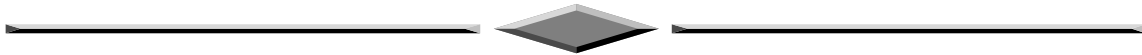


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Andrew Gonzales, Associate Planner  
**DATE:** July 6, 2011

**SUBJECT:** **COASTAL DEVELOPMENT PERMIT NO. 11-011/ TEMPORARY USE PERMIT NO. 11-001 (THE AGENDA TRADE SHOW)**

**LOCATION:** 21100 Pacific Coast Highway, 92648 (inland side of Pacific Coast Highway, along Twin Dolphin Drive)



**Applicant:** Seth Haber, Agenda Trade Show, 110 E. 9<sup>th</sup> Street, Los Angeles, CA 90079

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

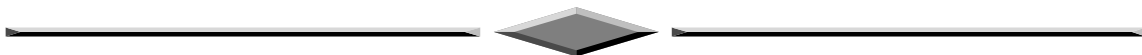
**Request:** To permit the temporary street closure of Twin Dolphin Drive for a period of seven days (July 30, 2011 through August 5, 2011) to accommodate an approximately 25,200 sq. ft., 30 ft. high tent that will serve as additional exhibit space for a trade show event located at the Hyatt Regency. The proposed non-public event will occur for a period of two days (August 3, 2011 through August 4, 2011) and include beer and wine service.

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

**Zone:** SP5-CZ (Downtown Specific Plan – District No. 7 – Coastal Zone Overlay)

**General Plan:** CV-F7-sp (Commercial Visitor – 3.0 Max. Floor Area Ratio – Specific Plan Overlay)

**Existing Use:** Public right-of-way



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

## **SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 11-011:**

1. Coastal Development Permit No. 11-009 to permit the temporary street closure of Twin Dolphin Drive for a period of seven days (July 30, 2011 through August 5, 2011) to accommodate an approximately 25,200 sq. ft., 30 ft. high tent that will serve as additional exhibit space for a proposed trade show event located at the Hyatt Regency. The proposed non-public event will occur for a period of two days (August 3, 2011 through August 4, 2011) and will conform to the General Plan, including the Local Coastal Program. The project is consistent with the following policies:

Objective – C 1.1: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

Policy – C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

Policy – C 1.1.6: Temporary and seasonal activities within the coastal zone which do not qualify as exempt activities pursuant to the Commission's guidelines adopted by the Commission pursuant to Section 30610(i) of the Coastal Act shall be monitored and regulated through the coastal development permit process to protect coastal resources from adverse impacts associated with the seasonal or temporary activities.

The proposed project will involve the temporary closure of Twin Dolphin Drive in order to accommodate a temporary tent. The event will be sited on a thoroughfare located between two prominent hotels (i.e, Hilton Waterfront Beach Hotel and Hyatt Regency), which serve as points of destination for tourists. All associated physical improvements will be temporary in nature and will not result in permanent alterations to the existing public right-of-way (i.e., street, sidewalks, and landscaping). Construction and event operations are conditioned to minimize any potentially significant impacts to surrounding land uses in terms of traffic, noise, lighting, and safety. The project will temporarily close a local street and will not significantly impact adjacent coastal resources or coastal access.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of SP5 (Downtown Specific Plan, the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), and Municipal Code. The temporary trade show event and street closure is located within District No. 7 (Visitor Serving Commercial) of the Downtown Specific Plan (SP5), which allows for temporary outdoor events subject to a Temporary Use Permit pursuant to the HBZSO. No permanent physical alterations will occur to all existing public right-of-way (i.e., street, sidewalks, and landscaping). Although the temporary event will restrict vehicular and pedestrian traffic along Twin Dolphin Lane, other nearby access ways to adjacent coastal resources will be provided via Pacific Avenue, Huntington Street, and Beach Boulevard. Furthermore, the visitor serving use will comply with applicable noise thresholds as defined by the City Noise Ordinance (Chapter 8.40 Noise Control).

3. At the time of occupancy the proposed project can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The project will provide a temporary ancillary use that will not significantly change the physical environment or result in the permanent expansion of an adjacent hotel. The project is within a previously developed site in an urbanized area with all necessary services and infrastructure available.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The temporary street closure will not result in the removal of on-street parking. Public access to the beach and coastal resources will be maintained along other adjacent public right-of-ways.

**SUGGESTED FINDINGS FOR APPROVAL – TEMPORARY USE PERMIT NO. 11-001:**

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the provisions of Chapter 241 and the following goals, objectives, and policies of the General Plan:

A. Land Use Element

Objective-10.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach’s recreation resources.

Objective – 10.1.18: Encourage the incorporation of meeting rooms, conference and banquet facilities, and other uses available to visitors and the City’s residents in major visitor-serving development projects.

B. Economic Element

Objective -2.2: Maximize Huntington Beach’s visibility by participating in local, regional and state marketing efforts. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The temporary use permit will be compatible with the surrounding uses because the event is temporary in nature and is consistent with the character of the area. It will not alter the existing property or physical improvements in the surrounding area.

The Agenda Trade Show is a special event to promote new seasonal apparel of local and national clothing companies. The event will not be open to the public, but serve as a venue to promote and exhibit apparel to regional and national companies/stores. The temporary event will maximize the City’s visibility by operating during a peak period of tourism, as well as, during the U.S. Open of Surfing. The trade show event will temporarily expand the Hyatt’s Conference Center for a period of two-days.

2. The temporary street closure of Twin Dolphin Drive for a period of seven days (July 30, 2011 through August 5, 2011) to accommodate an approximately 25,200 sq. ft., 30 ft. high tent that will serve as additional exhibit space for a proposed non-public two-day trade show event held at the Hyatt Regency including the service and onsite consumption of beer and wine will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The trade show event will be located within the

interior of the tent with all associated activities to be contained within the exhibit space area. Usage of the tent space will serve to accommodate additional vendors. The event is not anticipated to generate any significant increase in parking demand or increase in vehicular traffic as the event will not be open to the general public. Based upon the conditions imposed, the street closure and use will not create unsafe driving conditions or generate any additional odor, noise or lighting above levels that which already exist.

**SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 11-011/TEMPORARY USE PERMIT NO. 11-001:**

1. The site plan, floor plan, section elevations, and construction details received and dated June 7, 2011, shall be the conceptually approved design.
2. Prior to the commencement of the use, a building permit shall be obtained and finalized for the installation of the temporary tent, raised platform, and all applicable structures. **(BS)**
3. Prior to submittal for building permits, zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Planning and Building, Fire, and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point
4. The structure cannot be occupied and the final building permit cannot be approved until the following has been completed:
  - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
  - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building Department.
  - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
5. The use shall comply with the following:
  - a. Only the uses, hours of operation, and schedule of activities/events described in the project narrative dated June 7, 2011, shall be permitted.
  - b. The applicant shall be responsible for possessing the appropriate license issued by the California Department of Alcoholic Beverage Control (ABC) to serve beer and wine only. The license shall be conspicuously posted during the event, and available for inspection by any City or State official. **(PD)**
  - c. The hours of operation for alcohol service shall be limited between 12:00PM and 7:00PM. **(PD)**
  - d. All alcoholic beverage servers must have completed a responsible beverage service course through ABC. **(PD)**
  - e. The event shall be staffed by a minimum of two (2) security guards at each entrance/exits at all times. There shall be at least one (1) security guard patrolling

within the tent area to prevent the consumption of alcohol by minors. Security guards shall be required to wear a distinctive, identifiable uniform with the word "Security" printed visibly on the shirt and/or jacket. All security guards must possess a valid California State Guard Card. **(PD)**

- f. The applicant shall take appropriate steps to identify those persons over the age of 21 in order to prevent the consumption of alcohol by minors. The steps shall include, but not be limited to, issuing colored wristbands to patrons of legal drinking age. A different colored wristband must be issued each subsequent day. Only one wristband shall be issued per person for each day of the event with no exceptions. **(PD)**
  - g. Alcohol service and consumption shall be limited to within the interior of the trade show exhibit tent only. No alcoholic beverages from outside the tent may be brought into the event. **(PD)**
  - h. A sign shall be clearly posted identifying that alcoholic beverages are not allowed outside the confines of the exhibit tent.
  - i. All alcoholic beverages shall be served in clearly identifiable and distinctive glasses, which are different from those containing non-alcoholic beverages. The glasses shall hold no more than 12 fluid ounces for beer and 4 fluid ounces for wine. **(PD)**
  - j. Use of amplifiers, speakers, and playing of recorded music shall be limited to the event area and shall be discontinued as of 7:00PM. Speakers shall not be directed toward any housing area.
  - k. Any portable/fixed event lighting and theatrical lighting sets shall be positioned and aimed so that they do not shine towards or impair on-coming street traffic or adjoining residences
  - l. The applicant shall provide for clean-up of the subject site and adjacent streets of trash and debris after the closing of each event. Clean-up of the site between 10:00PM and 7:00AM shall not include the use of any machinery or equipment that may disturb the residents in the area. All trash, debris and garbage, as well as special dumpsters, shall be removed from the site each day after the closing of each event.
  - m. An event liaison shall be permanently established and available to assist neighbors and residents with issues regarding overall site operations. A sign shall be clearly posted on-site identifying the event contact and telephone number.
  - n. All construction and events activities shall comply with the noise thresholds as established by the City Noise Ordinance (Chapter 8.40 Noise Control).
- 6. Damage landscaping, medians, pavement, curb, gutter or sidewalk shall be removed and replaced per Public Works Standard Plans. **(PW)**
  - 7. Drainage along gutters and into catch basins shall be maintained at all times. Catch basins and gutter shall be free of any obstructions. **(PW)**
  - 8. 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.

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/index.cfm?fuseaction=guidelines>).

**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.