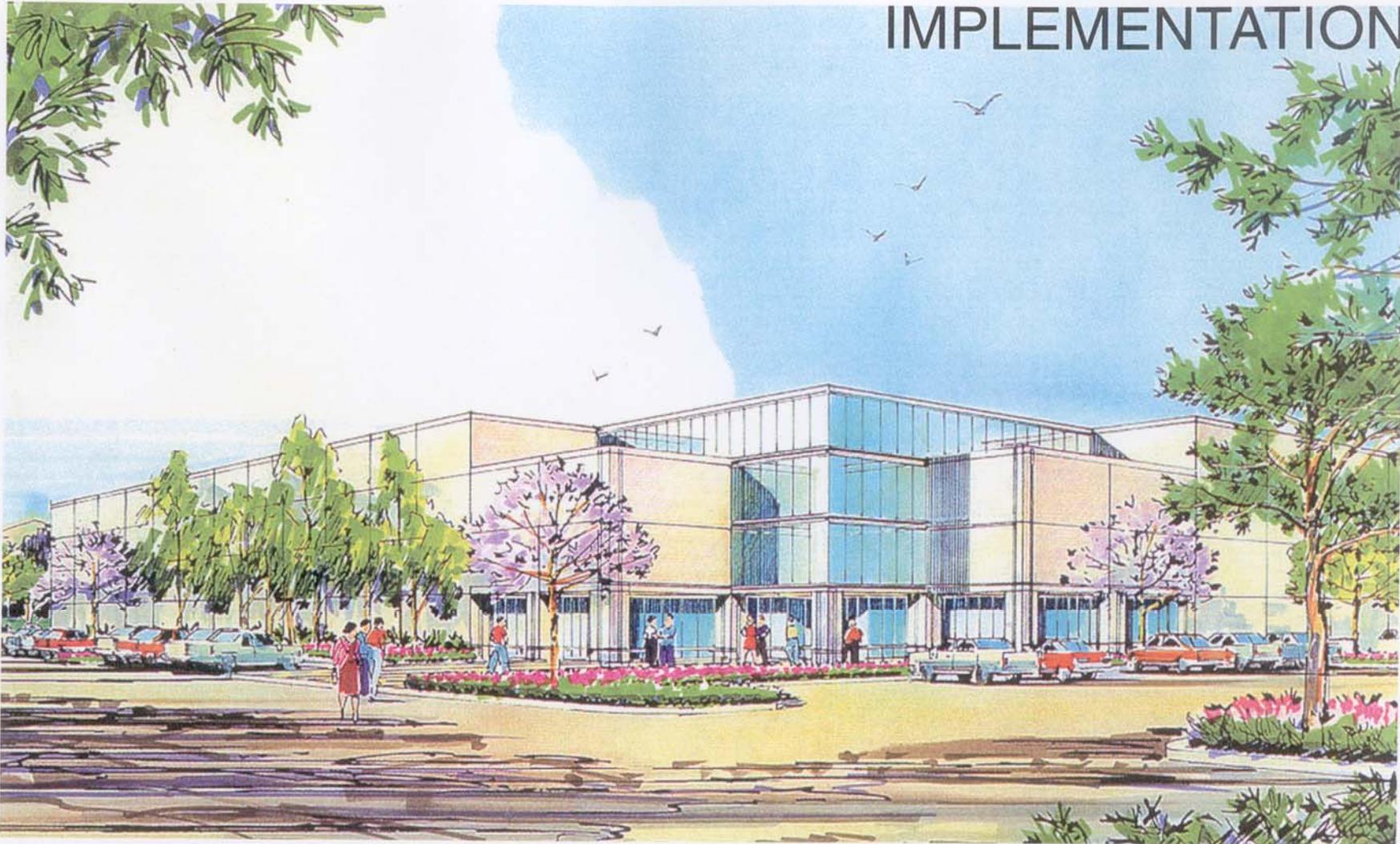
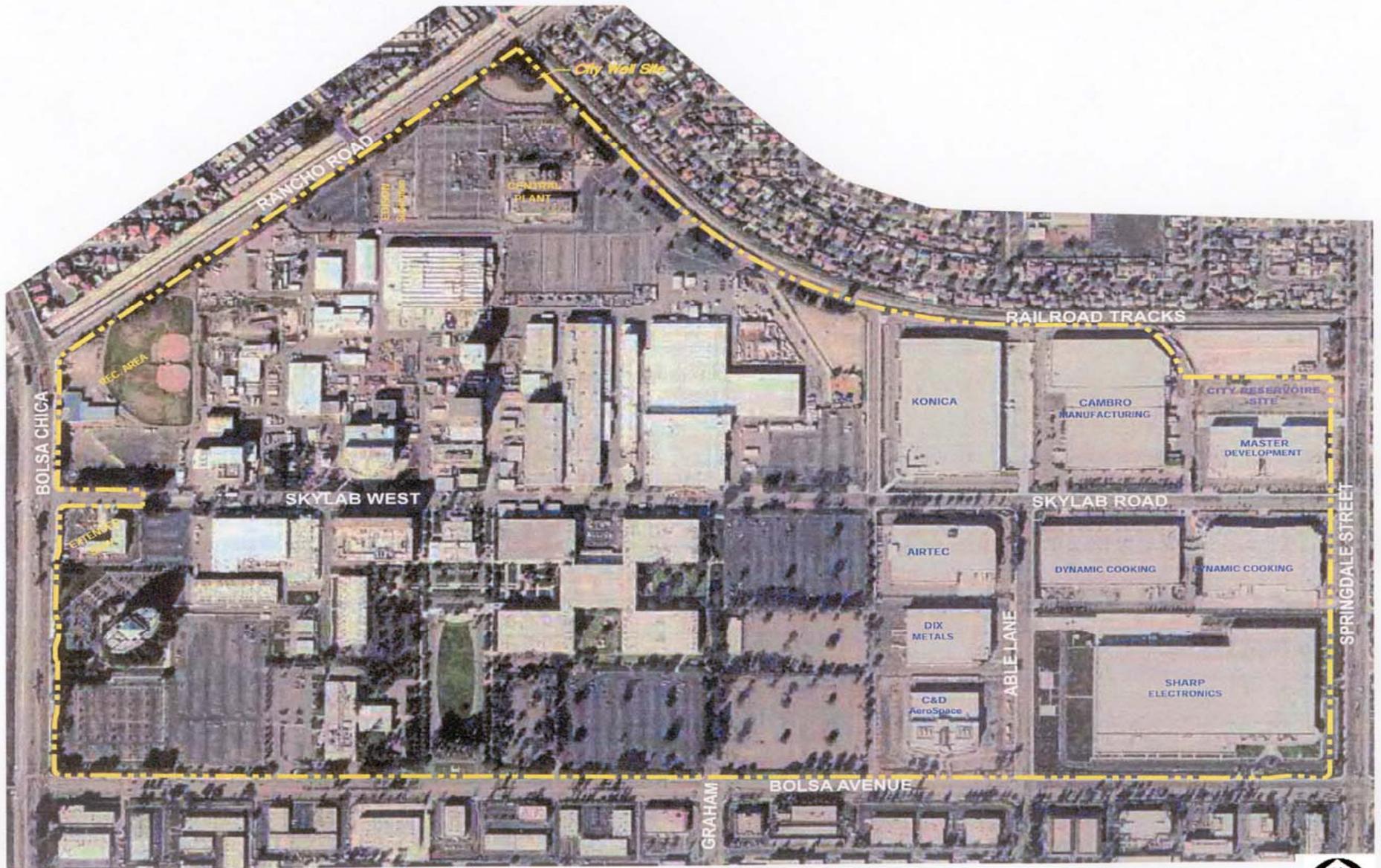


# IMPLEMENTATION



## Section Three





# Existing Conditions

Exhibit 3 - 2000 Aerial Photograph - Revised 12/2001



# IMPLEMENTATION

## 3.0 ADMINISTRATION

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

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

The Director of Planning shall have the discretion to determine if requests for modification to the Specific Plan are minor or major. Minor modifications or amendments may be accomplished administratively by the Director, with written notification to the City Council and City Administrator. Major amendments will require the processing of a Zoning Text Amendment, subject to the City's processing regulations in place at the time of the request. Minor modifications to the Specific Plan include, but are not limited to:

- ◆ The addition of information to the exhibits or text which serve to clarify, but do not change the meaning or intent.

- ◆ Changes to the infrastructure (i.e., storm drain, water and sewer systems), as recommended by the City's Director of Public Works.
- ◆ The adjustment, addition and/or lot consolidation as addressed in this section of the Specific Plan.
- ◆ Modifications to the alignment of the Planning Area boundaries to coincide with specific development plans, as recommended by the City's Director of Planning.

All modifications must be reviewed for compliance with the goals and policies of the City's General Plan, intent of the McDonnell Business Park Specific Plan and consistency with the Environmental Impact Report.

## 3.1 DEVELOPMENT PHASING PLAN

The McDonnell Business Park Specific Plan area is designed for maximum flexibility and anticipates that individual development projects will be constructed over a period of years; with no specific target date for completion. Development starts and occupancy will be dictated by market forces and phased accordingly.

A development Phasing Plan (Section 4.5) has been prepared identifying a program of the relative timing of development within each of the Planning Areas. The Phasing Plan also provides a guideline for the construction of community infrastructure and public improvements to adequately service new projects within the Specific Plan area.



### 3.2 METHODS AND PROCEDURES

The methods and procedures for implementation of the Specific Plan shall be on a project by project basis. The adoption of the Specific Plan alone will not require infrastructure improvements to the project area. Physical improvements will only coincide with the recordation of a Parcel Map and/or approval of an individual development project. The Specific Plan is a regulatory document and is not intended to be a Development Agreement.

### 3.3 MASTER PLAN

A Master Plan Concept for the project area identifying primary and alternative land uses, circulation system, infrastructure layout, public facilities and landscape scheme has been prepared (Section Four) in conjunction with the Specific Plan. All proposed projects shall be consistent with the intent of the Master Plan Concept.

### 3.4 PARCEL MAPS

The project area will be subdivided through a series of Parcel Maps. Parcel Maps shall be prepared consistent with the Master Plan Concept to create developable sites. These maps shall identify the infrastructure and improvements necessary to support the anticipated projects, subject to review by the City's Public Works and Fire Departments.

Upon recordation, Parcel Maps may be further divided and/or adjusted by filing a subsequent Parcel Map or a Lot Line Adjustment, pursuant to the provisions of the Subdivision Map Act. A parcel may be created with or without a specific project plan. A Parcel Map may be approved, or conditionally approved by the Director of Planning and City Engineer, with written notification to

the City Council, providing the proposal is found to be in compliance with the Specific Plan.

In order to approve a Parcel Map the Director of Planning shall make the following findings:

- ♦ The Parcel Map is consistent with the General Plan Land Use Element designation of Industrial (F.A.R. 0.75), the Specific Plan, and all other applicable provisions of the City's adopted codes and regulations; and
- ♦ The site is physically suitable for the type and density of development proposed; and
- ♦ The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; and
- ♦ The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through the use of property within the proposed subdivision unless alternative easements, for access or for use, will be provided.

### 3.5 SITE PLAN REVIEW

Individual development projects within the McDonnell Centre Business Park Specific Plan project area shall be implemented through a Site Plan Review process. A Site Plan Review shall be required for all new development activity, with the exception of interior improvements, general maintenance and repair or other minor construction activities that do not result in an intensification of the use. These exceptions may be



subject to other Building and Public Works permits and approvals prior to commencement.

A Site Plan Review request shall be submitted to the City on a standard City application form. Prior to the submittal to the City; Boeing Company or their successors in interest may review all plans for acceptability of design, compliance with the CC&R's and Specific Plan intent.

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

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

The Director of Planning has the authority to approve, conditionally approve, or deny a Site Plan Review, with

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

- ♦ The request is consistent with the City's General Plan and all applicable requirements of the Municipal Code; and
- ♦ The requested activity will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood; and
- ♦ The requested activity will not adversely affect the Circulation Plan (Exhibit 9); and
- ♦ The requested activity will comply with the provisions of the McDonnell Centre Business Park Specific Plan and other applicable regulations or special conditions required of the project.

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

A Site Plan Review approval shall be valid for a period of one year. Additional one year extensions may be requested for a maximum of two years. Such an extension request must be made in writing by the original applicant, property owners, and/or authorized designee, a minimum of thirty days prior to the expiration of the current approval.



# Site Plan Review Process

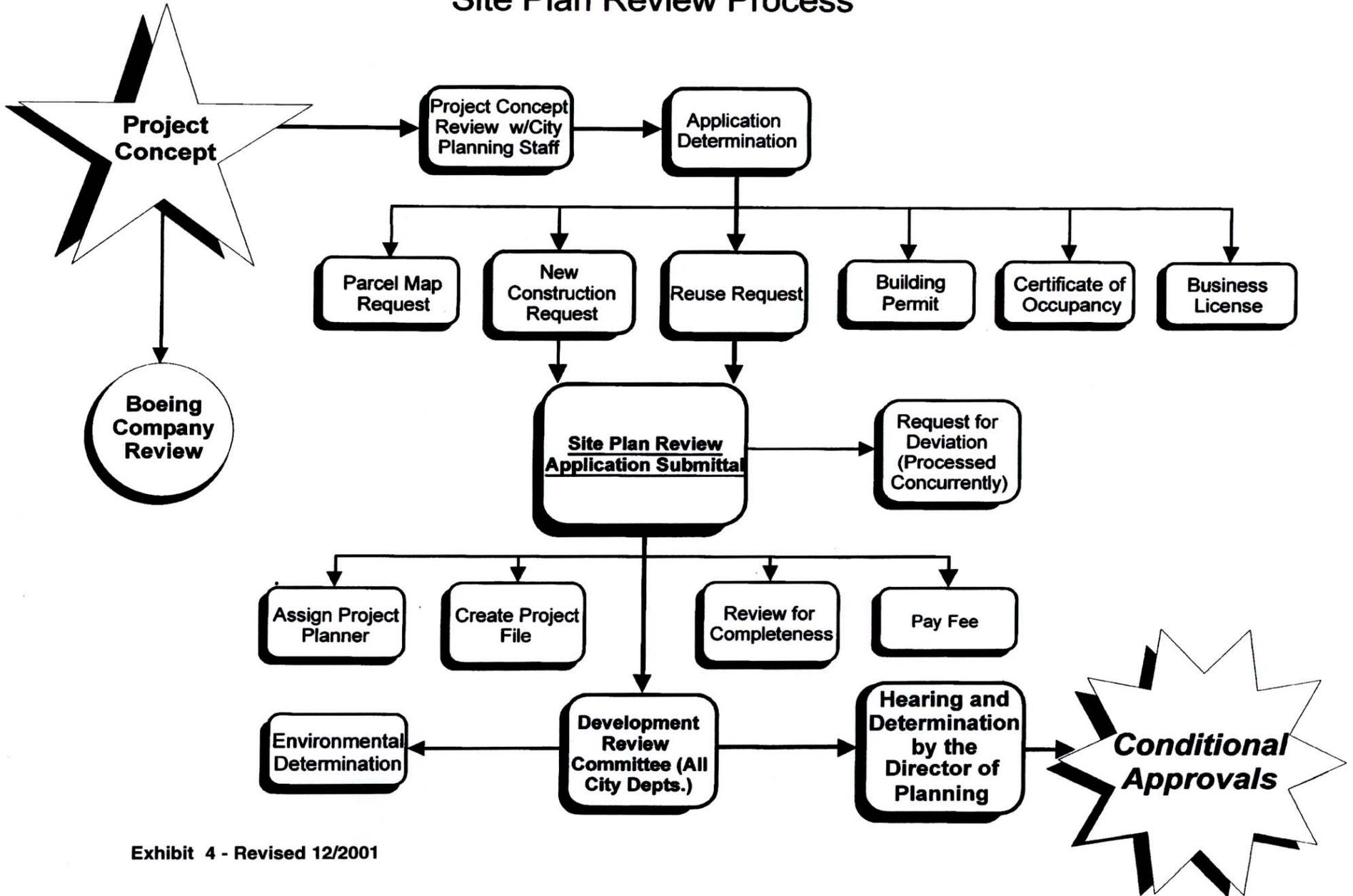


Exhibit 4 - Revised 12/2001



If construction activity does not commence within the approval or extension period, the entitlement shall be terminated. All final decisions on site plan review proposals shall be the responsibility of the Director of Planning.

### **3.6 REUSE/ CHANGE OF USE REVIEW**

Any proposal to reuse and/or change the use of a previously approved and constructed development, within the project area, will be subject to additional review by the Planning Department. The additional review will follow the same procedures outlined in the Site Plan Review process. A "like for like" change of use ( i.e. office to office or light manufacturing to light manufacturing) may only be subject to the requirements for a new certificate of occupancy; however any intensification of use shall require a new Site Plan Review. The primary concern will be to review the project request with the E.I.R. "Trip Generation Budget" and analyze the on-site ratio of available parking with the anticipated number of employees. In addition any proposed physical modifications to the existing structure and/or site shall be subject to additional review and approval of the Director prior to the issuance of building permits.

### **3.7 ENVIRONMENTAL DETERMINATION**

The extent and intensity of all anticipated development activity for the McDonnell Centre Business Park area has been identified in the Specific Plan and analyzed in Environmental Impact Report 96-1. An Addendum to EIR 96-1 addresses the Specific Plan Amendment No.1 modifications.

Development project requests consistent with the Specific Plan shall not be subject to additional

environmental review unless otherwise required by C.E.Q.A. However, the Director of Planning may request an additional environmental assessment for unique or unusual circumstances, that have not been previously addressed in the environmental review.

The Director of Planning may impose environmental mitigation measures, as specified in the E.I.R., as conditions of approval on individual Site Plan Reviews. Such conditions of approval shall describe the time period and manner in which the mitigation measure must be satisfied.

### **3.8 REQUEST FOR DEVIATION**

The McDonnell Centre Business Park Specific Plan Development Regulations (Section Six) are intended to encourage projects which create an aesthetically pleasing appearance, enhance the environment, and facilitate innovative quality architectural design with an adaptation to the surrounding environment.

Deviations from the Development Regulations of the Specific Plan may be granted at the time of Site Plan Review for special circumstances and/or unique architectural features. Requests for Deviation may include but are not limited to parcel size, building height, site coverage, setbacks, open space, parking, and landscaping. Deviation requests, up to twenty (20) percent of any single standard, may be considered by the Director of Planning. Deviations greater than twenty (20) percent must be approved by a Variance application before the Zoning Administrator, subject to the procedures outlined in the City's Zoning and Subdivision Ordinance. Development and construction phasing of selected provisions and features may be approved by the Director concurrent with a Site Plan



Review and shall not require a Request for Deviation or Variance to the Specific Plan.

Deviations shall be allowed when, in the opinion of the Director of Planning, significantly greater benefits from the project can be provided than would occur if all the minimum requirements were met. Some additional benefits which may make a project eligible for consideration include: greater open space, greater setbacks, unique or innovative designs, public open space, and the use of energy conservation or innovative technology. The Director of Planning may approve the Request for Deviation in whole or in part upon making the following findings:

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

### **3.9 SPECIFIC PLAN AMENDMENTS**

Specific Plan Amendments, other than a Minor Modification as previously described (Section.3.0), shall be made through the Zoning Text Amendment process; subject to consideration and approval of the Planning Commission and City Council in accordance with the provisions of the Huntington Beach Zoning and Subdivision Ordinance. Such Amendments may include changes to the Master Plan Concept, Design Guidelines policies and the introduction of alternative Development Regulations.

### **3.10 SEVERABILITY**

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

