



City of Huntington Beach Planning and Building Department

**STAFF REPORT**

**TO:** Planning Commission  
**FROM:** Scott Hess, AICP, Director of Planning and Building  
**BY:** Rosemary Medel, Associate Planner *RM*  
**DATE:** November 13, 2012

**SUBJECT: CONDITIONAL USE PERMIT NO. 12-018 (SLAPFISH RESTAURANT ON-SITE ALCOHOL SALES)**

**APPLICANT/  
BUSINESS**

**OWNER:** Jethro Naude, 19671 Beach Blvd., Ste 304, Huntington Beach, CA 92648

**PROPERTY**

**OWNER:** Regency Centers, 420 Stevens Avenue, Ste 320, Solana Beach, CA 92075

**LOCATION:** 19696 Beach Blvd. 92648 (Newland Center, north of Adams, east side of Beach Blvd.)

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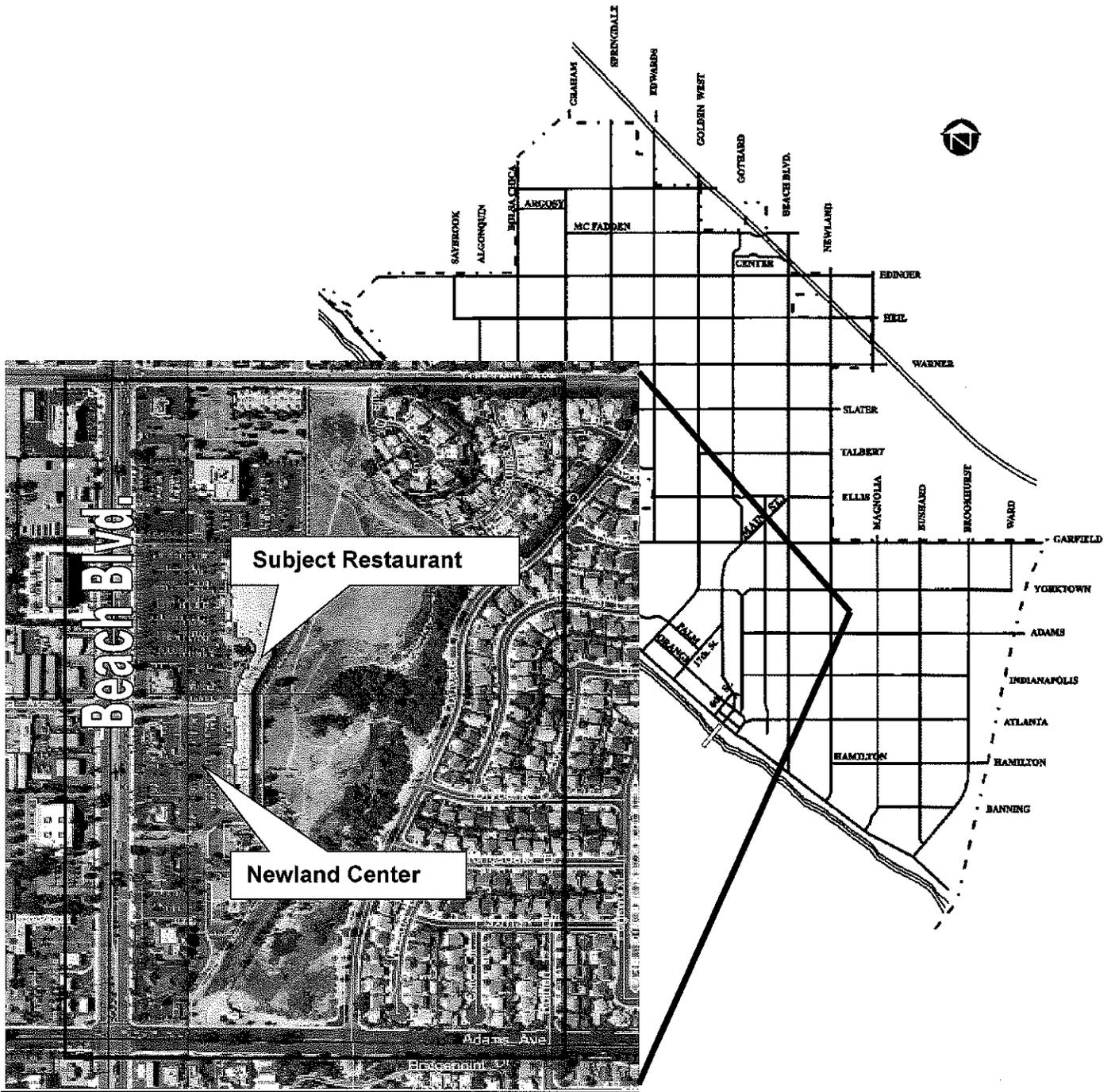
**STATEMENT OF ISSUE:**

- ♦ Conditional Use Permit No. 12-018 request:
  - To permit an existing 2,068 sq. ft. restaurant to add on-site sales, service, and consumption of alcoholic beverages (beer and wine).
- ♦ Staff's Recommendation: Approve Conditional Use Permit No. 12-018 based upon the following:
  - Compliance with the General Plan designation of Mixed Use.
  - With conditions, alcohol sales, service, and consumption within an existing restaurant will not generate negative impacts to adjacent uses.

**RECOMMENDATION:**

Motion to:

“Approve Conditional Use Permit No. 12-018 with suggested findings and conditions of approval (Attachment No. 1).”



**VICINITY MAP  
 CONDITIONAL USE PERMIT NO. 12-018  
 (SLAPFISH RESTAURANT – 19696 BEACH BLVD)**

**ALTERNATIVE ACTION(S):**

The Planning Commission may take alternative actions such as:

- A. “Continue Conditional Use Permit No. 12-018 and direct staff accordingly.”
- B. “Deny Conditional Use Permit No. 12-018 with findings for denial.”

**PROJECT PROPOSAL:**

Conditional Use Permit No. 12-018 represents a request to permit an existing eating and drinking establishment to allow on-site alcoholic beverage consumption under a beer and wine license within an existing restaurant pursuant to 2.2 Building Use Regulations Standards of 2.1.5 Neighborhood Center of the Beach and Edinger Corridors Specific Plan (SP 14) Eating and Drinking Establishments. The project site consists of approximately 12 acres located at the existing commercial center known as the Newland Center. The project site is developed with 150,000 square feet of retail and restaurant uses along with surface parking. The Newland Center is located within the Beach and Edinger Corridors Specific Plan, Neighborhood Center and requires approval of a conditional use permit by the Planning Commission for alcohol sales.

The restaurant has been established since May 2012. The applicant would like to offer beer and wine with the consumption of food. There is no intent to offer alcohol without the purchase of a meal. Other related ancillary uses such as dancing and live entertainment are not part of the subject request.

The restaurant has a maximum of seven employees per shift. The existing hours of operation are Sunday through Thursday from 11:00 AM until 9:00 PM and Friday and Saturday from 11:00 AM to 10:00 PM. The sales, service, and consumption of alcohol is proposed to occur within the interior of the proposed restaurant only during the restaurant hours of operation.

**Study Session:** Not Applicable.

**ISSUES:**

**Subject Property And Surrounding Land Use, Zoning And General Plan Designations:**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Site:	M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP14 (BECSP – Neighborhood Center)	Commercial Center
North and West (across Beach Blvd.) of Subject Site:	M – sp – d	SP14 (BECSP – Neighborhood Parkway Segment)	Medical Office and Commercial
East of Subject Site	OS-p	CG (Commercial General)	Bartlett Park
South of Subject Site:	M – sp – d	SP14 (BECSP Neighborhood Parkway Segment)	Multi-family Residential & Commercial

**General Plan Conformance:**

The General Plan Land Use Map designation on the subject property is M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay). The proposed project is consistent with this designation and the policies, objective, and goal of the City’s General Plan as follows:

A. Land Use Element

Policy LU 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

Objective LU 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding sub-region, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Policy – 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.

The proposed project will establish with the sale, service and consumption of alcoholic beverages within an existing restaurant at the Newland Center. The site is located within the Beach and Edinger Corridors Specific Plan designation and the use is consistent with the Building Use Regulations and compatible with the surrounding mix of uses. The proposed conditional use permit will provide for the business needs for a successful restaurant establishment in a safe manner for customers and residents of the surrounding area.

B. Economic 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 place.

Policy – 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules

The project is located along a major corridor of the City that contains existing restaurants, retail, and entertainment uses. The project serves to strengthen the existing business and provides additional beverage menu selections in order to be competitive with existing full service restaurants in the center.

**Zoning Compliance:**

The proposed project is located within the Neighborhood Center Segment of the Beach and Edinger Corridors Specific Plan (BECSP) and the request complies with the requirements of that designation. The previous approved use, at this location, was a restaurant; however it did not include alcohol. The proposed restaurant use with alcohol sales requires approval of a conditional use permit by the Planning Commission. The project will not increase existing building area and therefore does not require additional parking spaces because the intensity of the use remains the same. A new restaurant with alcohol sales, service and consumption does not constitute an increase in required parking spaces.

**Urban Design Guidelines Conformance:** Not Applicable.

**Environmental Status:**

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project involves the operation and permitting of the existing development involving negligible expansion of an existing use.

**Coastal Status:** Not Applicable.

**Redevelopment Status:** Not Applicable.

**Design Review Board:** Not Applicable.

**Subdivision Committee:** Not applicable.

**Other Departments Concerns and Requirements:**

The Police Department has reviewed the project proposal and has identified a list of recommended operational restrictions associated with the proposed restaurant with alcohol service (Attachment No. 1). The applicant has reviewed the proposed conditions and expressed their understanding and willingness to comply with these conditions.

**Public Notification:**

Legal notice was published in the Huntington Beach/Fountain Valley Independent on, November 1, 2012, and notices were sent to property owners and occupants of record within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning and Building Department's Notification Matrix), tenants, applicant, and interested parties. As of November 6, 2012, staff has received no comments in support or opposition to the request.

**Application Processing Dates:**

<b><u>DATE OF COMPLETE APPLICATION:</u></b>	<b><u>MANDATORY PROCESSING DATE(S):</u></b>
August 26, 2012	October 4, 2012

Conditional Use Permit No. 12-018 was filed on July 26, 2012 and deemed complete on August 26, 2012. The applicant agreed to have the application scheduled for a public hearing before the Planning Commission on November 13, 2012.

**ANALYSIS:**

The existing Slapfish restaurant is located within Newland Center and is requesting to permit alcohol sales and consumption. The location is suitable for a restaurant with alcohol due to the mix of existing retail and restaurant uses. There are a total of ten eating and drinking establishments within the 150,000 square foot center. Less than half these restaurants offer alcohol on the menus. The operation of the proposed restaurant with alcohol will occur only within the interior of the building and is proposed in an

area designated and designed for beer and wine consumption. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service, sale and consumption in this area. Therefore, the request for alcohol is ancillary to the primary restaurant use and will serve to provide beverage options for their diners.

The Police Department has reviewed the request and suggests several conditions of approval to ensure the establishment preserves the current restaurant atmosphere, avoids noise disturbances, and complies with City and State law regarding alcohol sales and consumption.

The use will be required to comply with conditions of approval pertaining to the operation to assure that any potential impacts to the surrounding properties are minimized. The nearest existing residential uses are approximately 600 feet away to the east. An approved residential project known as Beach Walk will be built on the west side of Beach Blvd. across from the Newland Center at approximately 150 feet away. Therefore, with the suggested conditions of approval, the sale and consumption of alcohol within the interior of the restaurant will not result in noise, safety, or compatibility issues. The request to permit alcohol sales, service and consumption is consistent with the scope and intent of development in the BECSP designation and supported by the General Plan. Accordingly, staff recommends approval of the request.

**ATTACHMENTS:**

1. Suggested Findings and Conditions of Approval – CUP No. 12-018
2. Aerial site plan and floor plan received and dated July 26, 2012
3. Project Narrative received and dated July 26, 2012
4. Code Requirements Letter dated August 26, 2012

SH:JJ:RM:kd

## **ATTACHMENT NO. 1**

### **SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL**

#### **CONDITIONAL USE PERMIT NO. 12-018**

##### **SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Planning Commission finds that the project will not have any significant effect on the environment and is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project involves a minor modification to the operation of the existing development involving negligible expansion of an existing use.

##### **SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 12-018:**

1. Conditional Use Permit No. 12-018 to permit an existing 2,068 sq. ft. eating and drinking establishment to add alcohol sales and consumption at an existing mixed-use center site in the Beach and Edinger Corridors Specific Plan zoning designation 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 sales and service of alcoholic beverages is regulated by the provisions of Chapter 9.44 of the Huntington Beach Municipal Code. The subject request will not result in noise, safety, or compatibility issues. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service, sale and consumption in this area. The request for alcohol is ancillary to the primary restaurant use and will serve to augment the overall dining experience. Furthermore, the consumption of alcoholic beverages will be wholly contained within the building's interior and will not generate detrimental impacts onto surrounding properties.
2. The request to permit an existing restaurant to add alcohol sales and consumption will be compatible with surrounding uses because the project is located within an existing commercial center. The restaurant is surrounded by commercial, office, medical, open space and restaurant uses and therefore will be consistent with the existing land use pattern and compatible to its surroundings. The use will be required to comply with conditions of approval pertaining to alcohol service and operation to assure that any potential impacts to the surrounding properties are minimized.
3. The request to permit an existing restaurant to add alcohol sales, service and consumption will comply with the Neighborhood Center segment of the Beach and Edinger Corridors Specific Plan (BECSP), and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The BECSP allows eating and drinking establishments with alcohol service subject to approval of a conditional use permit. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service, sale and consumption in this area. The request for alcohol is ancillary to the primary restaurant use and there is no physical expansion that includes additional floor area to the existing building. The proposed use will comply with all building occupancy/exiting requirements.

4. The granting of the conditional use permit to establish a restaurant with alcohol sales, service and consumption is consistent with the General Plan. The General Plan Land Use Map designation on the subject property is M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay). The proposed project is consistent with this designation and the policies, objective, and goal of the City’s General Plan as follows:

A. Land Use Element

Policy LU 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

Objective LU 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding sub-region, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Policy – 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.

The proposed project will establish with the sale, service and consumption of alcoholic beverages within an existing restaurant at the Newland Center. The site is located within the Beach and Edinger Corridors Specific Plan designation and the use is consistent with the Building Use Regulations and compatible with the surrounding mix of uses. The proposed conditional use permit will provide for the business needs for a successful restaurant establishment in a safe manner for customers and residents of the surrounding area.

B. Economic 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 place.

Policy – 7.1.1 Accommodate existing uses and new development in accordance with the Land Use and Density Schedules

The project is located along a major corridor of the City that contains existing restaurants, retail, and entertainment uses. The project serves to strengthen the existing business and facilitate continued viability of the center.

**SUGGESTED CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 12-018:**

1. The aerial site plan and floor plan received and dated July 26, 2012, shall be the conceptually approved design.

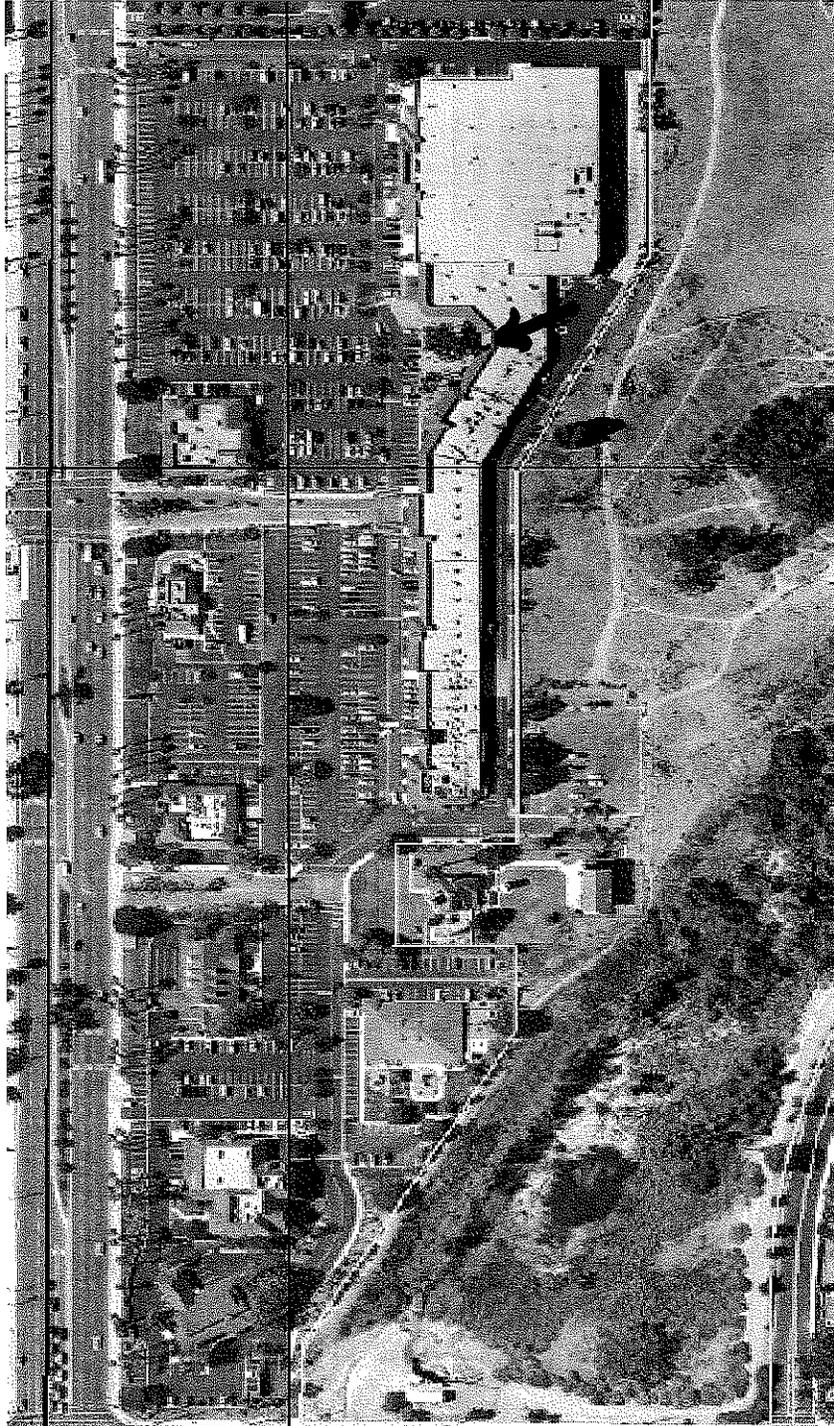
2. The use shall comply with the following:
  - a. Hours of operation shall be limited to between 11:00 AM and 9:00 PM Sunday through Thursday and between 11:00 AM to 10:00 PM Friday and Saturday.
  - b. To ensure the location maintains a restaurant atmosphere, food service from the regular menu shall be available from the time the business opens to the public until at least 30 minutes prior to the scheduled closing time. **(PD)**
  - c. Alcoholic beverages shall only be served in conjunction with food service. **(PD)**
  - d. All alcoholic beverages shall remain within the interior of the restaurant and bar. **(PD)**
  - e. Alcoholic beverages service shall cease 30 minutes prior to the scheduled closing time and no later than 10:00 PM.
  - f. All areas where the sales, service, and consumption of alcoholic beverages will be permitted must be sufficiently illuminated to permit the identification of patrons. **(PD)**
  - g. Dancing and entertainment shall be prohibited.
  - h. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by the ABC, shall be submitted to the Planning and Building Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.
3. 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 Planning and Building 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.
4. Conditional Use Permit No. 12-018 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 Planning and Building Department a minimum 30 days prior to the expiration date.
5. The Planning Commission reserves the right to revoke Conditional Use Permit No. 12-018 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.
6. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification

(<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

**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.

# NEWLAND CENTER



RECEIVED

JUL 25 2012

Dept. of Planning  
& Building

ATTACHMENT NO. 2.1





19696 Beach Blvd, Huntington Beach, CA 92648

Tel: (917) 689 0045 | Fax: (714) 922 6188

Website: [www.slapfishrestaurant.com](http://www.slapfishrestaurant.com)

RECEIVED

OCT 30 2012

Dept. of Planning  
& Building

Attention City of Huntington Beach planning and zoning department

**RE: SLAPFISH BEER AND WINE CONDITIONAL USE PERMIT**

The intended project is to obtain the necessary licenses from both the CITY OF HUNTINGTON BEACH and the ABC in order to serve a limited number of alcoholic beverages; these will be limited to ONLY beer and wine. The sole intended use of the alcoholic beverages is to offer our diners a more complete dining experience and for the beverages to enhancing the dining process. We will not act as a bar or sell alcoholic beverages without the purchase of a meal. The indoor/enclosed space utilized for the consumption of the alcoholic beverages is no more than 400 square feet. Hours of operation will be Sunday through Thursday from 11am until 9pm and Friday and Saturday from 11am to 10pm. We will have a total maximum number of employees on shift at any time of 7 (seven).

All alcoholic beverages will be sold in limited quantities with strict rules of conduct and controls in place. No abuse of alcoholic beverages will be tolerated. ALL guests ordering alcoholic beverages will be required to verify their age via a state issued ID card, no exceptions will made at all! Stringent controls and protocols will be in place to ensure zero abuse of any alcoholic beverages and that a 21 and over age limit is enforced without fail.

The core reasoning behind the application is to offer our 21 and over aged guests the option of consuming an alcoholic beverage of their choosing. Many diners have requested an alcoholic beverage in the past as it is seen as a necessary add-on to any meal. It is solely for the enhancement of the dining experience. There is no use of alcoholic beverages from other vendors in the North, West or South direction however, Capone's, Silk Thai and Supermex all offer alcoholic beverages to the East of our retail establishment.

The population served by the sale of alcoholic beverages will be adult 21 (twenty one) years or older. This will be verified by each order through the validation of a State Issued Identification Document/Driver's License. It is important to know that there will be a 1 (one) drink limit per guest per order to ensure no abuse of the age restriction. Strict controls will be in place to ensure against the abuse of alcoholic beverages in our establishment.

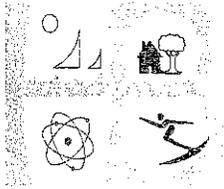
Thank you kindly in advance, if you need any further information or assistance please call me direct on my cell phone below.

Jethro Naude

**Owner/CFO**

Cell: (917) 689 0045 | Fax: (714) 922 6188 | email: [Jethro@slapfishrestaurant.com](mailto:Jethro@slapfishrestaurant.com)

ATTACHMENT NO. 3



# City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

## DEPARTMENT OF PLANNING AND BUILDING

[www.huntingtonbeachca.gov](http://www.huntingtonbeachca.gov)

Planning Division

714.536.5271

Building Division

714.536.5241

August 26, 2012

Jethro Naude  
Slapfish  
19671 Beach Boulevard  
Huntington Beach, CA 92648

**SUBJECT: CONDITIONAL USE PERMIT NO. 12-18 (SLAPFISH ALCOHOL SALES) --  
19696 BEACH BOULEVARD  
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Mr. Naude,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at [AGonzales@surfcity-hb.org](mailto:AGonzales@surfcity-hb.org) or 714-374-1547 and/or the respective source department (contact person below).

Sincerely,

Andrew Gonzales  
Associate Planner

Enclosures: Planning Division requirements dated August 26, 2011

Cc: Herb Fauland, Planning Manager  
Jason Kelley, Planning Department  
Det. Steve Fong, Police Department  
Regency Centers, 420 Stevens Avenue, Suite No. 320, Solana Beach, CA 92075, Property Owner  
Project File

ATTACHMENT NO. 4.1



**CITY OF HUNTINGTON BEACH  
PLANNING AND BUILDING DEPARTMENT  
PLANNING DIVISION**

**PROJECT IMPLEMENTATION CODE REQUIREMENTS**

**DATE:** AUGUST 26, 2012  
**PROJECT NAME:** SLAPFISH ALCOHOL SALES  
**PLANNING APPLICATION NO.:** PLANNING APPLICATION NO. 12-124  
**ENTITLEMENTS:** CONDITIONAL USE PERMIT NO. 12-18  
**DATE OF PLANS:** JULY 26, 2012  
**PROJECT LOCATION:** 19696 BEACH BOUAVARD, 92646 (EAST OF BEACH BOULEVARD, NORTH OF ADAMS AVENUE)  
**PLAN REVIEWER:** ANDREW GONZALES, ASSOCIATE PLANNER  
**TELEPHONE/E-MAIL:** (714) 374-1547/ AGONZALES@SURFCITY-HB.ORG  
**PROJECT DESCRIPTION:** TO PERMIT THE ONSITE SALE AND CONSUMPTION OF BEER AND WINE IN ASSOCIATION WITH AN EXISTING 2,068 SQ. FT. RESTAURANT LOCATED WITHIN AN EXISTING MULTI-TENANT COMMERCIAL SHOPPING CENTER.

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The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided should final project approval be received. If you have any questions regarding these requirements, please contact the Plan Reviewer.

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**CONDITIONAL USE PERMIT NO. 12-18:**

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design.
2. The Development Services Departments (Planning & Building, Fire, and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building 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. **(HBZSO Section 241.18)**

3. Conditional Use Permit No. 12-18 shall become null and void unless exercised within one year 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 Planning Division a minimum 30 days prior to the expiration date. **(HBZSO Section 241.16.A)**
4. Conditional Use Permit No. 12-18 shall not become effective until the appeal period following the approval of the entitlement has elapsed. **((HBZSO Section 241.14)**
5. The Planning Commission reserves the right to revoke Conditional Use Permit No. 12-18 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. **(HBZSO Section 241.16.D)**
6. The project shall comply with all applicable requirements of the Municipal Code, Building Division, and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein. **(City Charter, Article V)**
7. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Division within two (2) days of the Planning Commission's approval of entitlements. **(California Code Section 15094)**
8. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning and Building Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. **(HBZSO Chapter 233)**
9. Live entertainment and/or outdoor dining in excess of 400 sq. ft. shall not be permitted unless a conditional use permit for this specific use is reviewed and approved. Outdoor dining occupying less than 400 sq. ft. is subject to Neighborhood Notification and approval by the Director of Planning and Building. **(HBZSO Section 211.04)**