

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 25-029

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 will allow for alcohol sales for off-site consumption at an existing services station; the project does not involve an expansion to an existing structure or an expansion in use.

SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 25-029:

1. Conditional Use Permit No. 25-029 to permit the sales of alcohol beverages for off-site consumption (ABC Type 21 License) at an existing service station 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 because the use is located within an existing commercial business. The use is primarily a service station for fuel sales and the request for alcohol sales is ancillary to the primary use. The additional service of beer, wine and distilled spirits sales will benefit and serve the other commercial and residential uses within the Beach and Edinger Corridors Specific Plan area. The sale of beer, wine, and distilled spirits is not anticipated to generate additional noise, traffic, parking or impacts detrimental to surrounding properties and is consistent with the subject property's zoning designation. Furthermore, the service station is oriented northeast, facing the Beach Boulevard and Edinger Avenue intersection, with the closest residential structure located over 250 feet to the south.
2. The granting of Conditional Use Permit No.25-029 to permit the sales of alcohol beverages for off-site consumption (ABC Type 21 License) at an existing service station will not adversely affect the General Plan because it is consistent with the Land Use Element designation of M-sp (Mixed Use- Specific Plan Overlay) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.

Policy LU-11 (A): Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

Policy LU-13 (A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

The request will expand the range of goods and services provided in the area by permitting the sale of alcohol beverages for off-site at an existing service station in a safe manner for residents and customers from the surrounding area. The proposed request will provide expanded goods and services to meet the needs of the area and will add to the capture of sales tax revenue. The existing services station is located near the southwest corner of Beach Boulevard and Edinger Avenue within the Beach and Edinger Corridor Specific Plan.

3. The granting of Conditional Use Permit No. 25-029 to permit the sales of alcohol beverages for off-site consumption (ABC Type 21 License) at an existing service station 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 (HBZSO) because alcohol sales for offsite site consumption in conjunction with fuel sales is permitted subject to a Conditional Use Permit within the Town Center Boulevard Segment of the Beach and Edinger Corridor Specific Plan (SP 14). The proposed alcohol sales will be located within an existing service station which complies with the site development standards.

SUGGESTED CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 25-029:

1. The site and floor plan received and dated October 15, 2025, shall be the conceptually approved design.
2. The use shall comply with the following conditions:
 - a) Prior to the sales of alcoholic beverages, the business shall obtain a California Department of Alcoholic Beverage Control (ABC) license authorizing off-sale alcohol sales. The ABC license shall be limited to "Off-Sale" Type 21 – Off-Sale General. All conditions contained in the ABC license shall be adhered to. **(PD)**
 - b) Hours of alcohol sales limited to between 6:00 AM and 2:00 AM. **(PD)**
 - c) Refrigerators and cabinets where alcohol is located must be locked to customers between 2:00 AM to 6:00 AM. **(PD)**
 - d) Mandatory Responsible Beverage Service (RBS) training and certification shall be required for new employees within 90 days of being hired and for existing employees every 12 months. Training shall be provided by an ABC approved RBS trainer and records of the training must be maintained on-site for review. Employees may also choose to attend Licensee Education on Alcohol and Drugs (L.E.A.D) a free training provided by ABC in lieu of attending the RBS training. **(PD)**
 - e) The facility shall employ a video surveillance security system and a one-month video library. The minimum requirements for the cameras will be: color, digital recording to DVR and able to record in low light. Electronic copies of video must 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)**

- f) "Consumption of alcohol is prohibited" signage shall be affixed and clearly visible at the exit and in the waiting area of the location. **(PD)**
- g) No consumption of alcohol on the premises shall be allowed. **(PD)**
- h) Live entertainment is prohibited. **(PD)**
- i) In an effort to reduce the likelihood of alcohol related crimes, the display or sale of the following items shall be prohibited **(PD)**:
 - Wine containers of less than 750 milliliters.
 - Wine with alcoholic content greater than 14 percent by volume unless corked bottles and aged at least two years.
 - Beer or malt liquor products sold individually in containers of less than 24 ounces, except for small production craft-type beer only available in 24 ounces or less containers.
 - Containers of beer or malt liquor not in their original factory packages of six-packs or greater.
 - Cooler products, either wine or malt liquor beverage based, in less than three-pack quantities.

3. CUP No. 25-029 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.
4. 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.

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.