



**Zoning Text Amendment No. 21-001
(Beach and Edinger Corridors
Specific Plan Alcohol)**

April 5, 2021

REQUEST

Zoning Text Amendment (ZTA) 21-001

- To amend the Beach and Edinger Corridors Specific Plan (BECSP) to change the reviewing body from Planning Commission (PC) to Zoning Administrator (ZA) for conditional use permits (CUP) for alcohol sales and service and to clarify exemptions from CUP requirements
- Dec. 21, 2020 City Council unanimously directed staff to process this ZTA
- Currently in BECSP restaurants with alcohol and alcohol retailers (BevMo, Total Wine) require a CUP to PC

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1. Section 2.2 (Building Use Regulations) - add 3rd line to legend to identify a CUP requirement to the ZA

Section 2.2 Building Use Regulations

Legend:

--	Not Permitted
•	Included Use: these uses are allowed by right, subject to Site Plan Review.
<u>ZA</u>	<u>Requires Conditional Use Permit approval by Zoning Administrator</u>

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2. Section 2.2.1 (Use Types), Section 1)(d) (Eating and Drinking Establishments with alcohol) – indicate a requirement for CUP approval by ZA instead of PC

Section 2.2.1 Use Types

1) Retail

d) Eating & Drinking Establishments

Full service	•
w/ Outdoor dining	•
w/ Live entertainment	c
w/ Dancing	c
w/ Alcohol	€ <u>ZA</u>
Vendor carts, spaces, or stands	•
Adult entertainment facilities	--

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3. Section 2.2.1.(1)(Retail) – add the following provisions from HBZSO under #(3)

Section 2.2.1 Use Types

1) Retail

i) General Retail Requirements

(3) All building uses with alcohol sales and/or service require Conditional Use Permit approval by the Zoning Administrator. However, the following businesses proposing to sell alcoholic beverages for on-site or off-site consumption are exempt from the conditional use permit process:

- (a) Retail uses with no more than 10% of the floor area devoted to sales, display, and storage of alcoholic beverages provided the sale of alcoholic beverages is not in conjunction with the sale of gasoline or other motor vehicle fuel.**
- (b) Restaurants, bars, and liquor stores located 300 feet or more from any R or PS district, public or private school, church, or public use.**
- (c) Florist shops offering the sale of a bottle of an alcoholic beverage together with a floral arrangement.**

ANALYSIS

- Consistent with most other commercial districts in city where alcohol CUPs are reviewed by the ZA

- Whether PC or ZA, CUP process requires:
 1. Review and analysis by staff;
 2. Notification of surrounding property owners and tenants;
 3. Public hearing; and
 4. Decision appealable to next higher hearing body

- ZTA will reduce the processing time for alcohol CUPs based on typical processing time to PC (4 to 6 months) and ZA (3 to 4 months)

- No speakers at Planning Commission public hearing

RECOMMENDATION

Planning Commission and staff recommend approval of the ZTA based on the following:

- Consistent with City Council direction
- Consistent with General Plan goals and policies
- Addresses a community need by reducing processing time of CUPs for alcohol sales/service



END