

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

**TO:** Zoning Administrator  
**FROM:** Jill Arabe, Planning Aide  
**DATE:** September 24, 2008

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 2008-031 (CHIPOTLE RESTAURANT)**

**LOCATION:** 16241 Beach Boulevard, 92647 (northwest corner of Beach Boulevard and Holt Drive)

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**Applicant:** Elizabeth Valerio, 5858 Wilshire Blvd #203, Los Angeles, CA 90036

**Property Owner:** Danni Sun, 19 Harbor Pointe, Corona Del Mar, CA 92625

**Request:** To permit the sale of alcoholic beverages within a previously approved 1,800 sq. ft. restaurant.

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

**Zone:** CG-FP2 (Commercial General – Flood Plain 2)

**General Plan:** CG-F2-a (Commercial General – 0.50 FAR – Auto district overlay)

**Existing Use:** Restaurant Under Construction

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**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 negligible or no expansion of use.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-031:**

1. Conditional Use Permit No. 2008-031 for the establishment of onsite sale and consumption of alcoholic beverages within a previously approved 1,800 sq. ft. restaurant 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 alcohol sales will not generate additional noise, traffic, or other impacts detrimental to surrounding property and inconsistent with the subject property's commercial zoning. The sales and consumption of alcoholic beverages will be within the interior of the building only. The building is surrounded by parking to buffer adjacent uses from potential negative noise impacts. The entrances to the restaurant are oriented toward the streets and adjacent commercial use.
2. The conditional use permit will be compatible with surrounding uses because the sale and consumption of alcoholic beverages is ancillary to the previously approved restaurant use and will occur entirely within the interior of the building. The restaurant is a commercial use within a commercial corridor developed with similar commercial uses.
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 proposed use in the district in which it would be located. The onsite sale and consumption of alcoholic beverages will be limited to the interior of the building. The restaurant use complies with the minimum required on-site parking.
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 on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 7.1.2: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

LU 10.1.1: 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, and capitalize on Huntington Beach's recreational resources.

The requested conditional use permit will accommodate existing development by allowing alcohol sales at a previously approved restaurant. The proposed use will serve the needs of local residents and visitors to the City by providing for additional dining service and menu options.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2008-031:**

1. The site plan, floor plans, and elevations received and dated June 25, 2008 shall be the conceptually approved design.
2. The use shall comply with the following:
  - a. Any outdoor advertisement or banner promoting the sales of alcohol shall be prohibited.

- b. Only the uses described in the narrative dated June 25, 2008, shall be allowed, unless otherwise indicated per conditions of approval.
3. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by ABC, shall be submitted to the Planning Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.

**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.