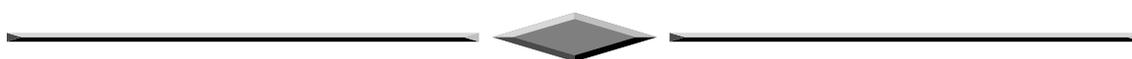


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Joanna Cortez, Assistant Planner
DATE: March 7, 2018

**SUBJECT: CONDITIONAL USE PERMIT NO. 17-029/ COASTAL DEVELOPMENT
 PERMIT NO. 17-014 (PCH TEMPORARY PARKING LOT)**

LOCATION: 21622 Pacific Coast Highway, 92646 (Northeast corner of Pacific Coast
 Highway and Beach Blvd.)



Applicant: Ted Frattone and Robert K. Glessner, Three Hughes, Irvine, CA 92618

**Property
Owner:** Beachfront Village, LLC, 15320 Barranca Parkway, Suite 100, Irvine, CA
 92618

Request: To permit the establishment of a temporary parking lot with 108 parking
 spaces on a vacant 1.27 acre site for a period of five years.

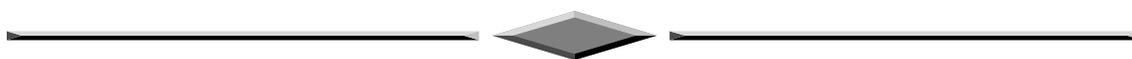
**Environmental
Status:** This request is covered by Categorical Exemption, Section 15304, Class 4,
 California Environmental Quality Act.

Coastal Status: Appealable

Zone: CV (Commercial Visitor)

General Plan: CV (Commercial Visitor)

Existing Use: Vacant



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 effects on the environment. The proposed project involves use of an existing developed site as a temporary commercial public beach parking lot. Historically, the site has been utilized as a boat and recreational vehicle storage lot, and is currently used as a construction staging and parking area for a nearby development. The site is almost entirely paved with existing unpaved areas supporting no or limited vegetation. No permanent physical improvements are proposed, although two directional entry signs are proposed at the project entrance and would be removed when the temporary parking lot use expires.

The project site is adjacent to the Newland Marsh, a designated ESHA in the Coastal Element of the General Plan. According to a biological study prepared for the project by Glenn Lukos Associates, dated February 27, 2018, the Newland Marsh area provides habitat for the Belding's savannah sparrow, a State-listed special status species. The project site does not support any special status habitat or species and is separated from the Newland Marsh by an upland area previously dominated by giant reed, which has been removed and replaced with Menzie's goldenbush scrub. The area of Menzie's goldenbush immediately adjacent to the project site is not suitable habitat for the Belding savannah sparrow, with the exception of providing perches for singing during the nesting season. The use proposes a variable width buffer of 36 to 80 feet between the parking area and the adjacent marsh and the site is surrounded by an existing chain link fence. The restriction of parking to daylight hours during the breeding season for the Belding's savannah sparrow would eliminate potential impacts from vehicle lights to breeding individuals, including those perched in the Menzie's goldenbush area. Similarly, the use would not generate increased noise levels beyond existing noise levels generated by Pacific Coast Highway, and as such, there would be no increase in existing noise impacts to breeding Belding's savannah sparrows. Additionally, there are no proposed changes to the existing grading and drainage patterns, including existing impervious surface areas, and thus impacts from runoff and/or erosion would not occur. The use of the project site for a temporary commercial parking lot has been designed to ensure the protection of the functional relationship between the wetland and the adjacent upland; ensure that the most sensitive species will not be significantly disturbed based on habitat requirements and the short- and long-term adaptability of various species to the presence of human beings; and allow for the interception of any additional material eroded as a result of the proposed development, based on soil, vegetation, slope and runoff characteristics, and impervious surface coverage. Therefore, although the project site is adjacent to sensitive habitat, no impacts to the existing biological resources within the sensitive habitat areas are anticipated as a result of the proposed project.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 17-014:

1. Coastal Development Permit No. 17-014 to permit the establishment of a temporary parking lot with 108 parking spaces on a 1.27 acre site for a period of five years conforms to the General Plan, including the Local Coastal Program. Completion of the project will implement the Coastal Element goal of providing coastal resource access opportunities for the public and balance the supply of parking with the demand for parking on a temporary basis.
2. The project to permit the establishment of a temporary parking lot with 108 parking spaces on a 1.27 acre site for a period of five years 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 project will not result in permanent physical changes to the site and complies with applicable development standards including minimum parking space dimensions and minimum backup clearance. Chapter 221 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) requires a 100-foot buffer between development and adjacent Environmentally Sensitive Habitat Areas (ESHA). The project site is adjacent to the Newland Marsh, a designated ESHA in the Coastal Element of the General Plan. However, per Chapter 221, if the development or site cannot accommodate a 100-foot buffer, then the buffer must be designed to ensure the protection of the functional relationship between the wetland and the adjacent upland; ensure that the most sensitive species will not be significantly disturbed based on habitat requirements and the short- and long-term adaptability of various species to the presence of human beings; and allow for the interception of any additional material eroded as a result of the proposed development, based on soil, vegetation, slope and runoff characteristics, and impervious surface coverage. The existing site was developed without a 100-foot buffer between the adjacent ESHA and the previous development. The proposed project involves use of the site for a public parking lot and proposes a variable width buffer of 36 to 80 feet between the parking stalls and drive aisles and the adjacent marsh. Nevertheless, the proposed use will meet the requirements of the HBZSO with the proposed variable width buffer (36 ft. – 80 ft.) based on the design and operation of the proposed use as well as existing site conditions. The restriction of parking to daylight hours during the breeding season for the Belding's savannah sparrow would eliminate potential impacts from vehicle lights to breeding individuals. Similarly, noise impacts would not be increased over the existing noise levels generated by Pacific Coast Highway, and as such, there would be no increase in noise impacts to breeding Belding's savannah sparrows. Finally, there are no proposed changes to the existing site grading and drainage patterns, including existing impervious surface areas, and thus impacts from runoff and/or erosion would not occur.

3. At the time of occupancy the request to establish a temporary parking lot with 108 parking spaces on a 1.27 acre site for a period of five years can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. All necessary infrastructure, such as roadways and utilities currently exist to serve the site. The proposed request will alleviate peak parking conditions by providing additional temporary parking opportunities near the beach.
4. The request to establish a temporary parking lot with 108 parking spaces on a 1.27 acre site for a period of five years conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 17-029:

1. Conditional Use Permit No. 17-029 to permit the establishment of a temporary parking lot with 108 parking spaces on a 1.27 acre site for a period of five years will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The site is located in the Commercial Visitor zone which allows uses that benefit coastal visitors such as the installation of the temporary commercial parking lot for use by the general public. Additionally, the proposed temporary parking lot will provide additional parking opportunities near the beach and will provide additional parking, which would help to alleviate parking

supply issues during peak beach parking demand conditions during the summer months. Furthermore, the temporary parking lot will have an attendant on-site to maintain the temporary parking lot.

2. The conditional use permit to permit the establishment of a temporary parking lot with 108 parking spaces on a 1.27 acre site for a period of five years will be compatible with surrounding uses because adequate vehicular and pedestrian access will be provided to and from the site. Additionally, the proposed temporary public parking spaces will activate a vacant site and will alleviate peak parking conditions near the beach by providing additional parking opportunities.
3. The proposed request to permit the establishment of a temporary parking lot with 108 parking spaces on a 1.27 acre site for a period of five years will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. Chapter 221 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) requires a 100-foot buffer between development and adjacent Environmentally Sensitive Habitat Areas (ESHA). The project site is adjacent to the Newland Marsh, a designated ESHA in the Coastal Element of the General Plan. However, per Chapter 221, if the development or site cannot accommodate a 100-foot buffer, then the buffer must be designed to ensure the protection of the functional relationship between the wetland and the adjacent upland; ensure that the most sensitive species will not be significantly disturbed based on habitat requirements and the short- and long-term adaptability of various species to the presence of human beings; and allow for the interception of any additional material eroded as a result of the proposed development, based on soil, vegetation, slope and runoff characteristics, and impervious surface coverage. Despite the proposed parking lot providing a buffer that varies from 36 ft. – 80 ft. in lieu of the required 100 ft., no significant direct or indirect impacts to the ESHA areas are anticipated, per the biological study provided by Glenn Lukos Associates, dated February 27, 2018. In addition, the use of the existing developed site for a public coastal parking lot has been designed to meet the provisions of Chapter 221, as described above. Temporary parking lots are permitted in the Commercial Visitor zoning district subject to approval of a Conditional Use Permit and Coastal Development Permit.
4. The granting of the conditional use permit to permit the establishment of a temporary parking lot with 108 parking spaces on a 1.27 acre site for a period of five years will not adversely affect the General Plan. It is consistent with the Land Use Element designation on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Goal LU-14: Huntington Beach continues to attract visitors and provides a variety of attractions and accommodations during their stay.

Policy LU-14 (B): Encourage both coastal and inland visitor-serving uses to offer a wide spectrum of opportunities for residents and visitors.

Goal C 2: Provide coastal resource access opportunities for the public where feasible and in accordance with the California Coastal Act requirements.

Objective C 2.4: Balance the supply of parking with the demand for parking.

Policy C 2.4.1: Maintain an adequate supply of parking that supports the present level of demand and allows for the expected increase in private transportation use.

The establishment of a temporary parking lot with 108 parking spaces on a 1.27 acre site for a period of five years will alleviate peak parking conditions within the beach area by providing additional parking opportunities with a parking attendant on-site.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 17-014 /CONDITIONAL USE PERMIT NO. 17-029:

1. The site plan received and dated August 29, 2018 and the biological study received and dated February 27, 2018 shall be the conceptually approved design with the modification that parking space number 80 be removed from the site plan on page C-1.
2. The hours of operation shall be limited to Monday through Sunday: 6:00 AM – 8:00 PM.
3. Prior to submittal for building permits, the following shall be completed: A revised site plan in accordance with Condition No. 1 shall be submitted to the Planning Division for review and approval and inclusion in the entitlement file.
4. Coastal Development Permit No. 17-014 and Conditional Use Permit 17-029 shall be permitted for a maximum of five years (2018-2022).
5. Temporary entry signage may be permitted subject to review and approval by the Community Development Department for the duration that the temporary use is located onsite. It shall be maintained in a good appearance at all times and removed upon vacation of the site.
6. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
7. Coastal Development Permit No. 17-014 and Conditional Use Permit No. 17-029 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
8. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

9. 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/green-building-guidelines-rating>).

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.