

## ATTACHMENT NO. 1

### SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

#### CONDITIONAL USE PERMIT NO. 25-031

##### 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 the sale of alcoholic beverages for off-site consumption at a new convenience store in an existing commercial building, and the project does not involve an expansion to an existing structure or an expansion in use.

##### SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 25-031:

1. Conditional Use Permit No. 25-031 to permit the sale of alcoholic beverages (ABC Type 21 License) for off-site consumption at a 2,928 sq. ft. vacant tenant space will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood. The convenience store use is proposed at an existing commercial center. The site is surrounded by residential and commercial properties. According to the narrative, the convenience store will provide food and beverage sales that will serve the surrounding neighborhood. The project will not affect the existing parking requirements for the site. There is a condition of approval that will limit the sale of alcoholic beverages from 6:00AM and 2:00AM.
2. The granting of Conditional Use Permit No. 25-031 to permit the sale of alcoholic beverages for off-site consumption (ABC Type 21 License) at a 2,928 sq. ft. vacant tenant space 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-11 (B): Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.

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 proposed convenience store use with alcoholic beverage sales is surrounded by other commercial developments and residential properties. The existing tenant space is located within a commercial development and is currently vacant. The new use will increase the capture of sales tax revenues. It will expand the range of goods and services provided for

residents and customers from the surrounding area. The proposed use is situated on the Beach Boulevard corridor, south of Ellis Ave, and provides adequate parking and accessibility.

3. The granting of Conditional Use Permit No. 25-031 to permit the sale of alcoholic beverages for off-site consumption (ABC Type 21 License) at a 2,928 sq. ft. vacant tenant space will comply with the provisions of the Beach and Edinger Corridor Specific Plan and other applicable provisions in Titles 20 through 25. The property is located in the Beach and Edinger Corridor Specific Plan which allows retail uses with more than ten percent of the floor area to be devoted to sales, display, and storage of alcoholic beverages subject to a Conditional Use Permit by the Zoning Administrator. The proposed convenience store use with alcohol sales is located within an existing commercial center, which conforms to applicable site development standards, including parking.

#### **SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 25-031:**

1. The site plan, floor plan, and narrative received and dated November 5, 2025, shall be the conceptually approved design.
2. The use shall comply with the following:
  - 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 premise 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)**:

- a. Wine containers of less than 750 milliliters.
  - b. Wine with alcoholic content greater than 14 percent by volume unless corked bottles and aged at least two years.
  - c. 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.
  - d. Containers of beer or malt liquor not in their original factory packages of six-packs or greater.
  - e. Cooler products, either wine or malt liquor beverage based, in less than three-pack quantities.
3. Prior to the submittal of building permits, zoning entitlement conditions of approval 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.
4. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
5. CUP No. 25-031 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.
6. The Zoning Administrator reserves the right to revoke Conditional Use Permit 25-031 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
7. 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 Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission 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.