

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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January 8, 2003

Scott Hess
Planning Manager
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648-2702

**RE: HUNTINGTON BEACH LCPA HNB-2-02 (Parkside Estates)
City LCPA No. 02-2**

Dear Mr. Hess:

On December 23, 2002 this office received the City's submittal for an amendment to the City's certified Local Coastal Program (LCP). This amendment request, in summary, is to apply the City's LCP to a currently uncertified parcel within the City's corporate limits and to conditionally apply the City's LCP to a parcel outside of the City's corporate limits, but which is planned for annexation by the City. The reason for this LCP amendment is to designate the land uses and zoning for a proposed residential project commonly known as Parkside Estates. Pursuant to Section 13553 of Title 14 of the California Code of Regulations, we have reviewed the transmittal and determined it to be incomplete. The amendment request cannot be deemed "submitted" until the materials and information identified below are received in our office.

1. ZONING CODE SUBMISSION

The City's current LCP consists of a certified Land Use Plan and the certified Zoning Code. The Land Use Plan was submitted as "Enclosure 20". The Zoning Code was not submitted. Please submit a copy of the Zoning Code as certified by the Commission (through August 2002). Changes made to the Zoning Code by the City, but which have not yet been certified by the Commission, should not be submitted.

Please be aware that suggested modifications may be developed for both the Land Use Plan and the Zoning Code.

2. WATER QUALITY

The preservation of water quality has been a growing concern. Sections 30230 and 30231 of the Coastal Act mandate that marine resources be maintained and, where feasible, enhanced to promote biological productivity and protect human health. Though project specific water quality management plans are not required at the land use planning stage, general procedures for how the City of Huntington Beach protects water quality, such as a Standard Urban Stormwater Mitigation Plan (SUSMP) and the State General Construction Activity

Stormwater Permit should be included in the LCP. Section 5.7 of the FEIR discusses drainage and hydrology and includes mitigation measures (Page 5-142) which reference conformance to the Orange County Drainage Area Management Plan and all NPDES requirements. Citywide guidance relative to the protection of water quality has not been submitted. Please provide copies of any municipal stormwater permit compliance measures (such as the Orange County Drainage Area Management Plan) approved by the Regional Water Quality Control Board and City ordinances which provide guidance in water quality management. Please submit these or any other documents which would be relied on by City staff in formulating development-specific water quality management plans.

3. MAPPING CLARIFICATION

According to the City Council Minutes of October 21, 2002, Lot No. 4 of TTM 15419 is to be eliminated from residential development and is to be made part of the adjoining open space area. The City's resolution of submittal (2002-123) contains attachments showing the proposed land use and zoning designations. Do these maps incorporate the changes resulting from the elimination of Lot No. 4 from the proposed residential development?

4. ANNEXATION CLARIFICATION

According to the City Council Minutes of October 21, 2002; if the annexation does not occur, the "non annexation" alternative layouts shown on Tentative Tract Map 15377 will be implemented by the City. Please provide appropriate graphics and narrative to describe the non-annexation alternative.

Additionally, when does the City expect LAFCO to act on the annexation request and when would it become effective?

5. FARMLAND

Enclosure #6 notes that the proposed residential development will result in the loss of farmland and that the State Department of Conservation does not appear to consider the site as prime or unique farmland. To substantiate that this is the case please provide all relevant materials regarding how this conclusion was reached.

6. FUEL MODIFICATION PLAN

Section 30240(b) of the Coastal Act requires that development adjacent to environmentally sensitive habitat and park and recreation areas be designed and sited to minimize impacts to those areas. In many cases development adjacent to open space requires the preparation of a fuel modification plan. A fuel modification plan can have an effect on the land use designations based on how the proposed subdivision is laid out. Has the Orange County Fire Authority

(OCFA) reviewed the tentative tract maps and made any decision regarding whether or not a fuel modification plan would be required? If a fuel modification plan has been required and prepared, please submit. If it has been required by OCFA, but not yet prepared, please provide the OCFA standards that will be applied in preparing such a plan.

7. SUBDIVISION AND TOPOGRAPHIC MAPS

Please provide full sized copies of the subdivision and topographic maps as the 8.5" x 11" maps are too small to adequately analyze the submission.

8. FEMA EVALUATION

Enclosure #18, Tab #3, relative to the FEMA review, contains a note "Due to the size of this report, it is available on file at the City of Huntington Beach, Department of Public Works, for Public review." Please forward a copy of this report to our office.

9. HISTORIC WETLANDS

The Army Corps of Engineers in a letter (August 11, 1999, Enclosure #18, Tab #6) stated that Shea Homes would be authorized to impact 1.5 acres of historic wetlands. According to the letter a drawing was attached. A copy of the drawing was apparently not included in Enclosure #18, Tab#6 of the LCPA submission. Please provide a copy of this drawing.

10. FINAL EIR SUBMITTED

Though the final EIR for the Parkside Estates project has been submitted, the previous versions of this EIR have not been submitted. These previous versions are part of the administrative record and also contain appendices which have not been included with the final EIR. Subsequently, these previous versions should have been submitted as part of the LCP amendment request. The Long Beach Office has a copy of these prior documents, so there is no necessity to provide these copies; however, we request that the City acknowledge through a letter that these documents are part of the overall administrative record for this LCP amendment request.

Once these items are received by the Commission's Long Beach office they will be reviewed for adequacy and a determination will be made as to whether the submittal is complete, and thus, "deemed 'submitted'." This LCP amendment has been classified as a major amendment since it does not qualify as a minor amendment pursuant to Section 13554 of Title 14 of the California Code of Regulations. A minor LCP amendment is limited to changes in wording which make the use as designated in the Zoning Code more specific and which do not change the kind, location, intensity, or density of use and which are found by the Executive Director to be consistent with the City's certified Implementation Program. This LCP amendment will affect the kind,

location, intensity, or density of use. Since this LCP amendment affects both the Land Use Plan and Implementation Program, the submittal must be acted on by the Commission within ninety (90) days from the date it is determined to be complete. However, if more time is needed for our staffs to work together, the Commission may extend the time period for up to one year. We look forward to working together on this amendment.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Rynas". The signature is fluid and cursive, with a prominent horizontal stroke across the middle.

Stephen Rynas, AICP
Orange County Area Supervisor

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