



City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Hayden Beckman, Planning Aide *HB*
DATE: January 13, 2009

SUBJECT: GENERAL PLAN CONFORMANCE NO. 08-004 (WETLANDS RESTORATION EXCHANGE OF EASEMENTS)

LOCATION: 21900 Pacific Coast Highway, 92646 (North of Pacific Coast Highway, between Brookhurst Street and the AES Power Plant)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

General Plan Conformance No. 08-004 represents a request, pursuant to Section 65402 of the California Government Code, by the Orange County Public Works Department to determine if an exchange of easements between the Orange County Flood Control District (OCFCD) and the Huntington Beach Wetlands Conservancy (HBWC) for the purpose of habitat restoration and flood control improvements is in conformance with the goals, objectives, and policies of the General Plan. The request is in conjunction with Conditional Use Permit No. 2007-036, which was approved by the Planning Commission on March 11, 2008 to allow a comprehensive restoration of the Magnolia, Brookhurst and Talbert Marshes as well as the Talbert Channel.

This request pertains to easements on vacant parcels within the area bounded by the approved wetlands restoration project. Proposed access easements are to allow: 1) the OCFCD to introduce flowage of urban runoff, storm or tidal water over HBWC property for the purposes of environmental rehabilitation, and 2) an access easement granted to the HBWC for the purposes of wetlands restoration and maintenance activities over County property adjacent to the Huntington Beach and Talbert Channels. The role of the Planning Commission is to ensure the exchange of easements is in conformance with the goals, objectives and policies of the General Plan.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

The project areas of consideration are currently identified as the Magnolia and Brookhurst Marshes, bounded by Pacific Coast Highway to the south, by the Huntington Beach Channel to the north, and between Brookhurst Street and the AES power plant.

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	OS – C (Open Space – Conservation), P (Public)	CC – CZ – O – FP2 (Coastal Conservation – Coastal Zone Overlay – Oil Production Overlay – Floodplain Overlay)	Wetlands
North of Subject Property (across Huntington Beach Channel):	P, RL – 7 (Residential Low Density – Maximum 7 units per acre)	PS – CZ – O – FP2 (Public-Semipublic – Coastal Zone Overlay – Oil Production Overlay – Floodplain Overlay), RL – CZ (Residential Low Density – Coastal Zone Overlay)	Storage tanks and single-family residential
East of Subject Property (across Brookhurst Street)	OS – C	CC – CZ	Wetlands
South of Subject Property: (across PCH)	OS – S (Open Space – Shore)	OS – S – CZ – FP2 (Open Space – Shoreline – Coastal Zone Overlay – Floodplain Overlay)	Beach
West of Subject Property:	P	PS – CZ – O, IG – CZ – O (Industrial General – Coastal Zone Overlay – Oil Production Overlay)	AES Power Plant

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION: **MANDATORY PROCESSING DATE(S):**
Application Incomplete. Within 40 days of being deemed complete.

General Plan Conformance No. 08-004 is tentatively scheduled for action by the Planning Commission on January 27, 2009.

CEQA ANALYSIS/REVIEW:

The General Plan conformance review is categorically exempt pursuant to Section 15306, Class 6 of the California Environmental Quality Act, which states that information collection which does not result in major disturbance to an environmental resource is exempt from any environmental review.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES:

No comments regarding General Plan Conformance No. 08-004 have been received from other City departments or agencies.

PUBLIC MEETINGS, COMMENTS AND CONCERNS:

No public meetings have been held regarding this General Plan Conformance request.

PLANNING ISSUES

The only issue to consider as part of this request is the project's conformance to the City's General Plan. The exchange of easements between the OCFCD and the HBWC for the purpose of habitat restoration and flood control improvements is consistent with the goals and objectives of the City's General Plan and the Land Use Element designation of Open Space - Conservation on the subject property. The following goals, policies and objectives pertain to the role of the exchange of easements in the greater context of wetlands restoration:

Land Use Element

LU Goal 5: *Ensure that significant environmental habitats and resources are maintained.*

LU Policy 5.1.3: *Participate in inter-jurisdictional and regional environmental management and mitigation programs.*

LU Policy 5.1.5: *Preserve or restore areas that provide water quality benefits and/or are necessary to maintain riparian and aquatic biota.*

LU Policy 5.1.8: *Preserve and/or acquire areas of open space that have water quality significance and minimize any clearing of vegetation from those developed sites.*

The project involves multiple parcels under ownership by the OCFCD and the HBWC. The proposed exchange of easements would allow for access and encroachment onto each agency's property by the other for the purpose of flood control improvements to the Huntington Beach Channel, as well as environmental rehabilitation of the wetlands area. The restoration efforts by both agencies support the continued maintenance and stabilization of existing habitat and open space resources.

Coastal Element

C Goal 4: *Preserve and, where feasible, enhance and restore the aesthetic resources of the City's Coastal Zone, including natural areas, beaches, harbors, bluffs and significant public views.*

C Goal 7: *Preserve, enhance and restore, where feasible, environmentally sensitive habitat areas (ESHAs) in the City's Coastal Zone.*

C Objective 7.2: *Promote the improvement of biological productivity and appearance of wetlands and environmentally sensitive habitats.*

C Policy 7.2.1: *Promote the re-establishment of tidal flushing in wetland areas.*

C Policy 7.2.4: *Encourage the Orange County Flood Control District to improve, and continue to maintain once improved, the Huntington Beach and Talbert Flood Control Channel embankment from Beach Boulevard to the Santa Ana River by implanting the following measures:*

- a) *Restore and enhance tidal flows into the area and expand the existing mudflat and saltmarsh habitats.*

b) Plant native plant species to enhance wildlife diversity.

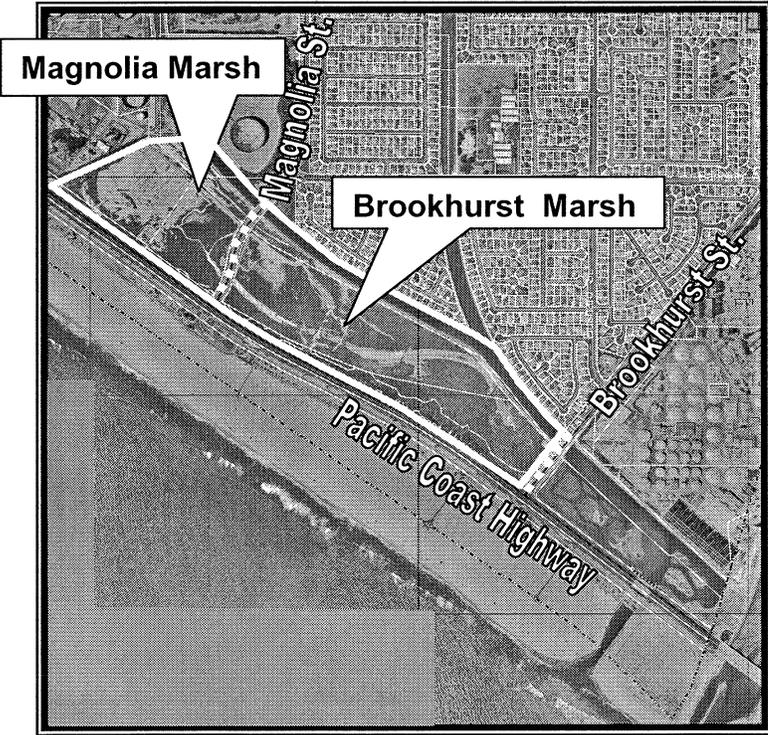
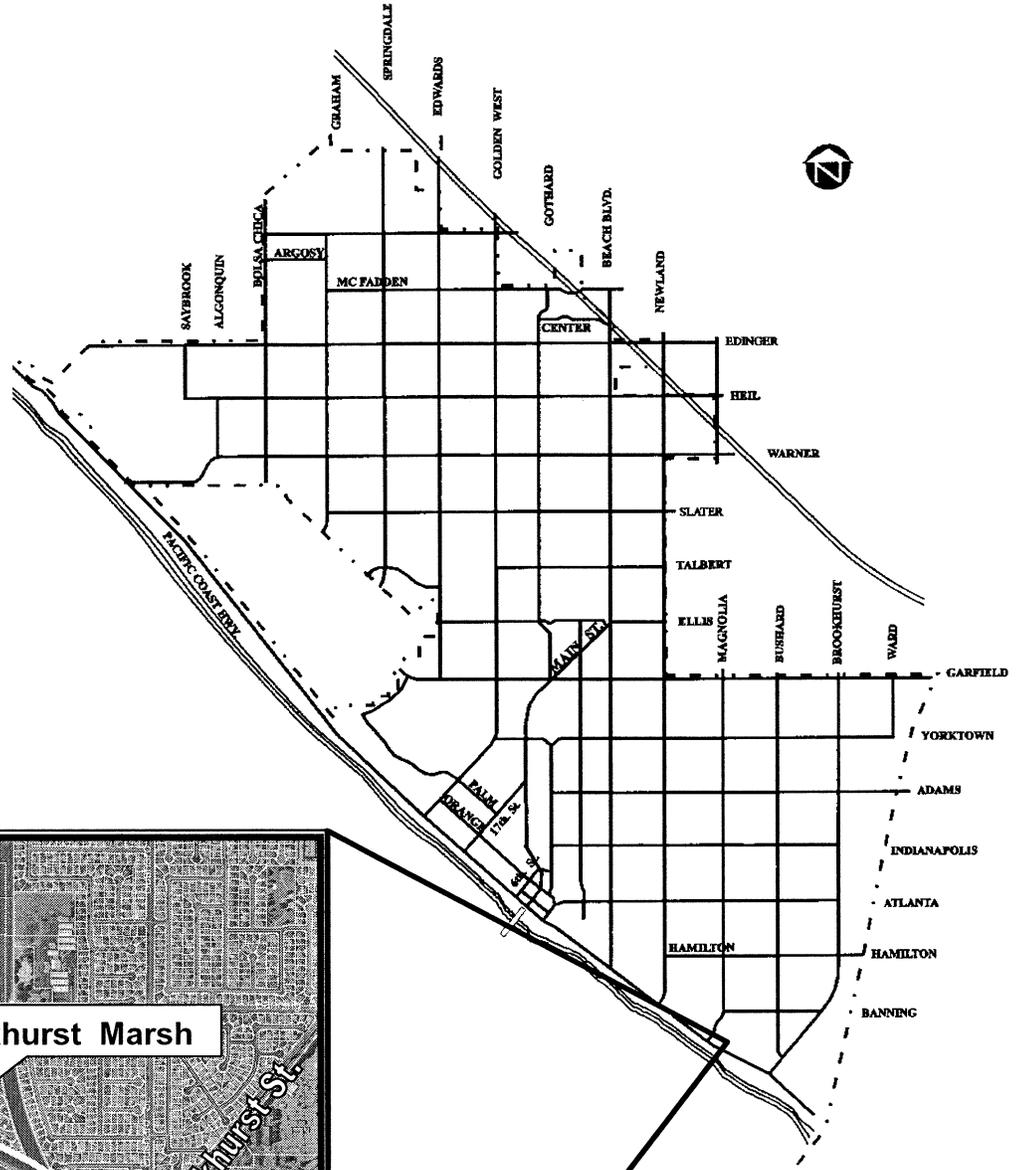
c) Enhance the visual appearance of wetland areas.

d) Projects that impact the wetlands shall be sited and designed to improve the overall functioning of the wetland ecosystem.

Located within the City's Coastal Zone, the project will allow inter-agency restoration of an environmentally sensitive habitat area and enhance the appearance of wetlands within a scenic corridor. Tidal flows are scheduled to be re-introduced to the wetlands in order to advance the restoration efforts. The proposed exchange of easements will allow access between the flood control channel and the wetlands area for tidal flushing as well as improvements to the Huntington Beach Flood Control Channel for continued preservation of the wetland areas bounded by the project site.

ATTACHMENTS:

1. Vicinity Map – Magnolia and Brookhurst Marshes
2. Letter from Orange County Public Works Department, dated December 5, 2008



VICINITY MAP
GENERAL PLAN CONFORMANCE NO. 2008-004
(WETLANDS RESTORATION EXCHANGE OF EASEMENTS)

DEC 10 2008

Date: December 5, 2008

ROWE I.D. No.: 2008-065

Scott Hess
Director of Planning
CITY OF HUNTINGTON BEACH
2000 Main St.
P.O. Box 190
Huntington Beach, CA 92648

Subject: Request for General Plan Conformity Report – Huntington Beach Wetlands Restoration

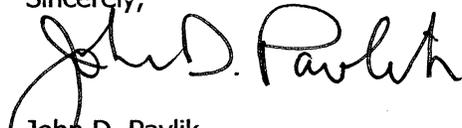
Mr. Hess:

The Orange County Flood Control District (OCFCD) is exchanging easements with Huntington Beach Wetlands Conservancy (HBWC) over land located northerly along Pacific Coast Highway from approximately 1025 feet northeasterly of Magnolia St. to Brookhurst St. The easements are for the purpose of flood control and wetlands restoration and the subject lands are shown on the attached location maps.

As required by Government Code Section 65402, this is to request that a determination be made on the conformance of the proposed OCFCD project with the City's General Plan.

Please route a dated copy of the City's determination as made by either the planning commission –OR– authorized staff to Jimmy Villalobos of Right of Way Engineering, who may be contacted by phone at 714-834-6177 or by e-mail at jimmy.villalobos@rdmd.ocgov.com. If desired, the form provided below may be used to report project conformance. All questions regarding the Huntington Beach Wetlands Restoration Project may be directed to Gary Gorman, Project Engineer, of HBWC office, by phone at 714-926-1945 or by e-mail at gcgorman@verizon.net.

Sincerely,


John D. Pavlik
Right of Way Engineering Manager

DETERMINATION:

The project described above is in conformance with the City's General Plan.

_____ for the City of Huntington Beach

_____ Date

Enclosures: Location Map, Thomas Bros. Pg. 888

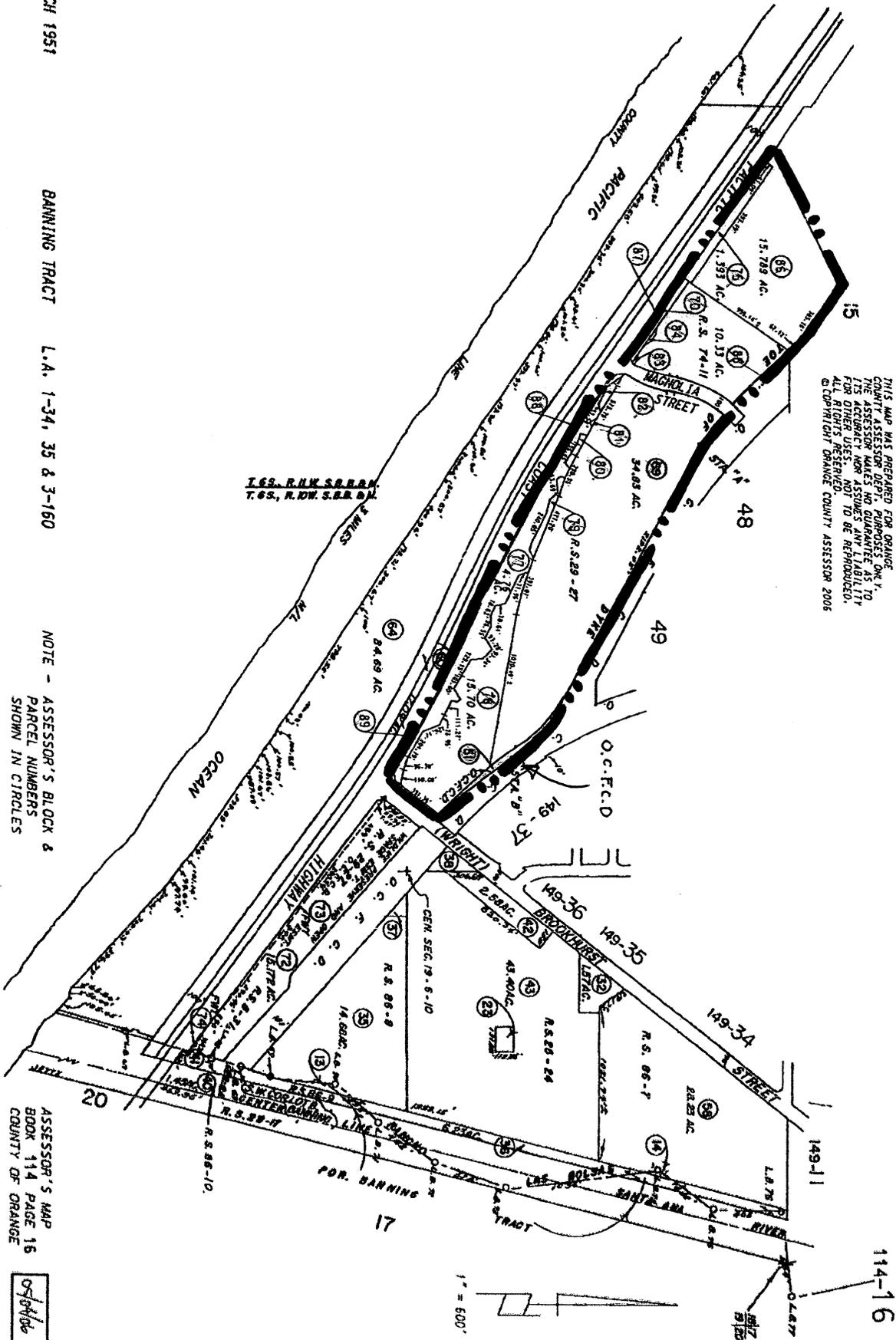
cc: Fred Wilson, City Administrator, City of Huntington Beach
Tom Mason, Manager, OC Public Works, Corporate Real Estate

ATTACHMENT NO. 2

HBWC

OCFCD

THIS MAP WAS PREPARED FOR ORANGE COUNTY ASSESSOR DEPT. PURPOSES ONLY. THE ASSESSOR MAKES NO GUARANTEE AS TO THE ACCURACY OR ASSUMES ANY LIABILITY FOR RIGHTS RESERVED. TO BE REPRODUCED. COPYRIGHT ORANGE COUNTY ASSESSOR 2006



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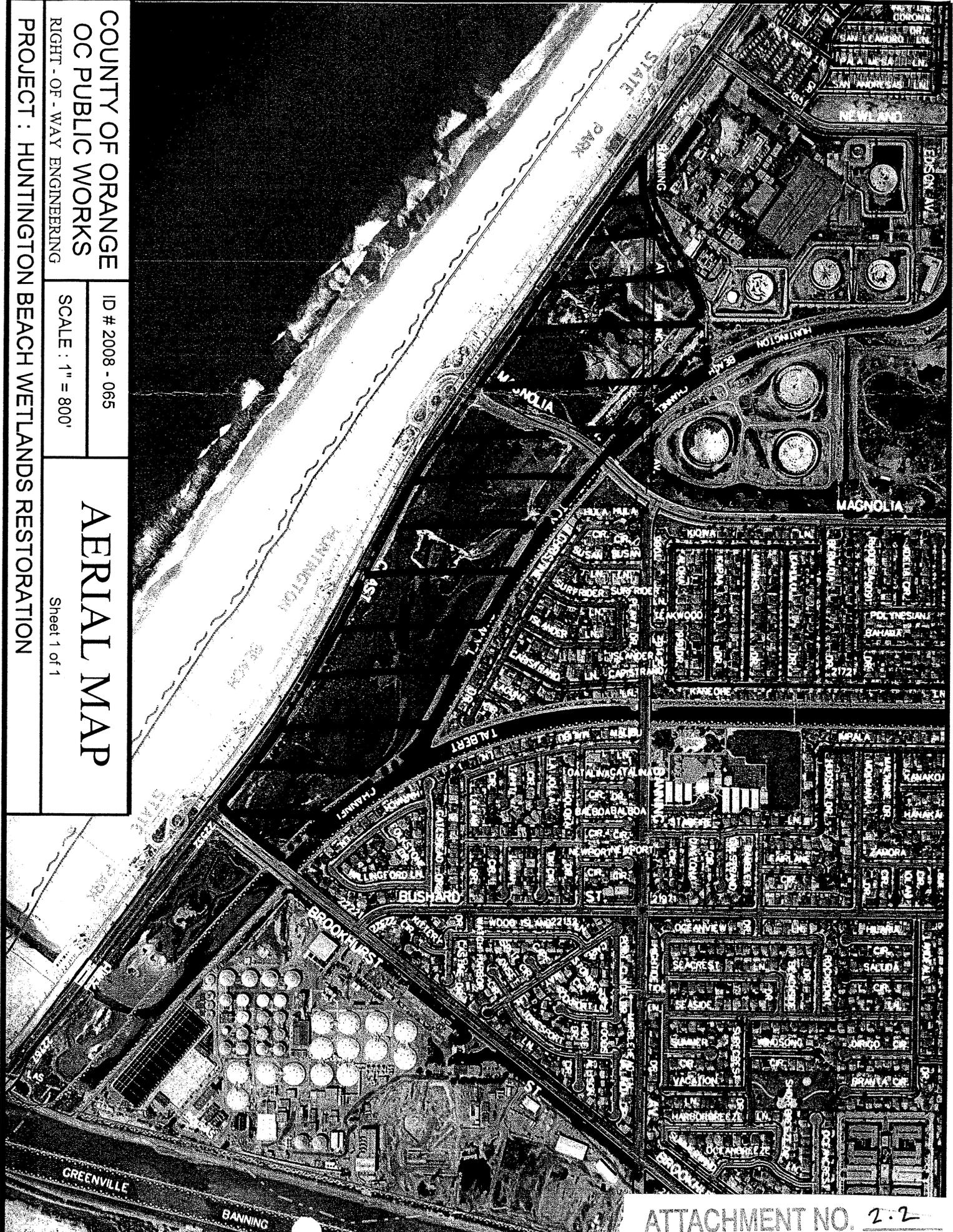
BANNING TRACT

L.A. 1-34, 35 & 3-160

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 114 PAGE 16 COUNTY OF ORANGE





COUNTY OF ORANGE
OC PUBLIC WORKS
RIGHT - OF - WAY ENGINEERING

ID # 2008 - 065

SCALE : 1" = 800'

AERIAL MAP

Sheet 1 of 1

PROJECT : HUNTINGTON BEACH WETLANDS RESTORATION