



# Agenda

## Planning Commission

**Regular Meeting 6:00 PM**  
Wednesday, September 9, 2026  
**Council Chambers**  
10200 Slater Avenue  
Fountain Valley, CA 92708

**MEETING ASSISTANCE:** In compliance with the Americans with Disabilities Act, anyone needing special assistance to participate in a meeting of the government bodies listed herein should contact the Planning Department at (714) 593-4425. Notification 72 hours prior to the meeting allows the City to make reasonable arrangements to ensure accessibility to the meeting.

### ZOOM LINK INFORMATION

- Participants that choose to watch the Planning Commission meeting through Zoom are automatically placed in the waiting room and will only be allowed into the Zoom meeting if they request to make a public comment. In order to make a public comment, you will indicate through the chat feature which item you would like to speak on, and click on the “raise hand” icon to let the administrator know you wish to speak.
- All participants are muted unless you are requesting to speak, at which time you will be allowed to un-mute and make your comment.
- All public comments are allowed up to 3 minutes to speak.

CFV is inviting you to a scheduled Zoom meeting.

Time: Sep 9, 2026 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://fountainvalley.zoom.us/j/88259462773?pwd=xV845xbjCnUEsafiVeYDLC6wIRyCqI.1>

Meeting ID: 882 5946 2773

Passcode: 832932

### REGULAR MEETING

**Call to Order**

**Salute to the Flag**

**Roll Call**

Vu, Brothers, Azcona, James, Vice-Chair Huebner, Chair Langer

## **Announcement of Supplemental Communications**

Anyone wishing to speak during Public Comments must fill out and submit a blue speaker card. The Planning Commission can take no action on this date, unless the item is agendaized. Anyone wishing to speak on items not on tonight's agenda may do so during Public Comments. Speakers on items scheduled for Public Hearing or non-public hearing items will be invited to speak when those items are heard. (3 minutes per speaker)

**It is customary for Commissioners to visit applicant sites. Unless any Commissioner has further disclosure statements at this time, it may be stated that no contact was made during the visit with the applicant, his/her agent or neighbors of the proposed project.**

## **Public Comments**

Anyone wishing to speak on non-agendaized items may do so at this time.

## **Consent Calendar**

## **Public Hearings**

1. Chew Chew Dental - Precise Plan 583  
VT Design Specialties, Inc. has submitted a Precise Plan entitlement request to construct a new ±2,980 square foot building and associated parking lot located at 9080 Talbert Avenue ("Project").

Staff recommends that the Planning Commission select Alternative #1: Adopt Resolution No. 26-12 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Precise Plan No. 583 for the construction of a ±2,980 square foot building and associated parking lot located at 9080 Talbert Avenue.

2. Que Vida Taqueria - Conditional Use Permit 1945  
Que Vida Taqueria has submitted a request for a Large Format Restaurant with a Type 47 "On-Sale – Eating Place" alcoholic beverage control (ABC) liquor license for the existing restaurant located at 18517 Brookhurst Street.

Staff recommends that the Planning Commission adopt Alternative #1: Adopt Resolution 26-13 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Conditional Use Permit 1945 to allow for a Large Format Restaurant with a Type 47 on-sale General Eating Place ABC license for the restaurant and patio located at 18517 Brookhurst Street.

## **New Business**

## **Unfinished Business**

## **Comments from Staff**

## **Comments from Commissioners**

### **Adjourn**

Adjournment to the next regular Planning Commission meeting scheduled for October 14 , 2026.

**All items which have final approval by the Planning Commission may be appealed to the City Council within 10 calendar days of the Commission's action by any applicant or property owner within 1,000 ft. of the subject proposal. Persons wishing further information should contact the Planning Department (Chapter 21.60 FVMC).**

Planning Commission meetings can be viewed on FVTV via Spectrum Cable Channel 3, Frontier FiOS Channel 21, and AT&T U-Verse Channel 99. Commission Meetings are also posted on the City's website at [fountainvalley.gov](http://fountainvalley.gov).



# Request for Planning Commission Action

**TO:** Planning Commission

**DATE:** September 9, 2026

**FROM:** Steven Ayers, Principal Planner

**SUBJECT:** CHEW CHEW DENTAL – PRECISE PLAN NO. 583

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Project Location 9080 Talbert Avenue

Project Applicant VT Design Specialties, Inc.  
14542 Harper St.  
Midway City, CA 92655

Zoning C1-Local Business

General Plan Local Commercial

## Proposal

VT Design Specialties, Inc. has submitted a Precise Plan entitlement request to construct a new  $\pm 2,980$  square foot building and associated parking lot located at 9080 Talbert Avenue ("Project") (Attachment #1).

## Discussion

The proposed Project includes the demolition of an existing 816 square-foot-building, which was previously used as a nursery and gift sales, for the construction of a new  $\pm 2,980$  square foot building to be used as a dental office and an associated parking lot to be occupied by the property owner for the operation of Chew Chew Dental. The proposed hours of operation will be from 8:00 am to 5:00 pm, Monday through Saturday and the business will provide four employees (Attachment #2).

The proposed building, as depicted in the Project plans (Attachment #3), will be constructed near the northeast corner of the property with a 20-foot front setback along Talbert Avenue, a 10-foot side setback to Third Street, a 22-foot setback to the existing residential use to the south, and a 71-foot setback to the commercial uses to the west. Standard 90-degree angled parking will be provided along the western portion of the Project site with vehicular and pedestrian access provided from Talbert Avenue and a one-way trash truck exit provided to Third Street. The southern and western edges of the property will be lined with landscaping to help screen the use from adjacent properties. Along the western edge there will be a mixture of six (6) 15-gallon cypress trees and several 5-gallon shrubs within a 5-foot-wide landscape planter accompanied by the existing 3-ft tall block wall. Along the southern edge there will be eleven (11) 15-gallon fern pine trees planted within a new 10-foot-wide landscape planter with an increased block wall height from the existing 6-feet to 8-feet tall.



The building will include contemporary architecture with transparent storefronts, decorative materials, accent lighting, and fully finished parking lot with landscaping. The base of the building will include a stone veneer with vertical porcelain tile accents at the pedestrian entrance along the west side of the building. The building will incorporate white stucco and grey canopies above the windows on each elevation. Along each elevation, the building will provide varying heights from as low as 14 feet to as high as 24 feet as well as varying projection and recession articulation along each elevation with the incorporation of façade pop-outs and canopies over each window. Onsite lighting will be provided through wall sconce lighting on the south and west elevations and pole lights located at the north and west sides of the parking lot.

The Project will also provide a new trash enclosure concealed within the footprint of the south side of the building. The 191 square foot trash enclosure will exceed the required 24 square feet per FVMC 21.18.100.2 Table 3-2 for a building up to 5,000 square feet of floor area. Through Republic Services will-serve letter submitted to the city, Republic will collect material from the enclosure by entering off of Talbert Avenue, collecting the material on-site, and exiting onto Third Street.

The Project is located in the C1-Local Business zoning district and will comply with the following development standards found in FVMC 21.10.040 outlined in Table 1: Standards Compliance below.

**Table 1: Standards Compliance**

| <b>Standard</b>        | <b>Required</b>                                                                        | <b>Provided</b>                                                            |
|------------------------|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Lot Area               | Min. 10,000 sf                                                                         | 13,057 sf                                                                  |
| Front Setback          | Min. 20 ft                                                                             | 20 ft 3 inches                                                             |
| Side Setback           | 10 ft street side, 0 ft on interior lot lines                                          | 10 ft street side (east), 71 ft (west)                                     |
| Rear Setback           | Min. 20 ft to residential                                                              | 22 ft                                                                      |
| Floor Area Ratio (FAR) | Max. 0.50 FAR = 6,528 sf                                                               | 2,980 sf                                                                   |
| Height Limit           | Max. 50 ft/4 stories                                                                   | 24 ft/1 story                                                              |
| Landscaping            | Min. 1,959 sf<br>South property line min = 8 trees<br>West property line min = 6 trees | 3,570 sf<br>South property line = 11 trees<br>West property line = 6 trees |
| Parking                | Min. 14 stalls                                                                         | 14 stalls                                                                  |

As noted above, the Project complies with all development standards found in FVMC 21.10.040 and even exceeds the minimum number of trees along the south property line to provide extra screening of the Project to the residential property to the south.

Additionally, the Project is screened from Traffic Impact Analysis (TIA) and a Vehicle Miles Traveled (VMT) Analysis. Per the City's Transportation Impact Assessment Guidelines, a TIA is only required when either the AM or PM peak trip generation is expected to exceed 100 vehicle trips or generate 1,600 Average Daily Trips (ADT). Per the Institute of Transportation Engineers (ITE), the Project would generate approximately 108 ADT with seven (7) AM peak hour trips and ten (10) PM peak hour trips. The Project is screened from a VMT Analysis as the Project is located within a low VMT-generating area and it is a local serving retail service use less than 50,000 square feet. Additionally, Projects generating less than 110 new daily vehicle trips are screened from VMT Analysis.

Along with several standard conditions of approval, staff has proposed additional conditions of approval to improve with the Project's aesthetics and ensure the Project complies with certain development standards such as setbacks, lighting, screening, and landscaping as noted below.

- The side setback from building to east property line shall be noted on the applicants plan check submittal and shall be at least 10 feet.
- If a light pole is proposed on the side of the parking lot, it shall be no taller than 10 feet from grade. If the applicant proposes any bollard lights on the property, they shall be a maximum 42 inches tall.
- Photometric number measurements shall be extended to at least 5 feet beyond each property line on the applicant's plan check submittal to ensure there will be no light spillage onto adjacent properties. Additionally, photometric measurements shall be verified by a photonics or optical measurements engineer to the satisfaction of the Community Development Director prior to certificate of occupancy.
- The Transformer for the Project shall include a landscape wrap subject to review and approval of the Community Development Director.
- The parapet walls along the east and south sides of the building shall be raised to match the height of the rooftop mechanical units located behind the walls during the applicants plan check submittal subject to review and approval of the Community Development Director.
- The height of the wall along the south property line of the Project shall be increased to 8 feet as measured from the highest adjacent grade. The type of wall should match the existing wall, or if wall is proposed to be replaced in its entirety, the new wall shall either be split-face or slump stone block.
- The front and side setback areas, between the proposed building and the property lines along Talbert Avenue and Third Street must include a minimum sized 5-gallon shrubs spaced out every 3 feet.
- Landscaping areas shall be protected with a minimum 6-inch-high concrete curb.
- All landscaped areas (except naturalized hydrozones) shall be provided with a smart automatic irrigation controller.
- Trees in landscape planters less than ten feet in width or located closer than five feet from a permanent structure shall be provided with root barriers.
- Hours of delivery shall be restricted to the hours of 7:00 a.m. to 8:00 p.m. Monday through Friday, 9:00 a.m. to 8:00 p.m. on Saturday, and no time on Sunday or legal holiday.
- There shall be no trash dumping from the facility between the hours of 10:00 p.m. and 7:00 a.m., seven (7) days a week.
- The rear/side doors shall not be used, except for emergencies, between the hours of 10:00 p.m. and 7:00 a.m.
- Truck delivery material and goods shall not be stored outside of the building and shall be moved to the inside of the store expeditiously upon delivery.
- Signage shall be installed along the south property line reminding employees/customers to be quiet and mindful of adjacent residential neighbors. Signage shall be subject to review and approval by the Planning & Building Director and shall be installed prior to certificate of occupancy of the business.

Lastly, the proposed use of the building would be a dental office, which is permitted by right. If, in the future, the proposed building were to be occupied by another use, staff believes the

proposed conditions would alleviate impacts to the adjacent residential properties to the south. Uses that could occupy the space, by right, would include breweries and distilleries with dining, artist studios, small gyms, retail uses, auto parts sales, bakeries, pharmacies, pet shops, sporting goods, offices, personal services, etc. Additionally, more intense uses such as large format restaurants, off-sale alcohol sales, accessory entertainment, indoor amusement, schools, uses with a drive-thru, convenience store, tattoo establishments, car wash, etc. would require the Planning Commission's approval of a Conditional Use Permit to operate. For a full list of uses permitted by right and uses subject to a CUP, please see Attachment #4.

With conditions of approval outlined in Resolution No. 26-12 (Attachment #5), staff supports the applicants' request as submitted.

#### Environmental Clearance

The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city's environmental review procedures and can be determined categorically exempt pursuant to Class 3, New Construction or Conversion of Small Structures, Section 15303 of the California Environmental Quality Act (CEQA) Guidelines, which allows for the construction, in urbanized areas, of up to four buildings (store, motel, office, restaurant, or similar structure) not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not found to be environmentally sensitive (Attachment #6). The proposed development includes the construction of a small-scale, single-story  $\pm 2,980$  square-foot medical office building with little to no hazardous substances and an associated on-site parking lot. The C1-Local Business zoned property is located within an urbanized area per Title 14 of the California Code of Regulations (§ 15387) as it is within a group of contiguous cities with 50,000 or more residents. The property includes existing infrastructure, and all public services would be provided for the site. Lastly, the site is not habitat for protected species identified as candidate, sensitive, or species of special status by a state or federal agency, protected by the Endangered Species Act, California Endangered Species Act, or the Native Plant Protection Act as shown on the following: Natural Communities Coalition Natural Community Conservation Plan (NCCP) & Habitat Conservation Plan (HCP) for the County of Orange Central and Coastal Subregion, Figure 2, Five-County NCCP Study Area, May 1996; the U.S. Geologic Survey, Protected Areas (PAD-US); and the California Natural Resources Agency, California Conservation Easement Database.

#### Notice Furnished

Public hearing notices were mailed to all property owners and commercial tenants within 1,000 feet of the subject property. The item was published in the Orange County Register and notices were posted at City Hall, Recreation Center, and the Fountain Valley Library.

#### Alternatives

1. Adopt Resolution No. 26-12 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Precise Plan No. 583 for the construction of a  $\pm 2,980$  square foot building and associated parking lot located at 9080 Talbert Avenue.
2. Continue the request and direct staff to prepare a resolution for denial.

3. Continue this request for additional information.

Recommended Action

Staff recommends that the Planning Commission select Alternative #1: Adopt Resolution No. 26-12 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Precise Plan No. 583 for the construction of a ±2,980 square foot building and associated parking lot located at 9080 Talbert Avenue.

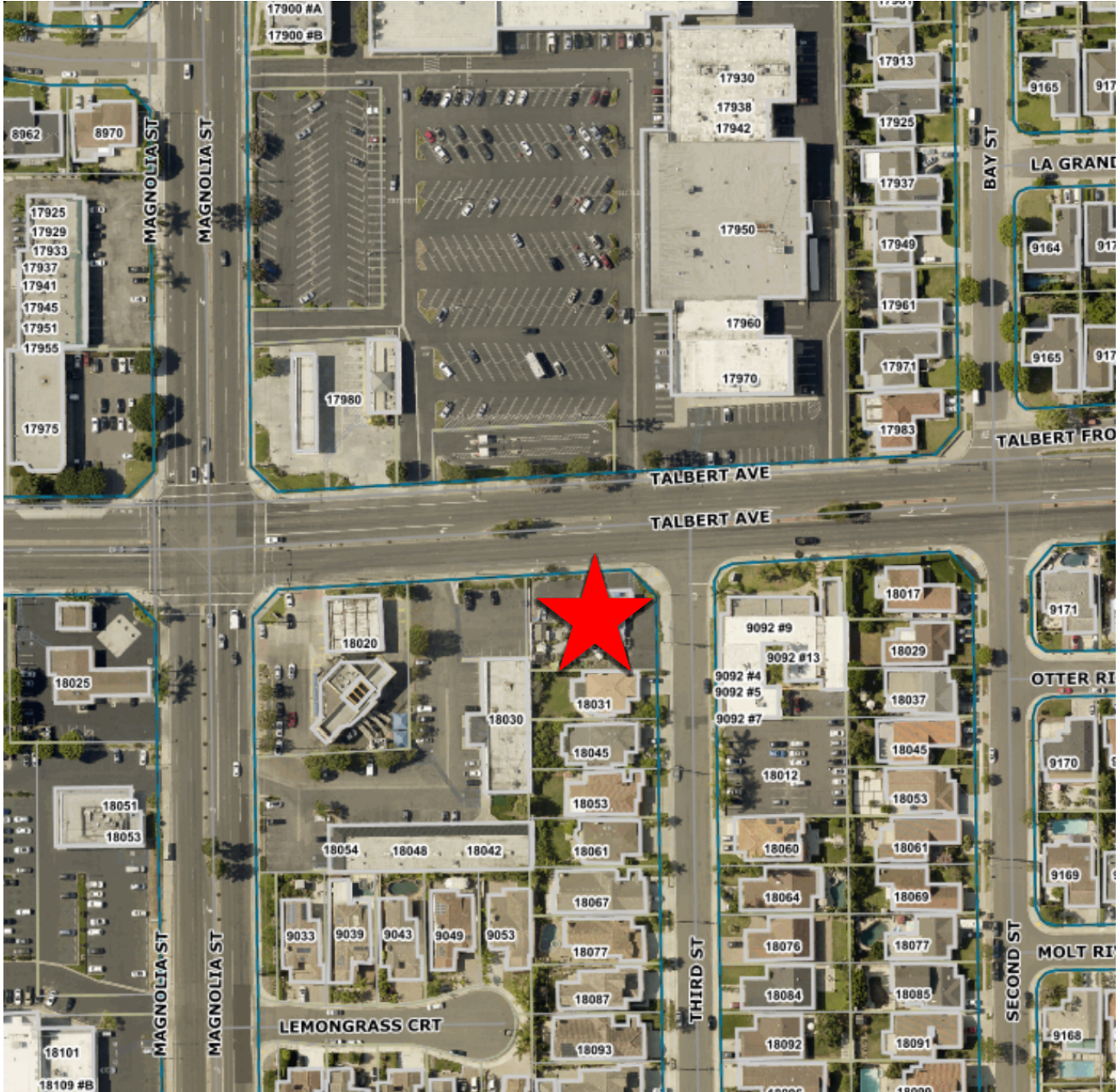
Prepared By: Steven Ayers, Principal Planner

Approved By: Omar Dadahboy, Deputy City Manager/Community Development Director

Attachments

1. Vicinity Map
2. Project Description
3. Project Plans
4. Ordinance 1629
5. Resolution No. 26-12 including Exhibit 1 Conditions of Approval
6. Notice of Exemption

Vicinity Map  
Precise Plan 583  
Chew Chew Dental



9080 Talbert Avenue



June 15, 2026

Planning Department  
10200 Slater Ave.  
Fountain Valley, CA 92708

Project Name: Chew Chew Dental  
Project Address: 9080 Talbert Ave. Fountain Valley, CA 92708

## Project Description & Tenant's Operations

This project involves the demolition of an existing 816-square-foot building, which was used for nursery and gift sales, for the new construction of a 2,980 SF single-story building along with site improvements. The new development will be occupied by the property owner, for the operation of Chew Chew Dental 2,740 SF. The parking ratio of 1 per 200 SF for medical office use appropriate for a dental practice will provide 14 new parking stalls for the site.

- Hours of operation: Monday through Saturday from 8am to 5pm
- Number of employees: 4
- Number of Parking required: 14
- Number of Parking provided: 14

The property is located at the corner of Talbert Avenue and Third Street. To the west is Rogue Physical Therapy and Wellness, and to the south is a single-family residence. The design of the new building will feature modern architectural elements, including storefronts with glass doors, expansive window panels, stucco, stone veneer accents, and up-lighting. These elements will enhance the visual appeal of the area, creating a contemporary and inviting atmosphere. As a standalone, highly visible building, this development will not only improve the aesthetics of the surrounding area but also attract future tenants and visitors, contributing positively to the neighborhood's growth.





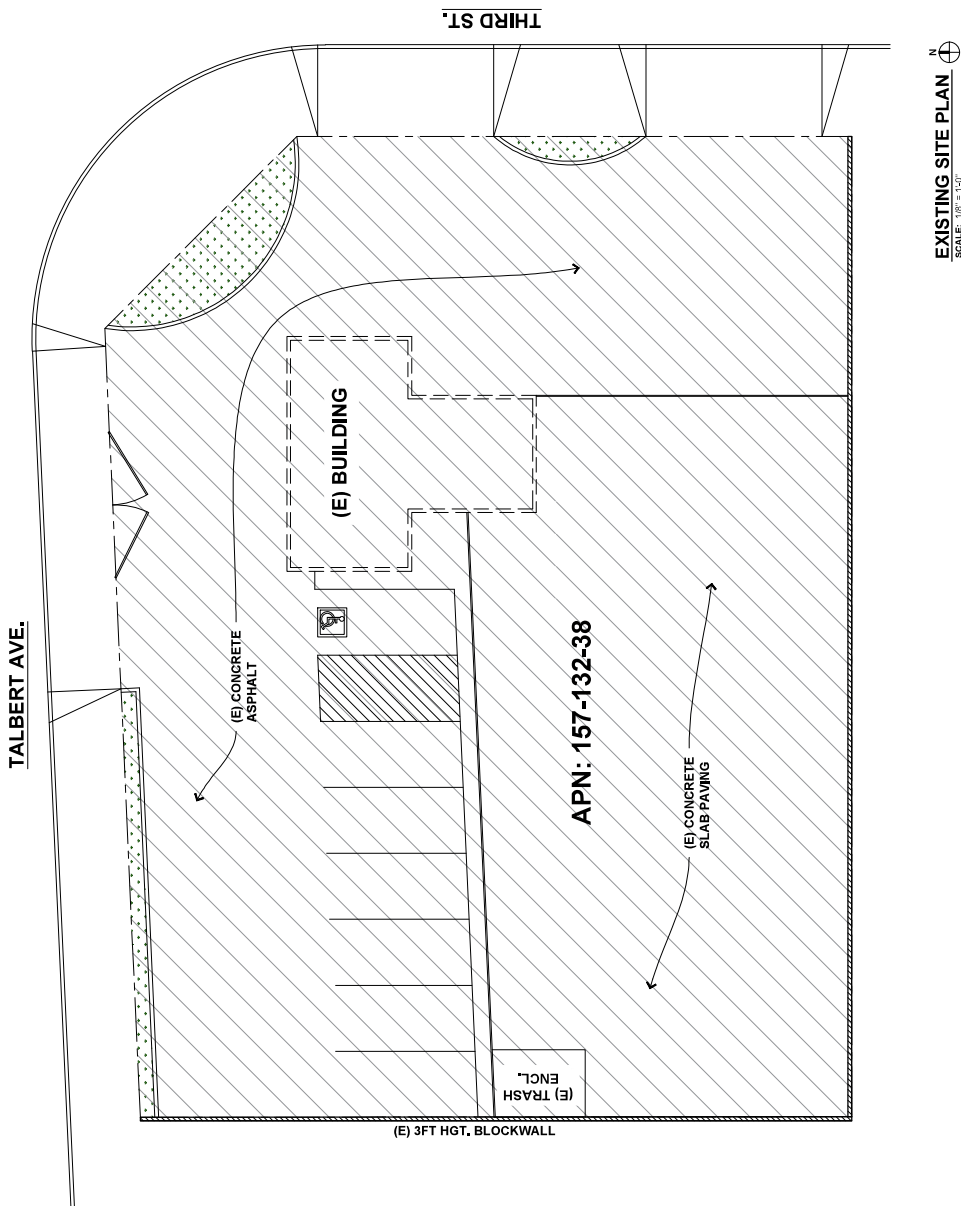
[illegible]

**CHEW CHEW DENTAL OFFICE**  
**9080 TALBERT AVE.,**  
**FOUNTAIN VALLEY, CA 92708**

|             |          |
|-------------|----------|
| SCALE       | AS NOTED |
| DRAWN BY    | CV       |
| CHECKED BY  | VT       |
| PLAN DATE   | 8/05/26  |
| PRINT DATE  | 8/05/26  |
| PROJECT No. |          |
| SHEET No.   |          |

## A-1.1

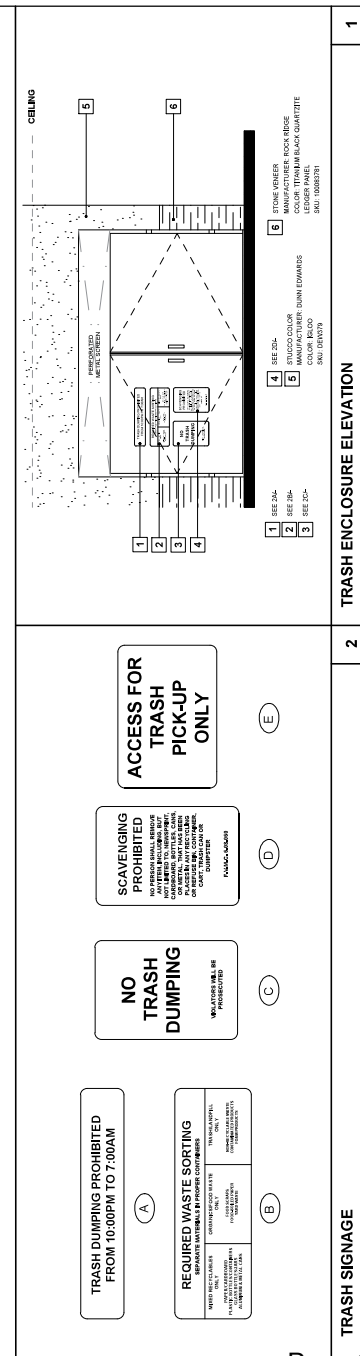
EXISTING WALL, DOORS OR WINDOWS TO BE REMOVED





|    |                                                                                                                                                                    |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | ACCESSIBLE ROUTE OF TRAVEL SIGN                                                                                                                                    |
| 2  | PARKING STALLS                                                                                                                                                     |
| 3  | WHEEL STOP, CBC 2022, SEC. 11B-602.7.2                                                                                                                             |
| 4  | OFFSITE CONCRETE SIDEWALK                                                                                                                                          |
| 5  | ONSITE CONCRETE SIDEWALK                                                                                                                                           |
| 6  | PAINTED LOGO WHEELCHAIR SYMBOL PER CBC 2022, SEC. 11B-703.7.2.1                                                                                                    |
| 7  | ACCESSIBLE SIGN ON GALV. POLE MIN. 80" ABOVE FINISH SIDEWALK                                                                                                       |
| 8  | 6" CONCRETE CURB                                                                                                                                                   |
| 9  | ACCESSIBLE ROUTE PATH OF TRAVEL AT PARKING STALL, 2% MAX. OF TRAVEL DIRECTION & 2% SLOPE IN CROSS DIRECTION OF TRAVEL (48" MIN. CLEAR UNOBSTRUCTED PATH OF TRAVEL) |
| 10 | CONCRETE PAVING ON PARKING LOT                                                                                                                                     |
| 11 | TRASH ENCLOSURE                                                                                                                                                    |
| 12 | TRUNCATED DOMES                                                                                                                                                    |
| 13 | 4" DEEP BLUE REFLECTIVE PAINTED STRIPES @ 3'-0" O.C. WITH PERIMETER 4" WIDE STRIP                                                                                  |
| 14 | INDICATES DIRECTION OF ACCESSIBLE PATH OF TRAVEL                                                                                                                   |
| 15 | SENSATION NOTING THAT SMOKING IS NOT ALLOWED WITHIN 25' OF THE MAIN ENTRY OF EACH UNIT.                                                                            |
| 16 | R/W                                                                                                                                                                |
| 17 | ASPHALT                                                                                                                                                            |
| 18 | (E) BLOCK WALL TO BE INCREASED TO 8FT HGT.                                                                                                                         |
| 19 | BRACE FOR (E) UTILITY POLE                                                                                                                                         |
| 20 | WARRANTY SIGN 1'-HGT.                                                                                                                                              |
| 21 | NEW SIGNAGE MIN. SHALL BE OF 15 GALLON VARIETY AT PLANTING                                                                                                         |
| 22 | (E) STREET LIGHT                                                                                                                                                   |
| 23 | ARTIFICIAL LANDSCAPE                                                                                                                                               |
| 24 | EXISTING UTILITY POLE                                                                                                                                              |
| 25 | TRASH ENCLOSURE SIGNAGE, SEE 1-                                                                                                                                    |
| 26 | (E) WATER METER TO BE RELOCATED                                                                                                                                    |
| 27 | NEW LOCATION FOR (E) WATER METER AND REDUCED PRESSURE DEVICE FOR DOMESTIC LINE                                                                                     |
| 28 | (N) 1" WATER METER AND REDUCED PRESSURE DEVICE FOR IRRIGATION LINE                                                                                                 |
| 29 | DOUBLE CHECK VALVES FOR FIRE SPRINKLER, WILL BE SCREENED TO MATCH EXISTING LANDSCAPE SCREENING.                                                                    |
| 30 | (E) BLOCK WALL 1'-HGT                                                                                                                                              |
| 31 | (E) BLOCK WALL 1'-HGT                                                                                                                                              |
| 32 | (N) DRIVEWAY PER CITY STD. 209-1                                                                                                                                   |
| 33 | NO DRAINAGE, SEE NOTE #6                                                                                                                                           |
| 34 | PARKING LIGHT 10'-HT.                                                                                                                                              |
| 35 | NOT USED                                                                                                                                                           |
| 36 | LED WALL PACK                                                                                                                                                      |
| 37 | (E) TREE WELL TO BE RELOCATED                                                                                                                                      |
| 38 | (N) TRANSFORMER WILL BE LANDSCAPE SCREENED FROM THE PUBLIC                                                                                                         |
| 39 | NOT USED                                                                                                                                                           |
| 40 | TRASH SENSING SIGNAGE, SEE 2E-                                                                                                                                     |
| 41 | REMOTE CONTROLLED BARRIER BAR                                                                                                                                      |
| 42 | LANDSCAPE                                                                                                                                                          |
| 43 | NUMBER OF PARKING STALL                                                                                                                                            |

1. ALL GUTTERS, DOWNSPOUTS, FLASHINGS, ELECTRICAL CONDUITS, FIRE  
2. REFERS AND EQUIPMENT ETC., SHALL BE CONCEALED WITHIN THE BUILDING.  
3. 2. LIGHTING SHALL BE SCHEDULED TO DIRECT THE LIGHT DOWNWARD AWAY FROM  
4. ADJACENT PROPERTIES AROUND THE PROJECT, INCLUDING RESIDENTIAL, AND OPEN  
5. SPACE.  
6. 3. PARKING AREAS SHALL HAVE LIGHTING CAPABLE OF PROVIDING ADEQUATE  
7. ILLUMINATION FOR SECURITY AND SAFETY. LIGHTING STANDARDS SHALL BE  
8. ENERGY-EFFICIENT AND IN SCALE WITH THE HEIGHT AND USE OF THE ON-SITE  
9. STRUCTURE(S) AND ILLUMINATION, INCLUDING SECURITY LIGHTING, SHALL BE DIRECTED  
10. AWAY FROM ADJACENT PROPERTIES AND OPEN SPACE. LIGHTING SHALL COMPLY  
11. WITH SECTION 21.1.6.06 (EXTERIOR LIGHTING) OF THE 2015 IBC.  
12. 4. THERE SHALL BE NO STORAGE OR EXCESSIVE PARKING OF BOATS, TRAILERS, CAMPER,  
13. RECREATIONAL VEHICLES, TRAILERS, TRAILER TRAILERS, UNREGISTERED VEHICLES,  
14. AND OTHER VEHICLES GREATER THAN 11 METERS IN RESIDENTIAL AREAS AND 2.2  
15. METERS IN COMMERCIAL AREAS. EXCESSIVE PARKING SHALL BE INSTALLED ON THE SUBJECT PROPERTY  
16. WITHOUT APPROVAL OF THE PLANNING COMMISSION.  
17. 5. PER CALIFORNIA AIR RESOURCES BOARD (CARB) REGULATIONS, ALL DELIVERY  
18. TRUCKS SHALL BE EQUIPPED WITH A DEFLECTOR AND A FLARE AT THE REAR OF A  
19. RESIDENTIAL PROPERTY LINE. DELIVERY TRUCKS SHALL BE TURNED OFF FOR  
20. LOADING AND UNLOADING.  
21. 6. VEHICULAR STRIPING AND IDENTIFICATION MUST CONFORM TO FPM 21.12.07.00(A).  
22. PARKING SPACES SHALL BE CLEARLY OUTLINED WITH FOUR-METER WHITE PAINTED  
23. LINES. TURNING AREAS SHALL BE CLEARLY MARKED WITH DIRECTIONAL ARROWS AND  
24. LINES TO ENSURE SAFE TRAFFIC MOVEMENT. CARPOOL SPACES SHALL BE CLEARLY  
25. IDENTIFIED FOR VEHICLE CARPOOL USAGE. RESPECTIVELY, PARKING SPACES FOR THE  
26. TRUCKS SHALL BE STRIPED AND MARKED ACCORDING TO THE APPLICABLE STATE  
27. STANDARDS.  
28. 7. TRASH WILL BE COLLECTED TWICE A WEEK.  
29. 8. PROJECT MUST COMPLY WITH FPM 21.18.1.10 UNDERGROUNDING OF UTILITIES.  
30. CABLE TELEVISION, ELECTRIC AND TELEPHONE FACILITIES SHALL BE PLACED  
31. UNDERGROUND. THE PROJECT SHALL BE DESIGNED TO MEET ALL REQUIREMENTS AND  
32. REMOVALS OVER TWENTY-FIVE PERCENT OF THE VALUE OF THE EXISTING  
33. IMPROVEMENTS. THE DIRECTOR MAY GRANT A MODIFICATION OR WAIVER OF THIS  
34. REQUIREMENT AFTER CONSIDERING THE GENERAL PURPOSES AND NATURE OF THE  
35. PROJECT, THE LANDSCAPE DESIGN, THE PROJECT'S LOCATION, AND THE PROJECT'S  
36. IMPACTS ON THE ADJACENT AREAS.





VP DESIGN  
ARCHITECTS, INC.  
10000 15TH AVENUE  
SUITE 100  
DENVER, CO 80202  
TEL: (303) 733-0000  
FAX: (303) 733-0001  
WWW.VPDESIGN.COM

DATE: 10/15/2010  
BY: JLB  
CHECKED BY: JLB  
DATE: 10/15/2010

REV. DESCRIPTION DATE  
1. 10/15/2010

2. 10/15/2010

3. 10/15/2010

4. 10/15/2010

5. 10/15/2010

6. 10/15/2010

7. 10/15/2010

8. 10/15/2010

9. 10/15/2010

10. 10/15/2010

11. 10/15/2010



# PROPOSED FLOOR PLAN

CHEW CHEW DENTAL OFFICE  
9080 TALBERT AVE.,  
FOUNTAIN VALLEY, CA 92708

SCALE: AS NOTED  
DRAWN BY: CV  
CHECKED BY: VT  
PLAN DATE: 8/8/2010  
PRINT DATE: 8/8/2010  
PROJECT No.:  
SHEET No.:

## A - 2

### KEY NOTES

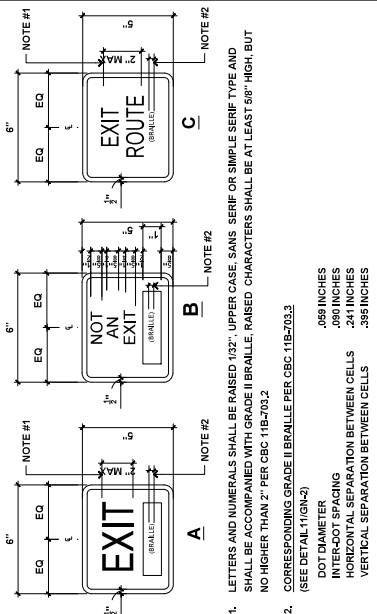
- 1A TACTILE EXIT SIGNAGE "EXIT". SEE 1A-1.
- 1B TACTILE EXIT SIGNAGE "NOT AN EXIT". SEE 1B-1.
- 2 INT. ACCESSIBILITY SYMBOL SIGN AT MAIN ENTRY. SEE 1B-1.
- 3 ACCESSIBLE COUNTER 36" HT (34" MAX.), 36" L, 24" D. SEE 7/10-1.
- 4 WALL MOUNTED CABINET, PLASTIC LAMINATE UPPER COUNTER 42" HT.
- 5 30" x 48" ACCESSIBLE CLEAR WIDTH SPACE FOR H.C. CBC 11B-305.3 REF. 501.1 & FIG. 11B 306.2
- 7 CABINET BASE, COUNTER 34" HT. MAX. SEE 4D-1
- 8 EXIT ROUTE, TACTILE EXIT SIGN "EXIT ROUTE" SEE 1B-1.
- 9 SINK, SEE DETAIL 4D-1 FOR KNEE AND TOE CLEARANCE
- 10 NO SMOKING SIGN
- 11 STEEL CANOPY

### LEGEND

- NEW WALL
- EXISTING WALL TO REMAIN
- DOOR SYMBOL, NEW DOOR SEE DOOR SCHEDULE ON SHEET A-9
- WINDOW SYMBOL, NEW WINDOW SEE SCHEDULE ON SHEET A-9
- COMMON PATH OF EGRESS
- 2A10B.1.C FIRE EXTINGUISHER
- FLOOR DRAIN

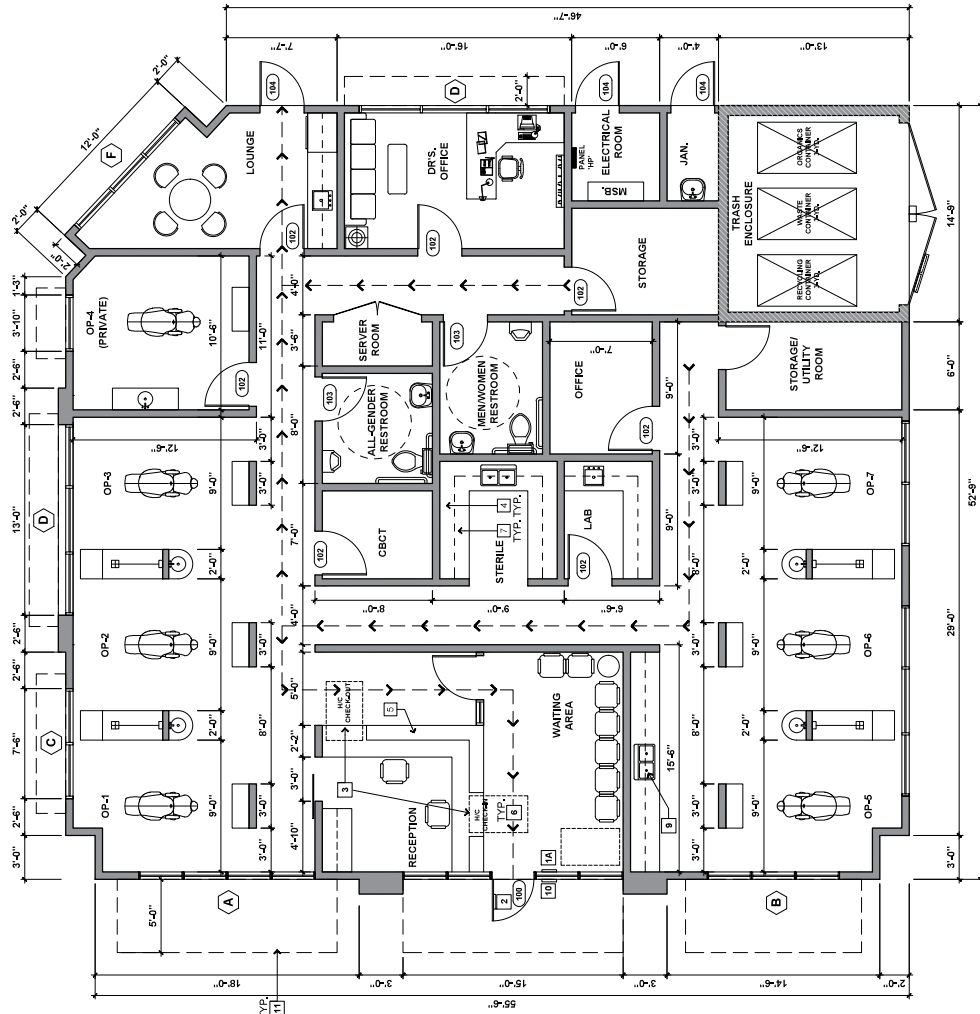
### UNIT #100 OCCUPANCY ANALYSIS

| ROOM NAME       | AREA   | OCC. FACTOR | OCC. LOAD  |
|-----------------|--------|-------------|------------|
| OP 1            | 114 SF | 100         | 1.1        |
| OP 2            | 132 SF | 100         | 1.3        |
| OP 3            | 120 SF | 100         | 1.2        |
| OP 4            | 125 SF | 100         | 1.3        |
| OP 5            | 114 SF | 100         | 1.1        |
| OP 6            | 132 SF | 100         | 1.3        |
| OP 7            | 120 SF | 100         | 1.2        |
| DR. OFFICE      | 139 SF | 150         | 0.9        |
| CBCT            | 45 SF  | 100         | 0.5        |
| STORAGE         | 45 SF  | 300         | 0.2        |
| STORAGE/UTILITY | 72 SF  | 300         | 0.2        |
| SERVER ROOM     | 23 SF  | 300         | 0.1        |
| ELECTRICAL ROOM | 40 SF  | 300         | 0.1        |
| LAB             | 42 SF  | 100         | 0.4        |
| STERILE         | 71 SF  | 100         | 0.7        |
| RECEPTION       | 47 SF  | 150         | 0.3        |
| WAITING AREA    | 142 SF | 15          | 9.5        |
| LOUNGE          | 130 SF | 15          | 8.7        |
| JANITOR         | 21 SF  | 15          | 1.4        |
| TOTAL           |        |             | 31.52 ≈ 32 |

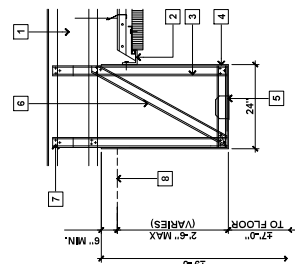


### EXIT DETAILS

1



FLOOR PLAN  
SCALE: 1/8" = 1'-0"



## SOFFIT CEILING DETAIL



**REFLECTED CEILING PLAN**  
SCALE: 1/4" = 1'-0"



VP DESIGN  
SERVICES, INC.  
10000 WILSON BLVD  
SUITE 100  
DALLAS, TEXAS 75243  
TEL: (214) 340-0000  
FAX: (214) 340-0001  
EMAIL: INFO@VPDS.COM

| REV. | DESCRIPTION                          | DATE       |
|------|--------------------------------------|------------|
| 1    | ISSUED FOR PERMIT                    | 08/05/2018 |
| 2    | REVISED TO ADD VENTILATION           | 08/05/2018 |
| 3    | REVISED TO ADD EXHAUST FAN           | 08/05/2018 |
| 4    | REVISED TO ADD SOLAR PANEL AREA      | 08/05/2018 |
| 5    | REVISED TO ADD HVAC UNIT AND CURB    | 08/05/2018 |
| 6    | REVISED TO ADD EXHAUST AIR           | 08/05/2018 |
| 7    | REVISED TO ADD ALL ROOFTOP EQUIPMENT | 08/05/2018 |
| 8    | REVISED TO ADD PUBLIC VIEW SCREENING | 08/05/2018 |
| 9    | REVISED TO ADD SOLAR ZONE AREA       | 08/05/2018 |
| 10   | REVISED TO ADD ROOFTOP EQUIPMENT     | 08/05/2018 |



# ROOF PLAN

CHEW CHEW DENTAL OFFICE  
9080 TALBERT AVE.,  
FOUNTAIN VALLEY, CA 92708

|             |           |
|-------------|-----------|
| SCALE       | AS NOTED  |
| DRAWN BY    | CV        |
| CHECKED BY  | VT        |
| PLAN DATE   | 8/05/2018 |
| PRINT DATE  | 8/05/2018 |
| PROJECT NO. |           |
| SHEET NO.   |           |

A - 4

## ROOF PLAN KEY NOTES

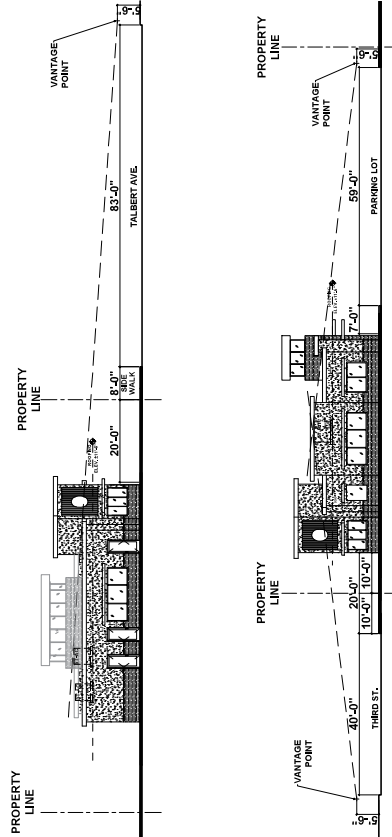
1. PARAPET WALL
2. ROOF DRAIN & OVERFLOW, SEE BID-2 AND BID-2
3. WRAP UP ROOF SHEATHING AT BACKSIDE OF THE PARAPET WALL
4. CRICKET, MIN. SLOPE AT 1/4" PER 12" TO ROOF DRAINS
5. ROOF ACCESS HATCH, BY "BILCO" OR EQUAL 30"x36", WITH GUARDS 30" HGT. MIN.
6. BUILT-UP ROOF SYSTEM (20 YEAR) (CLASS A), INSTALL PER MANUFACTURER'S RECOMMENDATIONS
7. FUTURE SOLAR PANEL AREA
8. HVAC UNIT AND CURB, SEE PLAN M-1 AND DETAIL 3D-3
9. EXHAUST AIR 10'-0" RADIUS
10. ALL ROOFTOP EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW PER FVMC 21-18.080.

## LEGEND

- TOP OF BOX OUT COL.  
T.O.B.  
TOP OF UPPER ROOF  
T.O.P.  
TOP OF PARAPET  
T.O.C.  
TOP OF CANOPY  
T.O.S.  
TOP OF SHEATHING  
H.P.  
HIGH POINT  
L.P.  
LOW POINT  
T.O.F.  
TOP OF FURRING WALL  
T.O.R.  
TOP OF RAIL  
VENTILATION  
EXHAUSTED FAN'S VENT

SOLAR ZONE AREA CALCULATION  
ROOF AREA: 3,105 SF  
SOLAR ZONE AREA REQ'D: 485 SF  
SOLAR ZONE AREA PROVIDED: 485 SF

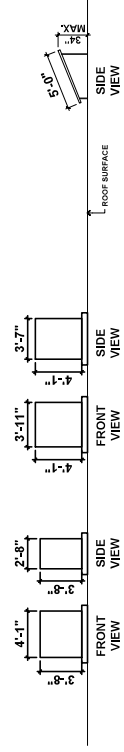
\*NOTE: ALL ROOFTOP HVAC UNITS WILL BE SCREENED FROM THE PUBLIC VIEW.



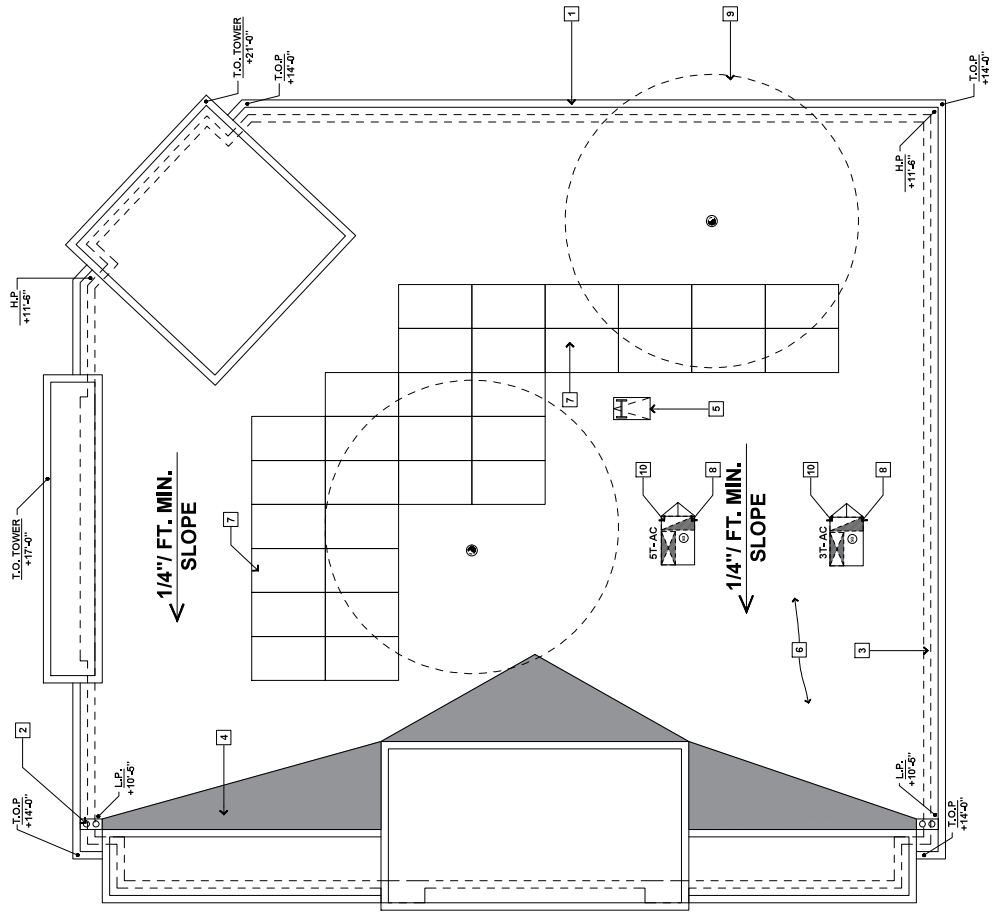
## SOLAR

5 TONS AC

3 TONS AC



## VANTAGE POINT ELEVATION



ROOF PLAN  
SCALE: 1/4" = 1'-0"



16400 MARSH ST  
MOUNTAIN VIEW, CA 92654  
TEL: (949) 240-8888  
FAX: (949) 240-8889  
WWW.WIDEN.COM

| REV. | DESCRIPTION | DATE |
|------|-------------|------|
|      |             |      |
|      |             |      |
|      |             |      |
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|      |             |      |
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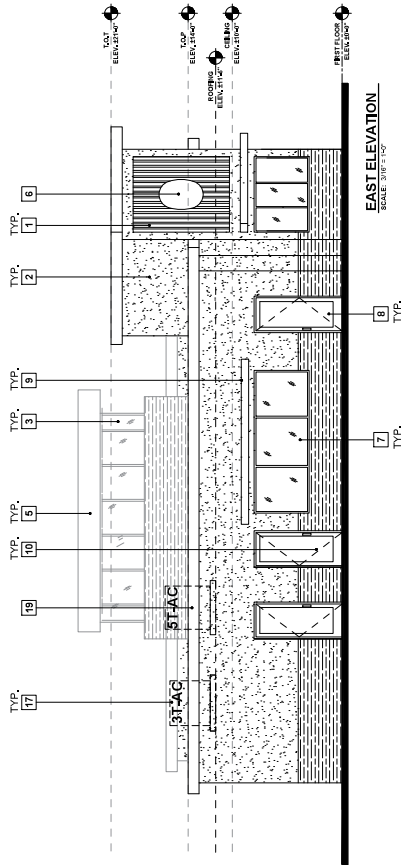


## ELEVATIONS

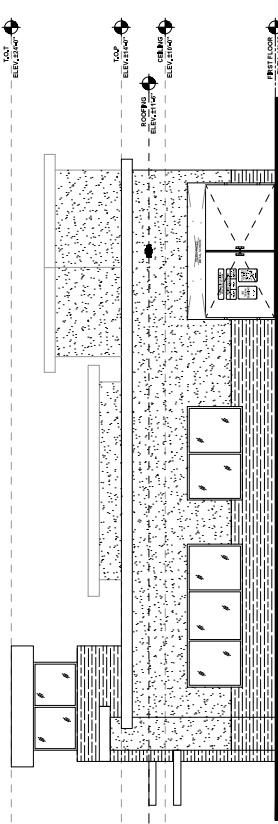
CHEW CHEW DENTAL OFFICE  
9080 TALBERT AVE.,  
FOUNTAIN VALLEY, CA 92708

| SCALE       | AS NOTED |
|-------------|----------|
| DRAWN BY    | CV       |
| CHECKED BY  | VT       |
| PLAN DATE   | 8/05/26  |
| PRINT DATE  | 8/05/26  |
| PROJECT No. | 809526   |
| SHEET No.   |          |

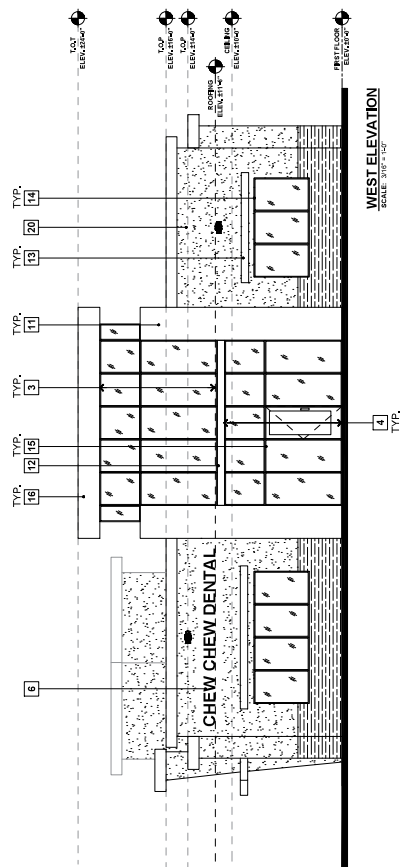
# A - 5



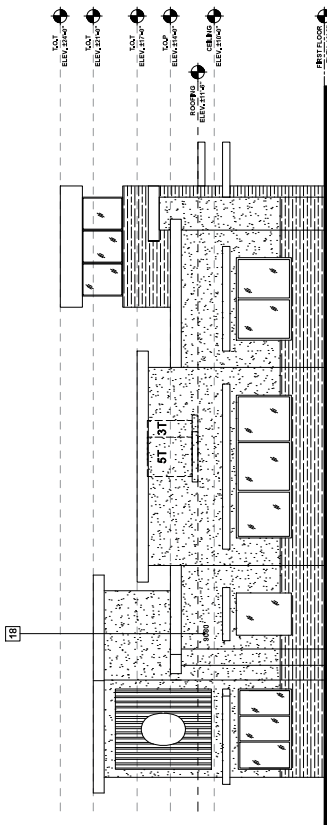
EAST ELEVATION  
SCALE: 3/8" = 1'-0"



SOUTH ELEVATION  
SCALE: 3/8" = 1'-0"



WEST ELEVATION  
SCALE: 3/8" = 1'-0"

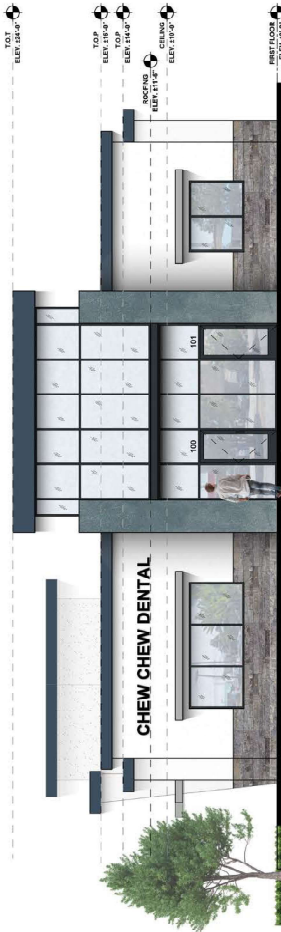


NORTH ELEVATION  
SCALE: 3/8" = 1'-0"

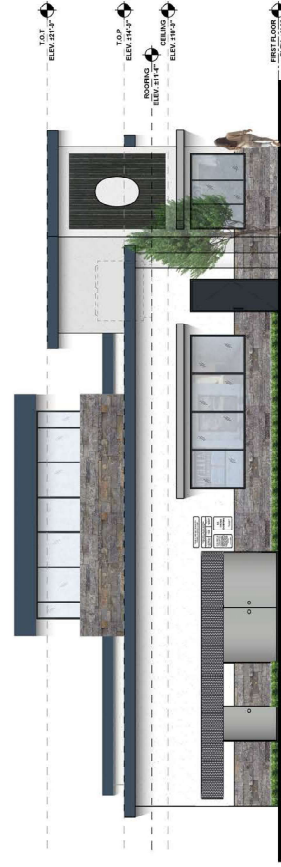
## KEY NOTES

- WOOD PANEL  
MANUFACTURER: PARKLEX  
COLOR: GRAPHITE  
SKU: -
- STUCCO COLOR  
MANUFACTURER: DUINN EDWARDS  
COLOR: 16100  
SKU: DEW379
- SPANDREL GLASS  
VISION GLASS
- PARAPET COPPING  
SIGNAGE  
CLEAR GLASS WINDOW  
DOOR  
STEEL TRELLIS  
MANUFACTURER: DUINN EDWARDS  
COLOR: BLACK LEAD  
SKU: DE6322
- STONE VENEER  
MANUFACTURER: ROCK RIDGE  
COLOR: TITANIUM BLACK QUARTZITE LEDGER PANEL  
SKU: 100083781
- PORCELAIN TILE  
MANUFACTURER: FLOOR AND DECOR  
COLOR: PIER BLUE PORCELAIN TILE  
SKU: 101003978
- MAIN ENTRY CANOPY  
MANUFACTURER: TIMELY FRAMES  
COLOR: CHARCOAL  
SKU: CC401
- CANOPY  
MANUFACTURER: TIMELY FRAMES  
COLOR: STONE GREY  
SKU: SC106
- WINDOW FRAME  
MANUFACTURER: TIMELY FRAMES  
COLOR: CHARCOAL  
SKU: CC401
- DOOR FRAME  
MANUFACTURER: TIMELY FRAMES  
COLOR: CHARCOAL  
SKU: CC401
- TOP MOULDING  
MANUFACTURER: DUINN EDWARDS  
COLOR: MIDNIGHT HAZE  
SKU: DE818
- STREET AND UNIT NUMBERS ARE TO BE MAINTAINED IN SUCH A MANNER AS TO BE PLAINLY VISIBLE. SHALL NOT BE HIDDEN FROM VIEW BY TREES, SHRUBS, BUSHES, ETC., AND OTHER OBSTRUCTIONS. ALL NUMBERS SHALL BE LOCATED AND BE A MINIMUM SIZE SO THAT THEY ARE CLEARLY VISIBLE FROM THE STREET. ALL NUMBERS SHALL BE LESS THAN 6 IN. IN HEIGHT AND 2 IN. IN STROKE AND BE CONTINUOUSLY COLORED FROM THE BACKGROUND. STREET AND UNIT NUMBERS MUST BE MAINTAINED FOR THE DURATION OF CERTIFICATE OF OCCUPANCY OF THE BUSINESS.

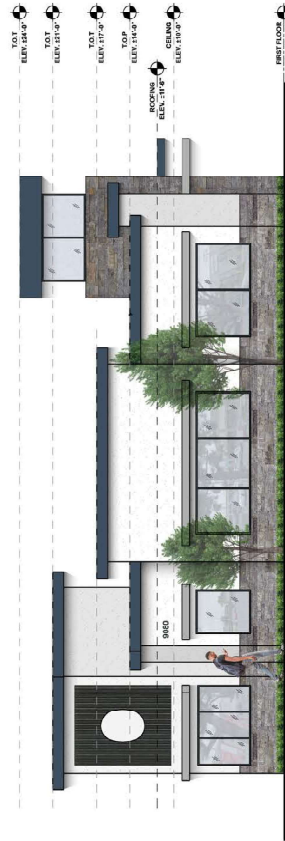




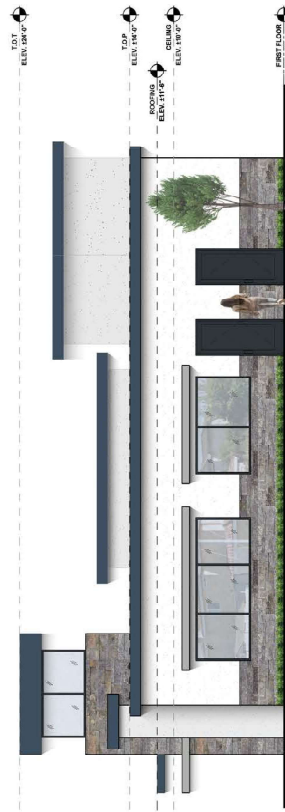
**WEST ELEVATION**



**EAST ELEVATION**



**NORTH ELEVATION**



**SOUTH ELEVATION**



- 1 WINDOW & DOOR FRAME**  
MANUFACTURER: TIMELY FRAMES  
COLOR: BLACK  
SKU: SC103



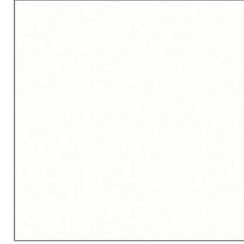
- 2 CANOPY**  
MANUFACTURER: TIMELY FRAMES  
COLOR: ALUMINUM  
SKU: SC108



- 3 MOULDING PAINT**  
MANUFACTURER: DUNN EDWARDS  
COLOR: MIDNIGHT #42E  
SKU: DE5818



- 4 STONE VENEER**  
MANUFACTURER: ROCK RIDGE  
COLOR: TITANIUM BLACK QUARTZITE  
LEADER PANEL  
SKU: 100083191



- 5 STUCCO PAINT**  
MANUFACTURER: DUNN EDWARDS  
COLOR: IGLOO  
SKU: DEW376



- 6 WOOD PANEL**  
MANUFACTURER: PARKLEX  
COLOR: GRAPHITE



- 7 PORCELAIN TILE**  
MANUFACTURER: F. DOOR AND DECOR  
COLOR: PIER BLUE PORCELAIN TILE  
SKU: 101003978

**NEW COMMERCIAL BUILDING FOR CHEW CHEW DENTAL**  
9080 TALBERT AVE. FOUNTAIN VALLEY, CA 92708

**VT DESIGN SPECIALTIES, INC.**

14542 HARPER ST. MIDWAY CITY, CA 92655  
Phone: (714) 330-8482 Fax: (866) 315-9424 Email: vtc@vtccc.com





## ORDINANCE NO. 1629

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY APPROVING A CATEGORICAL EXEMPTION PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING CODE AMENDMENT (CA) NO. 25-06 TO AMEND FOUNTAIN VALLEY MUNICIPAL CODE (FVMC) SECTIONS 21.10.030, 21.15.030, 21.90.020, AND ADD SECTION 21.30.100 TO AMEND USE REQUIREMENTS FOR BREWERIES AND DISTILLERIES, ARTIST STUDIOS, AUTOMATIC TELLER MACHINES, AND LARGE AND SMALL FORMAT RESTAURANTS**

WHEREAS, Article 11, Section 7 of the California Constitution authorizes the City of Fountain Valley ("City") to make and enforce within its limits all ordinances and regulations not in conflict with general laws; and

WHEREAS, the Planning Commission has held multiple study sessions on September 9, 2024, and January 22, 2025, to review the municipal code for allowable uses; and

WHEREAS, CA 25-06 would make changes to allowable uses in the commercial, manufacturing, and mixed-use zones; and

WHEREAS, small format restaurants are identified as restaurants with 50 seats or less and are subject to the approval of a Small Format Restaurant Permit; and

WHEREAS, large format restaurants are restaurants with 51 seats or more and require a Conditional Use Permit ("CUP"); and

WHEREAS, CA 25-06 would change the maximum seating capacity within the definition of small format restaurants from 50 seats or less to 75 seats or less; and

WHEREAS, CA 25-06 would change the seating capacity within the definition of large format restaurants from 51 seats or more to 76 seats or more; and

WHEREAS, Fountain Valley Municipal Code currently does not permit any breweries and distilleries in Commercial and Manufacturing zones; and

WHEREAS, CA 25-06 would establish the ability to allow for breweries and distilleries in Commercial and Manufacturing zones; and

WHEREAS, establishing standards for breweries and distilleries would allow for unique and independent beverage manufacturing uses and would add to the eclecticism of restaurants located in the City; and

WHEREAS, allowing breweries and distillers in Commercial and Manufacturing zones would help enhance the City's economic base, provide for a fiscally sustainable municipal government, and help ensure economic prosperity for applicants by eliminating the entitlement processing time of 2-3 months for a CUP. Additionally, allowing breweries and distillers in all commercial and manufacturing zones would align with use requirements of surrounding cities such as Anaheim, Orange, Huntington Beach, Newport Beach, and Costa Mesa where breweries



and distilleries were permitted in industrial zones with approval of a CUP or permitted by right; and

WHEREAS, CA 25-06 would allow Artist Studios by right in all Commercial, Manufacturing, and Mixed-Use Zones; and

WHEREAS, CA 25-06 would allow Automatic Teller Machines (ATM) by right in all Mixed-Use Zones to provide consistency with the Commercial and Manufacturing zones; and

WHEREAS, the Fountain Valley Planning Commission considered the proposed Code Amendment No. 25-06 at a duly noticed public hearing on October 8, 2025, and by a vote of \_\_-\_\_ recommended the City Council approve CA 25-06; and

WHEREAS, the proposed CA 25-06 has been publicly noticed in accordance with State Law and the Fountain Valley Municipal Code; and

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY DOES HEREBY ORDAINS AS FOLLOWS:

#### SECTION 1

The City Council hereby determines that CA 25-06 is not subject to the California Environmental Quality Act ("CEQA"), pursuant to Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. CA 25-06 will amend Fountain Valley Municipal Code Sections 21.10.030, 21.15.030, 21.90.020, and add Section 21.30.100 to amend use requirements for breweries and distilleries, artist studios, automatic teller machines, and large and small format restaurants

#### SECTION 2

The City Council finds that due notice of the public hearing on October 8, 2025, conducted in the City Council Chambers, 10200 Slater Avenue, Fountain Valley, was given as required by the Fountain Valley Municipal Code, Title 21, and the State of California. Public notice of this hearing and a copy of the City Council agenda were posted at City Hall, Recreation Center and the Fountain Valley Library.

#### SECTION 3

Pursuant to Fountain Valley Municipal Code section 21.34.050 the City Council does hereby find as follows:

1. The proposed amendment ensures and maintains internal consistency with the actions, goals, objectives and policies of the general plan, and would not create any inconsistencies with this title, in the case of a title amendment. The proposed CA is consistent with General Plan Land Use Element Goal LU-1 as it will provide for an arrangement of compatible land uses that protects and maintains attractive and safe



neighborhoods while promoting dynamic activity centers and preserving conventional commercial and industrial uses. Per policy LU-1.1, Land use compatibility and viability, the CA will require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. The CA will also comply with General Plan Goal LU-4 – Economic development thinking integrated throughout the municipal organization in a way that sustains long-term economic growth and attracts private investment. Specifically, CA 25-06 will meet General Plan Policy LU-4.1 – Invest in economic development through the City's economic development program to maintain and enhance the attractiveness of Fountain Valley for private investment, to increase local job opportunities for residents, and to facilitate growth in the local economy that contributes to and enhances Fountain Valley's premier quality of life. By removing the CUP requirements, and allowing for the change in land use, it will encourage new business and eliminate the time it takes to process a CUP for semi-permanent makeup use and gym uses.

2. The proposed amendments would not be detrimental to the public convenience, health, interest, safety or welfare of the city. Approval of CA 25-06 will not create conditions materially detrimental to the public health, safety and general welfare. By allowing the proposed amendments to the commercial, manufacturing and mixed-use zone districts, they will continue to operate within their permitted zone area and comply with all development and operational standards outlined within the FVMC.
3. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city's environmental review procedures as addressed in Section 1 above.
4. The proposed amendment is internally consistent with other applicable provisions of this title. As noted in finding 1 above, CA 25-06 would amend Fountain Valley Municipal Code Sections 21.10.030, 21.15.030, 21.90.020, and add Section 21.30.100 to amend use requirements for breweries and distilleries, artist studios, automatic teller machines, and large and small format restaurants. There are no other known inconsistencies with the proposed amendment and other applicable provisions of Title 21.

#### SECTION 4

Section 21.10.030 is hereby amended in part to read as follows:

" ...

#### **21.10.030 Commercial and manufacturing district land uses and permit requirements.**

Table 2-6 identifies the uses of land allowed by this title in the commercial and manufacturing zoning districts, and the land use permit required to establish each use, in compliance with Section 21.06.030 (Allowable land uses and permit requirements) of this title.

**Note:** where the last column in the tables ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this title may also apply.



TABLE 2-6

| Allowed Uses and Permit Requirements for Commercial and Manufacturing Zoning Districts | P Permitted Use<br>CUP Conditional Use Permit required<br>— Use not allowed |                |                |                |                | Specific Use Regs. |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|----------------|----------------|----------------|----------------|--------------------|
|                                                                                        | PERMIT REQUIRED BY DISTRICT                                                 |                |                |                |                |                    |
|                                                                                        | CP                                                                          | C1             | C2             | CM             | M1             |                    |
| LAND USE (1)                                                                           |                                                                             |                |                |                |                |                    |
| AGRICULTURE AND OPEN SPACE USES                                                        |                                                                             |                |                |                |                |                    |
| Agricultural production                                                                | —                                                                           | —              | —              | CUP            | P              |                    |
| Agricultural produce market, wholesale                                                 | —                                                                           | —              | —              | CUP            | P              |                    |
| Greenhouses, commercial, wholesale only                                                | —                                                                           | —              | —              | P              | P              |                    |
| MANUFACTURING AND PROCESSING USES                                                      |                                                                             |                |                |                |                |                    |
| Agricultural products processing                                                       | —                                                                           | —              | —              | CUP            | P              |                    |
| Apparel and fabric products manufacturing                                              | —                                                                           | —              | —              | P              | P              |                    |
| Assembly of prepared materials                                                         | —                                                                           | —              | —              | P              | P              |                    |
| Bakery products distribution                                                           | —                                                                           | —              | —              | P              | P              |                    |
| Breweries and Distilleries with onsite alcohol consumption                             | -                                                                           | -              | -              | P <sup>5</sup> | P <sup>5</sup> | 21.30.100          |
| Breweries and Distilleries with onsite alcohol consumption and dining                  | P <sup>5</sup>                                                              | P <sup>5</sup> | P <sup>5</sup> | P <sup>5</sup> | P <sup>5</sup> | 21.30.100          |
| Chemical product manufacturing                                                         | —                                                                           | —              | —              | CUP            | P              |                    |
| Concrete, gypsum, and plaster products                                                 | —                                                                           | —              | —              | —              | CUP            |                    |
| Electronics and appliance manufacturing                                                | —                                                                           | —              | —              | P              | P              |                    |
| Food and beverage product manufacturing                                                | —                                                                           | —              | —              | CUP            | P              |                    |
| Furniture/fixtures manufacturing, cabinet shops                                        | —                                                                           | —              | —              | CUP            | P              |                    |
| Fuel storage                                                                           | —                                                                           | —              | —              | —              | CUP            |                    |
| Glass product manufacturing                                                            | —                                                                           | —              | —              | CUP            | P              |                    |
| Handcraft industries, small-scale manufacturing                                        | —                                                                           | —              | P              | P              | P              |                    |
| Laundries and dry cleaning plants                                                      | —                                                                           | —              | —              | P              | P              |                    |
| Leather, fur products                                                                  | —                                                                           | —              | —              | P              | P              |                    |
| Machinery manufacturing                                                                | —                                                                           | —              | —              | CUP            | P              |                    |
| Metal products fabrication, machine/welding shops                                      | —                                                                           | —              | —              | CUP            | P              |                    |
| Paper product manufacturing                                                            | —                                                                           | —              | —              | CUP            | P              |                    |
| Petroleum bulk storage                                                                 | —                                                                           | —              | —              | —              | CUP            |                    |
| Pharmaceuticals manufacturing                                                          | —                                                                           | —              | —              | CUP            | P              |                    |
| Photographic processing                                                                | —                                                                           | —              | —              | P              | P              |                    |
| Plastics, synthetics, rubber products manufacturing                                    | —                                                                           | —              | —              | CUP            | P              |                    |
| Printing and publishing                                                                | —                                                                           | —              | P              | P              | P              |                    |
| Quarry materials storage and distribution                                              | —                                                                           | —              | —              | CUP            | CUP            |                    |
| Recycling – Large collection facility                                                  | —                                                                           | —              | —              | CUP            | CUP            |                    |
| Recycling – Small collection facility                                                  | —                                                                           | CUP            | CUP            | CUP            | CUP            |                    |
| Research and development (R&D)                                                         | —                                                                           | —              | —              | P              | P              |                    |
| Stone and stone cut products                                                           | —                                                                           | —              | —              | CUP            | P              |                    |



|                                                                                               |                                            |                    |                    |                    |           |                           |
|-----------------------------------------------------------------------------------------------|--------------------------------------------|--------------------|--------------------|--------------------|-----------|---------------------------|
| Structural clay and pottery product manufacturing                                             | —                                          | —                  | —                  | —                  | CUP       |                           |
| Textile manufacturing                                                                         | —                                          | —                  | —                  | CUP                | P         |                           |
| Warehousing, wholesaling and distribution facilities                                          | —                                          | —                  | —                  | P                  | P         |                           |
| <b>Allowed Uses and Permit Requirements for Commercial and Manufacturing Zoning Districts</b> | <b>P Permitted Use</b>                     |                    |                    |                    |           | <b>Specific Use Regs.</b> |
|                                                                                               | <b>CUP Conditional Use Permit required</b> |                    |                    |                    |           |                           |
|                                                                                               | <b>— Use not allowed</b>                   |                    |                    |                    |           |                           |
|                                                                                               | <b>PERMIT REQUIRED BY DISTRICT</b>         |                    |                    |                    |           |                           |
| <b>LAND USE (1)</b>                                                                           | <b>CP</b>                                  | <b>C1</b>          | <b>C2</b>          | <b>CM</b>          | <b>M1</b> |                           |
| <b>MANUFACTURING AND PROCESSING USES (con't)</b>                                              |                                            |                    |                    |                    |           |                           |
| Woodworking shops, including cabinetry                                                        | —                                          | —                  | —                  | P                  | P         |                           |
| <b>RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES</b>                                         |                                            |                    |                    |                    |           |                           |
| Accessory entertainment uses                                                                  | CUP                                        | CUP                | CUP                | CUP                | CUP       |                           |
| Artist studios (art, music, photography, etc.)                                                | CUP<br>P                                   | CUP P              | CUP P              | CUP P              | CUP<br>P  |                           |
| Assembly facilities and nonprofit institutions                                                | —                                          | CUP                | CUP                | —                  | —         |                           |
| Billiard and pool halls                                                                       | —                                          | —                  | CUP                | —                  | —         |                           |
| Clubs, lodges, membership meeting halls                                                       | CUP                                        | CUP                | CUP                | —                  | —         |                           |
| Dance halls                                                                                   | —                                          | —                  | CUP                | —                  | —         |                           |
| Health and fitness centers greater than 5,000 sf                                              | —                                          | CUP                | CUP                | —                  | —         |                           |
| Health and fitness centers less than 5,000 sf                                                 | —                                          | P                  | P                  | P                  | P         |                           |
| Indoor amusement/entertainment facilities                                                     | —                                          | CUP                | CUP                | CUP                | CUP       |                           |
| Libraries and museums                                                                         | CUP                                        | CUP                | P                  | —                  | —         |                           |
| Night clubs and bars                                                                          | —                                          | —                  | CUP                | —                  | —         |                           |
| Outdoor commercial recreation facilities                                                      | —                                          | —                  | CUP                | —                  | —         |                           |
| Schools - private                                                                             | CUP                                        | CUP                | CUP                | —                  |           |                           |
| Schools - Specialized training and education                                                  | CUP                                        | CUP                | CUP                | CUP                | CUP       |                           |
| Theaters and auditoriums                                                                      | —                                          | CUP                | CUP                | —                  | —         |                           |
| <b>RESIDENTIAL USES</b>                                                                       |                                            |                    |                    |                    |           |                           |
| Caretaker's quarters                                                                          | —                                          | —                  | —                  | CUP                | CUP       |                           |
| Emergency shelters <sup>2</sup>                                                               | —                                          | CUP                | p <sup>2</sup>     | —                  | —         |                           |
| Rooming and boarding houses                                                                   | CUP                                        | —                  | —                  | —                  | —         |                           |
| Residential care homes                                                                        | CUP                                        | —                  | —                  | —                  | —         |                           |
| Single room occupancy (SRO)                                                                   | —                                          | —                  | CUP                | —                  | —         |                           |
| <b>RETAIL TRADE</b>                                                                           |                                            |                    |                    |                    |           |                           |
| Accessory retail sales                                                                        | P                                          | P                  | P                  | CUP                | CUP       |                           |
| Alcoholic beverage sales, off-premises                                                        | —                                          | CUP                | CUP                | —                  | —         |                           |
| Alcoholic beverage sales, on-premises                                                         | —                                          | CUP/P <sup>4</sup> | CUP/P <sup>4</sup> | CUP/P <sup>4</sup> | CUP       | 21.10.060                 |
| Antiques, art galleries, collectibles                                                         | P                                          | P                  | P                  | CUP                | CUP       |                           |
| Auto parts sales                                                                              | —                                          | P                  | P                  | P                  | P         |                           |
| Auto sales and rental, new                                                                    | —                                          | CUP                | CUP                | CUP                | CUP       |                           |
| Auto sales and rental, used                                                                   | —                                          | —                  | CUP                | CUP                | CUP       |                           |
| Bakeries, retail                                                                              | —                                          | P                  | P                  | —                  | —         |                           |



|                                                                                        |                                                                             |     |     |     |     |                    |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-----|-----|-----|-----|--------------------|
| Butcher shops                                                                          | —                                                                           | P   | P   | —   | —   |                    |
| Building material stores                                                               | —                                                                           | —   | CUP | P   | —   |                    |
| Convenience stores                                                                     | —                                                                           | CUP | CUP | —   | —   |                    |
| Allowed Uses and Permit Requirements for Commercial and Manufacturing Zoning Districts | P Permitted Use<br>CUP Conditional Use Permit required<br>— Use not allowed |     |     |     |     | Specific Use Regs. |
|                                                                                        | PERMIT REQUIRED BY DISTRICT                                                 |     |     |     |     |                    |
|                                                                                        | CP                                                                          | C1  | C2  | CM  | M1  |                    |
| LAND USE (1)                                                                           |                                                                             |     |     |     |     |                    |
| RETAIL TRADE (con't)                                                                   |                                                                             |     |     |     |     |                    |
| Department stores                                                                      | —                                                                           | P   | P   | P   | —   |                    |
| Drive-in and drive-through sales                                                       | —                                                                           | CUP | CUP | —   | —   |                    |
| Drug stores, pharmacies                                                                | CUP                                                                         | P   | P   | —   | —   |                    |
| Equipment sales and rental                                                             | —                                                                           | —   | —   | CUP | CUP |                    |
| Furniture, furnishings & appliance stores                                              | —                                                                           | P   | P   | P   | CUP |                    |
| Garden supply and equipment sales and services                                         |                                                                             | P   | P   | P   | CUP |                    |
| General retail, primary use                                                            | CUP                                                                         | P   | P   | CUP | —   |                    |
| Grocery stores                                                                         | —                                                                           | P   | P   | —   | —   |                    |
| Heavy equipment sales and rental                                                       | —                                                                           | —   | —   | CUP | CUP |                    |
| Hydroponic stores                                                                      | —                                                                           | CUP | CUP | —   | —   |                    |
| Lumber yards                                                                           | —                                                                           | —   | —   | CUP | CUP |                    |
| Multi-use commercial centers                                                           | —                                                                           | CUP | CUP | CUP | —   |                    |
| Pet shops                                                                              | —                                                                           | P   | P   | P   | —   |                    |
| Plant nurseries and garden supply stores                                               | —                                                                           | P   | P   | P   | CUP |                    |
| Recreational vehicle sales and rental                                                  | —                                                                           | —   | CUP | —   | CUP |                    |
| Restaurants – Large format                                                             | CUP                                                                         | CUP | CUP | —   | CUP | 21.10.060          |
| —                                                                                      |                                                                             |     |     |     |     |                    |
| Restaurants – Small format                                                             | —                                                                           | P   | P   | P   | CUP | 21.10.060          |
| Restaurants – Accessory cafeterias                                                     | —                                                                           | CUP | CUP | CUP | CUP |                    |
| Secondhand stores, pawn shops                                                          | —                                                                           | CUP | CUP | —   | —   |                    |
| Specialized sporting goods store                                                       | —                                                                           | P   | P   | CUP | CUP |                    |
| Tattoo establishments                                                                  | —                                                                           | CUP | CUP | —   | —   |                    |
| SERVICES                                                                               |                                                                             |     |     |     |     |                    |
| Ambulance services                                                                     | CUP                                                                         | —   | —   | CUP | CUP |                    |
| Automated teller machines (ATMs)                                                       | P                                                                           | P   | P   | P   | P   |                    |
| Auto repair and maintenance, minor                                                     | —                                                                           | CUP | CUP | CUP | P   |                    |
| Auto repair and maintenance, major                                                     | —                                                                           | —   | CUP | CUP | P   |                    |
| Banks and financial services                                                           | P                                                                           | P   | P   | CUP | —   |                    |
| Business support services                                                              | —                                                                           | P   | P   | P   | P   |                    |
| Car wash, full service                                                                 | —                                                                           | CUP | CUP | —   | —   |                    |
| Car wash, self service                                                                 | —                                                                           | CUP | CUP | CUP | —   |                    |
| Catering services                                                                      | —                                                                           | —   | —   | CUP | P   |                    |
| Child day care and adult day care centers                                              | —                                                                           | CUP | CUP | CUP | —   |                    |



| Allowed Uses and Permit Requirements for Commercial and Manufacturing Zoning Districts | P<br>CUP<br>—<br>Permitted Us<br>Conditional Use Permit<br>required<br>Use not allowed |     |     |     |     | Specific<br>Use<br>Regs. |
|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-----|-----|-----|-----|--------------------------|
|                                                                                        | PERMIT REQUIRED BY<br>DISTRICT                                                         |     |     |     |     |                          |
|                                                                                        | CP                                                                                     | C1  | C2  | CM  | M1  |                          |
| LAND USE (1)                                                                           |                                                                                        |     |     |     |     |                          |
| SERVICES (con't)                                                                       |                                                                                        |     |     |     |     |                          |
| Contractor's storage yard                                                              | —                                                                                      | —   | —   | —   | CUP |                          |
| Gunsmiths                                                                              | —                                                                                      | —   | —   | CUP | CUP |                          |
| Hotels and motels                                                                      | CUP                                                                                    | CUP | CUP | CUP | —   |                          |
| Medical services – Clinics, offices, and laboratories                                  | P                                                                                      | P   | P   | —   | —   |                          |
| Medical services – Extended care                                                       | P                                                                                      | CUP | CUP | —   | —   |                          |
| Medical services – Hospitals                                                           | CUP                                                                                    | CUP | CUP | —   | —   |                          |
| Mortuaries                                                                             | CUP                                                                                    | CUP | CUP | —   | —   |                          |
| Offices – Administrative, business, professional                                       | P                                                                                      | P   | P   | P   | P   |                          |
| Personal services, accessory use                                                       | P                                                                                      | P   | P   | —   | —   |                          |
| Personal services, primary use                                                         | P                                                                                      | P   | P   | —   | —   |                          |
| Pest control services                                                                  | —                                                                                      | —   | —   | P   | P   |                          |
| Repair services for consumer products                                                  | —                                                                                      | P   | P   | CUP | P   |                          |
| Semi-permanent makeup                                                                  | P                                                                                      | P   | P   | —   | —   |                          |
| Service stations                                                                       | —                                                                                      | CUP | CUP | —   | —   |                          |
| Storage, outdoor                                                                       | CUP                                                                                    | CUP | CUP | CUP | CUP |                          |
| Storage, commercial self-storage (mini-storage)                                        | —                                                                                      | —   | —   | —   | —   |                          |
| Veterinarians, animal hospitals, kennels, boarding                                     | —                                                                                      | CUP | CUP | —   | CUP |                          |
| TRANSPORTATION AND COMMUNICATIONS USES                                                 |                                                                                        |     |     |     |     |                          |
| Broadcast studios                                                                      | —                                                                                      | —   | —   | CUP | CUP |                          |
| Heliports                                                                              | —                                                                                      | —   | —   | —   | CUP |                          |
| Parking lots and garages                                                               | CUP                                                                                    | CUP | CUP | CUP | CUP |                          |
| Transit stations and terminals                                                         | —                                                                                      | —   | —   | CUP | CUP |                          |
| Vehicle and freight terminals                                                          | —                                                                                      | —   | —   | CUP | CUP |                          |
| Wireless telecommunications facilities (3)                                             | Administrative wireless facilities permit (3)                                          |     |     |     |     | 21.28                    |

**Notes:**

- (1) See Chapters 21.66 through 21.84 of this title for land use definitions. See Section 21.02.020 regarding uses not listed.
- (2) Emergency shelters are limited to no more than 30 occupants per site as a permitted use. Emergency shelters with more than 30 occupants per site are permitted subject to the approval of a CUP.

- (3) Wireless telecommunications facilities may also be permitted by a conditional use when the planning/building director determines that the project's complexity or the public interest warrants the referral.
- (4) On-premises beer and wine sales may be permitted per Section [21.10.060](#).
- (5) All breweries and distilleries may be permitted per Section [21.30.100](#).

## SECTION 5

Section 21.15.030 is hereby amended in part to read as follows:

“

### 21.15.030 Mixed-use district land uses and permit requirements.

Table 2-10 identifies the uses of land allowed in the mixed-use zone, and the land use permit required to establish each use, in compliance with Section [21.06.030](#) (Allowable land uses and permit requirements) of this title.

Note: where the last column in the tables (“Specific Use Regulations”) includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this title may also apply.

TABLE 2-10

### MIXED-USE DISTRICT LAND USE AND PERMIT REQUIREMENTS

|                                                                                                              |                 |                                 |                          |
|--------------------------------------------------------------------------------------------------------------|-----------------|---------------------------------|--------------------------|
| Allowed Uses and Permit Requirements for Mixed-Use Zoning Districts                                          | P               | Permitted Use                   |                          |
|                                                                                                              | CUP             | Conditional Use Permit required |                          |
|                                                                                                              | —               | Use not allowed                 |                          |
|                                                                                                              | PERMIT REQUIRED |                                 |                          |
| LAND USE (1)                                                                                                 | MU-1 and MU-2   |                                 | Specific Use Regulations |
| MANUFACTURING AND PROCESSING USES                                                                            |                 |                                 |                          |
| Manufacturing and processing uses (see Chapter <a href="#">21.10</a> , Table 2-6, for expanded list of uses) | —               |                                 |                          |
| Recycling—Small collection facility                                                                          | CUP             |                                 |                          |
| RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES                                                               |                 |                                 |                          |



| Allowed Uses and Permit Requirements for Mixed-Use Zoning Districts | P               | Permitted Use                   |                                 |
|---------------------------------------------------------------------|-----------------|---------------------------------|---------------------------------|
|                                                                     | CUP             | Conditional Use Permit required |                                 |
|                                                                     | —               | Use not allowed                 |                                 |
|                                                                     | PERMIT REQUIRED |                                 |                                 |
| LAND USE (1)                                                        | MU-1 and MU-2   |                                 | Specific Use Regulations        |
| Accessory entertainment uses                                        | CUP             |                                 |                                 |
| Artist studios (art, music, photography, etc.)                      | CUP P           |                                 |                                 |
| Assembly facilities and nonprofit institutions                      | CUP             |                                 |                                 |
| Billiard and pool halls                                             | CUP             |                                 | <a href="#">21.15.040(c)(3)</a> |
| Clubs, lodges, membership meeting halls                             | CUP             |                                 | <a href="#">21.15.040(c)(3)</a> |
| Dance halls                                                         | CUP             |                                 | <a href="#">21.15.040(c)(3)</a> |
| Health and fitness centers greater than 5,000 sf                    | -               |                                 |                                 |
| Health and fitness centers less than 5,000 sf                       | P               |                                 |                                 |
| Indoor amusement/entertainment facilities                           | CUP             |                                 | <a href="#">21.15.040(c)(3)</a> |
| Libraries and museums                                               | P               |                                 |                                 |
| Night clubs and bars                                                | —               |                                 |                                 |
| Outdoor commercial recreation facilities                            | —               |                                 |                                 |
| Private residential recreational facilities                         | P               |                                 |                                 |
| Schools—Private                                                     | CUP             |                                 |                                 |
| Schools—Specialized training and education                          | CUP             |                                 |                                 |
| Theaters and auditoriums                                            | CUP             |                                 | <a href="#">21.15.040(c)(3)</a> |
| RESIDENTIAL USES                                                    |                 |                                 |                                 |
| Accessory dwelling units                                            | P               |                                 |                                 |
| Affordable housing                                                  | P               |                                 |                                 |
| Caretaker's quarters                                                | —               |                                 |                                 |
| Cottage food operations                                             | P               |                                 |                                 |
| Duplexes                                                            | P (MU-2 only)   |                                 |                                 |
| Emergency shelters (2)                                              | —               |                                 |                                 |
| Home businesses                                                     | P               |                                 |                                 |
| Live-work units                                                     | P               |                                 |                                 |
| Mobile home parks                                                   | —               |                                 |                                 |
| Multi-family dwellings                                              | P               |                                 |                                 |
| Residential accessory uses and structures                           | P               |                                 |                                 |
| Rooming and boarding houses                                         | CUP             |                                 |                                 |
| Residential care homes                                              | CUP             |                                 |                                 |
| Single-family dwellings                                             | —               |                                 |                                 |
| Single room occupancy (SRO)                                         | —               |                                 |                                 |
| Supportive housing                                                  | P               |                                 |                                 |
| Transitional housing                                                | P               |                                 |                                 |



| Allowed Uses and Permit Requirements for Mixed-Use Zoning Districts | P               | Permitted Use                   |                           |
|---------------------------------------------------------------------|-----------------|---------------------------------|---------------------------|
|                                                                     | CUP             | Conditional Use Permit required |                           |
|                                                                     | —               | Use not allowed                 |                           |
|                                                                     | PERMIT REQUIRED |                                 |                           |
| LAND USE (1)                                                        | MU-1 and MU-2   |                                 | Specific Use Regulations  |
| RETAIL TRADE                                                        |                 |                                 |                           |
| Accessory retail sales                                              | P               |                                 |                           |
| Alcoholic beverage sales, off-premises                              | CUP             |                                 |                           |
| Alcoholic beverage sales, on-premises                               | CUP/P (4)       |                                 | <a href="#">21.10.060</a> |
| Antiques, art galleries, collectibles                               | P               |                                 |                           |
| Auto parts sales                                                    | P               |                                 |                           |
| Auto sales and rental, new                                          | —               |                                 |                           |
| Auto sales and rental, used                                         | —               |                                 |                           |
| Bakeries, retail                                                    | P               |                                 |                           |
| Butcher shops                                                       | P               |                                 |                           |
| Building material stores                                            | —               |                                 |                           |
| Convenience stores                                                  | P               |                                 |                           |
| Department stores                                                   | P               |                                 |                           |
| Drive-in and drive-through sales                                    | —               |                                 |                           |
| Drug stores, pharmacies                                             | P               |                                 |                           |
| Equipment sales and rental                                          | —               |                                 |                           |
| Furniture, furnishings & appliance stores                           | P               |                                 |                           |
| Garden supply and equipment sales and services                      | —               |                                 |                           |
| General retail, primary use                                         | P               |                                 |                           |
| Grocery stores                                                      | P               |                                 |                           |
| Heavy equipment sales and rental                                    | —               |                                 |                           |
| Hydroponic stores                                                   | —               |                                 |                           |
| Lumber yards                                                        | —               |                                 |                           |
| Multi-use commercial centers                                        | CUP             |                                 |                           |
| Pet shops (no kennels)                                              | P               |                                 |                           |
| Plant nurseries and garden supply stores                            | —               |                                 |                           |
| Recreational vehicle sales and rental                               | —               |                                 |                           |
| Restaurants—Large format                                            | CUP             |                                 | <a href="#">21.10.060</a> |
|                                                                     |                 |                                 |                           |
| Restaurants—Small format                                            | P               |                                 | <a href="#">21.10.060</a> |
| Restaurants—Accessory cafeterias                                    | CUP             |                                 |                           |
| Secondhand stores, pawn shops                                       | CUP             |                                 |                           |
| Specialized sporting goods store                                    | P               |                                 |                           |
| Tattoo establishments                                               | —               |                                 |                           |
| SERVICES                                                            |                 |                                 |                           |
| Adult day care—Large                                                | P               |                                 | <a href="#">21.30.020</a> |
| Adult day care—Small                                                | P               |                                 | <a href="#">21.30.020</a> |
| Ambulance services                                                  | —               |                                 |                           |
| Automated teller machines (ATMs)                                    | CUP P           |                                 |                           |

| Allowed Uses and Permit Requirements for Mixed-Use Zoning Districts | P                                             | Permitted Use                   |                                 |
|---------------------------------------------------------------------|-----------------------------------------------|---------------------------------|---------------------------------|
|                                                                     | CUP                                           | Conditional Use Permit required |                                 |
|                                                                     | —                                             | Use not allowed                 |                                 |
|                                                                     | PERMIT REQUIRED                               |                                 |                                 |
| LAND USE (1)                                                        | MU-1 and MU-2                                 |                                 | Specific Use Regulations        |
| Auto repair and maintenance, minor                                  | —                                             |                                 |                                 |
| Auto repair and maintenance, major                                  | —                                             |                                 |                                 |
| Banks and financial services                                        | P                                             |                                 |                                 |
| Business support services                                           | P                                             |                                 |                                 |
| Car wash, full service                                              | —                                             |                                 |                                 |
| Car wash, self service                                              | —                                             |                                 |                                 |
| Catering services (stand-alone)                                     | —                                             |                                 |                                 |
| Child day care centers                                              | CUP                                           |                                 |                                 |
| Contractor's storage yard                                           | —                                             |                                 |                                 |
| Day care—Large family day care homes                                | P                                             |                                 | <a href="#">21.30.020</a>       |
| Day care—Small family day care homes                                | P                                             |                                 | <a href="#">21.30.020</a>       |
| Gunsmiths                                                           | —                                             |                                 |                                 |
| Hotels and motels                                                   | P                                             |                                 |                                 |
| Medical services—Clinics, offices, and laboratories                 | P                                             |                                 |                                 |
| Medical services—Extended care                                      | —                                             |                                 |                                 |
| Medical services—Hospitals                                          | —                                             |                                 |                                 |
| Mortuaries                                                          | —                                             |                                 |                                 |
| Offices—Administrative, business, professional                      | P                                             |                                 |                                 |
| Personal services, accessory use                                    | P                                             |                                 |                                 |
| Personal services, primary use                                      | P                                             |                                 |                                 |
| Pest control services                                               | —                                             |                                 |                                 |
| Repair services for consumer products                               | P                                             |                                 |                                 |
| Semi-permanent makeup                                               | P                                             |                                 |                                 |
| Service stations                                                    | —                                             |                                 |                                 |
| Storage, outdoor                                                    | —                                             |                                 |                                 |
| Storage, personal self-service (mini-storage)                       | —                                             |                                 |                                 |
| Veterinarians, animal hospitals, kennels, boarding                  | CUP                                           |                                 | <a href="#">21.15.040(c)(3)</a> |
| TRANSPORTATION AND COMMUNICATIONS USES                              |                                               |                                 |                                 |
| Broadcast studios                                                   | —                                             |                                 |                                 |
| Heliports                                                           | —                                             |                                 |                                 |
| Stand-alone parking lots and garages                                | —                                             |                                 |                                 |
| Transit stations and terminals                                      | —                                             |                                 |                                 |
| Vehicle and freight terminals                                       | —                                             |                                 |                                 |
| Wireless telecommunications facilities (3)                          | Administrative wireless facilities permit (3) |                                 | 21.28                           |



## Notes:

- (1) See Chapters [21.66](#) through [21.84](#) of this title for land use definitions. See Section [21.02.020](#) regarding uses not listed.
- (2) Emergency shelters are limited to no more than 30 occupants per site as a permitted use. Emergency shelters with more than 30 occupants per site are permitted subject to the approval of a CUP.
- (3) Wireless telecommunications facilities may also be permitted by a conditional use when the planning/building director determines that the project's complexity or the public interest warrants the referral.
- (4) On-premises beer and wine sales may be permitted per Section [21.10.060](#).

## SECTION 6

Section 21.30.100 is hereby added as follows:

" ...

### **21.30.100 Breweries and Distilleries.**

This section provides location and operational standards for the provision of breweries and distilleries.

- (a) Prior to, and as a condition to the opening an alcoholic beverage manufacturing use, the alcoholic beverage manufacturer shall submit a fully dimensioned site plan and floor plan to the planning department.
- (b) Alcoholic beverage manufacturing uses, located in any of the commercial or manufacturing zones identified in this section, may not exceed 10,000 gross square feet, unless otherwise permitted by conditional use permit.
- (c) A tasting room may not exceed a total of 2,000 square feet, unless otherwise permitted by conditional use permit. The area permitted for a tasting room shall not include any outdoor patio area. A tasting room consists of the floor area where alcoholic beverages are consumed, including any bar and seating areas but shall not consist of area within the alcoholic beverages manufacturing licensed premises devoted to restrooms serving the tasting room. An outdoor patio area may be permitted provided it is not located in any required parking space or access way. An outdoor patio area may not exceed 1,000 square feet.
- (d) A grain silo may be permitted to be located outside of the building serving as the alcoholic beverage manufacturing use. The grain silo may not be located in any required parking space or access way. One sign may be permitted on the grain silo with a maximum size of 100 square feet. The silo sign is permitted in addition to any permitted wall signs or monument signs.
- (e) Outdoor storage is prohibited except as described in this section.



(f) The property upon which an alcoholic beverage manufacturing use is operated shall be permanently maintained in an orderly fashion by the provision of regular landscape maintenance, removal of trash and debris, and removal of graffiti within twenty-four hours from the time of occurrence.

(g) Any proposed roof-mounted equipment shall be completely screened from view. This screening information shall be specifically shown on the plans submitted for a building permit.

(h) A security plan in a form satisfactory to the Fountain Valley Police Department shall be submitted to and approved by the Fountain Valley Police Department. The plan shall be formulated to deter unlawful conduct of employees and patrons, to promote the safe and orderly assembly and movement of persons and vehicles, and to prevent disturbances to surrounding uses and the neighborhood by excessive noise created by patrons entering or leaving the alcoholic beverage manufacturer's licensed premises.

(i) Parking lots, driveways, circulation areas, aisles, passageways, recesses and grounds contiguous to buildings making up an alcoholic beverage manufacturing use shall be provided with enough lighting to illuminate and make clearly visible the presence of any person on or about the alcoholic beverage manufacturer's licensed premises during the hours of darkness and shall provide a safe and secure environment for all persons, property, and vehicles on site.

(j) There shall be no admission fee, cover charge, nor minimum purchase required.

(k) Signs shall be posted inside the business near the exit door stating: "No alcohol allowed past this point."

(l) The number of persons shall not exceed the maximum occupancy load as determined by the Fire Department. Signs indicating the occupant load shall be posted in a conspicuous place on an approved sign near the main exit from the room.

(m) There shall be no live entertainment, amplified music or dancing permitted on the alcoholic beverage manufacturer's licensed premises at any time without issuance of a temporary use permit.

(n) The display of alcoholic beverages shall not be located outside of a building or within five feet of any public entrance to the building.

(o) An alcoholic beverage manufacturer shall not serve brands of alcoholic beverages distributed by another alcoholic beverage manufacturer. The alcoholic beverages served shall be limited to the products that are authorized to be sold by the alcoholic beverage manufacturer under its license issued by the California Department of Alcoholic Beverage Control.

(p) Food trucks are permitted to operate onsite.

(1) Location And Placement Requirements: The business operating location must be on private property within the specified zones as allowed by chapter 21.30.100 of this title, or as otherwise authorized by applicable city ordinance, subject to the requirements below:

(2) Parking on a park strip, or otherwise landscaped area is not allowed.

(3) A mobile food business shall park on a hard surface. Alternatives to asphalt and



cement may be approved by the community development director.

(4) Mobile food business vehicles must be parked so that neither the vehicle nor the customers block driveways of existing buildings or uses, or in such a manner as to create a traffic hazard.

(5) No mobile food business shall occupy required parking stalls of the primary use.

(6) No mobile food business shall interfere with the internal parking lot circulation.

(7) Mobile food businesses shall not use the public right of way unless otherwise allowed by ordinance.

(8) Power required for the operation of the mobile food truck may be self-contained or by the use of public or private power sources upon providing written consent from the property owner.

(9) All materials generated from a mobile food business that are to be disposed of shall be disposed of properly.

(10) Mobile food businesses shall comply with all other applicable city ordinances.

...”

## SECTION 7

Section 21.90.020(2) Definitions “B.” is hereby amended to amend the definition of Breweries and Distilleries follows:

“ ...

Definitions “B.”

“Bakeries, retail” means a retail business where bread, pastries and other baked goods are produced for retail sale from the site, primarily for off-site consumption.

“Balcony” means a platform that projects out from the wall of a structure, typically on the second floor, is not supported by columns or pillars, and is surrounded by a rail or parapet. A balcony may, or may not, contain a roofed covering.

“Banks and financial services” means financial institutions including:

(A) Banks and trust companies;

(B) Credit agencies;

(C) Holding (but not primarily operating) companies;

(D) Lending and thrift institutions; (E) Other investment companies;

(F) Securities/commodity contract brokers and dealers;

(G) Security and commodity exchanges;

(H) Vehicle finance (equity) leasing agencies.

"B'droom" means a room capable of being used for sleeping purposes that is separable from other rooms by walls and a door, and that has access to a bathroom including dens, libraries, studies and all-purpose rooms.

"Block" means all property fronting upon one side of a street between intersecting and intercepting streets, or between a street and a waterway, dead end street, park, or city boundary. An intercepting street shall determine only the boundary of the block on the side of a street which it intercepts.

**"Breweries and Distilleries with onsite alcohol consumption/ Breweries and Distilleries with onsite alcohol consumption and dining" means an accessory use associated with an alcoholic beverage manufacturing facility that is devoted to the purchase, consumption, and tasting of beer, wine or distilled spirits produced on-site. A facility with a tasting room may also have a full service kitchen and may prepare and serve food on-site pursuant to the conditions of approval of the associated small or large format restaurant permit.**

"Broadcasting studios" means commercial and public communications uses including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings. Transmission and receiving apparatus, including antennas and towers, are included under the definition of "telecommunications facilities."

"Building material stores" means retail establishments selling lumber and other large building materials, where most display and sales occur indoors. Includes paint, wallpaper, glass, fixtures. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. Includes incidental retail ready-mix concrete operations, except where excluded by a specific zoning district. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies are classified in "warehousing and distribution." Hardware stores are listed in the definition of "general retail stores," even if they sell some building materials.

"Business support services" means establishments primarily within buildings, providing other businesses with services including maintenance, repair and service, testing, rental, etc., also includes:

- (A) Blueprinting;
- (B) Business equipment repair services (except vehicle repair);
- (C) Commercial art and design (production);
- (D) Computer-related services (rental, repair);
- (E) Copying, quick printing and blueprinting services;
- (F) Equipment rental businesses within buildings (rental yards are "Storage Yards and Sales Lots");
- (G) Film processing laboratories;
- (H) Heavy equipment repair services where repair occurs on the client site;
- (I) Janitorial services;



(J) Mail advertising services (reproduction and shipping)“

(K) Other "heavy service" business services;

(L) Outdoor advertising services;

(M) Photocopying;

(N) Photofinishing;

(O) Protective services (other than office related);

(P) Soils and materials testing laboratories;

(Q) Window cleaning.

""butcher shop" means a retail store or portion of a larger store selling food items, which sells meat, fish, fowl and poultry products, and which may on the same site cut the products sold from larger animal carcasses prior to packaging and/or sale. Does not include the slaughtering of live animals on the same site.

..

## SECTION 8

Section 21.90.020(6) Definitions "F." is hereby amended to amend the definition of Food and beverage manufacturing establishments as follows:

" ..

"Fabric product manufacturing" means manufacturing establishments fabricating clothing, draperies and other products by cutting and sewing purchased textile fabrics, and related materials such as leather, rubberized fabrics, plastics and furs. Custom tailors and dressmakers not operating as a factory and not located on the site of a clothing store ("general retail stores") are instead included under "personal services."

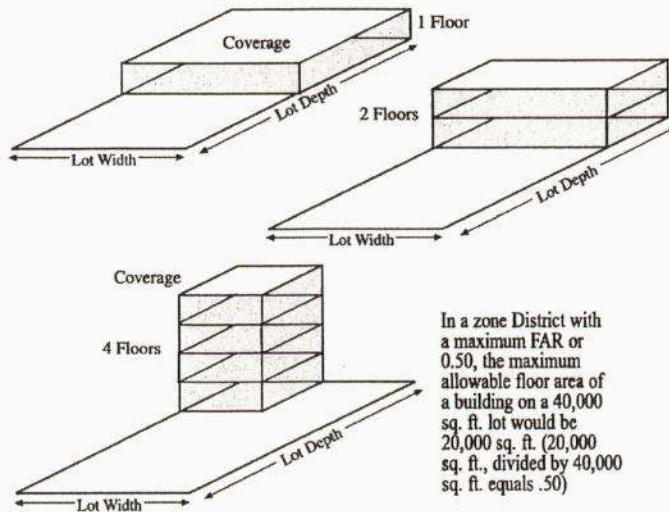
"Family" means one or more persons occupying a premises and living as a single nonprofit housekeeping unit, as distinguished from a group occupying a boarding or lodging house, hotel, club or similar dwelling for group use. A family shall be deemed to include domestic help employed by the family.

"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

"Floor area ratio (FAR)" means the ratio of floor area to total lot area. FAR restrictions are used to limit the maximum floor area allowed on a site. The maximum floor area of all structures (measured from exterior wall to exterior wall) permitted on a site shall be determined by multiplying the floor area ratio (FAR) by the total net area of the site ( $FAR \times \text{net site area} = \text{maximum allowable floor area}$ ). For the purpose of calculating floor area, floor area shall not include carports, garages, parking garages, elevator shafts, mechanical rooms, and exterior patios associated with the use within the same development, except as indicated in Section 21.08.040, Table 2-3.

## FIGURE 7-1 FLOOR AREA RATIO

Possible Building Configurations for 0.50 FAR



NOTE: Variations may occur if upper floors are stepped back from ground level lot coverage.

|                          |                                  |
|--------------------------|----------------------------------|
| Floor Area Ratio (FAR) = | Gross Building Area (All Floors) |
|                          | Lot Area                         |

"Flower tower" means a structure that integrates a monopole into a light pole or other utility pole.

"Food and beverage manufacturing" means manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Includes:

- (A) Bakeries;
- (B) Bottling plants;
- (C) Breweries and Distilleries;**
- (D) Candy, sugar and confectionery products;
- (E) Manufacturing;
- (F) Catering services separate from stores or restaurants;
- (G) Coffee roasting;
- (H) Dairy products manufacturing;
- (I) Fats and oil product manufacturing;
- (J) Fruit and vegetable canning, preserving, related processing;

- (K) Grain mill products and by-products;
- (L) Meat, poultry and seafood canning, curing;
- (M) By-product processing;
- (N) Soft drink production;
- (O) Miscellaneous food item preparation from raw products.

May include tasting and accessory retail sales of beverages produced on-site. A tasting facility separate from the manufacturing facility is included under the definition of "night clubs and bars" if alcoholic beverages are tasted, and under "restaurant" if beverages are non-alcoholic.

Does not include: bakeries which sell all products on-site, which are included in the definition of "general retail stores"; or beer brewing as part of a brew pub, bar or restaurant.

"Furniture, furnishings and equipment stores" mean stores engaged primarily in selling the following products and related services, including incidental repair services:

- (A) Draperies;
- (B) Floor coverings;
- (C) Furniture;
- (D) Glass and chinaware;
- (E) Home appliances;
- (F) Home furnishings;
- (G) Home sound systems;
- (H) Interior decorating materials and services;
- (I) Large musical instruments;
- (J) Lawn furniture;
- (K) Movable spas and hot tubs;
- (L) Office furniture;
- (M) Other household electrical and gas appliances;
- (N) Outdoor furniture;
- (O) Refrigerators;
- (P) Stoves;
- (Q) Televisions.

## SECTION 9



Section 21.90.020(18) Definitions "R." is hereby amended to amend the definition of Small and Large Format Restaurant establishments as follows:

" ...

"Radiofrequency radiation" means electromagnetic radiation in the portion of the spectrum from three kilohertz to three hundred gigahertz.

"Recreational vehicle (RV)" means a motor home, travel trailer, truck camper or camping trailer, with or without motive power, originally designed for human habitation for recreational, emergency or other occupancy, which meets all of the following criteria:

- (A) It contains less than three hundred twenty square feet of internal living room area, excluding built-in equipment, including wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
- (B) It contains four hundred square feet or less of gross area measured at maximum horizontal projections;
- (C) It is built on a single chassis; and
- (D) It is either self-propelled, truck-mounted, or permanently towable on the highways without a towing permit.

"Recycling Facilities." This land use type includes a variety of facilities involved with the collection, sorting and processing of recyclable materials.

(A) "Collection facility" means a center where the public may donate, redeem or sell recyclable materials, which may include the following, where allowed by the applicable zoning district:

- (i) Reverse vending machine(s);
- (ii) Small collection facilities which occupy an area of three hundred fifty square feet or less and may include:
  - a. A mobile unit,
  - b. Bulk reverse vending machines or a grouping of reverse vending machines occupying more than fifty square feet, and
  - c. Kiosk-type units which may include permanent structures.
- (iii) Large collection facilities which occupy an area of more than three hundred fifty square feet and/or include permanent structures.

(B) "Mobile recycling unit" means an automobile, truck, trailer or van used for the collection of recyclable materials, carrying bins, boxes or other containers.

(C) "Processing facility" means a structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end-user's specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, remanufacturing and shredding. Processing facilities include the



following types, both of which are included under the definition of "scrap and dismantling yards," below:

(i) Light processing facility occupies an area of under forty-five thousand square feet of collection, processing and storage area, and averages two outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding and sorting of source separated recyclable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers; and

(ii) A heavy processing facility is any processing facility other than a light processing facility.

(D) "Recycling facility" means a center for the collection and/or processing of recyclable materials. A "certified" recycling or processing facility is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers located on a residentially, commercially or industrially designated site used solely for the recycling of material generated on the site.

(E) "Recycling or recyclable material" means reusable domestic containers and other materials which can be reconstituted, remanufactured, or reused in an altered form, including glass, metals, paper and plastic. Recyclable material does not include refuse or hazardous materials.

(F) "Reverse vending machine" means an automated mechanical device which accepts at least one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by state law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers.

A bulk reverse vending machine is a reverse vending machine that is larger than fifty square feet, is designed to accept more than one container at a time, and issues a cash refund based on total weight instead of by container.

"Religious facilities" means facilities operated by religious organizations for worship, or the promotion of religious activities, including churches, mosques, synagogues, temples, etc. and religious schools; and accessory uses on the same site, such as living quarters for ministers and staff, and child day care facilities where authorized by the same type of land use permit required for the religious facility itself. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations (such as a recreational camp) are classified according to their respective activities.

"Research and development (R&D)" means indoor facilities for scientific research, and the design, development and testing of electrical, electronic, magnetic, optical and mechanical components in advance of product manufacturing, that are not associated with a manufacturing facility on the same site. Includes chemical and biotechnology research and development. Does not include computer software companies, soils and other materials testing laboratories, or medical laboratories.



"Residential accessory uses and structures" means any use and/or structure that is customarily a part of, and clearly incidental and secondary to, a residence and does not change the character of the residential use. These uses include the following detached accessory structures, and other similar structures normally associated with a residential use of property:

- (A) Garages;
- (B) Gazebos;
- (C) Greenhouses;
- (D) Spas and hot tubs;
- (E) Storage sheds;
- (F) Studios;
- (G) Swimming pools;
- (H) Tennis and other on-site sport courts;
- (I) Workshops.

Also includes the indoor storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, accessory to a residential use. Does not include home satellite dish and other receiving antennas for earth-based TV and radio broadcasts.

"Residential care homes" means facilities providing residential social and personal care for children, the elderly, and people with limited ability for self-care, but where medical care is not a major element. Includes: children's homes; board and care homes; transitional houses; rehabilitation centers; self-help group homes. Note: Convalescent homes, nursing homes and similar facilities providing medical care are included under the definition of "Medical service—Extended care."

"Residential district or zone" means any of the residential zoning districts established by Section 21.04.020 (Zoning districts established) of this title.

"Restaurant" means a retail business selling food and beverages prepared on the site, for on- or off-premises consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premises consumption, and establishments where most customers are served food at tables for on-premises consumption, but may include providing food for take-out. Also includes coffee houses. For permitting purposes, the city categorizes restaurants as:

"Restaurant, large format" means establishments with ~~fifty-one~~ **seventy-six** seats or more.

"Restaurant, small format" means establishments with ~~fifty~~ **seventy-five** seats or less.



"Restaurant—outdoor dining" means an outdoor area where tables and seating are provided and food and/or beverages are served in outdoor areas. Outdoor dining areas may be for the common use by several tenants or under the exclusive control of a single operator.

"Review authority" means the individual or official city body (the community development director, planning commission or city council) identified by this title as having the responsibility and authority to review, and approve or disapprove the permit applications described in Chapter 4 (Development Code Administration).

"Roof-mounted" means mounted above the eave line of a structure.

## SECTION 9

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would subsequently be declared invalid or unconstitutional.

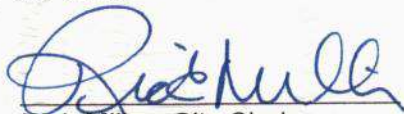
## SECTION 10

The City Clerk shall certify to the adoption of this ordinance and cause it to be published as required by law. This ordinance shall become effective thirty (30) days after the date of its adoption.

PASSED, APPROVED AND ADOPTED THIS 20<sup>th</sup> DAY OF January 2026.

|          |                                            |
|----------|--------------------------------------------|
| Ayes:    | Bui, Constantine, Grandis, Harper, Cunneen |
| Nays:    | None                                       |
| Absent:  | None                                       |
| Abstain: | None                                       |

ATTEST:

  
Rick Miller, City Clerk

  
Jim Cunneen, Mayor

APPROVED AS TO FORM

**HARPER & BURNS LLP**



Attorneys for the City

## RESOLUTION NO. 26-12

A RESOLUTION OF THE FOUNTAIN VALLEY PLANNING COMMISSION  
ADOPTING A NOTICE OF EXEMPTION IN ACCORDANCE WITH THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING  
PRECISE PLAN NO. 583 FOR A ±2,980 SQUARE FOOT BUILDING AND  
ASSOCIATED PARKING LOT LOCATED AT 9080 TALBERT AVENUE

WHEREAS, an application for Precise Plan No. 583 was submitted by VT Design Specialties, Inc., on behalf of the property owner, in accordance with Municipal Code, Title 21; and

WHEREAS, the Fountain Valley Planning Commission considered said application at the Planning Commission meeting of September 9, 2026; and

WHEREAS, the Planning Commission has imposed conditions, pursuant to the Precise Plan process, to ensure that the design and general appearance of the proposed Project is in compliance with the purpose of the Municipal Code, Title 21; and

WHEREAS, the Planning Commission has determined that the proposed Precise Plan is consistent with the Fountain Valley General Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

### SECTION 1

Findings and Supporting Facts: The Planning Commission finds that the subject application meets the criteria for a Precise Plan found in Chapter 21.44 of the Fountain Valley Municipal Code as follows:

1. The design and layout of the proposed development would:
  - A. Be consistent with the actions, goals, objectives and policies of the general plan, any applicable specific plan and the development and design standards/guidelines of the applicable zoning district.

Goal LU-1: An arrangement of compatible land uses that protects and maintains attractive and safe neighborhoods while promoting dynamic activity centers and preserving conventional commercial and industrial uses.

Policy LU-1.1 Land use compatibility and viability. Require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods.

*As detailed in the accompanying staff report, the ±2,980 square foot building would be architecturally compatible with surrounding conforming uses, including adjacent commercial and residential properties and it would be consistent with the actions, goals, objectives and policies of the general plan and the development and design standards/guidelines of the applicable zoning district. The single-story building would be appropriately scaled for the site and neighborhood. Building placement, setbacks, and architectural articulation would reduce visual mass and potential impacts to adjacent uses. Landscaping, lighting design, and site layout would further buffer the project from nearby residential uses while maintaining a professional, low-intensity commercial use consistent with the surrounding area.*



Goal LU-3: Neighborhoods, places, and buildings that are well maintained, demonstrate pride and reinvestment, and reinforce a sense of community.

Policy LU-3.2 Scale and character. Ensure that all new development is compatible with the scale and character of the surrounding neighborhoods in Fountain Valley.

Policy LU-3.4 Building design. Nonresidential buildings and related improvements should exhibit authentic and enduring design. Although no specific architectural style is required, the City prefers that designs for individual buildings stay true to a single architectural style and discourages franchise architecture. Buildings shall present fully finished facades on all sides visible from freeways or streets.

*The Project would be compatible with the scale and character of the surrounding neighborhoods in Fountain Valley. The scale of the proposed ±2,980 square foot building would be consistent in scale and character with surrounding single-story commercial uses and well as adjacent two-story residential units. The building would incorporate fully finished facades visible from Talbert Avenue and Third Street with contemporary architecture, transparent storefronts, decorative materials, accent lighting and a fully finished parking lot with landscaping.*

- B. Not interfere with the use and enjoyment of neighboring existing or future developments, and would not create traffic or pedestrian hazards.

*The Project would not interfere with the use and enjoyment of neighboring existing or future developments and would not create traffic or pedestrian hazards. The addition would match the existing building in materials, color, and design. The building would comply with all setback requirements, including required setbacks to residential properties. Additionally, the Project would comply with landscaping screening requirements from residential therefore screening the project from the use and enjoyment of neighboring existing uses. Lastly, per the Institute of Transportation Engineers (ITE) Trip Generation Manual, the proposed use of the Project as a dental office, is generally a low commercial traffic generator when compared to other potential commercial uses such a retail and restaurant and would therefore not create traffic or pedestrian hazards. Additionally, the Project can be found to be screened from Traffic Impact Analysis (TIA) and a Vehicle Miles Traveled (VMT) Analysis. Per the City's Transportation Impact Assessment Guidelines, a TIA is only required when either the AM or PM peak trip generation is expected to exceed 100 vehicle trips or generate 1,600 Average Daily Trips (ADT). Per the Institute of Transportation Engineers (ITE), the Project is projected to generate approximately 108 ADT with seven (7) AM peak hour trips and ten (10) PM peak hour trips. The Project can also be found to be screened from a VMT Analysis as the Project is located within a low VMT-generating area and it is a local serving retail service use less than 50,000 square feet. Additionally, Projects generating less than 110 new daily vehicle trips can be found to be screened from VMT Analysis.*

- C. Provide a desirable environment for its occupants and visiting public as well as its neighbors through good/proper aesthetic use of materials, texture and color, and would remain aesthetically appealing and retain an appropriate level of maintenance.

*The building would incorporate fully finished facades visible from Talbert Avenue and Third Street with contemporary architecture, transparent storefronts, decorative materials, accent lighting and a fully finished parking lot with landscaping.*

2. The architectural design of the proposed structure(s) would be compatible with the character of the surrounding neighborhood and would maintain and enhance the attractive, harmonious and orderly development contemplated by the actions, goals, objectives and policies of the general plan, any applicable specific plan and this chapter.

*As detailed in the accompanying staff report, and note above in Finding #1, the Project would be consistent with the actions, goals, and objectives and policies of the general plan, and the development and design standards/guidelines of the C1-Local Business zoning district. The Project would meet the goals and policies of the General Plan by ensuring that the development would be located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. Additionally, the Project would be compatible with the scale and character of the surrounding neighborhoods in Fountain Valley as it would present fully finished facades on all sides visible from adjacent streets.*

3. The proposed development would not:

- A. Be detrimental to the public convenience, health, interest, safety or welfare, or materially injurious to the properties or improvements in the immediate vicinity.

*The Project would not be detrimental to the public or materially injurious to the properties or improvements in the immediate vicinity. The Project would comply with all setback requirements, including required setbacks to residential properties, and would comply with landscaping screening requirements from residential therefore screening the project from the use and enjoyment of neighboring existing uses. The project would maintain the minimum number of on-site parking stalls as required by the FVMC for a ±2,980 square foot medical office.*

- B. Substantially depreciate property values in the immediate vicinity or interfere with the use or enjoyment of property in the surrounding neighborhood, because of excessive dissimilarity or inappropriateness of design in relation to the surrounding neighborhood.

*The Project would not depreciate property's values in the immediate vicinity or interfere with the use or enjoyment of property in the surrounding neighborhood because of excessive dissimilarity or inappropriate design in relation to the surrounding neighborhood. The Project would include a single-story commercial building matching the scale and character of surrounding commercial uses in the immediate vicinity. Additionally, the single-story design, complete with FVMC required setbacks and landscape screening, would make it compatible with adjacent residential properties. Architecturally, the building would incorporate fully finished facades visible from Talbert Avenue and Third Street with contemporary architecture, transparent storefronts, decorative materials, accent lighting and a fully finished parking lot with landscaping.*

4. The proposed Project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city's environmental review procedures.

*The Project has been reviewed in compliance with CEQA and would be categorically exempt per Section 2 below.*

## SECTION 2

The Planning Commission finds that the subject application meets all the criteria for a Precise Plan found in the City's zoning regulations; moreover, the Commission finds that this Project can be found to be categorically exempt pursuant to Class 3, New Construction or Conversion of Small Structures,

Section 15303 of the California Environmental Quality Act (CEQA) Guidelines, which allows for the construction, in urbanized areas, of up to four buildings (store, motel, office, restaurant, or similar structure) not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not found to be environmentally sensitive. The proposed development includes the construction of a small-scale, single-story  $\pm 2,980$  square foot medical office building with little to no hazardous substances and an associated on-site parking lot. The C1-Local Business zoned property is located within an urbanized area per Title 14 of the California Code of Regulations (§ 15387) as it is within a group of contiguous cities with 50,000 or more residents. The property includes existing infrastructure, and all public services would be provided for the site. Lastly, the site is not habitat for protected species identified as candidate, sensitive, or species of special status by a state or federal agency, protected by the Endangered Species Act, California Endangered Species Act, or the Native Plant Protection Act as shown on the following: Natural Communities Coalition Natural Community Conservation Plan (NCCP) & Habitat Conservation Plan (HCP) for the County of Orange Central and Coastal Subregion, Figure 2, Five-County NCCP Study Area, May 1996; the U.S. Geologic Survey, Protected Areas (PAD-US); and the California Natural Resources Agency, California Conservation Easement Database.

### SECTION 3

By signing this Resolution, the applicant has demonstrated his/her understanding of the conditions imposed in the Precise Plan, and attached as Exhibit 1 herein, granted to him/her and has agreed on the record to abide by those conditions.

### SECTION 4

The Planning Commission hereby approves Precise Plan No. 583 for a  $\pm 2,980$  square foot building and associated parking lot located at 9080 Talbert Avenue.

PASSED, APPROVED AND ADOPTED THIS 9<sup>TH</sup> DAY OF SEPTEMBER, 2026

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

BY SIGNING THIS PERMIT, THE PERMITTEE ACKNOWLEDGES ALL OF THE CONDITIONS IMPOSED AND ACCEPTS THIS PERMIT SUBJECT TO THOSE CONDITIONS AND WITH THE FULL AWARENESS OF THE PROVISIONS OF CHAPTER 21.44 OF THE FOUNTAIN VALLEY MUNICIPAL CODE.

BY SIGNING THIS RESOLUTION, THE APPLICANT ACKNOWLEDGES ACCEPTANCE OF THE BENEFITS OF THE **PRECISE PLAN** AND AGREES TO WAIVE ANY RIGHT TO LATER CHALLENGE ANY CONDITION(S) IMPOSED AS UNFAIR, UNNECESSARY, OR UNREASONABLE.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Sign/Print



## **EXHIBIT 1**

### **CONDITIONS OF APPROVAL**

Precise Plan 583

Chew Chew Dental  
9080 Talbert Avenue  
Fountain Valley, CA

The following Conditions of Approval [COA] apply to this project. The COA's are specific conditions applicable to the proposed project. The property owner is responsible for the fulfillment of all conditions and standard development requirements, unless specifically stated otherwise.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, permittee expressly accepts and agrees to comply with the following Conditions of Approval of this Permit:

#### **Planning Department**

1. The site plan, floor plans, elevation plans, exterior detail plans, etc. dated received August 6, 2026 and approved by the Planning Commission on September 9 2026, (Attachment #3 to the staff report for this project) shall be made part of this application approval and cannot be modified without prior approval by either the Planning Commission or the Community Development Director.
2. There shall be no trash removal and servicing from the facility between the hours of 10:00 p.m. and 7:00 a.m., seven (7) days a week.
3. The applicant shall install signage near the trash dumpster prohibiting trash dumping during the hours of 10:00 p.m. – 7:00 a.m. compliant with FVMC 6.28.050. Said signage shall be installed prior to certificate of occupancy of the building.
4. The windows of the business shall be free of any obstruction, tinting, or painting, except for window signage as permitted by the Fountain Valley Sign Code.
5. Hours of delivery shall be restricted to the hours of 7:00 a.m. to 8:00 p.m. Monday through Friday, 9:00 a.m. to 8:00 p.m. on Saturday, and no time on Sunday or legal holiday.
6. There shall be no trash dumping from the facility between the hours of 10:00 p.m. and 7:00 a.m., seven (7) days a week.
7. The rear/side doors shall not be used, except for emergencies, between the hours of 10:00 p.m. and 7:00 a.m.
8. Truck delivery material and goods shall not be stored outside of the building and shall be moved to the inside of the store expeditiously upon delivery.
9. Signage shall be installed along the south property line reminding

employees/customers to be quiet and mindful of adjacent residential neighbors. Signage shall be subject to review and approval by the Planning & Building Director and shall be installed prior to certificate of occupancy of the business.

10. To prevent scavenging, illegal dumping, and to contribute to the general cleanliness of the proposed Project, the Project shall provide a refuse containment area with a screened and securable gate. Also, exterior signage shall be provided outside of the trash enclosure prohibiting the scavenging of any material from the trash dumpster. The refuse containment area depicted on the Precise Plan shall be installed prior to the issuance of a C of O and any screening, gate, or signage for that area shall be included in the applicant's plan check submittal to the City.
11. The trash enclosure area shall be included in the applicant's plan check submittal to the Building Department and shall be installed prior to issuance of certificate of occupancy of the business.
12. To maintain the cleanliness of the property, the developer, property manager, and/or property owner shall be responsible for maintaining the area adjacent to their premises over which they have control free of litter.
13. This resolution supersedes previously approved Precise Plan Resolutions for the address at 9080 Talbert Avenue.
14. The colors, materials and facades of the building shall be as approved by the Planning Commission. No changes to the colors or materials shall occur without approval by the Community Development Director. Changes that the Community Development Director deems to vary significantly from the originally approved design shall be forwarded to the Planning Commission for its review and determination.
15. All vents, gutters, downspouts, flashings, electrical conduits, fire risers and equipment, etc. shall be concealed within the building.
16. Lighting shall be scheduled to direct the light downward away from adjacent properties around the Project, including residential properties. If needed, light shielding may be installed to prevent light spillage onto adjacent properties. No additional exterior lighting is to be added unless a photometric study concludes the added lighting will have zero lighting shed impact on adjacent properties.
17. The applicant shall provide signing on the trash enclosure prohibiting the salvage of any material from the trash dumpsters.
18. Upon the written request of the property owners along the southern and western adjacent property lines, Developer shall remove existing wall or fencing and replace said wall or fence with a new masonry block wall. Developer will work with the City to develop a form for the right of entry and indemnification agreement that can be used for all adjacent owners that request such fence/wall replacement.
19. Applicant shall secure approval from adjacent property owners to increase the south wall height, and/or to replace any walls if they are located on property lines.
20. If an adjacent property owner on the southern and western property lines of the Project

provide a written request to Developer prior to constructing the perimeter masonry wall, Developer will remove existing wall prior to constructing the perimeter masonry block wall provided that the adjacent property owner provides Developer written permission to enter the property to remove the masonry wall. Such written permission and indemnification must be in a form acceptable to Developer and the City of Fountain Valley.

21. Street and unit numbers are to be maintained in such a manner as to be plainly visible, shall not be hidden from view by trees, shrubs, bushes, etc., and other obstructions on the property. Street numbers shall be located and be a minimum size so that they are clearly visible from the street. All numbers shall not be less than 6 in. in height and 2 in. in stroke and be of contrasting color from the background. Street and unit numbers must be installed prior to issuance of Certificate of Occupancy of the business.
22. Parking areas shall have lighting capable of providing adequate illumination for security and safety. Lighting standards shall be energy-efficient and in scale with the height and use of the on-site structure(s). All illumination, including security lighting, shall be directed downward, away from adjacent properties and public rights-of-way in compliance with Section 21.18.060 (Exterior lighting).
23. There shall be no storage or onsite parking of boats, trailers, campers, recreational vehicles, tents, inoperable vehicles, unregistered vehicles, or the like on the Site.
24. Wheel stops or curbing, if utilized, shall be placed to allow for a maximum of a two-foot vehicle overhang area within the dimension of the parking space. Therefore, with a minimum 19-foot deep parking stall, the measurement to the edge of the wheel stop or curbing from the back of the parking stall shall be 17 feet with a maximum two-foot overhang.
25. The applicant shall comply with all requirements of the Building and Fire Departments for this type of use.
26. The character and administration of the project shall be consistent with the Project Description Letter (Attachment #2 to the staff report for this project.)
27. All rooftop equipment shall be screened from public view per FVMC 21.18.080. All roof-mounted mechanical equipment (air conditioning, heating, ventilation ducts, exhaust, etc.) shall be screened from the view of adjacent properties and rights-of-way as specifically approved by the Planning Director. Roof treatment shall be common to the building and extended to all four (4) building elevations.
28. Per California Air Resources Board (CARB) regulations, all delivery trucks shall not sit idling for more than 5 minutes within 100 feet of a residential property line. Delivery trucks shall be turned off when loading and unloading. Signage shall be installed on the building at the delivery area addressing this condition, shall be included in the applicant's plan check submittal, shall be subject to review and approval by the Planning & Building Director, and shall be installed prior to certificate of occupancy of the business.
29. Precise Plan No. 583 shall be approved and in effect for a period of 24 months from



the original date of approval by the City Council, and/or Planning Commission. If no development has commenced at the end of this 24-month time period, project approval shall expire and be determined void. A one-year extension may be granted at the discretion of the Community Development Director. A request for an extension of time should be made in writing by the applicant thirty (30) days prior to the expiration date.

Date of Project Approval: September 9, 2026

Date of Project Expiration: September 9, 2028

30. The resolution is not effective unless it is signed by the applicant indicating and acknowledging his/her understanding of the conditions imposed herein. The failure of the applicant to sign this permit in no way shall be deemed to confer any greater rights than are contained in this permit.
31. By signing and accepting the resolution, the applicant accepts the benefits conferred by the permit subject to the conditions imposed therein. By accepting the right to operate pursuant to the permit, the applicant waives all rights to challenge any condition imposed as unfair or unreasonable.
32. The applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by City's active negligence. The applicant shall provide a copy of conditions of approval to each manager and to all employees.
33. The applicant shall comply with all federal, state, and local laws. Violations of any of those laws in connection with the use will be cause for revocation of this permit.
34. The City may exercise all legal remedies available for correction and compliance of any violation of any condition of approval, including administrative citations and prosecution of misdemeanors as may be found appropriate.
35. No satellite dishes greater than 1.1 meters in residential areas and 2.2 meters in commercial areas shall be installed on the subject property without approval of the Planning Commission.
36. Applicant shall submit an application for approval of a Sign Program for the Project that shall be subject to review and approval from the City's Sign Committee.
37. Applicant shall comply with FVMC 21.24.110(27) which prohibits vehicle signs for the principal purpose of advertising a business.
38. Refuse containment areas shall be provided with a screened and securable gate compliant with the Fountain Valley Municipal Code and Rainbow Disposal specs.
39. Complete landscape plans shall be submitted to the Planning and Building Department. The landscape plans shall comply with the Fountain Valley Water Efficient Landscape Ordinance.
40. The Community Development Director may interpret the implementation of each

condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original Entitlement may be required pursuant to the provisions of the Fountain Valley Municipal Code.

41. Prior to the approval of Precise Grading plans, complete landscape plans shall be submitted to the Public Works and Planning and Building Department. Landscape plans must be signed by a California licensed Landscape Architect and be consistent with grading plans. The landscape plans shall comply with the Fountain Valley Water Efficient Landscape Ordinance and adopted Guidelines for Implementation of the Water Efficient Landscape Ordinance.
42. The interior premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place with an illumination of not less than ten (10) foot candle as measured at the floor level.
43. Install, and maintain in proper working order, security cameras around the premises. These cameras should include, but are not limited to, visual coverage of the areas available to the public, entrances/exits to the building, all sides of the exterior of building, and parking areas. These cameras will have high resolution and low-light capability; video from all cameras will be recorded and made available to the Police Department upon request.  
Applicant's Initials \_\_\_\_\_
44. The petitioner shall be responsible for maintaining the premises free of graffiti.
45. The number of persons shall not exceed the maximum occupancy load as determined by the Fire Department. If required by the Fire Department, signs indicating the occupant load shall be posted in a conspicuous place near the main entrance and must be posted prior to final inspection and prior to issuance of a certificate of occupancy.
46. The side setback from building to east property line shall be noted on the applicants plan check submittal and shall be at least 10 feet.
47. If a light pole is proposed on the side of the parking lot, it shall be no taller than 10 feet from grade. If the applicant proposes any bollard lights on the property, they shall be a maximum 42 inches tall.
48. Photometric number measurements shall be extended to at least 5 feet beyond each property line on the applicant's plan check submittal to ensure there will be no light spillage onto adjacent properties. Additionally, photometric measurements shall be verified by a photonics or optical measurements engineer to the satisfaction of the Community Development Director prior to certificate of occupancy.
49. The Transformer for the Project shall include a landscape wrap subject to review and approval of the Community Development Director.

50. The parapet walls along the east and south sides of the building shall be raised to match the height of the rooftop mechanical units located behind the walls during the applicants plan check submittal subject to review and approval of the Community Development Director.
51. The height of the wall along the south property line of the Project shall be increased to 8 feet as measured from the highest adjacent grade. The type of wall should match the existing wall, or if wall is proposed to be replaced in its entirety, the new wall shall either be split-face or slump stone block.
52. The front and side setback areas, between the proposed building and the property lines along Talbert Avenue and Third Street must include a minimum sized 5-gallon shrubs spaced out every 3 feet.
53. Landscaping areas shall be protected with a minimum 6-inch-high concrete curb.
54. All landscaped areas (except naturalized hydrozones) shall be provided with a smart automatic irrigation controller.
55. Trees in landscape planters less than ten feet in width or located closer than five feet from a permanent structure shall be provided with root barriers.
56. The conditions herein contained shall run with the land and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval and entitlement.

#### Building Department

57. Install, maintain, and provide for all California Disabled Access compliance per the California Building Code and the Division of State Architect. No encroachment into the disabled path of travel is allowed under any condition with the exception of emergency vehicles and personnel.
58. Projects must comply with the California Code of Regulations, Title 24; Fountain Valley Ordinances, and California law in effect at the time of plan submittal.

#### Public Works Department

59. Grant no easement over any portion of this improvement between the time of approval of the tentative improvement and the time of final approval of the improvement, except as required by the City Engineer.
60. All public improvements, including but not limited to, streets, sewer, water, storm drain, traffic systems, traffic control, and street repairs shall be constructed in accordance with the most recent edition of the City of Fountain Valley Public Works Standard plans.
61. Provide improvement plans as prepared by a Registered Civil Engineer for all improvements. The plans shall be 24 in. by 36 in. mylar with an appropriate engineering scale (1"=10', 1"=20', 1"=40'). The plans shall include, but not be limited



to, paving, sidewalk, curb, gutter, street lighting and all underground utilities. Underground utilities shall include, but not be limited to: electrical, communications, street lighting, gas, sewer, water and appropriate storm drain facilities. The design, layout and location of the gas, electrical, communications and street lighting shall be in accordance with the requirements of the respective utility company.

62. The developer shall provide complete "as-built" plans on 24"x36" of the appropriate scale mylar and electronic format AutoCad, latest version, in accordance with City standards prior to Public Works approval to release utilities and certificate of occupancy.
63. Prior to securing permits, complete landscaping plans prepared and signed by a California licensed landscape architect shall be approved by the Public Works and Planning Directors. The plans shall be on 24"x36" mylar with a scale to be consistent with the site plans.
  - a. Prior to the issuance of the Certificate of Occupancy, developer shall provide a certificate of substantial completion signed and sealed by the licensed landscape architect of record confirming the landscaping and irrigation system have been installed per approved plans.
64. Without credit, provide for street improvements including, but not limited to, curbs, gutters, street paving, traffic control devices, ADA accessible driveway approaches, ADA curb ramps, and sidewalks within the public right-of-way.
65. Install a reduced pressure principle device on the domestic water supply line to the buildings as required by the City Engineer.
66. Install approved backflow devices for irrigation systems as required by the City Engineer.
67. When building is required to be fire sprinklered, the developer shall install a double check detector check valve assembly as required by the Fire Marshal and City Engineer.
68. All vehicular access shall conform to the City of Fountain Valley standard plans and specifications and shall be subject to final approval of the City Engineer.
69. Comply with the applicable provision of City ordinances concerning payment of fees or assessments, zoning regulations and subdivision development. All fees and assessments must be paid prior to the approval of the improvement plans and issuance of any permits.
70. Pay a Traffic Impact Fee based on land use per the Council approved Master Fee Schedule Update on February 2, 2021 in the amount of:
  - Commercial - \$0.44 per Square Foot
71. Pay \$4.65 per front foot for the existing waterline in Talbert Avenue accordance with Title 14 of the FVMC.

72. Pay a Median Beautification Fee in the amount of 8.54 per front foot for medians on Talbert Avenue in accordance with Title 20 of the FVMC.
73. Pay Development Fees prior to permit issuance.
74. Relocate existing water meter on Third Street to private property.
75. Ensure proposed drive approaches comply to City Standards.
76. Relocate existing tree well.

Public Works – Environmental Division

77. All new development and significant redevelopment shall comply with the requirements of the Fountain Valley Municipal Code 21.18.120, the provisions of Chapters 14.40 and 18.06 of this code, the City's Local Implementation Plan (LIP) and NPDES Order No. R8-2009-0030 (NPDES No. CAS 618030) to reduce and or eliminate the discharge of pollutants in urban and storm water runoff.
78. The Developer shall integrate Best Management Practices to ensure compliance with NPDES guidelines and the City's Stormwater Management Ordinance, FVMC 21.18.120, prior to the issuance of the grading permit. The design, implementation, construction activities and maintenance of the management devices shall mitigate and reduce pollutants in storm water discharges to the maximum extent practicable.
79. The project's demolition activities shall comply with the City's Construction and Demolition Recycling Program (C&D Recycling Program). Complete the following steps in order to create your Construction Waste Management Plan (CWMP).
80. Complete and submit the Construction Waste Management Plan (CWMP) before any Building permits have been issued.
81. Identify which authorized recycling/transfer hauling facility you will be using.
82. Save and submit to the City the weight ticket(s) indicating Construction & Demolition (C&D) and or Construction Demolition Public (CDP) and/or Diversion Report for review.
83. All projects will be signed off when all weight tickets demonstrate compliance and include the following information per the City of Fountain Valley Municipal Code 6.09.
84. Trash Enclosures areas must comply with State Recycling Regulations. Each enclosure shall provide sufficient area for the collection of refuse and recyclable materials. Trash containers shall be enclosed to prevent discharge of trash, and be equipped with lids or screened, roofed or walled, and runoff should be diverted around trash areas to avoid flow through. Trash enclosure drainage if any should be directed to vegetative areas whenever feasible.

**CITY OF FOUNTAIN VALLEY**  
Planning Department  
10200 Slater Avenue, Fountain Valley, CA 92708  
714-593-4425 – fountainvalley.org

## Notice of Exemption

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**TO:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**FROM:** City of Fountain Valley  
10200 Slater Avenue  
Fountain Valley, CA 92708

County Clerk  
County of Orange  
12 Civic Center Plaza  
Santa Ana, CA 92701

Project Title: Chew Chew Dental - Precise Plan 583

Project Location/Address: 9080 Talbert Avenue

Project Activity/Description: Precise Plan for the construction of a new 2,980 sf building and associated parking for a new dental office located at 9080 Talbert Avenue.

---

Public Agency Approving Project: **City of Fountain Valley, Orange County, California**

Project Applicant: VT Design Specialties, Inc.

Project Applicant's Address: 14542 Harper St. Midway City, CA 92655 Phone Number: (714) 478-8665

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Exempt Status: **(check one):**

☐

Ministerial (Sec. 21080 (b)(1); 15268);

☐

Declared Emergency (Sec. 21080 (b)(3); 15269 (a));

☐

Emergency Project (Sec. 21080 (b)(4); 15269 (b) (c));

☒

Categorical Exemption. State type and section number: 15303

☐

Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt: This request is exempt from CEQA pursuant to Section 15303. The proposed development includes the construction of a small

scale, single-story 2,980 sf medical office building with little to no hazardous substances and associated parking lot. The C1 zoned property is located within an urbanized area per Title

14 of the California Code of Regulations (§15387). The property includes existing infrastructure, and all public services would be provided for the site. Lastly, the site is not habitat for protected species

identified as candidate, sensitive, or species of special status by a state or federal agency, protected by the Endangered Species Act, California Endangered Species Act, or the Native Plant Protection Act

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### Lead Agency

Contact Person: Steven Ayers, Principal Planner Contact Phone: (714) 593-4431

### If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?: ☐ Yes ☐ No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

☒

Signed by Lead Agency

☐

Signed by Applicant





# Request for Planning Commission Action

**TO:** Planning Commission

**DATE:** September 9, 2026

**FROM:** Contract Planner, Thomas Carter

**SUBJECT:** QUE VIDA TAQUERIA – CONDITIONAL USE PERMIT NO. 1945

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Location: 18517 Brookhurst Street  
(Southwest corner of Brookhurst St. and Ellis Ave.)

APN: 157-033-33

Zoning: C1 – Local Business

General Plan: General Commercial

Project Applicant: Que Vida Taqueria  
18517 Brookhurst Street  
Fountain Valley, CA 92708

Proposal:

Que Vida Taqueria has submitted a request for a Large Format Restaurant with a Type 47 “On-Sale – Eating Place” alcoholic beverage control (ABC) liquor license for the existing restaurant located at 18517 Brookhurst Street (“Project”).

Code Requirement/History:

Per Fountain Valley Municipal Code (FVMC) 21.90.020(18), “Restaurant, small format” is defined as establishments with seventy-five seats or less and “Restaurant, large format” as establishments with seventy-six seats or more. Per FVMC Section 21.10.030 Table 2-6, Small Format Restaurants are permitted by right and Large Format Restaurants must obtain approval of a Conditional Use Permit (CUP) to operate within the C1-Local Business zone. Moreover, FVMC 21.10.060(c) establishes that small format restaurants serving alcohol, other than beer and wine, shall require issuance of a CUP.

The existing restaurant, Que Vida Taqueria, has been operating for a little over a year under the approval of a Small Format Restaurant Permit which allows for a restaurant with 75 seats or less and the sale of beer and wine by right. The proposal of a Type 47 license for the existing restaurant with 76 seats or more requires approval of a Conditional Use Permit.

Discussion:

The applicant has submitted a request for a Conditional Use Permit to add a Type 47 ABC Liquor License to their existing restaurant located at 18517 Brookhurst Street (Attachment #1).

Que Vida is a modern Mexican restaurant providing a full-service dining experience. The 3,160 square foot restaurant accommodates a kitchen and preparation area that comprises roughly 20% of the tenant space (Attachment #2). The remaining tenant space will be comprised of 74 customer seats located within the interior of the restaurant and 24 seats on the patio (Attachment #3). The semi-enclosed front patio area originally approved by Rubios per Resolution 99-40, extends approximately 27ft from the façade of the tenant space. The front of the restaurant includes two (2) bifold doors that are open during operating hours and shut during non-operating hours. Proposed hours of operation are from 10:00 am to 10:00 pm, seven (7) days a week (Attachment #3).

Que Vida Taqueria was previously approved for a Small Format Restaurant Permit with beer and wine on April 10<sup>th</sup>, 2025. This permit allows small-format restaurants to offer on-premises beer and wine sales, provided they have little to no negative impact on the surrounding commercial center or nearby noise-sensitive residential areas. Operation is subject to all rules and conditions set by the Planning, Building, Police, Fire, and Public Works departments. Additionally, the restaurant must comply with all requirements of a Type 41 ABC License.

The applicant is requesting a CUP to upgrade their current Type 41 ABC License to a Type 47 general alcohol liquor license to offer their guests more dining options. The restaurant is located approximately 200 feet away from the multi-family homes to the east and approximately 650 feet away from the single-family homes to the west. Staff feels there is sufficient buffer space provided between residential use and the restaurant and the proposed project will not negatively affect nearby residents.

As proposed, alcohol consumption would be permitted within the interior of the restaurant as well as the existing outdoor patio area. Staff has included specific conditions of approval to help reduce any potential negative effects the proposed ABC license may have to the commercial center and the adjacent properties which include:

- Areas in which alcoholic beverages would be served shall comply with the standards established by the State Department of Alcoholic Beverage Control.
- The Applicant shall post a prominent, permanent sign or signs stating, "No person under 21 will be served alcoholic beverages" and "Valid ID is required to purchase alcoholic beverages." These signs shall be installed and verified by staff prior to city zoning clearance is given to the Department of Alcoholic Beverage Control.
- Applicant shall provide signage placed inside the edge of the restaurant patio area and at all exist stating "No Alcoholic Beverages Beyond this Point". The signage shall be subject to review and approval of the Community Development Director.
- Restaurant owner shall ensure all pertinent employees have obtained Licensee Education on Alcohol and Drugs (LEAD) Certificates and copies of such certificates shall be kept on-site and made available for inspection by a public official upon request.

- Regular menu food service shall be required to be served at all hours that the establishment is open for business.
- The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. Applicants shall submit proof of sales of the same upon request by the City.
- The operator will ensure that there will be no drinking and/or loitering in the parking lot or within one hundred feet of the establishment.
- No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
- All requirements of a Type 47 ABC License and the City shall be observed at all times and such requirements shall be a condition of approval. The surrender, lapse, termination, suspension, or payment of a fine in lieu of suspension/termination, of the Alcoholic Beverage License issued for the site by the ABC shall be grounds for revocation of the CUP.
- There shall be no exterior advertising of any kind or type, including advertising directed to the exterior from within or on the outdoor dining fencing, promoting, or indicating the availability of alcoholic beverages on the premises.
- The windows of the business shall be free of any obstruction, tinting, or painting, except for windows signage as permitted by the Fountain Valley Sign Code.
- This approval shall include a Type 47, “On-Sale General – Eating Place” ABC License.

With conditions of approval from the Planning, Building, Fire, Public Works, and Police Departments, staff supports the applicants request as submitted (Attachment #4).

Environmental Clearance:

The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city’s environmental review procedures and can be determined categorically exempt pursuant to Class 1, Existing Facilities, Section 15301 (Attachment #5).

Notice Furnished:

Public hearing notices were mailed to all property owners and commercial tenants within 1,000 feet of the subject property. The item was published in the Orange County Register, and notices were posted at City Hall and the Recreation Center.

Alternatives:

1. Adopt Resolution No. 26-13 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Conditional Use Permit No.



1945 to allow for a Large Format Restaurant with a Type 47 on-sale General Eating Place ABC license for the restaurant located at 18517 Brookhurst Street.

2. Continue the request and direct staff to prepare resolutions for denial.
3. Continue this request for additional information.

Recommended Action:

Staff recommends that the Planning Commission adopt Alternative #1: Adopt Resolution No. 26-13 adopting a Notice of Exemption in accordance with the California Environmental Quality Act (CEQA) and approving Conditional Use Permit No. 1945 to allow for a Large Format Restaurant with a Type 47 on-sale General Eating Place ABC license for the restaurant and patio located at 18517 Brookhurst Street.

Prepared By: Thomas Carter, Contract Planner

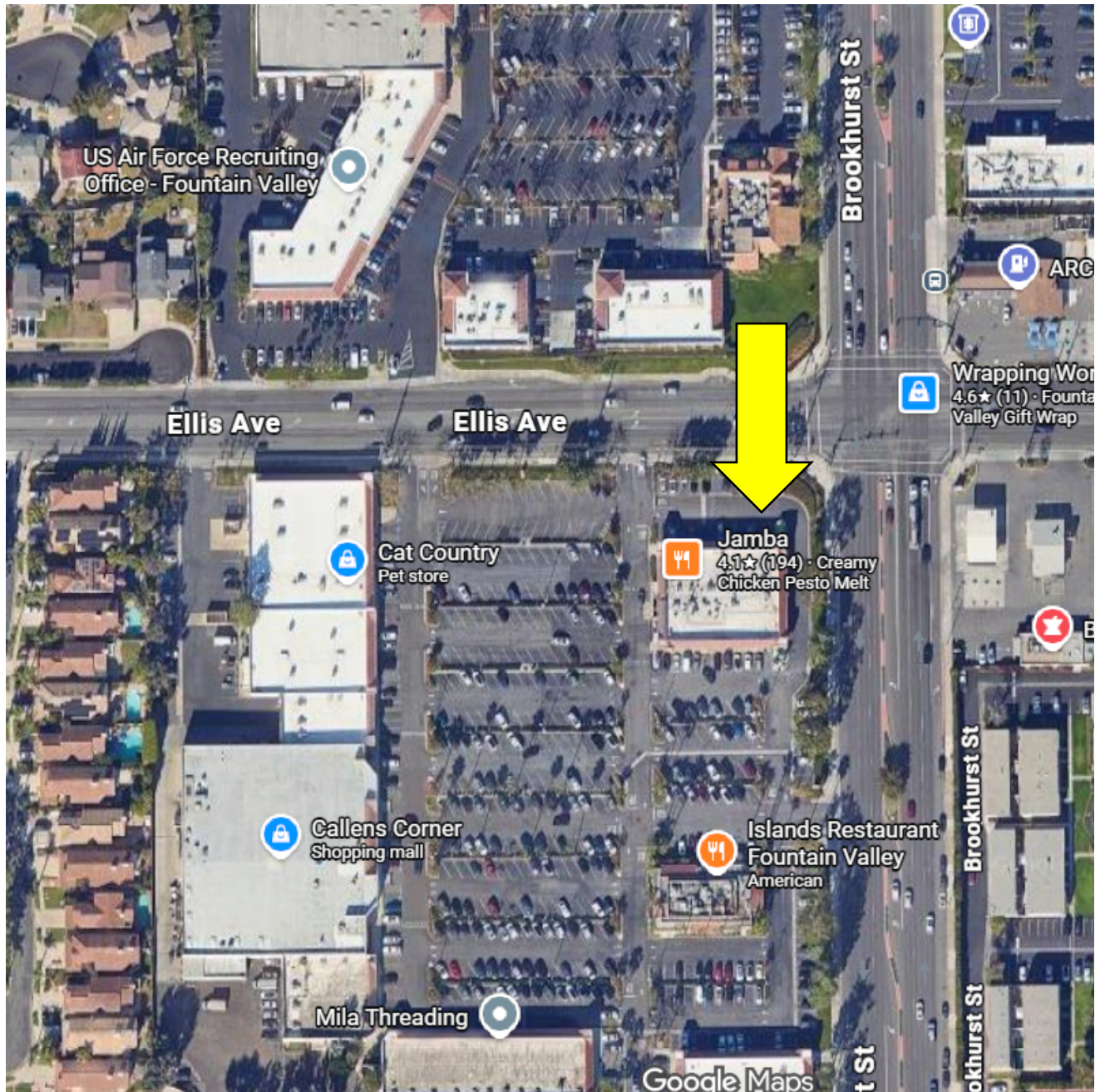
Approved By: Omar Dadahboy, Deputy City Manager/Community Development Director

Attachments: 1. Vicinity Map  
2. Project Description Letter  
3. Project Plans  
4. Resolution No. 26-13 with Conditions of Approval  
5. Notice of Exemption

Vicinity Map

Conditional Use Permit 1945

Que Vida Taqueria Restaurant



18517 Brookhurst Street



Que Vida Taqueria is a made from scratch Taqueria serving authentic regional tacos of Mexico. Everything is made from scratch daily in house and never store bought.

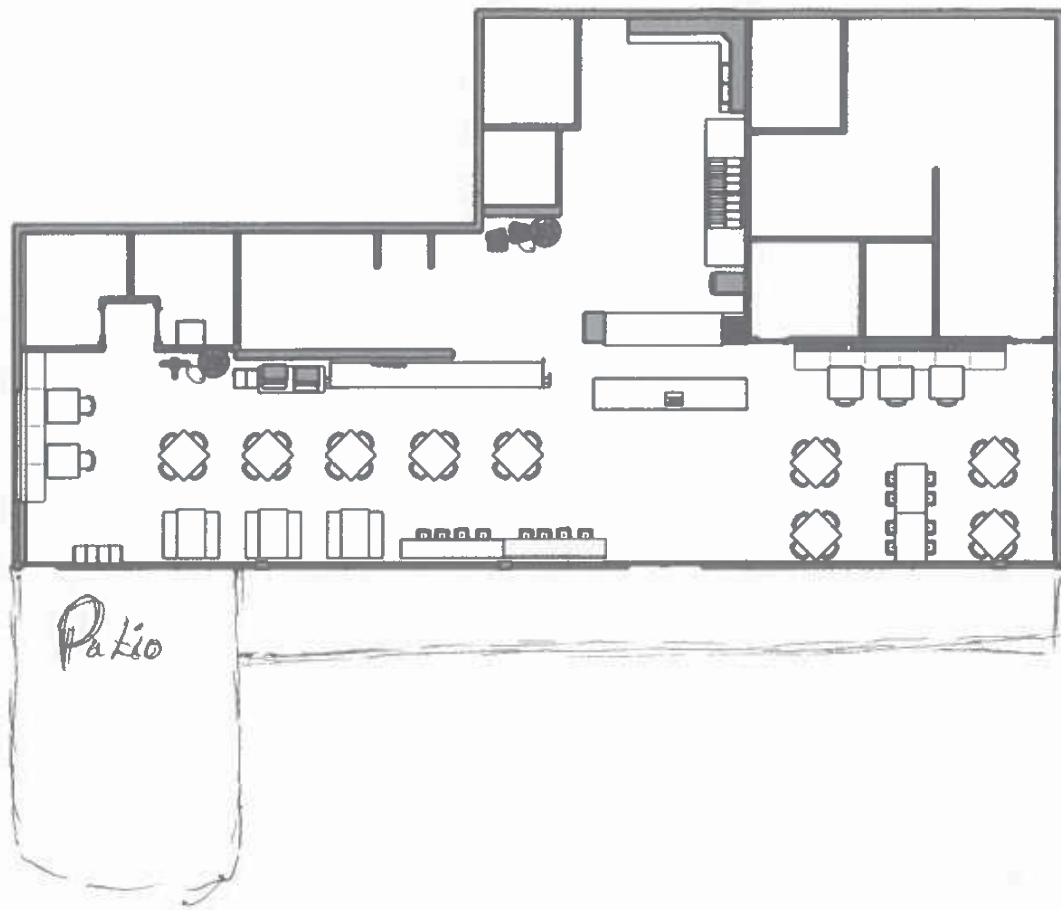
Que Vida Taqueria is located at 18517 Brookhurst st. in Fountain Valley California. The restaurant is located on the corner of Brookhurst and Ellis in the Callens Corner shopping Center.

Que Vida Taqueria currently serves beer and wine alongside the full food menu. The full menu includes everything from Tacos, Burritos, Nachos, Asada Fries, Breakfast items, to Combo Plates.

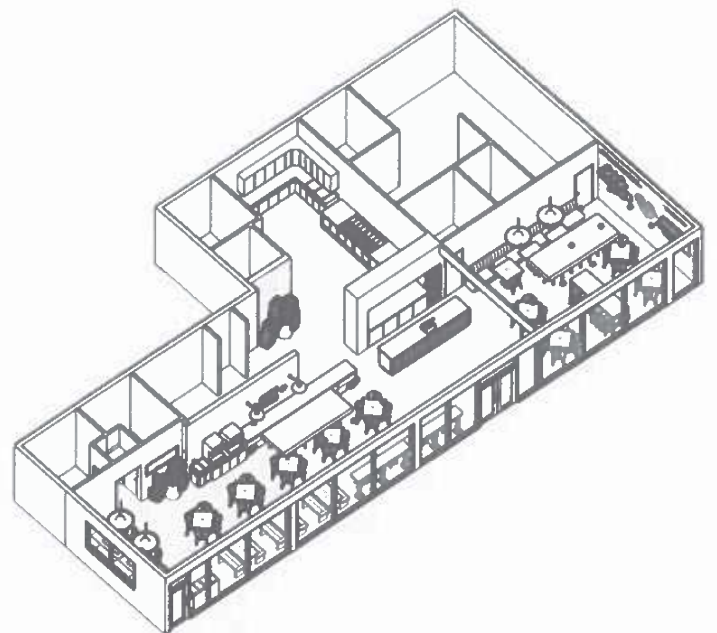
The purpose of this application is to update the CUP and upgrade to a Type 47 Liquor License. Allowing the restaurant to serve Margaritas to their Patrons.

Hours of Operation are Monday-Sunday From 10am-10pm.





Date: 9/9/26



**CITY OF MOUNTAIN VALLEY  
REVISED  
FOR CODE COMPLIANCE**

These use of powers and specifications shall not be interpreted as  
altering actual measurements but are included instead as all laws  
regulations by this state shall be given maximum weight and  
this document is a guide to a variety of laws, regulations, and  
specifications and to maintain it as a guide to all aspects of  
the construction of any structure or any of its parts or any  
particular or any particular part of any structure, to  
ensure the proper construction of any structure or any particular part of any  
structure that may be used.

David Duggan 04-10-2008



**DESIGN**  
PHD  
PETER MADDAO  
1625 ALABAMA STREET  
HUNTINGTON BEACH, CA 92648  
1711 330-8744

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**TENANT / BUSINESS OWNER**  
QUE VIDA TACOS  
BRYAN BEMFORD  
1895 BROOKDALE AVE  
POUNTER VALLEY, CA 92708  
949 375-5488

## SCOPE OF WORK

INDEX

[illegible][illegible]

## SITE DATA

|                      |                 |
|----------------------|-----------------|
| ZONE                 | GC              |
| TYPE OF CONSTRUCTION | Y &             |
| NO. OF STORES        | 1               |
| BUILDING HEIGHT      | 18'-0"          |
| FIRE SPRINKLER       | NO              |
| OCCUPANCY            | A-2, RESTAURANT |

| RUFE                | AREA           | RATIO | FOOTPRINT | SQ-FOOTAGE | NO OF RUMPS |
|---------------------|----------------|-------|-----------|------------|-------------|
| <b>SUB AREA TWO</b> |                |       | <b>A</b>  |            |             |
| DORMS               | 600 SF         | 18    |           | 90         |             |
| KITCHEN             | 1000 SF        | 200   |           | 0          |             |
| BATHROOMS           | 200 SF         | -     |           | -          |             |
|                     |                |       |           |            |             |
|                     |                |       |           |            |             |
|                     |                |       |           |            |             |
|                     |                |       |           |            |             |
|                     |                |       |           |            |             |
|                     |                |       |           |            |             |
| <b>TOTAL</b>        | <b>2000 SF</b> |       |           | <b>90</b>  | <b>0</b>    |

[illegible]

APN: -  
 ▲ PROJECT LOCATION  
 1851 BROOKHURST AVE  
 POUNTAIN VALLEY, CA

|   |                                       |
|---|---------------------------------------|
| 1 | P105T 0000177AL                       |
| 2 | BLO, E. P. J. 0000177AL<br>05/01/2025 |
| 2 | BLO, E. P. J. 0000177AL<br>05/01/2025 |
| 4 |                                       |
| 5 |                                       |



**Peter Haddad**  
 Director of Operations

REFERENCE SITE PLAN



PARTIAL SITE PLAN







## RESOLUTION NO. 26-13

A RESOLUTION OF THE FOUNTAIN VALLEY PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 1945 FILED BY QUE VIDA TAQUERIA FOR A LARGE FORMAT RESTAURANT WITH A TYPE-47 "ON-SALE – EATING PLACE" ALCOHOLIC BEVERAGE CONTROL LIQUOR LICENSE FOR THE EXISTING RESTAURANT LOCATED AT 18517 BROOKHURST STREET

WHEREAS, an application for Conditional Use Permit No. 1945 was submitted by Que Vida Taqueria for a Large Format Restaurant with a Type 47 "On-Sale – Eating Place" ABC liquor license for the existing restaurant located at 18517 Brookhurst Street; and

WHEREAS, the Fountain Valley Planning Commission considered said application at its noticed public hearing on September 9, 2026; and

WHEREAS, the Planning Commission has imposed conditions, pursuant to the Conditional Use Permit process, which mitigates potential negative effects of the proposed project; and

WHEREAS, the Planning Commission has determined that the proposed Conditional Use Permit is consistent with the Fountain Valley General Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

### SECTION 1

The Planning Commission finds that due notice of the public hearings in the Council Chambers, City Hall, 10200 Slater Avenue, was given as required by the Fountain Valley Municipal Code (FVMC), Title 21, and the Statutes of the State of California.

### SECTION 2

Findings and Supporting Facts: - The Planning Commission finds that the subject application meets the criteria for a Conditional Use Permit found in Chapter 21.36 of the Fountain Valley Municipal Code as follows:

1. The proposed use is allowed within the C1 zoning district with the approval of a Conditional Use Permit and complies with all other applicable provisions of the Development Code and the Municipal Code.

*The proposed restaurant is an allowed use in the C1 zoning district subject to the Planning Commission's approval of a Conditional Use Permit as a large format restaurant with 75 seats or more. The proposed on-site sale of alcohol (Type 47 On -Sale – Eating Place) is an allowed use in the C1 zoning district subject to the Planning Commission's approval of a Conditional Use Permit.*



2. The proposed use is consistent with the actions, goals, objectives, and policies of the General Plan and any applicable specific plan.

*The proposed use will promote the General Plan Goal LU-1 by permitting a full-service restaurant use with alcohol that would promote a dynamic activity center while preserving conventional commercial uses.*

*In addition, the proposed use will require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods (General Plan Goal/Policy LU-1.1). The proposed use would be located approximately 200 feet away from the multi-family homes that are located across Brookhurst Street to the east and approximately 650 feet away from the single-family homes to the west.*

3. The design, location, shape, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

*The design, location, shape, size, and operating characteristics of the large-format restaurant with alcohol use is compatible with the existing and future land uses in the multi-tenant shopping center. Alcohol consumption would comply with ABC requirements and speakers would not be permitted on the outdoor patio.*

4. The subject site is physically suitable for the type and density/intensity of use being proposed including the provision of public access (e.g., width and pavement type), facilities, and utilities (e.g., drainage, fire protection, sewers, water), shape, size, the absence of physical constraints, and compatibility with adjoining land uses.

*The Planning Commission approved Precise Plan No. 385 for the construction of Callens Corner Retail center in 1988. The intended use of the building was for occupancy of a restaurant use, and at that time, staff analyzed the development including the parking against the City's development standards. The subject site is physically suitable for the type and intensity of the proposed restaurant. The use will comply with public access, facilities, and utility requirements and is compatible with adjoining land uses. Sufficient vehicle and pedestrian access is provided from both Brookhurst Street and Ellis Avenue to the restaurant. Sufficient facilities as well as drainage, fire protection, sewers, and water utilities are provided to the freestanding building.*

5. Granting the Conditional Use Permit would not be detrimental to the public convenience, health, interest, safety, or welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

*The proposed large-format restaurant, with a Type 47 ABC license, will be located in the existing freestanding building in an existing shopping center. The conditions of approval included in this resolution help to ensure the proposed use would not be detrimental to the public convenience, health, interest, safety, or welfare as conditions of approval will help reduce any negative impacts to surrounding uses. Additional conditions have been included regarding the sale and consumption of*



*alcohol to protect the adjacent people and property in the vicinity, including terminating the sale of alcohol 30 minutes prior to closing.*

6. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's Environmental Review Procedures.

*The proposed project has been reviewed in compliance with CEQA and is categorically exempt per Section 3 below.*

7. By signing this Resolution, the applicant has demonstrated his/her understanding of the conditions imposed in the Conditional Use Permit (attached as Exhibit 1 herein) granted to him/her and has agreed on the record to abide by those conditions.

### SECTION 3

The Planning Commission finds that the proposed project can be determined categorically exempt pursuant to Class 1 (Section 15301 – Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. The Project will establish and operate a 3,186 square foot, large-format restaurant with a Type 47 ABC license with hours of operation from 10:00 am until 10:00 pm, located in the existing shopping center at southwest corner of Brookhurst Street and Ellis Avenue, at 18517 Brookhurst Street.

### SECTION 4

The Planning Commission hereby approves Conditional Use Permit 1945 for a Large Format Restaurant with a Type 47 "On-Sale – Eating Place" alcoholic beverage control liquor license for the existing restaurant located at 18517 Brookhurst Street, with Conditions of Approval included as Exhibit A to this Resolution.

PASSED, APPROVED AND ADOPTED THIS 9TH DAY OF SEPTEMBER, 2026

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

BY SIGNING THIS PERMIT, THE PERMITTEE ACKNOWLEDGES ALL OF THE CONDITIONS IMPOSED AND ACCEPTS THIS PERMIT SUBJECT TO THOSE CONDITIONS AND WITH THE FULL AWARENESS OF THE PROVISIONS OF CHAPTER 21.36 OF THE FOUNTAIN VALLEY MUNICIPAL CODE.

BY SIGNING THIS RESOLUTION, THE APPLICANT ACKNOWLEDGES ACCEPTANCE OF THE BENEFITS OF THE CONDITIONAL USE PERMIT AND AGREES TO WAIVE ANY RIGHT TO LATER CHALLENGE ANY CONDITION(S) IMPOSED AS UNFAIR, UNNECESSARY, OR UNREASONABLE.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Sign/Print

## **EXHIBIT A**

### **CONDITIONS OF APPROVAL**

Conditional Use Permit No. 1945

Que Vida Taqueria  
18517 Brookhurst Street  
Fountain Valley, CA

The following Conditions of Approval [COA] apply to this Conditional Use Permit (CUP). The COA's are specific conditions applicable to the proposed project. The property owner is responsible for the fulfillment of all conditions and standard development requirements, unless specifically stated otherwise.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, permittee expressly accepts and agrees to comply with the following Conditions of Approval of this Permit:

#### **Planning Department Conditions**

1. The floor plans and site plan dated September 9, 2026 (attached as Attachment #3 to the staff report for this project) have been reviewed and approved by the Planning Commission.
2. The activities of business covered by the approved CUP are those described in this Resolution, the accompanying staff report, and as listed in the description letter (attached as Attachment #2 to the staff report for this project).
3. The number of persons shall not exceed the maximum occupancy load as determined by the Fire Department. If required by the Fire Department, signs indicating the occupant load shall be posted in a conspicuous place near the main entrance and must be posted prior to final inspection and prior to issuance of a certificate of occupancy.
4. Signs for this facility shall comply with the approved Sign Program for the Shopping Center.
5. The general hours of operation shall be from 10:00 am until 10:00 pm, seven (7) days per week.
6. Alcoholic beverages may be served to and consumed by patrons located inside the primary building and in the outdoor patio area, subject to all State Alcoholic Beverage Control (ABC) requirements. Consumption and/or sale of alcoholic beverages shall not be permitted beyond the restaurant premises.
7. The applicant shall ensure all pertinent employees have obtained Licensee Education on Alcohol and Drugs (LEAD) Certificates and copies of such certificates shall be kept on-site and made available for inspection by a public official upon request.

8. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
9. There shall be no exterior advertising of any kind or type, including advertising directed to the exterior from within or on the outdoor dining fencing, promoting, or indicating the availability of alcoholic beverages on the premises.
10. Areas in which alcoholic beverages would be served shall comply with the standards established by the State Department of Alcoholic Beverage Control.
11. All requirements of a Type 47 ABC License and the City shall be observed at all times and such requirements shall be a condition of approval. The surrender, lapse, termination, suspension, or payment of a fine in lieu of suspension/termination, of the Alcoholic Beverage License issued for the site by the ABC shall be grounds for revocation of the CUP.
12. The Applicant shall post a prominent, permanent sign or signs stating, "No person under 21 will be sold alcoholic beverages" and "Valid ID is required to purchase alcoholic beverages." These signs shall be installed and verified by staff prior to city zoning clearance is given to the Department of Alcoholic Beverage Control.
13. Applicant shall provide signage placed inside the edge of the restaurant patio area and at all exits stating "No Alcoholic Beverages Beyond this Point". The signage shall be subject to review and approval of the Community Development Director.
14. This approval shall include a Type 47, "On-Sale General – Eating Place" ABC license.
15. Alcoholic beverages shall be stored, kept and/or prepared in the interior of the restaurant building.
16. Regular menu food service shall be required to be served at all hours that the establishment is open for business.
17. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. Applicant shall submit proof of sales of the same upon request by the City.
18. The operator will ensure that there will be no drinking and/or loitering in the parking lot or within 100 feet of the establishment.
19. Applicant shall provide signage placed inside the edge of the restaurant patio area and at all exits stating, "No Alcoholic Beverages Beyond this Point". This signage shall be subject to the review and approval of the Community Development Director.
20. The hours of operation shall be restricted to the hours from 10:00 am to 10:00 pm, seven (7) days a week. Service of alcohol shall cease 30 minutes prior to closing. The applicant shall provide signage indicating the last service for alcohol is 9:30 pm.
21. The windows of the business shall be free of any obstruction, tinting or painting, except for window signage as permitted by the Fountain Valley Sign Code.



22. The door leading to the outdoor patio shall remain closed except for the temporary passage of customers and employees from the main dining area to the patio. The door shall not be braced to be in an open position except for emergencies or between the hours of 10:00 pm and 7:00 am. The single point of entry for customers and employees shall be in the area labeled "Entry" on the floor plan.
23. To maintain the cleanliness of the shopping center, the petitioner shall be responsible for maintaining the area adjacent to their premises over which they have control free of litter and graffiti.
24. Conditional Use Permit No. 1945 shall be approved and in effect for a period of 12 months from the original date of approval by the City Council, and/or Planning Commission. If no development has commenced at the end of this 12-month time period, project approval shall expire and be determined void. A one-year extension may be granted at the discretion of the Community Development Director. A request for an extension of time should be made in writing by the applicant thirty (30) days prior to the expiration date.

Date of Project Approval: September 9, 2026

Date of Project Expiration: September 9, 2027

25. The resolution is not effective unless it is signed by the applicant indicating and acknowledging his/her understanding of the conditions imposed herein. The failure of the applicant to sign this permit in no way shall be deemed to confer any greater rights than are contained in this permit.
26. By signing and accepting the resolution, the applicant accepts the benefits conferred by the permit subject to the conditions imposed therein. By accepting the right to operate pursuant to the permit, the applicant waives all rights to challenge any condition imposed as unfair or unreasonable.
27. The applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees, from all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by City's active negligence. The applicant shall provide a copy of conditions of approval to each manager and to all employees.
28. The applicant shall comply with all federal, state, and local laws. Violations of any of those laws in connection with the use will be cause for revocation of this permit.
29. Violation of any condition of approval shall be a misdemeanor.
30. No off-site parking shall be allowed. Customers and employees of the establishment shall be required to park their vehicles at the Callens Corner shopping center.
31. The Community Development Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved

condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of the Fountain Valley Municipal Code.

32. Applicant shall comply with FVMC 21.24.110(27) which prohibits vehicle signs for the principal purpose of advertising a business.
33. No satellite dishes greater than 2.2 meters shall be installed on the subject property without approval of the Planning Commission.
34. All new and/or replaced roof-mounted mechanical equipment (air conditioning, heating, ventilation ducts, exhaust, etc.) shall be screened from the view of adjacent properties and rights-of-way as specifically approved by the Community Development Director. Roof treatment shall be common to the building and extended to all four (4) building elevations.
35. The exterior lighting shall be scheduled to direct the light downward away from the residential properties. If needed, light shielding may be installed to prevent light spillage onto adjacent properties. No additional exterior lighting is to be added unless a photometric study concludes the added lighting will have zero lighting shed impact on adjacent properties.
36. Street and unit numbers are to be maintained in such a manner as to be plainly visible and shall not be hidden from view by trees, shrubs, bushes, etc., and other obstructions on the property. Street numbers shall be located and be a minimum size so that they are clearly visible from the street and be maintained on the front and rear doors. All numbers shall not be less than 6 in. in height and 2 in. in stroke and be of contrasting color from the background. Street and unit numbers must be installed prior to issuance of a certificate of occupancy.
37. All non-refrigerant trucks shall not sit idling and shall be turned off when loading and unloading.
38. Truck delivery materials and goods shall not be stored outside of the building and shall be moved to the inside of the building expeditiously upon delivery.
39. Speakers shall not be permitted on the outside patio.
40. The conditions herein contained shall run with the property and shall be binding on the applicant, and all heirs, executors, administrators, and successors in interest to the real property that is the subject of this approval.

#### Public Works Conditions

41. Grant no easement over any portion of this improvement between the time of approval of the tentative improvement and the time of final approval of the improvement, except as required by the City Engineer.

42. All public improvements, including but not limited to, streets, sewer, water, storm drain, traffic systems, traffic control, and street repairs shall be constructed in accordance with the most recent edition of the City of Fountain Valley Public Works Standard plans.
43. When building is required to be fire sprinklered, the developer shall install a double check detector check valve assembly as required by the Fire Marshal and City Engineer.
44. All vehicular access shall conform to the City of Fountain Valley standard plans and specifications and shall be subject to final approval of the City Engineer.
45. Comply with the applicable provision of City ordinances concerning payment of fees or assessments, zoning regulations and subdivision development. All fees and assessments must be paid prior to the approval of the improvement plans and issuance of any permits.

#### Building Department Conditions

46. Install, maintain and provide for all California Disabled Access compliance per the California Building Code and the Division of State Architect. No encroachment into the disabled path of travel is allowed under any condition with the exception of emergency vehicles and personnel.
47. Projects must comply with the California Code of Regulations, Title 24; Fountain Valley Ordinances, and California law in effect at the time of plan submittal.
48. As deemed necessary by the Building Official, a grease interceptor shall be installed and sized per Section 1014 of the California Plumbing Code as adopted by the City of Fountain Valley and in conformance with Chapter 14.38 of the Fountain Valley Municipal Code.
49. Grease interceptors are to be maintained in proper working order. Interceptors are to be inspected and accumulated fats, oils, and grease removed every three months at minimum. High use and/or production of fats, oils or grease may mandate more frequent treatment. Records must be generated and remain onsite for all maintenance procedures for a minimum of three years. Records shall be made available upon request to Orange County Environmental Health Care Agency representatives and City Officials. Operation and maintenance shall comply with Fountain Valley Municipal Code Chapters 14.36, Sewers; and Chapter 14.40, Stormwater Regulations.

#### Fire Department Conditions

50. Code. Group A2 Occupancies shall comply with 2022 California Fire Code (CFC), 2022 California Building Code (CBC), and current Fountain Valley Municipal Code (FVMC).
51. Premise Identification. Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the

street or road fronting the property. CFC 505.1

52. Portable Fire Extinguishers. Provide one 2A10BC State Fire Marshal tagged fire extinguisher for every 3000 square feet of floor area. Travel distance not to exceed 75 feet. CFC 906.3
53. Combustible Materials. All drapes, hangings, curtains, drops and all other decorative material, including Christmas trees that would tend to increase the fire and panic hazard. These materials may also include natural and artificial decorative vegetation. These materials shall be made from a nonflammable material or shall be treated and maintained in a flame-retardant condition by means of a flame-retardant solution or process approved by the State Fire Marshal. The State Fire Marshal seal shall be attached to these items or a certificate of flame retardancy shall be provided to the Fire Department. CCR Title 19, Division 1, Section 3.08
54. CO2 storage. If more than 100 lbs. of CO2 storage is used, the following requirements apply.
  - a. Provide a monitoring system for CO2 storage.
  - b. See CFC Section 5307, California Health and Safety Code 6.95 and NFPA 55.
  - c. Submit plans to FVFD and FVBD.
  - d. An annual fire permit will be required.
  - e. Electronic filing with the state website "CERS" is mandatory.
  - f. An assembly permit will be issued after final inspection and every year thereafter.
55. Permits. Secure a permit to operate a Public Assembly from the Fire Department. CFC 105
56. Exits or exit access doorways. Where two exits or exit access doorways are required from any portion of the exit access, the exit doors or exit access doorways shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measuring a straight line between exit doors or exit access doorways. CFC [B] 1015.2.1
57. Panic and fire exit hardware. Doors serving rooms or spaces with an occupant load of 50 or more in a Group A occupancy, shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware listed in accordance with UL 305. CFC [B] 1008.1.10

#### Police Department Conditions

58. Penal Code Section 313.1(e) regulates the display of harmful matter. The applicant acknowledges that he has read, understood and agreed to abide by same.
59. The business shall comply with Labor Code Section 6404.5 prohibiting smoking in restaurants and public places, such as eating establishments and shall install "No Smoking" signage per the provisions of this statute.
60. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access with an illumination of not less than ten (10) foot candle as measured at the floor level.



61. Three or more sustained complaints within any one-year period received by the Fountain Valley Police Department regarding disturbances which have been caused by the business located at 18517 Brookhurst Street may be grounds for revocation proceedings.
62. Install, and maintain in proper working order, security cameras around the premises. These cameras should include, but are not limited to, visual coverage of the areas available to the public on the inside of the restaurant, as well as the parking area in front and behind of the restaurant. These cameras will have high resolution and low-light capability; video from all cameras will be recorded and made available to the Police Department upon request. A video camera plan shall be included in the applicant's plan check submittal to the Building Department and security cameras shall be installed prior to issuance of certificate of occupancy.
63. Permittee acknowledges that Education Code Section 48200 et. seq. provides that persons between the ages of 6 and 18 are subject to compulsory education and are required to be in school unless exempted. Permittee agrees not to allow the business to become a "hang out" for truants and agrees not to allow youths to congregate or otherwise loiter in or around the business. Permittee shall take reasonable steps to control the conduct of others on this property so that it does not become a nuisance or otherwise disturb the peace and quiet of the neighborhood or peace, health and safety of the community.
64. An alarm system shall be installed and be of a type that sounds a signal when it is activated.
65. The establishment will not provide any video or arcade games.
66. Children under 18 years of age are not allowed during school hours unless accompanied by a parent.

**CITY OF FOUNTAIN VALLEY**  
Planning Department  
10200 Slater Avenue, Fountain Valley, CA 92708  
714-593-4425 – fountainvalley.org

## Notice of Exemption

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**TO:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**FROM:** City of Fountain Valley  
10200 Slater Avenue  
Fountain Valley, CA 92708

County Clerk  
County of Orange  
12 Civic Center Plaza  
Santa Ana, CA 92701

Project Title: Que Vida Taqueria - Conditional Use Permit No. 1945

Project Location/Address: 18517 Brookhurst Street, Fountain Valley, CA 92708

Project Activity/Description: Petition submitted by Bryan Budford on behalf of the business  
to operate an existing restaurant with a Type 47 ABC alcohol license  
in an existing building, located at 18517 Brookhurst Street in the  
Callens Corner shopping center.

Public Agency Approving Project: **City of Fountain Valley, Orange County, California**

Project Applicant: Que Vida Taqueria c/o Bryan Budford

Project Applicant's Address: 18517 Brookhurst Street, Fountain Valley, CA 92708 Phone Number: 949-275-5490

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Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080 (b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080 (b)(3); 15269 (a));
- ☐ Emergency Project (Sec. 21080 (b)(4); 15269 (b) (c));
- ☒ Categorical Exemption. State type and section number: 15301
- ☐ Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt: Section 15301 of the California Environmental Quality Act (CEQA) Guidelines  
which establishes that existing facilities involved in negligible or no expansion of use beyond the previously  
existing are exempt from the provisions of CEQA. The project will allow the existing restaurant  
to sell alcoholic beverages on-premises under a Type 47 ABC License in an existing freestanding building.

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**Lead Agency**

Contact Person: Thomas Carter, Contract Planner Contact Phone: 714-593-4427

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?: ☐ Yes ☐ No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

☒ Signed by Lead Agency ☐ Signed by Applicant