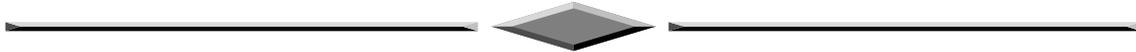


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Nicolle Bourgeois, Planning Aide
DATE: April 6, 2016

SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 16-002 (STATE BEACH PLAYGROUND)

LOCATION: 913 Pacific Coast Highway, 92648 (ocean side of PCH, between 9th St. and 10th St. – State Beach)



Applicant: David Dominguez, Department of Community Services, 2000 Main Street, Huntington Beach, CA 92648

Property Owner: State of California, Department of Parks and Recreation, 1416 9th St., Sacramento, CA 95814

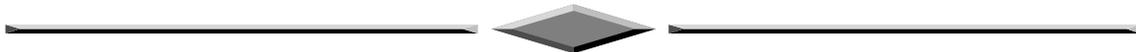
Request: To permit the construction of a public playground on the beach/sand.

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Zone: SP5-CZ (Downtown Specific Plan – Coastal Zone)

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

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 15303 of the CEQA Guidelines, because the project consists of the construction of small structures where necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-002:

1. Coastal Development Permit No. 16-002 for the installation of a public playground at the beach, as proposed, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following Coastal Element Objective and Policies:
 - C 1.2.1: Accommodate existing uses and new development in accordance with the Coastal Element Land Use Plan and the Development and Density Schedule Table C-1.
 - C 3: Provide a variety of recreational and visitor commercial serving uses for a range of cost and market preferences.
 - 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.
 - C 3.2.1: Encourage, where feasible, facilities, programs and services that increase and enhance public recreational opportunities in the Coastal Zone.
 - C 4.2.2: Require that the massing, height, and orientation of new development be designed to protect public coastal views.

The project will consist of installing a public playground at the beach. Access to the playground will be provided by an existing asphalt bike and wheel chair path. The playground will be located approximately 58 feet from the existing service road and Bluff Top Park. The base of the playground will have rubber surfacing and no grading or sand removal will occur as part of the installation process. The playground will include a variety of play structures, swing set, benches, picnic tables, and trash/recycle receptacles. The playground will be surrounded by a 30 inch high sand wall to deter children from running on the service road and to protect sand from blowing onto the rubberized surface.

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 proposed playground is permitted as ancillary development to publicly owned coastal beaches. The playground will be located on the sandy beach and will be designed with materials to withstand the beach environment. The structures will comply with development standards including setbacks and building height.
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 project will be installed on the beach with access to existing utilities including sewer, water, and roads. An existing public restroom located near Bluff Top Park is in close proximity to the project location.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views. The playground will be minimally visible from the street because it will sit approximately 22 ft. below Pacific Coast Highway. Existing paths in compliance with current ADA standards will provide accessibility to the playground.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-002:

1. The site plan and elevations received and dated January 21, 2016 shall be the conceptually approved design with a modification that the playground abuts a paved walkway to increase accessibility.
2. Coastal Development Permit No. 16-002 shall become null and void unless exercised within two years of the date of final approval by the City or by the Coastal Commission if the Coastal Development Permit is appealed, 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.
3. 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.

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.