

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

**TO:** Zoning Administrator  
**FROM:** Joanna Cortez, Assistant Planner  
**DATE:** June 4, 2014  
**SUBJECT:** **CONDITIONAL USE PERMIT 14-013 (HAMBONE'S BBQ GRILL ALCOHOL)**  
**LOCATION:** 10056 Adams Ave., 92648 (Southeast corner at Brookhurst Ave.)

---

**Applicant:** Paul Hirezi, 12 Mondano, Laguna Niguel, CA 92677

**Property Owner:** Business Properties, Brenden Smith, 17631 Fitch, Irvine, CA 92614

**Request:** To permit alcohol (beer and wine) sales, service and consumption at an existing 3,020 sq. ft. eating and drinking establishment with a 400 sq. ft. outdoor dining area.

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

**Zone:** CG (Commercial General)

**General Plan:** CG-F1 (Commercial General – .35 FAR)

**Existing Use:** Commercial

---

**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 consists of minor alterations to an existing commercial building involving no expansion in the overall floor area of the existing restaurant.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 14-013:**

1. Conditional Use Permit No. 14-013 to permit onsite sales, service and consumption of alcohol (beer and wine) at an existing approximately 3,020 sq. ft. eating and drinking

establishment and a 400 sq. ft. outdoor dining area located within an existing commercial center 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 existing restaurant is located within the interior of a commercial center and more than 500 feet from the nearest residential use. The proposed alcohol sales and service, as conditioned, will not generate noise, traffic, demand for parking or other impacts above that which currently exists or be inconsistent with the subject property's zoning. The restaurant will continue to serve food and beverages in conjunction with the proposed use.

2. The sales, service, and consumption of alcohol at an existing restaurant with outdoor dining will be compatible with surrounding uses because the existing restaurant is surrounded by a majority of commercial uses such as restaurant, office, and retail uses. The operation of the conditional use permit will occur within the interior and outdoor dining area of the business and will be required to comply with conditions of approval pertaining to alcohol service and hours of operation. Additionally, the use is subject to noise regulations to further ensure the compatibility with surrounding properties.
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. In addition, the conditional use permit will comply with any specific condition required for the proposed use in the district in which it would be located. The proposed project as conditioned complies with the base district in which it would be located and other applicable provisions. There is no physical expansion that includes additional floor area to the existing building as part of this request and the use will comply with all building occupancy/exiting requirements.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation CG-F1 (Commercial General-0.35 FAR) 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, 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 use is consistent with the Land Use and Economic Development Element designation and will help to increase the economic viability of the existing eating and

drinking establishment while providing an additional service to local residents and residents in the nearby region. The proposed use, as conditioned, is not anticipated to result in negative impacts on surrounding businesses and adjacent properties.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 14-013:**

1. The site plan, floor plans, and elevations received April 24, 2014 shall be the conceptually approved design.
2. The use shall comply with the following:
  - a. The hours of operation shall be between the hours of 11:00 AM and 11:00 PM Monday through Sunday.
  - b. No dining or consumption of alcoholic beverages shall be permitted on the outdoor patio areas between the hours of 10:00 PM and 7:00 AM. **(PD)**
  - c. To ensure the location maintains a restaurant atmosphere, food service from the regular menu shall be available from the time the business opens to the public, until at least one hour prior to the scheduled closing time. **(PD)**
  - d. All alcoholic beverages shall remain within the interior of the restaurant or within the confines of the enclosed outdoor dining area, per §9.44.010 of the Huntington Beach Municipal Code (HBMC). A sign shall be posted stating alcoholic beverages are not allowed outside of the restaurant. **(PD)**
  - e. Signs shall be posted in a conspicuous space at the entrance/exit points of the patio, which shall state, "NO ALCOHOLIC BEVERAGES BEYOND THIS POINT". **(PD)**
  - f. Service of alcoholic beverages for consumption off-site shall not be permitted. **(PD)**
  - g. No loitering shall be permitted within the vicinity of any entrances and exits at any time. **(PD)**
  - h. An employee shall maintain continuous supervision at all times of the outdoor dining area when it is being utilized for the sales, service or consumption of alcoholic beverages. **(PD)**
  - i. The sale of alcoholic beverages in the outdoor dining area shall be made only in conjunction with the sale of food to the person ordering the beverage. **(PD)**
  - j. There shall be no entertainment allowed at the establishment without a valid Entertainment Permit issued by the Huntington Beach Police Department. **(PD)**
  - k. All outdoor areas where the sales, service, and consumption of alcoholic beverages will be permitted shall be sufficiently illuminated to permit the identification of patrons. **(PD)**



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.