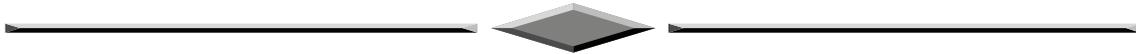


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Jill Arabe, Assistant Planner  
**DATE:** April 29, 2009

**SUBJECT:** **COASTAL DEVELOPMENT PERMIT NO. 2009-003 (ASSOCIATION OF VOLLEYBALL PROFESSIONALS TOURNAMENT)**

**LOCATION:** 285 Pacific Coast Highway, 92648 (oceanside of Pacific Coast Highway, south of Main Street/Pier)



**Applicant:** Dave Williams, AVP Pro Beach Volleyball Tour, 6100 Center Drive, Suite 900, Los Angeles, CA 90045

**Property Owner:** City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

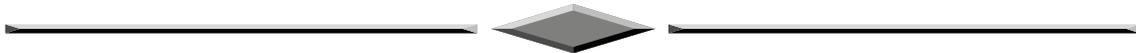
**Request:** To permit a temporary event consisting of a professional volleyball (AVP) tournament for a period of four days (May 21-24, 2009 – Memorial Day weekend) on a portion of the sandy beach area south of the pier. Portions of the event will require a general admission fee.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15304, Class 04, California Environmental Quality Act.

**Zone:** SP-CZ-11 (Downtown Specific Plan – Coastal Zone – District 11)

**General Plan:** OS -S (Open Space – Shoreline)

**Existing Use:** Beach



**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

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

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15304 of the CEQA Guidelines, because the project involves a minor temporary use of land having negligible or no permanent effects on the environment.

**SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2009-003:**

1. Coastal Development Permit No. 2009-003 to permit a temporary event consisting of a professional volleyball (AVP) tournament for a period of four days (May 21-24, 2009 – Memorial Day weekend) on a portion of the sandy beach area south of the pier, as modified by conditions of approval, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following Coastal Element Land Use Policies:

C 3.2.1: Encourage where feasible, facilities, programs and services that increase and enhance public recreational opportunities in the Coastal Zone.

C 2.5.1: Require that existing public access to the shoreline and Huntington Harbour waterways be maintained and enhanced, where necessary and feasible, not withstanding overriding safety, environmental or privacy issues.

C 4.7.6: Ensure beaches and associated facilities are clean and litter free.

The proposed event is a visitor-serving use that has been held for several years varying in dates and charges for admission. It provides spectator entertainment and recreational opportunities for the beach community. The event includes volleyball matches at 12 courts, and vendor and sponsor booths. The event will occur between the hours of 8 AM and 6 PM, beginning Thursday, May 21, and concluding on Sunday, May 24. Public access to coastal waters will be available to the general public, as the event does not encroach into pedestrian paths, parking areas, or the shoreline. Three (3) of the 12 courts will be cordoned by fencing for paid admission. The general public may visit the remaining game courts and promotional activity areas with no charge. Booths and vendors are accessible to the public without an admission fee. Furthermore, 46% of the total seating capacity of the courts is subject to an admission fee, and 54% of the total seating capacity is available to the general public for free on a first-come, first-served basis. One additional court will be reserved for practicing competitors. No other events are scheduled immediately before or after the proposed event. As modified by conditions of approval, the event area will be maintained by event staff and cleaned after completion of the weekend event. Accordingly, the occupied area will return to its existing condition for general public use.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The event occurs within District 11 (Beach Open Space) of the Downtown Specific Plan, which allows beach related uses. The proposed structures are not permanent. The fences, bleachers, and booths will be set-up prior to the commencement of the event and taken down after termination of the event. The temporary structures will be located outside of pedestrian paths and setback to accommodate coastal access. The event has occurred annually for several years with applicable City permits, complying with conditions of approval. The admission charge and dates have varied. There are no environmentally sensitive habitat areas designated within the event area that will be impacted.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. All infrastructure exists for the proposed use that is consistent with the Huntington Beach Coastal Element. The temporary event has been held for several years in the same location in compliance with conditions of

approval.

4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. Public access to the beach will remain. The cordoned volleyball courts are available to the public with an admission fee, while the remaining event area is available for free. The pier will remain open and accessible for the general public. The event may be viewed from the pier because of its close proximity to the pier; however, no portions of the pier will be cordoned off for viewing. The recreational event is compatible with beach activities. Parking areas are available for the event and general beach activities.

**SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2009-003:**

1. The site plan received and dated April 10, 2009, shall be the conceptually approved layout with the modification that fencing is designed around the main stadium court and two additional courts.
2. Prior to the commencement of use, the following shall be completed:
  - a. A Specific Event Permit is required and will be issued when all fees are paid and all other conditions of approval are met or verified. **(CS)**
  - b. A Film Permit is required for the event. **(CS)**
  - c. Any plans that include sponsor food or beverage giveaways shall be reviewed with the Specific Events Supervisor. **(CS)**
  - d. Pennants and banners shall be delivered one week prior to installation. **(PW)**
  - e. All servers or employees serving alcohol shall participate in an alcohol management program. **(PD)**
  - f. A final plot plan shall be approved by the Fire Prevention Division. **(FD)**
  - g. A private security plan shall be reviewed and approved by the Police Department prior to the start of the event set up. Contact information, including an operating cell phone of all on site personnel shall be provided. **(PD)**
  - h. Insurance shall be submitted for final approval. **(CS)**
  - i. Building permits are required. **(BS)**
  - j. A blanket business license is required and shall be obtained a minimum of two weeks prior to the event. **(CS)**
  - k. A refundable security deposit of \$1,000 shall be collected. **(CS)**
  - l. A Tent and Canopies fire permit is required for all tents over 200 sq. ft. or canopies over 400 sq. ft. in size. **(FD)**

- m. Necessary permits and/or licenses for alcohol service shall be obtained from the Police Department and Community Services Department.
  - n. Applicable entertainment permits shall be obtained from the Police Department.
  - o. An alcohol sponsorship must include a sign site plan that designates 20% of alcohol signage to have an alternative or educational drinking message such as “know when to say when” or “don’t drink and drive”. **(PD)**
3. The use shall comply with the following:
- a. As modified per Condition No. 1, only three designated courts cordoned by fencing shall permit an admission charge. All other areas of the event shall be accessible to the general public free of charge.
  - b. All conditions required under the Specific Events Permit issued for this event shall remain in effect.
  - c. An on-site manager shall be available to City staff throughout the event, including times of setup and tear down. The on-site manager shall have an operating cell phone. **(CS)**
  - d. Overnight delivery trucks may enter onto the beach path via the entrance adjacent to Lifeguard Headquarters at 1<sup>st</sup> Street. Flagmen with reflective safety vests must guide the delivery trucks into the site. Flashing light barricades must be used at strategic locations. Semi’s must be brought onto the beach path to unload one at a time, with other trucks lined up off the beach path. **(CS)**
  - e. For all other equipment and supplies load in/out is to take place on the north side of the Pier. Vehicles must enter on to the beach path at 6<sup>th</sup> Street. **(CS)**
  - f. Security or event staff shall be permanently positioned where the Pier Plaza parking lot (enter at 6<sup>th</sup> St.) meets the beach path to insure that unauthorized vehicles do not enter onto the beach path and to regulate the flow of traffic. This security must be in place during all times of set-up, break down and during the event. **(CS)**
  - g. Event staff shall guide any delivery vehicles on the beach path to regulate the speed of vehicles and to guide vehicles safely through pedestrians. Staff directing vehicles must be clearly identifiable with a safety vest or visible “event staff” clothing. **(CS)**
  - h. Only event vehicles or delivery vehicles may be driven onto the beach path or on the beach. No personal vehicles may be parked on the beach or beach path at any time during set up, take down or during the event. **(CS)**
  - i. The beach path shall be kept clear of vehicles or obstacles at all times. **(CS)**
  - j. On a daily basis, deliveries to the site that require vehicles to drive on the beach path (such as for catering) shall be made prior to 11:00AM. **(CS)**
  - k. “No alcohol beverage consumption” signs shall be posted. **(PD)**

- l. On-site sponsor recognition for auto sponsors other than Toyota shall be prohibited without written authorization from Toyota. **(CS)**
  - m. Any structure including arches, entrances, signage or cables for the purpose of electricity or television broadcasting shall be a minimum of 15 feet tall to permit the passage of emergency vehicles on all designated fire lane access ways. **(FD)**
  - n. Occupant loads established by the Building Department shall be maintained throughout the event. Aisles ways in the bleacher seating area shall be maintained free and clear of obstruction for proper exiting. **(BS)**
  - o. Limited canon firing t-shirts during breaks may be conducted in the stadium court. This practice shall be halted if it creates an unsafe condition for spectators. **(CS)**
  - p. Emergency access shall be maintained at all times. **(CS)**
  - q. All personnel driving ATV's or gators on the beach shall travel at a maximum of 5mph. **(CS)**
  - r. Event organizers shall pick up trash inside of the event area. **(CS)**
  - s. Ten (10) porta potties shall be provided, serviced daily and as needed. Handicap stalls shall be provided. **(CS)**
  - t. City restrooms shall be maintained and cleaned in the area of the event at the Beach Public Services Center per the conditions of the Specific Event Permit. **(CS)**
  - u. Porta Potties and dumpsters shall not be placed in front of beach concessionaries. **(CS)**
  - v. Any distribution of free samples of sponsor food or beverage giveaways shall take place within the event venue only. Street teams are not permitted to distribute outside of the event venue. **(CS)**
  - w. Vendors may not hand out stickers. **(CS)**
  - x. Speakers or amplifiers for the event shall be directed toward the ocean. **(CS)**
  - y. The use of expandable polystyrene (commonly referred to as Styrofoam) is prohibited at all events on public property and within city facilities. **(CS)**
4. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.