

PALM/GOLDENWEST SPECIFIC PLAN

SECTION TWO

AERA PROPERTY

5 INTRODUCTION**5.1 PROJECT AREA/EXISTING CONDITIONS**

The 96 acre Aera parcel is bounded by Pacific Coast Highway, Goldenwest Street, Seapoint and the PLC parcel as shown on Figure 2-1-1. The site is currently used for oil production and owned by Aera Energy LLC. According to Area Energy, the site will remain in oil production for the next 15 to 20 years. The project area is located in the Coastal Zone boundary, as defined by the California Coastal Commission.

The Huntington Beach General Plan currently designates the Aera parcel for Mixed Use-Horizontal Integration of Housing (MH), with a Specific Plan Overlay. The Aera parcel is designated as Subarea 4B on the Huntington Beach General Plan Table LU-4, which describes the Permitted Uses, Density/Intensity, and Design and Development Standards and Principles.

The existing Local Coastal Program Land Use designation for the site is Resource Production with visitor serving overlays at both the northerly and southerly ends of the site. There are currently two zoning designations on-site: RH-O-CZ (High Density Residential with Oil and Coastal Zone Overlays) and IG-O1-CZ (General Industrial with Oil Production and Coastal Zone Overlays).

The legal description is included in the appendix of the Specific Plan.

5.2 PURPOSE AND INTENT

The purpose of this portion of the Specific Plan is to establish zoning and standards for visitor serving uses, including open space and recreational uses on the 96 acre Aera parcel consistent with the City's General Plan, the Local Coastal Program, the Conceptual Master Plan (CMP), and compatible with surrounding land uses. This portion of the Specific Plan provides consistency with the goals, policies and criteria of the City's General Plan, including policies related to land use, urban design, economic development, circulation, public facilities, especially those related to Subarea 4B provisions.

The intent of this portion of the Specific Plan is to guide and coordinate the future design and development of the Aera parcel. It provides a description of land use, circulation, infrastructure, site development standards, and implementation programs for the preparation of detailed development proposals for City review and approval.

The Specific Plan serves as the implementing actions program (zoning) for the Huntington Beach Local Coastal Program and the Conceptual Master Plan. Aera

has indicated that they will continue the current oil production activities on their parcel for the next 15 to 20 years. This Specific Plan permits the oil production use to continue and the future development of a mix of visitor serving commercial, office/high technology, open space and civic uses that include esplanades, greenbelts and pedestrian linkages. Given its prime location and ocean-oriented views, it is the City's desire to maximize the visitor serving commercial and recreational opportunities on the Aera site. Therefore, no residential development is included. Any new development on the Aera parcel will require review and approval by the City through the tentative map/conditional use permit/coastal development process. Amendments to the Specific Plan will be processed as amendments to the City's Local Coastal Program and will not take effect until certified by the California Coastal Commission.

5.3 CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

In May, 1996, the City of Huntington Beach certified Environmental Impact Report No. 94-1 ("EIR") for the comprehensive update of the City's General Plan. This EIR evaluated development of the Specific Plan Area as Mixed Use - Horizontal Integration of Housing and any potential impacts from development. The Specific Plan, the proposed PLC project and the Aera site are within the parameters of development evaluated in EIR No. 94-1, and will not create any additional environmental impacts. The EIR determined that there will be no impacts from the proposed residential development, which cannot be mitigated to a level of insignificance.

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study has been prepared as part of the Specific Plan approval process. The Initial Study will serve as the basis on which the environmental effects of implementing the Specific Plan can be ascertained. The Initial Study indicated that a Mitigated Negative Declaration is the appropriate CEQA compliance tool, and has been prepared as part of this Specific Plan process.

A traffic study, noise study, air quality study, and visual analysis have also been prepared in conjunction with the CMP and this Specific Plan to further demonstrate that there are no significant impacts from the proposed Specific Plan and development. A Mitigated Negative Declaration was prepared and distributed for public review and comment. Mitigation Measures included as part of Mitigated Negative Declaration #98-8 have been incorporated in Appendix B and will be included as conditions of approval on all development projects within the Specific Plan Area.

All subsequent approvals necessary to develop any property within the Specific Plan Area must be consistent with the Specific Plan and be within the scope of the EIR and Mitigated Negative Declaration. Additional environmental documentation may be required in the future if significant changes are found to have occurred pursuant to Section 15162 and 15182 of the CEQA guidelines.

6 DEVELOPMENT CONCEPT

6.1 CONCEPTUAL MASTER PLAN OF DEVELOPMENT

The Seacliff Promenade Conceptual Master Plan (CMP) for the Palm/Goldenwest Specific Plan Area is illustrated on Exhibit 2.1-1. The intent of the Conceptual Master Plan (Exhibit 2.1-1) is to establish general planning concepts for the entire site. The General Plan for Subarea 4B specifically allows for phased Specific Plans in order to permit the near-term development of PLC's property and development of Aera's property at a later point in time as oil operations are phased out. Upon completion of a future specific plan for the Aera parcel the Palm/Goldenwest Specific Plan will be amended to incorporate the specific plan. Amendments to the Specific Plan will be processed as amendments to the City's Local Coastal Program and will not take effect until certified by the Commission. Public amenities, such as the four acres of designated open space, will be provided prior to or concurrent with any proposed commercial development as specified in Section 6.4.

6.2 LAND USE PLAN/DEVELOPMENT CONCEPT

All uses proposed in the Land Use Plan are consistent with the City's Local Coastal Program, General Plan, and the Conceptual Master Plan for Subarea 4B. Any revisions to the Palm/Goldenwest Specific Plan or any revisions to the General Plan affecting the Palm/Goldenwest Specific Plan will be processed as an LCP amendment and shall not take effect until certified by the California Coastal Commission.

The CMP Land Use Plan illustrates that the Aera property will remain in oil production for the foreseeable future (approximately 15-20 years). Within this portion of the Specific Plan, the Aera parcel proposes a mix of visitor serving commercial, office/high technology, open space and civic uses. The corner of PCH and Goldenwest is designated for visitor serving uses such as specialty retail, restaurants, an entertainment complex, timeshares and/or a resort hotel. The remaining portions of the site are devoted to other visitor serving uses, including retail, office and high technology uses, but still permitting continued oil production activities on the 96 acre Aera parcel.

6.3 CIRCULATION PLAN

Four arterial streets lay adjacent to the site, Pacific Coast Highway, Seapoint, Palm Avenue and Goldenwest Street. Conceptually, for the Aera Parcel, it is anticipated that there will be a right-in and right-out access off Goldenwest and Seapoint, with the major access points from PCH. A public pedestrian corridor is proposed from PCH to Palm,

near Cherryhill, to provide a connection between the Aera parcel and the neighboring residential uses. The exact locations of the accesses for the Aera parcel will be determined when the site is proposed for development.

The Conceptual Master Plan limits the maximum number of average daily trips that may be generated by ultimate development of the site to 27,139. This is to ensure that impacts to the City's circulation system, as well as, ambient air quality and noise levels remain within the scope of impacts analyzed in the General Plan Program EIR 94-1 and Mitigated Negative Declaration No. 98-8. Of the total trip budget, the PLC site has been allocated a maximum of 5,230 average daily trips, and the Aera parcel has been assigned a trip budget not to exceed 21,909 average daily trips. Individual parcels within the site may exchange or trade unused trip allocations, as long as the overall budget for the site is not exceeded, and subject to City approval. The trip budget allocations, along with the development standards of the Conceptual Master Plan, will determine the land use intensities ultimately permitted within the Aera parcel.

6.4 OPEN SPACE

Within the Aera Parcel, the four acre site on the northwest side of Seapoint has been designated for future open space uses to complement the existing open space designations adjacent to this site (Exhibit 2.1-1). This open space area will be landscaped with native vegetation consistent with the restoration activities occurring in Bolsa Chica and Harriett Wieder Regional Park. Landscaping shall be consistent with the requirements of Sections 6.7 (Water Quality), and 7.8 (Landscaping) and shall be completed prior to or concurrent with the first development (except Tentative Tract Maps) approved on the Aera parcel through the coastal development permit process. Passive recreational uses and public parking immediately adjacent to Seapoint will also be allowed.

In addition, a public pedestrian linkage between Palm and PCH, near Cherryhill, is shown in the central portion of the Aera site to complement the proposed open space/civic uses and the public park site off Palm Avenue. Greenbelts and buffer areas have been designated between the PLC parcel and Aera parcel to provide an adequate buffer between the proposed residential and future commercial development. An esplanade along PCH is designated that provides public pedestrian access and view opportunities of coastal resources the length of the parcel. When the Aera parcel is developed, the property owner/developer will be responsible to fulfill the required open space obligation in effect at the time.

On the Aera side, the buffer shall include a minimum setback of 75 feet from the PLC property line for structures, as well as, a minimum of a 50 foot landscaped area within the

required 75 foot setback. No parking or vehicle access (other than for emergency access) shall be permitted within that 50 foot landscaped area on the Aera parcel.

6.5 SITE PREPARATION

6.5.1 Grading Concept

The Aera parcel will require grading operations for soil remediation and to construct streets, infrastructure, pads and other site improvements to create properly drained development areas. The grading concept for the Aera parcel is intended to:

- ◆ Be responsive to the existing land forms;
- ◆ Minimize the length of time and physical impacts of the grading operations;
- ◆ Stabilize manufactured slopes; and
- ◆ Avoid any unnecessary import/export of earthwork to minimize impacts of the grading operation on surrounding residential communities.

Soil remediation, over-excavation, stockpiling and normal grading operations and procedures will occur within the site.

All soil remediation and grading within the Specific Plan area will require a grading permit as well as a coastal development permit and will be governed by soils, foundation and other geotechnical reports prepared by registered professional civil and geotechnical engineers, building codes, established engineering practices and City ordinances. Preliminary grade elevations and details will be provided at the Tentative Tract Map process. Grading shall be consistent with City policies and incorporate safe grading techniques to provide for proper engineering practices and ensure proper site drainage. All soil remediation and grading plans shall be subject to review and approval by the City to incorporate appropriate conditions of approval and mitigation measures.

6.5.2 Oil Well Abandonment

All oil well abandonment's, excavation and remediation of contaminated soils shall require a coastal development permit and shall be performed in accordance with the following requirements.

- Closure of oil wells, removal of pipelines and facilities shall be in compliance with the requirements of the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources;
- Cleanup of surface soil and contaminants shall be in compliance with the requirements of the California Department of Toxic Substance Control, Site Mitigation Branch; and (as required) the California Regional Water Quality Control Board, Santa Ana Region. In addition cleanup of surface soil and contaminants shall also be in compliance with the requirements of the City of Huntington Beach Fire Department.
- When a well site is abandoned, all improvements on the site shall be removed and the site shall be restored on an interim basis to its natural condition as it existed before oil development occurred until the proposed development is constructed.
- Adequate screening, setbacks, and aesthetic treatments shall be provided within development areas to minimize hazards and nuisances posed by the proximity of oil operations.
- Any oil related development shall be undertaken in accordance with the requirements of the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources Guidelines regarding specifications and standards for oil-related activities, well abandonment's, and reabandonments.

6.6 PROJECT INFRASTRUCTURE

The infrastructure for the Aera parcel will be analyzed as development plans are formalized. Changes to allowed land uses or to the Specific Plan will be processed as an amendment to the City's Local Coastal Program and will not become effective until certified by the California Coastal Commission. Developers shall be responsible for the construction or funding of public facilities improvements within their project and/or off-site facilities necessary to serve the development, including but not limited to storm drains, sewer facilities, water facilities and other required services. Public amenities, such as the four acres of designated open space (Exhibit 2.1-1), will be provided prior to or concurrent with the first development approved on the Aera parcel through the coastal development permit process. Developers shall forward copies of all tentative tract maps submitted for City approval to the utility providers to coordinate service requirements.

6.7 WATER QUALITY

The City of Huntington Beach is a coastal community noted for its beaches. The beaches of Huntington Beach attract numerous people to the area. The beaches consequently support the City's economy. Tourism dollars are spent on lodging, food, recreational equipment sales, retail sales, and other tourist related commercial ventures. The well being of the City's economy is consequently dependent on maintaining quality of coastal

waters. Recent closures of the beaches have had an adverse effect on the City's economy and coastal recreational opportunities.

The flow of untreated stormwater can have an adverse impact on the quality of coastal waters since storm drains eventually discharge into the ocean. Section 5.2.1 of the City's Coastal Element notes that the City can upgrade water quality by controlling pollutants, which enter coastal waters through urban runoff. Section 9.5.4 of the City's Coastal Element which contains the water and marine resource policies requires that measures be implemented to mitigate the adverse impacts of human activities on the marine environment. To protect coastal waters, the following water quality measures shall be implemented in conjunction with any development requiring the construction of storm water drainage systems:

- All new development, substantial rehabilitation, redevelopment or related activity, shall be designed and constructed in compliance with the Orange County Drainage Area Management Plan (OC DAMP) all applicable local ordinances and applicable provisions of the NPDES General Permit for Storm Water Discharges Associated with Construction Activity issued by the State Water Resources Control Board (State Board Order No. 92-08-DWQ), and any subsequent amendments, and the Orange County NPDES Municipal Storm Water Permit issued to Orange County and Cities by the California Regional Water Quality Control Board (Regional Board Order No. 96-31) and any amendment, revision or re-issuance thereof.

- Prior to issuance of a Coastal Development Permit (CDP) for grading or building, a Water Quality Management Plan (WQMP), shall be submitted, and approved based on consistency with the provisions specified herein. New development and significant redevelopment of private and publicly owned properties, must incorporate design elements and/or Best Management Practices (BMPs) which will effectively prevent runoff contamination, and minimize runoff volume leaving the site in the developed condition, to the greatest extent feasible. At a minimum the following specific requirements shall be applied to development of type and/or intensity listed below:
 - (1) Residential Development
Development plans for, or which include the vesting of a final tract map, which will result in 10, or greater sub-lots, for grading purposes and backbone infrastructure improvements and/or the build out of homes and other facilities which are part of a planned community development shall:

- a. Maximize the percentage of permeable surface and green space to allow more percolation of runoff into the ground and/or design site with the capacity to convey or store peak runoff from a storm and release it at a slow rate so as to minimize the peak discharge into storm drains or receiving water bodies;
- b. Use porous materials for or near walkways and driveways where feasible;
- c. Incorporate design elements, which will serve to reduce directly, connected impervious area where feasible. Options include the use of alternative design features such as concrete grid driveways, and/or pavers for walkways;
- d. Runoff from driveways, streets and other impervious surfaces shall be collected and directed through a system of vegetated and/or gravel filter strips or other media filter devices, where feasible. Selected filter elements shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants through infiltration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff from the building site in a non-erosive manner.
- e. Selected BMPs shall be designed to collectively infiltrate, filter or treat the volume of runoff produced from each and every storm event up to and including the 85th percentile 24-hour runoff event, prior to conveying runoff in excess of this standard to the storm water conveyance system. BMPs shall be engineered and constructed in accordance with the design specifications and guidance contained in the California Stormwater Best Management Practices Handbook (Municipal).
- f. The plan must include provisions for regular inspection and maintenance of structural BMPs, for the life of the project.

(2) Commercial Development/Parking Lots

Development plans for, or which include commercial use > 1000 square feet in size and/or which include exposed parking lots > 5,000 square feet in size and/or with 25 or more parking spaces and/or stand alone parking lots with 25 or more parking spaces or which is > 5,000 square feet in size shall:

- a. Incorporate BMPs effective at removing or mitigating potential pollutants of concern such as oil, grease, hydrocarbons, heavy metals, and particulates from storm water leaving the developed site, prior to such runoff entering the stormwater conveyance system, or any receiving water body. Options to meet this requirement include the use of vegetative filter strips or other media filter devices, clarifiers, grassy swales or berms, vacuum devices or a combination thereof. In addition, roads and parking lots should be vacuum swept monthly at a minimum, to remove debris and contaminant residue.

- b. Selected BMPs shall be designed to collectively infiltrate, filter or treat the volume of runoff produced from each and every storm event up to and including the 85th percentile 24-hour runoff event. BMPs shall be engineered and constructed in accordance with the guidance and specifications provided in the California Stormwater Best Management Handbooks (Commercial and Industrial).

(3) Common Area Landscaping

Where irrigation is necessary, the system must be designed with an efficient technology, which minimizes water requirements and the potential for failure. At a minimum, the following requirements shall apply: All irrigation systems shall have flow sensors and master valves installed on the mainline pipe to ensure system shutdown in the case of pipe breakage. Irrigation master systems shall have an automatic irrigation controller to ensure efficient water distribution. Automatic irrigation controllers shall be easily adjustable so that site watering will be appropriate for daily site weather conditions. Automatic irrigation controllers shall have rain shutoff devices in order to prevent unnecessary operation on rainy days.

- Storm Drains

Stormwater systems eventually discharge into coastal ocean waters. They may also discharge into wetlands and streams. Stormwater discharging from the site shall be of sufficient quality and volume to maintain or enhance the functional capacity of the receiving waters. Where new storm drains are necessary to accommodate the development, they shall be sited and designed to discharge in the least environmentally sensitive location. New storm drain outlets shall not be allowed to discharge into or near coastal waters where rocky intertidal or sub-tidal habitat exists or into wetlands.

Storm Drains and/or Catch Basins shall be marked “No dumping-Drains to Ocean” or with other appropriate local insignia. These markings shall be maintained for the life of the project.

- Dry Weather Runoff Diversion

At the time of application for the first coastal development permit for construction of any portion of the storm drain system, the applicant shall provide a study which evaluates the feasibility of diverting dry weather runoff within the Specific Plan area to a local treatment facility able to accept dry weather flows and documentation of the facility’s capacity to accommodate such flow, for the life of the development.

- Inspection and maintenance of structural BMPs
The WQMP shall include provisions for long-term maintenance responsibilities for structural BMPs and shall reference the location of all such BMPs. A BMP maintenance agreement shall be included which provides for an acceptance and/or dedication of operation and maintenance responsibility to the applicant/owner or successor in interest upon acceptance of a coastal development permit, until such responsibility is effectively accepted by another appropriate entity, such as the City or a Homeowners' Association. Maintenance responsibilities shall remain subject to the following requirements: All BMP traps/separators and/or filters must be inspected, cleaned and maintained as needed throughout the year, but at a minimum once a month through the months of October to April, once prior to storm season, no later than October 15, and once following storm season, no later than June 30th. Debris and other material removed from filters and traps shall be disposed of in a proper manner. Filter material shall be replaced when necessary. Annual inspection and maintenance reports documenting such activities must be submitted to the permitting agency no later than July 30th each year.