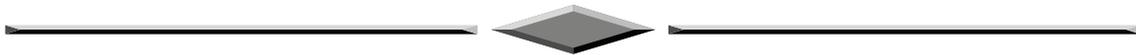


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Planning Aide
DATE: December 17, 2008

SUBJECT: **COASTAL DEVELOPMENT PERMIT NO. 2008-013 (DOG BEACH STORAGE CONTAINER – CONTNUED FROM THE NOVEMBER 19, 2008 MEETING)**

LOCATION: Dog Beach (south side of Pacific Coast Highway, between Goldenwest Street and Seapoint Street)



Applicant: City of Huntington Beach, Community Services Department

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

Request: To permit one 160 sq. ft., 8.5 ft. tall storage container for the distribution and storage of Dog Beach information/merchandise and maintenance items.

Environmental Status: This request is covered by Categorical Exemption, Section 15304, Class 4, California Environmental Quality Act.

Zone: OS-S (Open Space – Shoreline Subdistrict)

General Plan: OS-S (Open Space – Shore)

Existing Use: Open Space



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 consists of a minor temporary use of land having negligible or no permanent effects on the environment.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-013 (TO PERMIT 160 SQ. FT., 8.5 FT. TALL STORAGE CONTAINER):

1. Coastal Development Permit No. 2008-013 for the development project, as modified by conditions of approval, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following General Plan goals and policies:

RCS 6.1.5: Provide a level of beach related facilities, maintenance, and lifeguarding that enhances the enjoyment of the natural resources by the community.

RCS 7: Operate and maintain City parks and recreation facilities in the most safe, effective, and efficient manner.

C 4.1.1: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect public views to and along the ocean and scenic coastal areas.

The proposed use provides storage for maintenance items for Dog Beach. The location of the structure within Dog Beach offers adequate accessibility for the continued maintenance of the area. The storage container, as conditioned, will be located below the bluff to minimize visual impacts along Pacific Coast Highway. The structure will be temporarily located below the bluff for a maximum of one year to allow ample time for the applicant to provide the City with alternate plans for a structure more compatible in design and materials. The storage container will not impede on coastal access or views.

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 temporary placement of the storage container serves as an ancillary use to the open space use of Dog Beach. The temporary structure will provide the storage of maintenance items for Dog Beach. The structure, as conditioned, will be screened by additional landscaping and located below the bluff to minimize coastal views. It will not impede on coastal access.
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. The proposed structure will be located below a developed park with access to existing utilities such as water and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed structure provides temporary storage of maintenance items necessary to preserve Dog Beach, which in turn offers a recreational benefit. The container will not impede on coastal access, as it is located adjacent to the service road. Although the bulk size of the storage container is not compatible with the

surrounding area, the use is temporary and located to minimize coastal views from Pacific Coast Highway.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-013 (TO PERMIT 160 SQ. FT., 8.5 FT. TALL STORAGE CONTAINER):

1. The site plan and elevations received and dated July 8, 2008 shall be the conceptually approved design with the following modifications:
 - a. The storage container shall be placed at proposed location below the bluff for a limited period of time not to exceed one year.
 - b. The storage container shall be painted to match the surrounding area. It shall be provided with landscaping to screen the structure.
2. The applicant shall consider an alternate structure of compatible design and materials with the beach environment. Plans for the alternate structure shall be reviewed by the Design Review Board and Zoning Administrator.

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.