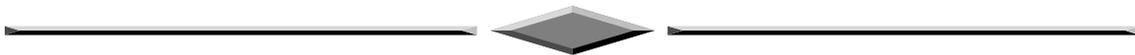


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** John Ramirez, Project Planner  
**DATE:** April 20, 2016

**SUBJECT:** **TENTATIVE PARCEL MAP NO. 15-163/ CONDITIONAL USE PERMIT NO. 15-058/ COASTAL DEVELOPMENT PERMIT NO. 15-030 (DAVENPORT MARINA RESIDENTIAL – CONTINUED FROM THE MARCH 16, 2016 MEETING)**

**LOCATION:** 4052 Davenport Drive, 92649 (south side of Davenport Dr. between Edgewater Ln. 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

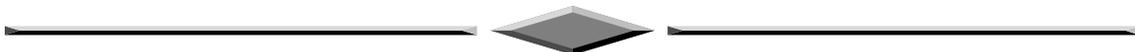
**Request:** **TPM:** To subdivide one existing parcel into three parcels to establish two residential lots and reconfigure an existing marina parking lot. **CUP:** To permit a reduction in the number of required marina parking spaces based on a parking survey. **CDP:** To subdivide one existing parcel into three parcels.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15315, Class 15, California Environmental Quality Act.

**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, does not conform with the General Plan, including the Local Coastal Program. Although the site plan includes the required public access, the entirety of the project does not conform with the General Plan and 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 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 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. . . .

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 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. 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 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 (both for parking and watching the parade) and provides direct view and access to the shoreline. Although the project as redesigned, provides the required vertical and lateral access, the proposed location of the two residential lots will impact public views of the coast and channel from Davenport Drive, Edgewater Lane and Davenport Beach. The development of the project at the west end of the site will preclude the potential for future coastal-related developments or visitor-serving commercial recreation facilities designed to enhance public opportunities for coastal recreation. 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. The site 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 HBZSO requires a minimum perimeter planting area of five feet for the parking lot and no landscaping is proposed along the south boundary of the parking lot. The HBZSO requires a minimum planting area of six feet along the both street frontages. The planting area along Edgewater Lane is less than six feet at the southern area of the street frontage. The HBZSO 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 Department has determined that a minimum ratio of 0.75 spaces be provided for marinas. The revised parking layout reflects 50 proposed parking spaces, 12 of which are in tandem in order to provide trailer parking for the marina customers and/or the public. Since the HBZSO does not allow tandem parking spaces, a total of 38 spaces would be proposed on site 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 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 historic use. 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 (both for parking and watching the parade) and provides direct view and access to the shoreline. The development of this subdivision will reduce the access acquired through use of the site for coastal-related activities. As such, staff recommends denial of the requested coastal development permit 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 240 feet of the 320 feet of coastline visible from Davenport Drive. Additionally, the placement of the lots along this area will impact future opportunity for this oceanfront land to be developed for visitor serving or local recreational use. 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 240 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. The subdivision incorporates a ten-foot wide public access way along the shoreline between the channel and the two proposed lots. Additionally, a small grass and seating area is proposed adjacent to the access for use by the public. Although the project as redesigned, provides the required vertical and lateral access, the proposed location of the two residential lots along the westerly portion of the property will impact public views of the coast and channel from Davenport Drive, Edgewater Lane and Davenport Beach.

- 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. The subdivision incorporates a ten-foot wide public access way along the shoreline between the channel and the two proposed lots, as well as a small grass and seating area adjacent to the access for use by the public. However, 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 on Davenport Drive. 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 240 feet of the 320 feet of coastline visible from Davenport Drive. Since the shoreline is visible by the public from Davenport Drive, the placement of two residential lots and construction of two single family homes on the westerly end of the property will have an adverse impact on the public view of the shoreline from the public street and from the bridge. 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.
  
- e. Other Adverse Impacts on Access and Recreation. The two new residential lots will be located within ten feet of the shoreline with single family structures as close as fifteen feet from the shoreline. The location of the two new lots and homes along 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 240 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 site 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 HBZSO requires a minimum perimeter planting area of five feet for the parking lot and no landscaping is proposed along the south boundary of the parking lot. The HBZSO requires a minimum planting area of six feet along the both street frontages. The planting area along Edgewater Lane is less than six feet at the southern area of the street frontage. The HBZSO 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 Department has determined that a minimum ratio of 0.75 spaces be provided for marinas. The parking layout reflects 50 proposed parking spaces, 12 of which are in tandem in order to provide trailer parking for the marina customers and/or the public. Since the HBZSO does not allow tandem parking spaces, a total of 38 spaces would be proposed on site 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 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 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 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. . . .

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 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. 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. Additionally, 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. As proposed, 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.

**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 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 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. . . .

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 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. 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. The project precludes the potential for future coastal-related developments or visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation. Additionally, 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. 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. 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, the project is not consistent with the General Plan.