

February 11, 2003

**Honorable Chairman and Members of the
Hermosa Beach Planning Commission**

**Regular Meeting of
February 18, 2003**

SUBJECT: TEXT AMENDMENT 03-3

REVISIONS TO SECTION 17.04, DEFINITIONS, TO CLARIFY THE
DIFFERENCES BETWEEN SNACK SHOPS AND RESTAURANTS

Recommendation:

To recommend the City Council amend the snack shop definition as set forth in the attached resolution.

Background:

On January 27, 2003, the Planning Commission at a special meeting directed staff to prepare a text amendment to clarify the definition of snack shop in order to differentiate it from restaurants and determine the appropriate parking requirement.

Analysis:

The Commission determined that the following items would help clarify the distinction between restaurants and snack shops in addition to the in addition to the current limitation on types of food available.

- Prohibition of table (waiter/waitress) service.
- Limitation on the amount of seating
- Limitation on the public service area relative to gross floor area.

The Commission decided not to include a restriction on the types of kitchen hoods.

The Commission recommended limiting seating to 10 seats, and setting the limitation on the amount of public service area (i.e. the area for ordering, pick-up, standing and seating) based on an evaluation of public area relative to the gross floor area within some current snack shops. The following is an example of some existing snack shops that have previously obtained Planning Commission approval for relief of parking requirements based on their use as a snack shop.

	Gross Floor Area (sq.ft.)	Public Area (sq.ft.)	Percent Public Area	Approx. Seating
Java Man	1000	650	65%	44
Espresso Wash (now vacant)	1140	600	53%	20
Starbucks, P.C.H.	1400	800	57%	30+
Starbucks, Hermosa Ave.	1500	800	53%	40

If specific limitations on the number of seats and amount of public area are established, the new provisions may end up precluding the Commission from giving relief from parking requirements for snack shops/coffee houses, which have in the past been given this relief. For example, all the establishments listed above could not comply with a 10-seat limitation. Also, the above establishment would not comply with a 50% limitation of public area relative to gross floor area.

Staff recommends the following text amendments to both the definition section and the parking section for snack shops. Food types, and type of table service are included in the definition. Additional language relating to seating limitation on tables and public areas are included in the parking standards as they relate to parking demand. Staff is recommending that the language relating to seating limitations and public areas be written to give guidance for what is considered to reduce parking demand, so the Commission can retain the flexibility to allow relief to parking standards based on review of specific cases. The Commission may wish to make the limitations on seating and public service area more specific.

Amend the definition as follows:

“Snack shop or snack bar means a retail establishment that is distinguished from a restaurant as it does not include waiter/waitress table service and does not serve full meals or have a kitchen capable of serving meals but instead serves snacks or non-alcoholic beverages for consumption on the premises or for take-out usually for consumption between meals; specifically, items such as donuts and other baked goods, ice cream, yogurt, cookies, coffee, tea, and juices are considered snacks. and the Planning Commission may consider additional items as snacks.”

Amend Section 17.44.030(O) as follows:

“The parking requirements for a snack bar and or snack shop shall be the same as that for restaurant, unless it can be shown to the Planning Commission that the characteristics of the building; its location, size and other mitigating factors such as limited service area relative to gross floor area and limited seating capacity result in less parking than necessary for the business demand than for a restaurant use. In these cases the Planning Commission may consider the retail commercial requirement for parking, pursuant to Section 17.44.210 Parking Plans.”

Ken Robertson
Associate Planner

CONCUR:

Sol Blumenfeld, Director
Community Development Department

Attachments:

1. Proposed Resolution

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RESOLUTION P.C. 03-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF HERMOSA BEACH, CALIFORNIA, TO
RECOMMEND AMENDING THE ZONING ORDINANCE,
CHAPTER 17.04 DEFINITIONS AND CHAPTER 17.44 OFF-
STREET PARKING PERTAINING TO THE DEFINITION
AND PARKING REQUIREMENTS FOR SNACK SHOPS.**

The Planning Commission of the City of Hermosa Beach does hereby resolve as follows:

Section 1. The Planning Commission held a duly noticed public hearing on February 18, 2003, to consider amending the Zoning Ordinance definition and parking requirements for snack shops to more clearly distinguish snack shops from restaurants.

Section 2. Based on the evidence considered at the public hearing, the Planning Commission makes the following findings:

1. The Zoning Ordinance contains a definition for snack shop to distinguish it from a restaurant, and contains a separate parking requirement for snack shops.
2. The definition for snack shop can be made to more clearly distinguish a snack shop from a restaurant and the parking section can provide more guidance to the Planning Commission as to when its appropriate to allow less parking for a snack shop than a restaurant.

Section 3. Based on the foregoing, the Planning Commission hereby recommends that the Hermosa Beach Municipal Code, Title 17-Zoning, Chapter 17.44, be amended as follows:

1. Amend Section 17.04.050 Commercial Land Use Definition as follows (underlined text to be added):

“Snack shop or snack bar means a retail establishment that is distinguished from a restaurant as it does not include waiter/waitress table service and does not serve full meals or have a kitchen capable of serving meals but instead serves snacks or non-alcoholic beverages for consumption on the premises or for take-out usually for consumption between meals; specifically, items such as donuts and other baked goods, ice cream, yogurt, cookies, coffee, tea, and juices are considered snacks. and the Planning Commission may consider additional items as snacks.”

2. Amend Section 17.44.030(O) to read as follows:

“The parking requirements for a snack bar and or snack shop shall be the same as that for a restaurant, unless it can be shown to the Planning Commission that the characteristics of the building; its location, size and other mitigating factors such as limited service area relative to gross floor area and limited seating capacity result in less parking than necessary for the

1 business demand than for a restaurant use. In these cases the Planning Commission may
2 consider the retail commercial requirement for parking, pursuant to Section 17.44.210 Parking
3 Plans.”

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5 VOTE: AYES:
6 NOES:
7 ABSTAIN:
8 ABSENT:

9 CERTIFICATION

10 I hereby certify the foregoing Resolution P.C. 03- is a true and complete record of the action
11 taken by the Planning Commission of the City of Hermosa Beach, California, at their regular
12 meeting of February 18, 2003.

13 _____
14 Ron Pizer, Chairman

15 _____
16 Sol Blumenfeld, Secretary

17 _____ Date