

## CALIFORNIA COASTAL COMMISSION

South Coast Area Office  
301 East Ocean Blvd., Suite 300  
Long Beach, CA 90802  
(562) 590-5071

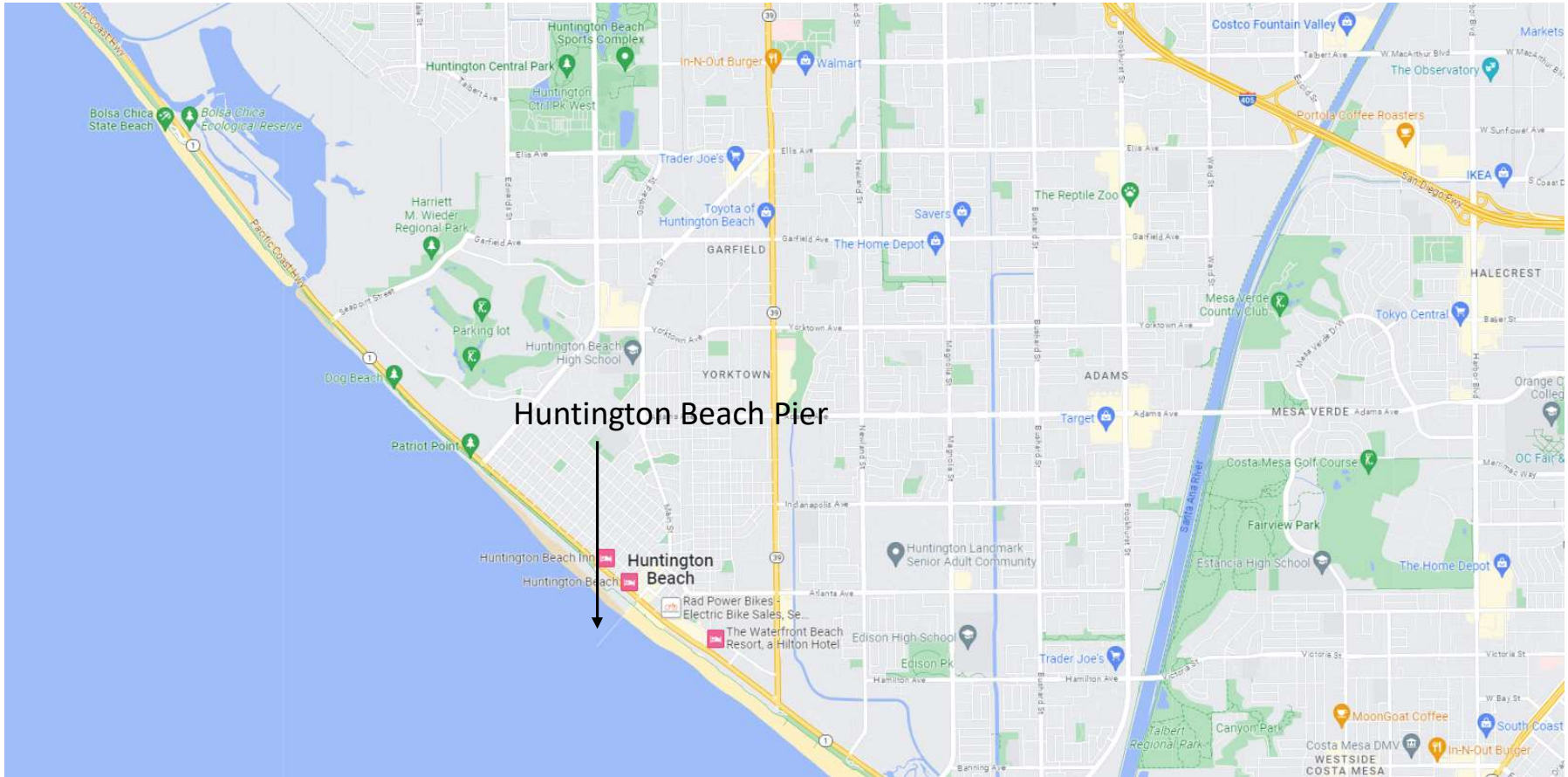


# Th13a

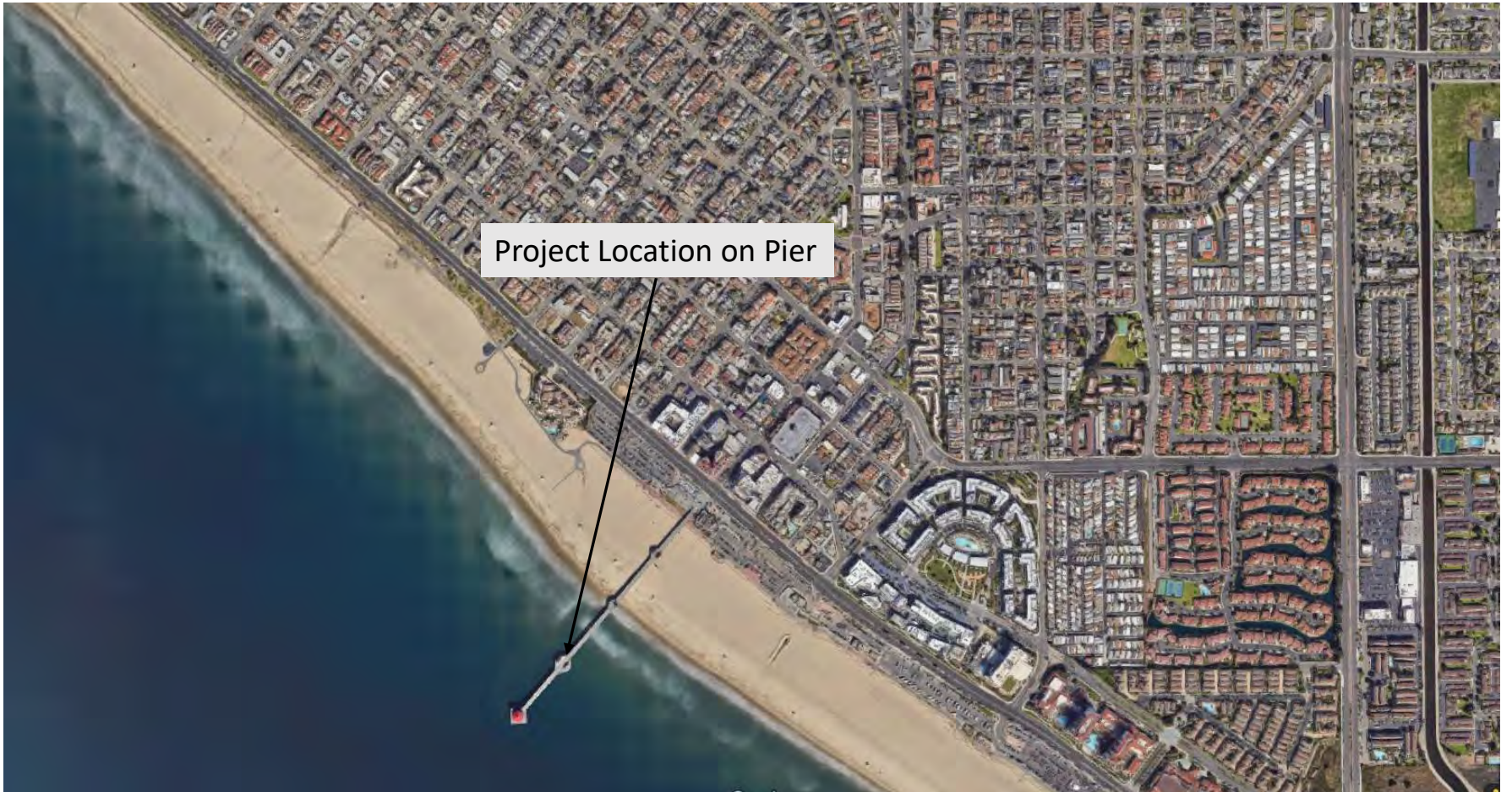
**5-22-0804 Surf City Partners, LLC**  
**November 16, 2023**

### **EXHIBITS:**

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Project Plans
- Exhibit 3 – HNB Conditional Use Permit
- Exhibit 4 – CSLC Lease (pages 1 & 2 only)
- Exhibit 5 – Photos



**5-22-0804 Surf City Partners, LLC**  
**Vicinity Map - Huntington Beach Pier**  
**Exhibit 1a**

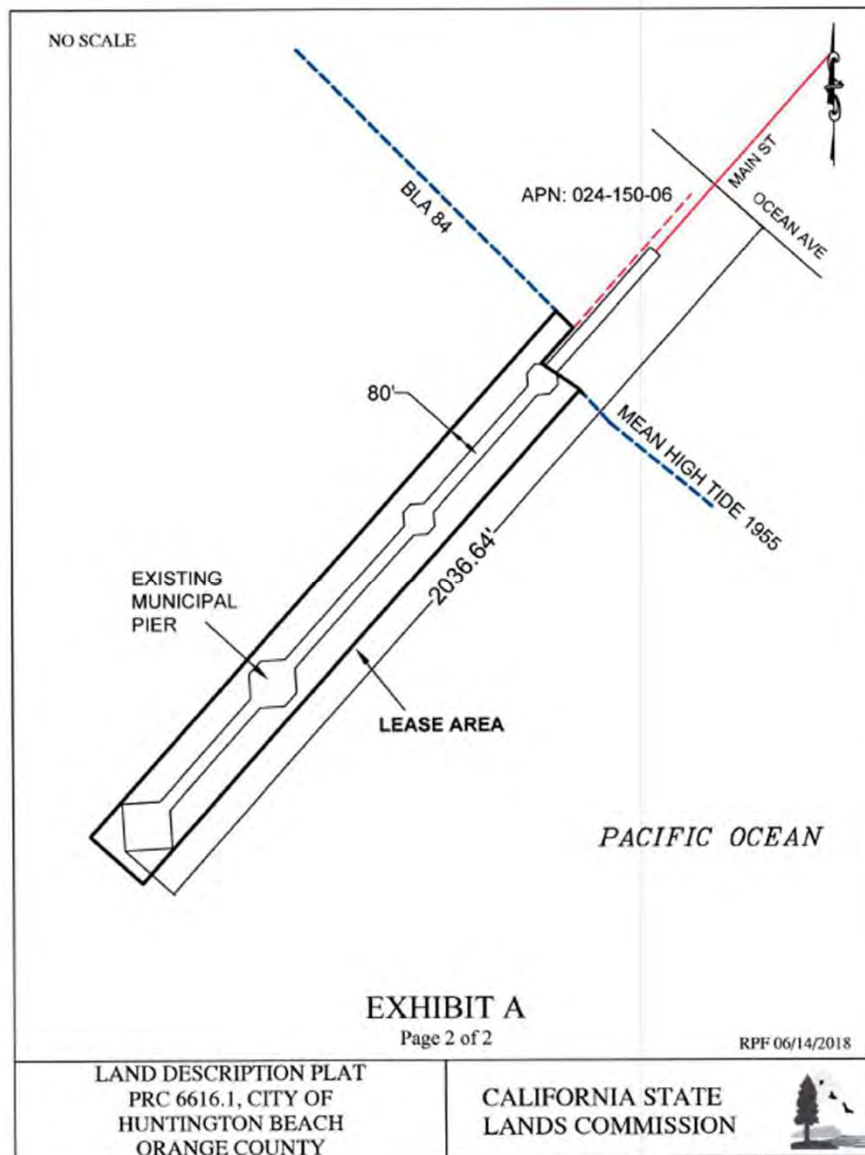


**5-22-0804 Surf City Partners, LLC  
Exhibit 1b**





5-22-0804 Surf City Partners, LLC  
Exhibit 1c

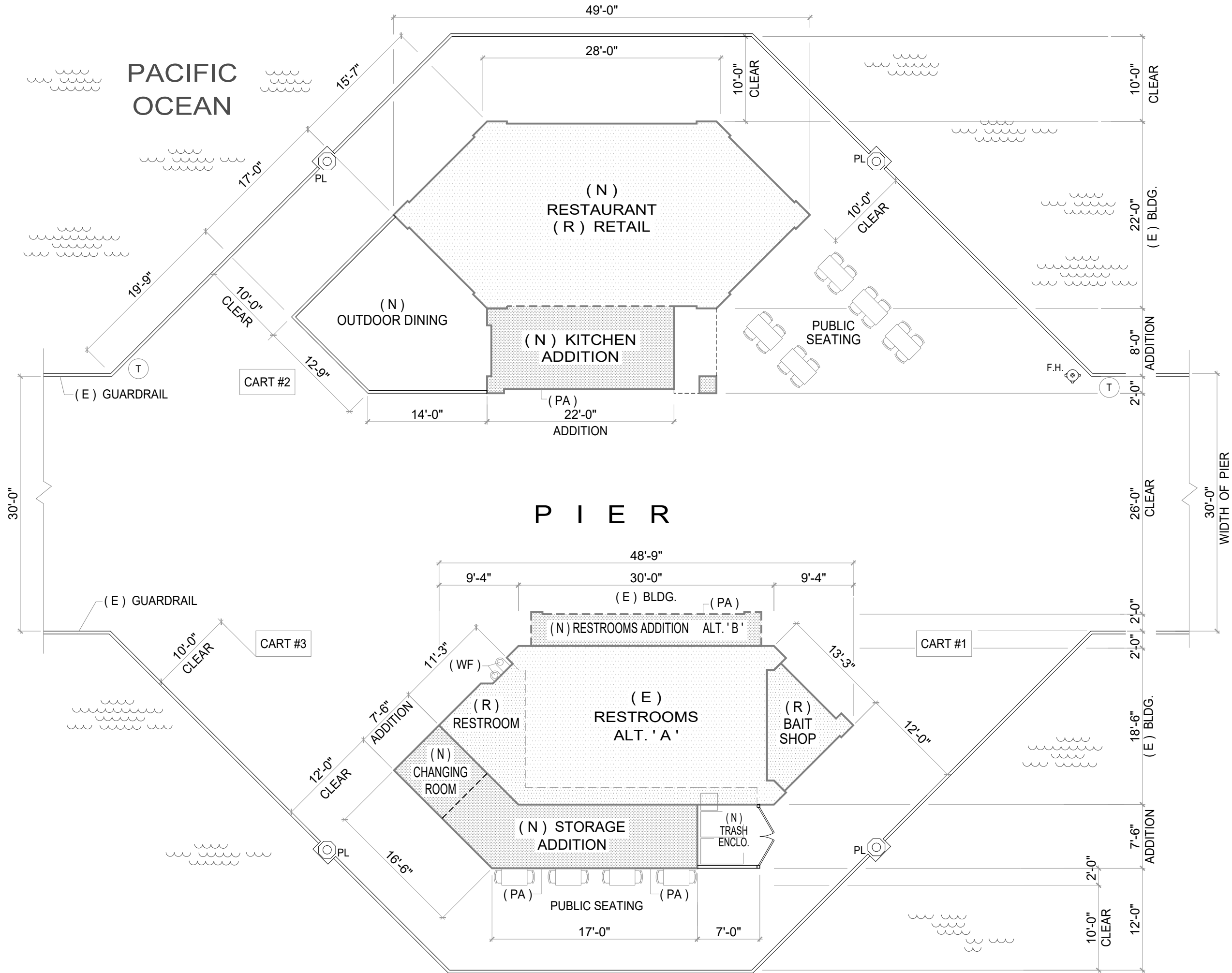


## Location of Mean High Tide Line CCC Retained Jurisdiction Seaward of MHTL

5-22-0804 Surf City Partners, LLC  
Exhibit 1d

## **Exhibit No. 2**

**5-22-0804 (Surf City Partners, LLC)  
Project Plans  
(8 pages)**



STATISTICS	
( E ) RETAIL TO ( N ) RESTAURANT :	820 SF
( N ) OUTDOOR DINING :	310 SF
( N ) KITCHEN :	220 SF
TOTAL PREMISES	1350 SF
( E ) RESTROOMS :	750 SF
( N ) STORAGE :	220 SF
( N ) CHANGING RM. :	60 SF
( N ) RESTROOMS ALT. 'B' :	108 SF
( R ) BAIT SHOP :	87 SF
( R ) UNISEX PUBLIC RESTROOM :	68 SF
( N ) CARTS : ( 3 ) @ 32	96 SF
( N ) TRASH ENCLOSURE :	53 SF
( E ) FOOTPRINT :	1570 SF
( N ) FOOTPRINT :	2637 SF
EXPANSION :	1067 SF

- ( E ) - EXISTING
- ( N ) - NEW
- ( R ) - REMODEL
- ( PA ) - PUBLIC ART
- ( WF ) - WATER FOUNTAIN



SITE PLAN

<p>THIS DRAWING IS SOLE PROPERTY AND COPYRIGHT © OF THE ARCHITECT</p>	DATE: 10/27/23
	SCALE: N T S
	CAD FILE: HOTP-A1
	HUNTINGTON'S ON THE PIER RESTAURANT
21 MAIN ST. HUNTINGTON BEACH CALIFORNIA	
	SITE PLAN
221 MAIN STREET SUITE S HUNTINGTON BEACH, CA 92648 JEFF@TEAMDESIGNHS.COM	
A1	

RESTAURANT  
KEYNOTES

- 1 BLDG. PILLARS
- 2 KITCHEN ( 220 SF )
- 3 DINING ROOM ( 705 SF )
- 4 OUTDOOR DINING ( 310 SF )
- 5 BAR - ( 133 SF )
- 6 BENCH TABLE
- 7 6'H GLASS WIND SCREEN W/  
BENCH SEATING BELOW
- 8 SLIDING GLASS DOORS
- 9 CART / KIOSK
- 10 ( E ) GUARD RAILS
- 11 GAS LANTERN
- 12 GATE W/ PANIC HARDWARE
- 13 ROLL-UP GLASS DOOR, 36" PONY WALL
- 14 ENTRY - PAIR GLASS DOOR
- 15 PICK-UP WINDOW

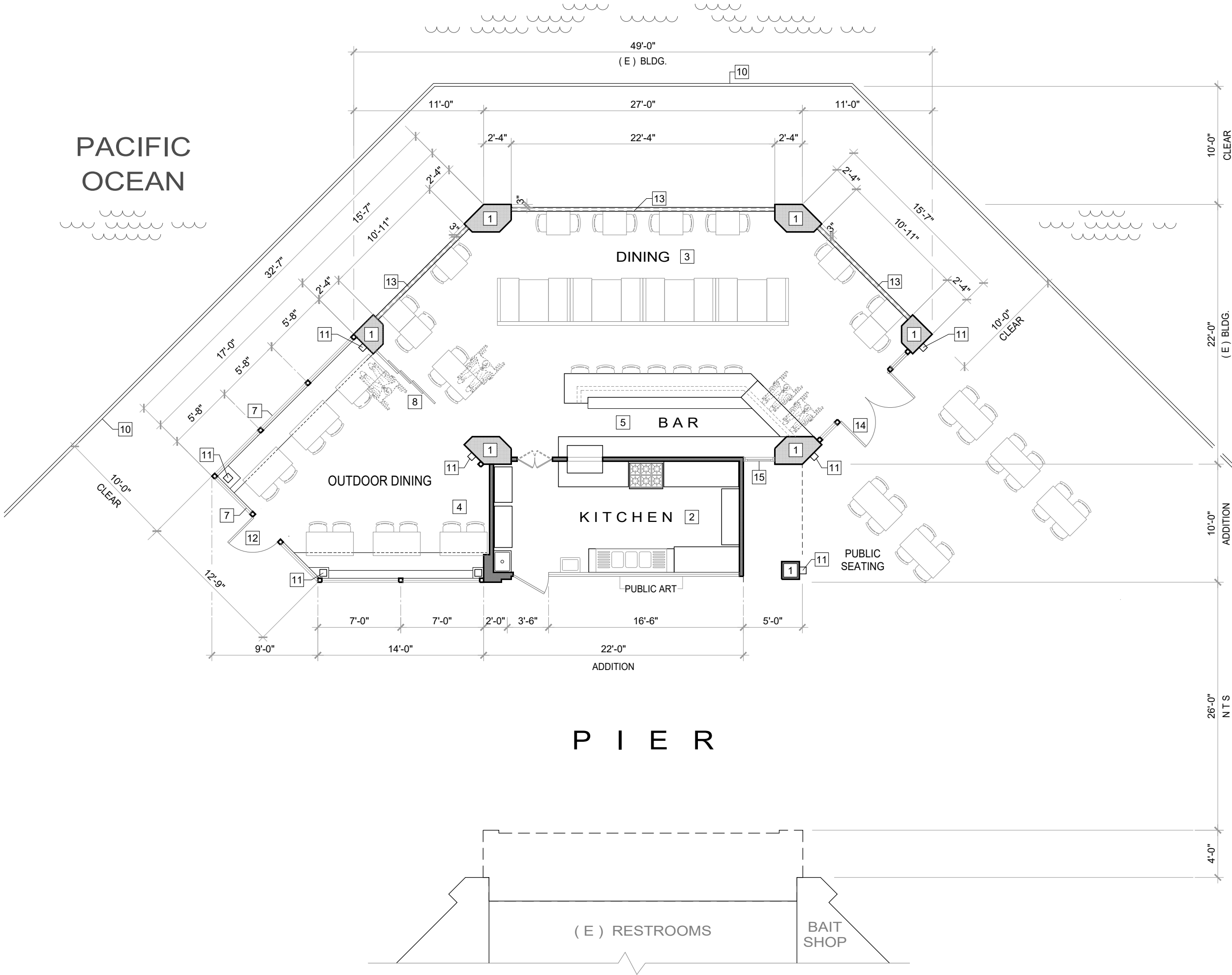
- EXISTING WALL
- NEW WOOD WALL
- NEW GLASS WALL



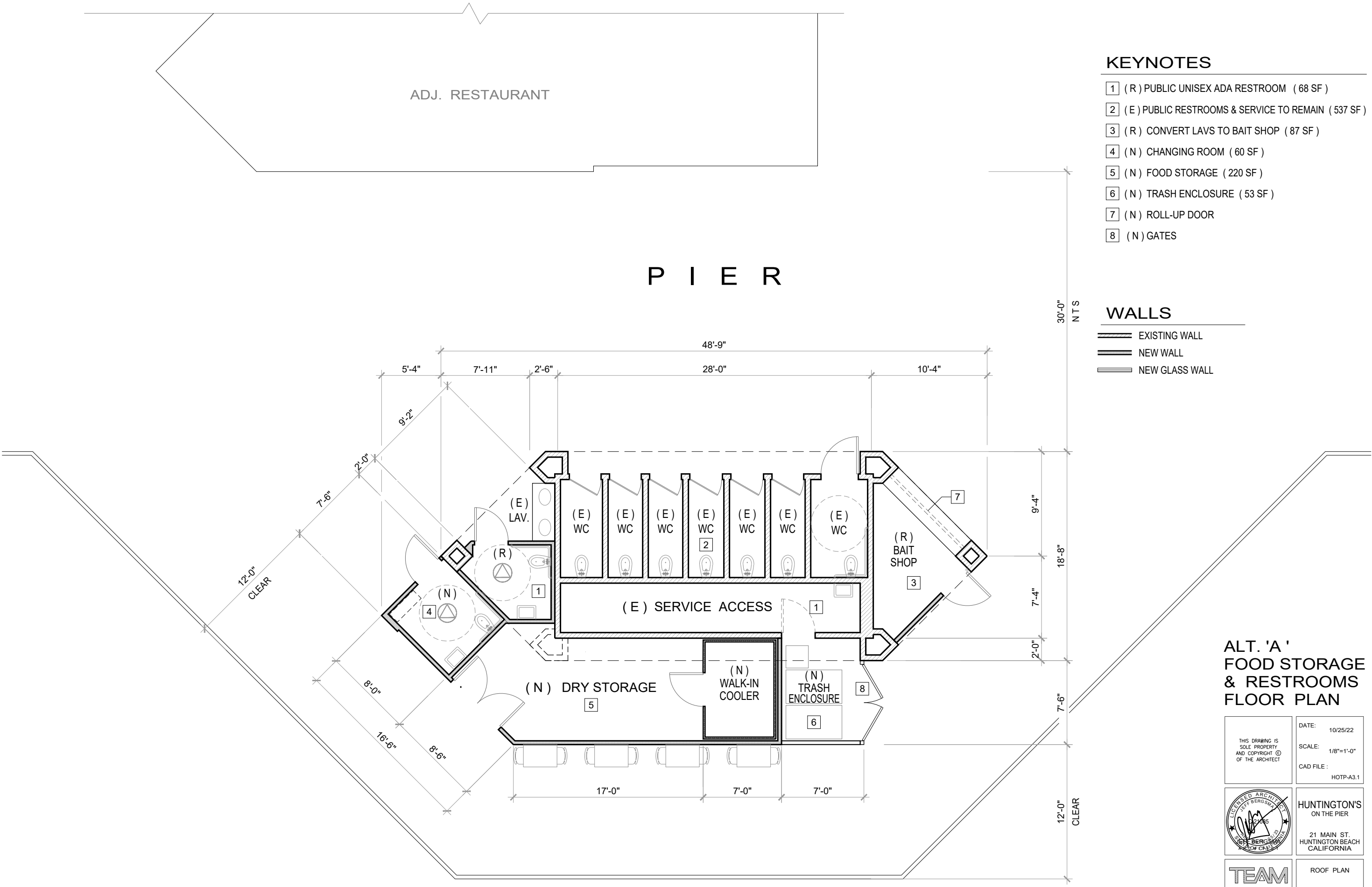
RESTAURANT  
FLOOR PLAN

THIS DRAWING IS SOLE PROPERTY AND COPYRIGHT © OF THE ARCHITECT	DATE: 10/25/23
	SCALE: 1/8"=1'-0"
	CAD FILE : HOTP-A2
	HUNTINGTON'S ON THE PIER RESTAURANT
	21 MAIN ST. HUNTINGTON BEACH CALIFORNIA
	RESTAURANT FLOOR PLAN
	A2

221 MAIN STREET SUITE 5  
HUNTINGTON BEACH, CA 92648  
JEFF@TEAMDESIGN-6.COM







KEYNOTES

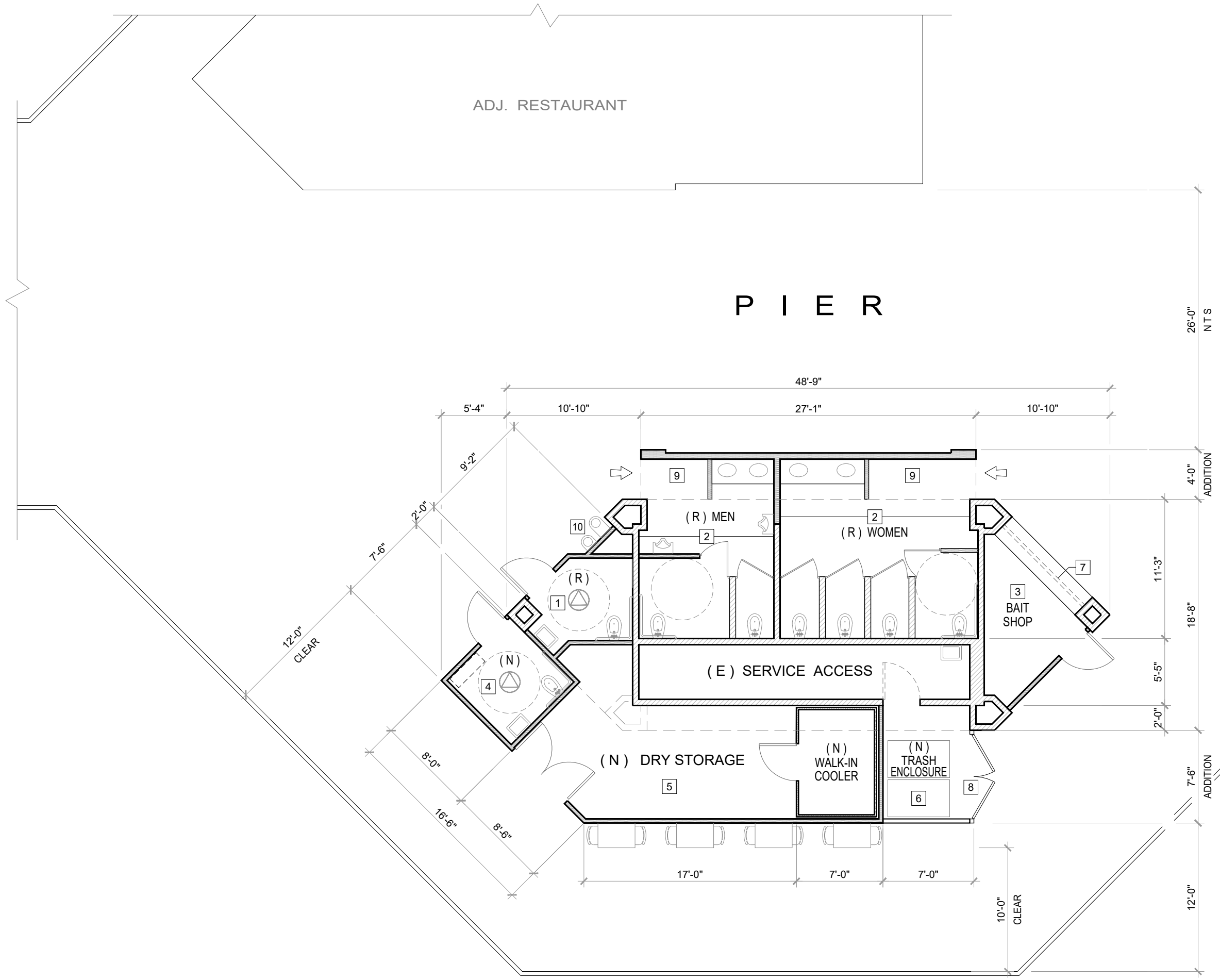
- 1 ( R ) PUBLIC UNISEX ADA RESTROOM ( 68 SF )
- 2 ( E ) PUBLIC RESTROOMS & SERVICE TO REMAIN ( 537 SF )
- 3 ( R ) CONVERT LAVS TO BAIT SHOP ( 87 SF )
- 4 ( N ) CHANGING ROOM ( 60 SF )
- 5 ( N ) FOOD STORAGE ( 220 SF )
- 6 ( N ) TRASH ENCLOSURE ( 53 SF )
- 7 ( N ) ROLL-UP DOOR
- 8 ( N ) GATES

WALLS

- EXISTING WALL
- NEW WALL
- NEW GLASS WALL

ALT. 'A' FOOD STORAGE & RESTROOMS FLOOR PLAN

<p>THIS DRAWING IS SOLE PROPERTY AND COPYRIGHT © OF THE ARCHITECT</p>	DATE: 10/25/22
	SCALE: 1/8"=1'-0"
	CAD FILE: HOTP-A3.1
	HUNTINGTON'S ON THE PIER
	21 MAIN ST. HUNTINGTON BEACH CALIFORNIA
	ROOF PLAN
221 MAIN STREET SUITE S HUNTINGTON BEACH, CA 92648 JEFF@TEAMDESIGNHMB.COM	A3.1



KEYNOTES

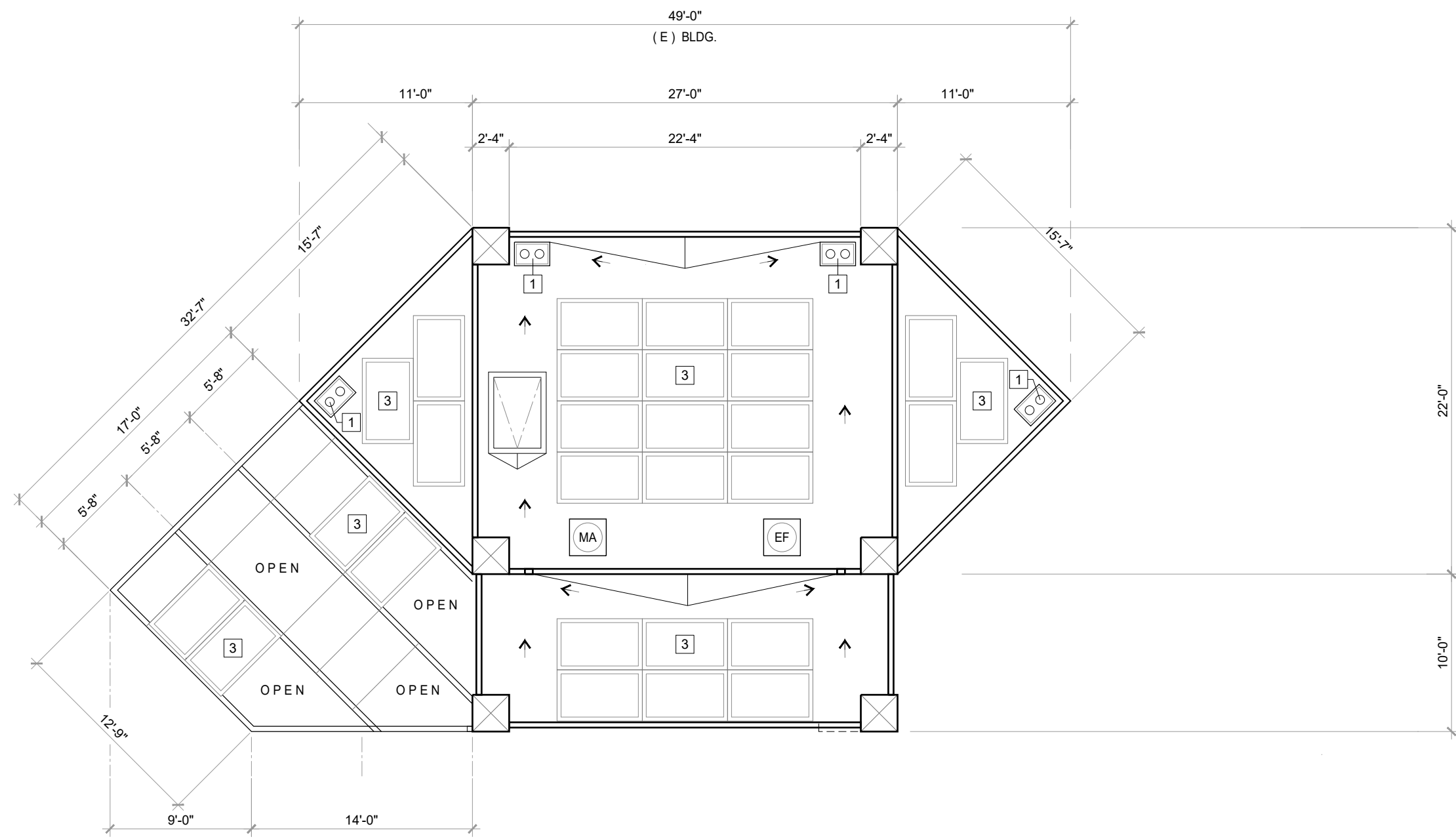
- 1 ( R ) PUBLIC UNISEX ADA RESTROOM ( 68 SF )
- 2 ( R ) PUBLIC RESTROOMS ( 537 SF )
- 3 ( R ) CONVERT LAVS TO BAIT SHOP ( 87 SF )
- 4 EMPLOYEE CHANGING ROOM ( 60 SF )
- 5 ( N ) FOOD STORAGE ( 220 SF )
- 6 ( N ) TRASH ENCLOSURE ( 53 SF )
- 7 ( N ) ROLL-UP DOOR
- 8 ( N ) GATES
- 9 ( N ) RESTROOM ADDITION ( 108 SF )
- 10 ( R ) DRINKING FOUNTAIN

WALLS

- EXISTING WALL
- NEW WALL
- NEW GLASS WALL

ALT. ' B ' FOOD STORAGE & RESTROOMS FLOOR PLAN

<p>THIS DRAWING IS SOLE PROPERTY AND COPYRIGHT © OF THE ARCHITECT</p>	<p>DATE: 10/25/23</p> <p>SCALE: 1/8"=1'-0"</p> <p>CAD FILE : HOTP-3.2</p>
<p>LICENSED ARCHITECT JEFF BERGMAN 2015 JEFF BERGMAN ARCHITECT</p>	<p>HUNTINGTON'S ON THE PIER</p> <p>21 MAIN ST. HUNTINGTON BEACH CALIFORNIA</p>
<p>TEAM D • E • S • I • G • N</p> <p>221 MAIN STREET SUITE S HUNTINGTON BEACH, CA 92648 JEFF@TEAMDIGNHB.COM</p>	<p>RESTROOMS &amp; STORAGE FLOOR PLAN</p> <p>A3.2</p>

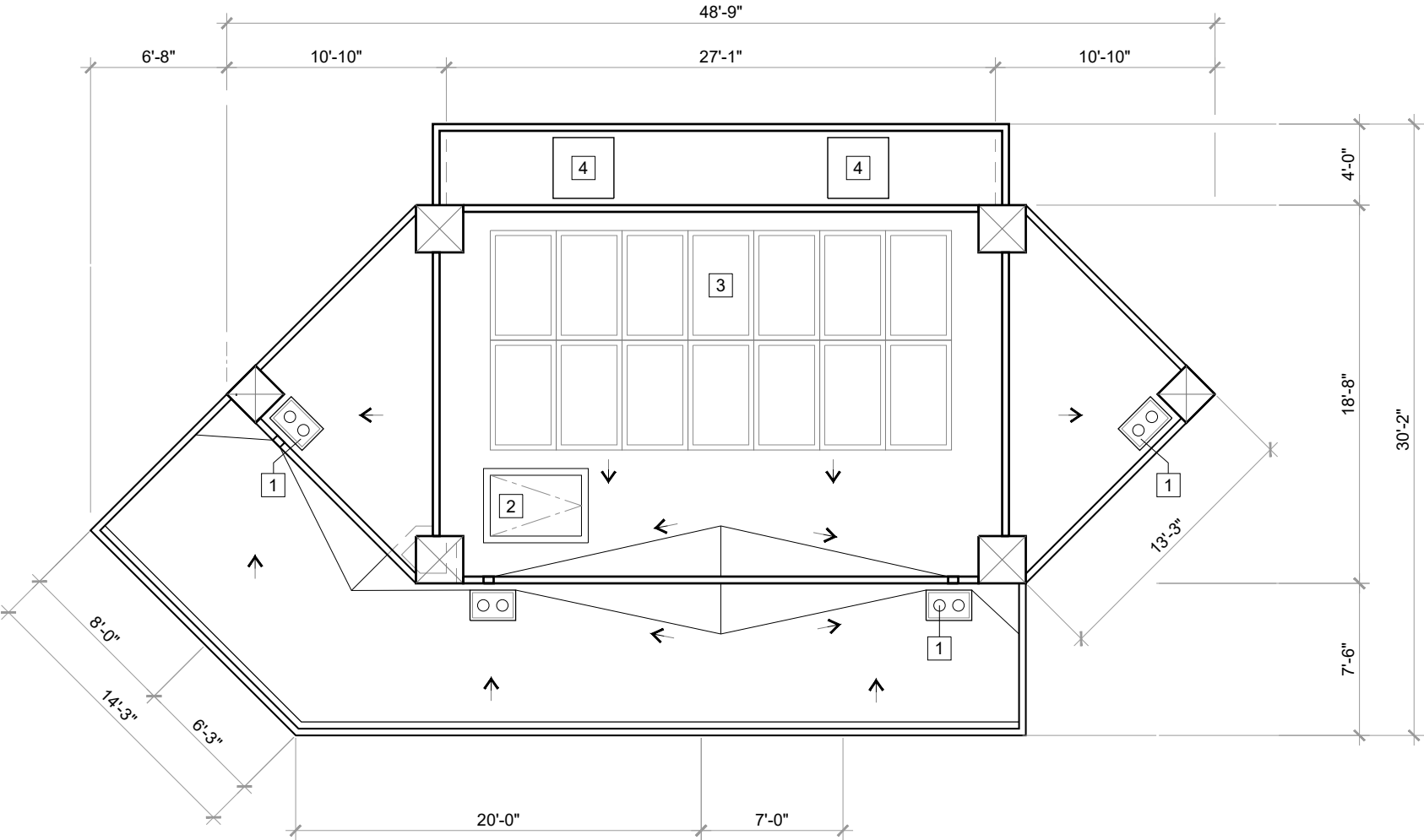


- 1 ROOF DRAIN
- 2 ROOF HATCH
- 3 SOLAR ARRAY ( 28 PANELS )



RESTAURANT  
ROOF PLAN

THIS DRAWING IS SOLE PROPERTY AND COPYRIGHT © OF THE ARCHITECT	DATE: 10/20/23 SCALE: 1/8"=1'-0" CAD FILE : HOTP-A4
	HUNTINGTON'S ON THE PIER RESTAURANT  21 MAIN ST. HUNTINGTON BEACH CALIFORNIA
 221 MAIN STREET SUITE S HUNTINGTON BEACH, CA 92648 JEST@TEAMDESIGNSB.COM	RESTAURANT ROOF PLAN  <b>A4</b>



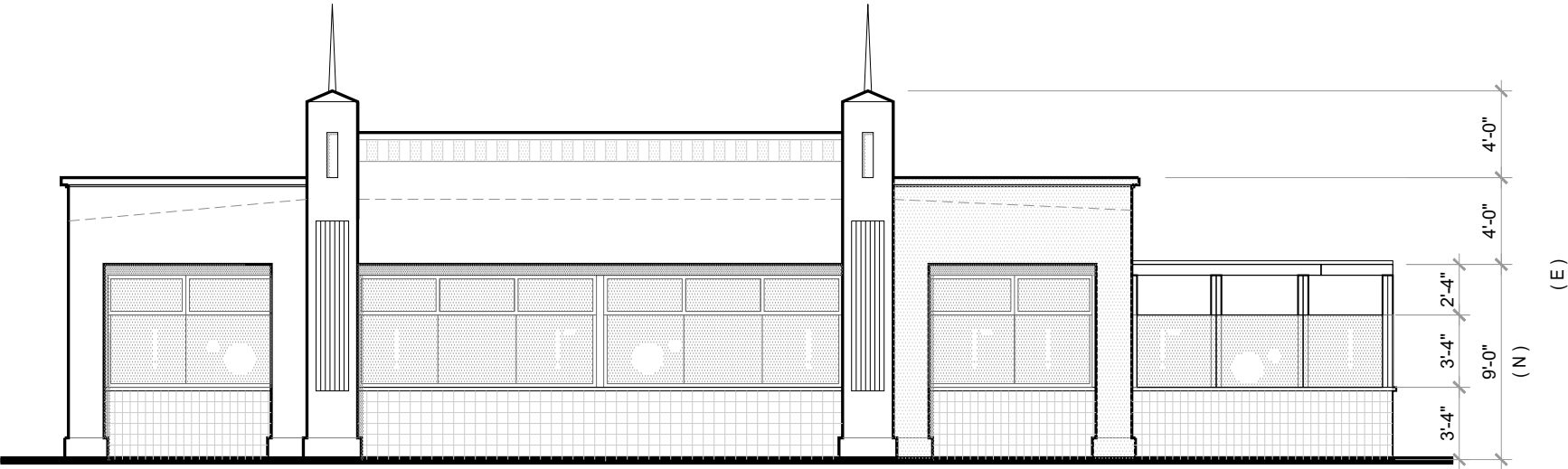
- KEYNOTES**
- 1 ROOF DRAIN
  - 2 ROOF HATCH
  - 3 SOLAR ARRAY ( 14 PANELS )
  - 4 SKYLIGHT ( 3'X 3' )



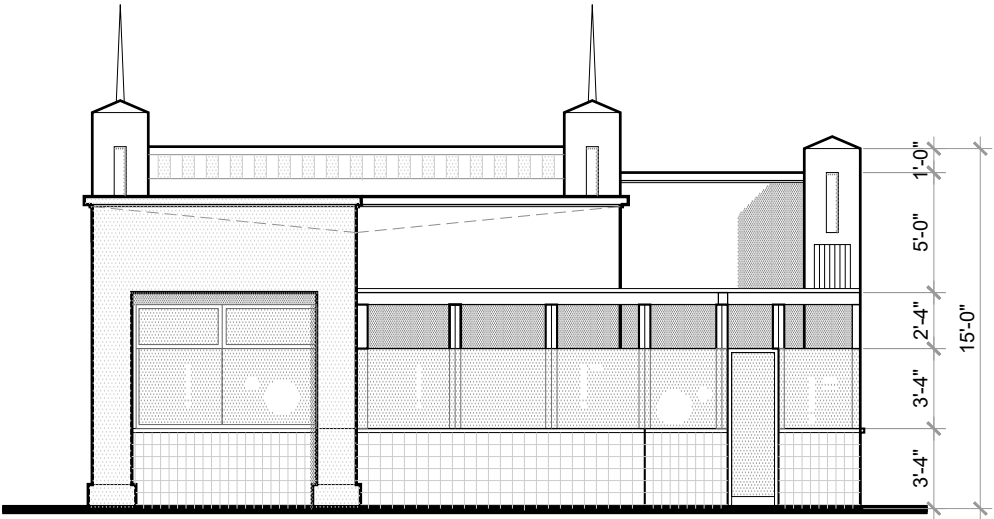
**ALT. ' B '**  
**FOOD STORAGE**  
**& RESTROOMS**  
**ROOF PLAN**

THIS DRAWING IS SOLE PROPERTY AND COPYRIGHT © OF THE ARCHITECT	DATE: 10/20/23 SCALE: 1/8" = 1'-0" CAD FILE : HOTP-A4.2
	HUNTINGTON'S ON THE PIER  22 MAIN ST. HUNTINGTON BEACH CALIFORNIA
 221 MAIN STREET SUITE S HUNTINGTON BEACH, CA 92648 JEFF@TEAMDESIGNHB.COM	'B' RESTROOMS & STORAGE ROOF PLAN  <b>A4.2</b>

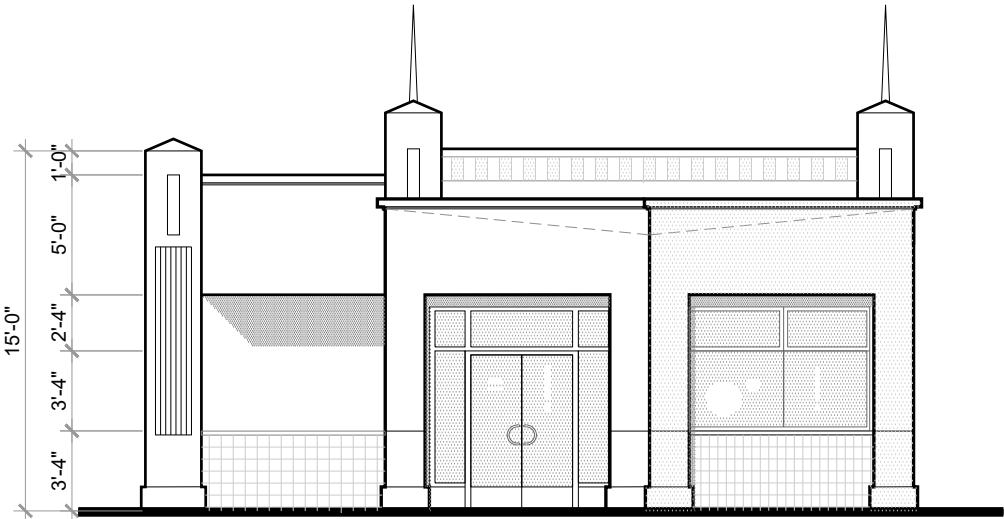




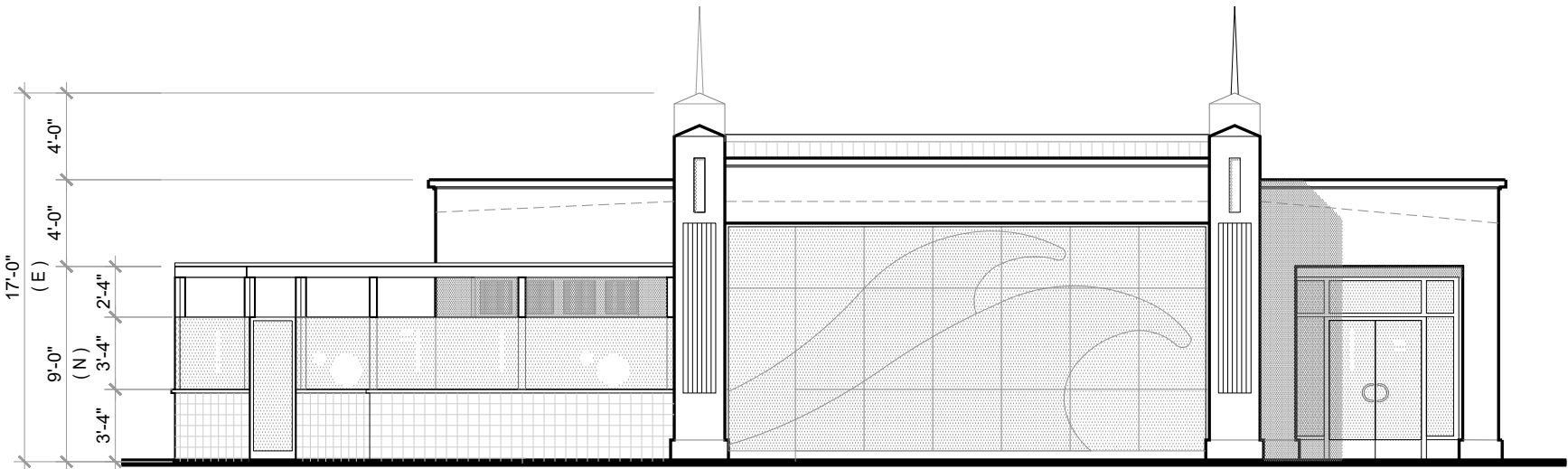
NORTH ELEVATION



WEST ELEVATION



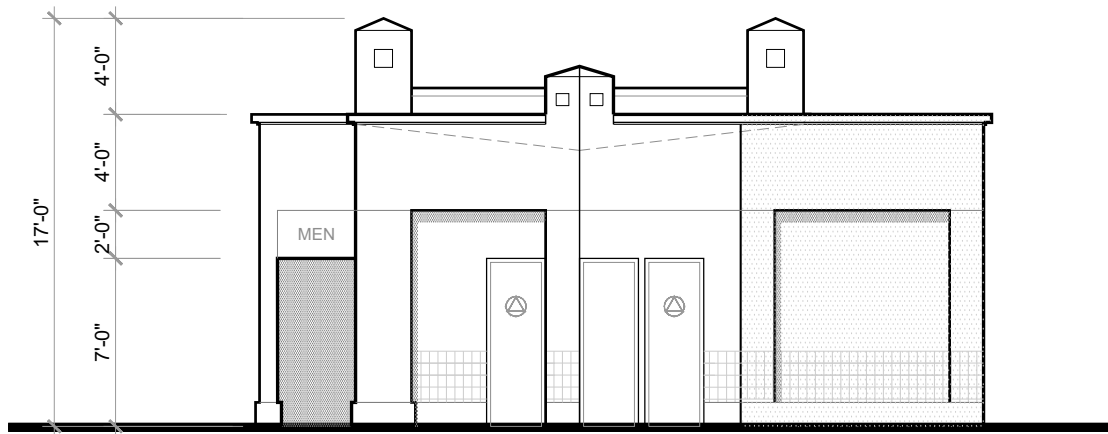
EAST ELEVATION



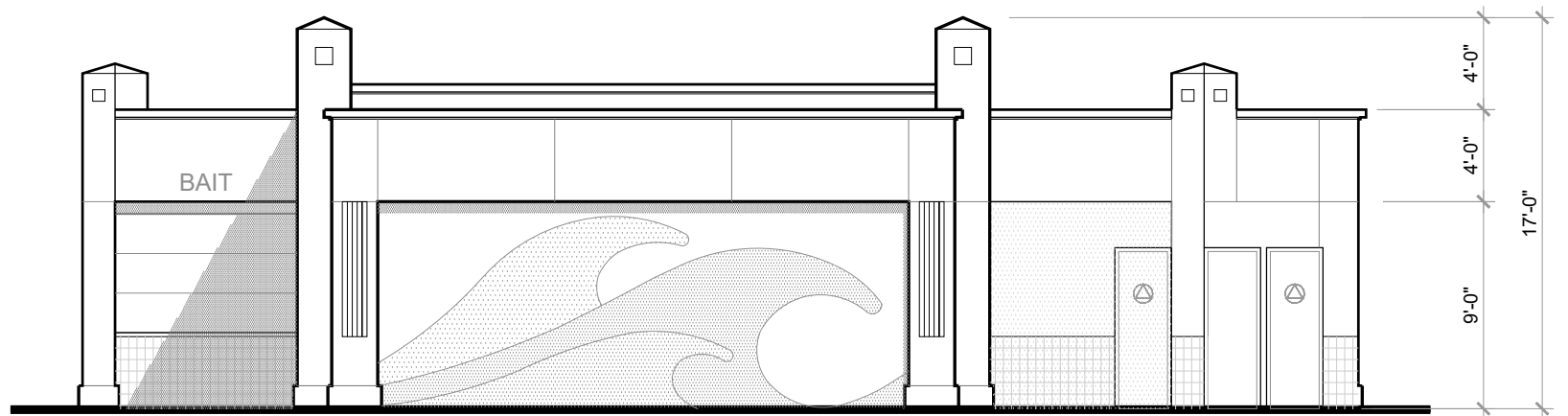
SOUTH ELEVATION

ELEVATIONS

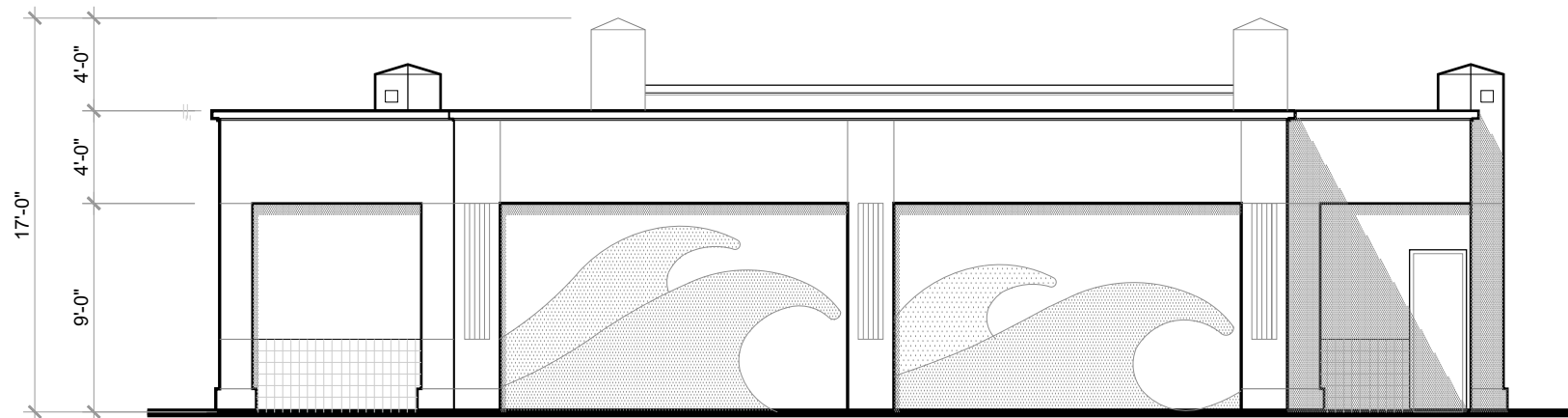
THIS DRAWING IS SOLE PROPERTY AND COPYRIGHT © OF THE ARCHITECT	DATE: 10/04/23
	SCALE: 1/8"=1'-0"
	CAD FILE : HOTP-A5
	HUNTINGTON'S ON THE PIER RESTAURANT  21 MAIN ST. HUNTINGTON BEACH CALIFORNIA
 221 MAIN STREET SUITE 5 HUNTINGTON BEACH, CA 92648 JEFF@TEAMDESIGNHB.COM	ELEVATIONS
	A5



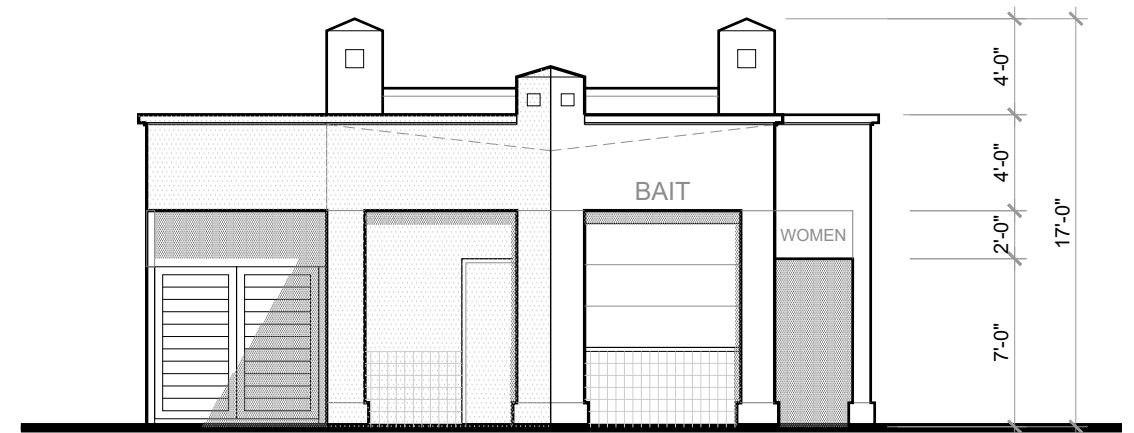
WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION

<p>THIS DRAWING IS SOLE PROPERTY AND COPYRIGHT © OF THE ARCHITECT</p>	<p>DATE: 10/10/23 SCALE: 1/8"=1'-0" CAD FILE: HOTP-A5</p>
<p>LICENSED ARCHITECT JEFF BERGSHU 2023 JEFF BERGSHU ARCHITECT OF CALIFORNIA</p>	<p>HUNTINGTON'S ON THE PIER 21 MAIN ST. HUNTINGTON BEACH CALIFORNIA</p>
<p>TEAM D • E • S • I • G • N 221 MAIN STREET SUITE S HUNTINGTON BEACH, CA 92648 JEFF@TEAMDESIGNHB.COM</p>	<p>ELEVATIONS A5</p>

**Exhibit No. 3**

**5-22-0804 (Surf City Partners, LLC)**

**Huntington Beach  
Conditional Use Permit  
(11 pages)**



**OFFICE of the ZONING ADMINISTRATOR  
CITY OF HUNTINGTON BEACH • CALIFORNIA**

~~~~~  
**P.O. BOX 190**

**CALIFORNIA 92648**

**(714) 536-5271**

**NOTICE OF ACTION**

July 28, 2022

Jeff Bergsma  
TEAM Design  
221 Main Street, Suite S  
Huntington Beach CA 92648

**SUBJECT:                   CONDITIONAL USE PERMIT NO. 22-012 (HUNTINGTON'S  
ON THE PIER)**

**APPLICANT:**           Jeff Bergsma, TEAM Design, 221 Main Street, Suite S,  
Huntington Beach CA 92648

**REQUEST:**           To permit the construction of a 250 sq. ft. kitchen addition and  
two outdoor dining patios totaling 620 sq. ft. for the  
establishment of an eating and drinking use including the  
sales, service, and consumption of alcohol (ABC Type 47  
license) in an existing retail pad building (21 Main Street), and  
the construction of a 450 sq. ft. enclosed dry/cold storage  
room, two new ADA compliant restrooms, and a trash  
enclosure to an existing public restrooms building (22 Main  
Street). The request includes the operation of up to three  
freestanding retail kiosks, including one year-round bait and  
tackle kiosk, adjacent and ancillary to the proposed restaurant.  
The project is located within the Coastal Commission area of  
original jurisdiction and includes a review via an "approval in  
concept" process for construction.

**PROPERTY OWNER:**   City of Huntington Beach

**LOCATION:**            21 and 22 Main Street, 92648 (Platform 3 of the Municipal  
Pier)

**CITY CONTACT:**       Hayden Beckman

**DATE OF ACTION:**     July 27, 2022

On Wednesday, July 27, 2022, the Huntington Beach Zoning Administrator took action on your application, and your application was **conditionally approved**. Attached to this letter are the findings and conditions of approval.



Please be advised that the Zoning Administrator reviews the conceptual plan as a basic request for entitlement of the use applied for and there may be additional requirements prior to commencement of the project. It is recommended that you immediately pursue completion of the conditions of approval and address all requirements of the Huntington Beach Zoning and Subdivision Ordinance in order to expedite the processing/completion of your total application. The conceptual plan should not be construed as a precise plan, reflecting conformance to all Zoning and Subdivision Ordinance requirements.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator becomes final at the expiration of the appeal period. A person desiring to appeal the decision shall file a written notice of appeal to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action. The notice of appeal shall include the name and address of the appellant, the decision being appealed, and the grounds for the appeal. Said appeal must be accompanied by a filing fee of Three Thousand One Hundred Two Dollars (\$3,102.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Four Thousand Two Hundred Eighty-One Dollars (\$4,281.00) if the appeal is filed by any other party. In your case, the last day for filing an appeal and paying the filing fee is **August 8, 2022, at 5:00 PM.**

Provisions of the Huntington Beach Zoning and Subdivision Ordinance are such that any application becomes null and void one (1) year after final approval, unless actual construction has begun, or as modified by condition of approval.

Excepting those actions commenced pursuant the California Environmental Quality Act, you are hereby notified that you have 90 days to protest the imposition of the fees described in this Notice of Action. If you fail to file a written protest regarding any of the fees contained in this Notice, you will be legally barred from later challenging such action pursuant to Government Code §66020.

If you have any questions regarding this Notice of Action letter or the processing of your application, please contact Hayden Beckman, the project planner, at (714) 536-5561 or via email at [hayden.beckman@surfcity-hb.org](mailto:hayden.beckman@surfcity-hb.org) or the Department of Community Development Zoning Counter at (714) 536-5271.

Sincerely,



Ricky Ramos  
Zoning Administrator

RR:HB:kdc  
Attachment

c: Honorable Mayor and City Council  
Chair and Planning Commission  
Al Zelinka, City Manager  
Travis Hopkins, Assistant City Manager  
Ursula Luna-Reynosa, Director of Community Development  
Matthew Schneider, Planning Manager

Tim Andre, Fire Division Chief  
Bob Milani, Principal Civil Engineer  
Steve Eros, Fire Protection Analyst  
Jacob Worthy, Fire Protection Analyst  
Property Owner  
Project File

## **ATTACHMENT NO. 1**

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

#### **CONDITIONAL USE PERMIT NO. 22-012**

##### **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 permit the addition of not more than 50% of the floor areas of two existing structures before either addition, which is considered a negligible expansion of the use.

##### **FINDINGS FOR APPROVAL- CONDITIONAL USE PERMIT NO. 22-012**

1. Conditional Use Permit No. 22-015 to permit the construction of a 250 sq. ft. kitchen addition and two outdoor dining patios totaling 620 sq. ft. for the establishment of an eating and drinking use including the sales, service, and consumption of alcohol (ABC Type 47 license) in an existing retail pad building (21 Main Street), and the construction of a 450 sq. ft. enclosed dry/cold storage room, two new ADA compliant restrooms, and a trash enclosure to an existing public restrooms building (22 Main Street) 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 project is located within an existing City-operated commercial pad building and will accommodate a new restaurant with ancillary alcohol sales, and the operation of a maximum of three (3) freestanding commercial carts/kiosks to serve the wide variety of needs of both regular and seasonal pedestrian visitors of the pier. The proposed structural addition, architectural features, and establishment of a restaurant including the service of alcohol, will benefit and serve the other commercial uses on the pier and provide a wider range of commercial visitor recreational amenities on the pier. The sale, service, and consumption of alcohol within the restaurant interior and outdoor dining patios is not anticipated to generate additional noise, traffic, or impacts above existing conditions. The project request does not include live entertainment, and the site is located on the Municipal Pier, surrounded by the ocean, and no impacts to neither adjacent commercial uses nor residential uses would occur. The proposed project has been reviewed by other departments, including Police, Fire, and Public Works, who have provided suggested conditions of approval that will limit the use and manner in which the restaurant and outdoor dining patio operate to ensure that operations will be compatible with the pedestrian oriented pier environment.
2. The granting of Conditional Use Permit No. 22-012 to permit the construction of a 250 sq. ft. kitchen addition and two outdoor dining patios totaling 620 sq. ft. for the establishment of an eating and drinking use including the sales, service, and consumption of alcohol (ABC Type 47 license) in an existing retail pad building (21 Main Street), the construction of a 450 sq. ft. enclosed dry/cold storage room, two

new ADA compliant restrooms, and a trash enclosure to an existing public restrooms building (22 Main Street), and operation of maximum of three (3) freestanding commercial carks/kiosks will not adversely affect the General Plan because it is consistent with the Land Use Element designation of CV (Commercial Visitor) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1 (C): Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

Policy LU-1(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Goal LU-2: New development preserves and enhances a distinct Surf City identity, culture, and character in neighborhoods, corridors, and centers.

Policy LU-2(B): Ensure that new and renovated structures and building architecture and site design are context-sensitive, creative, complimentary of the city's beach culture, and compatible with surrounding development and public spaces.

Coastal Element

Policy C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

Objective C 2.2: Encourage use of City and State beaches as a destination point for bicyclists, pedestrians, shuttle systems and other non-auto oriented transport.

Goal C 3: Provide a variety of recreational and visitor commercial serving uses for a range of cost and market preferences.

Objective C 3.1: Preserve, protect, and enhance, where feasible, existing public recreation sites in the Coastal Zone.

Policy C 3.2.4: Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, and day spas.

The request will expand and enhance the range of goods and services provided to visitors of the pier by providing additional visitor serving commercial opportunities that aid in developing a stronger linkage to coastal recreational resources in the area. The proposed restaurant with ancillary alcohol sales, service, and consumption



provides expanded goods and services to meet the needs of the area and will add to the capture of sales tax revenue. The proposed project will repurpose an existing commercial retail building on the pier that currently provides adequate accessibility for year-round visitors, and will maintain sufficient access along the perimeter of the pier for the public, as well as access for emergency and service vehicles. The proposed carts/kiosks create an appropriately scaled retail experience oriented towards the pedestrian activity on the pier, and year-round sales of bait and tackle ensures a continuous public recreational benefit. Further, the proposed project's overall design, colors, and materials are conditionally recommended by the Design Review Board and incorporate Art Deco and signage elements that are evocative of past restaurant operations on the pier, and the project compliments the city's beach culture and identity in a way that is compatible with surrounding uses.

3. The granting of Conditional Use Permit No. 22-012 to permit the construction of a 250 sq. ft. kitchen addition and two outdoor dining patios totaling 620 sq. ft. for the establishment of an eating and drinking use including the sales, service, and consumption of alcohol (ABC Type 47 license) in an existing retail pad building (21 Main Street), the construction of a 450 sq. ft. enclosed dry/cold storage room, two new ADA compliant restrooms, and a trash enclosure to an existing public restrooms building (22 Main Street), and operation of maximum of three (3) freestanding commercial carts/kiosks 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 the establishment of an eating a drinking use with alcohol sales and the operation of commercial carts/kiosks are permitted subject to a Conditional Use Permit within District 6 of the Downtown Specific Plan. The proposed restaurant, outdoor dining, and commercial carts/kiosks will result in the reuse an existing commercial building in a manner which conforms to applicable site development standards, including setbacks, height, and access. The applicant will maintain a 10 ft. pedestrian access way along the perimeter of the pier, and will provide a long term lease for nine (9) off-site parking spaces for the proposed project in excess of any parking requirement applied to commercial uses located on the pier.

#### **CONDITIONS OF APPROVAL- CONDITIONAL USE PERMIT NO. 22-012**

1. The site plan, floor plans, elevations, colors, and materials received and dated June 16, 2022 shall be the conceptually approved design with the following modifications:
  - a. The applicant shall incorporate a tile with heightened geometrics to strengthen the Art Deco design. **(DRB)**
  - b. The applicant shall include vinyl or polycarbonate materials to ensure the longevity of the awnings and/or shade coverings. **(DRB)**
  - c. All trim and flashing shall be stainless steel. **(DRB)**

- d. The applicant shall incorporate a flat glazed roof tile of clay or similar material for the roof(s). **(DRB)**
- e. The applicant shall incorporate an architectural accent of black colors or materials in addition to the proposed color palette. **(DRB)**
- f. The applicant shall consider incorporating the same colors and materials for the additions to the public restrooms building as those for the proposed restaurant. **(DRB)**
- g. The proposed trash enclosure(s) shall be located to allow for a minimum of 3 bins, for organics, recyclables, and landfill trash. **(PW)**
- h. Proposed materials for the exterior portions of the buildings shall be comparable and compatible with materials utilized by the City elsewhere on the Pier to ensure durability **(PW)**.

2. The use shall comply with the following conditions:

- a. The daily hours of operation shall be limited to 6:00 a.m. to 11:30 p.m.
- b. No new customers shall be permitted to enter the alcohol business 30 minutes before closing. **(PD)**
- c. A minimum of 70 percent of the net floor area of the alcohol business shall be designated for dining. The dining area excludes areas used for cooking, kitchen preparation, office, storage, and restrooms and also excluding outdoor dining areas. **(PD)**
- d. All areas of the alcohol business that are accessible to patrons shall be illuminated such that the appearance and conduct of all people in the alcohol business are visible from inside the alcohol business. **(PD)**
- e. Food service from the regular menu must be available to patrons up to one (1) hour before the scheduled closing time, including a cook and food servers shall be on duty. **(PD)**
- f. In addition to any ABC requirements, the following alcohol related conditions shall be required:
  - i. An employee of the alcohol business must monitor areas where alcohol is served.
  - ii. Alcoholic drinks shall not be included in the price of admission to any alcohol business.

- iii. All alcohol shall remain within the alcohol business premises, including outdoor dining area.
  - iv. Service of alcoholic beverages for consumption off-site shall not be permitted.
  - v. There shall be no requirement for patrons to purchase a minimum number of alcoholic drinks.
  - vi. Games or contests requiring or involving consumption of alcoholic beverages shall be prohibited.
  - vii. No reduced price or promotions of alcoholic beverages shall be allowed after 7:00 p.m.
  - viii. Final announcements that inform patrons the kitchen and/or bar will stop accepting order of alcoholic beverages (i.e. last call for alcohol) shall be at least 15 minutes prior to closing.
  - ix. Consumption of alcoholic beverages by on-duty employees; including servers, bartenders, kitchen staff, management and supervisory personnel is not permitted.
  - x. Mandatory Responsible Beverage Service (RBS) training and certification shall be require for new employees within 60 days of being hired and for existing employees every 12 months. Training shall be provided by ABC or an ABC approved RBS trainer and records of the training must be maintained on site for review. **(PD)**
- g. All owners, employees, representatives, and agents must obey all federal, state, and local laws. In addition, all conditions of the Condition Use Permit, Alcoholic Beverage Control License, and any other regulations, provisions, or restrictions prescribed by an agency with jurisdiction over the premise are required as part of the CUP to be followed. **(PD)**
- h. No patrons shall be permitted to loiter within the vicinity of any entrances and exits at any time. **(PD)**
- i. Alcohol businesses shall install and maintain a video surveillance system to monitor all doors, eating areas, parking areas, and public area of premises and shall make the video available to the Police Department. 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 a Police Officer. The business shall retain video surveillance for one-month. All video surveillance cameras must record in color, with digital recording to DVR and able to record in low light. **(PD)**

- j. In addition to the Downtown Specific Plan and Huntington Beach Zoning and Subdivision ordinance, all signs shall comply with the following:
    - i. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. No interior displays of alcoholic beverages or signs which are clearly visible to the exterior.
    - ii. There shall be no window coverings or advertisements that reduce the visibility inside of the business.
    - iii. Signage, posters, and advertising with "Do Not Drink and Drive" shall be posted in the business.
    - iv. Signs shall be posted in a conspicuous space at the entrance/exit of the restaurant and outdoor dining areas which shall state, "NO ALCOHOLIC BEVERAGES BEYOND THIS POINT." **(PD)**
  - k. Dancing and/or dance floor and/or live entertainment is prohibited. A new or amended Conditional Use Permit and Entertainment Permit, issued by the City, shall be required for these additional activities. **(PD)**
  - l. The patio shall have a physical barrier measuring a minimum 36 inches in height, surrounding the outdoor dining area and designed in a manner that will prohibit passing of alcohol through the barrier. **(PD)**
- 3. Any conditions of approval, imposed by the California Coastal Commission that are more restrictive than those set forth in this approval shall be adhered to.
  - 4. This CUP is a conceptual approval only, and shall not be in effect nor any property interest vested, until the applicant has obtained all required approvals from the California Coastal Commission (CCC) and State Lands Commission (SLC). A copy of the written notice of approval from the CCC and SLC shall be submitted to the Community Development Department for inclusion in the entitlement file prior to submittal of building permits. In the event that either approval is not obtained, the subject CUP approval shall be null and void.
  - 5. Prior to the issuance of building permits, the applicant shall provide a parking plan that includes an executed Lease Agreement approved to form by the City Attorney for nine (9) off-site parking spaces located on the property located at 300 Pacific Coast Highway.



6. Prior to the installation or operation of the three (3) permitted carts/kiosks, the applicant shall submit to the Director of Community Development, for review and approval, detailed specifications of the dimensions and appearance of each cart/kiosk that demonstrates compliance with the requirements contained in Section 230.94 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and this CUP. **(HBZSO 230.94)**
7. Prior to occupancy of the restaurant, one of the three permitted carts/kiosks shall be reviewed, approved, and in operation for the sale of bait, tackle, and fishing-related goods on a year-round basis.
8. One of the three permitted carts/kiosks shall include the sale of bait, tackle, and fishing-related goods on a year-round basis.
9. The proposed building additions and the new loads imposed on the existing pier shall be analyzed by a state-licensed Structural Engineer and a report shall be submitted to the City, for review and approval, to justify the new loads are within allowable design capacity for the existing pier structure. The report shall also include recommendations for anchoring new/additional structures into the existing pier deck, including parameters on how to avoid anchors interfering with existing reinforcing steel within the existing pier deck. **(PW)**
10. The final building permit(s) cannot be approved until the following have been completed:
  - a. All improvements must be completed in accordance with approved plans.
  - b. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
  - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
11. Prior to submittal of building permits, zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments of Fire, Community Development, and Public Works 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.
12. 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.



13. CUP No. 22-012 shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval or by the Coastal Commission if the Coastal Development Permit is appealed, 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.
14. 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.

**Exhibit No. 4**

**5-22-0804 (Surf City Partners, LLC)**

**CSLC Lease**

**(First 2 pages only of 44 page lease)**

RECORDED AT THE REQUEST OF  
AND WHEN RECORDED MAIL TO:  
STATE OF CALIFORNIA  
California State Lands Commission  
Attn: Title Unit  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202

**STATE OF CALIFORNIA**  
**OFFICIAL BUSINESS**  
Document entitled to free recordation  
pursuant to Government Code Section 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

A.P.N.  
County: Orange

**LEASE NO. PRC 6616.1**

This Lease consists of this summary and the following attached and incorporated parts:

|                |                                                             |
|----------------|-------------------------------------------------------------|
| Section 1      | Basic Provisions                                            |
| Section 2      | Special Provisions Amending or Supplementing Section 1 or 3 |
| Section 3      | General Provisions                                          |
| Exhibit A      | Land Description                                            |
| Exhibit B      | Site and Location Map                                       |
| Exhibits C1-C6 | Sublease Endorsements                                       |
| Exhibit D      | Lease Maintenance Reimbursement Agreement                   |

**SECTION 1**

**BASIC PROVISIONS**

**THE STATE OF CALIFORNIA**, hereinafter referred to as Lessor acting by and through the **CALIFORNIA STATE LANDS COMMISSION** (100 Howe Avenue, Suite 100-South, Sacramento, California 95825-8202), pursuant to Division 6 of the Public Resources Code and Title 2, Division 3 of the California Code of Regulations, and for consideration specified in this Lease, does hereby lease, demise, and let to **CITY OF HUNTINGTON BEACH**, hereinafter referred to as Lessee, those certain lands described in Exhibit A hereinafter referred to as Lease Premises, subject to the reservations, terms, covenants, and conditions of this Lease.

**MAILING ADDRESS:** 2000 Main Street  
Huntington Beach, CA 92648

**LEASE TYPE:** Public Agency Use

**LAND TYPE:** Sovereign

**LOCATION:** Sovereign land in the Pacific Ocean, offshore Huntington Beach, Orange County, as described in Exhibit A attached and by this reference made a part hereof.

**LAND USE OR PURPOSE:** The operation and maintenance of an existing public municipal pier and related concessions.

**TERM:** 25 years; beginning June 21, 2018; ending June 20, 2043, unless sooner terminated as provided under this Lease.

**CONSIDERATION:** \$125 per year, with additional consideration being the public's use and benefit. Subject to modification by Lessor as specified in Paragraph 11 (b) and (c) of Section 2 – Special Provisions; and Paragraph 3(c) of Section 3 - General Provisions.

**AUTHORIZED IMPROVEMENTS:**

X **EXISTING:** Municipal pier and related concessions

**LIABILITY INSURANCE:** N/A

**SURETY BOND OR OTHER SECURITY:** N/A

---

**SECTION 2  
SPECIAL PROVISIONS**

**BEFORE THE EXECUTION OF THIS LEASE, ITS PROVISIONS ARE AMENDED,  
REVISED, OR SUPPLEMENTED AS FOLLOWS:**

1. All future structural modifications or material changes to any of the Authorized Improvements, other than future routine repairs and maintenance, will require Commission staff's review and approval prior to commencement of construction. In the event of an urgent repair requiring immediate action, notification shall be made through Lessor's 24-hour emergency response number at (562) 590-5201.
  
2. Lessee acknowledges and agrees:
  - a. The site may be subject to hazards from natural geophysical phenomena including, but not limited to, waves, storm waves, tsunamis, earthquakes, erosion, flooding, and sea-level rise ("climate change



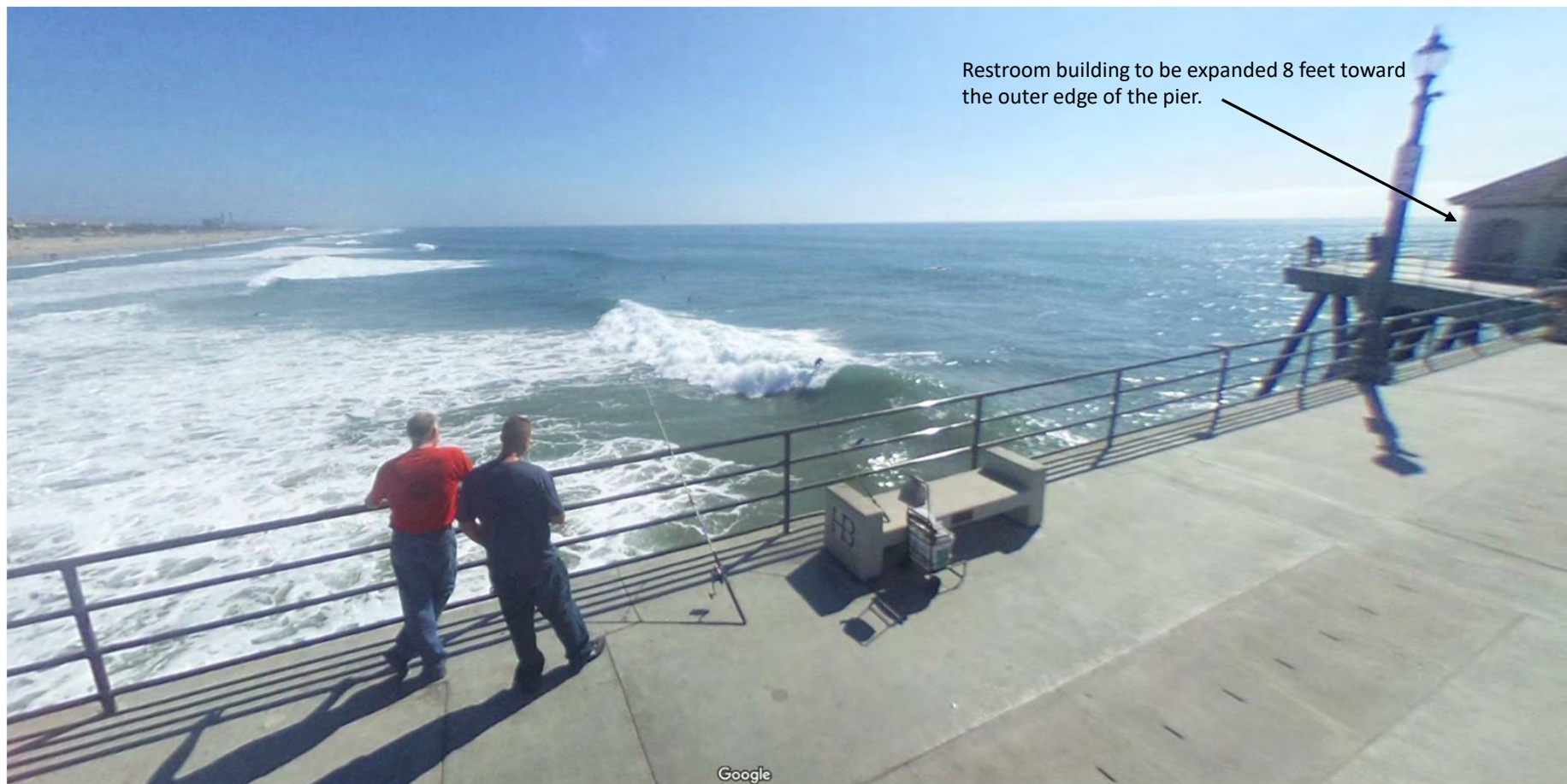
**Former Use of Building Proposed to be Converted to Restaurant  
Lost Lease and Closed in May 2023**

**5-22-0804  
Area Photos  
Exhibit 5a**





5-22-0804  
Area Photos  
Exhibit 5b



Fishing on the HNB Pier

**5-22-0804**  
**Area Photos**  
**Exhibit 5c**





5-22-0804  
Area Photos  
Exhibit 5d