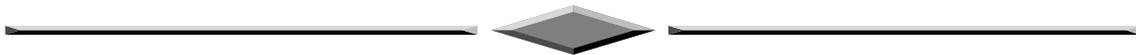


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Jill Arabe, Planning Aide  
**DATE:** September 24, 2008

**SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 2008-013 (DOG BEACH CANOPIES & STORAGE CONTAINER)**

**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 a) three 100 sq. ft., 10 ft. tall canopies and b) 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 15311, Class 11, California Environmental Quality Act.

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

**General Plan:** OS-S (Shore)

**Existing Use:** Open space



**RECOMMENDATION:** Staff recommends the following:

- A) Denial of the 160 sq. foot, 8.5 tall storage container with findings for denial, and
- B) Approval of three 100 sq. ft, 10 ft. tall canopies with findings and conditions of approval

**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 15311 of the CEQA Guidelines, because the project consists of the placement of minor structures in generally the same locations from time to time in a facility designed for public use.

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

1. Coastal Development Permit No. 2008-013 for one 160 sq. ft., 8.5 ft. tall storage container does not conform with the General Plan, including the Local Coastal Program. The project is inconsistent with the following Coastal Element Land Use Policies:

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.

C 4.2.1: Ensure that the following minimum standards are met by new development in the Coastal Zone as feasible and appropriate:

a) Preservation of public views to and from the bluffs, to the shoreline and ocean and to the wetlands.

b) Adequate landscaping and vegetation.

c) Evaluation of project design regarding visual impact and compatibility.

C 4.2.2: Require that the massing, height, and orientation of new development be designed to protect public coastal views.

The storage container is not a compatible use along the coast because of its mass and bulk. The size of the storage use is not suitable for this area. The location of the storage container is visible along the service road and various areas along the pedestrian/bike path. It will not be appropriately and sufficiently screened from public views and will not provide an aesthetically attractive addition along the designated scenic corridor.

2. The proposed storage container is not consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The storage container as a primary use is not permitted in the Open Space-Shoreline zone and does not comply with the Coastal Zone Overlay District. The structure is located within a landscaped area along a service road, in a manner that does not visually preserve coastal resources or public access.
3. The development does not conform with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The storage use does not provide a recreational benefit to coastal resources. The container is not designed to enhance public access as it is located along a service road, which visitors may use to access the beach. The bulk size of the container does not blend in with the topography of the coastal area.

**SUGGESTED FINDINGS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-013 (TO PERMIT THREE 100 SQ. FT., 10 FT. TALL CANOPIES):**

1. Coastal Development Permit No. 2008-013 for three 100 sq. ft., 10 ft. tall canopies 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 canopies will be staffed with volunteers and workers of the Preservation Society of Huntington Dog Beach. The staff will hand out literature and inform the public of the rules and regulations of Dog Beach. Additionally, they will maintain the area and stock clean up bags at the dispensers. The canopies will be located at three designated areas along Dog Beach. Merchandise purchased and donations received will be used for the maintenance of Dog Beach. The canopies will be set-up and taken down daily, maintaining public access and views to coastal resources.
2. The proposed canopies are consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The proposed structures are not permanent. The canopies will be set-up and taken down on a daily basis. The structures will be located outside of pedestrian paths and not encroach into setbacks.
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 and Coastal Land Use Plan of the General Plan.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. All public access to the beach will remain.

**SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-013:**

1. The site plan, floor plans, and elevations received and dated July 8, 2008 shall be the conceptually approved design.
2. Only the uses described in the narrative dated July 8, 2008 shall be allowed, unless otherwise indicated per conditions of approval.

**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.