit will be compatible with surrounding uses because the onsite consumption of alcoholic beverages will be ancillary to a proposed craft beer store and will occur entirely within the interior of a commercial building.
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 and any specific condition required for the use in the district in which it is located. The proposed craft beer supply store with beer tasting area conforms to applicable site development requirements including minimum onsite parking. The onsite consumption of alcoholic beverages is permitted the CG (Commercial 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 Commercial General (CG) on the subject property. In addition, it is consistent with the following objective and policies of the General Plan:

A. Land Use Element

Objective LU 10.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreational resources.

Policy LU 10.1.8: Require that entertainment, drinking establishments, and other similar uses provide adequate physical and safety measures to prevent negative impacts on adjacent properties.

B. Economic Development Element

Policy ED 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

The proposed beer tasting will be ancillary and incidental to a proposed craft beer supply store. The proposed use will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the

City. Based upon the operational conditions imposed, the beer tasting is not anticipated to result in negative impacts on adjacent properties.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 15-009:

1. The site plan and floor plan received and dated April 13, 2015 shall be the conceptually approved design.
2. Prior to submittal for building permits, zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works 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. The use shall comply with the following:
 - a. The onsite service and consumption of alcoholic beverages shall be permitted between the hours of 11:00 AM and 10:00 PM on Mondays through Saturdays, and between the hours of 11:00 AM and 8:00 PM on Sundays.
 - b. Prior to the service of alcoholic beverages, a copy of the ABC licenses, along with any special conditions imposed by the ABC, shall be submitted to the Planning and Building Department. Any conditions that are more restrictive than those set forth in this approval shall be adhered to. The business shall be limited to a Type 20 (Off Sale Beer and Wine) ABC License in conjunction with a Type 86 (Instructional Tasting) ABC License.
 - c. The onsite service and consumption of alcoholic beverages shall be limited to the designated tasting area. All persons under 21 years of age are prohibited in the tasting area during tasting events. **(PD)**
 - d. Live entertainment shall be prohibited without the approval of a conditional use permit. **(PD)**
 - e. All areas of the store where the sales, service, and consumption of alcoholic beverages occur shall be equipped with lighting with sufficient power to illuminate and permit the identification of patrons. **(PD)**
 - f. All owners, employees, representatives, and agents shall obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise at all times. **(PD)**
 - g. All persons serving alcohol shall have previously attended LEADS alcohol safety training through the Alcohol Beverage Control (ABC). **(PD)**
 - h. A clearly legible sign shall be affixed inside the tasting area entrance stating "No open alcoholic beverages will be permitted outside the tasting area." **(PD)**

- i. There shall be no pitcher service of beer. Serving sizes shall be limited to a maximum size of 16-ounce pints of beer (as defined by §23006 of the California Business and Professions Code). **(PD)**
 - j. No “happy hour” or reduced price alcoholic beverage promotion shall be allowed at any time. **(PD)**
 - k. Only samples provided by the business shall be allowed. **(PD)**
 - l. Consumption of alcoholic beverages by on-duty employees, including servers, bartenders, kitchen staff, management and supervisory personnel shall be forbidden. **(PD)**
 - m. Signage, posters, and advertising with “Do Not Drink and Drive” shall be posted in the business. **(PD)**
 - n. There shall be no window coverings or advertisements that reduce the visibility inside of the business. **(PD)**
 - o. No loitering shall be permitted within the vicinity of any entrances and exits at any time. **(PD)**
 - p. The business shall employ a video surveillance system and a one-month video library. The minimum requirements for the cameras shall be: color, digital recording to DVR and able to record in low light. The business shall ensure all doors, eating/drinking areas, and parking areas are covered by video surveillance. Electronic copies of video shall be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made available for viewing on-scene upon request by police officers conducting investigations. **(PD)**
4. Conditional Use Permit No. 15-009 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 and Building 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 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. 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.