

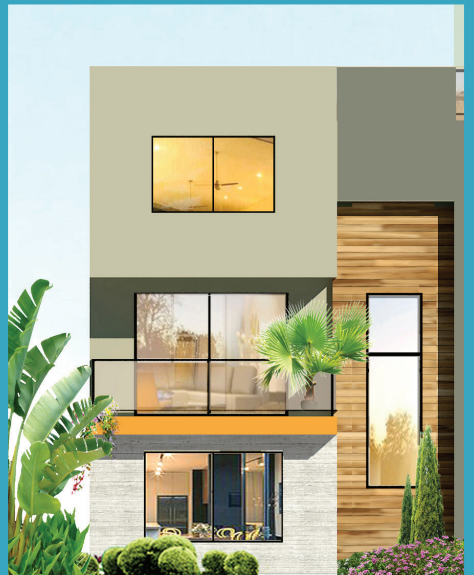
An aerial photograph of a coastal area, likely Windward Huntington Beach. It shows a large, mostly undeveloped plot of land with some trees and a small pond. To the left is a road with parked cars. The text 'WINDWARD' is overlaid in a large, black, serif font.

WINDWARD

Specific Plan  
SP 16

City of  
Huntington Beach

May 2018





# **SP 16 WINDWARD SPECIFIC PLAN**

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## **City of Huntington Beach**

Adopted by City Council on July 16, 2018  
(CC Resolutions # 2017-18 and # 2017-19)  
Certified by California Coastal Commission on December 12, 2018

SUBMITTED TO:

**CITY OF  
HUNTINGTON BEACH**  
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May 2018

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## **1 INTRODUCTION**

### **1.1 Location and Existing Conditions**

The Windward Specific Plan area (Specific Plan Area) is located at the southeast corner of Bolsa Chica Street and Los Patos Avenue in the City of Huntington Beach (City) on what is commonly referred to as the Bolsa Chica Mesa (Exhibit 1-1, Vicinity Map). The Specific Plan Area encompasses approximately 5.3 acres of undeveloped land, of which, at the time of adoption of the Windward Specific Plan, approximately five acres (Windward Property) are privately owned by Signal Landmark (Signal) and 0.3-acres are owned by the City (City Property). The Specific Plan Area is square in shape, with the western half relatively flat (elevation 47 to 51 feet), while the center portion of the eastern half gently slopes down to the east to an elevation of approximately 36 feet.

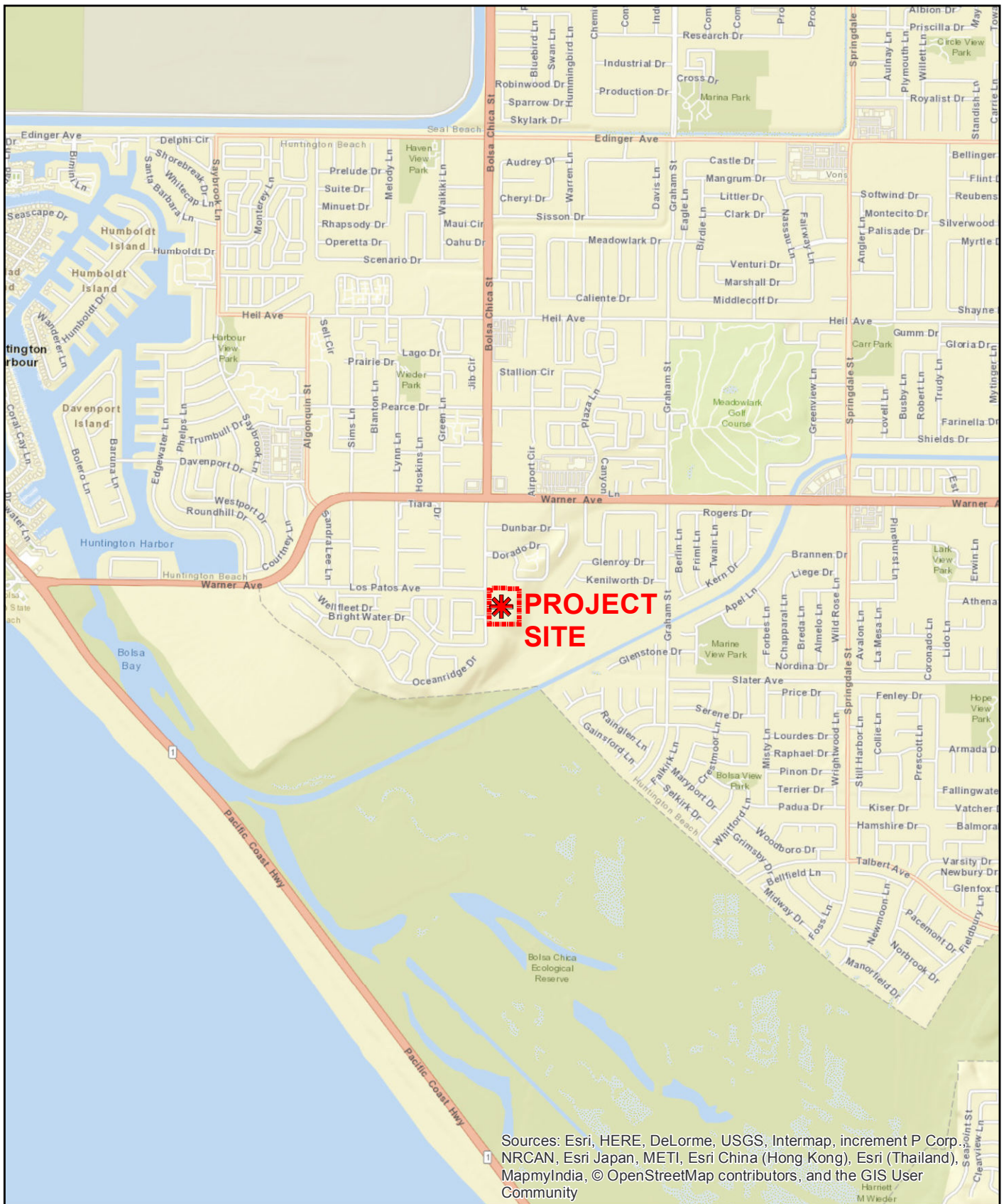
Historically, the Specific Plan Area was used almost exclusively for agricultural purposes, but from 2006 to 2011 the southwest corner of the Specific Plan Area was used as a storage and staging area for construction of the neighboring Brightwater Community. The Windward Property has not been used for construction staging since 2011 when the construction trailers and all but one of the storage containers were removed. The City Property is currently used as an informal trail by the public as a connector trail between the public trails of the Parkside property to the east of the Specific Plan Area and Bolsa Chica Street and the public trails of Brightwater and the Bolsa Chica Ecological Reserve to the west and south.

Directly west of the site across Bolsa Chica Street is the Sandover neighborhood which is comprised of nineteen single family detached homes on 6,000 square foot lots. On the north are apartment and condominium complexes. To the east lies an open space/conservation area that is part of the Parkside project. On the south is an undeveloped 6.2-acre property located in unincorporated Orange County and owned (at the time of adoption of the Windward Specific Plan) by the Goodell Family Trust (Goodell Property).

### **1.2 Project Area Background**

#### **1.2.1 Zoning History**

The Windward Property has been owned by Signal or its predecessor company, Signal Oil, since the 1920s and is the last remnant of Signal's once vast landholdings at Bolsa Chica. Originally in an unincorporated area of Orange County, the Windward Property was annexed into the City in 1970 as part of a ten-acre parcel that now contains the Sandover neighborhood. At the time it was annexed, both the City's General Plan and Zoning Map land use designations for the Windward Property were for low density residential uses.



# Windward Specific Plan

## City of Huntington Beach

### Exhibit 1-1

## Vicinity Map



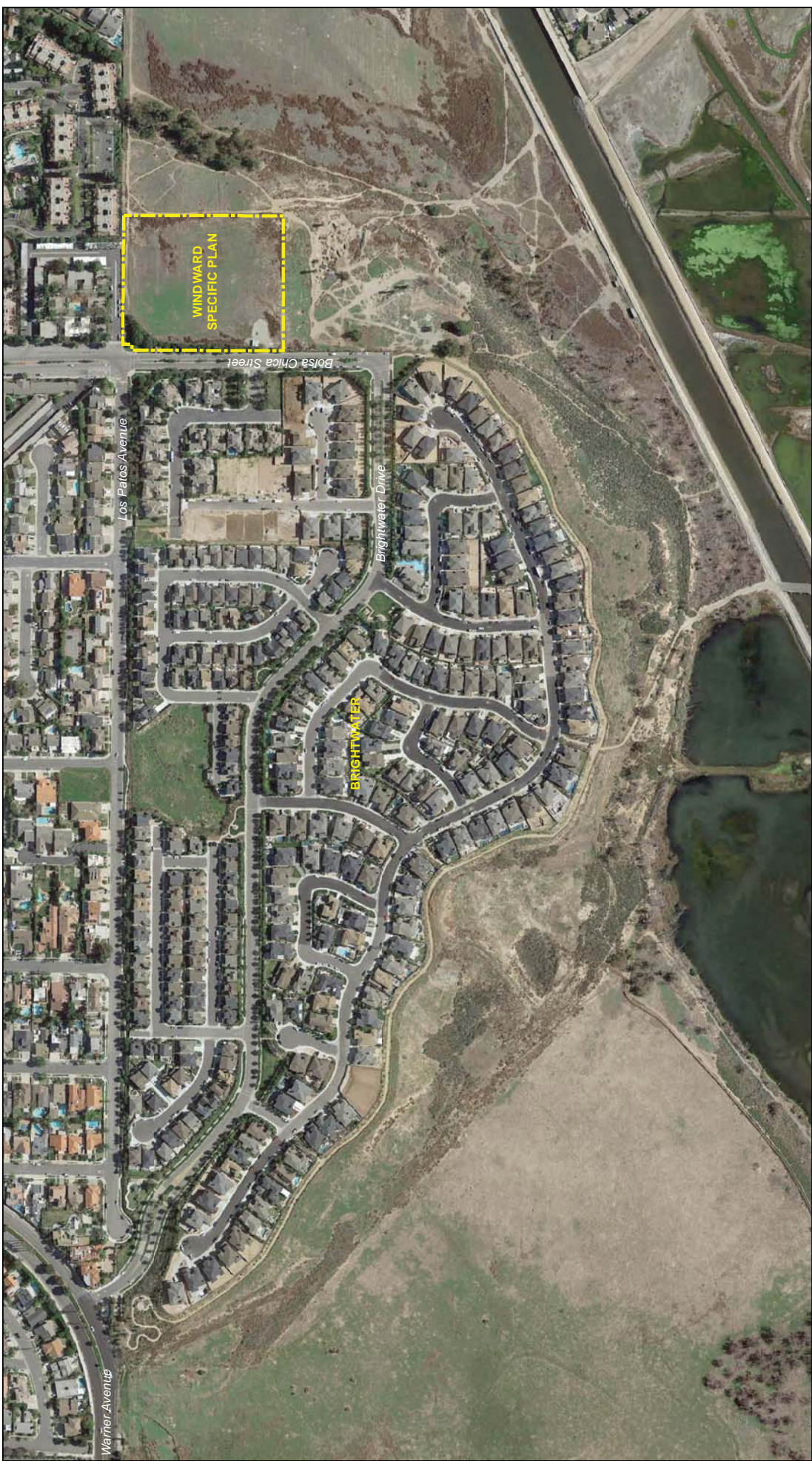


Exhibit 1-2

## Aerial Photograph



Windward Specific Plan

City of Huntington Beach



After the Coastal Act was enacted in 1976, the City submitted a proposed Land Use Plan to the Coastal Commission for certification. The Windward Property was designated as Open Space Recreation (subsequently changed to Open Space-Park) on the City's Land Use Plan, which was certified by the Coastal Commission in 1982. In 1984, the City re-zoned the property to Residential Agricultural (RA) to reflect the agricultural uses on the Windward site at the time and determined that the RA zoning was consistent with the Open Space-Park land use designation.

A massive housing and marina development once proposed for Bolsa Chica never occurred. Instead, much of the Bolsa Chica property was set aside as open space, including a large restored wetland area in the lowland, and a mix of open space and residential uses on the Bolsa Chica Mesa. In 1999, the City approved the development of single family homes on the five-acre site at the southwest corner of Los Patos and Bolsa Chica Street, known as the "Sandover" project. At that time, Signal dedicated to the City the City Property, a 13,350 square foot strip of land at the southeast corner Bolsa Chica Street and Los Patos Avenue, for open space-park uses. No other public open space was provided with the Sandover project, a private, locked gate residential community. The City Property is currently undeveloped and used informally by the public as a connector trail between the Parkside property's public trails and amenities to the east of the Specific Plan Area and Bolsa Chica Street and the public trails and amenities to the west and south. In 2005, the County and the Coastal Commission approved a 349 single family home development with public trails and amenities on 68 acres of the Bolsa Chica Mesa known as Brightwater, adjacent to Sandover.

### **1.2.2 The Ridge Project**

In 2008, Signal proposed a General Plan Amendment (GPA), Zone Change (ZC) and Local Coastal Program Amendment (LCPA) to permit the construction of 22 single family homes on the Windward Property and construction of a trail on the City Property previously dedicated to the City in conjunction with the City's approval of the Sandover development. The project, then known as The Ridge, was approved by the City in 2010. In approving the entitlements for the project, the City indicated that the change in land use from Open Space/Park to Low Density Residential was appropriate because it had no plans to acquire the Windward Property for public recreation purposes. The Ridge project entitlements included a General Plan Amendment, Local Coastal Program Amendment, a zone change from Residential Agricultural (RA) to Low Density Residential, and a subdivision map. To comply with CEQA, the City adopted a Mitigated Negative Declaration (MND) for the proposed project. Because the

Windward Property lies within the Coastal Zone, the California Coastal Commission (CCC) must approve any amendments to the City's Local Coastal Program (LCP). Therefore, the City submitted the LCP Amendment to the Coastal Commission for approval.

In August 2010, the Bolsa Chica Land Trust filed litigation challenging the City's approval of the MND, claiming that the City should have prepared an Environmental Impact Report (EIR), rather than approving a MND. The CEQA litigation was stayed pending the outcome of the Coastal Commission's decision on the project. In June 2014, the City withdrew the LCP Amendment from consideration by the CCC.

In an effort to resolve the pending CEQA litigation, Signal, the City, and the Bolsa Chica Land Trust agreed to enter into facilitated settlement discussions. In April 2016, after nearly fifteen months of discussions, the three parties successfully negotiated a settlement (Settlement, Attachment A). In addition to resolving the litigation, the Settlement would bring closure to the decades-long controversy regarding development of Bolsa Chica by providing a viable path to resolving the land use of the last privately-owned land at Bolsa Chica for which future land use remained uncertain. In addition to the Windward Property, the Settlement also addresses the potential for the Windward property owner to deed restrict the Goodell Property to open space and resource conservation uses. At the time of approval of the Windward Specific Plan, Signal holds an option to acquire the Goodell Property (Goodell Option). The Goodell Property is currently an unincorporated County "island" surrounded by land under the City's jurisdiction. The Goodell Property is zoned for medium low density residential (6.5 – 12.5 du/ac) by the County. In 2009, in anticipation of annexing the Goodell Property, the City pre-zoned 3.2 acres of the Goodell Property adjacent to Bolsa Chica Street for low density residential, 2.0 acres as Open-Space Parks, and one acre as Coastal Conservation. These designations were not certified by the California Coastal Commission (as any annexation of the Goodell Property by the City would have required an LCP amendment).

Since the Goodell Property is not in the City and is not subject to regulation by the City, Signal is not legally obligated to restrict use of the Goodell Property through the Windward Specific Plan. Nonetheless, as an integral part of the Settlement, the Goodell Property is incorporated within the Windward Specific Plan to facilitate protection of the approximately 2.5-acre easterly portion of the

Windward Property (Windward Open Space Parcel<sup>1</sup>) and the Goodell Property together as part of an 8.7-acre open space and resource conservation area under one of the two alternate, but parallel, approaches to the future use of the Windward Property contemplated by the Settlement and set forth in this Specific Plan. Any conveyance of and use restrictions imposed on the Goodell Property as described in the Windward Specific Plan are voluntary on the part of the owner of the Windward Property (Windward Owner) for the purpose of effectuating the Settlement and not the result of regulations imposed on the Goodell Property by either the City or, if the Windward Specific Plan is incorporated into the City's certified Local Coastal Program, the Coastal Commission. However, without implementation of one of the two alternatives for the Goodell Property described in Section 5.2.1b of this Specific Plan, this Windward Specific Plan becomes moot and the land use designation Open Space Parks and zoning Residential Agriculture remain the certified LCP land use designation and zoning on the Windward site.

### 1.2.3 The Settlement's Two Alternative Approach

**Acquisition Alternative** – The Settlement provides an opportunity to preserve both the entire Windward Property and the Goodell Property for open space and conservation uses (Acquisition Alternative). Pursuant to the Settlement, Signal independently entered into an option agreement with the Trust for Public Land (TPL) for the purchase by TPL of both the entire Windward and Goodell Properties (TPL Option). Founded in 1972, TPL is a nationwide non-profit organization that acquires land from private owners and conveys it into public or non-governmental organization ownership for conservation or public park purposes. Since its inception, TPL has protected 3.3 million acres of land in over 5,400 separate acquisitions. The TPL Option grants TPL an eighteen-month period (commencing in April 2016) in which to raise funds to purchase both the entire Windward and Goodell Properties. The TPL Option will expire in October 2017, unless extended. The purchase price has been determined by an independent third party appraisal. Signal is cooperating with TPL in pursuit of the Acquisition Alternative. If the Acquisition Alternative is successful and becomes effective, this Specific Plan will not be effective and will be moot.

**Development Alternative** – Because it is unknown whether or not the Acquisition Alternative will be successful, the Settlement allows Signal to pursue

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<sup>1</sup> The approximately five-acre Windward Parcel is a single legal parcel, but in the event the Development Alternative is exercised the developer will need to pursue a subdivision of the Windward Parcel in compliance with the Specific Plan Implementation Measures (Ch. 5) and the Subdivision Map Act to create the Windward Residential and Windward Open Space Parcels.



– concurrently with TPL’s pursuit of acquisition funds to exercise the Acquisition Alternative (TPL Option) – entitlements for residential development on the approximately 2.5-acre westerly portion of the Windward Property adjacent to Bolsa Chica Street (Windward Residential Parcel), only when the Windward Open Space Parcel and the Goodell Property have been restricted and conveyed for open space and resource conservation uses only (Development Alternative). Consistent with the Settlement, the Windward Specific Plan will designate the Windward Residential Parcel for medium density residential use, with the implementation of that use subject to and allowed only with the implementation measures set forth in Chapter 5 of the Windward Specific Plan (Implementation Measures). The Windward Open Space Parcel (i.e., the remaining easterly 2.5 acres of the Windward Property) will be land use designated Open Space – Park upon exercise of the Development Alternative.

Taken together, the Implementation Measures shall ensure that prior to issuance of a coastal development permit and any grading permit(s) for the Windward Residential Parcel, the following actions must occur:

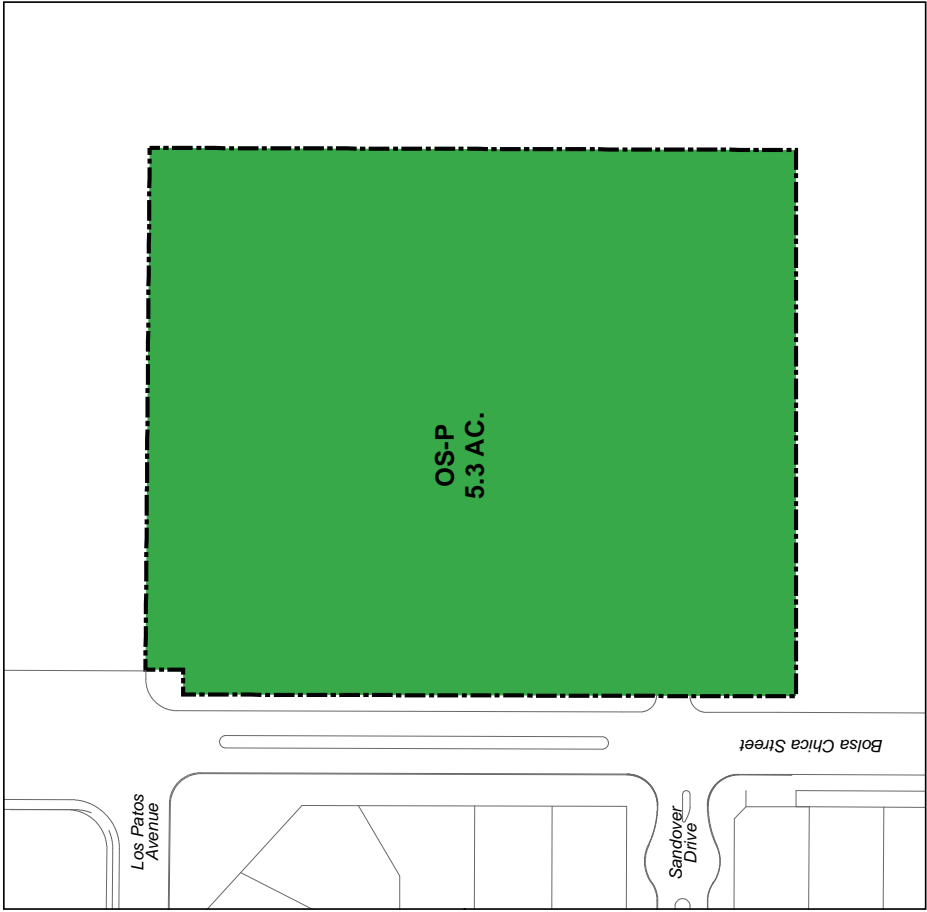
- Deed restrictions limiting the Windward Open Space Parcel and the Goodell Property (upon exercise of the Goodell Option) to open space and resource conservation uses must be executed and recorded.
- An irrevocable offer to dedicate the Windward Open Space Parcel to an approved public agency or a conveyance of fee title of the Windward Open Space Parcel to an approved qualified nonprofit entity such as the Bolsa Chica Land Trust (BCLT) or another accredited, approved qualified nonprofit entity must be executed and recorded. The offer or conveyance must restrict the Windward Open Space Parcel to open space and resource conservation uses.
- An irrevocable offer to dedicate the Goodell Property (upon exercise of the Goodell Option) to an approved public agency or a conveyance of fee title of the Goodell Property to an approved qualified nonprofit entity such as the BCLT or another accredited land trust must be executed and recorded. The offer or conveyance must restrict the Goodell Property to open space and resource conservation uses.

Since the Goodell Property is not in the City and is not subject to regulation by the City, Signal is not legally obligated to restrict use of the Goodell Property through the Windward Specific Plan. However, all parties to the Settlement have identified restriction of use of the Goodell Property (for which Signal holds an option to acquire) as partial consideration for effectuating the Settlement. Therefore, the proposed conveyance and/or restriction of the Goodell Property as proposed in this Settlement Agreement are a voluntary but necessary

commitment by Signal in order to effectuate the Settlement. Chapter 5 further addresses these actions.

### **1.3 Summary of Land Use Plan and Zoning Designations**

The current land use designation for the Windward Property, as well as the City Property, in the City's Local Coastal Program, as well as the General Plan, is Open Space - Parks (OS-P). The current zoning designation for the Windward Property, as well as the City Property, is Residential Agriculture (RA) with a Coastal Zone overlay (Exhibit 1-3, Existing and Proposed Land Use Plan Designations, and Exhibit 1-4, Existing and Proposed Zoning Map Designations). The Open Space - Parks land use designation allows public parks and recreational facilities. The RA zoning allows agricultural uses, single family dwellings (one dwelling unit per five acres), nurseries and temporary uses such as storage yards. Upon effectiveness of the Implementation Measures required in Chapter 5 herein (following exercise of the Development Alternative), the land use designation for the Windward Residential Parcel in the LCP and General Plan would change to Residential Medium Density (RM) (as shown on Exhibit 1-3,) and the Windward Open Space Parcel would be land use designated Open Space – Park he City Parcel would retain the current OS-P land use designation. As shown on Exhibit 1-4, the zoning for the entire Specific Plan Area will be SP (Specific Plan) with a Coastal Zone Overlay.



**LEGEND**



Open Space - Park (OS-P)



**LEGEND**



Residential Medium Density (RM)



Open Space - Park (OS-P)

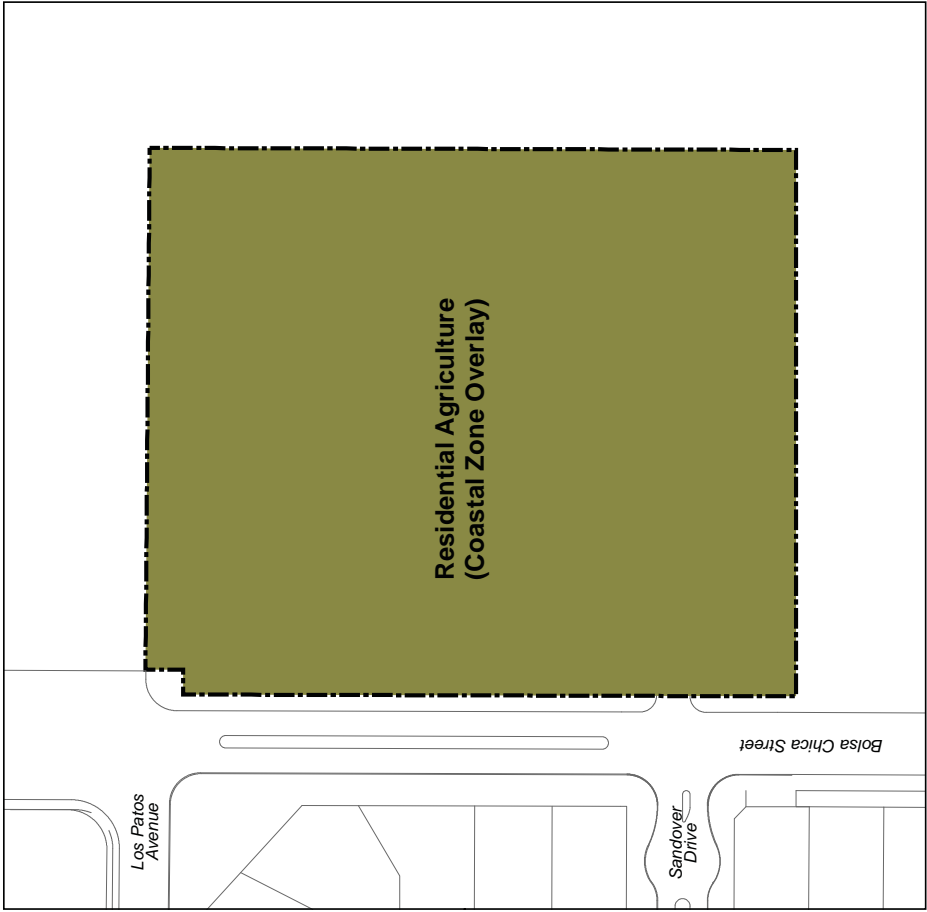
Exhibit 1-3

**Existing and Proposed  
Land Use Designations**

**Windward Specific Plan**

City of Huntington Beach

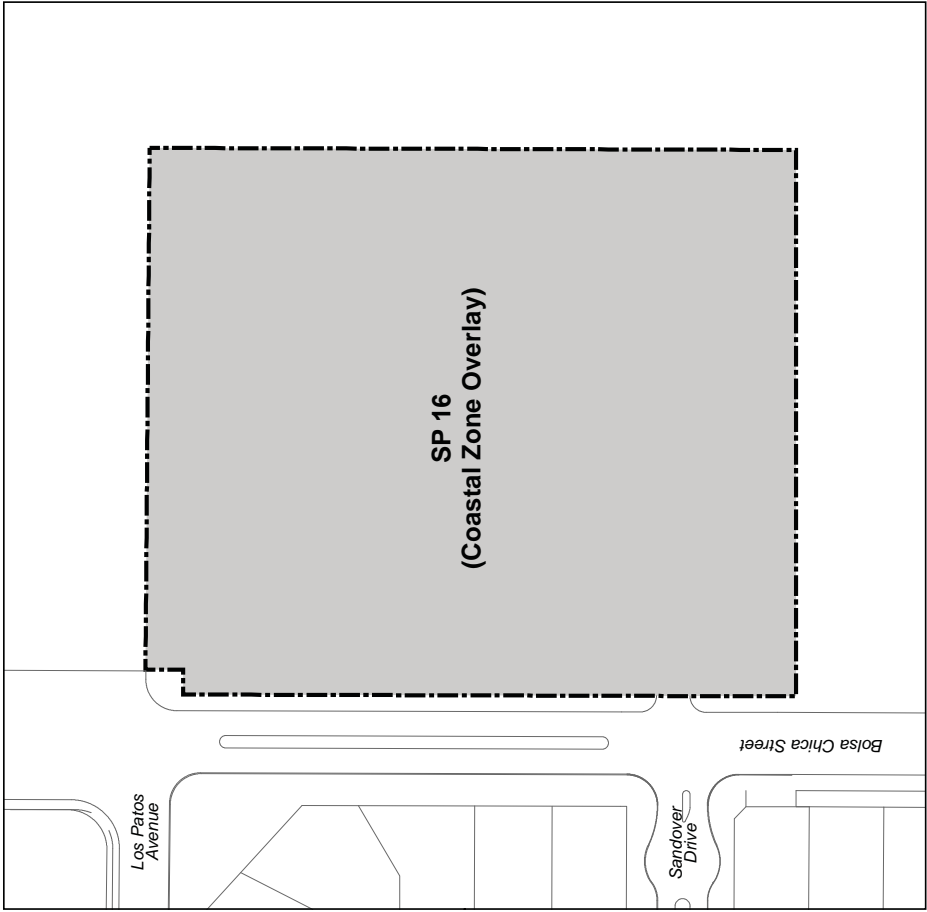




**LEGEND**



Residential Agriculture with  
Coastal Zone Overlay



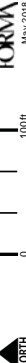
**LEGEND**



Specific Plan (SP 16) with  
Coastal Zone Overlay

Exhibit 1-4

**Existing and Proposed  
Zoning Map Designations**



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**Windward Specific Plan**

**City of Huntington Beach**

**1.4 Authority and Scope for Windward Specific Plan**

The authority to prepare, adopt, and implement specific plans is granted to the City by the California Government Code (Title 7, Division 1 Chapter 3, Article 8, Sections 65450 through 65457). Specific plans are generally designed to:

1. Provide greater level of detail than a traditional zoning ordinance and to serve as a tool to tailor development policies and regulations to a particular site;
2. Provide more specific site development standards to create appropriate land use designations and design criteria that addresses project-specific issues; and
3. Provide decision makers with the opportunity to comprehensively review a land use plan in its entirety at the outset in order to consider land use compatibility, circulation, infrastructure and other issues related to development of a site.

The Windward Specific Plan will be used by the City to implement the City's Local Coastal Program and General Plan for the Windward Property. The Windward Specific Plan contains all the applicable land use regulations and thus constitutes the zoning ordinance for the Windward Property. The development standards contained in the Windward Specific Plan will take precedence over conflicting provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), unless otherwise noted.

**1.5 Purpose and Intent**

The Windward Specific Plan is intended to provide a mechanism for resolving the litigation related to the site described previously, but more importantly to bring closure to the decades-long controversy regarding development of Bolsa Chica by providing a viable, two option (Acquisition Alternative and Development Alternative) path to resolving the land use of the last remaining properties at Bolsa Chica for which future land use remains uncertain. Further, the Specific Plan's purpose and intend is to assure maximum protection of these sensitive lands, while acknowledging the private property owner's limited, reasonable, investment backed expectations.

Under the Acquisition Alternative, the Specific Plan provides measures to assure maximum preservation of the sensitive resources of both the entire Windward and Goodell Properties by assuring preservation of both as conservation open space in perpetuity. Under the Development Alternative, the Specific Plan will maximize preservation of sensitive resources by preserving the entire Goodell Property and half of the Windward property as conservation open space. The Development Alternative provides the City with a comprehensive planning program to direct the creation of proposed residential and open space areas contained within the Windward Property. Under the Development Alternative, the Windward Specific Plan provides a description of the land uses and restrictions, public facilities, circulation, infrastructure,

development standards, and implementation measures to ensure the Windward Property is developed in a manner consistent with protecting the sensitive resources of the site and surrounding area and with the City's LCP and vision for the site. It also allows the City to consider a comprehensive planning approach for the open space and conservation uses at the site and in conjunction with the City Property and the neighboring Goodell Property. Under the Development Alternative, the regulations contained in the Windward Specific Plan ensure that development of the Windward Property is designed in concert with and to assure protection and continuance of the surrounding open space assets. The Development Alternative may only proceed in the event both the Goodell Property and the Windward Open Space Parcel are legally preserved as conservation open space in perpetuity.

Because the Windward Property lies within the Coastal Zone, special consideration is given to fulfilling the objectives of the California Coastal Act as expressed in policies promulgated in the City's Local Coastal Program and in the public access and recreation policies of Chapter 3 of the Coastal Act. In the case of the Windward Property, public access and resource protection – including both biological and cultural resources – are the two most relevant Coastal Act issues to be addressed. The Windward Specific Plan, along with a corresponding General Plan Amendment, will become effective after certification by the Coastal Commission as an amendment to the City's Local Coastal Program (LCPA) and upon the filing of the required Notice of Certification with the Secretary of Resources as provided in Public Resources Code Section 21080.5(d)(2)(E).

## **1.6 Objectives of the Windward Specific Plan**

### **1.6.1 Acquisition Alternative**

The Objective of the Windward Specific Plan Acquisition Alternative is to legally preserve the entirety of both the Windward Parcel and the Goodell Property as conservation open space in perpetuity. In addition, the Acquisition Alternative would implement the Ridge Settlement Agreement.

### **1.6.2 Development Alternative**

The Objective of the Windward Specific Plan Development Alternative, which can be implemented only after the Windward Open Space Parcel and the Goodell Property have both been legally preserved as conservation open space, is to:

- Provide a comprehensive land use plan that creates the Windward Open Space Parcel (eastern 2.5 acres of the site) and the Windward Residential Parcel (western 2.5 acres of the site). Under the Development Alternative, the Windward Open Space Parcel is restricted to conservation uses only



(trail, public access and interpretive signage, bench, low trail fencing to protect habitat, and habitat restoration). Under the Development Alternative, the Specific Plan designates the location and intensity of land uses for the Windward Residential Parcel and conservation open space and public uses for the Windward Open Space Parcel and City Property.

- Provide for limited residential development on a portion of the Windward Parcel (the Windward Residential Parcel) only after the Windward Open Space Parcel and the Goodell Property are legally preserved as open space conservation area in perpetuity.
- Ensure compatibility with and protection and continuance of the sensitive biological and cultural resources and public access on to the Windward Property and surrounding land uses.
- Implement the Ridge Litigation Settlement.
- Provide housing opportunities in a location where housing is in high demand.
- Provide public access by dedicating the Windward Parcel to an approved government agency or approved, qualified non-profit entity/organization, and creating public trail and amenities (bench, interpretive signage, habitat restoration) that allow the public to enjoy the open space while protecting resource conservation areas and allowing for public trail connections to surrounding public trails and amenities; and by improving existing public access on the City Property.
- Design a residential community that promotes resource protection and maximizes open space by clustering development close to existing development.
- Provide a mechanism whereby the Windward Specific Plan facilitates a comprehensive examination of the surrounding properties and consideration of future open space connections and passive public open space and resource conservation opportunities.
- Establish development standards that prevent degradation of coastal resources and provide designs for open space that improve the current ecological value of the property.

## **1.7 General Plan (Coastal Element/Land Use Plan) Consistency**

The Windward Specific Plan will implement the following goals of the Huntington Beach General Plan (which includes the Coastal Element as the Land Use Plan component of its certified Local Coastal Program [Coastal Element Goals are identified below with the prefix C]):

- *LU4:* Achieve and maintain high quality architecture, landscape and open spaces in the City;

- *LU8*: Achieve a pattern of land uses that preserves, enhances and establishes a distinct identity for the City's neighborhoods, corridors and centers;
- *LU9*: Achieve the development of a range of housing units that provides for the diverse economic, physical and social needs of existing and future residents of Huntington Beach; and
- *ERC1*: Improve and enhance the overall aesthetic value and appearance of the City of Huntington Beach through the provision and maintenance of local public and private open space.
- *C1*: Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.
- *C2*: Provide coastal resource access opportunities for the public where feasible and in accordance with the California Coastal Act requirements.
- *C4*: Preserve and, where feasible, enhance and restore the aesthetic resources of the City's coastal zone, including natural areas, beaches, harbors, bluffs and significant public views.

### 2 DEVELOPMENT PLAN

The Windward Development Plan is only applicable when and if the Goodell Property and Windward Open Space Parcel are legally preserved as open space in perpetuity as described in Chapter 5. The private residential development and related amenities described below may only be permitted after the open space preservation requirements have become effective.

#### 2.1 Land Use Plan

The Windward Land Use Plan, under the Development Alternative, is illustrated on Exhibit 2-1, Land Use Plan, and contains approximately 5.3 acres. Under the Development Alternative, the Windward Property is composed of the Windward Residential Parcel and the Windward Open Space Parcel.

The Windward Property overlooks some of the lowland areas of Bolsa Chica owned by the State of California (CDFW BCER) to the south and the Parkside project open space area to the east. The site is across Bolsa Chica Street from the existing Sandover neighborhood at the intersection of Los Patos and Bolsa Chica Street and adjacent to apartments on the north. The Brightwater development, located approximately 300 feet from the Windward site, is south of Sandover and provides open space and public trails and amenities.

Under the Development Alternative, the Windward Residential Parcel allows for a maximum of 36 residential dwelling units clustered adjacent to existing residential development (see Exhibit 2-2, Illustrative Site Plan). The non-residential land uses designated for the Windward Open Space Parcel and City-owned Parcel are intended primarily for passive open space and resource conservation uses which are described in Chapter 4, Open Space and Resource Conservation.

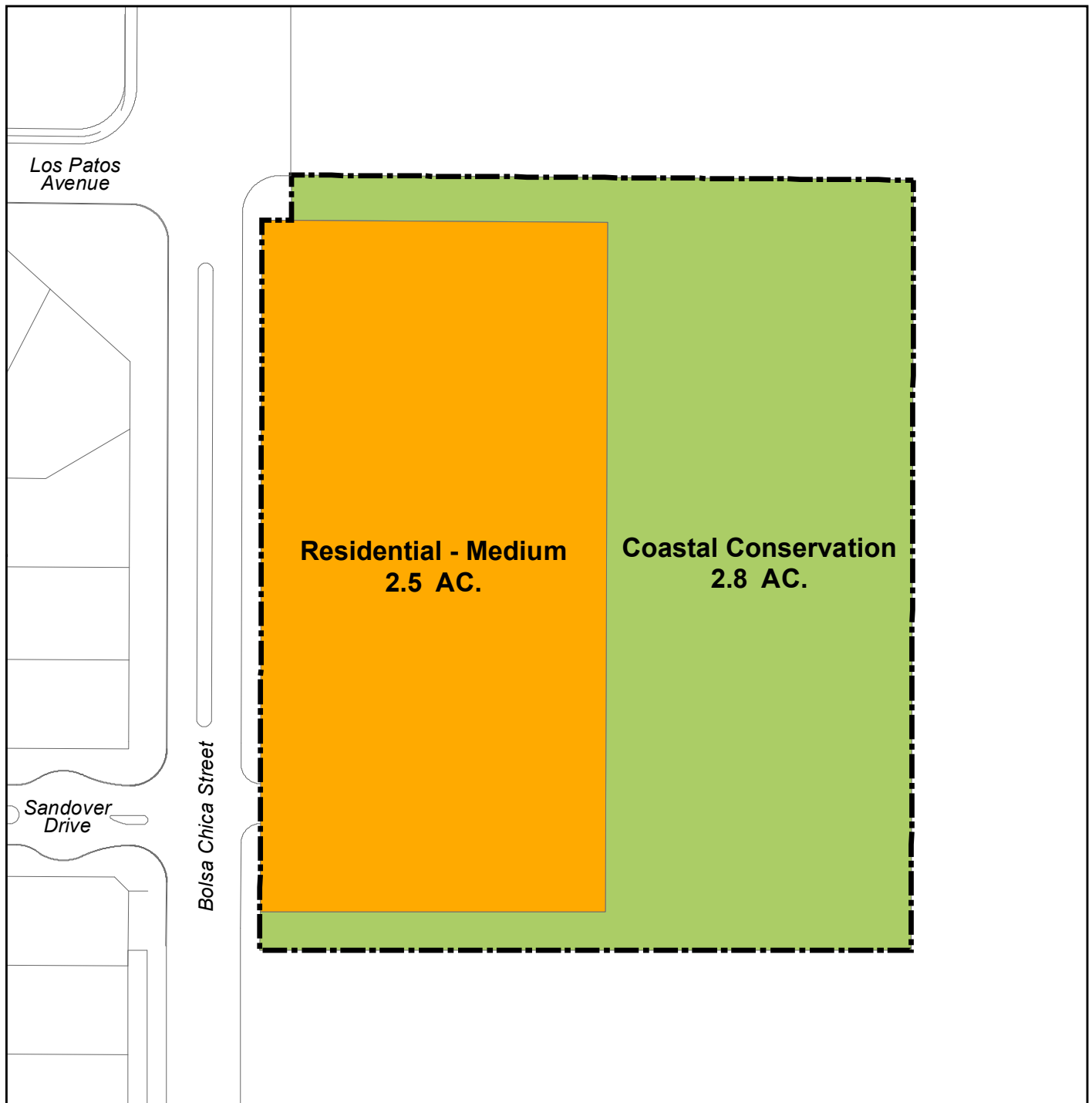
**Table 2-1**  
**Land Use Summary Table**

Parcel	Land Use	Acres <sup>1</sup>	Housing Units	Density
Windward Residential Parcel	Residential - Medium	2.5	36	14.4 du/ac
Windward Open Space Parcel & City-owned Parcel	Coastal Conservation	2.8	Not Applicable	Not Applicable

<sup>1</sup> Precise acreages are 2.50 acres of Residential – Medium and 2.76 acres of Coastal Conservation. Acres are rounded to 2.8 acres throughout the Windward Specific Plan and reflect 2.5 acres on the Windward Open Space Parcel and the 0.3-acre City-owned Parcel.

**2.2 Residential Development**

As identified in Table 2-1, the Windward Specific Plan Development Alternative contains a Residential – Medium land use category providing for a maximum of 36 residential dwelling units on the Windward Residential Parcel. In addition to the housing units, a private recreation area is provided at the northwest corner of the Windward Residential Parcel and may contain a swimming pool, gas grill, an outdoor fireplace, or similar amenities. Adjacent to the private recreation area, but outside the residential development area, at the southeast corner of Bolsa Chica Street and Los Patos Avenue, is the existing landscaped entrance to the Brightwater and Sandover neighborhoods, which will retain its existing use, including public access signage. The residential landscape and architectural design concepts (including project entry, private recreation area, wall and fence design, open space trail, and plant palette) are provided in the Chapter 6, Appendices. Development Standards are set forth in Chapter 3.



## LEGEND

- Residential - Medium
- Coastal Conservation

Windward Specific Plan

Exhibit 2-1  
Land Use Plan

City of Huntington Beach



Windward Specific Plan

City of Huntington Beach

Exhibit 2-2

Illustrative Site Plan



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100 ft

FORMA

May 2018



### **3 DEVELOPMENT STANDARDS**

#### **3.1 Purpose and Intent**

The purpose of this section is to provide specific development standards and regulations that will be applied to all new development permitted within the Windward Specific Plan Area. These regulations are intended to provide parameters in which a specific development proposal may be approved for the Windward Specific Plan Area which ensures consistency with applicable land use and zoning laws, including the Coastal Act.

#### **3.2 Applicability**

The Windward Specific Plan shall be the zoning document for the Windward Specific Plan Area, which consists of the Windward Residential Parcel, the Windward Open Space Parcel, and the City Property, all as identified on Exhibit 2-2, Illustrative Site Plan. The Development Standards for the Windward Residential Parcel are set forth in Section 3.3 below. General Regulations for the Windward Residential Parcel are set forth in Section 3.4. The Development Standards for the Windward Open Space Parcel are set forth in Section 3.5. A general description of the open space improvements for the City Property is found in Section 3.6. Where there is a conflict between the provisions of the Windward Specific Plan and the HBZSO, the Windward Specific Plan shall apply. Where the Windward Specific Plan is silent, the provisions of the HBZSO shall apply.

#### **3.3 Windward Residential Parcel Development Standards**

##### **3.3.1 Purpose**

A maximum of thirty-six residential dwelling units may be permitted on the approximately 2.5-acre Windward Residential Parcel, for an overall maximum density yield of approximately 14.4 dwelling units per acre. If ancillary or temporary uses are not proposed at the time a coastal development permit is sought for a primary use specified above, a coastal development permit amendment or new, separate coastal development permit may be required in accordance with the provisions of Chapter 245 of the HBZSO

##### **3.3.2 Permitted Uses**

- 1. Primary Uses.** The following primary uses are permitted subject to issuance of a Conditional Use Permit and Coastal Development Permit from the Planning Commission<sup>1</sup> in accordance with the provisions of the this Specific Plan and the HBZSO, as either may be amended from time to time.

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<sup>1</sup> A coastal development permit approved in the Windward Specific Plan area is appealable to the Coastal Commission.

- a. Residential duplexes;
- b. Single family detached homes; and
- c. Multi-family residential units.

**2. *Ancillary Uses.*** The following uses are permitted ancillary to the primary uses listed above:

- a. Community recreational amenities, including swimming pools, tot lots, fireplaces, barbecue area, and picnic facilities; and
- b. Accessory uses and buildings, subject to the provisions of Section 230.08 of the HBZSO. These uses include, but are not limited to, fencing<sup>2</sup>, swimming pools, spas, therapy baths, water fountains, rock formations, freestanding barbecues and fireplaces, covered patios and decks, and detached accessory structures (such as non-commercial greenhouses, gazebos and storage sheds).

**3. *Temporary Uses.*** The following temporary uses are permitted subject to the provisions of the HBZSO:

- a. Home finder/sales center, including mobile homes or trailers, subject to Chapter 230 of the HBZSO;
- b. Model home complexes, subject to Chapter 230 of the HBZSO;
- c. Real estate signs relating to the sale, lease, or other disposition of real property on which the sign is located, subject to Chapter 233 of the HBZSO; and
- d. Other uses in conformance with Section 241.20 of the HBZSO.

### **3.3.3 Building Site Standards**

**1. *Minimum Building Site Area*** – 2.5 acres.

**2. *Maximum Height of Individual Buildings***

- a. Three (3) stories and 35 feet high. Roof decks and trellises shall not be considered a story.
- b. Building height is measured from finished floor to top of building. The finished floor elevation shall be a maximum of two (2) feet above the highest point of the curb adjacent to Bolsa Chica Street.

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<sup>2</sup> Fencing as described in Chapter 6, Appendices, Exhibit 6-5, Wall and Fence Plan, and Exhibit 6-6, Wall and Fence Elevations.

- c. Roof deck trellises are permitted up to a maximum of ten (10) feet above the roof deck floor and shall meet the following criteria:
  - 1) Setback a minimum of five (5) feet from the edge of the roof or adjacent unit;
  - 2) No more than 150 square feet in area;
  - 3) Open on three (3) sides; and
  - 4) Lattice design only.
- d. Roof equipment, including but not limited to elevators, may exceed the maximum height by an additional ten (10) feet.

### **3. Minimum Setbacks of Individual Buildings**

- a. Front Setback (Bolsa Chica Street Right of Way) – 15 feet.
- b. Side Setback (from City Property Open Space Lot) – 9 feet.
- c. Rear Setback (from Windward Open Space Parcel) – 13 feet.
- d. No setback from the first floor (upper story setback) is required for the second or third floor.

### **4. Minimum Distance Between Buildings – 10 feet**

### **5. Maximum Cumulative Lot Coverage of all Individual Buildings – 50 percent of entire Windward Residential Parcel.**

## **3.3.4 Open Space Requirements for the Windward Residential Parcel**

### **1. Private Open Space**

- a. Each dwelling unit shall have a minimum of 300 square feet of private open space.
- b. A maximum of 50 percent of the required private open space may be satisfied with usable roof deck area. Private balconies and ground floor open space (rear yards and private patios) shall make up the additional required private open space.
- c. Balconies shall have a horizontal rectangle shape which has a minimum dimension of six (6) feet.
- d. Ground floor open space, including rear yards, shall have a horizontal rectangle shape which has a minimum dimension of eight (8) feet.
- e. Roof decks shall have a horizontal rectangle shape which has a minimum dimension of ten (10) feet.

### **2. Common Open Space**

- a. A common recreation area shall be provided for all residents which may include a pool, barbecue area, picnic area, seating area, or similar amenities.
- b. The common recreation area shall be a minimum of 3,800 square feet.

### **3.3.5 Parking Requirements**

- 1. Enclosed Parking.** Each residential unit shall have a minimum of two (2) enclosed spaces.
- 2. Guest Spaces.** One (1) unenclosed guest space shall be provided within the development for each residential unit. Guest spaces shall not be assigned to individual residential units.

### **3.3.6 Affordable Housing**

Section 230.26 of the HBZSO requires that at least ten percent (10%) of all new residential construction shall be affordable units. The Windward Specific Plan provides 36 residential units. Therefore, the affordable housing requirement is 3.6 affordable units. Unless otherwise provided onsite, to satisfy this requirement, the City and the Windward Owner will enter into an agreement that provides for the payment of in lieu fees consistent with the City's affordable housing fee program<sup>3</sup>.

### **3.3.7 Prohibited Uses**

The following uses are prohibited on the Windward Residential Parcel: industrial uses; commercial uses, except home offices; billboards; signs which do not display information related to an activity, service, or commodity available on the premise as part of a home office use; and uses not expressly permitted in section 3.3.2.

### **3.3.8 Landscaping, Walls, and Fencing**

Landscaping, walls, and fencing within the Windward Residential Parcel shall be subject to the provisions established within Chapter 6, Appendices, of the Windward Specific Plan. The plant palette for the Windward Residential Parcel is derived from the Coastal Commission–approved plant palette for the neighboring Brightwater community. The goal of the Windward Residential Parcel plant palette includes assuring that plantings within the residential area will be compatible with the habitat values of the surrounding open space. Table 6-1, Residential Landscape Plant Palette, in Chapter 6 identifies both the plant species approved for use within the Windward Residential Parcel and those that are

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<sup>3</sup> Per Section 230.26 of the HBZSO any fractional amount may be paid with an equivalent in-lieu fee.

prohibited. Thirty-six-inch box trees required by Section 232.08.B of the HBZSO may be located in common or private open space areas.

All perimeter fencing shall be consistent with the fencing described in Exhibit 6-5, Wall and Fence Plan, and Exhibit 6-6, Wall and Fence Elevations.

### **3.3.9 Signs and Outdoor Lighting**

All signs and outdoor lighting shall be in accordance with Chapters 232 and 233 of the HBZSO. Outdoor lighting shall adhere to “dark sky” regulations and be designed to provide adequate illumination of on-site areas without intruding upon surrounding properties or environmentally sensitive areas.

### **3.3.10 Utilities**

A residential development project shall be required to install adequate utility services necessary to serve the development. All utilities shall be placed underground in identified easements, excluding streetlights and electrical transmission 66kV or greater. Utility systems shall be designed to conserve the use of electrical energy and natural resources. Developers shall coordinate with electricity, telephone and cable television companies regarding energy conservation and proper planning, phasing and sizing of lines.

### **3.3.11 Home Occupations**

Home occupations shall be in accordance with Section 230.12 of the HBZSO.

### **3.3.12 Lots and Buildings**

Lots and buildings shall be as depicted on the approved Final Tract Maps and the final Project-Level Site Development Plan, as generally depicted on Exhibit 2-2, Illustrative Site Plan. In the case of discrepancies between this Chapter, the HBZSO, and/or the Tract Maps or Site Development Plan, the Tract Maps and Site Development Plan of the approved coastal development permit shall take precedence. Development reflected in the Windward Specific Plan, including the Subdivision Map, is subject to approval of a coastal development permit.

## **3.4 General Regulations: Windward Residential Parcel**

Except where otherwise provided in the Windward Specific Plan, the following general regulations shall apply to the Windward Residential Parcel:

### **3.4.1 Common Vehicular Driveways**

Common Vehicular Driveways within the Windward Residential Parcel as shown on Exhibit 6-9, Circulation Plan, shall be maintained by the Windward

Homeowners Association. All entry controls such as, but not limited to, gates, guardhouses, and guards are prohibited.

### **3.4.2 Walls and Fences**

1. Walls and fences shall be constructed as shown on Exhibit 6-6, Wall and Fence Elevations. The use of glass or other transparent medium in the perimeter walls adjacent to the open space area shall be prohibited.
2. No walls, fences, or other devices designed to restrict or preclude public access to the surrounding public open space areas (including, but not limited to, the City Property, the Windward Open Space Parcel, the Goodell and the Parkside property) are allowed except those approved as part of the Windward Specific Plan as necessary to protect habitat areas.

### **3.4.3 Covenants, Conditions and Restrictions (CC&Rs)**

1. Prior to approval of a coastal development permit for the Windward Residential Parcel development, the Covenants, Conditions and Restrictions (CC&Rs) described below shall be submitted to the approving authority for review and approval prior to their recordation and, once approved, subsequent to their recordation.
2. Prior to recordation of the final tract map and the issuance of the first building permit for the Windward Residential Parcel, Covenants, Conditions and Restrictions (CC&Rs) as approved under the coastal development permit for the development of the Windward Residential Parcel shall be recorded against the Windward Residential Parcel stating, among other things, that the approving authority has authorized development on the Windward Residential Parcel, subject to terms and conditions that restrict the use and enjoyment of the Windward Residential Parcel, including as restricted through a coastal development permit and acknowledging the restrictions and Homeowners Association's responsibilities on the Windward Residential Parcel, the adjacent Windward Open Space Parcel and the City Property.
3. The CC&Rs shall reflect, either in their main text or in an exhibit, all conditions of the Conditional Use Permit and Coastal Development Permit applicable to the development of the Windward Residential Parcel.
4. At the time of submittal of a coastal development permit application for development of the Windward Residential Parcel and at least 90 days before City Council action on the final map subdividing the Windward Property into the Windward Residential and Open Space Parcels, the CC&Rs shall be submitted to the Departments of Community Development, Public Works, and Fire and the City Attorney's office for review and approval.

5. The CC&Rs shall be binding upon and run with the Windward Residential Parcel and be included or incorporated by reference in every deed conveying the Windward Residential Parcel and/or a condominium interest within the Windward Residential Parcel.
6. The CC&Rs shall provide for maintenance, repair, and replacement by the Windward Homeowners Association of all HOA-owned improvements within the common areas of the Windward Residential Parcel, including landscaping, irrigation, common vehicular **driveways, parking**, recreation, open space, community walls and fences, community facilities, drainage facilities, water quality BMP's, and private service utilities. The CC&Rs shall also include the plant palette provided in Table 6-1, Residential Landscape Plant Palette, of the Windward Specific Plan which identifies the approved and prohibited plant species for the Windward Residential Parcel.
7. The CC&Rs shall provide that, upon sale of 90%<sup>4</sup> of the residential units, the responsibilities for the following shall transfer from the property owner/developer to the HOA. These responsibilities shall include maintenance of the habitat installed pursuant to the Habitat Management Plan as described in Section 3.7 herein, maintenance, repair, and replacement by the HOA of public access and interpretive signage, landscaping, irrigation, public trail, trail fencing, and bench in the Windward Open Space Parcel (as such development is reflected in Section 3.5 herein and on Exhibit 6-7, Trails Plan and Section, and Table 4-1, Conceptual Open Space Native Plant Palette, of the Windward Specific Plan) until the Windward Open Space Parcel is legally transferred to an approved governmental agency or to an approved, qualified non-profit organization. Prior to sale of 90% of the residential units, the property owner/developer shall be responsible for these activities within the Windward Open Space Parcel.
8. The CC&Rs shall provide that, upon sale of 90% of the residential units, the responsibilities for the following shall transfer from the property owner/developer to the HOA. These responsibilities include maintaining the public access trail, public access signage, trail fencing, and landscaping on the City Property (per Windward Specific Plan as reflected in Section 3.5 herein and on Exhibit 6-7, Trails Plan and Section, and Table 4-1, Conceptual Open Space Native Plant Palette). In addition, the CC&Rs shall provide that the HOA shall execute a Landscape Maintenance Agreement with the City for the continuing maintenance including, but not limited to the landscaping, decomposed granite public access trail, public access signage, trail fencing,

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<sup>4</sup> 90% of 36 units equals 32.4 units, which shall be rounded down to 32 units throughout this Specific Plan.



irrigation, and water quality and drainage features associated with the City Property. The Landscape Maintenance Agreement shall describe all aspects of maintenance, such as removal of trash, debris, and repair of silt buildup or erosion, removal/replacement of any dead, damaged vegetation, trimming and maintaining vegetation as necessary to assure that vegetation does not obscure or interfere with public use of the trail, or any other aspect of maintenance, repair, replacement, liability, and fees imposed by the City. Prior to sale of 90% of the residential units, the property owner/developer shall be responsible for these activities within the City Property.

9. The CC&Rs shall provide that neither the residents of the Windward Residential Parcel nor the HOA shall interfere with public use of the public access trails within the City Property and/or the Windward Open Space Parcel or close off either or both for the exclusive use of the residents of the Windward Residential Parcel at any time.
10. The CC&Rs shall include the approved Domestic Animal Control Plan, Pesticide Management Plan, Landscape Maintenance Agreement, and the Project Information Packet described in Section 3.4.4 *Resource Protection* below.

#### **3.4.4 Resource Protection**

Each of the following shall be submitted with the coastal development permit application as part of the submitted CC&Rs and, once approved and accepted, be included in the CC&Rs described above.

1. A Domestic Animal Control Plan shall be prepared that details methods to be used to prevent pets from entering the Windward Open Space Parcel and/or any adjacent resource protection areas as defined in Section 216.04 of the HBZSO), including but not limited to, appropriate fencing and barrier plantings. The plan shall be approved by the Community Development Department (and all relevant approval authorities) and subsequently distributed to each homeowner.
2. A Pesticide Management Plan shall be prepared and subsequently distributed to each homeowner that, at a minimum, prohibits the use of rodenticides and prohibits the use of toxic pesticides and herbicides in outdoor areas, other than Vector Control conducted by the City, County, or Special District.
3. To ensure the continuance of habitat value and function of the adjacent Windward Open Space Parcel and all designated Environmentally Sensitive Habitat Areas in the vicinity, the developer shall provide any buyer of a housing unit within the project an Information Packet that explains the sensitivity of the natural habitats adjacent to the Windward Residential Parcel, the need to minimize impacts on the Windward Open Space Parcel and all resource

protection areas and designated Environmentally Sensitive Habitat areas in the vicinity, and the prohibition on the residential planting of exotic invasive plant species. The Information Packet shall include a copy of the approved plant palette and prohibited plant list, Domestic Animal Control Plan, and Pesticide Management Plan and shall be required to be distributed for all sales of housing units. The developer shall provide the City (and all approval authorities) with a copy of the information packet for review and approval.

### **3.5 Windward Open Space Parcel Development Standards**

Prior to the issuance of the first occupancy permit for a residential unit other than the first model home within the Windward Residential Parcel, the developer of the Windward Residential Parcel shall complete the public improvements for the Windward Open Space Parcel specified in Section 3.5.1.

#### **3.5.1 Windward Open Space Parcel Improvements**

The public improvements for the Windward Open Space Parcel are described in Chapter 4, Open Space and Resource Conservation Plan, and include a decomposed granite trail, bench, trail fencing (as necessary to protect habitat, per Exhibit 6-7, Trails Plan and Section), public access directional signage and interpretive signage, and implementation of the approved Habitat Management Plan. The projector developer shall be responsible for maintaining all of these public improvements until sales of 90% of the Windward Residential units occurs, at which time the Windward HOA shall be responsible for maintaining all public improvements unless and until such time as the Windward Open Space Parcel is legally conveyed to an approved government agency or approved, qualified non-profit organization.

##### **a) Windward Open Space Parcel Signage**

**1. Trail Entrances.** Signs shall be posted at the north and south entrances to the trail at Bolsa Chica Street directing the public to the trail heads as shown on Exhibit 6-8, Public Access Signage Plan. The north entrance to the trail at Bolsa Chica Street is located on the City Property.

**2. Interpretive Sign.** An interpretive sign shall be located along the trail within the Windward Open Space Parcel as shown on Exhibit 6-8, Public Access Signage Plan. The sign shall be consistent with Consent Cease and Desist Order No. CCC-12-CD-01 and Consent Restoration Order No. CCC-12-RO-01, both approved by the Coastal Commission on September 11, 2013 and shall include educational information about archaeological site CA ORA 86 and pre-historic and historical aspects of the Windward Open Space Parcel.

**b) Windward Open Space Parcel Public Trail**

**Windward Public Access Trail.** Plans for the public access trail shall be submitted with the coastal development permit application for the Windward Residential Parcel. The trail shall be a minimum six (6) feet wide and shall connect to the public trail on the City Parcel to the north, then traverse southward across the Windward Open Space Parcel, then turn west along the southern side of the Windward site to connect to Bolsa Chica Street (as generally depicted on Exhibits 4-1, Open Space and Resource Conservation Plan, and 6-7, Trails Plan and Section). The trail shall be designed for future connection with public trail access on the Goodell Property. The plans for the trail and the trail itself shall include signage indicating public access and provide informational details about the entire coastal access path including length of the entire path to the Bolsa Chica Wetlands.

**c) Habitat Management Plan (HMP)**

A detailed Habitat Management Plan (HMP) describing and including, but not limited to, plant types, planting locations, success criteria, protection methods for the burrowing owl, and Southern tarplant, methods of maintenance and monitoring and reasoning for expected success of the HMP for the Windward Open Space Parcel shall be provided with the coastal development permit application for development of the Windward Residential Parcel. The HMP shall be compatible with the approved habitat of the adjacent Parkside Property and shall be compatible with and not interfere with existing and/or future habitat on the Goodell Property. The project developer shall be responsible for implementing and maintaining and monitoring the HMP.

**3.6 City Property Open Space Improvements**

The public improvements for the City Property are described in Chapter 4, Open Space and Resource Conservation Plan, and shown on Exhibits 4-1, Open Space and Resource Conservation Plan, 6-7, Trails Plan and Section, and 6-8, Public Access Signage Plan. The City Property will serve as a trailhead to funnel pedestrians to and across the Windward Open Space Parcel as well as to connect with the Parkside Property public trails. Prior to the issuance of the first occupancy permit for a residential unit other than the first model home within the Windward Residential Parcel, the developer of the Windward Residential Parcel shall complete the public improvements for the City Property described in Chapter 4, including construction of the trail, signage, trail fencing, and landscape improvements. The property owner/developer shall be responsible for maintenance of these improvements until 90% of the residential units have been sold, at which time the Windward HOA shall assume responsibility for the maintenance of the City Property, as described in the CC&Rs.

### 3.7 **Compliance with Mitigation Measures**

Consistent with the requirements of the City's certified Local Coastal Program and with the Mitigation Measures from Negative Declaration No. 16-003, development of the Windward Residential Parcel shall comply with the following:

#### **A. Cultural/Archaeological Resources:**

1. Prior to any development, the project developer shall retain a City-approved Archaeologist who meets the Secretary of Interior Standards for both Archaeology and History. The approved Archaeologist shall prepare an Archaeological Mitigation and Monitoring Plan (AMMP) to be submitted with the coastal development permit application. The AMMP shall:
  - a. Specify that controlled archaeological grading shall occur across the entire Windward Specific Plan area where any project grading or earthwork of any kind will occur. All site grading, including archaeological grading, shall require approval of a coastal development permit and a City grading permit. The required archaeological grading shall occur prior to issuance of a precise grading permit for residential development of the project site.
  - b. Controlled archaeological grading shall consist of using mechanized equipment where the upper soil layers are removed in approximately 2 centimeter depth increments by a mechanical scraper, under the supervision of the archaeological site supervisor. The grading process shall be limited to slow excavation in small horizontal areas of individual swaths the width of the mechanical scraper blade in order to maximize the opportunity for discovery of cultural artifacts present on site. The archaeologist(s) and Native American Monitor(s) shall examine the soils as they are exposed. The depth at which archaeological grading may cease (when sterile soil is reached) shall be specifically defined and described in the AMMP. Controlled archaeological grading methods have been shown to be an effective investigative method for locating previously unknown resources on Bolsa Chica Mesa and are to be applied at the Windward site with the goal that, in the event any resources remain on-site, they will not be overlooked.
  - c. Require that all controlled archaeological grading be monitored by both Gabrielino and Juaneno Native American monitors. Monitoring will occur with at least one archaeologist and one Native American monitor per equipment array that is operating.
  - d. Specify that, in consultation with the appropriate Native American(s) preservation in place is preferred when appropriate and feasible and shall describe the specific methods to be employed for recovery and/or

preservation in place of artifacts discovered during controlled archaeological grading or otherwise discovered at the site.

- e. Specify that the approved development footprint shall not constrain on-site preservation options.
  - f. Describe the protocol for the mitigation of cultural resources discovered on-site through development of a Research Design Plan, to include, but is not limited to:
    - i. The preference to preserve in place;
    - ii. The procedure for determining when significance testing is or is not required;
    - iii. Significance testing methods and procedures;
    - iv. Laboratory analysis methods;
    - v. Curatorial methods and requirements for archaeological finds that are approved to be removed from the site, including identification of an acceptable curatorial repository for all recovered materials approved for removal from the site. The AMMP Research Design Plan shall acknowledge and require that all curatorial fees shall be paid by the project developer.
    - vi. Standards of reporting requirements.
2. In the event cultural resources are exposed in any overlying basal midden remnants during the controlled archaeological grading, the archaeologist shall prepare a research design and recovery/preservation-in-place plan for the resources as outlined within the AMMP. Specific protocol for uncovering the resource and analyzing its significance will be detailed within this plan. The protocol shall establish procedures for various types of archaeological resources that may be discovered. Because of their cultural significance, however, if any of the following cultural resources are discovered in situ, i.e., they have not been moved or relocated to the site of discovery, they shall be preserved in place: human remains, house pits, hearths, artifact caches, and intact midden deposits. Prehistoric ceremonial or religious artifacts such as coggled stones, pipes, crystals, pigments, incised stone, beads and bone or shell ornaments shall be preserved in place if associated with human remains. Upon discovery of any of the above resources, all construction will stop and the archaeologists shall consult with Native American monitors to determine preservation methods.
3. If human remains are discovered during construction or any earth-moving activities, no further disturbance shall occur until the County Coroner has

made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner must notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site and may recommend or deny scientific removal and nondestructive analysis of human remains. If the human remains are determined to be in situ, i.e., they have not been moved or relocated to the site of discovery, the preservation methods in No. 4 below shall apply.

4. Require that all construction personnel shall be instructed to stop work on the project site in the event of a potential find, until the archaeologist and Native Monitors have been able to assess the significance of the find and implement appropriate measures as outlined in the AMMP Research Design Plan. Construction personnel shall also be instructed that unauthorized collection of cultural resources is prohibited by law. If archaeological resources are discovered during ground-disturbing activities, the archaeologist has the authority to cease all earthwork in the immediate area of the finds (within 50 feet) until the find can be evaluated for significance.

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

#### **B. Paleontology Resources**

Prior to the approval of the coastal development permit and any grading permit, the project developer shall provide written evidence to the City (or appropriate approval authority) that a City-approved paleontologist has been retained to observe grading activities and salvage and catalogue fossils as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the applicant, which ensure proper exploration and/or salvage.

#### **C. Southern Tarplant**

A qualified biologist shall survey the project site for presence of Southern tarplant during the appropriate blooming period, May – November. If feasible, the survey shall be conducted during the peak blooming period for the year. The required Southern tarplant survey shall be submitted with the coastal development permit

application. If Southern tarplant is present on-site, appropriate methods to protect it shall be considered as part of the coastal development permit review. At a minimum, any substantial occurrence (at least 500 mature individuals) shall be preserved on-site or relocated to open space areas in the Bolsa Chica area. Preservation on-site is preferred if appropriate and feasible. If relocation is required, a Southern tarplant relocation program shall be prepared by a qualified biologist for review and approval of the permit issuing authority prior to issuance of any approved coastal development permit and implemented prior to the onset of construction.

**D. Burrowing Owl**

Focused burrowing owl surveys shall be conducted on the project site in accordance with the California Burrowing Owl Consortium (CBOC) and California Department of Fish and Wildlife (CDFW) established protocols. The survey(ies) shall be submitted with the coastal development permit application. If the surveys reveal evidence of active burrowing owl(s) presence on-site, appropriate methods of protection shall be considered as part of the coastal development permit review. The following may be considered, but different and/or additional protection measures may be deemed appropriate depending upon the contents of the survey and actual conditions at the time of coastal development permit review. The approved development footprint shall not constrain on-site active burrowing owl protection options.

- If no occupied burrows are found, the methods and findings of the surveys shall be reported to the City and CDFW for review and approval and no further mitigation would be required.
- If unoccupied burrows are found during the nonbreeding season, the burrows shall be collapsed or otherwise obstructed to prevent owls from entering and nesting in the burrows.
- If occupied burrows are found, a buffer of 165 feet (during the nonbreeding season of September 1 through January 31) or 250 feet (during the breeding season of February 1 through August 31) shall be provided. The buffer area may be increased based on recommendations by a qualified biologist in consultation with the CDFW. No activity shall occur within the buffer area until a qualified biologist confirms that the burrow is no longer occupied.
- If the burrow is occupied by a nesting pair, a minimum of 6.5 acres of foraging habitat contiguous to the burrow shall be maintained until the breeding season is over. The 6.5 acres would consist of the five acres of the project site as well as the adjacent 6.2 acre Goodell Property. The western portion of the Shea property is designated as permanent open space providing an additional 19 acres of foraging habitat, but shall not be relied upon to provide the required 6.5 acres of foraging habitat.



**4 OPEN SPACE AND RESOURCE CONSERVATION PLAN****4.1 Windward Open Space and Resource Conservation Uses**

The Windward Parcel property owner has requested adoption of the Windward Specific Plan to implement the open space and resource conservation vision of the Settlement. The zoning for the Windward Property is Specific Plan (SP-16 CZ), but within the Specific Plan the uses and restrictions of the certified LCP Implementation Plan (HBZSO) Chapter 216 Coastal Conservation District zone shall apply to the Windward Open Space Parcel, under the Development Alternative. The allowable uses common to both the City's existing Open Space – Parks land use designation and the Coastal Conservation zoning are limited to pedestrian trails and observation platforms for passive nature study and habitat restoration. Consistent with those regulations, the uses for the Windward Open Space Parcel are limited to a public pedestrian trail, public access and interpretive signage, a public bench, a scenic overlook, habitat restoration, and limited fencing as necessary to protect habitat. The Open Space – Parks land use designation and Coastal Conservation zone provide a land use that is compatible with the use of the adjacent Parkside and Goodell properties. Although high density residential uses border the northern edge of the Windward Property and lower density residential is located immediately west of the site, the eastern and southern edges abut open space areas that serve important ecological functions and are an integral part of the Bolsa Chica environment.

In 2012, the Coastal Commission approved the Parkside residential development project, which borders the Windward and Goodell Properties to the east. Due to concerns about the continuing viability of a grove of eucalyptus trees to function as Environmentally Sensitive Habitat (ESHA) and the presence of a wetland, the Commission designated approximately 18 acres of the western portion of the Parkside property as Open Space-Conservation to protect habitat, including ecological buffers and water quality treatment areas. As part of the project approval, the developer was required to prepare a Habitat Management Plan (HMP) for the areas of the property land use designated Open Space-Conservation, and zoned Coastal Conservation. The Parkside HMP calls for the area that abuts the Windward Open Space Parcel to be revegetated with native grasses and some scrub species. The area adjacent to the Goodell Property is planned for scrub/grassland and Coastal Sage Scrub revegetation. The Parkside HMP has been approved by the Coastal Commission and as of late 2017 is in the process of being implemented.

The open space plan for the Windward Open Space Parcel also takes into consideration habitat restoration plans approved by the Coastal Commission on the adjoining Parkside property to ensure that the Habitat Management Plan, landscape plans, and plant palettes are compatible and complement one another. Accordingly, the permitted uses

and Habitat Management Plan for the Windward Open Space Parcel are/will be designed to be entirely compatible with the approved HMP for the Parkside project. The goal of the HMP for the Windward Open Space Parcel is to expand the three-acre grassland/scrub area on the western edge of Parkside onto the Windward Open Space Parcel creating an approximately 5.5-acre contiguous grassland/scrub area.

The conceptual plant palette for the Windward Open Space Parcel is comprised of native grassland and scrub species. These species are listed on Table 4-1, Conceptual Open Space Native Plant Palette. The coastal development permit application for the project reflected in this Windward Specific Plan must include a Habitat Management Plan, to be implemented by the Windward project developer on the Windward Open Space Parcel, that provides the specifics of how the native grassland/scrub habitat will be implemented, including, but not necessarily limited to, plant palette, location and types of plantings, planting techniques, monitoring procedures, success criteria, methods for protecting burrowing owl and Southern tarplant (if present) and maintenance procedures. In addition, the HMP shall stipulate that no planting materials will be obtained from areas outside Los Angeles, Orange, and San Diego Counties, or farther than 10 mi from the coast. Those species that are only obtainable from commercial sources, such as native grasses, will be acceptable. All weed removal, soil preparation and planting reflected in the approved HMP shall be implemented prior to issuance of a certificate of occupancy for any Windward residential unit other than the first model unit.

**TABLE 4-1**  
**Conceptual Open Space Native Plant Palette**

Container Plants		
Scientific Name	Common Name	Plants/ac
<i>Cylindropuntia prolifera</i>	Coastal Cholla	150
<i>Opuntia littoralis</i>	Coastal Prickly Pear	200
Plants from Seed		
Scientific Name	Common Name	Pounds/ac
<i>Ambrosia acanthicarpa</i>	Sand-Bur	5.00
<i>Baccharis pilularis</i>	Coyote Bush	0.50
<i>Bromus carinatus</i>	California brome	7.00
<i>Camissoniopsis cheiranthifolia</i>	Beach Evening Primrose	0.25
<i>Dichelostemma capitatum</i>	Blue Dicks	2.00
<i>Distichlis spicata</i>	Salt Grass	1.00
<i>Encelia californica</i>	California Encelia	0.75
<i>Eriophyllum confertiflorum</i>	Long-Stemmed Golden Yarrow	0.25
<i>Eschscholzia californica</i>	California Poppy	0.50
<i>Festuca microstachys</i>	Pacific Fescue	5.00
<i>Heliotropium curassavicum</i>	Alkali Heliotrope	0.75
<i>Isocoma menziesii</i>	Coastal Goldenbush	2.50
<i>Lasthenia californica</i>	Coastal Goldfields	0.25
<i>Lupinus bicolor</i>	Miniature Lupine	2.00
<i>Phacelia parryi</i>	Parry's Phacelia	0.25
<i>Plantago erecta</i>	California Plantain	3.00
<i>Pseudognaphalium californica</i>	California Everlasting	0.25
<i>Sisyrinchium bellum</i>	California Blue-Eyed Grass	1.50
<i>Stipa lepida</i>	Foothill Needlegrass	6.00
<i>Stipa pulchra</i>	Purple Needlegrass	8.00
<i>Verbena lasiostachys</i>	Western Verbena	0.50

To facilitate public access on the Windward Open Space Parcel, a decomposed granite pedestrian trail is planned for the Windward Open Space Parcel that would connect to the City Property along the northernmost edge of the Windward Property, turning southerly to ultimately connect to trails that may, in the future, be located on the Goodell Property. However, initially, a trail loop would be created that starts at the southeast corner of Bolsa Chica Street and Los Patos Avenue extending easterly through the City Property and then southerly across the Windward Open Space Parcel and then turning westerly to intersect back at Bolsa Chica Street. The trail will be located at the highest elevation of the Windward Open Space Parcel providing an opportunity for a scenic overlook node offering trail users unobstructed views of the adjacent Parkside open space areas and of Saddleback Mountain in south Orange County. As shown on

Exhibit 4-1, Open Space and Resource Conservation Concept Plan, the trail would feature interpretive signage that would provide users with information regarding the property's rich history. Ultimately, if the Goodell Property is acquired by a public agency or a qualified non-profit such as the Bolsa Chica Land Trust or other approved non-profit, the Windward trail could be extended onto the Goodell Property to create a network of trails that provide users with a variety of experiences. Maintenance of the public trail on the City Property shall be the responsibility in perpetuity of the homeowner's association (HOA) formed for the Windward Residential Parcel. The project developer shall be responsible for maintenance of the public trail on the Windward Open Space Parcel until either: the Windward Open Space Parcel is acquired by a public agency or qualified non-profit, or, if not thusly acquired by the time 90% of the Windward residential units have been sold, by the Windward HOA unless and until such time as it is acquired by a public agency or qualified non-profit. These responsibilities shall be reflected in the final CC&Rs for the Windward project.

### **4.2 Open Space and Resource Conservation Concept Plan for the Windward Open Space Parcel and the City Property and the Goodell Property**

As described in Chapter 1, Introduction, the goal of the Settlement is to preserve as much as possible of the two remaining privately held parcels on the Bolsa Chica Mesa for which future uses remains uncertain. One alternative is for the Trust for Public Land (TPL) to purchase the entire 11.2 acres of privately owned property and preserve it as conservation open space. How the properties would ultimately be used under that alternative depends largely on what entity ends up holding title to the land, but in any case strictly for open space conservation purposes only. Under a scenario where both the Windward and Goodell Properties are purchased by TPL, the Windward Specific Plan would not take effect. The entire Windward Property would retain its current land use designation of Open Space - Parks.

The Windward Specific Plan is being created to facilitate the second alternative of the Settlement (Alternative 2: Development Alternative), which allows medium density residential on the Windward Residential Parcel, with the Windward Open Space Parcel being restricted solely to "Open Space and Conservation Uses." For the purposes of the Windward Specific Plan, "Open Space and Conservation Uses" shall mean the following:

- a. Pedestrian trails, observation areas and platforms, interpretive signs and displays, native landscaping/habitat restoration pursuant to the approved Habitat Management Plan, and trail fencing necessary for habitat protection (as depicted in Chapter 6, Appendices, Exhibit 6-5, Wall and Fence Plan, and Exhibit 6-6, Wall and Fence Elevations);

- b. Any additional uses set forth in the Mitigation Plan prepared pursuant to Consent Cease and Desist Order No. CCC-12-CD-01 and Consent Restoration Order No. CCC-12-RO-01, both approved by the Coastal Commission on September 11, 2013; and
- c. Any other open space, resource protection, and conservation uses that are compatible with the land use and zoning designations for the Windward Open Space Parcel that are later approved through an amendment of the LCP approved by the City and certified by the Coastal Commission.

To implement the Development Alternative, however, the Windward Owner will need to exercise its option to purchase the Goodell Property and dedicate both the Windward Open Space Parcel and the Goodell Property to a public agency or a qualified non-profit such as the Bolsa Chica Land Trust or an acceptable, qualified non-profit such as an accredited land trust subject to deed restrictions limiting use of the properties to the Open Space and Conservation Uses, per the Windward Development Agreement. Under the Development Alternative, approximately 8.7 of the 11.2 acres comprising the Windward and Goodell Properties would be preserved for Open Space and Conservation Uses. In the case of the Windward Open Space Parcel, preservation would be through both (i) the provisions of the Windward Specific Plan portion of the LCP and (ii) a recorded deed restriction. In the case of the Goodell Property, preservation would be through a voluntary deed restriction unrelated to regulatory requirements but which the Windward Owner has committed to in consideration of the Windward Development Agreement. As contemplated by the Settlement, the opportunity to craft a comprehensive plan for a relatively large area of land that abuts an even larger open space complex containing valuable ecological and cultural resources is truly unique. Also included in the Open Space and Resource Conservation Concept Plan is the City Property, a sliver of land owned by the City that is approximately 30 feet wide and 445 feet long (13,350 square feet) that is designated as Open Space-Parks on the City's general plan and certified LCP. The City Property forms the northern boundary of the Windward Property and currently accommodates a trail that is used informally by pedestrians to access the Parkside Property from the intersection of Bolsa Chica Street and Los Patos Avenue and vice versa. The Windward property owner, Signal, dedicated this parcel of land to the City for park purposes in 1999 in conjunction with the City's approval of Signal's Sandover development, a 16 (now 19) unit single family residential development located immediately across Bolsa Chica Street from the Windward site.

The goals for developing the Open Space and Resource Conservation Concept Plan as a comprehensive open space plan are:

- Provide the public with an open space plan that demonstrates the City's intentions for the Windward Open Space Parcel.



- Ensure that land uses are compatible with the resources on adjacent properties such as Goodell, the Parkside Property, Brightwater, and Bolsa Chica Ecological Reserve (BCER).
- Provide opportunities for public access while protecting sensitive biological and cultural resources.
- Ensure that the habitat values of the Bolsa Chica Ecological Reserve, Parkside, Goodell, and Brightwater sites are not compromised.
- Integrate into the plan a cultural mitigation program required by the California Coastal Commission under a Consent and Restoration order with the Windward Owner. The Consent and Restoration Orders are attached as Attachment B.
- Identify appropriate areas for placement of scenic overlooks and interpretive signage.

As shown on Exhibit 4-1, Open Space and Resource Conservation Concept Plan (Concept Plan), the Concept Plan is designed to provide public access from the southeast corner of the intersection of Bolsa Chica Street and Los Patos Avenue, utilizing the City Property as a trailhead to allow pedestrians to cross the Windward Open Space Parcel southerly to the Goodell Property. Once on the Goodell Property, trail users would be able to visit scenic overlooks and interpretive signs or continue on to the Brightwater, Parkside, flood control levees, and BCER trails. Careful consideration has been given to designing a trail system that does not require mechanical grading to construct and provides appropriate fencing to keep users on the trails and out of sensitive biological or cultural areas.

The City Property will contain a decomposed granite trail with native landscape on both sides and will connect with the trail located on the Windward Open Space Parcel as well as with the trail from the Parkside Property. Although the City Property is only a third of an acre, it is located adjacent to the existing Bolsa Chica Street and Los Patos Avenue public rights-of-way and provides critical linkage to the Windward Open Space Parcel and Parkside Property.

Recognizing that biological and cultural resources exist in some portions of the Windward Open Space Parcel, the Open Space and Resource Conservation Concept Plan is designed to avoid re-contouring the landform and any mechanized grading. It takes into consideration established trails. The native grassland/scrub plant palette recommended for the Windward Open Space Parcel, as will be reflected in the approved HMP, is planned to extend onto the Goodell Property and will be consistent with the Parkside Property approved HMP. Although under the Concept Plan coastal sage scrub could be planted on the upper portion of the Goodell Property, grassland/scrub species with shallower root systems would be preferable given the presence of cultural resources on the southern portion of the Goodell Property.

The trail system on the Goodell Property primarily utilizes existing trails. However, since the area contains sensitive biological resources, the Concept Plan contemplates fencing would be incorporated to keep pedestrians on designated trails to minimize disturbances to existing habitat and any native landscaping required in the approved HMP installed in the future. With respect to cultural resources, in 2013, the Coastal Commission issued a Consent Restoration Order requiring the landowner to design and construct a cultural mitigation program in this area of the Bolsa Chica Mesa. The cultural mitigation program will be incorporated into the trail and interpretive sign program depicted on Exhibit 4-1, Open Space and Resource Conservation Concept Plan.

As stated previously, the Windward Specific Plan does not regulate the Goodell Property. The purpose of the Concept Plan is to provide a vision of what could occur on the Goodell Property under the Open Space and Conservation Uses to which the Goodell Property would be limited by voluntary deed restrictions under the Development Alternative. Permits necessary to implement the Open Space and Conservation Uses on the Goodell Property would be the subject of future entitlements and CEQA review if the Goodell Property is acquired under the Development Alternative, an LCP amendment is approved by the Coastal Commission, and a more detailed plan is developed. Whether the Goodell Property is annexed or not, future uses on the Goodell Property would be subject to approval of a coastal development permit, unless none is legally required.



Boulder Signage for Public Access

# LEGEND

- Single-Sided Signage
- Public Access Signage
- Trail Fence

Exhibit 4-1

## Open Space / Passive Park Concept Plan

## Windward Specific Plan

City of Huntington Beach



### 5 ADMINISTRATION AND IMPLEMENTATION

#### 5.1 Summary

To cooperatively achieve the open space and resource conservation objectives of this Specific Plan, the City, the Coastal Commission, and the Windward Owner each require specific respective assurances. The City and the Coastal Commission need assurances that before development of the Windward Residential Parcel can begin, the conveyances and deed restrictions called for by this Specific Plan and Alternative 2 of the Settlement are operative. The Windward Owner needs assurances that if those conveyances and deed restrictions are operative, Windward Owner will have the right to proceed with the development of the Windward Residential Parcel as permitted by this Specific Plan. This Chapter 5 provides each of these parties with the needed assurances by making the operative status of all Required Approvals (specified in 5.3 below) and Implementation Documents (specified in 5.4.1 below) mutually contingent upon approval and effectiveness of all of the Required Approvals and Implementation Documents.

#### 5.2 Key Definitions

- a. **Approved/Approval:** “Approved” or “Approval” refers to the process(es) prescribed by applicable local and/or state law by which the Required Approvals and the Implementation Documents are authorized by the applicable decisional authority. For example, this Specific Plan/LCPA is “approved” when the City Council has voted to adopt the resolution approving this Specific Plan/LCPA **and** the Coastal Commission’s certification of the LCPA is complete, whether by vote of the Commission with or without suggested modifications.
- b. **Effective:** “Effective” refers to the time at which a Required Approval or an Implementation Document becomes final in the ordinary course of the administrative process for that approval as set forth in applicable local and/or state law. For example, the Coastal Commission’s regulations, specifically 14 CCR § 13544, specify when certification of the LCPA shall become “effective”. For purposes of this Specific Plan/LCPA, Required Approvals and Implementation Documents may specify a later “operative” date subsequent to the “effective” date.
- c. **Operative:** “Operative” refers to the time at which a Required Approval or an Implementation Document may be exercised, used, or implemented. For purposes of this Specific Plan/LCPA, Required Approvals and Implementation Documents may specify a later “operative” date subsequent to the “effective” date.

#### 5.3 Required Approvals

The development of the Windward Residential Parcel authorized by the Windward Specific Plan may not occur until all of the following (the “Required Approvals”) are “effective”:

## 5. Administration and Implementation

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- a. By the City (collectively, the “City Approvals”):
- Approval of a Local Coastal Program Amendment (LCPA<sup>1</sup>), consisting of (1) an amendment to the Coastal Element of the City’s General Plan which functions as the Land Use Plan portion of the LCP, and (2) the “Windward Specific Plan,” comprised of a Zoning Text Amendment and a Zoning Map Amendment to the Implementation Plan portion of the LCP;
  - Approval of and entry into a Development Agreement (Windward DA) between the City and the Windward Owner pursuant to Government Code Sections 65864 et seq. in order to implement Alternative 2 of the Settlement;
  - Approval of a Coastal Development Permit (CDP) authorizing construction of a 36-unit townhome development and associated infrastructure and consisting of (1) a Tentative Tract Map subdividing the Windward Property into one numbered lot for residential development (the Windward Residential Parcel) and one lettered lot for open space (the Windward Open Space Parcel) and (2) a Conditional Use Permit allowing the development of the Windward Residential Parcel in accordance with the development standards set forth in the Windward Specific Plan and the LCPA (or as certified with suggested modifications as accepted by the City); and
  - Approval of grading, building, and similar ministerial permits.
- b. By the Coastal Commission (collectively, the “Commission Approvals”):
- Certification of the LCPA, in accordance with the City Approvals (or with suggested modifications as accepted by the City);
  - Approval of the Windward DA, to the extent, if any, required by Government Code Section 65869, including with respect to its terms regarding the acquisition, conveyance, and deed restriction of the adjacent Goodell Property; and
  - In the event the City’s approval of the CDP is appealed to the Coastal Commission and for which the Coastal Commission determines the appeal raises substantial issue(s) regarding conformity of the CDP with the LCP, approval by the Commission of a CDP.

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<sup>1</sup> All references to the “LCPA” refer to each of the components included within this bullet point.

### 5.4 Conditions Precedent to Required Approvals Becoming “Operative”

**5.4.1 Assurances to City and Coastal Commission.** To assure that development of the Windward Residential Parcel may not occur without the Windward Owner first taking the actions needed to implement the open space objectives of this Specific Plan and Alternative 2 of the Settlement. The documents required by subsections a, b, c and d below shall constitute Implementation Documents. Therefore, notwithstanding approval and effectiveness of (1) the LCPA by the Commission and (2) a CDP by the City or the Commission on appeal, the Specific Plan/LCPA and CDP shall not become “operative” until the following events have occurred:

a. ***For the Windward Open Space Parcel: Offer or Grant.*** One of the following Implementation Documents related to the Windward Open Space Parcel has been recorded in a form acceptable to the City<sup>2</sup>:

- An irrevocable offer to dedicate the Windward Open Space Parcel to the people of the State of California (Windward Offer). The Windward Offer must restrict the Windward Open Space Parcel to open space and resource conservation uses as set forth in the Windward Specific Plan. The Windward Offer shall run with the land for 21 years, binding all successors and assignees, and may be accepted by the State through a public agency or private nonprofit entity approved by the City.

**OR**

- A conveyance of fee title to the Windward Open Space Parcel to the Bolsa Chica Land Trust (BCLT) or to another accredited land trust or nonprofit entity approved by the City (Windward Conveyance). The Windward Conveyance must restrict the Windward Open Space Parcel to open space and resource conservation uses as set forth in the Windward Specific Plan.

b. ***For the Goodell Property: Offer or Grant.*** One of the following Implementation Documents related to the Goodell Property has been recorded in a form acceptable to the City:

- An irrevocable offer to dedicate the Goodell Property to the People of the State of California (Goodell Offer). The Goodell Offer must restrict the Goodell Property to open space and resource conservation uses consistent with the comprehensive open space plan described in Section 4.2 of the Windward Specific Plan. The Goodell Offer shall run with the land for 21 years, binding all successors and assignees, and may be accepted by the

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<sup>2</sup> In any case where this Specific Plan/LCPA states that a document must be acceptable to the City, that requirement will extend to the Executive Director of the Coastal Commission in the event a City-approved CDP is appealed to the Coastal Commission and for which the Coastal Commission determines the appeal raises substantial issue(s) regarding conformity of the CDP with the LCP.

## 5. Administration and Implementation

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State through a public agency or private nonprofit entity approved by the City.

**OR**

- A conveyance of fee title to the Goodell Property to either the BCLT or another accredited land trust or nonprofit entity approved by the City (Goodell Conveyance). The Goodell Conveyance must restrict the Goodell Property to open space and resource conservation uses consistent with the comprehensive open space plan described in Section 4.2 of the Windward Specific Plan.
- c. ***For both the Windward Open Space Parcel and the Goodell Property: Deed Restrictions.*** Upon acceptance as to form by City, deed restrictions limiting the Windward Open Space Parcel and the Goodell Property to open space and resource conservation uses have been recorded in a form acceptable to the City.
- d. ***For both the Windward Residential Parcel and the Windward Open Space Parcel: Acceptance of LCPA.*** A document in a form acceptable to the City has been provided to the City and recorded, unequivocally stating that the Windward Owner (i) accepts the certified LCPA in form and substance, (ii) acknowledges that the Windward Residential Parcel and the Windward Open Space Parcel shall be subject to the provisions of the LCPA, and (iii) acknowledges that the LCPA has become effective.
- e. ***For the Windward Open Space Parcel and the Goodell Property:*** Title reports have been provided to the City for the Windward Open Space Parcel and the Goodell Property showing, to the satisfaction of the City, that those properties have been deed restricted and either offered for dedication or otherwise conveyed free of prior liens and encumbrances which would materially and adversely affect the interests being dedicated/conveyed.

**5.4.2 Assurances to Windward Owner.** To assure that the Windward Owner is not required to deed restrict and convey the Windward Open Space Parcel and, pursuant to the Windward DA, deed restrict and convey the Goodell Property as set forth above without having the right to develop the Windward Residential Parcel, the Implementation Documents specified in Section 5.4.1 shall contain language that each respective Implementation Document does not become operative until:

- a. All of the Required Approvals have been approved and have become effective; and



## 5. Administration and Implementation

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- b. Either the time for legal challenges to each of the Required Approvals has expired and/or legal challenges which have been made have terminated or resolved with all Required Approvals remaining intact and effective.

### **5.5 Development Agreement No. 16-001**

Through the Windward DA, which was voluntarily requested of the City by the Windward Owner to implement the Settlement, the Windward Owner has voluntarily agreed that the recording of the applicable Implementation Documents in accordance with 5.4.1 above shall be a condition precedent to this Specific Plan/LCPA and any CDP for the development of the Windward Residential Parcel becoming operative. The Windward DA was approved by the City Council concurrently with the approval of the Windward Specific Plan and LCPA and reflects the requirements of Section 5.3 above.

### **5.6 Enforcement of the Specific Plan/LCPA**

The Specific Plan/LCPA serves both a planning and regulatory function. It is the vehicle by which the City of Huntington Beach Local Coastal Program and General Plan are implemented for the Windward Property. If there is a conflict found between the Windward Specific Plan and the HBZSO, the contents of the Windward Specific Plan shall prevail. Where the Windward Specific Plan is silent, the provisions of the HBZSO shall apply.

The Community Development Department shall be responsible for interpreting and enforcing the site development standards and design guidelines set forth in the Windward Specific Plan.

### **5.7 Methods and Procedures**

#### **5.7.1 Zoning Text Amendments**

A Zoning Text Amendment shall be required for changes to the Windward Specific Plan and processed in accordance with the provisions of Chapter 247 of the HBZSO.

Zoning Text Amendments shall require an amendment to the City's Local Coastal Program and shall not take effect until certified by the California Coastal Commission and subsequently accepted by the City pursuant to 14 CCR § 13544.

#### **5.7.2 Hearings**

All local public hearings held relative to the Windward Specific Plan shall be administered according to the applicable provisions of the HBZSO.

### 5.7.3 Appeals

Any local decision, determination or requirements may be appealed in accordance with applicable provisions of the HBZSO.

### 5.8 Maintenance Mechanisms

As a condition of issuance for any CDP for development of the Windward Residential Parcel, a homeowner's association for the Windward Residential Parcel (HOA) shall be formed and, through its CC&Rs (see Chapter 3, Development Standards, Section 3.4.3), be responsible for:

- a. The permanent maintenance, repair, and replacement of all HOA-owned improvements within the common areas of the Windward Residential Parcel, including landscaping, irrigation, common vehicular driveways, parking, recreation, open space, community walls and fences, community facilities, drainage facilities, water quality BMP's, and private service utilities.
- b. Until the Windward Open Space Parcel is transferred to a governmental agency or to a qualified non-profit organization pursuant to Section 5.4.1.a above, the maintenance, repair, and replacement of the public improvements within the Windward Open Space Parcel which are described in Chapter 4, Open Space and Resource Conservation Plan and which include a decomposed granite trail, bench, trail fencing, directional and interpretive signage, and the approved landscaping.
- c. The maintenance of the public improvements for the City Property described in Chapter 4, and shown on Exhibit 4-1, Open Space and Resource Conservation Plan, including, but not limited to, the trail, signage, trail fencing, and landscape improvements.
- d. Entering into a Landscape Maintenance Agreement with the City describing the HOA's maintenance obligations with respect to the public improvements for the City Property described in Chapter 4, and shown on Exhibit 4-1, Open Space and Resource Conservation Plan, including, but not limited to the trail, signage, trail fencing, and landscape improvements.

**6 APPENDICES****6.1 Architectural Character**

The architectural character for Windward follows a Mid-Century Modern theme, with strong linear elements and bold horizontal and vertical features. A variety of exterior materials are utilized including wood, stone, stucco, and glass (see Architectural Style, Exhibit 6-1). The mid-century modern architectural style provides “four-sided” architecture with a variety of architectural elements on all four sides of the home, thus eliminating a flat plane on any side.



Source:  
Hamouche Architects

## Windward Specific Plan

City of Huntington Beach

## Exhibit 6-1 Architectural Style

NOT TO SCALE | FORM | May 2016

## **6.2 Residential Landscape Design Concept**

Community design concepts and details for Windward are presented in this Specific Plan in order to establish a comprehensive theme that blends the landscape with the architecture. Residents and visitors will experience Windward as an upscale design with select palm species, canopy trees and plantings that complement the Modern design of the architecture. Careful consideration is also given to providing a landscape plan for the residential area that is compatible with the adjacent environment (see Exhibit 6-2, Residential Landscape Plan).

The elements included in this plan include:

- Project Entry,
- Recreation Area,
- Wall and Fence Design,
- Open Space Trails, and
- Plant Palette.

### **6.2.1 Project Entry – Bolsa Chica Street**

The Windward primary entrance is located at the southern part of the community along Bolsa Chica Street. The entry design includes project signage, (see Exhibit 6-3, Community Signage), that is framed by a backdrop of evergreen plant materials. There is a secondary point of ingress/egress north of the primary entrance which will offer right in and right out access only. This secondary access will not include project signage.

### **6.2.2 Recreation Area**

The recreation area, shown on Exhibit 6-4, Community Recreation Area Plan, is located in the northern portion of the project will benefit from the existing landscape located on the Los Patos/Bolsa Chica corner providing both a sense of privacy and a large-scale, visual evergreen backdrop. Anticipated amenities for the Windward residents include a swimming pool with lap-lane, fireplace/gathering area and grilling station.

### **6.2.3 Wall and Fence Design**

The Wall and Fence Plan, Exhibit 6-5, describes locations and materials that are consistent with the adjacent communities while being unique to the Windward development. Wall and Fence Elevations are depicted in Exhibit 6-6. Walls and fences, up to a maximum of 6 feet in height, are permitted in front setback areas. Pilasters shall be a maximum of 6 feet 6 inches in height.

**6.2.4 Open Space Trail**

The Windward community open space design includes an approximate 0.4-mile loop trail which can be accessed from the primary or secondary entry depicted on Exhibit 6-7, Trails Plan and Section. The trail consists of a concrete sidewalk along Bolsa Chica street and a connecting, six foot (6') wide, decomposed granite trail that extends east through the City-owned property above the northern Windward development area boundary, south through the Windward Open Space and returns west back to Bolsa Chica Street. The trail experience includes directional and interpretive signage is shown on Exhibit 6-8, Public Access Signage Plan, open space trail fencing and an overlook area with bench seating. In addition to the Windward loop trail, connections to other local trail systems are available, as shown on Exhibit 4-1, Open Space and Resource Conservation Plan.

**6.2.5 Plant Palette**

The plant palette for the Windward Residential Area has been separated into two distinct use areas, the Community Plant Palette and the Private Residential Plant Palette. The plant palette, described in Section 6.1, also includes prohibited plant species within the community. These use areas contain unique plant palettes, which will assure the implementation of the community theme. The plant palettes for the residential area are drawn from the Coastal Commission-approved plant palette for the Brightwater Community. Plant species that are considered invasive are prohibited from use by the homeowners. The plant palette for the Open Space Area can be found within Table 4-1, Conceptual Open Space Native Plant Palette.





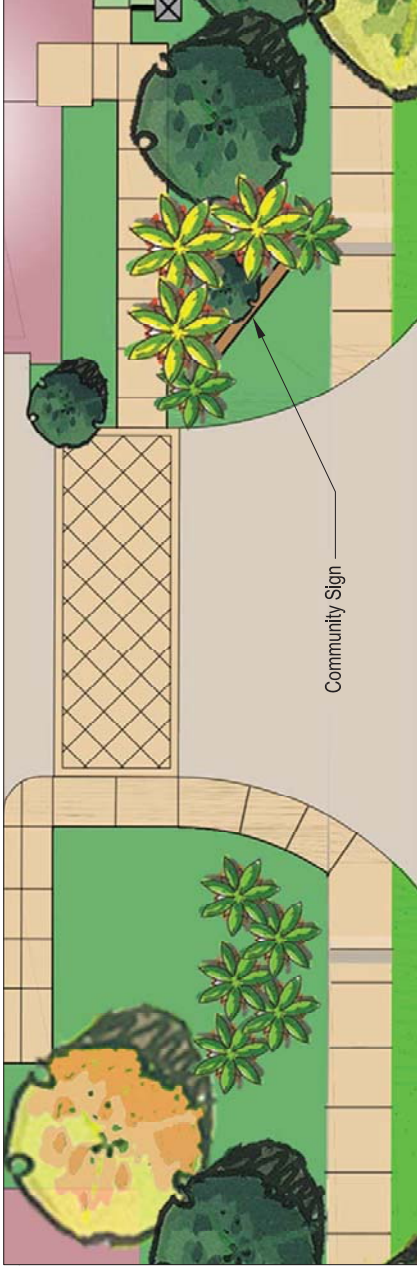
## LEGEND

- |  |   |
|--|---|
| ① Existing Landscape                           | ⑧ Perimeter Wall / Fence - Refer to Exhibit 2-6                 |
| ② Tubular Metal Fence                          | ⑨ Common Area HOA Maintained Landscape                          |
| ③ Existing Monuments                           | ⑩ Private Yard  |
| ④ Existing Turf Parkway and Street Trees       | ⑪ Community Recreation Area - Refer to Enlargement, Exhibit 2-5 |
| ⑤ Community Signage                            | ⑫ City Owned Property   |
| ⑥ Private Patio                                | ⑬ Decomposed Granite Loop Trail                                 |
| ⑦ Privacy Wall or Fence - Refer to Exhibit 2-6 | ⑭ Enhanced Vehicular Paving                                     |

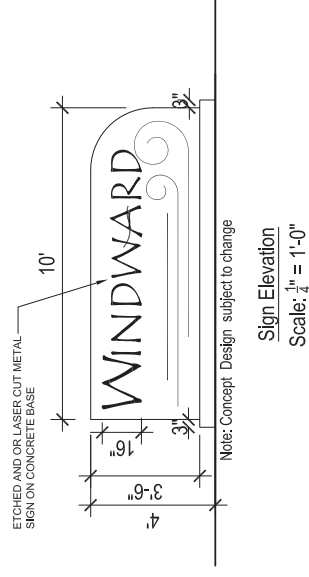


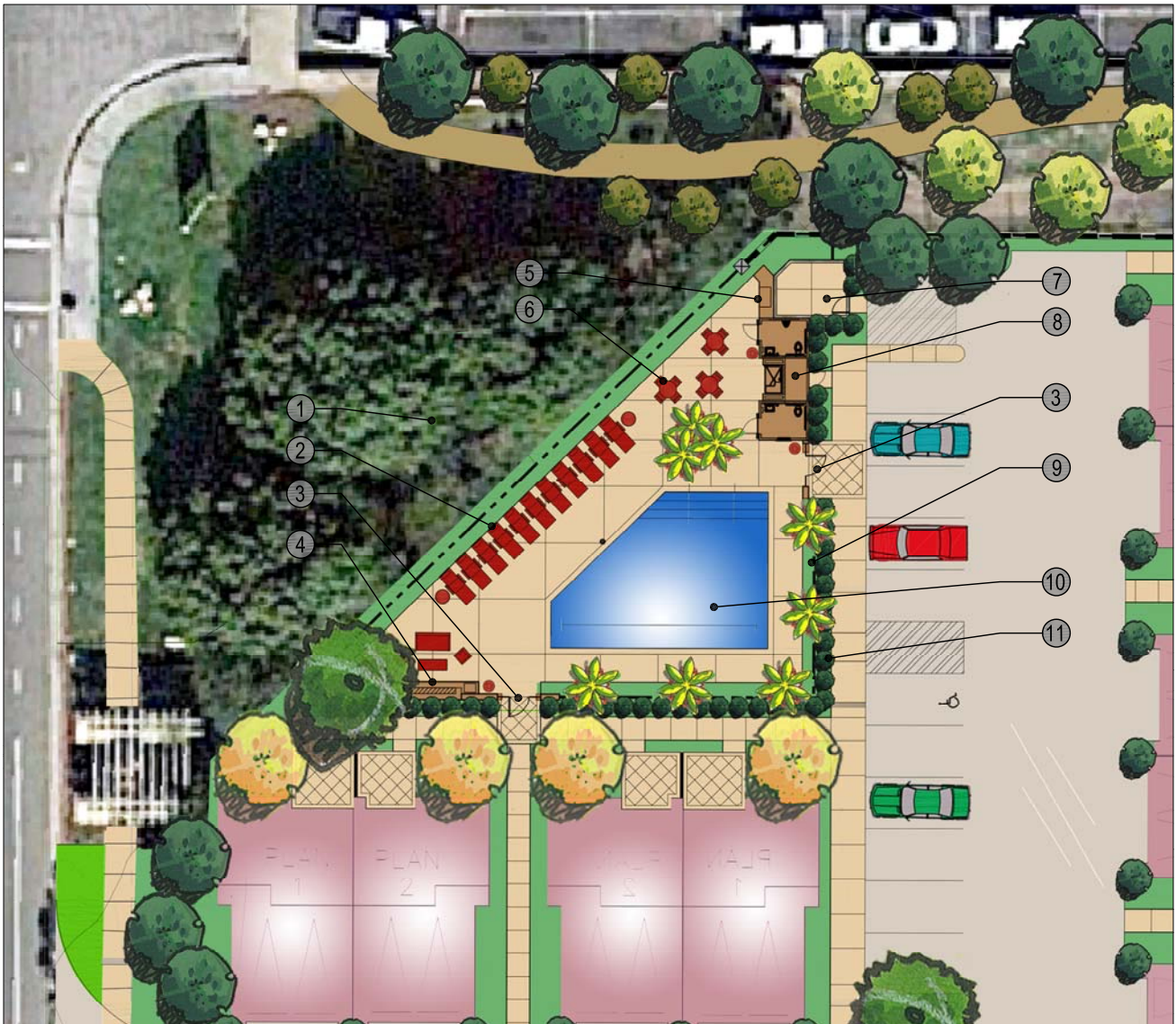


Entry Elevation



Entry Plan View





## LEGEND

- |  |  |
|--|--|
| ① Existing Landscape                     | ⑦ Pool Equipment Enclosure with Exterior Access Gate |
| ② Chaise Lounges                         | ⑧ Restroom Building with Shower                      |
| ③ Gated Entry                            | ⑨ Pool Fence Enclosure                               |
| ④ Fireplace with Hearth and Seating Area | ⑩ Pool with Single (8' x 38') Swim Lane              |
| ⑤ BBQ Station                            | ⑪ Evergreen Screen Hedge                             |
| ⑥ Picnic Tables                          |  |

Windward Specific Plan

Community Recreation Area Plan

City of Huntington Beach



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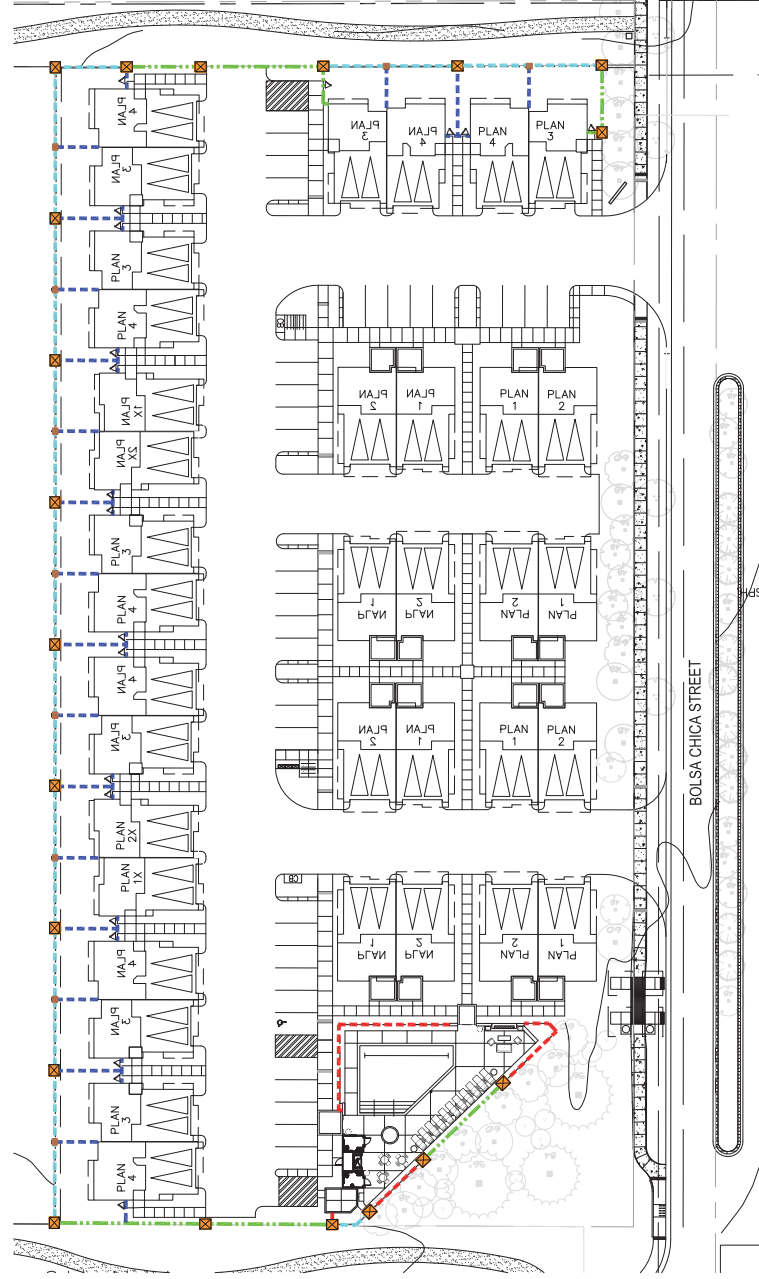
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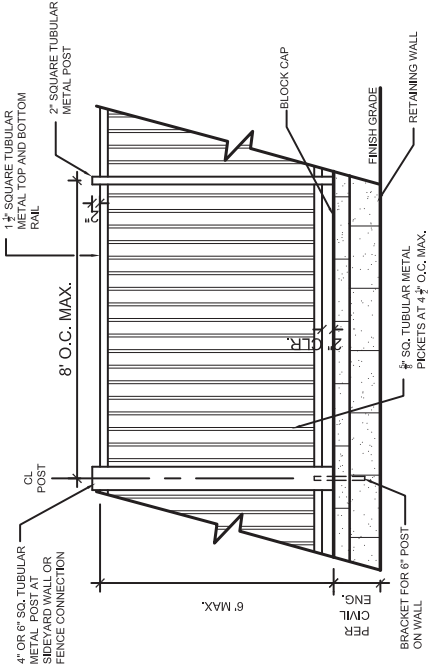
|

30 ft

FORMA  
May 2018

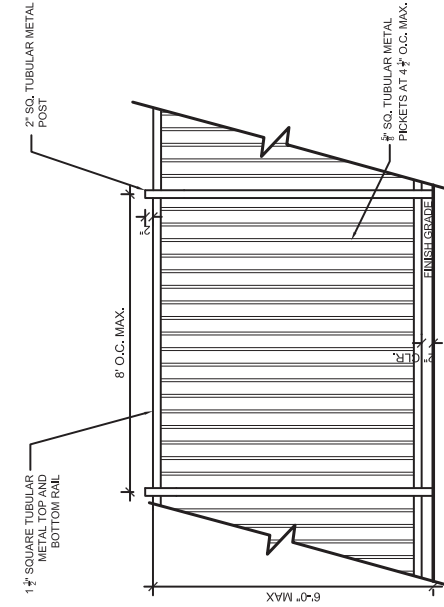
Exhibit 6-4





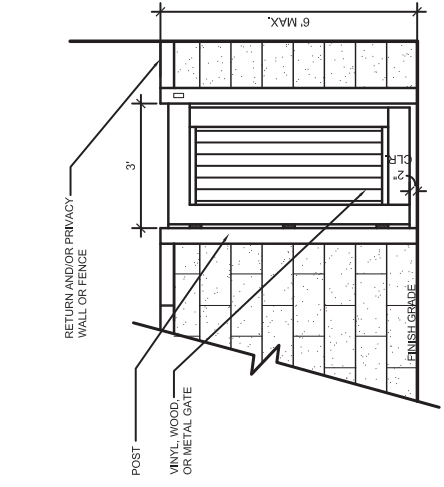
**A** PERIMETER COMMUNITY BLOCK WALL

SCALE 3/8" = 1'-0"



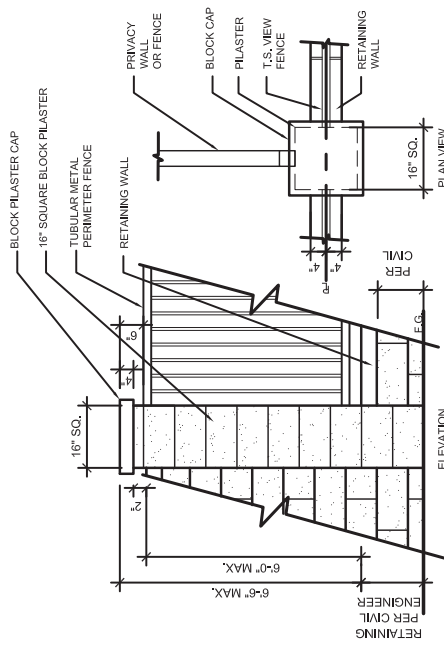
**B** TUBULAR STEEL VIEW FENCE ON RETAINING WALL

SCALE 3/8" = 1'-0"



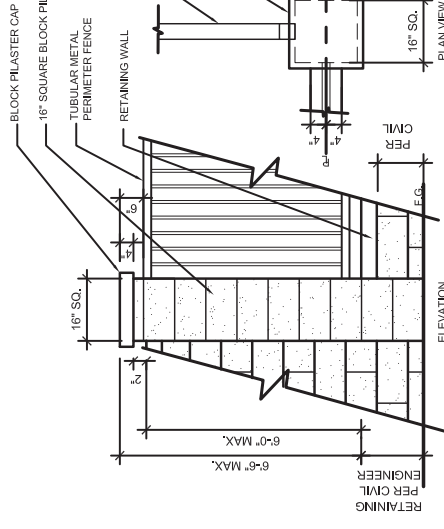
**C** TUBULAR METAL FENCE

SCALE 3/8" = 1'-0"



**D** SIDE YARD RETURN AND GATE

SCALE 3/8" = 1'-0"

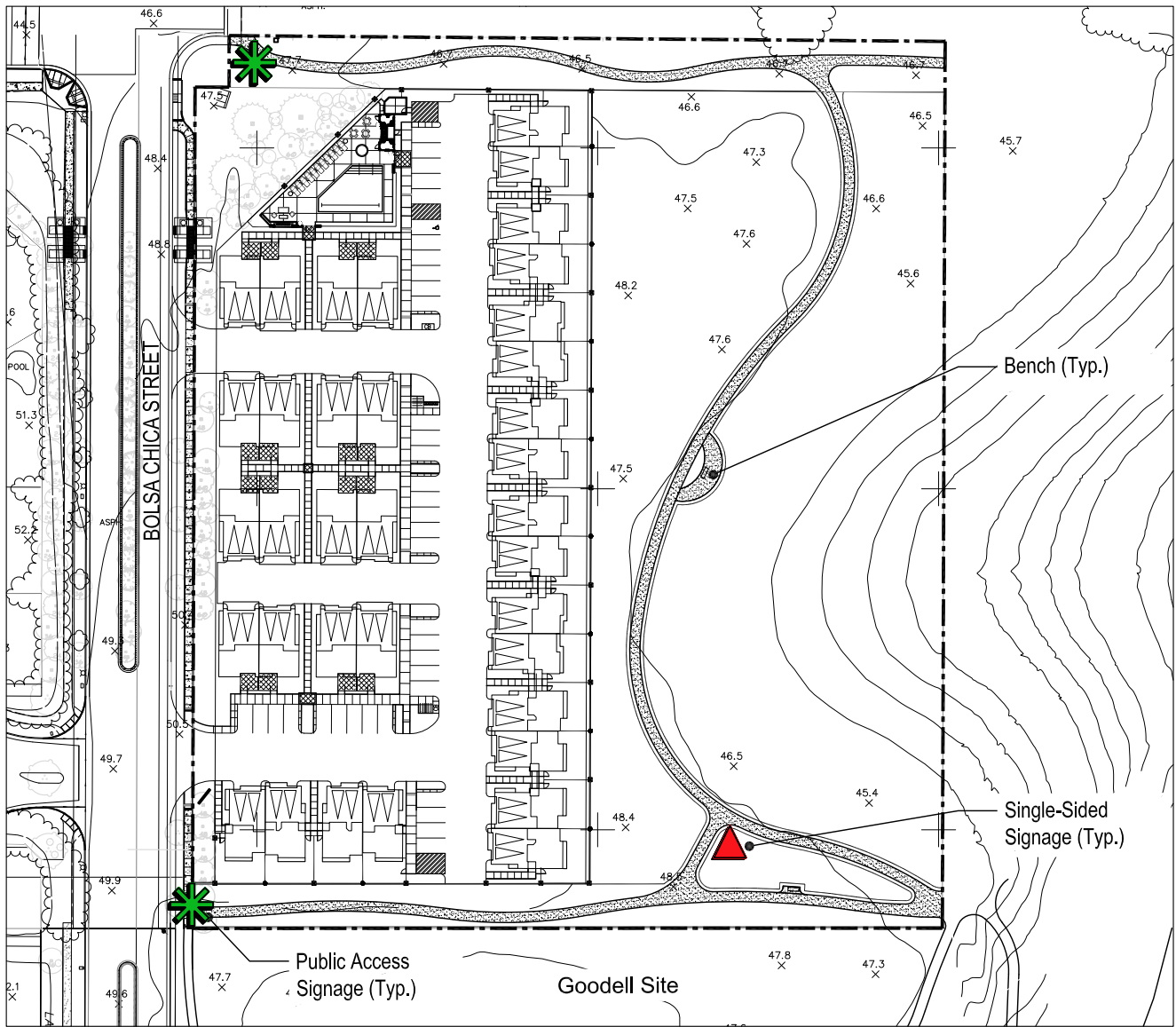


**E** PERIMETER PILASTER

SCALE 3/8" = 1'-0"







# LEGEND

 Single-Sided Signage

 Public Access Signage



Boulder Signage for Public Access



Single-Sided Signage

Windward Specific Plan

Public Access Signage Plan

City of Huntington Beach



0

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100 ft

FORMA  
May 2018

Exhibit 6-8

Table 6-1

Residential Landscape Plant Palette	
Botanical Name	Common Name
<b>COMMUNITY – HOA MAINTAINED – TREES</b>	
<i>Arbutus unedo</i>	Strawberry Tree
<i>Archontophoenix cunninghamiana</i>	King Palm
<i>Brachychiton populneus</i>	Bottle Tree
<i>Cercis occidentalis</i>	Western Redbud
<i>Cinnamomum camphora</i>	Camphor Tree
<i>Citrus species</i>	Citrus
<i>Cocos plumosa</i>	Queen Palm
<i>Eriobotrya deflexa</i>	Bronze Loquat
<i>Erythrina coralloides</i>	Coral Tree
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Ficus florida</i>	Florida Fig
<i>Ficus nitida</i> ‘Green Gem’	Indian Laurel Fig – Green Gem
<i>Ficus rubiginosa</i>	Rustyleaf Fig
<i>Ginkgo biloba</i>	Maidenhair Tree
<i>Lagerstroemia species</i>	Crape Myrtle
<i>Magnolia grandiflora</i> SPP.	Southern Magnolia
<i>Melaleuca nesophila</i>	Pink Melaleuca
<i>Melaleuca quinquenervia</i>	Cajeput Tree
<i>Metrosideros excelsus</i>	New Zealand Christmas Tree
<i>Phoenix canariensis</i>	Canary Island Date Palm
<i>Phoenix dactylifera</i>	Date Palm
<i>Pinus eldarica</i>	Eldarica Pine
<i>Platanus racemosa</i>	California Sycamore
<i>Podocarpus gracilior</i>	Fern Pine
<i>Prunus caroliniana</i>	Carolina Laurel Cherry
<i>Tristania conferta</i>	Brisbane Box
<i>Tupidanthus calyptratus</i>	Tupidanthus
<b>COMMUNITY – HOA MAINTAINED – SHRUBS</b>	
<i>Agapanthus africanus</i>	Lily-of-the-Nile
<i>Agave americana</i>	Century Plant
<i>Agave attenuate</i>	Fox Tail Agave
<i>Agave shawii</i>	Shaw’s Agave
<i>Aloe arborescens</i>	Tree Aloe
<i>Aloe vera</i>	Medicinal Aloe
<i>Buxus japonica</i>	Japanese Boxwood
<i>Camellia japonica</i>	Camellia
<i>Campanula poscharskyana</i>	Serbian Bellflower
<i>Carex spissa</i>	San Diego Sedge
<i>Carissa macrocarpa</i> ‘Fancy’	Natal Plum



Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Ceanothus gloriosus</i> 'Point Reyes'	Point Reyes Ceanothus
<i>Ceanothus griseus</i> var. 'Yankee Point'	Yankee Point Ceanothus
<i>Clivia miniata</i>	Kaffir Lily
<i>Coprosma kirkii</i>	Creeping Coprosma
<i>Coprosma pumila</i>	Prostrate Coprosma
<i>Crassula argentea</i>	Jade Plant
<i>Cyathea cooperi</i>	Australian Tree Fern
<i>Dicksonia antarctica</i>	Tasmanian Tree Fern
<i>Dietes vegeta</i>	Fortnight Lily
<i>Dodonaea viscosa</i>	Hopseed Bush
<i>Escallonia 'fradesii'</i>	Pink Escallonia
<i>Grevillea 'Noellii'</i>	Grevillea
<i>Hebe buxifolia</i>	Boxleaf Hebe
<i>Helictotrichon sempervirens</i>	Blue Oat Grass
<i>Hemerocallis hybrid</i> 'Mountain Violet'	Daylily
<i>Hemerocallis hybrids</i>	Evergreen Daylily
<i>Kniphofia uvaria</i>	Red Hot Poker
<i>Lantana sellowiana</i>	Trailing Lantana
<i>Lavandula pedunculata</i> 'Atlas'	Spanish Lavender
<i>Ligustrum japonicum</i>	Japanese Privet
<i>Ligustrum japonicum</i> 'Texanum'	Waxleaf Privet
<i>Miscanthus sinensis</i> 'Yakushima'	Eulalia Grass
<i>Miscanthus transmorrisonensis</i>	Evergreen Maiden Grass (or Eulalia)
<i>Muhlenbergia lindheimeri</i>	Lindheimer's Muhly Grass
<i>Muhlenbergia rigens</i>	Deer Grass
<i>Myoporum 'Pacificum'</i>	NCN
<i>Myoporum parvifolium</i>	NCN
<i>Nephrolepis exaltata</i>	Sword Fern
<i>Nolina bigelovii</i>	Bigelow's bear grass
<i>Philodendron selloum</i>	Big Leaf Philodendron
<i>Phoenix roebelenii</i>	Pigmy Date Palm
<i>Phormium tenax</i>	New Zealand Flax
<i>Pittosporum crassifolium</i> 'Nana'	Dwarf Karo
<i>Pittosporum tobira</i>	Mock Orange
<i>Podocarpus spp.</i>	Fern Pine
<i>Raphiolepis indica</i>	India Hawthorn
<i>Rosmarinus officinalis</i>	Rosemary
<i>Schefflera actinophylla</i>	Schefflera
<i>Schefflera actinophylla</i>	Queensland Umbrella Tree, Octopus Tree
<i>Sisyrinchium bellum</i>	Blue-eyed grass
<i>Solanum xanthii</i>	Purple Nightshade
<i>Strelitzia nicolai</i>	Giant Bird of Paradise
<i>Strelitzia reginae</i>	Bird of Paradise

Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Trachelospermum jasminoides</i>	Star Jasmine
<i>Viburnum suspensum</i>	Sandankwa Viburnum
<i>Westringia fruticosa</i>	Coast Rosemary
<i>Xylosma congestum</i> 'Compacta'	Xylosma
<i>Xylosma congestum</i> 'Ed Dorado'	Dwarf Xylosma
<i>Yucca filamentosa</i> 'Variegata'	Variegated Yucca
<i>Yucca species</i>	Yucca
<b>COMMUNITY – HOA MAINTAINED – VINES</b>	
<i>Bougainvillea spp.</i>	Bougainvillea
<i>Clytostoma callistegioides</i>	Violet Trumpet Vine
<i>Distictis buccinatoria</i>	Blood-Red Trumpet Vine
<i>Grewia occidentalis</i>	Lavender Starflower
<i>Pandorea jasminoides</i>	Bower Vine
<i>Rosa banksiae</i> 'Alba Plena'	Climbing Rose
<i>Trachelospermum jasminoides</i>	Star Jasmine
<b>COMMUNITY – HOA MAINTAINED – GROUND COVER</b>	
<i>Armeria martima</i>	Common Thrift
<i>Baccharis pilularis</i> 'Pigeon Point'	Coyote Bush
<i>Dymondia margaretae</i>	Silver Carpet
<i>Festuca ovina glauca</i>	Blue Fescue
<i>Lantana sellowiana</i>	Trailing Lantana
<i>Senecio mandraliscae</i>	Blue Chalksticks
<i>Verbena hybrida</i>	Garden Verbena
<b>COMMUNITY – HOA MAINTAINED – TURF</b>	
<i>Marathon II</i> 'Festuca Arundinacea'	Dwarf Tall Fescue

Residential Landscape Plant Palette	
Botanical Name	Common Name
<b>PRIVATE RESIDENTIAL LOTS - TREES</b>	
<i>Acer macrophyllum</i>	Big Leaf Maple
<i>Acer negundo</i> var. <i>californicum</i>	California Box Elder
<i>Acer palmatum</i>	Japanese Maple
<i>Aesculus californica</i>	California Buckeye
<i>Arbutus unedo</i>	Strawberry Tree
<i>Arctostaphylos glauca</i>	Bigberry Manzanita
<i>Arctostaphylos insularis</i>	Island Manzanita
<i>Brachychiton populneus</i>	Bottle Tree
<i>Ceratonia siliqua</i>	Carob
<i>Cercis occidentalis</i>	Western Redbud
<i>Cinnamomum camphora</i>	Camphor Tree
<i>Citrus species</i>	Citrus
<i>Dicksonia Antarctica</i>	Tree Fern
<i>Eriobotrya deflexa</i>	Bronze Loquat
<i>Eriobotrya japonica</i>	Loquat
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Ficus florida</i>	Florida Fig
<i>Ficus nitida</i> 'Green Gem'	Indian Laurel Fig – Green Gem
<i>Ficus rubiginosa</i>	Rustyleaf Fig
<i>Fraxinus dipetala</i>	California Ash
<i>Ginkgo biloba</i>	Maidenhair Tree
<i>Juglans californica</i>	California Black Walnut
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Lagerstroemia species</i>	Crape Myrtle
<i>Lauris nobilis</i>	Grecian Laurel
<i>Liriodendron tulipifera</i>	Tulip Tree
<i>Lythamnus floribundus</i> ssp. <i>Asplenifolius</i>	Fernleaf Ironwood
<i>Macadamia integrifolia</i>	Macadamia Nut
<i>Magnolia grandiflora</i>	Southern Magnolia
<i>Maytenus boaria</i>	Mayten Tree
<i>Melaleuca nesophila</i>	Pink Melaleuca
<i>Melaleuca quinquenervia</i>	Cajeput Tree
<i>Metrosideros excelsus</i>	New Zealand Christmas Tree
<i>Pistacia chinensis</i>	Chinese Pistache
<i>Pittosporum undulatum</i>	Victoria Box
<i>Platanus racemosa</i>	California Sycamore
<i>Plumeria rubra</i>	Egyptian Starcluster
<i>Podocarpus gracilior</i>	Fern Pine
<i>Prunus caroliniana</i>	Carolina Laurel Cherry
<i>Ptelea crenulata</i>	California Hoptree
<i>Rhus integrifolia</i>	Lemonade Berry
<i>Rhus lancea</i>	African Sumac

Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Rhus laurina</i>	Laurel Sumac
<i>Sambucus mexicana</i>	Mexican Elderberry
<i>Tabebuia chrysotricha</i>	Golden Trumpet Tree
<i>Tabebuia impetiginosa</i>	Pink Trumpet Tree
<i>Tabebuia ipe</i>	Trumpet Tree
<i>Tristania conferta</i>	Brisbane Box
<i>Tristania laurina</i>	NCN
<i>Tupidanthus calyptratus</i>	Tupidanthus
PRIVATE RESIDENTIAL LOTS -SHRUBS	
<i>Abelia grandiflora</i> 'Edward Goucher'	Abelia
<i>Abutilon</i> 'Moon Chimes'	Parlor Maple
<i>Achillea millefolium</i> var. <i>californica</i>	Western yarrow
<i>Agapanthus africanus</i>	Lily-of-the-Nile
<i>Agave attenuata</i>	Foxtail Agave
<i>Agave shawii</i>	Shaw's Agave
<i>Agave vilmoriniana</i>	Octopus Agave
<i>Aloe arborescens</i>	Tree Aloe
<i>Aloe Vera</i>	Medicinal Aloe
<i>Alyogyne huegelii</i>	Blue Hibiscus
<i>Armeria martima</i>	Common Thrift
<i>Asclepias speciose</i>	Showy milkweed
<i>Aster chilensis</i>	California Aster
<i>Baccharis pilularis</i> 'Pigeon Point'	Coyote Bush
<i>Baccharis pilularis</i> 'Twin Peaks #2'	Dwarf Coyote Bush
<i>Baccharis pilularis</i> 'Twin Peaks'	Coyote Bush Prostrate
<i>Baccharis salicifolia</i>	Mulefat
<i>Begonia</i> 'Richmondensis'	Richmond Begonia
<i>Bergenia cordifolia</i>	Winter Saxifage
<i>Bougainvillea</i> 'Tahitian Maid'	Double Bougainvillea
<i>Calystegia macrostegia</i>	California Morning Glory
<i>Camellia japonica</i>	Camellia
<i>Campanula portenschlagiana</i>	Dalmatian Bellflower
<i>Campanula poscharskyana</i>	Serbian Bellflower
<i>Carex spissa</i>	San Diego Sedge
<i>Carissa macrocarpa</i>	Green Carpet Natal Plum
<i>Carissa macrocarpa</i> 'Fancy'	Natal Plum
<i>Castilleja foliolosa</i>	Wooly Indian paintbrush
<i>Ceanothus</i> spp.	Ceanothus
<i>Cerastium tomentosum</i>	Snow-in-Summer
<i>Cercis occidentalis</i>	Western Redbud
<i>Chrysanthemum leucanthemum</i>	Oxeye Daisy
<i>Cistus hybridus</i>	White Rockrose
<i>Cistus incanus</i> ssp. <i>Corsicus</i>	NCN

Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Cistus purpureus</i>	Orchid Spot Rockrose
<i>Cistus salviifolius</i>	Sageleaf Rockrose
<i>Cistus x purpureus</i>	Orchid Rockrose
<i>Clivia miniata</i>	Kaffir Lily
<i>Comarostaphylis diversifolia</i>	Summer Holly
<i>Convolvulus cneorum</i>	Bush Morning Glory
<i>Coprosma kirkii</i>	Creeping Coprosma
<i>Coprosma pumila</i>	Prostrate Coprosma
<i>Coreopsis gigantea</i>	Giant coreopsis
<i>Coretherogyne filaginifolia</i>	California aster
<i>Cotoneaster aprneyi</i>	NCN
<i>Cotoneaster buxifolius</i>	NCN
<i>Crassula argentea</i>	Jade Plant
<i>Crassula argentea 'Crosby'</i>	Miniature Jade Plant
<i>Crassula ovata</i>	Jade Tree
<i>Cuphea hyssopifolia</i>	False Heather
<i>Delosperma cooperi</i>	Hardy Ice Plant
<i>Dendromecon rigida</i>	Bush Poppy
<i>Dietes vegeta</i>	Fortnight Lily
<i>Dodonaea viscosa</i>	Hopseed Bush
<i>Dudleya abramsii</i> spp. <i>murina</i>	San Luis Obispo Dudleya
<i>Dudleya caespitosa</i>	Coast Dudleya
<i>Dudleya edulis</i>	San Diego Dudleya
<i>Dudleya hassei</i>	Catalina Island Live Forever
<i>Dudleya lanceolata</i>	Lanceleaf Liveforever
<i>Dudleya pulverulenta</i>	Chalk Liveforever
<i>Erigeron karvinskianus</i>	Santa Barbara Daisy
<i>Eriogonum arborescens</i>	Santa Cruz Island Buckwheat
<i>Eriogonum giganteum</i>	St. Catherine's Lace
<i>Eriophyllum confertiflorum</i>	Golden Yarrow
<i>Escallonia 'fradesii'</i>	Pink Escallonia
<i>Escallonia species</i>	Escallonia Varieties
<i>Eschscholzia californica</i>	California Poppy
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Frangula californica</i>	California Coffeeberry
<i>Fuchsia 'Gartenmeister Bonstedt'</i>	Honeysuckle Fuschia
<i>Galvezia speciosa</i>	Island snapdragon
<i>Gardenia jasminoides</i>	Gardenia
<i>Garrya elliptica</i>	James Reef Silk Tassel
<i>Grevillea 'Noellii'</i>	Grevillea
<i>Grewia occidentalis</i>	Starflower
<i>Hardenbergia comptoniana</i>	Lilac Vine
<i>Helictotrichon sempervirens</i>	Blue Oat Grass

Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Hemerocallis hybrid 'Mountain Violet'</i>	Daylily
<i>Heteromeles arbutifolia 'Davis Gold'</i>	Toyon
<i>Heuchera 'Autumn Leaves'</i>	Coral Bells
<i>Heuchera 'Purple Palace'</i>	Alum Root
<i>Heuchera maxima</i>	Channel Islands Coral Bells
<i>Hibiscus spp.</i>	Hibiscus
<i>Holodiscus discolor</i>	Ocean spray
<i>Hypericum calycium</i>	Aaron's Beard
<i>Iris douglasiana</i>	Douglas Iris
<i>Jasminum nudiflorum</i>	Winter Jasmine
<i>Kniphofia uvaria</i>	Red Hot Poker
<i>Lantana camara cultivars</i>	Yellow Sage
<i>Lantana camara montevidensis</i>	Trailing Lantana
<i>Lantana sellowiana</i>	Trailing Lantana
<i>Lavandula dentata</i>	French Lavender
<i>Lavandula pedunculata 'Atlas'</i>	Spanish Lavender
<i>Lepechinia fragrans</i>	Island Pitcher Sage
<i>Leptospermum lae. 'Vigatum'</i>	Australian Tea Tree
<i>Leucophyllum frutescens</i>	Texas Ranger
<i>Ligustrum japonicum</i>	Japanese Privet
<i>Limonium perezii</i>	Sea Lavender
<i>Liriope "Silvery Sunproof"</i>	Monkey Grass
<i>Lonicera japonica 'Halliana' Hall's</i>	Japanese Honeysuckle
<i>Lonicera subspicata</i>	Wild Honeysuckle
<i>Lonicera subspicata var. denudata</i>	Chaparral Honeysuckle
<i>Mahonia aquifolium 'Golden Abundance'</i>	Golden Abundance Oregon Grape
<i>Mahonia nevenii</i>	Nevin Mahonia
<i>Malacothamnus fasciculatus</i>	Chaparral Mallow
<i>Miscanthus sinensis 'Yakushima'</i>	Eulalia Grass
<i>Miscanthus transmorrisonensis</i>	Evergreen Maiden Grass (or Eulalia)
<i>Muhlenbergia lindheimeri</i>	Lindheimer's Muhly Grass
<i>Myoporum 'Pacificum'</i>	NCN
<i>Myoporum debile</i>	NCN
<i>Myoporum parvifolium</i>	NCN
<i>Myrtus communis</i>	True Myrtle
<i>Nephrolepis exaltata</i>	Sword Fern
<i>Nerium Oleander</i>	Oleander
<i>Nolina bigelovii</i>	Bigelow's bear grass
<i>Nolina cismontane</i>	Chaparral Nolina
<i>Nolina species</i>	Mexican Grasstree
<i>Opuntia littoralis</i>	Prickly Pear
<i>Opuntia oricola</i>	Oracle Cactus
<i>Osteospermum fruticosum</i>	Trailing African Daisy

Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Pachysandra terminalis</i>	Pachysandra
<i>Paeonia californica</i>	California Peony
<i>Penstemon heterophyllus</i>	Margarita Bop' Blue Bedder
<i>Penstemon heterophyllus var. australis</i>	Foothill Penstemon
<i>Penstemon spectabilis</i>	Showy Penstemon
<i>Pentas lanceolata</i>	Egyptian Starcluster
<i>Philadelphus lewisii</i>	Lewis' mock orange
<i>Philodendron selloum</i>	Big Leaf Philodendron
<i>Phormium tenax</i>	New Zealand Flax
<i>Photinia x fraseri</i>	Fraser's Photinia
<i>Pittosporum crassifolium 'Nana'</i>	Dwarf Karo
<i>Pittosporum tobira</i>	Mock Orange
<i>Prunus caroliniana</i>	Carolina Cherry Laurel
<i>Prunus illcifolia</i>	Hollyleaf Cherry
<i>Prunus lyonii</i>	Catalina Cherry
<i>Punica granatum</i>	Pomegranate
<i>Pycnanthemum californicum</i>	Mountain Mint
<i>Quercus berberdifolia</i>	California Scrub Oak
<i>Quercus dumosa</i>	Coastal Scrub Oak
<i>Rhamnus californica</i>	Coffeeberry
<i>Rhaphiolepis indica</i>	Indian Hawthorn
<i>Rhus integrifolia</i>	Lemonade Berry
<i>Rhus ovata</i>	Sugarbush
<i>Ribes aureum var. gracillimum</i>	Golden Currant
<i>Ribes indecorum</i>	White Flowering Currant
<i>Romneya coulteri</i>	Matilija Poppy
<i>Romneya coulteri 'White Cloud'</i>	White Cloud Matilija Poppy
<i>Rosmarinus officinalis</i>	Rosemary
<i>Rumohra adiantiformis</i>	Leatherleaf Fern
<i>Salvia 'Bee's Bliss'</i>	Bee's Bliss Sage
<i>Salvia alpiana</i>	White Sage
<i>Salvia clevelandii winifred 'Gilman'</i>	Cleveland Sage
<i>Salvia greggii</i>	Autum Sage
<i>Salvia sonomensis</i>	Creeping Sage
<i>Salvia spathacea</i>	Hummingbird Sage
<i>Sambucus mexicana</i>	Mexican Elderberry
<i>Santolina cha. 'Nana'</i>	Lavendar Cotton
<i>Santolina virensn</i>	Green Lavender Cotto
<i>Satureja chandleri</i>	San Miguel Savory
<i>Schefflera actinophylla</i>	Queensland Umbrella Tree, Octopus Tree
<i>Sisyrinchium bellum</i>	California Blue-eyed grass
<i>Solanum xantii</i>	Purple Nightshade
<i>Solanum xantiiPurple</i>	Nightshade



Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Solidago velutina ssp. californica</i>	California Goldenrod
<i>Stachys bullata</i>	Hedge Nettle
<i>Strelitzia nicolai</i>	Giant Bird of Paradise
<i>Strelitzia reginae</i>	Bird of Paradise
<i>Teucrium fruticans and cultivars</i>	Bush Germander
<i>Thalictrum fendleri var. polycarpum</i>	Mountain Meadow Rue
<i>Thuja occidentalis 'Globosa'</i>	White Cedar
<i>Trachelospermum asiaticum</i>	Ivory Star Jasmine or Asian Jasmine
<i>Trachelospermum jasminoides</i>	Star Jasmine
<i>Tulbaghia violacea</i>	Society Garlic
<i>Venegasia carpesioides</i>	Canyon Sunflower
<i>Viburnum suspensum</i>	Sandankwa Viburnum
<i>Viguiera laciniata</i>	San Diego Sunflower
<i>Xylosma congestum</i>	Shiny Xylosma
<i>Xylosma congestum 'Compacta'</i>	Xylosma
<i>Xylosma congestum 'Ed Dorado'</i>	Dwarf Xylosma
<i>Yucca baccata</i>	Banana Yucca
<i>Yucca filamentosa 'Variegata'</i>	Variegated Yucca
<i>Yucca rigida</i>	Blue Yucca
<i>Yucca Species</i>	Yucca
<i>Yucca whipplei</i>	Yucca
<i>Zauschneria californica 'Catalina Island'</i>	California Fuchsia
<i>Zephyranthes candida</i>	Autumn Zephyrlily
PRIVATE RESIDENTIAL LOTS - VINES	
Bougainvillea spp.	Bougainvillea
Calliandra haematocephala	Pink Powder Puff
Clytostoma callistegioides	Violet Trumpet Vine
Distictis buccinatoria	Blood-Red Trumpet Vine
Grewia occidentalis	Lavender Starflower
Hardenbergia violacea	Hardenbergia
Macfadyena unguis-cati	Cat's Claw
Mandevilla splendens	Alice du Pont
Mascagnia macroptera	Golden Vine
Pandorea jasminoides	Bower Vine
Parthenocissus tricuspidata	Boston Ivy
Rosa banksiae 'Alba Plena'	Climbing Rose
Trachelospermum jasminoides	Star Jasmine
PRIVATE RESIDENTIAL LOTS - GROUND COVER	
Aptenia cordifolia x Red Apple	Strawberry
Armeria maritima	Common Thrift
Artemisia caucasica	Caucasian Artemisia
Baccharis pilularis	Dwarf Coyote Bush

Residential Landscape Plant Palette	
Botanical Name	Common Name
Baccharis pilularis 'Pigeon Point'	Coyote Bush
Baccharis pilularis 'Twin Peaks #2'	Dwarf Coyote Bush
Baccharis pilularis 'Twin Peaks'	Coyote Bush Prostrate
Cistus crispus	NCN
Corea pulchella	Australian Fuschia
Coresopsis lanceolata	Coreopsis
Crassula lactea	NCN
Crassula multicava	NCN
Crassula tetragona	NCN
Delosperma 'alba'	White Trailing Ice Plant
Dimorphotheca aurantiaca	African Daisy
Drosanthemum floribundum	Rosea Ice Plant
Drosanthemum hispidum	NCN
Drosanthemum speciosus	Dewflower
Dymondia margaretae	Silver Carpet
Festuca ovina glauca	Blue Fescue
Fragaria chiloensis	Wild Strawberry/Sand Strawberry
Gazania 'Copper King'	Gazania
Gazania 'Moonglow'	Gazania
Gazania hybrid 'Mitsua Yellow'	Semi-trailing Yellow Gazania
Gazania hybrids	South African Daisy
Gazania rigens leucolaena	Trailing Gazania
Hedera canariensis	English Ivy
Iberis sempervirens	Evergreen Candytuft
Iberis umbellatum	Globe Candytuft
Lampranthus filicaulis	Redondo Creeper
Lampranthus spectabilis	Trailing Ice Plant
Lampranthus aurantiacus	Bush Ice Plant
Lantana sellowiana	Trailing Lantana
Lasthenia californica	Dwarf Goldfields
Lupinus arizonicus	Desert Lupine
Lupinus benthamii	Spider Lupine
Lupinus bicolor	Sky Lupine
Lupinus sparsiflorus	Loosely flowered Annual Lupine/ Coulter's
Ophiopogon 'Nigrescens Black'	Black Mondo Grass
Ophiopogon japonicus	Mondo Grass
Osteospermum 'Buttermilk'	Osteospermum
Osteospermum fru. 'African Queen'	Trailing African Daisy
Osteospermum fru. 'Burgundy'	Trailing African Daisy
Osteospermum fru. 'Whirligig'	Trailing African Daisy
Osteospermum fruticosum	Freeway Daisy
Osteospermum fruticosum 'Hybrid White'	Freeway Daisy
Pelargonium peltatum	Ivy Geranium

Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Pratia pedunculata</i>	Star Creeper
<i>Sagina subulata</i>	Irish Moss
<i>Sagina subulata</i> 'Aurea'	Scotch Moss
<i>Santolina cha.</i> 'Nana'	Lavendar Cotton
<i>Verbena hybrida</i>	Garden Verbena
<i>Verbena peruviana</i> species	Verbena
<i>Viola hederacea</i>	Australian Violet
<b>PRIVATE RESIDENTIAL LOTS - SUCCULENTS</b>	
<i>Aeonium</i> 'Kiwi'	Kiwi Aeonium
<i>Echeveria agavoides</i> 'Red'	Red Edge Echeveria
<i>Echeveria elegans</i>	Mexican Snowball
<i>Echeveria imbricate</i>	Hens and Chicks
<i>Kalanchoe thyrsiflora</i>	Paddle Plant
<i>Sedum pachyphyllum</i>	Stonecrop
<i>Sedum rubrotinctum</i>	Pork and Beans
<i>Senecio mandraliscae</i>	Blue Chalksticks
<b>PRIVATE RESIDENTIAL LOTS - TURF</b>	
<i>Marathon II</i> 'Festuca Arundinacea'	Dwarf Tall Fescue
Turf	A-G Sod Farms Inc. - Elite Plus
<b>PRIVATE RESIDENTIAL LOTS - PROHIBITED PLANT SPECIES</b>	
<i>Adenostoma fasciculatum</i>	Chamise
<i>Adenostoma sparsifolium</i>	Red Shanks
<i>Aegilops triuncialis</i>	Barbed Goatgrass
<i>Ageratina adenophora</i>	Crofton Weed
<i>Ailanthus altissima</i>	Tree Of Heaven
<i>Alhagi pseudalhagi</i>	Camel Thorn
<i>Ammophila arenaria</i>	European Beachgrass
<i>Anthemix cotula</i>	Mayweed
<i>Arctotheca calendula</i>	Capeweed
<i>Artemisia californica</i>	California Sagebrush
<i>Arundo donax</i>	Giant Reed
<i>Atriplex semibaccata</i>	Australian Saltbush
<i>Avena barbata</i>	Slender Oat
<i>Avena fatua</i>	Wild Oat
<i>Bassia hyssopifolia</i>	Fivehorn Smotherweed
<i>Bellardia trixago</i>	Mediterranean Lineseed
<i>Brachypodium distachyon</i>	Purple False Brome
<i>Brassica nigra</i>	Black Mustard
<i>Brassica rapa</i>	Wild Turnip, Yellow Mustard, Field Mustard
<i>Brassica tournefortii</i>	Asian Mustard
<i>Bromus diandrus</i>	Ripgut Brome

Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Bromus rubens</i>	Red Brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Cardaria chalapensis</i>	Lenspod Whitetop
<i>Cardaria draba</i>	Hoary Cress, Perennial Peppergrass
<i>Cardaria draba</i>	Whitetop
<i>Carduus pycnocephalus</i>	Italian Plumeless Thistle
<i>Carpobrotus edulis</i>	Hottentot Fig
<i>Centaurea calcitrapa</i>	Purple Starthistle
<i>Centaurea masculosa</i>	Spotted Knapweed
<i>Centaurea melitensis</i>	Maltese Star-Thistle
<i>Centaurea solstitialis</i>	Yellow Star-Thistle
<i>Cirsium arvense</i>	Canada Thistle
<i>Cirsium vulgare</i>	Wild Artichoke, Bull Thistle
<i>Conicosia pugioniformis</i>	Narrow-Leaved Iceplant
<i>Conium maculatum</i>	Poison Hemlock
<i>Conyza canadensis</i>	Horseweed
<i>Cortaderia jubata</i>	Purple Pampas Grass
<i>Cortaderia selloana</i>	Pampas Grass
<i>Cotoneaster lacteus</i>	Milkflower Cotoneaster
<i>Cotoneaster pannosus</i>	Silverleaf Cotoneaster
<i>Crataegus monogyna</i>	Oneseed Hawthorn
<i>Crupina vulgaris</i>	Common Crupina
<i>Cynara cardunculus</i>	Artichoke Thistle
<i>Cytisus scoparius</i>	Scotchbroom
<i>Cytisus striatus</i>	Striated Broom
<i>Delairea odorata</i>	Capeivy
<i>Egeria densa</i>	Brazilian Waterweed
<i>Ehrharta calycina</i>	Perennial Veldtgrass
<i>Ehrharta erecta</i>	Panic Veldtgrass
<i>Eichhornia crassipes</i>	Common Water Hyacinth
<i>Elaeagnus angustifolia</i>	Russian Olive
<i>Erechtites glomerata</i>	Cutleaf Burnweed
<i>Erechtites minima</i>	Coastal Burnweed
<i>Eriogonum fasciculatum</i>	Common Buckwheat
<i>Eucalyptus globulus</i>	Tasmanian Bluegum
<i>Euphorbia esula</i>	Leafy Spurge
<i>Festuca arundinacea</i>	Tall Fescue
<i>Ficus carica</i>	Edible Fig
<i>Foeniculum vulgare</i>	Sweet Fennel
<i>Genista monspessulana</i>	French Broom
<i>Halogeton glomeratus</i>	Saltlover
<i>Hedera helix</i>	English Ivy
<i>Helichrysum petiolare</i>	Strawflower

Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Heterotheca grandiflora</i>	Telegraph Plant
<i>Holcus lanatus</i>	Common Velvetgrass
<i>Hydrilla verticillata</i>	Hydrilla
<i>Hypericum perforatum</i>	St. John's Wort
<i>Ilex aquifolium</i>	English Holly
<i>Iris pseudacorus</i>	Paleyellow Iris
<i>Lactuca serriola</i>	Prickly Lettuce
<i>Lepidium latifolium</i>	Broadleaved Pepperweed
<i>Leucanthemum vulgare</i>	Oxeye Daisy
<i>Lolium perenne</i>	Perennial Ryegrass
<i>Lupinus arboreus</i>	Yellow Bush Lupine
<i>Lythrum salicaria</i>	Purple Loosestrife
<i>Mentha pulegium</i>	Pennyroyal
<i>Mesembryanthemum crystallinum</i>	Common Iceplant
<i>Myoporum laetum</i>	Ngaio Tree
<i>Myriophyllum aquaticum</i>	Parrot Feather Watermilfoil
<i>Myriophyllum spicatum</i>	Eurasian Watermilfoil
<i>Nicotiana bigelei</i>	Indian Tobacco
<i>Nicotiana glauca</i>	Tree Tobacco
<i>Olea europaea</i>	Olive
<i>Ononis alopecuroides</i>	Foxtail Restharrow
<i>Pennisetum setaceum</i>	Crimson Fountaingrass
<i>Phalaris aquatica</i>	Bulbous Canarygrass
<i>Potamogeton crispus</i>	Curly Pondweed
<i>Retama monosperma</i>	Bridal Broom
<i>Ricinus communis</i>	Castor Bean Plant
<i>Robinia pseudoacacia</i>	Black Locust
<i>Rubus discolor</i>	Himalayan Blackberry
<i>Salsola australis</i>	Russian Thistle/Tumbleweed
<i>Salvia mellifera</i>	Black Sage
<i>Salvinia molesta</i>	Giant Salvinia
<i>Sapium sebiferum</i>	Chinese Tallow Tree
<i>Saponaria officinalis</i>	Bouncingbet
<i>Schinus molle</i>	Peruvian Peppertree
<i>Schinus terebinthifolius</i>	Brazilian Peppertree
<i>Schismus arabicus</i>	Arabian Schismus
<i>Schismus barbatus</i>	Common Mediterranean Grass
<i>Senecio jacobaea</i>	Tansy Ragwort
<i>Sesbania punicea</i>	Rattlebox
<i>Silybum marianum</i>	Milk Thistle
<i>Spartina alterniflora</i>	Smooth Cordgrass
<i>Spartina anglica</i>	Common Cordgrass
<i>Spartina densiflora</i>	Denseflower Cordgrass

Residential Landscape Plant Palette	
Botanical Name	Common Name
<i>Spartina patens</i>	Saltmeadow Cordgrass
<i>Spartium junceum</i>	Spanish Broom
<i>Taeniatherum caput-medusae</i>	Medusahead
<i>Tamarix chinensis</i>	Fivestamen Tamarisk
<i>Tamarix gallica</i>	French Tamarisk
<i>Tamarix parviflora</i>	Smallflower Tamarisk
<i>Tamarix ramosissima</i>	Saltcedar
<i>Ulex europaeus</i>	Common Gorse
<i>Urtica urens</i>	Burning Nettle
<i>Verbascum thapsus</i>	Common Mullein
<i>Vinca major</i>	Bigleaf Periwinkle
<b>PRIVATE RESIDENTIAL LOTS - PROHIBITED PLANT SPECIES - ORNAMENTAL</b>	
<i>Corraders sp</i>	Pampas Grass
<i>Cupressus sp</i>	Cypress
<i>Eucalyptus sp</i>	Eucalyptus
<i>Juniperus sp</i>	Juniper
<i>Pinus sp</i>	Pine
<b>PRIVATE RESIDENTIAL LOTS - PROHIBITED PLANT SPECIES - PALMS</b>	
<i>Brahea armata</i>	Mexican Blue Palm
<i>Brahea brandegeei</i>	San Jose Hesper Palm
<i>Brahea edulis</i>	Guadalupe Palm
<i>Butia capitata</i>	Pindo Palm
<i>Caryota cummingii</i>	Himalayan Fish Tail Palm
<i>Caryota urens</i>	Himalayan Fish Tail Palm
<i>Chamaedorea eerumpens</i>	Bamboo Palm
<i>Chamaedorea humilis</i>	Mediterranean Fan Palm
<i>Cycas revoluta</i>	Sago Palm
<i>Trachycarpus fortunei</i>	Windmill Palm
<i>Washingtonia filifera</i>	California Fan Palm
<i>Washingtonia robusta</i>	Mexican Fan Palm

**6.3 Infrastructure****6.3.1 Circulation**

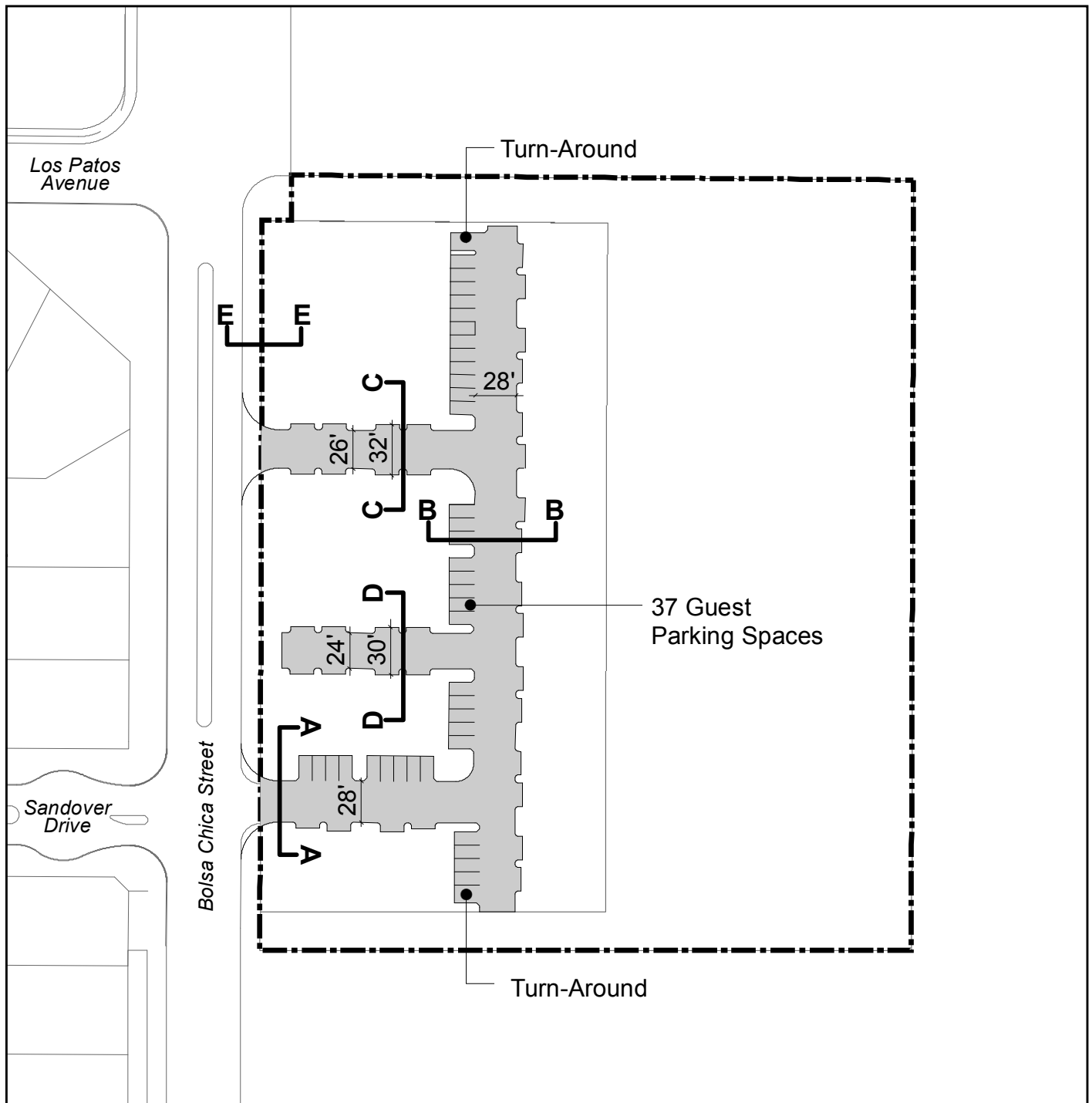
Vehicular access to Windward Specific Plan Area is from two access drives along Bolsa Chica Street (see Exhibit 6-9, Circulation Plan). The southern access is located across from existing Sandoval Drive. The northern access is right in/right out only due to the existing median in Bolsa Chica Street. A common vehicular driveway provides access to each of the housing units. Driveways within the Specific Plan Area shall be a minimum 24-feet in width (see Exhibit 6-10, Common Vehicular Driveway Sections). Vehicular turnarounds are provided at the north and south ends of the common vehicular driveway.

The parkway on the east side of Bolsa Chica Street will be improved with a pedestrian sidewalk which will allow access from Los Patos Avenue to the southern boundary of the Windward Specific Plan Area.

**6.3.2 Grading Plan**

The Grading Plan for Windward is illustrated on Exhibit 6-11, Grading Plan, which shows spot elevations for roads and finish floor elevations. The entire grading operation will be completed in one phase. Exhibit 6-12, Cut and Fill Plan, identifies the proposed Cut and Fill for the grading operations.





## LEGEND

- Residential Circulation & Parking
- A Section Line  
(See Exhibit 6-10, Common Vehicular Driveway Sections)

Exhibit 6-9

Windward Specific Plan

Circulation Plan

City of Huntington Beach

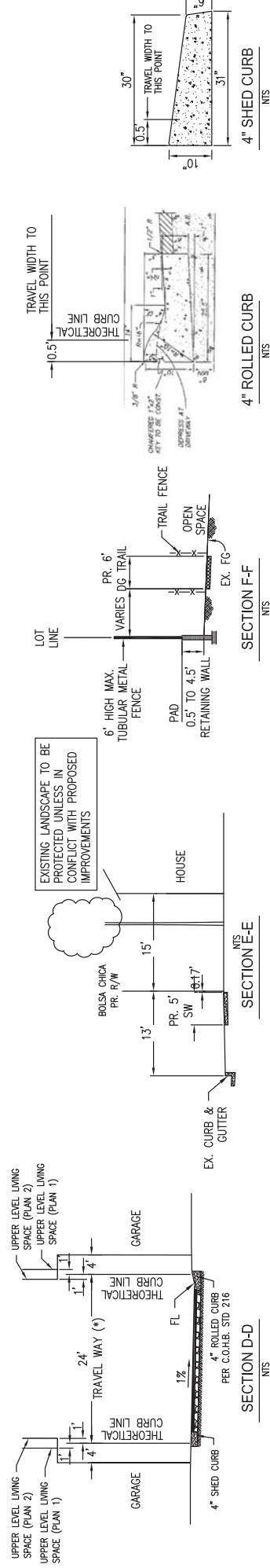
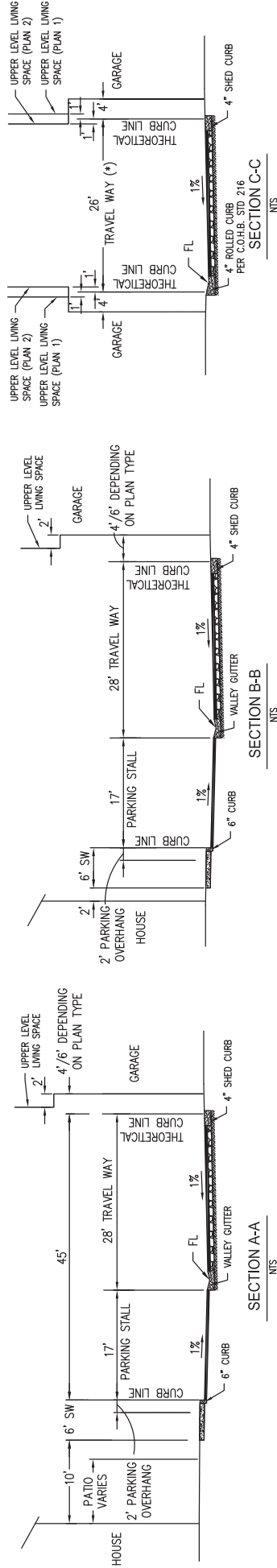


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FORMA  
May 2018



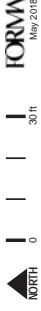
Source: Stantec

Exhibit 6-10

## Common Vehicular Driveway Sections

## Windward Specific Plan

## City of Huntington Beach

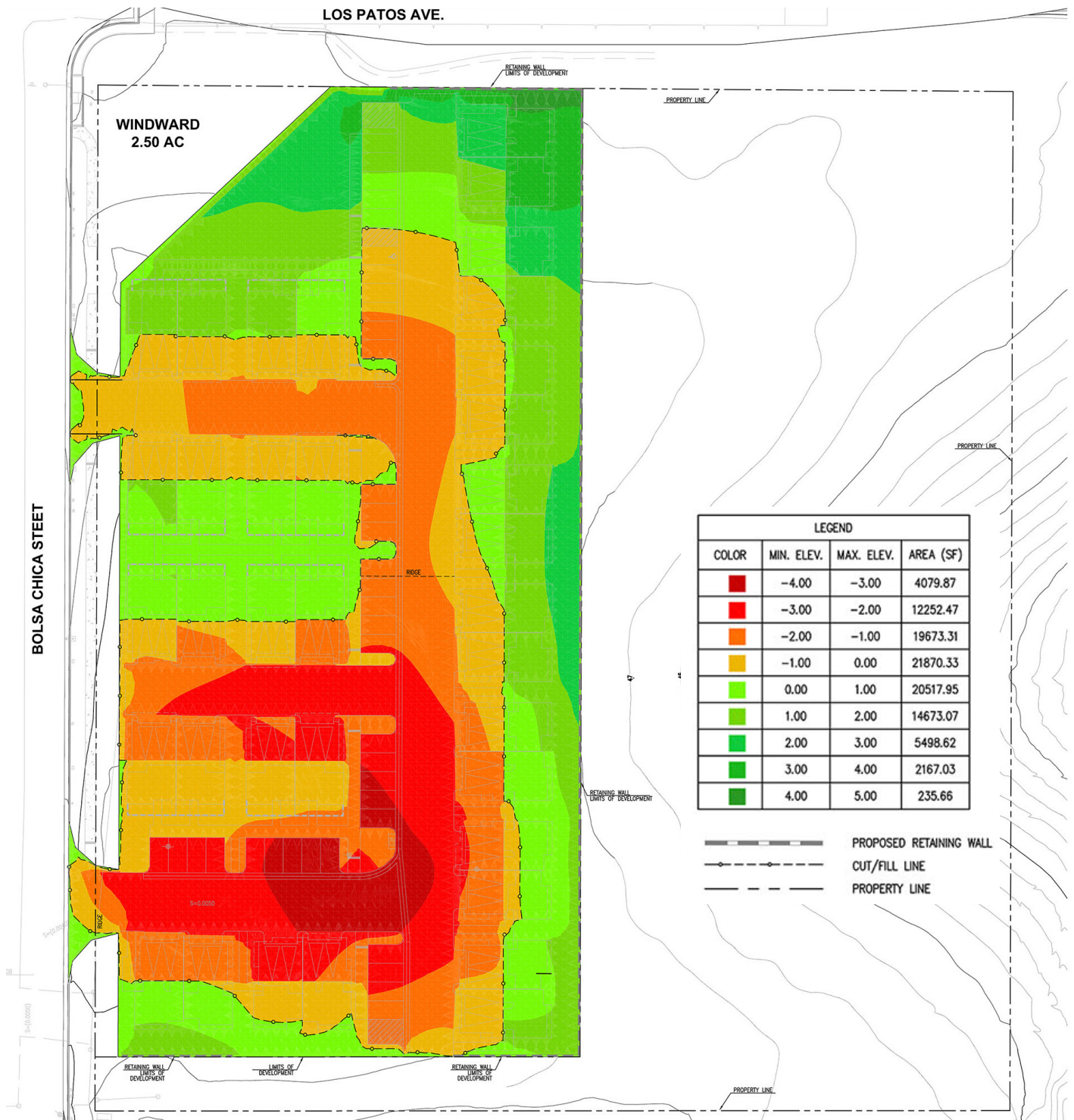


FORM  
May 2016



## Grading Plan

FORMA  
May 2018



**NOTES:**

1. SAME ASSUMPTION USED FOR SHRINKAGE AS USED FOR THE BRIGHTWATER PROJECT EARTHWORK ANALYSIS PERFORMED IN SEPTEMBER 2013.
2. BASED ON EXISTING TOPO DATED FEBRUARY 2007.
3. PROPOSED SURFACE BASED ON CONCEPTUAL GRADING PLAN DATED JUNE 15, 2016.

Source: Stantec

Windward Specific Plan

City of Huntington Beach

Exhibit 6-12

Cut and Fill Plan



NOT TO SCALE

**FORMA**  
May 2018

### **6.3.3 Drainage Plan**

The Drainage Plan for Windward is illustrated on Exhibit 6-13, Storm Drain, Water, and Wastewater Plan. It shows a proposed storm drain line located within the Windward private roadway system which will connect to an existing storm drain within Bolsa Chica Street. Two catch basins will be constructed to capture storm runoff within the development and prevent it from discharging into the adjacent open space areas.

Once it is collected on-site, the drainage from the Windward development will be conveyed to an existing storm drain in Bolsa Chica Street that is part of the drainage system for the neighboring Brightwater community. Windward will utilize Brightwater's Coastal Commission-approved (CDP 5-05-20) storm drain system which uses a state of the art filtration system (STORMFILTER) to treat runoff before it is discharged into the Bolsa Chica lowlands. The system uses storm drain pipes to convey runoff to an underground concrete structure where it flows through a number of media filter cartridges that remove pollutants from the water before discharging it. The entire drainage area for Windward was included in the design of the Brightwater storm drain system so there is sufficient capacity in the system to accommodate flows from the property. The Best Management Practices (BMPs) included in the Brightwater Water Quality Management Plan were also designed to treat runoff from Windward. An amendment to the Brightwater Water Quality Management Plan (WQMP) to incorporate the Windward project will be submitted to the city.

### **6.3.4 Domestic Water Plan**

The Water Plan for Windward is depicted on Exhibit 6-13, Storm Drain, Water, and Wastewater Plan. It indicates both the backbone water and fire lines and backflow devices that will be constructed as part of the residential development. The proposed Windward water system will connect to an existing 8-inch City water main along Bolsa Chica Street. The on-site water pipelines will be installed to provide the flows required for residential development and occupancy.

The Windward development will have one master domestic water meter. The domestic water line will be public up to the master water meter located within the Bolsa Chica Street right-of-way and will be private beyond the water meter. A backflow device will be set back from the property line based on City requirements and screened from view.

A separate fire service will be provided for private fire hydrants as the Huntington Beach Fire Department does not allow fire hydrant connections to private domestic water lines. The fire line will have a separate backflow preventer. The fire line will be public up to the backflow preventer located

within the Bolsa Chica Street right-of-way and private beyond. The onsite fire hydrants will be private. The backflow preventer will be set back from the property line based on City requirements and screened from view.

The public domestic water and fire water improvements will be constructed to meet City Water Division Standards and Fire Department's codes, standards, and specifications.

The landscape area along the east side of Bolsa Chica Street is currently being maintained by the Brightwater Maintenance Corporation as per License Agreement executed with the City by Signal Landmark. The improvements covered by the agreement include landscaping (irrigation systems and plant material) as well as the entry monumentation. If the project proceeds with the acquisition alternative, Brightwater Maintenance Corporation will continue to maintain the landscape area along the east side of Bolsa Chica. If the project proceeds with the development alternative, the maintenance association formed for the Windward community will be responsible for the maintenance of this landscape area and the License Agreement with the City will be amended accordingly.

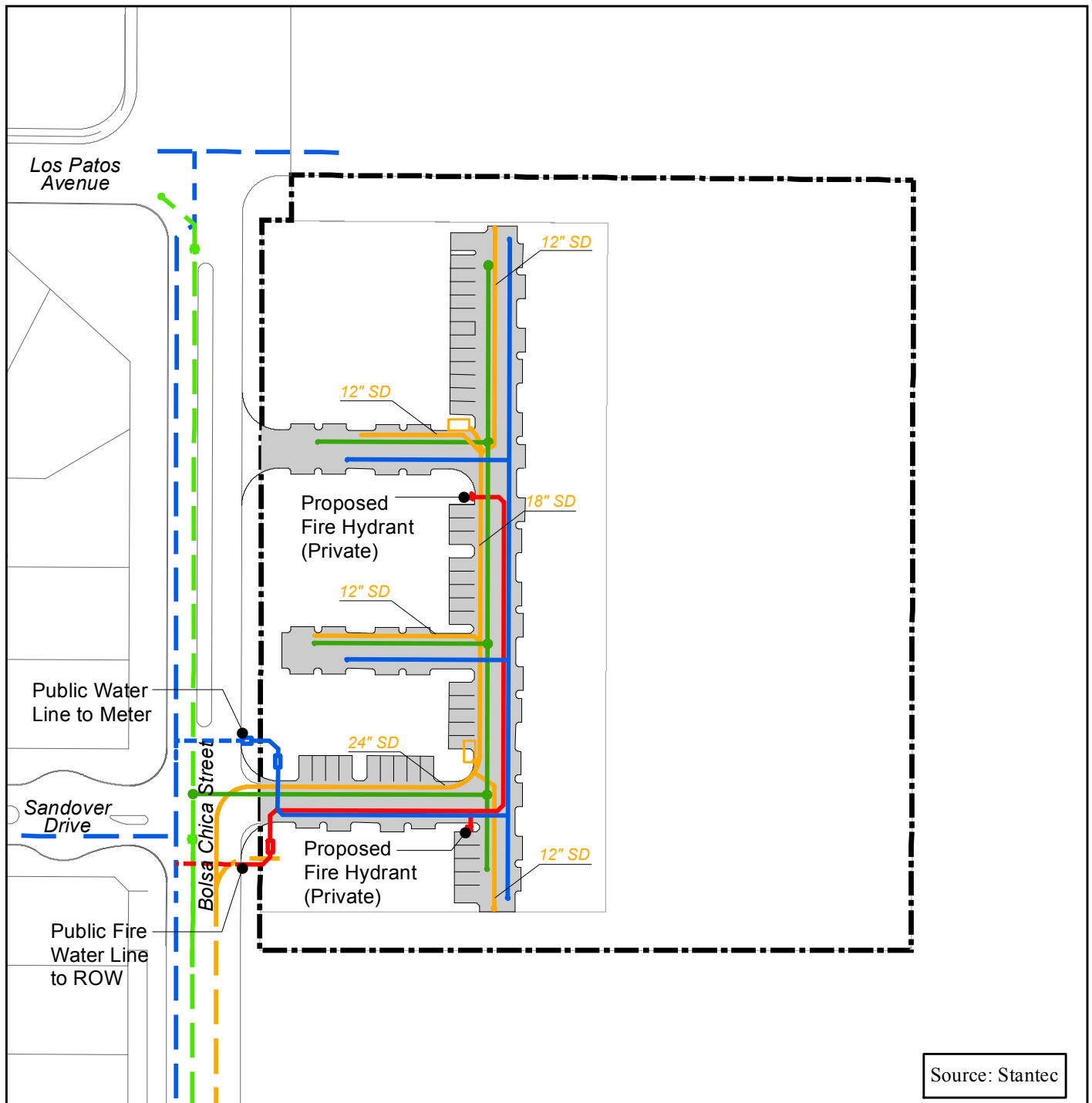
#### **6.3.5 Wastewater Plan**

The Wastewater Plan for Windward is depicted Exhibit 6-13, Storm Drain, Water, and Wastewater Plan. It indicates the backbone sewer lines that will be constructed as part of the residential development. These lines will connect to existing sewer lines within Bolsa Chica Street, which have been sized to service this project.

#### **6.3.6 Utilities and Services**

It is anticipated that utility services for the Windward project will be provided by Southern California Edison (SCE), Southern California Gas Company (SCG), Verizon (for telephone), and Time-Warner Cable (for television/computer cable modem) or their respective successor company, if ownership of their assets and/or management should resources change hands. Electrical, gas, telephone, and Cable TV facilities are all located in utility easements adjacent to Los Patos Avenue and the Sandover project. Trash service will be provided by Republic Services.





## LEGEND

	Existing Storm Drain Line		Existing Water Line		Existing Sewer Line		Proposed Fire Water Line (Private)
	Proposed Storm Drain Line		Proposed Water Line (Private)		Proposed Sewer Line		Proposed Fire Water Line (Public)
	Catch Basin		Proposed Water Line (Public)		Proposed Sewer Manhole		Proposed Fire Water Backflow Device
			Proposed Domestic Water Backflow Device				

Exhibit 6-13

## Windward Specific Plan Storm Drain, Water and Wastewater Plan

City of Huntington Beach



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May 2018



**6.4 Adopted Mitigation Measures**

1. Prior to any development, the project developer shall retain a City-approved Archaeologist who meets the Secretary of Interior Standards for both Archaeology and History. The approved Archaeologist shall prepare an Archaeological Mitigation and Monitoring Plan (AMMP) to be submitted with the coastal development permit application. The AMMP shall:
  - a. Specify that controlled archaeological grading shall occur across the entire Windward Specific Plan area where any project grading or earthwork of any kind will occur. All site grading, including archaeological grading, shall require approval of a coastal development permit and a City grading permit. The required archaeological grading shall occur prior to issuance of a precise grading permit for residential development of the project site.
  - b. Controlled archaeological grading shall consist of using mechanized equipment where the upper soil layers are removed in approximately 2 centimeter depth increments by a mechanical scraper, under the supervision of the archaeological site supervisor. The grading process shall be limited to slow excavation in small horizontal areas of individual swaths the width of the mechanical scraper blade in order to maximize the opportunity for discovery of cultural artifacts present on site. The archaeologist(s) and Native American Monitor(s) shall examine the soils as they are exposed. The depth at which archaeological grading may cease (when sterile soil is reached) shall be specifically defined and described in the AMMP. Controlled archaeological grading methods have been shown to be an effective investigative method for locating previously unknown resources on Bolsa Chica Mesa and are to be applied at the Windward site with the goal that, in the event any resources remain on-site, they will not be overlooked.
  - c. Require that all controlled archaeological grading be monitored by both Gabrielino and Juaneno Native American monitors. Monitoring will occur with at least one archaeologist and one Native American monitor per equipment array that is operating.
  - d. Specify that, in consultation with the appropriate Native American(s) preservation in place is preferred when appropriate and feasible and shall describe the specific methods to be employed for recovery and/or preservation in place of artifacts discovered during controlled archaeological grading or otherwise discovered at the site.
  - e. Specify that the approved development footprint shall not constrain on-site preservation options.

- f. Describe the protocol for the mitigation of cultural resources discovered on-site through development of a Research Design Plan, to include, but is not limited to:
    - i. The preference to preserve in place;
    - ii. The procedure for determining when significance testing is or is not required;
    - iii. Significance testing methods and procedures;
    - iv. Laboratory analysis methods;
    - v. Curatorial methods and requirements for archaeological finds that are approved to be removed from the site, including identification of an acceptable curatorial repository for all recovered materials approved for removal from the site. The AMMP Research Design Plan shall acknowledge and require that all curatorial fees shall be paid by the project developer.
    - vi. Standards of reporting requirements.
2. In the event cultural resources are exposed in any overlying basal midden remnants during the controlled archaeological grading, the archaeologist shall prepare a research design and recovery/preservation-in-place plan for the resources as outlined within the AMMP. Specific protocol for uncovering the resource and analyzing its significance will be detailed within this plan. The protocol shall establish procedures for various types of archaeological resources that may be discovered. Because of their cultural significance, however, if any of the following cultural resources are discovered in situ, i.e., they have not been moved or relocated to the site of discovery, they shall be preserved in place: human remains, house pits, hearths, artifact caches, and intact midden deposits. Prehistoric ceremonial or religious artifacts such as cogged stones, pipes, crystals, pigments, incised stone, beads and bone or shell ornaments shall be preserved in place if associated with human remains. Upon discovery of any of the above resources, all construction will stop and the archaeologists shall consult with Native American monitors to determine preservation methods.
3. If human remains are discovered during construction or any earth-moving activities, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner must notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site and may recommend or deny

scientific removal and nondestructive analysis of human remains. If the human remains are determined to be in situ, i.e., they have not been moved or relocated to the site of discovery, the preservation methods in No. 4 below shall apply.

4. Require that all construction personnel shall be instructed to stop work on the project site in the event of a potential find, until the archaeologist and Native Monitors have been able to assess the significance of the find and implement appropriate measures as outlined in the AMMP Research Design Plan. Construction personnel shall also be instructed that unauthorized collection of cultural resources is prohibited by law. If archaeological resources are discovered during ground-disturbing activities, the archaeologist has the authority to cease all earthwork in the immediate area of the finds (within 50 feet) until the find can be evaluated for significance.

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

5. Prior to the approval of the coastal development permit and any grading permit, the project developer shall provide written evidence to the City (or appropriate approval authority) that a City-approved paleontologist has been retained to observe grading activities and salvage and catalogue fossils as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the applicant, which ensure proper exploration and/or salvage.
6. A qualified biologist shall survey the project site for presence of Southern tarplant during the appropriate blooming period, May – November. If feasible, the survey shall be conducted during the peak blooming period for the year. The required Southern tarplant survey shall be submitted with the coastal development permit application. If Southern tarplant is present on-site, appropriate methods to protect it shall be considered as part of the coastal development permit review. At a minimum, any substantial occurrence (at least 500 mature individuals) shall be preserved on-site or relocated to open space areas in the Bolsa Chica area. Preservation on-site is preferred if appropriate and feasible. If relocation is required, a Southern tarplant relocation program shall be prepared by a qualified biologist for review and approval of the permit issuing authority prior to issuance of any approved coastal development permit and implemented prior to the onset of construction.

7. Focused burrowing owl surveys shall be conducted on the project site in accordance with the California Burrowing Owl Consortium (CBOC) and California Department of Fish and Wildlife (CDFW) established protocols. The survey(ies) shall be submitted with the coastal development permit application. If the surveys reveal evidence of active burrowing owl(s) presence on-site, appropriate methods of protection shall be considered as part of the coastal development permit review. The following may be considered, but different and/or additional protection measures may be deemed appropriate depending upon the contents of the survey and actual conditions at the time of coastal development permit review. The approved development footprint shall not constrain on-site active burrowing owl protection options.
- If no occupied burrows are found, the methods and findings of the surveys shall be reported to the City and CDFW for review and approval and no further mitigation would be required.
  - If unoccupied burrows are found during the nonbreeding season, the burrows shall be collapsed or otherwise obstructed to prevent owls from entering and nesting in the burrows.
  - If occupied burrows are found, a buffer of 165 feet (during the nonbreeding season of September 1 through January 31) or 250 feet (during the breeding season of February 1 through August 31) shall be provided. The buffer area may be increased based on recommendations by a qualified biologist in consultation with the CDFW. No activity shall occur within the buffer area until a qualified biologist confirms that the burrow is no longer occupied.
  - If the burrow is occupied by a nesting pair, a minimum of 6.5 acres of foraging habitat contiguous to the burrow shall be maintained until the breeding season is over. The 6.5 acres would consist of the five acres of the project site as well as the adjacent 6.2 acre Goodell Property. The western portion of the Shea property is designated as permanent open space providing an additional 19 acres of foraging habitat, but shall not be relied upon to provide the required 6.5 acres of foraging habitat.