



City of Huntington Beach Planning and Building Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Ricky Ramos, Senior Planner ~~RP~~
DATE: August 24, 2010

SUBJECT: GENERAL PLAN CONFORMANCE NO. 10-003 (EAST GARDEN GROVE WINTERSBURG CHANNEL IMPROVEMENTS)

APPLICANT: Orange County Public Works Dept., 300 N. Flower Street, Santa Ana, CA 92702

PROPERTY

OWNERS: Orange County Flood Control District, 300 N. Flower Street, Santa Ana, CA 92702,
City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648,
Shea Homes, 1250 Corona Point Ct, Suite 600, Corona, CA 92879

LOCATION: East Garden Grove Wintersburg Channel between Warner Ave. and City Limits, 92647

STATEMENT OF ISSUE:

- ♦ General Plan Conformance No. 10-003 request:
 - To determine if the County's proposal to improve the East Garden Grove Wintersburg Channel (EGGWC) is in conformance with the goals, objectives, and policies of the General Plan.
- ♦ Staff's Recommendation: Approve General Plan Conformance No. 10-003 based upon the following:
 - The proposal to improve the EGGWC conforms to the goals, objectives, and policies of the General Plan.

RECOMMENDATION:

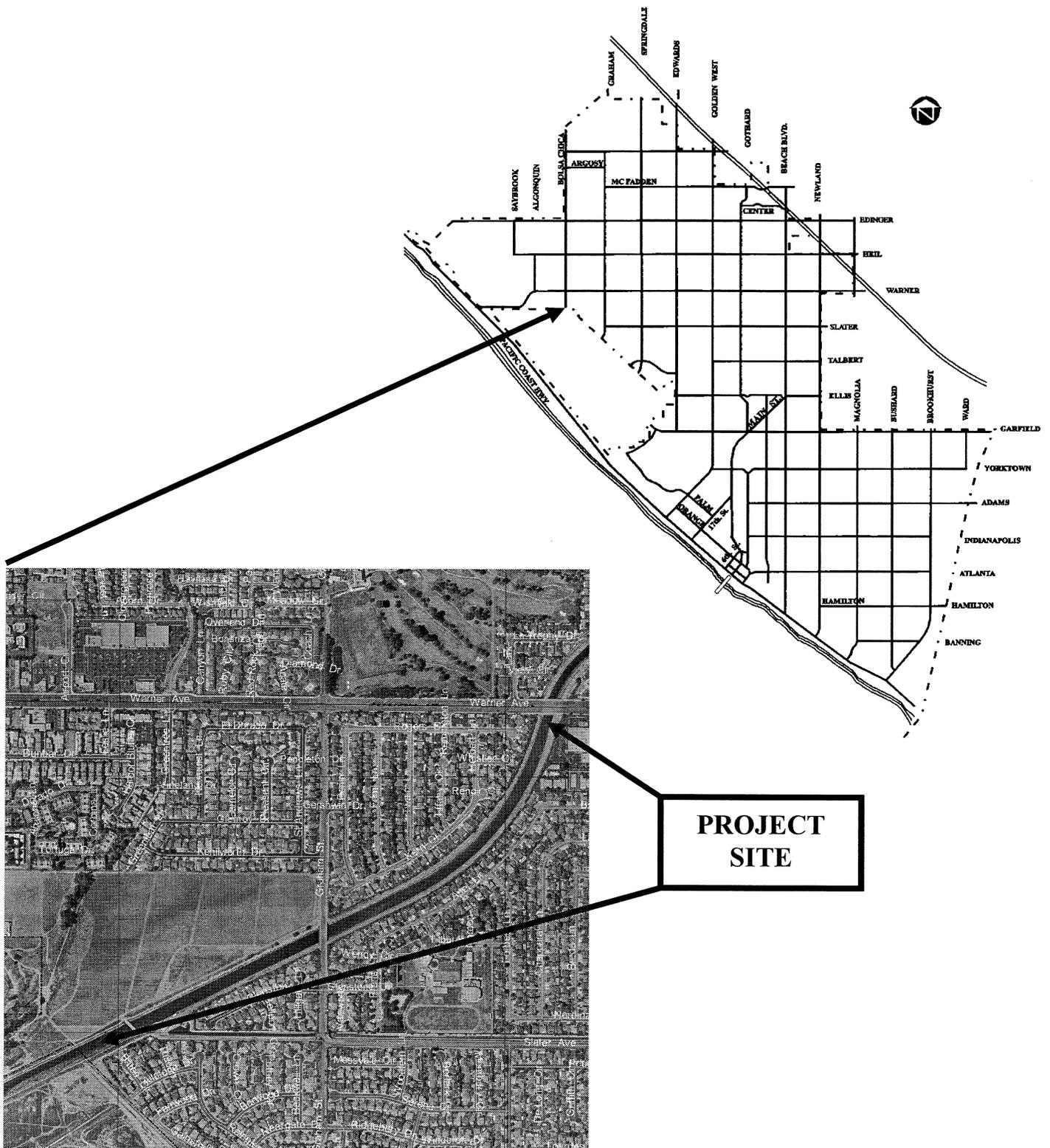
Motion to:

“Adopt Resolution No. 1646, approving General Plan Conformance No. 10-003 with findings (Attachment Nos. 1 and 2).”

ALTERNATIVE ACTION:

The Planning Commission may take an alternative action such as:

“Deny General Plan Conformance No. 10-003 with findings for denial.”



VICINITY MAP
 GENERAL PLAN CONFORMANCE NO. 10-003
 (EAST GARDEN GROVE WINTERSBURG CHANNEL)

PROJECT PROPOSAL:

General Plan Conformance No. 10-003 represents a request, pursuant to Section 65402 of the California Government Code, by the Orange County Public Works Department to determine if a proposal to improve the East Garden Grove Wintersburg Channel (EGGWC) is in conformance with the goals, objectives, and policies of the General Plan.

The County is proposing improvements to the existing EGGWC, which together with its tributary Oceanview Channel, drains approximately 28 square miles of watershed in central Orange County. The EGGWC was designed and built in the 1960s to convey approximately 65 percent of the 25 year storm event. Current Orange County Flood Control District standards require the system to be designed for a 100 year storm.

According to the County the planned improvements begin at the tide gates and end upstream of Warner Avenue. The work includes reinforcing the levees between the tide gates and the Oil Access Road Bridge by driving steel sheet piles onto the ground; construction of soil mixed (soil mixed with cement) columns sandwiched between two rows of steel sheet piles on both sides of the channel between Graham Street and Warner Avenue and 2000 feet downstream of Graham Street to Graham Street for the south levee only; excavation of the earthen embankment to widen the channel and increase channel flood conveyance capacity; and construction of a recreational trail on the southerly levee from the Oil Access Road Bridge to 2000 feet downstream of Graham Street. Four staging areas are proposed and sited for construction; two are located in the CA State Lands Commission (SLC) area as Staging Areas No. 1 and 2; one is located at the end of Slater Ave. extension owned by the City of Huntington Beach as Staging Area No. 3, and the last is proposed within the Shea Property as Staging Area No. 4.

The GPC review by the Planning Commission only pertains to the portion of the EGGWC channel improvements between Warner Ave. and city limits. The remainder of the channel improvements is outside city limits.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Area:	P (Public)	Not Applicable	EGGWC
North, South, and West of Subject Area:	RL-7 (Residential Low Density – Max. 7 dwelling units/acre)	RL (Residential Low Density)	Single Family Residential
East of Subject Area:	RL-7, RM-15 (Residential Medium Density – Max. 15 dwelling units/acre), CG-F1 (Commercial General – Max. Floor Area Ratio of 0.35)	RL, RM (Residential Medium Density), CG (Commercial General)	Single and Multi-Family Residential, Commercial Center

General Plan Conformance:

The proposed upgrades to the EGGWC for the purpose of providing the desired level of flood protection are in conformance with the General Plan Land Use Element designation of Public and the following goal, objective, and policies:

Utilities Element

Goal U 3: Provide a flood control system which is able to support the permitted land uses while preserving the public safety; upgrade deficient systems; and pursue funding sources to reduce the costs of flood control provision in the City.

Objective U 3.1: Ensure that adequate storm drain and flood control facilities are provided and properly maintained in order to protect life and property from flood hazards.

Policy U 3.1.1: Maintain existing public storm drains and flood control facilities; upgrade and expand storm drain and flood control facilities.

Policy U 3.1.2: Coordinate with County agencies to improve the County's facilities.

The proposed improvements to the EGGWC will provide increased flood control to protect life and property.

Zoning Compliance: Not applicable.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

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. The County has indicated that the channel improvements are covered under an Environmental Impact Report certified in 1998 and an Addendum in 2007 and that the staging areas are covered under Mitigated Negative Declaration IP09-311.

Coastal Status: According to the County a Coastal Development Permit application is currently in process with the Coastal Commission for the proposed project.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

No comments regarding General Plan Conformance No. 10-003 have been received from other City departments or agencies.

Public Notification:

General Plan Conformances are non-public hearing items and do not require legal notification.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

July 20, 2010

MANDATORY PROCESSING DATE(S):

August 29, 2010 (40 days from complete application)

ANALYSIS:

Section 65402 of the California Government Code provides that no real property shall be acquired by dedication or otherwise for public purposes and no public building or structure shall be constructed or authorized until the location, purpose and extent of such have been submitted to and reported upon as to conformity with the City's adopted General Plan. Consistent with State law, staff has identified General Plan goals, objectives, and policies which are applicable to the request in the General Plan Conformance section of this staff report. Because the project is consistent with the goals, objectives, and policies of the General Plan, staff recommends the Planning Commission approve General Plan Conformance No. 10-003.

ATTACHMENTS:

1. Suggested Findings of Approval – GPC No. 10-003
2. Planning Commission Resolution No. 1646
3. Project Narrative Dated July 20, 2010

SH:MBB:RR:jr

ATTACHMENT NO. 1

SUGGESTED FINDINGS OF APPROVAL

GENERAL PLAN CONFORMANCE NO. 10-003

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the General Plan conformance review 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 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. In addition, the County has indicated that the channel improvements are covered under an Environmental Impact Report certified in 1998 and an Addendum in 2007 and that the staging areas are covered under Mitigated Negative Declaration IP09-311.

SUGGESTED FINDINGS FOR APPROVAL – GENERAL PLAN CONFORMANCE NO. 10-003:

The proposed upgrades to the EGGWC for the purpose of providing the desired level of flood protection is in conformance with the General Plan Land Use Element designation of Public and the following goal, objective, and policies:

Utilities Element

Goal U 3: Provide a flood control system which is able to support the permitted land uses while preserving the public safety; upgrade deficient systems; and pursue funding sources to reduce the costs of flood control provision in the City.

Objective U 3.1: Ensure that adequate storm drain and flood control facilities are provided and properly maintained in order to protect life and property from flood hazards.

Policy U 3.1.1: Maintain existing public storm drains and flood control facilities; upgrade and expand storm drain and flood control facilities.

Policy U 3.1.2: Coordinate with County agencies to improve the County's facilities.

The proposed improvements to the EGGWC will provide increased flood control to protect life and property.

RESOLUTION NO. 1646

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF HUNTINGTON BEACH FINDING PROPOSED IMPROVEMENTS TO THE
EXISTING EAST GARDEN GROVE WINTERSBURG CHANNEL
IN CONFORMANCE WITH THE GOALS, OBJECTIVES,
AND POLICIES OF THE GENERAL PLAN
(GENERAL PLAN CONFORMANCE NO. 10-003)**

WHEREAS, the Government Code of the State of California, Section 65402, provides that a local planning agency review any public structure to be constructed or authorized for conformity with the local General Plan; and

WHEREAS, the County of Orange has submitted a request for General Plan Conformance review of proposed improvements to the existing East Garden Grove Wintersburg channel; and

WHEREAS, staff has reviewed a description of the improvement project and submitted it to the Planning Commission for review on August 24, 2010; and

WHEREAS, staff has indicated the applicable General Plan goals, objectives, and policies to establish conformance with the General Plan:

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission of the City of Huntington Beach finds the proposed improvements to the existing East Garden Grove Wintersburg channel for the purposes of providing greater flood protection and water drainage capacity in conformance with the goals, objectives, and policies of the General Plan.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Huntington Beach at a regular meeting held on the 24th day of August 2010, by the following roll call vote:

AYES: Speaker, Mantini, Farley, Shier Burnett, Scandura, Livengood, Delgleize
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:

Scott Hess, Secretary

Planning Commission Chairperson

EXHIBIT A

GENERAL PLAN CONFORMANCE NO. 10-003
(EAST GARDEN GROVE WINTERSBURG CHANNEL)

The proposed upgrades to the East Garden Grove Wintersburg channel for the purpose of providing the desired level of flood protection is in conformance with the General Plan Land Use Element designation of Public and the following goal, objective, and policies:

Utilities Element

Goal U 3: Provide a flood control system which is able to support the permitted land uses while preserving the public safety; upgrade deficient systems; and pursue funding sources to reduce the costs of flood control provision in the City.

Objective U 3.1: Ensure that adequate storm drain and flood control facilities are provided and properly maintained in order to protect life and property from flood hazards.

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Policy U 3.1.2: Coordinate with County agencies to improve the County's facilities.

The proposed improvements to the EGGWC will provide increased flood control to protect life and property.

RECEIVED

JUL 20 2010

Dept. of Planning
& Building

Project: East Garden Grove-Wintersburg Channel (OCFCD Facility C05) from Tide Gates to Warner Ave. (Station 6+34 to 102+00)

Project Information:

OC Public Works plans to construct improvements to the East Garden Grove Wintersburg Channel (EGGWC) from the Tide Gates (near Pacific Coast Highway) to upstream of the Warner Avenue Bridge. The subject channel reach is approximately two miles long.

The EGGWC system, together with its tributary Oceanview Channel, drains approximately 28 square miles of watershed in central Orange County. Current OCFCD standards require the system to be designed for a 100-year storm event. It was designed and built in the 1960s to convey approximately 65% of the 25-year storm event. The lower reach of the channel system from downstream of Warner Avenue Bridge to the Tide Gates is an earthen trapezoidal channel with levee heights above surrounding ground. The levees have continued to deteriorate due to major storms since 2005, and on October 16, 2007 the Orange County Board of Supervisors declared emergency due to the risk of flooding nearby homes. Emergency work to drive 3800 feet of steel sheet piles along the northerly levee, downstream of Graham Street, was completed in February 2008.

The planned improvements begin at the Tide Gates and end upstream of Warner Avenue. The work includes reinforcing the levees between the Tide Gates and the Oil Access Road Bridge by driving steel sheet piles onto the ground; construction of soil-mixed (soil mixed with cement) columns sandwiched between two rows of steel sheet piles on both sides of the channel between Graham Street and Warner Avenue and 2000 feet downstream of Graham Street to Graham Street for the south levee only; excavation of the earthen embankment to widen the channel and increase in channel flood conveyance capacity; and construction of a recreational trail on the southerly levee from the Oil Access Road Bridge to 2000 feet downstream of Graham Street.

Four staging areas, shown as Exhibit 2, are proposed and sited for construction; two are located in the CA State Lands Commission (SLC) area as Staging Areas No. 1 and 2; one is located at the end of Slater Ave. extension owned by the City of Huntington Beach as Staging Area No. 3, and the last is proposed within the Shea Property as Staging Area No. 4. The following schedule is for the proposed staging areas utilization:

Staging Areas 1,2:

- Ingress/egress to channel construction site
- Sheet pile material storage
- Selected equipment storage
- Alternate field office location

Staging Area 3:

- Primary field office location
- Construction/OCPW personnel parking
- Alternate material storage
- Ingress/egress

Staging Area 4: See Exhibit 3

- Soil-cement batching/mixing plant location

ATTACHMENT NO. 3.1

- Limited personnel parking
- Limited laydown yard for batching materials
- Ingress/egress

Major Project Construction Activities:

Sheet Pile Installation

- Z-shape steel sheet piles, 45 feet long, are proposed to be driven into the ground utilizing the Press-In or Giken method.
- A dual sheet pile wall, 15-feet apart is proposed on each side of the channel from Graham Street to Warner Avenue and from approximately 2000 feet downstream of Graham Street to Graham on the south channel embankment only.
- A single alignment of Z-shape steel sheet piles, 40 feet long, is proposed to be driven into the ground from approximately the Oil Road Bridge (Station 34+00) to 2000 feet downstream of Graham, 2 feet from the south right-of-way line for southerly embankment support, providing a minimum of 15 feet wide access for maintenance and recreational trail purposes within the SLC area.
- A sheet pile is proposed for the recreational access ramp containment.

Soil-Cement Mix (SCM) Column Installation

- Construction of a 3-foot diameter columns and 40-feet embedment with a mixture of in-situ soil and batch feed cement slurry within the confines of the dual steel sheet pile walls.
- Soil cement mixing is effectuated by the blades of the mixing rig and a slurry cement pumped and fed through a hose connected to the batching plant with a working distance of 2000-3000 feet from the plant.
- The columns are placed in a circular configuration within the sheet pile walls, overlapping each other not to exceed 30% of the column diameter.
- Excess soil mixture or spoils is spread evenly on top of the columns with a layer not to exceed 2 feet thick and over topped with a 2 inches of disintegrated granite layer.

A final Mitigated Negative Declaration IP 09-311 had been prepared and was posted for public review from September 22, 2009 to October 22, 2009.

Responses to City of Huntington Beach queries re: GPC request:

1. Your revised letter indicates that the General Plan Conformance (GPC) request only pertains to the two TCEs and not the channel improvements. Was a GPC already completed for the channel improvements?

Answer: The request for General Plan Conformity Statement is for Staging Area. No. 4. The proposed channel improvement concept was submitted and reviewed by the City of Huntington Beach Planning in September 2007 by Mary Beth Broeren, a copy of the Review Form is attached as Exhibit 1.

2. Also, for consistency, what CEQA exemption did the County use for the TCEs? Is it Section 15304 which covers minor temporary use of land having negligible or no permanent effects on the environment and not involving removal of trees?

Answer: IS/Mitigated Negative Declaration IP09-311 purports general coverage of the staging area. Temporary construction easement for staging purposes during construction involves temporary use of the land with no permanent effects to the environment and are controlled by the overall project permit. (Please feel free to verify project with Steve Bogart of the Public Works Department, City of Huntington Beach)

3. **What are the hours of operations?**
 Answer: Generally, the hours of operation of the use of the staging area is from 7:00 A.M. to 5:00 P.M., Monday to Friday which coincide with the construction hours.
4. **What is the anticipated start and end date of the staging and channel work?**
 Answer: Project construction is targeted to start early 2011 and will end in mid 2012 or earlier.
5. **Will staff/crew parking all be onsite?**
 Answer: Construction crew and OCFCD staff parking will utilize Staging Area 3, or the area at the end of Slater Avenue extension.
6. **Will the County notify residents of the staging and channel improvements?**
 Answer: Residents were notified of a public informational meeting on December 15, 2009 at Marine View Middle School located at 5682 Tilburg Drive, Huntington Beach, CA 92649. A second follow-up meeting will be held prior to start of the construction in December 2010.
7. **What quantity of soil/cement/etc. will be stored on the site at any given time and in total? Grading or stockpiling involving 25,000 cubic yards or more also require Planning Commission review.**
 Answer: Silos containing the cement material for the slurry accommodate approximately 75 tons or 730 cubic feet of dry cement. A minimum of one silo is required depending on the production schedule of the Soil-Cement Mixing operations.
8. **Will the County be bringing other materials (e.g. water, etc.) on to the site to mix with the soil/cement?**
 Answer: The batching plant for the cement slurry utilized for soil mixing requires a steady and sufficient supply of potable water which is expected to be permitted by the City.
9. **What equipment will the County be bringing to the site/area?**
 Answer: The portable equipments utilized for the batch plant is owned and operated by the Soil Cement Mixing contractor.
10. **How does the County plan to cross the channel with the material to do the work (and why not stage on the side of the channel where the County will be doing the work to avoid this)?**
 Answer: Staging Area No. 4 is located midway between the beginning and ending stations of dual steel sheet pile wall, approximately 3000 feet to the upper and lower limits. The cement slurry conveyance hose from the batching plant located northwest of the channel and Graham Street will cross to the south embankment via the Graham Street bridge, either at the sides or under the bridge soffit.
11. **Does the County have an approved coastal development permit from the Coastal Commission and is it inclusive of the staging?**
 Answer: OC Public Works, Project Management and Planning Section has submitted an application for a California Coastal Commission development permit and processing is in progress.
12. **Understanding that the County intends to get TCEs from Shea Homes, does the County have Shea's authorization to use their property and proceed with the General Plan Conformance review?**
 Answer: Flood Control Design Section of OC Public Works (OCPW) has made initial contact with Shea Property representative and conveyed our interest in acquiring a

portion of the property for temporary construction staging. OCPW Real Estate Services (RES) section in collaboration with Right-of-Way Engineering (ROW) section is involved in acquiring the subject parcel. Due to the necessity of this staging in the construction of the project, OCPW is ready to acquire this parcel in eminent domain or condemnation process.

ATTACHMENT NO. 3.4



CONSTRUCTION ACCESS MAP
EAST GARDEN GROVE - WINTERSBURG CHANNEL (C05)
TIDE GATES TO WARNER AVENUE

PREPARED BY: TG
 SCALE: N.T.S.

ORANGE COUNTY PUBLIC WORKS
 FLOOD CONTROL
 DESIGN SECTION



PACIFIC COAST HWY.

EXHIBIT 3

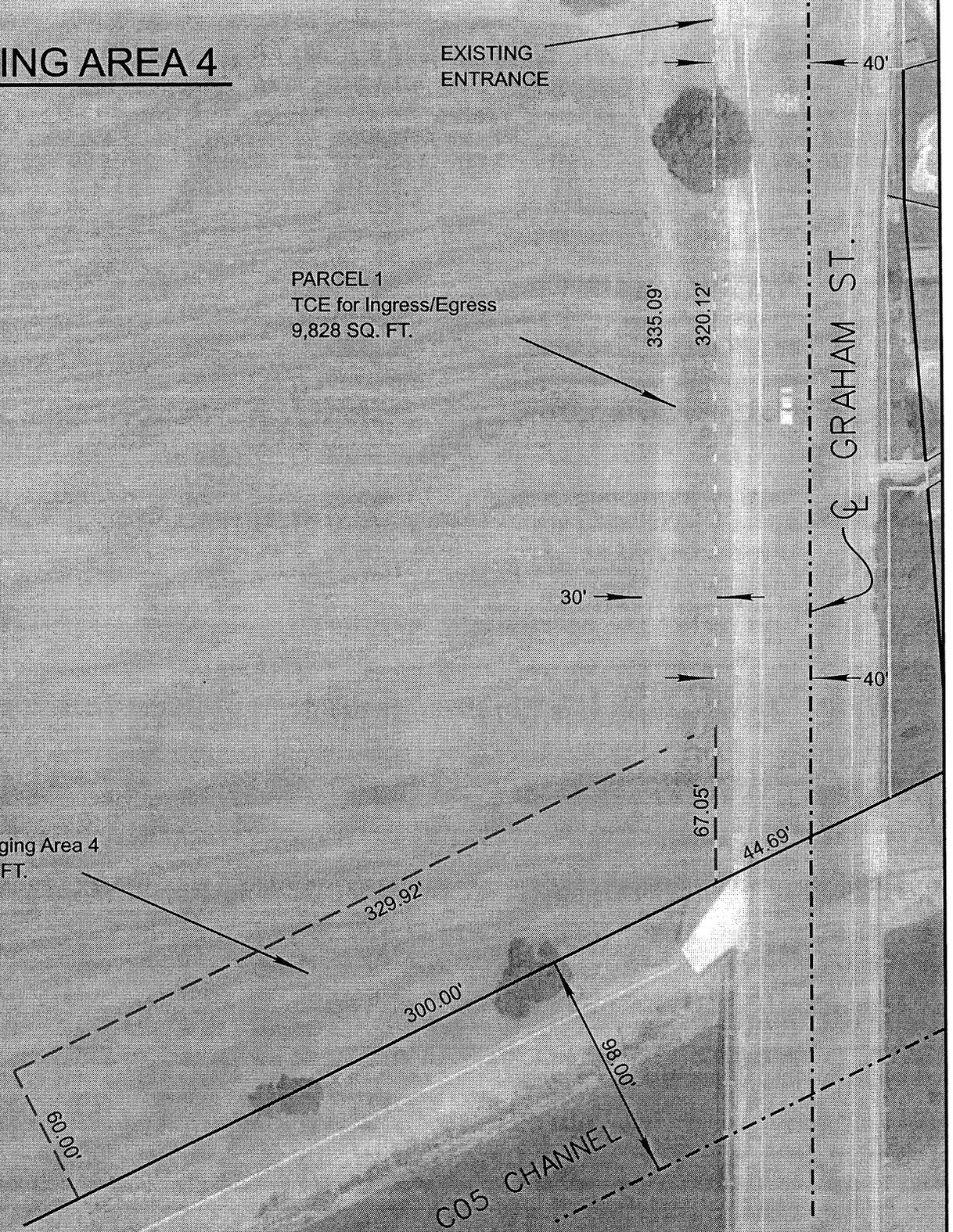
STAGING AREA 4

EXISTING
ENTRANCE

PARCEL 1
TCE for Ingress/Egress
9,828 SQ. FT.

PARCEL 2
TCE for Staging Area 4
18,899 SQ. FT.

GRAHAM ST.



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

ID # 2010 - 028

SCALE : 1" = 60'

LOCATION MAP

Sheet 1 of 1

PROJECT : EAST GARDEN GROVE-WINTERSBURG CHANNEL (C05)

ATTACHMENT NO. 3.4