

## Huntington Beach Planning Commission

2000 MAIN STREET

CALIFORNIA 92648

### NOTICE OF ACTION

June 28, 2017

Ed Mountford  
Signal Landmark  
27271 Las Ramblas, Suite 100  
Mission Viejo, CA 92691

**SUBJECT:** GENERAL PLAN AMENDMENT NO. 16-002 / ZONING MAP AMENDMENT NO. 16-003 / ZONING TEXT AMENDMENT NO. 16-004 / LOCAL COASTAL PROGRAM AMENDMENT NO. 16-002 / TENTATIVE TRACT MAP NO. 18060 / CONDITIONAL USE PERMIT NO. 16-035 / COASTAL DEVELOPMENT PERMIT NO. 16-018 / DEVELOPMENT AGREEMENT NO. 16-001 / DRAFT MITIGATED NEGATIVE DECLARATION NO. 16-003 (WINDWARD RESIDENTIAL AND OPEN SPACE)

**APPLICANT/  
PROPERTY**

**OWNER:** Ed Mountford, Signal Landmark

**REQUEST:** **GPA:** To amend the General Plan land use designation from Open Space – Park (OS-P) to Residential Medium Density – Max 15 units/acre (RM-15) for the western half (2.5 acres) of the 5-acre Windward site. **ZMA:** To amend the existing zoning designation of Residential Agriculture – Coastal Zone Overlay (RA-CZ) to Specific Plan – Coastal Zone Overlay (SP-CZ) on the entire 5.3-acre project site. **ZTA:** To establish the Windward Specific Plan (SP 16) for the development of the residential townhome project and dedication of open space. **LCPA:** To amend the certified Land Use Plan from Open Space – Park (OS-P) to Residential Medium Density (RM) for the western half (2.5 acres) of the site in accordance with ZMA No. 16-003 and ZTA No. 16-004. **TTM:** To subdivide the approximately 5-acre privately owned lot into one 2.5-acre numbered lot (residential development for 36 townhome units) and one 2.5-acre lettered lot (open space area). **CUP:** 1) To construct a 36-unit townhome development and associated open space and infrastructure; and 2) To develop on a lot with a grade differential of greater than three feet between the high point and the low point. **CDP:** To construct a 36-unit townhome development and associated infrastructure in the coastal zone. **DA:** To enter into a Development Agreement between the City of Huntington Beach and Signal Landmark 1) to vest the proposed land use designations and standards for the development of 36 residential units for a 15-year term; and 2) to ensure the dedication of 8.7 acres (2.5 acres on the eastern half plus an additional 6.2 acres to the south) of land for passive public open space and resource conservation uses to a governmental agency or a qualified non-profit entity. **MND:** To analyze the potential environmental impacts associated with the proposed legislative amendments and development project.

**LOCATION:** 17202 Bolsa Chica Street, 92649 (southeast corner of Bolsa Chica Street and Los Patos Avenue)

**DATE OF ACTION:** June 27, 2017

On Tuesday, June 27, 2017, the Huntington Beach Planning Commission took action on your application, and **approved** Mitigated Negative Declaration No. 16-003 with findings and forward to the City Council for adoption, **approved** General Plan Amendment No. 16-002 by approving the draft City Council Resolution No. 2017-20 and forward to the City Council for adoption, **approved** Zoning Map Amendment No. 16-003 with findings for approval by approving the draft City Council Ordinance No. 4134 and forward to the City Council for adoption, **approved** Zoning Text Amendment No. 16-004 with findings for approval by approving the draft City Council Resolution No. 2017-19 and forward to the City Council for adoption, **approved** Local Coastal Program Amendment No. 16-002 with findings for approval by approving the draft City Council Resolution No. 2017-18 and forward to the City Council for adoption, **approved** Tentative Tract Map No. 18060 with findings and suggested conditions of approval, **approved** Conditional Use Permit No. 16-035 with findings and suggested conditions of approval, **approved** Development Agreement No. 16-001 with findings and suggested conditions of approval by approving the draft City Council Ordinance No. 4135 and forward to the City Council for adoption, and **continued** Coastal Development Permit No. 16-018 to a date uncertain. Please see the attachment list for the applicable documents for each application.

The application for MND No. 16-003, GPA No. 16-002, ZMA No. 16-003, ZTA No. 16-004, LCPA No. 16-002, and DA No. 16-002, will now be forwarded to the City Council for final review and action at a noticed public hearing. You will be notified of the upcoming City Council meeting when it is scheduled.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Planning Commission for Conditional Use Permit No. 16-035 and Tentative Tract Map No. 18060 becomes final at the expiration of the appeal period. A person desiring to appeal the decision shall file a written notice of appeal to the City Clerk within ten (10) calendar days of the date of the Planning Commission's action. The notice of appeal shall include the name and address of the appellant, the decision being appealed, and the grounds for the appeal. Said appeal must be accompanied by a filing fee of One Thousand, Seven Hundred Sixty-Three Dollars (\$1,763.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Three Thousand, Three Eighty-Three Dollars (\$3,383.00) if the appeal is filed by any other party. In your case, the last day for filing an appeal and paying the filing fee is July 7, 2017 at 5:00 PM.

If you have any questions, please contact Tess Nguyen, the project planner, at [tnguyen@surfcity-hb.org](mailto:tnguyen@surfcity-hb.org) or (714) 374-1744 or the Community Development Department Zoning Counter at (714) 536-5271.

Sincerely,

Scott Hess, Secretary  
Planning Commission

By:

  
\_\_\_\_\_  
Jane James, Planning Manager

SH:JJ:TN:kdc

- Attachments:
1. Findings and Conditions of Approval for Draft Mitigated Negative Declaration No. 16-003; Zoning Map Amendment No. 16-003; Zoning Text Amendment No. 16-004; Local Coastal Program Amendment No. 160-002; Tentative Tract Map No. 18060; Conditional Use Permit No. 16-035; and Development Agreement No. 16-001
  2. Draft City Council Resolution No. 2017-20 for General Plan Amendment No. 16-002
  3. Draft City Council Ordinance No. 4134 for Zoning Map Amendment No. 16-003
  4. Draft City Council Resolution No. 2017-19 for Zoning Text Amendment No. 16-004
  5. Draft City Council Resolution No. 2017-18 for Local Coastal Program Amendment No. 16-002
  6. Draft City Council Ordinance No. 4135 for Development Agreement No. 16-001

- c:
- Honorable Mayor and City Council
  - Chair and Planning Commission
  - Fred A. Wilson, City Manager
  - Scott Hess, Director of Community Development
  - Bill Reardon, Division Chief/Fire Marshal
  - Mike Vigliotta, Chief Assistant City Attorney
  - Debbie DeBow, Principal Civil Engineer
  - Mark Carnahan, Building Manager
  - Tess Nguyen, Associate Planner
  - Property Owner
  - Project File

## **ATTACHMENT NO. 1**

### **FINDINGS AND CONDITIONS OF APPROVAL**

**MITIGATED NEGATIVE DECLARATION NO. 16-003**  
**GENERAL PLAN AMENDMENT NO. 16-002**  
**ZONING MAP AMENDMENT NO. 16-003**  
**ZONING TEXT AMENDMENT NO. 16-004**  
**LOCAL COASTAL PROGRAM AMENDMENT NO. 16-002**  
**TENTATIVE TRACT MAP NO. 18060**  
**CONDITIONAL USE PERMIT NO. 16-035**  
**DEVELOPMENT AGREEMENT NO. 16-001**

### **FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 16-003:**

1. Mitigated Negative Declaration No. 16-003 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of thirty (30) days. Comments received during the comment period were considered by the Planning Commission prior to action on Mitigated Negative Declaration No. 16-003, General Plan Amendment No. 16-002, Zoning Map Amendment No. 16-003, Zoning Text Amendment No. 16-004, Local Coastal Program Amendment No. 16-002, Tentative Tract Map No. 18060, Conditional Use Permit No. 16-035, Coastal Development Permit No. 16-018, and Development Agreement No. 16-002.
2. Mitigation measures avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. Mitigation measures are incorporated to address impacts to biological, cultural, and tribal cultural resources. The proposed biological resources mitigation measures would ensure that impacts to two special status species, burrowing owls and southern Tarplant, with the potential to occur on the site would be less than significant. The cultural resources and tribal cultural resources mitigation measures require archeological and Native American monitoring during ground disturbing activities and construction. The mitigation measures also specify procedures if any resources or human remains are discovered during construction of the project. The project site has undergone archeological testing and excavation and it is not anticipated that intact deposits remain on the site. However, the mitigation measures would ensure that impacts would be less than significant in the unlikely event that resources are discovered during grading and construction activities.
3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated, will have a significant effect on the environment. The project consists of an amendment to the existing General Plan and zoning land use designations as well as the Coastal Land Use Plan for the subdivision of the project site and construction of 36 townhome units and associated open space, street and infrastructure improvements in the coastal zone. The project also consists of a Zoning Text Amendment to establish a Specific Plan that determines the land use, zoning, development standards, and infrastructure for the site. Potential impacts from the project are minimized to a less than significant level through the project design, standard code requirements, and the recommended mitigation measures.

## **FINDINGS FOR APPROVAL - ZONING MAP AMENDMENT NO. 16-003:**

1. Zoning Map Amendment No. 16-003 represents a change to the Huntington Beach Zoning Map (District Map #33) to rezone the project site from Residential Agriculture – Coastal Zone Overlay (RA-CZ) to Specific Plan – Coastal Zone Overlay (SP-CZ). The proposed amendment is consistent with the goals, objectives, and land use policies of the General Plan and Local Coastal Program as identified below. The proposed change is also consistent with General Plan Amendment No. 16-002, which is being processed concurrently. The land uses in the surrounding area are consistent with the proposed change in zoning because surrounding land uses include low density residential to the west, medium high density residential uses to the north and low density and open space uses to the east. As discussed in the environmental assessment for this project, there will be appropriate infrastructure and services available to support the proposed development. The proposed zoning change would be consistent with the following General Plan Land Use Element goals, objectives and policies:

Goal LU 9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

Objective LU 9.1: Provide for the development of single- and multi-family residential neighborhoods.

Policy LU 9.1.3: Require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character as discussed below:

- a. Design building elevations treatment to convey the visual character of individual units rather than a singular building mass and volumes.
- b. Locate the elevation of the first occupiable floor at or in proximity to the predominant grade elevation, visually screening subterranean parking facilities from the street frontage.
- c. Include separate and well-defined entries to convey the visual character of individual identity for each residential unit, which may be accessed from exterior facades, interior courtyards, and/or common areas.
- d. Site and design parking areas and facilities that are integrated but do not dominate the architectural character of the structure.
- e. Include an adequate landscape setback along the street frontage that is integrated with abutting sidewalks and provides continuity throughout the neighborhood.

Policy LU 9.1.4: Require that recreational and open space amenities be incorporated in new multi-family developments and that they be accessible to and of sufficient size to be usable by all residents.

The project is proposing to provide 36 multi-family residential units in an area with existing single- and multi-family residential uses. The character of the development is consistent with the existing neighborhood in size and scale of other residential structures in the vicinity. The residential units are duplex townhomes with four different floor plans, featuring three-bedrooms with attached two-car garages. The project creates visual interest along the

street frontage by incorporating varied building design. Featuring a Mid-Century Modern architectural style, the project building design includes articulation and architectural details on all four sides of each duplex. The building facades contain a combination of building pop-outs and recesses to create shadow patterns and depth on wall surfaces. The architectural details on each elevation do not repeat frequently and a variety of colors and building materials are used to create differentiation in the exterior appearances. All details and materials of the project are modern and stylistically consistent. A 3,800 sq. ft. recreation area, including a swimming pool, fireplace, restroom, and seating, is provided for the use of the residents at the northwest corner of the project site. The majority of the existing trees along the front property line on Bolsa Chica Street will remain and additional landscaping will be added, creating an enhanced landscaped setback that is integrated with abutting sidewalks and parkways.

2. In the case of a general land use provision, the zoning map amendment is compatible with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. The change proposed would be compatible with the uses in the vicinity, which include medium density residential uses. The project's design and compliance with applicable code requirements would ensure that impacts to existing preserved open space areas east of the project site are minimized.
3. A community need is demonstrated for the change proposed. The change would expand opportunities for housing and address the needs of a growing population. The project will provide for enhanced coastal access through the provision of a passive open space plan, encompassing the existing undeveloped City-owned 30-foot wide parcel north of the project site, the eastern 2.5 acres of the project site, and the 6.2-acre Goodell property (undeveloped property south of the project site located in unincorporated Orange County). The open space area is designed with a pedestrian trail system which includes interpretive signage and a scenic overlook. To facilitate public access to the property, a decomposed granite pedestrian trail would be installed on the City-owned property and maintained by the project's Homeowners Association and connect the City-owned property to the Windward site open space area and ultimately to the Goodell property.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. The zoning map amendment would provide for compatible land uses and eliminate an existing zoning designation that is no longer appropriate for the site. The zoning map amendment would result in zoning and General Plan land use designations that are consistent with one another and would allow the property to be rightfully developed.

#### **FINDINGS FOR APPROVAL – ZONING TEXT AMENDMENT NO. 16-004:**

1. Zoning Text Amendment No. 16-004 establishes the Windward Specific Plan for the development of the residential project and dedication of open space. The Specific Plan will be consistent with the objectives, policies, general land uses and programs specified in the City's General Plan because it provides a comprehensive planning program for the development of residential and open space areas consistent with the existing development pattern and standards and compatible with adjacent uses in the vicinity and the environmentally sensitive Bolsa Chica area to the east and south. The Specific Plan is consistent with the General Plan goals and policies that protects coastal recreational resources and public access, require residential projects be designed to convey a high level of quality and distinctive neighborhood character.

2. In the case of general land use provisions, the proposed Specific Plan is consistent with the uses authorized in, and the standards prescribed for, the zoning district for which they are proposed. The Specific Plan contains development standards and architectural and landscape design guidelines that will apply to the residential development and open space areas that will ensure consistency with the high quality architectural and landscape design of the existing developments and compatibility with residential, open space, and recreational uses in the vicinity.
3. A community need is demonstrated for the change proposed. The Windward Specific Plan will provide standards that necessary to develop high quality residential and open space uses complementing and enhancing surrounding land uses. The Windward Specific Plan includes a description of the land use, public facilities, circulation, infrastructure, development standards, and implementation measures to ensure that the property is developed in a manner consistent with the vision for the site. The Specific Plan comprehensive approach ensures the preservation of passive open space, provision of public access to coastal resources, development of compatible land uses. The Specific Plan also provides for preservation of ecological and cultural resources that will provide a public benefit to the City of Huntington Beach and surrounding communities.
4. Adoption of the Windward Specific Plan will be in conformity with public convenience, general welfare and good zoning practice in that the Specific Plan provides standards for future development that will transform the character of the project area in a beneficial way consistent with the goals of the City's General Plan. The development standards work together to provide development and preservation that are compatible with and sensitive to the surrounding area and to development within the Specific Plan itself. The Specific Plan includes adequate provisions for utilities, services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems. As analyzed in Mitigated Negative Declaration No. 16-003, the public service demands for the Specific Plan will not exceed the capacity of existing and planned systems. All public services will be adequately met by existing resources including fire, police and emergency services. Emergency access will be adequate for the Specific Plan area in that all streets within the site will be public to allow emergency vehicles access to the site. In addition, the Specific Plan area will not be gated.

#### **FINDINGS FOR APPROVAL – LOCAL COASTAL PROGRAM AMENDMENT NO. 16-002:**

1. Local Coastal Program Amendment No. 16-002 proposes to amend the Huntington Beach Local Coastal Program to reflect the proposed General Plan, Zoning Map and Zoning Text amendments. The amendments will allow multi-family residential uses on the subject property. Although multi-family residential is a lower priority use than recreational uses, the project site is not existing or planned for public recreational uses. The amendment would allow the property owner to develop the site and, in doing so, would contribute to the provision of enhanced coastal access and additional recreational resources through the proposed development consistent with the policies of the City's General Plan and California Coastal Act.
2. Local Coastal Program Amendment No. 16-002 is in accordance with the policies, standards and provisions of the California Coastal Act relative to residential development, land resources and public access. The Local Coastal Program Amendment promotes the City's Local Coastal Program goals and objectives by allowing medium density residential uses while promoting preservation of coastal views and enhancing public coastal access.

3. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project proposes an 8.7-acre passive open space area that does not currently exist. The project will preserve existing public views of the slope along the eastern perimeter of the site and views from an existing 30-foot wide City-owned parcel that is proposed to be improved with development of the project site. No existing coastal access will be impacted. In fact, coastal access would be enhanced through the proposed development project associated with the amendment.

**FINDINGS FOR APPROVAL - TENTATIVE TRACT MAP NO. 18060:**

1. Tentative Tract Map No. 18060 for the subdivision of an approximately 5-acre lot into one numbered lot for residential development for 36 townhome units and one lettered lot for open space areas is consistent with the requirements of the proposed Windward Specific Plan. The proposed subdivision is consistent with the goals, policies, and objectives of the General Plan Land Use Element and Coastal Element that govern new subdivisions and residential development. These goals and policies call for development that protects and enhances coastal resources, promotes public access and is in close proximity to other developments with adequate public services available.
2. The site is physically suitable for the type and density of development. The project site is able to accommodate the type of development proposed from a public service, circulation, and drainage perspective. The proposed subdivision will result in a density of 14.4 units per acre. The proposed density is below the allowable density of 15 units per acre of the Residential Medium Density land use designation for which the project is proposing to be designated. The proposed density would be compatible with existing surrounding developments.
3. The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The site has been previously used for farming and has served as a construction staging area for an adjacent single-family residential project. The site does not contain significant habitat for wildlife or fish. Mitigation measures require pre-construction surveys to determine the presence of special status species on the project site. If special status species are present, further mitigation is required including avoidance measures and relocation techniques in accordance with established protocols for the respective species to ensure that no significant adverse impacts would occur. Design features of the project as well as compliance with the provisions of Chapter 221 of the Huntington Beach Zoning and Subdivision Ordinance will ensure that the subdivision will not significantly impact the function and value of existing resources adjacent to the project site.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. No existing easements for the public at large will be affected by the project. The project will provide enhanced public coastal access through the improvement of an existing City-owned parcel north of the subject site and dedication of 8.7 acres of land for passive open space purposes to a government agency or a qualified non-profit.



## **FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 16-035:**

1. Conditional Use Permit No. 16-035 for the development of the proposed 36 townhome units and associated infrastructure and site improvements on a site with a grade differential of greater than three (3) feet from the low to the high point will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The project will improve an existing vacant parcel of land. The proposed residential use is similar to those existing uses in the vicinity. Grading will be minimized by filling low areas and maintaining the natural contours of the existing terrain. The proposed grade differential to adjacent properties will not adversely impact surrounding undeveloped properties and open space areas. The resulting elevation will be the same as the adjacent elevation of Bolsa Chica Street and result in a development that is compatible with existing development west and north of the project site. Proposed improvements include enhanced landscaping, decorative paving, and quality architectural design throughout the site. Furthermore, the layout of the site improves the visual surroundings by providing efficient drive aisles for vehicular access, safe pedestrian access with decorative paving at crossings, and minimizing the visibility of parking garages and parking spaces from the street.
2. The conditional use permit will be compatible with surrounding residential and open space land uses in size and scale through setbacks, landscaping onsite parking, lot coverage, and allowable building height. The project is designed in a Mid-Century architectural style, consisting of stucco and siding exterior, varied offsets, and decorative balcony railings. Enhanced landscaping along the site perimeter and within the common recreation area will create visual interest and improve the visual image of the community. The project includes three-story buildings that are compatible with surrounding developments and proportionally relate to the overall mass and scale of the neighborhood. The proposed project is in conformance with applicable code requirements and has been designed to be compatible with existing uses in the vicinity. The project's building scale, architecture, site layout and color palette will complement the surrounding developments. The project also incorporates an open space area to provide for protection of environmentally sensitive habitat area east of the project site.
3. The proposed project will comply with the provisions of the Windward Specific Plan and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The HBZSO requires projects proposed to be located on a site where the difference in grade is greater than three feet to obtain a conditional use permit. The project complies with the development standards in terms of minimum setbacks, minimum parking requirement, minimum open space, and maximum building height. Adequate vehicular and pedestrian circulation is provided for convenient access throughout the project.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the proposed General Plan Land Use Element designation of Residential Medium Density. In addition, it is consistent with the following goals, objectives, and policies of the General Plan:

### **A. Land Use Element**

**Goal LU 9:** Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

Objective LU 9.1: Provide for the development of single- and multi-family residential neighborhoods.

Policy LU 9.1.3: Require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character as discussed below:

- a. Design building elevations treatment to convey the visual character of individual units rather than a singular building mass and volumes.
- b. Locate the elevation of the first occupiable floor at or in proximity to the predominant grade elevation, visually screening subterranean parking facilities from the street frontage.
- c. Include separate and well-defined entries to convey the visual character of individual identity for each residential unit, which may be accessed from exterior facades, interior courtyards, and/or common areas.
- d. Site and design parking areas and facilities that are integrated but do not dominate the architectural character of the structure.
- e. Include an adequate landscape setback along the street frontage that is integrated with abutting sidewalks and provides continuity throughout the neighborhood.

Policy LU 9.1.4: Require that recreational and open space amenities be incorporated in new multi-family developments and that they be accessible to and of sufficient size to be usable by all residents.

The project is proposing to provide 36 multi-family residential units in an area with existing single- and multi-family residential uses. The character of the development is consistent with the existing neighborhood in size and scale of other residential structures in the vicinity. The residential units are duplex townhomes with four different floor plans, featuring three-bedrooms with attached two-car garages. The project creates visual interest along the street frontage by incorporating varied building design. Featuring a Mid-Century Modern architectural style, the project building design includes articulation and architectural details on all four sides of each duplex. The building facades contain a combination of building pop-outs and recesses to create shadow patterns and depth on wall surfaces. The architectural details on each elevation do not repeat frequently and a variety of colors and building materials are used to create differentiation in the exterior appearances. All details and materials of the project are modern and stylistically consistent. A 3,800 sq. ft. recreation area, including a swimming pool, fireplace, restroom, and seating, is provided for the use of the residents at the northwest corner of the project site. The majority of the existing trees along the front property line on Bolsa Chica Street will remain and additional landscaping will be added, creating an enhanced landscaped setback that is integrated with abutting sidewalks and parkways.

B. Urban Design Element

Goal UD 2: Protect and enhance the City's public coastal views and Oceanside character and screen uses that detract from the City's character.

Objective UD 2.1: Minimize 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 design of the residential project would be consistent with existing residential uses in terms of density and scale. The proposed project would result in the preservation of approximately 8.7 acres of open space. As such, the project would retain existing public coastal views from the City-owned parcel north of the project site and the eastern half of the project site. The project would also preserve the existing slope along the eastern perimeter of the project site as a scenic resource.

C. Environmental Resources/Conservation Element

Policy ERC 6.1.6: Ensure that post development runoff rates and velocities from a site have no significant adverse impact on downstream erosion and stream habitat.

The project, including the proposed grading design, is consistent with existing policies of the General Plan Land Use Element that require developments to be compatible with the surrounding developments and properties. The proposed project, including the proposed grading concept and drainage concept, would result in a development compatible with other developments in the surrounding area while being sensitive to existing resources.

**FINDING FOR APPROVAL – DEVELOPMENT AGREEMENT NO. 16-001**

1. The development agreement is consistent with the General Plan, Local Coastal Program, and Windward Specific Plan No. 16. Development Agreement No. 16-001 provides for the construction of the Windward residential project which complies with the Windward Specific Plan development standards, the dedication of the open space area in accordance with the Settlement Agreement, and improvements and maintenance of the City-owned parcel and Windward open space parcel. The development agreement ensures the construction of the proposed project under the 10-year term. The development agreement is consistent with the following General Plan goals, policies, and objectives:

A. Land Use Element

Goal LU 9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

Objective LU 9.1: Provide for the development of single- and multi-family residential neighborhoods.

Policy LU 9.1.3: Require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character as discussed below:

- a. Design building elevations treatment to convey the visual character of individual units rather than a singular building mass and volumes.
- b. Locate the elevation of the first occupiable floor at or in proximity to the predominant grade elevation, visually screening subterranean parking facilities from the street frontage.

- c. Include separate and well-defined entries to convey the visual character of individual identity for each residential unit, which may be accessed from exterior facades, interior courtyards, and/or common areas.
- d. Site and design parking areas and facilities that are integrated but do not dominate the architectural character of the structure.
- e. Include an adequate landscape setback along the street frontage that is integrated with abutting sidewalks and provides continuity throughout the neighborhood.

Policy LU 9.1.4: Require that recreational and open space amenities be incorporated in new multi-family developments and that they be accessible to and of sufficient size to be usable by all residents.

The project is proposing to provide 36 multi-family residential units in an area with existing single- and multi-family residential uses. The character of the development is consistent with the existing neighborhood in size and scale of other residential structures in the vicinity. The residential units are duplex townhomes with four different floor plans, featuring three-bedrooms with attached two-car garages. The project creates visual interest along the street frontage by incorporating varied building design. Featuring a Mid-Century Modern architectural style, the project building design includes articulation and architectural details on all four sides of each duplex. The building facades contain a combination of building pop-outs and recesses to create shadow patterns and depth on wall surfaces. The architectural details on each elevation do not repeat frequently and a variety of colors and building materials are used to create differentiation in the exterior appearances. All details and materials of the project are modern and stylistically consistent. A 3,800 sq. ft. recreation area, including a swimming pool, fireplace, restroom, and seating, is provided for the use of the residents at the northwest corner of the project site. The majority of the existing trees along the front property line on Bolsa Chica Street will remain and additional landscaping will be added, creating an enhanced landscaped setback that is integrated with abutting sidewalks and parkways.

Implementation Program I-LU 7: Where appropriate, the City may use Development Agreements as binding implementation tools. Development Agreements are authorized by State law to enable a city to enter into a binding contract with a developer that assures the city as to the type, character, and quality of development and additional "benefits" that may be contributed and assures the developer that the necessary development permits will be issued regardless of changes in regulations.

The development agreement would ensure that the project is developed in accordance with the approved Windward Specific Plan, consisting of 36 residential units and a public open space plan. The benefits of the development agreement for this project include assurances that the residential project will be built and dedication of 8.7 acres of land for public access, passive recreational use, habitat enhancement, and public trails.

#### B. Coastal Element

Goal C 1: Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.

Objective C 1.1: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

Policy C 1.1.1: With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Policy C 1.1.3a: The provision of public access and recreation benefits associated with private development (such as but not limited to public access ways, public bike paths, habitat restoration and enhancement, etc.) shall be phased such that the public benefit(s) are in place prior to or concurrent with the private development but not later than occupation of any private development.

Policy C 1.1.5: New residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast.

- b. provide non-automobile circulation such as bike trails and pedestrian walkways within the development
- d. provide for the recreational needs of new residents through local park acquisition or on-site recreational facilities to assure that recreational needs of new residents will not overload nearby coastal recreation areas

Goal C 2: Provide coastal resources access opportunities for the public where feasible and in accordance with the California Coastal Act requirements.

Policy C 2.4.7: The streets of new residential subdivisions between the sea and the first public road shall be constructed and maintained as open to the general public for vehicular, bicycle, and pedestrian access. General public parking shall be provided on all streets throughout the entire subdivision. Private entrance gates and private streets shall be prohibited. All public entry controls (e.g. gates, gate/guard houses, guards, signage, etc.) and restrictions on use by the general public (e.g. preferential parking districts, resident-only parking periods/permits, etc.) associated with any streets or parking areas shall be prohibited.

Goal C 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.

The project is proposing a passive open space plan as part of the Windward development, encompassing the existing undeveloped City-owned 30-foot wide parcel north of the project site, the eastern 2.5 acres of the project site, and the 6.2-acre Goodell property (undeveloped property south of the project site located in unincorporated Orange County). The open space area is designed with a pedestrian trail system which includes interpretive signage and a scenic overlook. To facilitate public access to the property, a decomposed granite pedestrian trail would be installed on the City-owned property and connect the City-owned property to the Windward site open space area and ultimately to the Goodell property. The plan is to initially create a trail loop that starts at the southeast corner of Bolsa Chica Street and Los Patos Avenue, extends easterly through the City-owned property, which is proposed to be improved

with a decomposed granite trail and landscaping, then turning southerly across the Windward site, and then turning westerly to intersect back at Bolsa Chica Street. The trail will be located at the highest elevation of the project site providing an opportunity for a scenic overlook node offering trail users unobstructed views of Saddleback Mountain in south Orange County. The trail would feature interpretive signage that would provide users with information regarding the property's rich history. Ultimately, the trail system could be extended onto the Goodell property to create a network of trails that provide users with a variety of experiences. In addition to the open space areas, a 3,800 sq. ft. open space is proposed within the development to provide a recreational area for new residents to ensure that the new residents would not overload existing coastal recreation areas. The project does not propose entry gates or other entry or parking restrictions. Access to the street and on-street parking would be available to the general public.

The project is in close proximity to similar developments, is consistent with the existing land use pattern in the area, and can be accommodated by existing infrastructure. Although the proposed project would result in development on the Bolsa Chica Mesa, the existing slope adjacent to the project site would be preserved in that no construction would occur other than minimal landscaping. In addition, the proposed drainage system would further protect the slope from potential impacts from runoff and erosion. Environmental impacts from the proposed project were analyzed in Draft MND No. 16-003. Potential impacts have either been minimized through the project's design or can be mitigated so that all impacts would be less than significant.

C. Urban Design Element

Goal UD 2: Protect and enhance the City's public coastal views and Oceanside character and screen any uses that detract from the City's character.

Objective UD 2.1: Minimize 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 design of the residential project would be consistent with existing residential uses in terms of density and scale. The proposed project would result in the preservation of approximately 8.7 acres of open space. As such, the project would retain existing public coastal views from the City-owned parcel north of the project site and the eastern half of the project site. The project would also preserve the existing slope along the eastern perimeter of the project site as a scenic resource.

D. Recreation and Community Services Element

Goal RCS 2: Provide adequately sized and located active and passive parklands to meet the recreational needs of existing and future residents, and to preserve natural resources within the City of Huntington Beach and its sphere of influence.

Policy RCS 2.1.5: Provide for the inclusion of recreational trails in new developments which link with the existing or planned trails.

Although the project is proposing to amend the existing land use designation from Open Space – Park to Residential Medium Density for the western 2.5 acres of the project site,

the project would be providing for additional recreational opportunities. The project is proposing an approximately 3,800 square foot (0.09 acre) common open space area to provide a recreational amenity for the residents of the project. The project is also required to pay park in-lieu fees as required by the HBZSO to contribute to future recreational opportunities. The project is proposing to improve an existing 30-foot wide City-owned parcel located immediately north of the project site with a decomposed granite trail with native landscaping that would provide access from Bolsa Chica Street to the project site open space area. The proposed Specific Plan and Development Agreement would ensure the preservation of 8.7 acres of open space and the expansion of passive recreational opportunities within the Bolsa Chica area. Designed with interpretive signage and scenic overlooks, a trail system is proposed for the open space area to provide public access to the recreational resource. In this respect, the project would further recreational opportunities in the Bolsa Chica area.

#### **MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS:**

1. Prior to any development, the Applicant shall retain a City-approved Archaeologist who meets the Secretary of Interior Standards for both Archaeology and History. An Archaeological Mitigation and Monitoring Plan (AMMP) shall be developed prior to initiating construction to outline "controlled archaeological grading methods," which has been shown to be an effective investigative method for locating previously unknown resources on Bolsa Chica Mesa. The plan shall include protocol for the mitigation of cultural resources through a research design and recovery/preservation plan, including significance testing of inadvertent archaeological finds; lab analysis, curatorial requirements, and reporting requirements; and identification of an acceptable repository for all recovered material with curatorial fees being paid by the Applicant. **(Mitigation Measure)**
2. In accordance with CR-1 and the AMMP, controlled archaeological grading shall occur across the entire Windward project site prior to the issuance of a grading permit for residential development of the project site. Archaeological grading shall consist of using mechanized equipment where the plowzone is removed in approximate 2 centimeter depth increments by a mechanical scraper, as part of the controlled grading effort and under the supervision of the archaeological site supervisor. The grading process shall be limited to slow excavation in small horizontal areas providing ultimate control. The archaeologist(s) and Native American Monitor(s) shall examine the soils as they are exposed. Previous investigation have shown that once below the plowzone, soils consist of: 1) basal midden remnants (beige-yellow in color) or 2) Pleistocene terrace deposits (red in color). Culturally-sterile Pleistocene terrace deposits are shallow at this location, reached at a maximum depth of 150cm below the surface. The entire process shall be monitored by both Gabrielino and Juaneno Native American monitors. Monitoring will occur with at least one archaeologist and one Native American monitor per equipment array that is operating. **(Mitigation Measure)**
3. All construction personnel shall be instructed to stop work on the project site in the event of a potential find, until the archaeologist and Native Monitors have been able to assess the significance of the find and implement appropriate measures as outlined in the AMMP to protect or scientifically remove the find. Construction personnel shall also be instructed that unauthorized collection of cultural resources is prohibited by law. If archaeological resources are discovered during ground-disturbing activities, the archaeologist has the authority to cease all earthwork in the immediate area of the finds (within 50 feet) until the find can be evaluated for significance. **(Mitigation Measure)**

In the absence of a determination, all archaeological resources shall be considered significant. If the resource is determined to be significant, the archaeologist shall prepare a research design and recovery/preservation plan for the resources as outlined within the AMMP. **(Mitigation Measure)**

4. In the event cultural resources are exposed in any overlying basal midden remnants during the controlled archaeological grading, the archaeologist shall prepare a research design and recovery/preservation plan for the resources as outlined within the AMMP. Specific protocol for uncovering the resource and analyzing its significance will be detailed within this plan. The protocol shall establish procedures for various types of archaeological resources that may be discovered. Because of their cultural significance, however, if any of the following cultural resources are discovered in situ, i.e., they have not been moved or relocated to the site of discovery, they shall be preserved in place: human remains, house pits, hearths, artifact caches, and intact midden deposits. Prehistoric ceremonial or religious artifacts such as cogged stones, pipes, crystals, pigments, incised stone, beads and bone or shell ornaments shall be preserved in place if associated with human remains. Upon discovery of any of the above resources, all construction will stop and the archaeologists shall consult with Native American monitors to determine preservation methods. **(Mitigation Measure)**
5. If human remains are discovered during construction or any earth-moving activities, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner must notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site and may recommend or deny scientific removal and nondestructive analysis of human remains. If the human remains are determined to be in situ, i.e., they have not been moved or relocated to the site of discovery, the preservation methods in CR-4 shall apply. **(Mitigation Measure)**
6. Prior to the issuance of any grading permit, the project applicant shall provide written evidence to the City that a City-approved paleontologist has been retained to observe grading activities and salvage and catalogue fossils as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the applicant, which ensure proper exploration and/or salvage. **(Mitigation Measure)**
7. Prior to construction-related ground disturbing activity, a qualified biologist shall survey the project site for presence of Southern tarplant during the appropriate blooming period, May – November. If feasible, the survey shall be conducted during the peak blooming period for the year. Any substantial occurrence (at least 500 mature individuals) shall be preserved on-site or relocated to open space areas in the Bolsa Chica area. If relocation is required, a Southern tarplant relocation program shall be prepared by a qualified biologist and implemented prior to the onset of construction. **(Mitigation Measure)**
8. Prior to construction-related ground disturbing activity, focused burrowing owl surveys shall be conducted in accordance with the CBOC and California Department of Fish and Wildlife (CDFW) established protocols on the project site.



- If no occupied burrows are found, the methods and findings of the surveys shall be reported to the City and CDFW for review and approval and no further mitigation would be required.
- If unoccupied burrows are found during the nonbreeding season, the burrows shall be collapsed or otherwise obstructed to prevent owls from entering and nesting in the burrows.
- If occupied burrows are found, a buffer of 165 feet (during the nonbreeding season of September 1 through January 31) or 250 feet (during the breeding season of February 1 through August 31) shall be provided. The buffer area may be adjusted based on recommendations by a qualified biologist in consultation with the CDFW. No activity shall occur within the buffer area until a qualified biologist confirms that the burrow is no longer occupied.
- If the burrow is occupied by a nesting pair, a minimum of 6.5 acres of foraging habitat contiguous to the burrow shall be maintained until the breeding season is over. The 6.5 acres would consist of the five acres of the project site as well as the adjacent 6.2 acre Goodell property. The western portion of the Shea property is designated as permanent open space providing an additional 19 acres of foraging habitat.
- If avoidance of an occupied burrow is not feasible, on-site passive relocation techniques approved by the CDFW shall be used to encourage the owls to move to an alternative borrow outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through noninvasive methods that juveniles from the occupied burrows are foraging independently and are capable of independent survival. **(Mitigation Measure)**

#### **CONDITIONS OF APPROVAL – TENTATIVE TRACT MAP NO. 18060:**

1. The Tentative Tract Map No. 18060 received and dated March 17, 2017, shall be the approved layout.
2. The final map for Tentative Tract Map No. 18060 shall not be approved by the City Council until General Plan Amendment No. 16-002, Zoning Map Amendment No. 16-003, Zoning Text Amendment No. 16-004 are approved and in effect, and Local Coastal Program Amendment No. 16-002 has been approved by the California Coastal Commission for the Implementation Plan.
3. All street lighting, exterior residential lighting and recreational lighting adjacent to resource protection areas shall minimize impacts to wildlife within resource protection areas.
4. A Domestic Animal Control Plan shall be prepared that details methods to be used to prevent pets from entering any resource protection areas, including but not limited to, appropriate fencing and barrier plantings.
5. A Pesticide Management Plan shall be prepared that, at a minimum, prohibits the use of rodenticides, and restricts the use of pesticides and herbicides in outdoor areas, except Vector Control conducted by the City, County, or Special District.
6. Protective fencing or barriers shall be installed and maintained between the resource protection areas and areas developed for homes or recreational use for the purpose of

minimizing human and domestic animal presence in resource protection areas, including restored and preserved wetland and ESHA buffer areas. Visual impacts created from any walls or barriers adjacent to open space conservation and passive recreational use areas shall be minimized through measures such as open fencing/wall design, landscape screening, use of undulating or off-set wall features, etc.

7. At least 90 days before City Council action on the final map, CC&Rs shall be submitted to the Departments of Community Development, Public Works, Fire and City Attorney's office for review and approval. The CC&Rs shall include the following:

#### City Landscape Lot

- a. Provide for maintenance, repair and replacement by the Windward Homeowners Association (HOA) for all common area landscaping, irrigation, drainage facilities, water quality BMP's, and all private service utilities in the City Landscape Lot adjacent to and north of the Windward project site.
- b. The Windward Homeowners Association shall execute a Landscape Maintenance Agreement with the City for the continuing maintenance (including but not limited to: landscaping, decomposed granite trail, interpretive signage, open space trail fencing and bench seating) and liability of all landscaping, irrigation, water quality and drainage features associated with the proposed Public Open Space Areas indicated as "City Landscape Lot" on Tentative Tract Map 18060. The agreement shall describe all aspect of maintenance such as removal of trash, debris and silt buildup, removal/replacement of dead, damaged lawn (and any other plantings) resulting from public use of the trail system or any other aspect of maintenance, repair, replacement, liability, and fees imposed by the City. The Landscape Maintenance Agreement shall be referenced in the CC&Rs.

#### Open Space Parcel

- c. Provide for maintenance, repair and replacement by the Windward Homeowners Association for all common area landscaping, irrigation, drainage facilities, water quality BMP's, and all private service utilities in the Open Space Parcel (2.5 acres) as identified on Tentative Tract Map No. 18060 for the Windward project site.
- d. The Windward Homeowners Association shall execute a Landscape Maintenance Agreement with the City for the continuing maintenance (including but not limited to: landscaping, decomposed granite trail, interpretive signage, open space trail fencing and bench seating) and liability of all landscaping, irrigation, water quality and drainage features associated with the proposed Public Open Space Areas indicated as "Open Space" (2.5 acres) on Tentative Tract Map No. 18060. The agreement shall describe all aspects of maintenance such as removal of trash, debris and silt buildup, removal/replacement of dead, damaged lawn (and any other plantings) resulting from public use of the trail system or any other aspect of maintenance, repair, replacement, liability, and fees imposed by the City. The Landscape Maintenance Agreement shall be referenced in the CC&Rs.
- e. The maintenance, repair, replacement in the subject open space area and the LMA execution (stated in Items "c" and "d" above) shall be the responsibility of the HOA until such time the subject Open Space parcel is transferred to a governmental agency or to a qualified non-profit organization.

8. Prior to issuance of a grading permit and at least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Planning and Building Department.
9. Prior to issuance of building permits, an Affordable Housing In-Lieu Fee in the amount of \$1,883,196 shall be paid to the City of Huntington Beach in accordance with the HBZSO and Windward Specific Plan.
10. Tentative Tract Map No. 18060 shall not become effective until General Plan Amendment No. 16-002, Zoning Map Amendment No. 16-004, Zoning Text Amendment No. 16-004, and Local Coastal Program Amendment No. 16-002 have been approved by the City Council and certified by the California Coastal Commission, and are in effect.
11. Comply with all applicable Conditional Use Permit No. 16-035 and Coastal Development Permit No. 16-018 conditions of approval.
12. Comply with all mitigation measures adopted for the project in conjunction with Mitigated Negative Declaration No. 16-003.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 16-035/ DEVELOPMENT AGREEMENT NO. 16-001:**

1. The site plan, floor plans, and elevations received and dated January 17, 2017 and March 24, 2017 shall be the conceptually approved design.
2. Conditional Use Permit No. 16-035 and Development Agreement No. 16-001 shall not become effective until General Plan Amendment No. 16-002, Zoning Map Amendment No. 16-004, Zoning Text Amendment No. 16-004, and Local Coastal Program Amendment No. 16-002 have been approved by the City Council and certified by the California Coastal Commission, and are in effect.
3. The project shall comply with all mitigation measures adopted in conjunction with Draft Mitigated Negative Declaration No. 16-003.
4. At least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.
5. Prior to submittal for building permits, the following shall be completed:
  - a. Zoning entitlement conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be

referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

- b. Submit three (3) copies of the approved site plan and the processing fee to the Community Development Department for addressing of the new buildings/units.
6. Prior to issuance of building permits, the following shall be completed:
  - a. Block wall/fencing plans (including a site plan, section drawings, and elevations depicting the height and material of all retaining walls, walls, and fences) consistent with the grading plan shall be submitted to and approved by the Community Development Department. Double walls shall be avoided to the greatest extent feasible. Prior to the construction of any new walls, a plan must be submitted identifying the removal of any existing walls located on the subject property. Any removal of walls on private residential property and construction of new common walls shall include approval by property owners of adjacent properties. The plans shall identify materials, seep holes and drainage.
  - b. Contact the United States Postal Service for approval of mailbox location(s).
  - c. An interim parking and building materials storage plan shall be submitted to the Community Development Department to assure adequate parking and restroom facilities are available for employees, customers and contractors during the project's construction phase and that adjacent properties will not be impacted by their location. The plan shall also be reviewed and approved by the Fire Department and Public Works Department. The applicant shall obtain any necessary encroachment permits from the Department of Public Works.
7. Prior to occupancy of the first residence, the following requirements shall be completed:
  - a. The 30-foot wide City-owned parcel north of the project site and the 2.5-acre Windward open space parcel shall be improved with a landscaping and access trail. The applicant shall include language in the CC&Rs for the project that the trail shall remain open for public access and will not be closed off for the exclusive use of the residents of the proposed development.
  - b. Signs identifying the public access and public use areas shall be provided.
8. Plans for the coastal access trail shall be submitted to the City of Huntington Beach concurrent with the project's plan check submittal. The plans for the trail shall include signage indicating public access and shall provide informational details about the entire coastal access path including length of the entire path to the Bolsa Chica Wetlands and nature of the terrain beyond the landscaped trail.
9. The developer shall design and improve, and the Windward Homeowners Association (HOA) shall maintain the linear open space along the north property line to the City of Huntington Beach design and maintenance standards for landscaped areas.
10. Prior to final inspection of the first residential unit, with exception of the model homes, the following requirements shall be completed:

- a. Landscape plans shall be prepared that prohibits the planting, naturalization or persistence of invasive plants, and encourages low-water plants, and plants primarily native to coastal Orange County. The plans shall be reviewed and approved by the City of Huntington Beach.
  - b. Covenants, Conditions and Restrictions (CC&Rs) in a form approved by the Office of the City Attorney shall be recorded. The CC&Rs shall be binding on each of the lots, shall run with the land affected by the subdivision and shall be included or incorporated by reference in every deed transferring one or more lots in the subdivision.
  - c. In order to ensure the continuance of habitat value and function of the adjacent designated Environmentally Sensitive Habitat Areas, the project applicant shall provide any buyer of a housing unit within the project an information packet that explains the sensitivity of the natural habitats adjacent to the project site and the need to minimize impacts on the designated resource protection areas, and the prohibition on landscaping that includes exotic invasive plant species on lots that are directly adjacent to a resource protection area. The information packet shall include a copy of the Domestic Animal Control Plan and Pest Management Plan and be required for all sales of housing units pursuant to the CC&Rs. The project applicant shall provide the City with a copy of the information packet.
  - d. Walls, fences, gates and boundary treatments shall use wood, wrought iron, frosted or partially-frosted glass or other visually permeable barriers that are designed to prevent creation of bird strike hazard. Clear glass or plexiglass shall not be installed unless appliques (e.g. stickers/decals) designed to reduce bird-strike by reducing reflectivity and transparency are also used.
11. Signage shall be reviewed under separate permits and applicable processing.
  12. 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.
  13. The Development Services Departments (Fire, Community Development, and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director 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 Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.
  14. 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.

**RESOLUTION NO. 2017-20**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF HUNTINGTON BEACH APPROVING  
GENERAL PLAN AMENDMENT NO. 16-002**

**WHEREAS**, General Plan Amendment No. 16-002 proposes to amend Figure LU-5 of the Land Use Element of the City's General Plan to redesignate the land use designation of the real property consisting of an approximately 2.5-acre site generally located southeast of the intersection of Bolsa Chica Street and Los Patos Avenue, as more particularly described as Exhibits "A" and "B" attached hereto, from Open Space – Parks (OS-P) to Residential Medium Density – Fifteen Dwelling Units per Acre (RM-15).

Pursuant to California Government Code, the Planning Commission of the City of Huntington Beach, after notice duly given, held a public hearing to consider General Plan Amendment No. 16-002 and recommended approval of said entitlement to the City Council; and

Pursuant to California Government Code, the City Council of the City of Huntington Beach, after notice duly given, held a public hearing to consider General Plan Amendment No. 16-002; and

The City Council finds that said General Plan Amendment No. 16-002 is necessary for the changing needs and orderly development of the community, is necessary to accomplish refinement of the General Plan, and is consistent with other elements of the General Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Huntington Beach as follows:

**SECTION 1:** That the real property that is the subject of this Resolution (hereinafter referred to as the "Subject Property") is generally located southeast of the intersection of Bolsa Chica Street and Los Patos Avenue, and is more particularly described in the legal description and map attached hereto as Exhibits "A" and "B", respectively, and incorporated by this reference as though fully set forth herein.

**SECTION 2:** That General Plan Amendment No. 16-002, which amends the General Plan Land Use designation from Open Space – Parks (OS-P) to Residential Medium Density – 15 dwelling units per acre (RM-15) for the subject site, is hereby approved. The Director of Community Development is hereby directed to prepare and file an amended Land Use Map. A copy of said map, as amended, shall be available for inspection in the Community Development Department.

**SECTION 3.** That Resolution No. 2010-47 is hereby rescinded and repealed.

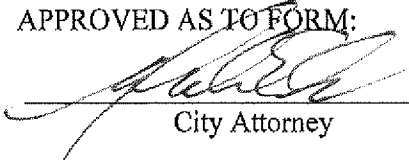
**PASSED AND ADOPTED** by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

REVIEWED AND APPROVED:

INITIATED AND APPROVED: *6/9/2017 NW*

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Community Development

ATTACHMENTS

Exhibit A: Legal Description

Exhibit B: General Plan Land Use Map (Extract of Figure LU-5)



**EXHIBIT "A"**  
**RESIDENTIAL DEVELOPMENT SITE**

THAT PORTION OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 11 WEST, IN THE RANCHO LA BOLSA CHICA, CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 13 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF THAT CERTAIN 6.20 ACRE PARCEL OF LAND DESCRIBED IN A QUITCLAIM DEED TO DONALD E. GOODELL RECORDED NOVEMBER 5, 1959 IN BOOK 4960, PAGE 87 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER, AND AS SHOWN ON RECORD OF SURVEY 97-1000, PER MAP FILED IN BOOK 169, PAGES 25 THROUGH 36, INCLUSIVE, OF RECORD OF SURVEYS, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE NORTHERLY LINE OF SAID 6.20 ACRE PARCEL, SOUTH 89°58'30" WEST, 440.00 FEET TO A LINE PARALLEL WITH AND 33.00 FEET EASTERLY OF THE CENTERLINE OF BOLSA CHICA STREET, BEING THE WESTERLY LINE OF SAID SECTION 28 AS SHOWN ON SAID RECORD OF SURVEY 97-1000;

THENCE, ALONG SAID PARALLEL LINE, NORTH 00°10'29" EAST, 26.00 FEET TO THE POINT OF BEGINNING;

THENCE, NORTH 89°58'30" EAST, 233.16 FEET;

THENCE, NORTH 00°10'29" EAST, 465.79 FEET TO A LINE PARALLEL WITH AND 30.00 FEET SOUTHERLY OF THE SOUTHERLY LINE OF TRACT NO. 10853, IN SAID CITY OF HUNTINGTON BEACH, PER MAP FILED IN BOOK 513, PAGES 14 AND 15 OF SAID MISCELLANEOUS MAPS;

THENCE, ALONG SAID PARALLEL LINE, NORTH 89°35'35" WEST, 233.16 FEET TO SAID LINE PARALLEL WITH AND 33.00 FEET EASTERLY OF THE CENTERLINE OF BOLSA CHICA STREET;

THENCE, ALONG SAID PARALLEL LINE, SOUTH 00°10'29" WEST, 467.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.50 ACRES, MORE OR LESS.

**EXHIBIT "A"**  
**RESIDENTIAL DEVELOPMENT SITE**

ALSO AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND HEREBY MADE A PART  
HEREOF.

SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS,  
EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.



PREPARED BY: STANTEC CONSULTING  
UNDER THE DIRECTION OF:

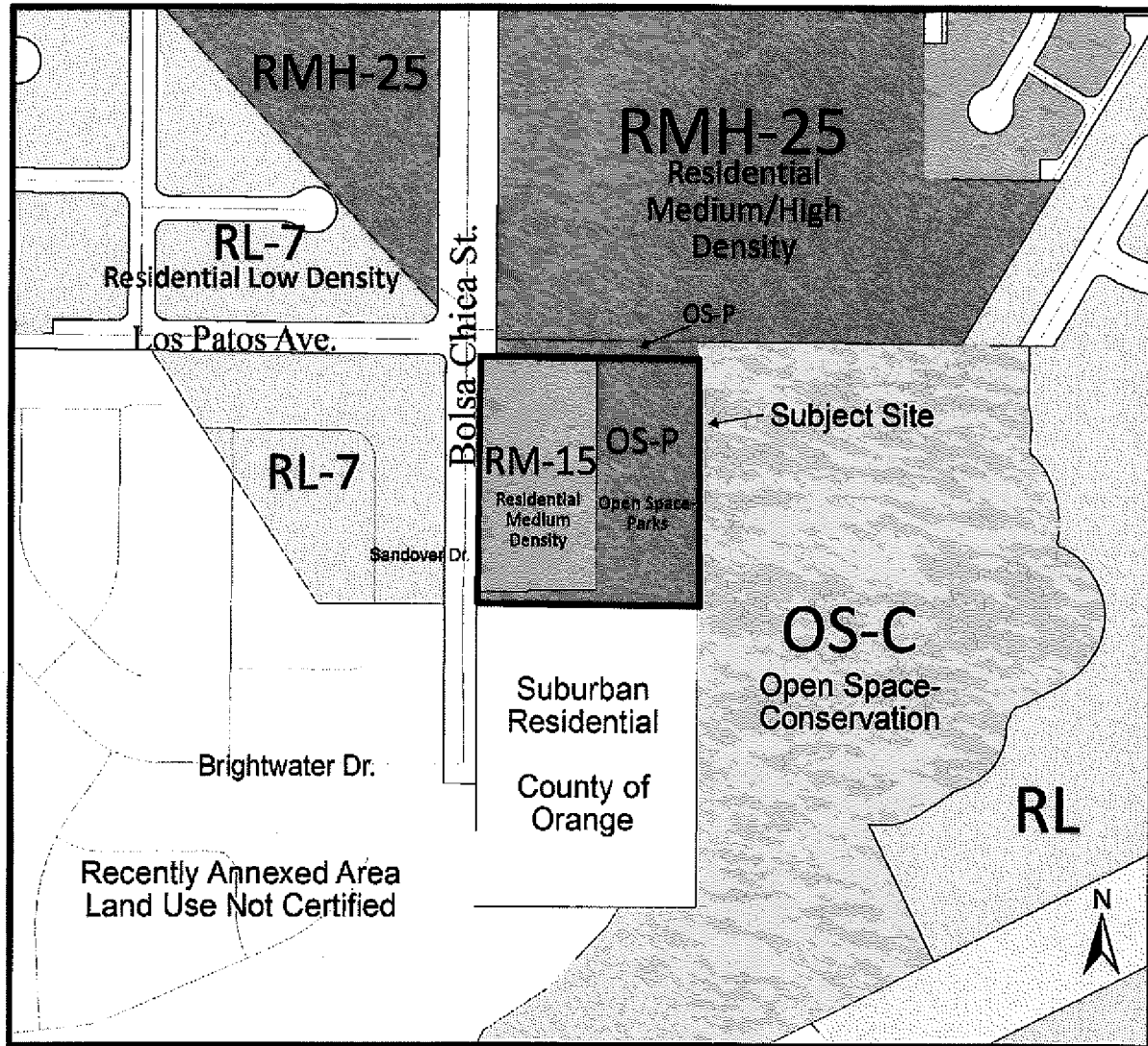
*James O. Steines*

JAMES O. STEINES, P.L.S. 6086

SEPTEMBER 27, 2016  
J.N. 2042 449110

## Exhibit B

### Amended General Plan Land Use Map (Extract of Figure LU-5)



#### Legend

<b>RL-7:</b>	Residential Low Density – 7 du/acre
<b>RM-15:</b>	Residential Medium Density – 15 du/acre
<b>RMH -25:</b>	Residential Medium High Density – 25 du/acre
<b>OS-P:</b>	Open Space – Parks
<b>OS-C:</b>	Open Space – Conservation

**ORDINANCE NO. 4134**

**AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING  
DISTRICT MAP 33 (SECTIONAL MAP 28-5-11) OF THE HUNTINGTON  
BEACH ZONING AND SUBDIVISION ORDINANCE TO REZONE  
THE REAL PROPERTY GENERALLY LOCATED SOUTHEAST  
OF THE INTERSECTION OF BOLSA CHICA STREET AND LOS PATOS AVENUE  
FROM RESIDENTIAL AGRICULTURE – COASTAL ZONE OVERLAY (RA-CZ)  
TO SPECIFIC PLAN – COASTAL ZONE OVERLAY (SP-CZ)  
(ZONING MAP AMENDMENT NO. 16-003)**

**WHEREAS**, pursuant to California State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate, duly noticed public hearings to consider Zoning Map Amendment No. 16-003, which rezones the property generally located southeast of the intersection of Los Patos Avenue and Bolsa Chica Street from Residential Agriculture – Coastal Zone Overlay (RA-CZ) to Specific Plan – Coastal Zone Overlay (SP-CZ); and

After due consideration of the findings and recommendations of the Planning Commission and all other evidence presented, the City Council finds that the aforesaid amendment is proper and consistent with the General Plan;

**NOW, THEREFORE**, the City Council of the City of Huntington Beach does hereby ordain as follows:

**SECTION 1:** That the real property that is the subject of this ordinance is generally bounded by the terminus of Los Patos Avenue to the north, Bolsa Chica Street to the west and the City of Huntington Beach corporate boundaries to the south, and is more particularly described in the legal description and map attached hereto as Exhibit A and, incorporated herein by this reference.

**SECTION 2:** That the zoning designation of the Subject Property is hereby changed from RA-CZ (Residential Agriculture – Coastal Zone Overlay) to SP-CZ (Specific Plan – Coastal Zone Overlay).

**SECTION 3:** That Huntington Beach Zoning and Subdivision Ordinance Section 201.04B District Map 33 (Sectional District Map 28-5-11) is hereby amended to reflect Zoning Map Amendment No. 16-003 as described herein. The Director of Community Development is

hereby directed to prepare and file an amended map. A copy of said District Map, as amended, shall be available for inspection in the Office of the City Clerk.

**SECTION 4:** This ordinance shall become effective immediately upon certification by the California Coastal Commission but not less than 30 days after its adoption.

**SECTION 5.** Ordinance No. 3884 is hereby rescinded and repealed.

**PASSED AND ADOPTED** by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

P.2  
6/9/2017  
NW

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Community Development

ATTACHMENTS:

Exhibit A: Legal Description  
Exhibit B: Amended Zoning Map

**EXHIBIT "A"**  
**SPECIFIC PLAN BOUNDARY**

THAT PORTION OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 11 WEST, IN THE RANCHO LA BOLSA CHICA, CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 13 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF THAT CERTAIN 6.20 ACRE PARCEL OF LAND DESCRIBED IN A QUITCLAIM DEED TO DONALD E. GOODELL RECORDED NOVEMBER 5, 1959 IN BOOK 4960, PAGE 87 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER, AND AS SHOWN ON RECORD OF SURVEY 97-1000, PER MAP FILED IN BOOK 169, PAGES 25 THROUGH 36, INCLUSIVE, OF RECORD OF SURVEYS, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE NORTHERLY LINE OF SAID 6.20 ACRE PARCEL, SOUTH 89°58'30" WEST, 440.00 FEET TO A LINE PARALLEL WITH AND 33.00 FEET EASTERLY OF THE CENTERLINE OF BOLSA CHICA STREET, BEING THE WESTERLY LINE OF SAID SECTION 28 AS SHOWN ON SAID RECORD OF SURVEY 97-1000;

THENCE, ALONG SAID PARALLEL LINE, NORTH 00°10'29" EAST, 493.55 FEET TO A LINE PARALLEL WITH AND 30.00 FEET SOUTHERLY OF THE SOUTHERLY LINE OF TRACT NO. 10853, IN SAID CITY OF HUNTINGTON BEACH, PER MAP FILED IN BOOK 513, PAGES 14 AND 15 OF SAID MISCELLANEOUS MAPS;

THENCE, ALONG SAID PARALLEL LINE, SOUTH 89°35'35" EAST, 57.00 FEET TO THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARK DEDICATION PARCEL DESCRIBED IN A GRANT DEED TO THE CITY OF HUNTINGTON BEACH RECORDED FEBRUARY 28, 2000 AS INSTRUMENT NO. 20000104631 OF SAID OFFICIAL RECORDS;

THENCE, ALONG THE WESTERLY LINE OF SAID PARK DEDICATION PARCEL, NORTH 00°10'29" EAST, 30.00 FEET TO THE NORTHWESTERLY CORNER OF SAID PARK DEDICATION PARCEL;

THENCE, ALONG THE NORTHERLY LINE OF SAID PARK DEDICATION PARCEL, SOUTH 89°35'35" EAST, 383.00 FEET TO THE NORTHEASTERLY CORNER OF SAID PARK DEDICATION PARCEL AND THE NORTHWESTERLY CORNER OF TRACT NO. 15377, IN SAID CITY OF HUNTINGTON BEACH, PER MAP FILED IN BOOK 950, PAGES 19 THROUGH 27, INCLUSIVE, OF SAID MISCELLANEOUS MAPS;

THENCE, ALONG THE EASTERLY LINE OF SAID PARK DEDICATION PARCEL AND CONTINUING ALONG SAID WESTERLY LINE OF TRACT NO. 15377, SOUTH 00°10'29" EAST, 520.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.23 ACRES, MORE OR LESS.


**EXHIBIT "A"**  
**SPECIFIC PLAN BOUNDARY**

ALSO AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND HEREBY MADE A PART  
HEREOF.

SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS,  
EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.



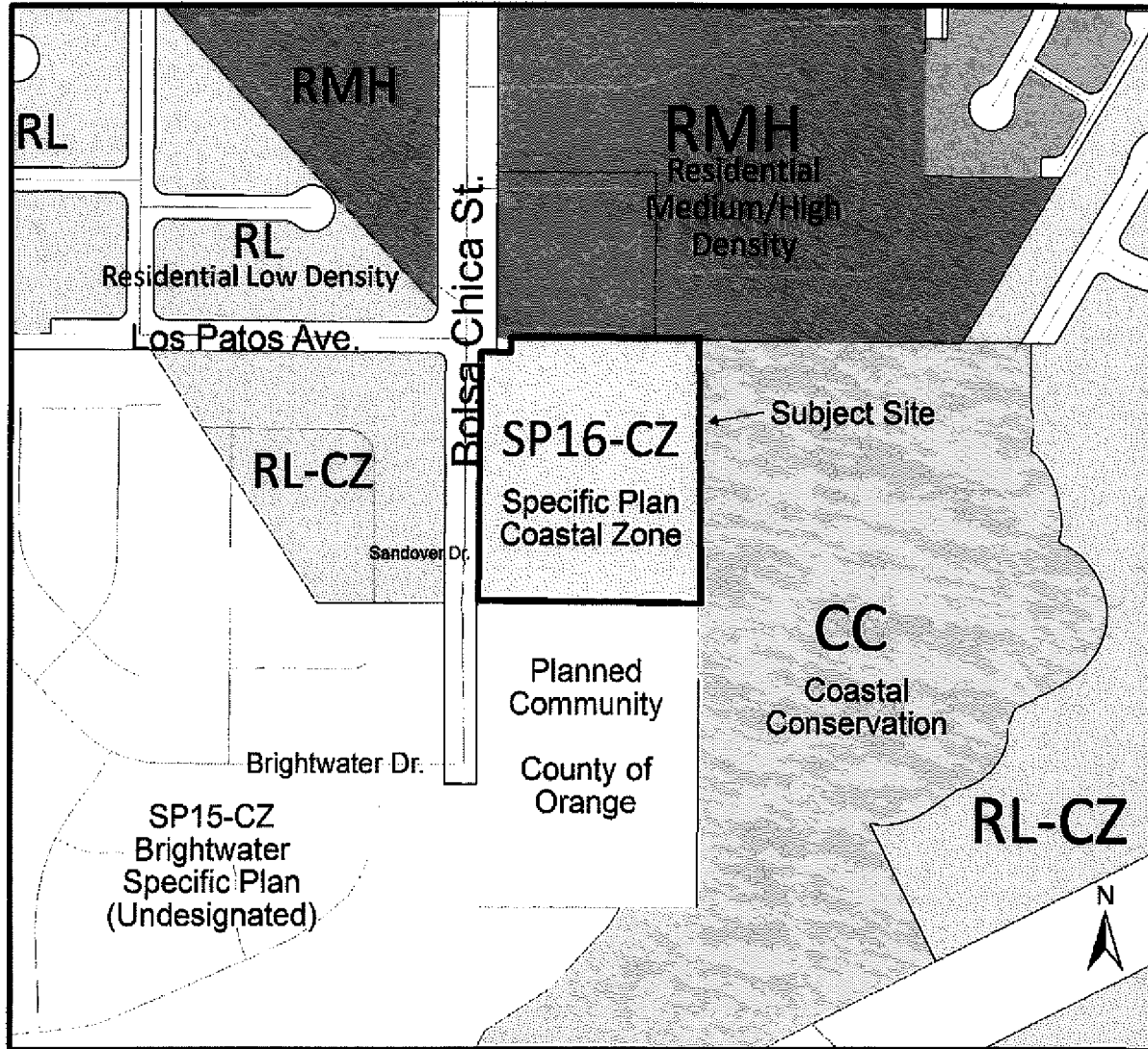
PREPARED BY: STANTEC CONSULTING  
UNDER THE DIRECTION OF:

  
JAMES O. STEINES, P.L.S. 6086

SEPTEMBER 27, 2016  
J.N. 2042 449110

## Exhibit B

### Amended Zoning Map



#### Legend

<b>RL:</b>	Residential Low Density
<b>RMH:</b>	Residential Medium High Density
<b>SP-15:</b>	Specific Plan 15 (Brightwater)
<b>SP-16:</b>	Specific Plan 16 (Windward)
<b>CC:</b>	Coastal Conservation
<b>CZ:</b>	Coastal Zone Overlay



**RESOLUTION NO. 2017-19**

**AN RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF HUNTINGTON, CALIFORNIA, ADOPTING ZONING TEXT  
AMENDMENT NO. 16-004 BY CREATING THE  
WINDWARD SPECIFIC PLAN (SP-16) TO APPLY TO REAL PROPERTY  
SOUTHEAST OF THE INTERSECTION OF BOLSA CHICA  
STREET AND LOS PATOS AVENUE**

**WHEREAS**, pursuant to the California State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate public hearings relative to Zoning Text Amendment No. 16-004, wherein both bodies have carefully considered all information presented at said meetings, and after due consideration of the findings and recommendations of the Planning Commission and all other evidence presented to the City Council, the City Council finds that such zone change is proper and consistent with the General Plan.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Huntington Beach does hereby resolves as follows:

**SECTION 1:** The Windward Specific Plan is consistent with the adopted Land Use Element of the General Plan, and other applicable policies and is compatible with surrounding development.

**SECTION 2:** The Windward Specific Plan enhances the potential for superior urban design in comparison with the development standards under the base district provisions that would apply if the Plan were not approved.

**SECTION 3.** The deviations from the base district provisions that otherwise would apply are justified by the compensating benefits of the Windward Specific Plan, which maintains significant and well located public open space and scenic vistas of the Bolsa Chica area.

**SECTION 4:** The Windward Specific Plan includes adequate provisions for utilities, services, and emergency vehicle and public service demands and will not exceed the capacity of existing and planned systems.

**SECTION 5:** That the real property subject to this Resolution is southeast of the intersection of Bolsa Chica Street and Los Patos Avenue, and is more particularly described in the legal description and sketch collectively attached hereto as Exhibit "A" and incorporated by this reference as though fully set forth herein.

**SECTION 6:** The Windward Specific Plan, attached herein as Exhibit "B" and incorporated by this reference as though fully set forth herein, is hereby adopted and approved.


**PASSED AND ADOPTED** by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

REVIEWED AND APPROVED:

\_\_\_\_\_  
City Manager

INITIATED AND APPROVED:

\_\_\_\_\_  
Director of Community Development

**ATTACHMENTS:**

Exhibit A: Legal Description  
Exhibit B: Specific Plan No. 16 – Windward Specific Plan

**EXHIBIT "A"**  
**SPECIFIC PLAN BOUNDARY**

THAT PORTION OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 11 WEST, IN THE RANCHO LA BOLSA CHICA, CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 13 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF THAT CERTAIN 6.20 ACRE PARCEL OF LAND DESCRIBED IN A QUITCLAIM DEED TO DONALD E. GOODELL RECORDED NOVEMBER 5, 1959 IN BOOK 4960, PAGE 87 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER, AND AS SHOWN ON RECORD OF SURVEY 97-1000, PER MAP FILED IN BOOK 169, PAGES 25 THROUGH 36, INCLUSIVE, OF RECORD OF SURVEYS, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE NORTHERLY LINE OF SAID 6.20 ACRE PARCEL, SOUTH 89°58'30" WEST, 440.00 FEET TO A LINE PARALLEL WITH AND 33.00 FEET EASTERLY OF THE CENTERLINE OF BOLSA CHICA STREET, BEING THE WESTERLY LINE OF SAID SECTION 28 AS SHOWN ON SAID RECORD OF SURVEY 97-1000;

THENCE, ALONG SAID PARALLEL LINE, NORTH 00°10'29" EAST, 493.55 FEET TO A LINE PARALLEL WITH AND 30.00 FEET SOUTHERLY OF THE SOUTHERLY LINE OF TRACT NO. 10853, IN SAID CITY OF HUNTINGTON BEACH, PER MAP FILED IN BOOK 513, PAGES 14 AND 15 OF SAID MISCELLANEOUS MAPS;

THENCE, ALONG SAID PARALLEL LINE, SOUTH 89°35'35" EAST, 57.00 FEET TO THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARK DEDICATION PARCEL DESCRIBED IN A GRANT DEED TO THE CITY OF HUNTINGTON BEACH RECORDED FEBRUARY 28, 2000 AS INSTRUMENT NO. 20000104631 OF SAID OFFICIAL RECORDS;

THENCE, ALONG THE WESTERLY LINE OF SAID PARK DEDICATION PARCEL, NORTH 00°10'29" EAST, 30.00 FEET TO THE NORTHWESTERLY CORNER OF SAID PARK DEDICATION PARCEL;

THENCE, ALONG THE NORTHERLY LINE OF SAID PARK DEDICATION PARCEL, SOUTH 89°35'35" EAST, 383.00 FEET TO THE NORTHEASTERLY CORNER OF SAID PARK DEDICATION PARCEL AND THE NORTHWESTERLY CORNER OF TRACT NO. 15377, IN SAID CITY OF HUNTINGTON BEACH, PER MAP FILED IN BOOK 950, PAGES 19 THROUGH 27, INCLUSIVE, OF SAID MISCELLANEOUS MAPS;

THENCE, ALONG THE EASTERLY LINE OF SAID PARK DEDICATION PARCEL AND CONTINUING ALONG SAID WESTERLY LINE OF TRACT NO. 15377, SOUTH 00°10'29" EAST, 520.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.23 ACRES, MORE OR LESS.

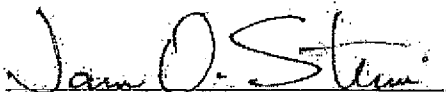
**EXHIBIT "A"**  
**SPECIFIC PLAN BOUNDARY**

ALSO AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND HEREBY MADE A PART  
HEREOF.

SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS,  
EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.



PREPARED BY: STANTEC CONSULTING  
UNDER THE DIRECTION OF:

  
JAMES O. STEINES, P.L.S. 6086

SEPTEMBER 27, 2016  
J.N. 2042 449110

**RESOLUTION NO. 2017-18**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HUNTINGTON BEACH, CALIFORNIA, ADOPTING LOCAL COASTAL  
PROGRAM AMENDMENT NO. 16-002 TO AMEND THE LOCAL  
COASTAL PROGRAM LAND USE PLAN AND IMPLEMENTING  
ORDINANCES TO AMEND ZONE 2 – LAND USE PLAN OF THE CITY’S  
COASTAL ELEMENT FOR THE REAL PROPERTY GENERALLY  
LOCATED SOUTHEAST OF THE INTERSECTION OF BOLSA CHICA  
STREET AND LOS PATOS AVENUE AND TO REFLECT ZONING  
TEXT AMENDMENT NO. 16-004 AND ZONING MAP AMENDMENT  
NO. 16-003 AND REQUESTING CERTIFICATION BY THE  
CALIFORNIA COASTAL COMMISSION**

**WHEREAS**, after notice duly given pursuant to *Government Code* Section 65090 and *Public Resources Code* Section 30503 and 30510, the Planning Commission of the City of Huntington Beach held public hearings to consider the adoption of the Huntington Beach Local Coastal Program Amendment No. 16-002; and

Such amendment was recommended to the City Council for adoption; and

The City Council, after giving notice as prescribed by law, held at least one public hearing on the proposed Huntington Beach Local Coastal Program Amendment No. 16-002, and the City Council finds that the proposed amendment is consistent with the Huntington Beach General Plan, the Certified Huntington Beach Local Coastal Program (including the Land Use Plan), and Chapter 6 of the California Coastal Act; and

The City Council of the City of Huntington Beach intends to implement the Local Coastal Program in a manner fully consistent with the California Coastal Act,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Huntington Beach does hereby resolve as follows:

**SECTION 1:** That the real property that is the subject of this Resolution is generally located southeast of the intersection of Bolsa Chica Street and Los Patos Avenue and consists of approximately 2.5 acres within the City of Huntington Beach (Exhibit A).

**SECTION 2:** That the Local Coastal Program (Coastal Element) for the Subject Property is hereby changed to reflect a change in the land use designation for the subject property from Open Space – Parks (OS-P) to Residential Medium Density – 15 dwelling units per acre (RM-15) for the eastern half of the subject site (Exhibit B).

**SECTION 3:** That the Huntington Beach Local Coastal Program Amendment No. 16-002 also consists of Zoning Text Amendment No. 16-004 and Zoning Map Amendment No. 16-003, a copy of which is attached hereto as Exhibits C & D, and incorporated by this reference as though fully set forth herein.

**SECTION 4:** That the California Coastal Commission is hereby requested to consider, approve and certify Huntington Beach Local Coastal Program Amendment No. 16-002.

**SECTION 5:** That pursuant to Section 13551(b) of the Coastal Commission Regulations, Huntington Beach Local Coastal Program Amendment No. 16-002 will take effect automatically upon Coastal Commission approval, as provided in *Public Resources Code* Sections 30512, 30513 and 30519.

**SECTION 6:** That Resolution No. 2010-48 is hereby rescinded and repealed.

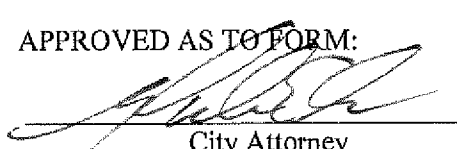
**PASSED AND ADOPTED** by the City Council of the City of Huntington Beach at a regular meeting hereof held on the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

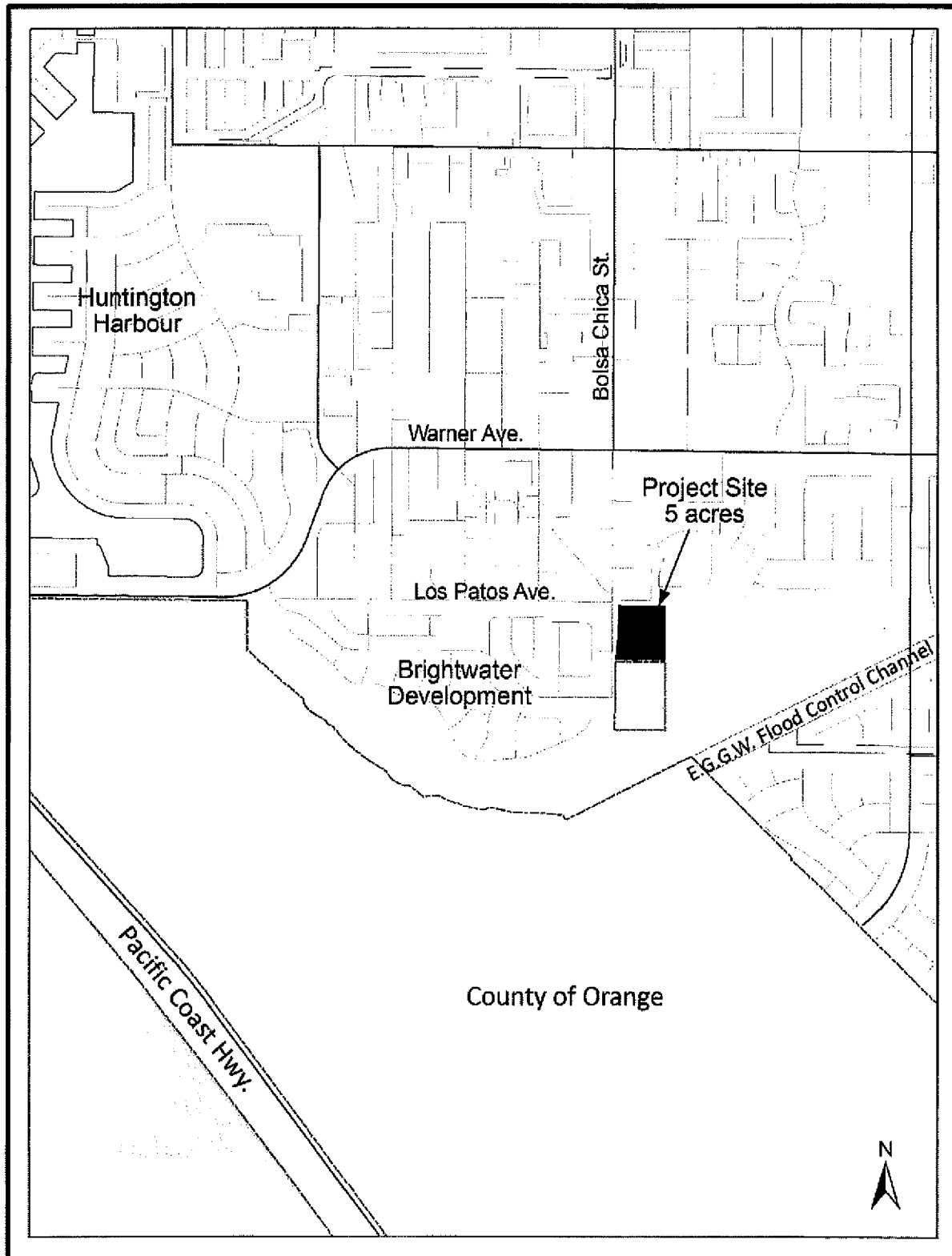
\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Community Development

**ATTACHMENTS:**

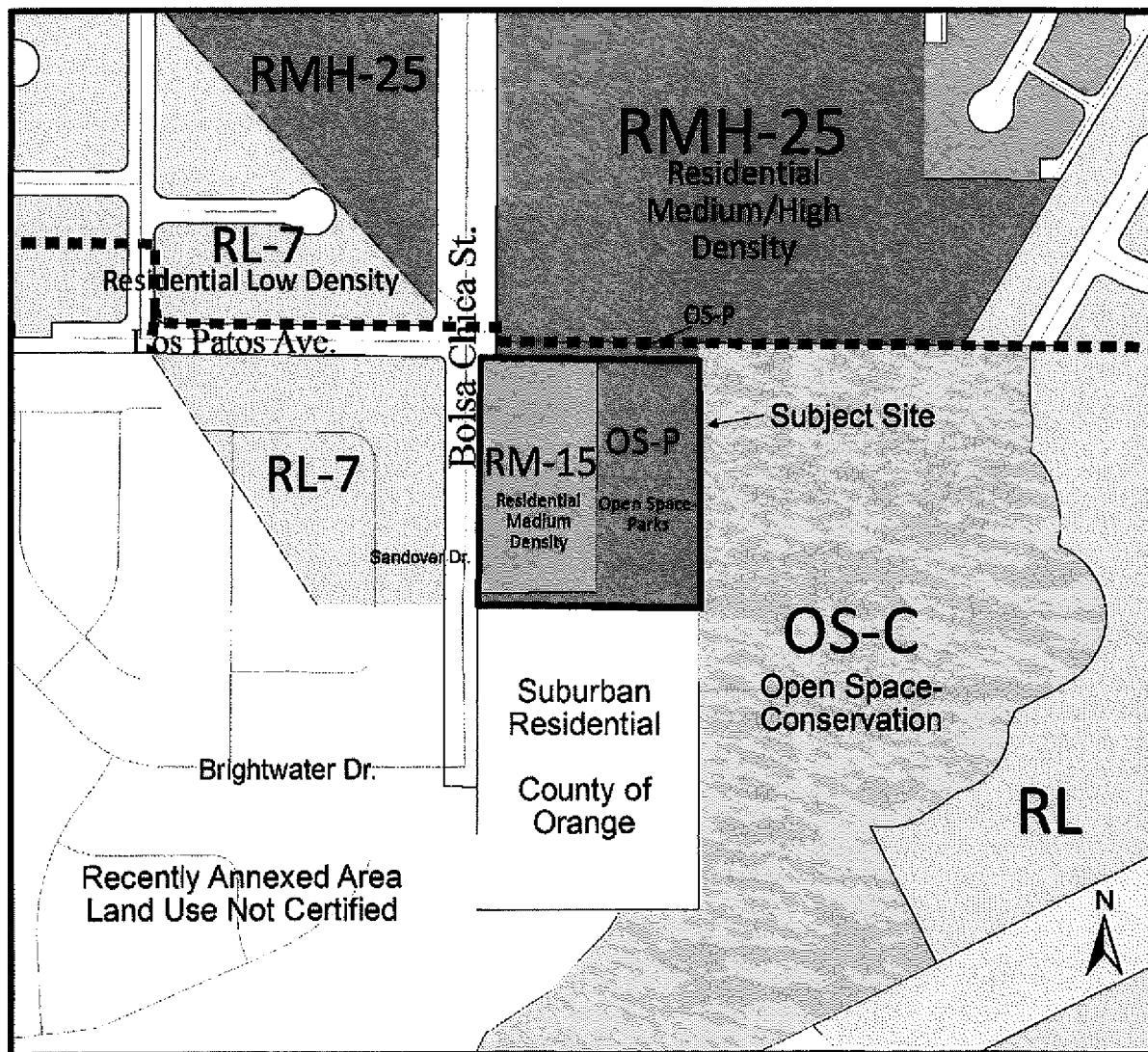
- Exhibit A: Location Map
- Exhibit B: Amended Land Use Plan (Extract of Figure C-6 of the Coastal Element)
- Exhibit C: Zoning Text Amendment No. 16-004
- Exhibit D: Zoning Map Amendment No. 16-003

## Exhibit A – Location Map



## Exhibit B

### Amended Land Use Plan (Extract of Figure C-6 of Coastal Element)



#### Legend

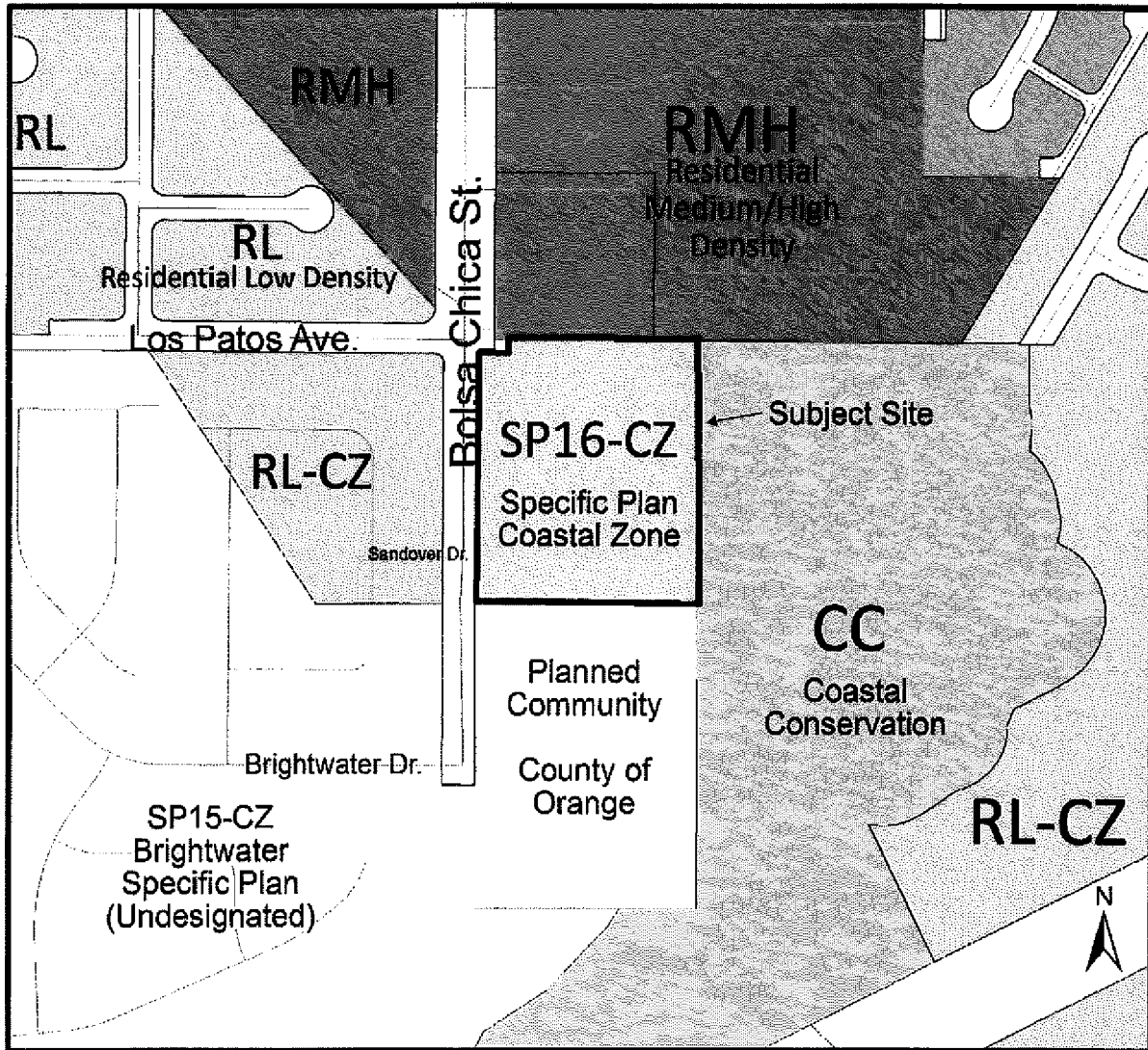
- RL-7:** Residential Low Density – 7 du/acre  
**RM-15:** Residential Medium Density – 15 du/acre  
**RMH -25:** Residential Medium High Density – 25 du/acre  
**OS-P:** Open Space – Parks  
**OS-C:** Open Space – Conservation

----- Coastal Zone Boundary



## Exhibit D

### Amended Zoning Map



#### Legend

<b>RL:</b>	Residential Low Density
<b>RMH:</b>	Residential Medium High Density
<b>SP-15:</b>	Specific Plan 15 (Brightwater)
<b>SP-16:</b>	Specific Plan 16 (Windward)
<b>CC:</b>	Coastal Conservation
<b>CZ:</b>	Coastal Zone Overlay

**ORDINANCE NO. 4135**

**AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH ADOPTING A  
DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF  
HUNTINGTON BEACH AND SIGNAL LANDMARK (DEVELOPER)  
(DEVELOPMENT AGREEMENT NO. 16-001)**

**WHEREAS**, the Planning Commission approved Conditional Use Permit No. 16-035, Coastal Development Permit No. 16-018, and Tentative Tract Map No. 18060 to develop an approximately 2.5-acre property located at 17202 Bolsa Chica Street (Property) with 36 townhome units with a 3,800 square feet of resident recreation area (Project) pursuant to the Windward Specific Plan; and

The City and Developer each mutually desire to enter into a Development Agreement with one another to permit and ensure that the Property is developed in accordance with the approved Conditional Use Permit No. 16-035, Coastal Development Permit No. 16-018, and Tentative Tract Map No. 18060 and the Windward Specific Plan zoning regulations to achieve the mutually beneficial development of the Property.

**NOW, THEREFORE**, the City Council of the City of Huntington Beach does hereby ordain as follows:

**SECTION 1:** That the City Council hereby finds that Development Agreement No. 16-001 conforms to Government Code Section 65864 et. seq. and that:

- a. Development Agreement No. 16-001 is consistent with the Huntington Beach General Plan; and
- b. Development Agreement No. 16-001 is consistent with Chapter 246 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), the Huntington Beach Municipal Code, and the Subdivision Map Act; and
- c. Development Agreement No. 16-001 will not be detrimental to the health, safety and general welfare, and will not adversely affect the orderly development of the property because it is consistent with applicable land use regulations of the zoning regulations in effect at the time of project approval, mitigation measures adopted for the Project in accordance with MND 16-003, and conditions approved for Conditional Use Permit No. 16-035, Coastal Development Permit No. 16-018, and Tentative Tract Map No. 18060; and

- d. The City Council has considered the fiscal effect of Development Agreement No. 16-001 on the City and the effect on public open space in the Bolsa Chica area and has balanced these needs against available fiscal and environmental resources.

**SECTION 2:** Based on the above findings, the City Council of the City of Huntington Beach hereby approves Development Agreement No. 16-001 and adopts it by this ordinance pursuant to Government Code Section 65867.5. This action is subject to a referendum.

**SECTION 3:** This ordinance shall take effect 30 days after its adoption.

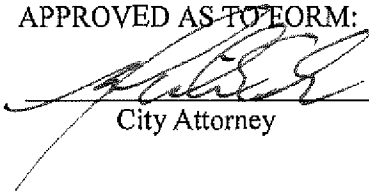
**PASSED AND ADOPTED** by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

REVIEWED AND APPROVED:

\_\_\_\_\_  
City Manager

INITIATED AND APPROVED:

\_\_\_\_\_  
Director of Community Development

ATTACHMENTS:

Exhibit A: Development Agreement No. 16-001