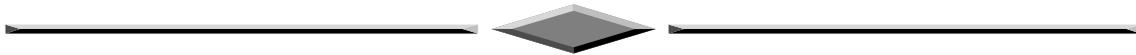


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** John Ramirez, Project Planner  
**DATE:** March 16, 2016

**SUBJECT:** **TENTATIVE PARCEL MAP NO. 15-163/ CONDITIONAL USE PERMIT NO. 15-058/ COASTAL DEVELOPMENT PERMIT NO. 15-030 (DAVENPORT MARINA RESIDENTIAL)**

**LOCATION:** 4052 Davenport Drive, 92649 (on the south side of Davenport Drive between Edgewater Lane and the Channel - Huntington Harbour)



**Applicant:** Otis Architecture, Karen Otis, 909 Electric Avenue, Suite 207, Seal Beach CA 90740

**Property Owner:** Stanko Family Trust, John Stanko, 7 Hitching Post Drive, Rolling Hills Estates, CA 90274

**Request:** **TPM:** To subdivide one existing parcel into three parcels to establish two residential lots and reconfigure an existing marina parking lot. The subdivision includes a request for exception to the public access to coastal resources requirement. **CUP:** To permit a reduction in the number of required marina parking spaces based on a parking survey. **CDP:** To subdivide one existing parcel into three parcels without providing public access to coastal resources, as identified in the Local Coastal Program. **Environmental:** Based on the request for exception to public access to coastal resources, the proposed project does not qualify as a categorical exemption and is subject to an environmental analysis pursuant to CEQA. An environmental analysis has not been submitted for review.

**Environmental Status:** No Environmental Analysis conducted as requested by applicant.

**Zone:** Residential Low Density – Coastal Zone Overlay (RL-CZ)

**General Plan:** Residential Low Density – (RL-7)

**Existing Use:** Marina Parking Lot



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

**SUGGESTED FINDINGS FOR DENIAL - COASTAL DEVELOPMENT PERMIT NO. 15-030:**

1. Coastal Development Permit No. 15-030, to subdivide one existing parcel into three parcels without providing public access to coastal resources, does not conform with the General Plan, including the Local Coastal Program. The General Plan and Local Coastal Program contain policies intended to preserve and enhance local coastal resources. The subdivision is not consistent with the following goals, objectives, and policies of the General Plan and Local Coastal Program:

A. Coastal Element

Policy C 1.1.2 - Coastal dependent developments shall have priority over other developments on or near the shoreline. Coastal-related developments should be accommodated within reasonable proximity of the coastal-dependent use they support.

Policy C 1.1.3 - The use of private lands suitable for visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal –dependent industry.

Policy C 1.1.3a - The provision of public access and recreation benefits associated with private development (such as but not limited to public access ways, public bike paths, habitat restoration and enhancement, etc.) shall be phased such that the public benefit(s) are in place prior to or concurrent with the private development but not later than occupation of any of the private development.

Policy C1.1.5 – New residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast.

Policy C1.2.2 - Require that development be designed to account for the unique characteristics of project sites and objectives for Coastal Zone character in accordance with the Development “Overlay” schedule listed in Table C-1, as appropriate.

Policy C.2.2.2 - Maintain existing pedestrian facilities and require new development to provide pedestrian walkways and bicycle routes between developments.

Policy C 2.2.5 - Link bicycle routes with pedestrian trails and bus routes to promote an interconnected system.

Policy C 2.2.7 - Develop a riding and hiking trail network and support facilities that provide linkages within the Coastal Zone where feasible and appropriate.

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.

Policy C 2.4.2 - Ensure that adequate parking is maintained and provided in all new development in the Coastal Zone utilizing one or a combination of the following:

- a. Apply the City’s parking standards at a minimum.
- b. – f. . . .

Policy C 2.5 - Maintain and enhance, where feasible, existing shoreline and coastal resource access sites.

Objective C 2.6 - Promote and provide, where feasible, additional public access, including handicap access, to the shoreline and other coastal resources.

Policy C 2.6.1 - Require an offer of dedication of an easement in all new development, pursuant to Article 2, Section 30212 of the Coastal Act, to allow vertical access to the shoreline or to public recreation areas or to public trails and bikeways unless the following conditions exist: [*note: the listed exemptions do not apply to the subject project*].

Policy C 2.6.2 - Require an offer of dedication of an easement in all new development, pursuant to Article 2, Section 30212 of the Coastal Act, to allow lateral access along the shoreline, public recreation areas or to public trails and bikeways unless the following condition(s) exist:

a) – b) ...

c) An offer of dedication for lateral access in accordance with this policy shall be required in conjunction with new development or redevelopment and along all sandy beach areas. Access along the bulkhead may be appropriate, particularly in public use areas such as fishing piers or provided in new development through such accessways.

Objective C 3.1 - Preserve, protect and enhance, where feasible, existing public recreation sites in the Coastal Zone.

Policy C 3.1.3 - Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Objective C 3.2 - Ensure that new development and uses provide a variety of recreational facilities for a range of income groups, including low cost facilities and activities.

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

Objective C 3.4 - Encourage and protect water oriented recreational activities that cannot be readily be provided at inland water areas.

Objective C4.1.1 - 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.

Objective C 4.2 - Promote the protection of the Coastal Zone's visual and aesthetic resources through design review and development requirements.

Policy 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) . . .

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

d) . . .

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

*B. Land Use Element*

Policy LU 5.1.1 - Require that all development protect environmental resources by consideration of the policies and standards contained in the Environmental Resources/Conservation Element of the General Plan and Federal (NEPA) and State (CEQA) regulations.

*C. Urban Design Element*

Objective UD2.1 - Minimize the visual impacts of new development on public views to the coastal corridor, including views of the sea and wetlands.

Policy UD 2.1.1 - Require that new development be designed to consider coastal views in its massing, height, and site orientation.

The project as proposed, does not provide the required vertical and lateral access to the coast, and is therefore inconsistent with the General Plan and Local Coastal Program. Since no access is proposed, the project does not further the objectives or policies identified above that pertain to pedestrian access and bicycle routes between developments and to the coast. The project does not preserve or enhance existing public access and precludes the potential for future coastal-related developments or visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation. The design and location of the single family homes will impact public views of the coast and channel from Davenport Drive, Edgewater Lane and Davenport Beach. The proposed location of the two residential lots is currently a parking lot with a small single story structure that does not impede views of the coastline, waterway or boating activity from the public streets or beach. This parking lot is utilized by the public during the annual boat parade and provides direct view and access to the shoreline. The development of this subdivision will eliminate the use of the site for coastal-related activities. Furthermore, locating the proposed two-story homes along the water's edge will effectively block the view of these amenities and impact the visual resources and public view to the shoreline and other coastal amenities.

2. The subdivision is not consistent with the base zoning district and provisions of the municipal code, or the CZ Overlay District. The CZ Overlay Section requires that prior to authorization for any new development between the nearest public roadway and the sea, an offer to dedicate an easement or other legal mechanism for public access be provided. The project does not include required public access as specified in the CZ Overlay District. Additionally, the landscaping proposed for the reconfigured parking lot does not meet the minimum requirements of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) for off street parking facilities. The Code requires a minimum perimeter planting area of five feet for the parking lot and no landscaping is proposed along the south or west boundaries of the parking lot. The Code also requires that interior landscaping be distributed throughout the parking area and equal five percent of the perimeter landscaping area. These areas need to include a minimum of one minimum 24-inch box tree for every 10 parking spaces and be located throughout the parking area. A two-foot wide planter is also required at the end of each row of parking spaces. No interior landscaping is proposed

within the reconfigured parking lot. The request also includes a reduction in the number of required marina parking spaces. The Community Development Director has determined that a minimum ratio of 0.75 spaces be provided for marinas. The applicant is requesting that 42 spaces be provided for the 66 slip marina in lieu of the minimum required 50 spaces. As described above, the project does not meet all the requirements of applicable provisions of the municipal code.

3. The development does not conform with the public access and public recreation policies of Chapter 3 of the California Coastal Act (CCA) and the goals and policies of the City's Local Coastal Program. The CCA indicates that development shall not interfere with the public's right of access to the sea where acquired through use and that public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects (CCA Sections 30211 & 30212). The project is subject to these access requirements; however no access is proposed as part of this request. Therefore, the development does not conform with the public access and public recreation policies of Chapter 3 of the California Coastal Act and is denied based on the findings contained herein and the specific public access findings below:
  - a. Project Effects on Demand for Access and Recreation. The project site is located within Huntington Harbour along one of the inland channels. There are several private docks and the site serves as parking for a private commercial marina. Directly north across Davenport Drive is a small public beach owned and maintained by the City. In the vicinity there are a handful of opportunities for public coastal views along the Harbour bridges and small public beach, however much of the coastline view is obscured by private residential development. The proposed location of the new residential lots will impact 220 feet of the 320 feet of coastline visible from Davenport Drive. As identified in the Coastal Act, oceanfront land suitable for recreational use and development should be protected and the use of private lands suitable for visitor-serving commercial recreational facilities should have priority over private residential development (CCA Sections 30221 & 30222). This location is unique in that it is the only one of two locations in the Harbour where the coastline is visible from a public road for an extended length (the other location is located at the terminus of Countess Drive at the northwest border of the Harbour). This unique coastal view opportunity is important in preserving the character of this portion of the Harbour and the existing already-limited coastal view opportunities and future potential public access to the coastline.
  - b. Shoreline Processes. The existing 320 feet of shoreline on the project site is improved with asphalt concrete for an existing parking lot and there is a six foot high chain link fence along the perimeter of the site adjacent to the water, precluding direct access from the site to the water. At the east edge of the shoreline, there is an access gate and ramp to the boat docks for lessees of boat slips at the marina. The gate is typically locked and lessees have a key for individual access. The very edge of the shoreline along the perimeter of the parking lot contains an unimproved landscape area that is a mixture of dirt and shrubs that lead to an approximate 12-foot drop to the water. There is no beach or direct entry into the water at the site. The shoreline and associated marina are visible from Davenport Drive. The proposed location of the new residential lots will impact approximately 220 feet of the 320 feet of coastline. Minor grading is proposed that will raise the elevation of the shoreline edge varying from four to 15

inches. Since the existing shoreline is visible and accessible to the public (this parking lot is used by the public during the Boat Parade), the project will directly affect both physical and visual access to the shoreline.

- c. Historic Public Use. Since the Harbour was developed in the 1960's, this property was set aside to serve the marina as an amenity and coastal resource for residents in the area. Since the site and shoreline are physically accessible by the public, the placement of two residential lots and construction of two single family homes will have an adverse impact on both the public view of the shoreline from the public streets and from the bridge and access to the shoreline as the public use this property during the Boat Parade in Huntington Harbor. The proposed development of two single family homes adjacent to the shoreline would create both a physical and psychological barrier/impediment to public views of the shoreline and water and would directly affect the character of the neighborhood and public beach along Davenport Drive.
- d. Physical Obstructions. The proposed location of the new residential lots will impact 220 feet of the 320 feet of coastline visible from Davenport Drive. Since the site and shoreline are accessible by the public, the placement of two residential lots and construction of two single family homes will have an adverse impact on the public view of the shoreline from the public street and from the bridge and direct public access to the shoreline as the public use this property during the Boat Parade in Huntington Harbor. The two homes and associated accessory structures (perimeter fencing) will block the public view of the shoreline and marina from Davenport Drive and the bridge. This location is unique in that it is the only one of two locations in the Harbour where the coastline is visible from a public road for an extended length (the other location is at the terminus of Countess Drive at the northwest border of the Harbour). This unique coastal view opportunity is important in preserving the existing and already limited coastal view opportunities in the area and the future potential public access to the coastline.
- e. Other Adverse Impacts on Access and Recreation. The two new residential lots will be immediately adjacent to the shoreline with single family structures as close as five feet from the shoreline. The location of the two new lots and homes adjacent to the shoreline will significantly alter the aesthetic and visual character of this portion of Davenport Drive and the small public beach on the north side of the street. These two homes will impact the view of the shoreline from the street and beach by impacting 220 feet of the 320 linear feet of coastline visible from Davenport Drive and the beach.

**SUGGESTED FINDINGS FOR DENIAL - CONDITIONAL USE PERMIT NO. 15-058:**

1. Conditional Use Permit No. 15-058 to permit a reduction in the number of required marina parking spaces based on a parking survey will not be compatible with surrounding uses in the vicinity. Although the parking survey data indicates the number of spaces will be adequate for the marina use, the proposed location of the parking lot on the easterly portion of the property is not consistent or compatible with the existing development pattern in the area. The parking lot effectively separates the proposed residential lots from the developed residential neighborhood and the placement of the residential lots along the shoreline does not take into consideration coastal views as part of the proposed development's massing,

height, and site orientation. One of the objectives of the General Plan is to minimize the visual impacts of new development on public views to the coastal corridor, including views of the sea and wetlands. Additionally, the General Plan requires that development be designed to account for the unique characteristics of project sites and objectives for Coastal Zone character. The proposed location and site design of the parking lot and the two residential lots do not take into consideration the unique characteristics of the site adjacent to the shoreline or seek to minimize the visual impacts to the sea since two single family homes and accessory structures, when constructed will block the view to the shoreline.

2. Conditional Use Permit No. 15-058 to permit a reduction in the number of required marina parking spaces based on a parking survey does not comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The CZ Overlay Section requires that prior to authorization for any new development between the nearest public roadway and the sea, an offer to dedicate an easement or other legal mechanism for public access be provided. The project does not include required public access as specified in the CZ Overlay District. Additionally, the landscaping proposed for the reconfigured parking lot does not meet the minimum requirements of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) for off street parking facilities. The Code requires a minimum perimeter planting area of five feet for the parking lot and no landscaping is proposed along the south or west boundaries of the parking lot. The Code also requires that interior landscaping be distributed throughout the parking area and equal five percent of the perimeter landscaping area. These areas need to include a minimum of one minimum 24-inch box tree for every 10 parking spaces and be located throughout the parking area. A two-foot wide planter is also required at the end of each row of parking spaces. No interior landscaping is proposed within the reconfigured parking lot. The request also includes a reduction in the number of required marina parking spaces. The Community Development Director has determined that a minimum ratio of 0.75 spaces be provided for marinas. The applicant is requesting that 42 spaces be provided for the 66 slip marina in lieu of the minimum required 50 spaces. As described above, the project does not meet all the requirements of applicable provisions of the HBZSO.
3. The granting of Conditional Use Permit No. 15-058 to permit a reduction in the number of required marina parking spaces based on a parking survey will adversely affect the General Plan. The project is not consistent with the following goals, objectives, and policies of the General Plan:

A. Coastal Element

Policy C 1.1.2 - Coastal dependent developments shall have priority over other developments on or near the shoreline. Coastal-related developments should be accommodated within reasonable proximity of the coastal-dependent use they support.

Policy C 1.1.3 - The use of private lands suitable for visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal –dependent industry.

Policy C 1.1.3a - The provision of public access and recreation benefits associated with private development (such as but not limited to public access ways, public bike paths, habitat restoration and enhancement, etc.) shall be phased such that the public

benefit(s) are in place prior to or concurrent with the private development but not later than occupation of any of the private development.

Policy C1.1.5 – New residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast.

Policy C1.2.2 - Require that development be designed to account for the unique characteristics of project sites and objectives for Coastal Zone character in accordance with the Development “Overlay” schedule listed in Table C-1, as appropriate.

Policy C.2.2.2 - Maintain existing pedestrian facilities and require new development to provide pedestrian walkways and bicycle routes between developments.

Policy C 2.2.5 - Link bicycle routes with pedestrian trails and bus routes to promote an interconnected system.

Policy C 2.2.7 - Develop a riding and hiking trail network and support facilities that provide linkages within the Coastal Zone where feasible and appropriate.

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.

Policy C 2.4.2 - Ensure that adequate parking is maintained and provided in all new development in the Coastal Zone utilizing one or a combination of the following:

- a. Apply the City’s parking standards at a minimum.
- b. – f. . . .

Policy C 2.5 - Maintain and enhance, where feasible, existing shoreline and coastal resource access sites.

Objective C 2.6 - Promote and provide, where feasible, additional public access, including handicap access, to the shoreline and other coastal resources.

Policy C 2.6.1 - Require an offer of dedication of an easement in all new development, pursuant to Article 2, Section 30212 of the Coastal Act, to allow vertical access to the shoreline or to public recreation areas or to public trails and bikeways unless the following conditions exist: *[note: the listed exemptions do not apply to the subject project]*.

Policy C 2.6.2 - Require an offer of dedication of an easement in all new development, pursuant to Article 2, Section 30212 of the Coastal Act, to allow lateral access along the shoreline, public recreation areas or to public trails and bikeways unless the following condition(s) exist:

- a) – b) ...
- c) An offer of dedication for lateral access in accordance with this policy shall be required in conjunction with new development or redevelopment and along all sandy beach areas. Access along the bulkhead may be appropriate, particularly in public use areas such as fishing piers or provided in new development through such accessways.

Objective C 3.1 - Preserve, protect and enhance, where feasible, existing public recreation sites in the Coastal Zone.

Policy C 3.1.3 - Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Objective C 3.2 - Ensure that new development and uses provide a variety of recreational facilities for a range of income groups, including low cost facilities and activities.

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

Objective C 3.4 - Encourage and protect water oriented recreational activities that cannot be readily be provided at inland water areas.

Objective C4.1.1 - 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.

Objective C 4.2 - Promote the protection of the Coastal Zone's visual and aesthetic resources through design review and development requirements.

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

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

*B. Land Use Element*

LU 5.1.1 - Require that all development protect environmental resources by consideration of the policies and standards contained in the Environmental Resources/Conservation Element of the General Plan and Federal (NEPA) and State (CEQA) regulations.

*C. Urban Design Element*

Objective UD2.1 - Minimize the visual impacts of new development on public views to the coastal corridor, including views of the sea and wetlands.

Policy UD 2.1.1 - Require that new development be designed to consider coastal views in its massing, height, and site orientation.

The intent of the General Plan is to minimize the visual impacts of new development on public views to the coastal corridor, including views of the sea and wetlands. Moreover, new development needs to be designed to account for the unique characteristics of project sites and objectives for Coastal Zone character. The proposed location and site design of the parking lot and the two residential lots do not take into consideration the unique

characteristics of the site adjacent to the shoreline or seeks to minimize the visual impacts to the sea since two single family homes and accessory structures when constructed will block the view to the shoreline. The General Plan and Local Coastal Program contain policies intended to preserve and enhance local coastal resources such that new residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast. Moreover, General Plan seeks to promote and provide, where feasible, additional public access, to the shoreline and other coastal resources. And finally the General Plan intends to ensure that the scenic and visual qualities of coastal areas be considered and protected as a resource of public importance, requiring that permitted development be sited and designed to protect public views to and along the ocean and scenic coastal areas. The project as proposed, does not provide the required vertical and lateral access, and is therefore inconsistent with the General Plan and the Local Coastal Program. Additionally, the design and location of the development of two single family homes will impact public views of the coast and harbor from Davenport Drive, Edgewater Lane and Davenport Beach.

The General Plan further requires that all development protect environmental resources through consideration of local, State and Federal environmental regulations. As proposed, the project requires an environmental analysis in accordance with the California Environmental Quality Act (CEQA). CEQA includes a list of classes of projects which have been determined to not have a significant effect on the environment and can be exempt from the provisions of CEQA. Among this list of exempted projects, there is a specific exemption for Minor Land Division, which reads as follows:

**15315. MINOR LAND DIVISIONS**

*Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.*

Class 15, as indicated above, allows for the exemption from CEQA, the division of “*property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required...*” The proposed subdivision is not consistent with the General Plan due to its impact on coastal resources, and includes an exception from the public access requirements of the City’s Local Coastal Program. Therefore, this exemption class does not apply to this minor land division since the subdivision is not consistent with the General Plan an exception to design standards. Because the exemption is not applicable, an environmental analysis (which includes an Initial Study of the project) is required to determine any potential environmental impacts (either individual or cumulative) that may occur as a result of the project. Since an environmental analysis of the project’s impacts has not been completed, the project is not consistent with the Land Use Policy LU 5.1.1 of the General Plan identified above.

**SUGGESTED FINDINGS FOR DENIAL - TENTATIVE PARCEL MAP NO. 15-163:**

1. Tentative Tract Map No. 15-163 to subdivide one existing parcel into three parcels to establish two residential lots and reconfigure an existing marina parking lot is not consistent with the goals, policies and objectives of the General Plan. The General Plan contains

policies intended to preserve and enhance local environmental and coastal resources. The subdivision is not consistent with the following goals, objectives, and policies of the General Plan:

A. Coastal Element

Policy C 1.1.2 - Coastal dependent developments shall have priority over other developments on or near the shoreline. Coastal-related developments should be accommodated within reasonable proximity of the coastal-dependent use they support.

Policy C 1.1.3 - The use of private lands suitable for visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal –dependent industry.

Policy C 1.1.3a - The provision of public access and recreation benefits associated with private development (such as but not limited to public access ways, public bike paths, habitat restoration and enhancement, etc.) shall be phased such that the public benefit(s) are in place prior to or concurrent with the private development but not later than occupation of any of the private development.

Policy C1.1.5 – New residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast.

Policy C1.2.2 - Require that development be designed to account for the unique characteristics of project sites and objectives for Coastal Zone character in accordance with the Development “Overlay” schedule listed in Table C-1, as appropriate.

Policy C.2.2.2 - Maintain existing pedestrian facilities and require new development to provide pedestrian walkways and bicycle routes between developments.

Policy C 2.2.5 - Link bicycle routes with pedestrian trails and bus routes to promote an interconnected system.

Policy C 2.2.7 - Develop a riding and hiking trail network and support facilities that provide linkages within the Coastal Zone where feasible and appropriate.

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.

Policy C 2.4.2 - Ensure that adequate parking is maintained and provided in all new development in the Coastal Zone utilizing one or a combination of the following:

- a. Apply the City’s parking standards at a minimum.
- b. – f. . . .

Policy C 2.5 - Maintain and enhance, where feasible, existing shoreline and coastal resource access sites.

Objective C 2.6 - Promote and provide, where feasible, additional public access, including handicap access, to the shoreline and other coastal resources.

Policy C 2.6.1 - Require an offer of dedication of an easement in all new development, pursuant to Article 2, Section 30212 of the Coastal Act, to allow vertical access to the shoreline or to public recreation areas or to public trails and bikeways unless the following conditions exist: [*note: the listed exemptions do not apply to the subject project*].

Policy C 2.6.2 - Require an offer of dedication of an easement in all new development, pursuant to Article 2, Section 30212 of the Coastal Act, to allow lateral access along the shoreline, public recreation areas or to public trails and bikeways unless the following condition(s) exist:

a) – b) ...

c) An offer of dedication for lateral access in accordance with this policy shall be required in conjunction with new development or redevelopment and along all sandy beach areas. Access along the bulkhead may be appropriate, particularly in public use areas such as fishing piers or provided in new development through such accessways.

Objective C 3.1 - Preserve, protect and enhance, where feasible, existing public recreation sites in the Coastal Zone.

Policy C 3.1.3 - Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Objective C 3.2 - Ensure that new development and uses provide a variety of recreational facilities for a range of income groups, including low cost facilities and activities.

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

Objective C 3.4 - Encourage and protect water oriented recreational activities that cannot be readily be provided at inland water areas.

Objective C4.1.1 - 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.

Objective C 4.2 - Promote the protection of the Coastal Zone's visual and aesthetic resources through design review and development requirements.

Policy 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) . . .

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

d) . . .

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

## B. Land Use Element

Policy LU 5.1.1 - Require that all development protect environmental resources by consideration of the policies and standards contained in the Environmental Resources/Conservation Element of the General Plan and Federal (NEPA) and State (CEQA) regulations.

C. Urban Design Element

Objective UD2.1 - Minimize the visual impacts of new development on public views to the coastal corridor, including views of the sea and wetlands.

Policy UD 2.1.1 - Require that new development be designed to consider coastal views in its massing, height, and site orientation.

The General Plan and Local Coastal Program contain policies intended to preserve and enhance local coastal resources such that new residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast. Additionally, the General Plan seeks to promote and provide, where feasible, additional public access, to the shoreline and other coastal resources. The project as proposed, does not provide the required vertical and lateral access to the coast, and is therefore inconsistent with the General Plan and Local Coastal Program. Since no access is proposed, the project does not further the objectives or policies identified above that pertain to pedestrian access or and bicycle routes between developments and to the coast. The project does not preserve or enhance existing public access and precludes the potential for future coastal-related developments or visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation. The design and location of the single family homes will impact public views of the coast and channel from Davenport Drive, Edgewater Lane and Davenport Beach. The proposed location of the two residential lots is currently a parking lot with a small single story structure that does not impede views of the coastline, waterway or boating activity from the public streets or beach. This parking lot is utilized by the public during the annual boat parade and provides direct view and access to the shoreline. The development of this subdivision will eliminate the use of the site for coastal-related activities. One of the objectives of the General Plan is to minimize the visual impacts of new development on public views to the coastal corridor, including views of the sea and wetlands. Moreover, the General Plan requires that development be designed to account for the unique characteristics of project sites and objectives for Coastal Zone character. Locating the proposed two-story homes along the water's edge will effectively block the view from the public streets and impact the visual resources and public view to the shoreline and other coastal amenities. The proposed location and site design of the parking lot and the two residential lots do not take into consideration the unique characteristics of the site adjacent to the shoreline or minimize the visual impacts to the sea since two single family homes and accessory structures will be constructed along, and block the view to, the shoreline. The General Plan further requires that all development protect environmental resources through consideration local, State and Federal environmental regulations. As proposed, the project requires an environmental analysis in accordance with the California Environmental Quality Act (CEQA). Since the project does not consider coastal views in its massing, height, and site orientation, or seeks to minimize the visual impacts to the sea and an environmental analysis of the project's impacts has not been completed, the project is not consistent with the General Plan.