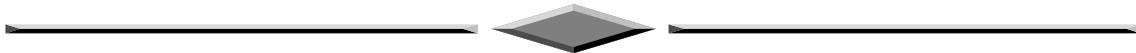


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Nicolle Bourgeois, Planning Aide  
**DATE:** May 31, 2017

**SUBJECT:** **COASTAL DEVELOPMENT PERMIT NO. 17-006 (ASCON LAGOON 5 SOLIDIFICATION AND OIL WELL ABANDONMENT)**

**LOCATION:** 21641 Magnolia Street, 92646 (southwest corner of Magnolia Street and Hamilton Avenue)



**Applicant:** Tamara Zeier, Project Navigator, One Pointe Drive, Suite 320, Brea, CA 92821

**Property Owner:** Cannery Hamilton Properties LLC, 6001 Bollinger Canyon Road, Room C2136, San Ramon, CA 94583

**Request:** To permit the abandonment of two oil wells located beneath Lagoon 5 of the ASCON site. The request includes grading activities, solidification of Lagoon 5 utilizing both on-site and imported materials, and construction of an access ramp to facilitate the oil well abandonment activities.

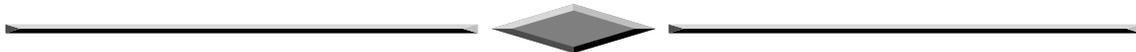
**Environmental Status:** Covered under EIR for the Remedial Action Plan for the ASCON Landfill Site (State Clearinghouse No. 2013041010)

**Coastal Status:** Appealable

**General Plan:** RM-15-sp (Residential Medium Density – Max. 15 du/acre - Specific Plan Overlay)

**Zone:** SP10-CZ (Magnolia Pacific Specific Plan – Coastal Zone)

**Existing Use:** ASCON Site



**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 is covered under the Environmental Impact Report (EIR) for the Remedial Action Plan for ASCON Landfill Site (State Clearinghouse No. 2013041010) certified by the Department of Toxic Substances Control on June 18, 2015. Implementation of the project would not result in any new or more severe potentially adverse environmental impacts that were not considered in the certified EIR. Furthermore, none of the circumstances described under Section 15162 and 15163 of the CEQA Guidelines are present and, therefore, no subsequent or supplement to the EIR need be prepared and no further environmental review or documentation is required.

### **SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 17-006:**

1. Coastal Development Permit No. 17-006 to permit the abandonment of two oil wells located beneath Lagoon 5 of the ASCON site and site improvements to support necessary equipment conforms to the General Plan, including the Local Coastal Program. The project is consistent with Coastal Element Policy C 4.7.10, which encourages the remediation and clean up of the ASCON site.
2. Coastal Development Permit No. 17-006 to permit the abandonment of two oil wells located beneath Lagoon 5 of the ASCON site and site improvements to support necessary equipment is consistent with the requirements of the Coastal Zone (CZ) Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. No permanent development is proposed as part of the project. The proposed project consists of grading activities, solidification of Lagoon 5 utilizing both on-site and imported materials, and construction of an access ramp to facilitate the oil well abandonment activities.
3. Coastal Development Permit No. 17-006 to permit the abandonment of two oil wells located beneath Lagoon 5 of the ASCON site and site improvements to support necessary equipment does not include development. Development will not occur until the site is remediated and released for construction by the Department of Toxic Substances Control. No infrastructure is required to serve the project at this time.
4. Coastal Development Permit No. 17-006 to permit the abandonment of two oil wells located beneath Lagoon 5 of the ASCON site and site improvements to support necessary equipment conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. No public access to the site is required or desirable, no public recreation facilities exist at the site and no opportunities for providing public recreation facilities at this site are present. The project will not impede public access, recreation, or views to coastal resources.

### **SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 17-006:**

1. The site plan and narrative received and dated April 24, 2017, shall be the conceptually approved project.

2. The project shall comply with all applicable Mitigation Measures and Project Design Features of the Environmental Impact Report certified by the Department of Toxic Substances Control on June 18, 2015.
3. The name and phone number of an on-site field supervisor hired by the developer shall be submitted to the Community Development and Public Works Departments. In addition, clearly visible signs shall be posted on the perimeter of the site every 250 feet indicating who shall be contacted for information regarding this project and any construction/grading-related concerns. This contact person shall be available immediately to address any concerns or issues raised by adjacent property owners during the construction activity. He/She will be responsible for ensuring compliance with the conditions herein, specifically, grading activities, truck routes, construction hours, noise, etc. Signs shall include the applicant's contact number, regarding grading and construction activities, and "1-800-CUTSMOG" in the event there are concerns regarding fugitive dust and compliance with AQMD Rule No. 403.
4. All construction and grading activities shall occur between the hours of 7:00 AM and 8:00 PM, Monday – Saturday with no activity permitted on Sunday or federal holidays in compliance with HBMC 8.40.090 unless otherwise specified by the Mitigation Measures and Project Design Features of the Environmental Impact Report certified by the Department of Toxic Substances Control on June 18, 2015.
5. 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.
6. Coastal Development Permit No. 17-006 shall become null and void unless exercised within two years of the date of final approval by the Zoning Administrator, or within one year of the date of final Coastal Development Permit approval 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.
7. 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 Department 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.
8. 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/green-building-guidelines-rating>).

**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.