

August 14, 2003

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

**Regular Meeting of  
August 19, 2003**

SUBJECT: VANILLA BEAN – 509 PIER AVENUE -- APPEAL OF DIRECTOR'S  
DECISION REGARDING THE DEFINITION OF SNACK SHOP

APPELLANT: DIANE FRANKLIN

**Recommendation:**

That the Planning Commission direct staff by minute order as deemed appropriate.

**Background:**

The attached correspondence requests that the Planning Commission consider the addition of outdoor grill equipment to an existing snack shop to be consistent with the approved definition of snack shop.

**Analysis:**

The issue of what constitutes a snack shop is significant as it determines the parking requirement for the business. A snack shop is considered a retail business with a parking requirement of 1 space per 250 square feet of floor area and a restaurant is required to be parked at 1 space per 100 square feet of floor area.

The appellant's correspondence asserts that an outdoor grill recently added to an existing snack shop does not violate the provisions of Section 17.04 .050 Commercial Land Use Definitions in the Zone Code. The owner is offering a menu that includes salads, sandwiches, baked items and barbecued ribs and chicken. (Please see attached menu.) The property was originally approved for a combination laundromat and coffee house. The coffee house use was recognized as a snack shop in the attached P.C. Resolution No 98-21. The business changed hands and the new owner is operating the snack shop portion of the business independently from the laundromat. (Please see staff correspondence).

The appellant notes that the grill is lit once a day and that the use of it is consistent with other snack shops that do light cooking. She indicates that she has limited seating, few employees, no table waiting service and operates more as a take out business than a full service restaurant. She also notes that the grill has not presented a problem to pedestrians in its location along Pier Avenue, but that the grill can be moved to the rear of the building if smoke is an issue along the commercial frontage.

In the recently revised zoning provisions for snack shop, the Commission determined that the following distinguishes snack shops from restaurants in addition to limitation on types of food available:

- Limited or no table (waiter/waitress) service.
- Limited amount of seating.
- Limited public service area relative to gross floor area.

The Commission decided not to include a restriction on the types of kitchen hoods and did not include additional items other than baked goods, ice cream, yogurt, cookies, coffee, tea and juices as snacks in the definition.

The definition of snack shop is 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; specifically, items such as donuts and other baked goods, ice cream, yogurt, cookies, coffee, tea, and juices are considered snacks.

It is arguable that the introduction of a grill makes the use more like a restaurant and the Commission has previously rejected vents, grills and other kinds of cooking facilities other than micro-wave ovens, as not consistent with the operation of a business as a snack shop.

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Sol Blumenfeld, Director  
Community Development Department

Attachments

1. Correspondence
2. Draft Text Amendment for snack shop
3. P.C. Resolution 98-21
4. Menu

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