



Bella Terra
Huntington Beach
City of Huntington Beach
Specific Plan Number 13

Bella Terra

City of Huntington Beach

SPECIFIC PLAN NO. 13

Prepared by

City of Huntington Beach Planning and Building Department

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Bella Terra Specific Plan

2

September 20, 2010

TABLE OF CONTENTS

| | | | | |
|---|----|--|----------------------------|----|
| 1. INTRODUCTION | | | | |
| 1.0 Purpose and Intent | 6 | | 3.4.7 Landscape Guidelines | 70 |
| 1.1 Authority and Procedures | 7 | | 3.4.8 Signage Guidelines | 75 |
| 1.2 Scope and Format | 8 | 4. DEVELOPMENT REGULATIONS | | |
| 1.3 Project Area Description | 10 | 4.0 Purpose | | 77 |
| 1.4 General Plan Designation | 13 | 4.1 General Provisions | | 77 |
| 1.5 Zoning Provisions | 15 | 4.2 Definitions | | 78 |
| 1.6 State Mandated Requirements | 15 | 4.3 Development Standards Area A | | 80 |
| 2. IMPLEMENTATION | | 4.3.1 Permitted Uses | | 80 |
| 2.0 Administration | 18 | 4.3.2 Intensity | | 80 |
| 2.1 Development Construction Phasing Plan | 18 | 4.3.3 Building Height | | 80 |
| 2.2 Methods and Procedures | 19 | 4.3.4 Setbacks | | 80 |
| 2.3 Site Plan Review | 19 | 4.3.5 Landscaping | | 80 |
| 2.4 Parcel Maps | 20 | 4.3.6 Signs | | 80 |
| 2.5 Reuse/Change of Use Review | 21 | 4.3.7 Lighting | | 80 |
| 2.6 Environmental Determination | 22 | 4.3.8 Parking | | 85 |
| 2.7 Request for Deviation | 22 | 4.3.9 Parking Structures | | 85 |
| 2.8 Specific Plan Amendment | 23 | 4.3.10 Drive-Through Bakery | | 86 |
| 2.9 Severability | 23 | 4.3.11 Gas Station and Tire Sales/Installation | | 86 |
| 3. DEVELOPMENT CONCEPT | | 4.4 Development Standards Area B | | 87 |
| 3.0 General Development Plan | 26 | 4.4.1 Permitted Uses | | 87 |
| 3.1 Pedestrian Plaza and Walkways | 30 | 4.4.2 Intensity | | 87 |
| 3.2 Circulation Plan | 32 | 4.4.3 Building Height | | 87 |
| 3.3 Public Facilities | 35 | 4.4.4 Setbacks | | 87 |
| 3.4 Design Guidelines | 40 | 4.4.5 Landscaping | | 87 |
| 3.4.1 Project Area Character | 41 | 4.4.6 Signs | | 87 |
| 3.4.2 Site Planning Guidelines | 42 | 4.4.7 Lighting | | 87 |
| 3.4.3 Common Area Guidelines | 44 | 4.4.8 Minimum Dwelling Unit Size | | 88 |
| 3.4.4 Architectural Guidelines Area A | 56 | 4.4.9 Common Residential Recreation Areas | | 88 |
| 3.4.5 Architectural Guidelines Area B | 62 | 4.4.10 Sustainable or “Green” Building | | 88 |
| 3.4.6 Nonconforming Buildings and Uses | | 4.4.11 Affordable Housing | | 88 |
| Areas A and B | 65 | 4.4.12 Parking | | 92 |
| | | 4.4.13 Parking Structures | | 92 |
| | | 4.4.14 Reciprocal Access | | 92 |
| | | 4.5 Temporary and Seasonal Events | | 93 |

List of Exhibits

| | | |
|-------------|--------------------------------------|----|
| Exhibit 1 | Vicinity Maps | 11 |
| Exhibit 2 | Aerial Photograph | 12 |
| Exhibit 3 | Area A and B | 25 |
| Exhibit 4 | Pedestrian Plaza/Walkways Plan | 29 |
| Exhibit 5 | Circulation Plan | 31 |
| Exhibit 6 | Common Area Locations | 45 |
| Exhibit 7 | Color and Materials of Common Areas | 51 |
| Exhibit 8 | Typical Tenant Storefront | 61 |
| Exhibit 9 | Landscape Concept Plan | 69 |
| Exhibit 10 | Plant Materials Palette | 72 |
| Exhibit 11A | Permitted Uses Chart Area A | 82 |
| Exhibit 12 | Development Regulations Chart Area A | 83 |
| Exhibit 13 | Parking Standards and Details | 84 |
| Exhibit 14 | Permitted Uses Chart Area B | 89 |
| Exhibit 15 | Development Regulations Chart Area B | 90 |
| Exhibit 16 | Temporary and Seasonal Events Chart | 93 |

APPENDICES – Available from Planning and Building Department

- A – Legal Description
- B – General Plan Consistency
- C - Addendum EIR No. 07-003 Mitigation Monitoring and Reporting Program

INTRODUCTION



INTRODUCTION

1.0 PURPOSE AND INTENT

Background – The Crossings Specific Plan was adopted on August 7, 2007 for development of 63 acres for Regional Commercial uses. Approximately 50 acres was redeveloped in 2005 with approximately 774,962 square feet of commercial space. The remaining 13 acres was under separate ownership and remained vacant with the shuttered Montgomery Ward store and auto repair facility.

In 2008, a project renamed the Specific Plan to Bella Terra, modified the allowable uses on the vacant 13 acre (15 acres after a future lot line adjustment) portion, established Area A (47.9 acres) and Area B (15.85 acres), and planned for the redevelopment of that site accordingly. The currently proposed project modifies the boundaries between the planning areas and increases Area A to 52.35 acres and decreases Area B to 10.40 acres.

The Bella Terra Specific Plan establishes the planning concept, design theme, development regulations and administrative procedures necessary to achieve an orderly and compatible development of the project area, and to implement the goals, policies and objectives of the Huntington Beach General Plan. The intent is to establish a visitor serving, regional-commercial shopping and mixed use high density residential setting and achieve a high quality in residential, retail and entertainment design.

The Bella Terra Specific Plan identifies the location, character and intensities for a regional commercial complex herein referred to as Bella Terra Area A and a mixed use high density residential and regional commercial setting herein referred to as Bella Terra Area B (Exhibit 3B). The Specific Plan creates a compatible design theme for the project areas and establishes the development regulations necessary to accomplish the identified objectives.

The Specific Plan is regulatory in nature and serves as zoning for Bella Terra. Subsequent development plans, Parcel Maps and other entitlement requests for the project areas must be consistent with both the Specific Plan and the Huntington Beach General Plan. According to Public Resources Code Section 21083.3(b), “If a development project is consistent with the general plan of a local agency and an environmental impact report was certified with respect to that general plan, the application of this division [CEQA] to the approval of that development project shall be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which

substantial new information shows will be more significant than described in the prior environmental impact report.” Based upon Public Resource Code Section 21083.3 The original Specific Plan for Bella Terra Area A (The Crossings at Huntington Beach Specific Plan) was exempt from preparation of an environmental assessment until a site plan was submitted for approval by the City. A site plan was approved, an environmental assessment was performed by the City of Huntington Beach, and a Mitigated Negative Declaration was approved with the site plan, and mitigations were applied to the Bella Terra Area A project.

As required by the California Environmental Quality Act (“CEQA”) (Pub. Res. Code §§ 21000 et seq.) EIR No. 07-03 was prepared to analyze and mitigate significant environmental impacts created by this Specific Plan as amended to establish Bella Terra Area B, as well as the concurrently processed General Plan Amendment in 2008. To the extent that prior environmental documentation for the City’s General Plan and prior specific plans for this site have analyzed environmental impacts associated with the Specific Plan as amended, CEQA permits the City to utilize or rely on such conclusions in connection with preparing the EIR for this project (Pub. Res. Code §§ 21083.3(b), 21166). The EIR identifies and imposes mitigation for significant impacts caused by the project as proposed.

The currently proposed (2010 Revised Project) Specific Plan amendments and Costco and residential development were analyzed in an Addendum to EIR No. 07-03. The Addendum to EIR No. 07-03 demonstrates that the revised project would not result in new significant impacts, nor is there a substantial increase in the severity of impacts from that identified in the previous EIR.

1.1 AUTHORITY AND PROCEDURE

The State of California requires that all cities and counties prepare and adopt a comprehensive General Plan for the physical development of their area of jurisdiction.

Following the adoption of the General Plan, the entity is required to develop and adopt regulating programs (zoning and subdivision ordinances, building and housing codes, and other regulations), which will implement the policies described in the General Plan.

California State law authorizes cities with complete General Plans to prepare and adopt Specific Plans (Government Code Sections 65450 et. seq.). Specific Plans are intended to be a bridge between the local General Plan and individual development proposals. Specific Plans contain both planning policies and regulations, and may combine zoning regulations, capital improvement programs, detailed development standards and other regulatory methods into one document which can be tailored to meet the needs of a specific area.

Local planning agencies or their legislative bodies may designate areas within their jurisdictions as ones for which a Specific Plan is “necessary or convenient” (Government Code Section 65451).

A Specific Plan may either be adopted by ordinance or resolution (Government Code Section 65507). Should the legislative body wish to change a proposed Specific Plan recommended by the Planning Commission, the change must first be referred back to the Commission for consideration, if not previously considered (Government Code Section 65504).

Adoption or amendment of a Specific Plan constitutes a project under the California Environmental Quality Act (CEQA) and the State's Environmental Impact Report (EIR) guidelines. If the initial environmental review shows that the proposed or amended plan could significantly affect the environment, the jurisdiction must prepare an EIR and submit it in draft form for public review. The need for an EIR in a particular case is determined by the local government. In the case for Bella Terra Area A, since an EIR was prepared for the City's adopted General Plan and the prior Specific Plan was within the umbrella of the General Plan and associated Certified EIR, the environmental assessment for the original Bella Terra Specific Plan was limited to the effects peculiar to the project (Public Resources Code Section 21083.3(b)).

When Bella Terra Area B was established in 2008, EIR No. 07-03 was prepared and processed concurrently with the Specific Plan as amended and General Plan Amendment. An Addendum to EIR No. 07-03 has been prepared to evaluate the project as revised in 2010.

The preparation, adoption and implementation of the Bella Terra Specific Plan by the City of Huntington Beach is authorized by the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457.

The Huntington Beach General Plan was adopted by the City Council on May 13, 1996. The General Plan designates the project area as Regional Commercial in Bella Terra Area A and the General Plan Amendment being processed concurrently with this Specific Plan will permit high density residential and mixed uses in Bella Terra Area B. The Bella Terra Specific Plan is consistent with the goals and policies of the Huntington Beach General Plan, as amended.

1.2 SCOPE AND FORMAT

The Bella Terra Specific Plan is divided into four sequential sections. Section One is the Introduction and describes the purpose and intent of the document along with a brief explanation of Specific Plan procedures and authorization.

Section One also presents the Project Area Description and is intended to establish the reasons why the Specific Plan process is logical and necessary for this portion of the City. This section presents a general description of

the Specific Plan area; special characteristics and existing conditions which make this area unique have been identified.

Section Two presents the Implementation process and discusses how individual projects and tenant improvements will be reviewed and approved. This section outlines the project approval procedures and describes the process for project appeals and the methods by which the Specific Plan can be modified or amended.

Section Three describes the Development Concept. The design concept evolves from the objectives identified and existing conditions discussed in Section One. This section also presents the circulation, public facilities, infrastructure and landscaping which will support the development concept and reinforce the design theme.

Section Three also includes the Design Guidelines. This section identifies and describes the intended character for the area and provides a framework for project implementation.

Section Four establishes the Development Regulations for the Specific Plan area and for individual project development. Section Four presents a detailed description of the Development Standards which are necessary to guide and control new projects and carry out the goals and policies of the Specific Plan and the City's General Plan.

The Appendix includes the Legal Description of the site, a General Plan Consistency analysis and a Mitigation Monitoring and Reporting Program.



View of Ulta from Edinger Avenue



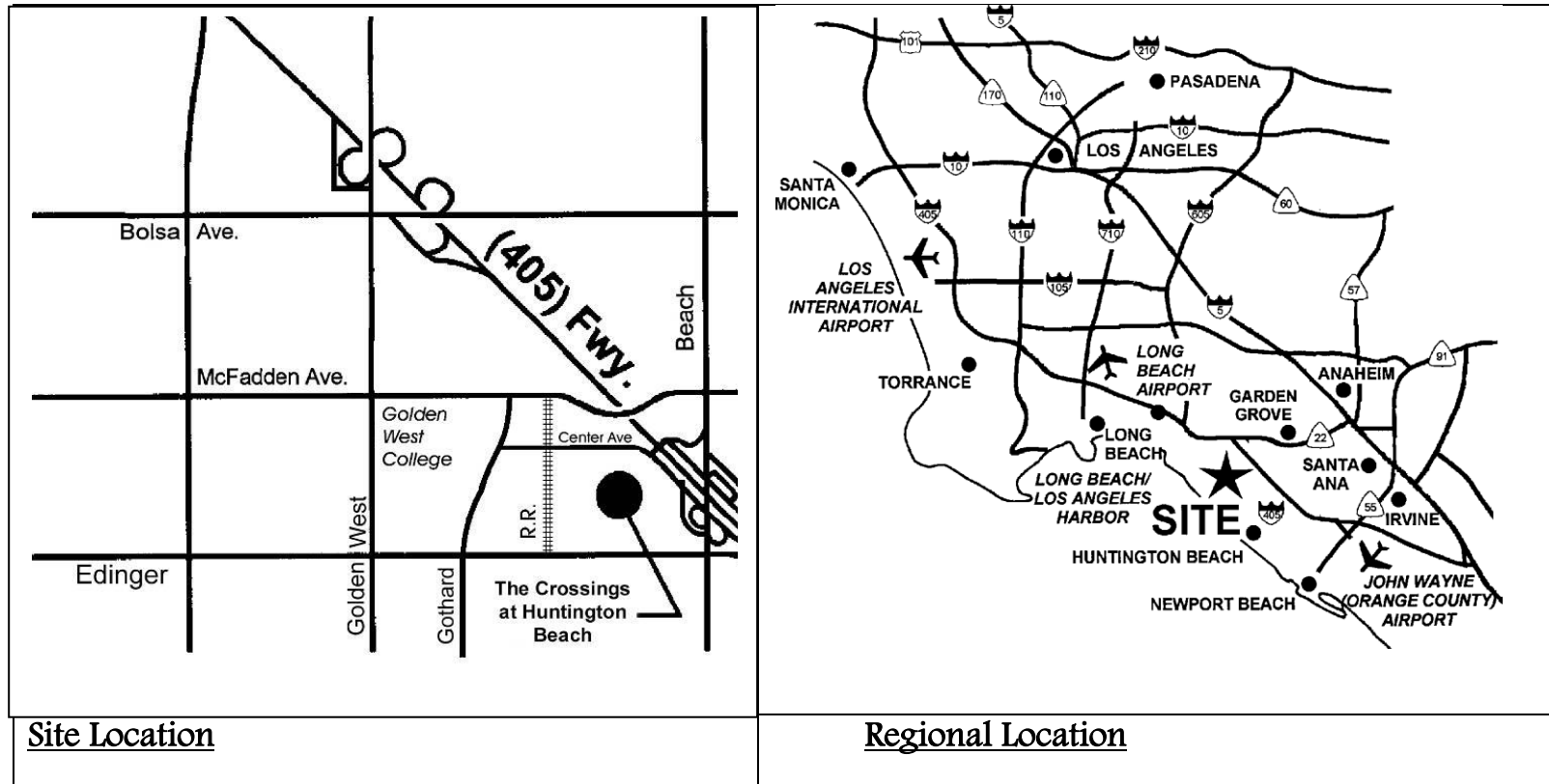
The view of Century Theater and Amphitheater

1.3 PROJECT AREA DESCRIPTION

Bella Terra Specific Plan covers 63 acres located in the northern portion of the City of Huntington Beach. The area is generally bounded on the north by Center Avenue, on the east by Beach Boulevard, on the south by Edinger Avenue, and on the west by Southern Pacific railroad right-of-way.

The Bella Terra Specific Plan is divided into two distinct areas (Exhibit 3B). Area A represents development of the original Bella Terra lifestyle center on the easterly portion of the site, approximately 52.35 acres in size. Area A is currently developed with regional commercial uses; a big-box retail and service station use are now being added in the northwesterly portion of the site. Area B represents the southwesterly portion of the site, approximately 10.4 acres in size and was formerly occupied by the vacant Montgomery Ward retail store and associated auto repair facility. Area B is proposed for mixed-use development with a combination of commercial and residential uses.

A legal description of properties in the Specific Plan project area has been included in the Appendix.



Vicinity Maps

Exhibit 1

The project area is surrounded by a variety of land uses and activities. The San Diego Freeway (405) and an office retail complex create the northern boundary. To the south, office and retail uses are located across Edinger Avenue. To the east, commercial uses are located across Beach Boulevard. To the west, is the Southern Pacific Railroad Line. The property west of the rail line is designated Beach Edinger Corridor Specific Plan.



Bella Terra Aerial Photograph
Aerial Photograph circa 2006
Exhibit 2

1.4 GENERAL PLAN DESIGNATION

The Bella Terra Area A is currently designated as CR-F2-sp-mu(F9)-Commercial Regional - 0.5 FAR-Specific Plan Overlay-Mixed Use Overlay-1.5 (MU-0.5 (C)/25du/acre in the City's General Plan. The site has been designated for commercial land uses since the mid 1960s. The commercial regional designation anticipates anchor department stores, promotional retail, restaurants, entertainment, and similar region-serving uses. The Bella Terra Area B will be a mixed use high density residential project and will be designated as CR-F2-sp-mu (F14). The newly established F14 FAR category specifies an overall maximum mixed use building area FAR of 1.75, a maximum commercial FAR of 0.07 and a maximum of 45 du/ac, which would permit a maximum of 468 residential units and 31,711 square feet of commercial uses on the 10.4 acre site area.

The site has been designated within General Plan Subarea 5A requiring that a Specific Plan with special regulations and standards be established for "Bella Terra." The new General Plan development potential for Area B would be established in both the Land Use Density and Intensity Schedule and General Plan Subarea 5A. The following Design and Development policies are described in the General Plan for the mall property:

Design and Development

LU 10.1.15

Require that regional commercial developments be designed to convey the visual sense of an integrated center by consideration of the following principles:

- a. Use of multiple building volumes and masses and highly articulated facades to reduce the visual sense of large scale "boxes";
- b. Use of roofline of height variations to visually differentiate the building massing and incorporation of recesses and setbacks on any elevation above the second floor above grade;
- c. Siting of a portion of the buildings in proximity to their primary street frontage to convey a visual relationship to the street and sidewalks;
- c. Design of the exterior periphery of the structures to contain shops, restaurants, display windows, and other elements that provide visual interest to parking area and the street elevation;
- d. Inclusion of a "public square" as a gathering place of public activity in multi-tenant regional centers;
- e. Clear identification of building entrances;

- f. Use of landscaping that provides a three-dimensional character;
- g. Encourage the provision of public art;
- h. Inclusion of consistent and well-designed signage integrated with the building's architectural character, including pedestrian-oriented signage; and
- i. Design of parking structures to be visually integrated with the commercial buildings. (I-LU 1, I-LU 4, I-LU 5, I-LU 7, I-LU10 and I-LU 13)



View of Peet's Coffee and -T-Mobile



View of Kohl's

1.5 ZONING PROVISIONS

Bella Terra's land use designations are governed by this Specific Plan (as amended) and are, therefore, not limited to the uses defined in the City's Zoning Code. The Specific Plan lists land uses that accommodate a full range of retail, warehouse and sales outlet with ancillary service station and tire sales/installation, restaurant, office, and mixed-use high density residential, and service businesses. The site is also within a sub-area of the merged Redevelopment Project Areas. The adoption of this Specific Plan will supersede the existing zoning and establish a new set of development regulations.

The Bella Terra Area A site currently consists of numerous activities. The site presently contains approximately 774,962 square feet of retail commercial space (not including additional square footage proposed as part of Bella Terra Area B). This site has been developed in several phases over the past 30 years. Current market pressures and extent of adjacent competing retail activities are driving the need to develop a new exciting mixed-use center for the City.

1.6 STATE MANDATED REQUIREMENTS

To comply with the State of California legislated mandates, the City of Huntington Beach has adopted several plans to deal with regional issues including Air Quality, Congestion Management, Growth Management and Transportation Demand Management Plans. All development within the Specific Plan area shall comply with the applicable provisions of the following plans:

South Coast Air Quality Management Plan

The South Coast Air Quality Management Plan (AQMP) requires measures to reduce traffic congestion, improve air quality, and requires that cities develop Air Quality components within their General Plans. These measures include Regulation XV, a program which requires employers of more than one hundred (100) persons to prepare trip reduction plans, and a requirement for jurisdictions to prepare an air quality component in the General Plan.

The City of Huntington Beach is subject to all local jurisdiction requirements set forth by the AQMP. The City has adopted an Air Quality Element and Transportation Demand Management Ordinance, which incorporates AQMP measures.

Congestion Management Plan

The Congestion Management Plan (CMP) is required by Assembly Bill 471 (Proposition 111), subsequently modified by Assembly Bill 1791. This Bill requires every urbanized county to adopt a CMP; the County of Orange has prepared a CMP which includes the City of Huntington Beach. The CMP requires mitigation of traffic impacts of development, as well as trip reduction programs. The City of Huntington Beach has completed the mandated components of the CMP including level of service standards, trip reduction program, and a capital improvements program for traffic and transit.

Growth Management Plan

A Growth Management Plan (GMP) is required to implement the passage of Orange County Measure M approved in the 1990 election. Its purpose is to ensure that the planning, management, and implementation of traffic improvements and public facilities are adequate to meet current and projected needs. The City has an approved Growth Management Element, which meets the requirements for Measure M funding, and an adopted Transportation Demand Management Ordinance.

Transportation Demand Management

Transportation Demand Management (TDM) measures are generally directed at increasing auto occupancy, decreasing peak hour usage, and managing demand for transportation facilities. The City's TDM Ordinance is part of its compliance with the Growth Management Plan. Development owners, operators and tenants will be required to implement the City's TDM Ordinance.

IMPLEMENTATION



Section Two

IMPLEMENTATION

2.0 ADMINISTRATION

The City's Director of Planning and Building shall administer the provisions of Bella Terra Specific Plan in accordance with the State of California Government Code, Subdivision Map Act, the Huntington Beach Municipal Code, and the City's General Plan.

The Specific Plan development procedures, regulations, standards and specifications shall supersede the relevant provisions of the City's Zoning Code (Huntington Beach Zoning and Subdivision Ordinance) as they currently exist or may be amended in the future. Any development regulation and building requirement not addressed in the Specific Plan shall be subject to the City's adopted regulations in place at the time of an individual request.

The Specific Plan may be amended. The Director of Planning and Building shall have the discretion to determine if requests for modification to the Specific Plan are minor or major.

Minor modification is a simple amendment to the exhibits and /or text, and determination of similar land uses as described on Exhibit 11A and 14, Permitted Uses Chart which does not change the meaning or intent of the Specific Plan. Minor modifications may be accomplished administratively by the Director with written notification to the City Council, Planning Commission, and City Administrator. Major modifications are amendments to the exhibits and/or text which are intended to change the meaning or intent of the Development Concept, Design Guidelines, or Development Regulations. Major modifications require a Zoning Text Amendment and action by the Planning Commission and City Council.

The action by the Director of Planning and Building shall be final unless appealed to the City Council by the applicant or a City Council member within ten calendar days of written notification by the Director of Planning and Building.

2.1 DEVELOPMENT CONSTRUCTION PHASING PLAN

The prior Specific Plan Area A occurred in one (1) phase. The existing Retail (Barnes & Noble, Staples, and Circuit City) and any remaining Department Stores (such as, Burlington Coat Factory, or Mervyns) received major exterior renovation, new enhanced paving, and landscaping. The Specific Plan Area B will occur in multiple phases. The existing Area A Retail will remain; however, additional enhancements (such as landscaping) may occur to link the two areas together and the warehouse sales outlet and service station will be constructed within Area A. The demolition, infrastructure, and utility work of the new construction within Area

A and Area B will be scheduled and built such that the remaining center remains in operation with minimum inconvenience to the remaining tenants. The new construction of warehouse and sales outlet in Area A is expected to take approximately 13 months from start of demolition. Area B construction is anticipated to take approximately 18-20 months after completion of the warehouse and sales outlet.

2.2 METHODS AND PROCEDURES

The methods and procedures for implementation of the Specific Plan shall be on a project by project basis. The adoption of the Specific Plan alone will not require infrastructure improvements to the project area. Physical improvements will only coincide with the commencement of the first project and approval of a Site Plan Review. The Specific Plan is a regulatory document and is not intended to be a Development Agreement.

2.3 SITE PLAN REVIEW

All new projects within the Bella Terra Specific Plan project area shall be implemented through a Site Plan Review process. A Site Plan Review shall be required for all new development activity, with the exception of interior improvements, general maintenance and repair or other minor construction activities that do not result in an intensification of the use. These exceptions may be subject to other Building and Public Works permits and approvals prior to commencement.

Application to the City for a Site Plan Review shall include a narrative of the proposed activity along with preliminary development plans and drawings. The narrative shall consist of a project description identifying the intended services offered with square feet, hours and days of operation, number of employees, and other information as appropriate. Supplemental to the application submission, project plans shall be prepared including the following preliminary plans: site plan, floor plans, elevations, landscaping, grading, fencing and signage plans; other plans may be required depending on the complexity of the project. The entire parcel shall be plotted with dimensions and all pertinent data and include dimensions to the nearest intersecting public street and identify all street names. In addition, all existing and proposed physical features and structures on the subject property and abutting properties shall be plotted.

The application shall also include a legal description of the property, identification of the uses for each room on the floor plans and a list of all the building materials and exterior colors. An application fee for this service shall be established by a separate resolution of the City Council.

The Director of Planning and Building has the authority to approve, conditionally approve, or deny a Site Plan Review with written notification to the City Council and City Administrator. A Site Plan Review application may also require analysis and comments from various departments of the City. In order to approve a Site Plan Review application, the Director of Planning and Building shall make the following findings:

- The request is consistent with the City's General Plan and all applicable requirements of the Municipal Code; and
- The requested activity will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood; and
- The requested activity will not adversely affect the Circulation Plan; and
- The requested activity will comply with the provisions of Bella Terra Specific Plan and other applicable regulations or special conditions required of the project.

The action of the Director of Planning and Building shall be final unless appealed to the City Council by the applicant submitting a Site Plan Review application or a City Council member, within ten calendar days of action of written notification by the Director of Planning and Building. Such Appeals for a Site Plan Review shall be subject to the procedures outlined in the City's Zoning and Subdivision Ordinance.

A Site Plan Review approval shall be valid for a period of one year. Additional one year extensions may be requested for a maximum of two years. Such an extension request must be made in writing by the original applicant, property owners, and/or authorized designee, a minimum of thirty days prior the expiration of the current approval. If construction activity does not commence within the approval or extension period, the entitlement shall be terminated.

All final decisions on site plan review proposals shall be the responsibility of the Director of Planning and Building, subject to appeal, as stated above.

2.4 PARCEL MAPS

The project area may be subdivided through a Parcel Map process. Parcel Maps shall be prepared consistent with the Mater Plan Concept to facilitate development. These maps shall identify the infrastructure and improvements necessary to support the anticipated projects, subject to review by the City's Public Works and Fire Departments.

Upon recordation, Parcel Maps may be further divided and/or adjusted by filing a subsequent Parcel Map or a Lot Line Adjustment, pursuant to the provisions of the Subdivision Map Act. A Tentative and Parcel Map may be approved, or conditionally approved by the Director of Planning and Building and the City Engineer, with written notification to the City Council and City Administrator providing the proposal is found to be in compliance with the Specific Plan.

In order to approve the Tentative Map the Director of Planning and Building shall make the following findings:

- The proposed Tentative Map is consistent with the General Plan, Specific Plan, and all other applicable provisions of the City's adopted codes and regulations; and
- The site is physically suitable for the type and density of development proposed; and
- 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; and
- The design of the subdivision or the type of improvement 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.

The action by the Director of Planning and Building shall be final unless appealed to the City Council by the applicant or a City Council member within ten calendar days of written notification by the Director of Planning and Building.

2.5 REUSE/CHANGE OF USE REVIEW

Any proposal to reuse and/or change the use of a previously approved and constructed development, within the project area, will be subject to additional review by the Planning and Building Department. The additional review will follow the same procedures outlined in the Site Plan Review process. A "like for like" change of use shall only be subject to the requirements for a new certificate of occupancy; however any new construction beyond that shall require a new Site Plan Review. In addition any proposed physical alterations to the existing structure and/or site shall be subject to additional review and approval of the Director of Planning and Building prior to the issuance of building permits. The Director of Planning and Building may refer individual projects to

Design Review Board for review and as final arbiter of compliance with the Specific Plan. Any decision by the Planning and Building Department may be appealed within ten calendar days to the Planning Commission.

2.6 ENVIRONMENTAL DETERMINATION

The Zoning and Development Standards of all anticipated development activity for Bella Terra Area A and B have been identified in the Specific Plan. Development project requests shall be subject to environmental review as mandated by the California Environmental Quality Act (CEQA). The Director of Planning and Building shall impose any applicable environmental mitigation measures, as specified in the environmental analysis, as conditions of approval on individual Site Plan Reviews. Such conditions of approval shall describe the time period and manner in which the mitigation measure must be satisfied.

2.7 REQUEST FOR DEVIATION

The Bella Terra Specific Plan Development Regulations are intended to encourage projects which create an aesthetically pleasing appearance, enhance the environment, and facilitate innovative quality architectural design with an adaptation to the surrounding environment.

Deviations pertain only to the Development Regulations of the Specific Plan and may be granted at the time of Site Plan Review for special circumstances and/or unique architectural features.

Requests for Deviation may include but are not limited to building height, setbacks, open space, parking, and landscaping. Deviation requests, up to ten (10) percent of any single standard, may be considered by the Director of Planning and Building. Deviations greater than ten (10) percent must be approved by a Variance application before the Zoning Administrator, subject to the procedures outlined in the City's Zoning and Subdivision Ordinance. Development and construction phasing of selected provisions and features may be approved by the Director of Planning and Building concurrent with a Site Plan Review and shall not require a Request for Deviation or Variance to the Specific Plan. Deviations shall be allowed when, in the opinion of the Director of Planning and Building, significantly greater benefits from the project can be provided than would occur if all the minimum requirements were met. Some additional benefits which may make a project eligible for consideration include: greater open space, greater setbacks, unique or innovative designs, public open space, and the use of energy conservation or innovative technology. The Director of Planning and Building may approve the Request for Deviation in whole or in part upon making the following findings.

- Promotes better design, environmental and land planning techniques and contribute to the economic viability of the community, through aesthetically pleasing architecture, landscaping and site layout; and
- Will not be detrimental to the general health, welfare, safety and convenience of the neighborhood or City in general, nor detrimental or injurious to the value of property or improvements of the neighborhood or of the City in general; and
- Is consistent with objectives of the Specific Plan in achieving a project adapted to the area and compatible with the surrounding environment; and
- Is consistent with the goals and policies of the City's General Plan, and comply with State and Federal Law.

2.8 SPECIFIC PLAN AMENDMENTS

Specific Plan Amendments, other than a Minor Modification as previously described (Section 2.0), shall be made through the Zoning Text Amendment process; subject to consideration and approval of the Planning Commission and City Council in accordance with the provisions of the Huntington Beach Zoning and Subdivision Ordinance. Such Amendments may include changes to the Development Concept, Design Guidelines policies and the introduction of alternative Development Regulations.

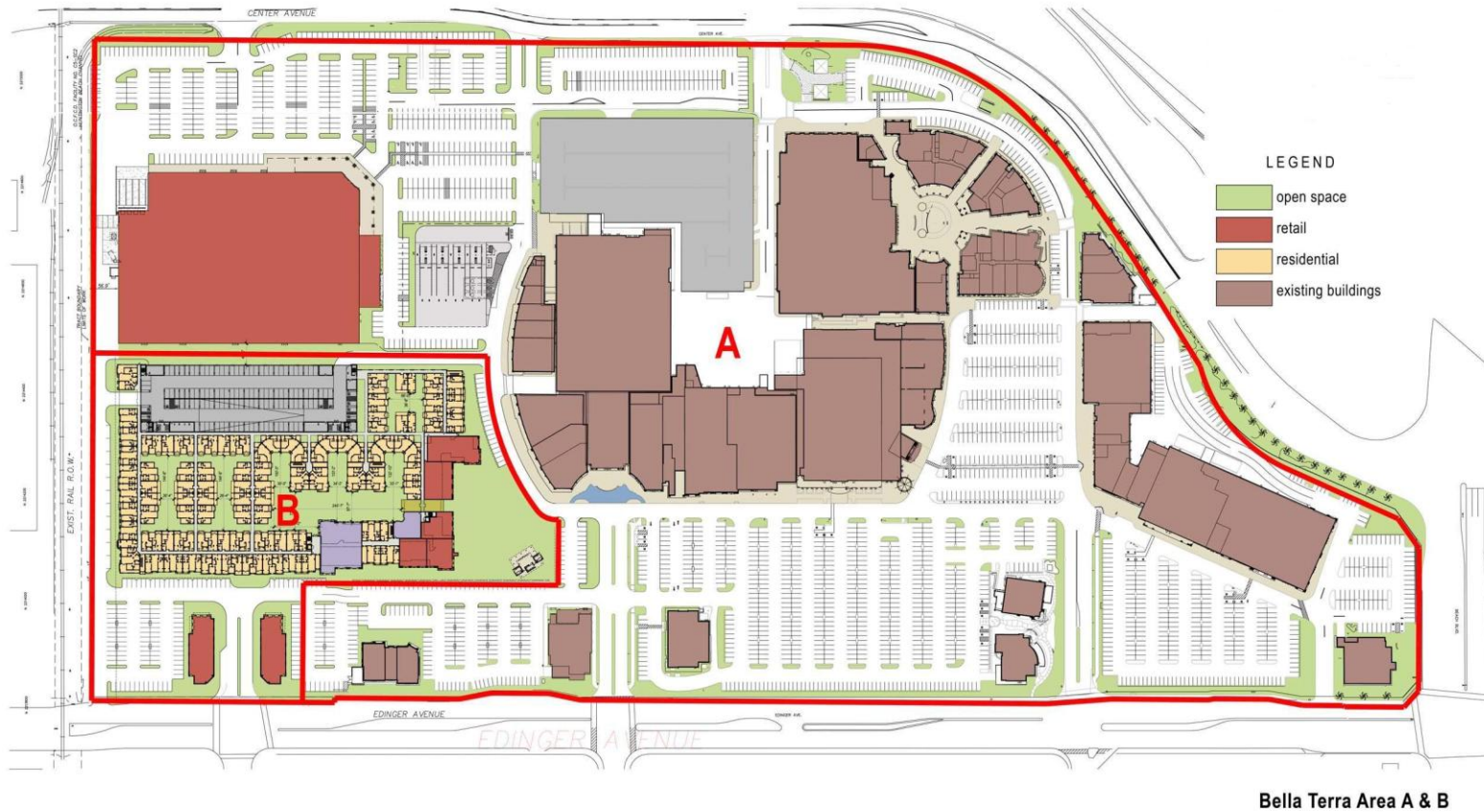
2.9 SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this title, or any future amendments or additions hereto, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this title, or any future amendments or additions hereto. The City hereby declares that it would have adopted these titles and each sentence, subsection, clause, phrase, or portion or any future amendments or additions thereto, irrespective of the fact that any one or more sections, subsections, clauses, phrases, portions or any future amendments or additions thereto may be declared invalid or unconstitutional.

DEVELOPMENT CONCEPT



Section Three



Bella Terra Area A & B

Exhibit 3

DEVELOPMENT CONCEPT

3.0 GENERAL DEVELOPMENT PLAN

The Bella Terra Specific Plan development concept provides for a commercial retail, dining, entertainment, business, office and mixed-use high density residential complex in the northern portion of the City of Huntington Beach. The Specific Plan establishes the general type, location, architectural style and character of all development within the site's boundaries, while allowing for creative design ideas on individual projects consistent with an overall concept.

The Bella Terra will be a 63 acre master planned mixed-use high density residential, commercial retail, dining, and entertainment facility with supporting services (including business and office uses). The Specific Plan is designed to allow for development in a manner that is compatible with the surrounding community and City of Huntington Beach. The Bella Terra Specific Plan provides an opportunity for a variety of quality regional serving commercial and mixed-use high density residential uses, consistent with the City's General Plan.

The Bella Terra Specific Plan provides the framework and guidelines necessary to create a unique, high quality, visitor serving, mixed-use high density residential, commercial, dining, and entertainment complex. The site's proximity to regional transportation systems makes the area ideal for a variety of compatible uses and activities. The development concept is designed in concert with the area's history of commercial activities and the community's need for a strong self-sufficient economy.

Bella Terra provides for a range of employment opportunities in professional, retail, service, food service, and entertainment; and will broaden the employment base of the community. Bella Terra will also expand the housing opportunity in Northern Huntington Beach. The Specific Plan establishes a clear development concept to assure the facilitation of a cohesive mixed-use regional shopping center. Design measures encompassing site planning, area landscaping, building architecture, streetscapes, pedestrian linkages, setbacks and signage have been established. Adherence to these details and to the established Design Guidelines will create a unique and integrated development.

The illustrative conceptual master plan (Exhibit 3) depicts new development within the amended Area A and new mixed use within the amended Area B utilizing the various guidelines described in the Specific Plan. The plans provide potential layouts identifying building orientation and placement, parking design and access, roadway configuration, entryways and landscaping. The plans are intended to reflect an ultimate design situation, however, a large variety of other development patterns and activities may evolve which are also consistent with the Specific Plan policies, guidelines and regulations.

The Specific Plan recognizes that although the majority of the construction of the project will occur at one time, the ultimate build out of the property may not occur immediately. In fact, building pads may be established without associated building construction but shall be landscaped in a park-like setting until such time as development is proposed. Therefore, this zoning document anticipates future expansions of the development site. In order to address this concern, flexibility has been incorporated into the Specific Plan Development Regulations (Section Four). This flexibility in development guidelines is intended to accommodate future market trends and tenant needs, without sacrificing the intended high-quality character of the project area.

The objective of the Specific Plan is to implement the goals and policies of the Huntington Beach General Plan by defining the physical development of the Bella Terra site. Included in this approach are the establishment of land use, circulation, infrastructure, landscape and architectural design characteristics for the project area. The Specific Plan consists of a number of major components which will guide the development process including the Circulation Plan, Design Guidelines, and Development Regulations.

Any reuse, subdivision, or new development shall be subject to the provisions of the Specific Plan. Refer to Section 2.3 Site Plan Review.

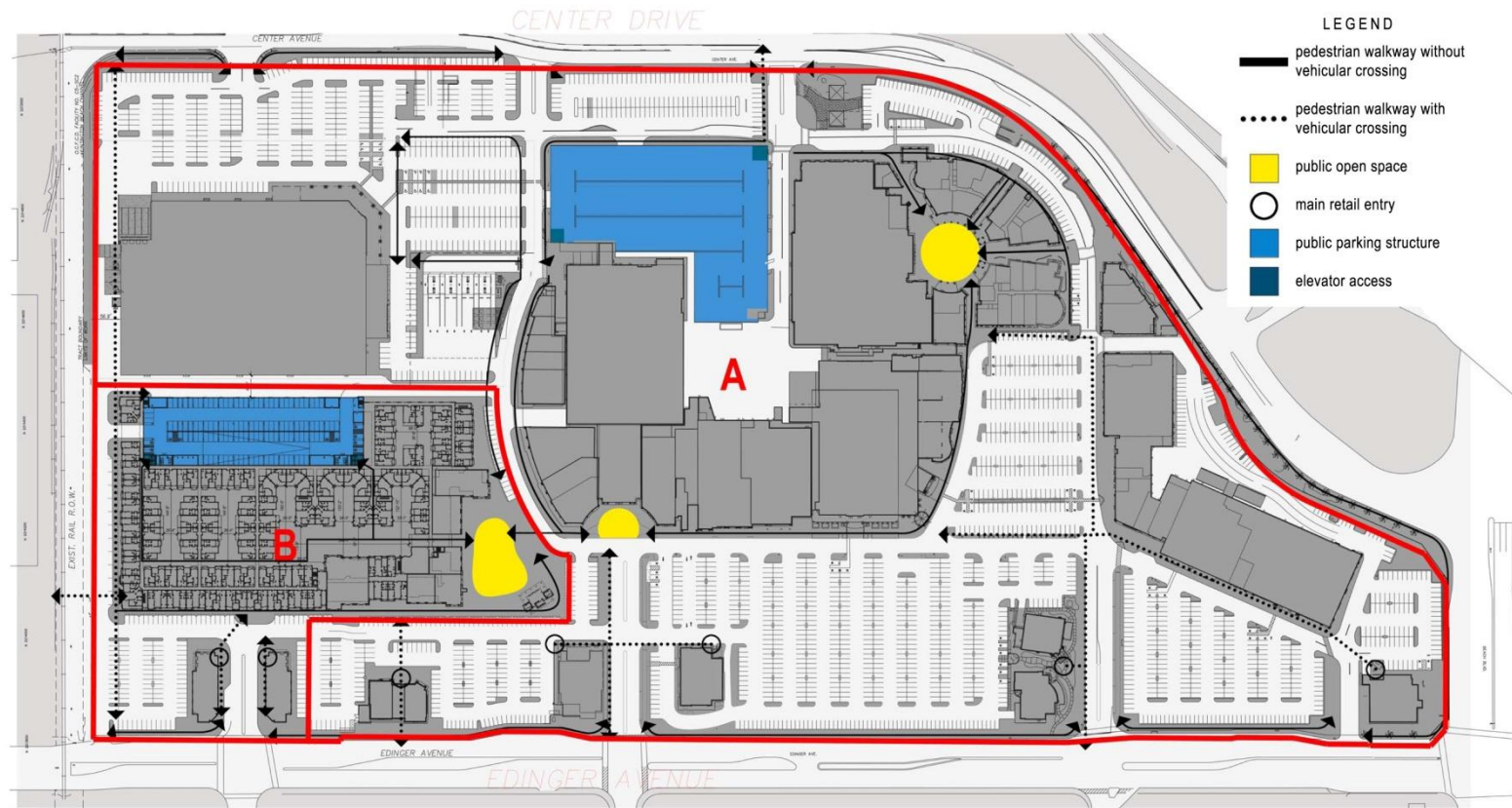
The Specific Plan identifies and requires sufficient infrastructure and public facilities to adequately and efficiently support any and all anticipated uses and activities. These improvements will coincide with any upcoming development project. This upfront effort will allow for buildout of the Specific Plan in an expedited manner, subject to compliance with the Specific Plan and the Environmental Analysis.

The Bella Terra Specific Plan identifies effective land planning and design regulations techniques in a flexible format which can take advantage of ideas and opportunities presented by future tenants and users.

REGIONAL COMMERCIAL USES

The Bella Terra Specific Plan recognizes unique development opportunities within the project area. The purpose of the Specific Plan is to create a distinct cluster of activities and allow for individual project development and tenant occupancy to occur in a timely manner, within an overall Master Plan Concept. This approach recognizes development patterns, market conditions and establishes sufficient flexibility to provide for the opportunity of a variety of activities within the Specific Plan area.

The City of Huntington Beach General Plan identifies typical permitted uses under the Commercial Regional/Mixed-Use land use category. These uses include, but are not limited to, anchor department stores, outlet stores, promotional (“big box”) retail, retail commercial, restaurants, entertainment, professional offices, financial institutions, high density residential development, and other similar regional-serving uses and development. However, regional commercial/mixed-use uses do not include some commercial businesses, such as auto repair, which is typically a local serving commercial use. Future activities for the area will depend on market conditions and may include a variety of activities consistent with the City’s General Plan. These development activities may be either an expansion of existing facilities and/or independent new projects. The total Area A project area can accommodate a total development of approximately 1,140,183 square feet of regional commercial uses. Area B can accommodate a maximum total building area FAR of 1.75; commercial FAR of 0.07 and 45 du/acre.



Bella Terra Conceptual Pedestrian Circulation Plan
Exhibit 4

Pedestrian Plaza / Walkways Plan Exhibit 4

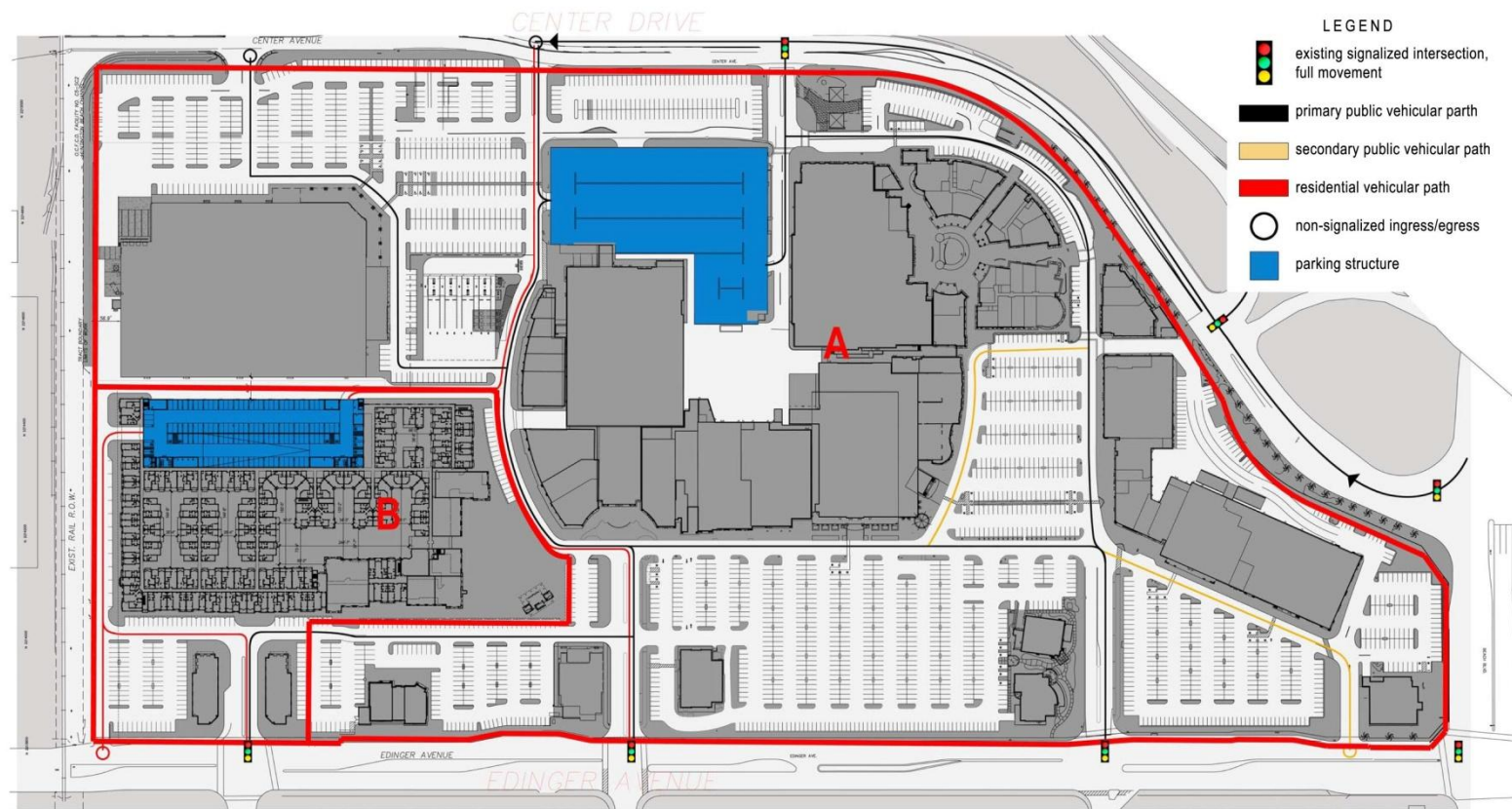
3.1 PEDESTRIAN PLAZA AND WALKWAYS

The Bella Terra Master Plan identifies open space areas which can accommodate outdoor commercial activities, seasonal recreation and entertainment activities, and casual pedestrian meeting places, including residential outdoor community space. These pedestrian plazas become the central focus of a number of commercial nodes within the project area. In addition to the major plaza areas, there are a number of entry nodes which serve as the interfacing links between the vehicular and the pedestrian areas.

The clustering of open space plazas are connected through pedestrian walkways. These walkways also serve as a link between the variety of Bella Terra commercial and residential facilities, and the Amphitheater, Butterfly Court, Pavilion and Event Lawn, Outdoor Living Area, Residential Community, and the Community Common Areas. A pedestrian walkway system is also used to connect Bella Terra with public transportation facilities and surrounding network of public streets (see Exhibit 4).

PEDESTRIAN PLAZA AND WALKWAYS POLICIES:

- 3.1.1 **Individual developments and activity** areas within the specific plan area shall be linked through a series of pedestrian walkways which culminate in an interconnected system of pedestrian plazas creating a variety of open spaces. The pedestrian walkway system shall also link or connect future development to adjacent properties at the northwest and southwest corners of Area B.
- 3.1.2 **A pedestrian walkway system will** link or connect all future development pads to the central portion of Bella Terra.
- 3.1.3 **All pedestrian walkways shall be** designed and landscaped consistent with the overall theme of Bella Terra.
- 3.1.4 **Pedestrian walkways are shown,** for conceptual purposes only, on Exhibit 4 Pathways shall be incorporated on the Landscape and Technical Site Plans and shall comply with American Disabilities Act requirements. The walkways shall include shade trees, seating at approximate intervals of 200 feet, decorative pavers, and lighting (see cross section on page 34).
- 3.1.5 **As a supplement to an on-site pedestrian walkway** system, potential future pedestrian and bicycle access such as an at-grade crossing or an above-ground crossing shall be pursued across the existing rail line on the western boundary of the site. Funding mechanisms, including a fair share analysis for the Edinger Corridor, shall be pursued by the City of Huntington Beach in conjunction with affected property owners.



Conceptual Circulation Plan

Exhibit 5

3.2 CIRCULATION PLAN

The Circulation Plan illustrates the major and minor driveway entrances to the site, signalized intersections, bus stops and bus pads supporting the development and surrounding areas, and the public street system within the Specific Plan boundaries. The Circulation Plan is consistent with the Huntington Beach General Plan's Circulation Element and the Edinger Avenue Precise Plan of Street Alignment.

Primary access to the City of Huntington Beach and Bella Terra is provided by Interstate 405 (San Diego Freeway). The City's General Plan designates the intersection of Beach Boulevard and Edinger Avenue as an internal node and a primary entry node to the City. Access to the project site is provided by a system of arterial highways including:

- Beach Boulevard, a north-south principal arterial street (120 foot right-of-way), designated as a state highway, a primary path/image corridor, major urban scenic corridor, and transit service route.
- Edinger Avenue, an east-west major arterial street (120 foot right-of-way), designated as a truck route, primary path/image corridor, and minor urban scenic corridor and transit service route.
- Center Avenue, an east-west secondary arterial street (80 foot right-of-way), designated as a transit service route.

Internal circulation is currently provided by a network of private drives/streets serving as access to individual portions of the project area. Circulation is further enhanced by a number of signalized entry drives and public transportation facilities (Exhibit 5).

The circulation plan relies on a hierarchy of circulation features ranging from major arterials to local streets. The system is designed to accommodate customer, employee, and delivery traffic to and around the project area while discouraging through traffic from bisecting the project site.

A traffic study has been conducted to analyze on-site and off-site circulation patterns and necessary improvements.

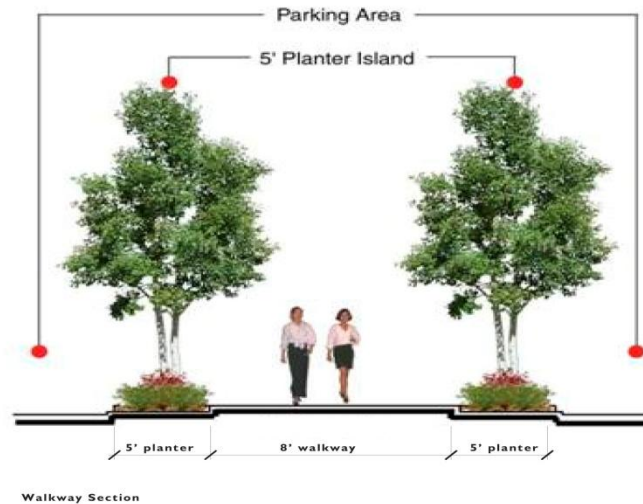
Alternative forms of transportation should also receive careful consideration. The current OCTA bus route passes the project area on Edinger Avenue and Center Avenue. The project Circulation Plan identifies existing and bus turnout locations along Edinger Avenue and Center Avenue. As a supplement to vehicular access to the

project area, potential future access such as a light rail system and stop shall be pursued if available, from the existing rail line on the western boundary of the site.

In addition, the Development Concept encourages the creation of a pedestrian walkway system. As a means of achieving a strong landscape image, pedestrian walkways are required and shall be provided throughout the development to facilitate pedestrian access from adjacent developments to the project site. The pedestrian walkway system shall include walkways around the perimeter of the site in the street right-of-way.

CIRCULATION PLAN POLICIES:

- 3.2.1 **Primary access to the project area** shall be from the existing signalized intersections along Edinger Avenue and Center Avenue. New access locations into the project area shall occur only where traffic patterns and median openings allow, subject to review and approval of the Directors of Public Works, Planning and Building, and the Fire Chief.
- 3.2.2 **A new primary access into the project** shall be pursued where the San Diego Freeway on and off ramps intersect with Center Avenue, subject to Cal-Trans, Department of Highways approval and approval of the Directors of Public Works, Planning and Building, and the Fire Chief.
- 3.2.3 **Additional new driveway access points** from the street system adjacent to the project area shall be limited and allowed only when the project size, location or type of use warrants such access, subject to review and approval of the Director of Public Works and Fire Chief. No new driveways along Beach Boulevard will be permitted.
- 3.2.4 **Deceleration and acceleration lanes** for driveway access points may be required, depending on the location of the proposed access point.
- 3.2.5 **Shared access facilities** and reciprocal vehicular access to and between individual on-site activities may be requested and/or required by the Director of Planning and Building for adjacent uses and parcels.
- 3.2.6 **Alternative transportation** forms such as a light rail stop shall be coordinated with Orange County Transportation Authority and pursued by Bella Terra should a light rail urban transit system be developed in the future. Existing bus stops shall be relocated as needed to conform to pedestrian patterns. New bus turnouts are planned along Edinger Avenue and a new bus stop along Center Avenue.



- 3.2.7 **Pedestrian sidewalks** shall be incorporated into the project as a component of the landscape plan. Sidewalks shall be installed throughout the development to facilitate pedestrian access from adjacent developments to the project site. The pedestrian walkway system shall include walkways around the perimeter of the site in the street right-of-way and through the parking lot to the project area.
- 3.2.8 **Public landscape areas** within the right-of-ways shall require a separate Parkway Landscape Maintenance Agreement for continued maintenance of the area.
- 3.2.9 **A traffic impact analysis/traffic signal warrant analysis** shall be required for Area A, in association with a development proposal for the site. Future traffic impact analyses may be required due to unanticipated project developments not previously analyzed for Area A. All traffic studies shall be subject to review and approval by the Directors of Planning and Building and Public Works. A traffic study has been prepared as part

of the EIR and Addendum EIR for the Specific Plan Amendments and concurrent General Plan Amendments in both 2008 and 2010.

3.2.10 **Circulation system improvements** have been master planned to accommodate ultimate buildout of the Specific Plan. Future expansions permitted under the Specific Plan may generate additional circulation improvements as determined by future traffic impact analyses in the manner required by the EIR Mitigation Monitoring and Reporting Program, or any subsequent environmental analysis.

3.2.11 **A Delivery and Fire Truck** circulation plan, depicting on site access routes and maneuverability, shall be subject to review and approval by the Director of Public Works and the Fire Chief, in association with a development proposal for the site.

3.3 PUBLIC FACILITIES

The Public Facilities section discusses infrastructure, storm drain, sewer, and water facility improvements necessary to serve development within the Specific Plan area.

PUBLIC FACILITIES POLICY:

All public facilities infrastructure necessary to serve development within the specific plan area shall be completed concurrent with initial project development, subject to review and approval of the Director of Public Works.

3.3.1 WATER SYSTEM

Domestic water for the property will be provided by the Public Works Water Division of the City of Huntington Beach.

The Water Division has use of both underground and imported water sources to service the area. The underground supply comes from nine existing wells, and imported water is delivered to the City of Huntington Beach by the Metropolitan Water District (MWD) at three locations. The Specific Plan area is part of the City's Master Plan for Water Service and the ultimate development anticipated will be adequately served by the City's existing systems.

MWD is the major wholesale water purveyor to the City of Huntington Beach which, in turn, is the retail provider to all water users in the City, including the subject property.

The existing center has a looped water system. Water is delivered to the site by the City of Huntington Beach's 12-inch line located in Edinger Avenue, and 8" to 10" and a 12-inch water main on Beach Boulevard.

The proposed modifications to the center will require that a portion of the looped system be reconstructed. The required hydrant flow for fire sprinklers is 4,000 gallons per minute (gpm) at 20 pounds per square inch (psi). The existing and proposed upgraded fire hydrant systems will be required to comply with this standard.

Proposed architectural site changes will be reviewed by the Fire Department for code compliance and may require additional fire hydrant installation. These hydrants (if any) will be connected to the existing or proposed water line loop. The number of hydrants on the system is not relevant to the flow delivered and, therefore, does not affect the system. The required fire suppression sprinkler flow rate is approximately 2,500 gpm. The existing and proposed fire sprinkler systems will be required to meet this standard. It is not anticipated that the proposed modifications to Bella Terra will require water flow for fire protection above that which the existing system can deliver.

All on-site water improvements will be designed to the City of Huntington Beach water standards. Water system improvements from the public right-of-way to the on-site meter shall be designed for future City acceptance and maintenance. Locations of fire hydrants and apparatuses will be reviewed by the Fire Department and Water Division of the City of Huntington Beach to ensure adequate fire flow and pressure. A final design analysis will be performed during the site engineering stage to properly size the system, determine final alignments, and determine if additional water improvements are necessary. Construction of the redesigned water system shall be completed prior to first occupancy.

3.3.2 SEWER SYSTEM

The City of Huntington Beach is responsible for the review and approval of the collection of wastewater within the project area. The Orange County Sanitation District (OCSD) is responsible for the treatment of wastewater. The City system ultimately is collected by the Sanitation District via their trunk lines to convey sewage to District Plant #5, located in Fountain Valley, and District Plant #2 in Huntington Beach.

Sewage from the subject property is collected via a private on-site collection system with a singular outfall point at the southwest corner of the site through an existing 10" sewer main, which connects to an existing 10" sewer main in Edinger. The 10" sewer in Edinger connects to a 69 inch sanitation district trunk line that runs beneath the concrete channel located along the west property line. The existing 10" lateral may be upsized and the main line in Edinger Avenue shall be upsized to a 12" line to accommodate the project.

The existing on-site private system consists of a series of 4, 6, 8, and 10-inch lines collecting into one 10-inch lateral, which is connected to an existing City line, which then connects to the county system referenced above.

Due to the reconfiguration of the development, it will be necessary to remove or abandon-in-place several sanitary sewer lines and replace them.

The existing 10-inch sanitary sewer lateral exiting the site may be -upsized to carry the anticipated flows from the reconstructed center. A final design analysis will be performed during the site engineering stage to properly size the system, determine final alignments, and determine if additional sewer improvements are necessary. Construction of new sewer lines shall be completed prior to first occupancy.

3.3.3 STORM DRAINAGE

The City of Huntington Beach and the Orange County Flood Control District are the agencies responsible for the flood control system in the project vicinity. A local public-flood control channel (Murdy Channel) exists along the western boundary of the site.

The existing drainage system consists of two main lines, "A" and "B". Secondary line "C" drains a small area westerly of the existing Montgomery Ward store in addition to secondary line "D", and numerous connecting laterals. All lines drain westerly into a City of Huntington Beach Flood Control Channel (Huntington Beach Storm Channel C5-5C2). Drainage area boundaries have been identified based on existing inlets and catch basins.

There is a small drainage area located at the northerly perimeter of Bella Terra which drains into surface inlets located in the northwest corner of the site.

Hydraulic calculations performed on the existing storm drain system revealed that ponding in a 100 year event will be as follows: average depths of 1 foot.

The storm drainage discharge rates from the remodeled Bella Terra will remain similar with the exception of the discharge from the enclosed shopping area. This area will now become a residential and open air shopping complex. Although the area of impervious surface will be the same or less than the existing area, the storm runoff from the property may increase from the existing runoff due to changes in onsite attenuation. Therefore, drainage areas may be redistributed to reduce surface ponding throughout the site and may include water storage in underground pipes and storage retention systems. As a result, no ponding will occur at any point on site during a 100 year event.

There may be a need to add various new lines to drain the open air section of Bella Terra. However, final design analysis will be performed during the site engineering stage to properly size the system, determine final alignments, and determine if additional storm drain improvements are necessary.

Construction of storm drainage improvements shall be completed prior to first occupancy.

3.3.4 **WATER QUALITY**

Water quality in California is regulated by the U.S. Environmental Protection Agency's (EPA) National Pollution Discharge Elimination System (NPDES), which controls the discharge of pollutants to water bodies from point and non-point sources. A NPDES permit or other EPA review will be required for individual construction projects.

Prior to issuance of any grading permit or demolition permit (including removal of any hazardous materials such as, asbestos) the developer shall submit a "Notice of Intent" (NOI), a Storm Water Pollution Prevention Plan (SWPPP), and any required fees to the State Water Resources Control Board. These documents shall be filed under the terms covered by the State NPDES General Construction permit. The SWPPP shall be on file with the Public Works Department prior to any demolition or removal of hazardous materials.

Through the NPDES Permit process, the City currently requires contributors to non-point runoff pollution to establish Best Management Practices (BMP's) to minimize the potential for pollution. Under this program, the developer is responsible for identification and implementation of a program of BMP's which can include special scheduling of project activities, prohibitions of certain practices, establishment of certain maintenance procedures, and other management practices to prevent or reduce the pollution of downstream waters. Typical elements of such a BMP program would include addressing the use of oil and grease traps, detention basins, vegetation filter strips, and other common techniques in order to preclude discharge of pollutants into local storm drains and channels.

Post Construction BMP's will be identified with a Water Quality Management Plan (WQMP) The WQMP will also address continued maintenance requirements. The continued maintenance will be performed by the home owners association, property owner, and/or property management company.

3.3.5 UTILITIES

There are several public utility service providers in the Specific Plan area. Adequate facilities exist for the current service needs of the area, however, additional facilities may be required as additional development occurs.

3.3.6 ELECTRICITY

Electrical service to the area is provided by the Southern California Edison Company. Existing transmission and distribution lines are adequate to service current and potential future needs. Any new or existing overhead utilities (excluding 66kv) shall be undergrounded per the City's undergrounding ordinance (Chapter 17.64 HBMC).

3.3.7 NATURAL GAS

Natural gas service in the Specific Plan area is provided by the Southern California Gas Company. Adequate facilities exist for current and projected future needs. Relocation of existing facilities shall be concurrent with project development.

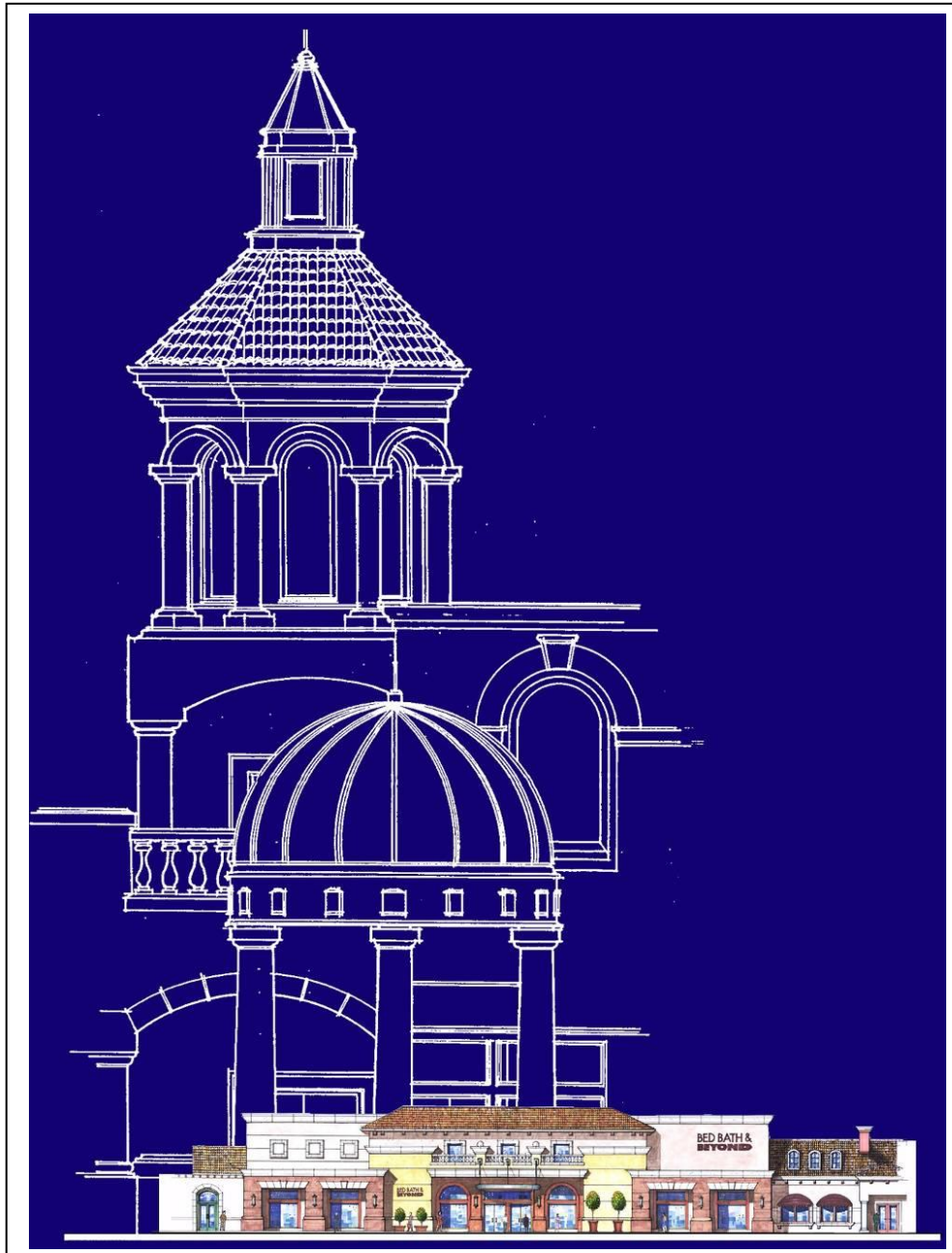
3.3.8 COMMUNICATIONS

Telephone service in the Specific Plan area is provided by General Telephone (GTE). Relocation of existing facilities and new installation shall be concurrent with project development. Provisions for fiber optic communications shall also be included in the overall site planning for the project area and shall be provided prior to the first occupancy request.

Cable television service within Huntington Beach is provided by Time Warner Communications. Installation of new services shall be concurrent with project development.

3.3.9 SOLID WASTE DISPOSAL

Rainbow Disposal Company currently provides solid waste disposal services for the area. Based on service projections and anticipated demand increase, an adequate level of service will be maintained. No solid waste disposal facilities are planned to be located in the Specific Plan area.



Design Guidelines

3.4.1 PROJECT AREA CHARACTER

The project character and theme for Bella Terra is that of a village built over time and comprised of a variety of complementary styles. These styles start with a southern European and Mediterranean influenced village which matches our climate and lifestyle. Then as the years and centuries passed on, additional construction and reconstruction occurred in these villages, adding a “built over time” architectural identity. The styles of Classical, Neo-Classical, Andalusian, Provence and even Modern, Art Deco and Mid-century modern influenced these villages over time. It is the intent to utilize this montage of designs to tastefully develop a specific vernacular of architecture that best represents a “built over time” southern European and Mediterranean village.

The Design Guidelines establish the character and style for the development of this residential, retail, dining and entertainment complex with buildings and streetscapes that have a distinctive visual identity. The Guidelines accommodate individual project identities and promote interrelationships between complementary building storefronts and exterior spaces. The major elements of the Design Guidelines include: site planning, overall project/tenant architecture, exterior pedestrian amenities, landscaping, and signage. All development projects within the Specific Plan area shall conform to the Design Guidelines and shall incorporate appropriate theme elements.

The Design Guidelines shall be used by the Bella Terra owner and the City of Huntington Beach as part of the Site Plan Review process. The Design Guidelines are general and may be interpreted with some flexibility in their application to specific projects. Variations may be considered for projects with special design characteristics that still meet the objectives of the Guidelines.

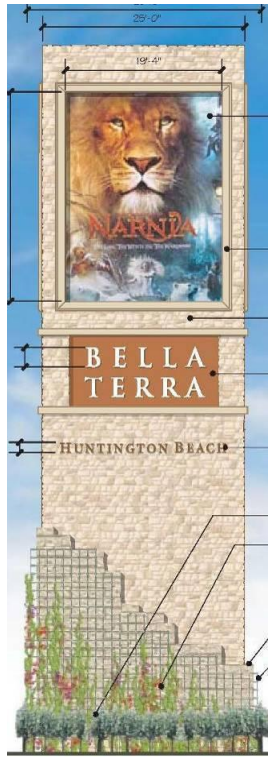
The Design Guidelines shall be used to promote a high level of design quality while at the same time provide some flexibility, necessary to encourage creativity on the part of individual/tenant designers. The Design Guidelines have been prepared to articulate the intended development standards of the Specific Plan. The Guidelines establish a framework for developers/designers of individual projects and design criteria, which the City will use to evaluate proposed developments.

3.4.2 SITE PLANNING GUIDELINES

The positive shopping experience begins at landscaped entrances to the site, which lead to convenient and ample parking. The center's open-air spaces of plazas, courtyards and passageways will be arranged in a non-linear pattern. Attention to lighting and low level landscaping shall be given along non-linear passageways and pedestrian walkways to allow pedestrians to see ahead and around the walkways clearly. Additionally, the main plazas will be accented by water features. A pedestrian walkway will connect east to the existing adjacent Bella Terra Area A. Italianate themed graphics add to the continuity of all the linked spaces. To facilitate the development of Bella Terra into a unique resource for the community the following site planning policies shall apply:

SITE PLANNING POLICIES

- 3.4.2.1 **Site layout for** the project shall be designed to route people and vehicles through the site in a clear, identifiable, efficient and effective manner by incorporating unique pedestrian walkways and highlighting main drive aisles with landscaping and specially treated paving.
- 3.4.2.2 **A minimum of six public open space amenities** shall be provided on site. Of the six total public amenities to be provided, at least two water features and two public art elements are required and shall be incorporated into the common project area. The remaining two public amenities may be located anywhere on site.
- 3.4.2.3 **Loading and storage areas** facing public streets shall be designed to resemble a facade. The facade shall include architectural details and design elements to ensure integration into the project environment and shall appear as a typical tenant storefront. Loading areas at the rear of the Village Retail center shall be updated with façade improvements and shall be screened from view from the surrounding street system.
- 3.4.2.4 **Entry drives** shall be a minimum of thirty (30) feet wide, not including landscaped medians. Landscaped medians, a minimum of four (4) feet wide, shall be incorporated into three (3) main entry drives along Edinger for a depth of 100 feet.



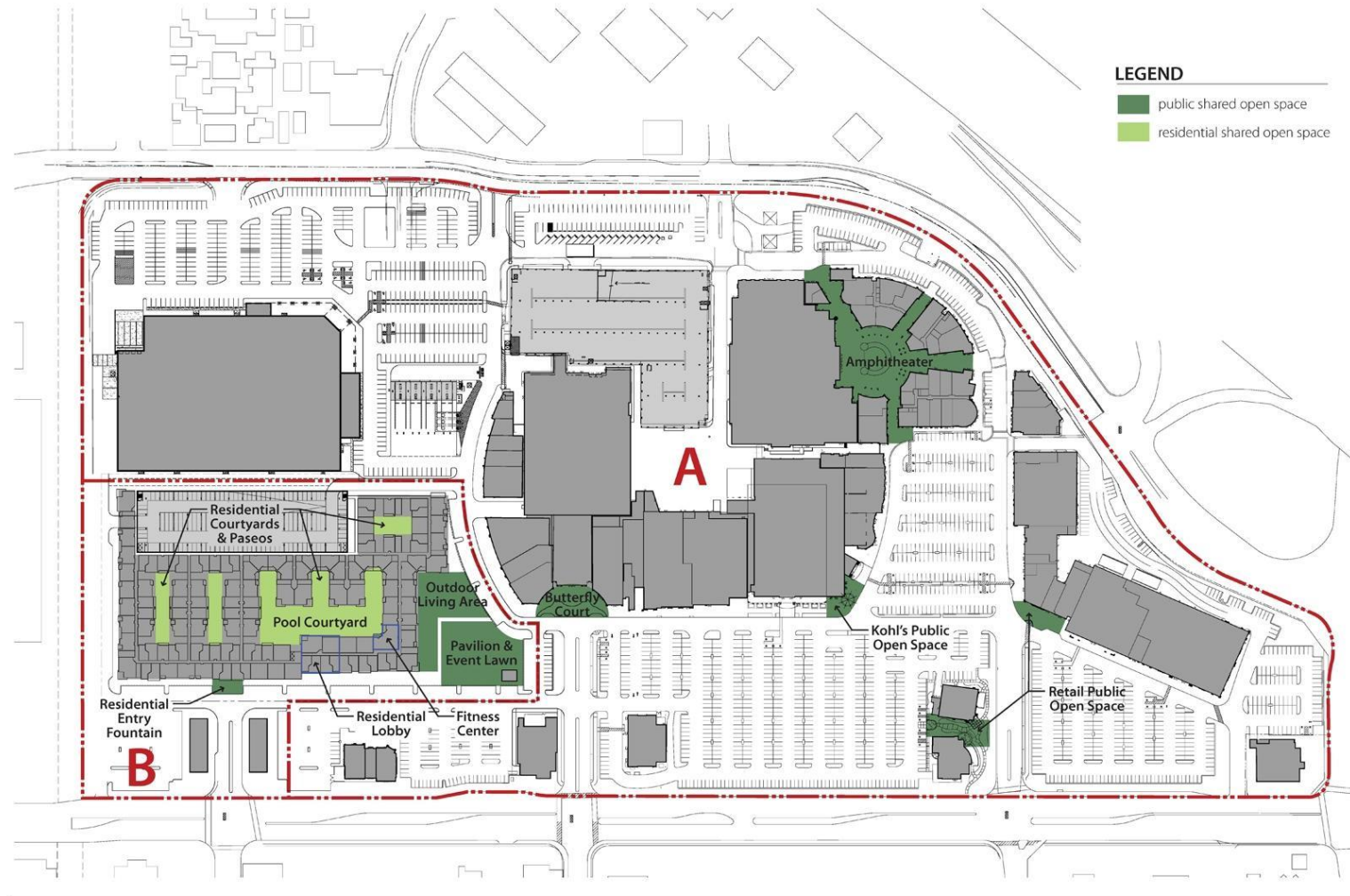
Potential Entry Signage

- 3.4.2.5 **Parking shall be** provided onsite in a manner that is convenient and compatible with the layout and design of the overall project and consistent with the standards in Exhibit 13. Satellite pad buildings are encouraged to provide a minimum setback without parking between the building and the street (see General Plan Policy 10.1.15.c).
- 3.4.2.6 **Security provisions**, including lighting, building entrance visibility, and drive locations, shall be carefully considered.
- 3.4.2.7 **Public Restroom Facilities** shall be designed to minimize the corridor distance leading to public restrooms. The length of the corridor from the mall exterior to the door of the restroom shall not exceed thirty (30) feet.

Restrooms shall be designed utilizing a single door to enter into the facility. Stall doors shall have purse hooks installed in both men's and women's restrooms. All hallways leading to the restrooms shall have surveillance cameras installed that shall be tape recorded 24 hours a day.

3.4.3 **COMMON AREA GUIDELINES**

Bella Terra is divided into several unique spaces. The Italian Village setting will be carried out through distinctive architectural design elements including towers, domes and arches, cobblestone streets and walks, water features and site amenities that reflect the quaint and harmonious lifestyle of an Italian Village. A wide color palette with contrasting accent elements will create a lively exciting experience for visitors to Bella Terra. (See section 4.5.3).



Common Area Locations

Exhibit 6

Bella Terra Specific Plan

45

September 20, 2010

THE AMPHITHEATER

The Amphitheater is the center of the existing Village. It creates the foreground for the theater entry and is the central pedestrian access from the surrounding retail area. Accented by cobble streets, water features and the arched entry and signature tower, the Amphitheater is the hub of the Village. Major design concepts were developed by great Italian Architects such as Brunelleschi, Bramante, and Alberti that are evident in Bella Terra. The tower, arched windows, doorways, and passageways, and decorative stone windows, corner and eave moldings are prime examples of traditional Italian Architecture.



THE PAVILION AND EVENT LAWN

The new residential over retail units will look over the Village Green, which contains the Outdoor Living Area as well as the Pavilion and Event Lawn. This is the largest of the exterior community gathering spaces and will serve as the primary gathering place for community and retail events. It may contain sculpture, water features, outdoor living rooms, seating, and kiosks similar to civic plazas and parks in southern Europe. And like Europe, a mixture of decorative and colorful hardscape treatments will weave through the great lawn and connect the areas for programmed events.

This will be a place for all ages with a pedestrian shopper's lane and single story retail with two levels of residential above. The building facades will be composed of varying architectural styles that complement without contrasting with each other. These stylistic facade components will be articulated with rich materials of stone, stucco, metal and glass. The stylistic facade treatments will come to the ground and have a scale and cadence similar to the pleasant walkable environments found throughout southern Europe. The large operable windows and balconies of the residential buildings will add life and activity to the project area at times when retail activity alone would leave the area unused.



OUTDOOR LIVING AREA

The second half of the Village Green will contain an area enriched with an outdoor living area. The outdoor living room is another of the civic open spaces that reflects the sophistication and charm of a southern European plaza. Guests of Bella Terra will be able to relax at the outdoor furniture, which may contain fireplaces and a children's pop jet fountain as focal points. The elliptical shape of the fountain area reflects the theatrical nature of Italian baroque architecture and planning. Like these historical plazas the Outdoor Living Area will have enhanced paving, pedestrian amenities such as seats, benches and creative landscape embellishments, and may also include freestanding retail elements such as carts or pavilions.



THE RESIDENTIAL COURTYARDS AND PASEOS

The residential units are organized around a series of internal courtyard ranging from a variety of garden courts and barbeque courts. Private in nature, these spaces encourage a neighborhood feel but remain connected to the project whole through a series of portals. Each neighborhood identity will be overlayed with a relatively loose design character and theme. Each enclave will have an outdoor room with a fountain, an art piece or a significant landscape element. In

addition, specialty paving such as stone cobbles and textured paving would increase a sense of neighborhood identity for residents. These enclaves would include outdoor seating for groups and individuals to nurture friendships and interaction between residents of the neighborhood. As an extension of each resident's living environment, these spaces act as a community living room for social interaction or just reading a book.

The heart of the residential community lies in the pool and great lawn courtyard. This space promotes communal living with a resort style pool, pool side cabanas, a spa court, fountain, formal lawn, and lush landscape. This space becomes the residents own piazza; surrounded by residential units with a similar overall scale of urban blocks found in city centers in southern Europe. These urban block buildings will be further articulated by emphasizing their corners with unique elements such as towers, and historically derived roof forms or with special glazing and shading devices and building massing of a contemporary nature.



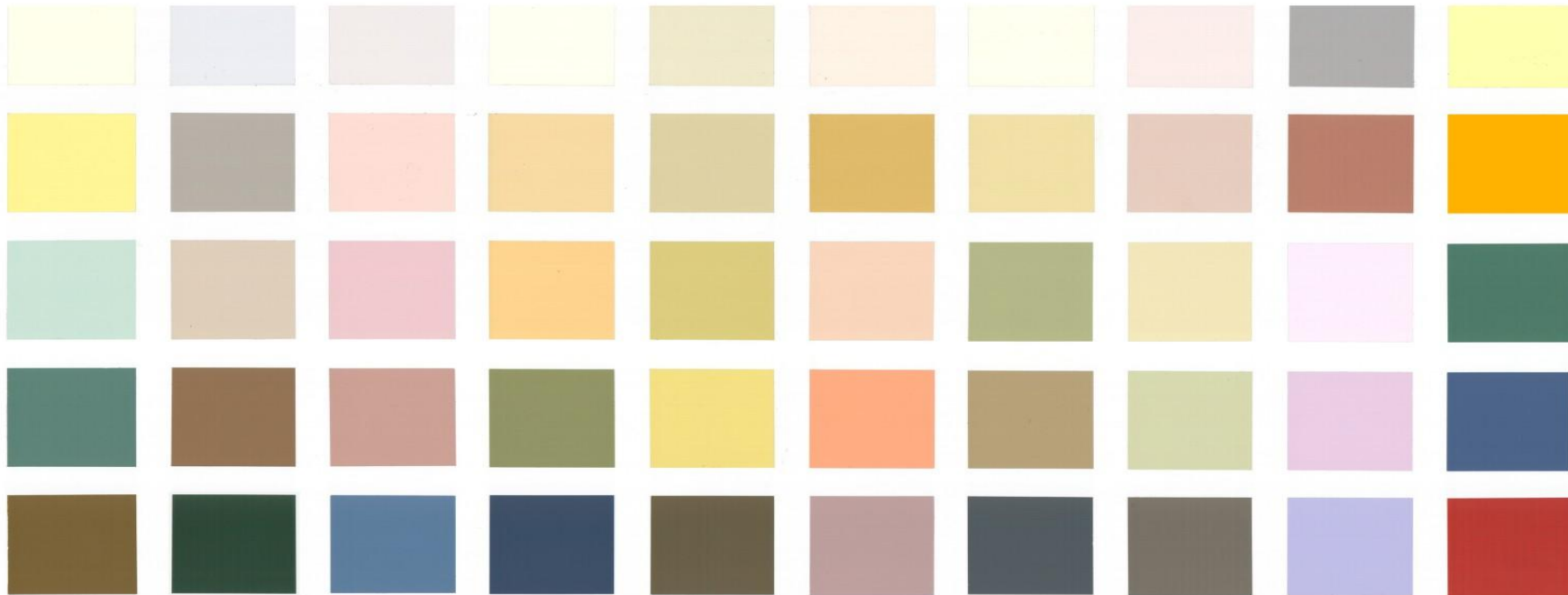
The character of each urban block will consist of buildings of varying architectural details which complement each other without contrasting significantly from each other. The facades will have a pleasant rhythm and cadence. In most places the architectural style will be integrated vertically to avoid a stacking or layering effect. This will provide a variety of materials, colors and wall articulation for the pedestrian. In addition, this will reinforce the design intent of buildings built over time, historical buildings updated for modern uses and contemporary buildings built more recently between older buildings. The overall effect is to create urban blocks similar to those found in European cities.

THE RESIDENTIAL LOBBY, POOL COURTYARD, AND FITNESS CENTER

The central community hub for all residents in Area B will be the lobby, pool, and fitness center. Within this area will be a resort style pool, spa court, and community lawn. This area will include a detailed pool deck with bands and fields of decorative tile or stone, a decorative iron pool fence and a variety of seating such as cabanas, chairs and tables, and lounges. The formal lawn would also accommodate individual family picnics, sun bathing and community gatherings such as holiday events like a Fourth of July barbeque.

Also included in the community hub will be the Residential Lobby. This space is directly accessed by residents off the pool and great lawn courtyard and serves as the main focal point for the South facing building elevation. The Residential Lobby is easily distinguished by guests and visitors by its prominent architectural tower and enhanced material palette. This richness is carried through the space and sets the tone for potential uses such as a clubroom, community meeting rooms, business center, billiards room, theater, and restrooms. Near the Residential Lobby and also directly accessed off the community courtyard in the Fitness Center. This space will allow residents to use a variety of exercise equipment while maintaining a visual connection to the pool and great lawn area. The proximity to the great lawn provides an opportunity for fitness classes to be held outdoors.





Color and Materials of Common Areas

Exhibit 7

COMMON AREA POLICIES:

Bella Terra Specific Plan

51

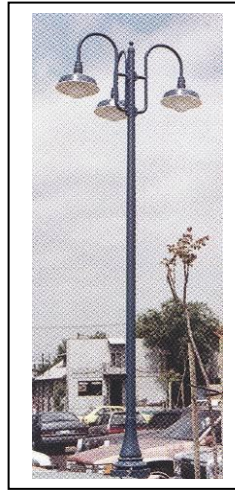
September 20, 2010

- 3.4.3.1 **Common Area Lighting** will create a strong, attractive night identity for the project. Selected elements will be highlighted with illumination. These elements are selected for their ability to enhance the dimension and add character to the building architecture, to promote the appropriate degree of prestige to the project, as well as to provide a safe and secure environment for visitors and merchants.



Lighting at passageway

- 3.4.3.2 **Illumination of buildings and landscaping** will be indirect to create a strong positive image. Concealing light fixtures within buildings and landscaping can highlight attractive features. Use of a variety of lighting levels at entries, plazas, parking lots, and other areas where evening activity is expected, will create an exciting night time environment.



Parking lot fixture

3.4.3.3 **Exterior lighting** shall be located and designed to evenly illuminate the parking areas, including the parking structure. Particular attention shall be paid to the illumination of all sidewalks, connecting walkways and alcoves. All light standards shall be consistent with respect to design, materials, color and color of light, and with the overall architectural style of the project. All lighting shall be confined within the project and shall not project beyond the project boundaries.



Walkway Fixture



Stair Fixture



Accent

- 3.4.3.4 **Hardscape in the common areas** will consist of non grid-like patterns, which recall the historical cobble stone walks and streets of an Italian Village. Water elements shall be creatively incorporated to provide visual delight and interest.



- 3.4.3.5 **Mechanical equipment** shall be screened from view from the surrounding public streets and shall not be exposed on the wall surface of a building. Screening material and color shall be compatible with the overall building design and colors. Backflow devices, electrical transformers and other mechanical equipment, located on grade, shall not be located within the front or streetside setbacks, and shall be screened from public view or undergrounded.

3.4.3.6 **Landscaping in the common area** will consist of espaliered vines on columns and trellis elements, potted planters to add detail near storefronts, and large and small planting beds throughout the plazas and passageways. Landscaping may consist of groundcover, grasses, shrubs, vines and trees and shall constitute a minimum of 10% of the common area (excluding Village Retail).



3.4.3.7 **Trash enclosures** shall be concealed with screen walls, ornamental gates, and trellises if needed where views are from above. **Loading docks** shall be screened from view from the surrounding public streets through the use of architecturally detailed façade building walls. The facades shall be integrated into the overall architecture of the project. Landscaping screening shall be provided where possible.

3.4.4 ARCHITECTURAL GUIDELINES AREA A

Many of the elements of Bella Terra Area A architecture reflect that of an Italian Village living environment. The Architectural Guidelines are intended to establish a character, style and quality for each architectural category. The categories are:

- New Anchor Stores and Theaters
- General Tenant Storefronts

The description of these guidelines is not intended to discourage individual innovation and creativity, but to simply provide a framework within which an overall sense of place will be reinforced. Building design shall comply with the following architectural policies.

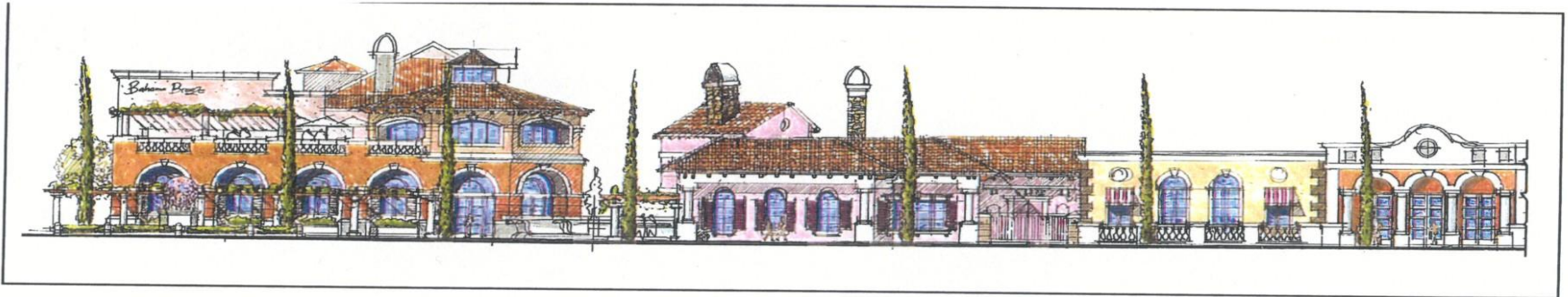
3.4.4A New Anchor Stores and Theaters

Implementation of the Specific Plan will generate construction of numerous new in-line retail and anchor stores and will likely include a multi screen movie theater. Design and site layout of any newly proposed structures shall comply with the following policies.



NEW ANCHOR STORES AND THEATERS POLICIES:

- 3.4.4A.1 **Building massing and articulation** shall possess a balance in form and composition; large flat unarticulated building elevations shall not be permitted. The large planes of the theater and major tenant walls should be enhanced with patterns and graphics consistent with the overall design theme of the center.



- 3.4.4A.2 **Building entries** shall have a clearly defined primary pedestrian entry.
- 3.4.4A.3 **Building materials and colors** shall be guided by, but not restricted by, the approved Common Area palette.
- 3.4.4A.4 **Architecture of all structures** on the property shall be reflective of the quality of building colors, materials, design, and presence as depicted in the sample artist's renderings throughout this document.
- 3.4.4B **General Tenant Storefronts** will conceptually be treated as an Italian Village. Tenant storefronts may be designed choosing from a design vernacular of various architectural elements. Then, linking each individual tenant storefront to another creates a shopping experience of boutiques and shops similar to a walking street in an Italian Village. Arches, columns, tower elements, domes and canopies shall be mixed in with display bays, balconies and balustrades for a distinctly up-scale look garnered from many European styles and themes.

There are two basic types of General Tenant Storefronts: Storefronts facing the exterior toward Edinger Avenue and Center Avenue, and storefronts facing the interior toward Common Areas. Both store front types may be one or two levels.

To achieve this Italian Village concept, general tenants in relation to each other shall have varying parapet heights, window openings, heights and rhythms, canopies and signage. The basic objectives of tenant storefront guidelines are to ensure high quality design and use of materials consistent with that of the project and to produce a variety of three-dimensional storefront designs, each uniquely different from its neighbors but tied together with common theme materials.

GENERAL TENANT STOREFRONT POLICIES:

- 3.4.4B.1 **All storefront designs** and plans shall be subject to the approval of the property owner and the City of Huntington Beach.
- 3.4.4B.2 **Storefronts are encouraged** to have multiple planes to create a variety of volumes and spaces and to maximize each store's visibility.



Elevation of an example of storefronts showing varying roof heights, window rhythms, and canopies.

3.4.4B.3 **Tenant storefront materials** may include but are not restricted to:

Opaque:

Polished metals
Smooth brick
Smooth and Rough plaster
Glass Fiber Reinforced Concrete
Porcelain and Clay tile
Metal grillwork
Painted or Stained wood
Glazed ceramic tile
Smooth, Rough or polished stone
Powder coated or anodized metal
Cast concrete or plaster (i.e. columns, cornices)

Translucent:

Glass block
Etched glass
Clear glass
Crackle glass



Examples of streetfront collection concepts

3. 4.4B.4 **Tenants' storefront** may project from the face of the building as long as this does not extend beyond the face of the upper level overhang and maintains the required clearances between buildings.
- 3.4.4B.5 **Storefront designs** shall comply with the design guidelines and may require modification in the event that they are too similar to a neighboring store. Themes evident in the Italian Village shall be used to base all storefront designs.
- 3.4.4B.6 **Tenants are encouraged** to vertically extend their facade design from leaseline to leaseline and from slab to top of parapet or bottom of upper floor above.
- 3.4.4B.7 **Tenants are encouraged** to include louvers, awnings or canopies at their storefronts.



Examples of awning use



Typical Tenant Storefronts
Exhibit 8

3.4.5 ARCHITECTURAL GUIDELINES AREA B

Many of the elements of Bella Terra Area B architecture reflect the living environment of a Southern European village. The architectural Guidelines are intended to establish a character, style, and quality for each architectural category that is complementary to the established architecture and design themes of Area A. The Categories are:

- New Anchor Stores, Retail, and Residential Buildings (Mixed-Use)
- General Tenant Storefronts
- Residential Exteriors and Lobbies

The description of these guidelines is not intended to discourage individual innovation and creativity, but to simply provide a framework within which an overall sense of place will be reinforced. Building design shall comply with the following architectural policies.

Implementation of the Specific Plan will generate construction of a project containing a mixture of uses which include numerous new in-line retail and anchor stores, restaurants, small professional offices and residential homes while connecting to the existing adjacent Bella Terra Area A. Design and site layout of any newly proposed structures shall comply with the following policies.

3.4.5A NEW ANCHOR STORES, RETAIL, AND RESIDENTIAL BUILDING (MIXED-USE) POLICIES:

- 3.4.5A.1 **Building massing and articulation** shall possess a balance in form and composition; large flat unarticulated building elevations shall not be permitted. The large planes of the major tenant walls, and residential building walls should be enhanced with patterns and graphics consistent with the overall design theme of the center.
- 3.4.5A.2 **Building entries** shall have a clearly defined primary pedestrian entry.
- 3.4.5A.3 **Building materials and colors** shall be guided by, but not restricted by, the approved Common Area palette.
- 3.4.5A.4 **Architecture of all structures** on the property shall be reflective of the quality of building colors, materials, design, and presence as depicted in the sample artist's renderings throughout this document.

3.4.5B **General Tenant Storefronts** will conceptually be treated as one of the following architectural styles:

- Southern European village
- Contemporary
- Mid-century modern
- Romanticized turn of the century industrial
- Streamlined modern

Tenant storefronts may be designed choosing from a design vernacular of various architectural elements, reflective of these styles. To encourage diversity and enforce the philosophy of architecture built-over-time, individual tenant storefronts next to each other or directly across from each other will not be the same architectural style. Tenants with unique styles will have stronger identities and this will create a shopping experience of boutiques and shops similar to a walking street in an Italian Village. Arches, columns, tower elements, domes and canopies shall be mixed in with metal and wood louvers, contemporary canopies, display bays, balconies and balustrades for a distinctly up-scale look garnered from many European styles and themes.

There are three basic types of General Tenant Storefronts: 1) storefronts for tenants below residential homes, 2) storefronts for anchor tenants below residential homes, and 3) storefronts for retail only buildings. The storefront types may be one or two levels.

To achieve the southern European village built-over-time concept, general tenants in relation to each other shall have varying parapet heights, window openings, heights and rhythms, canopies and signage. The basic objectives of tenant storefront guidelines are to ensure high quality design and use of materials consistent with that of the project and to produce a variety of three-dimensional storefront designs, each uniquely different from its neighbors but tied together with common theme materials.

GENERAL TENANT STOREFRONT POLICIES AREA B:

3.4.5B.1 **All storefront designs** and plans shall be subject to the approval of the property owner and the City of Huntington Beach.

3.4.5B.2 **Storefronts are encouraged** to have multiple planes to create a variety of volumes and spaces and to maximize each store's visibility.

3.4.5B.3 **Tenant storefront materials** may include but are not restricted to:

Opaque:

Polished metals
Smooth brick
Smooth and Rough plaster
Glass Fiber Reinforced Concrete
Porcelain and Clay tile
Metal grillwork
Painted or Stained wood
Glazed ceramic tile
Smooth, Rough or polished stone
Powder coated or anodized metal
Cast concrete or plaster (i.e. columns, cornices)

Translucent:

Glass block
Etched glass
Clear glass
Crackle glass

3.4.5B.4 **Tenants' storefront** may project from the face of the building as long as this does not extend beyond the face of the upper level overhang and maintains the required clearances between buildings.

3.4.5B.5 **Storefront designs** shall comply with the design guidelines and may require modification in the event that they are too similar to a neighboring store. Themes evident in the architectural styles listed in 3.5.5B shall be used to base all storefront designs.

3.4.5B.6 **Tenants are encouraged** to vertically extend their facade design from leaseline to leaseline and from slab to top of parapet or bottom of upper floor above.

3.4.5B.7 **Tenants are encouraged** to have louvers, awnings or canopies at their storefronts.

3.4.5C **Residential Exterior & Lobbies**

The residential exteriors shall have the same styles as the storefronts as listed in 3.5.5B. The style, proportions and massing of residential exteriors shall be sympathetic and complementary to the style of the storefront below. At building corners and other areas where possible and where it seems appropriate the architectural style, massing, detailing and roof forms of the residential building above will match the retail tenant below. The exterior façade of small residential lobbies will be detailed to match the style of an adjacent

storefront. The exterior façade of large residential lobbies will have a different architectural style than adjacent storefronts. If possible, the façade of a residential lobby should also match the architectural character of the residential building above.

3.4.6 NONCONFORMING BUILDINGS AND USES AREAS A AND B

Purpose – It is the intent of these regulations to provide for the termination of nonconforming uses and the remodel/ renovation of nonconforming buildings in order to promote the public health, safety, and general welfare and to bring such buildings and uses into conformity with the goals and policies of the City of Huntington Beach General Plan and Bella Terra Specific Plan No. 13. This section is intended to prevent the expansion of nonconforming uses and buildings, establish the circumstances under which they may be continued and provide for the removal, correction, remodel, or change of such uses and buildings.

3.4.6A **Regulations Applicable.** The following regulations shall apply to all nonconforming uses and to all buildings or structures nonconforming due to use and/or standards as specified herein:

1. **Continuation.** A nonconforming use or a building or structure nonconforming due to use and/or standards may be continuously maintained provided there is no alteration, enlargement, or addition to any building or structure; no increase in occupant load; nor any enlargement of area, space or volume occupied by or devoted to such use, except as otherwise provided in this Section.
2. **Additions to a Nonconforming Use, Building, or Structure.** This section does not authorize the extension, expansion, or enlargement of the area of land or the area within a building or structure devoted to a nonconforming use, or the alteration, enlargement of or addition to a building or structure nonconforming due to use and/or standards, or permit the addition of land, buildings or structures used in conjunction with a nonconforming use or a building or structure nonconforming due to use and/or standards, except:
 - a. Exterior building alterations to a building or structure nonconforming due to standards when the exterior alterations comply with the design, architectural, and development policies and standards contained within the Specific Plan.
 - b. To the extent required by a subsequently enacted or subsequently adopted law, ordinance or regulation, and the Director so finds. Such additions as are permitted by the subsection shall not be construed to extend the termination date of the subject nonconforming use, or a building or a structure nonconforming due to use or standards.

3. **Natural Act.** A nonconforming building or structure that is damage or destroyed by fire, earthquake, or other calamity, or by act of God, or by act of war, or by the public enemy, may be re-constructed provided that each of the following conditions is met:
 - a. Such re-construction is permitted by the Uniform Building Code.
 - b. Re-construction is commenced within one year of the date of damage, unless otherwise allowed by the Planning Commission, and be pursued diligently to completion.

3.4.6B **Termination Conditions and Time Limits** The following regulations shall apply to all nonconforming uses and buildings and structures nonconforming due to use, and to buildings and structures nonconforming due to standards as specified in this section.

1. **Termination by Discontinuance.** Discontinuance of a nonconforming use or of the use of a building or structure nonconforming due to use and/or standards as indicated herein shall immediately terminate the right to operate or use such nonconforming use, building or structure, except when extended as otherwise provided in this Section:
 - a. Changing a nonconforming use to a conforming use;
 - b. Removal of a building or structure nonconforming due to use and/or standards; or
 - c. Discontinuance of a nonconforming use or use of a building or structure nonconforming due to use and/or standards as indicated herein for a consecutive period of one or more years.
2. **Termination by Operation of Law.** Nonconforming uses and buildings or structures nonconforming due to use, shall be discontinued and removed from their sites within the time specified in this section, except when extended or revoked as otherwise provided in this section. Buildings or structures nonconforming due to standards enumerated in this Specific Plan, shall be remodeled and renovated to comply with the standards enumerated in this Specific Plan within the time frame specified in this section, except when extended or revoked as otherwise provided in this section.

In the case of nonconforming uses and buildings or structures nonconforming due to use, and those buildings or structures nonconforming due to standards enumerated in this Specific Plan:

- a. Where a nonconforming use is carried on in a conforming structure – three years from the date of adoption of the Specific Plan.
- b. Where a nonconforming use is carried on in a nonconforming structure due to standards enumerated in this Specific Plan – three years from the date of adoption of the Specific Plan.
- c. Where a conforming use is carried on in a nonconforming structure due to standards enumerated in this Specific Plan – three years from the date of adoption of the Specific Plan.

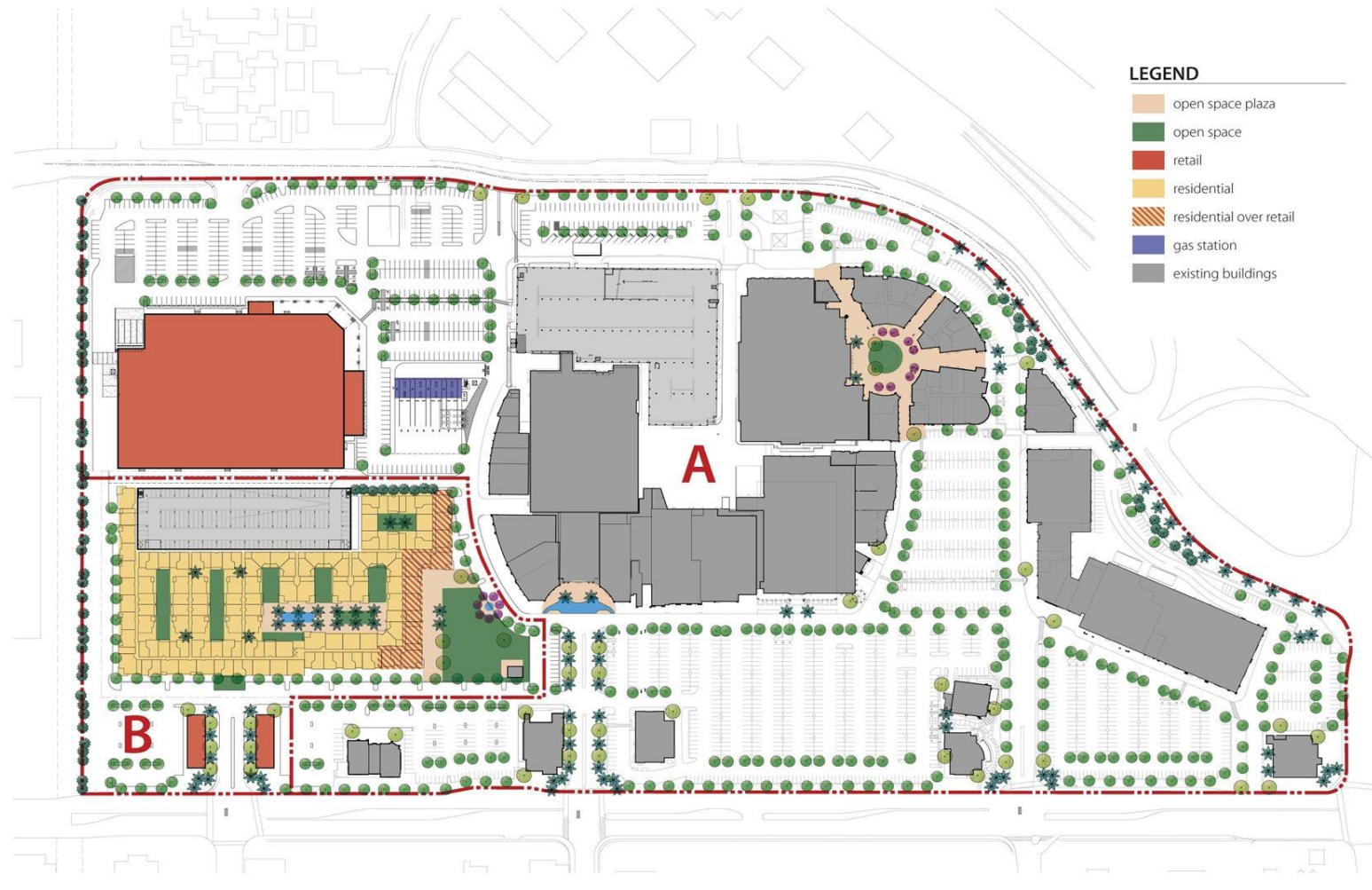
3.4.6C **Review of Amortization Schedule or Substitution of Use**

1. **Request for Review** – An application may be filed with the Planning Commission requesting extension of the time within which a nonconforming use or building or structure nonconforming due to use, or due to standards where applicable, must be discontinued and removed from its site or remodeled and renovated as specified in Section 3.4.5C.

The Planning Commission may accept such filing either before or after the date of expiration of such nonconforming use, building or structure.

2. **Application and Procedure** – Except as specifically provided in this section, the application and all procedures relative to notification, public hearing and appeals shall be the same as for a conditional use permit.
3. **Burden of Proof** – In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Planning Commission the following facts:
 - a. That to require cessation of such use, building or structure would impair the property rights of any person to such an extent as to be an unconstitutional taking of property; and/or
 - b. That such use, building or structure does not now and will not during the extension period requested:
 1. Adversely affect the health, peace or welfare of persons residing or working in the surrounding area, and,

2. Be materially detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site, and,
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
4. **Findings and Decision** – The Director of Planning and Building shall recommend and the Planning Commission shall approve an application for a nonconforming use, building or structure review, provided the burden of proof set forth above has been met by the applicant.
5. **Conditions** – The Planning Commission, in approving an application for a nonconforming use and structure review may impose conditions it deems necessary to insure that the approval will be in accord with the findings required. Conditions imposed by the Planning Commission may involve any pertinent factors affecting the establishment, operation, and maintenance of the uses, buildings or structures requested.



Landscape Concept Plan Exhibit 9

Bella Terra Specific Plan

69

September 20, 2010

3.4.7 LANDSCAPE GUIDELINES

The landscape for Bella Terra is an integral component of the overall project design. This design concept is urban in nature and has strong elements of an Italian Village. These elements include the use of strong vertical elements such as Italian cypress and Palms at the main entrances in strategic areas for emphasis and continuity. Some of the other elements that fit well with an Italian Village environment include the following which are indigenous to the California coast. i.e.: Bougainvillea, Ivy Geraniums, Hibiscus, Lupine, Azalea, Indian Hawthorn and tree varieties such as Silk tree, Alder, Strawberry tree, Deodar Cedar, Carob, Carrotwood, Crepe Myrtle and the like. The Landscape Concept is composed of these elements as well as other elements, such as decorative paving, water features, public art, and lighting which are complementary to and assist in the implementation of an integral landscape design. These Landscape Guidelines establish the design character and visual qualities for development within the Specific Plan.

LANDSCAPE GUIDELINE POLICIES:

- 3.4.7.1 **Site layout** shall respect and preserve as much of the existing site features, including trees where possible. A professional consulting arborist shall determine whether existing trees can be saved during construction.
- 3.4.7.2 **Existing healthy trees**, where feasible, shall be preserved or relocated on site. If healthy trees are removed, replacement shall be as follows: Each existing Rhipidolepis “Majestic Beauty” removed shall be replaced with one (1) thirty-six (36) inch box tree or palm equivalent. All other healthy tree species with a ten (10) inch diameter trunk at breast height or larger shall be replaced with two (2) thirty-six (36) inch box trees or the palm equivalent for each tree removed. Should the foregoing substitution of two (2) 36” box trees be impractical, the ratio may be modified to one (1) 36” box tree with the approval of the Director of Public Works. Palms may be substituted for trees at the ratio of half (1/2) foot of brown trunk height for each one (1) inch of box size. If the situation occurs where there is not enough planting area for the trees required, the accumulative box inches of trees may be utilized, For example, two (2) thirty six (36) inch boxed trees could be combined into one seventy two (72) inch box tree. For palms, the requirement of eighteen feet of brown trunk for each thirty six (36) inch tree would work as follows: two (2) thirty six (36) inch box trees could be combined into one (1) thirty six (36) foot (brown trunk) palm. All tree replacement shall be subject to review and approval and may be modified by the Director of Public Works.
- 3.4.7.3 **Landscape design** shall utilize drought tolerant species, where feasible. The design shall provide formal or informal groupings of deciduous and evergreen trees, flowering shrubs, and groundcover. Trees shall be of even size and shape at the time of installation. Replacement trees shall be compatible with the new landscape plan. A minimum of eight (8) percent of the net site area shall be landscape and shall be provided

on the perimeter of the site and the parking lot. Additional landscaping is required in the Common Area (see policy 3.5.3.6). Shrubs shall be planted flush to the walls, when feasible, thus not allowing a hiding place for an offender or privacy for transients between the shrub and wall. New shrubs and trees shall be located in a manner that will not impede sight distance and line of sight for traffic.

- 3.4.7.4 **Plant materials** shall be selected to create an informal pattern of landscaping to reinforce the character of the tree plantings. A formal pattern of landscaping shall be created on-site at the project entries. Trees shall be selected based upon the size of the planting area to allow for mature growth without causing future damage to the improvements or to underground utilities. A consulting, certified ISA arborist shall review and approve final tree planting plans for compliance. All trees shall be a minimum twenty-four (24) inch box size. Shrubbery (evergreen and flowering) shall be low to medium in height; minimum size shall be five (5) gallon. All grass selections shall be made from the City's approved water efficient materials list.
- 3.4.7.5 **Street tree planting** in the parkway areas shall include a minimum of one (1) thirty six (36) inch box tree for each forty five (45) feet of lineal frontage. At the discretion of the Director of Public Works, this planting may be modified to one (1) twenty four (24) inch box every thirty (30) feet. Tree planting shall be grouped in informal drifts and tree quantities shall be determined by the length of the property adjacent to the street divided by the recommended spacing of each tree variety. All parkway planting shall be subject to review and approval of the Director of Public Works.

PLANT PALETTE ~ SITE

| <i>DESCRIPTION</i> | <i>BOTANICAL NAME</i> | <i>COMMON NAME</i> |
|----------------------------|---|--|
| FRONTAGE TREE | <p> PYRUS KAWAKAMII LAGERSTROEMIA FAUREI METROSIDEROS EXCELSUS LIGUSTRUM J. 'TEXANUM' JUNIPERUS CHINENSIS BOUGAINVILLEA SP. HIBISCUS ROSA-SINENSIS GAZANIA SP. ZOYSIA TENUIFOLIA OLEA EUROPAEA JACARANDA MIMOSIFOLIA PINUS CANARIENSIS PYRUS CALLERYANA 'BRADFORD' AZALEA SP. PHORMIUM TENAX TRACHELOSPERMUM JASMINOIDES LAGERSTROEMIA FAUREI RHAPIOLEPIS 'MAJESTIC BEAUTY' ASPIDISTRA ELATIOR TRACHELOSPERMUM JASMINOIDES ROSMARINUS OFFICINALIS ROSA SP. PLATANUS ACERIFOLIA 'BLOODGOOD' ULMUS PARVIFOLIA 'TRUE GREEN' ZELKOVA SERRATTA ULMUS PARVIFOLIA EUCALPTUS SP. PINUS SP. AGONIS FLEXUOSA TRISTANIA CONFERTA BOUGAINVILLEA SP. TRACHELOSPERMUM JASMINOIDES PITTOSPORUM TOBIRA MELALEUCA QUINQUENERUIA TRISTANIA CONFERTA FICUS RUBIGNOSA </p> | <p> EVERGREEN PEAR CRAPE MYRTLE NEW ZEALAND CHRISTMAS TREE TEXAS PRIVET 'PARSONII' JUNIPER BOUGAINVILLEA HIBISCUS GAZANIA KOREAN GRASS OLIVE JACARANDA CANARY ISLAND PINE BRADFORD PEAR AZALEA FLAX STAR JASMINE CRAPE MYRTLE INDIA HAWTHORN TREE FORM CAST-IRON PLANT STAR JASMINE SPREADING ROSEMARY SHRUB ROSE LONDON PLANE TREE TRUE GREEN ELM SAWLEAF ZELKOVA CHINESE ELM EUCALYPTUS PINES PEPPERMINT TREE BRISBANE BOX BOUGAINVILLEA STAR JASMINE 'MINT JULIP' CAJEPUT TREE BRISBANE BOX RUSTYLEAF FIG </p> |
| FRONTAGE HEDGE | | |
| FRONTAGE ACCENT SHRUB | | |
| FRONTAGE GROUND COVER | | |
| ENTRY DRIVE THEME TREE | | |
| ENTRY DRIVE TREE | | |
| ENTRY DRIVE ACCENT SHRUB | | |
| ENTRY DRIVE EDGE SHRUB | | |
| ENTRY DRIVE LOW SHRUB | | |
| END ISLAND TREE | | |
| END ISLAND LOW SHRUB | | |
| END ISLAND ACCENT SHRUB | | |
| PARKING LOT TREE | | |
| SCREEN TREES | | |
| PARKING GARAGE SCREEN TREE | | |
| PARKING GARAGE PLANTING | | |
| SCREEN TREES | | |

Plant Materials Palette Exhibit 10

- 3.4.7.6 **Pedestrian walkway systems** shall be designed to unify the entire project area and provide pedestrian site access to buildings, parking and site activity areas from the perimeter project area and from within the site. Pedestrian walkways shall be a minimum of five (5) feet clear in width with no vehicular overhang, risers, or utilities within the pathway.
- 3.4.7.7 **Perimeter landscaping** around the project areas shall provide a consistent edge treatment using a limited variety of plant materials.
- 3.4.7.8 **Parking lots** shall be planted at the rate of one (1) tree for every ten (10) parking stalls. Parking lot trees shall be twenty-four (24) inch box trees. All tree planting areas shall be a minimum net width of four (4) feet in one direction and a net width of six (6) feet in the other direction. Small trees (at maturity) shall be utilized in these planting areas.

Parking lot treatments shall be consistent and contribute to the project landscaping unity. Parking lots shall be planted with trees in such a manner as to provide maximum shade. An alternative which clusters or groups parking lot trees may be considered. Larger trees may also be considered as substitutes for a number of smaller trees, subject to review and approval of the Director of Public Works.

Perimeter parking lots adjacent to arterial streets shall be provided with additional landscape treatment to ensure that the parking areas are adequately screened from adjacent street views, however, not hidden from the view of passersby and police on the adjacent streets. Berming in these areas is encouraged and shall be a maximum of three (3) feet high and have a natural appearance in form. However, the fact that a successful retail shopping center must be seen from the adjacent streets will be the determining factor in the selection and placement of all perimeter landscaping.

Shrubbery shall be planted in areas where berms are not practical. Shrub planting shall be provided in a minimum five (5) gallon size and spaced a maximum of three (3) feet apart. Shrubbery shall not exceed three (3) feet in height. Hedges shall be trimmed from the ground and maintain an eight (8) inch clearance from the ground.

Where cars overhang the curbs, ground cover planting shall be required; a maximum overhang of two (2) feet shall be permitted. The overhang area shall not be considered as part of the required minimum percentage of on-site landscaping or minimum planter width.

Line of sight and sight distance at intersections within the parking lot shall be subject to the review and approval of the Public Works Director.

- 3.4.7.9 **Perimeter landscaping** shall preserve or construct a minimum ten (10) foot wide landscape buffer between the arterial highway and private project improvements, including buildings, walls, parking areas, etc. Landscape improvements within the public right-of-way, adjacent to private improvements, shall be constructed by the project developer and maintained by the property owner consistent with the overall landscape theme. The design shall be consistent with the approved Edinger Corridor concept.
- 3.4.7.10 **Entry drives** shall be constructed in conformance with the Specific Plan (Policy 3.5.2.4) and City design standards (Public Works Standard Plans) subject to the review by the Directors of Public Works and Planning. Project access points shall be designed to provide entering and exiting drives with adequate views of approaching pedestrians and vehicles.
- Entry drives shall provide convenient access to parking lots at various locations approved by the Director of Public Works. In addition to street trees and on-site landscaping, each entry shall be designated by ground cover-planting, shrubs, and large specimen trees on each side of the entry. These trees shall be located a minimum of ten (10) feet back from the intersection of driveways and property lines to avoid line-of-sight conflicts.
- Enhanced paving (pavers, interlocking bricks, stamped concrete, or other similar material) shall be provided at all driveway entrances from the public right-of-way to the project. Major driveway entrances, as identified on the Circulation Plan, Exhibit 5, shall incorporate enhanced materials from the property line to the back of the adjacent landscape planter or a minimum of 15 feet. Minor driveway entrances shall provide a minimum of ten (10) feet of enhanced treatment.
- Pedestrian connections consisting of enhanced paving materials shall be provided along the front of the satellite buildings and within the pedestrian walkway connecting these outlying buildings to the main **lifestyle center**. Enhanced paving materials shall also be provided throughout the public plazas and from Edinger Avenue at the main project entrance (across from Sher Lane) along a pedestrian path to the main plaza.
- 3.4.7.11 **Plaza areas** and courtyards shall be provided as focal points. These areas shall be an integral part of the building architecture and be connected by a walkway system to the public pedestrian walkways.
- 3.4.7.12 **Irrigation systems** shall comply with the City's "Water Efficient Landscape Requirements." (Ordinance #1452).

3.4.7.13 **All landscaping** shall conform with the requirements of the Landscape Improvement chapter of the Huntington Beach Zoning and Subdivision Ordinance, the City Arboricultural and Landscape Standards and Specifications, and City Standard Plans, in addition to the Specific Plan policies.

3.4.7.14 **Landscape screening** is intended to soften and blend the connection of the building areas with the landscape of the parking lots. Trees shall be provided to soften, and visually relieve, parking and utility areas and to provide summer shade.

Trash enclosure areas, where appropriate, shall be provided with tree and shrub planting screens to soften the enclosure. Mechanical equipment and transformer areas shall have landscape screening and/or low-level screen walls. Valves, meters, back flow preventers, etc., shall be screened by shrub plantings and/or low level screen walls.

3.4.7.15 **Landscape lighting** shall be provided in selected areas to aesthetically enhance the site. Pedestrian walkways shall include adequate night lighting for public safety and crime prevention purposes. Courtyard lighting shall be a minimum maintained level of one foot-candle.

3.4.7.16 **Conservation water measures** shall be incorporated in the landscape design. A minimum of seventy-five (75) percent of the required landscape area shall be planted with ground cover and the balance (a maximum of 25 percent) with turf. The use of shrubs, hedges, and berming shall be provided to screen cars in the parking lots from street view.

3.4.8 SIGNAGE GUIDELINES

The Signage Guidelines identify a framework to advertise a place of business and provide directions or information specific to that business. Attractive and effective signage can be designed without detracting from the overall design quality of the project area. The Signage Guidelines also contribute to the overall project area urban retail design theme. Design, color, materials and placement are all important in creating signs that are architecturally attractive and integrated into the overall project area design. The intent is to create and promote a quality visual environment by allowing only signs which are compatible with their surroundings and which effectively communicate their message.

Signs shall be designed to be architecturally compatible with the colors and materials of the adjacent building. All signing shall be consistent with Bella Terra's Planned Sign Program.

DEVELOPMENT REGULATIONS



Section Four

DEVELOPMENT REGULATIONS

4.0 PURPOSE

The purpose of this section is to provide specific development regulations and standards that will be applied to development projects in the Specific Plan. Upon adoption by the City of Huntington Beach, Bella Terra Specific Plan will be the zoning document for the project area.

4.1 GENERAL PROVISIONS

The provisions contained herein shall govern the design and development of Bella Terra Specific Plan area. Standards and/or criteria for development and activities not specifically addressed in this Specific Plan shall require referral to the current provisions of the Huntington Beach Zoning and Subdivision Ordinance and Municipal Code.

Whenever a use has not been specifically listed as being a permitted use, the Director of Planning and Building shall determine if the use is consistent with the intent of this Specific Plan and compatible with other permitted uses. In addition, all projects must comply with the following policies:

4.1.0 DEVELOPMENT REGULATIONS POLICIES:

- 4.1.1 **Notwithstanding provisions** to the contrary, all grading shall be approved by both the Director of Planning and Building and Director of Public Works, or designee.
- 4.1.2 **Construction may commence** only after the Director of Planning and Building finds that the project is consistent with the regulations and applicable policies and guidelines of the Specific Plan.
- 4.1.3 **All structures in existence prior to the original** Specific Plan adoption on August 7, 2000 shall be deemed legal, non-conforming. All policies regarding Site Plan Review process and façade improvements shall apply.

4.2 DEFINITIONS

For the purposes of the Specific Plan, words, phrases and terms shall have the meanings as defined below. Terms not specifically defined in the Specific Plan shall have the same definition as used in the City of Huntington Beach Zoning and Subdivision Ordinance in effect at the time of any individual request.

When not inconsistent with the context, words used in the present tense include the future tense; words used in the singular number include the plural number; and words of the masculine gender include the feminine and neutral gender. The word “shall” is always mandatory and the word “may” is permissive. The word “encouraged” shall mean every effort shall be made to conform to the policy but alternatives may be acceptable.

- 4.2.1 **Architectural Features.** Architectural features include elements that compliment the building architecture such as, but not limited to, walls, architectural towers and domes (with Bella Terra logo), spires, and arches. Architectural features may include signage as depicted in the Bella Terra Planned Sign Program.
- 4.2.2 **Communication Antenna.** All types of receiving and transmitting antenna, except satellite dish antenna and wireless communication facilities.
- 4.2.3 **Deviations.** An adjustment in one or more Development Regulations in order to accommodate special circumstances and/or unique architectural features. Deviation shall be limited to ten (10) percent of any single development regulation.
- 4.2.4 **Drive-Through Bakery.** A shop where only bread, cake, pastries, doughnuts, and similar goods are baked (and/or) fried and sold on the premises and is designed to serve patrons who remain in their cars. Tables and chairs may also be provided indoors or within an outdoor patio but a minimum of one drive-through lane and one outdoor pick-up window for vehicle service of bakery goods must be provided.
- 4.2.5 **Entryway.** The point of ingress and egress from a public or private street to the individual project.
- 4.2.6 **Final Approval.** Ten (10) days after approval by the discretionary body and no appeal of that decision has been filed.
- 4.2.7 **Modification (Minor).** An amendment to the exhibits and/or text which does not change the meaning or intent of the Specific Plan.

- 4.2.8 **Modification (Major).** An amendment to the exhibits and/or text which is intended to change the meaning or intent of either the Development Concept, Design Guidelines, or Development Regulations. Major modifications require a Zoning Text Amendment and action by the Planning Commission and City Council.
- 4.2.9 **Private drive.** A privately owned and maintained roadway used to provide vehicle access through the property.
- 4.2.10 **Renovation.** Any request to remodel, improve, renovate, upgrade, or refurbish the interior or exterior of an existing building, including minor improvements to accommodate new tenants or an upgraded look for an existing tenant.
- 4.2.11 **Site plan.** A plan prepared to scale, showing accurate and complete dimensions of all buildings, structures, landscaping, parking, drive aisles, uses, etc. and the exact manner of development proposed for a specific parcel of land.
- 4.2.12 **Street.** A public or approved private thoroughfare or road easement which affords the principal means of access to abutting property.
- 4.2.13 **Structural alteration.** Any change in, or alterations to, the structure of a building involving: the bearing wall, column, beam or ceiling joints, roof rafters, roof diaphragms, foundations, retaining walls or similar components.
- 4.2.14 **Ultimate Right-of-Way.** The adopted maximum width for any street, alley or thoroughfare as established by: the general plan, a precise plan of street, alley or private street alignment, a recorded parcel map, or a standard plan of the Department of Public Works. Such thoroughfares shall include any adjacent public easement used as a walkway and/or utility easement.
- 4.2.15 **Use.** The purpose for which land or building is arranged, designed, or intended, or for which it is occupied or maintained.
- 4.2.16 **Wall or Fence.** Any structure or devise forming a physical barrier. This definition shall include: concrete, concrete block, brick, stone or other masonry material, metal, and wrought iron, etc.
- 4.2.17 **Zone.** A district as defined in the State Conservation and Planning Act, shown on the official zoning maps and to which uniform regulations apply.

- 4.2.18 **Zoning Maps.** The official zoning maps of the City of Huntington Beach which are a part of the comprehensive zoning ordinance.

4.3 DEVELOPMENT STANDARDS AREA A

The Development Standards shall serve as the mechanism for the implementation of Bella Terra Area A land uses. The standards set forth in this section will assure that future development within Bella Terra Area A is implemented in a manner consistent with the intent of the project area Master Plan. The standards contained herein provide flexible mechanisms to anticipate future needs and achieve compatibility between land uses and the surrounding community. Standards and guidelines are designed to be compatible with the existing land use categories of the City. The primary land uses in Bella Terra Area A shall be regional commercial, retail, dining, and entertainment.

- 4.3.1 **Permitted Uses.** Permitted uses shall be required to meet all applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance Code. A list of permitted uses is provided in Exhibit 11A.
- 4.3.2 **Intensity.** The maximum intensity shall be consistent with the City's General Plan.
- 4.3.3 **Building height.** The maximum allowable building height shall be seventy-five (75) feet and a maximum of 4 stories. Rooftop mechanical equipment and parapet walls may exceed the maximum permitted building height by fifteen (15) feet, however mechanical equipment shall be screened from view. Special themed architectural structures or elements such as towers or domes may be allowed up to one hundred-twenty (120) feet.
- 4.3.4 **Setbacks.** Refer to Exhibit 12.
- 4.3.5 **Landscaping.** Landscaping shall be permanently maintained in an attractive manner in all setback and parking lot areas fronting on, or visible from, adjacent public streets.
- 4.3.6 **Signs.** All signs in the project area shall conform to the provisions of the sign standards in the Bella Terra Planned Sign Program.
- 4.3.7 **Lighting.** All illumination of interior circulation streets, parking areas, and project sites, shall be coordinated to provide consistent illumination intensity. Emphasis shall be placed on areas of high vehicular and pedestrian

activity. Light fixtures and standards shall be consistent with building architectural style. Public streetlights shall comply with the City of Huntington Beach guidelines for street lighting.

The following uses shall be permitted within the Bella Terra Specific Plan Area A subject to review and approval of a Site Plan Review by the Director of Planning and Building. Other changes in occupancy, such as, like for like tenant changes, new tenants established within existing buildings, and/or intensification of tenant uses shall be subject to building permit plan check review to verify compliance with parking and the Specific Plan.

| <i>REGIONAL COMMERCIAL</i> | <i>PUBLIC AND SEMI PUBLIC</i> |
|---|--|
| Aquarium | Day Care Facilities |
| Banks and other financial institutions | Government Offices |
| *Commercial recreation and live entertainment | Public Safety Facilities |
| Food Markets | Utilities and Communication Facilities |
| General Retail | Parking ~surface ~structured ~valet |
| Day Spa | |
| Hotels, Motels | |
| Movie Theaters | |
| Restaurants | |
| -with outdoor dining | |
| - with alcohol sales | |
| ~* with live entertainment and dancing | |
| - drive-through bakery (limited to one location) | |
| Personal Services | |
| Warehouse and Sales Outlets with Ancillary Gas Station and Tire Sales/Installation | |
| <i>OFFICE</i> | |
| Business and Professional | |
| <i>OTHER PERMITTED RETAIL</i> | |
| Car stereo and alarm installation, if integrated into an anchor/major retail building and located within a building | |
| Portable carts and kiosks | |

Note: Other similar uses may be permitted subject to review by the Director of Planning and Building.

*Requires an Entertainment Permit from the Police Department

Permitted Uses Chart Area A

Exhibit 11

| <i>ISSUE</i> | <i>DEVELOPMENT STANDARDS</i> |
|---|--|
| Minimum Project Area (AC) | 45 |
| Minimum Lot Size (AC) | None |
| Minimum Lot Frontage | None |
| Maximum Building Height | 75 feet |
| Maximum Number of Stories | 4 stories |
| Maximum Additional Height for parapet walls, mechanical equipment, communication antennas, etc. | 15 feet |
| Maximum Architectural Feature Height | 120 feet |
| Maximum Lot Coverage | 50% |
| Maximum Floor Area Ratio | 0.5 |
| Minimum Setback * | |
| Street side (Edinger Ave., Beach Blvd. and Center Ave.) | 50 feet, or 25 feet if setback is fully landscaped |
| Interior side (West Property Line) | 10 feet |
| Minimum Landscaping | 8% of total site; 10% of common area |
| Minimum Perimeter Landscaping | |
| Street side (Edinger Ave., Beach Blvd. and Center Ave.) | 10 feet |
| Interior side (West Property Line) | 5 feet |
| Minimum Standard Parking Stall Size | 9 feet x 19 feet |
| Minimum Compact Parking Stall Size** | 8 feet x 18 feet |
| Minimum Drive Aisle Width | 26 feet for 90 degree stalls |
| Minimum Parking Required | Shared parking based upon joint use of parking analysis with Site Plan Review |
| Maximum Compact Spaces** | 20% of total spaces |
| Handicapped Parking | Comply with Uniform Building Code and Title 24 |
| Parking Structure Design | Comply with Zoning and Subdivision Ordinance |
| Public Amenity Requirement | Minimum of Six public amenities required; At least two public art elements and two water features within common area |
| Wireless Communication Facilities | Comply with Zoning and Subdivision Ordinance |
| Transportation Demand Management | Comply with Zoning and Subdivision Ordinance |

*Buildings exceeding fifty (50) feet in height shall increase the set back by one (1) foot for each one (1) foot of building height above fifty (50) feet.

**No additional compact stalls may be constructed after 2004

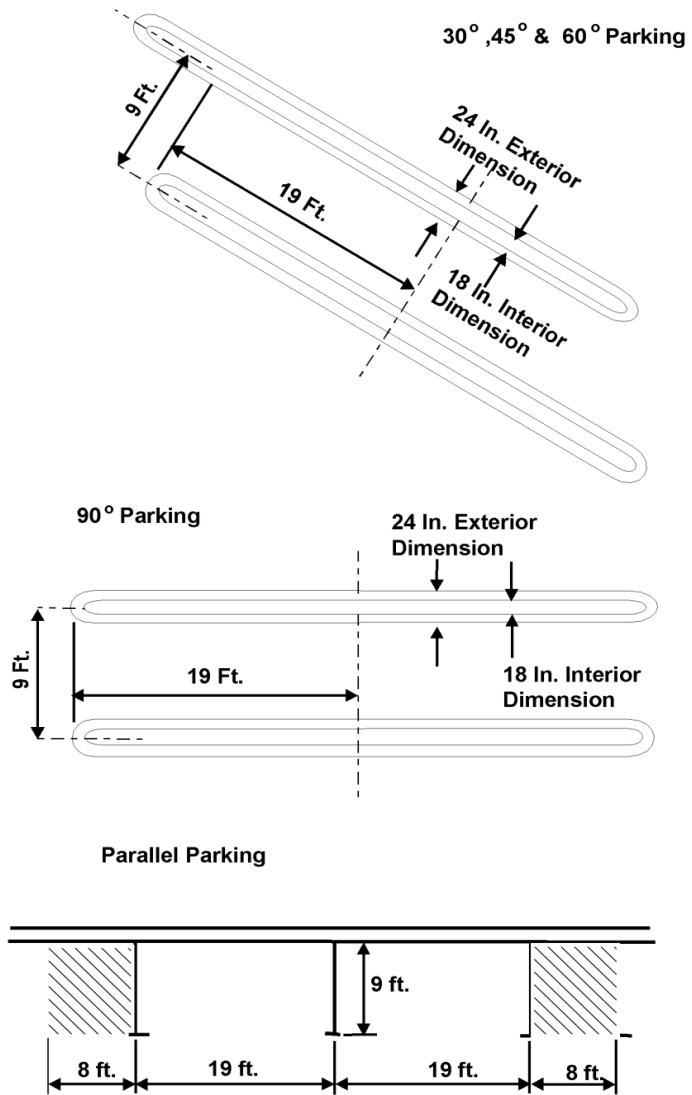
Development Regulations Chart Area A

Exhibit 12

Bella Terra Specific Plan

83

September 20, 2010



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Parking Standards & Detail

Exhibit 13

4.3.8 **Parking.** All developments will be required to meet the minimum on-site parking standards as provided in this Specific Plan document. The following shall apply:

- Standard parking stall size may be nine (9) feet wide by nineteen (19) feet deep and may be reduced to provide a landscape curb or wheel stop (in parking structure) at seventeen (17) feet with a two (2) foot overhang to expand the landscaping. This additional landscape area will not be credited toward the required landscape percentage or minimum landscape width.
- Total parking required by the Huntington Beach Zoning and Subdivision Ordinance (see below) shall be installed for each project prior to final building inspection.
- Parking shall be provided in accordance with an approved Shared Parking Study. A shared parking program may allow for a reduction of the code required parking by up to twenty five (25) percent, based upon a shared parking analysis.
- Handicap accessible parking spaces shall be provided as required by the Uniform Building Code and Title 24.

4.3.9 **Parking structures** shall be designed utilizing the massing and basic design characteristics and Italian Village architectural guidelines found in this Specific Plan. The structures shall be screened from view using trees and landscaping.

Parking structures in Area A shall include exterior, open-air stairwells in the design of the parking structure. Stairwells shall be built to allow pedestrians to be seen in the stairwell from outside of the structure, and allowing the same pedestrians to see out.

Parking structure lighting shall be a minimum level of three foot-candles; preferably metal halide. Use lighting in the center of the parking structure aisles that throws light to the side, thus lighting pedestrians and parked cars. Design the structures to allow as much natural light into the structures as possible. All interior wall surfaces in the structures shall be painted white to reflect ambient light.

The structures shall follow the City of Huntington Beach Police Department Crime Prevention through Environmental Design Guidelines.

4.3.10 **Drive-Through Bakery** shall comply with the following Design and Development Standards:

- The building shall be the predominant visual element along street frontages, not parking lots or drive-through lanes.
- Drive-through aisles shall be screened from streets and from adjacent parking areas.
- Drive-through aisles shall provide adequate on-site queuing distance to accommodate five cars (150 feet) before the first stopping stop (e.g. menu board, ordering speaker). No portion of the queuing aisle should serve as a parking aisle.
- Drive-through lanes shall not exit directly to the site's main entrance. Drive-through aisles shall provide at a minimum 25-foot interior radius for any curve.
- The main structure should be sited so as to maximize the distance for vehicle queuing while screening the drive-through operations.
- All building elevations shall comply with the architectural guidelines as specified herein.
- Buildings shall incorporate a full roof with built-in roof top wells for mechanical equipment screening.
- A canopy shall be provided over the drive-through lane at the pick-up window. The canopy shall be architecturally compatible and fully integrated as part of the building design.
- No individual freestanding or pole signs shall be permitted for drive-through uses.
- A maximum of one drive-through bakery shall be permitted on the 63 acre site are A and B.

4.3.11 **Gas Station and Tire Sales/Installation** shall be ancillary to a major anchor or warehouse and sales outlet business and shall comply with the supplemental development standards of HBZSO Section 230.32 Service Stations. However, none of the accessory uses identified in Section 230.32 F shall be permitted within this Specific Plan No. 13.

4.4 DEVELOPMENT STANDARDS AREA B

The Development Standards shall serve as the mechanism for the implementation of Bella Terra Area B land uses. The standards set forth in this section will assure that future development within Bella Terra Area B is implemented in a manner consistent with the intent of the project area Master Plan. The standards contained herein provide flexible mechanisms to anticipate future needs and achieve compatibility between land uses and the surrounding community. Standards and guidelines are designed to be compatible with the existing land use categories of the City. The primary land uses in Bella Terra Area B shall be regional commercial, retail, dining, entertainment, business, office and mixed-use high density residential.

- 4.4.1 **Permitted Uses.** Permitted uses shall be required to meet all applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance Code. A list of permitted uses is provided in Exhibit 14.
- 4.4.2 **Intensity.** The maximum intensity shall be consistent with the City's General Plan.
- 4.4.3 **Building height.** The maximum allowable building height shall be seventy-five (75) feet; a maximum of four (4) stories shall be permitted within 65 feet of back of sidewalk along Edinger Avenue; a maximum of six (6) stories permitted on the remainder of the site. Rooftop mechanical equipment and parapet walls may exceed the maximum permitted building height by fifteen (15) feet, however mechanical equipment shall be screened from view. Special themed architectural structures or elements such as towers or domes may be allowed up to one hundred-twenty (120) feet.
- 4.4.4 **Setbacks.** Refer to Exhibit 12.
- 4.4.5 **Landscaping.** Landscaping shall be permanently maintained in an attractive manner in all setback, parking lot, and recreation areas fronting on, or visible from, adjacent public streets. Decorative design elements such as fountains, pools, benches, and sculpture, plants and similar elements may be permitted, provided such elements are incorporated as an integral part of the landscaping. Drought tolerant landscaping shall be incorporated to the maximum extent feasible.
- 4.4.6 **Signs.** All signs in the project area shall conform to the provisions of the sign standards in the Bella Terra Planned Sign Program.
- 4.4.7 **Lighting.** All illumination of interior circulation streets, parking areas, and project sites, shall be coordinated to provide consistent illumination intensity. Emphasis shall be placed on areas of high vehicular and pedestrian

activity. Light fixtures and standards shall be consistent with building architectural style. Public streetlights shall comply with the City of Huntington Beach guidelines for street lighting.

4.4.8 **Minimum Dwelling Unit Size** shall be 500 square feet.

4.4.9 **Common Residential Recreation Areas** shall be provided within the residential common area and shall be allocated as a total of 150 square feet per dwelling unit, a minimum of 60 square feet of which shall be private patio or balcony for the exclusive use of the unit it serves. The minimum 60 square feet of private open space per unit shall have no dimension less than six (6) feet. Enclosed recreation areas, such as a clubhouse, may be utilized to fulfill not more than fifteen percent (15%) of the overall common residential recreation requirement. The remaining area shall be supplied out-of-doors pursuant to this section.

Recreation areas shall include a minimum of one amenity such as: game courts or rooms, swimming pools, sauna baths, putting greens, play lots, or other similar type areas serving all residents of the development; but shall not include balconies, decks or areas used exclusively for pedestrian access ways. Game courts, swimming pools or putting greens situated on top of a parking structure may be considered as recreation area. Also, all common recreation area shall have a minimum of width and length of twenty (20) feet.

4.4.10 **Sustainable or “Green” Building** practices shall be incorporated into the design of the proposed structures and associated site improvements. Sustainable building practices shall 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 or Build It Green’s Green Building Guidelines and Rating Systems. In addition, at least one building (minimum 1,000 square feet in size) shall be LEED certified.

4.4.11 **Affordable Housing** A minimum of 15% of the total units shall be provided as affordable housing and shall meet the minimum standards of Section 230.26 of the Huntington Beach Zoning and Subdivision Ordinance as well as the California Redevelopment Law. In the event of any inconsistencies between the local and state requirements, the more restrictive policies and requirements shall apply. Prior to the issuance of the first residential building permit, an Affordable Housing Plan and Agreement shall be subject to review and approval by the City Council and the Agreement shall be recorded at the Orange County Clerk Recorder’s Office.

| <i>REGIONAL COMMERCIAL</i> | <i>PUBLIC AND SEMI PUBLIC</i> | <i>RESIDENTIAL AREA B ONLY</i> |
|---|--|---|
| Aquarium | Day Care Facilities | Attached Mixed-Use High Density Residential |
| Banks and other financial institutions | Government Offices | Detached Mixed-Use High Density Residential |
| * Commercial recreation and live entertainment | Public Safety Facilities | |
| Food Markets | Utilities and Communication Facilities | |
| General Retail | Parking -surface -structured -valet | |
| Day Spa | | |
| Hotels, Motels | | |
| Movie Theaters | | |
| Restaurants -with outdoor dining - with alcohol sales -* with live entertainment and dancing - drive-through bakery (limited to one location) | | |
| Personal Services | | |
| <i>OFFICE</i> | | |
| Business and Professional | | |
| <i>OTHER PERMITTED RETAIL</i> | | |
| Car stereo and alarm installation, if integrated into an anchor/major retail building and located within a building | | |
| Portable carts and kiosks | | |

Note: Other similar uses may be permitted subject to review by the Director of Planning and Building.

*Requires an Entertainment Permit from the Police Department

Permitted Uses Chart Area B

Exhibit 14

| <i>ISSUE</i> | <i>DEVELOPMENT STANDARDS</i> |
|---|---|
| Minimum Project Area (AC) | 15 |
| Minimum Lot Size (AC) | None |
| Minimum Lot Frontage | None |
| Maximum Building Height | 75 feet |
| Maximum Number of Stories | 4 stories along Edinger Avenue, 6 stories with min. 65 ft. setback from Edinger Avenue. |
| Maximum Additional Height for parapet walls, mechanical equipment, communication antennas, etc. | 15 feet |
| Maximum Architectural Feature Height | 120 feet |
| Maximum Lot Coverage | 50% |
| Maximum Floor Area Ratio | 1.75 total mixed use; commercial FAR 0.2 |
| Minimum Setback * | |
| Street side (Edinger Ave. and Center Ave.) | Min. 0 feet - Max 25 ft. setback if fully landscaped; a greater setback is allowed if angled parking is provided along Edinger Avenue |
| Interior side (West and East Property Line) | 10 feet |
| Minimum Landscaping | 8% of total site; 10% of common area |
| Minimum Perimeter Landscaping | |
| Street side (Edinger Ave. and Center Ave.) | 10 feet |
| Interior side (West Property Line) | 5 feet |
| Minimum Distance Between Buildings | 15 feet if height less than 30 feet, 20 feet for height greater than 30 feet. |
| Minimum Dwelling Unit Size | 500 square feet |
| Minimum Residential Open Space | 150 square feet/dwelling unit; 60 square feet of which must be private |
| Minimum Standard Parking Stall Size | 9 feet x 19 feet |
| Minimum Drive Aisle Width | 26 feet for 90 degree stalls |
| Minimum Parking Required | Shared parking based upon joint use of parking analysis with Site Plan Review |
| Maximum Dwelling Units | 45 per acre |
| Handicapped Parking | Comply with Uniform Building Code and Title 24 |

Development Regulations Chart Area B (Chart 1 of 2)

Exhibit 15

| <i>ISSUE</i> | <i>DEVELOPMENT STANDARDS</i> |
|--|--|
| Parking Structure Design | Comply with Zoning and Subdivision Ordinance |
| Public Amenity Requirement for Area A and B combined | Minimum of Six public amenities required; At least two public art elements and two water features within common area |
| Wireless Communication Facilities | Comply with Zoning and Subdivision Ordinance |
| Transportation Demand Management | Comply with Zoning and Subdivision Ordinance |
| Minimum Residential Storage Area | Average 50 cubic feet per dwelling unit |
| Sustainable or “Green” Building | Refer to Section 4.4.10 |
| Minimum Affordable Housing | Refer to Section 4.4.11 |
| Reciprocal Access | Refer to Section 3.1.5 and Section 4.4.14 |
| Bicycle Parking | Comply with Zoning and Subdivision Ordinance |

Development Regulations Chart Area B (Chart 2 of 2)
Exhibit 15

4.4.12 **Parking.** All developments will be required to meet the minimum on-site parking standards as provided in this Specific Plan document. The following shall apply:

- Standard parking stall size may be nine (9) feet wide by nineteen (19) feet deep and may be reduced to provide a landscape curb or wheel stop (in parking structure) at seventeen (17) feet with a two (2) foot overhang to expand the landscaping. This additional landscape area will not be credited toward the required landscape percentage or minimum landscape width.
- Tandem parking may be included for residential uses but will not be counted toward minimum required parking spaces.
- Total parking required by the Huntington Beach Zoning and Subdivision Ordinance (see below) shall be installed for each project prior to final building inspection.
- Parking shall be provided in accordance with an approved Shared Parking Study. A shared parking program may allow for a reduction of the code required parking by up to twenty five (25) percent, based upon a shared parking analysis.
- Handicap accessible parking spaces shall be provided as required by the Uniform Building Code and Title 24.

4.4.13 **Parking structures** shall be designed utilizing the massing and basic design characteristics and Southern European architectural guidelines found in this Specific Plan. The structures shall be screened from view using trees and landscaping. Parking structures in Area B may be wrapped with retail and residential.

Parking structures serving only residential tenants and their guests may provide 25 foot wide drive aisles.

Parking structure lighting shall be a minimum level of three foot-candles; preferably metal halide. Use lighting in the center of the parking structure aisles that throws light to the side, thus lighting pedestrians and parked cars. All interior wall surfaces in the structures shall be painted white to reflect ambient light.

The structures shall follow the City of Huntington Beach Police Department Crime Prevention through Environmental Design Guidelines.

4.4.14 **Reciprocal Access** The subject property shall provide an irrevocable offer to dedicate a reciprocal accessway for pedestrians and bicycles between the subject site and adjacent westerly properties.

4.5 Temporary And Seasonal Events: The following temporary and seasonal events may be permitted outdoors within the centers Area A and B public common areas only. The following temporary and seasonal events located within the parking lot shall follow permit procedures described in the Huntington Beach Zoning and Subdivision Ordinance.

| TEMPORARY AND SEASONAL EVENTS AREAS A AND B | |
|---|--|
| Art Shows | |
| Auto shows | |
| Carnivals | |
| Circus | |
| Commercial Filming | |
| Concerts | |
| Farmer's Market | |
| Fund Raisers | |
| Health Fairs | |
| Live Entertainment | |
| Miscellaneous Exhibitions | |
| Outdoor Retail Sales | |
| Pet Shows | |
| Seasonal Displays and Events | |
| Flower Shows | |
| Bake Sales | |
| Wine Tastings | |
| Samples Sales | |
| Trunk Shows –Bridal & New Line Ups | |
| Theatrical Performances | |
| Food Demonstrations | |
| Sports Demonstrations | |

Note: Other similar uses may be permitted subject to review by the Director of Planning and Building.

Temporary and Seasonal Events Chart

Exhibit 16