

CALIFORNIA COASTAL COMMISSION  
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RECORD PACKET COPY

September 16, 1996

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: CHARLES DAMM, SOUTH COAST DEPUTY DIRECTOR  
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ROBIN MALONEY-RAMES, STAFF ANALYST, SOUTH COAST

SUBJECT: STAFF RECOMMENDATION ON MAJOR AMENDMENT 1-96  
TO THE COUNTY OF ORANGE IRVINE COAST LOCAL  
COASTAL PROGRAM: (For Public Hearing and Possible Action  
at the Meeting of October 8-11, 1996)

### **SUMMARY OF AMENDMENT REQUEST**

The proposed Irvine Coast Local Coastal Program amendment consists of major and minor revisions to the land use plan and implementation plan which make up the certified Local Coastal Program. The Orange County LCP segment name is being changed to the Newport Coast Local Coastal Program. The major change involves shifting development off a portion of Muddy Canyon to create a large open space segment connecting major inland open space lands in Crystal Cove State Park with the open space area of Trancos Canyon (see Exhibit 5a and 5b). Other major changes include: removal of restrictions on private ownership of Tourist/Commercial overnight units; placement of equestrian centers in planning areas (PA) 5, 6 and 12C; allowing guest cottages/caretaker units on 10,000 square foot lots; changing the land use designation of Planning Areas (PA) 3A and 3B from low density residential to medium density residential; allowing up to 100,000 square feet of neighborhood commercial in PA 3A and 3B; deleting Sand Canyon Avenue, and creating new planning areas 12F and 12J for the El Moro Elementary School and the Laguna Beach Water District reservoir. There is no change in the amount of land being dedicated to the State and County for conservation open space.

Many of the proposed minor changes occurring throughout the text consist of changes in place names, i.e., Irvine Coast to Newport Coast, changes in terminology, changes in acreage figures to reflect more accurate survey methods, changes which reflect the deletion of roads or changes in planning area designations, and changes to maps and tables. For the purposes of this staff report the LCP area shall be referred to as the Irvine Coast.

## **STAFF RECOMMENDATION**

Staff recommends rejection of both the proposed land use plan and implementation plan amendment as submitted, and approval, if modified.

The appropriate resolutions and motions may be found on Pages 7-9. The suggested modifications begin on Page 12. Findings for denial, as submitted, of the land use plan amendments begin on Page 16. Findings for approval of the land use plan amendments, if modified, begin on Page 19. Findings for denial, as submitted, of the implementation plan amendments begin on Page 34. Finally, approval of the implementation plan amendments, if modified, begin on Page 34.

## **ISSUES OF CONTROVERSY**

Although the County's Local Coastal Program Amendment submittal involves numerous major and minor changes, only one issue of controversy exists between the County of Orange and the Coastal Commission staff. Commission staff is recommending denial of the LUP and Implementation Plan as submitted and approval if modified as suggested. As proposed, the LCP amendment would delete the language of the certified LUP which allows only 400 of the 2,150 tourist commercial overnight accommodations to be individually owned. The staff's recommendation of denial centers on the issue of assuring that tourist commercial overnight accommodations are available to the public-at-large, consistent with Section 30222 of the Coastal Act, as opposed to private or semi-private ownership (condominiums and/or "time-share" condominiums) of all 2,150 allowable accommodation units. The suggested modifications would allow 1,800 of the 2,150 units to be privately owned, provided that the accommodations are subject to a management plan and marketed to the general public at large and that the remaining 350 overnight accommodations are built as typical hotel accommodations.

While Commission staff is recommending approval of the remaining changes to the LCP as submitted by the County, other issues of concern and objections to

the LCP amendment have been raised by by Friends of the Irvine Coast, the Laguna Canyon Conservancy, and other groups and individuals. The major issues of controversy, other than tourist commercial, involve making a portion of Pelican Hill Road part of the San Joaquin Hills Transportation Corridor, increasing the density of residential development in planning areas 3A, 3B, 4A and 4B, lessening restrictions on guest cottages and caretaker units, and the location of equestrian centers. Staff has included letters of objection in the exhibits portion of this staff report.

### **ADDITIONAL INFORMATION**

Further information on the Newport Coast Local Coastal Program (LCP) Amendment may be obtained from Robin Maloney-Rames at the South Coast office of the California Coastal Commission (310) 590-5071.

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## I. EXECUTIVE SUMMARY

The proposed Local Coastal Program Amendment involves changes to both the Land Use Plan and the Implementation Plan. The LCP segment name is proposed to be changed from Irvine Coast to Newport Coast. The major components of the amendment involve the removal of restrictions on private ownership of Tourist/Commercial units and the intensification of development in Planning Areas 3A, 3B, 4A and 4B to allow, as part of the Natural Communities Conservation Program (NCCP) process, for a large block of open space in Muddy Canyon connecting the Los Trancos open space to the larger Crystal Cove State Park open space. Planning areas 3A and 3B will be changed from low density to medium density residential and up to 100,000 square feet of neighborhood commercial will be allowed. The LCP will also be changed to allow equestrian centers (50 horse maximum) in PA 5, 6, and 12C, guest cottages/caretaker units on 10,000 square foot lots (reduced from a 20,000 square foot minimum), and the elimination of Sand Canyon Road. Basically the amount of land dedicated for public use remains the same.

The minor changes to the LCP involve changes in place names, changes to the Land Use Statistical Table and maps, changes to graphics, changes in acreage of planning areas, the addition of new planning areas, and other changes.

Staff is recommending denial of the LCP amendment as submitted and approval of the proposed LCP amendment if modified as suggested. Staff is recommending denial of the LCP amendment as submitted because the modified language would potentially allow all of the 2,150; tourist overnight accommodations to be individually owned, precluding condominiums; and timeshare condominiums which is inconsistent with the recreation policy, Section 30222 of the Coastal Act. The motions and resolutions to carry out the staff recommendation are immediately following.

## **II. MOTIONS AND RESOLUTIONS**

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

### **A. DENIAL OF THE LAND USE PLAN AS SUBMITTED**

#### **MOTION I**

I move that the Commission certify the County of Orange Irvine Coast Land Use Plan Amendment 1-96, as submitted.

#### **Staff Recommendation**

Staff recommends a NO vote and the adoption of the following resolution and findings. An affirmative vote by the majority of the appointed Commissioners is needed to pass the motion.

#### **Resolution I DENIAL OF THE COUNTY OF ORANGE IRVINE COAST LAND USE PLAN AMENDMENT AS SUBMITTED**

The Commission hereby denies certification of the amendment request to the County of Orange's Irvine Coast Coast Land Use Plan Amendment 1-96 and adopts the findings stated below on the grounds that the amendment will not meet the requirements of and conform with the policies of Chapter 3 (commencing with Section 30200) of the California Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act; the land use plan, as amended, will not be consistent with applicable decisions of the Commission that shall guide local government actions pursuant to Section 30625(c); and certification of the land use plan amendment does not meet the requirements of S1080.5(d)(2)(i) of the California Environmental Quality Act, as there would be feasible measures or feasible alternatives which would substantially lessen significant adverse impacts on the environment.

**B. APPROVAL OF THE COUNTY OF ORANGE IRVINE COAST LAND  
USE PLAN AMENDMENT IF MODIFIED AS SUGGESTED**

**MOTION II**

I move that the Commission certify the County of Orange Irvine Coast Land Use Plan Amendment 1-96, if modified.

**Staff Recommendation**

Staff recommends a YES vote and the adoption of the following resolution and findings. An affirmative vote by the majority of the appointed Commissioners is needed to pass the motion.

**Resolution II -- APPROVAL OF THE LAND USE PLAN AMENDMENT IF  
MODIFIED:**

The Commission hereby certifies the amendment request to the County of Orange Irvine Coast Land Use Plan, as modified, and adopts the findings stated below on the grounds that the amendment will meet the requirements of and conform with the policies of Chapter 3 (commencing with Section 30200) of the California Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act; the land use plan, as amended, will be consistent with applicable decisions of the Commission that shall guide local government actions pursuant to Section 30625(c); and certification of the land use plan amendment does meet the requirements of S1080.5(d)(2)(i) of the California Environmental Quality Act, as there would be no feasible measures or feasible alternatives which would substantially lessen significant adverse impacts on the environment.

**C. DENIAL OF THE COUNTY OF ORANGE IRVINE COAST  
IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED**

**MOTION III**

I move that the Commission reject the County of Orange Irvine Coast Implementation Plan Amendment 1-96, as submitted.

**Staff Recommendation**

Staff recommends a YES vote and the adoption of the following resolution and findings. An affirmative vote by the majority of the Commissioners present is needed to pass the motion.

**Resolution III DENIAL OF THE COUNTY OF ORANGE IRVINE COAST  
IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED**

The Commission hereby denies certification of the amendment to the County of Orange Irvine Coast Local Coastal Program Implementation Plan on the grounds that the amendment does not conform with and is inadequate to carry out the provisions of the certified land use plan. There are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval would have on the environment.

**D. APPROVAL OF THE COUNTY OF ORANGE IRVINE COAST  
IMPLEMENTATION PLAN AMENDMENT IF MODIFIED**

**MOTION IV**

I move that the Commission approve Implementation Plan Amendment 1-96, if modified.

**Staff Recommendation**

Staff recommends a YES vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

**Resolution IV APPROVAL OF THE COUNTY OF ORANGE IRVINE COAST  
IMPLEMENTATION PLAN AMENDMENT IF MODIFIED**

The Commission hereby approves certification of the amendment to the County of Orange Irvine Coast Local Coastal Program on the grounds that the amendment, with suggested modifications, conforms with, and is adequate to carry out, the provisions of the certified land use plan. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval would have on the environment.

### **III. STANDARD OF REVIEW**

The standard of review for land use plans, or their amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP or LUP amendment if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, it states:

#### **Section 30512**

(c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

### **IV. SUMMARY OF PUBLIC PARTICIPATION**

Section 30503 of the Coastal Act requires public input in Local Coastal Program development. It states:

During the preparation, approval, certification, and amendment of any local coastal program, the public, as well as all affected governmental agencies, including special districts, shall be provided maximum opportunities to participate. Prior to submission of a local coastal program for approval, local governments shall hold a public hearing or hearings on that portion of the program which has not been subjected to public hearings within four years of such submission.

Regarding Local Coastal Program Amendment 1-96, the County of Orange held Planning Commission and County Board of Supervisor meetings with regard to the subject amendment request on: April 16, 1996, May 8, 1996, May 21, 1996, and July 16, 1996. All of those local hearings were duly noticed to the public.

Notice of the subject amendment has been distributed to all known interested parties.

## **V. BACKGROUND**

The Irvine Coast Land Use Plan was certified by the Coastal Commission on January 19, 1982. The Implementing Actions Program was submitted to the Commission in 1984, but was then withdrawn. At the November 1987 Coastal Commission hearing the Commission approved Irvine Coast Land Use Plan Amendment (1-87) and the resubmittal of the Implementing Actions Program. On January 14, 1988 the Coastal Commission concurred with the Executive Director's determination that the County of Orange's acceptance of the Land Use Plan and Implementing Actions Program was legally adequate.

The 1988 amendment (commonly known as the Irvine Coast 1st Amendment) included the following revisions: 1) deletion of 200,000 square feet of permitted office use; 2) expansion of hotel use near the intersection of the proposed Pelican Hill Road and Pacific Coast Highway to include two 18-hole golf courses, 400 additional hotel rooms (1,900 total) and 25,000 square feet of additional commercial retail use (75,000 square feet total); 3) clustering of 2,600 residential units on the ridges; and 4) preservation of open space in Buck Gully, Los Trancos Canyon, the frontal slopes of Pelican Hill, Muddy Canyon and the land (2,666 acres) between Crystal Cove State Park and the City of Laguna Beach.

Since the 1988 certification of the 1st Amendment and Implementation Actions Program, constituting the Local Coastal Program, the County of Orange has approved 30 Coastal Development Permits consisting of 2,059 residential units and 1,450 tourist commercial units, all major collector roads, and recorded offers of dedication on all major open space (except Muddy Canyon). Two public golf courses have been completed and are open to the public. Planning areas 13A and 13B have been sold to the Disney Company for a major tourist commercial resort, and 440 residential buildings have been completed or are under construction in planning areas 1B, 2A, 2B and 9.

The major purpose of this Local Coastal Program Amendment is to update the previously certified LCP to reflect negotiations between the County of Orange, the Irvine Company, the California Department of Fish and Game, and the U.S. Department of Fish and Wildlife Service concerning acquiring connective open space between Los Trancos Canyon and Buck Gully and the major portion of open space in Crystal Cove State Park (see Exhibits 5a and 5b). The existing land use plan calls for development within the area now being converted to

recreation open space, namely the construction of Sand Canyon Road and associated residential development adjacent to Muddy Canyon from Pacific Coast Highway to the coastal zone boundary (see Exhibit 8a). The proposed amendment calls for deleting Sand Canyon Avenue, eliminating the lower portion of Planning Area 5 and designating the area between Planning Areas 5, 6 and 4A as recreational open space.

In addition, the LCP changes certain place names, i.e., "Pelican Hill Road" to "Newport Coast Drive", "Irvine Coast" to "Newport Coast", and change "overnight accommodations" to "overnight/resort accommodations."

## VI. LAND USE PLAN SUGGESTED MODIFICATIONS

The Commission hereby suggests the following changes to the County of Orange Irvine Coast Local Coastal Program Amendment 1-96 which are necessary to bring the amendment into conformity with the Chapter Three policies of the Coastal Act. If the local government accepts within six months the suggested modifications by formal resolution of the County Board of Supervisors, the Land Use Plan amendment will become effective upon Commission concurrence with the Executive Director finding that this has been properly executed.

Certification of the Land Use Plan Amendment is subject to the following modifications:

*(deletions indicated by strike-out, additions indicated by underscoring)*

1. Chapter 4, Development Policies, Tourist Commercial Policies for PAs 13A-13F, Policy A(1)(b)(4) on page I-4.2 is proposed to be deleted. The following should be added as new policy A(1)(b)(4):

Not more than 1,550 of the allowable 1,900 overnight/resort accommodation units may be individually owned and/or time share accommodations, provided the units are subject to a management plan under which all units are subject to reservation for transient overnight accommodations during the course of each calendar year. The management plan shall include an aggressive marketing program to maximize exposure of the availability of the units to the widest segment of the public, e.g., including but not limited to advertisement in travel organization publications such as AAA and not solely time share or condominium owners trade organizations.

The remaining 350 overnight/resort accommodation units shall be constructed, operated, and maintained as typical hotel and/or motel overnight accommodations, which may include hotel "suites". The County shall, through monitoring of the coastal development permits issued within PAs 13A-13F, ensure that adequate acreage is reserved for the development, operation and maintenance of a 350 room hotel and/or motel, including hotel "suites", and uses ancillary to and directly supportive of hotel and/or motel or hotel "suites" accommodations.

Within PA 13A-13F and PA 14, there shall be a maximum of 2,150 overnight/resort accommodation units. Of this total, a maximum of 1,800 units may be individually owned and/or time share accommodations, subject to the above management plan and the reservation of adequate acreage for 350 typical hotel and/or motel, including hotel "suites" accommodation units. The 350 unit hotel and/or motel accommodation may be constructed as a single facility within PA 13A-13F or as more than one facility within PA 13A-13F and PA 14 provided a minimum of 350 units of typical hotel and/or motel, including hotel "suites" are built, operated and maintained.

The maximum number of individually owned units and/or time share accommodations within PA 13A-13F may be increased provided a corresponding number of typical hotel and/or motel, including hotel "suite" units are provided in PA 14 and the total number of individually owned units and/or time share accommodations in PA 13A-13F and PA 14 do not exceed 1,800.

2. Chapter 4, Development Policies, Tourist Commercial Policies, Lower Wishbone (PA 14) modify as follows Policy A(2)(c):

Maximum number of overnight/resort accommodations shall be 250., including condominiums, casitas, and/or time share condominiums, all of which may be individually owned and/or time share accommodations provided the units are subject to a management plan under which all units are subject to reservation for transient overnight accommodations during the course of each calendar year. The management plan shall include an aggressive marketing program to maximize exposure of the availability of the units to the widest segment of the public, e.g., including but not limited to advertisement in travel organization publications such as AAA and not solely time share or condominium owners trade organizations.

Within PA 13A-13F and PA 14, there shall be a maximum of 2,150 overnight/resort accommodation units. Of this total, a maximum of 1,800 units may be individually owned and/or time share accommodations, subject to the

above management plan and the reservation of adequate acreage for 350 typical hotel and/ or motel, including hotel "suites" accommodation units. The 350 unit hotel and/or motel accommodation may be constructed as a single facility within PA 13A-13F or as more than one facility within PA 13A-13F and PA 14 provided a minimum of 350 units of typical hotel and/or motel, including hotel "suites" are built, operated and maintained.

If typical hotel and/or motel, including hotel "suite" units are provided in PA 14, a corresponding increase in the number of individually owned units, including condominiums, casitas and/or time share condominiums, can occur in PA 13A-13F provided the total number of individually owned units and/or time share accommodations, in PA 13A-13F and PA 14 do not exceed 1,800.

## **VII. Findings for Denial as Submitted and Approval if Modified**

The following findings support the Commission's resolution for DENIAL of the LCP amendment as submitted and APPROVAL of the LCP amendment if it is modified as indicated in Section VI (the Suggested Modifications) above. The Commission hereby finds and declares as follows:

### **A. Tourist Commercial / Visitor Serving Component**

#### **1. Proposed Changes**

a. change "overnight accommodations" to "overnight/resort accommodations", throughout the text,

#### **Planning Areas 13A - 13F**

b. delete Policy A(1)(b)(4) on page I-4.2 which reads: "Not more than 400 overnight accommodations may be individually owned."

c. change policy A(1)(b)(5) to policy A(1)(b)(4) and delete "(multiple bedroom, low rise accommodations) owned and operated by hotels..." from the policy on how to count "casitas" towards the maximum limit of 1,900 tourist commercial units,

d. change the maximum building coverage for PA 13C, 13D, 13E and 13F

- 13C -- from 25 to 50% maximum overall coverage
- 13D -- from 20 to 50% maximum overall coverage
- 13E -- from 50 to 25% maximum overall coverage

13F -- from 50 to 20% maximum overall coverage

- e. change the maximum building coverage by height categories
  - 13C -- from 25 to 50% maximum  
for structures up to 40 feet -- from 7 to 32% maximum\*
  - 13D -- from 20 to 50% maximum  
for structures up to 40 feet -- from 2 to 32% maximum\*
  - 13E -- from 50 to 25% maximum, no height distribution,
  - 13F -- from 50 to 20% maximum, no height distribution

*\*Note: Although the building coverage percentage for buildings up to 40 feet has been increased, the percentage of building coverage for structures 60 feet and above remains the same. This change reflects the trend towards time shares, condominiums and casitas as opposed to high-rise buildings such as hotels.*

#### **PA 14**

f. change the principal permitted use statement for PA 14 on page I-4.7 to delete the phrase "such as a hotel or motel"

g. change policy 2(c) on page I-4.7 to expand the list of possible tourist commercial uses to include the phrase "or casitas"

h. add the policy from page I-4.2 as policy 2(e)(1 & 2) on page I-4.7 on how to count casitas towards the maximum tourist commercial unit total of 2,150

i. delete provisions 1-3 of policy 2(i) on page I-4.8 concerning setbacks from interior roadways and exterior property lines

#### **20A**

j. delete PA 16A and 16B from tourist commercial and add PA 20A to policy 3 on page I-4.8

k. add public works facilities to the list of permitted uses in PA 20A

l. delete the restriction on tying commercial uses in PA 20A to park and/or recreational visitor activities

#### **2. Coastal Act Policy**

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal

recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

3. Findings for Denial of the Proposed Changes to the Tourist Commercial Component as Submitted

The First Amendment to the Irvine Coast LCP provides for a total of 2,150 overnight visitor serving tourist commercial units, 1,900 units in PAs 13A-F and 250 units in PA 14. Other tourist commercial planning areas are designated for retail commercial rather than overnight uses. Existing Tourist Commercial planning areas are found in 13A-F, 14, 16A and 16B. In the proposed amendment PA 16A and 16B will be changed from tourist commercial to conservation and PA 20A will be changed from recreation to tourist commercial. In addition, this Second Amendment proposes the removal of all restrictions on individual ownership of the 1,900 tourist commercial units in PA 13A-F.

The overnight tourist commercial accommodations are based on the destination resort concept contained on page I-2.10 of the certified LCP, which states in part:

In furtherance of Coastal Act Sections 30222, 30223, and 30250(c), the Irvine Coast LUP is structured to create the setting for a "destination resort". Unlike an individual hotel or a lodge oriented to attract a particular type of clientele, a destination resort is designed to provide a **broad range of accommodations** and recreational facilities which combine to create a relatively self-contained, self-sufficient center for visitor activities. By providing on-site recreational facilities, the destination resort will attract longer term visitors, as well as those staying only a few days. As a consequence, accommodations may range from hotel rooms to "casitas" and other types of lodging containing kitchen facilities and room combinations to serve guests staying for a variety of time periods. (Casitas are overnight lodgings consisting of multiple bedrooms that may be rented separately and which may connect with a central living area that may include cooking facilities.) **Traditional hotels with guest rooms** will combine with individual studio, one bedroom and multiple bedroom units to offer a spectrum of accommodations to suit varying lengths of stay, family sizes, and personal preferences. (emphasis added)

The definition of destination resort lists the range of recreational amenities and types of facilities which can be provided as well as the specific types of accommodations to be provided. These are:

...Overnight resort facilities may comprise hotels, individual units owned and/or managed by the hotel operators or owners and individually owned units. The destination resort facilities shall be advertised to the public as an integrated set of recreational visitor-serving attractions, with management of the overnight accommodations structured to allow for both centralized (e.g., hotel) management and individual owner management.

Under this definition and existing LUP policy (A)(1)(b)(4), of the 1900 overnight accommodations in planning areas 13A-F, not more than 400 can be individually owned. The remaining 1500 overnight accommodation must be built as traditional hotel/motel accommodations or individual units owned and/or managed by hotel operators or owners. The County is proposing to remove the restriction on individual ownership of overnight accommodation units in PAs 13A-13F. This would allow all 1,900 overnight accommodations to be built as individually owned condominium units or casitas and/or time share condominiums. Under the proposed amendment no overnight accommodations would have to be built as traditional hotel facilities. Traditional hotel facilities serve a broader range of the general public, the transient visitor, and not just owners of the condominiums or time share units. Approval of the LCP amendment as proposed would also be inconsistent with the above Commission findings in the certified LCP with regards to the destination resort concept. If no overnight accommodations are reserved for traditional hotel guest room use, then there will not be a "broad range of accommodations" but instead only overnight accommodations requiring ownership to stay (time share condominiums) or individually owned condominiums where the owners have the right to occupy the units for any length of time, in essence a private residential use.

On February 14, 1994 the Executive Director signed a letter of agreement with the County of Orange stipulating that the certified LCP contemplates a variety of types of overnight lodging, and the proposed Disney Vacation Club (PA 13A & 13B) project is consistent with the uses contemplated. In this letter the County stipulated that the definition of "overnight facilities" includes three types of facilities: 1) hotels, 2) individual units owned and/or managed by the hotel operators or owners, and 3) individually owned units. The letter also stipulated that: 1) up to but no more than 1000 of the 1900 overnight accommodation units shall be used as resort time share units under the "individual units owned and/or managed by the hotel operators or owners" category of the LCP resort definition, 2) up to but no more than 400 additional units will be allocated to the

"individually owned" category consistent with the certified LCP policy (A)(1)(b)(4) and 3) the remaining units would be the "hotel" category for general public use.

The effect of the Second Amendment to the Irvine Coast LCP, if approved as submitted, would be to eliminate all restrictions on individual ownership, i.e., enable the units currently reserved for hotel/general public use to be individually owned condominiums or group privately-owned time share condominiums with associated rights of the condominium or time share owners to occupy their units.

The County has stated in the Coastal Act Consistency Review dated March 20, 1996 that there is currently an overabundance of hotels in the vicinity, that there is no demand or market for new hotels, and that the removal of restrictions on individual ownership of overnight tourist commercial visitor-serving units is simply a way to make alternative forms of resort accommodations more attractive to investors. In support of this argument the County notes that of the three separate resort applications, one for Hyatt, one for Marriott, and one for Disney, only the Disney project resulted in an actual sale of land, despite the fact that there are two championship golf courses open for play and the other coastal amenities nearby, i.e., Crystal Cove State Park and the communities of Laguna Beach and Corona del Mar.

The original language of the LCP First Amendment allowed only 400 of the overnight visitor serving units to be individually owned. In acknowledgement of the fact that the market is down for hotels and motels, the Executive Director concurred with the County that up to 1,000 units could be built as a resort time share which would be owned and operated by Disney Vacation Club, and that of the remaining 900 units, only 400 could be individually owned and the rest would be for traditional hotel accommodations for the general public. The remaining 250 units in PA14 can be privately owned under the existing definition of overnight accommodations.

In meetings, the County of Orange and the Irvine Company have stated that in the normal operation of privately owned condominiums, time-share condominiums and casitas, a certain number of units are always available for general public consumption. However, a condominium owner is not required to make his/her unit available to the general public and can occupy the unit on an unlimited basis. It is also common operation for unsold user periods in time-share condominium developments to be offered as incentives to prospective time-share investors or used by current owners as additional use weeks or traded among time-share owners from other facilities and not offered to the public at large. Therefore, under the proposed LCP amendment there is no way

to ensure that any tourist commercial visitor serving units will remain accessible to the general public.

Section 30222 of the Coastal Act places a higher priority on visitor-serving commercial uses than on private residential uses. Although an individually owned condominium unit could be rented out if the owner so chooses, it could also be occupied by the owner for the majority of the year, in essence becoming a private residential use. This is inconsistent with Section 30222 of the Coastal Act. While time-share condominiums are not individually owned, they require the purchase of ownership in order to stay at the overnight facility. Thus this use also does not conform to Section 30222 as visitor serving commercial use allowing the general public to use the overnight facility. Visitor serving uses provide greater public benefit than private residential uses because a larger segment of the population is able to take advantage of and enjoy the use. As proposed, the Irvine Coast LCP would allow all 2,150 overnight accommodations to become condominiums and/or time-share condominiums, thus giving greater priority to private residential.

Therefore, the Commission finds that the tourist commercial component of the Land Use Plan amendment, and policy A(1)(b)(4) in particular, as submitted, does not conform with Section 30222 of the Coastal Act.

4. Findings for Approval of Tourist Commercial Component as Modified with Suggested Modifications

The Commission found in section 3 above that the tourist commercial component of the land use plan amendment does not conform with Section 30222 of the Coastal Act because it does not ensure that tourist commercial visitor serving overnight accommodations are reserved for the general public.

Commission staff, the County of Orange and the major land owner of the LCP area, the Irvine Company and their representatives have met to discuss the removal of the restriction on the number of overnight accommodations that can be individually owned. In recognition of the failed attempts in past years to get a traditional hotel built, Commission staff has agreed to a significant relaxation of the restriction on the number of tourist overnight accommodations that can be individually owned. In our final meeting, the day before this staff report had to be finalized, the parties agreed in concept with the suggested modifications. The suggested modifications state that no more than 1,550 of the 1,900 overnight accommodations in PAs 13A-13F may be individually owned, thus reserving 350 units for traditional hotel or motel uses. In addition, the rental opportunities of the 1,550 individually owned units would be advertised to attract the widest

segment of the public. The County also agreed to monitor the coastal development permit process to ensure that 350 overnight accommodations are not precluded by other development and ensure that adequate acreage is reserved for development of these 350 units. Finally, staff agreed that a future LCP amendment may be submitted to remove the restriction on private ownership of the remaining 350 overnight units if the County demonstrates that individually owned units and/or time-share condominium units are functioning to serve the widest segment of the general public as opposed to primarily serving unit owners and/or owners of off-site time-share or condominiums who are trading their use rights.

Therefore, the Commission finds that policy A(1)(b)(4) of the land use plan of the proposed Irvine Coast Local Coastal Program Amendment 1-96, as amended by the recommended suggested modifications, conform with Section 30222 of the Coastal Act.

5. Consistency of Miscellaneous Tourist Commercial Changes

The miscellaneous changes to tourist commercial areas include the addition of the term "resort" to "overnight accommodations", the conversion of 16A and 16B from tourist commercial to conservation, and the conversion of PA 20A from recreation to tourist commercial (see Exhibits 4a and 4b). Related changes to 20A include removing restrictions that the commercial uses have to be tied to recreation and Crystal Cove State Park and adding public works facilities to the list of allowable uses.

Attachment 2, Findings on environmental, planning and other issues raised in general comments on Irvine (Newport) Coast LCP -- Second Amendment dated May 21, 1996 states that the City of Laguna Beach expressed a desire to use PA 20A as a City Public Works Yard. The principal permitted uses in tourist commercial areas include overnight accommodations, retail commercial, service commercial, conference and meeting facilities, golf courses, and parking facilities. PAs 16A and 16B which were designated tourist commercial are located on the eastern portion of Laguna Canyon Road inland from 20A. PA 20A is located closer to the coast. Designating 20A as tourist commercial, therefore, brings any possible facilities closer to the coast where they are better able to serve the visitor-serving public. PAs 16A and 16B are designated as conservation which is more in keeping with the character of the area. In addition, 20A was formerly designated as Recreation and permitted uses included parking facilities, educational and cultural facilities, recreation support facilities, flood control and drainage facilities, and public utilities.

The Commission finds that these miscellaneous changes, including the conversion of 20A from recreation to tourist commercial and the conversion of PAs 16A and 16B from tourist commercial to conservation, do not adversely impact visitor serving policies and therefore conform with Section 30222 of the Coastal Act as submitted.

## **VIII. FINDINGS FOR APPROVAL AS SUBMITTED**

### **A. Circulation System Changes**

#### **1. Proposed Circulation System Changes**

In the certified LCP and in the County Master Plan of Arterial Highways (MPAH) two roadways in the Irvine Coast (Sand Canyon Avenue and Pelican Hill Road) were designated as arterial highways (see Exhibit 4a). Changes to the certified LUP regarding circulation occur on page I-1.7. These changes are:

- a. Change the name of Pelican Hill Road to Newport Coast Drive,
- b. Delete Sand Canyon, a two-lane commuter arterial highway, from the certified LCP.

In addition, opponents of the proposed Second Amendment have raised the issue of Pelican Hill Road becoming part of the San Joaquin Hills Transportation Corridor (SJHTC) toll road. This occurs outside of the Coastal Zone.

The November 1987 staff report recommending approval of the First Amendment to the Irvine Coast LCP contains a section on transportation. The First Amendment staff report states:

Two major arterial roadways, Pelican Hill Road and Sand Canyon Avenue are designated in the IAP... Pelican Hill Road will be phased such that four travel lanes from PCH to MacArthur Boulevard shall be completed prior to issuance of certificate of occupancy for development inland of PCH which generates in excess of 4500 Average Daily Trips. ... Sand Canyon Avenue shall be constructed to 2-lane commuter arterial road standards in conjunction with adjacent development. Similarly, PCH will be widened consistent with 6-lane major arterial standards in conjunction with adjacent development.

On page 22 the findings adopted by the Commission discuss the importance of Pelican Hill Road and Sand Canyon to regional traffic patterns.

The 1978 LCP circulation improvements provide significant relief to the most congested links of the adjacent arterial system (primarily Pacific Coast Highway and MacArthur Blvd.), by ultimately diverting approximately 30% of existing traffic around this area via Pelican Hill Road while only adding 15% of existing traffic back onto the system in these critical locations.

The Commission findings continue:

In addition to relieving traffic on Pacific Coast Highway during peak commute hours, the construction of Pelican Hill Road, in particular, will provide significant recreational access capacity by connecting inland areas directly to Crystal Cove State Park.

## 2. Coastal Act Policy

Section 30252 of the Coastal Act states

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30240 of the Coastal Act states:

(a) Environmentally sensitive habitat areas shall be protected against significant disruption of habitat values, and only uses dependent upon those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

3. Consistency of Deletion of Sand Canyon Avenue

The major factor in the County's and Irvine Company's decision to delete Sand Canyon Avenue was the desire to create connective open space in the central portion of Muddy Canyon in order to connect the open space at Los Trancos Canyon with the larger Crystal Cove State Park open space. The June 18, 1996 technical appendices of the Irvine Coast LCP Amendment discuss the connection between the NCCP Subregional Plan and Sand Canyon Road. Page 7 of the June 27, 1996 EMA Transportation staff report to the Planning Commission states:

The proposed deletions of Sand Canyon Road between SJHTC and PCH and San Joaquin Hills Road between Newport Coast Drive and SJHTC are based on a number of factors. Foremost among these is the circulation changes associated with the Shady Canyon development in the City of Irvine as discussed previously. In addition, environmental considerations associated with the localized Natural Communities Conservation Plan (NCCP), topographic constraints and changes in land use planning in Irvine Coast area have rendered construction of these facilities infeasible.

It continues:

Moreover, construction of this facility will traverse areas currently designed as NCCP habitat and may hinder movement of wildlife species associated with this plant community.

In an April 18, 1996 letter concerning the proposed Second Amendment, the California Department of Parks and Recreation states that the elimination of Sand Canyon Avenue will be "beneficial" to Crystal Cove State Park.

The June 21, 1995 Mitigated Negative Declaration -- Initial Study IP95-100 for MPAH Amendments - Sand Canyon Road and San Joaquin Hills Road states that there were several factors causing Sand Canyon Avenue to be deleted from the MPAH. These reasons include: 1) Sand Canyon Avenue north would be deleted thus eliminating Sand Canyon Avenue as a north-south arterial roadway, 2) with the deletion of Sand Canyon Avenue north Sand Canyon would no longer

serve a regional purpose, 3) Sand Canyon Avenue would bisect large segments of open space in the Irvine Coast, 4) implementation of Sand Canyon Avenue would result in the loss of 133 acres (including coastal sage scrub), and 5) implementation of Sand Canyon Avenue would result in considerable landform alteration.

The 1995 MPAH Amendment report states on page 6.0-15 that the implementation of Sand Canyon Avenue would result in the loss of 150 acres of habitat, would result in the fragmentation of large segments of open space, would result in impacts to sensitive species such as the Gnatcatcher and Cactus Wren, and would interfere with a prime wildlife crossing corridor at the SJHTC.

On page 6.0-16 the MPAH Amendment report documents the impacts of the deletion of Sand Canyon Avenue on the regional circulation system. It states that the traffic expected to utilize Sand Canyon Avenue would shift to Newport Coast Drive resulting in an increase of 7,000 ADT near Coast Highway and by 11,000 ADT south of San Joaquin Hills Road. In addition, the report states that the volume change on Coast Highway is less than 1,000 ADT in Corona del Mar and between 4,000 and 5,000 ADT in Laguna Beach. The report concludes that the total volume of traffic on Newport Coast Drive is within the capacity of the existing 6 lanes.

The issue of Sand Canyon Avenue and its potential adverse environmental impacts, if implemented, was addressed in the 1981 Coastal Commission staff report regarding the Irvine Coast Land Use Plan. The staff report noted that the implementation of Sand Canyon Avenue would be inconsistent with Section 30240(a) and (b) of the Coastal Act because the road would have significant adverse impacts on natural resources, visual resources and wildlife resources in Muddy Canyon. Pelican Hill Road (Newport Coast Drive) has always been identified as the major roadway connecting the Irvine Coast with the inland areas.

Therefore, the Commission finds that the deletion of Sand Canyon Avenue will have significant beneficial effects on the environment because of a reduction in grading, reduction in the loss of coastal vegetation, and will result in improved connectivity between the open space in Crystal Cove State Park and Los Trancos Canyon. In addition, elimination of the northern portion of Sand Canyon Avenue outside the Coastal Zone eliminates its usefulness as a regional arterial. Finally, traffic generated from residential development in areas 3A, 3B, 4A and 4B can be transferred to Pelican Hill Road, which is capable of absorbing the additional load. Therefore, the Commission finds that elimination of Sand Canyon Avenue conforms with Sections 30252 and 30240 of the Coastal Act.

4. Consistency of Pelican Hill Road (Newport Coast Drive)

There has been an ongoing controversy between the County, the Irvine Company and concerned persons over the fact that Pelican Hill Road becomes part of the San Joaquin Hills Transportation Corridor toll road directly outside the coastal zone. Although no changes are proposed concerning Pelican Hill Road, other than the name change, persons concerned about the roadway have communicated written and verbal objections to this fact to Coastal Commission staff for at least a year and have submitted comments in opposition to the proposed Second Amendment. The issue is likely to be raised at the Commission hearing by opponents of the project, although there are no specific LUP policies being altered concerning Pelican Hill Road. However, the issue arises peripherally in connection with Sand Canyon Avenue and the diversion of traffic to Pelican Hill Road.

From the Commission's perspective there are four critical factors. First, the transition of Pelican Hill Road (Newport Coast Drive) to become a toll road takes place outside the Coastal Zone boundary. Second, the Coastal Commission concurred with a consistency determination for the San Joaquin Hills Transportation Corridor which included the segment of Pelican Hills Road outside the Coastal Zone as a part of the toll road. Third, the fact that a portion of the road is tolled does not make it a non-public road since it is still available to anyone who chooses to use it. And, fourth, there is a bypass alternative which does not involve paying tolls commonly referred to as the "free alternative."

Section I-2 of the County background document Coastal Act Consistency/Overall Findings and Conclusions discusses the role of Pelican Hills Road in the regional transportation system. Specifically it states:

By connecting the State Park entry at Pelican Point to the coastal hills, and joining MacArthur Boulevard south of the University of California at Irvine Campus, it reduces the need to use Pacific Coast Highway as a distribution route for inland traffic that would otherwise come from MacArthur Boulevard and Laguna Canyon Road. In particular, Pelican Hill Road in effect increases PCH capacity through Corona del Mar by providing a direct link between down-coast residential areas and major inland destinations, including employment centers and the UCI campus.

...

In addition to its recreational access function, Pelican Hill Road will provide direct access from the Irvine Coast to the commercial centers of Orange County. It will have capacity well in excess of that required to accommodate the development of the Irvine Coast, and as a result will reduce traffic levels through Corona del Mar.

Critics of the project contend that making a portion of the Pelican Hill Road a toll road will discourage public use of it, will divert traffic through Laguna Beach and Corona del Mar and therefore nullify any circulation benefits it was intended to provide.

In Attachment 5 (May 8, 1996 Orange County Planning Commission Hearing) there is a 1994 legal opinion from the Attorney General's office concerning the incorporation of Pelican Hill Road outside the coastal zone into the SJHTC. The Attorney General's opinion states that the cost of the toll on this section of road would be .50 cents in either direction. Finally, the Attorney General's opinion supports the position of the County of Orange that it has the legal right to make a portion of the Newport Coast Drive a toll road and that it will not have adverse impacts on circulation.

The findings for the EIR/EIS for the SJHTC stated that the SJHTC would have a positive effect on local arterials because it would divert commuter traffic which might ordinarily use Pacific Coast Highway and other local arterials. Making Pelican Hill Road a toll road outside the Coastal Zone boundary would not diminish this fact. The impact, if any, would be on inland traffic going to Crystal Cove State Park and vice versa. However, there has been no data provided to show that people would be discouraged from using Pelican Hill Road because part of it is a toll road. And, even if this is so, the County has provided a way to utilize Pelican Hill Road to get to inland Orange County without paying a toll, via a free by-pass.

In any event, the Commission finds that this is not an issue before the Commission as part of this LCP amendment because the only proposed change in Pelican Hill Road is the change in name to Newport Coast Drive, the disputed section of road is outside the coastal zone and the Commission has already acted to approve the alignment of the San Joaquin Hills Transportation Corridor, including the section of road in dispute. Therefore, the Commission finds that Pelican Hill Road conforms with section 30252 of the Coastal Act.

**B. Muddy Canyon Area Changes (PA 3A, 3B, 4A, 4B, 5, 6, 12C)**

1. Proposed LUP Changes

The Coastal Commission, the County of Orange and the Irvine Company met several times over the past several years to discuss the possibility of creating a block of open space in Muddy Canyon which would connect Crystal Cove State Park lands with open space in Los Trancos Canyon. As a trade-off, the Irvine Company proposed increasing development densities in PA 3A, 3B, 4A and 4B (see Exhibits 5a and 5b). Specifically, the Second Amendment proposes the following with respect to Muddy Canyon:

- delete Sand Canyon Avenue
- change the land use designation of PAs 3A and 3B from Low to Medium density residential
- increase the estimated and maximum units in the Statistical Table for PAs 3A, 3B, 4A, 4B
- allow up to 100,000 square feet of neighborhood commercial in PAs 3A and 3B
- increase the estimated and maximum units in the statistical table for PAs 5 and 6
- decrease total acreage in PA 6 by 115 acres
- modify Muddy Canyon for access roads to 12C
- delete visual policies regarding 3A and 3B

2. Coastal Act Policies

The applicable Coastal Act policies pertaining to these proposed changes concern environmentally sensitive habitat (30240), visual protection (30251) and new development (30250).

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against significant disruption of habitat values, and only uses dependent upon those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Section 30251 of the Coastal Act states in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

Section 30250 of the Coastal Act states in part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

### 3. Consistency with Environmentally Sensitive Habitat Area Policies

The deletion of Sand Canyon Avenue was addressed in the section concerning circulation and traffic, with the Commission finding that elimination of Sand Canyon Avenue will have beneficial impacts on environmentally sensitive habitat.

The proposed Second Amendment and its relationship to the Natural Communities Conservation Program (NCCP) is discussed in the June 18, 1996 Technical Appendices II. The purpose of the NCCP is to reserve large segments of coastal sage scrub and other habitats for preservation as open space for the California gnatcatcher, Cactus Wren and other coastal sage-scrub dependent flora and fauna (see Exhibit 9). As part of the Irvine Coast LCP, 7,343.1 acres will be utilized for conservation (1,989 ac.), recreation and golf courses. The largest segments of dedicated open space are PA 21 A, B, C, and 12A. The inland portion of Crystal Cove State Park is PA 17 and under the First Amendment is separated from the large open space segment of Los Trancos Canyon by Sand Canyon Avenue and its adjacent residential development from Pacific Coast Highway to the Coastal Zone boundary.

During the evolution of the NCCP process, the fact that Los Trancos Canyon was separated from the larger open space areas surfaced. One of the goals of the NCCP was to provide connectivity between large or critical segments of open

space. Muddy Canyon was identified in the NCCP planning process as one of those critical connective areas. A quote from the NCCP EIS/EIR Technical Appendix states:

As part of the NCCP/HCP planning process, a Special Linkage area is proposed to allow for wildlife movement from Los Trancos Canyon to the Muddy Canyon LCP dedication area. Since this Special Linkage area was previously committed for residential development by the certified LCP and the recorded Irvine Coast development agreement, this Special Linkage area constitutes a significant avoidance of impacts otherwise allowed by approved land use plans.

Under the First Amendment, PAs 5 and 6 were connected by Sand Canyon Avenue with PAs 4A and 4B. Open space PA 12E was adjacent to the proposed residential development. Under the Second Amendment Sand Canyon Avenue is deleted, PAs 5 and 6 are pulled back eastward and PA 12E (Muddy Canyon) abuts PA 12A (Los Trancos Canyon) forming one continuous block of open space. Also, PA 6 was reduced at the Moro Sliver which becomes designated as recreation area 12G under the Second Amendment. Finally, the open space areas 12B and 12C, which were separated by Sand Canyon Avenue are combined under the Second Amendment and 12C becomes designated an active recreation area adjacent to PAs 4A and 4B.

The Second Amendment does allow for impacts to the Muddy Canyon drainage for roads to gain access to PA 12C, however, these impacts are more than offset by the benefits provided by the continuous block of open space in Muddy and Los Trancos Canyons.

Therefore, the Commission finds that the redistribution of Planning Areas in Muddy Canyon does protect and enhance environmentally sensitive habitat and conforms with Section 30240 of the Coastal Act.

#### 4. Consistency with Visual Resource Policy

There are four changes to the LCP text involving Wishbone Ridge and visual resources. These are:

- Views of the frontal slopes of Wishbone Hill are respected by the low density residential development. (*policy on page I-2.19 to be deleted*)
- In PA 3A and PA 3B, to soften development edges, a portion of the exposed wall and roof visible from Pacific Coast Highway area of each house will be screened with vegetation, while maintaining views from each site. Ancillary

buildings, tennis courts, and swimming pools will be screened. (*Policy I-3.32 to be deleted*)

- In order to protect visual resources of the frontal slopes [Wishbone Hill], residential development will be limited to a maximum of 85 single-family dwelling units. (*Policy 2(a) on page I-4.14 to be deleted*)
- Lot sizes will be a minimum average of 40,000 square feet. (*Policy 2(b) on page I-4.14 to be deleted*)

The First Amendment contains the above policies protective of visual resources in PAs 3A and 3B. Clearly the intent in the First Amendment was to designate PAs 3A and 3B as low density residential on large single-family lots. Exhibit C in the First Amendment is a map of visually significant lands. It shows that there are two areas of 3A and 3B which are visually significant for motorists traveling south on Pacific Coast Highway.

The topography of the Irvine Coast consists of the coastal terrace and the upland zone, punctuated by descending ridges and drainages. The prominent upland topographic features are Pelican Hill, Wishbone Hill, Inland Ridge, Moro Hill and Emerald Ridge (see Exhibit 3). In concentrating development in the planning areas adjacent to Pacific Coast Highway, the County will increase the visual impacts of development. However, the provisions for a 100 foot building setback from Pacific Coast Highway are still in place, as are the screening and landscaping requirements on pages II-4.18 and II-4.19 in the implementation portion of the Second Amendment. Although visual impacts from development near PCH will increase, implementation of the plan will also be beneficial to environmentally sensitive habitat area by connecting large segments of open space; in Los Trancos Canyon, Muddy Canyon and Crystal Cove State Park.

Therefore, the Commission finds that there are measures in place to protect the visual character of Wishbone Ridge and the proposed changes to the Muddy Canyon area will not significantly affect visual resources. Therefore, these proposed changes conform with Section 30251 of the Coastal Act.

##### 5. Consistency of Changes in Density 3A, 3B, 4A, 4B, 5 and 6

Under the proposed Second Amendment to the Irvine Coast LCP the County is proposing to adjust upwards the estimated and maximum numbers of allowable residential units in these planning areas. The following table shows the proposed changes.

Muddy Canyon Planning Area Density & Acreage										
Area	Old	Ac.		Change	Old		Units New		Change	
		New	Change		Est.	Max	Est.	Max	Est.	Max.
5	150	150	0	25	30	95	300	+ 70	+270	
6	195	80	-115	11	75	75	75	+ 64	0	
4A	103	239	+136	8	185	135	784	+127	+ 599	
4B	151	105.5	- 45.5	11	130	75	507	+ 64	+ 377	
3A	130	98	- 32	40	40	265	470	+ 225	+ 430	
3B	151	148	- 3	45	45	226	465	+ 181	+ 420	
subtotal			-59.5					+ 731	+ 2096	
12E (R)	352	274	- 78							
12C (R)	59	98	+ 39							
12B (R)	21	56	+ 35							

As the table shows, acreage is decreased in PAs 6, 4B, 3A, 3B and 12E, while being increased in PAs 4A, 12C and 12B. For the estimated and maximum allowable units, the increase in the estimated units is +731, while the increase in maximum estimated units is +2096. However, these numbers are deceptive because while the numbers in the individual planning areas may vary, development of the LCP area is still held to the overall maximum allowed 2,600 residential units.

Chapter 11 of the proposed Second Amendment contains the "Development Map and Statistical Table Regulations and Procedures." The total number of allowable residential units is 2,600 and the total number of allowable tourist commercial units is 2,150. In both the First Amendment and the Second Amendment the number of units in the "estimated" category equals 2,600 units. If you add up the possible number of "maximum" residential units in the First Amendment, the total is 3,483 and in the Second Amendment is 6,164. However, as with the number of estimated units, the maximum allowable number of residential units is still 2,600.

According to the documents supplied by the County, 708 residential units have been approved under final tentative tract maps. Of this 708 units, 440 have been built in planning areas 1B, 2A, 2B and 9. The primary change in the numbers is that the number of high density residential units in planning areas 1A, 1C and 8 is reduced by 792, while the number of medium density units in planning areas 3A, 3B, 4A and 4B increases by 667.

In addition, the County is proposing to allow up to 10 gross acres or up to 100,000 square feet of neighborhood commercial uses in PAs 3A and 3B, as well as other planning areas currently identified in the LCP.

In subsections 3 and 4 the ESHA and visual implications of the change in density were addressed and found to be in conformance with the applicable Coastal Act policies. The question then regarding density is whether planning areas 3A, 3B, 4A and 4B can accommodate the increase. The effect of the eliminating Sand Canyon and removing development from the median portion of Muddy Canyon is to push development down toward the coast and up towards the coastal zone boundary. The overall question of whether increasing density in these areas is a problem for circulation is not applicable because the overall building limit of 2,600 remains the same. The County is not increasing development, merely shifting it from one planning area to another. In the circulation section there are findings that show that Pelican Hill Road can accommodate the extra traffic generated by the deletion of Sand Canyon Avenue. Therefore, circulation is not a factor.

The question remains, according to Section 30250, whether increasing density in these planning areas and adding neighborhood commercial will have an adverse impact on coastal resources. Opening up the connection between Los Trancos Canyon and Muddy Canyon has been found to be environmentally advantageous. The elimination of Sand Canyon Avenue has been found to be environmentally advantageous. The visual impacts will not be significant. Finally, Pelican Hill Road can handle the traffic which was supposed to be taken up by Sand Canyon Avenue. Therefore, the Commission finds that changing the land use designation of planning areas 3A and 3B and increasing the number of estimated and maximum residential units in planning areas 3A, 3B, 4A and 4B does not pose significant adverse impacts on the environment and conforms with Section 30250 of the Coastal Act.

### **C. Miscellaneous LUP Changes**

#### **1. Proposed LUP Changes**

The miscellaneous major changes to the LUP include: adding planning areas 12H, 12I, 12F and 12J; changing planning areas 16A and 16B from recreation to Conservation; changes of place names.

#### **2. Coastal Act Policy**

Section 30250 of the Coastal Act states in part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

### 3. Consistency of Miscellaneous Changes

Planning areas 12H and 12I (both designated as recreation) were originally proposed by the County to be added to planning areas 7A and 7B. The extra acreage was discovered as a result of more accurate surveying methods. Because of local opposition to increasing the size of planning areas 7A and 7B, the County and the Irvine Company chose to create two new recreation planning areas. Addition of these two planning areas poses no adverse impacts to Coastal Act issues identified in Chapter 3 of the Coastal Act.

In addition to planning areas 12H and 12I, the County decided to add two new planning areas, 12F and 12J (both designated as recreation) to include the El Moro Elementary School and the Laguna Beach Water District Reservoir in the LCP. These two areas were not included in the original LCP and have been therefore white holes in Crystal Cove State Park. Inclusion of these areas in the LCP is beneficial and poses no adverse impacts to Coastal Act policies in Chapter 3 of the Coastal Act.

Planning areas 16A and 16B were designated as tourist/commercial in the LCP and are proposed to be designated as conservation in the proposed Second Amendment. This issue was addressed in the section on Tourist/Commercial in this staff report. However, conversion of these two planning areas from tourist/commercial to conservation poses no adverse impacts to Coastal Act policies identified in Chapter 3 of the Coastal Act. There was no loss of tourist/commercial because planning area 20A is proposed to be changed from recreation to tourist/commercial.

There are several changes of names which occur throughout the text and which do not have any impact whatsoever on coastal resources. Pelican Hill Road is proposed to become Newport Coast Drive. References to Sand Canyon Avenue are deleted throughout the text. The Irvine Coast becomes the Newport Coast throughout the text. The Irvine Coast LCP becomes the Newport Coast LCP.

Cameo Shores (planning area 9) becomes Pelican Point. Overnight accommodations becomes overnight/resort accommodations.

Finally, the Statistical Table and Map have figures have been adjusted to reflect new acreages and densities. In addition, references to land percentages and totals have been adjusted to reflect the new acreages and changes in planning areas.

These changes are technical in nature and very minor. They have no adverse impact on coastal resources and conform with Section 30250 of the Coastal Act.

## **IX. IMPLEMENTATION PLAN AMENDMENT SUGGESTED MODIFICATIONS**

The Commission hereby suggests the following changes to the County of Orange Irvine Coast Local Coastal Program Amendment 1-96 which are necessary to bring the amendment into conformity with and adequately carry out the certified Land Use Plan. If the County of Orange accepts within six months the suggested modifications by formal resolution of the County Board of Supervisors, the Land Use Plan amendment will become effective upon Commission concurrence with the Executive Director finding that this has been properly executed.

1. Section B(1)(a)(1) on page II-5.1 shall be modified as follows:

Overnight /resort visitor accommodations not to exceed two thousand one hundred and fifty (2,150) accommodations (e.g., hotel rooms, motel rooms, casitas, time-sharing condominiums, etc.), provided that no more than 1,800 accommodation units are individually owned and/or time share accommodations, managed as specified in LUP policy 4(A)(1)(a)(4) and the remaining 350 accommodation units shall be constructed, operated, and maintained as typical hotel and/or motel overnight accommodations, including hotel "suite" units.

## **X. IMPLEMENTATION PLAN FINDINGS FOR DENIAL AS SUBMITTED AND APPROVAL IF MODIFIED**

The following findings support the Commission's resolution for DENIAL of the LCP amendment as submitted and APPROVAL of the LCP amendment if it is modified as indicated in Section IX (the suggested Modifications).

**A. Findings for Denial & Approval if Modified  
Tourist Commercial Visitor Serving Component**

1. Proposed Tourist Commercial Changes

- Add PA 20A to TC planning areas to policy B(1)(a) on page II-5.1
- Add public works facilities and PA 20A to B(1)(d) on page II-5.2
- Add communication transmitting, reception or relay facilities as B(2)(c) on page II-5.3
- Delete "Not more than 400 accommodations may be individually owned." from policy E(2)(a)(1) on page II-5.5
- Delete "owned and operated by hotels" from casitas on policy E(2)(a)(2) on page II-5.5
- Change building coverage for PA 13C-F on page II-5.7
- Change building coverage by height on page II-5.7 and II-5.8
- Add the formula for counting casitas as policy (h)(2) on page II-5.11
- Delete 16A & 16B from TC and add 20A TC to policy (l)(1) on page II-5.12
- Add public works facilities to policy (l)(1) on page II-5.12

2. Findings for Denial as Submitted

The certified LCP contains language restricting the ownership of tourist commercial units as indicated in the list of proposed changes above. The proposed amendment would eliminate the restriction that no more than 400 tourist commercial units can be privately owned.

Section VII(A)(3) of this staff report contains the findings denying the policy which would totally delete the restriction on the individual ownership of tourist commercial accommodation units. The Commission therefore, incorporates the findings of the LUP discussion on tourist commercial accommodations into this section. The Commission found that elimination of all hotel and motel units for the public-at-large did not conform with the tourist commercial policies in Section 30222 of the Coastal Act. The Commission also found that the tourist commercial policies as modified to reserve 350 of the tourist commercial units for traditional overnight accommodations for general public use did bring the amendment in conformity with the Section 30222 of the Coastal Act.

The proposed implementation plan amendment contains the same language and policy concerning the removal of restrictions on the individual ownership of tourist commercial units as found in the LUP amendment submittal. The Commission found that this policy does not conform with Section 30222 of the Coastal Act. Therefore, the implementation plan policy, as submitted, removing the restriction on individual ownership of tourist commercial units does not conform with or adequately carry out the certified land use plan.

3. Findings for Approval of the Implementation Plan with Suggested Modifications

The Commission found that the implementation plan as submitted does not conform with Section 30222 of the Coastal Act. Staff is recommending that the Commission find that the Implementation Plan as modified with the suggested modifications, however, does conform with Section 30222 of the Coastal Act. Section VII (B)(3) of this staff report contains the findings approving the suggested modifications for the proposed changes to restrictions on the individual ownership of tourist commercial units.

The suggested modifications in section IX above contain provisions that 350 of the overnight accommodations be reserved for the traditional overnight accommodations for the general public-at-large. As revised, the implementation plan conforms with the land use plan as modified. Therefore, the Commission finds that the proposed changes to restrictions on the individual ownership of tourist commercial units, as revised by the suggested modifications does conform with and adequately carry out the policies of the certified LUP.

**B. Findings for Approval of Miscellaneous Changes as Submitted**

1. Proposed Changes

The proposed changes primarily concern equestrian centers, guest cottages/caretaker units, communication towers, and changes to the Planned Community Statistical Summary. Specifically the proposed changes are:

Global Changes:

- Add communication towers to all planning areas except Conservation,
- Add equestrian centers (50 horse maximum) as an allowable use in planning areas 5, 6, and 12C,
- Add guest cottage/caretaker units as an allowable use in all residential planning areas.

- Change Irvine Coast to Newport Coast throughout the text

#### General Provisions & Regulations

- Delete PA 3A from section B(2)(a) on page II-3.3
- Add PA 4B and 12B to section 3(f) on page II-3.4 (boundary determination)
- Delete Sand Canyon Avenue from number 23 on page II-3.11

#### Low Density Residential Changes

- Add "communication transmitting, reception or relay facilities" as A(2)(a)(4) on page II-4.2
- Add equestrian centers (50 horse maximum) as A(2)(b)(2)
- Change minimum lot size for guest house/caretaker from 20,000 to 10,000 square feet, delete planning areas 3A, 3B and 6 in section 3(g) on page II-4.3
- Delete 40,000 square foot minimum lot size for PA 3A & 3B, 6(2) on page II-4.4

#### Medium Low Residential

- Add communication transmitting, reception or relay facilities as B(2)(a)(6) on page II-4.8
- Add equestrian center (50 horse max) as B(2)(b)(2) on page II-4.9
- Change minimum lot size for guest house/caretaker from 20,000 to 10,000 square feet, delete planning area 5 on page II-4.10, policy 3(g)

#### Medium & Medium High

- Add communication transmitting, reception or relay facilities as C(2)(a)(7) on page II-4.14
- Add PA 3A & 3B for neighborhood commercial (maximum 100,000 sq. ft.) C(2)(c) on page II-4.15
- Change minimum lot size for guest cottage/caretaker from 20,000 to 10,000 sq. ft. lots, delete PA 4A & 4B on page II-4.16 policy 3(g)
- Add 100 foot setback from PCH for PA 3A & 3B to policy 6(f) on page II-4.17

#### Golf Course

- Add communication transmitting, reception or relay facilities as B(2)(c) on page II-6.2

#### Recreation

- Add PA 12F, 12G, and 12J and “public infrastructure facilities to the first paragraph on page II-7.1
- Add PA 12F, 12H and 12I to paragraph two on page II-7.1
- Delete PA 20A as a recreation planning area on page II-7.2
- Add PA 12G as a recreation planning area on page II-7.3
- Add PA 12H and 12I as recreation planning areas on page II-7.3
- Delete PA 12C from policy 7 on page II-7.3
- Add hiking trails to policy 7 on page II-7.3
- Add policy 8 on page II-7.4 for PA 12C and permitted uses, including communication facilities
- Add policy 9 on page II-7.4 for PA 12F and permitted uses, including communication facilities
- Add policy 10 on page II-7.5 for PA 12J and permitted uses, including communication facilities
- Add provision for allowing 12% of total lands in PA 12B, 12C, 12G and 12H to be developed with structures or impervious surfaces

#### Conservation

- Add PA 16A and 16B to section B on page II-8.1

#### 2. Consistency of Equestrian, Transmitting Facilities, Guest Cottages.

Staff is recommending that the Commission approve the following proposed changes in the Implementation Plan as submitted.

##### a. Equestrian Centers

The second amendment to the certified LCP is proposing that equestrian centers with a maximum of 50 horses be allowed on residential Planning Areas 5, 6 and recreation area 12C. The LCP currently allows equestrian centers in recreation areas. Planning areas 5 and 6 are located in the east near the coastal zone boundary. The equestrian facilities would be exclusively for the residents in the LCP community and would not be commercial facilities open to the public. In a meeting with the County of Orange, County planners pointed out that any specific adverse impacts relating to the equestrian centers, i.e., runoff, etc., would be handled at the CDP stage. The County indicated that equestrian centers with this number of horses would have no adverse impacts on the environment and that the County has a great deal of experience setting up and regulating equestrian centers.

Riding and hiking trails are currently allowed in PAs 11A, 12A, 12E, and in Conservation planning areas. Added to these planning areas would be 12C, 12H and 12I. Equestrian centers are currently allowed in planning area 19. Horseback riding is a permitted day use in Crystal Cove State Park. The development plan for Crystal Cove State Park states that equestrian/hiking trails are allowed and are located on existing fire control and patrol roads in the inland canyons and on ridgetops, in order to minimize damage to sensitive habitat areas.

LUP policies: The LUP states that riding is allowed in planning areas 11A, 11B, 12A, 12B, 12C, 12D, 12E, 12H, 12I, 18, 19, 21A, 21B, 21C and 21D. Therefore, clearly horseback riding is an intended use for both the LCP area and Crystal Cove State Park. The LUP only indicates one area for equestrian centers, PA 19, yet allows hiking trails throughout the LCP area and Crystal Cove State Park allows them as well. Clearly, designating only one area for equestrian centers is limiting and allowing equestrian centers in 12C, 5 and 6 would increase recreational opportunities for persons living in the LCP area. Therefore, the Commission finds that the proposed changes will increase recreational opportunities and conforms with and adequately carries out the policies of the certified LUP.

b. Communication Transmitting, Reception or Relay Facilities

There are no provisions in the current LCP for this type of facility. In recent years there has been an increase in construction of transmission towers for cellular telephones. The revisions in the second amendment implementation plan would allow these facilities in all planning categories except for conservation. Currently this type of facility is being placed on inholdings in Crystal Cove State Park. Opening up the Irvine Coast LCP area for this type of development will allow these facilities to be dispersed. In addition, there is a 100 foot buffer zone along the Pacific Coast Highway at the Irvine Coast. Therefore, these facilities would have to be set back at least 100 feet from the scenic highway. In addition, excluding these facilities from Conservation planning areas, means that they would be situated in existing developed areas, with the exception of isolated recreation planning areas.

Therefore, the Commission finds that allowing communication transmitting, reception or relay facilities conforms with the visual protection policies of the certified LUP.

c. Guest Cottages/Caretaker Units

The LCP currently allows guest quarters in PA 3A, 3B, 4A, 4B, 5A, and 6, on lots of 20,000 square feet or larger. The proposed amendment would allow guest cottages/caretaker units in all residential planning areas and would cut the minimum lot size from 20,000 square feet to 10,000 square feet.

Although there are no policies in the LUP directly relating to guest cottages and caretaker units, they are included in definitions in the LCP. The definition of residential single-family states: "Refers to any residential development wherein each dwelling unit is situated on a residential lot of record and no lot contains more than one dwelling unit, and, where permitted, a caretaker's or employee's quarters." So these units are clearly permitted where allowable, i.e., on lots of 20,000 square feet or greater. In addition, the definition of caretaker quarters in the LCP currently states:

Living quarters, permitted in residential areas, for the housing of a caretaker(s) and the family of the caretaker who live in the same premises (not to exceed 1,500 square feet in floor area on building sites of a minimum 20,000 square feet). Caretaker quarters are not included within the category of, and are not counted toward, permitted dwelling units as specified in this LCP.

The amendment proposes to reduce the minimum lot size allowable for caretaker units from 20,000 to 10,000 square feet. The potential impacts of removing the restrictions on guest quarters and caretaker units is unclear. The Irvine Coast community is an upscale mostly gated community, catering to relatively affluent people who presumably don't need to have second units for monetary reasons. In any event, the restrictions only apply to detached units. If a homeowner currently wishes to have a caretaker or maid's quarters he/she simply has to incorporate an extra wing or addition onto the house design. The impact from this type of scenario is the same as that of a detached unit, but perfectly permissible.

The caretaker/guest cottage units will be situated in existing or proposed developed areas. They will have no adverse impact on visual resources or environmentally sensitive habitat areas. Theoretically, the impact of concern is to traffic, however, the traffic studies have indicated that Pelican Hill Road (Newport Coast Drive) can accommodate increased traffic in the LCP area. Therefore, the Commission finds that the reduction in the minimum lot size restriction from 20,000 to 10,000 square feet for guest cottages and caretaker units does not conflict with the policies of the certified LUP and therefore conforms with and adequately carries out the LUP.

3. Consistency of Muddy Canyon Changes

Staff recommends that the Commission approve the following changes to the Implementation Plan as submitted.

The major component of the LCP amendment is the shifting of development off of the middle of Wishbone Ridge to allow connective open space between Los Trancos Canyon and the major open space portion of Crystal Cove State Park (see Exhibits 5a and 5b). The changes are occurring in connection with the Natural Communities Conservation Plan, of which the Irvine Company and the County of Orange are signatories. As part of this shift, planning areas 3A and 3B will be changed from low density residential to medium density residential, Sand Canyon Avenue will be deleted, and the estimated and maximum allowable units will be increased in planning areas 3A, 3B, 4A, 4B, and 5. The table in section VIII(B)(5) on page 29 of this staff report shows the changes.

These changes include the addition of equestrian centers to PA 12C, the revised restrictions on guest cottages and caretaker units, adding communication facilities, deleting the 40,000 square foot minimum lot requirements for PA 3A and 3B, changing the land use designation of planning areas 3A and 3B from low density residential to medium density residential, changing planning areas 16A and 16B from tourist commercial to conservation, changing 20A from recreation to tourist commercial, and adding the provision for up to 100,000 square feet of neighborhood commercial in PA 3A and 3B.

The Commission found in sections VII C and D of this staff report that these changes to the LUP are consistent with the resource protection policies of the Coastal Act, in particular sections 30240, 30251 and 30250. These same changes, as noted in Section A above are consistent with the changes approved in the LUP portion of the staff report concerning Muddy Canyon. Therefore, the Commission finds that the implementation plan as amended to reflect changes in planning areas 3A, 3B, 4A, 4B, 5, 6, 12E and 12C are consistent with and adequately carry out the certified LUP.

4. Addition of & Changes to Planning Areas

Staff recommends that the Commission approve the following changes to the Implementation Plan as submitted by the County.

The second amendment to the Irvine Coast Implementation Plan proposes to add planning areas 12F, 12G, 12H, 12I and 12J to the recreation designation,

change 16A and 16B from tourist commercial to conservation, and change 20A from recreation to tourist commercial. PA 12G, known as the Moro Sliver, was designated low density residential in PA 6 and is now designated as recreation (see Exhibits 4a and 4b). PA 12F is the El Moro Elementary School and PA 12J is the Laguna Beach Water District Reservoir, both of which are inholdings in Crystal Cove State Park and were not included in the original LCP. PA 12H and PA 12I are designated recreation and are essentially excess land discovered as a result of more accurate surveying.

None of these parcels detract from the amount of land dedicated to the public for Crystal Cove State Park wilderness area. The amount of wilderness land remains the same. PA 12C is designated as active recreation and is consistent with meeting the recreational needs of the LCP community. PA 12F (El Moro School) is designated as active recreation because of the school activities. The permitted uses of PA 12J (Water District) are also in keeping with the function of the site. Planning areas 12F, 12J, 12H and 12I have been included in Section C on page I-4.12 of the proposed second amendment.

The inclusion of these areas, with the exception of 12C, came about to correct previous oversights in the LCP planning process and to include new areas where excess land has been discovered. The addition of these areas does not have adverse impacts on coastal resources and also is consistent with and adequately carries out the certified LUP.

#### 5. Technical Corrections

As with the LUP, the text of the implementing action program amendment is being changed to allow for changes in place names. In this regard, Pelican Hill Road becomes Newport Coast Drive, references to Sand Canyon Avenue are deleted from the text, Irvine Coast LCP becomes the Newport Coast LCP, and Cameo Shores becomes Pelican Hill. Also included in this category are adjustments to the Statistical Table and Planned Community Map to reflect changes to acreages and density. The map has been changed to reflect changes in planning areas and additions to planning areas. In addition, numbers throughout the text have been adjusted to reflect the changes in acreage, i.e., recreation, conservation, etc.

These changes are instituted in conformance with changes in the certified land use plan and thus are consistent with and adequately carry out the proposed amended land use plan..

## **XI. CEQA FINDINGS**

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with a local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission. Additionally, the Commission's Local Coastal Program review and approval procedures have been found by the Resources Agency to be functionally equivalent to the environmental review process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an environmental impact report for each local coastal program submitted for Commission review and approval. Nevertheless, the Commission is required when approving a local coastal program to find that the local coastal program does conform with the provisions of CEQA. The County of Orange's Irvine Coast Local Coastal Program Amendment 1-96 consists of changes to the land use plan and implementing action program.

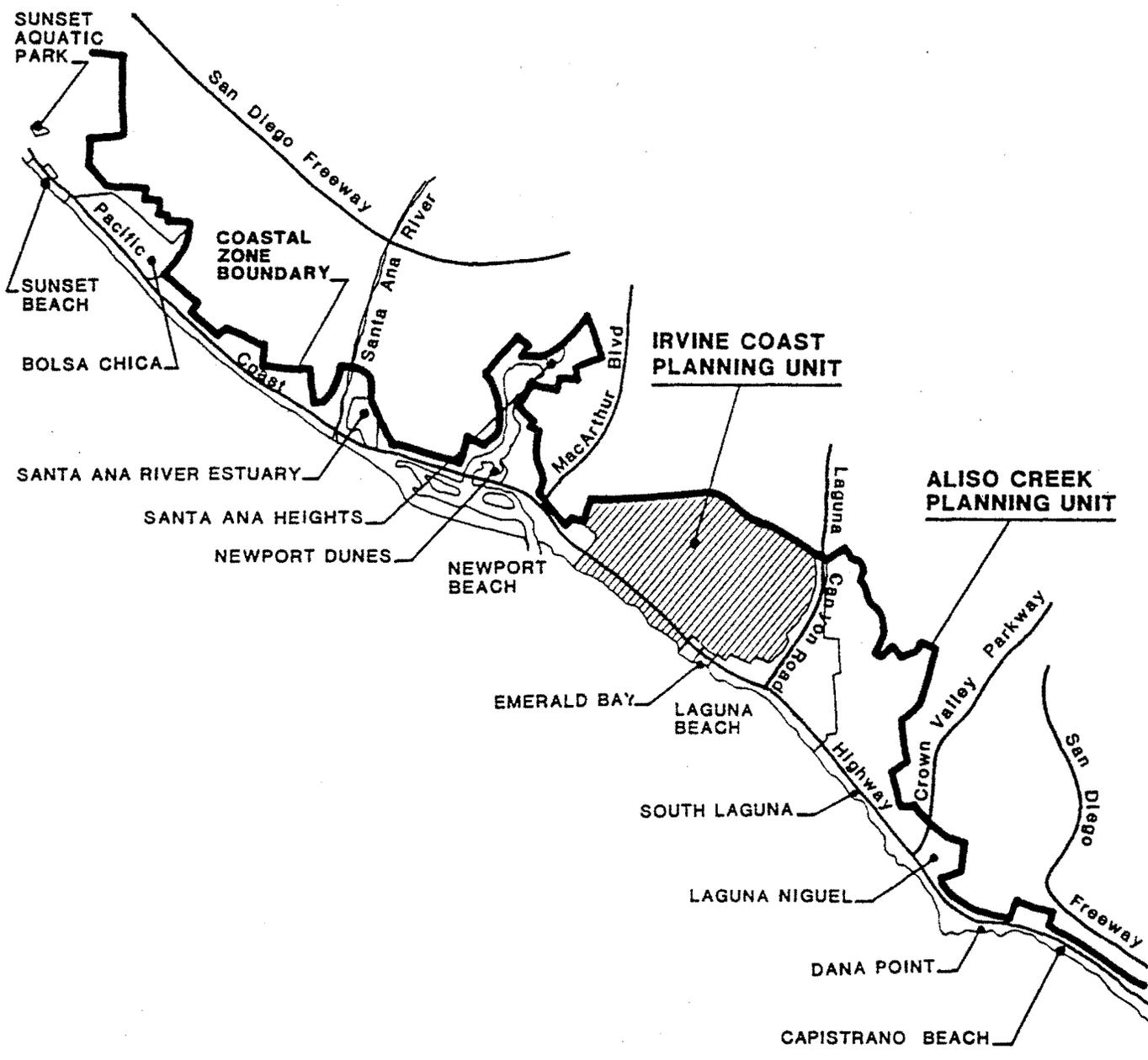
The Land Use Plan amendment as originally submitted raises a number of concerns regarding the Chapter 3 policies of the Coastal Act and thus cannot be found to be consistent with and adequate to carry out the Chapter 3 policies of the Coastal Act. The Land Use Plan amendment, as submitted, is not adequate to carry out and is not in conformity with the policies of Chapter 3 of the Coastal Act with respect to: provision for reserving overnight accommodations in tourist commercial areas for the public-at-large.

The Commission, therefore, has suggested a number of modifications to bring the Land Use Plan amendment into full conformance with the requirements of the Coastal Act. Specifically, the Commission certification action provides for: reserving 350 overnight accommodation units for the public-at-large and allowing 1,800 overnight accommodations to be privately owned, with the proviso that excess units for rental purposes be advertised to the public-at-large. As modified, the Commission finds that approval of the Land Use Plan amendment will not result in significant adverse environmental impacts under the meaning of the California Environmental Quality Act.

Relative to the Implementation Program, the Commission finds that approval of the Implementation Program with the incorporation of the suggested modifications to implement the Land Use Plan would not result in significant adverse environmental impacts under the meaning of CEQA. Absent the incorporation of these suggested modifications to effectively mitigate potential resource impacts, such a finding could not be made.

Specifically, the Implementation Plan, as modified, would ensure that 350 of the 2150 overnight tourist commercial accommodations be reserved for the public-at-large.

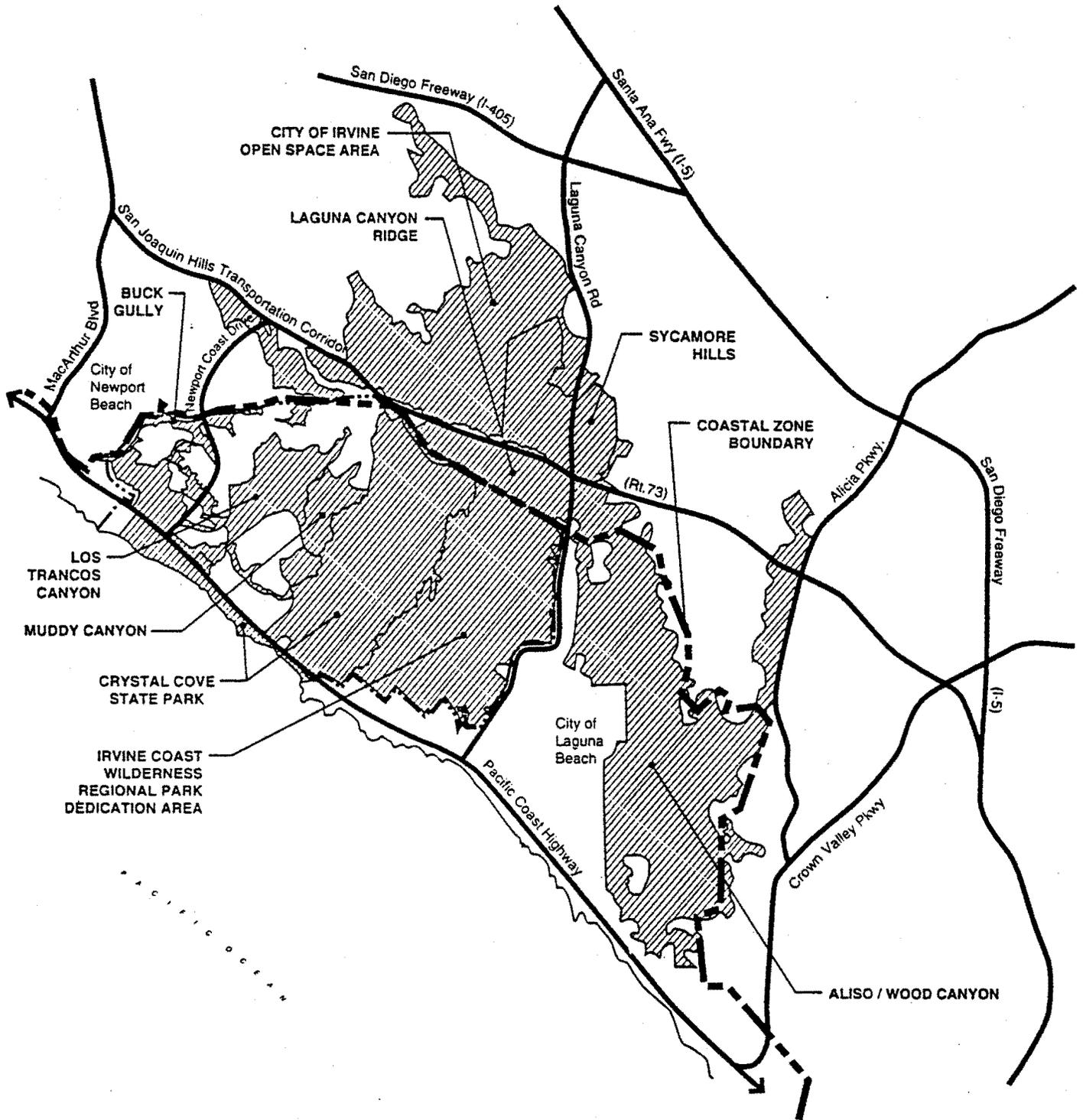
Given the proposed mitigation measures, the Commission finds that the County of Orange's Irvine Coast Local Coastal Program Amendment 1-96, as modified, will not result in significant unmitigated adverse environmental impacts under the meaning of CEQA. Further, future individual projects would require coastal development permits, issued by the County of Orange. Therefore, the Commission finds that there are no feasible alternatives under the meaning of CEQA which would reduce the potential for significant adverse environmental impacts which have not been explored.



# LOCATION MAP

## The Irvine Coast Local Coastal Program

EXHIBIT NO. 1
APPLICATION NO. IRC-1-96
VICINITY
California Coastal Commission



# REGIONAL OPEN SPACE CONCEPT- Second Amendment

The Newport Coast Local Coastal Program

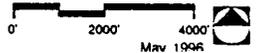
EXHIBIT NO. 2
APPLICATION NO. IRC-1-96
OPEN SPACE
 California Coastal Commission



# NATURAL TOPOGRAPHIC FEATURES- Second Amendment

## The Newport Coast Local Coastal Program

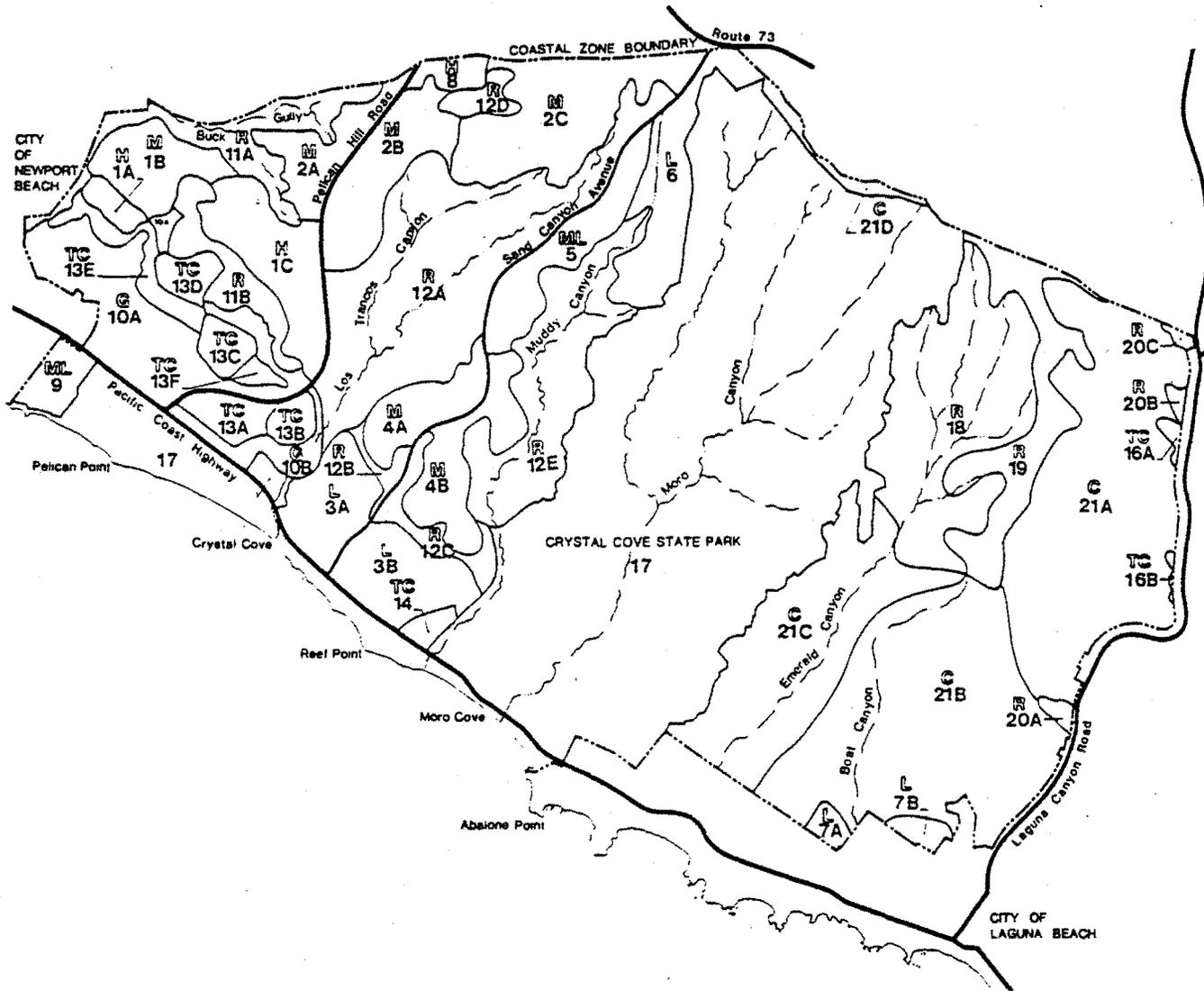
Exhibit B



### LEGEND

 PLANNED COMMUNITY BOUNDARY

EXHIBIT NO. 3
APPLICATION NO. IRC 1-96
TOPO
 California Coastal Commission



# LAND USE PLAN - First Amendment

## The Irvine Coast Local Coastal Program

### LEGEND

- L LOW DENSITY RESIDENTIAL (0-2)
- ML MEDIUM - LOW DENSITY RESIDENTIAL (2-3.5)
- M MEDIUM DENSITY RESIDENTIAL (3.5-6.5)
- H HIGH DENSITY RESIDENTIAL (6.5-18)
- G GOLF COURSE
- TC TOURIST COMMERCIAL
- R RECREATION
- C CONSERVATION

TC LAND USE DESIGNATION  
13B PLANNING AREA NUMBER

I-1.3

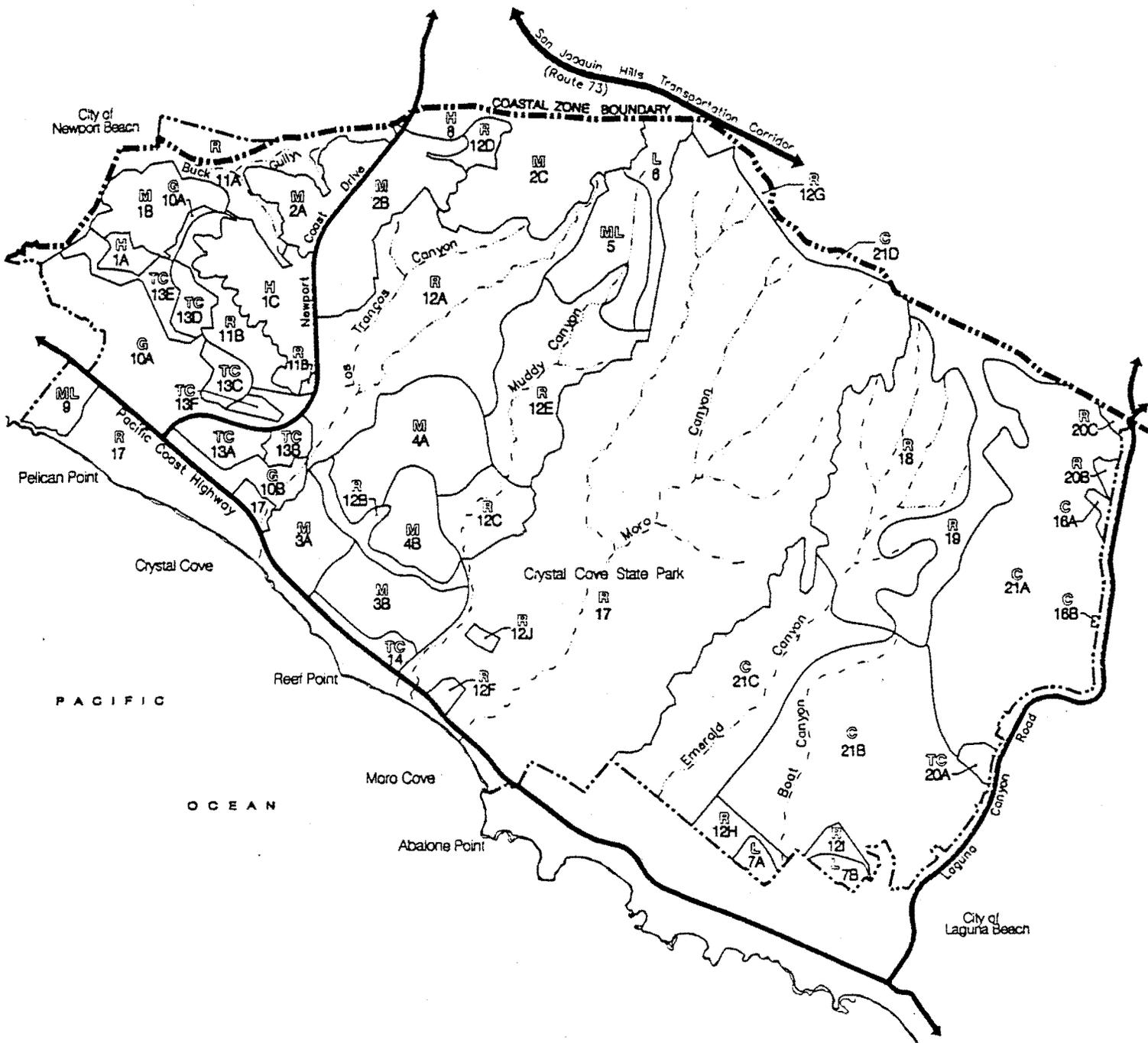
APPROVED  
County of Orange  
Board of Supervisors  
September 30, 1987

EXHIBIT NO. 42

APPLICATION NO.  
IRC 1-96

LUP - 1st Amend

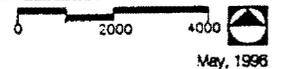
California Coastal Commission



# LAND USE PLAN - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit F



### LEGEND

- |  |                            |
|--|----------------------------|
| LOW DENSITY RESIDENTIAL (0-2)          | LAND USE DESIGNATION       |
| MEDIUM-LOW DENSITY RESIDENTIAL (2-3.5) | PLANNING AREA              |
| MEDIUM DENSITY RESIDENTIAL (3.5-6.5)   | COASTAL ZONE BOUNDARY      |
| HIGH DENSITY RESIDENTIAL (6.5-18)      | PLANNED COMMUNITY BOUNDARY |
| GOLF COURSE                            | PLANNING AREA BOUNDARY     |
| TOURIST COMMERCIAL                     |                            |
| RECREATION                             |                            |
| CONSERVATION                           |                            |

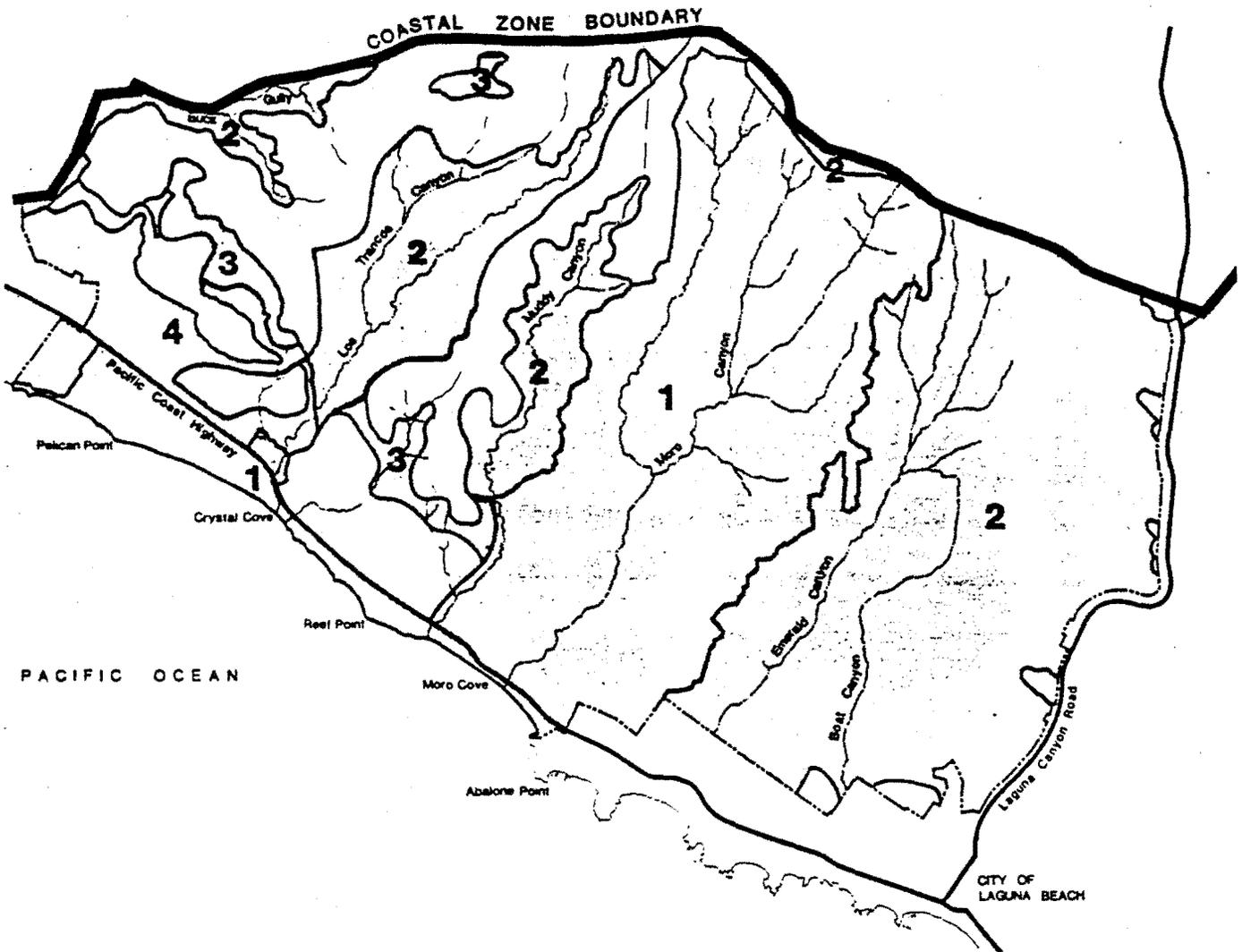
**EXHIBIT NO. 46**

APPLICATION NO.  
**IRC-1-96**

**LUP-2nd Amend**

California Coastal Commission

May, 1996



# IRVINE COAST OPEN SPACE

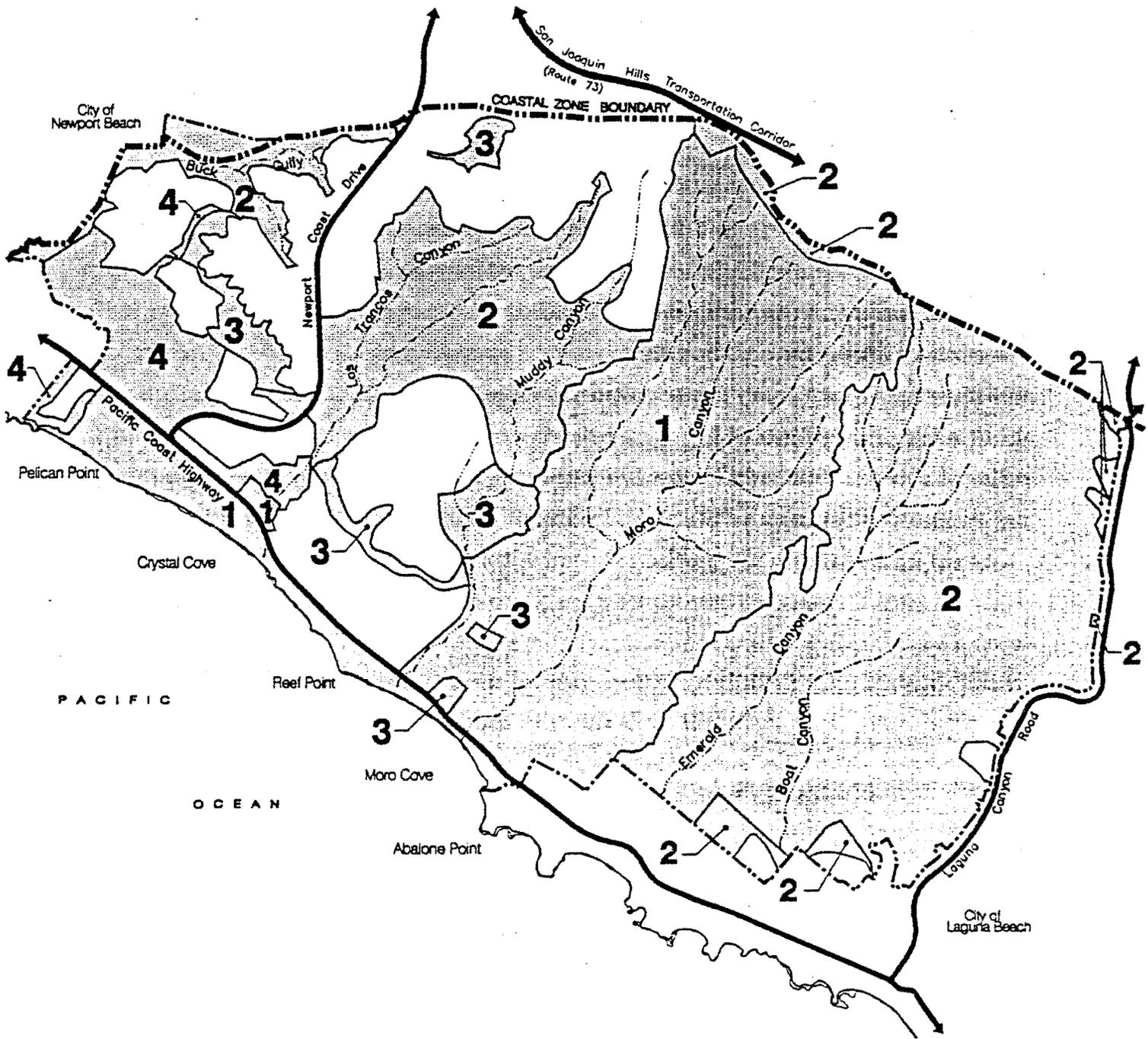
## The Irvine Coast Local Coastal Program

### LEGEND

- 1 CRYSTAL COVE STATE PARK
- 2 DEDICATION AREAS
- 3 OTHER OPEN SPACE
- 4 GOLF COURSE

I-1.5

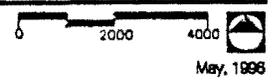
EXHIBIT NO. <i>S2</i>
APPLICATION NO. <i>IRC 1-96</i>
<i>Open Space</i>
<span style="font-size: 1.2em; font-weight: bold;">1st Amend</span> California Coastal Commission



# NEWPORT COAST OPEN SPACE - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit G

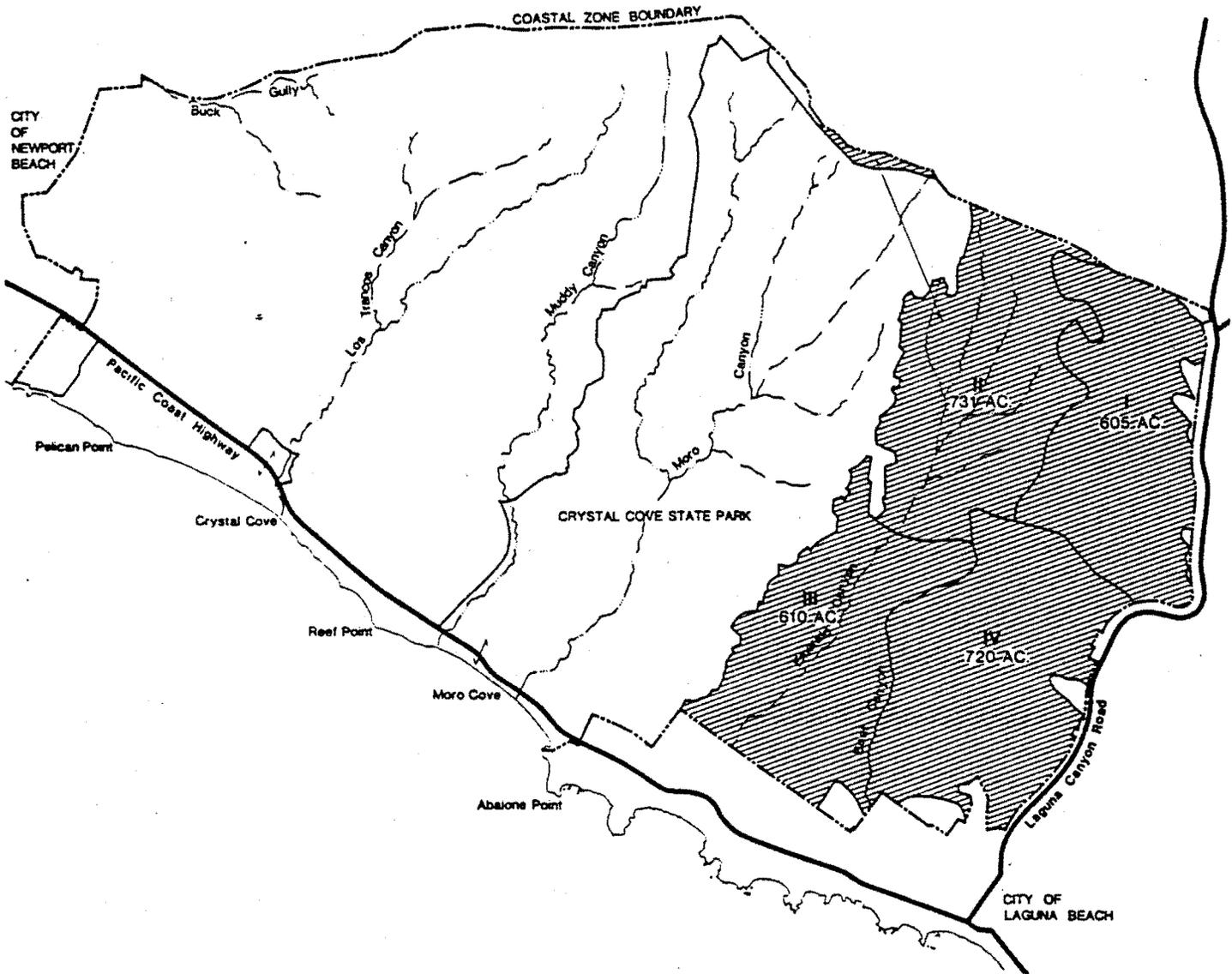


**LEGEND**

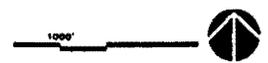
- 1 CRYSTAL COVE STATE PARK
- 2 DEDICATION AREAS
- 3 OTHER OPEN SPACE
- 4 GOLF COURSE
- COASTAL ZONE BOUNDARY
- PLANNED COMMUNITY BOUNDARY
- DRAINAGE COURSE

<b>EXHIBIT NO. 56</b>
APPLICATION NO. <b>IRC 1-96</b>
<i>Open Space</i>
<i>2nd Amend</i> California Coastal Commission

City of Newport Beach Municipal Offices



# WILDERNESS DEDICATION AREA



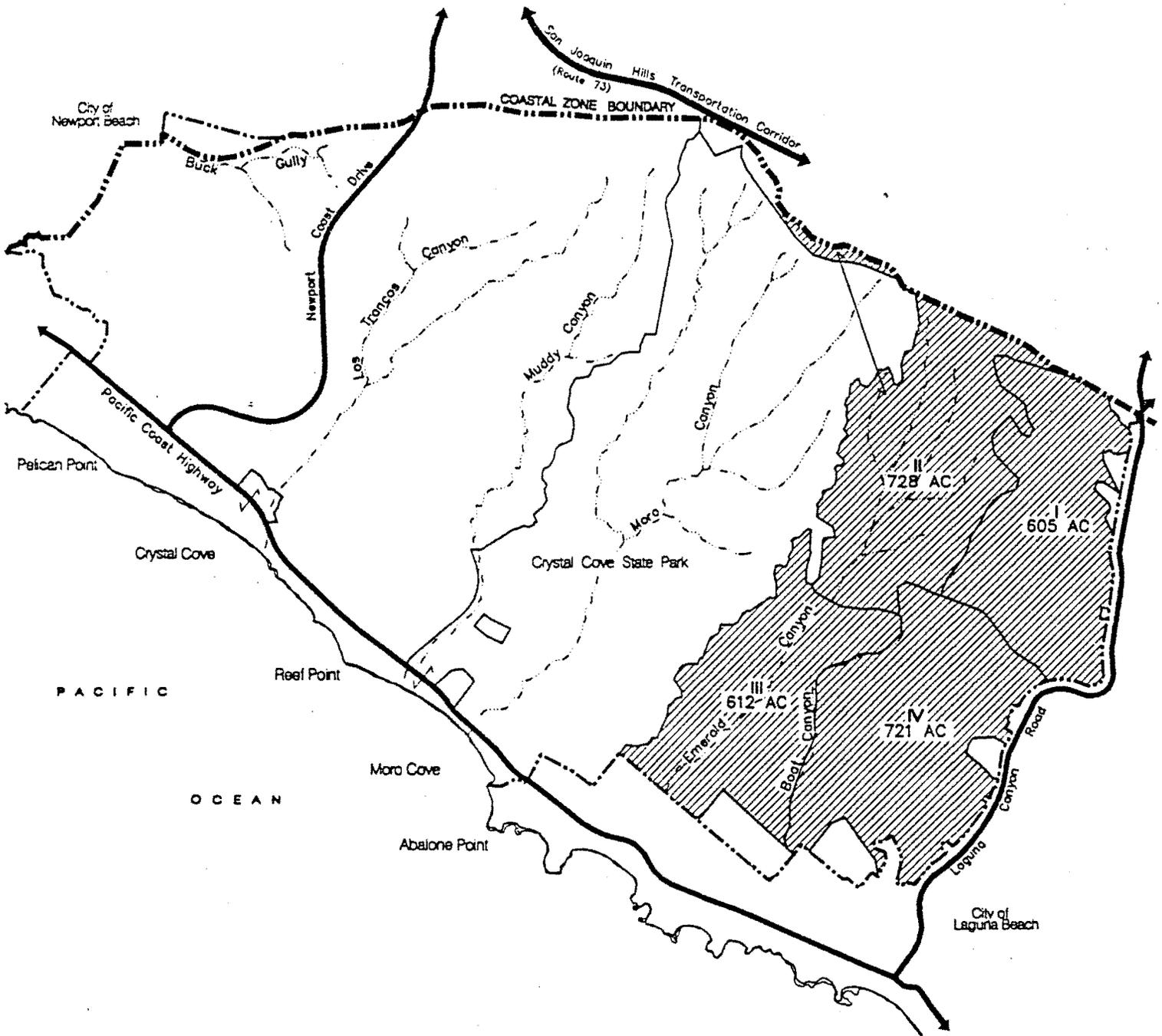
## The Irvine Coast Local Coastal Program

### LEGEND

 MANAGEMENT UNIT AND SEQUENCE NUMBER

I-3.3

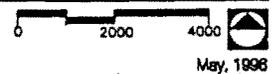
EXHIBIT NO. <i>6a</i>
APPLICATION NO. <i>IRC 1-96</i>
<i>Wilderness</i>
<i>1st</i>
 California Coastal Commission



# WILDERNESS DEDICATION AREA - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit I



May, 1998

### LEGEND

-  MANAGEMENT UNIT AND SEQUENCE NUMBER
-  COASTAL ZONE BOUNDARY
-  PLANNED COMMUNITY BOUNDARY

EXHIBIT NO. 6b
APPLICATION NO. IRC 196
WilderNESS
2nd
 California Coastal Commission

**PLANNED COMMUNITY STATISTICAL SUMMARY**

DEVELOP- MENT INCREMENT	LAND USE	GROSS ACREAGE	MAXIMUM DWELLING UNITS*	MAXIMUM ACCOMMODATIONS PER DEVELOPMENT INCREMENT*
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1A,1B,1C	Residential			
2A,2B,2C				
3A,3B				
4A,4B, 5, 6				
7A,7B, 8, 9				
<b>TOTAL RESIDENTIAL</b>		<b>1,922</b>	<b>2,600*</b>	

10A,10B	Golf Course	367		
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11A,11B,	Recreation --	1,368		
12A,12B,12C,	Buck Gully, Los			
12D, 12E	Trancos/Muddy Canyon, Pelican/ Wishbone Hill Areas			

17	Crystal Cove State Park	2,807		
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18, 19	Irvine Coast Wilderness Regional Park	677		
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20A,20B,20C	Recreation Parcels Adjacent Laguna Canyon Road	26		
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21A,21B,21C	Conservation			
21D	Irvine Coast Wilderness Regional Park	<u>1,989</u>		

**TOTAL OPEN SPACE/RECREATION 7,234**

13A	Tourist	53		1,100*
13B	Commercial	32		600*
13C		41		450*
13D		38		350*
13E		60		600*
13F		15		300*
14		24		250*
16A,16B		13		
<b>TOTAL COMMERCIAL</b>		<b>276</b>		

**TOTAL Acres**  
**Within Planned Community 9,432**

**MAXIMUM Allowed Dwelling Units**  
**Within Planned Community\* 2,600\***

**MAXIMUM Allowed Accommodations**  
**Within Planned Community\* 2,150\***

\* The maximum accommodations for each development increment will not be exceeded, nor will the total number of dwelling units and accommodations exceed the maximum permitted for the total Planned Community.

Note: See Exhibit V, Planned Community Statistical Table, for information.

<b>EXHIBIT NO. 7a</b>
APPLICATION NO <b>IRC 196</b>
<b>STAT TABLE</b>
<b>15+</b> California Coastal Commission

**EXHIBIT T**  
**SECOND AMENDMENT**  
**PLANNED COMMUNITY STATISTICAL SUMMARY**  
Newport Coast Local Coastal Program

DEVELOPMENT INCREMENT	LAND USE	GROSS ACREAGE	Maximum Dwelling Units <sup>1</sup>	MAXIMUM ACCOMMODATIONS PER DEVELOPMENT INCREMENT <sup>1</sup>
1A,1B,1C,2A,2B,2C 3A,3B,4A,4B,5,6,7A,7B, 8,9	Residential			
<b>TOTAL RESIDENTIAL</b>		<b>1,873</b>	<b>2,600 <sup>1</sup></b>	
10A,10B	Golf Course	354		
11A,11B, 12A,12B,12C,12D,12E,12F, 12G,12H,12I,12J	Recreation — Buck Gully, Los Trancos/ Muddy Canyon, Pelican/Wishbone Hill Areas	1,485		
17	Crystal Cove State Park	2,807		
18,19	Irvine Coast Wilderness Regional Park	677		
20B,20C	Recreation Parcels Adjacent Laguna Canyon Road	20		
21A,21B,21C,12D,16A,16B,	Conservation Irvine Coast Wilderness Regional Park	2,000		
<b>TOTAL OPEN SPACE/RECREATION</b>		<b>7,343</b>		
13A	Tourist Commercial	52		1,100 <sup>1</sup>
13B		30		600 <sup>1</sup>
13C		37		450 <sup>1</sup>
13D		38		350 <sup>1</sup>
13E		59		600 <sup>1</sup>
13F		14		300 <sup>1</sup>
14		30		250 <sup>1</sup>
20A		17		
<b>TOTAL COMMERCIAL</b>		<b>277</b>		
<b>TOTAL Acres Within Planned Community</b>		<b>9,493</b>		
<b>MAXIMUM Allowed Dwelling Units Within Planned Community <sup>1</sup></b>			<b>2,600 <sup>1</sup></b>	
<b>MAXIMUM Allowed Accommodations Within Planned Community <sup>1</sup></b>				<b>2,150 <sup>1</sup></b>

Note: See Exhibit X, Planned Community Statistical Table, for more detailed information.

<sup>1</sup> The maximum accommodations for each development increment will not be exceeded, no units and accommodations exceed the maximum permitted for the total Planned Community

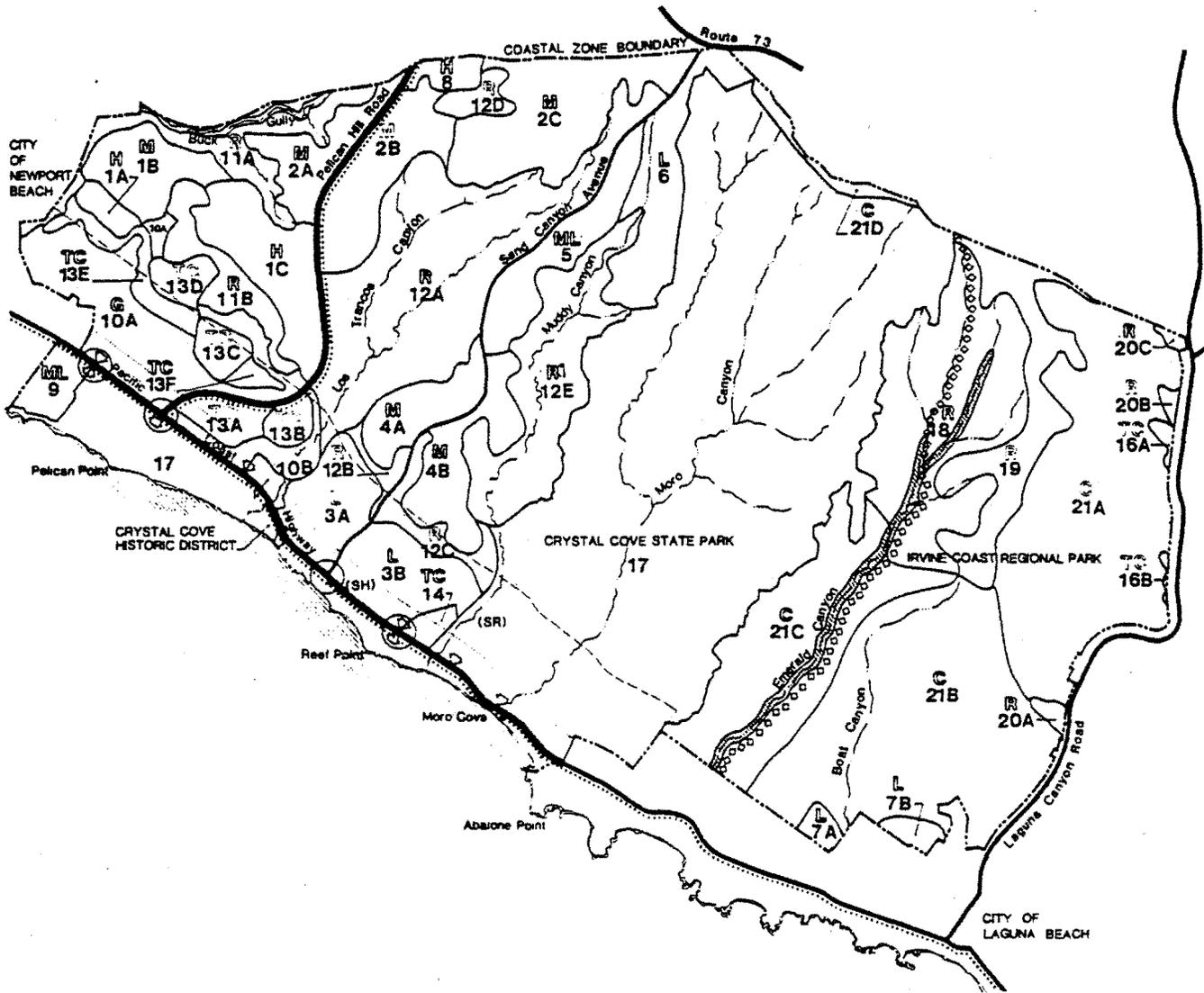
EXHIBIT NO. 76

APPLICATION NO  
 IRC 1-96

STAT TABLE

229

 California Coastal Commission



# PLANNED COMMUNITY DEVELOPMENT MAP

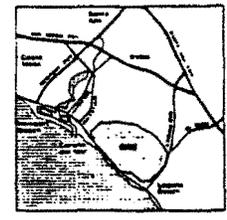
## The Irvine Coast Local Coastal Program

### LEGEND

- PLANNED COMMUNITY BOUNDARY
- PLANNING AREA
- LOCAL ROAD CONNECTIONS TO P.C.H.
- LOW DENSITY RESIDENTIAL (0-2)
- MED-LOW DENSITY RESIDENTIAL (2-3.5)
- MEDIUM DENSITY RESIDENTIAL (3.5-6.5)
- HIGH DENSITY RESIDENTIAL (6.5-18)
- GOLF COURSE
- TOURIST COMMERCIAL
- RECREATION
- CONSERVATION

- FLOODPLAIN 2
- FLOODPLAIN 3
- SCENIC HWY. DIST.
- SIGN RESTRICTION DISTRICT
- SIGNALIZED INTERSECTION

- MAJOR ARTERIAL
- PRIMARY ARTERIAL
- COMMUTER ARTERIAL
- CLASS II REGIONAL BIKE TRAIL
- REGIONAL RIDING/HIKING TRAIL



II-11.2

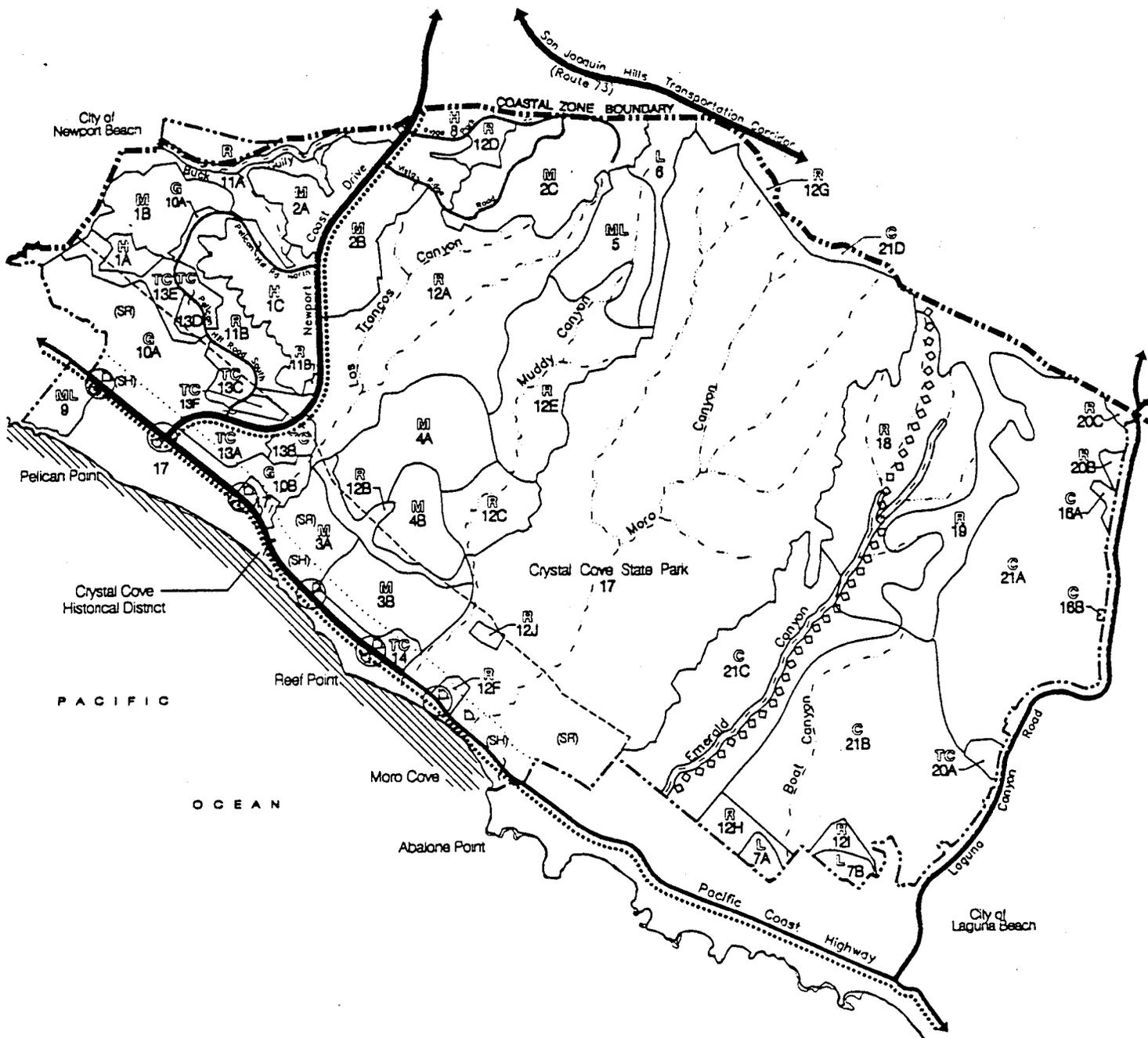
EXHIBIT NO. 8a

APPLICATION NO.  
IRC 1-96

PC MAP

1st

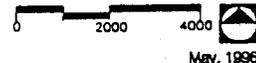
California Coastal Commission



# PLANNED COMMUNITY DEVELOPMENT MAP - Second Amendment

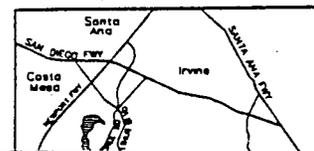
## The Newport Coast Local Coastal Program

Exhibit W



### LEGEND

- |                                      |                         |                              |
|--------------------------------------|-------------------------|------------------------------|
| COASTAL ZONE BOUNDARY                | CONSERVATION            | MAJOR ARTERIAL               |
| PLANNED COMMUNITY BOUNDARY           | RECREATION              | PRIMARY ARTERIAL             |
| PLANNING AREA BOUNDARY               | GOLF COURSE             | COLLECTOR                    |
| PLANNING AREA                        | TOURIST COMMERCIAL      | CLASS II REGIONAL BIKE TRAIL |
| LOCAL ROAD CONNECTIONS TO P.C.H.     | FLOOD PLAIN 2           | REGIONAL RIDING/HIKING TRAIL |
| LOW DENSITY RESIDENTIAL (0-2)        | FLOOD PLAIN 3           |                              |
| MED-LOW DENSITY RESIDENTIAL (2-3.5)  | SCENIC HIGHWAY DIST.    |                              |
| MEDIUM DENSITY RESIDENTIAL (3.5-6.5) | SIGN RESTRICTION DIST.  |                              |
| HIGH DENSITY RESIDENTIAL (6.5-18)    | SIGNALIZED INTERSECTION |                              |



**EXHIBIT NO 86**  
**APPLICATION NO.**  
**IRC 1-96**  
**PC MAP**  
**2nd**  
 California Coastal Commission

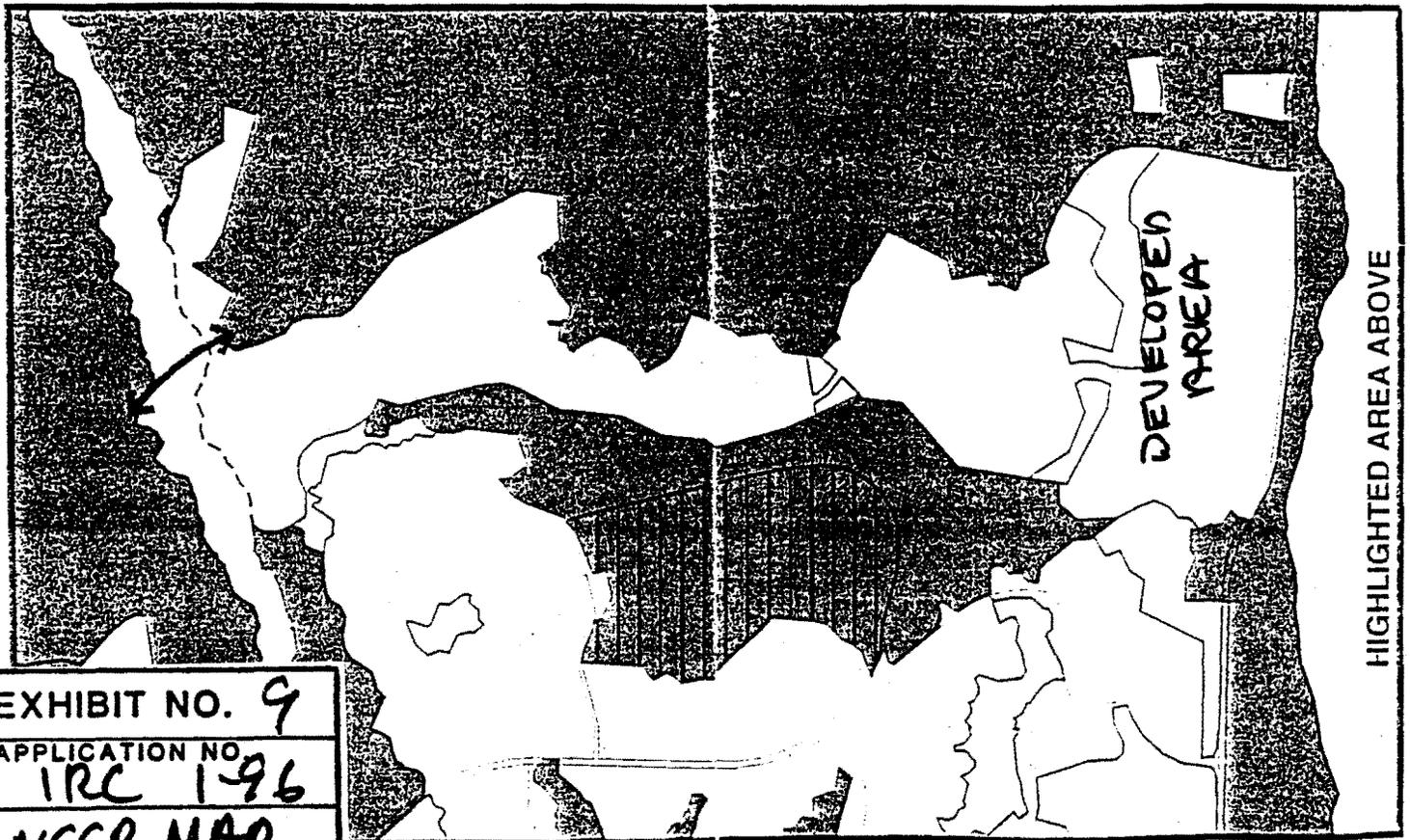
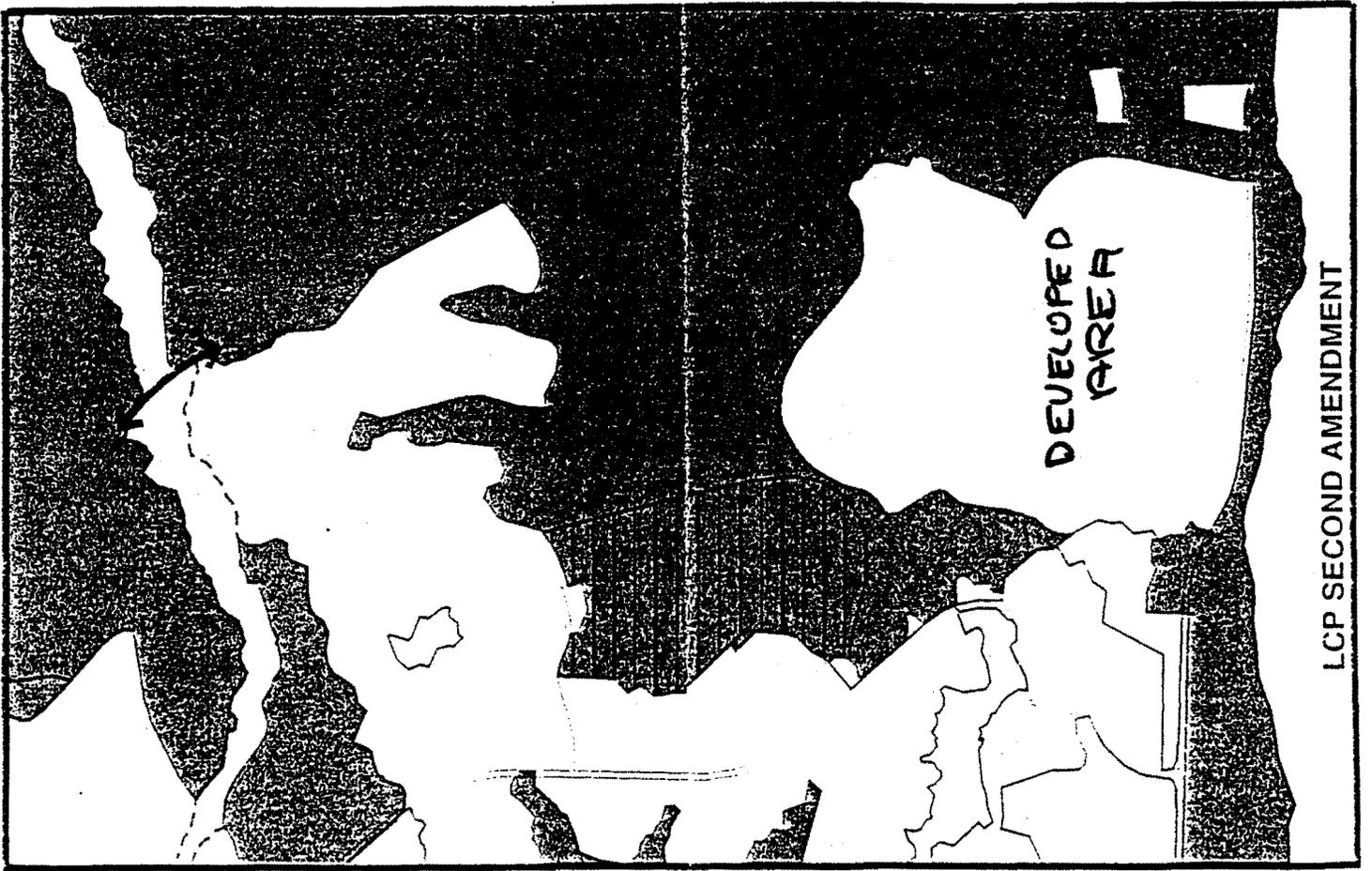


EXHIBIT NO. 9  
 APPLICATION NO.  
 IRC 1986  
 NCCP MAP

 California Coastal Commission

RECEIVED

EXHIBIT NO. 10
APPLICATION NO. IRC 1-96
BOARD RES.
 California Coastal Commission

2 AUG 6 1996

Resolution of the Board of Supervisors  
 Orange County, California  
 July 16, 1996

3 CALIFORNIA  
 4 COASTAL COMMISSION  
 5 SOUTH COAST DISTRICT

On Motion of Supervisor Bergeson, duly seconded and carried, the following Resolution was adopted.

6 WHEREAS, the Land Use Plan (LUP) for the Irvine  
 7 (Newport) Coast area was approved and adopted by the Board of  
 8 Supervisors pursuant to Board Resolution Nos. 80-2085 and 81-  
 9 944 dated December 17, 1980 and June 17, 1981, respectively;  
 10 and

11 WHEREAS, such LUP was certified by the California  
 12 Coastal Commission on January 19, 1982; and

13 WHEREAS, in December 1983 and Implementing Actions  
 14 Program (IAP) was adopted by the Board; and

15 WHEREAS, the LUP and IAP (together the Local Coastal  
 16 Program (LCP) for the Irvine (Newport) Coast) were subsequently  
 17 amended by the Board and approved pursuant to Board Resolution  
 18 No. 87-1606 and Ordinance No. 3674, respectively, on December  
 19 2, 1987; and

20 WHEREAS, the First Amendment for the Irvine (Newport)  
 21 Coast LCP, consisting of the amended LUP and IAP, was submitted  
 22 to the California Coastal Commission and certified by it on  
 23 January 14, 1988; and

24 WHEREAS, The Irvine Company, major landowner in the LCP  
 25 area, has proposed a Second Amendment to the certified LCP; and

26 WHEREAS, with respect to the Second Amendment to the  
 27 Irvine (Newport) Coast LCP, the Environmental Management Agency  
 has coordinated with appropriate public agencies including the  
 cities of Newport Beach, Irvine and Laguna Beach; State Parks  
 and Recreation; State Fish and Game; United States Fish and  
 Wildlife Service; and, the Coastal Commission, and has provided  
 ample opportunities for public participation through workshops  
 and meetings conducted in the area; and

WHEREAS, legally noticed public hearings have been held  
 on said LCP amendment by the Planning Commission on April 16,

OFFICE OF  
 COUNTY COUNSEL  
 ORANGE COUNTY

1 1996, May 8, 1996, and May 21, 1996, for the purpose of  
2 obtaining public comments and considering said amendment for  
3 the Irvine (Newport) Coast LCP; and

4 WHEREAS, the Orange County Planning Commission has  
5 reviewed the proposed Second Amendment to the Irvine (Newport)  
6 Coast Local Coastal Program, along with the appendices  
7 submitted with and findings made concerning the First Amendment  
8 to the Irvine Coast LCP; and

9 WHEREAS, Section 21080.9, Division 13 of the Public  
10 Resources Code statutorily exempts the preparation and adoption  
11 of a Local Coastal Program and its amendment from California  
12 Environmental Quality Act (CEQA) requirements; and

13 WHEREAS, the Planning Commission has reviewed the  
14 proposed Second Amendment with respect to consistency with the  
15 County's general plan; and

16 WHEREAS, following the public hearing held on May 21,  
17 1996, the Planning Commission recommended approval of the  
18 Second Amendment to the Irvine (Newport) Coast LCP by its  
19 Resolution No. 96-04; and

20 WHEREAS, this Board has considered the recommendations  
21 of the Planning Commission on the Second Amendment to the  
22 Irvine (Newport) Coast LCP, the testimony received in public  
23 hearings held by this Board on June 18, 1996 and July 16, 1996,  
24 and the information and comments submitted on this matter in  
25 writing.

26 NOW, THEREFORE, BE IT RESOLVED, that this Board finds as  
27 follows:

1. The Second Amendment to the Irvine (Newport) Coast  
Local Coastal Program was prepared pursuant to Division  
20 of the Public Resources Code (California Coastal  
Act).

2. Section 21080.9 of the Public Resources Code  
exempts the preparation and adoption of Local Coastal  
Programs and their amendment from CEQA requirements.

1 3. The Second Amendment to the Irvine (Newport) Coast  
2 LCP is consistent with and conforms to the policies of  
3 Chapter 3 of the Coastal Act of 1976 as follows:

4 a. The findings made by this Board as part of its  
5 Resolution 87-1606 and Ordinance No. 3674, and the  
6 findings for certification of the First Amendment  
7 to the Irvine (Newport) Coast made by the  
8 California Coastal Commission as part of its  
9 certification action on January 14, 1988, remain  
10 valid for the Second Amendment to the Irvine  
11 (Newport) Coast LCP, and are incorporated herein by  
12 reference, in that:

13 i. There is no significant change in the  
14 total allowable development by reason of the  
15 Second Amendment; and

16 ii. There is no significant change in the  
17 mix and distribution of uses allowed within  
18 the LCP area by reason of the Second  
19 Amendment.

20 b. Attachment 1 to this Resolution is  
21 incorporated by this reference and sets forth and  
22 constitutes the findings of this Board with respect  
23 to the consistency of the substantive changes  
24 proposed by the Second Amendment with the policies  
25 of Chapter 3 of the Coastal Act of 1976.

26 4. Attachment 2 to this Resolution is incorporated by  
27 this reference and sets forth and constitutes the  
findings of this Board on the environmental, planning  
and other issues identified with respect to the Second  
Amendment by persons participating in the public  
hearings or through submission of comment letters.

BE IT FURTHER RESOLVED that this Board approves the  
Second Amendment to the Irvine Coast Local Coastal Program and  
refinements dated July 16, 1996, including the Implementing  
Actions Program, for purposes of submittal to the California  
Coastal Commission, and following action by the California  
Coastal Commission, this Board will review said Second

1 Amendment in light of the California Coastal Commission action  
2 thereon, and at that time will consider adoption thereof.

3 BE IT FURTHER RESOLVED that this Board directs EMA to  
4 submit the Second Amendment to the Irvine (Newport) Coast Local  
5 Coastal Program to the California Coastal Commission for  
6 certification, and authorizes EMA Director of Planning to  
7 represent the County before the Commission in that regard.

8 BE IT FURTHER RESOLVED, that prior to final action by  
9 County on the Second Amendment to the Irvine (Newport) Coast  
10 Local Coastal Program, the developer shall either (1) execute  
11 and provide to County a copy of an agreement to mitigate the  
12 impacts of the project on the Laguna Beach Unified School  
13 District ("LBUSD") substantially consistent with the proposal  
14 submitted to the LBUSD Board of Education at its July 9, 1996  
15 public hearing, or as otherwise mutually agreed by the  
16 developer and LBUSD, or (2) subject to LBUSD's decision that  
17 such an agreement cannot be executed in that time or would not  
18 fully mitigate the impacts from the Irvine (Newport) Coast,  
19 file an application to transfer territory from LBUSD to the  
20 Newport-Mesa Unified School District. Either such an agreement  
21 or a transfer of territory will mitigate impacts to LBUSD from  
22 the Second Amendment to the Irvine (Newport) Coast Local  
23 Coastal Program.

24 The Board of Supervisors reserves the right to amend  
25 this condition at the time of final action on the Second  
26 Amendment to the Irvine (Newport) Coast Local Coastal Program  
27 to modify the mitigation to be provided upon a showing by  
Laguna Beach Unified School District that further mitigation is  
legally and factually justified.

21 ///  
22 ///  
23 ///  
24 ///  
25 ///  
26 ///  
27 ///  
///

COUNTY COUNSEL  
ORANGE COUNTY



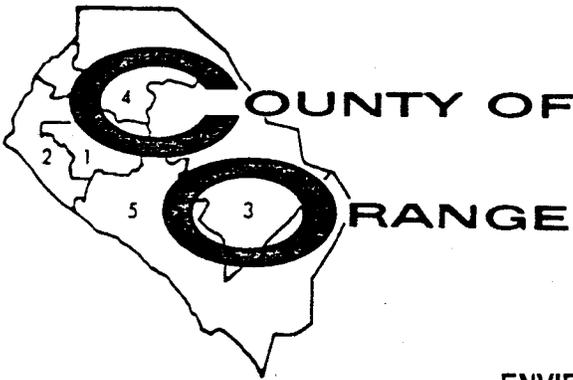


EXHIBIT NO. 11
APPLICATION NO IRC 1-26
SUMMARY
California Coastal Commission

MICHAEL M. RUANE  
DIRECTOR, EMA  
THOMAS B. MATHEWS  
DIRECTOR OF PLANNING

LOCATION:  
300 N. FLOWER ST.  
THIRD FLOOR  
SANTA ANA, CALIFORNIA

MAILING ADDRESS:  
P.O. BOX 4048  
SANTA ANA, CA 92702-4048

TELEPHONE:  
(714) 834-4643  
FAX #: 834-2771  
DPC: 834-4772

ENVIRONMENTAL MANAGEMENT AGENCY  
PLANNING

June 10, 1996

RECEIVED

AUG 0 1996

CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

TO: Distribution

SUBJECT: Irvine (Newport) Coast Local Coastal Program (LCP) - Second Amendment

Dear Recipient:

Enclosed for your review is the updated Draft Irvine (Newport) Coast Local Coastal Program - Second Amendment. For your convenience a Summary and additional facts and information on the Irvine (Newport) Coast Local Coastal Program - Second Amendment has been provided to highlight the purpose and intent of the amendment.

An Orange County Board of Supervisors Public Hearing has been scheduled for June 18, 1996 at 9:30 a.m. in Building 10, Civic Center Plaza, Santa Ana, California. County staff and representatives of the Irvine Company will be present to discuss the LCP - Second Amendment with the Board. The Board will be receiving public testimony at that time.

Please contact John Buzas at (714) 834-5906 or Chuck Shoemaker at (714) 834-5159 should you have any questions regarding the Irvine Coast LCP - Second Amendment.

Very truly yours,

John B. Buzas, Manager  
Land Use Planning

JBB:sah(6031514100881)

- Attachments: 1) Facts and Information for Irvine (Newport) Coast Local Coastal Program - Second Amendment  
2) Draft of Irvine (Newport) Coast Local Coastal Program - Second Amendment

THE IRVINE (NEWPORT) COAST LOCAL COASTAL PROGRAM - SECOND  
AMENDMENT INFORMATION SHEET

BACKGROUND

The Local Coastal Program (LCP) for the Irvine Coast consists of a Land Use Plan (first approved in June, 1981) and Implementing Actions Program (approved in January 1982). This General Plan/Zoning level document set the basic criteria for compliance with the Coastal Act for the Irvine (Newport) Coast Planned Community. The 1982-LCP secured major contiguous open space dedications east of Buck Gully, Los Trancos and Muddy Canyons by allowing for consolidated mixed-use development on the ridges and coastal terraces west of Muddy Canyon.

The LCP was amended in 1988 to eliminate office development and broaden the destination resort component to include two golf courses, additional tourist commercial uses and a broader range of residential development. These changes were intended to increase public access to, and utilization of, the coastal resources and provide more diverse services for visitors. The Irvine Coast Local Coastal Program - First Amendment was adopted by the Orange County Board of Supervisors on December 2, 1987 and was certified by the California Coastal Commission on January 14, 1988. The amended LCP resulted in a substantial increase in open space over the 1981 LCP.

LCP DEVELOPMENT STATUS

The County of Orange has since approved 30 Coastal Development Permits (CDPs) within the LCP, composing 2,059 residential units and 1,450 Tourist Commercial units, representing 79% of the residential and 67% of the Tourist Commercial LCP entitlements, all major collector roads (except Sand Canyon Avenue through PAs 4, 5 and 6) and recorded offers of dedication on all major open space (except Muddy Canyon). Of the development approved by these CDPs, all major roads have been constructed, two public golf courses are completed and opened, Planning Areas 13A and 13B have been sold to Disney for a major Tourist Commercial Resort and 440 residential buildings (17% of 2,600 dwelling units) have been completed or are under construction (see attached Entitlement Summary Table).

NATURAL COMMUNITIES CONSERVATION PROGRAM (NCCP) STATUS

Since the adoption of the 1988-LCP, the California Department of Fish & Game and the U.S. Department of Fish and Wildlife have undertaken a major regional and subregional habitat conservation planning program directed toward protecting the coastal sage scrub ecosystem (the Southern California NCCP Coastal Sage Scrub Program). The "Conservation

Guidelines" adopted by the regional NCCP program emphasize the need to provide for "connectivity" of wildlife movement between large blocks of preserved habitat areas as an important means of assuring species viability, including genetic diversity beyond that provided in the NCCP Plan. Although the 1988-LCP set aside major areas of contiguous open space/habitat in the Irvine Coast dedication areas, the habitats found within Buck Gully and Los Trancos Canyons are somewhat isolated in terms of direct physical connectivity with the Crystal Cove/Irvine Coast dedication area habitat system.

In conjunction with the review of the Central/Coastal Orange County NCCP/HCP proposed subregional plan, considerable interest has been expressed in trying to improve the habitat connectivity between Los Trancos Canyon and the Crystal Cove State Park/LCP dedication areas. This goal could be achieved by shifting development authorized in the 1988-LCP off a portion of Wishbone Ridge located between Los Trancos and Muddy Canyons to other portions of the LCP area.

#### PROPOSED LCP SECOND AMENDMENT

A shifting of development off a portion of Wishbone Ridge to broaden the wildlife corridor has implications for land uses within the remainder of the LCP area. In the context of the already significant reductions in development area reflected in the 1988-certified LCP First Amendment, there is a need to provide the landowner with sufficient economic incentives to offset the loss of development opportunities in Wishbone Ridge.

The draft LCP Second Amendment proposes to offset the proposed reductions in development area, with its attendant economic implications in two ways.

First, the LCP Second Amendment proposes to increase the intensities and overall development area on the frontal slopes of Lower Wishbone and to provide for community recreation facilities in a portion of Muddy Canyon. Additionally, other residential use intensity requirements would be modified to assure the approved overall LCP maximum of 2,600 dwelling units.

Second, the LCP Second Amendment incorporates a number of modifications to the Tourist Commercial, visitor-serving land uses in the LCP directed toward:

- (a) allowing increased flexibility (in response to the realities of commercial recreation financing); and

- (b) revising site development criteria in response to the increase in golf course open space in the Tourist Commercial Planning Areas.

Thus the overall purpose of this LCP Second Amendment is to provide certain changes in intensity, location and types of land use such that the landowner is willing to proceed with an amendment to a certified LCP resulting in a significant increase in open space on Wishbone Ridge. It is believed that these development/open space tradeoffs would clearly further regional habitat protection goals.

The majority of the proposed modifications are defined on the Irvine (Newport) Coast LCP Land Use Comparison Exhibit or the redline exhibits for the Land Use Summary Table and The Planned Community Statistical Table.

The Irvine (Newport) Coast LCP Land Use Plan Comparison, Exhibit 1, places the LCP - First Amendment and LCP - Second Amendment Land Use Plans side by side and enables viewers to easily understand the proposed modifications.

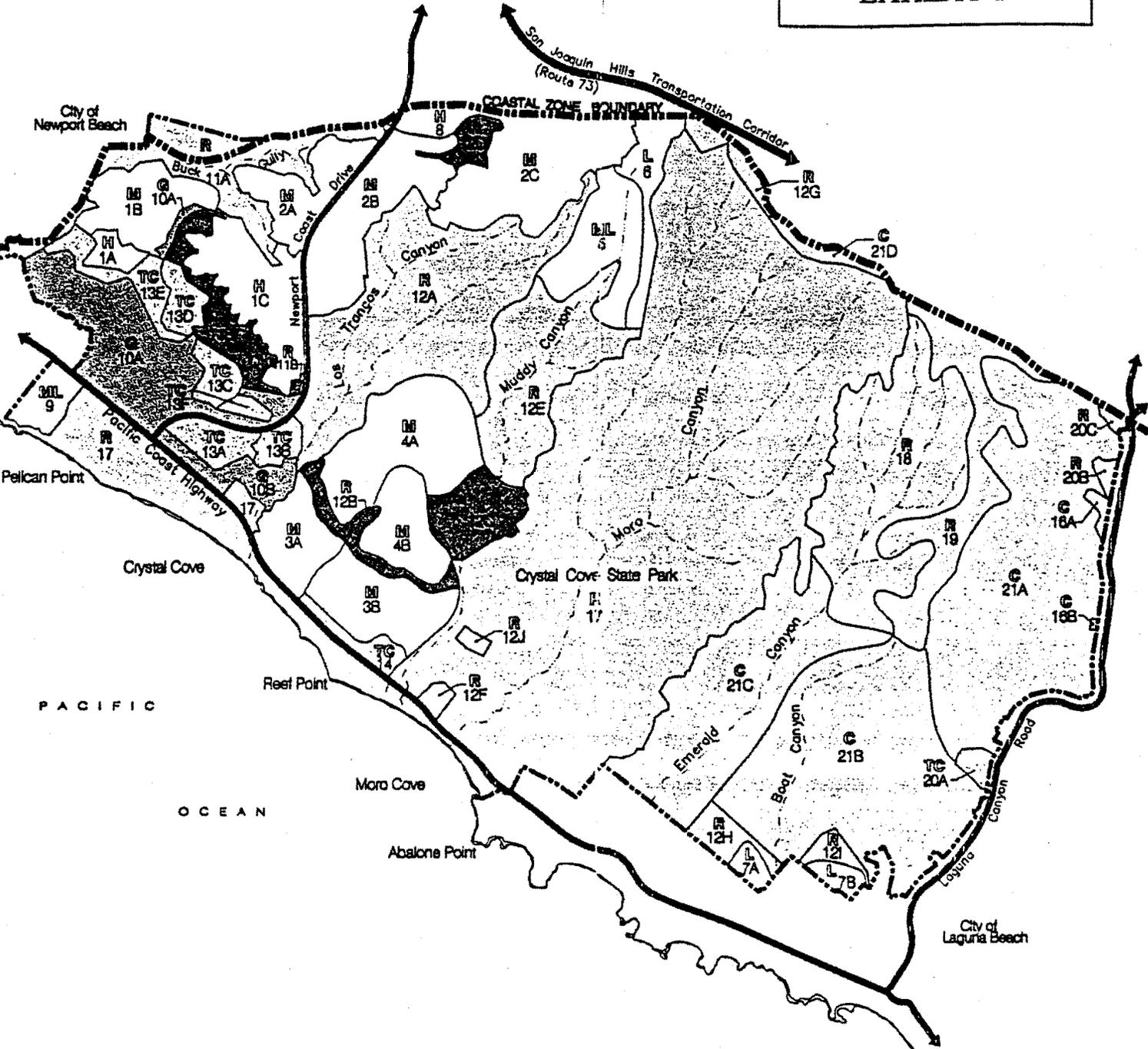
Exhibit 2, a redline version of the Land Use Summary Table enables the viewer to compare LCP - First Amendment and LCP - Second Amendment statistics. The redline version of the Planned Community Statistical Table, Exhibit 3, provides a detailed comparison between the project statistics for the LCP - First Amendment and LCP - Second Amendment. This table also reflects the development approvals which have occurred since 1988 and more accurate engineering survey information available through digital sources.

These exhibits, along with this information sheet are intended to provide the reader with a sound understanding of the modifications proposed with the LCP - Second Amendment and how they compare with the currently certified LCP.

#### PUBLIC HEARINGS AND REVIEW

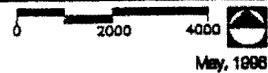
A draft of the Irvine (Newport) Coast Local Coastal Program - Second Amendment was distributed on March 20, 1996 for review and comment. A Planning Commission Public Hearing Workshop occurred on April 16, 1996, and Planning Commission hearings were held on May 8, and May 21, 1996.

The March 20, 1996, Draft Second Amendment to the Irvine (Newport) Local Coastal Program entailed eleven substantive, inter-related revisions and seven revisions of a technical nature. Following receipt of a variety of comments from other governmental agencies and interested members of the public along with specific directions from the Planning Commission



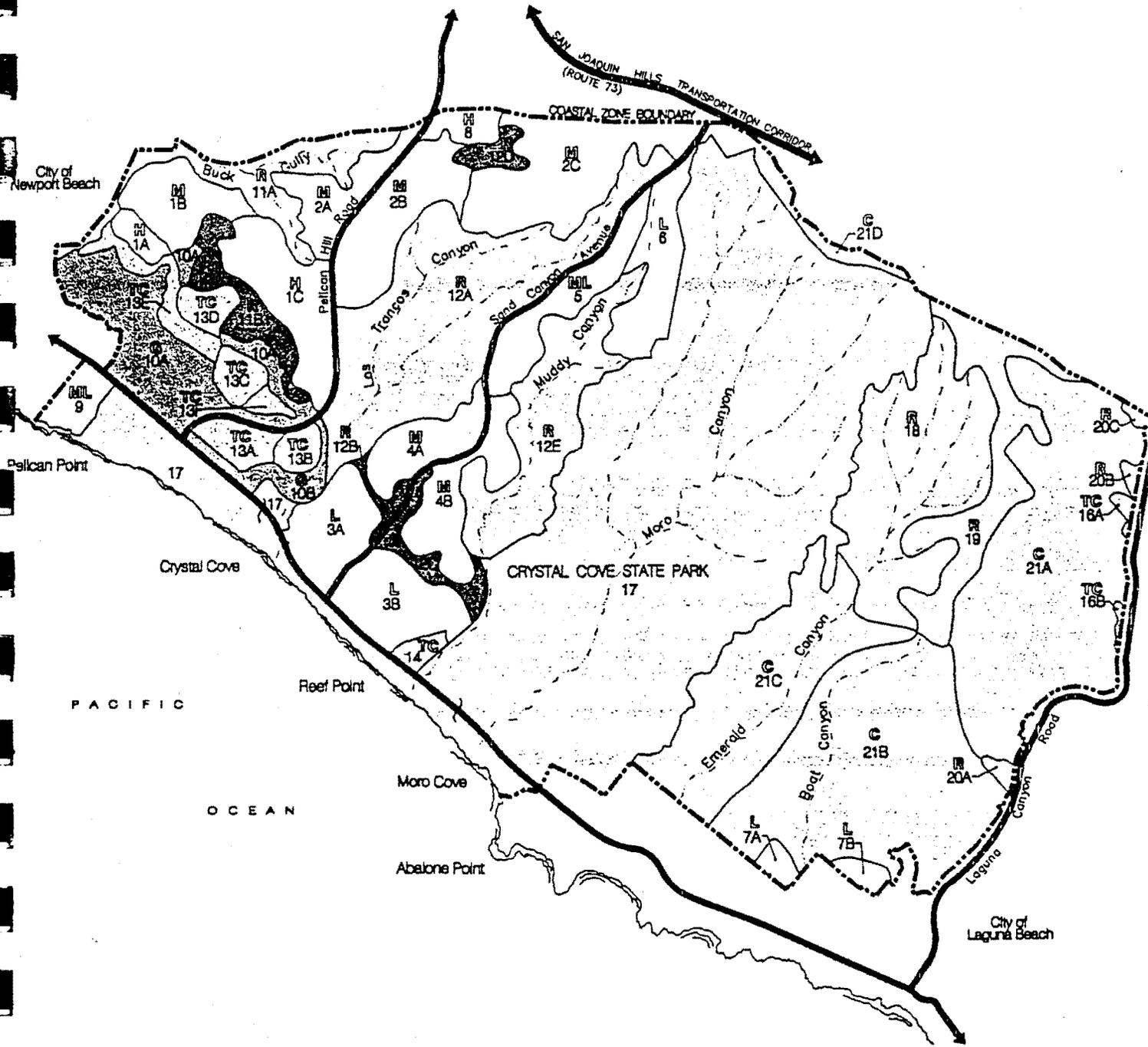
**LAND USE PLAN - Second Amendment**  
**The Newport Coast Local Coastal Program**

Exhibit F



**LEGEND**

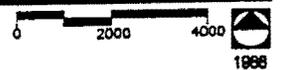
- |  |                            |
|--|----------------------------|
| LOW DENSITY RESIDENTIAL (0-2)          | LAND USE DESIGNATION       |
| MEDIUM-LOW DENSITY RESIDENTIAL (2-3.5) | PLANNING AREA              |
| MEDIUM DENSITY RESIDENTIAL (3.5-6.5)   | COASTAL ZONE BOUNDARY      |
| HIGH DENSITY RESIDENTIAL (6.5-18)      | PLANNED COMMUNITY BOUNDARY |
| GOLF COURSE                            | PLANNING AREA BOUNDARY     |
| TOURIST COMMERCIAL                     |                            |
| RECREATION                             |                            |
| CONSERVATION                           |                            |



# LAND USE PLAN - First Amendment

## The Irvine Coast Local Coastal Program

Exhibit F



### LEGEND

- |   |   |
|---|---|
| <span style="border: 1px solid black; padding: 2px;">L</span> LOW DENSITY RESIDENTIAL (0-2)           | <span style="border: 1px solid black; padding: 2px;">TC</span> LAND USE DESIGNATION |
| <span style="border: 1px solid black; padding: 2px;">ML</span> MEDIUM-LOW DENSITY RESIDENTIAL (2-3.5) | <span style="border: 1px solid black; padding: 2px;">13B</span> PLANNING AREA       |
| <span style="border: 1px solid black; padding: 2px;">M</span> MEDIUM DENSITY RESIDENTIAL (3.5-6.5)    |   |
| <span style="border: 1px solid black; padding: 2px;">H</span> HIGH DENSITY RESIDENTIAL (6.5-18)       |   |
| <span style="border: 1px solid black; padding: 2px;">G</span> GOLF COURSE                             |   |
| <span style="border: 1px solid black; padding: 2px;">TC</span> TOURIST COMMERCIAL                     |   |
| <span style="border: 1px solid black; padding: 2px;">R</span> RECREATION                              |   |
| <span style="border: 1px solid black; padding: 2px;">C</span> CONSERVATION                            |   |

**EXHIBIT E**  
**"FIRST AMENDMENT" SECOND AMENDMENT**  
**LAND USE SUMMARY**  
Irvine Newport Coast Local Coastal Program

<u>LAND USE CATEGORY</u>	<u>PLANNING AREAS</u>	<u>GROSS ACRES<sup>(a)</sup></u>	
<b>RESIDENTIAL:</b>			
Low Density	<del>3A, 3B</del> , 6, 7A, 7B	526	130
Medium-Low Density	5, 9	202	201
Medium Density	1B, 2A, 2B, 2C, <del>3A, 3B</del> , 4A, 4B	954	1,296
High Density	1A, 1C, 8	240	246
<b>SUBTOTAL</b>		<del>1,922 ACRES</del>	<del>1,873 ACRES</del>
<b>COMMERCIAL:</b>			
Tourist Commercial	13A, 13B, 13C, 13D, 13E, 13F, 14, <del>16A, 16B</del> 20A	276	277
<b>SUBTOTAL</b>		<del>276 ACRES</del>	<del>277 ACRES</del>
<b>OPEN SPACE:</b>			
Golf Course	10A, 10B	367	354
Recreation and Parks	11A, 11B, 12A, 12B, 12C, 12D, 12E, 12F, 12G, 12H, 12I, 12J, <del>16A, 16B</del> 17, 18, 19, <del>20A, 20B,</del> 20C	4,878	4,989
Conservation	21A, 21B, 21C, 21D, <del>16A, 16B</del>	1,989	2,000
<b>SUBTOTAL</b>		<del>7,234 ACRES</del>	<del>7,343 ACRES</del>
<b><u>TOTAL — ALL LAND USES</u></b>		<del>9,432 ACRES</del>	<del>9,493 ACRES</del>

(a) All acreages are approximate and include roads and arterial highways.

at the May 8, 1996 hearing, several changes have been incorporated into the June 18, 1996 Second Amendment document to respond to the points raised.

### MAJOR REVISIONS

Specific substantive revisions necessary to achieve the overall goals of this proposed LCP Second Amendment may be summarized as follows:

Revision 1. Adjust development/open space boundaries adjacent to Crystal Cove State Park, including Los Trancos and Muddy Canyons to enhance habitat value by improving connectivity.

Revision 2. Modify land use categories of Residential Low to Medium Density in Planning Areas 3A and 3B to shift densities to the coastal terrace in support of improving connectivity between Los Trancos Canyon and Crystal Cove State Park, providing more diverse housing types and residential densities and adding neighborhood commercial, limited to 100,000 square feet, as a permitted use.

Revision 3. Increase the maximum number of dwelling units allowed in undeveloped Planning Areas to match the low end of the density ranges established by the land use categories, while maintaining an overall maximum of 2,600 dwelling units for the Planned Community.

Revision 4. Update statistical tables and maps to reflect more accurate data from engineering surveys and digital technology, resulting in the creation of Recreation Planning Areas 12H and 12I to account for excess land between Residential Planning Areas 7A and 7B and the dedication area. This update additionally creates Recreational Planning Area 12J to separate the Laguna Beach County Water District site from Crystal Cove State Park.

Revision 5. Relocate and expand the variety of recreational uses and site coverage in Open Space/Recreation Planning Area 12C to allow for active community recreation facilities and expand Planning Area 12B.

Revision 6. Delete Sand Canyon Avenue north of Pacific Coast Highway and correspondingly reduce grading, consistent with the Orange County Board of Supervisors 1995 - Technical Amendment to the Master Plan of Arterial Highways.

Revision 7. Adjust Tourist Commercial building site coverages to compensate for 74-acres of golf course in Tourist Commercial Planning Areas 13A through 13F and facilitate low-profile resort development in Planning Areas 13C, 13D and 13E.

Revision 8. Add "resort" to "overnight accommodations" (i.e., overnight/resort accommodations) to clarify Tourist Commercial as not being limited to overnight stays and add "casitas" as a principal permitted use in Planning Area 14.

Revision 9. Delete restrictions on ownership of accommodations in the Tourist Commercial Planning Areas to provide for financing flexibilities.

Revision 10. Add equestrian centers with a maximum of 50 horses as a principal permitted use in Planning Areas 5, 6 and 12C.

Revision 11. Add guest cottages and caretaker quarters limited to 1,500 square feet on building sites of 10,000 square feet or larger as a permitted use in all residential land use categories.

Revision 12. Modification of the land use designation of the Moro Sliver area of Planning Area 6 from Residential to Recreation.

Revision 13. Redesignation of Planning Areas 16A and 16B as Conservation.

#### TECHNICAL REVISIONS

Revision 1. Transfer the Tourist Commercial Land Use Entitlement from Planning Areas 16A and 16B to Planning Area 20A as provided for in the LCP - First Amendment.

Revision 2. Create new Planning Areas 12F and 12J for the existing El Morro Elementary School and Laguna Beach County Water District sites.

Revision 3. Substitute an Amended Legal Description to reflect the accurate Planned Community boundary.

Revision 4. Change the name of the Planned Community from "Irvine" to "Newport Coast."

Revision 5. Change the name of "Pelican Hill Road" to "Newport Coast Drive."

Revision 6. Change references to Planning Areas 3A, 3B and 14 from Wishbone Hill and Muddy Canyon to Lower Wishbone.

Revision 7. Change references to Muddy Canyon Planning Area 6 to Wishbone Ridge.



THE IRVINE (NEWPORT) COAST  
LOCAL COASTAL PROGRAM  
Second Amendment Overview



August 1996

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# BACKGROUND



Newport Coast Planned Community Today

April 1996

## Introduction

The Irvine (Newport) Coast Planned Community comprises almost 10,000 acres of land along the coast of central Orange County, between the cities of Newport Beach and Laguna Beach.

In accordance with the California Coastal Act of 1976, the County of Orange prepared a Local Coastal Program (LCP) for the Irvine Coast (now referred to as the “Newport Coast”) which is composed of a Land Use Plan and an Implementing Actions Program — Planned Community District Regulations. The Irvine Coast LCP Land Use Plan was originally certified by the California Coastal Commission on January 18, 1982; and the LCP-First Amendment (Land Use Plan and Implementing Actions Program) was certified on January 14, 1988.

The centerpiece of the Newport Coast LCP is its provision and protection of open space lands which comprise over 77% of the entire Newport Coast area. In addition to approximately 4,989 areas of land in recreation use – including Crystal Cove State Park, Buck Gully, and Los Trancos and Muddy Canyons over 2,000 acres of land is designated as conservation, to be included as part of the County’s Laguna Coast Wilderness Regional Park.

The Newport Coast LCP limits residential development to a maximum of 2,600 dwelling units. The Land Use Plan’s clustering of residential units is preserving open space, reducing grading impacts, and enhancing the compatibility of private development with public open space. In addition, the LCP provides for 2,150 overnight/resort accommodations.

# STATUS OF LOCAL COASTAL PROGRAM DEVELOPMENT

## Summary of Accomplishments

The 1988 LCP-First Amendment established an overall development limit of 2,600 residential units and 2,150 overnight/resort accommodations. Since certification of the 1988 LCP, the County of Orange has approved thirty (30) Coastal Development Permits (CDPs) within the LCP area. Implementation of the LCP includes the following accomplishments:

## Open Space Dedications and Protection

- Offers of dedication recorded for phased dedication of over 2,600 acres of contiguous open space/habitat adjacent to the inland portion of Crystal Cove State Park, with County acceptance of the first phase dedication.
- Offer of dedication recorded for approximately 800 acres in Los Trancos Canyon and Buck Gully.
- Protection of the Pelican Hill viewshed through the construction of two golf courses—representing an increase of 74 acres of golf course open space on Pelican Hill and the coastal shelf.

## Tourist Commercial Use

- Sale of two planning areas to Disney for development of a major tourist commercial resort development.
- Coastal Development Permit approval of 1,450 overnight/resort units, representing 67% of the total tourist commercial entitlement.
- Completion of two nationally-regarded golf courses, open since 1991.

## Coastal Access/Circulation System

- Construction of all major planned collector roads (except Sand Canyon Avenue), including Newport Coast Drive which provides direct access to Crystal Cove State Beach and relieves Pacific Coast Highway traffic by serving as a bypass around Corona del Mar.
- Widening of Pacific Coast Highway.

## Residential Development

- Coastal Development Permit approval for 2,059 residential units, representing 79% of the residential development entitlement, and completion or initiation of the construction of 440 residential units, or 17% of the 2,600 dwelling unit allocation.
- In compliance with the County's Housing Element, the requirement to provide 648 affordable housing units within 3 miles of the coastal zone has been satisfied.
- All development projects have incorporated the physical improvements and control measures to implement the LUP's Erosion, Sediment, Runoff, and Grading Policies set forth in the approved Master Drainage and Runoff Management Plan.

## DEVELOPMENT AND OPEN SPACE STATUS MAP\*

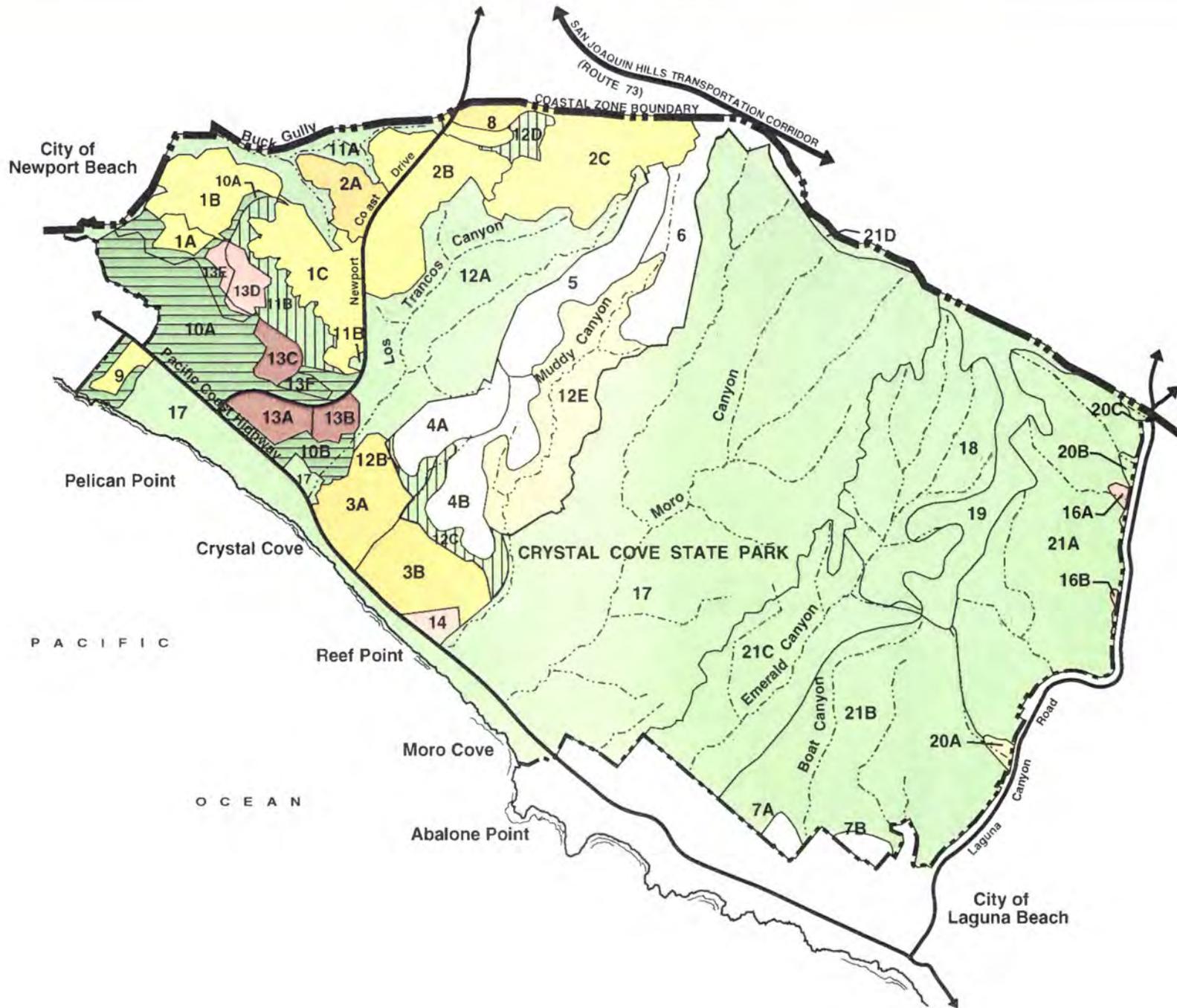
### Development

-  Approved Residential Project Under Construction or Completed
-  Approved Residential Project
-  Residential Planning Area (Future Project Approval)
-  Approved Tourist Commercial Project
-  Tourist Commercial Planning Areas (Future Project Approval)

### Open Space

-  Open Space Offered or Accepted for Public Ownership
-  Future Public Open Space Dedication
-  Golf Courses Open for Play
-  Privately Maintained Open Space

\*REFLECTS APPROVALS BY THE COUNTY OF ORANGE AS OF AUGUST, 1996



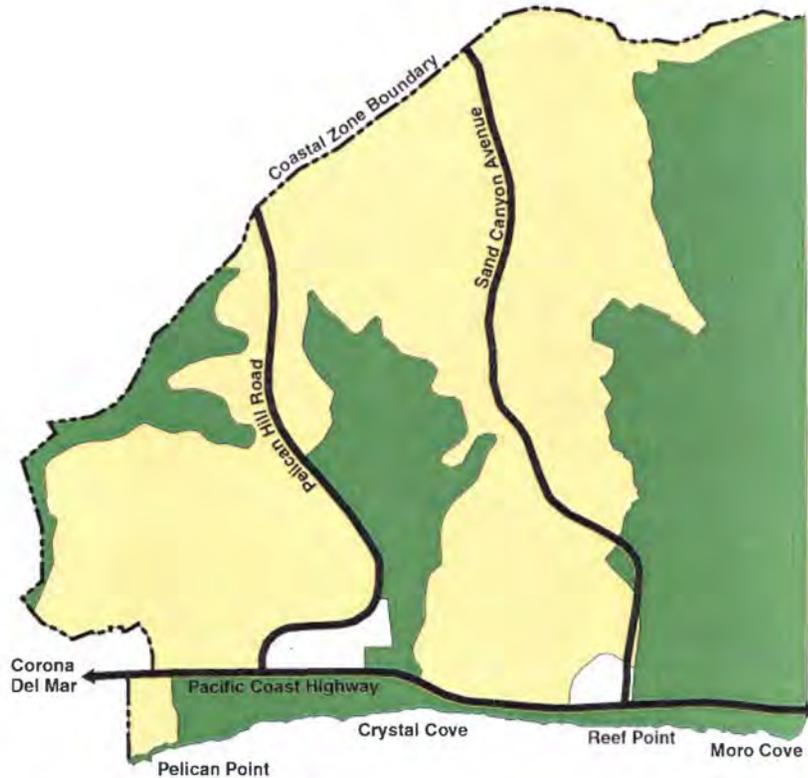
# EVOLUTION OF THE LOCAL COASTAL PROGRAM

## The 1982 LCP: Sets Framework for Development of the Irvine Coast

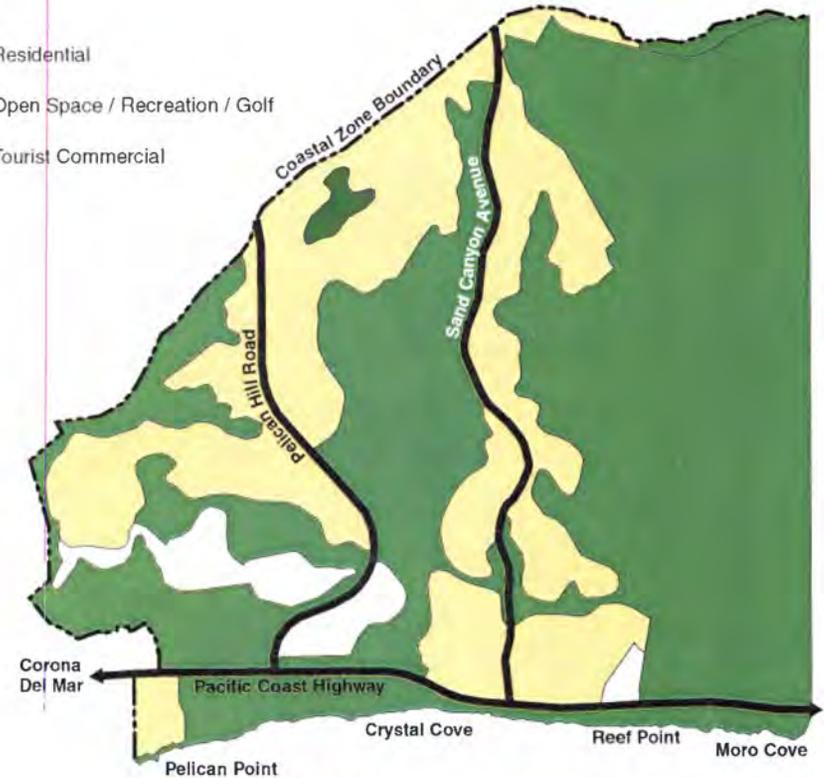
The Local Coastal Program (LCP) for the Irvine Coast was first certified in 1982. The LCP established the framework for development of the Irvine Coast Planned Community consistent with the Coastal Act. Its central feature was the provision of major contiguous open space dedications east of Crystal Cove State Park, along with private recreational/open space dedications in Buck Gully, and Los Trancos and Muddy Canyons. Mixed-use development was limited to the ridges and coastal terraces west of Muddy Canyon.

## The 1988 LCP-First Amendment: Increased Open Space and Tourist-Commercial/Recreation Uses

In 1988, the LCP was amended to eliminate office development and broaden the destination resort component to include two golf courses, additional tourist commercial uses, and a wider range of residential development. These changes were intended to increase public access to, and utilization of, the coastal resources and to provide more diverse services for visitors. The 1988 First Amendment resulted in providing over 1,500 acres more open space than the 1982 LCP, including the addition of 367 acres of golf courses and an increase in recreation area from 3,427 to 4,878 acres.



1982 CERTIFIED LCP



1988 CERTIFIED FIRST AMENDMENT

**The 1996 LCP-Second Amendment:  
Enhanced Habitat Connectivity Responds to NCCP Goals**

Since the certification of the 1988 LCP-First Amendment, a major regional cooperative habitat conservation planning effort has been undertaken by the County of Orange, the California Department of Fish and Game, and the U.S. Fish and Wildlife Service to protect the coastal sage scrub ecosystem. This program, the Southern California Natural Communities Conservation Plan (NCCP), was designed to provide for “connectivity” of wildlife movement between large blocks of preserved habitat areas as an important means of assuring species viability.

Although the 1988 LCP-First Amendment set aside major areas of contiguous open space/habitat in the Irvine Coast, the County believed that additional efforts could be made to improve the habitat connectivity between Los Trancos Canyon and the Crystal Cove State Park/Wilderness dedication areas. This improvement in habitat connectivity could be achieved by shifting development authorized in the 1988 LCP-First Amendment from a portion of Wishbone Ridge to other portions of the Irvine Coast. In order to accommodate the increased habitat areas, the 1996 LCP-Second Amendment proposes eleven revisions to ensure that all of the goals of the LCP with respect to open space, residential development, and recreational and tourist-commercial uses are met. As part of this Second Amendment, the name of the LCP area will be changed to the Newport Coast.



- Residential
- Open Space / Recreation / Golf
- Tourist Commercial
- Golf Course in Tourist Commercial
- Golf Course in Residential

**1996 PROPOSED SECOND AMENDMENT**

# THE 1996 LCP SECOND AMENDMENT



Preserve Moro Sliver

Preserve Wishbone Ridge by:

Consolidating/reconfiguring Residential Planning Areas 5 and 6 to allow Open Space/Habitat Connectivity.

Eliminating Sand Canyon Road corridor as impasse to wildlife movement.

Expanding Open Space Planning Areas 12E (Muddy Canyon) to connect with 12A (Los Trancos Canyon).

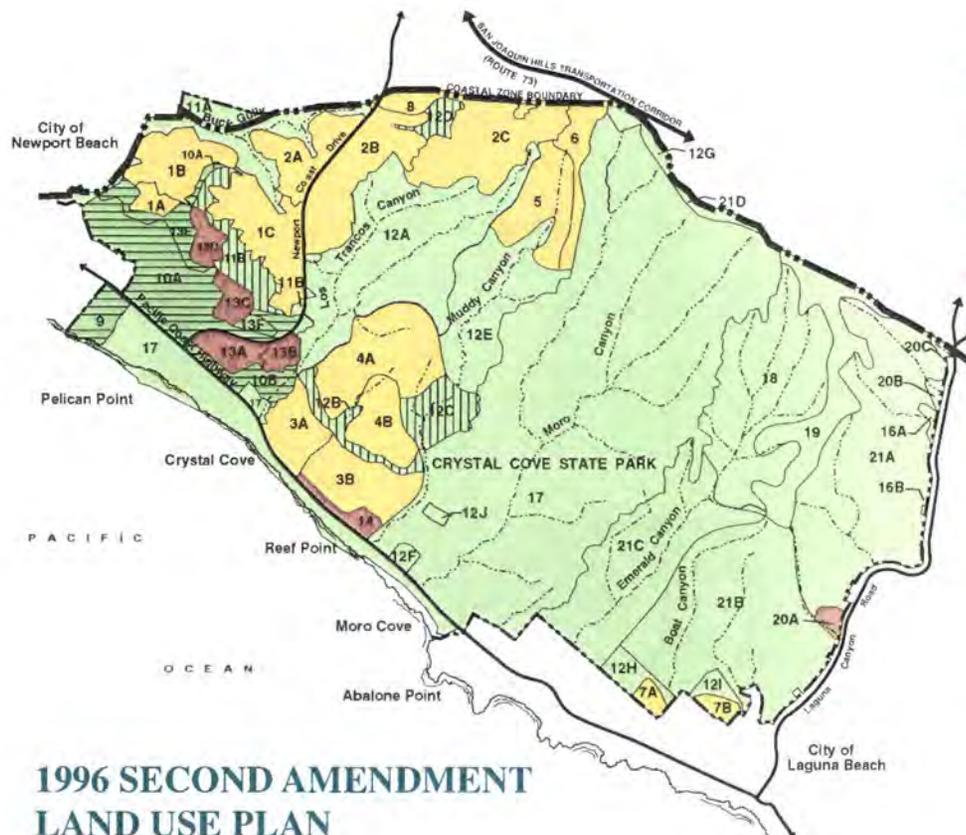
Consolidating Residential Planning Areas 4A and 4B to allow Open Space/Habitat Connectivity.

Modify Planning Areas 3A and 3B from Low to Medium density and allow neighborhood commercial development for the residential areas.

## Specific Revisions

The specific revisions that compose the 1996 LCP-Second Amendment are as follows:

- Adjust development/open space boundaries adjacent to Los Trancos and Muddy Canyons and Crystal Cove State Park by increasing the width of the open space connection from 50 feet to approximately one mile to enhance habitat connectivity.
- Delete Sand Canyon Avenue north of Pacific Coast Highway to reduce grading along Wishbone Ridge and to eliminate barriers to wildlife movement.
- Relocate and expand the variety of recreational uses and site coverage in Planning Area 12C and reconfigure Planning Area 12B.



**1996 SECOND AMENDMENT  
LAND USE PLAN**

- Add equestrian centers as a principal permitted use in specified residential and recreational planning areas.
- Add resort to overnight accommodations to expand and clarify the nature of visitor-serving accommodations, and include casitas as a principal permitted use in Planning Area 14.
- Delete restrictions on ownership of accommodations in the Tourist Commercial Planning Areas.
- Adjust Tourist Commercial building site coverages in Planning Areas 13A-13F to reflect additional open space provided by the golf courses.
- Add up to 1,500 square foot guest cottages/caretaker quarters as a permitted use on 10,000 square foot minimum lots in all residential land use categories.
- Modify residential land use categories in Planning Areas 3A and 3B to allow medium density residential in support of improved connectivity.
- Add neighborhood commercial as a permitted use in Residential Planning Areas 3A and 3B.
- Preserve Moro Sliver by changing its designation from Residential to Recreation.



## IMPLEMENTATION OF LCP POLICIES



Ecotone buffer within Buck Gully.

### Ecotone Transition – Development/Open Space Edges

*Where development adjoins coastal scrub and chaparral in dense strands, an “ecotone” area will be created by thinning out woody plants in the buffer zone. Within the “ecotone” area grasses will be introduced or allowed to invade the open spaces.*

Ecotone Policy (LCP p. I-3.32)

### Resource Protection

*The golf course greenbelt enhances the visual qualities of the frontal slopes of Pelican Hill by providing a scenic foreground for the visitor-serving areas.*

Visual Quality Policy (LCP p. I-2.7)



Ecotone buffer within Los Trancos Canyon.



Pelican Hill frontal slopes behind golf-courses.

## **Pelican Point Trail, Golf Course, and Residential Clustering**

*Pelican Point will provide for a bluff top trail connecting Crystal Cove State Park, where topographic and geologic conditions permit.*

Bluff Top Trail Policy (LCP p. I-4.14)



Bluff top trail, golf course and Pelican Point community as viewed from Crystal Cove State Park.

*If the golf course is extended into PA 9, the clustering of residential development shall be permitted.*

Golf Course Extension Policy (LCP p. I-4.14)



Pelican Point custom homes as viewed from the golf cart path.

## PUBLIC FACILITIES

### Circulation Improvements



**Newport Coast Drive:** Completed construction of Newport Coast Drive improving coastal access.



**PCH Widened:** Pacific Coast Highway widened/ realigned to improve access and safety.

## Public Safety Facilities

**Public Utilities:** Major water storage facilities have been designed and constructed underground and landscaped to minimize visual impacts.



4.1 MG Zone 2 reservoir located adjacent to Newport Coast Drive.

**Fire Station:** The land dedication and construction of Orange County Fire Station No. 52 has been completed.



**Detention Basin:** Detention basins designed to permit sand replenishment to the beach while minimizing erosion.



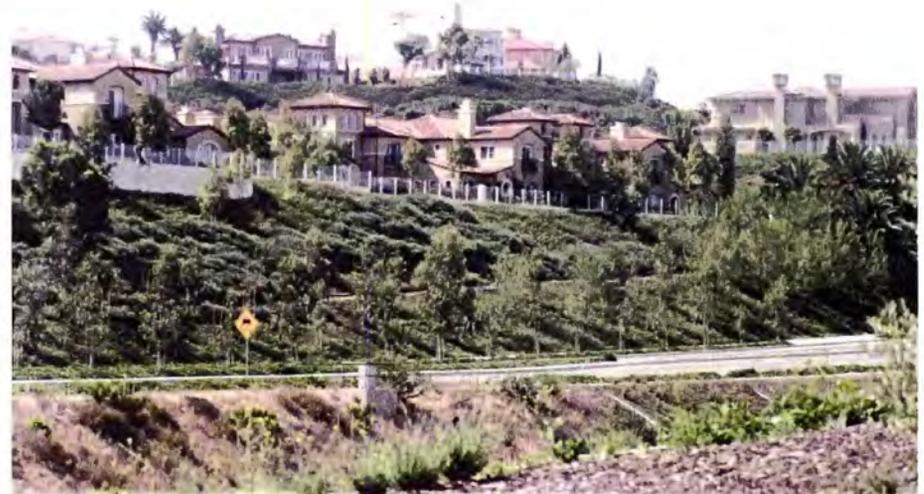
## RESIDENTIAL DEVELOPMENTS



Entrance to single family attached townhomes (Altezza).



Typical Pelican Hill Custom Home.



Single family attached condominiums (Trovare) and Ocean Ridge Custom Homes.

# PELICAN HILL GOLF CLUB



Golf Clubhouse



Coastal Sage Habitat retained and enhanced.



Lake Features utilizing reclaimed water.



Completed Riparian Habitat Creation Program as viewed from the Pelican Hill main entry bridge.

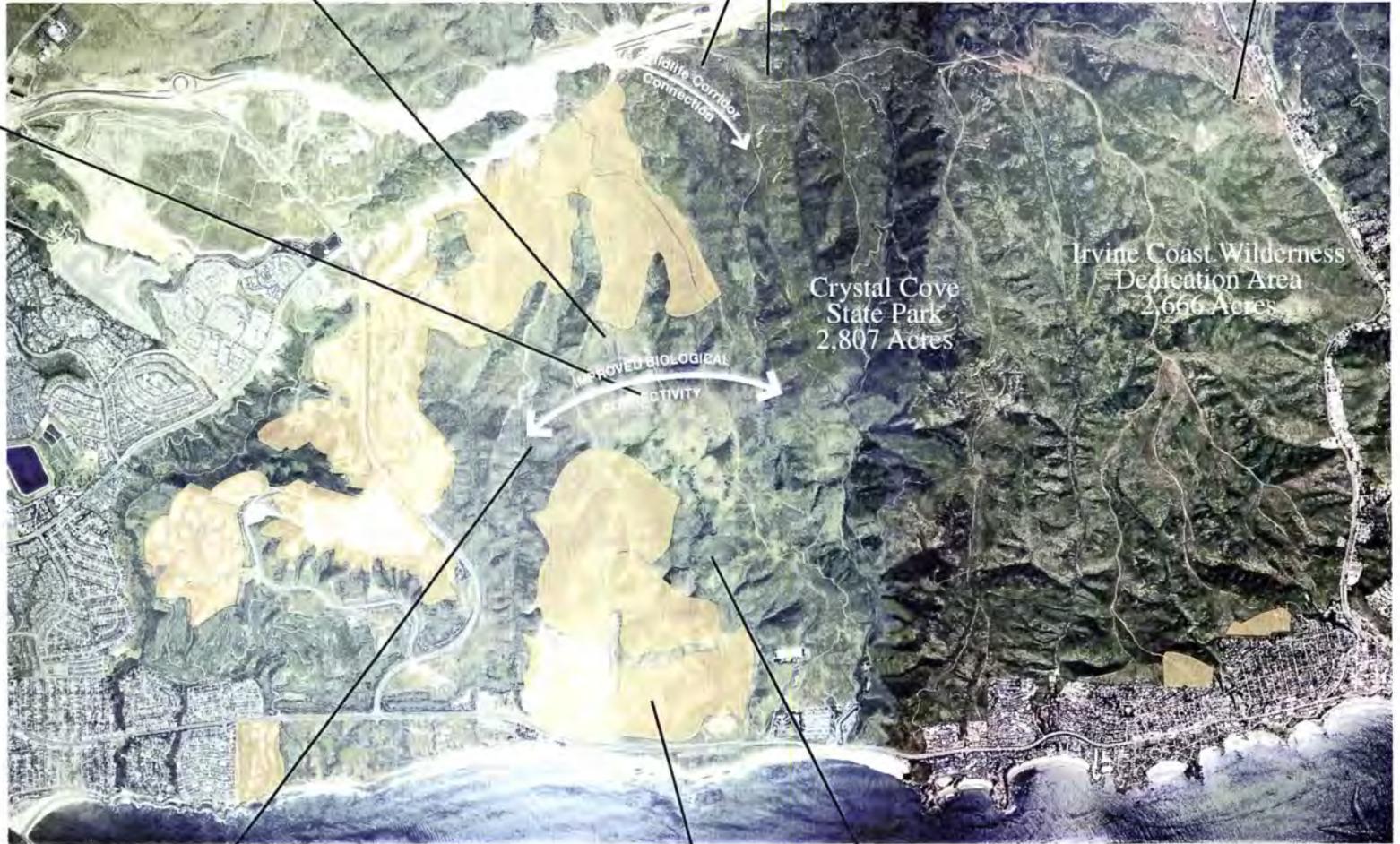
# SUMMARY OF KEY 1996 SECOND AMENDMENT BENEFITS

Habitat Connectivity enhanced by elimination of Sand Canyon Avenue and reconfiguration of development areas.

Habitat Connectivity enhanced and potential Staging Area /Park Support Facilities provided by preserving Moro Sliver.

Potential Staging Area and Support Facilities for Wilderness/State Parks adjacent to Laguna Canyon Road.

Expand Muddy Canyon (PA 12E) to connect State Park and Los Trancos Canyon.



Overall increase in Coastal Sage Scrub Habitat

Addition of Neighborhood Commercial to support residential areas.

New Community Recreation Facility and Equestrian Center.

**Expanded Open Space/Improved Biological Connectivity:** The Second Amendment preserves Wishbone Ridge and the Moro Sliver as open space and provides improved biological connectivity among the major open space areas.

**Improved Recreational Opportunities:** The Second Amendment creates public staging areas for Crystal Cove State Park and the Laguna Coast Wilderness Park Dedication Area. It also provides for a community recreation facility to serve the future residents of Planning Areas 3 and 4.

**Equestrian Centers:** Limited on-site equestrian centers will be provided as recreational facilities in specified residential planning areas.

**Neighborhood Commercial Development to Support Residential Development:** The Second Amendment will add neighborhood commercial as a permitted use in medium density Residential Planning Areas 3A and 3B, providing commercial facilities within or adjoining residential development and minimizing demands on coastal access roads.

**Facilitate Tourist Commercial Development:** There is currently an overabundance of “hotels” within the Newport Coast area which has reduced market demand for new hotels. The use of the term “resort/overnight accommodations”, the addition of “casitas” in Planning Area 14, and removal of ownership restrictions on “casitas,” will facilitate the creation of visitor-serving accommodations in coastal Orange County.

**Site Coverage Modifications For Visitor-Serving Uses:** The adjusted site coverages will allow tourist commercial development intensities to be achieved consistent with the open space preserved in the golf course, and also facilitate low profile resort development that would allow this area to continue to minimize the visual and scenic impacts of the development.





This document had been prepared by The Irvine Company in cooperation with the Orange County Environmental Management Agency. It is a summary of the proposed Irvine (Newport) Coast Local Coastal Program - Second Amendment approved by the County of Orange on July 16, 1996 for submittal to the California Coastal Commission.

1  
2 Resolution of the Board of Supervisors  
3 Orange County, California  
4 July 16, 1996

5 On Motion of Supervisor Bergeson, duly seconded  
6 and carried, the following Resolution was adopted.

7 WHEREAS, the Land Use Plan (LUP) for the Irvine  
8 (Newport) Coast area was approved and adopted by the Board of  
9 Supervisors pursuant to Board Resolution Nos. 80-2085 and 81-  
10 944 dated December 17, 1980 and June 17, 1981, respectively;  
11 and

12 WHEREAS, such LUP was certified by the California  
13 Coastal Commission on January 19, 1982; and

14 WHEREAS, in December 1983 and Implementing Actions  
15 Program (IAP) was adopted by the Board; and

16 WHEREAS, the LUP and IAP (together the Local Coastal  
17 Program (LCP) for the Irvine (Newport) Coast) were subsequently  
18 amended by the Board and approved pursuant to Board Resolution  
19 No. 87-1606 and Ordinance No. 3674, respectively, on December  
20 2, 1987; and

21 WHEREAS, the First Amendment for the Irvine (Newport)  
22 Coast LCP, consisting of the amended LUP and IAP, was submitted  
23 to the California Coastal Commission and certified by it on  
24 January 14, 1988; and

25 WHEREAS, The Irvine Company, major landowner in the LCP  
26 area, has proposed a Second Amendment to the certified LCP; and

27 WHEREAS, with respect to the Second Amendment to the  
Irvine (Newport) Coast LCP, the Environmental Management Agency  
has coordinated with appropriate public agencies including the  
cities of Newport Beach, Irvine and Laguna Beach; State Parks  
and Recreation; State Fish and Game; United States Fish and  
Wildlife Service; and, the Coastal Commission, and has provided  
ample opportunities for public participation through workshops  
and meetings conducted in the area; and

WHEREAS, legally noticed public hearings have been held  
on said LCP amendment by the Planning Commission on April 16,

OFFICE OF  
COUNTY COUNSEL  
ORANGE COUNTY

1 1996, May 8, 1996, and May 21, 1996, for the purpose of  
2 obtaining public comments and considering said amendment for  
3 the Irvine (Newport) Coast LCP; and

4 WHEREAS, the Orange County Planning Commission has  
5 reviewed the proposed Second Amendment to the Irvine (Newport)  
6 Coast Local Coastal Program, along with the appendices  
7 submitted with and findings made concerning the First Amendment  
8 to the Irvine Coast LCP; and

9 WHEREAS, Section 21080.9, Division 13 of the Public  
10 Resources Code statutorily exempts the preparation and adoption  
11 of a Local Coastal Program and its amendment from California  
12 Environmental Quality Act (CEQA) requirements; and

13 WHEREAS, the Planning Commission has reviewed the  
14 proposed Second Amendment with respect to consistency with the  
15 County's general plan; and

16 WHEREAS, following the public hearing held on May 21,  
17 1996, the Planning Commission recommended approval of the  
18 Second Amendment to the Irvine (Newport) Coast LCP by its  
19 Resolution No. 96-04; and

20 WHEREAS, this Board has considered the recommendations  
21 of the Planning Commission on the Second Amendment to the  
22 Irvine (Newport) Coast LCP, the testimony received in public  
23 hearings held by this Board on June 18, 1996 and July 16, 1996,  
24 and the information and comments submitted on this matter in  
25 writing.

26 NOW, THEREFORE, BE IT RESOLVED, that this Board finds as  
27 follows:

- 28 1. The Second Amendment to the Irvine (Newport) Coast  
29 Local Coastal Program was prepared pursuant to Division  
30 20 of the Public Resources Code (California Coastal  
31 Act).
- 32 2. Section 21080.9 of the Public Resources Code  
33 exempts the preparation and adoption of Local Coastal  
34 Programs and their amendment from CEQA requirements.

1 3. The Second Amendment to the Irvine (Newport) Coast  
2 LCP is consistent with and conforms to the policies of  
3 Chapter 3 of the Coastal Act of 1976 as follows:

4 a. The findings made by this Board as part of its  
5 Resolution 87-1606 and Ordinance No. 3674, and the  
6 findings for certification of the First Amendment  
7 to the Irvine (Newport) Coast made by the  
8 California Coastal Commission as part of its  
9 certification action on January 14, 1988, remain  
10 valid for the Second Amendment to the Irvine  
11 (Newport) Coast LCP, and are incorporated herein by  
12 reference, in that:

13 i. There is no significant change in the  
14 total allowable development by reason of the  
15 Second Amendment; and

16 ii. There is no significant change in the  
17 mix and distribution of uses allowed within  
18 the LCP area by reason of the Second  
19 Amendment.

20 b. Attachment 1 to this Resolution is  
21 incorporated by this reference and sets forth and  
22 constitutes the findings of this Board with respect  
23 to the consistency of the substantive changes  
24 proposed by the Second Amendment with the policies  
25 of Chapter 3 of the Coastal Act of 1976.

26 4. Attachment 2 to this Resolution is incorporated by  
27 this reference and sets forth and constitutes the  
findings of this Board on the environmental, planning  
and other issues identified with respect to the Second  
Amendment by persons participating in the public  
hearings or through submission of comment letters.

BE IT FURTHER RESOLVED that this Board approves the  
Second Amendment to the Irvine Coast Local Coastal Program and  
refinements dated July 16, 1996, including the Implementing  
Actions Program, for purposes of submittal to the California  
Coastal Commission, and following action by the California  
Coastal Commission, this Board will review said Second

1 Amendment in light of the California Coastal Commission action  
2 thereon, and at that time will consider adoption thereof.

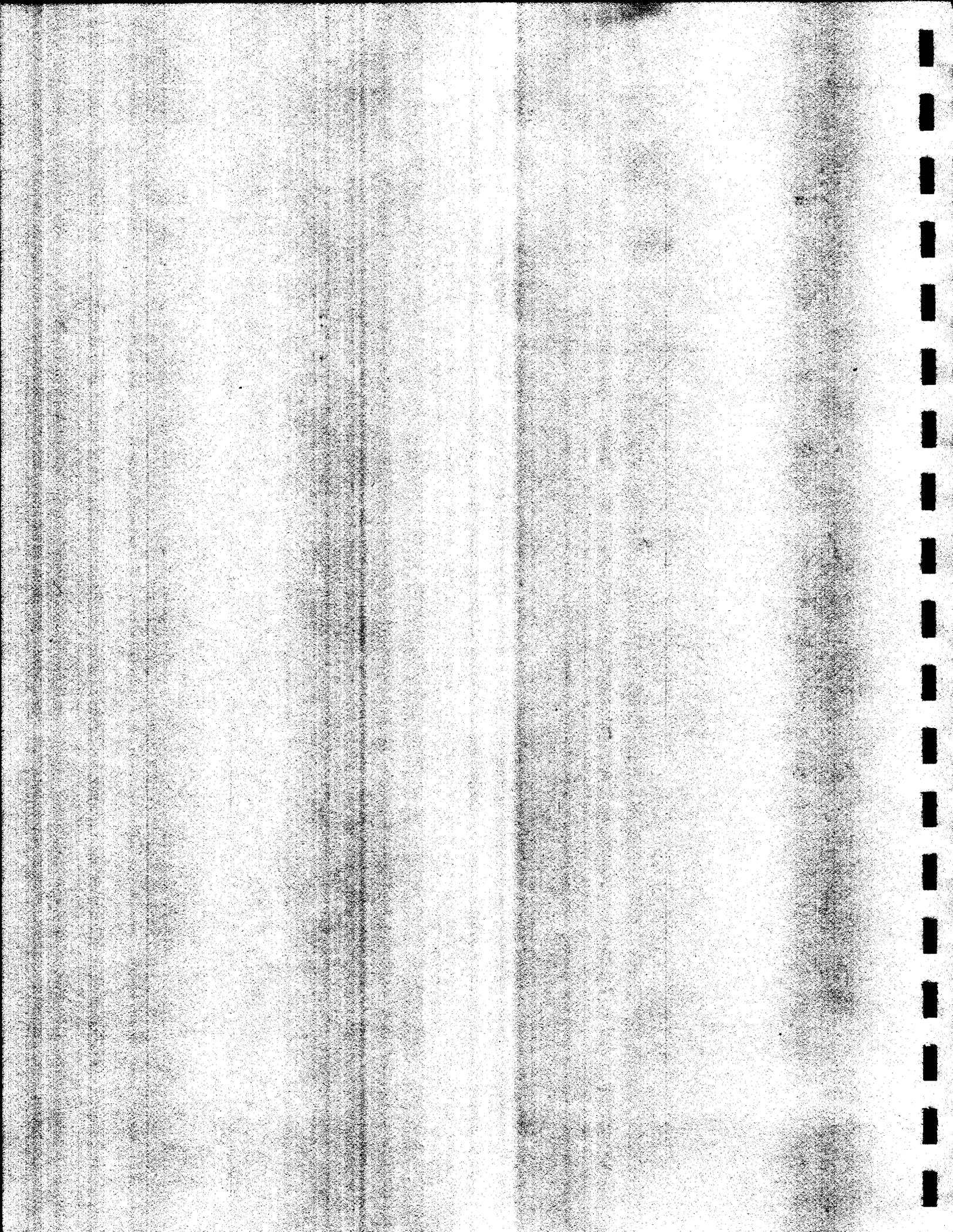
3 BE IT FURTHER RESOLVED that this Board directs EMA to  
4 submit the Second Amendment to the Irvine (Newport) Coast Local  
5 Coastal Program to the California Coastal Commission for  
6 certification, and authorizes EMA Director of Planning to  
7 represent the County before the Commission in that regard.

8 BE IT FURTHER RESOLVED, that prior to final action by  
9 County on the Second Amendment to the Irvine (Newport) Coast  
10 Local Coastal Program, the developer shall either (1) execute  
11 and provide to County a copy of an agreement to mitigate the  
12 impacts of the project on the Laguna Beach Unified School  
13 District ("LBUSD") substantially consistent with the proposal  
14 submitted to the LBUSD Board of Education at its July 9, 1996  
15 public hearing, or as otherwise mutually agreed by the  
16 developer and LBUSD, or (2) subject to LBUSD's decision that  
17 such an agreement cannot be executed in that time or would not  
18 fully mitigate the impacts from the Irvine (Newport) Coast,  
19 file an application to transfer territory from LBUSD to the  
20 Newport-Mesa Unified School District. Either such an agreement  
21 or a transfer of territory will mitigate impacts to LBUSD from  
22 the Second Amendment to the Irvine (Newport) Coast Local  
23 Coastal Program.

24 The Board of Supervisors reserves the right to amend  
25 this condition at the time of final action on the Second  
26 Amendment to the Irvine (Newport) Coast Local Coastal Program  
27 to modify the mitigation to be provided upon a showing by  
Laguna Beach Unified School District that further mitigation is  
legally and factually justified.

21 ///  
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27 ///  
///





ATTACHMENT 1

**COASTAL ACT CONSISTENCY FINDINGS**  
**FOR THE**  
**IRVINE (NEWPORT) COAST LCP - SECOND AMENDMENT**  
(July 16, 1996)

The Second Amendment to the Irvine (Newport) Coast Local Coastal Program (the "Amendment") entails eleven substantive, interrelated revisions to the approved Local Coastal Program ("LCP"). The following is a summary discussion of the relationship of each of these revisions to the California Coastal Act and the adopted LCP:

**Revision I.** Adjust development/open space boundaries with Los Trancos and Muddy Canyons and Crystal Cove State Park.

**Coastal Act Policies:** 30001.5(a), 30006.5, 30007.5, 30240

**Coastal Act Consistency Discussion:** Since certification of the amended LCP in 1988, the California Department of Fish & Game and the U. S. Fish and Wildlife Service have undertaken a major regional and subregional habitat conservation planning program directed toward protecting the coastal sage scrub ecosystem and related habitats. This program, pursuant to the State's Natural Communities Conservation Program ("NCCP") process, addresses conservation planning and native species protection concerns on a multi-species, ecosystem protection and management basis. The NCCP for the Central and Coastal Subregion of Orange County, with the County of Orange as the lead agency, focuses on preservation and adaptive management of open space dedication areas as native habitats supporting a variety of target native species -- including the federally listed California gnatcatcher -- as significant coastal resources. One key tenet of the NCCP program is to assure "connectivity" between habitat areas within the reserve system.

The certified LCP provides for the dedication of major areas of contiguous open space that are integral to the Coastal Subarea NCCP. However, the current LCP provides a somewhat narrow "special linkage" connection between Los Trancos Canyon (and by extension Buck Gully) with Muddy Canyon, Crystal Cove State Park and the adjacent Irvine Coast dedication area habitat system. Revising the LCP to expand the biological connectivity between Crystal Cove State Park and Los Trancos Canyon (and on to Buck Gully) was considered in the preparation of the Coastal Subarea NCCP program, with the following conclusions:

"[P]ositive implications for the NCCP/HCP program ... [would flow from a] ... re-design ... [of] plans for residential

development along the ridge located between Los Trancos Canyon and Muddy Canyon and the Wishbone frontal slopes and hills. Subject to review and approval by the California Coastal Commission, the proposed re-design would consolidate residential development currently shown along the ridge that separates Los Trancos Canyon and Muddy Canyon such that much of the future residential development would be closer to PCH. The re-design also would eliminate proposed development from a parcel located adjacent to the SJHTC [the Moro sliver] that previously was proposed as a major equestrian center. Consolidation of the residential development along Wishbone frontal slopes and hills would replace the two narrow special linkages that now are proposed to link Los Trancos and Muddy canyons with a much wider habitat linkage that could be incorporated into the reserve system. Inclusion in the habitat reserve of the site formerly proposed as an equestrian center and creation of a much wider reserve linkage between Los Trancos and Muddy canyons to replace the narrower non-reserve special linkages currently proposed would further enhance connectivity and biodiversity within the Coastal subarea reserve.

"...[Such a modification] would significantly benefit the biological function of the reserve system."

(Orange County Coastal and Central Subregion NCCP/HCP at II-181.)

Coastal Act Section 30001.5(a) declares it to be a basic goal of the State for the coastal zone to "protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources." Section 30240 establishes the policy that "environmentally sensitive habitat areas shall be protected against significant disruption of habitat values." Section 30006.5 directs that the Coastal Commission and local agencies charged with implementing the Coastal Act should consider the views and recommendations of the scientific community in making decisions respecting coastal development. The proposed Revision of the LCP that provides improved biological connectivity among the major open space areas of the LCP meets each of these Coastal Act sections. It responds to the current scientific knowledge concerning coastal sage scrub habitat, particularly within the Irvine (Newport) LCP area. It will enhance the functioning of the natural resources in these areas as environmentally sensitive habitat, and avoid unnecessary disruption of that habitat's natural values.

1. Defined to mean "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem." Section 30107.5.

The boundary change proposed with the Second Amendment is also integral to most of the other proposed Revisions in the Second Amendment. In effect, the Second Amendment is transferring development otherwise allowed by the certified LCP and secured through a recorded development agreement from Wishbone Ridge to the frontal slope areas of Wishbone Hill. Some of the adjustments in the certified LCP needed to accommodate and justify that transfer of development (e.g., expansion of the Lower Wishbone development area on the frontal slopes of Pelican Hill, including into a previously protected natural drainage course) if viewed independently might raise issues with some Coastal Act policies (e.g., Section 30240, which might otherwise require protection of that drainage course). In this respect, however, the Second Amendment and this Revision invoke Section 30007.5, which directs that where a proposed project presents conflicts between one or more policies of the Act, "such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources," by, for example, concentrating development in specified areas in order to accomplish better habitat protection. The certified LCP itself invoked Section 30007.5 to achieve improved protection of significant coastal resources for essentially identical reasons to those discussed above, as found by the Commission in 1988:

"Among the primary goals of the Coastal Act are the protection of coastal resources and provision of public access to the coast. The Legislature also recognized that conflicts might occur when carrying out all of the Act's policies. The Legislature, therefore, established a 'balancing' test. This test allows the Commission to approve a plan which, although it may cause some damage to an individual resource, on balance is more protective of the environment as a whole (Coastal Act Section 30007.5). Public acquisition of large, contiguous open space areas, as specifically determined in the findings of approval for the 1982 LUP, is recognized as a superior means to guarantee mitigation of development impacts through the preservation of coastal resources such as vegetation, wildlife, and natural landforms ... rather than preserving small pockets of open space surrounded by development."

The Second Amendment carries forward this finding and approach by further concentrating development in order to enhance the natural function of preserved natural habitats and resources in the Irvine (Newport) Coast. The proposed change, supported by the NCCP process, meets the balancing goal of this Section, even with the potential conflicts identified below, by providing for improved protection and functioning of the coastal sage scrub ecosystem in this subregion of Orange County.

Revision II. Modify land use categories in Planning Areas 3A and 3B, to allow Medium Density residential densities, and add neighborhood commercial as a permitted use.

Coastal Act Policies: 30007.5, 30240, 30250, 30251, 30252, 30253

Coastal Act Consistency Discussion: Planning Areas 3A and 3B are designated for residential development in the LCP, which is secured through a recorded development agreement. In order to accommodate Revision I above and still provide for the approved development entitlements for the Irvine (Newport) Coast, the Second Amendment proposes to adjust the boundaries of these Planning Areas and increase the density of development in Planning Areas 3A and 3B.

Section 30250 directs that development "shall be located within ... existing developed areas able to accommodate it or ... in other areas ... where it will not have significant adverse effects." Section 30252 also directs that commercial facilities, in this instance neighborhood commercial facilities, should be provided "within or adjoining residential development [to] minimize the use of coastal access roads." Since the Irvine (Newport) Coast LCP is subject to a Development Agreement, it is appropriate to consider Planning Areas 3A and 3B "existing developed areas." Moving development currently entitled for Wishbone Ridge to the frontal slopes by increasing the development densities in Planning Area 3A and 3B, and providing for neighborhood commercial facilities to serve that residential development, is accordingly consistent with these policies.

Section 30251 provides that "scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance." This Revision will result in greater visual impacts on the frontal slopes of Wishbone Hill than would be anticipated with the LCP (views to and along the ocean will remain unchanged). The proposed Amendment accordingly does present a potential conflict between fulfillment of the policies expressed in Section 30251, and the policies identified above and for Revision I. However, the LCP currently allows development on the frontal slopes of Wishbone Hill, which would impact the visual character of this area. While the Amendment would result in greater visual impacts in this area, a landscape buffer and screening is provided for in the Amendment (see, Revision V below) to minimize this impact.

1. Section 30253 supports this policy by directing that new development should attempt to "minimize energy consumption and vehicle miles travelled," which is met by providing neighborhood commercial development within concentrated residential areas.

As noted above with respect to Revision I, Section 30007.5 directs that "broader policies which, for example, serve to concentrate development ... may be more protective, overall, than specific ... resource policies." Clustering development in Planning Areas 3A/3B to enhance connectivity of natural habitats in Los Trancos Canyon with Crystal Cove State Park meets this directive. It is more protective of coastal resources in this area than adherence to the specific policy in Section 30251. When the visual impact of this Revision is balanced against the coastal resource protection benefits to be achieved by the Amendment, the Revision should be recognized as being, on balance, more protective of natural coastal resources.

Transferring development from Wishbone Ridge to Lower Wishbone will also result in the potential loss of one natural drainage course draining toward Los Trancos Canyon. As noted above, however, the NCCP process has concluded that, from a subregional planning perspective, there is significant biological value to be achieved through improved connectivity between Los Trancos Canyon and Crystal Cove State Park. Again, on balance, the proposed Amendment is more protective of significant natural habitat values within the Irvine (Newport) Coast area, and is accordingly consistent with the Coastal Act through the application of Section 30007.5.

**Revision III.** Increase the maximum number of dwelling units allowed in undeveloped Planning Areas to match the low end of land use category density ranges, while maintaining the 2,600 unit maximum.

**Coastal Act Policies:** None

**Coastal Act Consistency Discussion:** This Revision is appropriately characterized as more than a technical revision. However, it does not appear to relate directly to any Coastal Act policies. Moreover, the Revision remains subject to the maximum dwelling unit entitlement for the LCP of 2,600 residential units and is still below the maximums permitted within the original density ranges. It is consistent with the certified LCP.

**Revision IV.** Update statistical tables and maps to reflect more accurate data from engineering surveys and digital technology.

**Coastal Act Policies:** None

**Coastal Act Consistency Discussion:** This Revision is appropriately characterized as more than a technical revision. However, it does not appear to relate directly to any Coastal Act policies not previously addressed with the certified LCP.

The update of statistical tables proposed with the Amendment maintains current obligations of the project for open space dedications, and maintains the maximum dwelling unit entitlement for the LCP. The statistical update does result in an addition of acreage, previously unaccounted for, to various Planning Areas, such as adjacent to Planning Areas 7A and 7B. The update of tables and maps, however, merely conforms the LCP with the actual, surveyed boundaries of the project and dedication and development areas (and for this purpose also proposing addition of two new Planning Areas 12H and 12I adjacent to 7A and 7B). The Amendment does not allow for any increased development in those Planning Areas, nor any significant increase in development-related impacts.

**Revision V.** Relocate and expand the variety of recreational uses and site coverage in Planning Area 12C, and expand Planning Area 12B.

**Coastal Act Policies:** 30252

**Coastal Act Consistency Discussion:** The Amendment would relocate Planning Area 12C into an area previously included in Planning Area 12E, and expand Planning Area 12B to include what was previously Planning Area 12C (with some slight modifications in the proposed boundary of the new 12B). The new Planning Area 12C has been designated as a potential site for a community recreation facility serving the future residents in Planning Areas 3A, 3B, 4A and 4B.

Section 30252 instructs that new development should maintain and enhance public access to the coast by, among other things, "assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating . . . development plans with the provision of on-site recreational facilities to serve the new development." This Revision is consistent with that policy, by providing for community recreational facilities to serve the development that will be clustered in Planning Areas 3A, 3B, 4A and 4B, and correspondingly reducing the demand that would otherwise exist on the adjacent Crystal Cove State Park or other adjoining passive open space areas.

**Revision VI.** Delete Sand Canyon Avenue north of Pacific Coast Highway.

**Coastal Act Policies:** 30001.5(a), 30006.5, 30240, 30254

**Coastal Act Consistency Discussion:** Section 30254 provides that "new . . . public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of" the Act. Additionally, Sections 30001.5(a), 30006.5, and 30240, each cited in the discussion related

to Revision I, all call for protection of significant natural resources in the coastal zone, consistent with current scientific understanding of those resources.

When the Coastal Commission adopted findings for certification of the Land Use Plan for the Irvine (Newport) Coast in November 1981, the Commission found with respect to Sand Canyon Avenue:

"[D]evelopment of the four plus lane arterial highway (Sand Canyon Avenue) would have adverse impacts upon visual resources of the area and would significantly adversely impact environmentally sensitive habitat areas located on, adjacent to or near the proposal's site. While it is acknowledged that a primary arterial as proposed by the County would somewhat help an inevitably congested traffic situation, the increment of improvement is not justified in view of the significant sacrifice in coastal resource impacts that would result with construction of the road as proposed by the County. While it is impossible to predict the future with complete certainty, it may be logically assumed that even the relatively minor traffic impacts of Sand Canyon being a 2-lane road would probably only occur several times per year at certain peak periods. This traffic impact does not justify the severe impacts that the highway, as proposed, would have on coastal resources."

As part of the 1988 amendment to the LCP, Sand Canyon Road was realigned "in conjunction with the application of 1987 LCP ESHA policies [to] protect the resource values of Muddy Canyon that would have been significantly altered under the 1982 LUP alignment." As relocated, however, it would still sever Los Trancos Canyon from Muddy Canyon.

In conjunction with the Amendment, the substance of these 1981 findings have been verified, with renewed emphasis on resource impacts of the road. As discussed above with Revision I, understanding of the value of the habitat along Wishbone Ridge, and the impacts of a public road on the connectivity of Los Trancos and Crystal Cove State Park, have increased since 1981. In 1981, the Commission found that "the no through road alternative would be the most protective alternative of natural resources," although also finding that "it is possible that a 2-lane road could be found to be adequately protective of coastal resources if it were aligned and designed to reduce impacts associated with grading and construction." The importance of preserving the habitat connection across Wishbone Ridge is better understood today with the NCCP program, and Revision VI fulfills that policy objective.

As for the public access benefits of Sand Canyon Avenue, as indicated in the above-quoted findings, they were even considered to be marginal in 1981. Sand Canyon Avenue would only serve its originally intended function as a commuter arterial if it were to extend northerly of the Newport Coast to connect either with the San Joaquin Hills Transportation Corridor or the I-405 Freeway. In 1995, the City of Irvine amended its general plan to delete Sand Canyon Avenue as a commuter arterial through its municipal boundaries inland of the coastal zone, eliminating possible connection of that facility with the I-405 Freeway. Prior to that action, the San Joaquin Hills Transportation Corridor Agency had determined it would not construct a Sand Canyon Avenue interchange. These actions resulted in a County review of Sand Canyon Avenue in conjunction with a general 1995 amendment of its Master Plan of Arterial Highways ("MPAH").

In 1995 the County prepared a comprehensive traffic analysis of the implications of the MPAH amendments, including deletion of Sand Canyon Avenue from the MPAH. The traffic analysis is included in the Second Amendment Technical Appendices II (June 1995, Austin Foust Associates) (the "Traffic Study").

The Traffic Study reviewed the 1995 MPAH amendment in light of other recent traffic analyses for projects in or near to the Newport Coast, including the Newport Coast Planned Community (Phase II) Supplemental Traffic Analysis, the Newport Coast Drive Extension Traffic Analysis, the Shady Canyon (Planning Area 22) Development Traffic Study prepared by the City of Irvine, and the Laguna Canyon Road Environmental Impact Report (which included an evaluation of the effect of deleting development opportunities previously approved for Laguna and Laurel Canyons but eliminated through open space land sales). As noted in the Traffic Study (see, Figure II-3), changes in land uses on land owned by The Irvine Company around the Newport Coast have resulted in a reduction of 38,000 ADT planned for the region, primarily through a reduction in planned units in the Shady Canyon project area from 3,300 units to 400 units, and a reduction of planned units in Laguna and Laurel Canyons from 3,071 to 1,839. These actions were taken with the cooperation of The Irvine Company, and have significantly reduced traffic projections on major coastal arterials existing or planned for the region, including trips that would have resulted from the use of coastal recreation areas by the residents of the deleted units.

The traffic implications of the deletion of Sand Canyon Avenue (and the elimination of a proposed San Joaquin Hills Road extension just outside the Coastal Zone between Newport Coast Drive and the San Joaquin Hills Transportation Corridor ("SJHTC")) were reviewed specifically in the Traffic Study. It concludes (pages III-9 and III-10):

"The most significant diversion due to the proposed revisions occurs on Newport Coast Drive between the SJHTC and San Joaquin Hills Road.

The forecast volume with the revisions is 67,000 ADT, and this compares with a 6 lane roadway capacity of 54,000 ADT. To address and accommodate this increased traffic volume, operational enhancements (one auxiliary lane in each direction) are proposed to improve this section of roadway from six to eight lanes bringing the LOS back to baseline (current MPAH) conditions.

\* \* \* \*

[T]he increased volumes on this section of roadway can be adequately carried by the intersection at each end."

For purposes of coastal recreational access, the generally counter-flow for recreational and commute traffic during A.M. and P.M. hours, in combination with the above MPAH-required operational improvements on Newport Coast Drive and the added capacity that will soon be provided through the opening of the SJHTC, assure adequate recreational access capacity on the LCP circulation system under the Second Amendment. Impacts on Laguna Canyon Road are not considered to be significant and are offset by reduced development opportunities in Laguna and Laurel Canyons outside the Coastal Zone. Accordingly, deletion of Sand Canyon Avenue as proposed is consistent with Section 30254, particularly when considered in context with the natural resource protection advantages discussed above.

Revision VII. Adjust Tourist Commercial building site coverages in Planning Areas 13A through 13F.

**Coastal Act Policies:** None

**Coastal Act Consistency Discussion:** Although the Amendment proposes several adjustments in the building site coverage standards for the Tourist Commercial development allowed in Planning Areas 13A through 13F, which could implicate a number of Coastal Act policies, in context this Revision does not appear to raise any such issues beyond impacts allowed under the LCP. The Revision is intended to adjust building site coverage standards in recognition that 74 acres within these Planning Areas have been included in the golf course. The adjusted site coverages will allow the tourist commercial development intensities to be achieved consistent with the open space preserved in the golf course, and also facilitate low profile resort development that would allow this area to continue to minimize the visual and scenic impacts of that development.

Revision VIII. Add "resort" to "overnight accommodations" and allow "casitas" as a principal permitted resort use in Planning Area 14.

**Coastal Act Policies: 30222**

**Coastal Act Consistency Discussion:** Section 30222 provides that "visitor-serving commercial recreation shall have priority over private residential, general industrial, or general commercial development." The Irvine (Newport) Coast area is planned to include a major destination resort. Revision VIII provides clarification concerning that resort concept consistent with the original intent of the LCP.

The LCP expressly identifies other major successful destination resorts as models for the destination resort component of the Irvine (Newport) Coast, including destination areas in Hawaii (such as Princeville on Kauai), Colorado ski areas, Sun River in Oregon, and Sea Ranch in Sonoma County, to cite several of the comparable resort concepts identified in the LCP. The destination resort concept for Irvine (Newport) Coast drew on the successes of these and other resorts in their ability to meld a diverse variety of accommodation types and desires into an attractive destination to a variety of users. The change in emphasis from "overnight" accommodations to "resort" accommodations, and provision for "casitas" in Planning Area 14, better reflects the concept embodied in the LCP.

At the same time, it is now clear that there is an overabundance of "hotels" within this area, and that there is no existing or foreseeable demand or market for new hotels as such. The change in wording from "overnight," which could be misunderstood to mean simply hotels, to emphasize "resort" accommodations reflects prevailing conditions, and is more in keeping with the LCP destination resort concept. The allowance of "casitas" in Planning Area 14 similarly facilitates provision of tourist commercial resort accommodations in the coastal Orange County area, as an alternative to the more standard (and currently unfinanceable) hotel accommodation. Increased use of "casitas" would likewise have public access benefits, in that alternative resort facilities to hotel rooms have a significantly reduced traffic impact on regional streets. (See, the Irvine Coastal Area Traffic Analysis" dated February 23, 1987, Appendix 4 to the Appendix for the First Amendment to the LCP, at page II-5).

Revision IX. Delete restrictions on ownership of accommodations in the Tourist Commercial Planning Areas.

**Coastal Act Policies: 30222**

**Coastal Act Consistency Discussion:** Coastal Act policies do not address themselves to ownership issues. The Act, instead, prioritizes functional uses, and sets policies for their placement in the coastal zone.

Revision IX removes prior LCP requirements limiting individual ownership of resort facilities to no more than 400 units. Financing of resort facilities, particularly in an area with an over-abundance of hotel accommodations, such as the Newport area, is difficult at best. The ownership restrictions contained in the LCP add to that difficulty, and have effectively retarded development of the destination resort envisioned in the LCP.

Since 1987, three separate resort applications have been processed for the Irvine Coast: a hotel project for Marriott (filed but not processed to approval), a hotel project for Hyatt (approved but not built due to lack of financing), and a vacation club project for Disney. Of these three attempts to initiate development of a major destination resort, only the Disney proposal resulted in a sale of land which may be developed with up to 1,000 vacation club/hotel units to be owned and operated by Disney. To date, despite these efforts, and despite the fact that two world-class golf courses have been developed and are open for resort play, no overnight/resort facilities have been constructed in the Irvine (Newport) Coast. This Revision IX will add financing and marketing flexibility needed to overcome market constraints in this area to the destination resort development contemplated for the Irvine (Newport) Coast area. It is accordingly consistent with the policy expressed in Section 30222, quoted above.

With removal of the individual resort unit owner restriction, the casitas units must still be developed as resort units. Before any resort units may be developed and sold individually, a coastal development permit will have to be obtained and a subdivision map must be prepared, approved and recorded. A basic requirement for any subdivision map and coastal development permit is that it cannot be approved "unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan,<sup>1</sup>" meaning that the "proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan." (Government Code section 66473.5.) The LUP, in turn, only allows casitas as "resort" accommodations. Before a subdivision map and

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1. In the case of the Irvine (Newport) Coast, the applicable portions of the General Plan constitute the Commission approved Land Use Plan (LUP) portion of the LCP.

coastal development permit can be approved allowing individual ownership of castles, then, the County or its successor City will have to find that the proposed project is designed to provide resort accommodations of the type contemplated by the Irvine (Newport) Coastal LCP.

Removal of this ownership limitation is consistent with the comparable destination resorts identified in the LCP as descriptive of the type of resort facilities to be developed in the Irvine (Newport) Coastal. Sea Ranch along the northern California coast consists almost exclusively of detached, individually-owned units. The project nonetheless is designed to be and operates as a destination resort, with the available rental units providing relatively inexpensive resort accommodations for families and family groups in individual units. Pajaro and Monterey Dunes likewise largely provide resort accommodations through individually-owned units, as do inland resorts such as Oregon's Sun River and Black Butte. This Revision will allow acceleration of development of a destination resort in the Irvine (Newport) Coastal, while maintaining control over the function of the castles element as part of that resort through the requirement for consistency findings with the resort objectives, policies, land uses and programs of the LCP.

**Revision X.** Add equestrian centers as a principal permitted use in Planning Area 3, 6 and 13C.

**Coastal Act Policies: 30252**

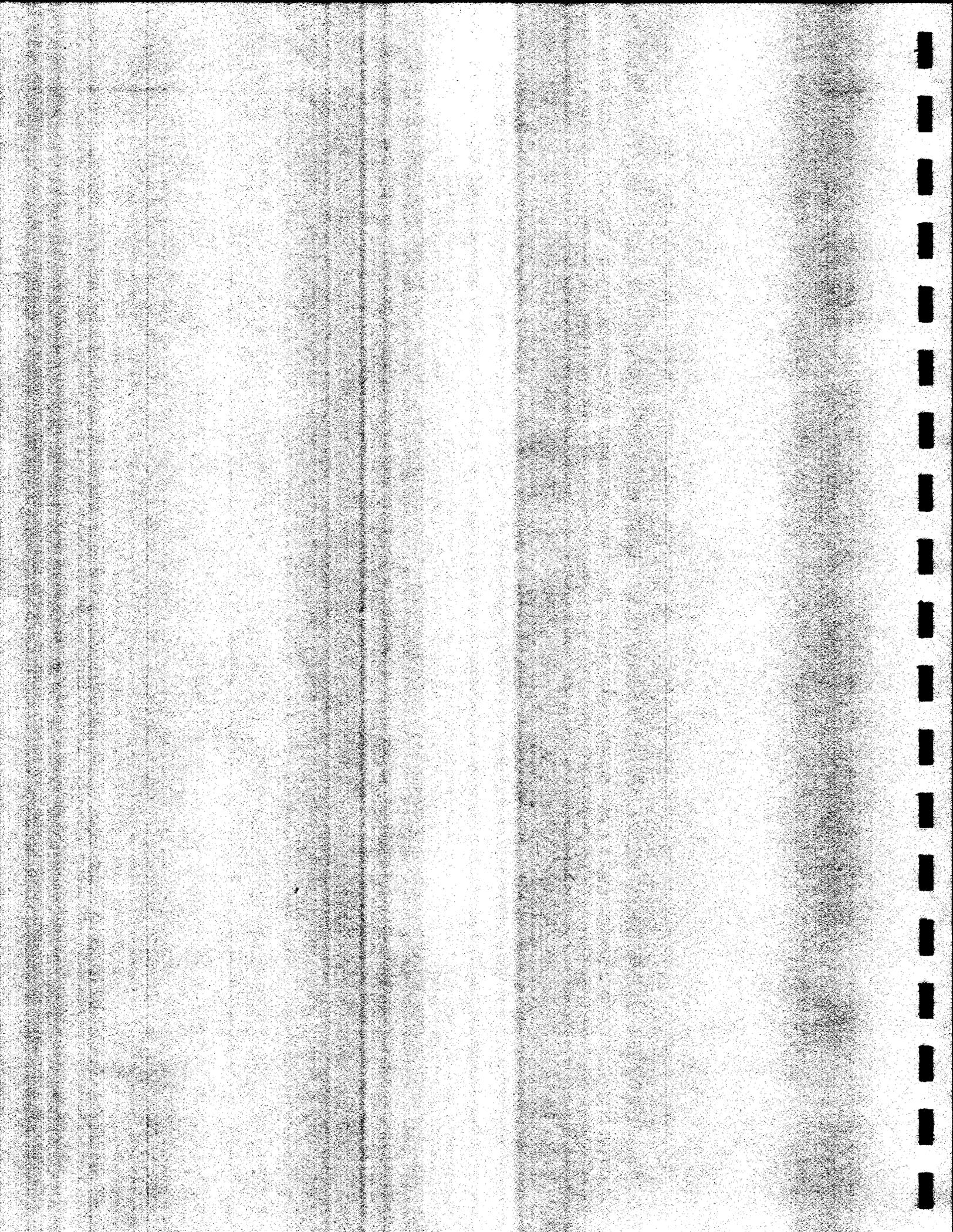
**Coastal Act Consistency Discussion:** Section 30252 instructs that new development should maintain and enhance public access to the coast by, among other things, "ensuring that the recreational needs of new residents will not diminish nearby coastal recreation areas by correlating . . . development plans with the provision of on-site recreational facilities to serve the new development." This Revision is consistent with that policy, by providing for on-site equestrian centers as recreational facilities in the specified residential Planning Areas. Moreover, to ensure that this recreational use does not itself create additional significant issues, the Second Amendment also limits each future equestrian facility to a maximum boarding capacity of 50 horses.

**Revision XI.** Add guest cottages and caretakers quarters as a permitted use in all residential land use categories, provided that separate guest cottages/caretakers quarters will not exceed 1,500 square feet, and shall only be allowed on lots having an area of 10,000 square feet or larger.

**Coastal Act Policies: 30253**

1. As an example, the specific project may include a management office to coordinate resort marketing of unoccupied units and provide services to resort visitors.

**Coastal Act Consistency Discussion:** The percentage of purchasers of larger lots in the Irvine (Newport) Coast desiring to install second units, for relatives and for guest and caretaker quarters, has proven to be quite high. This Revision XI is proposed to accommodate this demand. This Revision does not present any additional identified Coastal Act issues beyond those presented in the LCP.



ATTACHMENT 2

FINDINGS ON ENVIRONMENTAL, PLANNING  
AND OTHER ISSUES RAISED  
IN GENERAL COMMENTS ON  
IRVINE (NEWPORT) COAST LCP - SECOND AMENDMENT  
(July 16, 1996)

The County received a variety of comments from other governmental agencies and interested members of the public on the proposed Irvine (Newport) Coast LCP- Second Amendment (the "Second Amendment"), both in writing and in oral communications. The following consists of a summary of the environmental, planning and related issues raised in those comments, and the responses taken or made to those issues.

These findings are organized to present those comments that have resulted in significant changes to the proposed Second Amendment first, followed by general issues raised by commentators that generally did not require a modification in the Second Amendment, for the reasons discussed below, and then followed by more specific issues with specific responses (including responses to late comments). An introductory table of contents is provided for the assistance of readers.

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## I. ISSUES RESULTING IN PROJECT MODIFICATIONS

**Modification 1: Change the Moro Sliver area in Planning Area 6 from Residential to Recreation, and Redesignate the Sliver as Planning Area 12G.**

Most of the major revisions proposed by the Second Amendment were triggered by the Natural Communities Conservation Program (NCCP) and the open space/habitat connectivity benefits that could be provided by land use revisions in the Irvine (Newport) Coast. While reviewing the comments received on the proposed Second Amendment, staff identified an additional open space improvement that could be made to further enhance the substantial open space and habitat connectivity features provided by the Second Amendment. By shifting development away from the Moro Sliver area of Planning Area 6, greater connectivity could be provided between Crystal Cove State Park, the Laguna Coast Wilderness Regional Park, and the adjacent open space in Bommer and Shady Canyons north of the San Joaquin Hills Transportation Corridor, utilizing an undercrossing of the SJHTC constructed for Sand Canyon Road (since deleted from the MPAH). Therefore, staff suggested changing the land use designation for the Moro Sliver area of Planning Area 6 from Residential to Recreation, and redesignating the 35 acre Moro Sliver area as Planning Area 12G.

In order to accommodate this change, the landowner requested that the residential development originally proposed for the Moro Sliver area should be shifted to the southern end of Planning Areas 5 and 6. As a result, the acreage in Planning Area 5 will remain the same, at 150 acres, as provided in the 1988 certified LCP. Planning Area 6 will be reduced in size from 195 acres under the 1988 certified LCP to approximately 80 acres. In order to accommodate the shift of development areas from the Moro Sliver to the southern sections of Planning Areas 5 and 6, Planning Area 12E will be reduced in size by 78 acres. This reduction, however, is offset by the gain of 92 additional acres of open space resulting from the Moro Sliver area (35 acres) and new Planning Areas 12H and 12I (57 acres) (see Modification 2, below).

This modification is also consistent with other changes that have been proposed under the Second Amendment, such as the deletions of Sand Canyon Road and a portion of San Joaquin Hills Road, which the NCCP has identified as potential beneficial changes.

In letters dated May 20, 1996, and June 18, 1996, from Fern Pirkle on behalf of The Friends of the Irvine Coast, Stop Polluting Our Newport, the Endangered Habitats League and the Laguna Greenbelt, Inc. (collectively the "Friends"), the issue was raised whether the Moro Sliver area should instead be designated Conservation rather than Recreation, and protected from any future improvement. The Recreation

designation would permit a limited amount of commercial development in Planning Area 12G which must relate to park purposes. The uses permitted in Planning Area 12G are the same as the uses permitted in Planning Area 20C under the 1988 certified LCP, since both planning areas are intended to serve similar functions. Due to their location at the edge of the Irvine Coast Wilderness Regional Park, Laguna Canyon Ridge, and Crystal Cove State Park, both planning areas are logical portals for controlled public access to the parks.

As future staging areas for access into and management of the park, Planning Areas 12G and 20C ultimately will be conveyed to a public agency, either the County of Orange or the State Department of Parks and Recreation. In order function effectively as staging areas, the uses allowed must include some degree of commercial recreation, food sales, and retail shops to service the needs of visitors to the adjacent regional and state parks. The public agencies must also have the ability to erect structures to house personnel and equipment (such as emergency vehicles) necessary to manage the parks.

In response to the concerns of the amount of square footage of allowed building space, the County has added the following restrictions on permitted commercial development in Planning Area 12G: the floor area for principal permitted uses (excluding gardens) is reduced from 75,000 square feet to 7,500 square feet; the maximum height of facilities is reduced from thirty-five (35) feet to fifteen (15) feet; and the maximum building site coverage is reduced from 35% to 12%. Furthermore, once the Moro Sliver area is designated for inclusion in the NCCP Reserve System, it will also be subject to the Resource Management Plan and habitat protection policies required by the NCCP Implementation Agreement.

**Modification 2: Retain the 1988 LCP acreage and Planning Area configurations for Planning Areas 7A and 7B.**

One of the revisions proposed as part of the Second Amendment to the Irvine (Newport) Coast Local Coastal Program (LCP) is an update of the maps that were included in the certified LCP to reflect more accurate mapping that has been conducted of the entire Irvine (Newport) Coast LCP area. As a result of the more detailed mapping that has occurred, acreage numbers for several planning areas changed. The most significant mapping difference involved Planning Areas 7A and 7B, where more detailed mapping revealed that an additional approximately 50 acres would remain in private ownership than as estimated on statistical tables. Concern was expressed as to whether the increased acreage would lead to increased density, and whether the increased acreage meant a reduction in the acres dedicated for open space and park purposes.

In response to these concerns, the Second Amendment has been modified so that the acreages for Planning Areas 7A and 7B established under the 1988 LCP are maintained. The additional land identified in the more precise mapping effort has been identified as two new planning areas -- Planning Areas 12H and 12I -- and designated for Recreation uses. Consistent with the certified 1988 LCP, Planning Area 7A will remain at 25 acres, and Planning Area 7B will remain at 25 acres. Planning Area 12H will include the acreage originally proposed to be added to Planning Area 7A and will consist of 37.5 acres. Planning Area 12I will include the acreage originally proposed to be added to Planning Area 7B and will consist of 19.6 acres.

These two new planning areas will include fuel modification zones which can serve to buffer development from the NCCP Reserve, in which fuel modification is not generally permitted. Additional uses in these planning areas will be limited to recreational and other open space uses consistent with the uses permitted in Recreation Planning Areas in the 1988 certified LCP (including installation of needed infrastructure such as a watertank and water distribution lines for development in 7A and 7B and other existing residences in Laguna Beach).

**Modification 3: Shift Planning Area 12B to the frontal slope area of Lower Wishbone.**

The Second Amendment as originally proposed involved a relocation of Planning Area 12B from its central location in Wishbone Hill to coincide with the scenic setback between Pacific Coast Highway and Planning Areas 3A and 3B. In reviewing this proposed change, County staff determined that it would prefer to maintain an open space area between Planning Areas 3A and 3B and 4A and 4B. This modification retains the basic visual appearance of the Lower Wishbone area that is currently reflected in the 1988 certified LCP. The certified LCP established an aesthetic amenity by providing a band of open space along the frontal slopes of Lower Wishbone. After consultation with the co-applicant landowner, it was decided that Planning Area 12B could be shifted back to the central area of Wishbone Hill, and reconfigured to provide this visual amenity, while also preserving the landscape buffering along Pacific Coast Highway that Planning Area 12B was to have provided. Compliance with the scenic highway requirements will provide a 100 foot minimum landscape buffer along Pacific Coast Highway in which no structures can be constructed. Therefore, this revision retains the visual benefits of the 1988 certified LCP along the frontal slopes of Lower Wishbone while also ensuring that appropriate setback and landscape buffering along Pacific Coast Highway will be implemented.

**Modification 4: Limit guest cottages/caretaker quarters to minimum 10,000 square feet lots.**

The Second Amendment originally proposed that guest cottages/caretakers quarters be allowed throughout the Irvine (Newport) Coast, without size limitations. Commentors raised concerns whether the addition of guest cottages/caretaker quarters as a permitted use in all residential planning areas without a minimum building site size restriction would increase the intensity of development.

It has been the County's experience that a number of the owners of large custom lots have requested permits to construct guest cottages/caretaker quarters, more often than not, in order to accommodate family members and guests. As a result of the County's experience in reviewing and permitting these types of units, staff has determined that 1,500 square feet is an appropriate size for these guest cottages, but that a minimum building site size restriction should be established limiting development of guest cottages to lots 10,000 square feet and larger. The Second Amendment has been revised accordingly. With this modification, the desires of homeowners to provide residential quarters for extended family members or residential caretakers can be accommodated without increasing intensity in the project.

**Modification 5: Establish a 100,000 square feet limit for Neighborhood Commercial development.**

Several commentors (including the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt) raised concerns about allowing a neighborhood commercial center to be developed in the lower Wishbone area, particularly without a square footage limitation consistent with neighborhood commercial development. Accordingly, in response to these concerns, the Second Amendment has been modified to establish a 100,000 square foot limit for neighborhood commercial development in the LCP area.

**Modification 6: Designate Planning Areas 16A and 16B as Conservation.**

The Second Amendment originally proposed to place Planning Areas 16A and 16B in a "recreation" land use category. Several commentors requested that Planning Areas 16A and 16B instead be designated for "conservation." Upon review of the surrounding land uses, it was concluded that it would be appropriate to change the land use designations from Planning Areas 16A and 16B from Recreation to Conservation. This change is consistent with the General Development Plan that has been approved for this area.

The Coastal Greenbelt Authority also requested that Planning Area 20C be designated Conservation, however, staff has determined that the Recreation designation should be retained for this area as it serves as a staging area for the Laguna Coast Wilderness Regional park.

**Modification 7: Limit each equestrian center to a maximum of 50 horses.**

Several comments were received on the Second Amendment proposal to add equestrian centers as a permitted use in Planning Areas 5, 6 and 12C. These comments are generally addressed in General Comment II.3 below. However, one specific request was that the County consider limiting the number of equestrian centers in the LCP area. This is an issue that is more properly addressed during the coastal development permit process when more specific site plan issues are considered. However, in order to establish an optimum size for each facility, the Second Amendment has been modified to limit the number of boarded horses per facility to 50 horses.

**Modification 8: Establish separate planning areas for the Laguna Beach County Water District site located in Crystal Cove State Park.**

One of the changes originally proposed in the Second Amendment is the creation of a separate planning area -- Planning Area 12F -- for the El Morro School site. Upon further review of the LCP area, staff proposed that a separate planning area be established for one other public facility: the Laguna Beach County Water District reservoir site located in Crystal Cove State Park. The creation of a new planning area for this site provides resolution for an area that is currently "white-holed" under the 1988 certified LCP, and will provide the County with the ability to better regulate uses permitted in this area and future decisions regarding this area. The Second Amendment has been revised accordingly.

## II. GENERAL ISSUES AND RESOLUTION OF ISSUES

### 1. INCORPORATION OF NEWPORT COAST DRIVE INTO THE SAN JOAQUIN HILLS TRANSPORTATION CORRIDOR (SJTTC)

**Summary of Comments:** Commentors raised several questions concerning the proposed Second Amendment and its relationship with prior decisions of the County and the San Joaquin Hills Transportation Corridor Agency ("TCA") to incorporate a portion of Newport Coast Drive, outside of the Coastal Zone, into the San Joaquin Hills Transportation Corridor ("Corridor"). Future users of that portion of the right-of-way will now have to pay Corridor tolls to use this incorporated right-of-way. In

general, commentators on this issue expressed their opposition to that decision, and in doing so questioned whether the Second Amendment (a) constitutes in some form a reapproval or reaffirmation of that decision, (b) would result in or involve traffic impacts related to that decision that have not previously been considered by the County, and (c) whether the Second Amendment will cause San Joaquin Hills Road to operate as a "parallel bypass" to the Corridor (and thereby raise noise, safety, and other traffic-related concerns). Additionally, the Newport Coast Drive Defense Fund raised a number of subquestions concerning including a portion of Newport Coast Drive in the Corridor.

**Commentors:** The foregoing questions, individually or in combination, were contained in comment letters received from the Newport Coast Drive Defense Fund, Friends of the Irvine Coast, Stop Polluting Our Newport, the Endangered Habitats League, the Laguna Greenbelt, Dr. and Mrs. Charles D. Hamburger, Margaret Larrenaga, Beverly Johnson, Roy and Mary Osterhout, Harbor Day School, Charles Grubbs, Donald Olson, Shelly Ellis, Kris, Chandra, Geraldine and Leena Shah, Dr. and Mrs. Raymond Dern, Claire Schwan, Richard and Ruth Montgomery, George Gallagher, Yvonne Houssels, Nan Morrisseau, the Corona del Mar Chamber of Commerce, and Carolyn Wood.

**Response to Comments/ Resolution of Issues:** Since opposition to including a portion of Newport Coast Drive into the Corridor was expressed in the form of several general questions, each of those questions is addressed here in turn. Additionally, responses to the specific questions raised in the letter from the Newport Coast Drive Defense Fund have been provided.

**Question (a): Does the Second Amendment constitute in some form a reapproval or reaffirmation of the decision to toll a portion of Newport Coast Drive?** No. The decision to include a portion of the Newport Coast Drive right-of-way in the Corridor was made several years ago by the TCA, a separate agency from the County. The Second Amendment does not affect the previous decision regarding Newport Coast Drive. Accordingly, no change in the Second Amendment is warranted in response to this issue.

**Question (b): Will the Second Amendment result in or involve traffic impacts related to tolling of Newport Coast Drive that have not previously been considered by the County?** No. In conjunction with the County's adoption of Transportation Element Amendment T95-1 (Board of Supervisors Resolution No. 95-561), the County prepared a traffic study considering the effects of including a portion of Newport Coast Drive in the Corridor, cumulatively with a number of amendments to the County's Master Plan of Arterial Highways (MPAH) including, in the Newport Coast area, adoption of a "free" extension of Newport Coast Drive as a Corridor

bypass, deletion of an extension of San Joaquin Hills Road to connect with the Corridor, and deletion of Sand Canyon Avenue. That study is included for information purposes only in Appendix II for the Second Amendment. Moreover, as discussed below, inclusion of a portion of Newport Coast Drive in the Corridor, and its potential traffic impacts, were considered by both the County and the TCA before that decision was finalized. The Second Amendment is unrelated to the decision to include a portion of Newport Coast Drive in the Corridor, although it will conform the Newport Coast LCP with NPAU/Transportation Element Amendment (1995-1) by deleting the extension of San Joaquin Hills Road to connect with the Corridor, and deleting Sand Canyon Avenue.

With respect to the decision to include a portion of Newport Coast Drive in the Corridor, and consideration of the impacts of that decision, the following historical information is provided.

The County previously prepared and certified EIR No. 489 for the Irvine Coast LCP, and EIR No. 486 for the Irvine Coast Development Agreement. Both EIR No. 488 and EIR No. 486 addressed two traffic scenarios: a near-term scenario with the construction of Newport Coast Drive but without the completion of the Corridor, and an ultimate scenario with the Corridor completed, along with the balance of the Master Plan of Arterial Highways and General Plan land uses.

These near-term traffic analyses demonstrated that without the Corridor, the construction of Newport Coast Drive would have substantial benefits to the circulation system in the area. The primary benefit was anticipated to be the diversion of traffic away from Coast Highway and MacArthur Boulevard. The early completion of Newport Coast Drive, facilitated by the Irvine Coast Development Agreement, has in fact demonstrated such traffic benefits. It should be noted that the benefits cited in the Development Agreement for the construction of Newport Coast Drive (Pelican Hill Road) specifically call out the benefits that result prior to the construction of the San Joaquin Hills Transportation Corridor... (see Irvine Coast Development Agreement, Section 2.04(b)(1)). It was further noted that the alignment for Newport Coast Drive 'Achieves maximum compatibility with the preferred alignment of the future [Corridor]...' (Ibid., Section 2.04 (b) (1) (V)). The same was stated in the Pelican Hill Road EIR.

The ultimate analysis in these same EIRs assumed implementation of the Corridor, and that the Corridor would incorporate the segment of Newport Coast Drive between MacArthur Boulevard and the Corridor/Newport Coast Drive interchange. Grading for Newport Coast Drive between Bonita Canyon Road and the Newport Coast Drive/Corridor interchange was designed to be basically consistent with the Corridor grading. The Pelican Hill

Road EIR also acknowledged that the northwestern segment of the roadway would ultimately be incorporated into the Corridor.

Consistent with the legislation allowing the temporary imposition of tolls on the Corridor, the "ultimate analyses" in EIR No. 485 and EIR No. 486 modeled the Corridor as a free route, since the tolls will ultimately be removed. The condition that would result with interim operation of the Corridor as a toll road was not modeled in EIR No. 485 or EIR No. 486 because County traffic analysis requirements provide for an "opening day" near-term analysis, and an ultimate general plan build out analysis. The ultimate plan for the Corridor is to remove the tolls.

The analyses in EIR No. 485 and EIR No. 486 did not address the interim operation of the Corridor as a toll road (the decision to implement the Corridor as a toll road was not made until 1988). Subsequently, the County prepared and certified EIR No. 511 (1989) for Irvine Coast Phase I, which contains a qualitative discussion of the imposition of tolls based upon the information available at that time (see page 335). However, there was no information available at that time as to the amount of tolls and location of toll booths. Toll operation information became available in 1992 with the release of the EIS for the Corridor. The specific impacts of Corridor toll imposition on Coast Highway through Corona Del Mar were analyzed in a TCA paper, *San Joaquin Hills Transportation Corridor/Newport Coast Drive Traffic Analysis* (Austin Foust Associates, September, 1994). In addition, the Traffic Study prepared for Newport Coast Phase III in 1995 and included as Appendix F to EIR No. 544A incorporated tolls, as discussed below.

The "no Corridor" scenario utilized in early Newport Coast approvals no longer represents the situation at completion of this project because the Corridor will be completed in less than a year. The final decision to implement tolls has been made, and operational characteristics have been defined. Accordingly, in 1995 the County prepared and certified EIR No. 544A for Newport Coast Phase III, which includes an updated near-term scenario: completion of the Corridor and its operation as a toll road. This scenario, identified as the year 2000 analysis in EIR No. 544A (page 4.5-10), now represents the condition at project completion and includes the imposition of tolls on the segment of what is or was Newport Coast Drive between Bison Avenue and the Corridor/Newport Coast Drive interchange. This analysis concludes that the regional road network in and around the Newport Coast will operate at acceptable levels of service during the interim period while tolls are collected on the Corridor.

That conclusion was verified by the traffic analyses conducted for the MPAH amendments adopted by the County last year, and included in Appendix II to the Second Amendment.

It also should be noted that an additional free alternative route to the Corridor is being pursued by the County. The realignment and extension of Ford Road from Bonita Canyon Road to MacArthur Boulevard was recently completed and provides a bypass for the segment of the Corridor from Bonita Canyon Road to MacArthur Boulevard. This bypass actually provides a shorter route for most trips from Irvine to Newport Beach than previously available. In addition, the County of Orange and City of Irvine recently approved an extension of Newport Coast Drive from the Newport Coast Drive/Corridor interchange to Bonita Canyon Road. The County of Orange has awarded the final design contract for this same segment which is now under construction and is scheduled to be open concurrently with the SJMTC. Completion of this link would complete the "free" bypass of the Corridor toll section for those who use Newport Coast Drive to connect from Coast Highway to MacArthur Boulevard. Accordingly, this comment raises no significant environmental or planning issues, and does not warrant any further response.

**Question (c): Will the Second Amendment cause San Joaquin Hills Road to operate as a "parallel bypass" to the Corridor, with attendant traffic-related problems (e.g., noise and safety)?** No. The traffic study conducted for the 1995 MPAH amendment concludes that deletion of Sand Canyon Road will not cause additional traffic impacts to San Joaquin Hills Road. Moreover, other recent MPAH actions of the County, such as eliminating the previously-planned extension of San Joaquin Hills Road to the Corridor, and approval of the new extension of Newport Coast Drive past the Corridor to provide a new "free" route between the Corridor and MacArthur Boulevard, is actually expected to reduce the likelihood of San Joaquin Hills Road serving as a "parallel bypass." The Second Amendment does not raise any environmental or planning impacts related to traffic on San Joaquin Hills Road.

#### **Newport Coast Drive Defense Fund Questions:**

In addition to the general questions discussed above, the comment letter from Ron Kennedy for the Newport Coast Drive Defense Fund asked for responses to the following specific questions related to Newport Coast Drive, which are logically best addressed here. None of these questions raise any significant environmental or planning issues with respect to the Second Amendment. They all relate to incorporation of Newport Coast Drive into the Corridor, which is not related to this project.

1. "Should not a more informative background ... be given for Public Review of [the decision to 'toll' a portion of old Newport Coast Drive]?" The County has previously provided information concerning that decision in the analysis of the MPAH Amendment.

ii. Is the County honoring the settlement agreement concerning a prior lawsuit over the Newport Coast LCP? Yes. The question erroneously assumes that the Second Amendment involves some form of adoption of the decision to include a portion of Newport Coast Drive in the Corridor, and it further assumes the settlement agreement prohibits that decision. As discussed above, the Second Amendment does not involve any approval or reaffirmation of that prior decision. The prior settlement agreement is not implicated by the Second Amendment.

iii. Is Appendix I a part of the Second Amendment? The County has provided Appendix I as part of the information base for the Newport Coast that was provided for the First Amendment. It is not being amended by the Second Amendment. It is, accordingly, not a part of the Second Amendment, except for its informational value.

iv. How does Resolution 95-561 call for the deletion of the Exhibit on page 1-4.25 of the Second Amendment? Resolution 95-561 did not specifically identify the referenced Exhibit for deletion. It did, however, make amendments to the MPAH within the Newport Coast area (specifically, deletion of the San Joaquin Hills Road extension and Sand Canyon Avenue), and direct that conforming amendments be made in the LCP.

v. Did the County mislead the City of Irvine with respect to its approval of a new extension of Newport Coast Drive to connect with Bonita Canyon Road? No. The City of Irvine was fully and fairly informed.

vi. What anticipated impacts to Laguna Canyon Road and PCH in North Laguna will flow from inclusion of a portion of Newport Coast Drive in the Corridor? See TCA-IS-9502 and Addendum 1P 95-69, and the traffic analysis included in Appendix II, which specifically address and answer this question.

vii. When and who made the final decision respecting a grade separation of MacArthur Boulevard and the Corridor, and was there an LCP amendment processed with respect to that decision? The decision to provide a grade separation between MacArthur Boulevard and the corridor was made by the TCA and County in 1995. Because the intersection is located outside the coastal zone, no LCP amendment was required.

viii. Is the County presently in conformance with the LCP? Yes.

ix. Is inclusion of a portion of Newport Coast Drive in the Corridor a part of the LCP? No. The portion of Newport Coast Drive included in the Corridor is outside of the coastal zone, and does not involve the LCP.

x. Will inclusion of a portion of Newport Coast Drive in the Corridor result in exactly equivalent traffic conditions regionally as would exist if it were not included? No. The County has, however, studied traffic projections resulting from that decision and the recent amendments to the MPAH, and concluded that traffic impacts will continue to be adequately mitigated.

xi. "[A]re you showing and indicating no tolls will be charged for trips to MacArthur Boulevard" using that portion of former Newport Coast Drive now included in the Corridor? No. To the contrary, it is assumed that until the bonds sold to finance the Corridor are repaid, tolls will be collected to use all portions of the Corridor.

## 2. EFFECTS OF THE TECHNICAL MPAH AMENDMENT: DELETION OF SAND CANYON AVENUE AND SAN JOAQUIN HILLS ROAD EXTENSION

**Summary of Comments:** Questions have been raised regarding the revisions to the County's Master Plan of Arterial Highways that resulted in deletion of Sand Canyon Avenue and the extension of San Joaquin Hills Road and the impact these amendments will have on existing and future circulation patterns. Of particular concern was whether traffic studies support the deletion of these two roadways and whether their deletion would create additional traffic burdening existing roadways and affect coastal recreational access.

**Commentors:** The foregoing questions, individually or in combination, were raised in written comments received from Friends of the Irvine Coast, Stop Polluting Our Newport (SPOON), the Endangered Habitats League, the Laguna Greenbelt, Dr. and Mrs. Charles Hamburger, Margaret Larrenaga, Harbor Day School, Charles Grubbs, the Department of Parks and Recreation, Donald Olson, Shelly Ellis, Kris, Geraldine, Chandra and Leena Shah, Dr. and Mrs. Raymond Dern, Claire Schwan, Richard and Ruth Montgomery, Yvonne Housseis, Nan Morrissette, the Laguna Canyon Conservancy and the staff of the California Coastal Commission.

**Response to Comments/ Resolution of Issues:** The proposed deletion of Sand Canyon Avenue from the LCP is intended to mirror the action which the County of Orange took in amending the MPAH in August 1995 to delete several arterials from the MPAH including: Sand Canyon seaward of the SJHTC within the Irvine Coast LCP area and inland of the SJHTC within the City of Irvine, and the extension of San Joaquin Hills Road from its intersection with Newport Coast Drive to the SJHTC. The County's decision to delete these roadways from its MPAH was based on a number of factors, foremost of which was various land use changes in the area of the San Joaquin Hills Transportation Corridor (i.e., the Shady Canyon development in the City of Irvine) and environmental considerations

associated with the NCCP. The County's MPAH action was supported by updated traffic studies.

In conjunction with the County's adoption of Resolution No. 95-561 on August 1, 1995. The County of Orange prepared a comprehensive traffic analysis of the implications of the proposed amendment (see "Master Plan of Arterial Highways (MPAH) Amendment," Traffic Study, June 1995, Austin Foust Associates and Pirzadeh & Associates set forth in the LCP Second Amendment Technical Appendices II). This traffic analysis incorporated other recent studies including: the Newport Coast Planned Community (Phase III) Supplemental Traffic Analysis, the Newport Coast Drive Extension Traffic Analysis, the Shady Canyon (Planning Area 22) Development Traffic Study and the Laguna Canyon Road Environmental Impact Report (including the evaluation of the effect of deleting land uses previously approved pursuant to the Laguna Laurel project General Plan). That study determined only one road segment (Newport Coast Drive between the Corridor and San Joaquin Hills Road) would be impacted, and that with the addition of one auxiliary lane in each direction on this segment, the impact would be mitigated. These auxiliary lanes will be added when the County determines they are needed under the Development Monitoring Program.

With respect to the specific concern regarding coastal recreational access, the generally counterflow of recreational and commute traffic during a.m. and p.m. hours (i.e., recreational traffic heads toward the coast while a.m. commute traffic heads inland and vice versa in the p.m.) in combination with the above MPAH-required operational improvements on Newport Coast Drive and SJHTC coastal access capacity, assure adequate recreational access capacity on the LCP circulation system under the Second Amendment. Impacts on Laguna Canyon Road are not considered significant and are offset by reduced intensities of development in the Laguna Laurel project outside the coastal zone.

In response to comments on the draft LCP Second Amendment regarding the impact of development in the Wishbone Hill area, the change in land use was evaluated against the MPAH traffic study which assumed the 1988 LCP land use. For purposes of this evaluation, it was assumed that any trips outside these planning areas attracted by the neighborhood commercial area would be offset by the shopping trips captured from the Wishbone Hill area residential developments that otherwise would have used PCH for shopping trips. This evaluation indicates that the Second Amendment land use intensities in the Wishbone Hill area only increase the ultimate northbound ADT by about 6 percent and southbound ADT by less than 3 percent. Total ADT volumes are well within the 14,000 ADT capacity added previously to PCH capacity pursuant to the 1988 LCP. Also, some of the additional PCH ADT is offset by trips that would have

been generated by residential uses accessing Newport Coast Drive that have been transferred to the Wishbone Hill area.

With respect to the NCCP considerations, the deletion of Sand Canyon Avenue and the San Joaquin Hills Road extension has significant benefits for the NCCP/HCP Reserve System both within the LCP area and inland of the SJHTC within the City of Irvine. The proposed increase in open space on Wishbone Ridge complements the significant reduction in grading resulting from the elimination of Sand Canyon Avenue as an arterial road connection with the SJHTC. The substantial increase in open space, and resulting improvement in habitat "connectivity" between Los Trancos Canyon and Muddy Canyon/Crystal Cove State Park, furthers the habitat protection goals of the Coastal Act and the NCCP.

The elimination of major grading and traffic movement on Wishbone Ridge also will benefit scenic views from inland portions of Crystal Cove State Park. Therefore, the proposed deletion of Sand Canyon Avenue and the San Joaquin Hills Road extension furthers the scenic protection goals of the Coastal Act.

In conclusion, due to the significant increases in the recreational access provided by the LCP and MPAH-required improvements in conjunction with the SJHTC, the LCP Second Amendment circulation system continues to provide significant net benefits for recreational access to the coast and provides overall capacity to offset trips generated by the proposed Second Amendment.

### 3. EQUESTRIAN FACILITIES

**Summary of Comments:** Comments were received regarding the Second Amendment's proposal to include equestrian centers as a principal permitted use in Low and Medium-Low Density Residential Planning Areas, and whether the number of equestrian centers in the LCP area should be limited. A concern was also raised regarding the interface of equestrian activity with the open space areas, including the impact on storm water runoff and water quality, the effects of fertilizers and exotic weeds, the presence of cowbirds that may adversely effect California gnatcatcher populations, and coordination of the use of state park trails.

**Commentors:** The foregoing questions, individually or in combination were contained in comment letters received from Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League, the Laguna Greenbelt, and the Department of Parks and Recreation.

**Response to Comments/ Resolution of Issues:** See, Modification 7 above.

Currently, equestrian centers are a permitted use in specific Recreation Planning Areas under the certified LCP, and riding trails are a permitted use throughout all of the certified LCP planning areas, with the exception of the Golf Course Planning Areas. Because riding trails are a recreational use throughout much of the LCP area, the proposal to permit equestrian centers within Low and Medium-Low Residential areas is consistent with the Coastal Act policy of providing on-site recreational facilities within new development areas to assure that the recreational needs of new residents do not overload nearby coastal recreation areas. The Second Amendment's proposal to add equestrian centers as permitted uses in Planning Areas 5 and 6, as well as Recreation Planning Area 12C, provides an alternative for new residents to avoid over-burdening equestrian centers in recreational areas.

With respect to limiting the number of equestrian centers in the LCP area, it should be remembered that the LCP is a general plan-equivalent document, and the purpose of the LCP is to set out those uses that would be appropriate for development in various areas, as well as development standards for those uses. Identifying permitted uses in a particular area, does not necessarily mean that every identified use will be constructed in every area in which they are permitted. The exact nature, location and type of development will be processed through subsequent site plan and coastal development permit approvals. As equestrian centers are subject to Planning Commission approval, the County will have the opportunity to consider the appropriateness of a particular facility in light of a more specific site plan. As noted above, the Second Amendment has been modified to limit the number of horses that can be boarded in each equestrian facility to a maximum of 50 horses, and restricts these facilities to private facilities.

A June 18 letter from the Friends of the Irvine Coast requested that equestrian facilities be located only within the lower watershed of the Irvine (Newport) Coast, and not in the upper areas of the watershed. There is nothing in terms of the physical characteristics of the Irvine (Newport) Coast and the watershed that would cause a significant difference in the environmental impacts of siting an equestrian facility at the top or bottom of the watershed. Moreover, the LCP provides various control mechanisms to minimize equestrian impacts on coastal resource areas. For example, the State Parks area is currently fenced, therefore, access will only be permitted at recognized trail locations. Use of the trail system will be coordinated with the County and State Department of Parks and Recreation.

The equestrian centers will be managed to avoid impacts on open space and the environment. All uses under the LCP must also be consistent with the LCP policies, the Natural Communities Conservation Program (NCCP), and the policies of the Coastal Act. In that regard, the

equestrian center in Planning Area 12C and any center in Planning Area 5 or 6 will be designed and operated consistent with the Resource Conservation and Management Policies. Impacts to environmentally sensitive habitat areas will be avoided through appropriate design of drainage and erosion control facilities consistent with the Master Drainage and Runoff Management Plan and the NPDES, in order to minimize impacts to existing vegetation and habitat. With respect to the concern about cowbirds, a cowbird trapping program can be required at the coastal development permit stage to protect California gnatcatcher populations.

#### **4. IDENTIFICATION OF VISITOR-SERVING USES AS "OVERNIGHT/RESORT," AND ALLOWANCE OF INDIVIDUAL OWNERSHIP OF CASITAS UNITS**

**Summary of Comments:** Several commentors raised questions concerning the identification of visitor-serving uses as "resort" rather than simply "overnight," and the elimination of the cap on individual ownership of accommodations. Specifically, commentors asked whether the proposed changes represent a significant departure from the visitor-serving concept of approved LCP, or involve additional potential traffic or view impacts.

**Commentors:** The foregoing questions, individually or in combination, were raised in written comments received from Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League, the Laguna Greenbelt, the Department of Parks and Recreation, and staff of the Coastal Commission.

**Response to Comments/ Resolution of Issues:** The LCP expressly identifies several other major successful destination resorts as models for the destination resort component of the Newport Coast, including destination areas in Hawaii (such as Princeville on Kauai), Colorado ski areas, Sun River in Oregon, and Sea Ranch in Sonoma County, to cite several of the comparable resort concepts identified in the LCP. The destination resort concept for Newport Coast drew on the successes of these and other resorts in their ability to meld a diverse variety of accommodation types and desires into an attractive destination to a variety of users. The change in emphasis from "overnight" accommodations to "resort" accommodations, and provision for "casitas" in Planning Area 14, better reflects the concept embodied in the LCP.

At the same time, it is now clear that there is an overabundance of "hotels" within this area, and that there is no existing or foreseeable demand or market for new hotels as such. The change in wording from "overnight," which could be misunderstood to mean simply hotels, to emphasize "resort" accommodations reflects prevailing conditions, and is more in keeping with the LCP destination resort concept. The allowance of "casitas" in Planning Area 14 similarly facilitates provision of

tourist commercial resort accommodations in the coastal Orange County area, as an alternative to the more standard (and currently unfinanceable) hotel accommodation. Increased use of "casitas" as alternatives to traditional hotel units would likewise have public access benefits, in that alternative resort facilities to hotel rooms have a significantly reduced traffic impact on regional streets. (See, the Irvine Coastal Area Traffic Analysis dated February 23, 1987, Appendix 4 to the Appendix for the First Amendment to the LCP, at page II-5).

Prior LCP requirements did limit individual ownership of resort facilities to no more than 400 units. Financing of resort facilities, however, particularly in an area with an over-abundance of hotel accommodations, such as the Newport area, is difficult at best. The ownership restrictions contained in the LCP add to that difficulty, and have effectively retarded development of the destination resort envisioned in the LCP.

Since 1987, three separate resort applications have been processed for the Irvine Coast: a hotel project for Marriott (filed but not processed to approval), a hotel project for Hyatt (approved but not built due to lack of financing), and a vacation club project for Disney. Of these three attempts to initiate development of a major destination resort, only the Disney proposal resulted in a sale of land which may be developed with up to 1,000 vacation club/hotel units to be owned and operated by Disney. To date, despite these efforts, and despite the fact that two world-class golf courses have been developed and are open for resort play, no overnight/resort facilities have been constructed in the Newport Coast. It is believed that elimination of the ownership constraint will add financing and marketing flexibility needed to overcome market constraints in this area to the destination resort development contemplated for the Newport Coast area.

With removal of the individual resort unit owner restriction, the casitas units must still be developed as resort units. Before any resort units may be developed and sold individually, a coastal development permit will have to be obtained and a subdivision map must be prepared, approved and recorded. A basic requirement for any subdivision map and coastal development permit is that it cannot be approved "unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan,"<sup>1</sup> meaning that the "proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan." (Government Code section 66473.5.) The LUP, in turn, only allows casitas as "resort" accommodations. Before a subdivision map

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<sup>1</sup> In the case of the Irvine (Newport) Coast, the applicable portions of the General Plan constitute the Commission approved Land Use Plan (LUP) portion of the LCP.

and coastal development permit can be approved allowing individual ownership of castles, then, the County or its successor City will have to find that the proposed project is designed to provide resort accommodations of the type contemplated by the Newport Coast LCP.

Removal of this ownership limitation is consistent with the comparable destination resorts identified in the LCP as descriptive of the type of resort facilities to be developed in the Newport Coast. Sea Ranch along the northern California coast operates almost exclusively of detached, individually owned units. The project is designed to be and operated as a destination resort, however, with the available rental units providing relatively inexpensive resort accommodations for families and family groups in individual units. Pajero and Monterey Dunes likewise largely provide resort accommodations through individually-owned units, as do inland resorts such as Oregon's Sun River and Black Butte. This revision will allow acceleration of development of a destination resort in the Newport Coast, while maintaining control over the function of the castles element as part of that resort through the requirement for consistency findings with the resort objectives, policies, land uses and programs of the LCP.

5. IMPACTS ON LAGUNA BEACH UNITED SCHOOL DISTRICT

*Summary of Comments:* The Laguna Beach Unified School District ("LBUSD") submitted a lengthy comment letter claiming that the Second Amendment would result in several significant, unmitigated impacts on its school facilities, and taking exception with the study on that issue included in Appendix II. In particular, LBUSD commented on the student generation rates used in that study, assumptions concerning available capacities in LBUSD schools, potential of unconsidered cumulative impacts, the current "bulge" in students in elementary grade levels, expansion constraints at the middle and high school levels, and transportation and safety concerns. LBUSD also included a discussion of several legal cases. Since the LBUSD is a public agency, its issues were addressed below as general comments.

*Comments:* The foregoing questions, individually or in combination, were raised on behalf of LBUSD in written comments received from David Stejnoski of Fowler, Arneson, Fiddl, Miles & Olanowicz.

*Response to Comments/Resolution of Issues:* On June 18, the Board of Supervisors considered consideration of the Second Amendment to provide LBUSD time to hold public hearings on alternatives for mitigating the impacts of the Second Amendment on its school facilities. On July 9,

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As an example, the realties project may include a management office to coordinate resort marketing of unoccupied units and provide services to resort visitors.

1996, LBUSD held the last of three public hearings on a proposal for a mitigation agreement for school impacts with The Irvine Company. A copy of the proposed mitigation agreement has also been provided to the County. At that public hearing, LBUSD's Board of Education determined that it needs more time to reach a final decision concerning the preferable mitigation alternative for addressing Second Amendment impacts to it: to accept the proposed mitigation agreement, or to elect to support a transfer of territory from it to Newport-Mesa Unified School District, which is willing to support such a transfer. Either alternative would fully mitigate impacts to LBUSD. In the event it is necessary, the Revised Draft Board of Supervisors Resolution contains the following condition that will give the Laguna Beach Unified School District ample time to finalize an agreement while permitting this project to be submitted to the California Coastal Commission for processing.

BE IT FURTHER RESOLVED, that prior to final action by County on the Second Amendment to the Irvine (Newport) Coast Local Coastal Program, the developer shall either (1) execute and provide to County a copy of an agreement to mitigate the impacts of the project on the Laguna Beach Unified School District ("LBUSD") substantially consistent with the proposal submitted to the LBUSD Board of Education at its June 11, 1996 public hearing, or as otherwise mutually agreed by the developer and LBUSD, or (2) subject to LBUSD's decisions that such an agreement cannot be executed in that time or would not fully mitigate the impacts from the Irvine (Newport) Coast, file an application to transfer territory from LBUSD to the Newport-Mesa Unified School District. Either such an agreement or a transfer of territory will mitigate impacts to LBUSD from the Second Amendment to the Irvine (Newport) Coast Local Coastal Program.

The Board of Supervisors reserves the right to amend this condition at the time of final action on the Second Amendment to the Irvine (Newport) Coast Local Coastal Program to modify the mitigation to be provided upon a showing by Laguna Beach Unified School District that further mitigation is legally and factually justified.

### III. SPECIFIC COMMENTS AND RESOLUTION OF ISSUES

#### 1. Planning Area 20A

*Summary of Comment:* Planning Area 20A is designated for Tourist Commercial uses under the Second Amendment. Included as a principal permitted use in that land use category are public works facilities. The

City of Laguna Beach is proposing to use Planning Area 20A as a City Public Works yard and questions whether this would be a permitted use in that planning area. A concern was also raised that an urban edge landscape treatment should be provided to buffer the park from any future development in this planning area.

**Commentors:** The foregoing issues were contained in comment letters received from the City of Laguna Beach and the Coastal Greenbelt Authority.

**Response to Comment:** The Tourist Commercial land use regulations include public works facilities as principal permitted use, and therefore, the City yard would be a permitted use subject to approval of a Coastal Development Permit. Landscaped buffers will be considered during the coastal development permit process.

### 2. Conservation Land Use Designations for Planning Areas 16A, 16B, and 20C

**Summary of Comment:** A request was made to consider changing the land use designation for Planning Areas 16A, 16B and 20C from "Recreation" to "Conservation."

**Commentors:** The foregoing issue was contained in the comment letter received from the Coastal Greenbelt Authority.

**Response to Comment:** The County Harbors, Beaches and Parks has requested refinements in the land use categories which has resulted in Planning Areas 16A and 16B being changed from "Recreation" to "Conservation." (See Modification 6 above)

Consistent with the County's Master Plan for Laguna Coast Wilderness Regional Park, a portion of Planning Area 20C will serve as a staging area for the State Park, and as such must remain in the Recreation category. The remainder of this parcel is owned by the State and is placed within the State's Ecological Reserve land use category.

### 3. Potential for Guest Cottages to Increase Development Intensity

**Summary of Comment:** Under the Second Amendment as originally proposed, guest cottages and caretaker quarters of 1500 square feet could be constructed in all residential land use categories. A concern was expressed that if every homeowner exercised this option, this could lead to a doubling of the intensity of the current development provided under the LCP Second Amendment.

**Commentors:** This foregoing issue was contained in the comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt.

**Response to Comment:** See, Modification 4 above. It is important to understand that the proposed change concerning guest and caretaker cottages is more a design accommodation than a substantive change in the land uses allowed in the Irvine (Newport) Coast. Where separate quarters have not been permitted, land owners desiring them have done so by incorporating them into the main residence. The proposed change simply permits guest and caretakers quarters to be built separately from the main residence, without the requirement for a common roof and common wall.

**4. Planning Area 12F: El Morro School Site and Impact on State Park**

**Summary of Comment:** A concern was expressed regarding the interface between the existing El Morro Elementary School and Crystal Cove State Park.

**Commentors:** The foregoing issue was contained in the comment letter received from the Department of Parks and Recreation.

**Response to Comment:** At the time the LCP was certified, the existing El Morro Elementary School site was included within Crystal Cove State Park Planning Area 17. The Public Works Plan for the State Park does not include references to the school site, creating a jurisdictional "white hole." A new planning area has been created to allow the County to process development related applications for proposals located within Planning Area 12F.

**5. Increased Site Coverage in Planning Areas 12B, 12C, 13C, and 13D**

**Summary of Comment:** A comment was made that the proposed LCP Second Amendment permits an increase in the site coverage allowed in Planning Areas 13C and 13D, and questions whether this increase is actually needed to offset acres previously used for golf course development. The commentor also noted that the proposed LCP Second Amendment would allow 12% site coverage in Planning Areas 12B and 12C, which are both recreation areas, and questioned whether this extent of site coverage was excessive in recreation areas.

**Commentors:** This foregoing issue was contained in the comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt.

**Response to Comment:** The proposed site coverage amendment does not result in any net increases in Tourist Commercial intensities over the current LCP. Rather, the construction of the two golf courses on the frontal slopes of Pelican Hill has actually resulted in an increase in total open space of 74 acres over that designated for golf course use in the 1988 certified LCP. Thus, instead of the 367 acres designated specifically for golf course uses in the 1988 certified LCP, the golf courses occupy over 453 acres (27 acres of which provide a scenic buffer on the coastal shelf). This is a major increase in scenic open space over that identified in the certified LCP.

The increase in site coverage in Planning Areas 13C and 13D is intended to reflect the decrease in developable acreage due to the physical extension of the golf course into these planning areas, and the resulting need to increase site coverage in order to be able to attain the level of visitor-serving facilities identified as a Coastal Act priority in the LCP. It should be noted that the increased site coverage in Planning Areas 13C and 13D is offset by a decrease in site coverage in Planning Areas 13E and 13F which essentially balance each other out. The certified LCP permits 50% site coverage in Planning Areas 13E and 13F which will be reduced to 35% and 20% maximum by the Second Amendment. Accordingly, there is no net increase in allowable tourist commercial facilities in these planning areas, only a change in site coverage to offset the developable acreage actually occupied by the golf courses.

Golf courses are an allowable use within Tourist Commercial areas and need to remain so designated to allow for future site design flexibility. Guarantees that the net amount of open space will be maintained are provided by the LCP requirement for an open space easement over the golf course. Consequently, there is no need to modify the allowable use designations within the Tourist Commercial category or to place all golf course uses within a golf-course only designation (the latter element of the 1988 LCP assured a minimum acreage of golf course for scenic protection purposes, a minimum that has been attained and exceeded).

The commenter also questioned the 25% site coverage permitted in Planning Areas 12B and 12C. Because Planning Area 12C will provide recreational facilities for the residents of Planning Areas 3A/3B and 4A/4B, which will minimize impact on coastal recreation areas, the site coverage provision for that Planning Area was adjusted to accommodate the recreational functions it will serve. Moreover, extension of Planning Area 12B across the width of the Wishbone frontal slope required some adjustment in the site coverage limits to allow for infrastructure required to serve Planning Areas 4A and 4B.

**6. Increased Residential Densities in Planning Areas 5 and 6, and Impacts to Environmentally Sensitive Areas, and Insufficient Conservation Designations**

**Summary of Comment:** Concern was expressed over the proposed increase in the number of units that could be built in Planning Areas 5 and 6 because the commentor considered both areas to be highly sensitive from visual, habitat and habitat connectivity standpoints. Concern was also expressed regarding the impacts to ESHA B located in Planning Area 4A.

**Commentors:** This foregoing issue was contained in the comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt, and in oral testimony received from representatives of the Friends of the Irvine Coast.

**Response to Comment:** See, Modification 1 above.

The LCP Second Amendment proposes a significant decrease in development area on Wishbone Ridge with a corresponding increase in open space/habitat to be dedicated to the County of Orange for incorporation into the NCCP/HCP Coastal subarea reserve design. The comment letter questions whether the increase in open space offsets other impacts of the proposed amendment and, in particular, recommends that Planning Areas 5 and 6 be committed to open space.

The proposed modifications to development and dedication areas in the vicinity of Wishbone Ridge, which are at the heart of the LCP Second Amendment, result from the County's involvement in the preparation of the NCCP/HCP subregional plan. The proposed increase in open space on Wishbone Ridge, to be accomplished in part by a development transfer, is intended to substantially enhance habitat "connectivity" between Los Trancos Canyon and Crystal Cove State Park.

In order to better understand the NCCP program itself, and the function of the Wishbone Ridge area in the context of the proposed NCCP/HCP Coastal subarea reserve design, the reader is referred to Attachment G, "NCCP Considerations," which is a background paper intended to present a detailed analysis of the NCCP/HCP considerations underlying this LCP Second Amendment.

One of the elements of the NCCP/HCP plan for the Coastal subarea is a series of Special Linkage Areas designed to improve connectivity between areas of the main reserve areas and more outlying habitat areas. In addition to the 1988 LCP open space system, the current NCCP reserve plan includes a somewhat narrow "Special Linkage Area" connecting Muddy

Canyon and Los Trancos Canyon. The NCCP/NCP determined that the sub-area reserve, including this linkage area, meets the requirements of the NCCP Act, the California Endangered Species Act (CESA), and the Federal Endangered Species Act (FESA).

The Irvine Company's efforts to re-design its plans for residential development along the ridge located between Los Trancos Canyon and Muddy Canyon on the Wishbone frontal slopes and hills was an important promise with positive implications as the proposed re-design would consolidate residential development currently shown along the ridge that separates Los Trancos Canyon and Muddy Canyon so that much of the future residential development would be closer to PCN. Consolidation of the residential development along the Wishbone frontal slopes and hills would replace the two narrow special linkages that now are proposed to link Los Trancos and Muddy canyons with a much wider habitat linkage that could be incorporated into the reserve system.

The commentor acknowledges that "Wishbone Ridge and Wishbone Lower slopes have high value habitat for coastal sage scrub, are surrounded on either side by significant protected open space and habitat lands and both contain challenging terrain for development due to steep slopes and difficult topography." However, the commentor goes on to express the view that the upper reaches of Wishbone Ridge are key to providing connectivity between the Coast and open space areas outside the Coast and that "because of the San Joaquin Hills Transportation Corridor and the San Joaquin Hills Planned Community, achievement of adequate connectivity relies on eliminating development in the 5 and 6."

Contrary to the commentor's statement, the NCCP focused on three somewhat narrow special linkage areas that were created to achieve "connectivity" as required by the NCCP Conservation Guidelines terms of reserve design. Moreover, the NCCP also considered the benefits that would result if an even more substantial open space area on Wishbone Ridge could be effectuated through an LCP Amendment providing the landowner with an incentive to modify LCP land uses. The LCP second Amendment proposal to substantially increase open space on Wishbone Ridge, with a corresponding improvement in habitat "connectivity" and overall increase in protected habitat, furthers both Coastal Act and NCCP goals.

The NCCP does not contain any provisions regarding densities in adjoining development areas. Rather, the focus of the NCCP is the provision of sufficient land areas for habitat purposes such that adjoining development types and densities are not a concern to the habitat. The NCCP clearly indicates that the essential habitat conservation planning consideration is the assurance of habitat connectivity, which the LCP Second Amendment achieves in a manner

consistent with the NCCP. It should also be noted that the densities in Planning Areas 5 and 6 are lower than the densities in development areas adjoining Los Trancos Canyon permitted under the 1988 certified LCP.

The habitat and open space benefits resulting from transferring development to the frontal slope areas of Wishbone Hill clearly offset the reduction in open space on the frontal slopes of Wishbone and the impacts on the "B" ESHA on one edge of Los Trancos Canyon. Such overall habitat and open space benefits further important regional and subregional habitat protection goals and, pursuant to Coastal Act Section 30007.5, offset development impacts necessitated by the proposed development transfer, a shift in development that is essential to providing a major increase in open space on Wishbone Ridge.

The proposed change in Wishbone Hill area open space/development relationships is strongly supported by the NCCP subregional plan and meets the resource protection balancing goals of Coastal Act Section 30007.5 by providing for improved protection and functioning of the coastal sage scrub ecosystem as part of the NCCP Coastal subarea reserve design.

#### **7. Neighborhood Commercial Square Footage Limitations**

**Summary of Comment:** A comment was made raising concerns about allowing a neighborhood commercial center to be developed in the lower Wishbone area, and that there is no square footage limit on this development. Concern was expressed over the fact that the proposed LCP Second Amendment shifts the use to a more sensitive and highly visible area.

**Commentors:** This foregoing issue was contained in the comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt.

**Response to Comment:** See, Modification 5 above.

Coastal Act Section 30250 directs that development shall be located "within . . . existing developed areas able to accommodate it or . . . in other areas where it will not have significant adverse effects." Coastal Act Section 30252 specifies that commercial facilities should be provided within or adjoining residential development areas to minimize the use of coastal access roads.

Moving development currently entitled by the LCP and Development Agreement from Wishbone Ridge to the Wishbone frontal areas of Wishbone Hill, increasing development intensities to accommodate the transfer of uses, and providing supporting commercial and recreational facilities are

actions consistent with and in furtherance of these Coastal Act policies. Development of neighborhood commercial uses allows residents of the Wishbone Hill area to satisfy their shopping needs without having to use Pacific Coast Highway, thereby reducing impacts on recreational access both in the vicinity of the Reef Point/Moro Cove area of Crystal Cove State Park and in commercial areas of Laguna Beach and Corona del Mar.

The neighborhood commercial area in Planning Areas 3A/3B is contemplated to be located immediately adjacent, or in close proximity to the tourist commercial uses in Planning Area 14. This location places the commercial center in close proximity to both the coastal shelf/beach areas and the Moro Canyon areas of Crystal Cove State Park. Consequently, users of the State park can directly access the neighborhood commercial center. Perhaps equally significant, the use of the neighborhood commercial areas by local residents will help sustain the economic viability of recreational support uses such as convenience shops, drug stores, sandwich shops and sporting goods, as well as day-use, visitor-serving facilities in Planning Area 14, such as restaurants.

#### 8. Limit Active Recreation Areas

**Summary of Comment:** A comment noted that the LCP Second Amendment allows active recreational facilities, such as swimming pools, tennis courts, and ball fields, in several planning areas, specifically Planning Area 12C and requested consideration of limiting the intensity and/or amount of active recreation uses in sensitive planning areas, such as Planning Area 12C.

**Commentors:** The foregoing issue was contained in the comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt.

**Response to Comment:** The LCP Second Amendment expands the variety of recreational uses and site coverage in Open Space/Recreation Planning Areas, in particular 12C, to allow active community recreation facilities such as picnic areas, swimming pools, tennis courts, and ball fields. A comment has been made suggesting that the amount and/or intensity of these recreational uses be restricted.

Under the certified LCP, Planning Area 12C extends half the length of the residential development area, lying between the Low and Medium Density Residential Planning Areas. Because of the low density development planned for this area in the 1988 certified LCP, it was anticipated that many of the homeowners would include recreational amenities, such as swimming pools and tennis courts, within their residential sites, and the need for larger community facilities would not be great.

With the change in residential development proposed under the Second Amendment, a more concentrated area of active community recreational facilities was proposed to serve the future residents of Planning Areas 3A, 3B, 4A and 4B. The location of recreational facilities in close proximity to these residential areas is intended to minimize impacts. For example, residents could avoid driving long distances to use recreational facilities if they were located adjacent to their residential areas. More importantly, providing for the recreational needs of new residents by providing on-site recreational facilities, ensures that nearby coastal recreation areas, such as Crystal Cove State Park or another adjoining passive open space area, will not be overloaded and that public access to the coast will be maintained.

Although concern has been expressed that Planning Area 12C is located in a sensitive area, it should be remembered that Planning Area 12C is located in an area that is grossly impacted by artichoke thistle. While more active recreational uses have been provided, they are similar in nature to the types of recreational uses found in local parks, (a use permitted in Recreation Planning Areas, such as Planning Area 12E) and was done in order to address the recreational needs of the more clustered development that was specifically designed to increase the open space connection between Muddy Canyon and Los Trancos Canyon. Therefore, the habitat and open space benefits derived from the increased open space connection, together with the availability of on-site facilities to serve the needs of new residents should provide an overall benefit to coastal resources by minimizing impacts.

#### **9. Development/State Park Urban Edge Treatment**

**Summary of Comment:** Concern was expressed that the amount of combustible fuel along development area perimeters needs to be moderated in order to minimize fire risk. The commentor also expressed concern regarding the impact of developed areas in close proximity to open space areas. In particular, the adverse impacts of domestic animals on native wildlife was noted.

**Commentors:** This foregoing issue was contained in the comment letter received from the Department of Parks and Recreation.

**Response to Comment:** The level of detail necessary to respond to this concern will be provided with the submittal of construction-level coastal development permits.

#### **10. Drainage/Sedimentation Impacts on the State Park**

**Summary of Comment:** A concern was raised on the effects on Crystal Cove State Park resulting from the drainage concept changes and the

modifications to the development area in Lower Wishbone. Along the state lines, a concern was also raised as to whether the development on the lower slopes of Wishbone Ridge would increase urban runoff and sedimentation to sensitive offshore waters and the marine environment and whether this was consistent with Coastal Act policies. The view was expressed that no analysis regarding potential impacts to the marine environment has been undertaken and that no specific conditions have been called out to protect the marine environment.

**Commentors:** This foregoing issue was contained in the comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League, the Laguna Greenbelt and the Department of Parks and Recreation.

**Response to Comment:** With respect to the Backbone Drainage Concept changes (Exhibits D and E in the LCP Second Amendment), the noted changes in the points of drainage discharge and detention basins is in contemplation of the proposed landform modifications with the LCP Second Amendment. The objectives of this revised design concept are the same as those in the LCP First Amendment as represented in Exhibit U. Detention basins will be designed to pass sediment to the down stream reaches and the coastline as well as reduce ten year storm peak flows to match the available sediment at build out. The number of detention basins has been increased over that shown in Exhibit U from three to five.

With respect to questions of Coastal Act consistency, and whether any analysis has been conducted concerning potential impacts to the marine environment and whether any conditions have been imposed to protect the marine environment, there are several levels of LCP and other governmental requirements which combine to ensure that runoff from all phases of development on the Irvine Coast will meet the requirements of Coastal Act Sections 30230 and 30231 to protect marine resources and to maintain the biological productivity and quality of coastal waters, streams, wetlands and estuaries. These requirements include:

- The Irvine Coast LCP Chapter 3 Resource Conservation and Management Policies.
- The LCP requirement to prepare a "Master Drainage and Runoff Management Plan."
- State and Federal requirements for the preparation and implementation of a Stormwater Pollution Prevention Plan pursuant to federal, state and County NPDES dictates.

- Future CEQA and Coastal Act consistency review in conjunction with individual coastal development permits.

As noted above, a "Master Drainage and Runoff Management Plan" was prepared pursuant to the 1988 LCP requirements for all areas developed to date. All LCP area projects have been required to conform with the Master Drainage plan. This same plan will be updated comprehensively for all remaining LCP development areas to include the changes reflected in the Second Amendment.

Drainage and runoff plans fashioned pursuant to the "Master Drainage and Runoff Management Plan" have been tested over time.

Following the 1993-1994 winter storms, concerns were raised by members of the public, including the Surfrider Foundation, regarding plumes of silt observed in the marine waters offshore of the Irvine Coast LCP area. Working with the California Department of Parks and Recreation and the City of Newport Beach, The Irvine Company helped assemble an expert team to assess the potential impacts (the team included a member of State Parks, a coastal sediment transport specialist under contract to the City of Newport Beach familiar with this portion of the coast and Dr. Ford, a marine biologist from San Diego State University). The team consulted with representatives of Surfriders, among others, and conducted dives offshore of drainage potentially impacted by LCP development and offshore of natural drainages for comparative purposes. The team reported that no marine life was impacted, that no silt was evident on any of the plant material and that there was no difference in the plant and animal diversity or intensity between the areas offshore of the impacted drainages in comparison with areas offshore from natural areas within the LCP jurisdiction. Sediments of sand were dispersed in the intertidal region and the clays were carried on the surface and dispersed with no impact on the marine environment.

Results of LCP-required water quality monitoring relating to the Irvine Coast golf courses are set forth in a detailed report titled: "1993-1995 Report on the Water Quality Monitoring Program, Pelican Hill Golf Course, Newport Coast, California." This report comprises over 500 pages of analyses, monitoring data and other relevant information. Due to the size of the report, it was not included as a formal appendix but is available to any interested member of the public for review. Additionally, the report was distributed on September 15, 1995, to the Regional Water Quality Control Board, Orange County Environmental Management Agency, Department of Parks and Recreation, the City of Newport Beach, the Surfrider Foundation and the Friends of the Irvine Coast.

Recent concerns with Buck Gully and Morning Canyon resulted in the preparation of an analysis of runoff conditions affecting these two areas under the direction of the City of Newport Beach. The "Report on Storm Runoff Conditions in Buck Gully and Morning Canyon," dated February 1986 and prepared by John M. Tetterer & Associates, Ltd., for the City of Newport Beach, indicates that the runoff impacts result from conditions within the drainages themselves that need to be addressed on a site specific basis rather than to major runoff problems associated with development upstream.

Finally, the increase in open space on Wishbone Ridge and the concomitant elimination of development on the steep slopes of the ridge will allow for natural runoff and sediment conditions to be maintained in a larger portion of the LCP area than is the case under the 1988 LCP (e.g., see Exhibit B in the Second Amendment compared with Exhibit U from the 1988 LCP). The increase in impervious surface on the frontal slopes and on top of Wishbone Hill over the 1988 LCP do not present any extraordinary conditions that cannot be addressed with runoff control techniques already field-tested by earlier phases of LCP development.

For the above reasons, the County believes there are several levels of LCP and RWQCB requirements assuring the preparation and implementation of a comprehensive set of grading, erosion control, sediment management and stormwater runoff measures that will meet the requirements of Coastal Act Sections 30230 and 30231. The above-cited studies, all of which are available for review by interested members of the public, validate the functional capability of these measures.

#### 11. Trail Connections from Planning Area 12B

**Summary of Comment:** A question was asked as to whether recreational trails or bikeways developed in Planning Area 12B or the Wishbone area in general will connect with trails in other adjacent areas, such as Crystal Cove State Park.

**Commentors:** This foregoing issue was contained in the comment letter received from the Department of Parks and Recreation.

**Response to Comment:** Potential trail connections will be evaluated by County Harbors, Beaches and Parks to maintain consistency with the County Master Plan of Riding and Hiking Trails and the General Development Plan for Laguna Coast Wilderness Regional Park during the review of construction-level coastal development permits.

#### 12. Views from the Reef Point Coastal Terrace, Views of Coastal Hills and Landscape Buffer Treatments in Planning Area 14

**Summary of Comment:** Questions were raised as to what inland views can be expected from the Reef Point coastal terrace, and whether a view analysis has been conducted to demonstrate that proposed development would not block views of the coastal hills from important public view points along Pacific Coast Highway and from within the public open space areas. Another question was asked about the visual impact of increased development intensities in Planning Areas 5 and 6, and questioned whether regulations concerning signage, setback, site coverage limitation and landscaping requirements should be required for Planning Area 14.

**Commentors:** This foregoing issue was contained in the comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt, and the Department of Parks and Recreation.

**Response to Comment:** Modifications to the types and intensities of uses on the frontal slopes and top of Wishbone Hill, and revisions to overall development intensities in remaining unbuilt planning areas are required in order to achieve the desired increase in open space/habitat protection on Wishbone Ridge. Planning Areas 3A/3B and 4A/4B are designated for residential development in the LCP. In order to provide the habitat protection benefits afforded by significantly increasing open space on Wishbone Ridge (see Attachment G, "NCCP Considerations"), and still maintain the approved development entitlements assured by the Irvine Coast Development Agreement, the LCP Second Amendment proposes to adjust the boundaries of these planning areas, increase the allowed intensity of development on the Wishbone Hill frontal slopes and the furthest inland portion of Wishbone Ridge, and provide recreation uses in Planning Area 12C and visitor-oriented, day-use commercial and retail development in Planning Area 14.

Coastal Act Section 30251 requires that development be sited to protect views "to and along the coast and scenic coastal areas." The Coastal Act does not necessarily protect inland views unless an area has been determined to be a "scenic coastal area." In response to the comment requesting an analysis of the inland views from the Reef Point coastal terrace, it is important to focus on the specific Coastal Act requirements, the land uses approved in the 1988 LCP, and the proposed LCP Second Amendment land uses.

The 1988 LCP resulted in a significant increase in open space uses on the frontal slopes of Pelican Hill but also allowed both residential and commercial uses along the frontal slopes of Wishbone Hill and adjacent to a portion of Muddy Canyon. Thus, the scenic coastal areas identified in the 1988 LCP comprised the lower slopes of Pelican Hill, the inland portions of Crystal Cove State Park and the LCP dedication areas. Although open space areas were identified on the frontal slopes

of Wabshaw Hill, these open space areas were to be bracketed with development areas below and above the Planning Area 11B and 11C open space areas.

The proposed LCP Second Amendment assures, in combination with prior actions pursuant to the 1988 LCP, overall protection of the most significant scenic/visual resources in the LCP area. Any visual impacts resulting from the increase in site coverage within planning areas on the frontal slopes of Wabshaw Hill required by the transfer of development intensities are offset by:

- Increased open space and landform protection on the top of Wabshaw Ridge in areas visible from public trails on the top of Moro Ridge in Crystal Cove State Park. Scenic views of Wabshaw Ridge from the Moro Ridge state park area would be significantly enhanced by the commitment of much of Wabshaw Ridge to permanent open space.
- Continuing protection of the major landforms and views identified as significant in Exhibit 15 of the Executive Summary for the 1988 LCP, particularly Moro Hill and the frontal slopes of Pelican Hill.
- The increase in open space on the frontal slopes of Pelican Hill identified for scenic protection in the 1988 LCP resulting from the net increase of 74 acres of Pelican Hill open space in excess of 1988 LCP requirements due to the extent of land area committed to the existing golf course.
- Open space and scenic resource benefits resulting from the habitat restoration plan approved for Pelican Hill Planning Area 11B (the area just below the top of Pelican Hill on the frontal slopes) pursuant to the Planning Area 1C environmental impact report and USFWS "Incision Lake" permit.

Regarding the concern expressed about visual impacts resulting from development intensities in Planning Areas 5 and 6, the Second Amendment recalls the "Planning Area 5 Development Zoning Treatment" requirement from the 1988 LCP. Significantly, the Second Amendment also would eliminate approximately 88 acres of development allowed under the 1988 LCP in Planning Area 6 and convert the land use to "open space/recreation" for incorporation into the MCOY/MCP Reserve System. Increased development intensities in Planning Area 5 are required to support this increase in open space. The increased open space in these areas clearly provides major scenic view benefits from the inland portions of Crystal Cove State Park, as well as significant habitat "connectivity" benefits. Finally, as noted in the Department of Parks and Recreation's comment letter, the

"[e]limination of the Sand Canyon Avenue-San Joaquin Hills Transportation Corridor intersection will be beneficial to Crystal Cove State Park [because] this modification removes a major development feature adjacent to the park's undeveloped Moro Canyon areas."

Coastal Act Section 30007.5 directs that "broader policies which, for example, serve to concentrate development . . . may be more protective, overall than specific . . . resource policies." Clustering development in Planning Areas 3A/3B and 4A/4B, and providing supporting recreational and commercial uses in Planning Areas 12C and 14, allows for the major increase in open space in Wishbone Ridge that will provide enhanced connectivity between habitats in Los Trancos Canyon and Crystal Cove State Park. When the visual impact inherent in the proposed shift of land uses are balanced against the habitat and visual resource protection benefits of increased open space on Wishbone Ridge, the Second Amendment should be recognized as being, on balance, more protective of natural coastal resources.

One commentor suggested that the County "reduce the site coverage allowed in Planning Area 14 to 35% to offset the increase in acreage within this planning area." However, as reviewed below, the increase in Planning Area 14 is directed toward satisfying several important Coastal Act policies.

Coastal Act Section 30250 directs that development be located within developed areas able to accommodate it or in other areas where it will not have significant adverse effects. Coastal Act Section 30252 specifies that commercial facilities should be provided "within or adjoining residential development [to] minimize the use of coastal access roads." Moving development currently entitled by the LCP and Development Agreement from Wishbone Ridge to the Wishbone frontal areas of Wishbone Hill, increasing development intensities to accommodate the transfer of uses, and providing supporting commercial and recreational facilities are actions consistent with and in furtherance of Coastal Act Sections 30250 and 30252. For these reasons and for the reasons set forth in Response to Specific Comment 7, a 35% site coverage limitation in Planning Area 14 is not justified. Planning Area 14 retains the basic 35 foot height limit (with a maximum height of 47 feet for special architectural features) established in the 1988 LCP. Although Planning Area 14 extends in a lateral dimension more extensively than it did under the 1988 LCP, the 100 foot setback and minimum site landscaping requirements assure the protection of any downcoast and upcoast views from PCH on the inland portions of Crystal Cove State Park.

### 13. Maximum Units on Statistical Table

**Summary of Comment:** A concern was raised that the Second Amendment provides for an unreasonable new maximum number of units for the undeveloped planning areas. Based upon the residential density categories proposed under the Second Amendment for Planning Areas 1A, 2A, 4A, 4B, 5 and 6, a maximum of 2,461 units could be built in these undeveloped planning areas.

**Commentor:** This foregoing issue was contained in the comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt.

**Response to Commentor:** Currently, the existing maximums for only undeveloped residential planning areas do not relate to the permitted density range provided by the assigned land use category. The Second Amendment proposes to increase the maximum number of dwelling units allowed in undeveloped planning areas (with the exception of Planning Areas 4, 7A and 7B) to reflect the low end of the density range established by the land use categories, while maintaining the overall maximum dwelling units permitted in the LCP Planned Community. The LCP establishes a cap of 2,600 residential units that can be built. The commentor focuses exclusively on the maximum dwelling units that could be built in a given planning area without regard to the fact that no matter what these maximums are, only 2,600 units can be built in the LCP area, and a majority of the 2,600 units have been already approved for development. The proposed change brings the statistical table in line with the permitted density ranges for the various land use categories.

#### 14. Designation of Planning Areas 12A and 12B as Recreation, Not Conservation

**Summary of Commentor:** A comment noted that the LCP Second Amendment withdrawing Planning Areas 12A and 12B as recreation, rather than changing the land use designation to conservation, and that the uses allowed under the Recreation designation are inconsistent with the NCCP for this area.

**Commentor:** The foregoing issue was contained in the comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt.

**Response to Commentor:** In responding to this comment, it is important to ascertain both the intent of the NCCP/MCP regarding the compatibility of recreational uses with habitat protection and the specific designations for the Los Trancos and Muddy Canyon areas under the NCCP/MCP. The EIR/EIS for the NCCP/MCP summarized the approach of the NCCP/MCP to recreational uses within the proposed NCCP Reserve System by observing that the "opportunities for passive recreational use and public education regarding habitat systems [is considered] to be a significant

element of the overall NCCP implementation program. Because these uses also present the potential for adverse impacts on species and habitats, recreational use must be adaptively managed." (NCCP/HCP EIR/EIS, at pp. 7-76 to 7-77.)

The NCCP/HCP contains an extensive review of the relationship of the management of recreational uses and activities to the habitat protection requirements of the NCCP/HCP. The NCCP/HCP determined that compatible public access and recreation activities can be assured through effective management.

In accordance with the emphasis on management and careful planning of recreational facility siting, the NCCP/HCP does not require the County to change General Plan designations for any of the present or future County recreational use areas identified for inclusion in the NCCP subregional Reserve System. Rather, the NCCP/HCP specifies a comprehensive set of policies defining allowed and prohibited uses, park operations policies and new facility planning processes intended to assure the compatibility of public recreational uses with habitat and species protection. These policies address: (1) permitted uses; (2) prohibited uses; (3) recreational use management in relation to habitat protection requirements; and (4) the siting of new facilities and provisions for a collaborative planning process for new facilities, including the preparation of Resource Management Plans.

Thus, as is the case with the LCP provisions of the California Coastal Act, the NCCP/HCP proposes heavy reliance on local government and other public landowners to carry out the management of sensitive habitat lands in accordance with specific, mandatory policies within a defined geographic area and, as was the case with the 1988 Irvine Coast LCP, does not require the change in land use designation from "Recreation" to "Conservation" in order to meet the stringent habitat protection requirements of CESA, FESA and the NCCP Act. Neither Los Trancos Canyon nor Muddy Canyon is identified on the NCCP/HCP maps as one of the areas where recreational use is to be prohibited due to the sensitivity of habitat resources.

It is important to understand the role of the above-summarized NCCP/HCP policies in assuring resource protection within the proposed Reserve System. As in the case of local government Land Use Plan policies under the Local Coastal Program provisions of the California Coastal Act, the policies of the NCCP/HCP are legally enforceable (through the Implementation Agreement/CDFG Management Authorization and the Section 10(a) Permits). Pursuant to Section 5.3.2 of the NCCP/HCP Implementation Agreement, the NCCP/HCP recreational management policies referred to above are incorporated by reference into the Agreement "and shall be treated as obligations by the Parties to this Agreement." These

provisions of the MCCP/MCP Implementation Agreement define specific obligations for the parties to the Agreement. Specific implementation measures are set forth for each of the substantive implementation elements of the MCCP/MCP and as required by applicable law. Likewise, the recreational use management policies of the MCCP/MCP are treated as "mitigation measures" in the MCCP/MCP EIR/EIS.

For the above reasons, neither the letter nor the spirit of the MCCP/MCP requires changing the use designations in Planning Areas 12A and 12B from "Recreation" to "Conservation." The MCCP/MCP contains a comprehensive set of management measures and planning safeguards that assure the compatibility of recreational use with habitat protection.

15. An estimate of the total units likely to be shifted from the Newport Coast Drive planning areas to the wilderness planning areas should be provided.

*Summary of Comment:* A comment was received contending that it is difficult to determine the total number of units that are likely to be constructed in the wilderness area under the Second Amendment, that otherwise would have been constructed in the Newport Coast Drive planning areas.

*Commentor:* The foregoing issue was contained in a late comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPOK), the Endangered Habitat League and the Laguna Greenbelt.

*Response to Comment:* Information regarding the estimated number of units proposed for development in each planning area has been disclosed in the revised Planned Community Statistical Table. The 1988 certified LCP included a Planned Community Statistical Table which identified the estimated number of dwelling units that were proposed for development in each planning area, as well as the maximum number of units that could be built under the particular density designation. The Second Amendment includes an updated Statistical Table which reflects planning areas that have already been developed, and the estimated and maximum number of units that could be built in the remaining planning areas. The LCP further limits the number of dwelling units that can be built in the LCP areas to a maximum of 2,600. This limit has not changed.

The Second Amendment is a general plan-equivalent document which sets forth the location, type and intensity of proposed uses in an area. The disclosure of estimated and maximum units proposed for any planning area sets out the general parameters of development allowed under the LCP. As each area is developed, the County will continue to review applications for site specific coastal development permits which will identify the specific number of units proposed for development in that

area and account for them against the overall maximum of 2,600 units allowed under the LCP. Until such applications are received, however, it would be speculative to predict the actual number of units that will (or would) be constructed in any given Planning Area, rather than to provide reasonable estimates and maximums.

**16. There is too little quantification of the likely increase in development as a result of the proposed changes**

**Summary of Comment:** A comment was received contending that it is difficult to predict whether the Second Amendment will result in more units being constructed, and a greater amount of commercial development, than would have been constructed under the 1988 LCP.

**Commentor:** The foregoing issue was contained in a late comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt.

**Response to Comment:** The Second Amendment proposes no increase in development over that which has been approved in the 1988 certified LCP. The maximum number of residential units (2,600) and the maximum number of tourist commercial accommodations (2,150) have not changed. The 1988 LCP also contemplated the development of the 10-acre Neighborhood Commercial area which may now be sited in Planning Area 3A or 3B.

The Second Amendment was proposed for the primary purpose of providing greater open space areas and increased habitat connectivity. While densities in certain planning areas may have increased, this is the direct result of the increase in open space areas. Planning area boundaries have shifted in order to provide the connectivity between Los Trancos, Muddy Canyon and Crystal Cove State Park. Consequently, the allocation of residential units had to be adjusted to address the changes in planning area boundaries triggered by the increased open space. By removing development from Wishbone Ridge, the units that could have been built there had to be reallocated to other planning areas, thereby resulting in increases to the surrounding planning areas. In order to address the needs of these residential areas, the 10-acre Neighborhood Commercial area is proposed to be relocated to the Lower Wishbone area in order to better meet the needs of the proposed residential communities.

The increases in the densities of affected planning areas are disclosed in the Planned Community Statistical Table in the Draft LCP Second Amendment. A side-by-side comparison of the 1988 LCP and the Draft Second Amendment has been prepared to show the changes between the two documents.

17. "Casitas" may accommodate more people than would a smaller hotel room

**Summary of Comment:** A comment was received contending that a typical hotel room is smaller, and will house fewer occupants, than will a "casita" unit, with correspondingly increased impacts on coastal resources.

**Commentor:** The foregoing issue was contained in a late comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt.

**Response to Comment:** As discussed in General Response II-4, the policy for casitas use was established under the 1988 LCP. The change proposed by the Second Amendment is merely to provide additional financing and marketing flexibility to make casitas and resort development more feasible in the LCP area. It does not alter the opportunity for casitas as tourist commercial facilities in any other sense.

With respect to the comment that hotel rooms are smaller and would accommodate fewer people, the 1988 LCP provided for adjustment in the allocation of tourist commercial accommodation units to address that concern. The LCP provides that casitas with one or two bedrooms shall be counted as one (1) overnight/resort accommodation, but that casitas with three or more bedrooms will be counted as two (2) overnight/resort accommodations. Therefore, even though multi-room casitas can accommodate more people, there is a concomitant reduction in the number of tourist commercial accommodation units that can be built.

It is finally worth noting that the development of casitas may be less impacting than standard hotel development as the use of "casitas" as an alternative to the traditional hotel unit would have public access benefits in that resort facilities have a significantly reduced traffic impact on regional streets than hotels.

18. How can commercial uses be justified for Planning Areas 1A, 3B, 12G, 20A and 14

**Summary of Comment:** A comment was received asking for market data demonstrating that demand exists for additional commercial development in each of the identified Planning Areas, and requesting more information concerning the anticipated type of commercial development.

**Commentor:** The foregoing issue was contained in late comment letters received from the Friends of the Irvine Coast, Stop Polluting Our Newport (SPON), the Endangered Habitats League and the Laguna Greenbelt.

**Response to Comment:** The comment combines a number of different commercial uses, and by doing so, confuses various types of uses and does not distinguish the different purposes to be served by each.

Commercial uses are allowed in Planning Area 20A consistent with the 1988 certified LCP, and the Second Amendment does not propose any change or increase in them. Planning Area 20A is designated for Tourist Commercial uses and the commercial development must be consistent with that land use category.

In contrast, the 7,500 square feet of development permitted in Planning Area 12G (the Moro Sliver) is limited to development that is supportive of park purposes. Unlike the other commercial development cited in the comment, the commercial uses in Planning Area 12G will be proposed, permitted and operated by a public agency -- either the County or the State Department of Parks and Recreation -- consistent with the overall objective of providing a staging area in this planning area for the adjacent regional and state parks. This commercial entitlement is not intended to serve residential development, but is solely in support of the park facilities.

The 1988 LCP established a maximum of 10 acres of Neighborhood Commercial uses in the LCP area. The Second Amendment expands the number of planning areas in which neighborhood commercial uses can be developed to include Planning Areas 3A and 3B, which are receiving additional density that will create neighborhood commercial demands. Given the shift of development from the Wishbone Ridge to the Lower Wishbone area, and the changes in the circulation system resulting from the elimination of Sand Canyon Avenue, it appeared appropriate to allow for the development of a neighborhood commercial facility to service the needs of the adjacent residences. This minimizes vehicle trips outside of the LCP area and minimizes the potential for overburdening nearby visitor-serving commercial areas.

Finally, similar to PA 20A, PA 14 is designated for Tourist Commercial uses. It is anticipated that more visitor-serving uses, such as restaurants and visitor-serving retail, would be provided in this planning area, as opposed to the more neighborhood commercial uses, such as dry cleaners, video rentals, etc., needed by full-time residents of an area.

Given the different functions of each of these proposed commercial uses, the different audience each is intended to serve, and the land use, open space, and circulation system changes, the extent of commercial development authorized by the Second Amendment is not overly excessive, and in fact maintains the balance of uses originally contemplated in the 1988 LCP.

Finally, as noted previously, the LCP is a general plan-equivalent document and sets forth the general location, type and intensity of uses proposed for an area. Whether the entire entitlement is utilized is wholly dependent upon a more detailed level of planning which will be addressed by the County during the site plan and coastal development permit process.

19. The Friends of the Irvine Coast found the public review period to be too short

**Summary of Comment:** A comment was received from the Friends of the Irvine Coast contending that the public review period for the Second Amendment was too short for it to identify and present its concerns respecting it.

**Commentor:** The foregoing issue was contained in a June 18 comment letter received from the Friends of the Irvine Coast.

**Response to Comment:** The LCP Second Amendment has been in the public review process since March, 1996, when the draft LCP Second Amendment was published and circulated for public review and comment. Since then, there have been public information meetings and workshops, three Planning Commission hearings and a Board of Supervisors hearing. Responses to each of the concerns submitted by the public have been prepared and made available for review by the commentors. Since the second Planning Commission hearing, there have been no substantial changes in the LCP, and sufficient time has been provided to the public to review the proposal under consideration by the Board.

THE IRVINE (NEWPORT) COAST LOCAL COASTAL PROGRAM - SECOND  
AMENDMENT INFORMATION SHEET

BACKGROUND

The Local Coastal Program (LCP) for the Irvine Coast consists of a Land Use Plan (first approved in June, 1981) and Implementing Actions Program (approved in January 1982). This General Plan/Zoning level document set the basic criteria for compliance with the Coastal Act for the Irvine (Newport) Coast Planned Community. The 1982-LCP secured major contiguous open space dedications east of Buck Gully, Los Trancos and Muddy Canyons by allowing for consolidated mixed-use development on the ridges and coastal terraces west of Muddy Canyon.

The LCP was amended in 1988 to eliminate office development and broaden the destination resort component to include two golf courses, additional tourist commercial uses and a broader range of residential development. These changes were intended to increase public access to, and utilization of, the coastal resources and provide more diverse services for visitors. The Irvine Coast Local Coastal Program - First Amendment was adopted by the Orange County Board of Supervisors on December 2, 1987 and was certified by the California Coastal Commission on January 14, 1988. The amended LCP resulted in a substantial increase in open space over the 1981 LCP.

LCP DEVELOPMENT STATUS

The County of Orange has since approved 30 Coastal Development Permits (CDPs) within the LCP, composing 2,059 residential units and 1,450 Tourist Commercial units, representing 79% of the residential and 67% of the Tourist Commercial LCP entitlements, all major collector roads (except Sand Canyon Avenue through PAs 4, 5 and 6) and recorded offers of dedication on all major open space (except Muddy Canyon). Of the development approved by these CDPs, all major roads have been constructed, two public golf courses are completed and opened, Planning Areas 13A and 13B have been sold to Disney for a major Tourist Commercial Resort and 440 residential buildings (17% of 2,600 dwelling units) have been completed or are under construction (see attached Entitlement Summary Table).

NATURAL COMMUNITIES CONSERVATION PROGRAM (NCCP) STATUS

Since the adoption of the 1988-LCP, the California Department of Fish & Game and the U.S. Department of Fish and Wildlife have undertaken a major regional and subregional habitat conservation planning program directed toward protecting the coastal sage scrub ecosystem (the Southern California NCCP Coastal Sage Scrub Program). The "Conservation

Guidelines" adopted by the regional NCCP program emphasize the need to provide for "connectivity" of wildlife movement between large blocks of preserved habitat areas as an important means of assuring species viability, including genetic diversity beyond that provided in the NCCP Plan. Although the 1988-LCP set aside major areas of contiguous open space/habitat in the Irvine Coast dedication areas, the habitats found within Buck Gully and Los Trancos Canyons are somewhat isolated in terms of direct physical connectivity with the Crystal Cove/Irvine Coast dedication area habitat system.

In conjunction with the review of the Central/Coastal Orange County NCCP/HCP proposed subregional plan, considerable interest has been expressed in trying to improve the habitat connectivity between Los Trancos Canyon and the Crystal Cove State Park/LCP dedication areas. This goal could be achieved by shifting development authorized in the 1988-LCP off a portion of Wishbone Ridge located between Los Trancos and Muddy Canyons to other portions of the LCP area.

#### PROPOSED LCP SECOND AMENDMENT

A shifting of development off a portion of Wishbone Ridge to broaden the wildlife corridor has implications for land uses within the remainder of the LCP area. In the context of the already significant reductions in development area reflected in the 1988-certified LCP First Amendment, there is a need to provide the landowner with sufficient economic incentives to offset the loss of development opportunities in Wishbone Ridge.

The draft LCP Second Amendment proposes to offset the proposed reductions in development area, with its attendant economic implications in two ways.

**First**, the LCP Second Amendment proposes to increase the intensities and overall development area on the frontal slopes of Lower Wishbone and to provide for community recreation facilities in a portion of Muddy Canyon. Additionally, other residential use intensity requirements would be modified to assure the approved overall LCP maximum of 2,600 dwelling units.

**Second**, the LCP Second Amendment incorporates a number of modifications to the Tourist Commercial, visitor-serving land uses in the LCP directed toward:

- (a) allowing increased flexibility (in response to the realities of commercial recreation financing); and

- (b) revising site development criteria in response to the increase in golf course open space in the Tourist Commercial Planning Areas.

Thus the overall purpose of this LCP Second Amendment is to provide certain changes in intensity, location and types of land use such that the landowner is willing to proceed with an amendment to a certified LCP resulting in a significant increase in open space on Wishbone Ridge. It is believed that these development/open space tradeoffs would clearly further regional habitat protection goals.

The majority of the proposed modifications are defined on the Irvine (Newport) Coast LCP Land Use Comparison Exhibit or the redline exhibits for the Land Use Summary Table and The Planned Community Statistical Table.

The Irvine (Newport) Coast LCP Land Use Plan Comparison, Exhibit 1, places the LCP - First Amendment and LCP - Second Amendment Land Use Plans side by side and enables viewers to easily understand the proposed modifications.

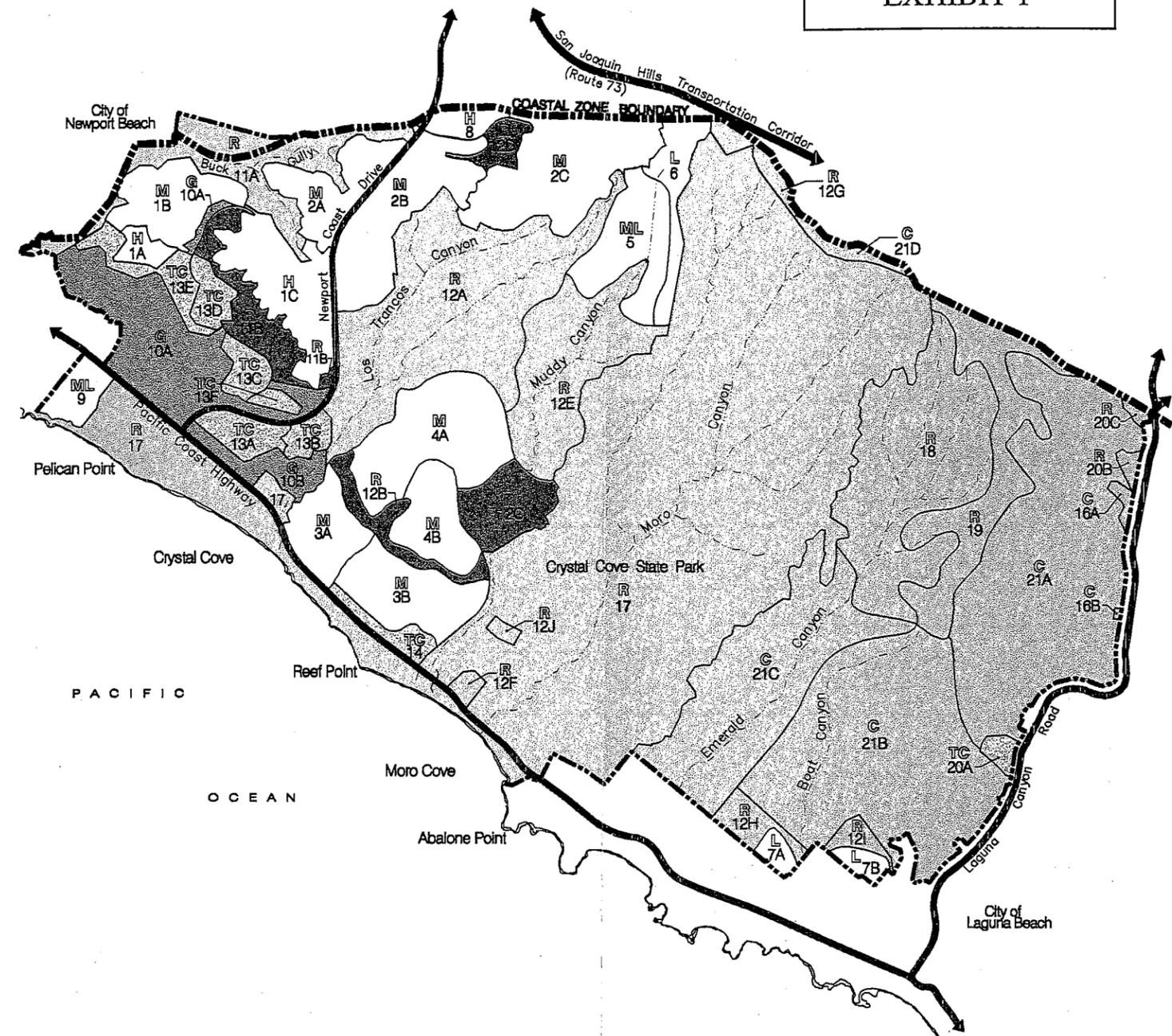
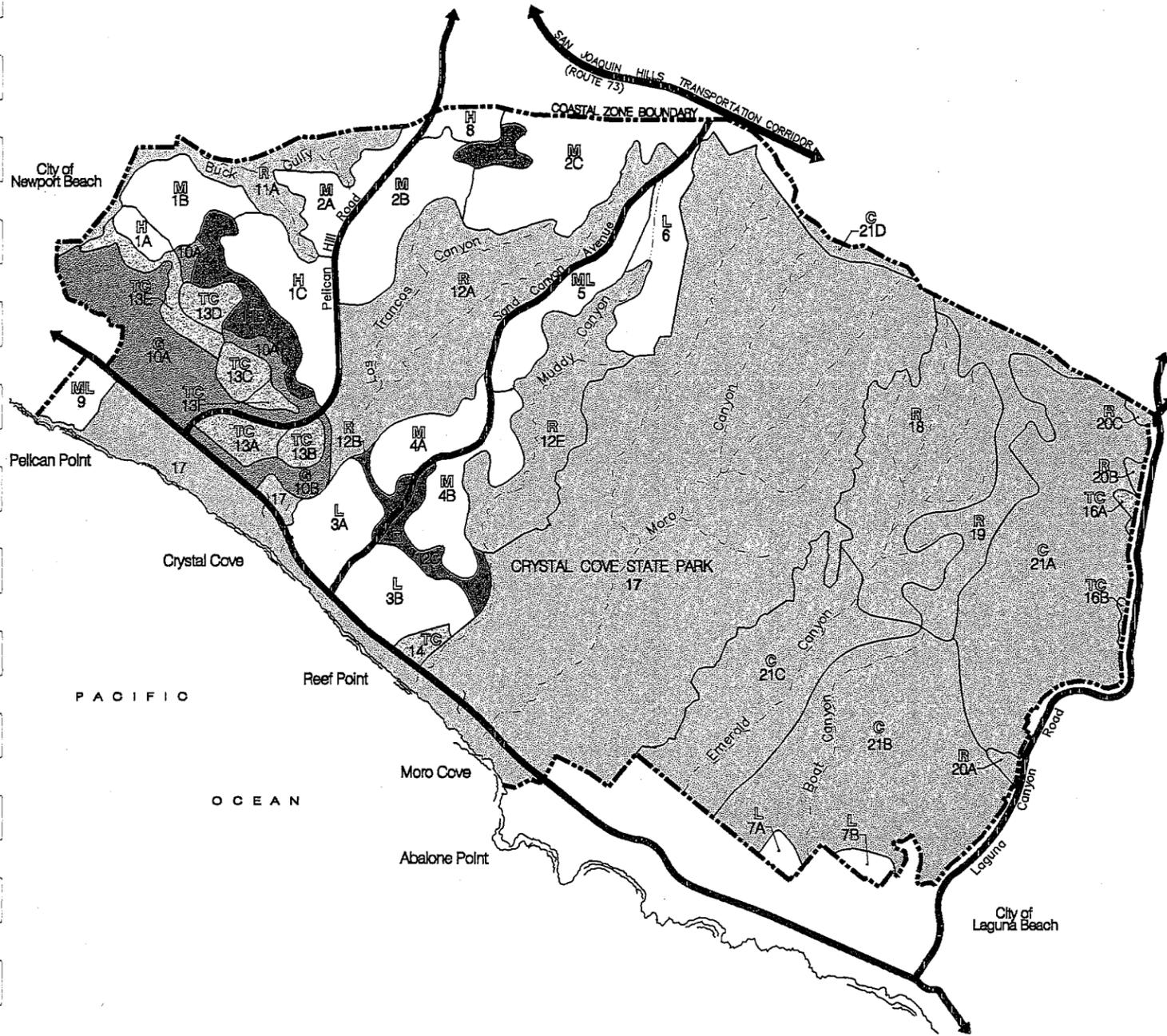
Exhibit 2, a redline version of the Land Use Summary Table enables the viewer to compare LCP - First Amendment and LCP - Second Amendment statistics. The redline version of the Planned Community Statistical Table, Exhibit 3, provides a detailed comparison between the project statistics for the LCP - First Amendment and LCP - Second Amendment. This table also reflects the development approvals which have occurred since 1988 and more accurate engineering survey information available through digital sources.

These exhibits, along with this information sheet are intended to provide the reader with a sound understanding of the modifications proposed with the LCP - Second Amendment and how they compare with the currently certified LCP.

#### PUBLIC HEARINGS AND REVIEW

A draft of the Irvine (Newport) Coast Local Coastal Program - Second Amendment was distributed on March 20, 1996 for review and comment. A Planning Commission Public Hearing Workshop occurred on April 16, 1996, and Planning Commission hearings were held on May 8, and May 21, 1996.

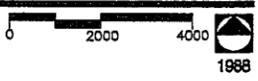
The March 20, 1996, Draft Second Amendment to the Irvine (Newport) Local Coastal Program entailed eleven substantive, inter-related revisions and seven revisions of a technical nature. Following receipt of a variety of comments from other governmental agencies and interested members of the public along with specific directions from the Planning Commission



LAND USE PLAN - First Amendment

The Irvine Coast Local Coastal Program

Exhibit F



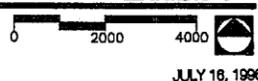
LEGEND

- L LOW DENSITY RESIDENTIAL (0-2)
- ML MEDIUM-LOW DENSITY RESIDENTIAL (2-3.5)
- M MEDIUM DENSITY RESIDENTIAL (3.5-6.5)
- H HIGH DENSITY RESIDENTIAL (6.5-18)
- G GOLF COURSE
- TC TOURIST COMMERCIAL
- R RECREATION
- C CONSERVATION
- TC LAND USE DESIGNATION
- 13B PLANNING AREA

LAND USE PLAN - Second Amendment

The Newport Coast Local Coastal Program

Exhibit F



LEGEND

- L LOW DENSITY RESIDENTIAL (0-2)
- ML MEDIUM-LOW DENSITY RESIDENTIAL (2-3.5)
- M MEDIUM DENSITY RESIDENTIAL (3.5-6.5)
- H HIGH DENSITY RESIDENTIAL (6.5-18)
- G GOLF COURSE
- TC TOURIST COMMERCIAL
- R RECREATION
- C CONSERVATION
- TC LAND USE DESIGNATION
- 13B PLANNING AREA
- COASTAL ZONE BOUNDARY
- PLANNED COMMUNITY BOUNDARY
- PLANNING AREA BOUNDARY

**EXHIBIT E**  
**"FIRST AMENDMENT" SECOND AMENDMENT**  
**LAND USE SUMMARY**  
Irvine Newport Coast Local Coastal Program

<u>LAND USE CATEGORY</u>	<u>PLANNING AREAS</u>	<u>GROSS ACRES<sup>(a)</sup></u>	
<b>RESIDENTIAL:</b>			
Low Density	<del>3A, 3B</del> , 6, 7A, 7B	526	<u>130</u>
Medium-Low Density	5, 9	202	<u>201</u>
Medium Density	1B, 2A, 2B, 2C, <del>3A, 3B</del> , 4A, 4B	954	<u>1,296</u>
High Density	1A, 1C, 8	240	<u>246</u>
<b>SUBTOTAL</b>		<del>1,922 ACRES</del>	<u>1,873 ACRES</u>
<b>COMMERCIAL:</b>			
Tourist Commercial	13A, 13B, 13C, 13D, 13E, 13F, 14, <del>16A, 16B</del> <u>20A</u>	276	<u>277</u>
<b>SUBTOTAL</b>		<del>276 ACRES</del>	<u>277 ACRES</u>
<b>OPEN SPACE:</b>			
Golf Course	10A, 10B	367	<u>354</u>
Recreation and Parks	11A, 11B, 12A, 12B, 12C, 12D, 12E, <del>12F, 12G, 12H, 12I, 12J,</del> <del>16A, 16B</del> 17, 18, 19, <del>20A, 20B,</del> 20C	4,878	<u>4,989</u>
Conservation	21A, 21B, 21C, 21D, <del>16A, 16B</del>	1,989	<u>2,000</u>
<b>SUBTOTAL</b>		<del>7,234 ACRES</del>	<u>7,343 ACRES</u>
<b><u>TOTAL — ALL LAND USES</u></b>		<del>9,432 ACRES</del>	<u>9,493 ACRES</u>

(a) All acreages are approximate and include roads and arterial highways.

EXHIBIT X  
**FIRST AMENDMENT SECOND AMENDMENT LAND USE PLAN**  
**PLANNED COMMUNITY STATISTICAL TABLE**  
 Newport Coast Local Coastal Program

EXHIBIT 3

LAND USE CATEGORY/CODE	PLANNING AREA	GROSS ACRES NON-COMMERCIAL		GROSS ACRES COMMERCIAL		ESTIMATED(1) DWELLING UNITS/ACCOMMODATIONS		MAXIMUM(2) DWELLING UNITS/ACCOMMODATIONS		Status as of February 12, 1996		
										DWELLING UNITS ON APPROVED SUBDIVISIONS		BUILDING PERMITS ISSUED OR UNITS UNDER CONSTRUCTION
										Tentative Maps	Final Maps	
<b>RESIDENTIAL:</b>												
High/H	1A	27.0	25.5	-	-	71	29	150	-	29	0	
Medium/M	1B	115.0	133.7	-	-	406	117	140	-	117	52	
High/H	1C	180.0	184.9	(3)	-	824	247	970	-	247	0	
Medium/M	2A	109.0	109.1	(3)	-	182	184	210	380	184	34	
Medium/M	2B	195.0	204.0	(3)	-	474	488	530	-	488	331	
Medium/M	2C	281.0	258.9	-	-	435	490	490	905	490	0	
Medium/M	3A	130.0	98.0	(3)	-	40	265	40	470	40	0	
Medium/M	3B	151.0	148.0	(3)	-	45	226	45	465	45	0	
Medium/M	4A	103.0	239.0	-	-	8	135	185	784	0	0	
Medium/M	4B	151.0	105.5	-	-	11	75	130	507	0	0	
Medium-Low/ML	5	-	150.0	-	-	29	95	30	300	0	0	
Low/L	6	195.0	80.0	-	-	11	75	-	75	53	0	
Low/L	7A	-	25.0	-	-	-	2	-	18	0	0	
Low/L	7B	-	25.0	-	-	-	2	-	10	0	0	
High/H	8	33.0	35.7	(3)	-	238	115	-	384	311	0	
Medium-Low/ML	9	52.0	50.6 (4)	-	-	76	55	-	76	55	23	
<b>TOTAL RESIDENTIAL</b>		<b>1,922.0</b>	<b>1,872.9</b>		<b>10.0 (3)</b>		<b>2,600</b>		<b>2,600</b>	<b>2,059</b>	<b>708</b>	<b>440</b>
<b>OPEN SPACE/RECREATION:</b>												
<b>GOLF COURSE/G</b>												
	10A	309.0	294.6	-	-	-	-	-	-	-	-	
	10B	58.0	58.8	-	-	-	-	-	-	-	-	
<b>RECREATION/R:</b>												
Buck Gully, Los Trancos/	11A	197.0	203.5	-	-	-	-	-	-	-	-	
Muddy Canyons, Pelican/	11B	100.0	99.5	-	-	-	-	-	-	-	-	
Wishbone Hill Areas	12A	-	606.0	-	-	-	-	-	-	-	-	
	12B	21.0	56.0	-	-	-	-	-	-	-	-	
	12C	59.0	98.0	-	-	-	-	-	-	-	-	
	12D	33.0	32.7	-	-	-	-	-	-	-	-	
	12E	352.0	274.0	-	-	-	-	-	-	-	-	
El Morro Elementary School	12F	-	14.5	-	-	-	-	-	-	-	-	
Morro Sliver	12G	-	35.0	-	-	-	-	-	-	-	-	
	12H	-	37.5	-	-	-	-	-	-	-	-	
	12I	-	19.6	-	-	-	-	-	-	-	-	
	12J	-	9.0	-	-	-	-	-	-	-	-	
Laguna Beach County Water District	17	-	2,807.0 (5)	-	-	-	-	-	-	-	-	
Crystal Cove State Park	18	-	544.0 (6)	-	-	-	-	-	-	-	-	
Irvine Coast Wilderness	19	-	133.0 (6)	-	-	-	-	-	-	-	-	
Regional Park (5)	20A	11.0	-	-	-	-	-	-	-	-	-	
Recreation Parcels Adjacent to Laguna Canyon Road	20B	5.0	12.0	-	-	-	-	-	-	-	-	
	20C	10.0	8.0	-	-	-	-	-	-	-	-	
<b>CONSERVATION/C</b>												
Conservation Parcels Adjacent to Laguna Canyon Road	16A	-	10.0	-	-	-	-	-	-	-	-	
Irvine Coast Wilderness	16B	-	1.4	-	-	-	-	-	-	-	-	
Regional Park (5)	21A/21B/21C/21D	-	1,989.0 (6)	-	-	-	-	-	-	-	-	
<b>TOTAL OPEN SPACE &amp; RECREATION</b>		<b>7,234.0</b>	<b>7,343.1</b>		<b>0.0</b>		<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>	
<b>TOURIST COMMERCIAL/TC</b>												
	13A	-	6.2 (7)	53.0	46.4	850	770 (8)	1,100	-	770	-	
	13B	-	-	32.0	29.6	400	230 (8)	600	-	230	-	
	13C	-	5.6 (7)	41.0	31.4	300	450	450	750	450	-	
	13D	-	2.6 (7)	38.0	35.4	200	300	350	650	-	-	
	13E	-	46.0 (7)	60.0	13.4	100	150	600	300	-	-	
	13F	-	13.6 (7)	15.0	-	50	0	300	0	-	-	
	14	-	-	24.0	30.0	-	250	-	250	-	-	
	16A	-	-	10.0	-	-	0	-	300	-	-	
	16B	-	-	3.0	-	-	-	-	-	-	-	
	20A	-	-	-	17.4	-	0	-	0	-	-	
<b>TOTAL COMMERCIAL</b>		<b>0.0</b>	<b>74.0 (7)</b>	<b>276.0</b>	<b>203.6</b>		<b>2,150</b>		<b>2,150</b>	<b>1,450</b>	<b>0</b>	<b>0</b>
<b>GRAND TOTAL</b>		<b>9,156.0</b>	<b>9,290.0</b>	<b>286.0</b>	<b>213.6 (3)</b>		<b>2,600/2,150</b>		<b>2,600/2,150</b>	<b>2,059/1,450</b>	<b>708</b>	<b>440</b>

(a) (1) Estimated number of dwelling units or accommodations per Planning Area.  
 (b) (2) Maximum number of dwelling units or accommodations per Planning Area.  
 (c) (3) A maximum of 10 gross acres (100,000 sq. ft.) of Neighborhood Commercial will be permitted in Medium/High Residential Planning Areas PA 1C, PA 2A, PA 2B, PA 3A, PA 3B or PA 8.  
 (d) (4) 27.4 acres of Residential Planning Area 9 is devoted to Golf Course.  
 (e) (5) Acreage includes the mobile home park.  
 (f) (6) Total area of Irvine Coast Wilderness Regional Park is 2,666 acres.  
 (g) (7) 74.0 acres within Tourist Commercial Planning Areas is devoted to Golf Course.  
 (h) (8) The equivalent of 1,000 resort accommodations have been approved in a Coastal Development Permit for the Disney Vacation Resort.

at the May 8, 1996 hearing, and the Board of Supervisors at the June 18, 1996 hearing, several changes have been incorporated into the July 16, 1996 Second Amendment document to respond to the points raised.

### MAJOR REVISIONS

Specific substantive revisions necessary to achieve the overall goals of this proposed LCP Second Amendment may be summarized as follows:

Revision 1. Adjust development/open space boundaries adjacent to Crystal Cove State Park, including Los Trancos and Muddy Canyons to enhance habitat value by improving connectivity.

Revision 2. Modify land use categories of Residential Low to Medium Density in Planning Areas 3A and 3B to shift densities to the coastal terrace in support of improving connectivity between Los Trancos Canyon and Crystal Cove State Park, providing more diverse housing types and residential densities and adding neighborhood commercial, limited to 100,000 square feet, as a permitted use.

Revision 3. Increase the maximum number of dwelling units allowed in undeveloped Planning Areas to match the low end of the density ranges established by the land use categories, while maintaining an overall maximum of 2,600 dwelling units for the Planned Community.

Revision 4. Update statistical tables and maps to reflect more accurate data from engineering surveys and digital technology, resulting in the creation of Recreation Planning Areas 12H and 12I to account for excess land between Residential Planning Areas 7A and 7B and the dedication area. This update additionally creates Recreational Planning Area 12J to separate the Laguna Beach County Water District site from Crystal Cove State Park.

Revision 5. Relocate and expand the variety of recreational uses and site coverage in Open Space/Recreation Planning Area 12C to allow for active community recreation facilities and expand Planning Area 12B.

Revision 6. Delete Sand Canyon Avenue north of Pacific Coast Highway and correspondingly reduce grading, consistent with the Orange County Board of Supervisors 1995 - Technical Amendment to the Master Plan of Arterial Highways.

Revision 7. Adjust Tourist Commercial building site coverages and number of permitted accommodations to compensate for 74-acres of golf course in Tourist Commercial Planning Areas 13A through 13F and facilitate low-profile resort development in Planning Areas 13C, 13D and 13E.

Revision 8. Add "resort" to "overnight accommodations" (i.e., overnight/resort accommodations) to clarify Tourist Commercial as not being limited to overnight stays and add "casitas" as a principal permitted use in Planning Area 14.

Revision 9. Delete restrictions on ownership of accommodations in the Tourist Commercial Planning Areas to provide for financing flexibilities.

Revision 10. Add equestrian centers with a maximum of 50 horses as a principal permitted use in Planning Areas 5, 6 and 12C.

Revision 11. Add guest cottages and caretaker quarters limited to 1,500 square feet on building sites of 10,000 square feet or larger as a permitted use in all residential land use categories.

Revision 12. Modify the land use designation of the Moro Sliver area of Planning Area 6 from Residential to Recreation with a maximum of 7,500 square feet of building floor area and 15 foot height limit.

Revision 13. Redesignation of Planning Areas 16A and 16B as Conservation.

#### TECHNICAL REVISIONS

Revision 1. Transfer the Tourist Commercial Land Use Entitlement from Planning Areas 16A and 16B to Planning Area 20A as provided for in the LCP - First Amendment.

Revision 2. Create new Planning Areas 12F and 12J for the existing El Morro Elementary School and Laguna Beach County Water District sites.

Revision 3. Substitute an Amended Legal Description to reflect the accurate Planned Community boundary.

Revision 4. Change the name of the Planned Community from "Irvine" to "Newport Coast."

Revision 5. Change the name of "Pelican Hill Road" to "Newport Coast Drive."

Revision 6. Change references to Planning Areas 3A, 3B and 14 from Wishbone Hill and Muddy Canyon to Lower Wishbone.

Revision 7. Change references to Muddy Canyon Planning Area 6 to Wishbone Ridge.

Revision 8. Provide communication transmitting, reception or relay facilities as a principle permitted use in all land use designations except Conservation.

### CEQA REQUIREMENTS

CEQA Section 21080.9 and CEQA Guidelines Section 15265 exempt from CEQA, activities and approvals by a local government necessary for the preparation and adoption of a local coastal program. Consistent with these statutory provisions, the County's LCP Second Amendment and Technical Appendices describe the proposed activity, provide information in support of the proposed amendment, and will be available for public review and comment. Studies regarding specific issues such as traffic and school impacts are included in the Technical Appendices.

### FORMAT OF DRAFT SECOND AMENDMENT

The format of the Local Coastal Program - Second Amendment is intended to facilitate review by providing all text changes in a redline form within the context of the 1998-certified LCP - First Amendment document as follows:

- (1) Deletions are shown with a ~~strike through~~; and
- (2) Additions and/or replacements are shown as shaded.

Since the Local Coastal Program is a General Plan/Zoning level document, all land use and development-related policies have not been modified in this LCP Second Amendment document. However, where appropriate, two types of footnotes have been provided to reference the current implementation status and/or provide clarification of any changed circumstances since the LCP - First Amendment was certified in 1988. All numeric footnotes will be retained in the final version of the LCP Second Amendment, whereas alphabetically labeled footnotes provide justification for proposed text to be deleted and will not appear in the final document.

### EXHIBITS/TABLES

For ease of comparison, the LCP - Second Amendment updated exhibits and tables are presented in a side-by-side format with the original exhibits/tables for the 1988-certified LCP - First Amendment presented on the left. The updated exhibits, on the right, are computer generated re-creations of previously hand-drawn exhibits and are intended to provide greater accuracy and clarity. Refinements to the exhibits also reflect adjustments which have occurred as a result of more precise engineering information now available for the Planned Community and current County approvals.

ENTITLEMENT SUMMARY

An Entitlement Summary Matrix is provided on the following pages that specifies all County approvals, including Coastal Development Permits issued as of February 22, 1996. This matrix also supports the updated statistical information within the Planned Community Statistical Table in Chapter 11 of the LCP Second Amendment document.

## IRVINE (NEWPORT) COAST LCP ENTITLEMENT SUMMARY

As of March 20, 1996

PLANNING AREA	COASTAL DEVELOPMENT PERMIT			TENTATIVE TRACT MAP			FINAL MAP			CEQA CLEARANCE	BUILDING PERMITS ISSUED	CHANGED PLAN			COMMENTS	
	CD No.	Approval Date	Units	Map No.	Approval Date	Units	Map No.	Approval Date	Units			Planning Application	CDP Ref.	Approval Date		
<b>RESIDENTIAL PLANNING AREAS</b>																
1A	CD 89-28P	10/16/89 (Reso. 89-42)	150							EIR 511/ Res. No. 89-38					Superseded by CD 9002169002P	
	CD 9002169002P	6/18/90 (Reso. 90-17)	29	TT 14249 Revised Vesting	6/27/90	29				Addendum to EIR 511					Realignment of Crystal Hill Drive as shown on TT 14065.	
				TT 14249 2nd Revised Vesting	9/19/90	29	Tract 14249	10/29/92	29	EIR 511					Revised grading on Lots 11 and 12.	
1B	CD 89-29P	10/16/89 (Reso. 89-41)	117	TT 14065 Vesting	11/2/89	117				EIR 511						
				TT 14065 Revised Vesting	6/27/90	117									Realignment of Crystal Hill Drive to provide access to TT 14249.	
				TT 14065 2nd. Revised Vesting	9/19/90	117	Tract 14065	9/19/91	117			52			Change in grading on Lot 23.	
1C-1	CD 89-30P	10/16/89 (Reso. 89-43)	7	TT 14070 Vesting	11/2/89	7				EIR 511					In conjunction with PA 2A-1.	
				TT 14070 Revised Vesting	4/11/90	7								Reduction in number of lots for PA 2A-1 portion of plan.		
				TT 14070 Revised Vesting	9/4/91	7								3 year extension of time.		
1C-2	CD 900703002	3/11/92 (Reso. 92-09)	550	TT 14367	4/1/92	550				EIR 511					Superseded by CDP — PA 940172	
	PA 940172	1/31/95 (Reso. 95-01)	245	TT 14367 Revised Vesting	2/1/95	245										
			240	TT 14367 Revised Vesting	4/5/95	240						PA 950039	PA 940172	7/13/95	Reduction in units within Development Area 1C-2c and change from 7,000 and 8,000 s.f. lots to custom lots. TTM administratively approved.	

Note: In the final printing, this table will be included in the Appendix. It is provided here for the readers reference.

## IRVINE (NEWPORT) COAST LCP ENTITLEMENT SUMMARY

As of March 20, 1996

PLANNING AREA	COASTAL DEVELOPMENT PERMIT			TENTATIVE TRACT MAP			FINAL MAP			CEQA CLEARANCE	BUILDING PERMITS ISSUED	CHANGED PLAN			COMMENTS
	CD No.	Approval Date	Units	Map No.	Approval Date	Units	Map No.	Approval Date	Units			Planning Application	CDP Ref.	Approval Date	
2A-1	CD 89-30P	10/16/89 (Reso. 89-43)	74	TT 14070 Vesting	11/2/89	74				EIR 511					
			73	TT 14070 Revised Vesting	4/11/90	73								Reduction in number of residential lots from 74 to 73.	
				TT 14070 Revised Vesting	9/4/91	73								3 year extension of time.	
2A-2	CD 89-31P	10/16/89 (Reso. 89-44)	76	TT 14103 Vesting	11/2/89	76				EIR 511				Superseded by CD 9004110001P	
	CD 9004110001P	6/19/90 (Reso. 90-18)	111	TT 14103 Revised Vesting	6/27/90	111	Tract 14103	3/28/91	111		34	CD 9004110001P	2/27/91	Re-orient Recreation Area and Units, revise Guardhouse, align Pacific Pine with Vista Ridge. Map administratively approved.	
2B-1a	CD 89-34P	10/16/89 (Reso. 89-47)	134	TT 14052 Vesting	11/2/89	134				EIR 511				Superseded by CDP -- PA 95-0077	
				TT 14052 Vesting (extension)	11/21/89	134									
				TT 14052 Vesting	11/21/91	134							3 year extension of time.		
	PA 95-0077	6/6/95 (Reso. 95-09)	93	TT 14859 Vesting	6/14/95	93									
	PA 95-0077	8/8/95 (Reso. 95-596)	93	TT 14859 Vesting	6/14/95	93							Denial of Appeal by Board of Supervisors		
			92	TT 14859 Vesting	12/15/95	92						CP 96-0113	PA 95-0077	2/23/96	Reduction in units from 93 to 92. Map administratively approved.
2B-1b	CD 89-35P	10/16/89 (Reso. 89-48)	58	TT 14038 Vesting	11/2/89	58	Tract 14038	10/30/90	58	EIR 511	14				
2B-2	CD 89-32	10/16/89 (Reso. 89-45)	60	TT 14037 Vesting	11/2/89	60	Tract 14037	11/19/91	60	EIR 511	43				
2B-3	CD 92-015P	11/18/92 (Reso. 92-20)	278	TTM 14721	12/2/92	278	Tract 14772 Tract 14773 Tract 14721	5/17/93 10/28/93 8/21/95	278	Negative Declaration IS 92-073	274				
2B-4	CD 89-33P	10/16/89 (Reso. 89-46)	Park 16.4 Acres	--	--	N/A	--	--	--	EIR 511	--			Superseded by CD 92-015P	
	CD 92-015P	11/18/92	Park 12.3 Acres	TTM 14721	12/2/92	Park 12.3 ac.	Tract 14721	8/21/95	Park 12.3 ac.		--				

# IRVINE (NEWPORT) COAST LCP ENTITLEMENT SUMMARY

As of March 20, 1996

PLANNING AREA	COASTAL DEVELOPMENT PERMIT			TENTATIVE TRACT MAP			FINAL MAP			CEQA CLEARANCE	BUILDING PERMITS ISSUED	CHANGED PLAN			COMMENTS	
	CD No.	Approval Date	Units	Map No.	Approval Date	Units	Map No.	Approval Date	Units			Planning Application	CDP Ref.	Approval Date		
2C	PA 94-0149	6/27/95 (Reso. 95-13)	490	TTM 14786 Vesting	6/28/95	490				EIR 544A					Includes 12.5 ac. Community Park in conjunction with CDP for PAs 6-1, 12D, and SJHPC SDP for PAs 14, 15, 19, and 20.	
	PA 94-0149	8/8/95 (Reso. 95-597)	490	TTM 14786 Vesting	6/28/95	490				EIR 544A					Denial of Appeal by Board of Supervisors	
3A	CD 89-36P	10/16/89 (Reso. 89-49)	40	TT 14064 Vesting	6/27/90	40				EIR 511						
				TT 14064 Vesting	7/8/90	40										3 year extension of time.
				TT 14064 3rd Revised Vesting	5/12/93	40										TTM administratively approved. Minor modification to lot configurations and entry.
	PA 94-0113	9/30/94	40													SDP for Remedial Grading.
3B	CD 89-36P	10/16/89 (Reso. 89-49)	45	TT 14064 Revised Vesting	6/27/90	45				EIR 511						
				TT 14064 Revised Vesting	7/8/92	45										3 year extension of time.
				TT 14064 3rd Revised Vesting	5/12/93	45										Administratively approved. Minor modifications to lot configuration and entry.
	PA 94-0113	9/30/94	45													SDP for Remedial Grading.
6-1	PA 94-0149	6/27/95 (Reso. 95-13)	53	TTM 14786 Vesting	6/28/95	53				EIR 544A					In conjunction with CDP for Planning Area 2C and SDP for SJHPC PAs 14, 15, 19 & 20.	
	PA 94-0149	8/8/95 (Reso. 95-596)	53													Denial of Appeal by Board of Supervisors
8	CD 91-018P	3/11/92 (Reso. 92-10)	311	TTM 14599	4/15/92	311				Negative Declaration					In conjunction with SDP for SJHPC PA 13.	
9-2	CD 89-27P	10/16/89 (Reso. 89-40)	55	TTM 14063 Vesting	11/2/89	55	Tract 14063	10/29/90	55	EIR 511	23					
<b>CURRENTLY APPROVED TOTALS</b>			<b>2,059</b>			<b>2,059</b>			<b>700</b>		<b>440</b>					

## IRVINE (NEWPORT) COAST LCP ENTITLEMENT SUMMARY

As of March 20, 1996

PLANNING AREA	COASTAL DEVELOPMENT PERMIT			TENTATIVE TRACT MAP			FINAL MAP			CEQA CLEARANCE	BUILDING PERMITS ISSUED	CHANGED PLAN			COMMENTS
	CD No.	Approval Date	Units	Map No.	Approval Date	Units	Map No.	Approval Date	Units			Planning Application	CDP Ref.	Approval Date	
<b>GOLF COURSE PLANNING AREAS</b>															
9-1	CD 89-27P	10/16/89 (Reso. 89-40)	--	TTM 14063	11/2/89	--				EIR 511					
10A, 10B 13F and portions of 13A, (13A-1), 13C, 13D and 13F	CD 89-27P	10/16/89 (Reso. 89-40)	--	TTM 14131	11/2/89	--				EIR 511					
				TTM 14131	12/4/89										Denial of Appeal by Planning Commission and amendment to TTM 14131 Conditions #6 and #7.
	SP 94004160001A	7/3/90	--												Golf Course Clubhouse
	CD 9004160001P	10/23/90 (Reso. 90-29)	--							EIR 511 Negative Declaration IS 9004160002					Golf Course Bridge
											CP 94-0033	SP 94004160001A	5/31/94	Refinements to entry road and parking lot shared with PA 13C.	
<b>RECREATION PLANNING AREAS</b>															
11B	CD 900703002	3/11/92 (Reso. 92-09)	100.6 Acres Private Recreation	TTM 14367	4/1/92	100.6 Acres Private Recreation				EIR 511					
	PA 94-0172	1/31/95 (Reso. 95-01)	99.5 Acres Private Recreation	TTM 14367	2/1/95	99.5 Acres Private Recreation									In conjunction with CDP for PA 1C-2.
12A Los Trancos Canyon	CD 91-007P	9/18/91 (Reso. 91-31)	7.1 Acres 3 View Parks	TPM 13703	12/8/94	----				EIR 511					
				TPM 95-116	6/28/95	570 Acres including 3 View Parks	Parcel Map 95-116	2/22/96	570 acres						Acreage excludes Newport Coast Drive.
12D	PA 94-0149	6/27/95 (Reso. 95-13)	--	TTM 14786 Vesting	6/14/95	32.7 Acres - Recreation/ Open Space				EIR 544A				In conjunction with CDP for PAs 2C, 6-1 and SJHPC SDP for PAs 14, 15, 19 and 20.	
	PA 94-0149	8/8/95 (Reso. 95-597)	--												Denial of Appeal by Board of Supervisors

## IRVINE (NEWPORT) COAST LCP ENTITLEMENT SUMMARY

As of March 20, 1996

PLANNING AREA	COASTAL DEVELOPMENT PERMIT			TENTATIVE TRACT MAP			FINAL MAP			CEQA CLEARANCE	BUILDING PERMITS ISSUED	CHANGED PLAN			COMMENTS
	CD No.	Approval Date	Units	Map No.	Approval Date	Units	Map No.	Approval Date	Units			Planning Application	CDP Ref.	Approval Date	
<b>TOURIST COMMERCIAL PLANNING AREAS</b>															
13A-2	CD 93-011P	3/23/93 (Reso. 93-06)	--	TTM 14796	4/28/93	--									Proposal for Executive Golf Course superseded by PA 94-0160.
	PA 94-0160	5/23/95 (Reso. 95-07)	770 Accommodations	TTM 15157	7/12/95	770 Accommodations				EIR 559					Resort in conjunction with PA 13B.
	PA 94-0160	7/11/95 (Reso. 95-499)	770 Accommodations												Denial of Appeal by Board of Supervisors.
13B	CD 93-011P	3/23/93 (Reso. 93-06)	--	TTM 14796	4/28/93	--									Proposal for Executive Golf Course superseded by PA 95-0160.
	PA 94-0160	5/23/95 (Reso. 95-07)	230 Accommodations	TTM 15157	7/12/95	230 Accommodations				EIR 559					Resort in conjunction with PA 13A-2.
	PA 94-0160	7/11/95 (Reso. 95-499)	230 Accommodations												Denial of Appeal by Board of Supervisors.
13C-2 Hyatt	CD 9003209001P	3/18/91 (Reso. 91-7)	450 Accommodations	TPM 90-218	4/25/91	450 Accommodations				EIR 524					
	CD 9003209001P	5/7/91 (Reso. 91-535)	450 Accommodations												Denial of Appeal by Board of Supervisors.
				TPM 90-218 Revised	8/18/93	450 Accommodations									3 year extension of time.
													CD 9003209001P	5/7/93	1 year extension of time.
												CP 94-0032	CD 9003209001P	5/31/94	Refinements to entry road and approved landscape concept plan and phased construction of parking lot.
<b>CURRENTLY APPROVED TOTALS</b>			1450 Accommodations			1450 Accommodations									

<b>MISCELLANEOUS</b>																			
Community Entry	CD 90073P/ UP 90100P	1/21/91 (90-35)	N/A												Negative Declaration				Entry Monuments.
2B Entry	SP 91042A	5/20/91	N/A												EIR 511				Model Complex Entry.

*DRAFT*

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**THE IRVINE ~~NEWPORT~~ COAST  
LOCAL COASTAL PROGRAM**

---

~~First~~**Second** Amendment

---

Approved by the Orange County Planning Commission on May 21, 1996.

Approved by the Orange County Board of Supervisors on July 16, 1996.

Submitted to the California Coastal Commission on August 6, 1996.

Approved by the California Coastal Commission on \_\_\_\_\_.

Certified by the Orange County Board of Supervisors on \_\_\_\_\_.

Certified by the California Coastal Commission on \_\_\_\_\_.

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2. "Pelican Hill Drainage Habitats;" September, 1986.
3. "Resort Hotel Traffic Study;" December 29, 1986.
4. "Irvine Coastal Area Traffic Analysis;" February 23, 1987.
5. "Local Park Implementation Plan: Irvine Coast Local Coastal Program;" July 1987.
6. "Visual Analysis: The Irvine Coast Proposed Land Use Plan Amendment;" July, 1987.
7. "Scenic Highway Implementation Plan: Pacific Coast Highway Viewscape Corridor;" July 1987.
8. "Potential Ecological Influences of the Irvine Coast Planned Community on the Adjacent Marine Environment;" Richard F. Ford, PhD.; May 15, 1987.

## **APPENDIX II**

### **Local Coastal Program -- Second Amendment**

---

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# INTRODUCTION

## LOCAL AND REGIONAL SETTING

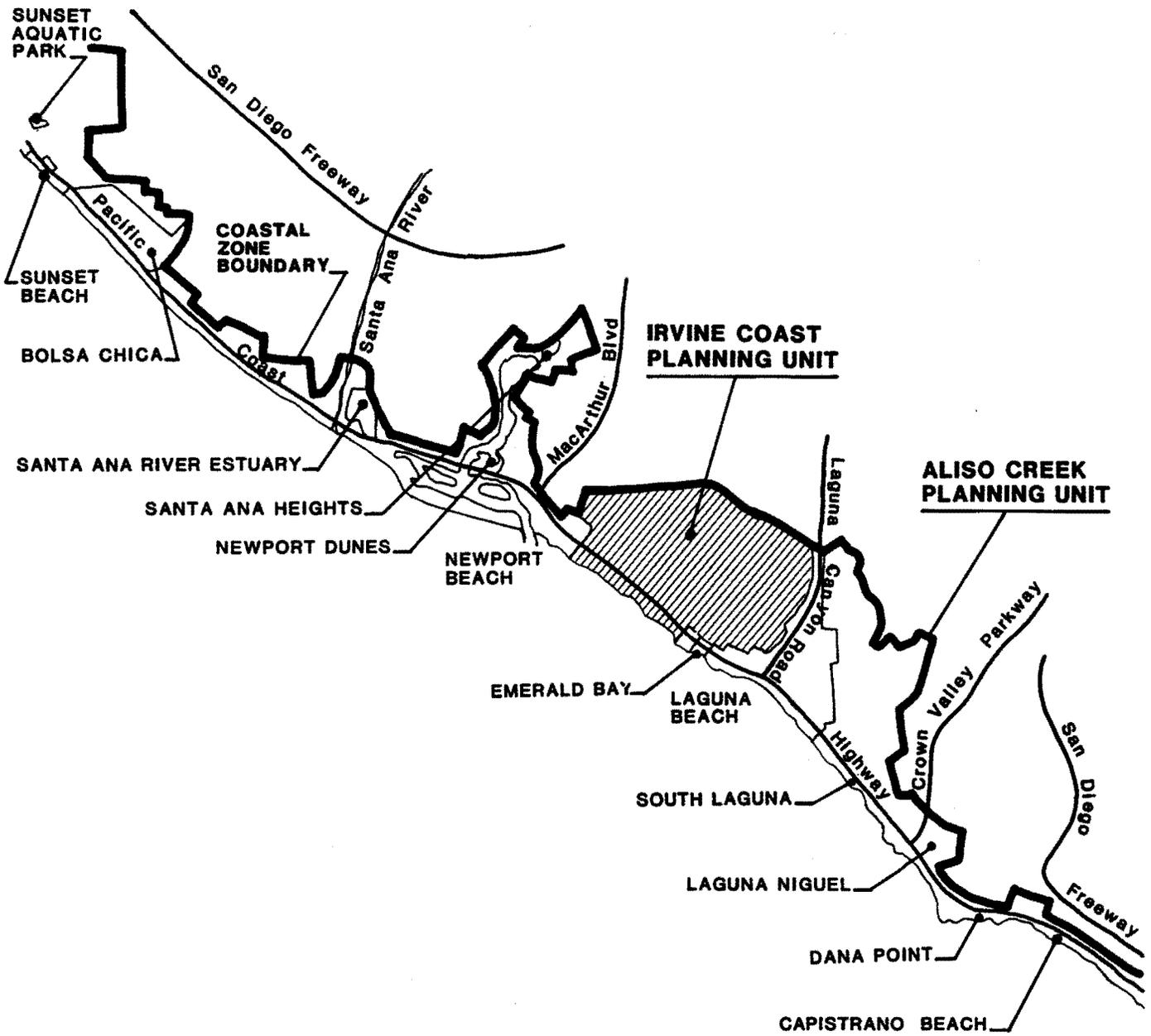
### 1. PURPOSE AND INTENT

The IrvineNewport Coast Planned Community is a 9,432.493 acre parcel of land in the unincorporated territory of the County of Orange. The Planned Community is bordered on the north by the City of Newport Beach, on the east by the City of Irvine and unincorporated areas of the County of Orange, on the south by the City of Laguna Beach, and on the west by the Pacific Ocean.

The entire Planned Community is within the Coastal Zone as defined by the California Coastal Act of 1976 except for a relatively small sliver of Buck Gully (Recreation Planning Area 11A) along the community's northwestern edge. The IrvineNewport Coast Planned Community is therefore under the land use planning and regulatory jurisdiction of both the County of Orange and the California Coastal Commission.

The California Coastal Act of 1976 is incorporated in the California Public Resources Code. The Coastal Act provides for comprehensive planning of coastal areas. Local jurisdictions are required to prepare a Local Coastal Program (LCP) for those areas of their jurisdiction within the Coastal Zone. The LCP is composed of land use plans, zoning ordinances, and zoning regulations. After local adoption of the LCP and its certification by the Coastal Commission, the administration of the LCP is the responsibility of the local jurisdiction.

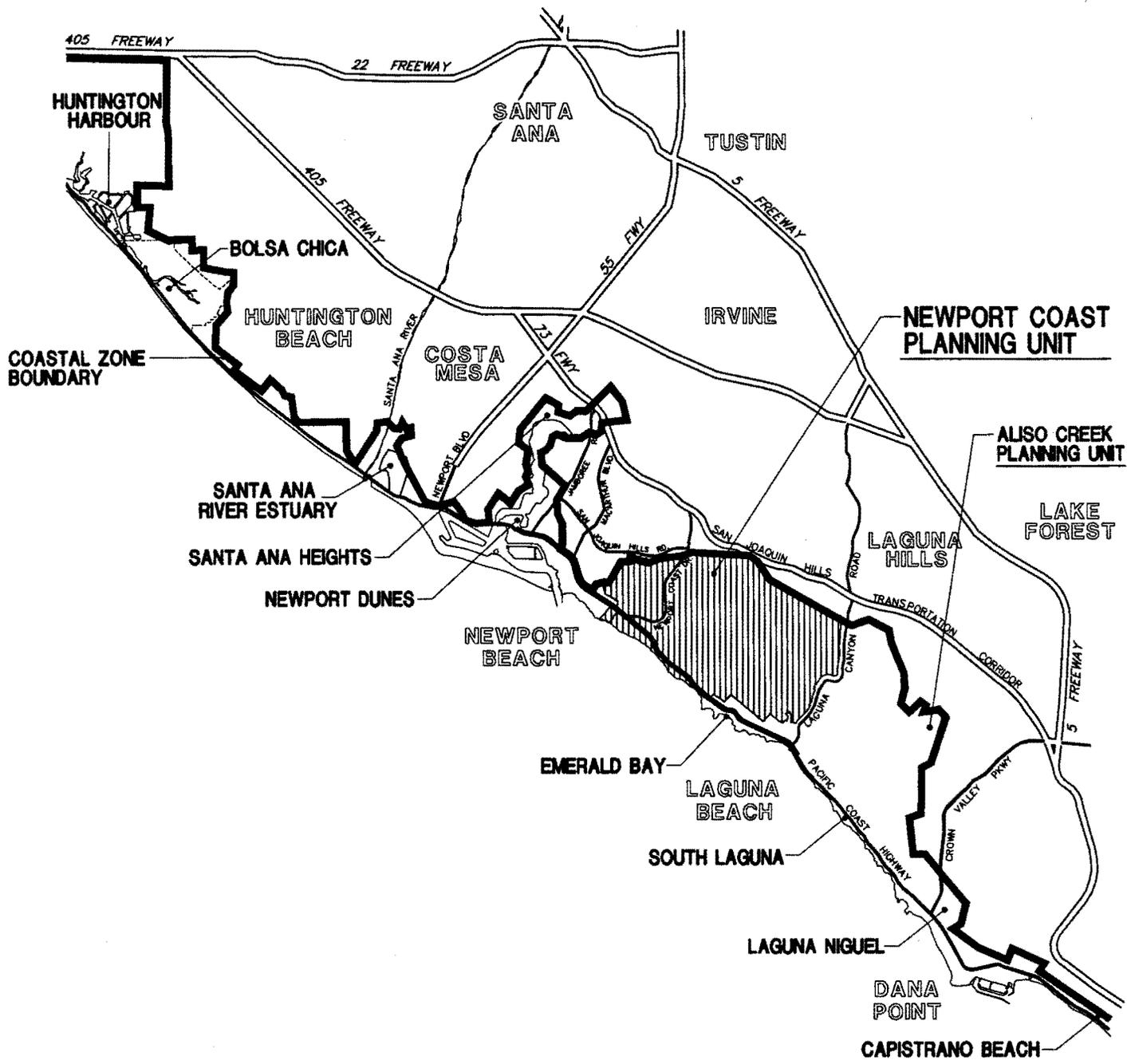
For purposes of developing and certifying an LCP, the coastal zone under the jurisdiction of the County of Orange is divided into separate geographical planning units. The IrvineNewport Coast Planned Community is coterminous with The IrvineNewport Coast Planning Unit of the Local Coastal Program of the County of Orange. (See Exhibit A.)



# LOCATION MAP

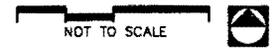
## The Irvine Coast Local Coastal Program





**LOCATION MAP - Second Amendment**  
**The Newport Coast Local Coastal Program**

**Exhibit A**



JULY 16, 1988

The LCP is composed of a Land Use Plan (Part I), and an Implementing Actions Program -- Planned Community District Regulations (Part II). An Appendix to this LCP, containing technical documents identified in the table of contents (see page v) is bound separately. The Irvine Coast LCP Land Use Plan was originally certified by the California Coastal Commission on January 19, 1982; ~~this first and the LCP First aAmendment (Land Use Plan and Implementing Actions Program)~~ was certified on ~~January 14, 1988.~~

The Land Use Plan (LUP) is the general planning and policy component of the LCP. It illustrates the distribution of private and public open space, residential, and commercial uses; identifies the major road network; and sets the overall land use intensity. The Land Use Plan consists of the Land Use Map and summary of the main elements of the Land Use Plan, a description of Coastal Act Consistency in terms of the resources protection program and development policies, and then the Plan's policies in terms of resource conservation and management, and then development.

The Implementing Actions Program (IAP) is the implementation program for The ~~IrvineNewport~~ Coast LCP and consists of Planned Community (PC) District Regulations, and related provisions, procedures, definitions, and descriptions, including the PC Zoning Map/Statistical Summary, the PC Development Map/Statistical Table, and referenced County of Orange Codes.

## 2. AREA DESCRIPTION

The ~~IrvineNewport~~ Coast Planning Unit contains ~~9,4329.493~~ acres and is located along the southern coast of Orange County between Newport Beach and Laguna Beach. The ~~IrvineNewport~~ Coast generally extends from the Pacific Ocean to the ridge of the San Joaquin Hills. Geographically and topographically, the coastal area of The Irvine Ranch contains five distinct areas: the shoreline, the coastal shelf, gently sloping coastal hills, major canyons, and prominent ridgelines. (See Exhibit B.)

Three and one-half miles of meandering shoreline offer a variety of scenic views, recreational opportunities, and marine habitats. The coastline contains both sandy beaches and rocky shores.

Atop the coastal bluffs is a flat shelf extending inland to Pacific Coast Highway. Since most of the shelf between Pacific Coast Highway (PCH) and the ocean is now part of Crystal Cove State Park, this shelf offers significant coastal access and recreational opportunities.

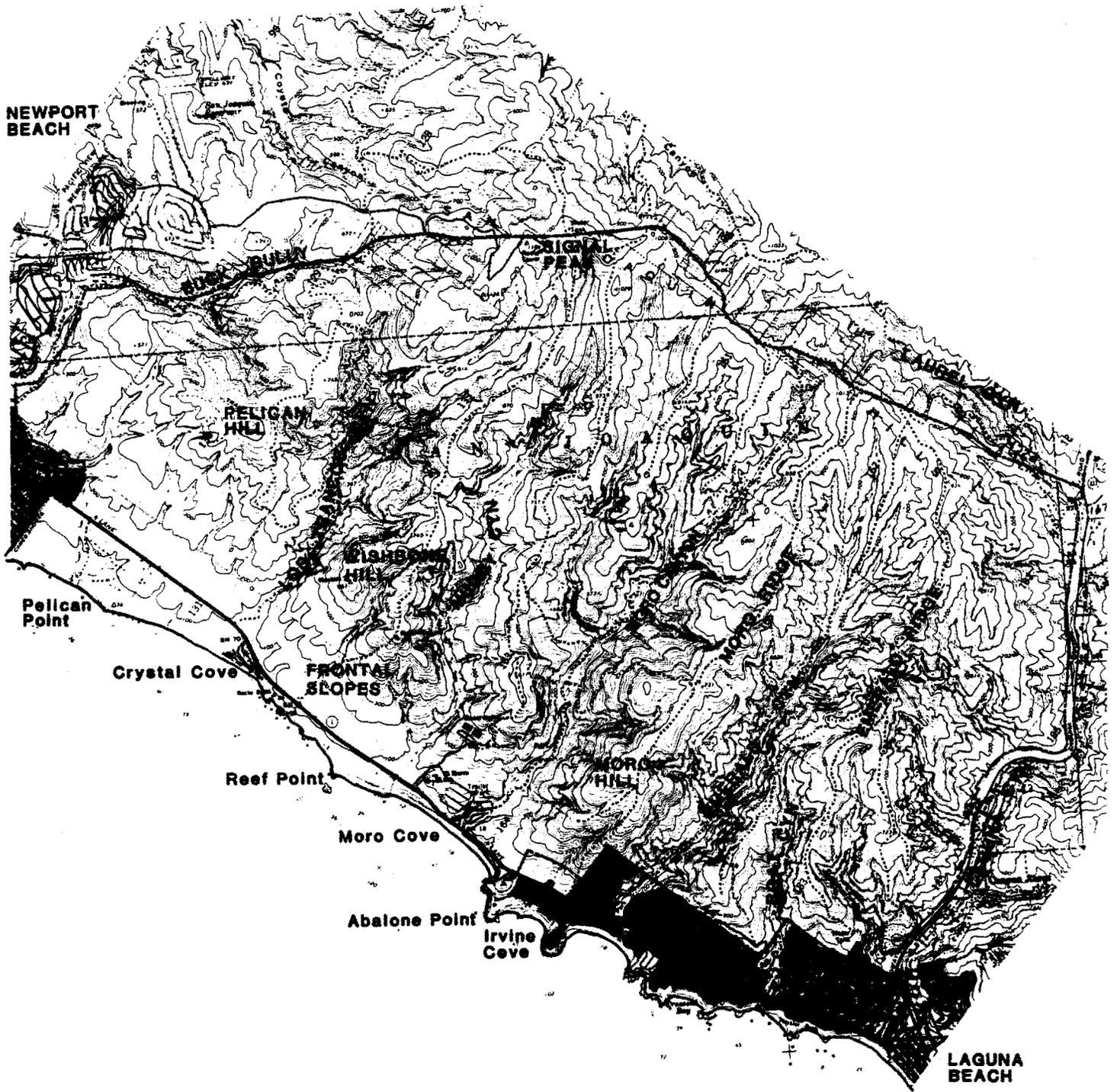
Inland from Pacific Coast Highway, in the northwestern portion of the coastal area, sit the gently sloping hillsides and ridges of Pelican Hill and Wishbone Hill. These ridges and hillsides provide the majority of the developable land area outside the coastal shelf. These ridges and hillsides are divided and defined by three major canyon systems which extend perpendicular to the shoreline. Starting at the west, the canyons are Buck Gully, Los Trancos Canyon, and Muddy Canyon. Farther to the east are Moro and Emerald Canyons.

The southeastern portion of the coastal area, inland from Pacific Coast Highway, is dominated by three prominent ridges. No-Name Ridge is located between Muddy and Moro Canyons. Moro Ridge extends inland from Moro Hill and is bounded by Moro and Emerald Canyons. Finally, Emerald Ridge separates Emerald and Laguna Canyons.

### **3. RESOURCE DESCRIPTION**

**Vegetation (Flora).** The IrvineNewport Coast includes a number of distinct habitats. Vegetative types include grassland, scrub, chaparral, riparian, and those plants associated with coastal beaches and cliffs. The coastal sage scrub plant community is well represented on the site. The most extensive vegetative growth in the area is the scrub, chaparral, and scrub-chaparral combination cover types.

**Fish and Wildlife (Fauna).** The diversified habitats of The IrvineNewport Coast support a faunal complement abundant in both species and individuals. During all or part of the year it can support a variety of species. These include many wildland species, as well as species associated with urban or agricultural habitats.



# TOPOGRAPHIC FEATURES



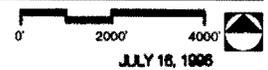
## The Irvine Coast Local Coastal Program



# NATURAL TOPOGRAPHIC FEATURES- Second Amendment

## The Newport Coast Local Coastal Program

Exhibit B



### LEGEND

 PLANNED COMMUNITY BOUNDARY

#### 4. REGIONAL OPEN SPACE SETTING

From a regional perspective, the extensive open space areas of The IrvineNewport Coast described in the following Land Use Plan will work in concert with a series of other dedications and land uses to create a regional greenbelt comprising over 14,000~~18,000~~ acres of land. In addition to the 7,234~~7,343~~ acres of open space and recreation lands within The IrvineNewport Coast, the ultimate regional open space system will include the following elements:

- Laguna/Laurel Canyons Regional Park Area:<sup>1</sup> 1,300 acres comprising the Laurel Canyon and the Laguna Canyon ridge will be dedicated by The Irvine Company in conjunction with the development of The Laguna Canyon Village Planned Community.
- Laguna Canyon Golf Course:<sup>2</sup> An 18-hole golf course will be built immediately adjacent to the Laguna Canyon dedication area.
- Sycamore Hills Linkage:<sup>3</sup> A 370-acre area has been acquired by the City of Laguna Beach as part of the regional open space system.
- Aliso/Wood Canyons Regional Park Area:<sup>3</sup> 5,400 acres have been dedicated by the Aliso Viejo Company and other land owners as part of a land development program.

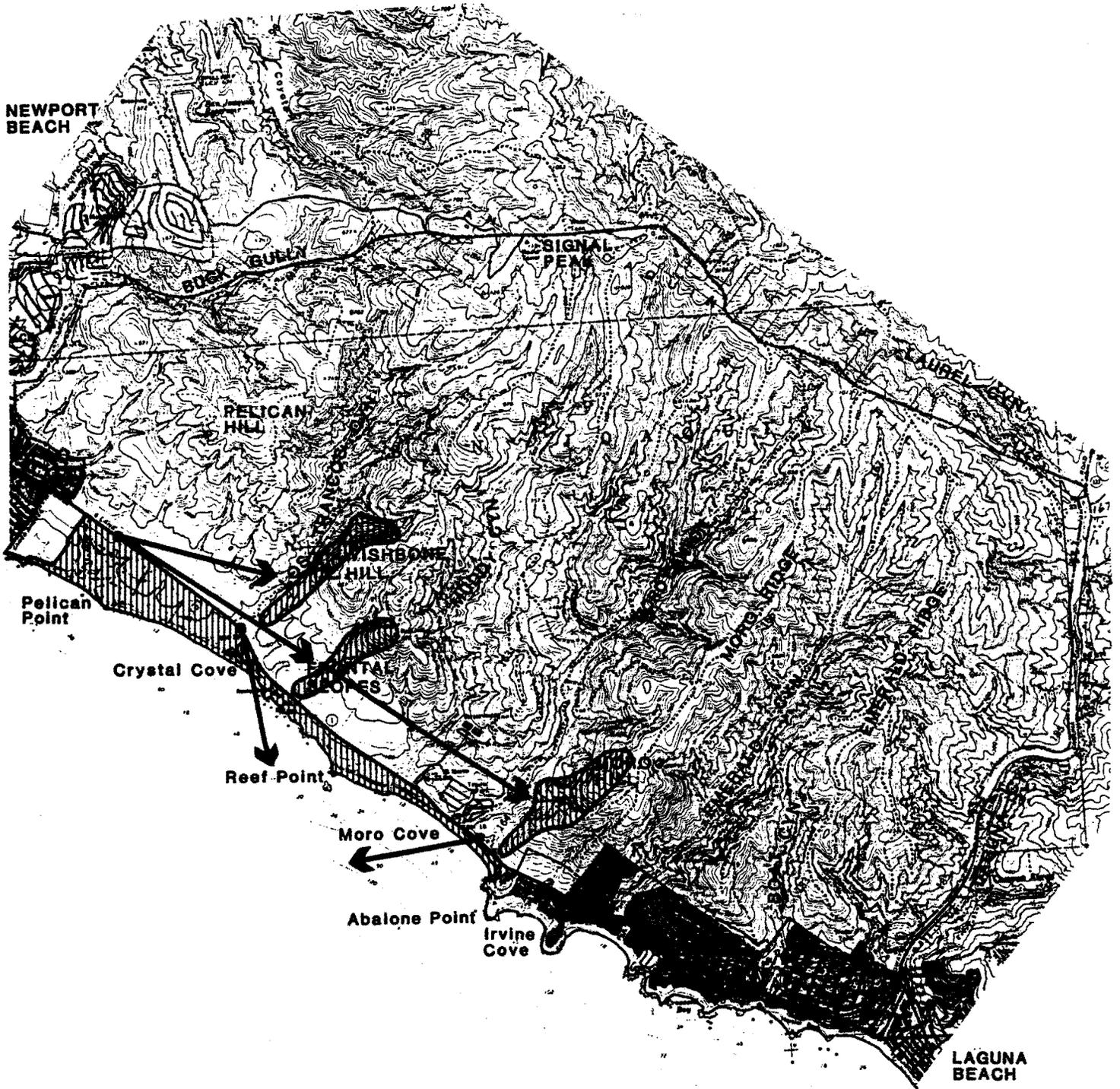
Exhibit D shows how these areas combine to form a continuous, highly diverse open space preserve of regional significance. Crystal Cove State Park and The Irvine Coast Dedication Area should be viewed in the regional context of this system, particularly in terms of their function as the critical link between inland areas and the coast.

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<sup>1</sup> Approximately 1,400 acres of Laguna Canyon Ridge and adjacent areas, including three natural lakes, have been purchased by the City of Laguna Beach and are being managed by the County of Orange as part of the Laguna Coast Wilderness Regional Park.

<sup>2</sup> Sycamore Hills Park is owned by the City of Laguna Beach and is being managed by the County of Orange as part of the Laguna Coast Wilderness Regional Park.

<sup>3</sup> Aliso/Wood Canyons have been dedicated by the Mission Viejo Company and other landowners as part of the Aliso Viejo development program and are included as part of the County's Laguna Coast Wilderness Regional Park.

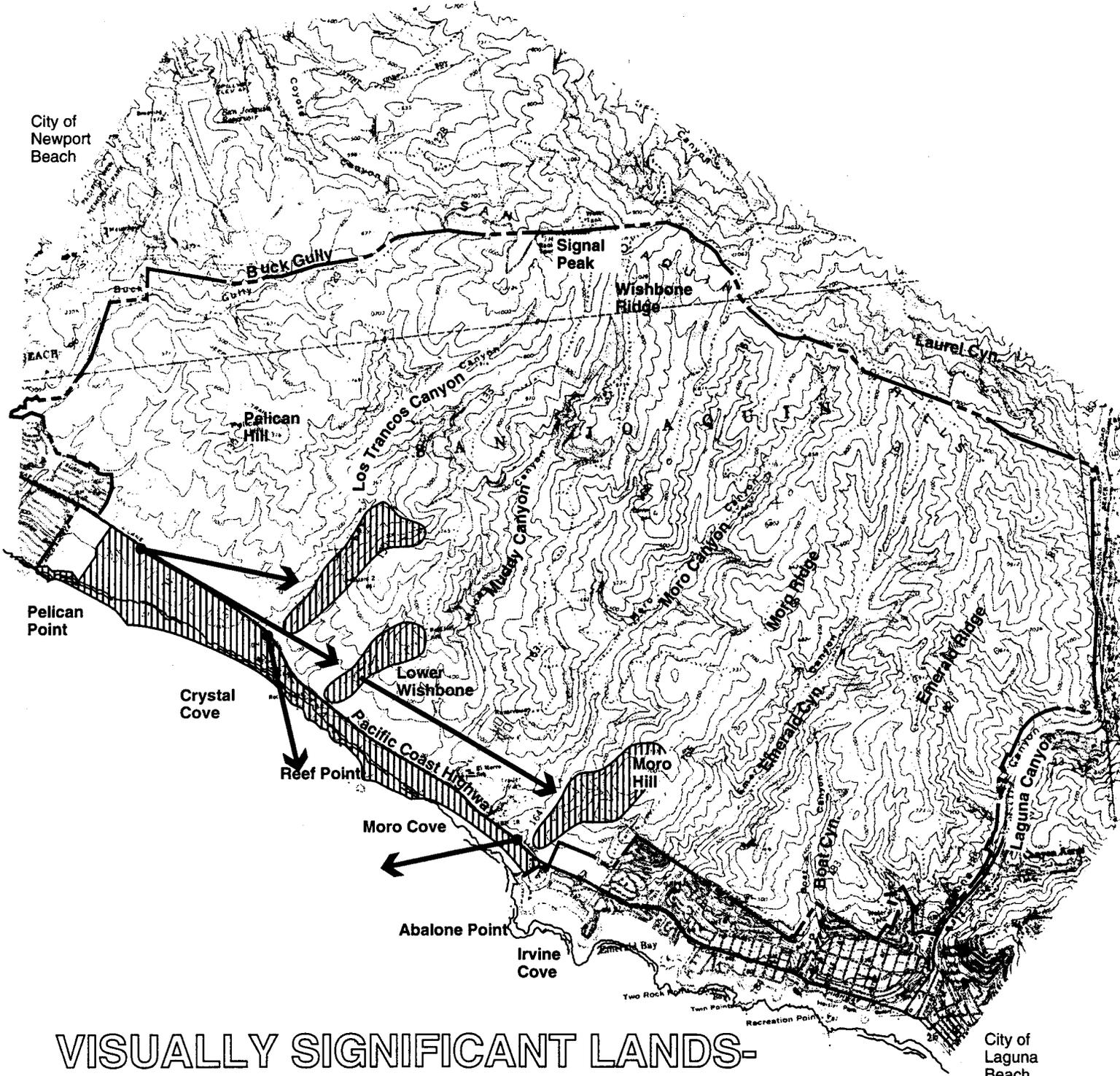


# VISUALLY SIGNIFICANT LANDS

## The Irvine Coast Local Coastal Program

### LEGEND

-  VISUALLY SIGNIFICANT LANDS
-  VIEWS FROM COAST HIGHWAY

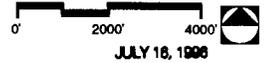


# VISUALLY SIGNIFICANT LANDS- Second Amendment

## The Newport Coast Local Coastal Program

City of  
Laguna  
Beach

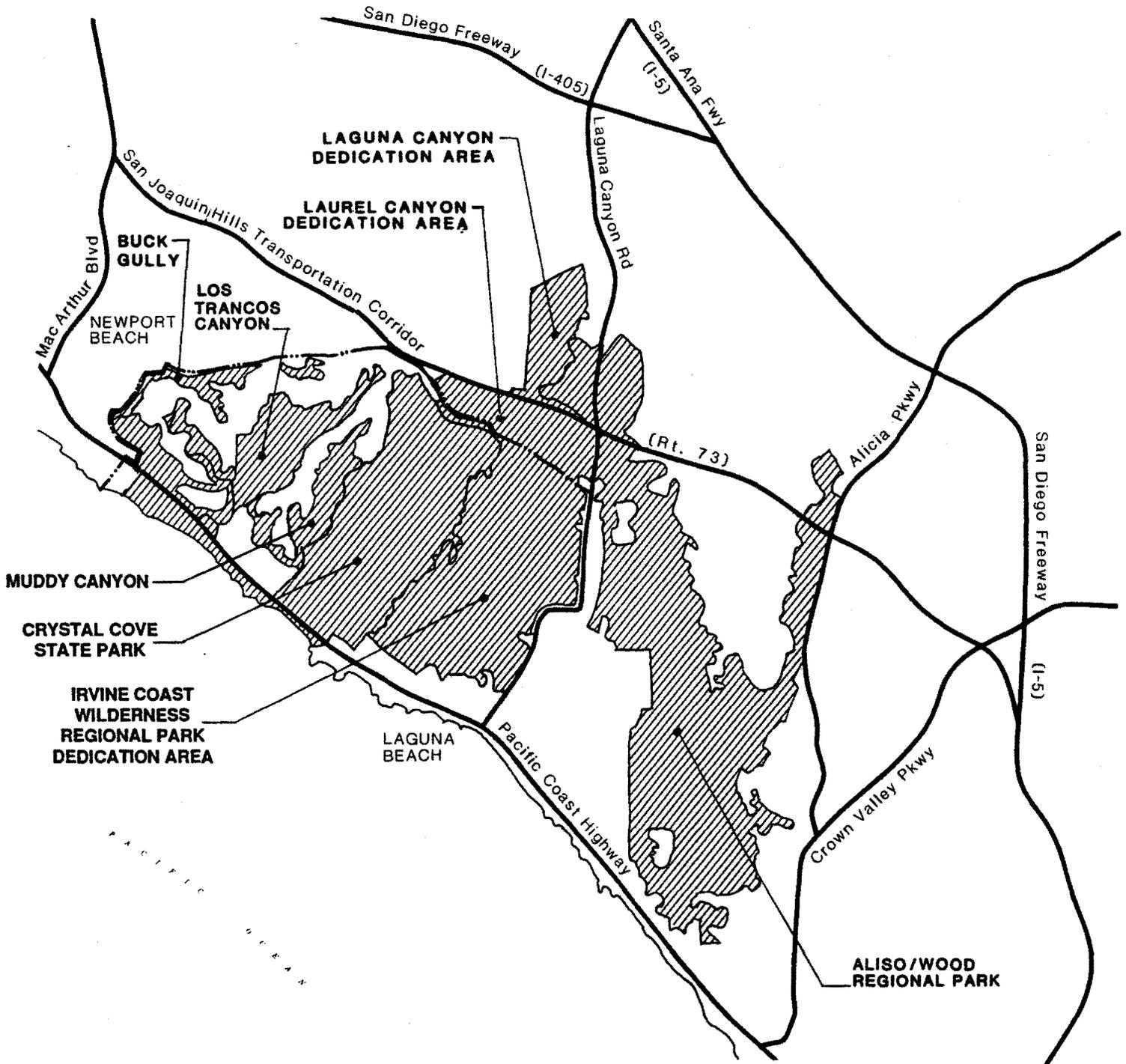
**Exhibit C**



JULY 18, 1996

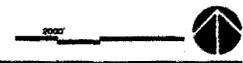
### LEGEND

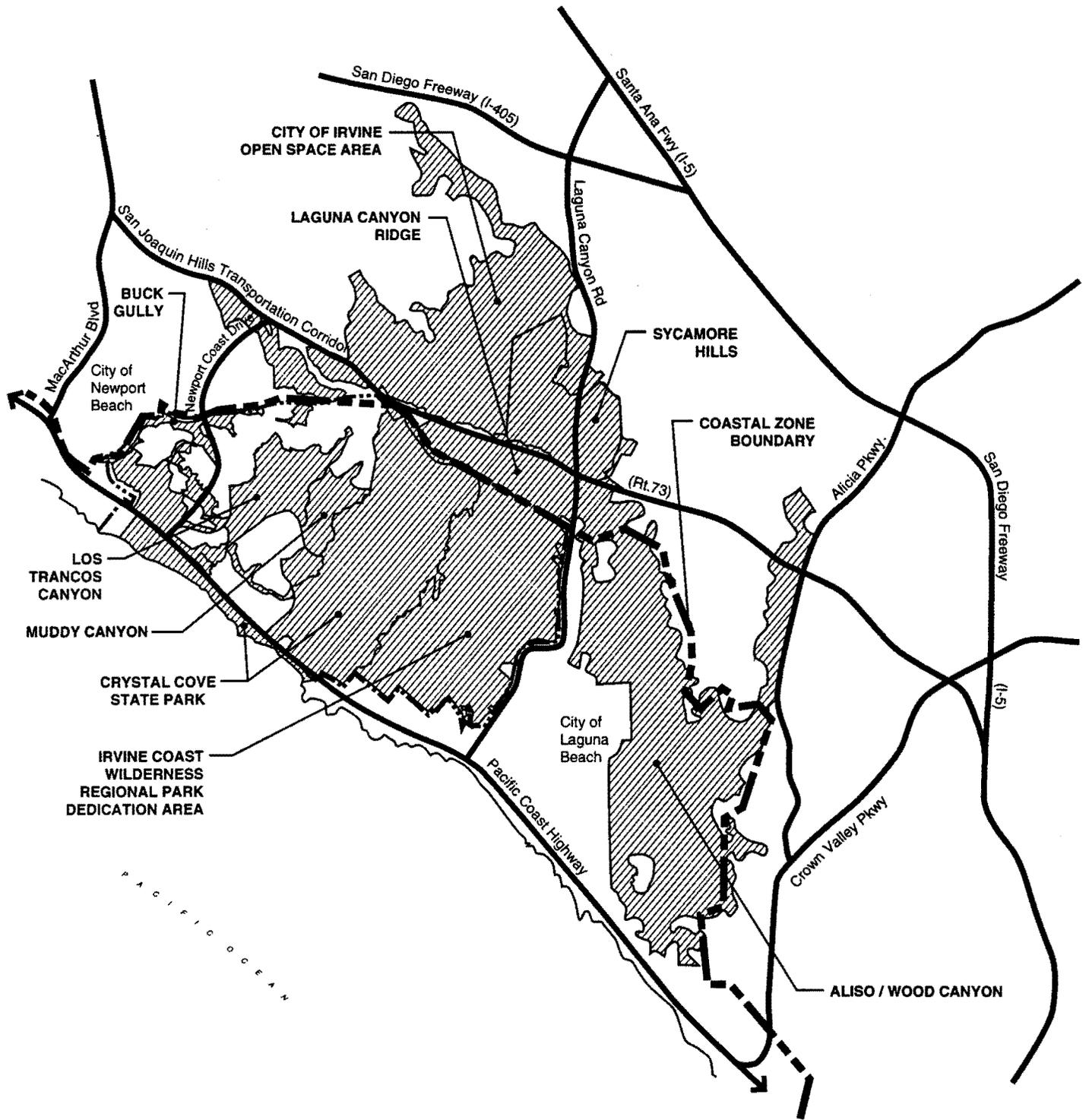
-  PLANNED COMMUNITY BOUNDARY
-  VISUALLY SIGNIFICANT LANDS
-  VIEW FROM COAST HIGHWAY



# REGIONAL OPEN SPACE CONCEPT

## The Irvine Coast Local Coastal Program

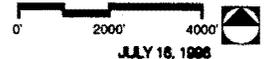




# REGIONAL OPEN SPACE CONCEPT- Second Amendment

The Newport Coast Local Coastal Program

Exhibit D



# LAND USE PLAN

## CHAPTER 1

### MAIN ELEMENTS OF THE LAND USE PLAN

The Land Use Plan for The IrvineNewport Coast LCP consists of maps, policies, and supporting text organized under three subsequent chapter headings: Coastal Act Consistency and Overall Findings and Conclusions, Resource Conservation and Management Policies, and Development Policies.

Zoning and subsequent actions by the County must be consistent with the policies contained in the adopted County of Orange General Plan. The IrvineNewport Coast Land Use Plan is consistent with the General Plan, and contains some land use descriptions and policies which are more specific and apply exclusively to The IrvineNewport Coast.

The Land Use Plan for The IrvineNewport Coast recognizes the special qualities of the land, and the need for protection of the environment and sensitive utilization of coastal resources. It proposes land uses, open space, and resource protection which, on balance, are the most protective of the environment, the public interest, and private property rights. As such, it meets the intent of Section 30007.5 of the California Coastal Act of 1976.

#### A. OPEN SPACE

The centerpiece of the Land Use Plan is open space lands which comprise over 76%77% of the entire IrvineNewport Coast. The IrvineNewport Coast will have approximately 4,8784,989 acres of land in recreation use, including Crystal Cove State Park, Buck Gully, Los Trancos and Muddy Canyons, and several smaller parcels. The California Coastal Commission has already approved a separate Public Works Plan for Crystal Cove State Park which is consistent with this Land Use Plan. In addition, 1,9892,000 acres of Conservation land, including the lower portions of Boat and Emerald Canyons, will be dedicated to the County of Orange in a phased program as part of the County's Irvine Coast Wilderness Regional Park, linked to the development of Residential, Golf Course, and Tourist Commercial uses.

LAND USE SUMMARY

<u>Type of Land Use</u>	<u>Planning Areas</u>	<u>Gross Acres</u> (a)
<b><u>RESIDENTIAL:</u></b>		
Low Density	3A,3B,6,7A,7B	526
Medium-Low Density	5,9	202
Medium Density	1B,2A,2B,2C,4A,4B	954
High Density	1A,1C,8	<u>240</u>
SUBTOTAL		1,922 ACRES
 <b><u>COMMERCIAL:</u></b>		
Tourist Commercial	13A,13B,13C, 13D,13E,13F, 14,16A,16B	276 ACRES
 <b><u>OPEN SPACE:</u></b>		
Golf Course	10A,10B	367
Recreation and Parks	11A,11B,12A,12B, 12C,12D,12E,17, 18,19,20A,20B,20C	4,878
Conservation (Regional Wilderness Park)	21A,21B,21C,21D	<u>1,989</u>
SUBTOTAL		7,234 ACRES
 <b><u>TOTAL--ALL LAND USES</u></b>		 <b><u>9,432 ACRES</u></b>

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(a) All acreages are approximate and include roads and arterial highways.

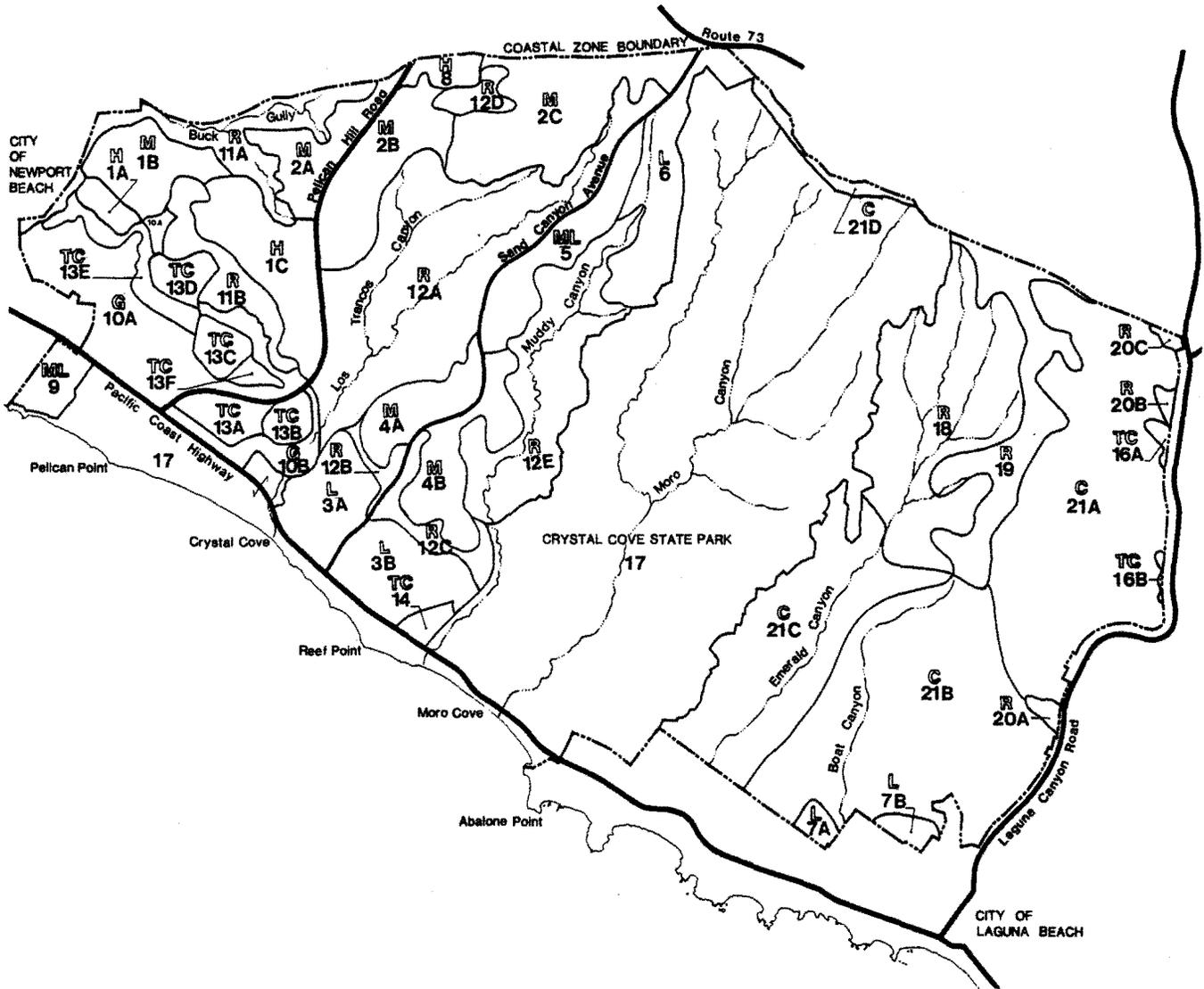
<b>APPROVED</b> County of Orange Board of Supervisors September 30, 1987
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**EXHIBIT E**  
**SECOND AMENDMENT**  
**LAND USE SUMMARY**  
Newport Coast Local Coastal Program

<u>LAND USE CATEGORY</u>	<u>PLANNING AREAS</u>	<u>GROSS ACRES<sup>1</sup></u>
<b>RESIDENTIAL:</b>		
Low Density	6, 7A, 7B	130
Medium-Low Density	5, 9	201
Medium Density	1B, 2A, 2B, 2C, 3A, 3B, 4A, 4B	1,296
High Density	1A, 1C, 8	246
<b>SUBTOTAL</b>		<b>1,873 ACRES</b>
<b>COMMERCIAL:</b>		
Tourist Commercial	13A, 13B, 13C, 13D, 13E, 13F, 14, 20A	277
<b>SUBTOTAL</b>		<b>277 ACRES</b>
<b>OPEN SPACE:</b>		
Golf Course	10A, 10B	354 <sup>2</sup>
Recreation and Parks	11A, 11B, 12A, 12B, 12C, 12D, 12E, 12F, 12G, 12H, 12I, 12J, 17, 18, 19, 20B, 20C	4,989
Conservation	21A, 21B, 21C, 21D, 16A, 16B	2,000
<b>SUBTOTAL</b>		<b>7,343 ACRES</b>
<b><u>TOTAL — ALL LAND USES</u></b>		<b><u>9,493 ACRES</u></b>

<sup>1</sup> All acreages are approximate and include roads and arterial highways.

<sup>2</sup> In addition to the 354 acres in Golf Course Planning Areas PA 10A and PA 10B, the two 18-hole golf courses and practice facility encompass an additional 74 acres within Tourist Commercial Planning Areas and 27 acres in Residential Planning Area PA 9 for a total of 455 acres devoted to golf course use.



# LAND USE PLAN - First Amendment

## The Irvine Coast Local Coastal Program

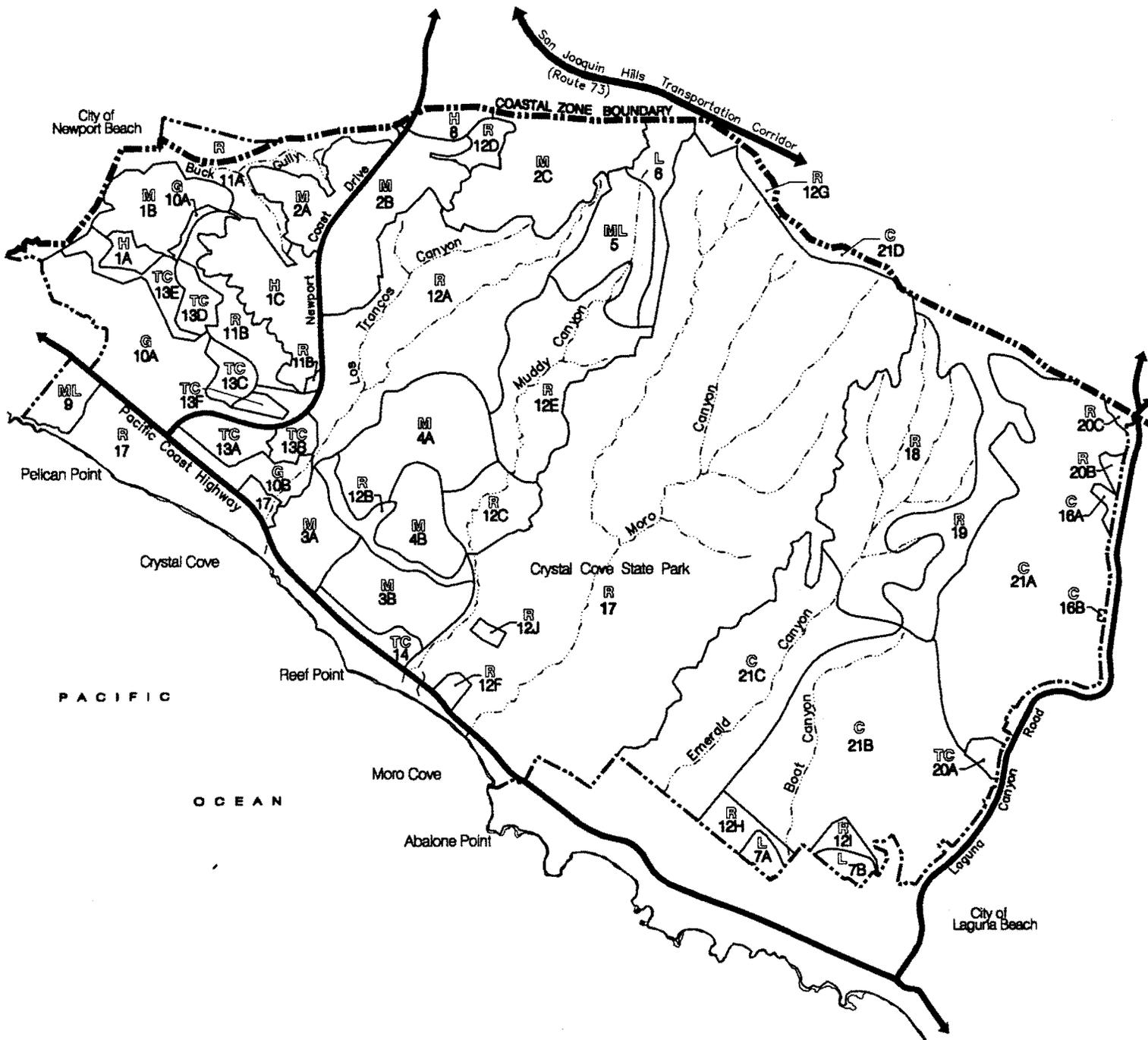


### LEGEND

L	LOW DENSITY RESIDENTIAL (0-2)
ML	MEDIUM - LOW DENSITY RESIDENTIAL (2-3.5)
M	MEDIUM DENSITY RESIDENTIAL (3.5-6.5)
H	HIGH DENSITY RESIDENTIAL (6.5-18)
G	GOLF COURSE
TC	TOURIST COMMERCIAL
R	RECREATION
C	CONSERVATION

TC LAND USE DESIGNATION  
13B PLANNING AREA NUMBER

**APPROVED**  
County of Orange  
Board of Supervisors  
September 30, 1987



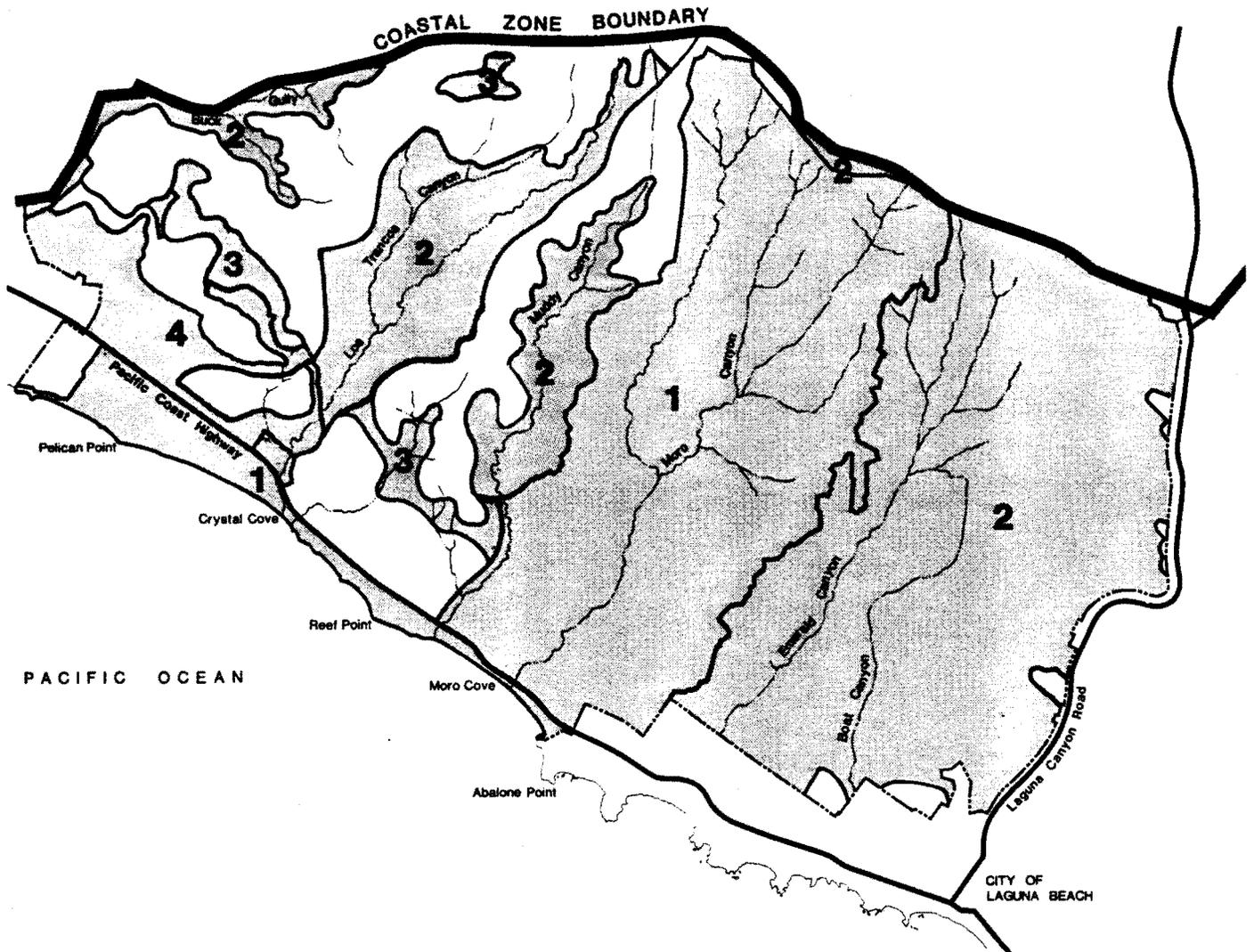
Of the 9,432<sup>9</sup>,493 acres within The IrvineNewport Coast, 7,234<sup>7</sup>,343 acres are to be devoted to open space and recreation uses (see Exhibit G):

- State Park (2,807 acres)<sup>1</sup> Virtually the entire area on the ocean side of Pacific Coast Highway and the watershed of Moro Canyon inland of Pacific Coast Highway form Crystal Cove State Park. This area is now open to public use. (See Exhibit G, Legend Item 1.)
- Wilderness Open Space Dedication Area (2,666 acres): As land is developed in The IrvineNewport Coast, a program of phased dedications will transfer large areas of undeveloped land to the County. These areas will remain in Conservation and Recreation uses. (See Exhibit G, Legend Item 2.)
- Special Use Open Space Dedication/Recreation Areas (1,394<sup>1</sup>,505 acres): Extensive areas of land within the development zone will remain in open space. A total of 1,155<sup>1</sup>,176 acres, including Buck Gully, Los Trancos and Muddy Canyons, will be dedicated to the County as development proceeds; while 192<sup>1</sup>,306 acres along the frontal slopes of Pelican Hill and Wishbone HillsRidge, the recreation areas adjacent to Muddy Canyon will have only limited improvements for Recreation use. (See Exhibit G, Legend Item 3.) The 14-acre El Morro Elementary School and 9.0-acre Laguna Beach County Water District sites are existing facilities.
- Golf Course (367<sup>3</sup>,354<sup>2</sup> acres) Two 18-hole golf courses at Pelican Hill form the centerpiece of the destination resort and provide a greenbelt buffer between overnight/resort accommodations and Pacific Coast Highway. (See Exhibit G, Legend Item 4.)

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<sup>1</sup> Sale and dedications of Crystal Cove State Park completed.

<sup>2</sup> In addition to the 354 acres in Golf Course Planning Areas 10A and 10B, the two 18-hole golf courses and practice facility encompass an additional 74 acres within Tourist Commercial Planning Areas and 27 acres in Residential Planning Area 9, for a total of 455 acres devoted to golf course use.

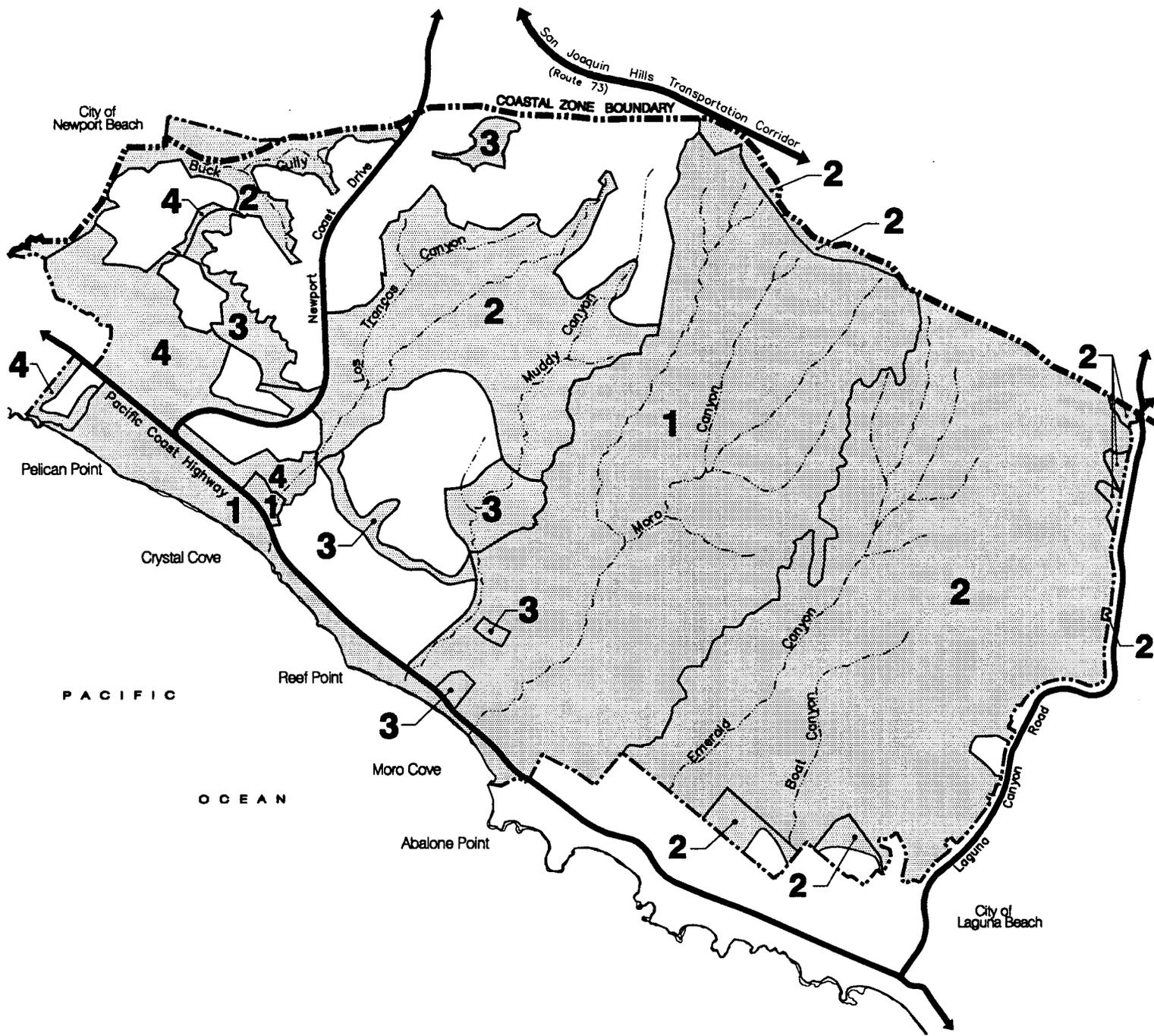


# IRVINE COAST OPEN SPACE

## The Irvine Coast Local Coastal Program

### LEGEND

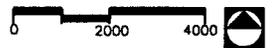
- 1 CRYSTAL COVE STATE PARK
- 2 DEDICATION AREAS
- 3 OTHER OPEN SPACE
- 4 GOLF COURSE



# NEWPORT COAST OPEN SPACE - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit G



JULY 16, 1998

### LEGEND

- 1 CRYSTAL COVE STATE PARK
- 2 DEDICATION AREAS
- 3 OTHER OPEN SPACE
- 4 GOLF COURSE
- COASTAL ZONE BOUNDARY
- PLANNED COMMUNITY BOUNDARY
- DRAINAGE COURSE

## **B. TOURIST COMMERCIAL**

Consistent with the strong Coastal Act emphasis on visitor-serving recreation, the lower slopes of Pelican Hill will be developed as a major destination resort area. The resort will consist of two 18-hole golf courses, overnight/resort accommodations, and recreational and commercial facilities. The golf course will extend the open space of the State Park inland across Pacific Coast Highway (PCH), creating a continuous greenbelt from Corona del Mar to Los Trancos Canyon. Visitor-serving uses are set back from the highway and are buffered by the golf courses. In addition, two visitor-serving facilities are partially screened from view by intervening landforms.

At Pacific Coast Highway and Muddy Canyon, adjacent to the inland portion of the State Park, a hotel and small retail area will provide additional visitor-serving uses at the coast. ~~Two~~One small sites in Laguna Canyon ~~are~~ intended for a small-scale ~~facilities~~facility.

## **C. GOLF COURSES/GREENBELT**

Two 18-hole golf courses are the focal point for the frontal slopes of Pelican Hill, providing approximately ~~367~~354<sup>1</sup> acres of open space greenbelt adjoining Pacific Coast Highway.

The golf courses/greenbelt complement the State Park and extend open space uses into the inland side of PCH, thereby preserving views of the coastal ridges from PCH and Crystal Cove State Park, and views toward the ocean from ~~Pelican Hill Road~~Newport Coast Drive.

## **D. RESIDENTIAL**

Residential development will be limited to a maximum of 2,600 dwelling units. Compliance with the County's Housing Element will be demonstrated in a Housing Implementation Plan. Clustering of residential units will preserve open space, reduce grading impacts, and enhance the compatibility of private development with public open space.

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<sup>1</sup> In addition to the 354 acres in Golf Course Planning Areas PA 10A and PA 10B, the two 18-hole golf courses and practice facility encompass an additional 74 acres within Tourist Commercial Planning Areas and 27 acres in Residential Planning Area PA 9, for a total of 455 acres devoted to golf course use.

## E. CIRCULATION

There is a hierarchy of roadways which will serve The IrvineNewport Coast. These include the regional freeway and highway network, subregional arterial highway network, and local collectors.

~~Two arterial highways are designated through The Irvine Coast in a general north/south direction: Pelican Hill Road and Sand Canyon Avenue.<sup>8</sup> Pelican Hill RoadNewport Coast Drive is designated as a major arterial (six lanes) on the County of Orange Master Plan of Arterial Highways, as is Pacific Coast Highway through portions of The IrvineNewport Coast Area. Sand Canyon is designated as a commuter arterial highway (two lanes).~~ Laguna Canyon Road, which exists along the easterly boundary of The IrvineNewport Coast Area, is master planned as a primary arterial (four lanes).

Outside the coastal zone, the regional network providing access to The IrvineNewport Coast includes segments of both the StateFederal Interstate Freeway System as well as the State Highway System. Presently, the only direct access is provided by Pacific Coast Highway<sup>1</sup> (SR 1). PCH is currently subject to heavy levels of traffic during commuting hours, which is primarily a result of traffic diverting to avoid the congested I-5 and I-405 Freeways. South of The IrvineNewport Coast, in the City of Laguna Beach, Pacific Coast Highway connects to inland areas via Laguna Canyon Road/Laguna Freeway (SR 133). North of The IrvineNewport Coast, in the City of Newport Beach, Pacific Coast Highway connects to inland areas via MacArthur Boulevard (SR 73), Jamboree Road, and Newport Boulevard/Costa Mesa Freeway (SR 55). These routes, in turn, provide connection to the San Diego Freeway (I-405) and the Santa Ana Freeway (I-5). Major additions to the regional network includes the extension of the Costa Mesa Freeway and the San Joaquin Hills Transportation Corridor which will provide direct access to the inland edge of The IrvineNewport Coast planning areas.

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<sup>8</sup> Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 95-561 approved on August 1, 1995.

<sup>1</sup> Coastal access is provided by Newport Coast Drive, San Joaquin Hills Road and Pacific Coast Highway. All LCP designated road improvements, including the widening of Pacific Coast Highway have been completed.

**F. PUBLIC WORKS/INFRASTRUCTURE**

The ~~Irvine~~ Newport Coast Planning Unit is entirely within the Irvine Ranch Water District (IRWD) except for a limited portion of the dedication area and two small residential areas which are within the Laguna Beach County Water District. The area generally west of Muddy Canyon is within IRWD Improvement District Number 141, while the area generally east of Muddy Canyon is within IRWD Improvement District Number 142.

Sewer service will be provided by a combination of agencies. The area west of Muddy Canyon is within Orange County Sanitation District (OCSD) Number 5. At the time that this area was annexed to OCSD Number 5, IRWD agreed to provide local sewer service and collection, and OCSD Number 5 agreed to provide regional sewage collection, transmission, and treatment. The area east of Muddy Canyon will be served by IRWD through the Aliso Water Management Agency.

**CHAPTER 2**  
**COASTAL ACT CONSISTENCY**  
**AND OVERALL FINDINGS AND CONCLUSIONS**

Among the primary goals of the Coastal Act are the protection of coastal resources and provision of public access to the coast. The Legislature also recognized that conflicts might occur when carrying out all of the Act's policies. The Legislature, therefore, established a "balancing" test. This test allows the Coastal Commission to approve a plan which, although it may cause some damage to an individual resource, on balance is more protective of the environment as a whole (Public Resources Code Section 30007.5). Public acquisition of large, continuous open space areas is recognized as a superior means to guarantee the preservation of coastal resources such as vegetation, wildlife, and natural landforms, and to create new public access and recreation opportunities rather than preserving small pockets of open space surrounded by development.

The IrvineNewport Coast Plan strikes a balance in two ways which are consistent with the intent of the Act. First, a substantial portion of the area is designated for preservation in its natural state. Second, policies have been developed to address a wide range of issues in areas of The IrvineNewport Coast designated for development and to mitigate potential adverse impacts. (See also "California Coastal Commission Findings for LUP Certification", November 4, 1981, in Appendix 1.)

**A. RESOURCES PROTECTION PROGRAM**

**1. OPEN SPACE DEDICATION PROGRAMS**

The purpose of the Open Space Dedication Programs is to protect certain specified coastal resources and to offset adverse environmental impacts in residential development areas which will not otherwise be mitigated. Permanent protection and preservation of major canyon watersheds, visually significant ridgelines, stream courses, archaeological and paleontological sites, riparian vegetation, coastal chaparral and wildlife habitat is provided by dedication to a public agency (the County of Orange or its designee). Environmental impacts to be mitigated by the dedication programs include habitat and archaeological impacts caused by residential

development and road improvements on Pelican Hill, habitat impacts on Los Trancos Canyon, Buck Gully, and Muddy Canyon caused by the construction of ~~Pelican Hill Road, Newport Coast Drive and Sand Canyon Avenue,~~ public view and use impacts caused by residential construction in the ~~Cameo Shores~~ Pelican Point area and adjacent to Crystal Cove State Park, and scenic resource impacts caused by golf course and tourist commercial development on the frontal slopes of Pelican Hill and ~~Lower Wishbone Hill.~~

Large-scale master planning and dedication programming for The Irvine ~~Newport~~ Coast enables the permanent protection of large, contiguous open space areas rather than the protection of smaller, discontinuous habitat areas that might result from a project-by-project site mitigation approach. A much greater degree of habitat and open space protection can be achieved by dedication programs that assemble large blocks of habitat area contiguous to Crystal Cove State Park than would be possible with project-by-project mitigation measures. (Coastal Commission Appeal No. 326-80, Broadmoor, Page 18.)

While specific mitigation measures are being included for potential impacts within or near the development areas (e.g., erosion control measures), the primary mitigation measure for impacts not avoided is the phased "Wilderness" Open Space Dedication Program. In addition, significant additional habitat protection and development mitigation will be accomplished with the dedication of large areas of Los Trancos Canyon, Buck Gully, and Muddy Canyon through the "Special Use" Open Space Dedication Program.

Consistent with Coastal Act Section 30200, most of the more significant Environmentally Sensitive Habitat Areas (ESHA's) are located within, and will be protected by, conservation and recreation land use categories. The Land Use Plan recognizes that the preservation of these particular resources and the Open Space Dedication Programs are more protective of coastal resources than the protection of more isolated and relatively less significant habitat areas within designated residential and commercial development areas. Hence the potential loss of any ESHA's through development is offset by the Open Space Dedication Programs. The potential loss of any ESHA's through the construction of public facilities such as arterial highways is

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\* ~~Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 93-561 approved on August 1, 1995.~~

offset by the coastal access benefits derived from these roadways as well as the Open Space Dedication Programs.

In accordance with Section 30007.5 of the Coastal Act, the major Open Space Dedication Programs creates the balance which allows the completion of the residential and commercial land uses.

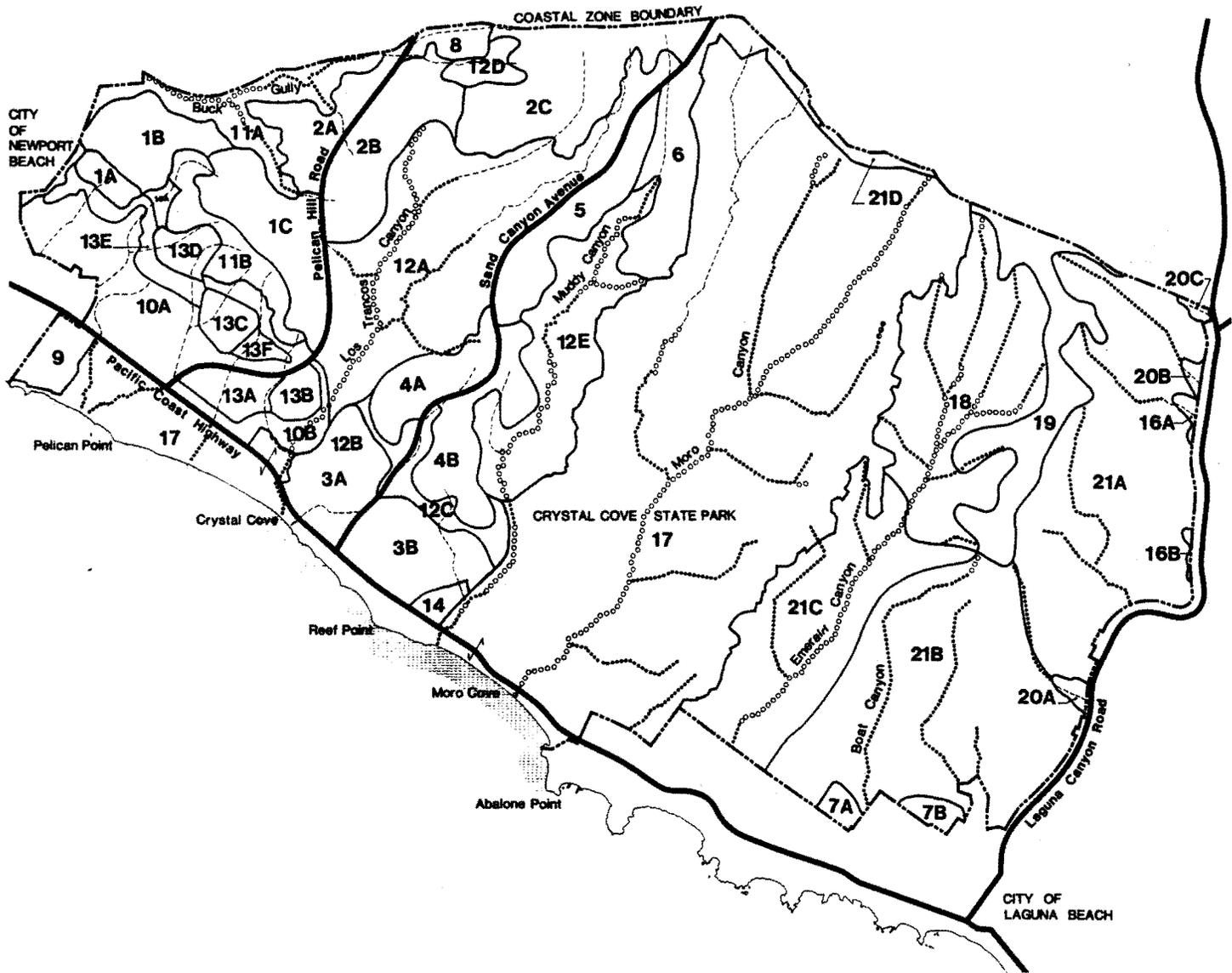
## 2. ENVIRONMENTALLY SENSITIVE HABITAT AREAS

For purposes of Section 30107.5 of the Coastal Act, natural drainage courses designated by a dash and three dot symbol on the USGS 7.5-minute series map, Laguna Beach Quadrangle, dated 1965 and photo-revised 1972 (hereafter referred to as "USGS Drainage Courses"), riparian vegetation associated with the aforementioned drainage courses, coastal waters, wetlands, and estuaries are classified as "Environmentally Sensitive Habitat Areas" (ESHA's).

The habitat value along the length of individual drainage courses and among different drainage courses is not equal. The habitat value of the coastal waters is different from that for drainage courses. Based on biological studies, (see biological inventory, Appendix H-1, Final EIR 237 and Pelican Hill Drainage Habitat, LCP Appendix Item 2) four categories of ESHA's have been created to differentiate habitat values as shown on Exhibit H.

### a. ESHA Category A:

USGS Drainage Courses with associated riparian vegetation which contain the most significant habitat areas in The ~~Irvine~~Newport Coast are designated as ESHA Category A, are subject to the most protection, and are located entirely within the Recreation and Conservation land use categories. To assure their long-term protection and as a means of providing a unique park setting for future residents of The ~~Irvine~~Newport Coast and of the region, portions of Buck Gully and Los Trancos and Muddy Canyons, will be dedicated to the County of Orange in accordance with policies of this LUP. Public access to these areas will be via linkages with the ~~Pelican Hill Road~~Newport Coast Drive Trail System, Los Trancos parking lot, and the Crystal Cove State Park Trail System.



# ENVIRONMENTALLY SENSITIVE HABITAT AREAS

## The Irvine Coast Local Coastal Program

### LEGEND

-  CATEGORY A - DRAINAGE COURSE/RIPARIAN VEGETATION
-  CATEGORY B - DRAINAGE COURSE
-  CATEGORY C - COASTAL WATERS
-  CATEGORY D - DRAINAGE COURSE
-  PLANNING AREA BOUNDARY

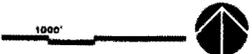
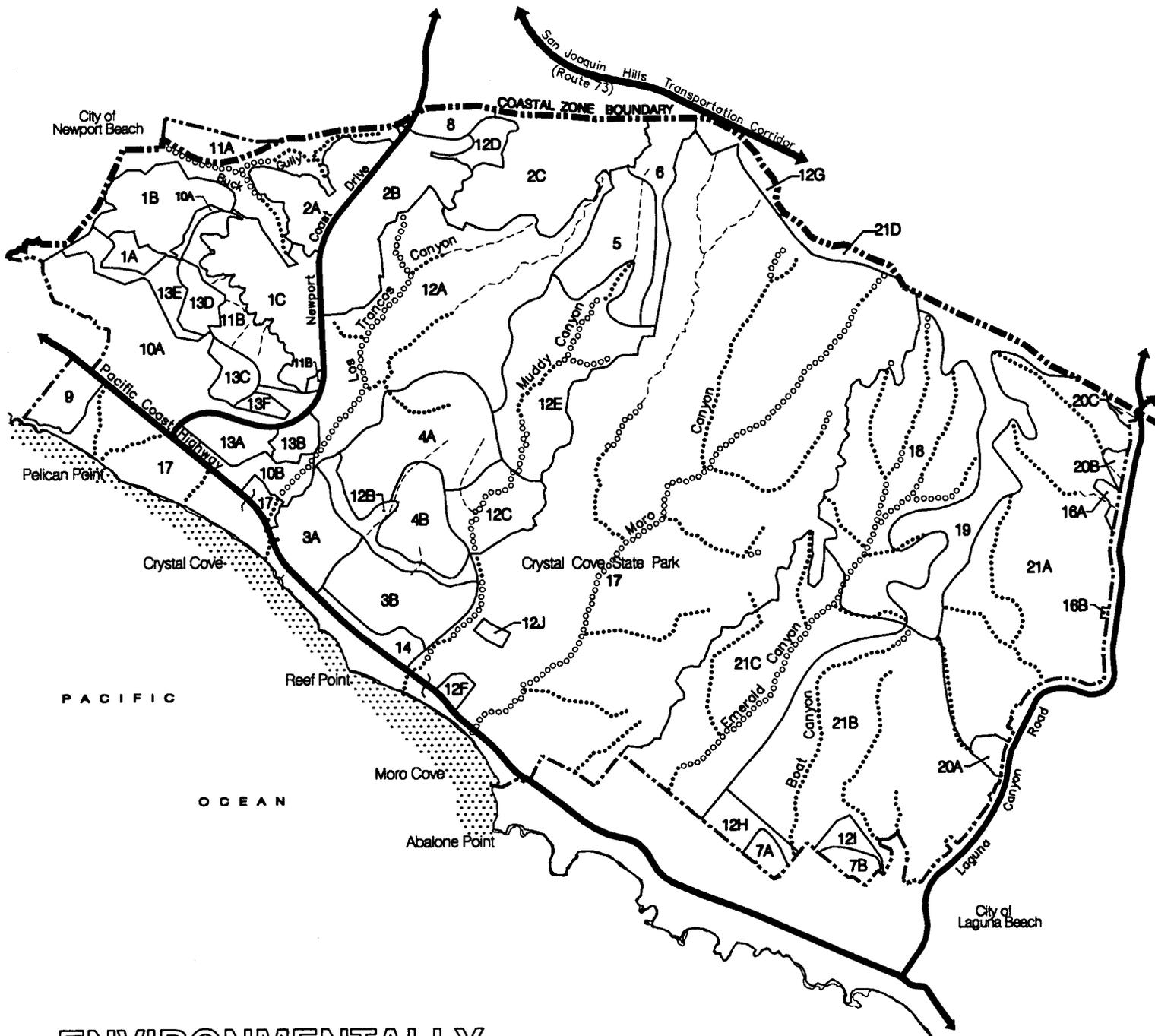


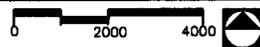
Exhibit H



# ENVIRONMENTALLY SENSITIVE HABITAT AREAS - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit H



JULY 18, 1996

### LEGEND

- CATEGORY A - DRAINAGE COURSE/RIPARIAN VEGETATION
- CATEGORY B - DRAINAGE COURSE
- CATEGORY C - COASTAL WATERS
- CATEGORY D - DRAINAGE COURSE
- COASTAL ZONE BOUNDARY
- PLANNED COMMUNITY BOUNDARY
- PLANNING AREA BOUNDARY
- PLANNING AREA

Note: Category D ESHAs have been deleted in areas with previously approved Coastal Development Permits as permitted by land use policies and mitigated by the Riparian Habitat Creation Program.

Nine surface water sources have been identified (refer to EIR 237, Figure 25) in Buck Gully, Los Trancos, Moro, and Emerald Canyons. All nine water sources come from natural seeps, although two of the three sources in Buck Gully are probably augmented by percolating irrigation runoff from adjacent development. Flow from all nine seeps occurs all or most of the year during average rainfall years, although downstream flow may be very limited. These USGS Drainage Courses are the most significant ESHA's in The IrvineNewport Coast because they contain all of the following habitat characteristics: 1) standing or flowing water all or a significant part of the year; 2) a definitive stream bottom (i.e., defined banks with a sandy or rocky bottom); and 3) adjacent riparian vegetation lining the water course.

**b. ESHA Category B:**

USGS Drainage Courses which contain water flows only when it rains and support only small amounts of riparian vegetation, are designated as ESHA Category B. These areas have relatively less habitat value, and except for the ESHA Category B located within Planning Area 4A are located in Recreation and Conservation land use categories.

**c. ESHA Category C:**

The coastal waters along The IrvineNewport Coast -- ESHA Category C -- have been designated as both a Marine Life Refuge and an Area of Special Biological Significance. They contain near shore reefs, rocky intertidal areas and kelp beds, and are located primarily within Crystal Cove State Park. The State Department of Parks and Recreation will be responsible for providing protection for tidepools and other marine resources from park users.

Protection of water quality is provided by the Runoff Policies.

d. ESHA Category D:

ESHA Category D designates USGS Drainage Courses which are deeply eroded and of little or no riparian habitat value. They are located in Residential and Commercial land use categories and two specific Recreation sites. Typical vegetation includes elderberry, arroyo, coastal scrub, and annual grassland. These drainage courses are often incised as a result of erosion, resulting in rapid runoff and very steep narrow sideslopes generally incapable of supporting riparian habitat. Development will impact most of these ESHA's. The Open Space Dedication and Riparian Habitat Creation Programs will mitigate development impacts.

e. Riparian Habitat Creation Program:

Golf course and visitor-serving development in PA 10A, PA 10B, PA 13A, PA 13B, PA 13C, PA 13D, PA 13E, and PA 13F will modify drainage courses that are presently degraded. Any habitat impacts resulting from drainage course modifications will be mitigated by the Riparian Habitat Creation Program and the Open Space Dedication Programs.

3. **EROSION CONTROL AND URBAN RUNOFF**

The primary measure for minimizing potential erosion and urban runoff impacts is the permanent preservation in open space of over ~~76%~~77% of The IrvineNewport Coast. Additionally, specific development standards assure that, to the extent feasible, unavoidable impacts within the development areas are mitigated.

The major objective of the Erosion and Urban Runoff Management Policies for The IrvineNewport Coast is to assure that erosion and runoff rates do not significantly exceed natural rates, while at the same time assuring sand replenishment provided within the coastal watershed is maintained (The IrvineNewport Coast littoral "cell" is limited and partially dependent on the local watershed for sand replenishment.)

may be rented separately and which may connect with a central living area that may include cooking facilities.) Traditional hotels with guest rooms ~~will~~ combine with individual studio, one bedroom and multiple bedroom units to offer a spectrum of accommodations to suit varying lengths of stay, family sizes, and personal preferences.

Recreational amenities within the resort will include golf course(s), beach access, swimming pool(s), tennis courts, health spa(s), and other facilities. Commercial retail uses and a variety of restaurants will serve the needs of guests and day-use visitors and help create a setting and sense of place for an active resort community. Meeting rooms and conference space and facilities will be included to serve group activities.

The destination resort planned for Pelican Hill has the potential for serving a much broader range of visitors than hotel developments recently completed in southern Orange County and in other coastal areas such as Long Beach. By providing facilities capable of serving families and other types of users who may wish to stay for several days or more, the destination resort will function in a manner comparable to major resorts in Hawaii, Colorado ski areas, Lake Tahoe, Silverado in the Napa Valley, and Sun River in Oregon. The inclusion of overnight ~~resort~~ accommodations which can provide multiple bedrooms and also contain kitchen facilities allows for family use in ways that are not generally accommodated in traditional hotels. Because food costs are a significant aspect of family travel costs, the ability to prepare meals within the accommodation and to provide facilities for children creates a type of overnight ~~resort~~ facility used in other settings on the California Coast such as Monterey Dunes Colony in Monterey County, Pajaro Dunes in Santa Cruz County, and Sea Ranch in Sonoma County. Likewise, these types of accommodations can be more attractive to other long-term visitors than are traditional hotel rooms. Presently there is no true destination resort on the Orange County coast which complements the visitor attractions provided by local beaches and the communities of Laguna Beach and Newport Beach in a manner comparable to Pebble Beach in Monterey.

The Pelican Hill destination resort will provide a golf course "greenbelt", vistas of the ocean, access to the beach, and a wide variety of accommodations, all of which combine to carry out the strong Coastal Act policies of supporting visitor use of the coast.

d. **Enhancement of Inland Views:**

The creation of a destination resort at Pelican Hill also serves as a means of enhancing inland views. The combination of Planning Areas PA 13A, PA 13B, PA 13C, PA 13D, PA 13E, and PA 13F as an integral component of the golf course/visitor-serving complex provides the development basis for shifting residential areas off the Pelican Hill foreslopes onto the Pelican Hill ridgetop. Thus, the shift in land use from estate residential uses, contained in the 1981 Irvine Coast Land Use Plan, to a destination resort makes it feasible to locate the golf course/greenbelt so that it enhances much of the inland coastal viewshed.

e. **Traffic Benefits Deriving From Visitor-Support Facilities:**

The location of visitor-serving facilities in the Pelican Hill and Sand Lower Wishbone Canyon areas will decrease traffic impacts on local communities by providing convenient overnight/resort visitor-serving facilities for users of Crystal Cove State Park. Park users would otherwise be forced to find accommodations in Laguna Beach or Newport Beach, thus driving through those communities on their way to and from the State Park. The provision of extensive day-use facilities will also diminish automobile traffic movement by providing food and other services readily available to park users. By concentrating development at the Pelican Hill and Sand Lower Wishbone Canyon locations, the use of existing transit facilities operating between Laguna Beach and Newport Beach along Pacific Coast Highway will be encouraged and enhanced. The destination resort concept further reduces traffic impacts by providing a wide range of on-site recreational amenities. Traffic generation figures obtained from comparable destination resorts and set forth in the "Irvine Coastal Area Traffic Study" (February, 1987; see Appendices 3 & 4) indicate a much lower trip generation profile than for individual hotels. Shuttle service provided as part of normal hotel operations will also help to decrease new trips between John Wayne Airport and the site.

becomes a direct access route for inland-generated traffic to the recreation areas of The IrvineNewport Coast.

By connecting the State Park entry at Pelican Point to the coastal hills, and joining MacArthur Boulevard<sup>1</sup> south of the University of California at Irvine campus, it reduces the need to use Pacific Coast Highway as a distribution route for inland traffic that would otherwise come from MacArthur Boulevard and Laguna Canyon Road. In particular, ~~Pelican Hill Road~~Newport Coast Drive in effect increases PCH capacity through Corona del Mar by providing a direct link between down-coast residential areas and major inland destinations, including employment centers and the UCI campus.

Because recreational traffic and commuter traffic generally flow in opposite directions in the morning and evening (i.e., morning commuter traffic flows toward the inland employment centers, while morning recreational traffic flows toward the coast; with reversed flow patterns in the evening), ~~Pelican Hill Road~~Newport Coast Drive will provide significant new recreational access capacity.

In addition to its recreational access function, ~~Pelican Hill Road~~Newport Coast Drive will provide direct access from The IrvineNewport Coast to the commercial centers of Orange County. It will have capacity well in excess of that required to accommodate the development of The IrvineNewport Coast, and as a result will reduce traffic levels through Corona del Mar.

Thus, the circulation improvements provided for in The IrvineNewport Coast LCP provide sufficient capacity to "accommodate needs generated by development", consistent with the requirements of Coastal Act Section 30254, while at the same time enhancing public recreational access.

~~Sand Canyon Avenue<sup>2</sup> will provide additional recreational access capacity, and will be processed at the time adjoining development is undertaken.~~

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<sup>1</sup> The San Joaquin Hills Transportation Corridor (SJHTC) was finally approved and the design contract awarded for it within the last seven years. It now encompasses part of Bonita Canyon Road and Newport Coast Drive outside of the coastal zone boundary. When completed, the SJHTC will constitute the direct link with MacArthur Boulevard and provide overall traffic benefits for the region not assumed in the approval of the original LCP. The County MPAH also maintains an alternative, non-tolled connection with Bonita Canyon Road, Ford Road, and MacArthur Boulevard.

<sup>2</sup> Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 95-561 approved on August 1, 1995.

## CHAPTER 3

### RESOURCE CONSERVATION AND MANAGEMENT POLICIES

This Chapter sets forth policies for the conservation and management of resources within The IrvineNewport Coast Planned Community. Policies are organized in the following sequence:

- A phased dedication program for 2,666 acres of public "wilderness" open space and interim management policies during program implementation;
- A dedication program for approximately 4,155<sup>1</sup>,176 acres of public "special use" open space;
- Recreation/open space management policies for The Irvine Coast Wilderness Regional Park, as well as for other open space/passive recreation areas within the community;
- Policies related to the four different types of Environmental Sensitive Habitat Areas (ESHA's) within The IrvineNewport Coast;
- Specific programs for the protection of cultural (archaeological and paleontological) resources; and
- Policies to protect resources from erosion, sedimentation, and runoff, and to guide grading and the treatment of the interface edge between development and open space, including fuel modification programs required for fire safety.

#### A. DEDICATION PROGRAM REQUIREMENTS AND PROCEDURES

##### 1. WILDERNESS OPEN SPACE

The landowner shall dedicate Planning Areas PA 18, PA 19, PA 21A, PA 21B, PA 21C, and PA 21D to the County of Orange as development of residential and commercial areas occurs, in accordance with the following policies and procedures.<sup>1</sup>

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<sup>1</sup> Irrevocable Offer of Dedication recorded November 10, 1988.

a. **Lands to be Dedicated:**

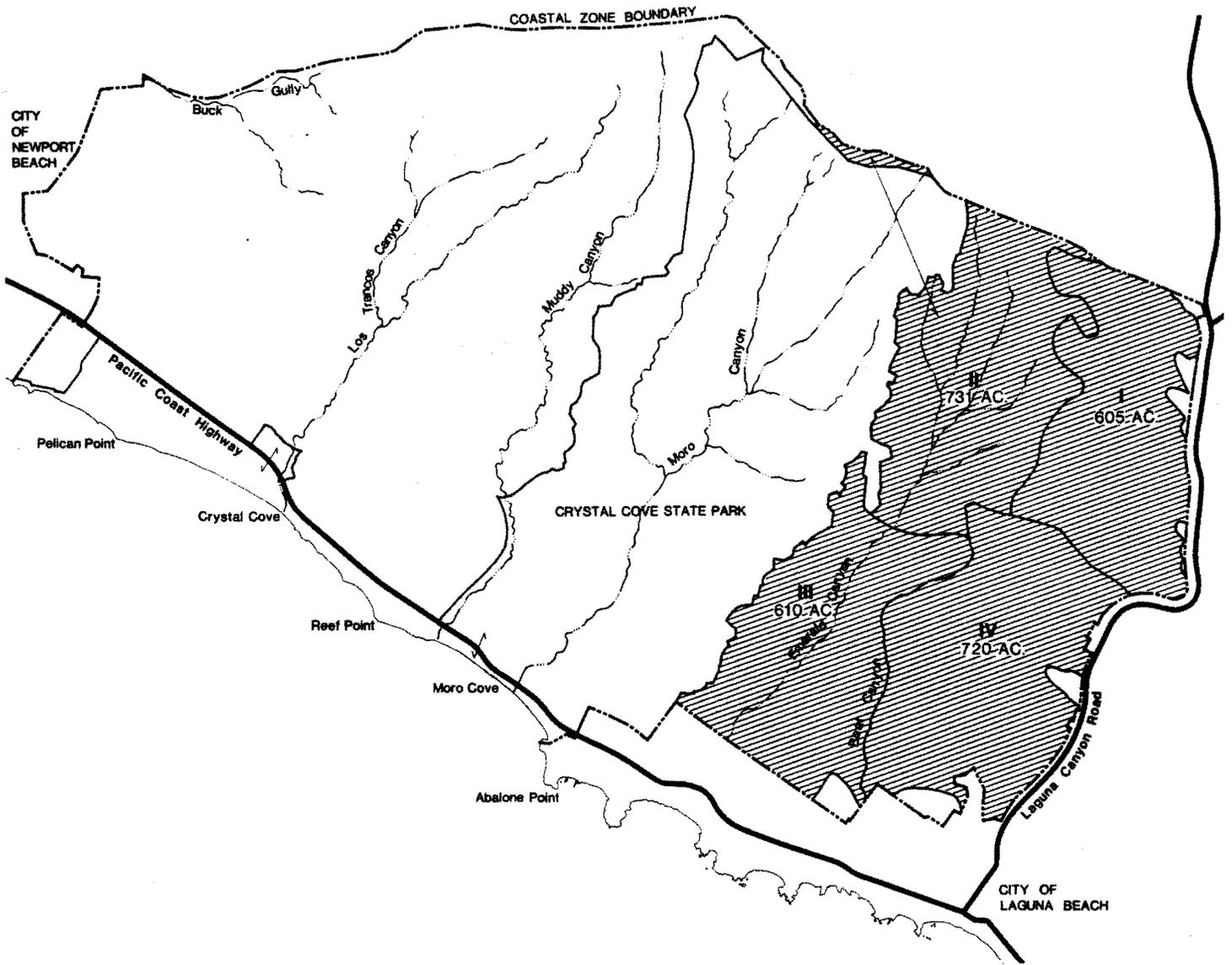
The Dedication Area includes approximately 2,666 acres in Planning Areas PA 18, PA 19, PA 21A, PA 21B, PA 21C, and PA 21D. In order to facilitate resource management, public access and acceptance by the County of portions of the dedication in phases, the Dedication Area has been divided into four Management Units. Acceptance by Designated Offerees of Management Units shall occur in numerical sequence as shown on Exhibit I. "Designated Offerees" are those agencies and organizations described in Subsection b-3) below.

In order to accommodate open space management objectives and the topographic characteristics of the Dedication Area, minor adjustments to the boundaries of the Management Units may be made by agreement of the landowner, the County, and the Coastal Commission and shall be treated as a minor amendment to this Plan at the direction of the Executive Director of the Commission.

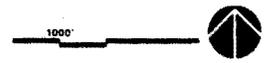
b. **Procedures for Conveyance of Title:**

1) **Recordation of the Offer**

- a) **Timing of Recordation:** No later than ten (10) working days following the later of the following two events (1) the expiration of all statutes of limitation applicable to a legal challenge to certification of the LCP and the approval of a Development Agreement or "other mechanism" (as described below) by the County and the landowner, without any legal challenge having been filed, and (2) the date when both the foregoing certification and approval have become effective, the landowner shall record an Offer of Dedication for a term of thirty (30) years for the entire 2,666-acre Dedication Area. The term "or other mechanism" means that if County or landowner determines not to enter into a Development Agreement, then an "other mechanism" providing equivalent assurances of certainty of development will be entered into between the County and landowner as a condition precedent to the recording of the offer; upon entering into such an



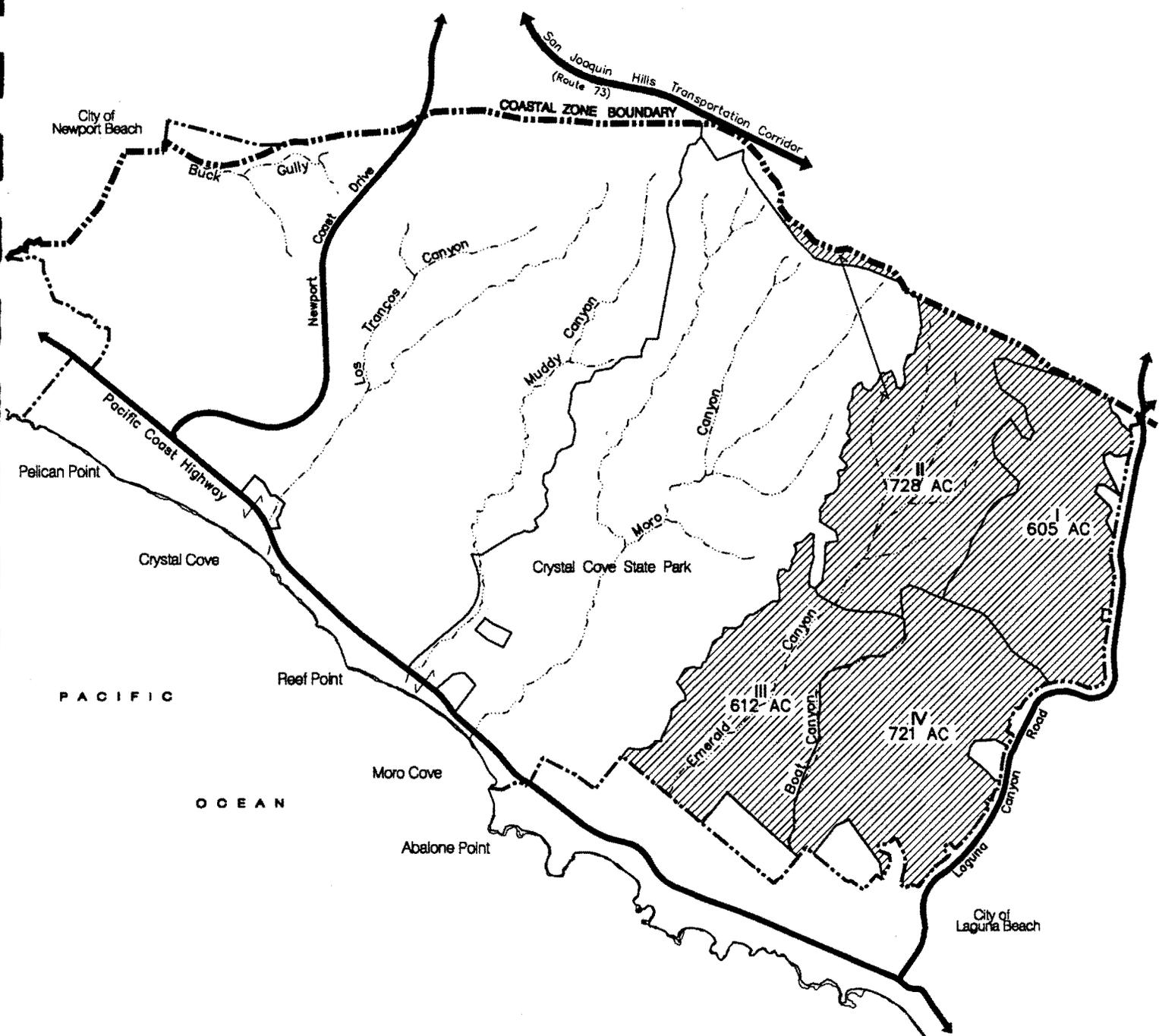
# WILDERNESS DEDICATION AREA



## The Irvine Coast Local Coastal Program

### LEGEND

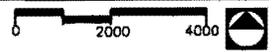
 MANAGEMENT UNIT AND SEQUENCE NUMBER



# WILDERNESS DEDICATION AREA - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit I



JULY 16, 1998

### LEGEND

-  MANAGEMENT UNIT AND SEQUENCE NUMBER
-  COASTAL ZONE BOUNDARY
-  PLANNED COMMUNITY BOUNDARY

agreement (i.e. "other mechanism"), County and landowner shall jointly publish a public notice that the 10 working days time period for recording the offer has commenced. Notwithstanding the first sentence of this paragraph, the landowner may, at its sole discretion proceed to record the Offer at any time earlier than provided in this paragraph.

- b) Effect of Legal Challenge: In the event of a legal challenge to the certification of the LCP and/or the validity of a Development Agreement or "other mechanism," the landowner is obligated to record the offer only at such time as the earlier of either of the following occurs: (1) the landowner proceeds to commence development (as defined in the Coastal Act of 1976) in the Plan area pursuant to a Coastal Development Permit or (2) the County succeeds in obtaining a final court ruling, not subject to further judicial review, affirming the validity of the approval challenged in the litigation, thereby enabling the landowner to proceed with development on the basis of the LCP as approved and certified by the Coastal Commission.
- c) Recorded Offer as Pre-Condition to Development: The County will not provide final authorization to proceed with development pursuant to any Coastal Development Permit in the Plan area prior to recordation of the Offer (e.g., a subdivision map or final grading permits may be approved conditioned upon recordation of the Offer).

## 2) **Timing of Acceptance of Dedication Offer**

The Offer of Dedication will provide that the title for each Management Unit shall be automatically conveyed upon acceptance, as specified in Section "a)" above and in Section "b)(3)" below, as follows:

- a) Management Unit I may be accepted only after the issuance of the first grading permit authorizing (initial) grading in any residential, commercial, or golf course planning areas (as identified in Exhibit E) other than for a Coastal Development

Permit providing for the construction of ~~Pelican Hill Road~~ Newport Coast Drive;  
and

b) One remaining Management Unit may be accepted only in numerical sequence and only as follows for each of the development increments listed below:

(1) Ninety days following issuance of building permits for a cumulative total of 1,000 primary residential dwelling units;

(2) Ninety days following issuance of building permits for a cumulative total of 2,000 primary residential dwelling units; and

(3) Ninety days following issuance of building permits for (a) a cumulative total of 1,500 overnight/resort accommodations (as defined in LUP Subsection 4-A-1-a and 4-A-2-a and in accordance with the intensity formula specified in LUP Subsection 4-A-1-b-4) or (b) a cumulative total of 80 percent of the 2.66 million square feet of development allowed in PA 13 (pursuant to LUP Chapter 4-A-1-b), whichever first occurs.

### 3) Designated Offerees

At such time as any Management Units may be accepted as provided in Subsection b-2)-a) or b-2)-b) above, the County of Orange, acting on its own behalf or through its designee(s), will have three (3) years to accept the Offer of such Management Unit(s), after which time the State of California either through the California Department of Parks and Recreation or the California Coastal Conservancy will have three (3) years to accept the Offer of Dedication. If the aforementioned public agencies have not accepted the Offer as specified, the Trust for Public Land or the National Audubon Society will have one (1) year to accept the Offer of Dedication. If none of these public or non-profit entities has accepted title to the Management Unit(s) within these timeframes, the Executive Director of the California Coastal Commission, following consultation with the County, shall be entitled to nominate, no later than ninety (90)

days thereafter, another non-profit entity as a Designated Offeree; the alternative non-profit entity nominated by the Executive Director may become a Designated Offeree only if determined to be mutually acceptable to the Coastal Commission, the County, and the landowner, and shall thereafter be required to accept the Offer(s) within six (6) months of the landowner's determination of acceptability. In the event that the Executive Director of the California Coastal Commission designates such alternative non-profit entity, none of the aforementioned parties shall unreasonably withhold approval of that entity, provided that it has the demonstrated financial capacity and management experience to undertake management of the dedication area in question. If, pursuant to the foregoing procedures, none of the public or non-profit entities has accepted said Offer(s) within these timeframes, the landowner will regain full title and unencumbered use of the offered land constituting the Management Unit(s) subject to LCP land use designations; provided that the landowner may seek an LCP amendment regarding future use(s) of these lands.

**4) Effects of Legal Action Preventing Development and Proportional Dedication**

- a) Acceptance Conditioned on Vesting: Acceptance of the four Management Units identified in the Offer of Dedication pursuant to Subsection b)-2) above, will be qualified by the requirement that the conveyance of title shall not occur if the landowner is prevented from vesting the right to develop the cumulative residential dwelling unit/overnight/resort accommodation levels as specified in Subsection b)-2) above by operation of federal, State or local law, or by any court decision rescinding, blocking or otherwise adversely affecting the landowner's governmental entitlement to develop said units. At any time that the landowner is subsequently entitled to proceed with development in the manner specified in the approved LCP, all dedication requirements and provisions shall be automatically reinstated provided that the term of the Offer has not been exceeded.
  
- b) Development Halted for Ten (10) Years: Notwithstanding the last sentence of Subsection a) above, if the landowner is prevented from proceeding with development (i.e., legally unable to undertake development for the reasons

identified in Subsection a) above) for an uninterrupted period of ten (10) years, the right to accept shall be suspended as it applies to the Management Unit(s) correlated with the type of development so halted (e.g., if the entitlement to develop overnight/resort accommodations has been halted for ten (10) years, the right of the Designated Offeree(s) to accept the Management Unit correlated with that development shall automatically be suspended). In such event, the right to undertake that type of development pursuant to the LCP shall likewise be suspended unless and until the landowner is legally authorized to proceed with that type of development previously halted. If the right to undertake any development pursuant to the LCP is halted as provided herein for a period of ten (10) years in any fifteen (15) year time period, the landowner shall have the right to terminate the Offer of Dedication and, in that event, the right to develop under the LCP shall automatically be suspended.

- c) Proportional Dedication: If the landowner has not been able to undertake the aforementioned development for a period of ten (10) years, the Designated Offeree(s) may only accept a proportional dedication in accordance with the following ratio:

Proportional Dedication — For each unit for which the landowner has received a certificate of occupancy, the Designated Offeree(s) may accept dedications in ratios of .76 acre for each such residential unit and .31 acre for each visitor accommodation unit or per each 1400 sq. ft. increment of the 2.66 million sq. ft. intensity allowed in PA 13 (whichever intensity level is achieved first).

Dedication areas accepted pursuant to the above proportional dedication requirement shall be located in accordance with the Management Unit sequencing identified on Exhibit I, with the precise location of the acreage to be contiguous with a previously accepted dedication area and/or adjacent to publicly owned park/open space land, and as specified by the accepting Designated Offeree(s) following consultation with the landowner.

- d) Management Unit I Reversion: In the event that the landowner is prevented, as specified in Subsection 4)-a) above, from completing (i.e., receiving certificates of use and occupancy for) the first one thousand (1,000) primary residential dwelling units, title to any lands accepted the by the Designated Offeree(s) in Management Unit I in excess of the Proportional Dedication ratio as applied to completed units shall revert to the landowner within six (6) months of the occurrence of the specified legal impediments to development.

**5) Dedication Commitments — Effect of Landowner Delay in Development**

- a) Areas Graded but Not Completed: For any development area that has been graded and remained unimproved (i.e., without streets, infrastructure, and permanent drainage systems) for a period of five (5) years following the commencement of grading, the Designated Offeree(s) may accept a dedication area in accordance with the proportional dedication formula in Subsection 4)-c) above, with the application of the formula based on the number of development units specified/authorized in the Coastal Development Permit which served as the governmental authorization for the grading activity. This provision shall not apply where the delay in vesting development rights on the land area in question has occurred as a result of the operation of federal, State or local law, or by any court decision rescinding, blocking, or otherwise adversely affecting the landowner's governmental entitlement to develop the specified units on said land area.
- b) Fifteen (15) Year Deadline for Completing All Dedications: All dedication increments that have not been eligible for acceptance pursuant to the provisions of Subsection 2) above may be accepted fifteen (15) years after the recording of the Offer of Dedication. Provided, however, that in the event the landowner is prevented from proceeding with development (i.e., unable to proceed voluntarily) by operation of federal, State, or local law, or by any court decision rescinding, blocking, or otherwise adversely affecting the landowner's governmental entitlement to develop, the fifteen (15) year timeframe for completing all acceptances of dedication increments shall be extended by a time period equal to

the amount of time the right to proceed with development has been suspended. This provision extending the fifteen (15) year time period shall not apply where the development project has been halted by a final, non-appealable court decision based upon the failure of the development project to comply with the certified LCP and/or CEQA. In the event the landowner becomes subject to a federal, State or local law, or any court decision which limits the allowable number of building permits which may be approved or issued each year (or within a given time period), the fifteen (15) year time frame for completing all acceptances of dedication increments shall be extended by a time period equal to the amount of time necessary for the landowner to obtain the maximum allowed building permits per year to complete the total development by the LCP; if the foregoing extension of the fifteen (15) year time period would exceed the term of the Offer, the landowner may either extend the term of the Offer or allow the Offer and any remaining entitlement at that time pursuant to the LCP to expire.

**6) Acceptance of Dedication Increments**

The acceptance of dedication increments shall be conditioned on a requirement that the dedication lands may be used only for purposes consistent with land uses allowed in the certified LCP and may be conveyed subsequent to the initial acceptance only to other Designated Offerees.

**7) Dedication Area Access**

Access to the dedication areas prior to any acceptance shall be limited to the County or other Designated Offeree (in the event that County's acceptance period for a particular Management Unit(s) has expired), its employees, licensees, representatives, and independent contractors acting within the scope of their employment by the County or other Designated Offeree solely for the purposes of surveying, mapping and planning activities related to future management of the dedication areas. Any such access shall be subject to landowner entry permit requirements regarding personal liability and personal security.

## 8) Property Description

A detailed property description for each Management Unit shall be set forth in the Offer of Dedication.

## 2. SPECIAL USE OPEN SPACE

The landowner shall dedicate Planning Areas PA 11A, PA 12A, and PA 12E, PA 12H and PA 12I to the County of Orange and PA 12G to the California Department of Parks and Recreation or the County of Orange as development of abutting residential areas occurs. The landowner shall receive local park credit for not less than five (5) acres of special use open space dedication. Area(s) designated as special use park shall be made separate parcels suitable for transfer to any succeeding city or local park operating agency in accordance with the following policies and procedures.

- a. Prior to or concurrent with the recordation of the first final development map, other than a large-lot subdivision in PA 1A, PA 1B, or PA 2A, the landowner shall record an Offer of Dedication for PA 11A<sup>1</sup>.
- b. Prior to or concurrent with the recordation of the first final development map, other than a large-lot subdivision in PA 1C, PA 2B, PA 2C, PA 5, PA 4A, or PA 3A, the landowner shall record an Offer of Dedication for PA 12A<sup>1</sup>.
- c. Prior to or concurrent with the recordation of the first final development map, other than a large-lot subdivision in PA 4A, PA 4B, PA 5, or PA 6, the landowner shall record an Offer of Dedication for PA 12E.
- d. Prior to or concurrent with the recordation of the first final development map, other than a large-lot subdivision in PA 7A, the landowner shall record an Offer of Dedication for PA 12H.

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<sup>1</sup> Planning Areas PA 11A (Buck Gully) and PA 12A (Los Trancos Canyon) have been irrevocably offered to the County of Orange for dedication.

- d-e. Prior to or concurrent with the recordation of the first final development map, other than a large-lot subdivision in PA 7B, the landowner shall record an Offer of Dedication for PA 12I.
- e-f. Prior to or concurrent with the recordation of the first final development map, other than a large-lot subdivision in PA 6, the landowner shall record an Offer of Dedication for PA 12G to the California Department of Parks and Recreation or the County of Orange which includes rights for both agencies to access their respective park properties<sup>1</sup>.
- f-g. The above offers shall be irrevocable continuing offers of dedication to the County of Orange or its designee for park purposes in a form approved by the Manager, EMA-Harbors, Beaches and Parks/Program Planning Division, suitable for recording fee title. The offers shall be free and clear of money and all other encumbrances, liens, leases, fees, easements (recorded and unrecorded), assessments and unpaid taxes in a manner meeting the approval of the Manager, EMA Harbors, Beaches and Parks Program Planning Division. The offers shall be in a form that can be accepted for transfer of fee title at any time by the County.
- g-h. Notwithstanding the above procedures, offers of dedication may be made in a Parcel A and Parcel B sequence. Parcel A shall contain, to the greatest extent possible, the area to be included in the dedication and shall be offered for dedication at the time specified in Subsection a, b, and c above. The boundaries of Parcel A shall be determined through a review of the physical characteristics of the total planning area required for dedication excluding only those areas where the boundary for public open space cannot feasibly be determined until final development maps are processed. The boundaries of Parcel B shall be refined and offered for dedication upon the recordation of subsequent final maps for planning areas abutting the area to be dedicated. When appropriate, areas containing urban edge treatments, fuel modification areas, roads, manufactured slopes, and similar uses may be offered for dedication as scenic easements.

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<sup>1</sup> Planning Area 12G may be offered for dedication to the California Department of Parks and Recreation as part of a future agreement to offset any acreage reductions within Crystal Cove State Park used to expand the facilities at El Morro Elementary School.

## **B. INTERIM CONSERVATION MANAGEMENT POLICIES**

Most of the Conservation lands are currently under private ownership and will be transferred in increments to a public agency over time. Prior to transfer, the landowner will be responsible for maintenance and management of these lands.

The following policies provide an interim management program which will preserve natural resources for future public stewardship in an economically sound manner by maintaining the lands in their current condition. Notwithstanding the provisions of the Conservation category, the following policies shall apply to lands designated Conservation while they remain in private ownership. No new development will occur, except for improvements to existing facilities, new fences, and fire, flood and erosion control facilities and as provided below:

1. The landowner may continue existing agriculture uses including cattle grazing and may construct and maintain any fencing, firebreaks, fuel modification zones, water pipes, cattle-watering facilities, and access roads necessary for the continued use and protection of the property.
2. New fences will be designed so that wildlife, except large mammals such as deer, can pass through.
3. No alteration to existing stream courses or landforms in Emerald Canyon will occur except as necessary to provide fire protection.
4. No excavations of archaeological and paleontological sites will be permitted except as required by public safety and/or utilities facilities and in accordance with the policies set forth in Sections G and H of this chapter.
5. Landform alterations are allowed in the Conservation Area to the extent required to accommodate realignment, improvement, and/or widening of Laguna Canyon Road and associated improvements and shall conform with the requirements of LUP Section I-4-E-20 for any such project.

6. No agricultural practice shall aggravate known or suspected land management problems such as the spread of non-native plants, soil erosion, or the deterioration of sensitive environmental habitats.

**C. RECREATION/OPEN SPACE MANAGEMENT POLICIES**

1. **Irvine Coast Wilderness Regional Park (PA 18, PA 19, PA 21A, PA 21B, PA 21C, and PA 21D)**

The ~~Irvine~~Newport Coast open space system will be preserved through the Conservation and Recreation land use designations and implementing policies. The intent of these land use categories is consistent with the Orange County General Plan's "Recreation Element" (REC) which assigns wilderness regional park status to The Irvine Coast Wilderness Open Space dedication area.

The Recreation Element defines "wilderness regional park" as:

"A regional park in which the land retains its primeval character with minimal improvements and which is managed and protected to preserve natural processes. The park, (1) generally appears to have been affected primarily by forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic or historical value."

The Orange County General Plan's "Recreation Element" contains the resource management and development policy for such wilderness regional park facilities which is incorporated into this Local Coastal Program. The policy (REC, p.4-8) permits, (1) only restricted hardscape and domestication appropriate to provide access and enjoyment/observation of natural resources and processes, (2) interpretive programs, and (3) park concessions. Park concessions within PA 18 and PA 19 will be limited to uses which support passive recreation activities such as riding,

hiking, picnicking, and camping, and may be operated as a regional park concession by a limited commercial venture under contract to the public agency.

Additional land use policies for subareas within the wilderness regional park are applicable to each specific planning area as follows:

**a. Planning Area PA 18 (Upper Emerald Canyon):**

- 1) Principal permitted use includes riding and hiking trails, picnicking, and passive recreation facilities such as viewpoints and rest stops.
- 2) Except for emergency and maintenance vehicles, vehicles will be prohibited in the canyon bottom.
- 3) Where feasible, trails and roads will incorporate existing trails and roads.
- 4) No more than one (1) percent of the total land area will be developed with structures, pavement, or other impervious materials.
- 5) Stream courses in Emerald Canyon and significant riparian vegetation will be maintained or enhanced.

**b. Planning Area PA 19 (Upper Emerald Ridge):**

- 1) Principal permitted use includes parking associated with park use, tent camping, stables, youth hostels, riding and hiking trails, and picnicking.
- 2) Where feasible, trails and roads will incorporate existing trails and roads.
- 3) Access roads will be limited to two lanes.

- 4) No more than 10 percent of the total land area will be developed with structures, pavements, or other impervious materials.
- 5) Recreation improvements will allow wildlife movement across portions of Moro and Emerald Ridges.

c. **Planning Areas PA 21A, PA 21B, PA 21C, and PA 21D:**

- 1) Principal permitted use includes those uses which are of a passive recreational nature (such as viewpoints), of limited active recreational nature (such as riding and hiking trails), which are concerned with scientific study and interpretation, or involve public safety, facilities, and utilities.
- 2) Wildlife habitats will be preserved by controlling human access to Emerald and Moro Canyons.
- 3) Key areas of chaparral and coastal sage will be protected from human intrusion.
- 4) Stream courses in Emerald and Moro Canyons will be retained in a natural state or enhanced.
- 5) Significant riparian areas will be preserved as sources of shelter and water for wildlife.
- 6) Improvements will be compatible with the natural environment and will not damage landforms, vegetation, or wildlife to any significant degree.
- 7) All archaeological sites and paleontological sites will be preserved except sites impacted by public safety and/or utilities facilities.
- 8) Any buffer areas necessary for the protection of habitat are located within the Conservation category.

- 9) All existing trees will be preserved in Moro, Emerald, and Laguna Canyons except as required for new public trails, infrastructure, and/or roads.
- 10) Lands within 350 feet of Laguna Canyon Road and less than 30 percent slope may be used for trail heads, recreation staging areas, public utilities, drainage, flood and erosion control facilities, and other similar public uses. Development of these areas for such uses shall not constitute a significant effect on landform, vegetation, or wildlife for purposes of Policy 2, 3, and/or 4 above.
- 11) Landform alterations are allowed in the Conservation Area to the extent required to accommodate realignment, improvement, and/or widening of Laguna Canyon Road and associated improvements and the requirements of LCP Subsection I-4-E-20 for any such project.
- 12) Access roads are permitted and will be limited to two lanes or a total of 20 feet in width. Where possible, trails and roads will use existing trails and roads (i.e., for park operations, maintenance, and emergency access vehicles).

**2. Buck Gully, Los Trancos/Muddy Canyons, and Pelican/~~Wishbone~~ Hill Areas**

In addition to the Wilderness Open Space Dedication Area (Irvine Coast Wilderness Regional Park), environmentally sensitive areas within the development zone ~~located within Planning Area 4A~~ **except for the ESHA B located within Planning Area 4A**, including Buck Gully, Los Trancos and Muddy Canyons, and portions of the Pelican ~~and Wishbone~~ Hill frontal areas will be preserved in open space, with opportunities for "special use" recreation within Planning Areas PA 11A, PA 12A, and PA 12E.

a. Planning Areas PA 11A and PA 11B (Buck Gully and the frontal slopes of Pelican Hill):

- 1) Principal permitted use includes passive parks, riding and hiking trails, bikeways, drainage control facilities, water and sewer facilities, access and maintenance roads, and utilities.
- 2) Recreation lands in PA 11A shall be dedicated to, and owned and maintained by, the County of Orange or other designated public agency. Recreation lands in PA 11B may be owned and maintained by homeowner associations, adjoining property owners, special assessment districts, the County of Orange and/or other appropriate public agencies.
- 3) Residential lot lines from adjoining properties may extend into PA 11B, but not into PA 11A.
- 4) Natural landforms will be retained by locating recreational facilities in the flatter portions of the canyon bottom, and so as not to interfere with natural stream courses or riparian vegetation.
- 5) A maximum of 2% of the total lands designated in PA 11A and PA 11B category may be developed with impervious surfaces (i.e., trails, roads, recreation facilities, etc.).
- 6) Recreational facilities to be considered for Local Park credit will be located on finished grade slopes generally less than 30%.
- 7) Except for emergency and maintenance vehicles, vehicular access will be prohibited.
- 8) Archaeological and paleontological sites will be preserved except where necessary to provide public safety and/or utilities facilities.

b. Planning Areas PA 12A, PA 12B, PA 12C, PA 12D, PA 12E, PA 12H and PA 12I (Los Trancos/Muddy Canyons, and the frontal slopes of Lower Wishbone Hill and North Laguna):

- 1) Principal permitted use includes passive parks (except in PA 12C, where limited active recreational uses are permitted), riding and hiking trails, bikeways, drainage control facilities, water and sewer facilities, access and maintenance roads, utilities, parking and staging areas.
- 2) Recreation lands in PA 12A, and PA 12E, PA 12H and PA 12I shall be dedicated to, and owned and maintained by the County of Orange. Recreation lands in PA 12B, PA 12C, and PA 12D may be owned and maintained by homeowner associations, adjoining property owners, special assessment districts, the County of Orange and/or other appropriate public agencies.
- 3) A maximum of 1% of the total lands in PA 12A, PA 12B, PA 12C, PA 12D, and PA 12E and PA 12I may be developed with impervious surfaces (i.e., structures, roads, recreation facilities, etc.).
- 4) A maximum of 12% of the total land area in PA 12B, PA 12C and in PA 12H may be developed with structures, pavement or other impervious materials.
- 4) 5) Recreational facilities to be considered for Local Park credit will be located on finished grade slopes generally less than 30%.
- 5) 6) Archaeological and paleontological sites will be preserved except where necessary to provide public safety and/or utilities facilities.
- 6) 7) Local roads and associated infrastructure connecting PA 3A, PA 3B, PA 4A, and PA 4B will be permitted through PA 12B. and PA 12C.

- 7) 8) Landform alterations are allowed in PA 12A, PA 12B, PA 12C, and PA 12D and PA 12E to the extent required to accommodate realignment and construction of local collector roads, San Joaquin Hills Road, and/or the San Joaquin Hills Transportation Corridor and recreational facilities, as provided in a final Coastal Development Permit for any such road projects.
- 8) 9) Residential lot lines from adjoining properties may extend into PA 12B, PA 12C, and PA 12D, but not into PA 12A, or PA 12E, PA 12H or PA 12I.

**D. CATEGORY "A" & "B" ENVIRONMENTALLY SENSITIVE HABITAT AREA POLICIES**

The following policies apply to Category A and B ESHA's only, as delineated on Exhibit H.

1. Except for the ESHA B located in Planning Area 4A, The natural drainage courses and natural springs will be preserved in their existing state. All development permitted in Category A and B ESHA's shall be set back a minimum of 50 feet from the edge of the riparian habitat except as provided for in the following subsections. If compliance with the setback standards precludes proposed development which is found to be sited in the least environmentally damaging and feasible location, then the setback distance may be reduced accordingly.
  - a. Where existing access roads and trails cross streams, where emergency roads are required by State or County fire officials, and/or where access roads are required to serve residential units and recreational facilities in Muddy Canyon, the drainage course may be modified to allow the construction and maintenance of existing or new road or trail crossings. Such modification shall be the least physical alteration required to maintain an existing road or to construct a new road or trail, and shall be undertaken, to the extent feasible, in areas involving the least adverse impact to stream and riparian habitat values.
  - b. Where drainage and erosion control and related facilities are needed for new development and/or to protect the drainage course, the drainage course may be modified to allow construction of such facilities. Modification shall be limited to the least physical alteration required to construct and maintain such facilities, and shall be undertaken, to the extent

feasible, in areas involving the least adverse impact to the drainage course. Where feasible, drainage and erosion control and related facilities will be located outside the drainage course.

- c. Where the construction of ~~Pelican Hill Road and Sand Canyon Avenue~~<sup>\*</sup> requires filling or other modification of drainage courses substantially as shown in Exhibit L and N, drainage courses may be modified.
- d. Where the construction of local collectors, ~~connecting to Sand Canyon Avenue~~<sup>\*</sup> and/or ~~San Joaquin Hills Road~~ and/or ~~utility service/emergency access roads~~ requires filling or other modifications of drainage courses in PA 6, PA 12C, and/or the upper portion of PA 12A and where the alignment is shown to be the least environmentally damaging feasible alternative, drainage courses may be modified.
- e. Where access roads and trails exist or where new emergency roads are required by State or County fire officials, vegetation may be removed in the maintenance or construction of such roads and trails. Any required vegetation removal will be minimized.
- f. To the extent necessary, existing riparian vegetation may be thinned or selectively removed when required for habitat enhancement and/or fire control. Existing vegetation which is not classified as riparian may also be removed.
- g. Where drainage and erosion control and related facilities are needed to implement the Master Drainage and Runoff Management Plan and related programs, vegetation may be removed in the construction and maintenance of such facilities. Vegetation removal will be limited to the least required to construct and maintain such facilities and shall be undertaken, to the extent feasible, in areas involving the least adverse impact to riparian vegetation. Where feasible, drainage and erosion control and related facilities will be located outside areas containing riparian vegetation.

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\* ~~Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 95-361 approved on August 1, 1995.~~

h. Upon the recordation of an Offer of Dedication for Planning Area 12E, the ESHA B located in Planning Area 4A may be altered as required for development authorized by this LCP.

2. Where feasible, the separation of scrub and chaparral from riparian habitats will be avoided. Vegetation offering escape cover will be allowed adjacent to riparian areas wherever feasible.
3. Nothing in this section shall require the replacement or restoration of natural features which are destroyed or modified by natural causes such as fire, flood, erosion, and drought.
4. Where golf cart and pedestrian path/bridge, and fairway trajectories for the golf course cross the USGS Drainage Course in PA 10B, vegetation may be selectively thinned, maintained, removed and/ or altered within areas of the setback to the extent necessary for golf course purposes. Any such vegetation removal or alteration will be minimized and mitigated by habitat enhancement measures in Los Trancos Canyon, and will be shown to be the least environmentally damaging feasible alteration.

**E. CATEGORY "C" ENVIRONMENTALLY SENSITIVE HABITAT AREA POLICIES**

The Category C ESHA, as delineated in Exhibit H, contains coastal waters which have been designated a Marine Life Refuge and an Area of Special Biological Significance.

The Category C ESHA area is encompassed within Crystal Cove State Park. The protection of water quality in marine resource areas is subject to the authority of the State Water Resources Control Board. Protection of water quality is provided by the LCP-Runoff Policies and will be reviewed by the Regional Water Quality Control Board in conjunction with subsequent coastal development permits and related environmental impact reports (EIR's).

A water quality monitoring program shall be submitted to the Regional Water Quality Control Board prior to initial implementing approvals for the golf course, for the purpose of monitoring runoff

entering the ocean as well as the riparian corridors<sup>1</sup>. Copies of the results of the monitoring program shall be forwarded to the Regional Water Quality Control Board and the County of Orange on a regular basis for their review to determine whether corrective action is required pursuant to the authority of said agencies.

Use and application of chemicals on the golf course and other landscape areas shall be limited to those approved by State, County, and Federal agencies. The landowner shall be responsible for notifying tenants and/or prospective initial purchasers of this requirement.

**F. CATEGORY "D" ENVIRONMENTALLY SENSITIVE HABITAT AREA POLICIES**

1. PA 10A: All drainage courses will be modified. The Riparian Habitat Creation Program will mitigate any habitat values lost as a result of drainage course modification.
2. PA 1A, PA 1B, PA 1C, PA 2A, PA 2B, PA 2C, PA 3A, PA 3B, PA 4A, PA 4B, PA 6, PA 8, PA 9, PA 10A, PA 10B, PA 11A, PA 12A, PA 12B, PA 12C, PA 12D, PA 12E, ~~PA 12F, PA 12G, PA 12H, PA 12I, PA 12J~~, PA 13A, PA 13B, PA 13C, PA 13D, PA 13E, PA 13F, PA 14, PA 16A, PA 16B, PA 20A, PA 20B, and PA 20C: Vegetation and drainage courses will be modified or eliminated by development. The Open Space Dedication Programs and Riparian Habitat Creation Program will mitigate any habitat values lost as a result of such drainage course modification or elimination.
3. Construction of ~~Pelican Hill Road, Newport Coast Drive, Sand Canyon Avenue,~~<sup>b</sup> local collectors, and San Joaquin Hills Transportation Corridor will modify or eliminate vegetation and drainage courses.

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<sup>1</sup> The five-year Water Quality Monitoring Program began in 1991. To date, the monitoring results indicated no adverse water quality impacts on local marine waters.

<sup>b</sup> Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 95-561 approved on August 1, 1995.

**G. ARCHAEOLOGICAL POLICIES**

**1. ARCHAEOLOGICAL RECORDS SEARCH AND SURVEY**

Prior to initial implementation level approvals (i.e., Coastal Development Permit, Tentative Tract, Site Plan, etc., with the exception of a large-lot subdivision for only financial/conveyance purposes), a County certified archaeologist shall be retained by the applicant to complete a literature and records search for recorded sites and previous surveys. In addition, a field survey shall be conducted by a County-certified archaeologist unless the entire proposed project site has been documented as previously surveyed in a manner which meets the approval of the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division. A report of the literature and records search and the field survey shall be submitted to and approved by the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division. Mitigation measures may be required depending upon the recommendations of this report.

**2. ARCHAEOLOGICAL SUBSURFACE TEST AND SURFACE COLLECTION**

Prior to the issuance of a grading permit, a County-certified archaeologist shall be retained by the applicant to perform a subsurface test level investigation and surface collection as appropriate. The test level report evaluating the site shall include discussion of significance (depth, nature, condition, and extent of the resources), final mitigation recommendations, and cost estimates. Prior to the issuance of a grading permit and based on the report recommendations and County policy, final mitigation shall be carried out based upon a determination as to the site's disposition by the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division. Possible determinations include, but are not limited to, preservation, salvage, partial salvage or no mitigation necessary.

### **3. ARCHAEOLOGICAL SALVAGE**

If salvage or partial salvage is determined necessary by the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division per subsection 2 above, prior to issuance of a grading permit, project applicant shall provide written evidence to the Chief, EMA-Regulation/Grading Section that a County-certified archaeologist has been retained to conduct salvage excavation of the archaeological resources in the permit area. A final report shall be submitted to and approved by the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division prior to any grading in the archaeological site areas.

### **4. ARCHAEOLOGICAL RESOURCE SURVEILLANCE**

If on-site resources surveillance is determined necessary during grading per subsection 2 above by the Manager, Harbors, Beaches and Parks/Program Planning Division, prior to issuance of a grading permit, the project applicant shall provide written evidence to the Chief, EMA-Regulation/Grading Section that a County-certified archaeologist has been retained, shall be present at the pre-grading conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If additional or unexpected archaeological features are discovered, the archaeologist shall report such findings to the project developer and to the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the project developer, for exploration and/or salvage. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division.

Except as may be limited by a future Coastal Development Permit, on-site resource surveillance shall be provided for development grading operations in Planning Areas PA 3A, PA 3B, PA 10A, PA 10B, PA 13A, PA 13B, PA 13C, PA 13D, PA 13E, PA 13F, and PA 14.

## **H. PALEONTOLOGICAL POLICIES**

### **1. PALEONTOLOGICAL RECORDS SEARCH AND SURVEY**

Prior to initial implementation level approvals (i.e., Coastal Development Permit, Tentative Tract, Site Plan, etc., with the exception of a large-lot subdivision map for financial conveyance purposes), a County-certified paleontologist shall be retained by the applicant to complete literature and records search for recorded sites and previous surveys. In addition, a field survey shall be conducted by a County-certified paleontologist unless the entire proposed project site has been documented as previously surveyed in a manner which meets the approval of the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division. A report of the literature and records search and the field survey shall be submitted to and approved by the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division. Future mitigation shall depend upon the recommendations of this report.

### **2. PALEONTOLOGICAL PREGRADING SALVAGE**

If pre-grading salvage is determined necessary per subsection 1 above by the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division, prior to issuance of a grading permit, the project applicant shall provide written evidence to the Chief, EMA-Regulation/Grading Section that a County-certified paleontologist has been retained by the applicant to conduct preconstruction salvage of the exposed resources. The paleontologist shall submit a follow-up report on survey methodology and findings to the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division for review and approval.

### **3. PALEONTOLOGY RESOURCE SURVEILLANCE**

If on-site resource surveillance is determined necessary per subsection 1 above by the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division, prior to issuance of a grading permit, the project applicant shall provide written evidence to the Chief, EMA-Regulation/ Grading Section that a County-certified paleontologist has been retained to

observe grading activities and salvage fossils as necessary. The paleontologist shall be present at the pre-grading conference, shall establish procedures for paleontologist resource surveillance, and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If major paleontological resources are discovered, which require long-term halting or redirecting of grading, the paleontologist shall report such findings to the project developer and the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division. The paleontologist shall determine appropriate actions, in cooperation with the project developer, which ensure proper exploration and/or salvage. These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division. The paleontologist shall submit a follow-up report for approval by the Manager, County of Orange EMA - Harbors, Beaches and Parks/Program Planning Division, which shall include the period of inspection, an analysis of the fossils found, and present repository of the fossils.

Except as may be limited by a future Coastal Development Permit, on-site resource surveillance shall be provided for development grading operations in Planning Areas PA 3A, PA 3B, PA 10A, PA 10B, PA 13A, PA 13B, PA 13C, PA 13D, PA 13E, PA 13F, and PA 14.

## **I. EROSION POLICIES**

The Erosion Policies which follow provide the framework for the preparation of a "Master Drainage and Runoff Management Plan". This Plan shall be submitted to the County of Orange for review and approval concurrent with the first Coastal Development Permit application as required by LCP Subsection II-3-B-11<sup>1</sup>.

1. Post-development erosion rates shall approximate the natural or existing rate before development.

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<sup>1</sup> A Master Drainage and Runoff Management Plan was approved by the County of Orange in December, 1989. Amendments will be prepared for all future development projects located outside the area covered by this Master Plan.

2. Areas of disturbed soil shall be reseeded and covered with vegetation; mulches may be used to cover ground areas temporarily; other mechanical or vegetative techniques to control erosion may be used where necessary. Native and/or appropriate non-native plant material selected for vegetation shall be consistent with LCP Subsection I-3-L-6.
3. Erosion control devices shall be installed in coordination with clearing, grubbing, and grading of upstream construction; the Grading Plan shall describe the location and timing for the installation of such devices and shall describe the parties responsible for repair and maintenance of such devices.
4. Erosion control measures for grading and construction done during the period from April 15 to October 15 will be implemented by October 15 and maintained as necessary through April 15. For grading and construction commencing in the period from October 15 to April 15, erosion control measures will be implemented in conjunction with the project in a manner consistent with the County of Orange Grading Code. Erosion control measures for areas not affected by grading and construction are not required.
5. Where new recreational trails are planned in open space areas, they will be located and constructed to minimize erosion.

**J. SEDIMENT POLICIES**

The Sediment Policies which follow provide the framework for the preparation of a "Master Drainage and Runoff Management Plan". This Plan shall be submitted to the County of Orange for review and approval concurrent with the first Coastal Development Permit application as required by LCP Subsection II-3-B-11<sup>1</sup>.

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<sup>1</sup> A Master Drainage and Runoff Management Plan was approved by the County of Orange in December, 1989. Amendments will be prepared for all future development projects located outside the area covered by this Master Plan.

1. Required sediment basins (e.g., debris basins, desilting basins, and/or silt traps) shall be installed in conjunction with the initial grading operations and maintained through the development/construction process to remove sediment from runoff.
2. To prevent sedimentation of off-site areas, on-site vegetation shall be maintained where feasible. Vegetation shall be replanted from seed/hydroseed to help control sedimentation where necessary. Native and/or appropriate non-native plant material selected for vegetation shall be consistent with LCP Subsection I-3-L-6.
3. Temporary mechanical means of controlling sedimentation such as hay bales, earth berms and/or sand-bagging around the site, may be used as part of an overall Erosion Control Plan, subject to County approval.
4. Sediment movement in the natural channels shall not be significantly changed in order to maintain stable channel sections and to maintain the present level of beach sand replenishment.
5. Sediment catch basins and other erosion control devices shall be designed, constructed and maintained in accordance with the County of Orange Grading Code.

#### **K. RUNOFF POLICIES**

The Runoff Policies which follow provide the framework for the preparation of a "Master Drainage and Runoff Management Plan". This Plan shall be submitted to the County of Orange for review and approval concurrent with the first Coastal Development Permit application as required by LCP Subsection II-3-B-11<sup>1</sup>.

1. Peak flood discharge rates of storm water flows in the major streams shall not exceed the peak rates of storm water runoff from the area in its natural or undeveloped state, unless it can be

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<sup>1</sup> A Master Drainage and Runoff Management Plan was approved by the County of Orange in December, 1989. Amendments will be prepared for all future development projects located outside the area covered by this Master Plan.

demonstrated that an increase in the discharge of no more than 10% of the natural peak rate will not significantly affect the natural erosion/beach sand replenishment process.

2. Drainage facilities shall be designed and constructed in accordance with the County of Orange Flood Control District Design Manual.
3. Storm runoff water shall be directed to storm drains or suitable water courses to prevent surface runoff from damaging faces of cut and fill slopes.
4. Adequate maintenance of retention basins shall be assured as a precondition to the issuance of grading permits.
5. Natural drainageways will be rip-rapped or otherwise stabilized below drainage and culvert discharge points in accordance with County of Orange policies.
6. Runoff from development will be conveyed to a natural drainageway or drainage structure with sufficient capacity to accept the discharge.

**L. GRADING POLICIES**

1. Prior to implementation level development approvals (i.e., tentative tract, site plan, etc.), the applicant shall submit soils engineering and geologic (if appropriate due to slope conditions) studies as necessary to the Manager, County of Orange EMA Development Services Division (DSD). These reports will assess potential soil related constraints and hazards such as slope instability, settlement, liquefaction, or related secondary seismic impacts as determined appropriate by the DSD Manager. All reports shall recommend appropriate mitigation measures and be completed in the manner specified in the County of Orange Grading Manual and State/County Subdivision Ordinance. Pursuant to the Orange County Grading Code, the permit applicant shall provide a schedule showing when each stage and element of the project will be completed, including estimated starting and completion dates, hours of operation, days of week of operation, and the total area of soil surface to be disturbed during each stage of construction.

2. Grading allowed between October 15 and April 15 shall be subject to the Erosion, Sediment, Runoff, and Grading Policies herein and the provisions of the County of Orange Grading Code.
3. Temporary stabilization techniques may be used on areas which will be redisturbed during future construction. Permanent stabilization techniques must be used in all other areas.
4. Disposal of earthen materials removed during any development operations shall be as follows:
  - a. Top soil for later use in revegetation shall be stockpiled on the site in previously designated areas approved by the permit-issuing authority. Runoff from the stockpiled area shall be controlled to prevent erosion.
  - b. Other earthen material shall be disposed at locations approved by the permit issuing authority.
  - c. Except for necessary drainage improvements and/or erosion control modifications, no materials shall be placed within the 100 year flood-plain of coastal waters and/or streams.
5. Where construction activities during the rainy season would involve substantial foot or vehicle traffic, or stockpiling of materials in a manner that would prevent establishment of temporary vegetation, alternative temporary stabilization methods shall be used.
6. All cut and fill slopes in a completed development involving grading shall be stabilized through planting of native annual grasses and shrubs, or appropriate non-native plants valuable for erosion protection. All cut and fill slopes shall be planted under the direction of a licensed landscape architect, sufficient to provide a mixture of deep rooted permanent plants and nursery crops valuable for temporary stabilization.
7. Removal of natural vegetation will be limited to graded areas, access/haul roads, and areas required for fuel modification. Construction equipment shall be limited to the approved area to be disturbed except for approved haul roads.

8. All residential Planning Areas: The visual effect of grading required for housing will be minimized and/or mitigated by contouring as follows:
  - a. A smooth and gradual transition between graded and natural slopes will be maintained.
  - b. A variety of different slopes will be used to reflect a natural appearance.
9. In PA 3A and PA 3B, houses adjacent to Pacific Coast Highway will be separated from Pacific Coast Highway by a change in grade.
10. In PA 9, cuts and fills will be balanced on-site.
11. In PA 10A and PA 10B, the visual effect of grading will be minimized and/or mitigated by contouring as follows:
  - a. For final slopes, the angle of the graded slope shall be gradually adjusted to the angle of the natural terrain.
  - b. For final slopes, sharp, angular forms shall be rounded and smoothed to blend with the natural terrain.
12. Grading shall be allowed in those portions of PA 5, PA 6, PA 12A, PA 12B, PA 12C, PA 12D, and PA 17 adjacent to ~~Sand Canyon Avenue~~<sup>\*</sup> to the extent required to accommodate road alignments, ~~connects~~<sup>connections</sup>, and/or improvements of ~~San Joaquin Hills Road and/or San Joaquin Hills Transportation Corridor~~ as provided in a Coastal Development Permit(s) for any such road project(s).
13. All grading will conform to the County of Orange Grading Ordinance.

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\* ~~Sand Canyon Avenue~~ was deleted pursuant to Board of Supervisor's Resolution No. 95-561 approved on August 1, 1995.

## M. DEVELOPMENT/OPEN SPACE EDGES POLICIES

The edge conditions throughout The IrvineNewport Coast vary greatly and the lines shown on the Land Use MapPlan show approximate development/open space boundaries which will be more precisely located with subdivision map submittals.

Along appropriate edges of PA 11A, PA 12A, PA 17, and PA 21B, one or more of the following or other treatments will be used to protect open space and habitat values from development, protect public views, and/or provide fire safety.

1. Landscape screening (including low walls, shrubs, and/or trees) and topographic screening (including berms and contour grading) will soften development edges visible from public areas.
2. In PA 3A, and PA 3B and PA 14, ~~to soften development edges, a portion of the exposed wall and roof visible from Pacific Coast Highway area of each house will be screened with vegetation, while maintaining views from each site. Ancillary buildings, tennis courts, and swimming pools will be screened. In PA 3A and PA 3B, the building setback from Pacific Coast Highway will be 100 feet for landscaping and buffering purposes.~~
3. In PA 6, where dwelling units are proposed on ridgelines and within 200 feet of the boundary of public recreation lands, setbacks, landscape screening, and topographic screening will be used to soften the visual impact of development as viewed from public lands.
4. Where development adjoins coastal scrub and chaparral in dense stands, an "ecotone" area will be created by thinning out woody plants in the buffer zone. Within the "ecotone" area grasses will be introduced or allowed to invade the open spaces. Such an "ecotone" will enhance and protect wildlife and reduce fuel for fires, and will utilize either native California or non-invasive non-native plants. The establishment and maintenance of the "ecotone" area shall conform to the requirements of the County of Orange Fire Marshall.

5. Fuel modification, including selective thinning of natural vegetation, clearing and revegetation, introduction of fire resistant vegetation, installation of irrigation, may be required in order to ensure an appropriate transition from the natural area to urban development.
  - Reasonable efforts will be made in the siting of structures and selection of construction materials to minimize the need for fuel modification.
  - Where feasible and consistent with habitat management objectives, fuel modification will be located toward the development side of the edge.
  - Grading or discing for fuel modification shall not be permitted.
6. A program of fuel modification zones and/or firebreaks shall be formulated as required. The width and type of the fuel modification zone will be determined by the siting of structures, access of firefighters, density of vegetation, terrain, direction of prevailing breezes, etc.
7. Appropriate fire protection for structures in high fire-potential areas in The ~~Irvine~~ Newport Coast Planned Community shall be provided by using fire-resistant building materials and adequate setbacks when required on natural slopes. The County-adopted "Fire Prevention Planning Task Force Report" shall be used as the basis for fire-prevention, subject to the following standards and fuel modification descriptions:
  - a. Fire hazard potentials shall be determined for projects proposed within the hillside areas by a landscape architect. Factors such as types and moisture content of existing vegetation, prevailing winds, and topography shall be used to determine areas of fire hazard potential. Areas shall be ranked and mapped to identify fire prevention treatments and fuel modification zones. (For example, low fire hazard areas are located where existing vegetation has a year-around high moisture content and the topography is relatively flat. Steep narrow canyons have a much higher fire hazard potential because heat and winds concentrate to drive the fire upwards much like a chimney.)

- b. A combination of techniques, including required building materials such as tile roof treatments, setback restrictions for combustible construction, irrigated buffer zones, and graduated fuel modification zones which entail selective removal of a percentage of the vegetative fuels, shall be used to lessen fire hazards. The minimum amount of native vegetation shall be selectively thinned to control the heat and intensity of wildland fires as they approach a residential area while preserving to the maximum extent feasible the quality of the natural areas surrounding the site.
- c. A Fuel Modification Plan shall be required and approved by the Director of Planning/EMA prior to obtaining any building or grading permits. The Plan shall identify appropriate setbacks and widths of fuel modification, amounts and types of vegetation to be removed and retained, and specify proposed irrigation methods to reduce the risk of fire in hillside areas. The Plan shall be approved by the Orange County Fire Department prior to submittal to the Director of Planning/EMA.
- d. Fuel Modification Plans shall be prepared as a condition of development to protect as much of the existing native vegetation as possible while providing adequate protection for residential structures from fire hazards. In no event shall thinning of more than 30% of native vegetation extend beyond 170 feet from the outward edge of residential structures (or 150 feet from the 20-foot backyard setback) in the extreme fire hazard potential areas. Fuel modification shall not occur beyond 250 feet from the 20-foot backyard setback in the extremely hazardous zones. Fuel modification in low fire hazard potential areas shall not extend more than 175 feet. Minimal irrigation during dry periods and fire represent sprinklers for native vegetation are preferred methods to reduce the width or area of fuel modification.

The intent of the Fuel Modification Plan is not to create a static 250-foot wide band surrounding development, but rather an undulating width that reflects topography and fire hazards potential. The band shall be as narrow as possible to protect proposed structures, but in no event wider than 250 feet in extreme hazardous areas.

- e. No combustible structures including, but not limited to, houses, wood decks, sheds, gazebos, and wood fences shall be located within a 20-foot backyard setback as measured from the outward property line. Irrigation systems must be installed and operated within this setback to ensure a reasonable moisture content in planted areas.
  - f. Annual maintenance shall be addressed in the Fuel Modification Plan approved as part of the Coastal Development Permit Procedure specified in LCP Chapter II-10. A public hearing shall be required to assure compliance with fuel modification standards and guarantee that the least amount and correct species of vegetation are thinned in accordance with the approved Fuel Modification Plan. Fuel Modification Plans proposing vegetation alterations within the PC (CD) District Appeals Jurisdiction may be subject to appeal review by the California Coastal Commission as provided for in the PC (CD) District Regulations.
  - g. As a condition of Final Tract Map approval, project developers shall record deed restrictions that acknowledge the fire hazard potential and assign responsibility for maintenance of fuel modification zones and programs.
  - h. Access roads, trails, or fire roads may be located within fuel modification areas to reduce alteration of native vegetation.
  - i. The risk of fire adjacent to PA 9, the golf course, and other lower/landscape areas is substantially less than that at the tops and upper slopes of ridges. Therefore, a limit for fuel modification in this area shall be 150 feet from any habitable structure. In no event shall grading occur in the Conservation Planning Areas, and any vegetative thinning and/or replanting shall be limited to within 150 feet of the structure. Likewise, this is the maximum distance for fuel modification and flexibility for narrower widths is appropriate.
8. Where native specimen vegetation is retained within fuel modification areas, these areas shall be properly maintained to minimize fire risk.

9. Fuel breaks necessary for the protection of life and property as determined by the County Fire Marshall shall be provided for development areas. Fuel modification shall be limited to zones established adjacent to proposed development. Graduated clearing and trimming shall be utilized within these zones to provide a transition between undisturbed wildland areas and the development edge. Clearing or removal of native vegetation for fuel modification purposes shall be minimized by placement of roads, trails, and other such man-made features between the development and wildland areas. To minimize fuel modification area, other techniques (such as perimeter roads, design techniques, elimination of wood balconies and decks, fire retardant siding and tile roofs) shall be incorporated in the design and development of projects.
  
10. Adequate roads, water sources, and needed fire protection services shall be provided concurrent with development, located within or immediately adjacent to the developed area.

**CHAPTER 4**  
**DEVELOPMENT POLICIES**

**A. TOURIST COMMERCIAL POLICIES**

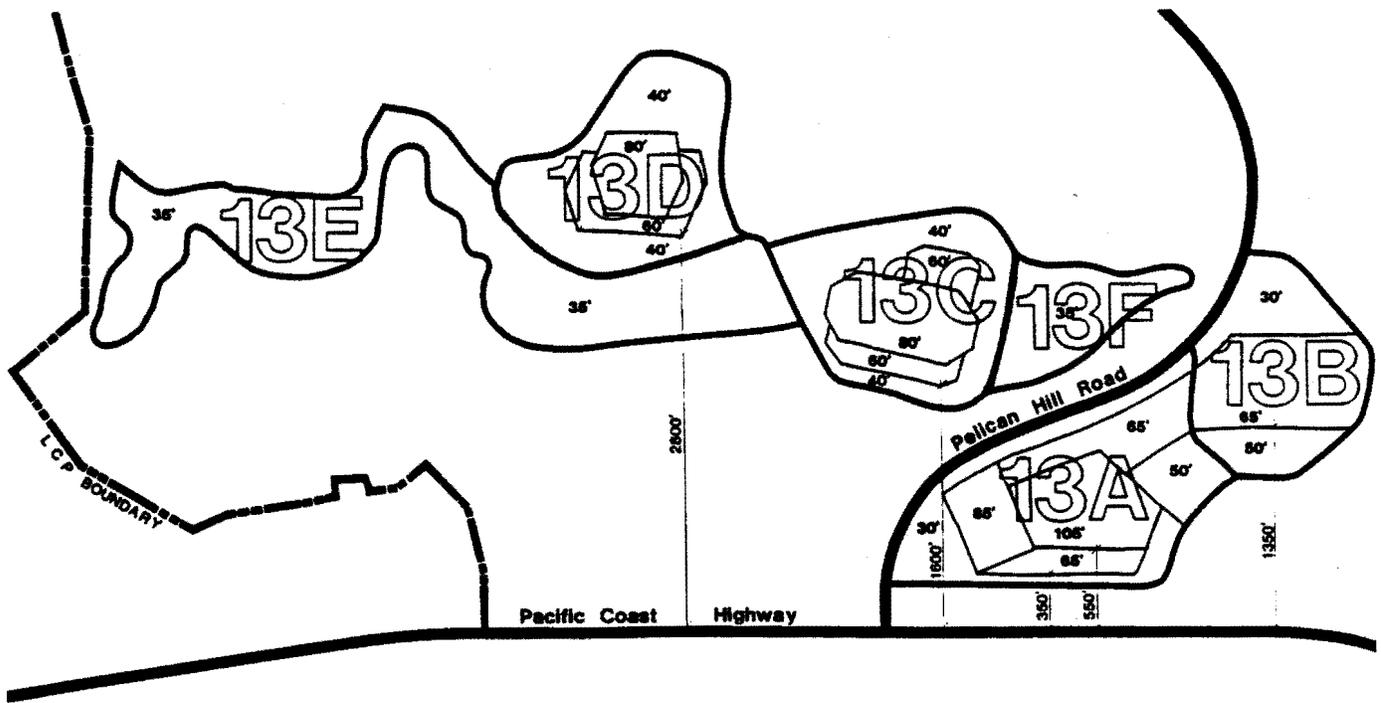
**1. PELICAN HILL DESTINATION RESORT (PA 13A, PA 13B, PA 13C, PA 13D, PA 13E, AND PA 13F)**

- a. Principal permitted use for Coastal Act purposes includes overnight/resort accommodations (such as hotel and motel rooms, casitas, resort and time-share condominiums), and uses ancillary to and directly supportive of overnight/resort accommodations, including retail commercial, service commercial, conference and meeting facilities ancillary to the accommodations, recreation and health facilities, golf courses, parking facilities in surface and/or subterranean structures, and other support facilities normally associated with resort hotels such as food preparation, housekeeping, maintenance, and manager's areas.
- b. Principal permitted uses and accessory uses, including accommodations, resort facilities, and the golf course clubhouse but excepting parking facilities and day-use commercial facilities specified in (c) below, shall be allowed up to a total of 2.66 million square feet. Within this total area, the following intensity of use criteria shall apply:
  - 1) No one of the Planning Areas PA 13A, PA 13B, PA 13C, PA 13D, PA 13E, or PA 13F shall contain more than 60,000 square feet of single, continuous primary ballroom/exhibition space. ("Single, continuous primary ballroom/exhibition space" denotes one large-scale meeting/convention area and does not include the square footage of conference facilities with smaller individual meeting rooms.)
  - 2) In these six Planning Areas, the total square footage of conference and meeting space, including primary ballroom/exhibition space and individual meeting rooms, shall not exceed 140,000 square feet.
  - 3) A total of 1,900 overnight/resort accommodations are allowed.

- ~~4) Not more than 400 overnight accommodations may be individually owned.~~
- 5) ~~4) Casitas (multiple bedroom, low rise accommodations) owned and operated by hotels~~ shall be counted as follows with respect to the maximum 1,900 permitted overnight/resort visitor accommodations:
- a) Casitas with one or two bedrooms shall be considered one (1) overnight/resort accommodation; and
  - b) Casitas with 3 or more bedrooms shall be considered two (2) overnight/resort accommodations.
- c. Day-use retail commercial facilities, in addition to those included within hotels and other accommodations areas, are allowed, and will not exceed a total of 75,000 square feet of floor area.
- d. The architectural character of the resort area will be derived from Mediterranean hillside communities. Multi-storied structures will be varied in vertical and horizontal dimensions to reflect the hillside terrain. The building heights, setbacks, and site coverages set forth below and on Exhibit J have been designed specifically to create this Mediterranean character.

The combination of building height limits, site coverage limits, and building setbacks will create a terraced effect by placing lower structures in front of higher structures, and will break up building masses by controlling the number and location of taller structures.

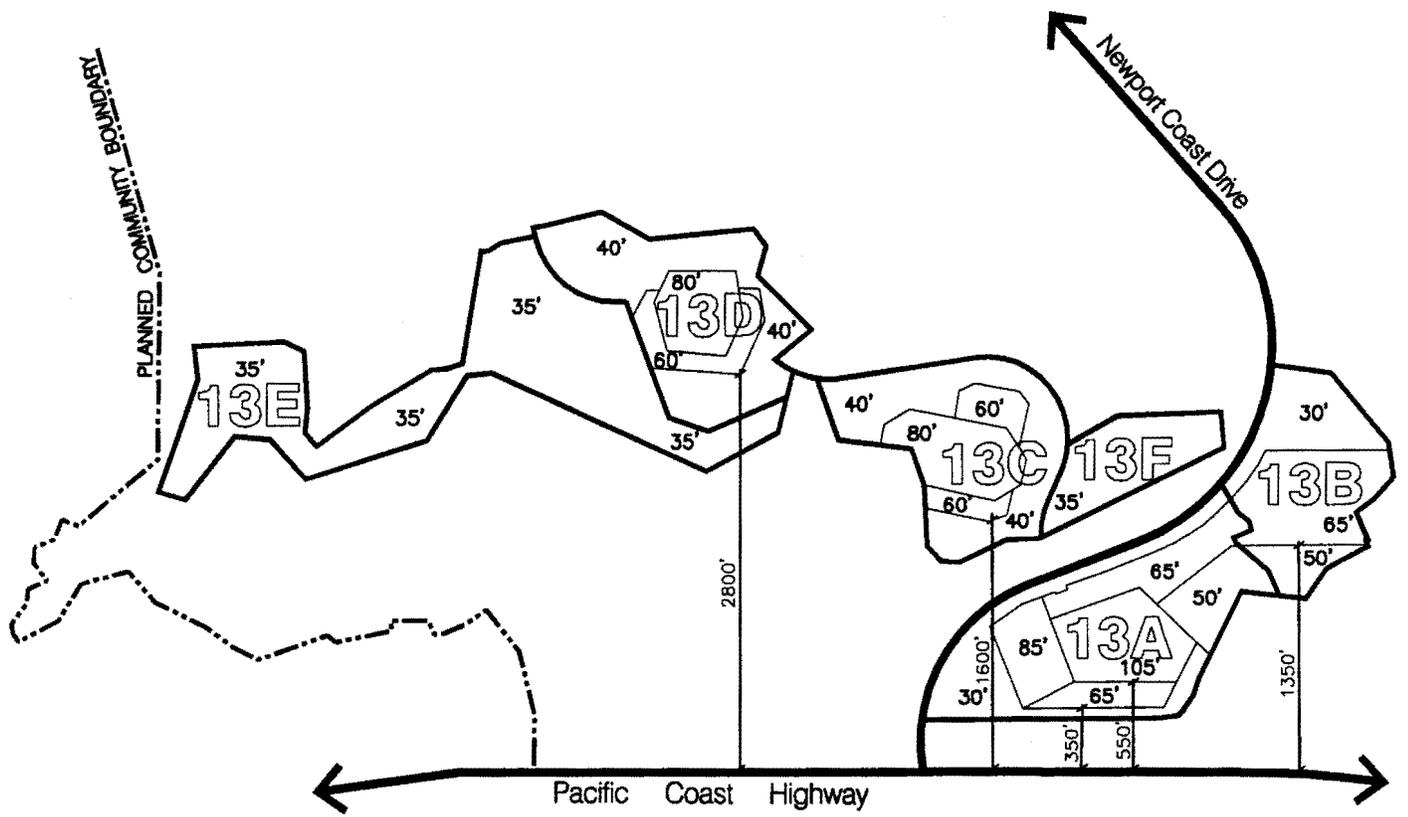
- ~~e.1)~~ Maximum building heights are designated by individual height zones on Exhibit J.
- ~~e.2)~~ The following maximum building coverages are expressed as a percentage of each planning area's total gross acreage:



# PELICAN HILL RESORT HEIGHT ZONES

The Irvine Coast Local Coastal Program

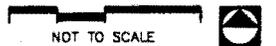
Exhibit J



PELICAN HILL RESORT HEIGHT ZONES - Second Amendment

The Newport Coast Local Coastal Program

Exhibit J



NOT TO SCALE

JULY 18, 1996

1a) The maximum building coverage (excluding parking structures) within each planning area:

PA 13A: Overall coverage = 40% maximum

PA 13B: Overall coverage = 28% maximum

PA 13C: Overall coverage = ~~25%~~50% maximum

PA 13D: Overall coverage = ~~20%~~50% maximum

PA 13E: Overall coverage = ~~50%~~25% maximum

PA 13F: Overall coverage = ~~50%~~20% maximum

2b) The distribution of maximum building coverage by various height categories, for any structure or portion thereof, within the six planning areas is as follows:

PA 13A: The 40% maximum is distributed as follows:

Structures up to 50 ft. in height = 22% maximum;

Structures up to 65 ft. in height = 10% maximum;

Structures up to 85 ft. in height = 6% maximum; and

Structures up to 105 ft. in height = 2% maximum.

PA 13B: The 28% maximum is distributed as follows:

Structures up to 50 ft. in height = 20%; and

Structures up to 65 ft. in height = 8%.

PA 13C: The ~~25%~~50% maximum is distributed as follows:

Structures up to 40 ft. in height = ~~7%~~32% maximum;

Structures up to 60 ft. in height = 10% maximum; and

Structures up to 80 ft. in height = 8% maximum.

PA 13D: The ~~20%~~50% maximum is distributed as follows:

Structures up to 40 ft. in height = ~~2%~~32% maximum;

Structures up to 60 ft. in height = 10% maximum; and

Structures up to 80 ft. in height = 8% maximum.

PA 13E: The ~~50%~~25% maximum shall all be in structures up to 35 ft. in height (i.e., no further distribution by height).

PA 13F: The ~~50%~~20% maximum shall all be in structures up to 35 ft. in height (i.e., no further distribution by height).

### 3) Minimum building setbacks from Pacific Coast Highway

PA 13A: All structures will be a minimum of 300 feet from PCH. Structures in excess of 30 feet in height and up to 85 feet in height will be a minimum of 350 feet from PCH. Structures in excess of 85 feet in height will be a minimum of 550 feet from PCH.

PA 13B: Structures in excess of 50 feet in height will be a minimum of 1,350 feet from PCH.

PA 13C/  
PA 13F: Structures in excess of 40 feet in height will be a minimum of 1,600 feet from PCH.

PA 13D/  
PA 13E: Structures in excess of 40 feet in height will be a minimum of 2,800 feet from PCH.

### 4) Terracing Criteria

a) Planning Area 13A: Consistent with Exhibit J and the overall site design ultimately required for a Coastal Development Permit application, lower structures shall be located in front of higher structures so as to present an architectural terracing effect as structures step back from Pacific Coast Highway.

b) Planning Area 13B: Consistent with Exhibit J and the overall site design ultimately required for a Coastal Development Permit application, lower structures

shall be located in front of higher structures so as to present an architectural terracing effect as structures step back from Pacific Coast Highway.

### 5) Landscape Screening

Landscape screening in the form of earth berms, edge planting along Pacific Coast Highway, golf course landscaping, and hotel landscaping will all combine to act as screening to soften building massing as viewed from Pacific Coast Highway.

- e. g. Access will be from ~~Pelican Hills Road~~ Newport Coast Drive via a network of local roadways.
- f. h. Minimum landscaping for each site shall be 15% of the net area of the site.
- g. i. Minimum building setback from ~~Pelican Hill Road~~ Newport Coast Drive will be 50 feet. Minimum setback for surface parking from ~~Pelican Hill Road~~ Newport Coast Drive will be 10 feet.
- h. j. Grading of the Tourist Commercial sites will create a smooth and gradual transition between new and existing grades.
- i. k. Grading of Tourist Commercial sites may be done concurrently with grading for the golf course to balance cut and fill within the resort area and to reduce the total amount of time during which major grading operations will need to be conducted.
- k. l. The landscape treatment will reinforce the architectural elements of the Tourist Commercial sites within the natural and cultivated landscape of the golf course.
- l. m. A shuttle service for visitors will connect the visitor-serving areas with each other and with the John Wayne Airport.

2. **MUDDY CANYON LOWER WISHBONE (PA 14)**

- a. Principal permitted use includes overnight/resort accommodations such as a hotel or motel, and uses ancillary to and directly supportive of overnight/resort accommodations, including rooms, retail commercial, and service commercial uses, and incidental and other support facilities normally associated with resort hotels such as food preparation, housekeeping, maintenance, and manager's areas.
- b. Incidental and accessory commercial development shall include only uses supporting and directly relating to the adjacent park, overnight/resort accommodations, and recreational visitor activities.
- c. Maximum number of overnight/resort accommodations (i.e., hotel or motel guest rooms or casitas) shall be 250.
- d. Principal permitted uses and accessory uses, including overnight/resort accommodations and all directly supporting commercial facilities but excluding parking facilities and the day-use commercial described in (f) below, shall not exceed a total of 300,000 square feet. Within this total area, Planning Area PA 14 shall not contain more than 18,750 square feet of meeting space.
- e. Casitas shall be counted as follows with respect to the maximum 250 permitted overnight/resort visitor accommodations:
  - 1) Casitas with one or two bedrooms shall be considered one (1) overnight/resort accommodation; and
  - 2) Casitas with three or more bedrooms shall be considered two (2) overnight/resort accommodations.

- e- f. Day-use retail commercial facilities, in addition to those included within hotels and other accommodations areas, are allowed and shall not exceed 25,000 square feet of floor area.
- f- g. Maximum height of structures shall be 35 feet, except towers, gables, spires, flag poles, chimneys, mechanical equipment, and architectural features will have a maximum height of 47 feet.
- g- h. Maximum building site coverage (excluding parking structures) shall be 45%~~50%~~.
- h- i. Minimum site landscaping shall be 15% of the net area of the site. To minimize to the extent practicable any views of the hotel parking areas from inland portions of Crystal Cove State Park, landscape screening shall be provided parallel to the perimeter of parking areas in Planning Area PA 14 which border Muddy Canyon.
- i- j. Minimum building setbacks ~~from PCH is 100 feet~~ (Surface parking is permitted in setback area):
  - 1) ~~From PCH = 100 feet;~~
  - 2) ~~From internal access roadways = 20 feet; and~~
  - 3) ~~From exterior property lines = 10 feet.~~

**3. LAGUNA CANYON (PA-16A AND PA-16BPA 20A)**

- a. Principal permitted use includes retail commercial, service commercial, commercial recreation, and incidental and accessory uses supportive of and directly related to permitted uses ~~and/or public works facilities~~.
- b. Principal permitted uses and accessory uses shall not exceed a total of 75,000 square feet of floor area ~~directly related to and/or supportive of the nearby park and/or recreational visitor activities~~.

- c. Access to the tourist commercial facilities will be directly from Laguna Canyon Road.
- d. The maximum height of facilities will be one-story and thirty-five (35) feet.
- e. Vegetation and drainage courses in Category D ESHA's will be altered or eliminated.
- f. Maximum building site coverage (excluding parking structures) shall be 45%.
- g. Minimum setbacks:
  - 1) Building from Laguna Canyon Road = 50 feet minimum; and
  - 2) Surface parking from Laguna Canyon Road = 10 feet minimum.
- h. ~~In the event that the entire~~ Prior to, or concurrent with the recordation of the first final development entitlement (i.e., 75,000 sq. ft.) in this LCP for PA 16A and PA 16B is transferred to either PA 20A or an alternate site within the City of Laguna Beach and all necessary permits are obtained to allow such transferred development to be constructed, then map in PA 20A, the landowner shall ~~thereupon execute and record~~ an offer to dedicate PA 16A and PA 16B. Such offer shall be subject to immediate acceptance by the County of Orange for a period of three (3) years. In the event that the County does not accept the offer during that time period, said offer shall be available for acceptance by the City of Laguna Beach for a period of three (3) years thereafter.

**B. GOLF COURSE POLICIES**

- 1. Planning Areas PA 10A and PA 10B will contain golf courses that will serve both visitors and residents. At least 50 percent of all golf course play will be reserved for visitors, including guests staying in on-site accommodations. To the extent that golf course, tennis court, and other recreational facility usage is not required to serve the recreational needs of visitors to uses located in Planning Areas PA 13A through PA 13F and PA 14, golf course, tennis court, and other play shall be made available to the public on an advance reservation basis. In order to

minimize conflicts and allow efficient scheduling, a visitor play area may be separate from a resident play area.

2. Principal permitted use includes golf courses, lakes, ponds, and associated drainage facilities, driving ranges, clubhouses, tennis courts, athletic clubs, and incidental and accessory commercial and non-commercial recreation facilities. Except for the golf course play area, driving range, and putting greens, all golf course related uses shall be included within the total square footage allowed for PA 13 uses.
3. Collector roads to serve visitor accommodations and other land uses will be located in PA 10A.
4. Golf courses will be subject to a permanent open space easement upon completion.
5. As part of the review and approval of a coastal development permit for the golf course in PA 10A and PA 10B, a "Riparian Habitat Creation Program" (RHCP) will be submitted in accordance with the following criteria and the standards set forth in LCP Subsection II-6-E-8<sup>1</sup>:
  - a. Drainage profiles will be re-constituted and new riparian habitat will be established in selected drainage courses in PA 10A and/or PA 11B totaling approximately 4,000 lineal feet and utilizing one or more of the following enhancement concepts (see Pelican Hill Drainage Habitats, Larry Seeman Associates, September 1986, provided in the Appendix to this LCP, for further definition of enhancement concepts):
    - 1) Sycamore planting;
    - 2) Willow planting;
    - 3) Willow/mulefat establishment;
    - 4) Elderberry riparian establishment;
    - 5) Grade control;
    - 6) Pocket riparian establishment;
    - 7) Arroyo enhancement/establishment; and

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<sup>1</sup> RHCP finalized in January 1990 and installed with construction of the golf courses.

- 8) Pond establishment.
- b. The Riparian Habitat Creation Program will ensure that runoff from the golf course and the water features of the golf courses will be used as sources of year-round water supply for the support of riparian vegetation enhancement in drainage courses identified in PA 10A and PA 11B, and that any water supply required to supplement these sources for nourishment of riparian vegetation shall be provided.
  - c. The Riparian Habitat Creation Program will specify an implementation schedule phased with the construction of the golf course.
  - d. The Riparian Habitat Creation Program will specify a minimum width of 15 feet on both sides of the drainage course. Therefore, the minimum width of the drainage course will be 30 feet.
  - e. The riparian drainage course shall include an understory similar to that found in Buck Gully and Los Trancos Canyon. Existing non-native plants shall be carefully removed only as necessary to retain the integrity of the riparian corridor.
  - f. Water quality in the riparian drainage course shall be monitored. The monitoring program shall be submitted prior to coastal development permit approval for the golf course.

**C. RECREATION/PUBLIC ACCESS POLICIES**

Land use policies concerning recreation and public access are applicable to specified planning areas only.

Planning Area PA 17 contains 2,807 Crystal Cove State Park. A Public Works Plan has already been certified by the Coastal Commission for this planning area obviating the need to include separate policies in this LUP.

Planning Areas PA 18, PA 19, PA 21A, PA 21B, PA 21C, and PA 21D accommodate the County's Irvine Coast Wilderness Regional Park as described in LUP Chapter 3. Recreation Planning Areas PA 11A, PA 11B, PA 12A, PA 12B, PA 12C, PA 12D, ~~and PA 12E, PA 12H and PA 12I~~ adjoin residential land use areas and preserve archaeological/paleontological sites and identified ESHA's in Buck Gully, Los Trancos/Muddy Canyons, and the frontal slopes of Pelican Hill and Lower Wishbone-Hills. ~~Planning Area 12F contains the existing El Morro Elementary School and PA 12J contains existing Laguna Beach County Water District facilities.~~ Policies for these Planning Areas are also described in LUP Chapter 3.

Recreation Planning Areas ~~PA 20A, PA 16A, PA 16B,~~ PA 20B, and PA 20C are adjacent to Laguna Canyon Road:

**1. LAGUNA CANYON (~~PA 20A, PA 16A, PA 16B~~ AND PA 20B<sup>1</sup>)**

- a. Principal permitted use includes parking facilities, educational and cultural facilities, recreation support facilities, flood control and drainage facilities, and public utilities. USGS Drainage Courses will be filled in these sites. These ~~two~~<sup>three</sup> small parcels are adjacent to Laguna Canyon Road.
- b. Access will be provided directly from Laguna Canyon Road.

**2. PLANNING AREAS PA 12G AND 20C:**

- a. Principal permitted use includes commercial recreation related to park use, specialty retail shops related to park use, restaurants and food sales serving visitors to the adjacent Regional and State Parks, educational and cultural facilities, gardens, staging areas and Regional Park support facilities.
- b. Principal permitted uses (excluding gardens) shall not exceed a total of ~~75,000~~<sup>7,500</sup> square feet of floor area directly related to and/or supportive of the 1) nearby parks ~~and~~

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<sup>1</sup> ~~The principal permitted uses in Planning Area 20B are subject to a deed restriction limited to open space under the provisions of an agreement with the County of Orange.~~

2) recreational visitor activities; and/or 3) uses located primarily in and authorized pursuant to the Laguna Laurel PC, PA 8.

~~e. Principal permitted uses shall only be allowed in PA 20C as an extension of such uses which are located primarily in and authorized pursuant to the Laguna Laurel PC, PA 8.~~

~~d. c.~~ The maximum height of facilities will be one-story and fifteen (15) feet for PA 12G and thirty-five (35) twenty-five (25) feet for PA 20C.

~~e. d.~~ Maximum building site coverage shall be 35% 12%.

#### **D. RESIDENTIAL POLICIES**

##### **1. GENERAL RESIDENTIAL**

a. All of the residential categories are described in terms of character, dwelling units, and density per gross residential acre.

b. Residential categories may include public and private facilities compatible with the residential uses, such as schools, libraries, post offices, museums, art galleries, parks, recreation facilities, and neighborhood commercial uses.

c. Neighborhood commercial facilities within specified residential planning areas will be permitted up to a maximum of 10 gross acres with a maximum building floor area of 100,000 square feet.

d. Prior to, or concurrent with, the recordation of final subdivision maps, designated open space areas within the subdivision will be subject to easements, dedications, CC&R's, or other mechanisms to ensure permanent open space use.

undeveloped visual qualities as viewed from the potential Moro Canyon Trail shown on Exhibit K.

At the time of subdivision, all lots in PA 6 shall incorporate a building envelope which indicates the maximum building heights combined with necessary setbacks allowable on each parcel. The building envelope shall define the necessary combination of heights and setbacks applicable to each lot required to meet these policy standards and shall be reflected in the CDP and CC&R's for the subdivision.

Development shall be sited so as to not be visible to persons located on the Moro Canyon Trail (or, if the Trail is not constructed at the time of subdivision, the proposed Trail located shown on Exhibit K). In a few cases this may be difficult to achieve, therefore, in these areas minor amounts of berming, landscaping, and the blending of exterior colors with indigenous plants and soils may be used to achieve the objective of this policy (i.e., maintain the existing undeveloped quality). The blending of slopes and use of variable slopes will be employed where reasonable to restore the natural appearance to the transition between the open space and graded areas. Night lighting shall be directed away from Crystal Cove State Park.

#### **E. TRANSPORTATION/CIRCULATION POLICIES**

The Transportation Element of the County General Plan has as its primary goal to:

"Develop an integrated transportation system consisting of a blend of transportation modes capable of meeting the continuous need to move people and goods by private and public means with maximum efficiency, convenience, economy, safety, and comfort; and a system that is consistent with other goals and values of the County and the region."

A primary purpose of this Element is to provide an Arterial Highway System providing maximum efficiency, convenience, and safety, which is implemented in a manner that requires the provision of those roadways to keep pace with development.

2) recreational visitor activities; and/or 3) uses located primarily in and authorized pursuant to the Laguna Laurel PC, PA 8.

~~e. Principal permitted uses shall only be allowed in PA 20C as an extension of such uses which are located primarily in and authorized pursuant to the Laguna Laurel PC, PA 8.~~

~~e. c.~~ The maximum height of facilities will be one-story and fifteen (15) feet for PA 12G and thirty-five (35) twenty-five (25) feet for PA 20C.

~~e. d.~~ Maximum building site coverage shall be 35% 12%.

#### D. RESIDENTIAL POLICIES

##### 1. GENERAL RESIDENTIAL

a. All of the residential categories are described in terms of character, dwelling units, and density per gross residential acre.

b. Residential categories may include public and private facilities compatible with the residential uses, such as schools, libraries, post offices, museums, art galleries, parks, recreation facilities, and neighborhood commercial uses.

c. Neighborhood commercial facilities within specified residential planning areas will be permitted up to a maximum of 10 gross acres with a maximum building floor area of 100,000 square feet.

d. Prior to, or concurrent with, the recordation of final subdivision maps, designated open space areas within the subdivision will be subject to easements, dedications, CC&R's, or other mechanisms to ensure permanent open space use.

~~2. FRONTAL SLOPES OF WISHBONE HILL (PA 3A AND PA 3B)~~

- ~~a. In order to protect visual resources of the frontal slopes, residential development will be limited to a maximum of 85 single family dwelling units.~~
- ~~b. Lot sizes will be a minimum average of 40,000 square feet.~~

**3.2. CAMEO DEL MAR PELICAN POINT (PA 9)**

- a. Primary structures within Cameo Del Mar Pelican Point will be designed and supported so that the stability of such structures will not be affected by bluff erosion, assuming no shoreline protection, for a minimum of 50 years. Setbacks, deep foundation support, and/or other methods may be used subject to a geologic report and County approval.
- b. Oceanfront setbacks will be subject to an open space easement as a condition of development approval.
- c. Grading, as it may be required to establish proper drainage, install landscaping, construct trails and related improvements, protect adjacent development, repair bluff slopes, and improve bluff stability, may be permitted within the setback.
- d. Cameo Del Mar Pelican Point will provide for a bluff top trail connecting Crystal Cove State Park, where topographic and geologic conditions permit.
- e. A smooth and gradual transition between graded and existing slopes will be maintained.
- f. The golf course in PA 10A and PA 10B north of Pacific Coast Highway may be extended into PA 9 subject to the Golf Course Policies contained in the preceding LUP Section I-4-B. Golf course usage may include related clubhouse and/or incidental and accessory golf course uses which shall be limited to a maximum of 10,000 square feet. Such golf course-

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<sup>1</sup> The bluff top trail has been constructed.

related uses shall be included within the total square footage allowed for PA 13 uses, as provided for in Subsection A-1-b of this Chapter. If the golf course is extended into PA 9, the clustering of residential development shall concurrently be permitted in PA 9. Clustered residential use may include residential planned developments, condominiums, and stock cooperatives, subject to the Residential Policies conformed in this Section, and a maximum building height of twenty-eight (28) feet.

#### 4.3. ~~MUDDY CANYON~~WISHBONE RIDGE (PA 6)

- a. In order to protect the visual and habitat resources of ~~Muddy Canyon~~Wishbone Ridge, residential development will be limited to a maximum of 75 single-family dwelling units and shall require a public hearing before the Planning Commission.
- b. Lot size will be a minimum average of 30,000 square feet.
- c. Access will be from ~~Sand Canyon Avenue~~<sup>\*</sup> directly or from a network of local roadways.
- d. Any necessary buffer or transition zones between PA 6 and PA 17 (i.e., Crystal Cove State Park) will be located within PA 17 in accordance with established easements.
- e. In order to maximize visual protection for public lands in the ~~Moro Canyon~~Wishbone Ridge area of Crystal Cove State Park, the subdivision of PA 6 shall assure that individual lots can be developed for single family homes in such a way as to maintain the existing undeveloped visual qualities (i.e., the visual character of the indigenous plant community) as viewed from the potential Moro Canyon Trail shown on Exhibit K. All lots within PA 6 shall be configured in such a way as to allow the future homeowner the ability to meet the aforementioned policy standard. In addition to applying this review standard at the subdivision stage, each permit application for development on these lots shall demonstrate how the individual lot development (structures and fencing) maintains the existing

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\* ~~Sand Canyon Avenue~~ was deleted pursuant to Board of Supervisor's Resolution No. 95-361 approved on August 1, 1995.

undeveloped visual qualities as viewed from the potential Moro Canyon Trail shown on Exhibit K.

At the time of subdivision, all lots in PA 6 shall incorporate a building envelope which indicates the maximum building heights combined with necessary setbacks allowable on each parcel. The building envelope shall define the necessary combination of heights and setbacks applicable to each lot required to meet these policy standards and shall be reflected in the CDP and CC&R's for the subdivision.

Development shall be sited so as to not be visible to persons located on the Moro Canyon Trail (or, if the Trail is not constructed at the time of subdivision, the proposed Trail located shown on Exhibit K). In a few cases this may be difficult to achieve, therefore, in these areas minor amounts of berming, landscaping, and the blending of exterior colors with indigenous plants and soils may be used to achieve the objective of this policy (i.e., maintain the existing undeveloped quality). The blending of slopes and use of variable slopes will be employed where reasonable to restore the natural appearance to the transition between the open space and graded areas. Night lighting shall be directed away from Crystal Cove State Park.

#### **E. TRANSPORTATION/CIRCULATION POLICIES**

The Transportation Element of the County General Plan has as its primary goal to:

"Develop an integrated transportation system consisting of a blend of transportation modes capable of meeting the continuous need to move people and goods by private and public means with maximum efficiency, convenience, economy, safety, and comfort; and a system that is consistent with other goals and values of the County and the region."

A primary purpose of this Element is to provide an Arterial Highway System providing maximum efficiency, convenience, and safety, which is implemented in a manner that requires the provision of those roadways to keep pace with development.

A key policy for arterial highway development is to assign a high priority for roadway improvement/construction that would complete essential gaps in the Master Plan of Arterial Highways. The goals, purposes, and the policies of the Transportation Element of the General Plan have been reflected in this LCP.

Capacity deficiencies already exist on Pacific Coast Highway and other roadways in the area surrounding the project. These deficiencies will increase to varying degrees with or without the project. However, the service levels will deteriorate to a greater degree without the project than with the project. With project implementation, there will be a substantial net increase in traffic capacity and a significant incremental improvement in level of service on both roadway links and intersections in this area. Without implementation of the project, regional commuting traffic is not offered alternate routes around capacity-deficient areas, and levels of service in these areas will continue to deteriorate from traffic related to regional traffic growth.

Thus, the spirit and intent of the Transportation Element's policies to improve the level of service and operational characteristics in the area are met with this project.

The ~~Irvine~~Newport Coast LCP requires a significant commitment of financial resources early in the project to achieve these goals. In recognition of this financial burden to the landowner and the need to complete the project to amortize that investment, and of the importance of these traffic improvements to the County, it is the intent of the County and the landowner to enter into a development agreement or other mechanism.

The policies that follow identify the specific assurances that the goals of the Transportation Element of the General Plan will be implemented:

## 1. ROADWAY IMPROVEMENTS

~~Pelican Hill Road Newport Coast Drive~~ is designated as a 6-lane major arterial highway, while ~~Sand Canyon Avenue~~<sup>\*</sup> is designated as a 2-lane commuter level arterial highway. Pacific Coast Highway is designated as a 6-lane major arterial highway from immediately north of ~~Pelican Hill Road Newport Coast Drive~~ to the southern boundary of PA 14; and a 4-lane primary arterial highway from ~~Pelican Hill Road Newport Coast Drive~~ to the City of Newport Beach, and south of PA 14 at the City of Laguna Beach. The ~~conceptual alignments for Pelican Hill Road Newport Coast Drive is and Sand Canyon Avenue~~<sup>\*</sup> are shown on the Land Use Plan (Exhibit F) and Exhibits L and N. ~~Some variations in alignment may occur in the final design process for these roads.~~ The alignment for Pacific Coast Highway remains in its current location within the Plan, as shown on Exhibit F. Adjacent to The ~~Irvine Newport Coast Project~~, Pacific Coast Highway will be widened to its master planned width in conjunction with adjacent ~~Irvine Newport Coast development areas~~. Widening adjacent to State Park facilities is to be completed by others. Typical sections for these roadways are shown on Exhibits ~~N, O, and PM and N~~.

## 2. ROADWAY PHASING

The construction of ~~Pelican Hill Road Newport Coast Drive~~, ~~Sand Canyon Avenue~~<sup>\*</sup> and Pacific Coast Highway widening improvements shall be implemented in a manner which is consistent with policies adopted in the 1981 Irvine Coast LCP. ~~Pelican Hill Road Newport Coast Drive~~ shall be phased such that four travel lanes from Pacific Coast Highway to MacArthur Boulevard shall be completed prior to issuance of the certificate of occupancy for development inland of Pacific Coast Highway which generates in excess of 4,560 Average Daily Trips (based upon daily trip generation from 100 low density residential units, 350 hotel rooms and 25,000 square feet of directly-related support commercial facilities approved in the previous LCP). Additional lanes of ~~Pelican Hill Road Newport Coast Drive~~ within the project boundaries up to the maximum size of 6-lanes, shall be constructed at the time that ~~Irvine Newport Coast development adjacent to Pelican Hill Road Newport Coast Drive~~ requires additional road

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<sup>\*</sup> ~~Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 95-361 approved on August 1, 1995.~~

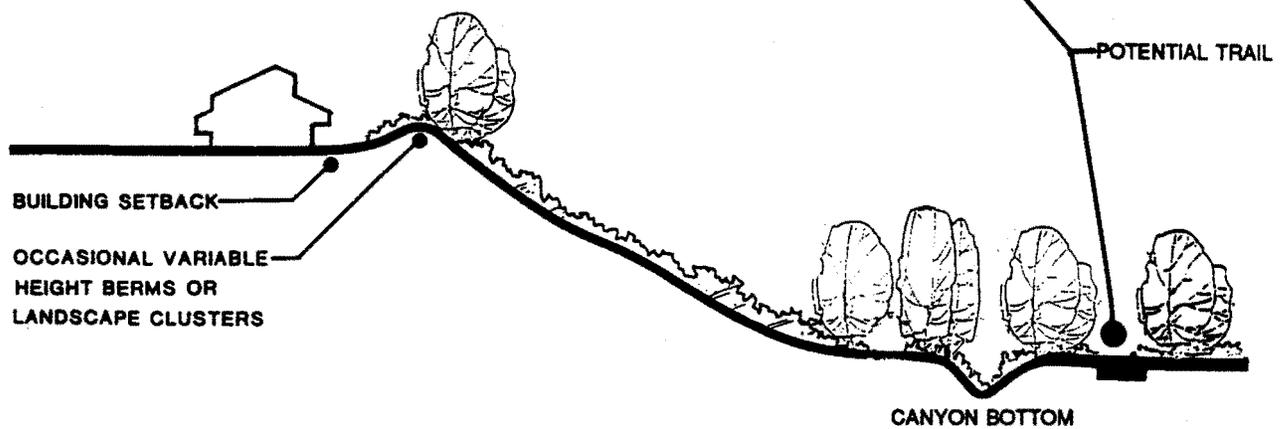
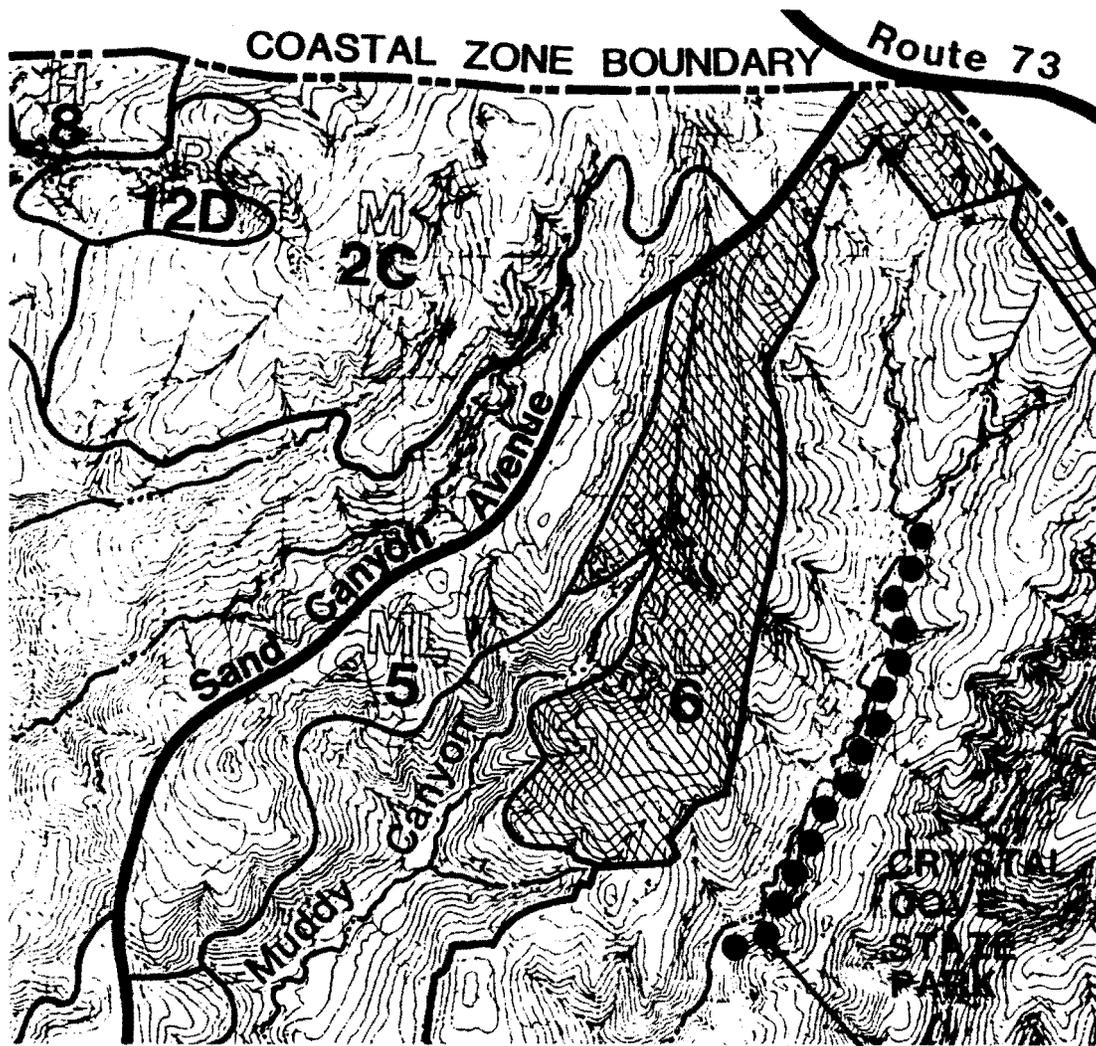
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Thus, the spirit and intent of the Transportation Element's policies to improve the level of service and operational characteristics in the area are met with this project.

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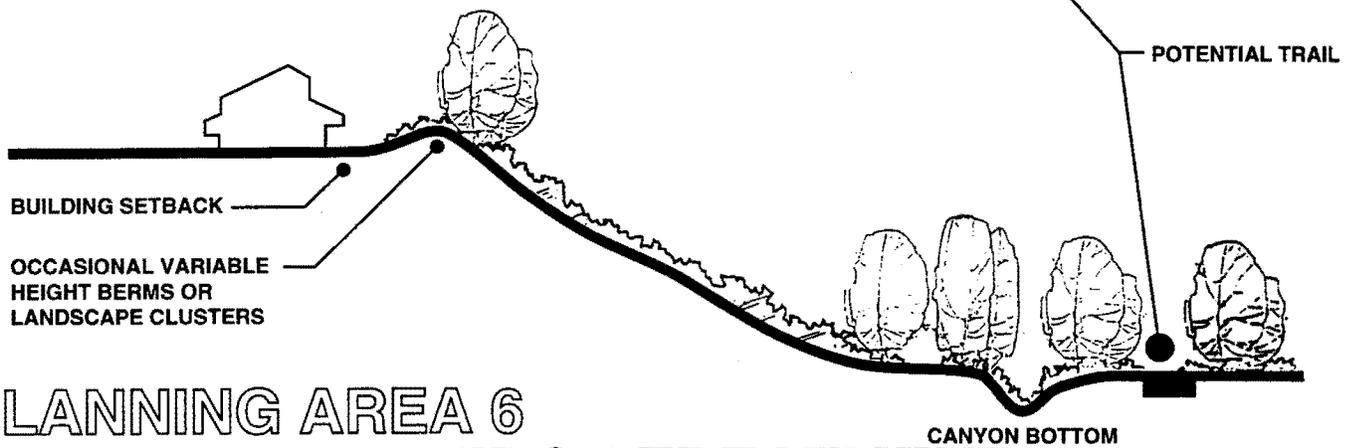
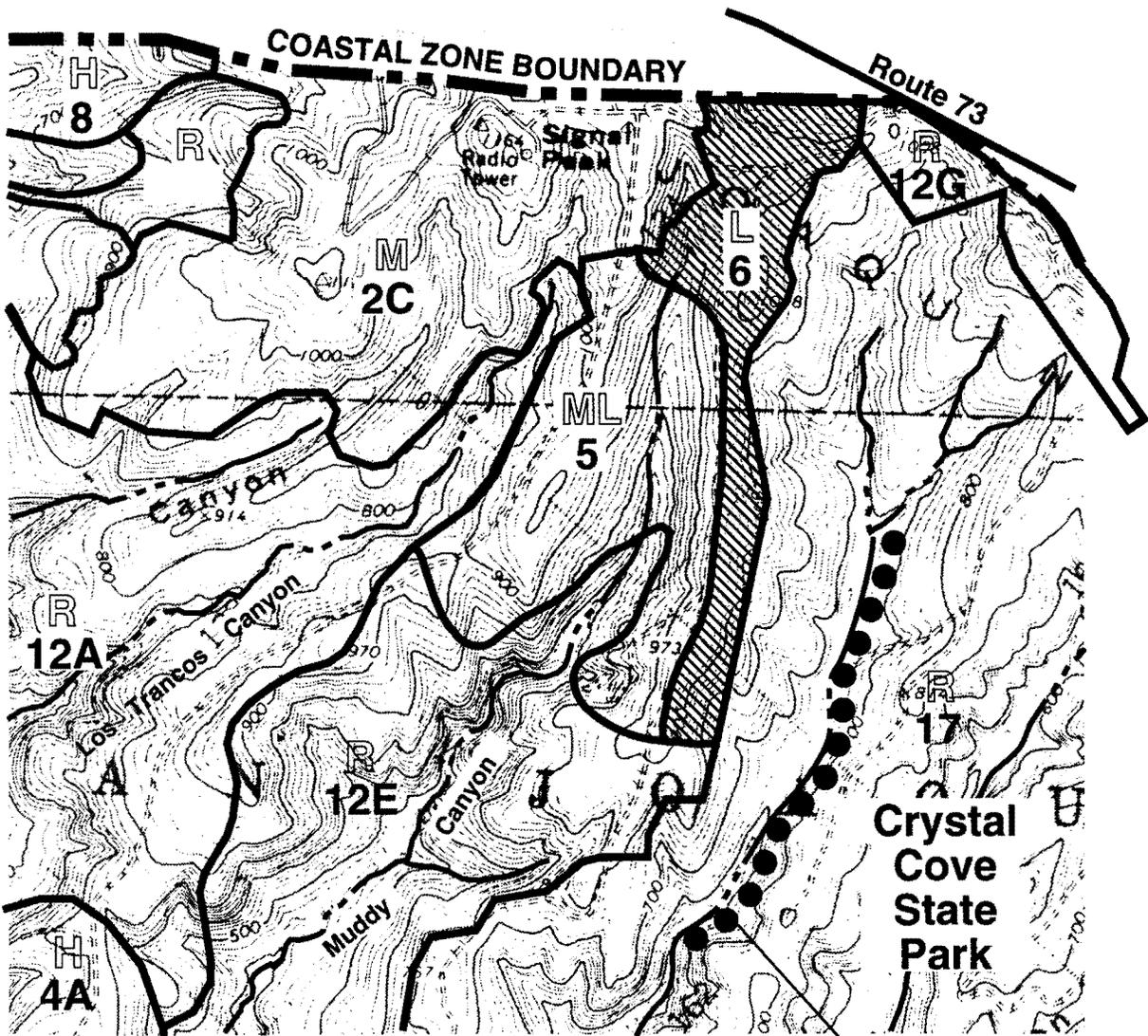


**PLANNING AREA 6  
DEVELOPMENT EDGE TREATMENT**

**The Irvine Coast Local Coastal Program**



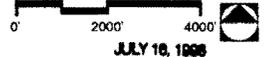
**Exhibit K**



**PLANNING AREA 6  
DEVELOPMENT EDGE TREATMENT -  
Second Amendment**

**The Newport Coast Local Coastal Program**

**Exhibit K**



**JULY 16, 1998**

## 1. ROADWAY IMPROVEMENTS

~~Pelican Hill RoadNewport Coast Drive~~ is designated as a 6-lane major arterial highway, while ~~Sand Canyon Avenue<sup>a</sup>~~ is designated as a 2-lane commuter level arterial highway. Pacific Coast Highway is designated as a 6-lane major arterial highway from immediately north of ~~Pelican Hill RoadNewport Coast Drive~~ to the southern boundary of PA 14; and a 4-lane primary arterial highway from ~~Pelican Hill RoadNewport Coast Drive~~ to the City of Newport Beach, and south of PA 14 at the City of Laguna Beach. The ~~conceptual~~alignments for ~~Pelican Hill RoadNewport Coast Drive~~ is and ~~Sand Canyon Avenue<sup>a</sup>~~ are shown on the Land Use Plan (Exhibit F) and Exhibits L and N. ~~Some variations in alignment may occur in the final design process for these roads.~~—The alignment for Pacific Coast Highway remains in its current location within the Plan, as shown on Exhibit F. Adjacent to The ~~IrvineNewport Coast~~ Project, Pacific Coast Highway will be widened to its master planned width in conjunction with adjacent ~~IrvineNewport Coast~~ development areas. Widening adjacent to State Park facilities is to be completed by others. Typical sections for these roadways are shown on Exhibits N, O, and PM and N.

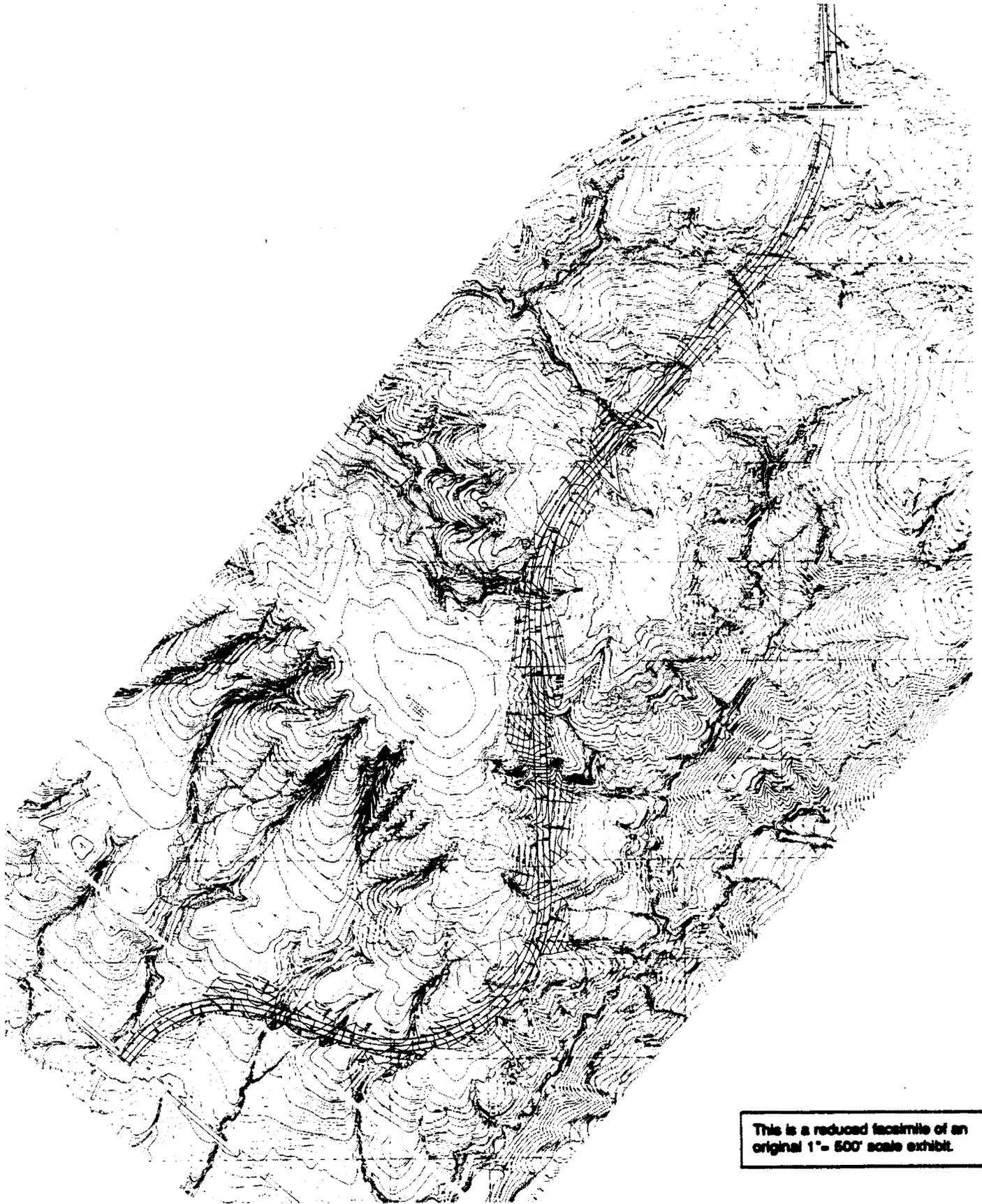
## 2. ROADWAY PHASING

The construction of ~~Pelican Hill RoadNewport Coast Drive~~, ~~Sand Canyon Avenue<sup>a</sup>~~ and Pacific Coast Highway widening improvements shall be implemented in a manner which is consistent with policies adopted in the 1981 Irvine Coast LCP. ~~Pelican Hill RoadNewport Coast Drive~~ shall be phased such that four travel lanes from Pacific Coast Highway to MacArthur Boulevard shall be completed prior to issuance of the certificate of occupancy for development inland of Pacific Coast Highway which generates in excess of 4,560 Average Daily Trips (based upon daily trip generation from 100 low density residential units, 350 hotel rooms and 25,000 square feet of directly-related support commercial facilities approved in the previous LCP). Additional lanes of ~~Pelican Hill RoadNewport Coast Drive~~ within the project boundaries up to the maximum size of 6-lanes, shall be constructed at the time that ~~IrvineNewport Coast~~ development adjacent to ~~Pelican Hill RoadNewport Coast Drive~~ requires additional road

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<sup>a</sup> ~~Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 95-561 approved on August 1, 1995.~~

capacity beyond the initial 4-lanes to serve traffic generated by such development. Sand Canyon Avenue shall be constructed to 2-lane commuter arterial road standards in conjunction with adjacent development. Similarly, Pacific Coast Highway will be widened consistent with 6-lane major arterial standards in conjunction with adjacent development. Transitions on Pacific Coast Highway from 6-lane major arterial standards to 4-lane primary arterial standards shall occur immediately north of Pelican Hill Road Newport Coast Drive to the City of Newport Beach, and south of PA 14 to the City of Laguna Beach.

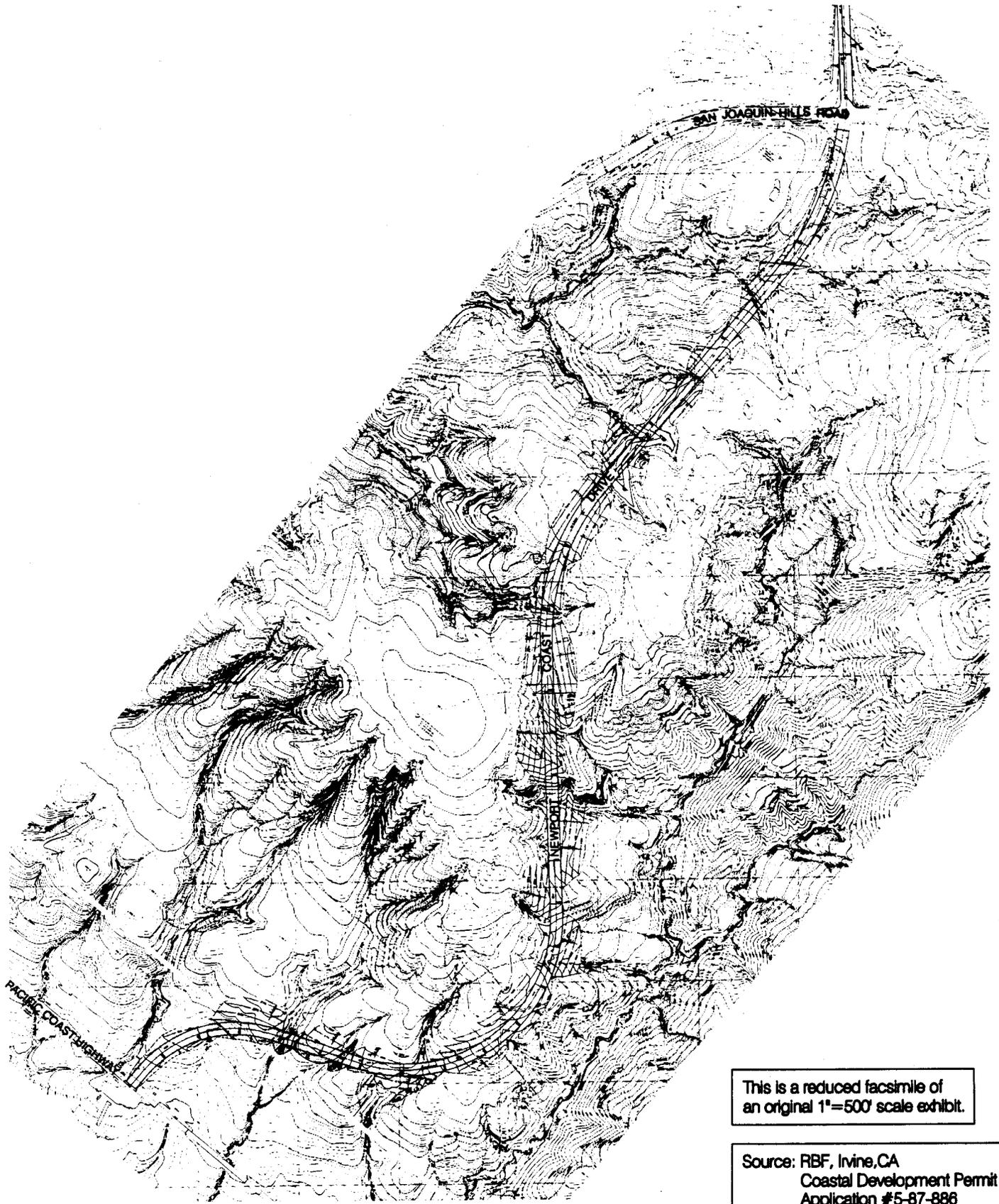


This is a reduced facsimile of an original 1" = 500' scale exhibit.

# PELICAN HILL ROAD CONCEPT PLAN

The Irvine Coast Local Coastal Program

Exhibit L



This is a reduced facsimile of  
an original 1"=500' scale exhibit.

Source: RBF, Irvine, CA  
Coastal Development Permit  
Application #5-87-886  
Approved 12-9-87  
Permit Issued 1-14-88

# NEWPORT COAST DRIVE ALIGNMENT

The Newport Coast Local Coastal Program

Exhibit L



JULY 16, 1988



This is a reduced facsimile of an original 1" = 500' scale exhibit.

# SAND CANYON AVENUE CONCEPT PLAN



The Irvine Coast Local Coastal Program

Exhibit N

# EXHIBIT DELETED

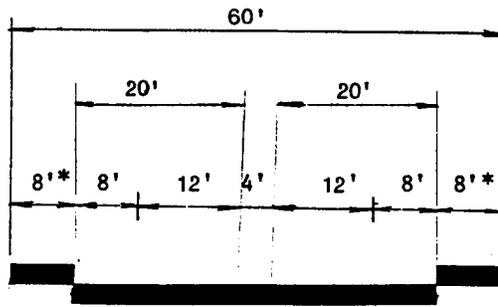
Note:

This exhibit has been deleted from the Second Amendment document.

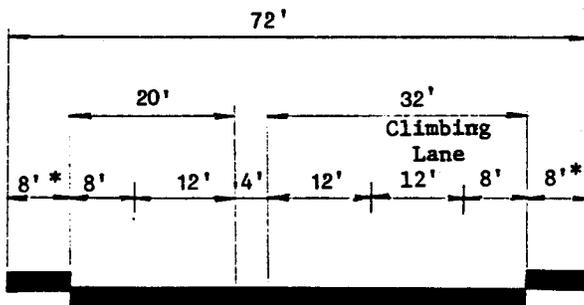
On August 1, 1995, the County of Orange Board of Supervisors (with Resolution No. 95-561) approved a Technical Amendment (T95-1) to the County's Master Plan of Arterial Highways which consisted of several components, one of which was the deletion of Sand Canyon Avenue.

The deletion of this exhibit is made pursuant to the direction provided by the Board of Supervisors in the above stated Resolution to:

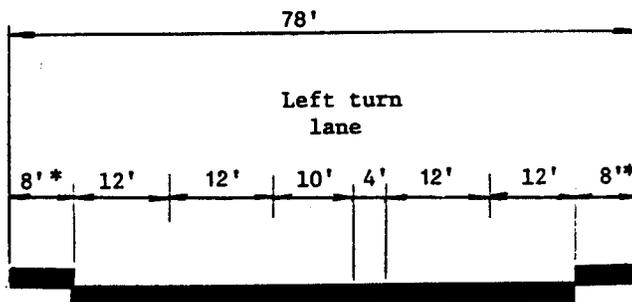
"...evaluate conditions of approval related to arterial highway improvements associated with the San Joaquin Hills Planned Community (Resolution 95-180) and the Irvine Coast Planned Community (Resolution 88-537) and modify them to ensure consistency with the MPAH."



BASIC SECTION



SECTION WITHIN CLIMBING LANE



SECTION AT INTERSECTION WITH LEFT TURN LANE,  
RIGHT TURN LANE AND ACCELERATION LANE

\* UNPAVED PARKWAY

# SAND CANYON AVENUE- Typical Sections

The Irvine Coast Local Coastal Program

Exhibit O

# EXHIBIT DELETED

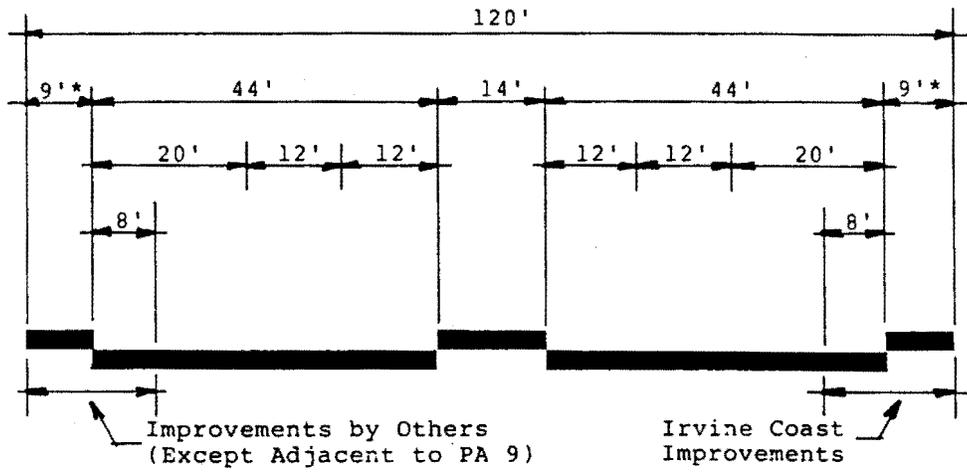
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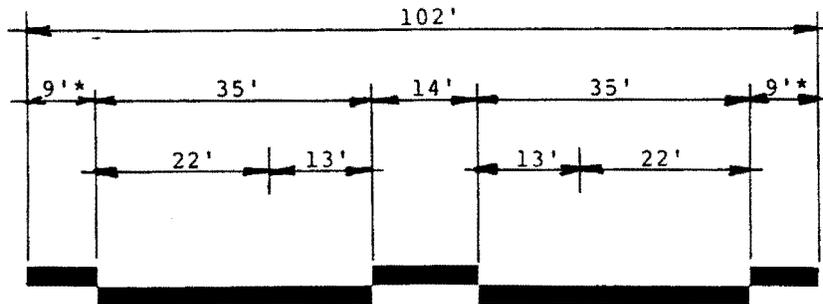
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"...evaluate conditions of approval related to arterial highway improvements associated with the San Joaquin Hills Planned Community (Resolution 95-180) and the Irvine Coast Planned Community (Resolution 88-537) and modify them to ensure consistency with the MPAH."



BASIC SECTION



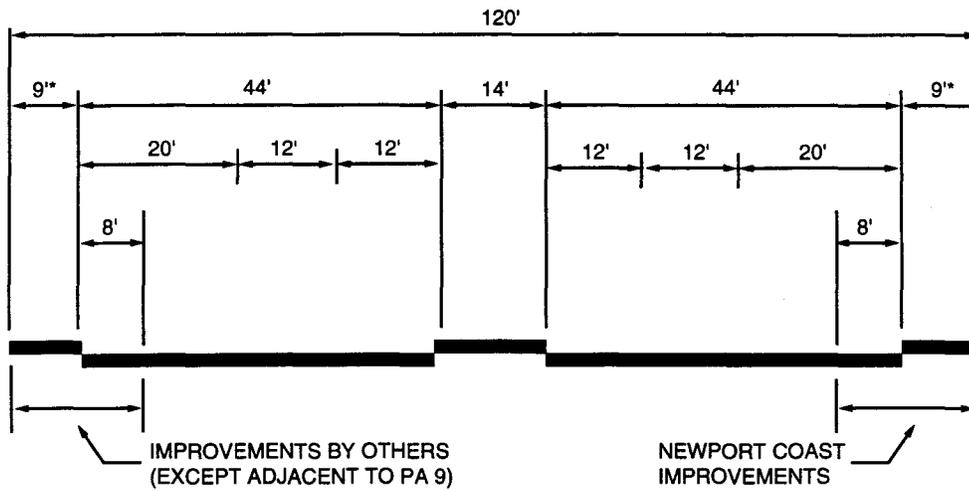
TRANSITION/EXISTING SECTION

\*UNPAVED PARKWAY

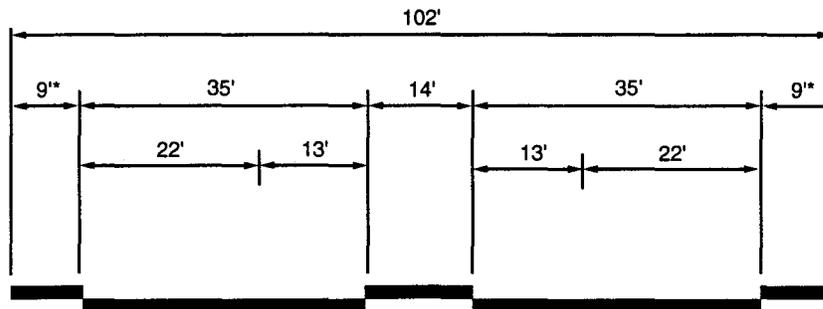
# PACIFIC COAST HIGHWAY Typical Sections

The Irvine Coast Local Coastal Program

Exhibit P



BASIC SECTION



TRANSITION / EXISTING SECTION

\*UNPAVED PARKWAY

# PACIFIC COAST HIGHWAY

## Typical Sections

The Newport Coast Local Coastal Program

Exhibit N



JULY 18, 1998

A summary of the arterial roadway phasing policies for The IrvineNewport Coast development is provided on Exhibit QQ, "Irvine Coast Arterial Roadway Phasing Summary."

3. Typical sections for entry roads, collector roads, residential streets, and private driveways are shown on Exhibit RP. Modifications to meet special site conditions or safety needs or to reduce impacts may be approved by the County of Orange.
4. Access to arterial highways from development will occur by means of primary, secondary, and emergency access points.
5. Access points on Pacific Coast Highway will be located in a manner to ensure safe and efficient traffic flows. Anticipated signalized access points serving development areas are shown on Exhibit YW. Any additional access points shall be minimized to the extent feasible.
6. Residential areas may be served by private streets.
7. Arterial highways will provide access for public and private buses. Because of topographic constraints, no exclusive bus or HOV lanes are to be provided.
8. Commercial areas and/or the State Park will provide parking space for private (charter) buses and transit stops for public buses where feasible.
9. A regional Class II (on-road) bike trail will be located along Pacific Coast Highway and Pelican Hill RoadNewport Coast Drive<sup>1</sup>
10. Roadway design will generally reflect a rural rather than urban character. Where feasible, precise roadway alignments shall preserve the natural topography and avoid environmentally sensitive areas.

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<sup>1</sup> Class II bike trails completed with the widening of Pacific Coast Highway and the construction of full improvements for Newport Coast Drive

**IRVINE COAST ARTERIAL ROADWAY PHASING SUMMARY**

<b>Roadway Improvement</b>	<b>Triggering Mechanism</b>
2 lanes of San Joaquin Hills Road-existing terminus to Pelican Hill Road	Pelican Hill/Pelican Ridge Development generating up to 4560 ADT* (PA1A, PA1B, PA1C, PA2A, PA2B, PA2C)
4 lanes of Pelican Hill Road - from San Joaquin Hills Road to Development Area access	Occupancy of Highway to MacArthur Boulevard development inland of Pacific Coast Highway generating in excess of 4560 ADT*
4 lanes of Pelican Hill Road-Pacific Coast	Adjacent Pelican Hill Frontal Slope Occupancy (PA13A, PA13B)
2 additional lanes on Pelican Hill Road (6 total) between Pacific Coast Highway and San Joaquin Hills Road	Adjacent Cameo Del Mar Occupancy (PA9)**
1 additional southbound lane on Pacific Coast Highway - PA9 Frontage	Adjacent Pelican Frontal Slope Occupancy (PA13A, PA13B)
1 additional northbound lane on Pacific Coast Highway from Sand Canyon to Pelican Hill Road	Adjacent Pelican Hill Ridge/Pelican Hill Frontal Slope Development and adjacent Muddy Canyon Occupancy (PA13C, PA13D, PA14)
1 additional northbound lane on Pacific Coast Highway between: 1)Crystal Cove State Park and Sand Canyon; and 2)Pelican Hill Road and Corona Del Mar	Adjacent Wishbone Frontal Slope Occupancy** (PA3A, PA3B)
2 lanes of Sand Canyon Avenue-Pacific Coast Highway to Development Area access	Adjacent Wishbone Hill Occupancy (PA4A, PA4B)
2 lanes of Sand Canyon Avenue from Wishbone Frontal Slope access to PA 4A, 4B access	Adjacent Wishbone Ridge Occupancy (PA5, PA6)
2 lanes of Sand Canyon Avenue - Wishbone Hill access to Coastal Zone boundary	

\* Initial development inland of Pacific Coast Highway shall be limited to a 4560 ADT total trip ceiling prior to the implementation of Pelican Hill Road to MacArthur Boulevard, which equates to development allowed inland of Pacific Coast Highway in the 1981 LUP approval. Said initial development inland of Pacific Coast Highway shall be allowed in Planning Areas PA1A, PA1B, PA1C, PA2A, PA2B, PA2C, PA3A, and PA3B, as long as the total cumulative trip generation does not exceed the 4560 ADT ceiling.

\*\* Implementation of Planning Areas PA3A, PA3B, and PA9 is not only subject to the applicable restrictions discussed in the previous footnote but is further limited to allow issuance of building permits in those areas only when the grading of Pelican Hill Road has started. Further, the amount of development, on a cumulative basis, for Planning Areas PA3A, PA3B, and PA9 is to be limited so that the 101st occupancy permit cannot be issued prior to the opening of Pelican Hill Road through to MacArthur Boulevard.

EXHIBIT 00

**IRVINENEWPORT COAST ARTERIAL ROADWAY PHASING SUMMARY**  
IrvineNewport Coast Local Coastal Program

**ROADWAY IMPROVEMENT**

**TRIGGERING MECHANISM**

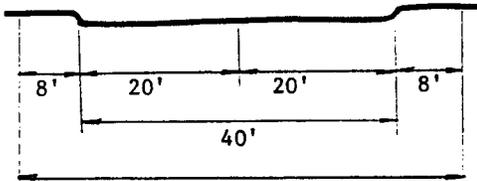
2 lanes of San Joaquin Hills Road-existing terminus to Newport Coast Drive. <sup>1</sup>	Pelican Hill/Pelican Ridge Development generating up to 4,560 ADT* (PA1A, PA1B, PA1C, PA2A, PA2B, PA2C).
4 lanes of Pelican Hill RoadNewport Coast Drive — from San Joaquin Hills Road to Development Area access. <sup>1</sup>	
4 lanes of Pelican Hill RoadNewport Coast Drive — Pacific Coast Highway to MacArthur Boulevard. <sup>1</sup>	Occupancy of development inland of Pacific Coast Highway generating in excess of 4,560 ADT.*
2 additional lanes on Pelican Hill RoadNewport Coast Drive (6) total between Pacific Coast Highway and San Joaquin Hills Road. <sup>1</sup>	Adjacent Pelican Hill Frontal Slope Occupancy (PA13A, PA13B).
1 additional southbound lane on Pacific Coast Highway — PA9 Frontage. <sup>1</sup>	Adjacent Camino Del MarPelican Point Occupancy (PA9).**
1 additional northbound lane on Pacific Coast Highway from Sand Canyon Entry to Pelican Hill RoadNewport Coast Drive. <sup>1</sup>	Adjacent Pelican Hill Frontal Slope Occupancy (PA13A, PA13B).
1 additional northbound lane on Pacific Coast Highway between: 1) Crystal Cove State Park and Sand Canyon Entry; <sup>1</sup> and 2) Pelican Hill RoadNewport Coast Drive and Corona Del Mar. <sup>1</sup>	Adjacent Pelican Hill Ridge/Pelican Hill Frontal Slope Development and adjacent Muddy Canyon Occupancy (PA13C, PA13D, PA14).
2 lanes of Sand Canyon — Pacific Coast Highway to Development Area access. <sup>2</sup>	Adjacent Wishbone Frontal Slope Occupancy** (PA3A, PA3B)
2 lanes of Sand Canyon — Wishbone Frontal Slope access to PA4A, PA4B. <sup>2</sup>	Adjacent Wishbone Hill Occupancy (PA4A, PA4B)
2 lanes of Sand Canyon Avenue — Wishbone Hill access to Coastal Zone boundary. <sup>2</sup>	Adjacent Wishbone Ridge Occupancy (PA5, PA6).

\* Initial development inland of Pacific Coast Highway shall be limited to a 4,560 ADT total trip ceiling prior to the implementation Pelican Hill RoadNewport Coast Drive to MacArthur Boulevard, which equates to development allowed inland of Pacific Coast Highway in the 1981 LUP approval. Said initial development inland of Pacific Coast Highway shall be allowed in Planning Areas PA1A, PA1B, PA1C, PA2A, PA2B, PA2C, PA3A, and PA3B, as long as the total cumulative trip generation does not exceed the 4,560 ADT ceiling.

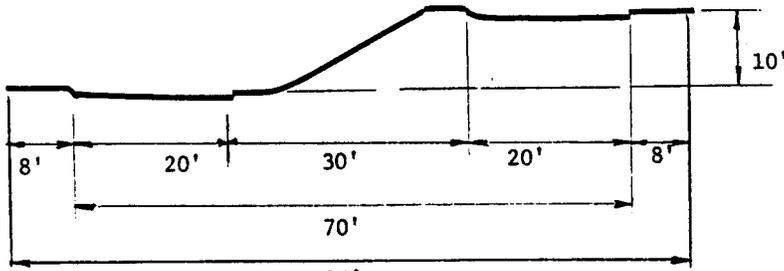
\*\* Implementation of Planning Areas PA3A, PA3B, and PA9 is not only subject to the applicable restrictions discussed in the previous footnote but is further limited to allow issuance of building permits in those areas only when the grading of Pelican Hill RoadNewport Coast Drive has started. Further, the amount of development, on a cumulative basis, for Planning Areas PA4A, PA4B, and PA9 is to be limited so that the 101st occupancy permit cannot be issued prior to the opening of Pelican Hill RoadNewport Coast Drive through to MacArthur Boulevard.

<sup>1</sup> Roadway improvements have been completed.

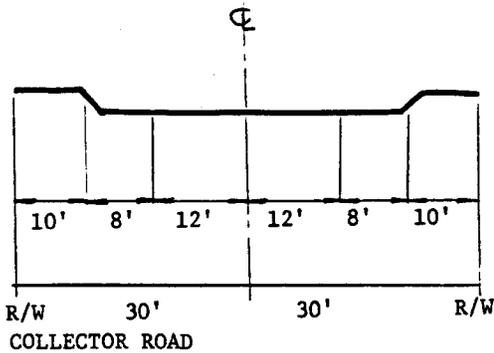
<sup>2</sup> Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 95-561 approved on August 1, 1995.



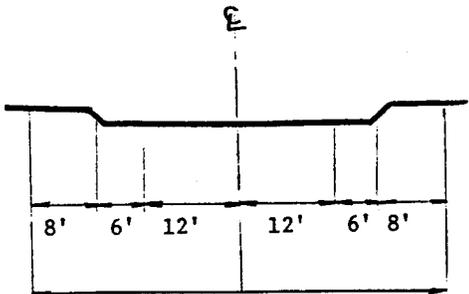
ENTRY ROAD



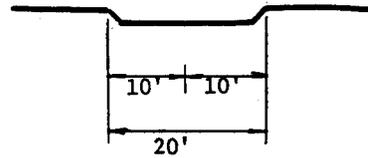
ENTRY ROAD



COLLECTOR ROAD

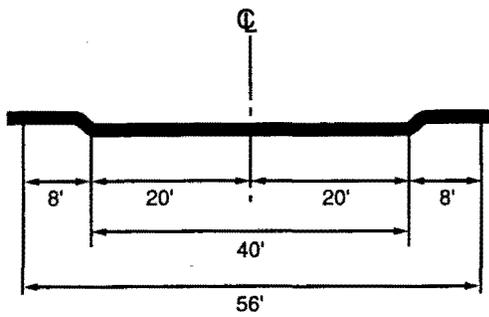


RESIDENTIAL STREET < 500 ADT

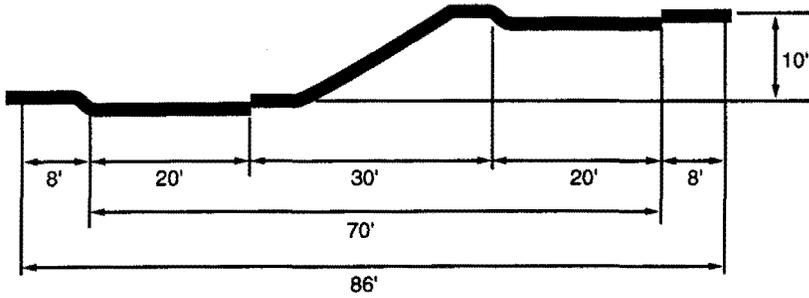


PRIVATE DRIVES

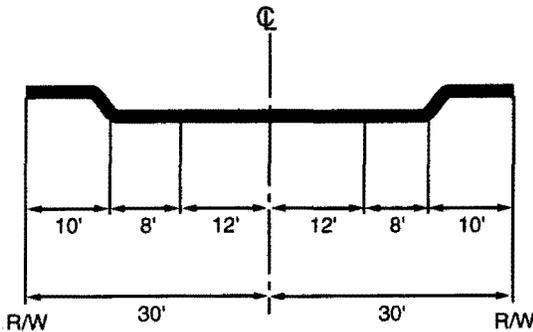
# RESIDENTIAL ENTRY ROAD & RESIDENTIAL STREETS- Typical Sections



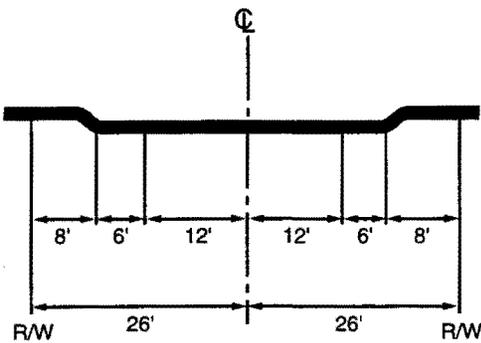
ENTRY ROAD



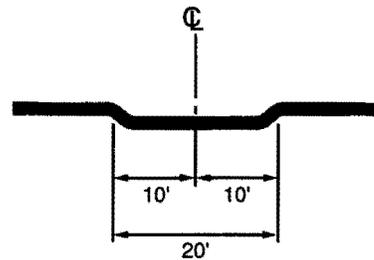
ENTRY ROAD



COLLECTOR ROAD



RESIDENTIAL STREET <500 ADT



PRIVATE DRIVES

# RESIDENTIAL ENTRY ROAD & RESIDENTIAL STREETS- Typical Sections

The Newport Coast Local Coastal Program

Exhibit P



JULY 16, 1998

11. Modifications to existing roadway standards will be carefully considered where justified by safety and circulation conditions.
12. Where appropriate, sidewalks will not be required in Low Density and Medium-Low Density residential areas that abut open space areas.
13. Public vistas to the ocean will be afforded along ~~Pelican Hill Road~~ Newport Coast Drive where feasible<sup>1</sup>.
14. Roadway grading shall be blended into existing topography by contour grading, where feasible. Retaining walls and other structures may be used to minimize grading impacts.
15. Visibility of terrace drains will be minimized to the greatest extent feasible through landscaping.
16. Any landscaping on public roads will make a gradual transition to native vegetation where applicable.
17. Improvements to accommodate widening of Pacific Coast Highway shall be allowed, and constitute a principal permitted use in PA 3A, PA 3B, PA 9, PA 10A, PA 10B, PA 14, and PA 17.
18. In 1979, the County certified final EIR 267 for the San Joaquin Hills Transportation Corridor (State Route 73) and selected a locally-preferred route which would involve grading and construction in a small portion of the most inland area of coastal zone. This alignment will be under further review in a joint EIR/EIS currently being prepared with CalTrans as the lead agency for CEQA purposes and the FHWA as the lead agency for NEPA purposes. The following policy provides for the grading area identified pursuant to EIR 267:

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<sup>1</sup> Completed with approval of CDP (CD 91-007P), that permits three view parks along Newport Coast Drive.

a. San Joaquin Hills Transportation Corridor:

Improvements in the grading area identified in Orange County EIR 267 required to accommodate grading and construction for the San Joaquin Hills Transportation Corridor (SJHTC, R~~SR~~ 73) may be located in PA 2C and PA 6 when found consistent with the LCP in a Coastal Development Permit for the SJHTC, R~~SR~~ 73.

19. The policies below provide for grading and construction required for the following projects:

a. ~~San Joaquin Hills Road:~~<sup>a</sup>

~~Improvements required to accommodate the grading and construction for San Joaquin Hills Road may be located in portions of PA 2C, PA 6, PA 12D, PA 8, and PA 11A when found consistent with the LCP in a Coastal Development Permit for any such road project.~~

a. Laguna Canyon Road:

Improvements to accommodate the widening and/or relocation of Laguna Canyon Road shall be allowed in PA 16A, PA 16B, PA 20A, PA 20B, PA 20C, PA 21A, and PA 21B, provided that any such project is the least environmentally damaging feasible alternative, as determined and approved by the California Coastal Commission.

~~20. The typical section for Sand Canyon Avenue<sup>b</sup> may be modified to include 13 foot wide lanes in order to accommodate a raised median.~~

~~21-20.~~ Traffic management program measures, including but not limited to the following, shall be encouraged by the landowner, operators, and lessees as appropriate at all stages of project development and buildout. Each Coastal Development Permit within an individual

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<sup>a</sup> The extension of San Joaquin Hills Road easterly of Newport Coast Drive was deleted pursuant to Board of Supervisor's Resolution No. 95-561 approved on August 1, 1995.

<sup>b</sup> Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 95-561 approved on August 1, 1995.

planning area shall be accompanied by a description of specific traffic management program measures, as appropriate, which shall be carried out in furtherance of this policy:

- a. Vanpool and carpool programs which encourage and assist people in forming rideshare groups;
- b. Setting aside preferred parking for people who share rides;
- c. Operating shuttles to transit stops, airports, and selected points of visitor attraction from overnight/resort accommodations. The use of shuttles should be correlated with the buildout of visitor areas and real demand for shuttle services. Additionally, project hotels shall make cars available for guest use in accordance with guest needs and accepted hotel management practices;
- d. Setting up "transportation stores" to disseminate information on bus schedules and ridesharing;
- e. Construction of pedestrian and bicycle paths connecting areas of interest, in accordance with County management policies and golf course/resort management needs;
- f. Establishing efficient signal timing to speed traffic flows;
- g. Within the policies of the appropriate transit provider, encourage increased frequency and range of public transit, and;
- h. Providing bus-related transit facilities, where appropriate, such as bus shelters, bus pullouts, and bus turnarounds.

~~22-21~~ Recognizing that Pacific Coast Highway is subject to complex regional impacts, the Growth Management Program is defined in IAP General Provision Subsection II-3-A-9. Therefore the AMR procedure in relationship to this project's traffic impacts focuses only on the link

traffic volumes of ~~Pelican Hill Road~~~~Newport Coast Drive~~ and ~~Sand Canyon Avenue~~<sup>a</sup> within the Coastal Area. For each year that the Orange County Annual Monitoring Report indicates that segments of ~~Pelican Hill Road or Sand Canyon Road~~~~Newport Coast Drive~~ located within The ~~Irvine~~~~Newport~~ Coast Planned Community are shown to be operating at traffic conditions worse than Level of Service "C" during commuter A.M./P.M. peak hours (i.e., an .80 v/c ratio or greater for an average peak hour weekday condition), the landowner shall prepare and submit a report to the County EMA to be approved by the Planning Commission containing the following information:

- a. An analysis that determines the source of the trips on the roadway link(s) in question by quantifying: 1) the number of trips which are directly attributable to development located within Planning Areas PA 1 through PA 10, PA 13, PA 14, PA 16 and PA 20; and 2) the remaining number of trips which are regional, through traffic, or traffic generated from other sources; and
- b. If the analysis determines that the amount of trips generated by the above-referenced ~~Irvine~~~~Newport~~ Coast Planning Areas is 10% or more in excess of the trip generation projections estimated for equivalent levels of development in the "Irvine Coastal Areas Traffic Analysis" (Austin-Foust Associates, Inc., February 1987) then the report shall include an analysis of the traffic mitigation measure currently being implemented and recommend additional feasible mitigation measures which would be implemented within the LCP development area to further reduce project generated trips.

The highway improvements and phasing as defined in this Section E and on Exhibit ~~QQ~~, which are required by this LCP, have been determined to be of significant public benefit beyond normal project requirements so as to meet the objectives of the County's Growth Management Policy. Consistent with this LCP, highway improvements and implementation of the Growth Management Program identified above will be incorporated into subsequent agreements, if any, between the landowner and County.

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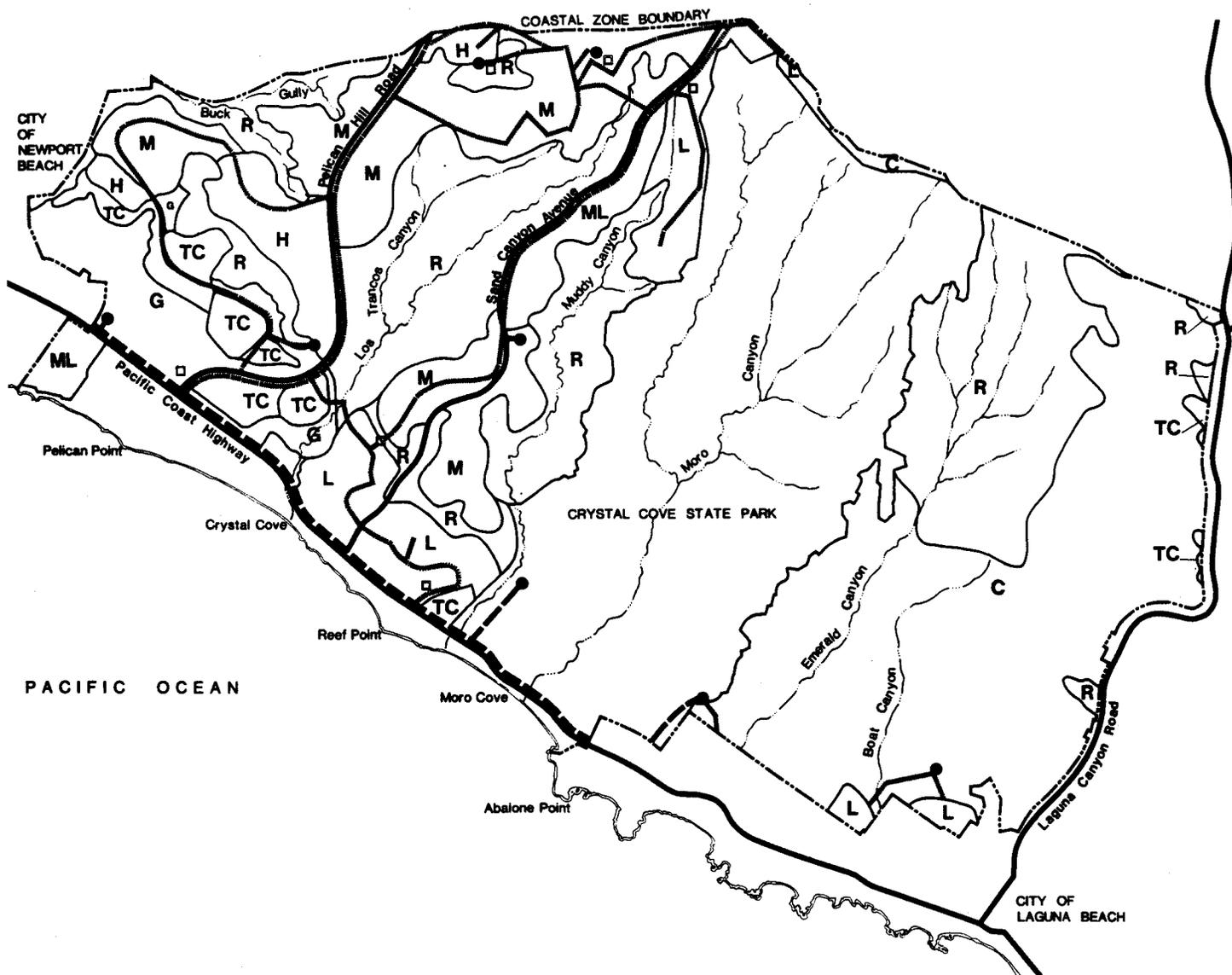
<sup>a</sup> ~~Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 93-561 approved on August 1, 1995.~~

~~23-22~~ To the maximum extent feasible, heavy construction traffic (i.e., dirt moving equipment, dump trucks, and cement trucks) will access the ~~Irvine~~~~Newport~~ Coastal properties of Pelican Hill from ~~the Coyote Canyon Landfill and/or other inland area~~~~Newport Coast Drive~~. Construction traffic for ~~Cameo~~~~Del Mar~~~~Pelican Point~~, Wishbone, and Pacific Coast Highway widening requiring access from Pacific Coast Highway will be restricted on Pacific Coast Highway to periods of non-peak traffic. The applicant shall provide on-site parking for construction vehicles working adjacent to the Pacific Coast Highway as soon as possible to minimize impacts on PCH.

#### **F. PUBLIC WORKS/INFRASTRUCTURE POLICIES**

1. All public works/infrastructure collection, distribution, and drainage facilities within residential and commercial areas necessary to support designated land uses from these systems are principal permitted uses under this Land Use Plan.
2. Exhibits ~~S, T, and U~~~~Q, R and S~~ illustrate the concept plans for backbone water service, sewer service, and drainage facilities, respectively. These concept plans were prepared with the most current information available but are subject to refinement at more detailed stages of planning. Necessary above-ground public works, infrastructure, and utility facilities will be located and designed to minimize visual impacts.
3. All necessary water service improvements, including pipelines, booster stations, and other facilities will be designed in conjunction with the final tract maps.
4. The water system will be designed to provide adequate fire flows. Water reservoirs may be located above ground.
5. Two water storage and transmission facilities will be located in Conservation areas to serve fire and domestic needs of adjoining development, both existing and proposed. One is currently located on the lower portion of one of the ridges in PA 17. The other will be located on the lower portion of the ridge in PA 21.

6. All necessary sewer service improvements, including pipelines, pump stations, and other facilities will be designed in conjunction with final tract maps.
  
7. All necessary drainage improvements, including storm drains, detention basins within drainage courses, and other facilities will be designed in conjunction with final tract maps.



THIS IS A GRAPHIC REPRESENTATION OF A PLANNING/ENGINEERING CONCEPT. FINAL DESIGN SOLUTIONS AND PRECISE LOCATIONS FOR THESE FACILITIES WILL BE PROPOSED AND REVIEWED AS PART OF SUBSEQUENT PLAN APPROVALS.

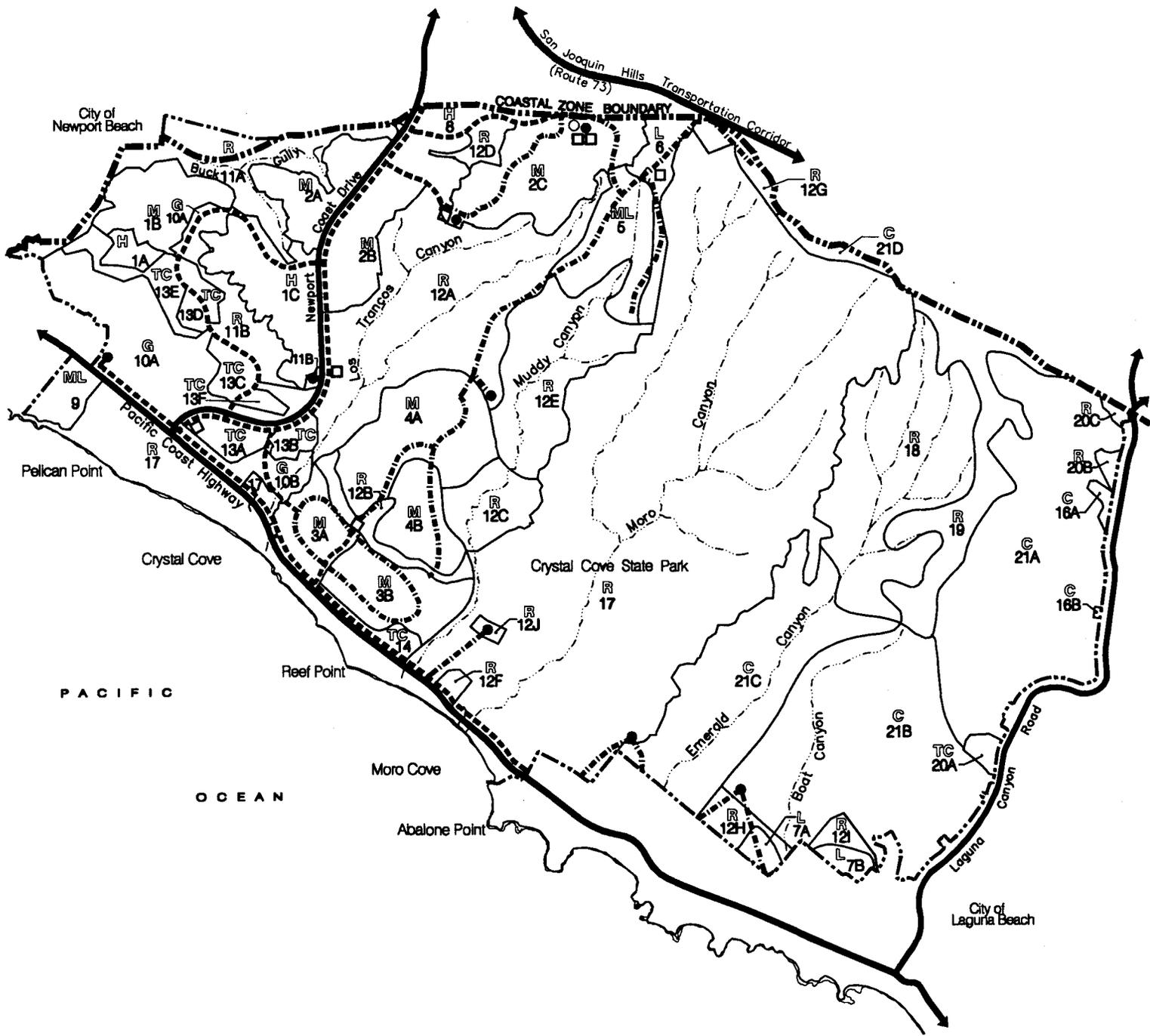
# BACKBONE WATER CONCEPT

## The Irvine Coast Local Coastal Program

### LEGEND

-  RESERVOIR
-  PUMP STATION
-  EXISTING 33" PIPELINE
-  WATER MAIN

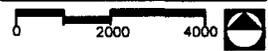




# BACKBONE WATER CONCEPT - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit Q

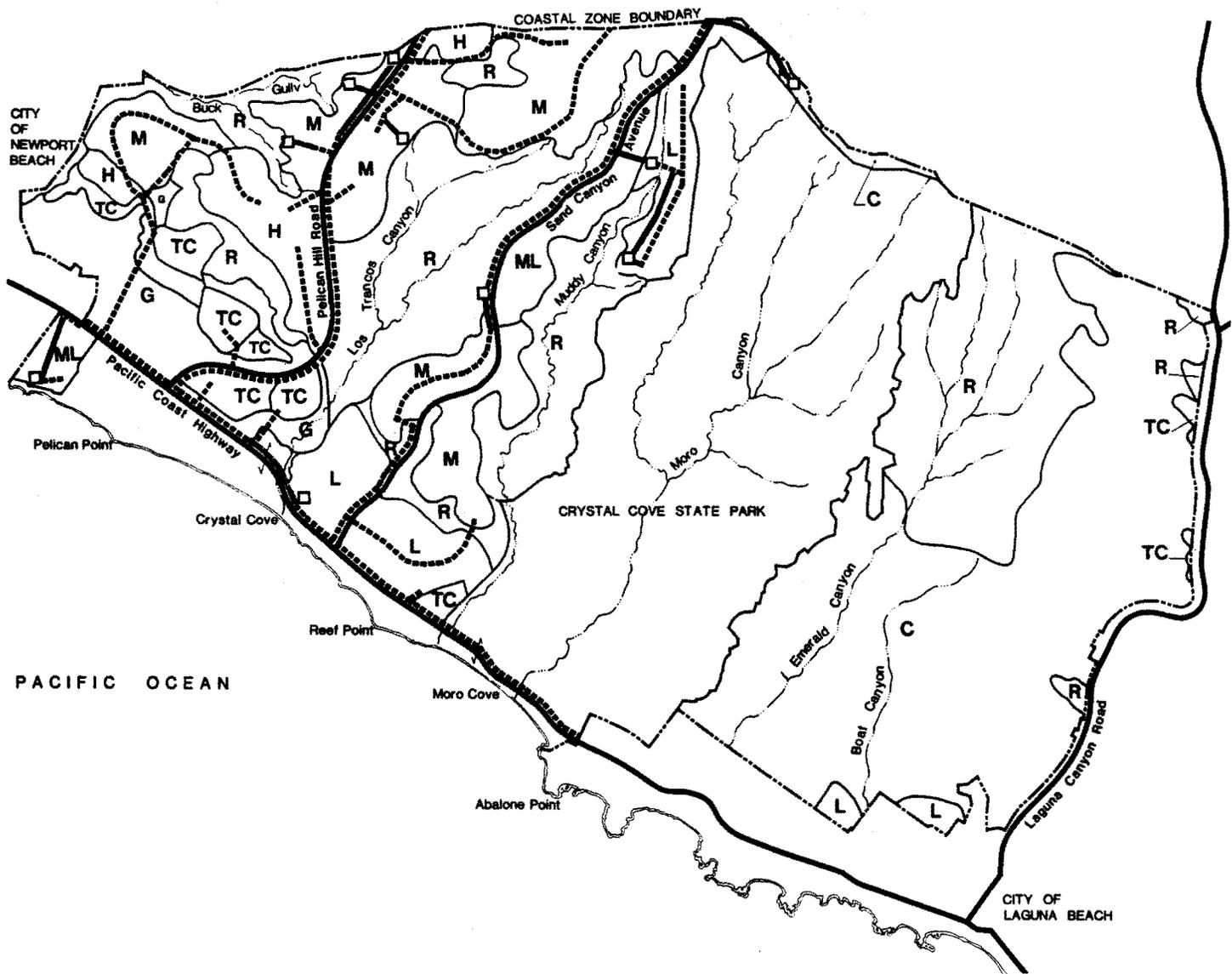


JULY 18, 1996

### LEGEND

- |                           |                            |
|---------------------------|----------------------------|
| RECLAIMED WATER RESERVOIR | COASTAL ZONE BOUNDARY      |
| WATER RESERVOIR           | PLANNED COMMUNITY BOUNDARY |
| PUMP STATION              | PLANNING AREA BOUNDARY     |
| EXISTING PIPELINE         | 21A PLANNING AREA          |
| WATER MAIN                |                            |

This is a graphic representation of a planning/engineering concept. Final design solutions and precise locations for these facilities will be proposed and reviewed as part of subsequent plan approvals.



THIS IS A GRAPHIC REPRESENTATION OF A PLANNING/ENGINEERING CONCEPT. FINAL DESIGN SOLUTIONS AND PRECISE LOCATIONS FOR THESE FACILITIES WILL BE PROVIDED AND REVIEWED AS PART OF SUBSEQUENT PLAN APPROVALS.

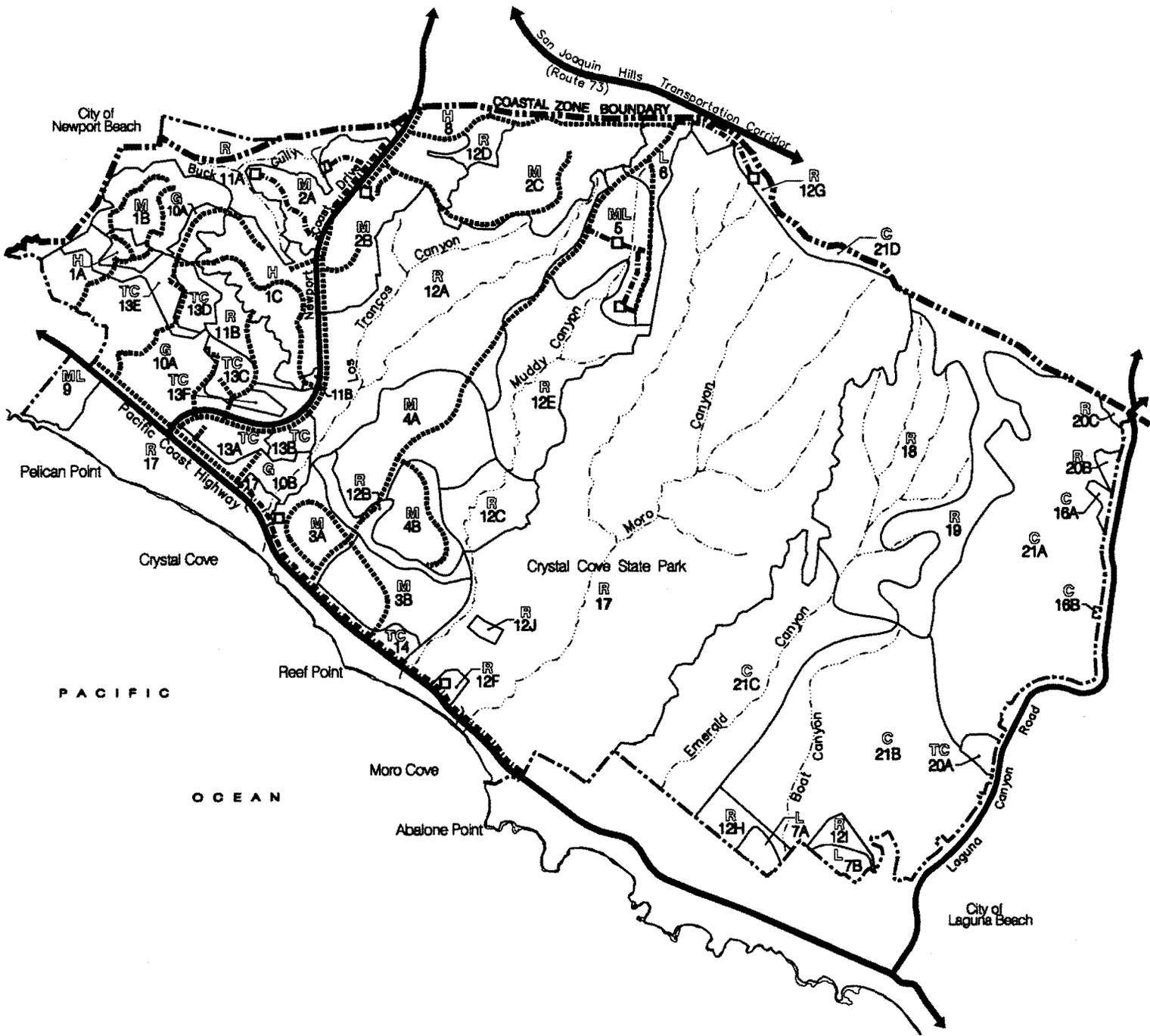
# BACKBONE SEWER CONCEPT



## The Irvine Coast Local Coastal Program

### LEGEND

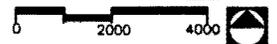
-  PUMP STATION
-  SEWER
-  FORCE MAIN



# BACKBONE SEWER CONCEPT - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit R

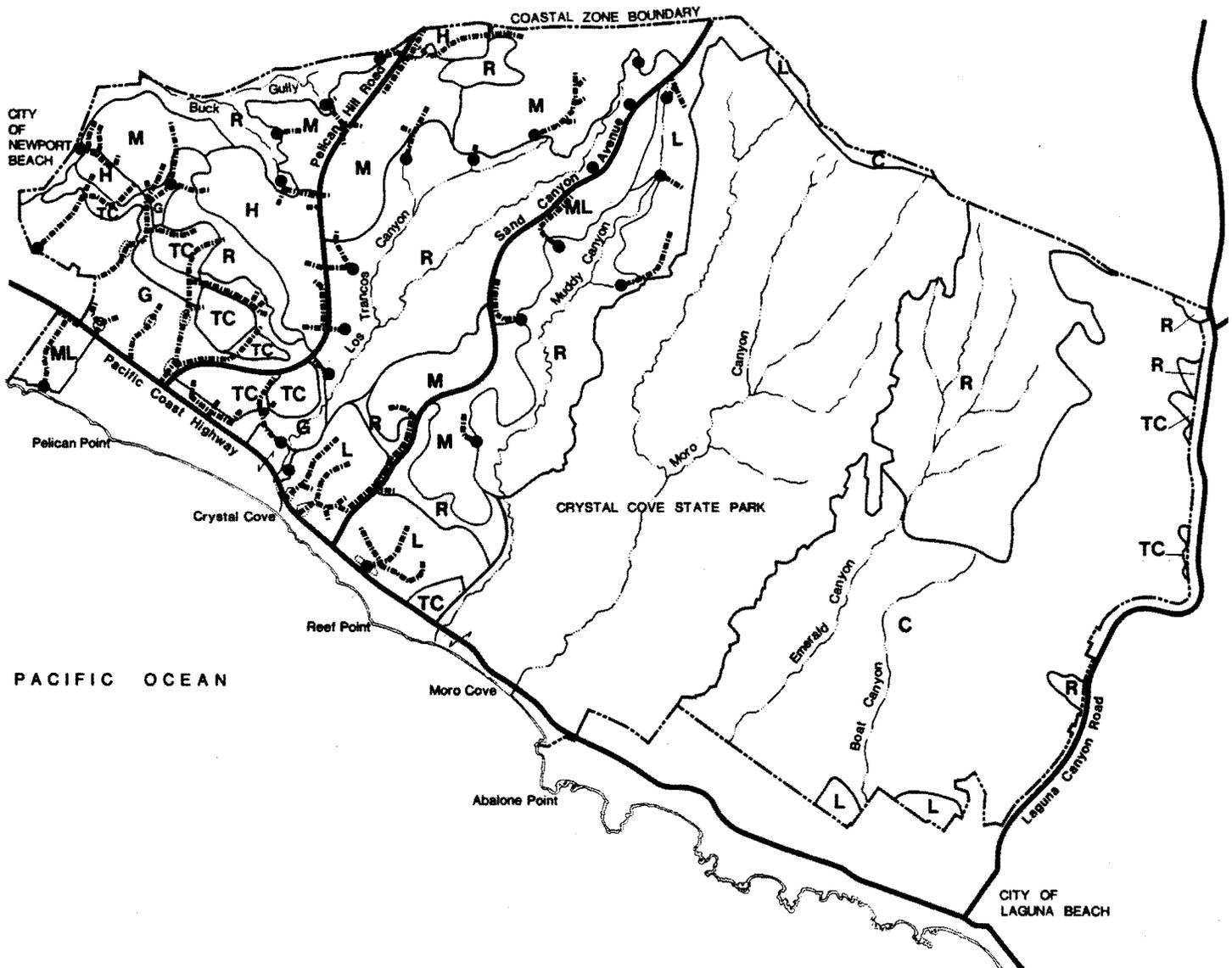


JULY 16, 1998

### LEGEND

-  LIFT STATION
-  SEWER
-  FORCE MAIN
-  COASTAL ZONE BOUNDARY
-  PLANNED COMMUNITY BOUNDARY
-  PLANNING AREA BOUNDARY
-  21A PLANNING AREA

This is a graphic representation of a planning/engineering concept. Final design solutions and precise locations for these facilities will be proposed and reviewed as part of subsequent plan approvals.



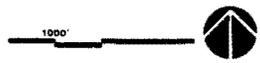
THIS IS A GRAPHIC REPRESENTATION OF A PLANNING/ENGINEERING CONCEPT. FINAL DESIGN SOLUTIONS AND PRECISE LOCATIONS FOR THESE FACILITIES SHALL BE PROVIDED AND REVIEWED AS PART OF SUBSEQUENT PLAN APPROVALS.

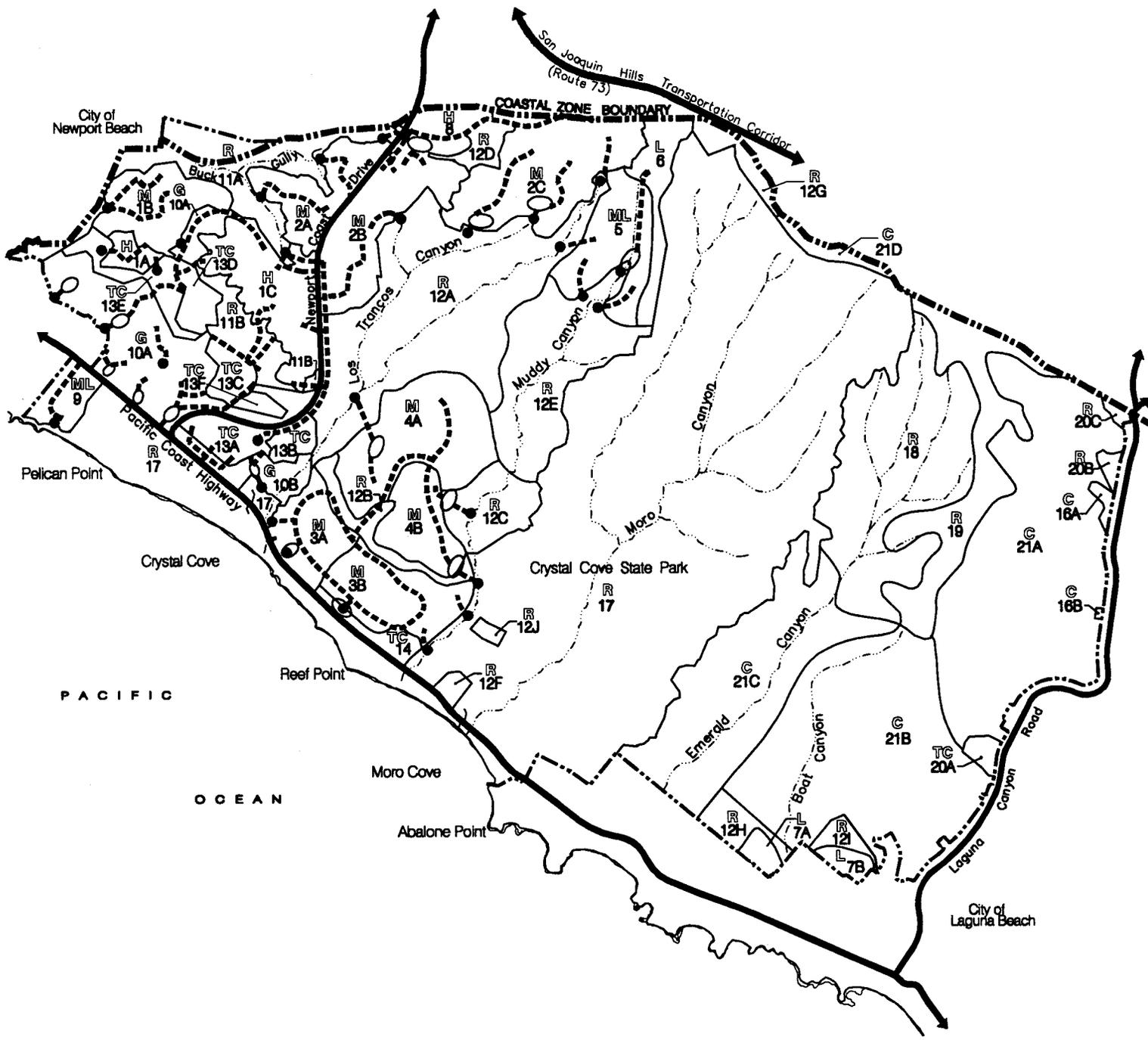
# BACKBONE DRAINAGE CONCEPT

## The Irvine Coast Local Coastal Program

### LEGEND

-  STORM DRAIN
-  ENERGY DISSIPATORS
-  DETENTION BASINS

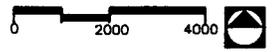




# BACKBONE DRAINAGE CONCEPT - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit S



JULY 16, 1998

### LEGEND

-  STORM DRAIN
-  ENERGY DISSIPATORS
-  DETENTION BASINS
-  COASTAL ZONE BOUNDARY
-  PLANNED COMMUNITY BOUNDARY
-  PLANNING AREA BOUNDARY
-  21A PLANNING AREA

This is a graphic representation of a planning/  
engineering concept. Final design solutions and  
precise locations for these facilities will be proposed  
and reviewed as part of subsequent plan approvals.

# IMPLEMENTING ACTIONS PROGRAM PLANNED COMMUNITY DISTRICT REGULATIONS

## CHAPTER 1 INTRODUCTION

The State of California Planning, Zoning and Development Laws of the Government Code, as articulated by the County of Orange Zoning Code and General Plan, require that all zoning be consistent with the General Plan and the Government Code.

The IrvineNewport Coast LCP Implementing Actions Program (IAP) is specifically designed to be consistent with and adequate to carry out the policies of the certified IrvineNewport Coast LCP Land Use Plan, and consists of the following Planned Community (PC) District Regulations and related provisions, procedures, definitions and descriptions, including the PC Zoning Map/Statistical Summary, the PC Development Map/Statistical Table, and referenced County of Orange Codes.

**PLANNED COMMUNITY STATISTICAL SUMMARY**

<b>DEVELOP- MENT INCREMENT</b>	<b>LAND USE</b>	<b>GROSS ACREAGE</b>	<b>MAXIMUM DWELLING UNITS*</b>	<b>MAXIMUM ACCOMMODATIONS PER DEVELOPMENT INCREMENT*</b>
1A,1B,1C 2A,2B,2C 3A,3B 4A,4B, 5, 6 7A,7B, 8, 9	Residential			
	<b>TOTAL RESIDENTIAL</b>	<b>1,922</b>	<b>2,600*</b>	
10A,10B	Golf Course	367		
11A,11B, 12A,12B,12C, 12D, 12E	Recreation -- Buck Gully, Los Trancos/Muddy Canyon, Pelican/ Wishbone Hill Areas	1,368		
17	Crystal Cove State Park	2,807		
18, 19	Irvine Coast Wilderness Regional Park	677		
20A,20B,20C	Recreation Parcels Adjacent Laguna Canyon Road	26		
21A,21B,21C 21D	Conservation Irvine Coast Wilderness Regional Park	<u>1,989</u>		
<b>TOTAL OPEN SPACE/RECREATION</b>		<b>7,234</b>		
13A	Tourist	53		1,100*
13B	Commercial	32		600*
13C		41		450*
13D		38		350*
13E		60		600*
13F		15		300*
14		24		250*
16A,16B		13		
	<b>TOTAL COMMERCIAL</b>	<b>276</b>		
<b>TOTAL Acres</b>				
Within Planned Community		<b>9,432</b>		
<b>MAXIMUM Allowed Dwelling Units</b>				
Within Planned Community*			<b>2,600*</b>	
<b>MAXIMUM Allowed Accommodations</b>				
Within Planned Community*				<b>2,150*</b>

\* The maximum accommodations for each development increment will not be exceeded, nor will the total number of dwelling units and accommodations exceed the maximum permitted for the total Planned Community.

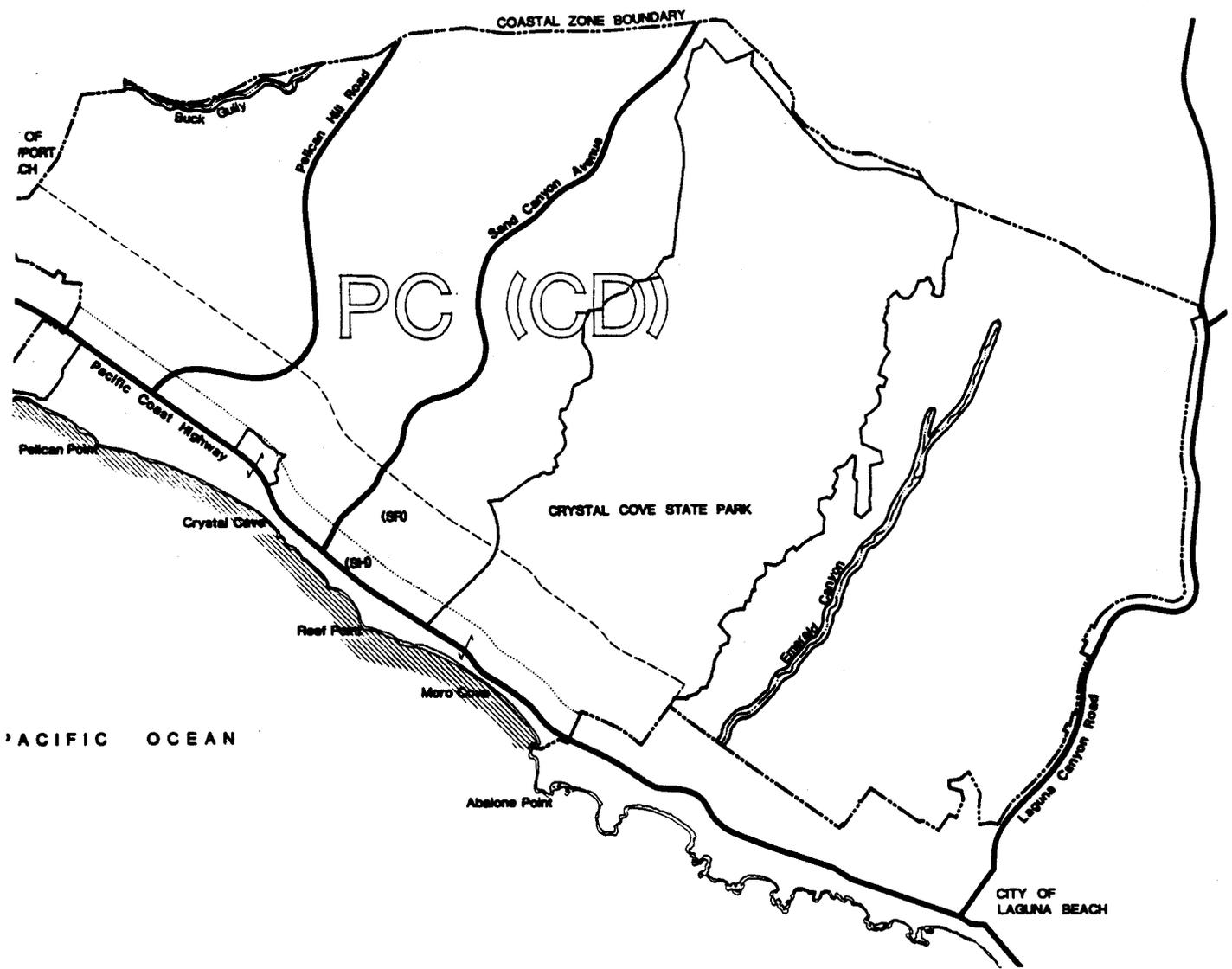
Note: See Exhibit V, Planned Community Statistical Table, for more detailed information.

**EXHIBIT T**  
**SECOND AMENDMENT**  
**PLANNED COMMUNITY STATISTICAL SUMMARY**  
Newport Coast Local Coastal Program

DEVELOPMENT INCREMENT	LAND USE	GROSS ACREAGE	Maximum Dwelling Units <sup>1</sup>	MAXIMUM ACCOMMODATIONS PER DEVELOPMENT INCREMENT <sup>1</sup>
1A,1B,1C,2A,2B,2C 3A,3B,4A,4B,5,6,7A,7B, 8,9	Residential			
<b>TOTAL RESIDENTIAL</b>		<b>1,873</b>	<b>2,600 <sup>1</sup></b>	
10A,10B	Golf Course	354		
11A,11B, 12A,12B,12C,12D,12E,12F, 12G,12H,12I,12J	Recreation — Buck Gully, Los Trancos/ Muddy Canyon, Pelican/Wishbone Hill Areas	1,485		
17	Crystal Cove State Park	2,807		
18,19	Irvine Coast Wilderness Regional Park	677		
20B,20C	Recreation Parcels Adjacent Laguna Canyon Road	20		
21A,21B,21C,12D,16A,16B,	Conservation Irvine Coast Wilderness Regional Park	2,000		
<b>TOTAL OPEN SPACE/RECREATION</b>		<b>7,343</b>		
13A	Tourist Commercial	52		1,100 <sup>1</sup>
13B		30		600 <sup>1</sup>
13C		37		750 <sup>1</sup>
13D		38		650 <sup>1</sup>
13E		59		300 <sup>1</sup>
13F		14		0 <sup>1</sup>
14		30		250 <sup>1</sup>
20A		17		
<b>TOTAL COMMERCIAL</b>		<b>277</b>		
<b>TOTAL Acres Within Planned Community</b>		<b>9,493</b>		
<b>MAXIMUM Allowed Dwelling Units Within Planned Community <sup>1</sup></b>			<b>2,600 <sup>1</sup></b>	
<b>MAXIMUM Allowed Accommodations Within Planned Community <sup>1</sup></b>				<b>2,150 <sup>1</sup></b>

Note: See Exhibit X, Planned Community Statistical Table, for more detailed information.

<sup>1</sup> The maximum accommodations for each development increment will not be exceeded, nor will the total number of dwelling units and accommodations exceed the maximum permitted for the total Planned Community.



# PLANNED COMMUNITY ZONING MAP

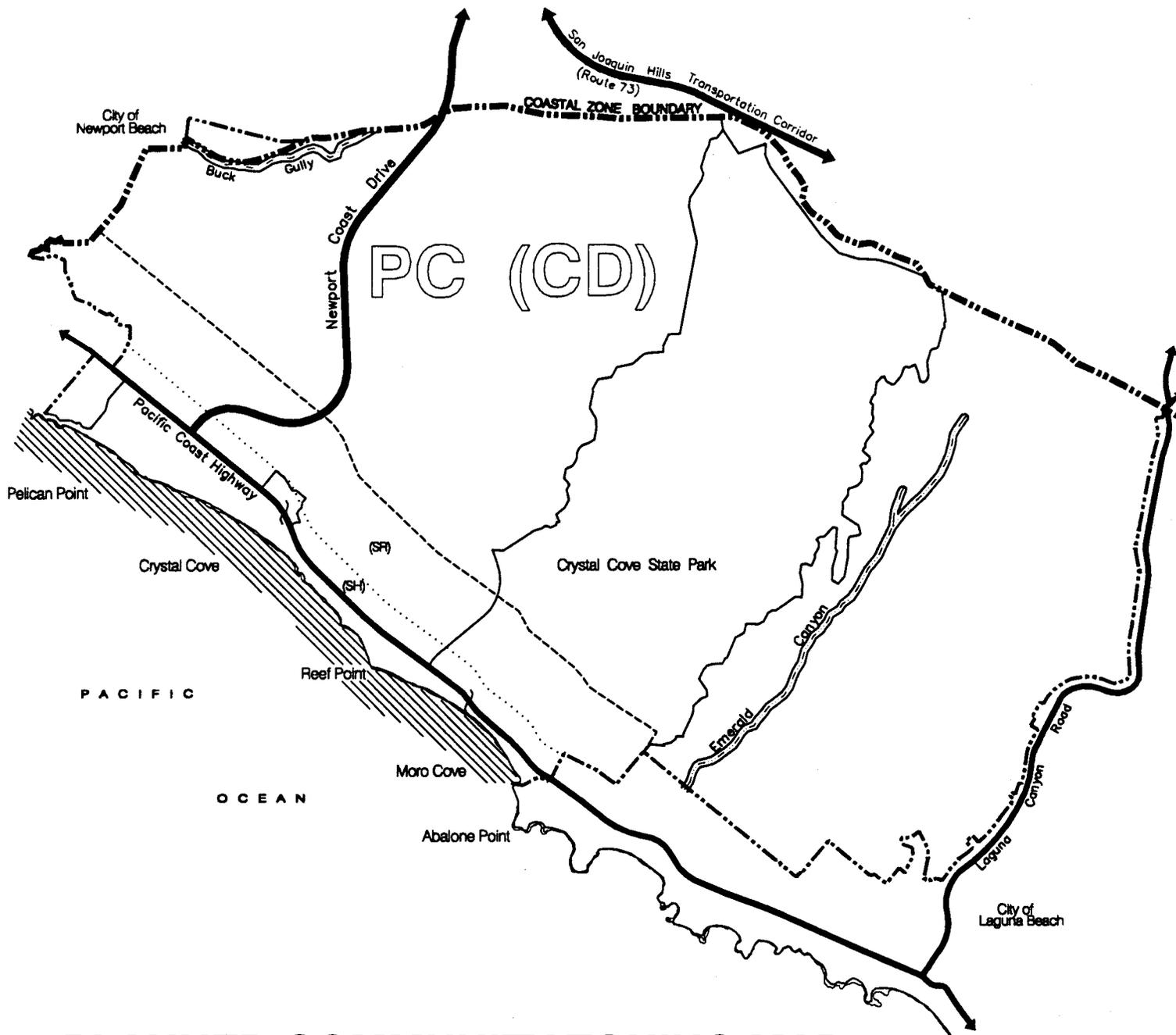
## The Irvine Coast Local Coastal Program

### LEGEND

-  FLOOD PLAIN 2
-  FLOOD PLAIN 3
-  SCENIC HIGHWAY DIST.
-  SIGN RESTRICTION DIST.
-  PLANNED COMMUNITY DIST.
-  COASTAL DIST.
-  PLANNED COMMUNITY BOUNDARY

NOTE:  
SEE EXHIBIT Y, PLANNED COMMUNITY DEVELOPMENT MAP,  
FOR MORE DETAILED INFORMATION

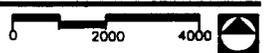
Exhibit W



# PLANNED COMMUNITY ZONING MAP Second Amendment

## The Newport Coast Local Coastal Program

Exhibit U



JULY 16, 1996

### LEGEND

- |                            |                            |
|----------------------------|----------------------------|
| COASTAL ZONE BOUNDARY      | PLANNED COMMUNITY DISTRICT |
| PLANNED COMMUNITY BOUNDARY | COASTAL DISTRICT           |
| FLOOD PLAIN 2              |                            |
| FLOOD PLAIN 3              |                            |
| SCENIC HIGHWAY DISTRICT    |                            |
| SIGN RESTRICTION DISTRICT  |                            |

Note: See Exhibit W, Planned Community Development Map for more detailed information.

## CHAPTER 2

### PURPOSE AND OBJECTIVES

These regulations are intended to govern the conservation and development of The IrvineNewport Coast Planned Community as a coordinated, comprehensive project in order to use large-scale urban planning to create a superior environment to comply with Section 30513(a) of the California Coastal Act of 1976.

These regulations are consistent with and implement the General Plan and the Land Use Plan of The IrvineNewport Coast Planning Unit of the Local Coastal Program of the County of Orange. They are also intended to create an IrvineNewport Coast Planned Community Development Plan in compliance with Section 7-9-103, PC "Planned Community" District Regulations, of the County of Orange Zoning Code.

These regulations propose innovative community design and site planning concepts for development, while protecting and managing large open space areas (approximately 7677 percent of the site) that will be preserved through this Planned Community. These regulations also establish a logical and timely sequence for governmental review of development proposals. Discretionary permits and procedures are summarized below, and described fully in Chapter 10.

#### **A. COASTAL DEVELOPMENT PERMITS (CDP)**

Coastal Development Permits are required in accordance with County of Orange Zoning Code Section 7-9-118. A CDP implements the California Coastal Act of 1976, as articulated by The IrvineNewport Coast Local Coastal Program, and may be processed as a large-scale plan. A detailed Site Plan may also be subsequently required for certain development projects.

#### **B. ALTERNATIVE DEVELOPMENT STANDARDS**

With approval of a CDP, alternative development standards may be established without an LCP amendment where the standards pertain to: setbacks to residential streets; nonresidential highways or local streets; rear and side yard setbacks for development not bordering an open space or

recreation area; building height (except for Planning Area PA 6) in areas not visible from Pacific Coast Highway; area per unit for residential inland of Pacific Coast Highway; walls and fences; landscaping other than along Pacific Coast Highway; signage; lighting; loading, trash and storage areas not visible from Pacific Coast Highway; vehicular driveways and sidewalks; outdoor storage areas; and/or modifications for off-street parking requirements in areas inland of Pacific Coast Highway. Alternative development standards other than those specified above will require an LCP amendment. Allowable variations in Planning Area boundaries and related matters are governed by the provisions of Chapter 11 of this IAP.

A CDP proposing to establish alternative development standards shall require a public hearing, with public notification, before the Planning Commission per Zoning Code Section 7-9-150.3(c) as adopted by the County at the time of Coastal Commission certification of this LCP.

When a Coastal Development Permit proposes to establish alternative development standards, the burden of proof shall be on the project proponent. The alternative development standards may be approved when it is found that they will result in an equivalent or better project in terms of minimizing adverse impacts and enhancing public benefits to the immediate and surrounding community.

### **C. PRINCIPAL PERMITTED USES**

Land uses listed in this IAP as principal permitted uses are considered to be within the category of "Principal Permitted Use" under the County of Orange Zoning Code Section 7-9-118, the California Coastal Act of 1976, in general, and Public Resources Code Section 30603 (a) (4), in particular.

**CHAPTER 3**  
**GENERAL PROVISIONS AND REGULATIONS**

**A. GENERAL PROVISIONS**

1. Except as specifically provided in this Implementing Actions Program, all construction and development within the project area shall comply with applicable provisions of the Uniform Building Code and the various related Mechanical, Electrical, Plumbing Codes, the Grading and Excavation Code, the Subdivision Code and Sign Code as currently adopted by the Board of Supervisors. In case of a conflict between those specific provisions and these regulations, the more restrictive shall prevail.
2. The building height requirements shall be as specified by each land use district of this Implementing Actions Program. The methods used for measuring building height shall be as stipulated in Chapter 12, Definitions, of this Implementing Actions Program.
3. All building sites shall comply with the provisions of the County of Orange Zoning Code Section 7-9-126, "Building Site Requirements".
4. All conditions, requirements, and standards, indicated graphically or in writing as part of any approved discretionary permit or detail plan granted by authority of these regulations shall have the same force and effect as these regulations. Any use or development established as a result of such approved permit or plan but not in compliance with all such conditions, requirements, or standards shall be in violation of this Implementing Actions Program. The enforcement provisions of Section 7-9-118.7 and Section 7-9-154 are applicable to this Implementing Actions Program.
5. The meaning and construction of words, phrases, titles and terms used in this Implementing Actions Program shall be the same as provided in Section 7-9-21, Definitions, of the Zoning Code except as otherwise specifically provided herein (see IAP Chapter 12, Definitions).

6. This Implementing Actions Program is intended to regulate all development within The ~~Irvine~~~~Newport~~ Coast. In cases where sufficient direction for interpretation of these regulations is not explicit in the approved Land Use Plan and Implementing Actions Program, the County of Orange Zoning Code shall provide direction as determined by the Director, EMA.
7. The provisions of Zoning Code Section 7-9-145, Off-Street Parking Regulations, are applicable to this Planned Community except where otherwise expressly listed as exceptions in Chapter 9, Off-Street Parking Regulations, of this Implementing Actions Program.
8. All discretionary actions permitted or required in this Planned Community shall be consistent with the types of permits listed in the CD "Coastal Development" District Regulation's Section 7-9-118 and Section 7-9-150 of the County of Orange Zoning Code.
9. An Annual Monitoring Report (AMR) shall be prepared and submitted in the fall of each year to the County of Orange Administrative Office and the Environmental Management Agency. The submittal of an AMR is required for conformance with the Growth Management Program of the Land Use Element of the County of Orange General Plan and the County's Annual Development Monitoring Program. The Board of Supervisors, in the annual adoption of the Development Monitoring Program, may identify significant imbalances between development projections and planned infrastructure or in the proportionate development of residential, commercial and employment land uses. The Board of Supervisors may defer subdivision approval within the Planned Community until approaches capable of resolving imbalances are proposed to and approved by the Board of Supervisors. The AMR will be the project proponent's opportunity to demonstrate mitigation measures and implementation strategies which will ensure adequate infrastructure for the community. With respect to Transportation/Circulation, this general provision may be implemented in such a manner as to reflect the provisions of a separate agreement as discussed in the LUP's Transportation/Circulation Policies Subsection I-4-E-22, provided that any such agreement is subsequently approved by the County and found by the County to be consistent with this Implementing Actions Program.

10. If any portion of these regulations is, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective, in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The Board of Supervisors hereby declares that it would have enacted these regulations and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

**B. SPECIAL DEVELOPMENT REVIEW PROVISIONS**

1. Residential development within The ~~Irvine~~Newport Coast Planned Community shall be limited to a maximum of 2,600 dwelling units. Compliance with the County's Housing Element will be demonstrated in the Housing Implementation Plan. To implement the County's Housing Element, the Housing Implementation Plan (HIP) shall be submitted to and approved by the Director, EMA, prior to the recordation of final tract map(s) which include more than a cumulative total of 500 residential lots or units within The ~~Irvine~~Newport Coast Planned Community<sup>1</sup>.

**2. PLANNING AREA/DWELLING UNITS/DENSITY PER ACRE:**

- a. The dwelling units and density permitted in any residential density category, (e.g., Low Density) shall apply to the overall Planning Area (~~e.g., Planning Area PA-3A~~) in the Planned Community designated in such a residential density category and shall not be literally applied to any particular division of that area.
- b. Computation of acreage for determining density shall be based on gross area.

**3. PLANNING AREA BOUNDARIES:**

- a. Except as otherwise indicated, dimensions are measured from centerlines of streets and highways.

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<sup>1</sup> Completed with the County's approval of the Affordable Housing Implementation Plan — First Amendment.

- b. When a Planning Area boundary depicted on the PC Development Map is also an arterial highway and the arterial highway is realigned, the Planning Area boundary may be revised to coincide with the realigned highway.
- c. Adjustments in Planning Area boundaries resulting in an acreage change of 10% or less of the total Planning Area for final street/highway alignments, landscaping requirements, Fire Protection Edge Treatments and/or Urban Edge Treatments, geotechnical or engineering refinements to Coastal Development Permits, Site Plans, and/or Tentative and/or Final Subdivision Maps shall not require amendment of the PC Zoning Map and/or Statistical Summary, provided the types or intensity of land uses for each Planning Area as approved in the LCP Land Use Plan and the maximum dwelling units and overnight/resort accommodations indicated in the Statistical Table are not altered and such adjustments are consistent with the LCP Land Use Plan.
- d. Final Planning Area boundaries shall be established by a Coastal Development Permit, and refined by the Site Plan and/or Tentative or Final Subdivision Map approval.

The boundary lines between Planning Areas within the same Land Use District may be adjusted, provided that the variation is consistent with the total acreage of Development and Open Space shown on the Planned Community (PC) Statistical Summary as provided for in Chapter 11 of this IAP, and does not result in development occurring within the proposed Irvine Coast Wilderness Regional Park dedication areas.

- e. Commercial and other nonresidential and residential uses and areas, to be located at intersections of streets or highways, shall be located to conform with final street or highway alignments without requiring an amendment of the Development Plan and Supplemental Text.
- f. The boundary between Planning Area PA 17 and Planning Areas PA 3B, PA 4B, PA 6, PA 12B, PA 12C, ~~PA 12D~~, PA 12E, PA 14, and PA 21D is intended to reflect the legal boundary of Crystal Cove State Park.

4. **ENVIRONMENTALLY SENSITIVE HABITAT AREAS (ESHA'S):** Prior to, or coincidental with, the approval of any Coastal Development Permit for an area within 100 feet of an ESHA depicted on Exhibit H, compliance with LCP Land Use Plan, Environmentally Sensitive Habitat Area Policies Sections I-3-D, I-3-E, and I-3-F shall be demonstrated.
  
5. **GRADING:** Grading plans for all projects in The ~~Irvine~~~~Newport~~ Coast Planned Community shall be consistent with the County of Orange Grading Code and LCP Land Use Plan Grading Policies Section I-3-L. Grading plans shall be accompanied by geological and soil engineer reports, and shall incorporate all pertinent recommendations. The soils engineer and engineering geologist must certify the suitability of a graded site prior to clearance for issuance of a building permit. Grading will be permitted within The Planned Community outside of an area of immediate development provided that, a) grading shall be confined to the development planning areas shown on Exhibit F and, b) the Coastal Development Permit shows all areas of grading inside and outside of the immediate area of development. The landscape and grading plans shall include provisions for temporary erosion control consistent with LCP Land Use Plan requirements on all graded sites which are scheduled to remain unimproved between October 15 and April 15 of any year.
  
6. **ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES:** Prior to or coincidental with the approval of a Tentative Subdivision Map, except for Large-lot Subdivisions for financial or conveyance purposes, mitigation programs for archaeological and paleontological resources established in accordance with the Board of Supervisor's Archaeological/Paleontological Policies and the LCP Land Use Plan's Archaeological Policies Section I-3-G and Paleontological Policies Section I-3-H shall be submitted to and approved by the Manager, County of Orange EMA-Harbors, Beaches and Parks/Program Planning Division (HBP/PPD).
  
7. **DEVELOPMENT/OPEN SPACE BOUNDARY:** Tentative Subdivision Maps, Coastal Development Permits, or Site Plans abutting an Open Space Planning Area shall provide for the following either on the Map or on an appropriate supplemental graphic or text in a manner consistent with LCP Land Use Plan's Development/ Open Space Edges Policies Section I-3-M:

- a. **Urban Edge Treatment:** describing the interface treatment area between the urban and open space uses in a manner consistent with the LCP Land Use Plan;
  - b. **Fire Protection Edge Treatment,:** including any fuel breaks or fuel modification zones in a manner consistent with the LCP Land Use Plan and the County of Orange Fire Protection Planning Task Force Report; and
  - c. **Additional Information:** which the Manager, EMA HBP/PPD, deems necessary to assure consistency with the LCP Land Use Plan and any conditions of approval applying to The IrvineNewport Coast Planned Community.
8. **AGRICULTURE:** All existing and continuing grazing activities and uses, together with all accessory structures and uses which are customarily incidental or necessary to main buildings or uses, are permitted on an interim basis in accordance with LCP Land Use Plan's Resource Conservation and Management Policies in Chapter I-3.
9. **AGRICULTURAL PRESERVE:** The terms of the Agricultural Preserve contract which apply to certain lands within this Planned Community shall remain in full force and effect until any such contract is canceled, expires, or is invalid under the Williamson Act as amended.
10. **LOCAL PARKS:** Local Park Implementation shall be as set forth in the Local Park Implementation Plan contained in the LCP Appendix, Item 5 or subsequently approved amendments<sup>1</sup>.
11. **MASTER DRAINAGE AND RUNOFF MANAGEMENT PLAN:** As part of the review and approval of the first Coastal Development Permit(s), there shall be submitted to and approved by the Manager EMA Regulation, Development Services Division, a "Master Drainage and Runoff Management Plan" addressing in a comprehensive manner the following LUP Chapter 3 policy sections<sup>2</sup>:

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<sup>1</sup> Completed with the County's approval of the Local Park Implementation Plan and subsequent amendment(s).

<sup>2</sup> A Master Drainage and Runoff Management Plan was approved by the County of Orange in December, 1989. Amendments will be prepared for all development projects located outside the area covered by this Master Plan.

- Section I - Erosion Policies;
- Section J - Sediment Policies;
- Section K - Runoff Policies;
- Section L - Grading Policies; and
- Section E - Category "C" ESHA (Marine Life Refuge).

Each of the above-noted policy sections shall be addressed in a comprehensive manner with respect to the proposed development including: 1) data on existing water quality and quantity; 2) assessment of project impacts on water resources, existing and proposed riparian habitats, and off-shore marine life; 3) identify mitigation measures and provide for implementation and long-term maintenance; and 4) monitoring program as determined necessary. The master drainage and RMP shall demonstrate conformance with the above-noted policies with specific emphasis on development impacts to the four sub-watershed/drainage areas summarized as follows and shown in Exhibit ~~XV~~:

- a. Development areas draining into Buck Gully;
- b. Development areas draining into Los Trancos Canyon;
- c. Residential, golf course, and resort areas draining across the frontal slopes of Pelican Hill and eventually discharging into existing drainages through Crystal Cove State Park; and
- d. Development areas draining into Muddy Canyon.

Conformance with LUP Chapter 3 Policy Sections I-L shall be assured for drainage into Buck Gully, Los Trancos Canyon, and Muddy Canyon. In addition to these policies, conformance with LUP Chapter 3 Policy Section E shall be required for development affecting drainage across the frontal slopes of Pelican Hill. The site-specific analyses shall provide a comprehensive overview of the physical improvements and control measures for all development areas draining into each of the above sub-watershed drainage areas. Accordingly, mass-grading plans shall be reflected in the site specific analyses and shall be related to the aforementioned physical improvements and control measures addressing LUP's Erosion, Sediment, Runoff, and Grading Policies. At least forty-five (45) days prior to any final County action on the Master Drainage and Runoff Management Plan, the proposed Plan shall be submitted to State Parks for review and comment. At the time of the approval of the CDP and any associated CEQA review for such development areas, specific findings shall be made regarding conformance with individual policy requirements.



**SUB-WATERSHED AREAS  
for MASTER DRAINAGE and  
RUNOFF MANAGEMENT PLAN**

**The Irvine Coast Local Coastal Program**



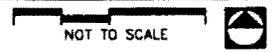
**Exhibit X**



**SUB-WATERSHED AREAS  
for MASTER DRAINAGE and  
RUNOFF MANAGEMENT PLAN**

**The Newport Coast Local Coastal Program**

**Exhibit V**



**JULY 18, 1998**

12. **EROSION CONTROL PLANS:** All Erosion Control Plans shall include provisions for temporary erosion control on all graded sites which are scheduled to remain unimproved between October 15th and April 15th of any year, consistent with LCP Land Use Plan's Erosion Policies Section I-3-I and Runoff Policies Section I-3-K.
13. **WATER AND SEWER:** Water and sewer facilities shall be installed in accordance with an approved Plan of Public Works, prior to or concurrent with development.
14. **ROAD STANDARDS:** Prior to or concurrent with the approval of any Tentative Subdivision Map, Coastal Development Permit, or Site Plan, modification to County of Orange Road Standards may be considered in accordance with the LCP Land Use Plan's Transportation/Circulation Policies Section I-4-E. Modifications to standards for local streets and collectors shall not require an LCP Amendment.
15. **LOCAL STREET CONNECTIONS TO PACIFIC COAST HIGHWAY (PCH):** In addition to arterial highway intersections, all potential local street connections to PCH planned for PA 3A, PA 3B, PA 9, and PA 17 are shown conceptually on the Planned Community Development Map. The connection shown between PA 3B and PA 14 may be located in either of the two Planning Areas.
16. **BLUFF-TOP SETBACKS FOR PLANNING AREA PA 9:** Primary structures in PA 9 will be sited consistent with Residential Policies Section I-4-D-3<sup>1</sup>.
17. **TRAIL REQUIREMENT FOR PLANNING AREA 9:** New development in PA 9 will provide an area for a bluff top public trail which connects to Crystal Cove State Park, in a manner capable of accommodating the trail improvements required as a condition of Coastal Development Permit No. 5-84-188 issued by the California Coastal Commission on November 27, 1984. It will complement a trail system similarly located within the State Park<sup>1</sup>.

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<sup>1</sup> The bluff top trail has been constructed.

18. **TEMPORARY USES:** Temporary special community events, such as parades, pageants, golf tournaments, community picnics, athletic contests, swim meets, and other similar uses, may be permitted in any Planning Area, except Conservation and Recreation Planning Areas PA 18, PA 19, and PA 21 in The ~~Irvine~~~~Newport~~ Coast Planned Community, subject to approval by the Director, EMA.
  
19. **LARGE-LOT SUBDIVISIONS:** Large-lot subdivisions, for the purpose of financing or conveyance, may be approved when no parcel is smaller than 20 acres; provided the Subdivision or Parcel Map related thereto includes a declaration that the lots created are not building sites. This includes the subdivision of commercial visitor-serving (i.e., Tourist-Commercial) use areas. Installation of infrastructure improvements shall not be made a condition of approval of these large-lot subdivisions but all parcels shall be subject to any overall grading, drainage, and erosion control conditions required to assure conformity with the LCP at the time of issuance of the Coastal Development Permit for the large-lot subdivision.
  
20. **ANNEXATION/INCORPORATION:** In the event of application for annexation or incorporation of all or part of The ~~Irvine~~~~Newport~~ Coast Planned Community, a revised Fiscal Impact Report shall be prepared by the petitioners to assess the cost/revenue impact of such annexation or incorporation on the County and on the special districts serving the property to be annexed or incorporated.
  
21. **FLOODPLAIN DISTRICT:** The FP "Floodplain" District Regulations will apply to The ~~Irvine~~~~Newport~~ Coast Planned Community in accordance with Section 7-9-48 and Section 9-9-113 of the County Zoning Code.
  
22. **SCENIC HIGHWAY DISTRICT:** The SH "Scenic Highway" District regulations will apply to The ~~Irvine~~~~Newport~~ Coast Planned Community in accordance with Section 7-9-119 of the County Zoning Code, except that a Coastal Development Permit, where otherwise required, may be processed in lieu of a Site Development Permit.

23. **ULTIMATE HIGHWAY ALIGNMENTS:** ~~The Ultimate Highway alignments for Pelican Hill Road, Newport Coast Drive and Sand Canyon Avenue~~<sup>1</sup> shall reflect geotechnical and environmental factors and shall be in substantial conformance with the alignments shown in Exhibits L and N.
24. **IRS BLOCKS:** The ~~Irvine~~<sup>2</sup> Newport Coast Planned Community encompasses all or portions of the following IRS Blocks 96, 129, 130, 131 A&B, 132, 133, 134, 161, 163, 164 A&B, 165, 166, 167, 181, 182, 183, and 185.
25. **PUBLIC UTILITIES:** Public utility buildings, structures, and facilities including, but not limited to, electrical, water sewage, telephone, and television, and their storage, distribution, treatment and/or production required to carry out development allowed in the LUP are permitted in planning areas in conformance with the LCP Land Use Plan's Policies Chapters 3 and 4.
26. **FIRE STATION:** Prior to the recordation of the first development map inland of PCH, the developer shall enter into an agreement with the County of Orange that includes the following
- a. The developer shall offer for dedication a site in the vicinity of ~~Pelican Hills Road~~<sup>2</sup> Newport Coast Drive and the San Joaquin Hills Transportation Corridor to be specifically used for a fire station. Said location shall be to the satisfaction of the Manager of Fire Services of the Orange County Fire Department<sup>3</sup>.
  - b. The developer shall participate proportionately in the construction of said fire station in a manner identified by the Manager of Fire Services of the Orange County Fire Department and approved by the Board of Supervisors.
27. **LAGUNA CANYON ROAD:** Improvements to accommodate the widening and/or relocation of Laguna Canyon Road shall be allowed in PA 16A, PA 16B, PA 20A, PA 20B, PA 20C, PA 21A, and PA 21B, provided that any such project is the least environmentally damaging feasible alternative, as determined and approved by the California Coastal Commission.

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<sup>1</sup> Sand Canyon Avenue was deleted pursuant to Board of Supervisor's Resolution No. 95-561 approved on August 1, 1995.

<sup>2</sup> Completed.

**CHAPTER 4**  
**RESIDENTIAL PLANNING AREAS**

**A. LOW DENSITY RESIDENTIAL PLANNING AREAS PA6, PA 7A, AND PA 7B**

**1. PURPOSE AND INTENT:**

The Low Density Residential Planning Areas of The ~~Irvine~~Newport Coast Planned Community are established to provide for a range of single-family detached housing and lot sizes, as well as recreation uses, community facilities, community service facilities, and other uses and structures accessory to the principal uses. These Low Density Residential Planning Area Regulations are intended to implement the LCP Land Use Plan's Residential Policies Section I-4-D, and are subject to the requirements of the LCP Land Use Plan's Policies in Chapters 3 and 4.

**2. PRINCIPAL AND OTHER PERMITTED USES:**

The following principal and other permitted uses are permitted in all Planning Areas designated for Low Density Residential use subject to the approval of a Coastal Development Permit as provided in Chapter 10:

**a. Principal Permitted Uses Subject to Zoning Administrator Approval:**

- 1) Detached single-family dwellings.
- 2) Community care facilities serving twelve (12) or fewer persons per Zoning Code Section 7-9-141.
- 3) Community facilities, including the following uses, and related and similar uses:
  - a) Intra-community directional signs.
  - b) Public and private parks (non-commercial).

- c) Public and private (non-commercial) recreation centers and facilities including, but not limited to, swimming pools, tennis courts, and clubhouses.
- d) Riding, hiking, and bicycle trails.
- e) Security and maintenance facilities related directly to the residential community.

**4) Communication transmitting, reception or relay facilities.**

**b. Principal Permitted Uses Subject to Planning Commission Approval:**

- 1) Community and community service facilities including the following uses, and related and similar uses:
  - a) Community centers.
  - b) Community information centers.

**2) ~~e) In PA 6, equestrian centers limited to 50 horses maximum.~~**

**2)3) Residential Planned Developments per Zoning Code Section 7-9-110.**

**c. Other Permitted Uses Subject to Planning Commission Approval (these uses are appealable to the California Coastal Commission per County Zoning Code Section 7-9-118.6 (4) b):**

- 1) Community and community service facilities including the following uses, and related and similar uses:
  - a) Churches.
  - b) Fire stations.
  - c) Schools.
  - d) Public and private day care/nursery schools.

**3. ACCESSORY PERMITTED USES:**

Accessory uses and structures are permitted when customarily associated with and subordinate to a Permitted Use on the same building site, per Zoning Code Section 7-9-137 except as modified in Subsection 6 of this Section, including:

- a. Garages and carports;
- b. Detached accessory structures such as greenhouses, gazebos, cabanas, and storage sheds;
- c. Swimming pools, therapy baths, water fountains, and related equipment;
- d. Covered patios and decks;
- e. Fences and walls;
- f. Tennis courts, parks, trails, greenbelts, and common areas;
- g. ~~Guest cottages and caretaker quarters in PA 3A, PA 3B, and PA 6:~~ One guest cottage or caretaker unit per building site, limited to 1,500 square feet on building sites of a minimum ~~20,000~~10,000 square feet;
- h. Signs per Zoning Code Section 7-9-144;
- i. Noncommercial keeping of pets and animals per Zoning Code Section 7-9-146.3;
- j. Home occupations per Zoning Code Section 7-9-146.6; and
- k. Non-commercial/non-profit art displays and galleries.

**4. TEMPORARY PERMITTED USES:**

Temporary uses are permitted in Residential Planning Areas subject to the requirements of County of Orange Zoning Code Section 7-9-136, Temporary Uses and Structures, and consistency with the LCP Land Use Plan.

**5. PROHIBITED USES:**

- a. The storage of vehicles, equipment, or products related to a commercial activity not permitted in this area;
- b. The keeping of pets or animals for any commercial purpose;
- c. Apiaries;
- d. Industrial and manufacturing facilities; and
- e. Uses not provided by Subsection 2 through 4 of this Section shall be prohibited, however it is recognized that certain permitted uses are only defined generally and may require interpretation by the Director, EMA, per Zoning Code Section 7-9-20.

**6. SITE DEVELOPMENT STANDARDS:**

a. **Building site area:**

- 1) In PA 6, PA 7A, and PA 7B: Thirty thousand (30,000) square feet minimum.
- 2) ~~In PA 3A and PA 3B: Forty thousand (40,000) square feet minimum.~~

b. **Building site width:** No minimum.

- c. **Building height:** Thirty-five (35) feet maximum, except special height provisions may apply to Planning Area PA 6 pursuant to LUP Subsection I-4-D-4e.
  
- d. **Building site coverage:** Fifty (50) percent maximum.
  
- e. **Building setbacks:**
  - 1) From any street: Ten (10) feet minimum except garages and carports per Subsection 7 below.
  
  - 2) Side: Ten (10) feet minimum for one side only, or ten (10) feet aggregate total for both sides.
  
  - 3) Rear: Ten (10) feet minimum.
  
  - 4) Patios: No attached or detached covered patio shall be located closer than three (3) feet to a property line except the street-side property line of a corner lot, in which case a minimum distance of ten (10) feet shall be maintained.
  
  - 5) Projections into required setbacks: Eaves, cornices, chimneys, balconies, and other similar architectural features may project a maximum of six (6) feet into any required front, rear, or side setback.
  
  - 6) Miscellaneous provisions and exceptions unless otherwise specified:
    - a) Attached accessory buildings shall be considered as a part of the main building;  
and
  
    - b) Detached accessory buildings shall be located no closer than the setback required for the main building.

- 7) Garage and carport placement: The point of vehicular entry to a garage or carport shall be a minimum distance of seven (7) feet or less, or twenty (20) feet or more from the back of sidewalk, or, if there is no sidewalk, from back of curb.
- f. **Fences and walls, maximum height provided that, for vehicular safety purposes, site distances are not obstructed::**
- 1) Within areas where main buildings may be placed: ten (10) feet maximum, except for entry gates and other ornamental and architectural features, which may be a maximum of twenty-five (25) feet.
  - 2) Within front setback area: six (6) feet maximum.
  - 3) Within other setback areas: the maximum height shall be six (6) feet, except that this maximum may be exceeded when higher walls are required by the Director, EMA, for the purpose of noise mitigation or other health and safety measures.
- g. **Off-street parking:** Shall be provided per Chapter 9 of this IAP.
- h. **Lights:** All lights shall be designed and located so that light rays are aimed at the site.
- i. **Grading:** Shall occur in areas averaging less than 30% slopes unless there are no other feasible, less environmentally damaging alternatives.
- j. **Standards for local roads,** including gradients, width, radius of curvature, and lighting, shall ensure that visual impact is minimized.
- k. **Areas of disturbed soil** shall be hydro-seeded with native or non-intrusive non-native plants to control erosion.
- l. **Manufactured slopes along development edges** shall incorporate contour grading techniques.

m. Compliance with LUP Residential Policy Subsection I-4-D-4e, will be demonstrated through a Viewshed Analysis.

**B. MEDIUM-LOW DENSITY RESIDENTIAL PLANNING AREAS PA 5 AND PA 9**

**1. PURPOSE AND INTENT:**

The Medium-Low Density Residential Planning Areas of the ~~Irvine~~Newport Coast Planned Community are established to provide for a variety of residential uses including predominantly smaller lot single-family attached, patio home, townhome, and duplex housing types, as well as larger single-family detached housing types, recreation uses, community facilities, community service facilities, and other uses and structures accessory to the principal uses. These Medium-Low Density Residential Planning Area Regulations are intended to implement the LCP Land Use Plan's Residential Policies Section I-4-D, and are subject to the requirements of the LCP Land Use Plan's Policies in Chapters 3 and 4.

**2. PRINCIPAL AND OTHER PERMITTED USES:**

The following principal and other permitted uses are permitted in all Planning Areas designated for Medium-Low Density Residential use subject to the approval of a Coastal Development Permit as provided in Chapter 10:

**a. Principal Permitted Uses Subject to Zoning Administrator Approval:**

- 1) Detached single-family dwellings.
- 2) Community care facilities serving twelve (12) or fewer persons per Zoning Code Section 7-9-141.

- 3) Community facilities including the following uses, and related and similar uses:
  - a) Intra-community directional signs.
  - b) Public and private parks (non-commercial).
  - c) Public and private (non-commercial) recreation centers and facilities including, but not limited to, swimming pools, tennis courts and clubhouses.
  - d) Riding, hiking, and bicycle trails.
  - e) Security and maintenance facilities related directly to the residential community.
- 4) Attached single family dwellings and duplexes, except planned developments.
- 5) Only if golf course play is extended into PA 9, and then for PA 9 only, the residential uses permitted in this Section will be allowed in combination with uses permitted in Section II-6-B-1a/d (Golf Courses/ Clubhouse Facilities) and II-6-B-2 (Accessory Permitted Uses) subject to the requirements of Section II-6-E-2 through II-6-E-8 (Golf Course Site Development Standards), a maximum building height of 28 feet, and a maximum of 10,000 square feet (gross) for golf course/clubhouse facilities (the square footage of such facilities shall be included within the maximum square feet limitation for all Tourist Commercial facilities for PA 13 as provided in Chapter II-5).

~~6) Communication transmitting, reception or relay facilities.~~

- ~~6.7)~~ Accessory Permitted Uses referenced in Subsection 3 of this Section when located on a separate building site.

**b. Principal Permitted Uses Subject to Planning Commission Approval:**

- 1) Community and community service facilities including the following uses, and related and similar uses:
  - a) Community centers.
  - b) Community information centers.

2) ~~e) In PA 5, equestrian centers limited to 50 horses maximum.~~

2)3) Residential Planned Developments per Zoning Code Section 7-9-110.

3)4) Residential condominiums and stock cooperatives per Zoning Code Section 7-9-147.

c. Other Permitted Uses Subject to Planning Commission Approval (these uses are appealable to the California Coastal Commission per County Zoning Code Section 7-9-118.6 (4) b):

1) Community and community service facilities including the following uses, and related and similar uses:

- a) Churches.
- b) Fire stations.
- c) Schools.
- d) Public and private day care/nursery schools.

**3. ACCESSORY PERMITTED USES:**

Accessory uses and structures are permitted when customarily associated with and subordinate to a Permitted Use on the same building site, per Zoning Code Section 7-9-137 except as modified in Subsection 6 of this Section, including:

- a. Garages and carports;
- b. Detached accessory structures such as greenhouses, gazebos, cabanas, and storage sheds;
- c. Swimming pools, therapy baths, water fountains, and related equipment;
- d. Covered patios and decks;

- e. Fences and walls;
- f. Tennis courts, parks, trails, greenbelts, and common areas;
- g. ~~Guest cottages and caretaker quarters in PA-5: o~~ One guest cottage or caretaker unit per building site, limited to 1,500 square feet on building sites of a minimum ~~20,000~~ 10,000 square feet;
- h. Signs per Zoning Code Section 7-9-144;
- i. Noncommercial keeping of pets and animals per Zoning Code Section 7-9-146.3;
- j. Home occupations per Zoning Code Section 7-9-146.6; and
- k. Non-commercial/non-profit art displays and galleries.

**4. TEMPORARY PERMITTED USES:**

Temporary uses are permitted in Residential Planning Areas subject to the requirements of County of Orange Zoning Code Section 7-9-136, Temporary Uses and Structures, and consistency with the LCP Land Use Plan.

**5. PROHIBITED USES:**

- a. The storage of vehicles, equipment, or products related to a commercial activity not permitted in this area;
- b. The keeping of pets or animals for any commercial purpose;
- c. Apiaries;
- d. Industrial and manufacturing facilities; and

- e. Uses not provided by Subsection 2 through 4 of this Section shall be prohibited, however it is recognized that certain permitted uses are only defined generally and may require interpretation by the Director, EMA, per Zoning Code Section 7-9-20.

**6. SITE DEVELOPMENT STANDARDS:**

- a. **Building site area:** Three thousand (3,000) square feet minimum for condominium and stock cooperative; two thousand five hundred (2,500) square feet minimum for detached and attached single-family, duplex, and other (nonresidential) developments.
- b. **Building site width:** No minimum.
- c. **Building height:** Thirty-five (35) feet maximum, except twenty-eight (28) feet maximum in PA 9.
- d. **Building site coverage:** Fifty (50) percent maximum.
- e. **Building setbacks:**
  - 1) From any street, ten (10) feet minimum, except garages and carports per Subsection 6 below.
  - 2) From any side or rear property line not abutting a street, no minimum.
  - 3) Patios: No attached or detached covered patio shall be located closer than three (3) feet to a property line except the street side property line of a corner lot, in which case a minimum distance of ten (10) feet shall be maintained. Covered patios may be completely screened, including all exterior walls and ceilings, with full ventilating screen.

- 4) Projections into required setbacks: Eaves, cornices, chimneys, balconies and other similar architectural features may project a maximum of six (6) feet into any required front, rear, or side setback.
  - 5) Miscellaneous provisions and exceptions unless otherwise specified:
    - a) Attached accessory buildings shall be considered as a part of the main buildings; and
    - b) Detached accessory buildings shall be located no closer than the setback required for the main building.
  - 6) Garage and carport placement: The point of vehicular entry to a garage or carport shall be a minimum distance of seven (7) feet or less, or twenty (20) feet or more from the back of sidewalk, or, if there is no sidewalk, from back of curb.
- f. **Fences and walls, maximum height provided that site distances for vehicular safety purposes are not obstructed:**
- 1) Within areas where main buildings may be placed: eight (8) feet maximum.
  - 2) Within front setback area: six (6) feet maximum.
  - 3) Within other setback areas: The maximum height shall be six (6) feet, except that this maximum may be exceeded when higher walls are required by the Director, EMA, for the purpose of noise mitigation or other health and safety measures.
- g. **Off-street parking:** Shall be provided per Chapter 9 of this IAP.
- h. **Lights:** All lights shall be designed so that all rays are aimed at the site.
- i. **Standards for local roads,** including gradients, width, radius of curvature and lighting shall ensure that visual impact is minimized where feasible.

j. Areas of disturbed soil shall be hydro-seeded with native or non-intrusive non-native plants to control erosion.

k. Manufactured slopes along development edges shall incorporate contour grading techniques.

C. MEDIUM AND HIGH DENSITY RESIDENTIAL PLANNING AREAS PA 1B, PA 2A, PA 2B, PA 2C, PA 3A, PA 3B, PA 4A, PA 4B AND PA 1A, PA 1C, PA 8

1. **PURPOSE AND INTENT:**

The Medium and High Density Residential Planning Areas of The IrvineNewport Coast Planned Community are established to provide for predominantly multiple-family housing while also permitting the various single-family detached/attached and duplex housing types and uses, as well as recreation uses, community facilities, community service facilities, and other uses and structures accessory to the principal uses. These Medium and High Density Residential Planning Area Regulations are intended to implement the LCP Land Use Plan's Residential Policies Section I-4-D, and are subject to the requirements of the LCP Land Use Plan's Policies in Chapters 3 and 4.

2. **PRINCIPAL AND OTHER PERMITTED USES:**

The following principal and other permitted uses are permitted in all Planning Areas designated for Medium and High Density Residential use subject to the approval of a Coastal Development Permit as provided in Chapter 10:

a. Principal Permitted Uses Subject to Zoning Administrator Approval:

- 1) Detached single-family dwellings.
- 2) Community care facilities serving twelve (12) or fewer persons per Zoning Code Section 7-9-141.

- 3) Community facilities including the following uses, and related and similar uses:
  - a) Intra-community directional signs.
  - b) Public and private parks (non-commercial).
  - c) Public and private (non-commercial) recreation centers and facilities including, but not limited to, swimming pools, tennis courts, and clubhouses.
  - d) Riding, hiking, and bicycle trails.
  - e) Security and maintenance facilities related directly to the residential community.
- 4) Attached single family dwellings and duplexes, except planned developments.
- 5) Accessory Permitted Uses referenced in Subsection 3 of this Section when located on a separate building site.
- 6) Multiple-family residential developments of four (4) units or less.

~~7) Community transmitting, reception or relay facilities~~

**b. Principal Permitted Uses Subject to Planning Commission Approval:**

- 1) Community and community service facilities including the following uses, and related and similar uses:
  - a) Community centers.
  - b) Community information centers.
- 2) Residential Planned Developments per Zoning Code Section 7-9-110.
- 3) Multiple-family residential developments of five (5) units or more, except condominiums and stock cooperatives, per Zoning Code Section 7-9-146.7.
- 4) Residential condominiums and stock cooperatives per Zoning Code Section 7-9-147.

- 5) One (1) neighborhood commercial site within Planning Areas PA 1C, PA 2A, PA 2B, PA 3A, PA 3B or PA 8 per standards in Zoning Code Section 7-9-89 and the requirements of the LCP Land Use Plan's Policies in Chapters 3 and 4, provided that the site shall not exceed ten (10) gross acres and a maximum building floor area of 100,000 square feet.

c. **Other Permitted Uses Subject to Planning Commission Approval (these uses are appealable to the California Coastal Commission per County Zoning code Section 7-9-118.6 (4) b):**

- 1) Community and community service facilities including the following uses, related and similar uses:
  - a) Churches.
  - b) Fire stations.
  - c) Schools.
  - d) Public and private day care/nursery schools.

3. **ACCESSORY PERMITTED USES:**

Accessory uses and structures are permitted when customarily associated with and subordinate to a Permitted Use on the same building site, per Zoning Code Section 7-9-137 except as modified in Subsection 6 of this Section, including:

- a. Garages and carports;
- b. Detached accessory structures such as greenhouses, gazebos, cabanas, and storage sheds;
- c. Swimming pools, therapy baths, water fountains, and related equipment;
- d. Covered patios and decks;

- n. Standards for local roads, including gradients, width, radius of curvature and lighting shall ensure that visual impact is minimized where feasible.
- o. Areas of disturbed soil shall be hydro-seeded with native or non-intrusive non-native plants to control erosion.
- p. Manufactured slopes along development edges shall incorporate contour grading techniques.

5) One (1) neighborhood commercial site within Planning Areas PA 1C, PA 2A, PA 2B, PA 3A, PA 3B or PA 8 per standards in Zoning Code Section 7-9-89 and the requirements of the LCP Land Use Plan's Policies in Chapters 3 and 4, provided that the site shall not exceed ten (10) gross acres and a maximum building floor area of 100,000 square feet.

c. Other Permitted Uses Subject to Planning Commission Approval (these uses are appealable to the California Coastal Commission per County Zoning code Section 7-9-118.6 (4) b):

- 1) Community and community service facilities including the following uses, related and similar uses:
  - a) Churches.
  - b) Fire stations.
  - c) Schools.
  - d) Public and private day care/nursery schools.

3. **ACCESSORY PERMITTED USES:**

Accessory uses and structures are permitted when customarily associated with and subordinate to a Permitted Use on the same building site, per Zoning Code Section 7-9-137 except as modified in Subsection 6 of this Section, including:

- a. Garages and carports;
- b. Detached accessory structures such as greenhouses, gazebos, cabanas, and storage sheds;
- c. Swimming pools, therapy baths, water fountains, and related equipment;
- d. Covered patios and decks;

- e. Fences and walls;
- f. Tennis courts, parks, trails, greenbelts, and common areas;
- g. ~~Guest cottages and caretaker quarters in PA 4A and PA 4B:~~ One guest cottage or caretaker unit per building site, limited to 1,500 square feet on building sites of a minimum ~~20,000~~10,000 square feet;
- h. Signs per Zoning Code Section 7-9-144;
- i. Noncommercial keeping of pets and animals per Zoning Code Section 7-9-146.3;
- j. Home occupations per Zoning Code Section 7-9-146.6; and
- k. Non-commercial/non-profit art displays and galleries.

**4. TEMPORARY PERMITTED USES:**

Temporary uses are permitted in Residential Planning Areas subject to the requirements of County of Orange Zoning Code Section 7-9-136, Temporary Uses and Structures, and consistency with the LCP Land Use Plan.

**5. PROHIBITED USES:**

- a. The storage of vehicles, equipment, or products related to a commercial activity not permitted in this area;
- b. The keeping of pets or animals for any commercial purpose;
- c. Apiaries;
- d. Industrial and manufacturing facilities; and

- e. Uses not provided by Subsection 2 through 4 of this Section shall be prohibited, however it is recognized that certain permitted uses are only defined generally and may require interpretation by the Director, EMA, per Zoning Code Section 7-9-20.

**6. SITE DEVELOPMENT STANDARDS:**

- a. **Building site area:** Three thousand (3,000) square feet minimum for condominium, stock cooperative, and apartment developments; Two thousand five hundred (2,500) square feet minimum for detached and attached single-family, duplex, and other (nonresidential) developments.
- b. **Area per unit:** One thousand (1,000) square feet minimum gross land area per dwelling unit, regardless of the slope of the land.
- c. **Building site width:** No minimum.
- d. **Building height:** Thirty-five (35) feet maximum except forty-five (45) feet maximum for Planning Area 8.
- e. **Building site coverage:** No maximum.
- f. **Building setbacks:** Ten (10) feet minimum from any exterior property line or property line abutting a public or private street, except garages and carports per Subsection G below. From any other interior property line, no minimum. In PA 3A and PA 3B, the building setback from Pacific Coast Highway will be a minimum 100-feet for landscaping and buffering purposes.
- g. **Garage and carport placement:** The point of vehicular entry to a garage or carport shall be a distance of seven (7) feet or less, or twenty (20) feet or more from the back of sidewalk, or if there is no sidewalk, from back of curb.
- h. **Off-street parking:** Shall be provided per Chapter 9 of this IAP.

- i. **Open space (except for single family developments):** Minimum of five percent (5%) of the net area of the project is to be reserved as usable open space. The following shall not be counted in computing the usable open space: streets, common driveways, slopes greater than 2.5:1 incline, and any property not reserved for the sole use and enjoyment of the occupants of the project and their guests.
- j. **Trash and storage areas (except for single family developments):** All storage, including cartons, containers or trash shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height.
- k. **Screening (except for single family developments):**
- 1) **Abutting residential areas:** A screen shall be installed as required to buffer multiple-family developments from abutting areas zoned for single-family residential. Except as otherwise provided below, the screening shall have a total height of not less than six (6) feet and not more than seven (7) feet. Where there is a difference in elevation on opposite sides of the screen, the height shall be measured from the highest point of elevation.
  - 2) **Parking areas abutting arterial highways:** An opaque screen shall be installed along all parking areas abutting arterial highways. Except as otherwise provided below, the screening other than landscaping shall have a total height of not less than three (3) feet and not more than six (6) feet.
  - 3) **Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five (5) feet inside the boundary line, is higher or lower than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements of this Section.**
  - 4) **A screen as referred to in Subsection 1, 2, and 3 above, shall consist of one or any combination of the following:**

- a) Walls including retaining walls: A wall shall consist of concrete, stone, brick, tile or similar type of solid masonry material a minimum of four (4) inches thick.
- b) Berms: A berm shall be constructed of earthen materials and it shall be landscaped.
- c) Fences, solid: A solid fence shall be constructed of wood, or other materials a minimum nominal thickness of one (1) inch.
- d) Landscaping: Vegetation shall consist of evergreen or deciduous trees or shrubs.

**l. Landscaping (except for single family developments)**: The planting of drought tolerant, native or non-intrusive non-native low maintenance species is encouraged. Landscaping, consisting of evergreen or deciduous trees, shrubs, groundcover, and/or hardscape shall be installed and maintained subject to the following standards:

- 1) Boundary landscaping abutting arterial highways is required to a minimum depth of ten (10) feet.
- 2) Boundary landscaping abutting public streets, other than arterial highways, is required to an average depth of ten (10) feet with a minimum depth of five (5) feet.
- 3) Separation: Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least six (6) inches higher than the adjacent vehicular area or in some manner be protected from vehicular damage.
- 4) Watering: Watering facilities shall be provided for all landscaped areas except where drought tolerant species have been established.
- 5) Maintenance: All landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the watering of all plantings per Subsection 4 above.

**m. Lights** All lights shall be designed and located so that rays are aimed at the site.

- n. **Standards for local roads**, including gradients, width, radius of curvature and lighting shall ensure that visual impact is minimized where feasible.
- o. **Areas of disturbed soil** shall be hydro-seeded with native or non-intrusive non-native plants to control erosion.
- p. **Manufactured slopes along development edges** shall incorporate contour grading techniques.

**CHAPTER 5**  
**TOURIST COMMERCIAL PLANNING AREAS**

**A. PURPOSE AND INTENT**

The Tourist Commercial Planning Areas of The IrvineNewport Coast Planned Community are established to provide for the development and maintenance of destination resort and related tourist/recreational visitor-serving facilities, cultural, community and community services facilities, and accessory uses and structures, in proximity to Crystal Cove State Park and major beach areas. These Tourist Commercial Planning Area Regulations are intended to implement the LCP Land Use Plan's Tourist Commercial Policies Section I-4-A subject to the requirements of the LCP Land Use Plan's Policies in Chapters 3 and 4. In addition to the site development regulations provided below, individually-owned accommodations (e.g., casitas and time-sharing condominiums) in the destination resort shall be developed pursuant to the Subdivision Code and/or other County and State regulations applicable to the type of accommodation units being developed.

**B. PRINCIPAL PERMITTED USES**

The following principal permitted uses are permitted in all Planning Areas designated for Tourist Commercial use subject to the approval of a Coastal Development Permit as provided in Chapter 10:

**1. PRINCIPAL PERMITTED USES SUBJECT TO PLANNING COMMISSION APPROVAL:**

- a. A destination resort and other commercial recreation uses, as defined in the LUP and Chapter 12, Definitions, of this IAP (Planning Areas PA 13A, PA 13B, PA 13C, PA 13D, PA 13E, PA 13F, and PA 14 and PA 20A), comprising the following types of visitor-serving uses.
  - 1) Overnight/resort visitor accommodations not to exceed two thousand one hundred and fifty (2,150) accommodations (e.g., hotel rooms, motel rooms, casitas, time-sharing condominiums, etc.).

- 2) Retail and service commercial.
  - 3) Parking structures.
  - 4) Conference, convention, and other ancillary facilities.
  - 5) Restaurants.
  - 6) Cocktail lounges and bars.
  - 7) Commercial recreation uses.
  - 8) Health facilities.
  - 9) Public and private golf courses and related facilities.
  - 10) Service Stations per Zoning Code Section 7-9-114.
  - 11) Helistops and heliports to be used for shuttle transportation only.
  - 12) Other uses ancillary to a destination resort.
- b. Cultural facilities including but not limited to museums, art galleries/exhibits, and theaters.
  - c. Visitor-oriented day-use retail and service commercial totaling not more than 75,000 square feet in PA 13A through PA 13F, and not more than 25,000 square feet in PA 14.
  - d. Visitor-oriented retail commercial, service commercial, ~~public works facilities~~ and commercial recreation, totaling not more than 75,000 square feet in PA ~~16A and PA 16B-20A~~.

**2. PRINCIPAL PERMITTED USES SUBJECT TO ZONING ADMINISTRATOR APPROVAL:**

a. Community facilities including the following uses, and related and similar uses:

- 1) Intra-community directional signs.
- 2) Riding, hiking and bicycle trails.
- 3) Security facilities and structures.
- 4) Maintenance facilities and structures.

b. Community service and community service commercial facilities including the following uses, and related similar uses:

- 1) Fire stations.
- 2) Public and private nursery schools and day care.
- 3) Public and private recreation centers and facilities.
- 4) Visitor/information services/centers.

~~c. Communication transmitting, reception or relay facilities.~~

~~e-d. Public parks, except in Planning Areas PA 13A, PA 13B, PA 13C, PA 13D, PA 13E, and PA 13F.~~

~~d-e. Accessory Permitted Uses listed in Section C of this Chapter when located on a separate building site.~~

- 3) Principal permitted uses and accessory uses, including accommodations, resort facilities, and the golf course clubhouse but excepting parking facilities and day use commercial facilities specified in (4) below, shall not exceed a total of 2.66 million square feet. Within this total area, the following limitations shall apply:
  - a) No one of the Planning Areas PA 13A, PA 13B, PA 13C, or PA 13D shall contain more than 60,000 square feet of single, continuous primary ballroom/exhibition space. ("Single, continuous primary ballroom/exhibition space" denotes one large-scale meeting/convention area and does not include the square footage of conference facilities with smaller individual meeting rooms.)
  - b) The total square footage of conference and meeting space, including primary ballroom/ exhibition space and individual meeting rooms, shall not exceed 140,000 square feet in these four Planning Areas.
- 4) Commercial uses: A maximum of seventy-five thousand (75,000) square feet of total floor area is permitted in addition to that included within hotels and other accommodations areas. Any day-use retail commercial facilities under this subsection shall be incidental accessory, or directly related to adjacent accommodations, park, and/or recreational visitor activities and shall be identified specifically in any project application involving this use category.
- 5) Maximum building heights are designated by individual height zones on Exhibit J (see LUP Chapter 4).
- 6) The following maximum building coverages are expressed as a percentage of each planning area's total gross acreage:

- a) The maximum building coverage (except parking structures) within each planning area:

PA 13A: Overall coverage = 40% maximum

PA 13B: Overall coverage = 28% maximum

PA 13C: Overall coverage = ~~25%~~50% maximum

PA 13D: Overall coverage = ~~20%~~50% maximum

PA 13E: Overall coverage = ~~50%~~25% maximum

PA 13F: Overall coverage = ~~50%~~20% maximum

- b) The distribution of maximum building coverage by various height categories within planning areas is as follows:

PA 13A: The 40% maximum is distributed as follows:

Structures up to 50 ft. in height = 22%;

Structures up to 65 ft. in height = 10%;

Structures up to 85 ft. in height = 6%; and

Structures up to 105 ft. in height = 2%.

PA 13B: The 28% maximum is distributed as follows:

Structures up to 50 ft. in height = 20%; and

Structures up to 65 ft. in height = 8%.

PA 13C: The ~~25%~~50% maximum is distributed as follows:

Structures up to 40 ft. in height = ~~7%~~32%;

Structures up to 60 ft. in height = 10%; and

Structures up to 80 ft. in height = 8%.

PA 13D: The ~~20%~~50% maximum is distributed as follows:

Structures up to 40 ft. in height = ~~2%~~32%;

Structures up to 60 ft. in height = 10%; and

Structures up to 80 ft. in height = 8%.

PA 13E: The ~~50%~~<sup>25%</sup> maximum shall all be in structures up to 35 ft. in height (i.e., no further distribution by height).

PA 13F: The ~~50%~~<sup>20%</sup> maximum shall all be in structures up to 35 ft. in height (i.e., no further distribution by height).

7) Minimum building setbacks from the ultimate right-of-way of Pacific Coast Highway:

PA 13A: All structures will be a minimum of 300 feet from PCH. Structures in excess of 30 feet in height and up to 85 feet in height will be a minimum of 350 feet from PCH. Structures in excess of 85 feet in height will be a minimum of 550 feet from PCH.

PA 13B: Structures in excess of 50 feet in height will be a minimum of 1,350 feet from PCH.

PA 13C/  
PA 13F: Structures in excess of 40 feet in height will be a minimum of 1,600 feet from PCH.

PA 13D/  
PA 13E: Structures in excess of 40 feet in height will be a minimum of 2,800 feet from PCH.

8) Other building setbacks:

a) From ~~Pelican Hill Road~~<sup>Newport Coast Drive</sup> - fifty (50) feet minimum. (Minimum setback for surface parking will be ten (10) feet.)

b) From Category A and B ESHA's - one-hundred (100) feet minimum.

9) Landscape screening:

Landscape screening in the form of earth berms, edge planting along Pacific Coast Highway, golf course landscaping, and hotel landscaping will all combine to act as screening to soften building massing as viewed from Pacific Coast Highway.

10) Minimum landscaping for each Tourist Commercial site shall be 15% of the net area of the site.

11) Grading of the Tourist Commercial sites will create a smooth and gradual transition between new and existing grades.

12) Grading of Tourist Commercial sites may be done concurrently with grading for the golf course to balance cut and fill within the resort area and to reduce the total amount of time during which major grading operations will need to be conducted.

b. Planning Area PA 13A shall conform to the LCP Land Use Plan's Tourist Commercial Policies Section I-4-A:

1) Overnight/~~resort~~ accommodations: Eleven hundred (1,100) overnight/~~resort~~ accommodations maximum, so long as the overall 1,900 overnight/~~resort~~ accommodations maximum is not exceeded for the entire Planning Area PA 13.

2) Day-use retail commercial uses: A maximum of seventy-five thousand (75,000) square feet of gross floor area, in addition to that included within hotels and other accommodations areas, is permitted which is incidental, accessory, or directly related to nearby accommodations and/or recreational visitor activities.

c. Planning Area PA 13B shall conform to the LCP Land Use Plan's Tourist Commercial Policies Section I-4-A:

- 1) Overnight/resort accommodations: Six hundred (600) overnight/resort accommodations maximum, so long as the overall 1,900 overnight/resort accommodations maximum is not exceeded for the entire Planning Area PA 13.
- d. Planning Area PA 13C shall conform to the LCP Land Use Plan's Tourist Commercial Policies Section I-4-A:
- 1) Overnight/resort accommodations: ~~Four hundred and fifty (450)~~ ~~Seven hundred and fifty (750)~~ overnight/resort accommodations maximum, so long as the overall 1,900 overnight/resort accommodations maximum is not exceeded for the entire Planning Area PA 13.
- e. Planning Area PA 13D shall conform to the LCP Land Use Plan's Tourist Commercial Policies Section I-4-A:
- 1) Overnight/resort accommodations: ~~Three hundred and fifty (350)~~ ~~Six hundred fifty (650)~~ overnight/resort accommodations maximum, so long as the overall 1,900 overnight/resort accommodations maximum is not exceeded for the entire Planning Area PA 13.
- f. Planning Area PA 13E shall conform to the LCP Land Use Plan's Tourist Commercial Policies Section I-4-A:
- 1) Overnight/resort accommodations: ~~Six hundred (600)~~ ~~Three hundred (300)~~ overnight/resort accommodations maximum, so long as the overall 1,900 overnight/resort accommodations maximum is not exceeded for the entire Planning Area PA 13.
- g. Planning Area PA 13F shall conform to the LCP Land Use Plan's Tourist Commercial Policies Section I-4-A:
- 1) Overnight/resort accommodations: ~~Three hundred (300) overnight/resort accommodations maximum, so long as the overall 1,900 overnight/resort accommodations maximum is not exceeded for the entire Planning Area PA 13. No overnight/resort accommodations are permitted within Planning Area 13F.~~

h. Planning Area PA 14 (~~Muddy Canyon~~Lower Wishbone) shall conform to the LCP Land Use Plan's Tourist Commercial Policies Section I-4-A:

- 1) Overnight/resort accommodations: Two hundred and fifty (250) overnight/resort accommodations (~~e.g., hotel and motel rooms~~) maximum.
- 2) Casitas shall be counted as follows with respect to the maximum 250 permitted overnight/resort accommodations:
  - a) Casitas with one or two bedrooms shall be considered one (1) overnight/resort accommodation; and
  - b) Casitas with three or more bedrooms shall be considered two (2) overnight/resort accommodations.
- ~~2)~~ 3) Day-Use Commercial uses: A maximum of twenty-five thousand (25,000) square feet of gross floor area is permitted in addition to that included within hotels and other accommodation areas. Any day-use retail commercial facilities under this subsection shall be incidental, accessory, or directly related to the adjacent park, accommodations, and/or recreational visitor activities.
- 3) ~~4)~~ Principal permitted uses and accessory uses, including overnight/resort accommodations and all directly supporting commercial facilities but excluding parking facilities and the day-use commercial described in (2) above, shall not exceed a total of 300,000 square feet. Within this total area, Planning Area 14 shall not contain more than 18,750 square feet of meeting space.
- 4) ~~5)~~ Building height: Thirty-five (35) feet maximum, except towers, gables, spires, flag poles, chimneys, mechanical equipment, and architectural features will have a maximum height of forty-seven (47) feet.
- 5) ~~6)~~ Building site coverage: ~~Forty-five (45)~~ Fifty (50) percent maximum, excluding parking structures.

6) ~~7)~~ Building setbacks:

a) From Pacific Coast Highway - one hundred (100) feet minimum.

~~b) From internal local streets - twenty (20) feet minimum.~~

~~c) From interior boundary of Planning Area PA 14 - ten (10) feet minimum.~~

b) ~~d)~~ Minimum setback for surface parking from Pacific Coast Highway will be ten (10) feet.

7) ~~8)~~ Minimum site landscaping shall be 15% of the net area of the site. To minimize to the extent practicable any views of the hotel parking areas from inland portions of Crystal Cove State Park, landscape screening shall be provided parallel to the perimeter of parking areas in Planning Area 14 which border Muddy Canyon.

i. Planning Areas ~~PA 16A and PA 16B~~ ~~PA 20A~~ (Laguna Canyon) shall conform to the LCP Land Use Plan's Tourist Commercial Policies Section I-4-A:

1) Principal permitted uses and accessory uses shall not exceed a total of 75,000 square feet of floor area directly related to and/or supportive of the nearby park and/or recreational visitor activities ~~and/or public works facilities.~~

2) Access: Access to the tourist commercial facilities will be directly from Laguna Canyon Road.

3) Building height: One story maximum, except towers, gables, spires, flag poles, chimneys, mechanical equipment, and architectural features will have a maximum height of thirty-five (35) feet.

4) Building Site Coverage: Forty-five (45) percent maximum, excluding parking structures.

5) Building/Parking setbacks:

- a) Building from Laguna Canyon Road = 50 feet minimum.
- b) Surface parking from Laguna Canyon Road = 10 feet minimum.

6) ~~In the event that the entire development entitlement (i.e., 75,000 square feet) in this LCP for PA 16A and PA 16B is transferred to either PA 20A or an alternate site within the City of Laguna Beach and all necessary permits are obtained to allow such transferred development to be constructed, then~~Prior to, or concurrent with the recordation of the first final development map in PA 20A the landowner shall ~~thereupon execute and record~~ an Offer to Dedicate PA 16A and PA 16B. Such offer shall be subject to immediate acceptance by the County of Orange for a period of three (3) years. In the event that the County does not accept the offer during that time period, said offer shall be available for acceptance by the City of Laguna Beach for a period of three (3) years thereafter.

**CHAPTER 6**  
**GOLF COURSE PLANNING AREAS**

**A. PURPOSE AND INTENT**

The Golf Course Planning Areas of The ~~Irvine~~~~Newport~~ Coast Planned Community are established to provide for the development and maintenance of primarily golf courses, related commercial and noncommercial facilities, and accessory uses and structures in proximity to destination resort and related tourist/recreational visitor-serving commercial facilities. These planning areas permit necessary roads, public works, and infrastructure. These Golf Course Planning Area Regulations are intended to implement the LCP Land Use Plan's Golf Course Policies Section I-4-B subject to the requirements of the LCP Land Use Plan's Policies Chapter 3 and 4.

**B. PRINCIPAL PERMITTED USES**

The following principal permitted uses are permitted in all Planning Areas designated for Golf Course use subject to the approval of a Coastal Development Permit as provided in Chapter 10:

- 1. PRINCIPAL PERMITTED USES SUBJECT TO PLANNING COMMISSION APPROVAL:**
  - a. Golf courses and clubhouses.
  - b. Driving ranges and putting greens.
  - c. Commercial and noncommercial recreation uses and facilities such as tennis courts, racquetball courts, health clubs, etc.
  - d. Clubhouse facilities, including restaurants, cocktail lounges, banquet rooms, meeting facilities, and similar uses related to a permitted recreation use or complex.
  - e. Community facilities and community service facilities.

**2. PRINCIPAL PERMITTED USES SUBJECT TO ZONING ADMINISTRATOR APPROVAL:**

- a. Lakes, ponds, and associated drainage facilities.
- b. Public works, infrastructure, and road improvements.
- c. ~~Communication transmitting, reception or relay facilities.~~
- e.d. Accessory Permitted Uses listed in Section C of this Chapter when located on a separate building site.

**C. ACCESSORY PERMITTED USES**

Accessory uses and structures are permitted when customarily associated with and subordinate to a Principal Permitted Use on the same building site, per Zoning Code Section 7-9-137 as applicable, including:

- 1. Information center, shops, and commercial concessions related to golf course use and accessory to the clubhouse operation;
- 2. Maintenance facilities and structures, caretaker quarters, garages, carports, and storage sheds;
- 3. Detached accessory structures such as greenhouses, gazebos, and cabanas;
- 4. Swimming pools, saunas, therapy baths, water fountains, and related equipment;
- 5. Covered patios and decks;
- 6. Fences and walls;
- 7. Walkways/trails, greenbelts, and common areas; and

8. Signs per Zoning Code Section 7-9-144.

**D. PROHIBITED USES**

1. Camping facilities including tent and/or RV campgrounds.
2. Professional and administrative offices not directly ancillary to and supportive of a permitted use.
3. Industrial and manufacturing facilities.
4. Uses not provided by Section B and C of this Chapter shall be prohibited, however it is recognized that certain permitted uses are only defined generally and may require interpretation by the Director, EMA, per Zoning Code Section 7-9-20.

**E. SITE DEVELOPMENT STANDARDS**

1. Building height: Forty (40) feet maximum.
2. Setback from streets: Twenty (20) feet minimum.
3. Clubhouse building site coverage: Fifty (50) percent maximum.
4. Off-street parking: Shall be provided per Chapter 9 of this IAP.
5. Screening: Walls and fences over six (6) feet in height shall be installed in accordance with the following limitations, unless otherwise provided for by an approved Site Plan.
  - a. Hazard fences for golf courses may be installed where necessary to protect buildings, vehicles, and persons (no height limitation).

- b. Non-opaque fences shall be a minimum of twenty (20) feet from the ultimate right-of-way of any street or highway.
6. Grading and Erosion Control: Grading and Erosion Control Plans shall conform with the Land Use Plan's Resource Conservation and Management Policies Sections I-3-J, I-3-K, I-3-L, and I-3-M.
7. Lights: All lights shall be designed so that all rays are aimed at the site.
8. Habitat irrigation shall conform with the Riparian Habitat Creation Program (RHCP) of the Land Use Plan's Golf Course Policies Section I-4-B-5 and the following criteria shall be applied:
  - a. The RHCP shall include a drawing showing the relationship of riparian habitat areas, ponds, transition areas, and adjacent golf course features. Areas shall be designated as primarily habitat (i.e., riparian habitat areas), multi-purpose (i.e., ponds and transition areas), and primarily recreational (i.e., golf course features).
  - b. For riparian habitat areas, the RHCP shall show how topography, water supply and drainage patterns, and soil type and conditions will be made suitable for the growth, establishment, and persistence of the planted vegetation.
  - c. Planting plans prepared for the RHCP shall address methods to propagate riparian vegetation, responding to the following priorities as feasible: a) seed, cuttings, and/or transplants of existing plants salvaged/collected on-site; b) seed or cuttings from other sources. Transplants of existing plants may be used only to the degree that the benefits outweigh the increased probability of failure due to shock, root stress, etc. associated with transplanting.
  - d. The RHCP shall address management of exotic species as follows. A list of highly invasive and undesirable plants to be removed upon detection (e.g., pampas grass) will be prepared, including sensitive control methods which do not compromise riparian plantings.

Criteria for determining when other exotic plants (e.g., wild oats, rye grass) compete unduly with planted vegetation will be included, also including sensitive control methods.

- e. The RHCP shall address topsoil management, giving first priority to use of native topsoil provided it is free of significant weed seed reservoirs, salt concentrations, and similar detrimental factors; and giving second priority to other soil material placed by grading.
- f. The RHCP shall address treatment of transitional areas (i.e., "rough") between golf play areas and habitat areas, to include their function as buffers. Plans for multi-purpose features, ponds in particular, will show which edges are to be intensively managed for golf course/aesthetic considerations, which edges are to be managed primarily for habitat purposes, and how ponds will be managed to accommodate both golf course/aesthetic and habitat interests.
- g. The RHCP shall include measures addressing maintenance of golf course features and habitat areas to minimize conflicts between maintenance and use of the golf course and the riparian habitat.
- h. The RHCP shall provide for monitoring of the success of the riparian habitat creation based upon stated habitat objectives.
- i. As a condition of approval, the RHCP shall be reviewed by the California Department of Fish and Game and, if appropriate, approved through a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the State Fish and Game Code.

## CHAPTER 7

### RECREATION PLANNING AREAS

#### A. PURPOSE AND INTENT

Certain Recreation Planning Areas (~~Planning Areas (i.e., PA 12F, PA 12G, PA 12I~~ PA 17, PA 18, PA 19, ~~PA 20A, PA 20B,~~ and PA 20C) of The ~~Irvine~~Newport Coast Planned Community are established to provide for the public ownership, development, and maintenance of primarily regional recreational activities and facilities ~~as well as public infrastructure facilities~~ which will afford the greatest public access and benefit without adversely altering the sites.

Certain other Recreation Planning Areas (~~Planning Areas (i.e., PA 11A, PA 11B, PA 12A, PA 12B, PA 12C, PA 12D, and PA 12E, PA 12F, PA 12H, and PA 12I)~~ are established to serve open space/~~recreation~~ uses as provided for in The ~~Irvine~~Newport Coast LUP.

The Recreation Use Regulations are intended to implement the LCP Land Use Plan's Recreation/Public Access Policies Section I-4-C subject to the requirements of the LCP Land Use Plan's Policies in Chapter 3 and 4.

#### B. PRINCIPAL PERMITTED USES

Consistent with the policies of LUP, Section I-3-C, the following principal permitted uses are permitted in Planning Areas designated for Recreation use subject to the approval of a Coastal Development Permit by the Zoning Administrator as provided in Chapter 10. Such uses may be operated by a limited commercial venture with the purpose of serving the recreational needs of park visitors and/or improving public recreation services whether financially through lease or other payments to a public agency or functionally through the delivery of a permitted recreational use that otherwise would not be available to the public.

**1. PLANNING AREA PA 18 (EMERALD CANYON):**

- a. Riding and hiking trails.
- b. Picnic areas.
- c. Viewpoints, non-commercial rest stops, and other passive recreation facilities.
- d. Regional Park concessions associated with park use consistent with LUP Policies Section I-3-C.

**2. PLANNING AREA PA 19 (EMERALD RIDGE):**

- a. Parking areas.
- b. Camping.
- c. Youth hostels.
- d. Non-commercial staging areas.
- e. Picnic areas.
- f. Equestrian centers.
- g. Regional park concessions associated with park use consistent with LCP Policies Section I-3-C.
- h. Riding and hiking trails.

**3. PLANNING AREAS ~~PA 20A AND~~ PA 20B (LAGUNA CANYON):**

- a. Parking areas.
- b. Riding and hiking trail staging areas.
- c. Public utilities within existing easements.
- d. Existing agricultural operations.
- e. Existing educational institutions.
- f. Cultural facilities as temporary facilities in support of periodic cultural events.
- g. Public parks.
- h. Maintenance of public facilities/roads.
- i. Existing municipal yards.

**4. PLANNING AREAS ~~PA 12G~~ AND PA 20C:**

- a. Commercial recreation related to park use.
- b. Specialty retail shops related to park use.
- c. Restaurants and food sales serving visitors to the adjacent regional and state parks.
- d. Museums, art galleries, outdoor amphitheaters, and other cultural/educational uses and facilities.
- e. Arboretums and horticultural gardens.
- f. Staging areas for campers, riders, hikers, and other visitors to the adjacent Irvine Coast Wilderness Regional Park and Crystal Cove State Park.
- g. Regional Park support facilities such as, but not limited to, ranger headquarters, regional park parking facilities, and restroom facilities.

**5. PLANNING AREA PA 17 (CRYSTAL COVE STATE PARK):**

Crystal Cove State Park's "Public Works Plan" has already been certified by the Coastal Commission for Recreation Planning Area PA 17 and, accordingly, is not part of this LCP.

**6. PLANNING AREAS PA 11A, PA 12A, ~~AND PA 12E~~, ~~PA 12H~~ AND ~~PA 12I~~:**

- a. Local parks.
- b. Riding and hiking trails.
- c. Bikeways.
- d. Utilities, drainage, and water supply facilities as provided for in Chapters 3 and 4 of the LUP.
- e. Fuel modification and fire protection facilities and accessways related to park protection.

**7. PLANNING AREAS PA 11B, PA 12B, ~~PA 12C~~, AND PA 12D:**

- a. Passive recreation uses;
- b. Open Space (natural and modified for fire protection pursuant to LUP Policy Section I-3-M, Development/Open Space Edges Policies);

- c. Passive preservation areas for archaeological and paleontological sites and identified ESHA's;
- d. Open space within lot lines from adjoining residential areas where the land is owned and maintained by adjacent homeowners or homeowners associations (not public agencies or districts); and
- e. Public works, roads, and infrastructure necessary for other permitted uses; and
- f. Hiking trails.

**8. PLANNING AREA 12C:**

- a. Parking areas;
- b. Riding and hiking trail staging areas;
- c. Picnic areas, parks, trails, greenbelts and common areas;
- d. Equestrian and community centers;
- e. Swimming pools, tennis courts, ball fields and detached accessory structures and related equipment;
- f. Fences and walls;
- g. Roads, utilities, drainage and water supply facilities; and
- h. Communication transmitting, reception or relay facilities.

**9. PLANNING AREA 12F:**

- a. Schools;
- b. Parking areas;
- c. Swimming pools, tennis courts, ball fields and detached accessory structures and related equipment;
- d. Fences and walls;
- e. Roads, utilities, drainage, sewer and water supply facilities; and
- f. Communication transmitting, reception or relay facilities.

**10. PLANNING AREA 12J:**

- a. Roads, utilities, drainage, sewer, water storage and supply facilities;
- b. Detached maintenance and accessory structures;
- c. Parking areas;
- d. Fences and walls;
- e. Communication transmitting, reception or relay facilities; and
- f. Fuel modification and fire prevention facilities and access ways.

**C. OTHER PERMITTED USES IN PA 18, PA 19, PA 20A, PA 20B, AND PA 20C  
SUBJECT TO COASTAL COMMISSION APPELLATE JURISDICTION OVER "CD"  
PERMITS**

- 1. New utility development.
- 2. New roads or expansions. Any widening or relocation of Laguna Canyon Road shall conform with IAP Special Provision Subsection II-3-B-27.

**D. ACCESSORY USES PERMITTED**

Accessory uses and structures are permitted when customarily associated with and subordinate to a Principal Permitted Use on the same building site per Zoning Code Section 7-9-137.

**E. PROHIBITED USES**

- 1. Recreation vehicle (RV) Parks.
- 2. Industrial and manufacturing facilities.
- 3. Sand and gravel extraction.
- 4. The fencing of homeowner lots and lot lines extending into Planning Areas PA 11B, PA 12B, and PA 12C.

5. Uses not provided by Section B through D of this Chapter shall be prohibited, however it is recognized that certain permitted uses are only defined generally and may require interpretation by the Director, EMA, per Zoning Code Section 7-9-20.

**F. SITE DEVELOPMENT STANDARDS**

1. Building site area: No minimum.
2. Building site width and depth: No minimum.
3. Building setbacks: All buildings shall be set back from property lines a distance at least equal to the height of the building or structure, and not less than thirty (30) feet from any adjacent Residential Planning Area.
4. Building site coverage: Not more than one (1) percent of the total lands in this land use category may be covered by buildings except as defined for PA 11A, PA 12A, PA 12E, ~~PA 12I~~, PA 18, PA 19, PA 20B, and PA 21D. ~~A maximum of twelve (12) percent of the total land area in PA 12B, PA 12C, PA 12G and PA 12H may be developed with structures, pavement or other impervious materials.~~
5. Building height limit: ~~Fifteen (15) feet for PA 12G~~, Eighteen (18) feet for PA 11A, PA 11B, PA 12A, PA 12B, ~~PA 12C~~, PA 12D, PA 12E, PA 18, PA 19, ~~PA 20A~~, and PA 20B; and ~~twenty-eight (28)~~ ~~twenty-five (25)~~ feet for PA 20C; and thirty-five (35) feet for ~~PA 20A~~ ~~PA 12C~~, ~~PA 12F and PA 12~~ if the development entitlement for PA 16A and PA 16B is transferred to PA 20A per IAP Subsection II 5 E 2 i 6).
6. Off-street parking: Shall be provided per Chapter 9 of this IAP.
7. Screening: Due to the recreational open space character of many of the permitted uses, the following screening standards may not be appropriate in all cases, and Alternative Development Standards may be established by an approved Coastal Development Permit. Generally, walls and fences may be installed in accordance with the following limitations:

- a. Natural wood, concrete, stone, masonry, and/or wrought iron non-opaque fences may be installed, provided they are consistent with the Purpose and Intent of this Chapter, and are set back a minimum of twenty (20) feet from the ultimate right-of-way line of any street or highway.
- b. Masonry or solid wood fences shall be shielded from view from any street or highway by landscaping and/or berms or other topographic features, and shall be set back a minimum of fifty (50) feet from the ultimate right-of-way line of any street or highway.
- c. Parking areas adjacent to public or private streets or highways shall generally be screened from view by earthen berms and/or landscaping.

## CHAPTER 8

### CONSERVATION PLANNING AREAS

#### A. PURPOSE AND INTENT

The Conservation Planning Areas of The ~~Irvine~~~~Newport~~ Coast Planned Community are established to provide for the resource preservation, enhancement, limited development, and maintenance of largely natural and undeveloped lands identified for resource conservation, where the natural resources are to be preserved and enhanced after acquisition by a public agency. Most Conservation lands are currently under private ownership and will be transferred in increments to a public agency over a period of time. Prior to transfer, the private landowner will be responsible for the maintenance and management of these lands. These Conservation Planning Area regulations are intended to implement the LCP Land Use Plan's Conservation Area Policies Section I-3-A subject to the requirements of the LCP Land Use Plan's Policies in Chapters 3 and 4.

#### B. PRINCIPAL PERMITTED USES

The following principal permitted uses are permitted in Planning Areas ~~PA 16A~~, ~~PA 16B~~, PA 21A, PA 21B, PA 21C, and PA 21D designated for Conservation Use subject to the approval of a Coastal Development Permit by the Zoning Administrator as provided in Chapter 10:

1. Passive recreation uses.
2. Viewpoints and overlook areas.
3. Riding and hiking trails.
4. Scientific study areas.
5. Maintenance of existing public improvements/facilities.

6. Uses permitted only within three hundred and fifty (350) feet of Laguna Canyon Road, and/or on land of less than thirty (30) percent slope:
  - a. Riding and hiking trailheads;
  - b. Riding and hiking trail staging areas;
  - c. Maintenance of existing utilities;
  - d. Maintenance of existing flood, drainage, and erosion control facilities; and
  - e. Road improvements, expansions, and maintenance.
  
7. Any widening or relocation of Laguna Canyon Road shall conform with IAP Special Provision Subsection II-3-B-27.

**C. ACCESSORY PERMITTED USES**

Accessory uses and structures are permitted when customarily associated with and subordinate to a Principal Permitted Use on the same building site, per Zoning Code Section 7-9-137.

**D. PROHIBITED USES**

1. Primary residential structures.
  
2. Commercial uses.
  
3. Industrial and manufacturing facilities.
  
4. Sand and gravel extraction.
  
5. Uses not provided by Section B and C of this Chapter shall be prohibited, however it is recognized that certain permitted uses are only defined generally and may require interpretation by the Director, EMA, per Zoning Code Section 7-9-20.

**E. INTERIM CONSERVATION MANAGEMENT**

The following shall apply to any private-sector landowner prior to the transfer of Conservation areas to public ownership. All improvements shall be consistent with the LCP Land Use Plan's Interim Conservation Management Policies Section I-3-B:

1. The landowner may continue existing agricultural uses, including cattle grazing and may construct and maintain any fencing, firebreaks, fuel modification zones, water pipes, and cattle-watering facilities, and maintain access roads necessary for the continued use and protection of the property, and for facilities approved by the County of Orange for public health, safety, welfare, and recreation purposes consistent with this chapter.
2. New fences will be designed so that wildlife, except large mammals such as deer, can pass through.
3. No alteration to existing stream courses or landforms in Emerald Canyon will occur except as necessary to provide fire protection.
4. No excavations of archaeological and paleontological sites will be permitted except as required by public safety and/or utilities facilities and in accordance with the policies set forth in Sections I-3-G and I-3-H.
5. Landform alterations are allowed in Conservation areas to the extent required to accommodate realignment, improvement, and/or widening of Laguna Canyon Road and associated improvements and shall conform with the requirements of IAP Section II-3-B-27 for any such project.
6. No agricultural practice shall aggravate known or suspected land management problems such as the spread of non-native plants, soil erosion, or the deterioration of sensitive environmental habitats.

**F. PARK DEVELOPMENT STANDARDS**

The following standards shall apply to those areas designated for Conservation uses after acquisition by a public agency:

1. Wildlife habitats shall be preserved by controlling human access to Emerald Canyon.
2. Key areas of chaparral and coastal sage shall be protected from human intrusion.
3. Stream courses in Emerald Canyon shall be retained in a natural state or enhanced.
4. Significant riparian areas shall be preserved as sources of shelter and water for wildlife.
5. Improvements shall be compatible with the natural environment and shall not damage landforms, vegetation, or wildlife to any significant degree.
6. All archaeological sites and paleontological sites shall be preserved.
7. All buffer areas necessary for the protection of habitat are located within the Conservation category.

## CHAPTER 9

### OFF-STREET PARKING REGULATIONS

#### A. PURPOSE AND INTENT

The purpose of these regulations is to provide for the off-street parking of motor vehicles within The IrvineNewport Coast Planned Community. The parking facilities required by this Chapter are assumed to be the minimum which will be required by the various land use categories. It is intended that these regulations will result in properly designed parking facilities of sufficient capacity to reduce traffic congestion, provide safe and convenient facilities for motorists and pedestrians, and generally provide for the parking of motor vehicles at locations other than on streets.

#### B. GENERAL REQUIREMENTS

Except as otherwise specified herein, off-street parking for The IrvineNewport Coast Planned Community shall be in accordance with Section 7-9-145, Off-Street Parking Regulations, of the County of Orange Zoning Code, which is incorporated by reference as a part of this Chapter.

1. Location of Off-Street Parking: Required parking spaces and garages shall be located conveniently close to the use or uses they serve.
2. Common Area Parking: Common area parking may be approved by a Coastal Development Permit or Site Plan.
3. Joint Use Parking: Parking reductions from the aggregate total requirement of different uses within a hotel, motel, or similar accommodations development, or due to shared parking or joint use, shall be allowed in conformance with the standards outlined herein.

**C. STANDARDS FOR INDIVIDUAL PRINCIPAL USES**

The following standards delineate the minimum facilities required for three individual principal uses:

- |   |   |
|---|---|
| 1. Hotels, motels, and similar accommodations including accessory/ancillary uses: | One (1) parking stall per guest unit.   |
| 2. Restaurants:   | Ten (10) parking stalls minimum; or one (1) stall for each 100 s.f. of gross floor area up to 4,000 s.f., plus one (1) for each 80 s.f. of gross area over 4,000 s.f. |
| 3. Retail and service commercial stores:  | One (1) parking stall per 200 s.f.  |

Parking requirements for mixed-use developments such as a destination resort are separately addressed in Section D of this Chapter.

**D. JOINT-USE OR SHARED PARKING**

A reduction in "required" parking for each principal use will be permitted for either joint-use or shared parking upon the approval of a Detail Parking Plan by the Director, EMA. The request for a parking reduction due to joint use or shared parking shall be accompanied by findings in the Detail Parking Plan which determine that:

1. Such modifications will have no negative impact on public access to the beach and parking for public recreational uses; and
2. The permit approval shall be conditioned upon the recording with the County Recorder of an agreement, executed by all parties concerned in the shared parking arrangement, assuring the continued availability of the required number of spaces.

**E. EXCEPTIONS AND/OR MODIFICATIONS TO OFF-STREET PARKING REQUIREMENTS**

The provisions of this Chapter and Section 7-9-145 of the County of Orange Zoning Code are intended to meet the minimum design needs for off-street parking under most conditions. Where, because of the nature of the use involved or other relevant circumstance, the requirements of this Chapter are considered to be excessive, an exception and/or modification to these provisions and those of Section 7-9-145 of the County of Orange Zoning Code may be approved in accordance with the following procedure, provided such exception and/or modification is consistent with the purpose and intent of this Chapter:

1. Any property owner, his authorized agent, or a public agency may apply for an exception to, or modification of, the off-street parking requirements set forth in this Chapter and/or Section 7-9-145 of the County of Orange Zoning Code.
2. Exceptions to, or modifications of, the off-street parking regulations shall be permitted subject to the approval of a Use Permit or a Coastal Development Permit.
3. Coastal Development Permits or Use Permits which include a request for an exception to, or modification of, off-street parking requirements shall be processed in accordance with the provisions of Chapter 10 of this IAP.

**CHAPTER 10**  
**DISCRETIONARY PERMITS AND PROCEDURES**

**A. GENERAL REQUIREMENTS**

Section 7-9-118, "Coastal Development" (CD) District, and Section 7-9-150, "Discretionary Permits and Procedures", of the County of Orange Zoning Code are incorporated by reference into this Implementing Actions Program (IAP). In the event of conflicting provisions between this Chapter and Sections of the County of Orange Zoning Code, this Chapter shall take precedence. In the event of conflicting provisions between Section 7-9-118 and Section 7-9-150 of the County of Orange Zoning Code, the requirements of the CD District shall take precedence.

**1. PRINCIPAL PERMITTED USES:**

Land Uses listed in this IAP as principal permitted uses, are considered to be within the category of "principal permitted use" under the County of Orange Zoning Code Section 7-9-118, the California Coastal Act of 1976, in general, and Public Resources Code Section 30603 (a) (4), in particular.

**2. COASTAL DEVELOPMENT PERMITS:**

A Coastal Development Permit (CDP) shall be processed in compliance with the CD "Coastal Development" District Regulations, Section 7-9-118, of the County Zoning Code.

A CDP may be processed as a large-scale Master Coastal Development Permit. Other CDP's may be approved by either the Zoning Administrator or Planning Commission as specified in each land use regulations chapter.

A CDP may be approved which establishes alternative development standards in conformance with Subsection 4 of this Section.

### 3. APPLICATIONS:

This Section applies to this ~~Irvine~~~~Newport~~ Coast Implementing Actions Program and references Sections 7-9-118 of the County Zoning Code with exceptions as noted herein:

#### a. Tourist Commercial Use Applications:

Applications for Coastal Development Permits shall contain the following information:

##### 1) Large-Scale Plan:

- a) Location, acreage, and type of land use for each building.
- b) Topography: existing and proposed (i.e., Concept Grading Plan).
- c) General public street/corridor layout and width.
- d) Existing structures and development on adjacent parcels, to a minimum of two hundred (200) feet from the Planning Area.
- e) Location of riding and hiking trails.
- f) Location and treatment of significant cultural/scientific resources.
- g) Location of significant vegetation and an indication of the resources to be altered and the resources to be preserved.
- h) Location and treatment of scenic highways, if applicable.
- i) Location of extensions of off-site roads or utilities through a Planning Area to serve adjacent areas.

##### 2) Large-Scale Elevations — of all primary structures including, but not limited to the following:

- a) Predominant exterior materials;
- b) Predominant exterior colors; and
- c) Building heights.

##### 3) A list of any proposed Alternative Development Standards.

**b. Other Land Use Applications:**

Applications for Coastal Development Permits, including a Master Coastal Development Permit, shall contain the following information:

1) Large-Scale Plan:

- a) Location, acreage, and type of land use for each building site.
- b) Range of dwelling units to be developed on each building site.
- c) General public street/corridor layout and width.
- d) Location and acreage of landscape, open space and recreation areas.
- e) Park location and acreage, if applicable.
- f) School location and acreage, if applicable.
- g) Location, acreage, and land use of all non-residential areas.
- h) Topography: existing and proposed (i.e., Concept Grading Plan).
- i) Existing structures and development on adjacent parcels, to a minimum of two hundred (200) feet from the Planning Area.
- j) Concept Drainage Plan.
- k) Location of riding and hiking trails.
- l) Location and treatment of significant cultural/scientific resources.
- m) Location of significant vegetation and an indication of the resources to be altered and the resources to be preserved.
- n) Location and treatment of scenic highways, if applicable.
- o) Location of extensions of off-site roads or utilities through a Planning Area to serve adjacent areas.

2) A list of any proposed Alternative Development Standards.

3) The "Master Drainage and Runoff Management Plan", if required by Subsection II-3-B-11.

#### **4. ALTERNATIVE DEVELOPMENT STANDARDS:**

With approval of a CDP, alternative development standards may be established without an LCP amendment where the standards pertain to: setbacks to residential streets; nonresidential highways or local streets; rear and side yard setbacks for development not bordering an open space or recreation area; building height (except for Planning Area PA 6) in areas not visible from Pacific Coast Highway; area per unit for residential inland of Pacific Coast Highway; walls and fences; landscaping other than along Pacific Coast Highway; signage; lighting; loading, trash, and storage areas not visible from Pacific Coast Highway; vehicular driveways and sidewalks; outdoor storage areas; and/or modifications for off-street parking requirements in areas inland of Pacific Coast Highway. Alternative development standards other than those specified above will require an LCP amendment.

A CDP proposing to establish alternative development standards shall require a public hearing, with public notification, before the Planning Commission per Zoning Code Section 7-9-150.3(c) as adopted by the County at the time of Coastal Commission Certification of this LCP.

When a Coastal Development Permit proposes to establish an alternative development standards, the burden of proof shall be on the project proponent. The alternative development standards may be approved when it is found that they will result in an equivalent or better project in terms of minimizing adverse impacts and enhancing public benefits to the immediate and surrounding community.

#### **B. SITE PLANS/SITE DEVELOPMENT PERMITS**

##### **1. SITE PLAN/SITE DEVELOPMENT PERMIT PROCESS:**

A Site Plan may be required by the Planning Commission or Zoning Administrator for certain development projects in addition to a CDP, and shall be processed in compliance with Zoning Code Section 7-9-150.3(d) unless the Director, EMA, determines, on a case-by-case basis, that the public interest would be better served by a public hearing before the Planning Commission. In such cases, the Site Plan shall be processed per Section 7-9-150.3(c).

Site Plans shall contain all the following data when applicable to the project proposal:

a. **Plot Plans** -- drawn to scale, fully dimensioned and easily readable, containing the following:

- 1) Title block (applicant's name and date drawn).
- 2) Scale and north arrow.
- 3) Property lines or building sites, dimensioned.
- 4) Existing use of property.
- 5) Location, acreage, and proposed type of land use for each building.
- 6) Buildings; existing and proposed use, location and size.
- 7) Number of dwelling units to be developed on each building site.
- 8) Streets/corridor; location and width.
- 9) Easements; location, purpose and width.
- 10) Access; existing and proposed.
- 11) Parking areas.
- 12) Signs; location, height, dimensions, and copy if available.
- 13) Fencing (walls); type, location and height.

- 14) Location, acreage, and ownership of landscape, natural open space and recreation areas.
- 15) Landscape and screening areas.
- 16) Topography, existing and proposed (i.e., Concept Grading Plan).
- 17) Existing structures on abutting properties, location, height and uses.
- 18) Location, width, and treatment of riding and hiking trails.
- 19) Location and acreage of transit terminal.
- 20) Location and treatment of cultural/scientific resources.
- 21) Location of significant vegetation and an indication of the resources to be altered and the resources to be reserved.
- 22) Location and treatment of scenic highways.
- 23) Information required by Chapter 3, General Provisions and Regulations.
- 24) A list of all relevant programs, policies, and guidelines contained in the General Plan and LUP, together with a description of how they are being implemented through the Site Plan.
- 25) Any additional background and supporting information as the Director, EMA, deems necessary.

- b. **Elevations** -- of all structures (including walls and signs) including, but not limited to, the following:
- 1) All exterior materials;
  - 2) All exterior colors;
  - 3) Building heights; and
  - 4) If the Site Plan is for a residential development, typical elevations shall be provided.
- c. **Preliminary Landscape Plans** -- including the general location of all plant materials, by common and botanical names.

**CHAPTER 11**  
**DEVELOPMENT MAP AND STATISTICAL TABLE**  
**REGULATIONS AND PROCEDURES**

**A. PURPOSE AND INTENT**

The purpose of this Chapter is to provide regulations and procedures for Planning Commission revisions to the Planned Community Development Map and the Planned Community Statistical Table.

**B. PLANNED COMMUNITY DEVELOPMENT MAP**

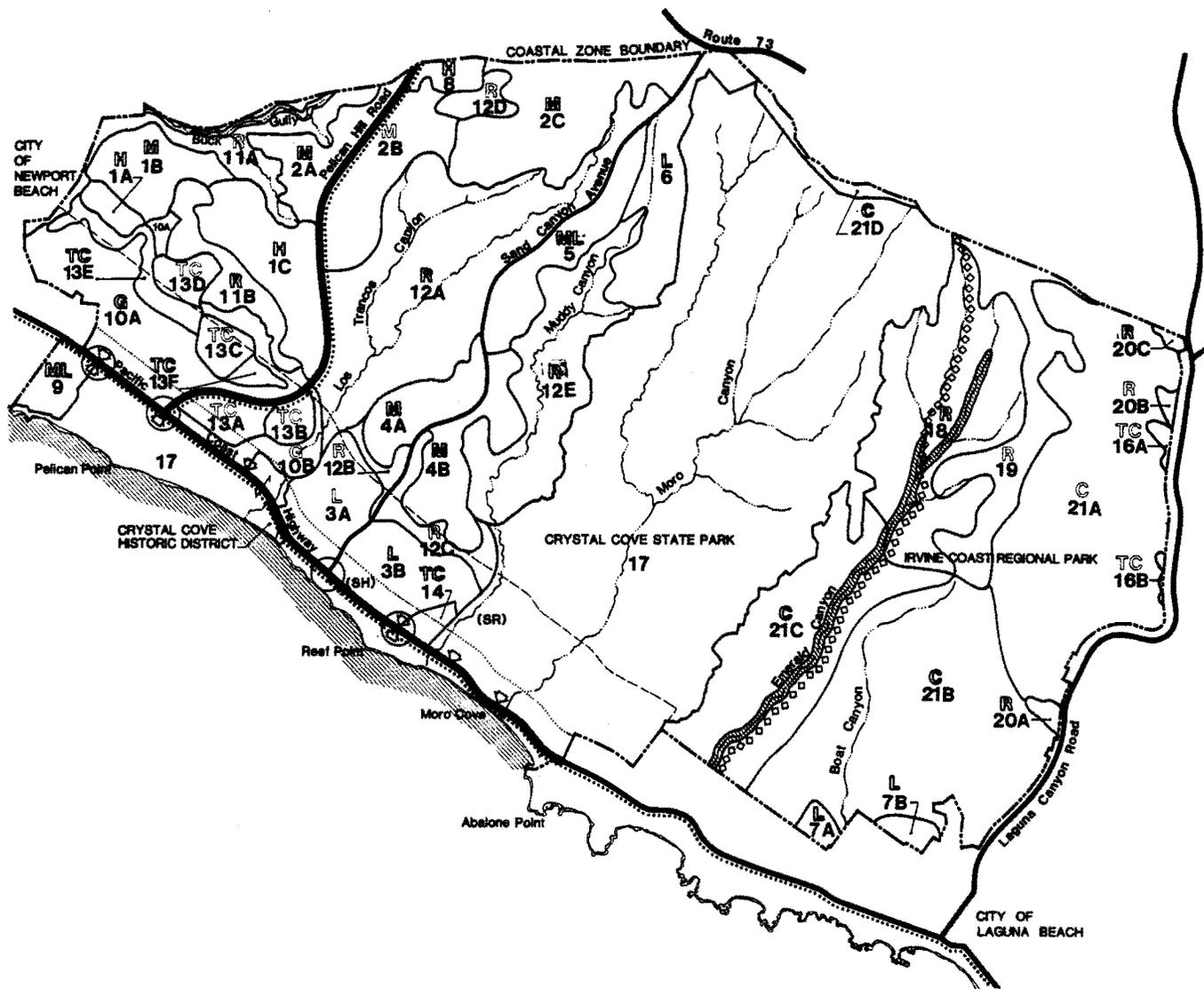
The Planned Community (PC) Development Map (See Exhibit ~~YW~~) covers all the territory included within the Planned Community Zoning Map. The PC Development Map identifies Planning Areas and corresponding uses contained in the LCP Land Use Plan, along with other planning information.

The acreages in the Statistical Table on the PC Development Map may vary without requiring an amendment to the LCP Land Use Plan provided that the variation is consistent with the total acreage and boundaries of Development and Open Space shown on the Planned Community (PC) Statistical Summary and does not result in development occurring within the proposed Irvine Coast Regional Park dedication areas.

**C. PLANNED COMMUNITY STATISTICAL TABLE**

The Planned Community (PC) Statistical Table contains the statistical breakdown for each of the residential and nonresidential Planning Areas shown on the Planned Community Development Map.

The residential density categories on the PC Statistical Table, together with the nonresidential land use categories, shall coincide with the land use categories indicated in the LCP Land Use Plan, the PC Zoning Map, and the PC Development Map.



# PLANNED COMMUNITY DEVELOPMENT MAP

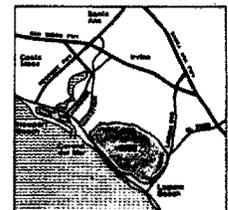
## The Irvine Coast Local Coastal Program

### LEGEND

- PLANNED COMMUNITY BOUNDARY
- PLANNING AREA
- LOCAL ROAD CONNECTIONS TO P.C.H.
- LOW DENSITY RESIDENTIAL (0-2)
- MED-LOW DENSITY RESIDENTIAL (2-3.5)
- MEDIUM DENSITY RESIDENTIAL (3.5-6.5)
- HIGH DENSITY RESIDENTIAL (6.5-18)
- GOLF COURSE
- TOURIST COMMERCIAL
- RECREATION
- CONSERVATION

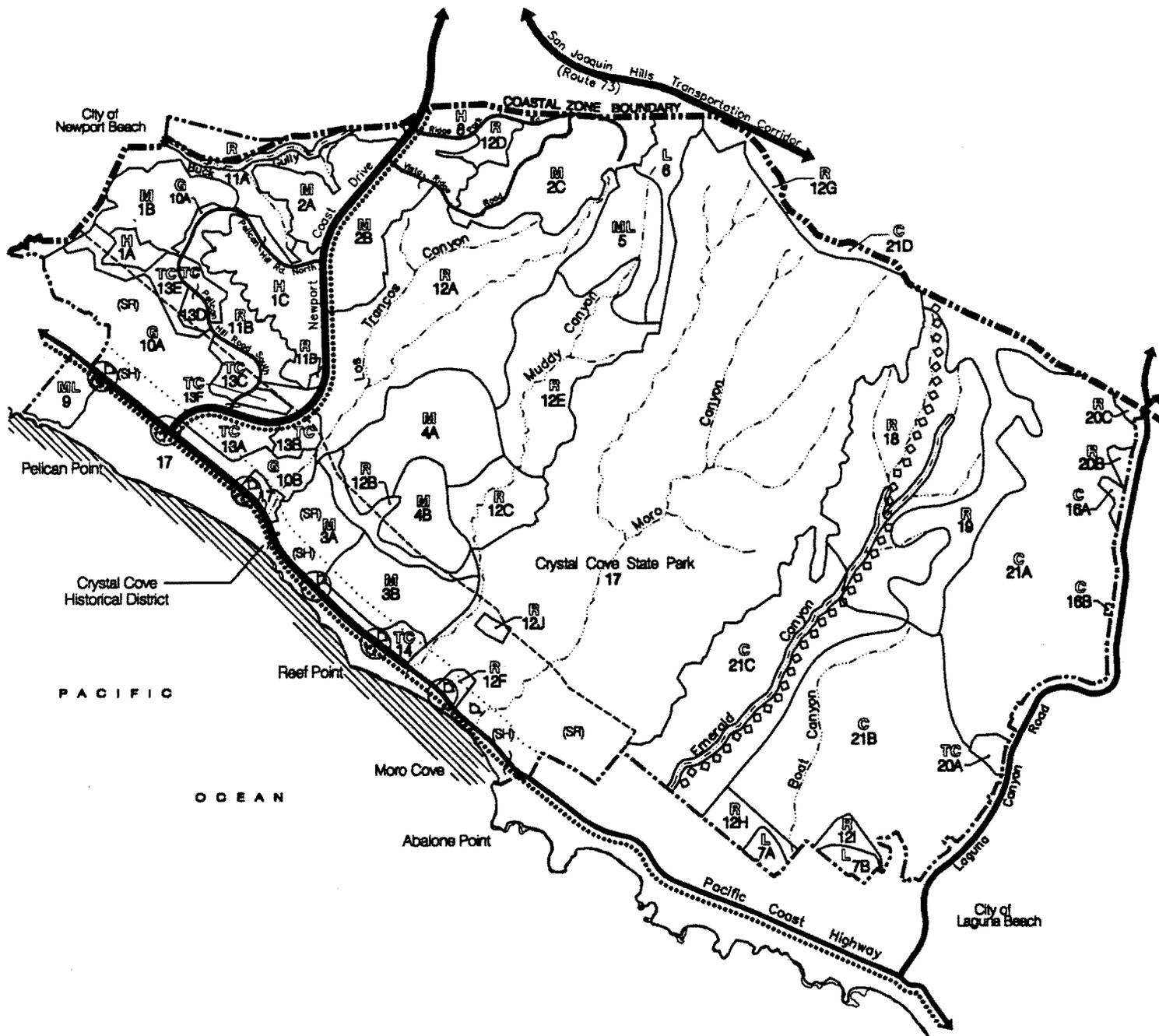
- FLOODPLAIN 2
- FLOODPLAIN 3
- SCENIC HWY. DIST.
- SIGN RESTRICTION DISTRICT
- SIGNALIZED INTERSECTION

- MAJOR ARTERIAL
- PRIMARY ARTERIAL
- COMMUTER ARTERIAL
- CLASS II REGIONAL BIKE TRAIL
- REGIONAL RIDING/HIKING TRAIL



DATE APPROVED: January 14, 1988

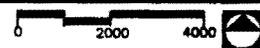
Exhibit Y



# PLANNED COMMUNITY DEVELOPMENT MAP - Second Amendment

## The Newport Coast Local Coastal Program

Exhibit W



JULY 16, 1988

### LEGEND

**---** COASTAL ZONE BOUNDARY

**---** PLANNED COMMUNITY BOUNDARY

**---** PLANNING AREA BOUNDARY

**13B** PLANNING AREA

**○** LOCAL ROAD CONNECTIONS TO P.C.H.

**L** LOW DENSITY RESIDENTIAL (0-2)

**ML** MED-LOW DENSITY RESIDENTIAL (2.3-5)

**M** MEDIUM DENSITY RESIDENTIAL (3.5-6.5)

**H** HIGH DENSITY RESIDENTIAL (6.5-18)

**G** CONSERVATION

**R** RECREATION

**@** GOLF COURSE

**TC** TOURIST COMMERCIAL

**▨** FLOOD PLAIN 2

**▩** FLOOD PLAIN 3

**(S)** SCENIC HIGHWAY DIST.

**(SR)** SIGN RESTRICTION DIST.

**○** SIGNALIZED INTERSECTION

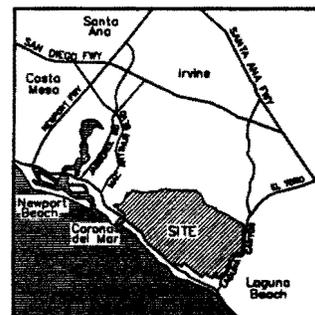
**==** MAJOR ARTERIAL

**==** PRIMARY ARTERIAL

**==** COLLECTOR

**----** CLASS II REGIONAL BIKE TRAIL

**◇◇◇◇** REGIONAL RIDING/HIKING TRAIL



**PLANNED COMMUNITY STATISTICAL TABLE**

LAND USE CATEGORY/CODE	PLANNING AREA	GROSS ACRES		DWELLING UNITS		ACCOMMODATIONS	
		NON-COMMERCIAL	COMMERCIAL	Est(a)	Max(b)	Est(a)	Max(b)
<b>Residential</b>							
High/H	1A	27	-	71	150	-	-
Medium/M	1B	115	-	106	140	-	-
High/H	1C	180	(c)	824	970	-	-
Medium/M	2A	109	(c)	182	210	-	-
Medium/M	2B	195	(c)	474	530	-	-
Medium/M	2C	281	-	435	490	-	-
Low/L	3A	130	-	40	40	-	-
Low/L	3B	151	-	45	45	-	-
Medium/M	4A	103	-	8	185	-	-
Medium/M	4B	151	-	11	130	-	-
Medium-Low/ML	5	150	-	25	30	-	-
Low/L	6	195	-	11	75	-	-
Low/L	7A	25	-	2	18	-	-
Low/L	7B	25	-	2	10	-	-
High/H	8	33	(c)	288	384	-	-
Medium-Low/ML	9	52	-	76	76	-	-
<b>TOTAL</b>							
<b>RESIDENTIAL</b>		<b>1,922</b>	<b>10(c)</b>	<b>2,600</b>	<b>2,600</b>	<b>0</b>	<b>0</b>
<b>Golf Course/C</b>	10A	309	-	-	-	-	-
	10B	58	-	-	-	-	-
<b>Recreation/R</b>	11A	197	-	-	-	-	-
Buck Gully, Los	11B	100	-	-	-	-	-
Trancos/Muddy	12A	606	-	-	-	-	-
Cyns, Pelican/	12B	21	-	-	-	-	-
Wishbone Hill	12C	59	-	-	-	-	-
Areas	12D	33	-	-	-	-	-
	12E	352	-	-	-	-	-
<b>Crystal Cove</b>							
State Park/R	17	2,807	-	-	-	-	-
<b>Irvine Coast/R</b>	18	544 (d)	-	-	-	-	-
Regional Park(d)	19	133 (d)	-	-	-	-	-
<b>Recreation/R</b>	20A	11	-	-	-	-	-
Parcels Adjacent	20B	5	-	-	-	-	-
Laguna Cyn. Rd.	20C	10	-	-	-	-	-
<b>Conservation/C</b>	21A/	1,989 (d)	-	-	-	-	-
(Irvine Coast	21B/						
Regional Park(d)	21C/21D						
<b>TOTAL OPEN SPACE</b>							
<b>&amp; RECREATION</b>		<b>7,234</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Tourist</b>	13A	-	53	-	-	850	1,100
<b>Commercial/TC</b>	13B	-	32	-	-	400	600
	13C	-	41	-	-	300	450
	13D	-	38	-	-	200	350
	13E	-	60	-	-	100	600
	13F	-	15	-	-	50	300
	14	-	24	-	-	250	250
	16A	-	10	-	-	-	-
	16B	-	3	-	-	-	-
<b>TOTAL</b>							
<b>COMMERCIAL</b>		<b>0</b>	<b>276</b>	<b>-</b>	<b>-</b>	<b>2,150</b>	<b>2,150</b>
<b>GRAND TOTAL</b>	<b>ALL</b>	<b>9,156</b>	<b>286</b>	<b>2,600</b>	<b>2,600</b>	<b>2,150</b>	<b>2,150</b>

- (a) Estimated number of dwelling units or accommodations per Planning Area.
- (b) Maximum number of dwelling units or accommodations per Planning Area.
- (c) A maximum of 10 gross acres of Neighborhood Commercial will be permitted in Medium/High Residential Planning Areas PA 1C, PA 2A, PA 2B, or PA 8.
- (d) Total area of Irvine Coast Wilderness Regional Park is 2,666 acres.

**EXHIBIT X  
SECOND AMENDMENT  
PLANNED COMMUNITY STATISTICAL TABLE  
Newport Coast Local Coastal Program**

LAND USE CATEGORY/CODE	PLANNING AREA	GROSS ACRES NON-COMMERCIAL	GROSS ACRES COMMERCIAL	ESTIMATED(1) DWELLING UNITS/ACCOMMODATIONS	MAXIMUM(2) DWELLING UNITS/ACCOMMODATIONS	Status as of February 12, 1996		
						DWELLING UNITS ON APPROVED SUBDIVISIONS		BUILDING PERMITS ISSUED OR UNITS UNDER CONSTRUCTION
						Tentative Maps	Final Maps	
<b>RESIDENTIAL:</b>								
High/H	1A	25.5	-	29	150	29	29	0
Medium/M	1B	133.7	-	117	140	117	117	52
High/H	1C	184.9	(3)	247	970	247	0	0
Medium/M	2A	109.1	(3)	184	380	184	111	34
Medium/M	2B	204.0	(3)	488	530	488	396	331
Medium/M	2C	258.9	-	490	905	490	0	0
Medium/M	3A	98.0	(3)	265	470	40	0	0
Medium/M	3B	148.0	(3)	226	465	45	0	0
Medium/M	4A	239.0	-	135	784	0	0	0
Medium/M	4B	105.5	-	75	507	0	0	0
Medium-Low/ML	5	150.0	-	95	300	0	0	0
Low/L	6	80.0	-	75	75	53	0	0
Low/L	7A	25.0	-	2	18	0	0	0
Low/L	7B	25.0	-	2	10	0	0	0
High/H	8	35.7	(3)	115	384	311	0	0
Medium-Low/ML	9	50.6 (4)	-	55	76	55	55	23
<b>TOTAL RESIDENTIAL</b>		<b>1,872.9</b>	<b>10.0 (3)</b>	<b>2,600</b>	<b>2,600</b>	<b>2,059</b>	<b>708</b>	<b>440</b>
<b>OPEN SPACE/RECREATION:</b>								
<b>GOLF COURSE/G</b>	10A	294.6	-	-	-	-	-	-
	10B	58.8	-	-	-	-	-	-
<b>RECREATION/R:</b>								
Buck Gully, Los Trancos/	11A	203.5	-	-	-	-	-	-
Muddy Canyons, Pelican/	11B	99.5	-	-	-	-	-	-
Wishbone Hill Areas	12A	606.0	-	-	-	-	-	-
	12B	56.0	-	-	-	-	-	-
	12C	98.0	-	-	-	-	-	-
	12D	32.7	-	-	-	-	-	-
	12E	274.0	-	-	-	-	-	-
El Moro Elementary School	12F	14.5	-	-	-	-	-	-
Moro Sliver	12G	35.0	-	-	-	-	-	-
	12H	37.5	-	-	-	-	-	-
	12I	19.6	-	-	-	-	-	-
Laguna Beach County Water District	12J	9.0	-	-	-	-	-	-
Crystal Cove State Park	17	2,807.0 (5)	-	-	-	-	-	-
Irvine Coast Wilderness	18	544.0 (6)	-	-	-	-	-	-
Regional Park (5)	19	133.0 (6)	-	-	-	-	-	-
Recreation Parcels Adjacent to Laguna Canyon Road	20B	12.0	-	-	-	-	-	-
	20C	8.0	-	-	-	-	-	-
<b>CONSERVATION/C</b>								
Conservation Parcels Adjacent to Laguna Canyon Road	16A	10.0	-	-	-	-	-	-
Irvine Coast Wilderness	16B	1.4	-	-	-	-	-	-
Regional Park (5)	21A/21B	1,989.0 (6)	-	-	-	-	-	-
	21C/21D		-	-	-	-	-	-
<b>TOTAL OPEN SPACE &amp; RECREATION</b>		<b>7,343.1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOURIST COMMERCIAL/TC</b>								
	13A	6.2 (7)	46.4	770 (8)	1,100	770		
	13B	-	29.6	230 (8)	600	230		
	13C	5.6 (7)	31.4	450	750	450		
	13D	2.6 (7)	35.4	300	650	-		
	13E	46.0 (7)	13.4	150	300	-		
	13F	13.6 (7)	-	0	0	-		
	14	-	30.0	250	250	-		
	20A	-	17.4	0	0	-		
<b>TOTAL COMMERCIAL</b>		<b>74.0 (7)</b>	<b>203.6</b>	<b>2,150</b>	<b>2,150</b>	<b>1,450</b>	<b>0</b>	<b>0</b>
<b>GRAND TOTAL</b>		<b>9,290.0</b>	<b>213.6 (3)</b>	<b>2,600/2,150</b>	<b>2,600/2,150</b>	<b>2,059/1,450</b>	<b>708</b>	<b>440</b>

- (1) Estimated number of dwelling units or accommodations per Planning Area.
- (2) Maximum number of dwelling units or accommodations per Planning Area.
- (3) A maximum of 10 gross acres (100,000 sq.ft.) of Neighborhood Commercial will be permitted in Medium/High Residential Planning Areas PA 1C, PA 2A, PA 2B, PA 3A, PA 3B or PA 8.
- (4) 27.4 acres of Residential Planning Area 9 is devoted to Golf Course.
- (5) Acreage includes the mobile home park.
- (6) Total area of Irvine Coast Wilderness Regional Park is 2,666 acres.
- (7) 74.0 acres within Tourist Commercial Planning Areas is devoted to Golf Course.
- (8) The equivalent of 1,000 resort accommodations have been approved in a Coastal Development Permit for the Disney Vacation Resort.

All Planning Areas which allow for residential uses shall be developed consistent with the maximum number of dwelling units indicated for the Planning Area in the PC Statistical Table. The PC Statistical Table shall be revised in accordance with the requirements contained in this Chapter. No amendment to the PC Zoning Map and/or PC District Regulations shall be required solely for the purpose of changing the number of dwelling units or acreage assigned to a Planning Area on the PC Statistical Table, provided the change is consistent with the PC Statistical Summary and the adopted PC Zoning Map, and that the maximum number of dwelling units permitted in The IrvineNewport Coast Planned Community shall not exceed 2,600 dwelling units. Compliance with the County's Housing Element will be demonstrated in the Housing Implementation Plan.

**D. PROCEDURES FOR REVISIONS TO PC DEVELOPMENT MAP AND PC STATISTICAL TABLE**

Revisions to the PC Development Map and Statistical Table shall be in accordance with the following procedures, which are intended to assure compliance with the goals and policies of the General Plan and the LCP Land Use Plan:

1. Any proposed revision to the PC Development Map and Statistical Table shall be accompanied by a project proposal consisting of a Coastal Development Permit, Site Plan, and/or Tentative Subdivision Map and shall require a public hearing before the Planning Commission.
2. Any revision to increase the number of estimated ("Est (a)") dwelling units or accommodations in any Planning Area shall be offset by a corresponding decrease in other Planning Area(s), provided that the total number of dwelling units and accommodations shown on the PC Development Map and Statistical Table for the entire Planned Community does not exceed 2,600 dwelling units and 2,150 accommodations, respectively; and the maximum ("Max (b)") dwelling units or accommodations shown on the Statistical Table for each Planning Area is not exceeded.
3. Any revision to reallocate the number of dwelling units, accommodations and/or the acreage assigned to land uses from one Planning Area to another Planning Area shall require an amendment to the PC Development Map and Statistical Table.

4. Any proposal to reallocate the number of dwelling units, accommodations, and/or the acreage assigned to land uses from one Planning Area to another Planning Area shall require submittal of the following information:
  - a. A revision to the PC Development Map showing all proposed changes to the PC Statistical Table;
  - b. An analysis of the consistency of the proposed changes with the LCP Land Use Plan and PC Zoning Map and Statistical Summary;
  - c. Identification on the PC Statistical Table of the number of units which have been approved on all Tentative Subdivision Maps and all recorded Final Subdivision Maps, and the dwelling units under construction or those completely constructed at the time of the proposed PC Statistical Table revision;
  - d. Identification of the ownership of parcels to be affected by the proposed PC Statistical Table revision; and
  - e. Any additional background and/or supporting information which the Director, Orange County EMA, deems necessary.
5. All Planning Area acreages identified on the PC Statistical Table may be revised by the Planning Commission when more accurate information is available.
6. All revisions to the PC Development Map and Statistical Table shall be consistent with the LCP Land Use Plan and the PC Zoning Map and Statistical Summary. The acreages listed in the Statistical Table for individual planning areas on the PC Development Map may be adjusted up to 10% without requiring an amendment to the LCP Land Use Plan. No revision shall be approved by this procedure which would have the effect of changing the land use category or development/open space boundaries shown on the PC Zoning Map and/or the LCP Land Use Plan.

## CHAPTER 12

### DEFINITIONS

The meaning and construction of words, phrases, titles, and terms used in this IrvineNewport Coast LCP shall be the same as provided in Section 7-9-21 of the County of Orange Zoning Code except as otherwise provided in this Chapter.

The words "Implementing Actions Program" and the initials "IAP" shall mean the Implementing Actions Program for The IrvineNewport Coast Planning Unit of the County's Local Coastal Program, certified by the California Coastal Commission.

The words "Land Use Plan" and the initials "LUP" shall mean the Land Use Plan for The IrvineNewport Coast Planning Unit of the County's Local Coastal Program, certified by the California Coastal Commission.

The word "used" includes the words "arranged for," "designed for," "occupied for", or "intended to be occupied for."

NOTE: Definitions following a single asterisk (\*) are in addition to the definitions contained in the Zoning Code; those following a double asterisk (\*\*) are different than the definitions contained in the Zoning Code.

\*Appealable Area (See Exhibit AAY "Appeal Jurisdiction"):

- a. All area between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of any beach or the mean high tide line of the sea where there is no beach, whichever is the greater distance; and
- b. All area within 100 feet of any wetland, estuary, or stream and all area within 300 feet, both seaward and landward, of the top of the seaward face of any coastal bluff.

\*\*Bedroom: Any habitable room other than a bathroom, kitchen, dining room, living room, family room or den.

**\*\*Building height:** Building height shall be measured along perpendiculars (plumb lines) from the elevation of the finished grade to the maximum height above grade specified in the development standards. Where the finished grade slopes at 10% or greater the maximum height above grade shall be as specified in the development standards plus ten (10) feet. These measurements shall be made consistent with the "Regional Interpretative Guidelines, South Coast Region, Orange County." Exhibit BBZ portrays the application of the height criteria. Maximum height shall be measured to the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof. Elevators, mechanical space, chimneys and architectural treatments (intended to add interest and variation to roof design, yet which do not exceed 10% of the roof area, nor exceed the base-height restriction by more than 12 feet) will be permitted.

**\*\*Caretaker:** A person who lives on the premises for the necessary purposes of managing, operating, maintaining, or guarding the primary use or permitted uses on the premises. The term includes, but is not limited to, a gardener, maid, butler, guard, or other domestic or industrial/commercial custodian of the premises.

**\*Caretaker Quarters:** Living quarters, permitted in residential areas, for the housing of a caretaker(s) and the family of the caretaker who live in the same premises (not to exceed 1,500 square feet in floor area on building sites of a minimum 20,000~~10,000~~ square feet). Caretaker quarters are not included within the category of, and are not counted toward, permitted dwelling units as specified in this LCP.

**\*Casitas:** Overnight~~resort~~ lodging consisting of multiple bedrooms that may be rented separately and which may or may not connect with a central living area which may include cooking facilities.

**\*\*Coastal Bluff:** Includes the following:

- a. Any bluff where the toe of the slope is now, or within the past 200 years has been, subject to marine erosion; and
- b. Any bluff where the toe of the slope is within 300 feet of the inland extent of any beach or the mean high tide line of the sea where there is no beach.



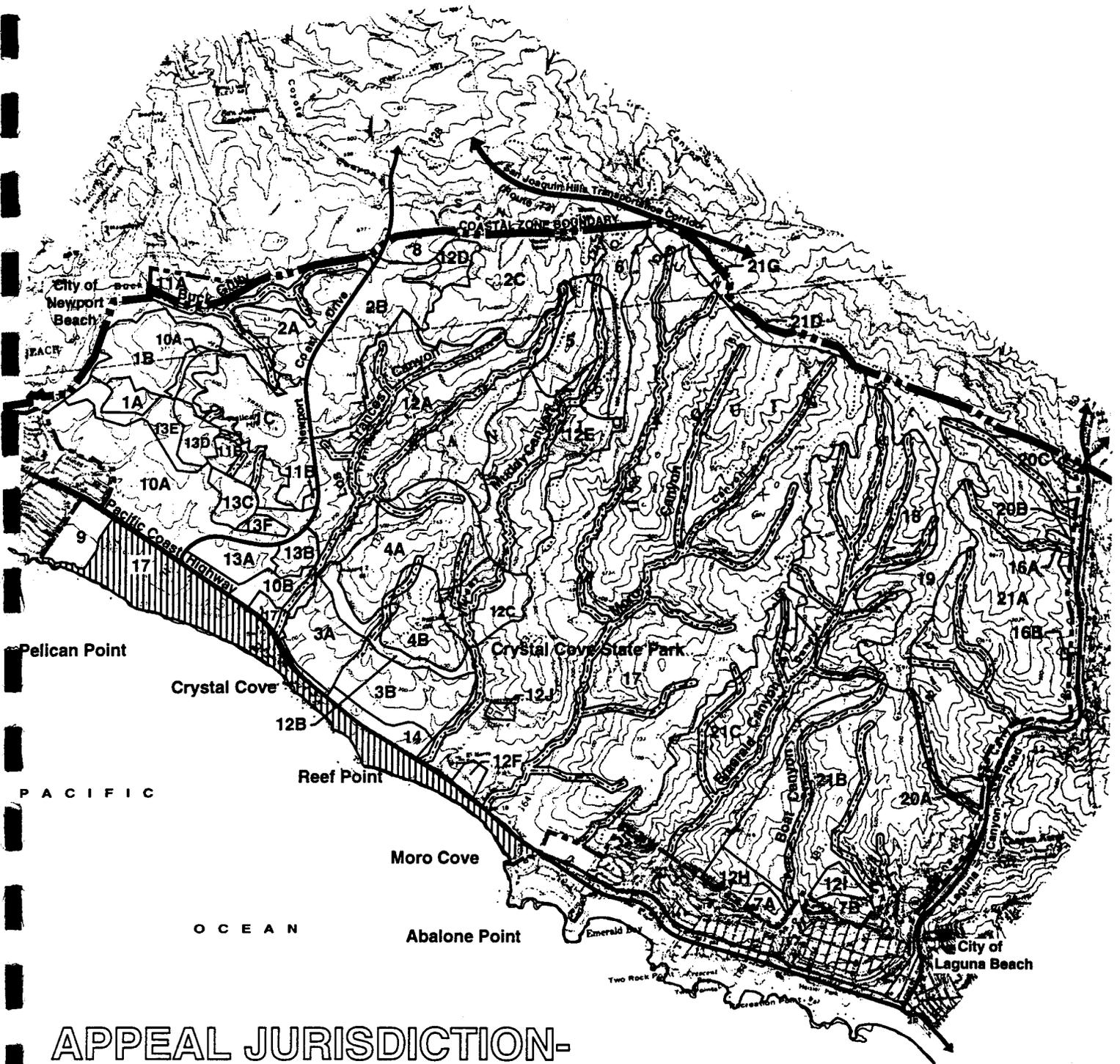
# APPEAL JURISDICTION

## The Irvine Coast Local Coastal Program

### LEGEND

-  LANDS WITHIN 100 FT. OF U.S.G.S. DRAINAGE COURSES
-  LANDS BETWEEN THE SEA AND PACIFIC COAST HIGHWAY AND/OR WITHIN 300 FT. OF THE COASTAL BLUFF

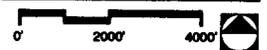
Exhibit AA



# APPEAL JURISDICTION- Second Amendment

## The Newport Coast Local Coastal Program

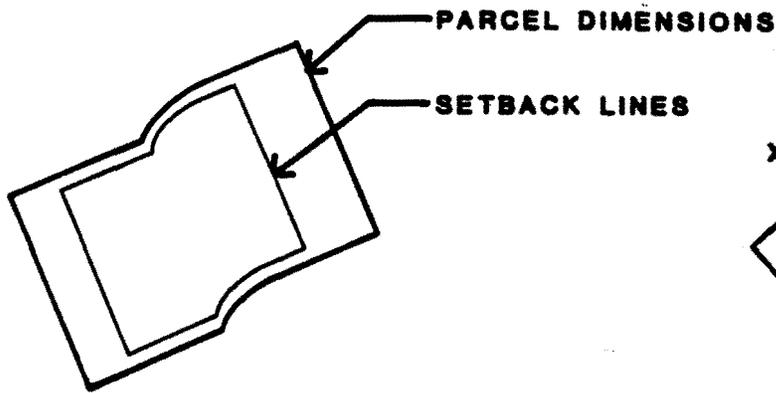
Exhibit Y



JULY 16, 1988

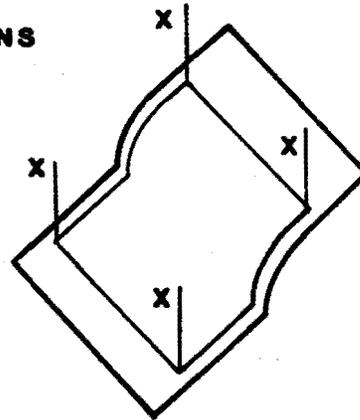
### LEGEND

-  LANDS WITHIN 100 FT. OF U.S.G.S. DRAINAGE COURSES
-  LANDS BETWEEN THE SEA AND PACIFIC COAST HIGHWAY
-  COASTAL ZONE BOUNDARY
-  PLANNED COMMUNITY BOUNDARY
-  PLANNING AREA BOUNDARY
-  PLANNING AREA



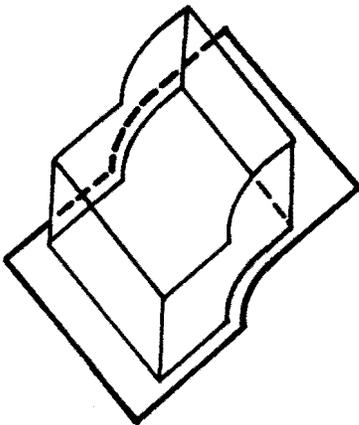
**Figure 1**

The sides of the envelope are established by the setback of the lot.



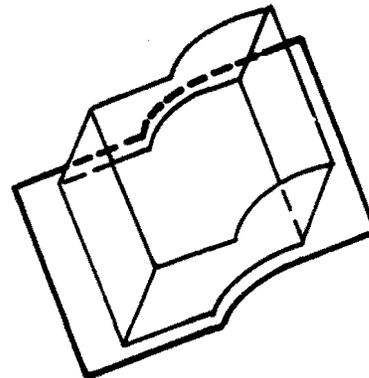
**Figure 2**

The elevation of any side surface is specified by the maximum guideline height. Height shall be measured along perpendiculars (plumb lines) from the grade elevation.



**Figure 3**

Side surfaces are established as the guideline height is applied to all points of each side.



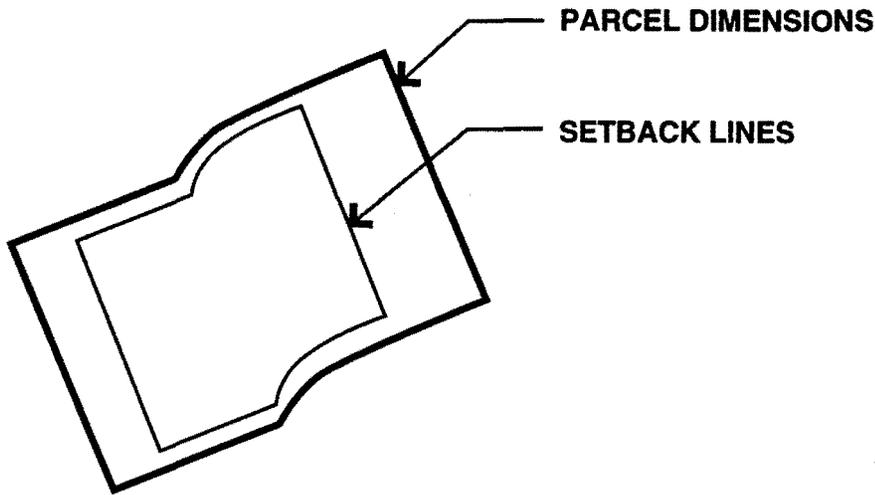
**Figure 4**

The upper surface of the envelope shall run parallel to the underlying grade elevation (contours) at the guideline specified height. In other words, the upper surface is that plane of points perpendicular to all points on the grade surface at the guideline specified height.

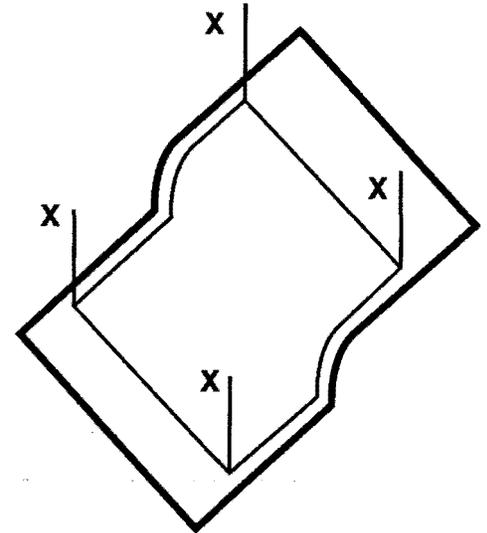
**SOURCE:** California Coastal Commission Regional Interpretive Guidelines, South Coast Region, Orange County.

# BUILDABLE ENVELOPE

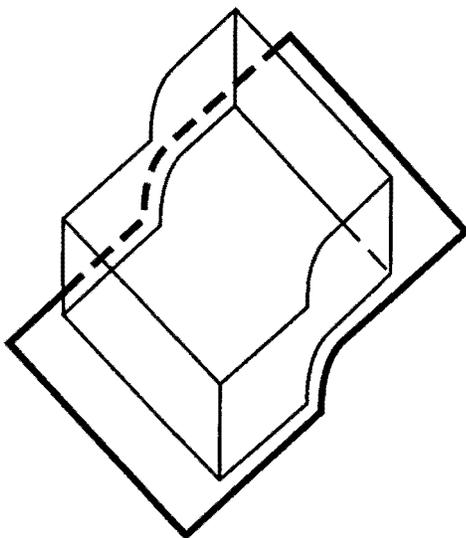
Exhibit BB



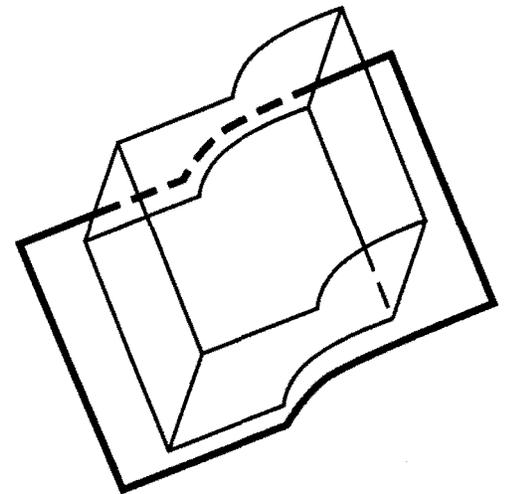
**Figure 1**  
The sides of the envelope are established by the setback of the lot.



**Figure 2**  
The elevation of any side surface is specified by the maximum guideline height. Height shall be measured along perpendiculars (plumb lines) from the grade elevation.



**Figure 3**  
Side surfaces are established as the guideline height is applied to all points of each side.



**Figure 4**  
The upper surface of the envelope shall run parallel to the underlying grade elevation (contours) at the guideline specified height. In other words, the upper surface is that plane of points perpendicular to all points on the grade surface at the guideline specified height.

# BUILDABLE ENVELOPE

## The Newport Coast Local Coastal Program

**Exhibit Z**

JULY 18, 1998

**\*Community Information Center**: A temporary structure principally used as an information pavilion and/or office for the sale of homes in the community, and including parking and administrative facilities.

**\*Community Service Facility**: A for-profit commercial, or nonprofit use established primarily to service the immediate population of the community in which it is located.

**\*Conference Center Facility**: A facility, usually in conjunction with a hotel or other visitor accommodations, which offers facilities for business conferences and seminars, including, but not limited to, multi-purpose rooms serving as the main ballroom and prefunction space, smaller seminar rooms, large meeting rooms, audiovisual centers, etc.

**\*Destination Resort**: An integrated set of visitor-oriented uses with a variety of overnight/resort accommodations and diverse recreational opportunities including day-use commercial, restaurants, golf course(s), tennis complex(es), health spa(s) and other recreational amenities, conference and meeting facilities ancillary to overnight/resort accommodations, parking facilities, and other incidental and accessory uses supportive of and directly related to the resort. The destination resort will be designed to attract longer-term visitors as well as overnight guests. In order to provide a wide variety of options for visitors, overnight/resort accommodations may include individual hotel and motel rooms, casitas, multiple bedroom unit modules convertible to separate rooms or combined larger units, and individual time-share condominium units suitable for one or more families, all of which may include cooking facilities. Overnight/resort facilities may comprise hotels, individual units owned and/or managed by the hotel operators or owners and individually owned units. The destination resort facilities shall be advertised to the public as an integrated set of recreational visitor-serving attractions, with management of the overnight/resort accommodations structured to allow for both centralized (e.g., hotel) management and individual owner management.

**\*\*Duplex**: See Residential Duplex .

**\*\*Dwelling Unit**: One or more rooms in a structure, including a kitchen, designed for occupancy by one family for living and sleeping purposes, and including a mobile home when such mobile home bears an insignia of approval issued by the California Department of Housing and Community

Development or a housing seal number from the Federal Department of Housing and Urban Development (HUD).

\*Environmentally Sensitive Habitat Area (ESHA): A natural drainage course identified in LCP Land Use Plan Section I-2-A-2 and Exhibit H.

\*Exterior Property Line: A property line abutting a public or private street.

\*\*Floor Area, Gross: The total horizontal floor area of all floors of a building, including the exterior walls thereof, measured in square feet; excepting that for commercial, professional and administrative office or industrial buildings or building complexes, areas used in common such as, but not limited to, covered malls, covered walkways, hallways, mechanical equipment areas, stairwells, elevators, lobbies, roofed patio areas, covered entries, covered parking, covered driveways and covered loading areas shall not be included when calculating off-street parking requirements.

\*\*Grade, Finished: The level of the ground surface surrounding a building.

\*Gross Area: The entire land area within the boundary of a project, measured to the centerline of any abutting arterial highways.

\*Gross Residential Density: The density of a residential project computed by dividing the total number of dwelling units in the project by the gross area of the project.

\*Guest Cottage: A detached building, having no kitchen facilities, which is used primarily for sleeping purposes for members of the family occupying the main dwelling or their nonpaying guests (not to exceed 1,500 square feet in floor area.) Guest cottages are not included within the category of, and are not counted toward, permitted dwelling units as specified in this LCP.

\*\*Hotel: Any building, portion thereof, or combination of buildings with access provided through a common entrance, lobby or hallway to guest rooms, with or without cooking facilities, and/or quarters, with or without cooking facilities, retail commercial and other ancillary facilities and which

rooms and quarters are designed, intended to be used or are used, rented or hired out as temporary or overnight accommodations for guests.

(See also Destination Resort.)

**\*Interior Property Line:** A property line which does not abut a private or public street.

**\*Joint Use of Parking:** The shared use of off-street parking facilities by more than one type of land use. The same parking spaces are counted to satisfy the off-street parking requirements of more than one land use (e.g., use of the same parking facility to satisfy the off-street parking requirements of a church and an office building).

**\*Large-lot Subdivision:** A Subdivision or Parcel Map, prepared for financing or conveyance purposes, where no parcel is smaller than 20 acres; and which includes a declaration that the lots created are not building sites. This may include Subdivisions or Parcel Maps for commercial or visitor-serving use areas.

**\*\*Motel:** A building or group of buildings containing guest rooms or dwelling units designed, intended or used primarily for the accommodation of transient automobile travelers, including but not limited to buildings or building groups designated as auto cabins, motor courts or motor hotels.

**\*Net residential area:** The area of land remaining in a project, measured in acres or square feet, after deduction of the area contained in streets (both public and private), schools, parks, flood control works and any other use, easement or incumbrance which prevents the surface use of the property for a building site or construction of structures.

**\*Net usable area (nonresidential):** The area of land remaining in a project, measured in acres or square feet, after deduction of the area contained in public and private street and highway rights-of-way, schools, parks, flood control works and any other use, easement or encumbrance which limits the surface use of the property, slopes required to level the site, and required screening and landscaping. The area needed to satisfy the off-street parking requirements is included within the net usable acres.

\*Overnight/resort accommodations: See Destination Resort.

\*Regional Park Concession: A use otherwise allowed in a regional park area which is operated by a limited commercial venture with the purpose of serving the recreational needs of park visitors and/or improving public recreation services either financially through lease or other payments to a public agency or functionally through the delivery of a permitted recreational use that otherwise would not be available to the public.

\*\*Residential Duplex: Refers to a residential development where two dwelling units are permitted on one building site. Residential duplex includes planned concept subdivisions and cluster developments; either as conventional subdivisions or planned developments.

\*\*Residential Multiple-Family: Refers to any residential development wherein the minimum number of permitted dwelling units on one building site is three (3) or more. Multiple-family residential includes multiple-family dwellings, apartments, condominiums, and stock cooperative projects.

\*\*Residential Single-Family: Refers to any residential development wherein each dwelling unit is situated on a residential lot of record and no lot contains more than one dwelling unit and, where permitted, a caretaker's or employee's quarters. Single-family residential includes attached and detached single-family dwellings, planned concept subdivisions, cluster developments, either as conventional subdivisions or planned developments.

\*Restaurant: An establishment where foods and beverages are prepared and/or dispensed for consumption on or off site. Restaurants include but may not be limited to fully enclosed establishments, partially enclosed establishments, drive-ins, drive-throughs, and fast food establishments.

\*Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

CHAPTER 13

LEGAL DESCRIPTION

FOR THE SECOND AMENDMENT

TO THE IRVINE NEWPORT COAST PLANNED COMMUNITY

Those portions of Blocks 95, 97, 128 through 134, 161 through 167, 180 through 183 and 185, Irvine's Subdivision, in the County of Orange, State of California, as per map filed in Book 1, page 88, Miscellaneous Record Maps, records of said County, described as follows:

PARCEL 1:

Beginning at the most Southerly corner of the "Cameo Highland Annex" to the City of Newport Beach, said corner being the Northeast right-of-way line of Pacific Coast Highway as described in a deed to the State of California recorded May 20, 1931 in Book 487, page 1, Official Records of said County; thence along the boundary of said City of Newport Beach the following described courses:

1. N. 40° 30' 20" E. 364.00 feet;
2. N. 26° 47' 20" E. 465.00 feet;
3. N. 2° 12' 20" E. 387.00 feet;
4. N. 85° 00' 40" W. 190.00 feet;
5. N. 71° 34' 40" W. 174.00 feet;
6. N. 56° 17' 40" W. 53.96 feet;
7. N. 18° 25' 20" E. 109.15 feet;
8. N. 49° 27' 44" W. 225.00 feet;
9. S. 33° 42' 20" W. 132.05 feet;
10. N. 56° 17' 40" W. 340.87 feet;
11. N. 59° 47' 40" W. 410.00 feet;
12. N. 70° 35' 10" W. 271.93 feet;
13. N. 24° 45' 00" W. 239.20 feet;
14. N. 12° 45' 00" W. 194.77 feet;

15. N. 22° 15' 00" W. 406.53 feet;
16. N. 0° 45' 00" E. 365.18 feet;
- ~~17. Leaving said boundary N. 6° 52' 40" E. 460.72 feet to an angle point in the boundary of said City of Newport Beach;~~
- ~~18. N. 89° 57' 20" E. 660.00 feet along said boundary;~~
- ~~19. N. 40° 57' 20" E. 1320.00 feet;~~
- ~~20. N. 24° 57' 20" E. 1680.00 feet;~~
- ~~21. S. 89° 02' 40" E. 1050.00 feet;~~
- ~~22. N. 7° 57' 20" E. 460.11 feet;~~
- ~~23. Leaving said boundary S. 53° 56' 31" E. 739.57 feet;~~
- ~~24. S. 64° 41' 46" E. 558.75 feet;~~
- ~~25. S. 77° 20' 6" E. 435.44 feet;~~
- ~~26. N. 87° 24' 44" E. 347.07 feet;~~
- ~~27. N. 75° 49' 12" E. 943.68 feet;~~
17. N. 06° 52' 40" E. 0.76 feet;
18. N. 64° 14' 17" E. 301.15 feet;
19. N. 71° 33' 38" E. 315.61 feet;
20. N. 78° 08' 54" E. 318.10 feet;
21. N. 07° 09' 36" E. 64.02 feet;
22. N. 24° 58' 36" E. 63.02 feet;
23. N. 64° 29' 06" E. 50.07 feet;
24. N. 77° 02' 06" E. 151.63 feet;
25. N. 44° 39' 56" E. 103.18 feet;
26. S. 72° 11' 37" E. 147.46 feet;
27. N. 02° 50' 38" E. 166.07 feet;
28. N. 46° 00' 28" E. 114.21 feet;
29. S. 69° 47' 07" E. 145.87 feet;
30. N. 60° 27' 58" E. 156.87 feet;
31. S. 27° 34' 37" E. 131.08 feet;
32. N. 89° 57' 20" E. 732.55 feet;
33. N. 40° 57' 20" E. 1,320.00 feet;
34. N. 24° 57' 20" E. 1,680.00 feet;
35. S. 89° 02' 40" E. 1,050.00 feet;

36. N. 07° 57' 20" E. 852.95 feet;
37. Leaving said boundary, S. 73° 59' 15" E., 2,559.23 Feet;
38. S. 89° 59' 45" E. 673.33 feet; 28
28. 39. N. 63° 01' 07" E. 644.43 feet;
29. 40. S. 86° 27' 21" E. 465.31 feet; 28.
30. 41. N. 79° 17' 39" E. 1036.87 feet;
31. 42. N. 87° 09' 43" E. 1338.73 feet;
32. 43. N. 76° 05' 30" E. 328.20 feet;
33. 44. N. 57° 17' 54" E. 446.57 feet;
34. 45. N. 65° 01' 42" E. 434.01 feet;
35. 46. N. 86° 59' 37" E. 553.17 feet;
36. 47. N. 88° 54' 48" E. 863.22 feet;
37. 48. S. 76° 08' 53" E. 668.82 feet;
38. 49. S. 78° 53' 11" E. 404.48 feet;
39. 50. S. 88° 34' 10" E. 1138.24 feet;
40. 51. S. 81° 27' 33" E. 968.88 feet;
41. 52. S. 89° 21' 53" E. 1984.12 feet;
42. 53. N. 89° 07' 46" E. 1316.15 feet;
43. 54. S. 71° 07' 11" E. 244.14 feet;
44. 55. S. 46° 31' 00" E. 848.19 feet;
45. 56. S. 41° 41' 40" E. 538.97 feet;
46. 57. S. 22° 14' 31" E. 315.36 feet;
47. 58. S. 38° 33' 52" E. 489.32 feet;
48. 59. S. 24° 22' 42" E. 331.27 feet;
49. 60. S. 12° 44' 41" W. 337.73 feet;
50. 61. S. 34° 26' 47" E. 410.92 feet;
51. 62. S. 54° 32' 56" E. 526.14 feet;
52. 63. S. 39° 06' 59" E. 465.65 feet;
53. 64. S. 66° 44' 19" E. 658.40 feet;
54. 65. N. 83° 28' 38" E. 326.82 feet;
55. 66. S. 60° 08' 12" E. 785.39 feet;
56. 67. S. 68° 21' 36" E. 560.20 feet;

- 57- 68. S. 34° 56' 14" E. 457.86 feet;
- 58- 69. S. 24° 59' 11" E. 227.27 feet;
- 59- 70. S. 62° 51' 54" E. 1752.88 feet;
- 60- 71. S. 64° 52' 34" E. 1493.44 feet;
- 61- 72. S. 60° 59' 36" E. 540.25 feet;
- 62- 73. S. 49° 25' 35" E. 871.18 feet;
- 63- 74. S. 66° 26' 24" E. 84.08 feet;
- 64- 75. S. 64° 24' 04" E. 711.68 feet;
- 65- 76. S. 60° 00' 22" E. 513.59 feet;
- 66- 77. S. 60° 24' 52" E. 1287.83 feet to a point in the boundary of the City of Laguna Beach, said point being ~~in on a 425.00-foot radius-curve that is concave Easterly, having a radius of 425.00 feet,~~ a radial to said point bears ~~N. 89° 29' 46" W. S. 60° 24' 52" W.~~; thence along last said boundary;
- 67- 78. Southerly 47.30 feet along said curve through a central angle of 6° 22' 38";
- 68- 79. S. 6° 52' 52" E. 264.82 feet;
- 69- 80. S. 83° 11' 34" W. 228.16 feet;
- 70- 81. S. 6° 48' 26" E. 443.29 feet ~~to a curve concave Westerly, having a radius of 345.00 feet;~~
- 71- 82. Southerly 149.93 feet along ~~a 345.00-foot radius~~ said curve that is ~~concave Westerly~~ through a central angle of 24° 54' 00";
- 72- 83. ~~S. 18° 05' 34" W. 323.31 feet; S. 06° 05' 34" W. 323.31 feet to a curve concave easterly, having a radius of 1255.00 feet;~~
- 73- 84. Southerly 142.19 feet along ~~a 1255.00-foot radius~~ said curve that is ~~concave Easterly~~ through a central angle of 6° 29' 30";
- 74- 85. S. 11° 36' 4" W. 909.28 feet;
- 75- 86. S. 11° 17' 49" W. 1113.97 feet;
- 76- 87. S. 12° 52' 49" W. 385.94 feet ~~to a curve concave Easterly, having a radius of 655.00;~~
- 77- 88. Southerly 258.36 feet along ~~a 655.00-foot radius~~ said curve that is ~~concave Easterly~~ through a central angle of 22° 36' 00";
- 78- 89. S. 9° 43' 11" E. 462.58 feet ~~to a curve concave Westerly having a radius of 145.00 feet;~~
- 79- 90. Southerly 47.78 feet along ~~a 145.00-foot radius~~ said curve that is ~~concave Westerly~~, through a central angle of 18° 52' 45";
- 80- 91. S. 9° 09' 34" W. 1981.77 feet ~~to a curve concave Easterly, having a radius of 1255 feet;~~

- 81- 92. Southerly ~~255.54~~ 255.54 feet along a ~~1255.00-foot radius~~ said curve that is ~~concave Easterly~~ through a central angle of 11° 40' 00";
- 82- 93. S. 2° 30' 26" E. 532.31 feet;
- 83- 94. Southwesterly 261.21 feet along a ~~195.00-foot radius~~ said curve that is ~~concave Northwesterly~~ through a central angle of 76° 45' 00";
- 84- 95. S. 74° 14' 34" W. 215.79 feet to a curve Northerly having a radius of 195.00 feet;
- 85- 96. Westerly 132.05 feet along a ~~195.00-foot radius~~ said curve that is ~~concave Northerly~~ through a central angel of 38° 48' 00";
- 86- 97. N. 66° 57' 26" W. 248.29 feet to a curve concave Southerly, having a radius of 1155 feet;
- 87- 98. Westerly 715.71 feet along a ~~1155.00-foot radius~~ said curve that is ~~concave Southerly~~ through a central angle of 35° 30' 15";
- 88- 99. S. 77° 32' 19" W. 198.05 feet to a curve concave Southeasterly, having a radius of 555.00 feet;
- 89- 100. Southwesterly 227.88 feet along a ~~555.00-foot radius~~ said curve that is ~~concave Southeasterly~~ through a central angle of 23° 31' 30";
- 90- 101. S. 54° 00' 49" W. 350.12 feet;
- 91- 102. Southwesterly 212.42 feet along a ~~555.00-foot radius~~ said curve that is concave Southeasterly through a central angle of 21° 55' 45";
- 92- 103. S. 32° 05' 04" W. 238.45 feet;
- 93- 104. N. 57° 54' 56" W. 85.00 feet;
- 94- 105. S. 32° 05' 04" W. 400.00 feet;
- 95- 106. S. 57° 54' 56" E. 85.00\* feet;
- 96- 107. S. 32° 05' 04" W. 274.68 feet;
- 97- 108. S. 57° 54' 56" E. 230.00 feet;
- 98- 109. S. 32° 05' 04" W. 346.27 feet to a curve concave Easterly, having a radius of 925.00 feet;
- 99- 110. Southerly 374.73 feet along a ~~925.00-foot radius~~ said curve that is ~~concave Easterly~~ through a central angle of 23° 12' 41";
- 100- 111. S. 8° 52' 23" W. 583.75 feet to a curve concave Westerly, having a radius of 875.00 feet;
- 101- 112. Southerly 184.42 feet along a ~~875.00-foot radius~~ said curve that is ~~concave Westerly~~ through a central angle of 12° 04' 34";
- 102- 113. S. 20° 56' 57" W. 68.73 feet;
- 103- 114. N. 69° 03' 03" W. 60.00 feet;

104. 115. S. 20° 56' 57" W. 300.28 feet to a curve concave Northwesterly, having a radius of 2945.00 feet;
105. 116. Southwesterly 20.00 feet along a 2945.00-foot radius said curve that is concave Northwesterly through a central angle of 0° 23' 21";
106. 117. N. 68° 39' 42" W. 70.00 feet along a radial of said curve;
107. 118. S. 35° 58' 04" W. 129.75 feet;
108. 119. S. 66° 07' 57" E. 100.00 feet along a radial of last mentioned said curve to the Southwesterly prolongation of said curve;
109. 120. Southwesterly 144.78 feet along last said curve through a central angle of 2° 49' 00";
110. 121. S. 37° 58' 01" W. 681.41 feet;
111. 122. S. 39° 22' 40" W. 384.76 feet;
112. 123. S. 47° 37' 27" W. 803.58 feet;
113. 124. S. 55° 35' 41" W. 252.44 feet;
114. 125. S. 42° 47' 6" W. 395.44 feet;
115. 126. S. 36° 16' 46" W. 395.53 feet;
116. 127. N. 59° 13' 57" W. 90.00 feet to a curve concave Southerly, having a radius of 1200.00 feet;
117. 128. Westerly 83.78 feet along a 120.00-foot radius said curve that is concave Southerly through a central angle of 40° 00' 00";
118. 129. S. 80° 46' 03" W. 106.00 feet to a curve concave Southeasterly, having a radius of 105.00 feet;
119. 130. Southwesterly 48.87 feet along a 105.00-foot radius said curve that is concave Southeasterly through a central angle of 26° 40' 00";
120. 131. Northwesterly 255.16 feet along a 110.00-foot radius reverse said curve through a central angle of 132° 54' 19";
121. 132. Non-tangent to said curve N. 12° 52' 23" E. 523.10 feet;
122. 133. N. 0° 05' 03" E. 243.70 feet;
123. 134. N. 25° 54' 57" W. 540.93 feet;
124. 135. S. 56° 05' 03" W. 295.13 feet;
125. 136. S. 89° 03' 33" W. 246.11 feet;
126. 137. S. 0° 31' 43" W. 160.00 feet;
127. 138. S. 68° 01' 27" E. 320.35 feet;
128. 139. S. 5° 53' 57" E. 222.62 feet;
129. 140. S. 27° 57' 43" W. 515.46 feet;

130. 141. N. 49° 32' 17" W. 198.04 feet;
131. 142. S. 40° 31' 43" W. 543.84 feet;
132. 143. N. 56° 21' 01" W. 148.13 feet;
133. 144. N. 49° 28' 17" W. ~~264.40~~265.40 feet;
134. 145. S. 81° 20' 43" W. 131.76 feet;
135. 146. N. 49° 28' 17" W. 1480.30 feet;
136. 147. S. 40° 46' 43" W. 1180.11 feet;
137. 148. N. 53° 23' 21" W. 22.86 feet;
138. 149. N. 67° 03' 17" W. 36.00 feet to a point ~~on a non-tangent curve~~ ~~179.88-foot~~ ~~radius of cusp~~ with a curve that is concave Northwesterly having a radius of 179.88 feet, a radial to said point bears S. 67° 03' 17" E;
139. 150. Southwesterly 57.32 feet along said curve through a central angle of 18° 15' 33" to a point ~~on the beginning of a non-tangent~~ ~~30.00-foot-radius~~ curve that is concave Southeasterly, having a radius of 30.00 feet a radial to said point bears N. 29° 50' 31";
140. 151. Southwesterly 73.84 feet along said curve through a central angle of 141° 01' 29" to the beginning of a ~~15.00-foot-radius~~ reverse curve that is concave Westerly having a radius of 15.00 feet;
141. 152. Southerly 16.66 feet along said curve through a central angle of 63° 38' 11" to the Southwest line and said Block 183;
142. 153. ~~N. 49° 28' 17" W. 551.10 feet~~ Along said Southwest line and said boundary of the City of Laguna Beach ~~N. 49° 28' 17" W. 551.10 feet~~;
143. 154. Leaving said Southwest line N. 24° 51' 03" W. 79.61 feet;
144. 155. N. 0° 55' 17" W. 40.00 feet;
145. 156. S. 89° 04' 43" W. 95.39 feet to said Southwest line;
146. 157. ~~Along said Southwest line~~ N. 49° 28' 17" W. 2133.40 feet ~~along said Southwest line~~ to the West corner of said Block 183.
147. 158. Leaving said boundary N. 49° 28' 13" W. 2597.84 feet along the Northeast line of said Block 164, being in part the Northeast line of Tract No. 3125 as per map filed in Book 98, pages 9 through 11, ~~inclusive of~~ ~~M~~miscellaneous ~~M~~maps, ~~records~~ in the office of the County Recorder of said County, to the most Northerly corner of said Tract;
148. 159. ~~S. 40° 30' 55" W. 1167.32 feet~~ Along the Northwest line of said Tract ~~S. 40° 30' 55" W. 1167.32 feet~~ to an angle point in the boundary of the Cameo Cove Annexation to the City of Laguna Beach;
149. 160. Along said boundary, N. 53° 23' 40" W. 672.23 feet;
150. 161. N. 62° 03' 40" W. 1009.13 feet;

6. N. 74° 29' 51" W. 156.61 feet;
7. N. 55° 14' 39" W. 73.02 feet;
8. N. 15° 04' 06" W. 75.69 feet;
9. N. 74° 21' 28" W. 56.34 feet;
10. S. 73° 01' 02" W. 64.35 feet;
11. N. 63° 26' 06" W. 168.74 feet;
12. N. 81° 09' 29" W. 121.10 feet;
13. S. 85° 25' 34" W. 176.97 feet;
14. N. 34° 18' 12" W. 165.76 feet;
15. N. 65° 52' 44" W. 63.74 feet;
16. N. 77° 46' 30" W., 264.79 feet to the northwesterly line of said Block 131, as shown on the Map of Record of Survey 83-1105, filed in Book 108, pages 37 through 40, inclusive, of records of survey, of said records;

Thence, along said northwesterly line, north 40° 33' 07" east, 2,102.29 feet to the point of beginning.

Containing, 50.56 acres, more or less.

**PARCEL 2B**

Beginning at a southwesterly corner of Lot "B" of Tract No. 4655 as shown on the map filed in Book 192, pages 1 through 3, inclusive, of Miscellaneous Maps, of said records;

Thence, along the northerly line of said Tract No. 4655, the following eight (8) courses:

1. S. 75° 08' 40" E. 45.00 feet;
2. N. 70° 51' 20" E. 30.00 feet;
3. S. 73° 08' 40" E. 30.00 feet;
4. S. 46° 38' 40" E. 60.00 feet;
5. S. 66° 53' 40" E. 50.00 feet;
6. N. 88° 06' 20" E. 35.00 feet;

7. N. 60° 15' 00" E. 20.00 feet; and
8. S. 86° 18' 40" E., 40.00 feet to an angle point in the northwesterly line of the land described in said deed to the Irvine Cove Community Association.

Thence, along said northwesterly line, the following two (2) courses:

1. N. 57° 37' 00" E. 262.64 feet; and
2. N. 76° 31' 20" E., 236.00 feet to a point of cusp on a non-tangent curve concave northeasterly for the said southwesterly line of the Pacific Coast Highway, having a radius of 1,550.00 feet, a radial line through said point bears south 32° 52' 05".

Thence, traversing along the said southwesterly line, Pacific Coast Highway, the following fourteen (14) courses:

3. Northeasterly, 521.78 feet along said curve, through a central angle of 19° 17' 15";
4. N. 37° 50' 40" west, 445.69 feet to the beginning of a curve concave southwesterly, having a radius of 1,950.00 feet;
5. Northeasterly, 356.51 feet along said curve, through a central angle of 10° 28' 30";
6. N. 48° 19' 10" west, 1,097.18 feet to the beginning of a curve concave northwesterly, having a radius of 1,550.00 feet;
7. Northeasterly, 410.30 feet along said curve, through a central angle of 15° 10' 00";
8. N. 33° 09' 10" west, 119.30 feet to the beginning of a curve concave southwesterly, having a radius of 1,450.00 feet;
9. Northeasterly, 485.48 feet along said curve, through a central angle of 19° 11' 00";
10. N. 52° 20' 10" west, 2,498.67 feet to the beginning of a curve concave northeasterly, having a radius of 5,050.00 feet;
11. Northeasterly, 693.36 feet along said curve, through a central angle of 07° 52' 00";
12. N. 44° 28' 10" west, 1,966.20 feet to the beginning of a curve concave northeasterly, having a radius of 2,050.00 feet;

13. Northeasterly, 900.15 feet along said curve, through a central angle of 25° 09' 30";
14. N. 19° 18' 40" west, 399.81 feet to the beginning of a curve concave southwesterly, having a radius of 1,950.00 feet;
15. Northeasterly, 1,027.26 feet along said curve, through a central angle of 30° 11' 00"; and
16. N. 49° 29' 40" west, 4,997.56 feet to the most easterly corner of said Tract No. 14063, on said northwesterly line, Pacific Coast Highway.

Thence, leaving said southwesterly line and traversing along the southeasterly and southwesterly lines of said Tract No. 14063, the following sixteen (16) courses:

1. S. 40° 30' 20" W. 722.85 feet;
2. S. 15° 09' 40" W. 320.64 feet;
3. S. 39° 40' 04" W. 617.07 feet;
4. N. 51° 31' 11" W. 9.73 feet;
5. S. 61° 06' 48" W. 59.78 feet;
6. N. 74° 29' 51" W. 156.61 feet;
7. N. 55° 14' 39" W. 73.02 feet;
8. N. 15° 04' 06" W. 75.69 feet;
9. N. 74° 21' 28" W. 56.34 feet;
10. S. 73° 02' 02" W. 64.35 feet;
11. N. 63° 26' 06" W. 168.74 feet;
12. N. 81° 09' 29" W. 121.10 feet;
13. S. 85° 25' 34" W. 176.97 feet;
14. N. 34° 18' 12" W. 165.76 feet;
15. N. 65° 52' 44" W. 63.74 feet; and
16. N. 77° 46' 30" W. 264.79 feet to the northwesterly line of said Block 131, as shown on the Map of Record of Survey 83-1105, filed in Book 108, pages 37 through 40, inclusive of records of survey, of said records.

Thence, along said northwesterly line, Block 131, south 40° 33' 07" W., 100.00 feet to the line of ordinary high tide;

Thence, along said ordinary high tide to the point of beginning.

Containing, 287 acres, more or less.

This description is prepared for agreement purposes only and may not be used for or in documents for, the conveyance of land.

---

James O. Steines, P.L.S. 6086

Revised November 15, 1995

Revised September 27, 1995

Revised January 25, 1996

January 19, 1996

11887.02 (003)

**TECHNICAL APPENDICES II**  

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**THE IRVINE NEWPORT COAST  
LOCAL COASTAL PROGRAM  
Second Amendment**

July 16, 1996  
**DRAFT**

**Irvine Coast Local Coastal Program  
Second Amendment  
Technical Appendices II**

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– SECOND AMENDMENT TO THE NCCP SUBREGIONAL PLAN**

**MPAH Amendment**  
**a. Board Resolution**  
**b. County Analysis**  
**c. Traffic Study**

1  
2 RESOLUTION OF THE BOARD OF SUPERVISORS

3 ORANGE COUNTY, CALIFORNIA

4 August 1, 1995

5  
6 On motion of Supervisor Bergeson, duly seconded and carried, the  
7 following Resolution was adopted:

8 WHEREAS, the County of Orange has adopted a General Plan which includes a  
9 Transportation Element consisting of three components: Master Plan of Arterial  
10 Highways (MPAH), Master Plan of Countywide Bikeways (MPCB), and Master Plan of  
11 Scenic Highways (MPSH); and

12 WHEREAS, as a part of Transportation Element Amendment T95-1 to the County  
13 of Orange General Plan, the County and the Cities of Irvine and Fullerton  
14 propose modifications, identified in Attachment 2 of the EMA Report dated  
15 June 27, 1995 and hereinafter referred to as "MPAH Revisions T95-1", to the  
16 MPAH; and

17 WHEREAS, the County of Orange is the responsible agency, as defined in  
18 Section 21069 of the California Environmental Quality Act (CEQA), for the MPAH  
19 modifications listed below in the Cities of Irvine and Fullerton; and

20 WHEREAS, pursuant to CEQA and the CEQA Guidelines, the City of Irvine has  
21 prepared Irvine Final Environmental Impact Report (EIR) 14539-GA and Irvine  
22 Final EIR 16867-GA and the County has prepared Addendum IP 95-78 to Irvine Final  
23 EIR 16867-GA to analyze the potential environmental effects of the proposed MPAH  
24 modifications in the City of Irvine; and

25 WHEREAS, pursuant to CEQA and the CEQA Guidelines, the County prepared  
26 Negative Declaration IP 95-68 to analyze the potential environmental effects of  
27 the proposed MPAH modification in the City of Fullerton; and

28 ///

Resolution No. 95-561  
Public Hearing - MPAH Revisions to  
Transportation Element Amendment T95-1

1 3a. That Newport Coast Drive Extension Final EIR 14539-GA, previously  
2 certified on March 28, 1995 by the City of Irvine, satisfies the  
3 requirements of CEQA and is approved for the following MPAH  
4 modifications based upon the following findings:

5 a. The approval of the previously certified Final EIR 14539-GA  
6 reflects the independent judgment of the City of Irvine as  
7 the lead agency under CEQA; and

8 b. Prior to the approval of the proposed MPAH modifications,  
9 Final EIR 14539-GA was independently reviewed and considered  
10 by the County of Orange as a responsible agency under CEQA.

11 3b. That the MPAH be amended as presented in the EMA Report dated  
12 June 27, 1995 to the Planning Commission:

- 13 • Realign Newport Coast Drive between
- 14 Bonita Canyon Drive and the SJHTC
- 15 • Downgrade Culver Drive between Campus
- 16 Drive and Bonita Canyon Drive from a
- 17 Major Arterial Arterial to a Primary
- 18 Arterial
- 19 • Downgrade Bonita Canyon Drive between
- 20 Culver Drive and the SJHTC from a
- 21 Major Arterial to a Primary Arterial.

22 B) City of Fullerton

23 4a. That in accordance with Section 21080(c) of CEQA and Section  
24 15074 of the CEQA Guidelines, Negative Declaration IP 95-68,  
25 which reflects the independent judgment of the lead agency,  
26 satisfies the requirements of CEQA and is approved for the  
27 proposed MPAH modification based upon the following findings:

28 ///

///

- 1           • Add the extension of El Camino Real
- 2           between Jamboree Road and Bryan Avenue
- 3           as a Conceptual Secondary Arterial.

4           6a. That in accordance with Section 21080(c) of CEQA and Section  
5           15074 of the CEQA Guidelines, Mitigated Negative Declaration  
6           IP 95-100, which reflects the independent judgment of the County  
7           of Orange, satisfies the requirements of CEQA and is approved for  
8           the proposed MPAH modifications based upon the following  
9           findings:

- 10          a. Mitigated Negative Declaration IP 95-100 and the comments  
11           received on Mitigated Negative Declaration IP 95-100 during  
12           the public review process were considered and found adequate  
13           in addressing the impacts related to the proposed MPAH  
14           modifications; and
- 15          b. There is no substantial evidence that the proposed MPAH  
16           modifications will have a significant effect on the  
17           environment.

18          6b. That the MPAH be amended as presented in the EMA Report dated  
19          June 27, 1995 to the Planning Commission:

- 20           • Delete San Joaquin Hills Road between  
21           Newport Coast Drive and the SJHTC
- 22           • Delete the interchange of Sand Canyon  
23           Road and the SJHTC
- 24           • Delete Sand Canyon Road between  
25           Pacific Coast Highway and the SJHTC.

26          7a. That Mitigated Negative Declaration TCA-IS-9502, previously  
27          approved on June 8, 1995 by the Foothill/Eastern Transportation

28          ///

///

1 Corridor Agency, and Addendum IP 95-69 satisfy the requirements  
2 of CEQA. they have been considered and are approved  
3 for the following MPAH modifications based upon the following  
4 findings:

- 5 a. The approval of Mitigated Negative Declaration TCA-IS-9502  
6 reflects the independent judgment of the Foothill/Eastern  
7 Transportation Corridor Agency as the lead agency under  
8 CEQA; and  
9  
10 b. The additions, clarifications and/or changes to Mitigated  
11 Negative Declaration TCA-IS-9502 caused by the Addendum do  
12 not raise new significant issues which were not addressed by  
13 the Mitigated Negative Declaration; and  
14  
15 c. The approval of Mitigated Negative Declaration TCA-IS-9502  
16 and Addendum IP 95-69 for the proposed MPAH modifications  
17 reflect the independent judgment of the County of Orange as  
18 a responsible agency under CEQA.

19 7b. That the MPAH be amended as presented in the EMA Report dated  
20 June 27, 1995 to the Planning Commission:

- 21 • Delete Avenida De Las Banderas between  
22 Antonio Parkway and the Foothill  
23 Transportation Corridor (FTC)  
24 • Delete the interchange of Avenida De  
25 Las Banderas at the FTC.

26 8a. That in accordance with Section 21080(c) of CEQA and Section  
27 15074 of the CEQA Guidelines, Mitigated Negative Declaration  
28 IP 95-19, which reflects the independent judgment of the County  
of Orange, satisfies the requirements of CEQA and is approved for  
the proposed MPAH modification based upon the following findings:

///

- 1 a. Mitigated Negative Declaration IP 95-19 and the comments  
2 received on Mitigated Negative Declaration IP 95-19 during  
3 the public review process were considered and found adequate  
4 in addressing the impacts related to the proposed MPAH  
5 modification; and  
6 b. There is no substantial evidence that the proposed MPAH  
7 modification will have a significant effect on the  
8 environment.

9 sb. That the MPAH be amended as presented in the EMA Report dated  
10 June 27, 1995 to the Planning Commission:

- 11 • Downgrade La Pata Avenue between the  
12 San Clemente city boundary and its  
13 existing terminus from a Major  
14 Arterial to a Primary Arterial  
15 • Upgrade La Pata Avenue between its  
16 existing terminus to Ortega Highway  
17 from a Secondary Arterial to a Primary  
18 Arterial.

19 BE IT FURTHER RESOLVED THAT this Board finds that:

20 9. Pursuant to Section 711.4 of the California Fish and Game Code,  
21 the MPAH modifications proposed under MPAH Revisions T95-1 are not subject to  
22 the required fees as it has been determined that either such fees have been  
23 previously paid or that no adverse impacts to wildlife resources will result  
24 from the proposed project.

25 BE IT FURTHER RESOLVED THAT the Environmental Management Agency (EMA)  
26 is authorized to make the adopted revisions to the County MPAH.

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///



1 BE IT FURTHER RESOLVED, that the Director, Environmental Management  
2 Agency is directed to evaluate conditions of approval related to arterial  
3 highway improvements associated with the San Joaquin Hills Planned Community  
4 (Resolution 95-180) and the Irvine Coast Planned Community (Resolution 88-537)  
5 and modify them to ensure consistency with the MPAH, as amended herein.

6 BE IT FURTHER RESOLVED THAT the Board of Supervisors authorizes staff  
7 to initiate proceedings for the formation of an assessment district or a change  
8 in proceedings in Assessment District 88-1 to add the ultimate and operational  
9 improvements (to 8 lanes) on Newport Coast Drive between San Joaquin Hills Road  
10 and the SJHTC.

11 BE IT FURTHER RESOLVED THAT in the event that the improvements to  
12 Newport Coast Drive cannot be financed through an assessment district, then The  
13 Irvine Company shall be required to construct or fund such improvements.

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**ENVIRONMENTAL MANAGEMENT AGENCY REPORT**

**DATE:** June 27, 1995

**TO:** Orange County Planning Commission

**FROM:** EMA/Transportation Planning

**SUBJECT:** Transportation Element-Amendment (T95-1): Revisions to the Text and the Master Plan of Arterial Highways

**LOCATION:** Countywide

**CONTACT PERSONS:** Harry Persaud 834-3669  
Siri Payakapan 834-2161

**BACKGROUND:**

The Orange County Board of Supervisors by resolution of May 31, 1956, adopted the Master Plan of Arterial Highways (MPAH) which became the cornerstone of the first County Transportation Element initially adopted by the Board of Supervisors on May 10, 1972. The MPAH has been the blueprint for regional and countywide arterial highway planning for Orange County. In addition, the Master Plan of Countywide Bikeways (MPCB), developed and managed by the County since September 23, 1980, has served as the only countywide bikeway plan. The County's Transportation Element contained both the Master Plan of Arterial Highways (MPAH) and Master Plan of Countywide Bikeways (MPCB) as well as Master Plan of Scenic Highways (MPSH) and associated countywide transportation goals, objectives and policies.

On May 9, 1995 the County entered into an agreement (No. D95-021) with the the Orange County Transportation Authority (OCTA) to transfer the MPAH and regional transportation modeling responsibilities to OCTA. In addition, the OCTA Board of Directors on May 22, 1995 adopted the Orange County Bikeways Strategic Plan which supersedes the MPCB as the countywide bikeways plan. These actions have rendered the management of the MPAH and MPCB the responsibility of the OCTA. Consequently, the County's Transportation Element text and associated circulation plans are proposed for revision to reflect a county unincorporated applicability.

In addition, pursuant to the aforementioned agreement (No. D95-021), the County is responsible for making one last amendment to the MPAH. The Board approved amendment to the MPAH will be transmitted to OCTA. At the same time the Board will review and take action on the creation of a circulation plan and a bikeway plan for the County unincorporated areas.

**PROJECT DESCRIPTION:**

Transportation Element

The Transportation Element of the County of Orange is being revised to focus on the development and maintenance of a surface transportation system to serve the existing and planned land uses within the unincorporated areas of the County. A circulation plan, bikeways plan and scenic highways plan with associated goals, objectives and policies are included in the Element. The revised Transportation Element satisfies the provisions of State Law Section 65302 pursuant to the General Plan requirements of local jurisdictions.

MPAH

Changes are proposed to the MPAH pursuant to agreement No. D95-021. These changes are a result of completed MPAH cooperative studies in the Cities of Irvine and Fullerton. In the City of Irvine these changes include deletion of segments of Sand Canyon Road, Lake Forest Drive and Bonita Canyon Road, realignment of Newport Coast Drive between Bonita Canyon and SJHTC and addition of Sunnyhill Drive. Also, changes to arterial highway classification for segments of Bonita Canyon Road and Culver Drive are proposed. In the City of Fullerton a segment of Highland Avenue is proposed for downgrade to a commuter arterial highway. In the County unincorporated areas of Irvine Coast and San Juan Capistrano, Sand Canyon Road between SJHTC and PCH will be deleted and classification of La Pata Avenue between Ortega HWY and the City of San Clemente city boundary will be changed to a primary arterial. These changes are described later in this report.

**MODIFICATIONS TO THE TRANSPORTATION TEXT AND PLANS**

Goals, objectives and policies of the MPAH and MPCB components have been modified to be more responsive to current and future local transportation needs of the unincorporated areas of the County. The MPAH and MPCB maps have been reduced in scope and renamed Circulation Plan and Bikeways Plan, respectively. These plans show roadways and bikeways only in the unincorporated county areas. The MPSH Component has also been changed to Scenic Highway Plan to be consistent with Circulation and Bikeways Plan Components.

In addition, the appendices of the Transportation Element have also been reorganized. Those appendices which addressed the countywide role of the MPAH and MPCB have been deleted. Six appendices have been deleted. These include previous Appendix 1: State Freeways and Highways, Appendix 5: Comparison of County and Cities Arterial Cross Sections, Appendix 7: Bikeway Route Addition and Deletion Criteria, Appendix 11, Board of Supervisors Resolution, September 22, 1981, Appendix 12: List of Major Transportation Studies and Implementation Programs, and Appendix 13: Current Conditions and Future Demand. The remaining appendices focus on issues relevant to the unincorporated territories.

**COMPLIANCE WITH CEQA:**

The proposed amendment of the Transportation Element Text is exempt from CEQA, pursuant to Public Resources Code Section 21080(c) (1) and CEQA Guidelines Section 15061(b) (3), by virtue that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The actual arterial modification to the MPAH are covered by appropriate CEQA documentation as discussed in the following sections. In addition, the proposed amendment will not have a significant unmitigated impact upon Coastal Sage Scrub habitat and, therefore, will not preclude the ability to prepare an effective subregional Natural Communities Conservation Planning (NCCP) Program.

**MODIFICATION TO THE MASTER PLAN OF ARTERIAL HIGHWAYS (MPAH)**

In accordance with the Shady Canyon, Newport Coast Drive and Highland Avenue MPAH cooperative studies between the County and Cities of Irvine and Fullerton respectively, and Agreement No. D95-021, the MPAH is being amended to incorporate certain highway changes prior to the transfer of the MPAH to OCTA. The MPAH is being amended to add, delete, downgrade and change alignment of arterials in the Cities of Irvine and Fullerton and unincorporated area of Irvine Coast and the San Juan Capistrano vicinity.

The amendment items are grouped by jurisdiction. A brief discussion of CEQA documentation and the proposed modifications follows each item. The attached exhibits (Exhibits 1 through 6) identify the proposed modifications to the MPAH.

**CITY OF IRVINE**

The following amendment items are proposed in the City of Irvine:

<u>Arterial</u>	<u>Exhibit</u>	<u>Limits of Segment</u>	<u>Action</u>
Bonita Canyon Drive	1	Sunnyhill and Sand Canyon Road	Delete from MPAH
Lake Forest Drive	1	Sand Canyon Road and Old Laguna Canyon Road	Delete from MPAH
Sand Canyon Road	1	San Joaquin Hills Transportation Corridor (SJHTC) and Michelson	Delete from MPAH
Bonita Canyon Drive	1	Culver Drive to Sunnyhill	Downgrade to a Secondary Arterial on MPAH

<u>Arterial</u>	<u>Exhibit</u>	<u>Limits of Segment</u>	<u>Action</u>
Sunnyhill	1	Turtle Rock to Bonita Canyon Drive	Add as a Secondary Arterial on MPAH
Newport Coast Drive	1	SJHTC and Bonita Canyon	Modify from conceptually proposed to established alignment
Bonita Canyon Drive	1	SJHTC and Culver Drive	Downgrade to a Primary Arterial on MPAH
Culver Drive	1	Campus Drive and Bonita Canyon Drive	Downgrade to a Primary Arterial on MPAH

**COMPLIANCE WITH CEQA**

The proposed amendments are covered by Shady Canyon Environmental Impact Report (EIR) 16867-GA and Addendum IP 95-78 and Newport Coast Drive (NCD) Extension Irvine EIR 14539-GA. Shady Canyon EIR 16867-GA is scheduled to be certified by the City Council of Irvine acting as lead agency on June 27, 1995. NCD Extension Irvine EIR 14539-GA was previously certified by the City Council of Irvine acting as lead agency on March 28, 1995. Prior to the approval of these amendments, the Board of Supervisors must find that these EIRs are adequate to satisfy the requirements of CEQA for these MPAH amendments. The attached resolution reflects an action by your Commission to recommend approval by the Board.

**DISCUSSION**

The City of Irvine is currently processing an amendment to its General Plan land use and circulation elements in the Shady Canyon area (Planning Area 22) which reduces the number of dwelling units in this area from 3,300 to 400 and deletes 60,000 square feet of commercial uses. On July 26, 1994, the City of Irvine requested the County's consideration and evaluation of four amendments to the MPAH within the City (Bonita Canyon Road westerly of Sand Canyon to Sunnyhill, Lake Forest Drive, Sand Canyon Avenue and Bonita Canyon easterly of Culver Drive to Sunnyhill) associated with the proposed reduced land use in the Shady Canyon project (Exhibit 1). Subsequently, on September 20, 1994, the Board of Supervisors authorized EMA to enter into a cooperative study agreement with the City to evaluate the City's proposals. The Shady Canyon Traffic Study completed in support of the the City's General Plan amendment showed that the reduction in land use intensity results in average daily trip (ADT) reduction from 35,000 to 6,218 trip in this area. The project traffic analysis demonstrated that the proposed Shady Canyon Development circulation system can adequately serve the local and regional traffic demands of this area. This traffic analysis together with severe topographic and sensitive environmental conditions led to the County's support for the proposed MPAH changes. Both City and County staff support these MPAH changes.

With the above-mentioned deletion of Bonita Canyon from the MPAH, addition of Sunnyhill (Turtle Rock Drive to Bonita Canyon Drive) as a Secondary Arterial on MPAH becomes necessary in order to maintain a viable circulation system in this area. Sunnyhill is currently constructed as a four lane arterial and is shown on the city's circulation plan as a secondary arterial highway.

On March 28, 1995, the City of Irvine City Council established an alignment for Newport Coast Drive between SJHTC and Bonita Canyon Road. The alignment study was the result of a cooperative study between the City and the County which evaluated the arterial highway system in this area. The traffic study supports the alignment established by the City. As such, alignment for Newport Coast Drive north of SJHTC and the change from conceptual to established alignment on the MPAH is recommended.

The proposed downgrade of Bonita Canyon Drive north of SJHTC and Culver Drive south of Campus to Bonita Canyon from a major to a primary arterial highway on MPAH have also been analyzed in Newport Coast Drive EIR traffic study. The study indicates that at general plan buildout condition (2020), Bonita Canyon and Culver Drive will carry 24,000 ADT and 25,000 ADT, respectively. This traffic can be accommodated by the proposed change in the highway classification. EMA/Transportation concurs with these MPAH modifications.

**CITY OF FULLERTON**

The following amendment item is proposed in the City of Fullerton:

<u>Arterial</u>	<u>Exhibit</u>	<u>Limits of Segment</u>	<u>Action</u>
Highland Avenue	2	Commonwealth and Orangethorpe	Downgrade to a Commuter

**COMPLIANCE WITH CEQA**

The proposed amendment is covered by Negative Declaration ND IP 95-68. Prior to your approval of this amendment, the Planning Commission must find that this ND is adequate to satisfy the requirements of CEQA for this MPAH amendment.

**DISCUSSION**

The City of Fullerton requested the County to analyze a modification to the MPAH with respect to Highland Avenue. On November 8, 1994, the Board of Supervisors authorized EMA to participate in a MPAH cooperative study with the City for the Highland Avenue project. The cooperative study concluded that future traffic on Highland Avenue can be accommodated by a two-lane arterial highway. The analysis shows that no significant adverse traffic impact on the circulation system in this area will occur as a result of this change.

**UNINCORPORATED AREAS**

The following amendment items are proposed in the County unincorporated areas:

<u>Arterial</u>	<u>Exhibit</u>	<u>Limits of Segment</u>	<u>Action</u>
El Camino Real	3	Jamboree Road to Bryan Avenue	Add as a conceptual Secondary Arterial on MPAH
San Joaquin Hills Road	4	Newport Coast Drive to SJHTC	Delete from MPAH
Sand Canyon Road	4	Interchange	Delete from MPAH
Sand Canyon Road	4	SJHTC and PCH	Delete from MPAH
Avenida De Las Banderas	5	Antonio Parkway and FTC	Delete from MPAH
Foothill Transportation Corridor	5	Interchange/Avenida de las Banderas	Delete from MPAH
La Pata Avenue	6	City of San Clemente city	Establish alignment and change classification to a Primary Arterial between City of San Clemente city boundary and Ortega HWY; and delete right-of-way reserve

**COMPLIANCE WITH CEQA**

The proposed amendments are covered by Lower Peters Canyon Specific Plan Final EIR No. 557 and Addendum IP 95-77, Mitigated Negative Declaration IP 95-100, Mitigated ND TCA-IS-9502 and Addendum IP 95-69 and Mitigated ND IP 95-19. Lower Peters Canyon Specific Plan Final EIR No. 557 was previously certified by the Board of Supervisors acting as lead agency on May 2, 1995. IC/SJH Phase III County EIR 544A and Mitigated Negative Declaration IP 95-100 is submitted for your review on June 27, 1995. Mitigated ND TCA-IS-9502 was previously certified by the Foothill/Eastern Transportation Corridor Agency on June 8, 1995. Prior to your action on these amendments, your Planning Commission must find that they are adequate to satisfy the requirements of CEQA for these MPAH amendments.

## DISCUSSION

The extension of El Camino Real as an arterial highway between Jamboree Road and Bryan Avenue is a follow up to the Board of Supervisors action on May 2, 1995, which adopted EIR 557, approving the Lower Peters Canyon Specific Plan. The Board, in adopting EIR 557, also approved addition of El Camino Real extension easterly of Jamboree Road to Bryan Avenue. The traffic study for EIR 557 concluded that a secondary arterial (4 lanes undivided) will be adequate to carry the projected future traffic in the Lower Peters Canyon area. Therefore, El Camino Real, which currently terminates at Jamboree Road, will be extended east over the proposed Eastern Transportation Corridor (ETC) and connect with Bryan Avenue as a conceptual secondary arterial highway.

The proposed deletions of Sand Canyon Road between SJHTC and PCH and San Joaquin Hills Road between Newport Coast Drive and SJHTC are based on a number of factors. Foremost among these is the circulation changes associated with the Shady Canyon development in the City of Irvine as discussed previously. In addition, environmental considerations associated with the localized Natural Communities Conservation Plan (NCCP), topographic constraints and changes in land use planning in Irvine Coast area have rendered construction of these facilities infeasible.

Deletion of Sand Canyon Road north of SJHTC as proposed in the Shady Canyon development will eliminate Sand Canyon Road as a regional arterial highway corridor between PCH and I-405 as currently envisioned on the MPAH. In addition, severe topographic condition south of SJHTC will make it difficult to construct this facility to arterial highway standards. Moreover, construction of this facility will traverse areas currently designed as NCCP habitat and may hinder movement of wildlife species associated with this plant community. Similar topography and environmental conditions effect the extension of San Joaquin Hills Road east of Newport Coast Drive. As a result of these constraints land use planning in the Irvine Coast have been modified to locate future development in proximity to and with access to established arterial highway system such as PCH and Newport Coast Drive. With deletion of these facilities the interchange on the SJHTC will not be necessary. TCA staff concurs with this deletion.

Traffic studies have been completed to evaluate the proposed land use changes. In addition, a traffic analysis which evaluated the cumulative land use and circulation changes in both the Shady Canyon and Irvine Coast area has been completed. This traffic analysis shows that significant increase in traffic will occur on Newport Coast Drive between San Joaquin Hills Road and SJHTC. The analysis also shows that most of this increase in traffic is oriented to the SJHTC. Consequently, augmentation of the operational characteristics of this roadway segment will be necessary. One auxiliary lane in each direction is proposed to improve this segment of Newport Coast Drive from a six lanes to eight lanes. This road improvement will be the responsibility of the Irvine

Company. Discussion between the County and The Irvine Company are underway to identify the financial mechanism by which these roadway improvements could be financed. These operational improvements include a potential amendment to assessment district 88-1 to add widenings as an eligible improvement and delete Sand Canyon Road and Vista Ridge from the assessment district through a change in proceedings or the creation of a new assessment district by The Irvine Company.

Projections currently show that only a small portion of the increased traffic (2,000 -4,000 ADT) from this roadway segment will continue on Newport Coast Drive north of the SJHTC. The increase can be accommodated by the primary arterial highway designation of this roadway segment.

On June 8, 1995, TCA Board took an action to delete the interchange of Avenida Banderas and FTC within the Santa Margarita community. The analysis (Austin Faust 1993) prepared for this project, concluded that the proposed changes in land uses in the Santa Margarita Center resulted in redistribution of projected traffic volumes that could be accommodated by modified Antonio Parkway interchange thereby eliminating the need for the Avenida de las Banderas interchange. Consequently, this renders the Avenida De Las Banderas connection from Antonio Parkway to the interchange unnecessary. Therefore, deletion of this link from MPAH is warranted.

La Pata Avenue provides access to the Prima Deshecha operating landfill from Ortega Highway. The traffic study for the Prima Deshecha Landfill General Development Plan (EIR 548), showed that future traffic demand on La Pata will be about 24,000 ADT. This could be accommodated on a primary arterial highway. An engineering evaluation was completed for this facility. The MPAH alignment is being established to be consistent with this alignment. This change will not have any adverse impact on the regional transportation system in this area of the County.

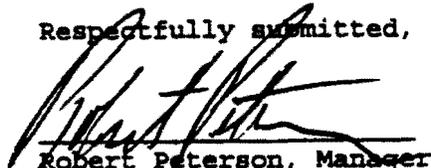
**PUBLIC NOTICE:**

A "NOTICE OF PUBLIC HEARING" was placed in the June 16, 1995 edition of the Orange County Register newspaper.

**RECOMMENDATIONS:**

1. Receive EMA report and staff presentation.
2. Conduct public hearing.
3. Adopt draft Planning Commission Resolutions recommending approval of changes to the Board of Supervisors.

Respectfully submitted,

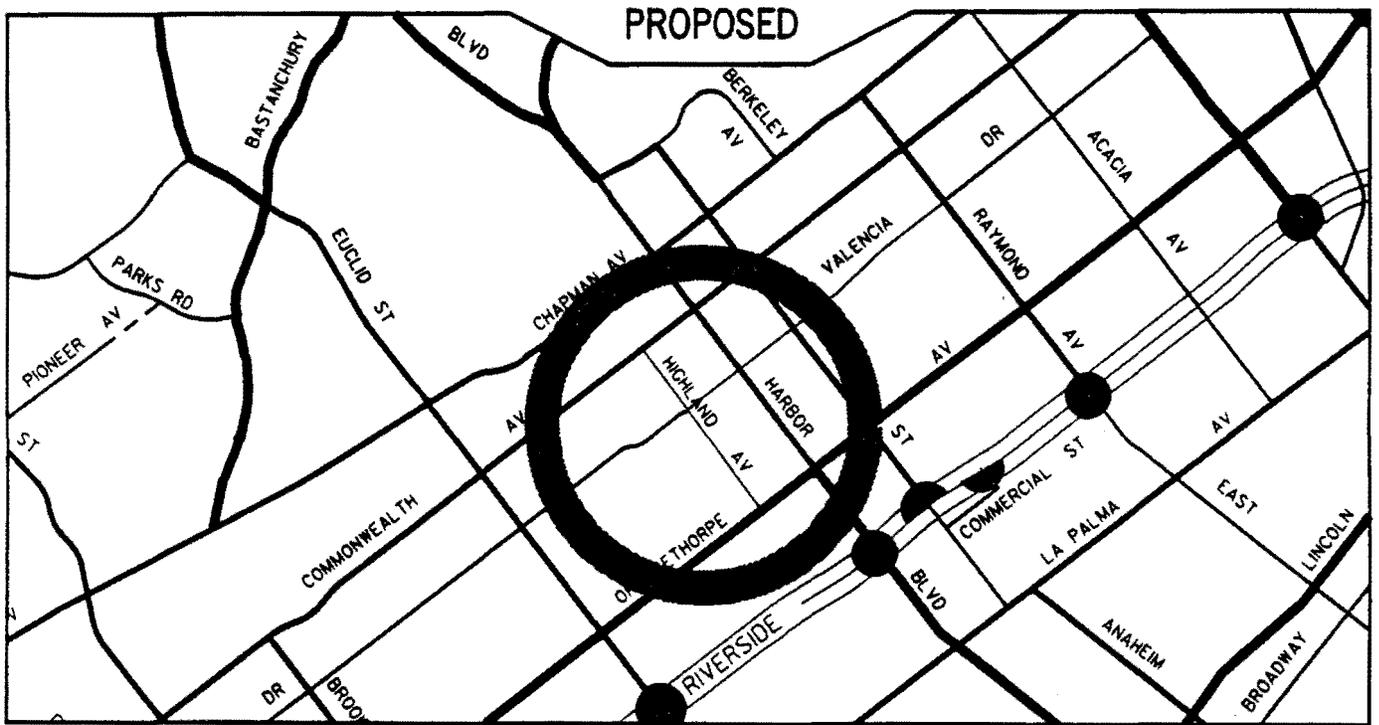
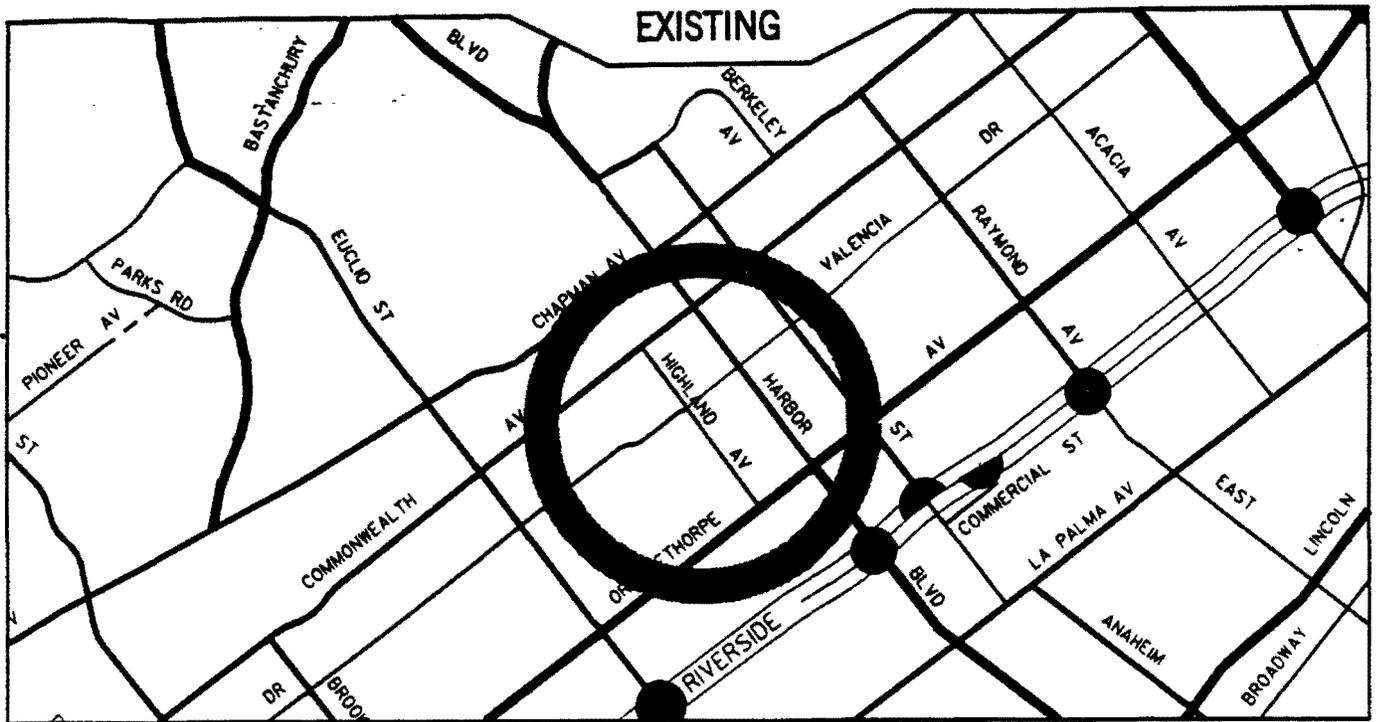


Robert Peterson, Manager  
Transportation Planning

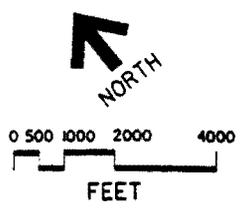
**Attachments:**

1. Draft Transportation Element Amendment (T95-1)
2. Exhibits 1 through 6
3. Draft Planning Commission Resolutions
4. Draft Board of Supervisors Resolutions
5. CEQA Compliance





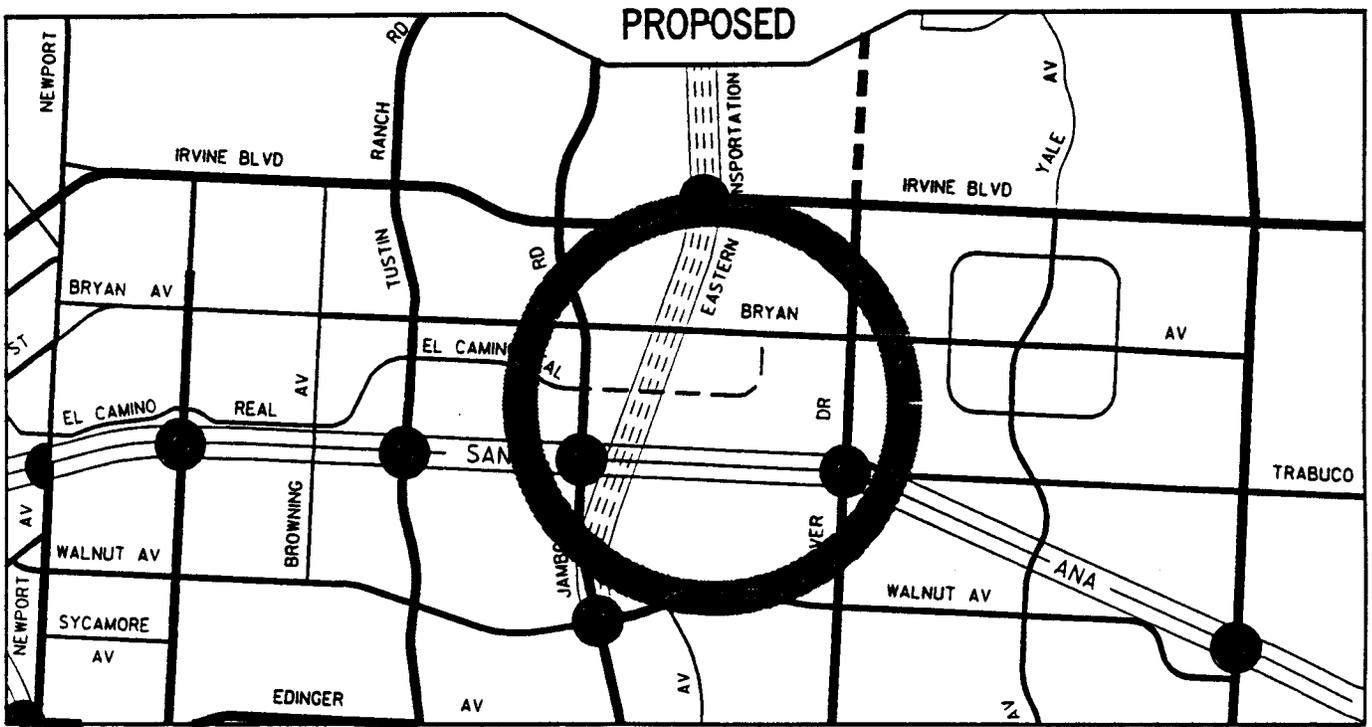
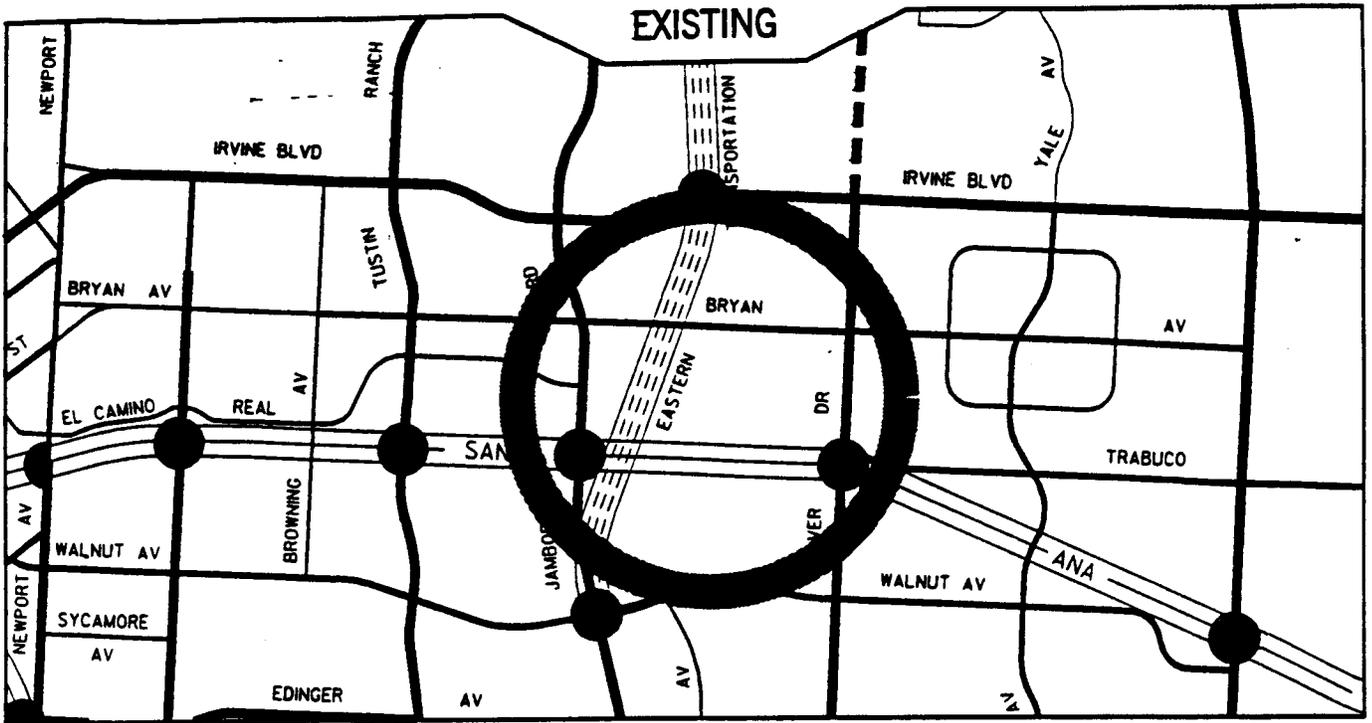
ORANGE COUNTY  
MASTER PLAN OF  
ARTERIAL HIGHWAYS



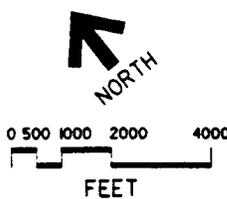
	ESTABLISHED ALIGNMENT	CONCEPTUALLY PROPOSED
ARTERIALS		
SMARTSTREET		
8 LANES		
6 LANES		
PRINCIPAL		
MAJOR		
PRIMARY		
SECONDARY		
COMMUTER		
TRANSPORTATION CORRIDOR		
FREEWAY		
INTERCHANGES		
RIGHT-OF-WAY RESERVE		
PRIVATE ROAD		

TRANSPORTATION ELEMENT  
AMENDMENT T95-1

City of Fullerton  
Highland Avenue



ORANGE COUNTY  
MASTER PLAN OF  
ARTERIAL HIGHWAYS

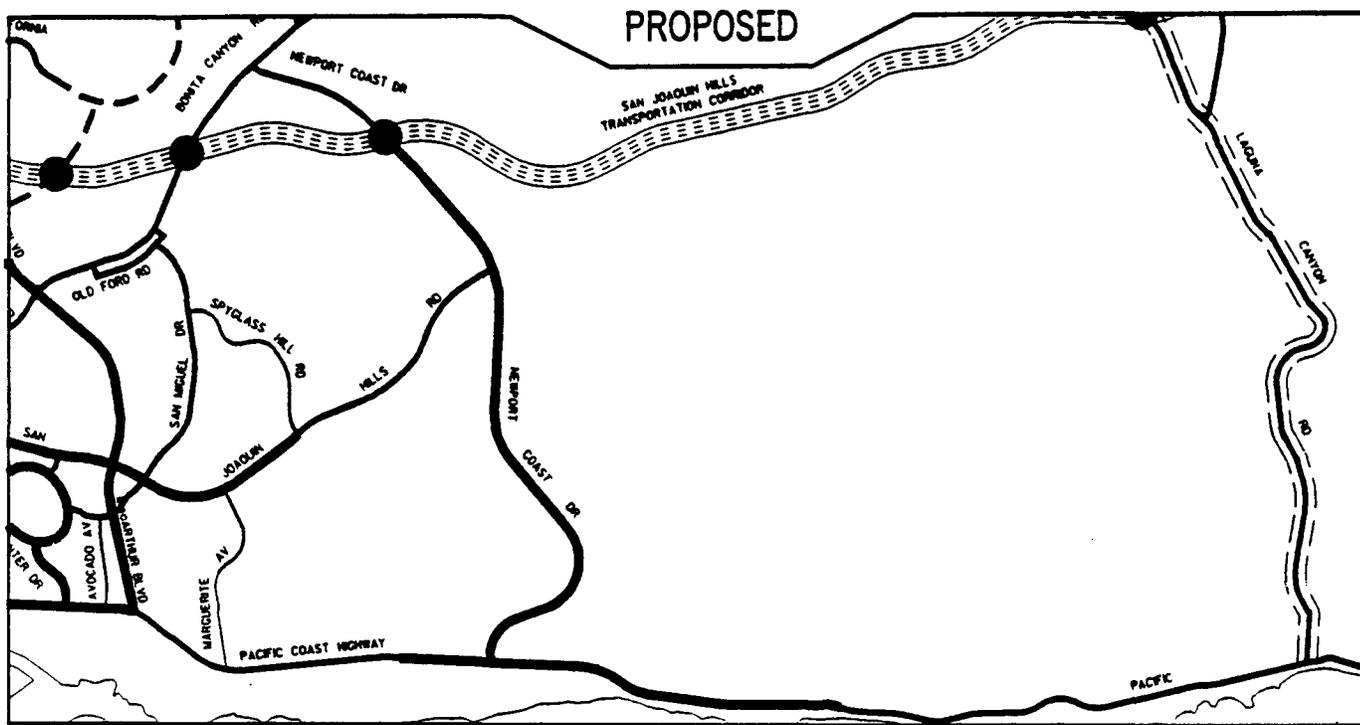
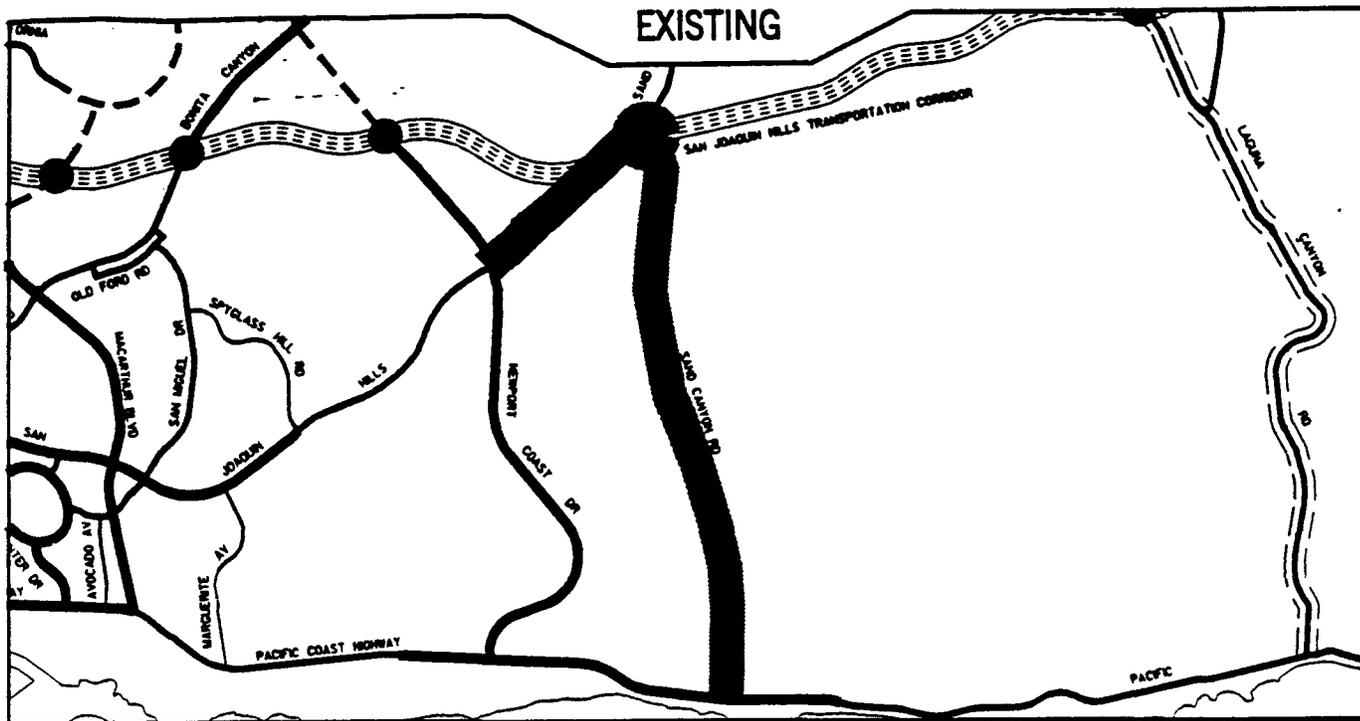


	ESTABLISHED ALIGNMENT	CONCEPTUALLY PROPOSED
ARTERIALS		
SMARTSTREET	8 LANES	58
	6 LANES	56
PRINCIPAL		
MAJOR		
PRIMARY		
SECONDARY		
COMMUTER		
TRANSPORTATION CORRIDOR		
FREEWAY		
INTERCHANGES		
RIGHT-OF-WAY RESERVE		
PRIVATE ROAD		

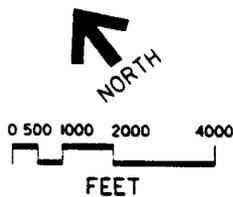
TRANSPORTATION ELEMENT  
AMENDMENT T95-1

County of Orange  
(Lower Peters Canyon)

El Camino Real



# ORANGE COUNTY MASTER PLAN OF ARTERIAL HIGHWAYS

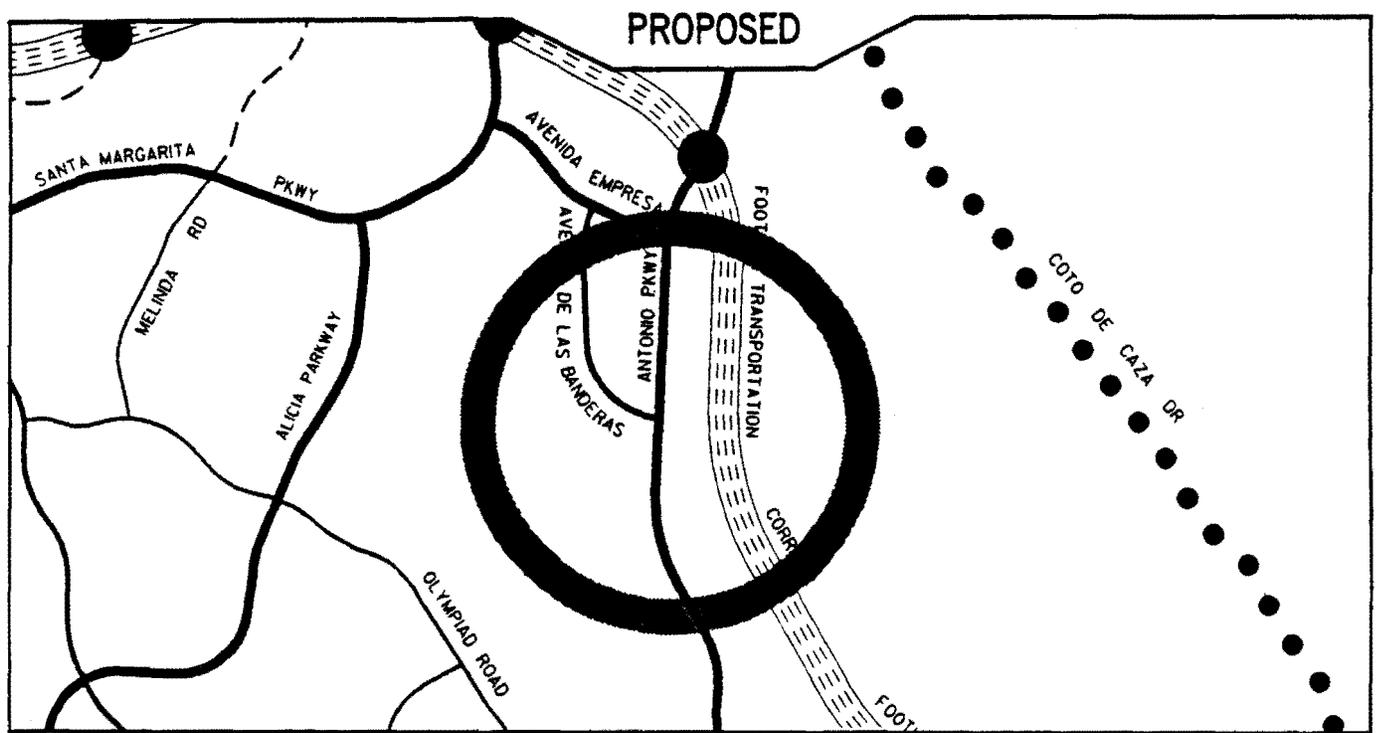
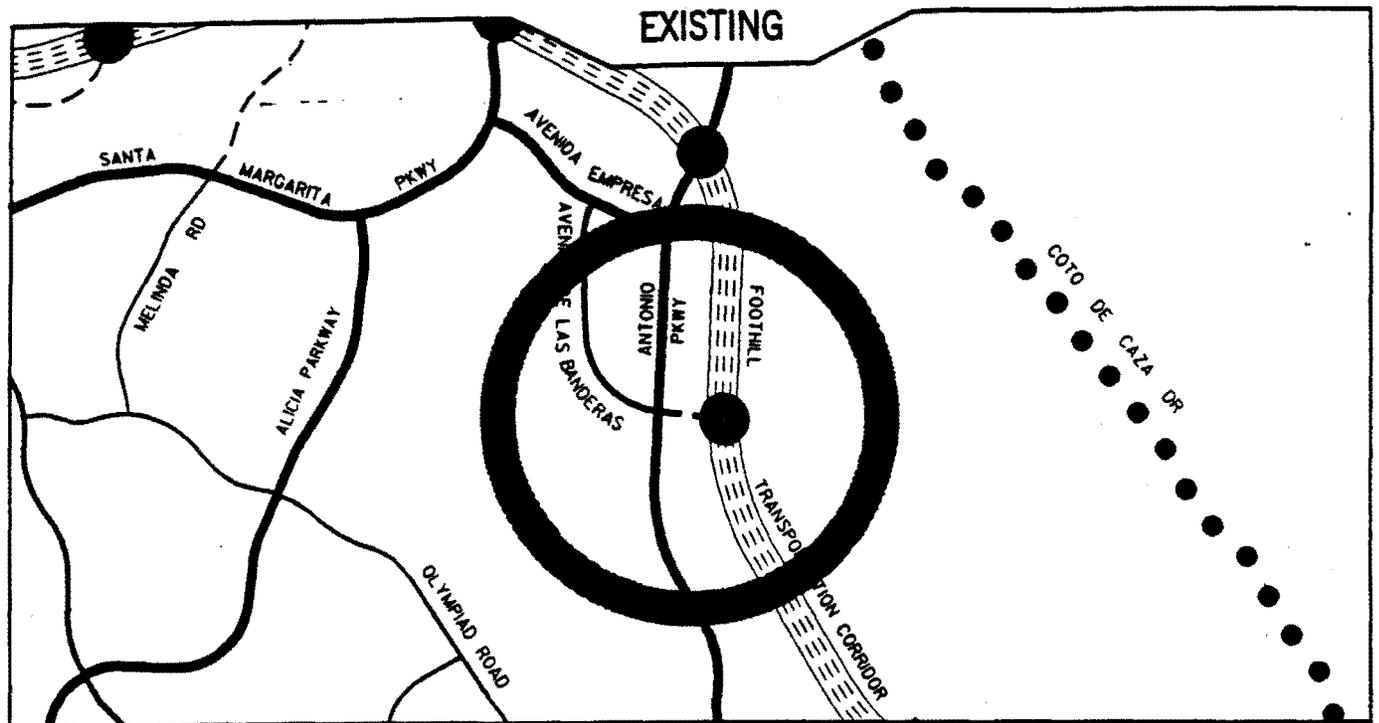


	ESTABLISHED ALIGNMENT	CONCEPTUALLY PROPOSED
ARTERIALS		
SMARTSTREET	8 LINES	8 LINES
6 LINES	6 LINES	6 LINES
PRINCIPAL	4 LINES	4 LINES
MAJOR	3 LINES	3 LINES
PRIMARY	2 LINES	2 LINES
SECONDARY	1 LINE	1 LINE
COMMUTER	1 LINE	1 LINE
TRANSPORTATION CORRIDOR	1 LINE	1 LINE
FREEWAY	1 LINE	1 LINE
INTERCHANGES	● ○ ◐ ◑	● ○ ◐ ◑
RIGHT-OF-WAY RESERVE	— — — —	— — — —
PRIVATE ROAD	•••••	•••••

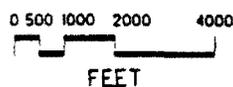
## TRANSPORTATION ELEMENT AMENDMENT T95-1

County of Orange

Sand Canyon Road Interchange  
Sand Canyon Road  
San Joaquin Hills Road



ORANGE COUNTY  
MASTER PLAN OF  
ARTERIAL HIGHWAYS



ARTERIALS	ESTABLISHED ALIGNMENT	CONCEPTUALLY PROPOSED
SMARTSTREET		
8 LANES	██████████	██████████
6 LANES	██████████	██████████
PRINCIPAL	██████████	██████████
MAJOR	██████████	██████████
PRIMARY	██████████	██████████
SECONDARY	██████████	██████████
COMMUTER	██████████	██████████
TRANSPORTATION CORRIDOR	██████████	██████████
FREEWAY	██████████	██████████
INTERCHANGES	● ○ ◐ ◑	● ○ ◐ ◑
RIGHT-OF-WAY RESERVE	— — — —	— — — —
PRIVATE ROAD	.....	.....

TRANSPORTATION ELEMENT  
AMENDMENT T95-1

County of Orange

Avenida De Las Banderas  
Foothill Transp. Corridor Interchange

Draft

**MASTER PLAN OF ARTERIALS HIGHWAY  
(MPAH) AMENDMENT -  
South Irvine/Newport Coast Area  
Traffic Study**

Prepared by:

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June 1, 1995

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# I

## INTRODUCTION

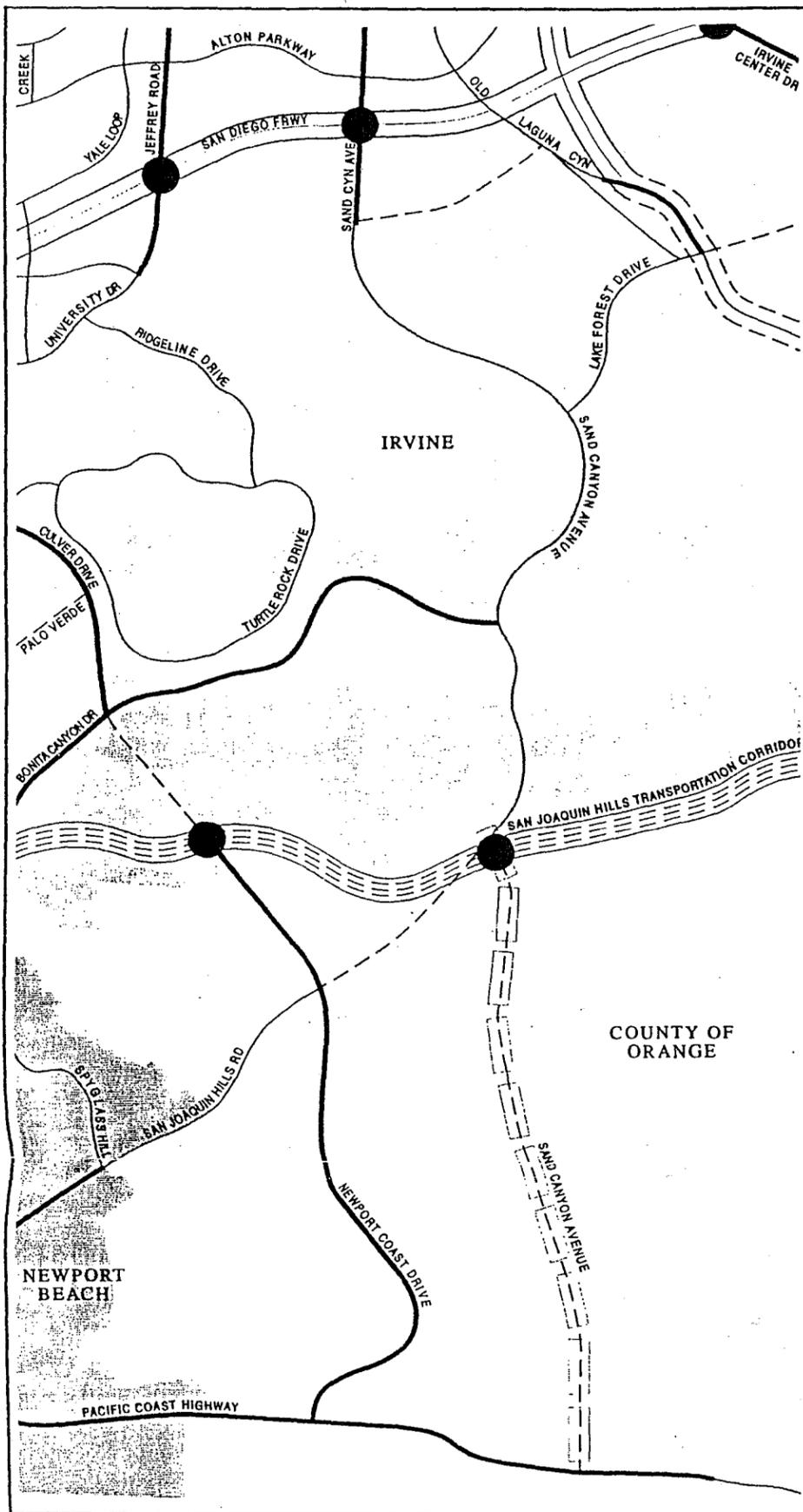
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This traffic study addresses proposed changes to the Orange County Master Plan of Arterial Highways (MPAH) in the South Irvine/Newport Coast area within the City of Irvine and unincorporated areas of County of Orange. The purpose of the study is to evaluate the combined impacts of the proposed changes and thereby provide supporting material for the MPAH amendment.

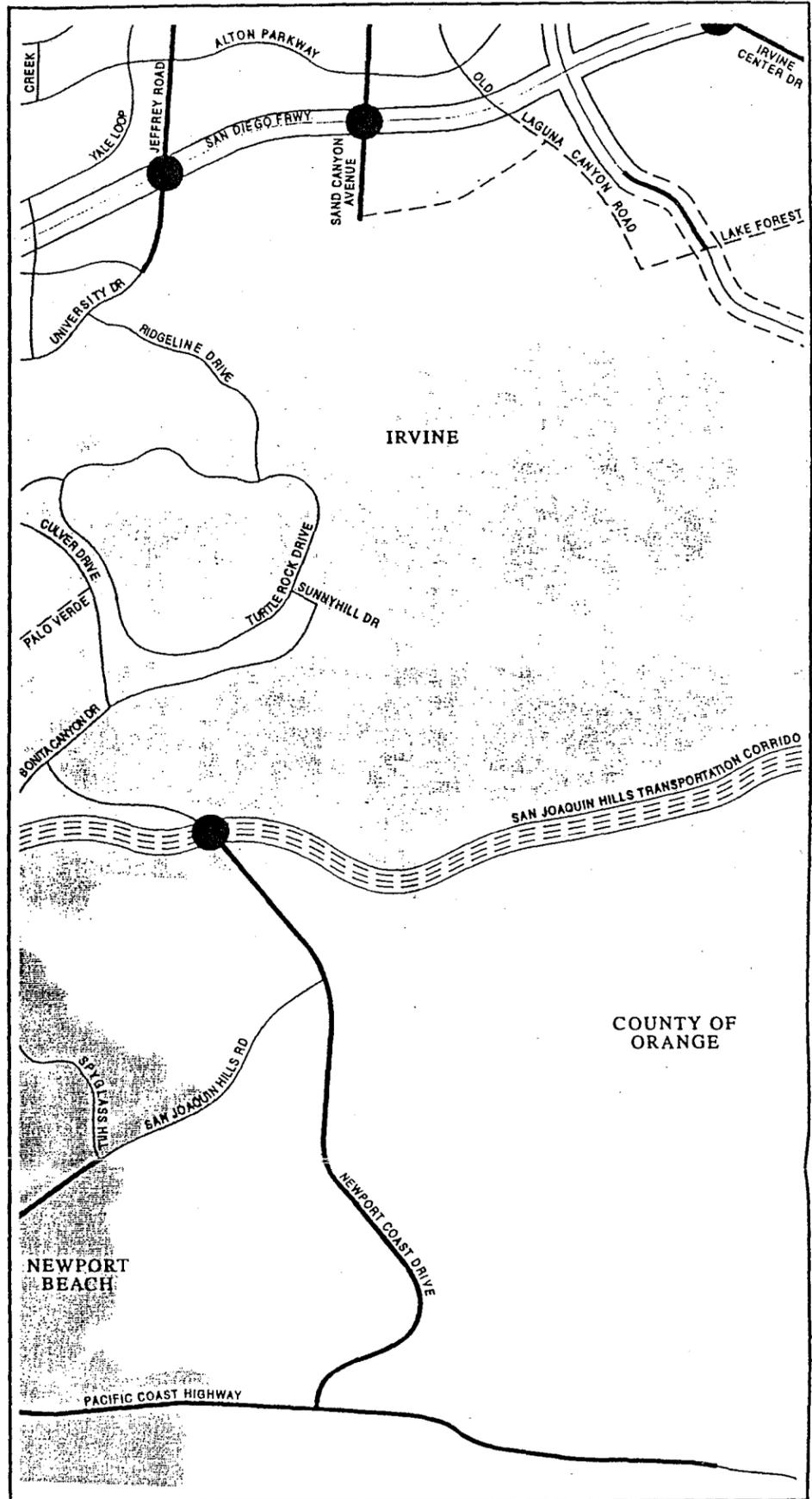
### BACKGROUND AND SCOPE

Changes in the MPAH circulation system are proposed for an area that can be generally referred to as South Irvine/Newport Coast. The existing MPAH and the proposed amended MPAH are illustrated in Figure I-1. As can be seen here, the changes include adding Sunnyhill as a secondary arterial, deleting the planned MPAH east/west connection of Bonita Canyon Drive and Lake Forest Drive between Sunnyhill and Old Laguna Canyon Road, and deleting Sand Canyon Avenue between the future alignment of Michelson Drive and Pacific Coast Highway (PCH). An additional deletion involves the eastward extension of San Joaquin Hills Road from Newport Coast Drive to the previously planned section of Sand Canyon Avenue just south of the future San Joaquin Hills Transportation Corridor (SJHTC), and also the SJHTC ramp connection at this location is deleted.

The proposed MPAH amendment will also change the facility type designations of certain roadways. These include Bonita Canyon Drive between Culver Drive and Sunnyhill downgraded from a major to a secondary arterial, and Culver Drive between Bonita Canyon Drive and Campus Drive and Bonita Canyon Drive between the SJHTC and Culver Drive both of which are downgraded from major to primary arterials. The downgrading of the latter two roadways is associated with the realignment of Newport Coast Drive extension from Culver Drive to Gabrielino Road north of the SJHTC which is also included in this analysis as part of the MPAH changes.



**EXISTING**



**PROPOSED**

**LEGEND**

MAP SOURCE: Robert Bein,  
William Frost & Associates

Figure I-1

MASTER PLAN OF ARTERIAL HIGHWAYS

010191-1

than the County of Orange and the City of Newport Beach and hence, the applicable capacity values for each jurisdiction have been used for the corresponding portions of the study area. The ADT capacity values that are applicable for the analysis are summarized in Table I-1.

## **RELATIONSHIP TO OTHER STUDIES**

Several recent studies that have been carried out in this area are of relevance to the traffic analysis presented here. These are briefly summarized as follows and are referenced in the reference section at the end of this chapter.

**Newport Coast Planned Community (Phase III), Supplemental Traffic Analysis (Reference 1)** - This supplemental analysis provided updated traffic forecasting information relative to the on-site roadway capacity needs of the Newport Coast Planned Community. It presented the most current traffic forecast data for Newport Coast Phase III, consistent with the Master Coastal Development Permit (MCDP) and its amendments, and verified the findings previously presented in the "Irvine Coast Planned Community (Phases II and III), Supplemental Traffic Analysis" (see Reference 2). The land use assumptions and findings identified in that report have been incorporated into this traffic study as part of the revisions scenario.

**Newport Coast Drive Extension Traffic Analysis (Reference 3)** - This report presented the results of a traffic analysis of the Newport Coast Drive extension from the future connection with the SJHTC to Bonita Canyon Drive. The findings of that report have also been included as part of the revisions scenario in this traffic study.

**Shady Canyon (Planning Area 22) Development Traffic Study (Reference 4)** - This report summarized the results of a traffic study carried out for the proposed Shady Canyon (Planning Area 22) development in the City of Irvine. The purpose of the study was to provide traffic analysis data to support a General Plan Amendment and Zoning for this area. The General Plan Amendment is being requested because of the proposed reduction in land use intensity and the modifications to the Master Plan of Arterial Highways. The land use and circulation system assumptions introduced in that report are part of the revisions addressed in this report.

Table I-1

ADT CAPACITIES

ADT LINK CAPACITIES FOR LEVEL OF SERVICE "E" (V/C = 1.0):

IRVINE

Freeway	(6 lanes)	135,000
	(8 lanes)	176,000
	(10 lanes)	210,000
	(12 lanes)	252,000
Major arterial	(8 lanes)	72,000
	(6 lanes augmented)	65,000
Primary arterial	(6 lanes)	54,000
	(4 lanes augmented)	42,000
Secondary arterial	(4 lanes)	32,000
	(4 lanes)	28,000
Commuter	(2 lanes)	13,000

NEWPORT BEACH & COUNTY OF ORANGE

Major	(6 lanes divided)	56,300
Primary	(4 lanes divided)	37,500
Secondary	(4 lanes undivided)	25,000
Collector	(2 lanes undivided)	12,500

**Laguna Canyon Road Environmental Impact Report (EIR) (Reference 5)** - This study was carried out by the County of Orange to analyze the downgrading of Laguna Canyon Road from a six-lane major to a four-lane primary (current MPAH). It also evaluated the effect of deleting the proposed land uses and related project roadways in Laguna Laurel. The findings of this report have been incorporated into this traffic study.

## REFERENCES

1. "Newport Coast Planned Community (Phase III), Supplemental Traffic Analysis," Austin-Foust Associates, Inc., April 1995.
2. "Irvine Coast Planned Community (Phases II and III), Supplemental Traffic Analysis," Austin-Foust Associates, Inc., October 1990.
3. "Newport Coast Drive Extension Traffic Analysis," Austin-Foust Associates, Inc., August 1994.
4. "Shady Canyon (Planning Area 22) Development Traffic Study," Austin-Foust Associates, Inc., February 1995.
5. "Laguna Canyon Road Environmental Impact Report (EIR)," LSA Associates, Inc., April 1994.
6. "1993 Traffic Volumes on the California State Highway System," Caltrans, July 1994.

# II

## PROJECT DESCRIPTION

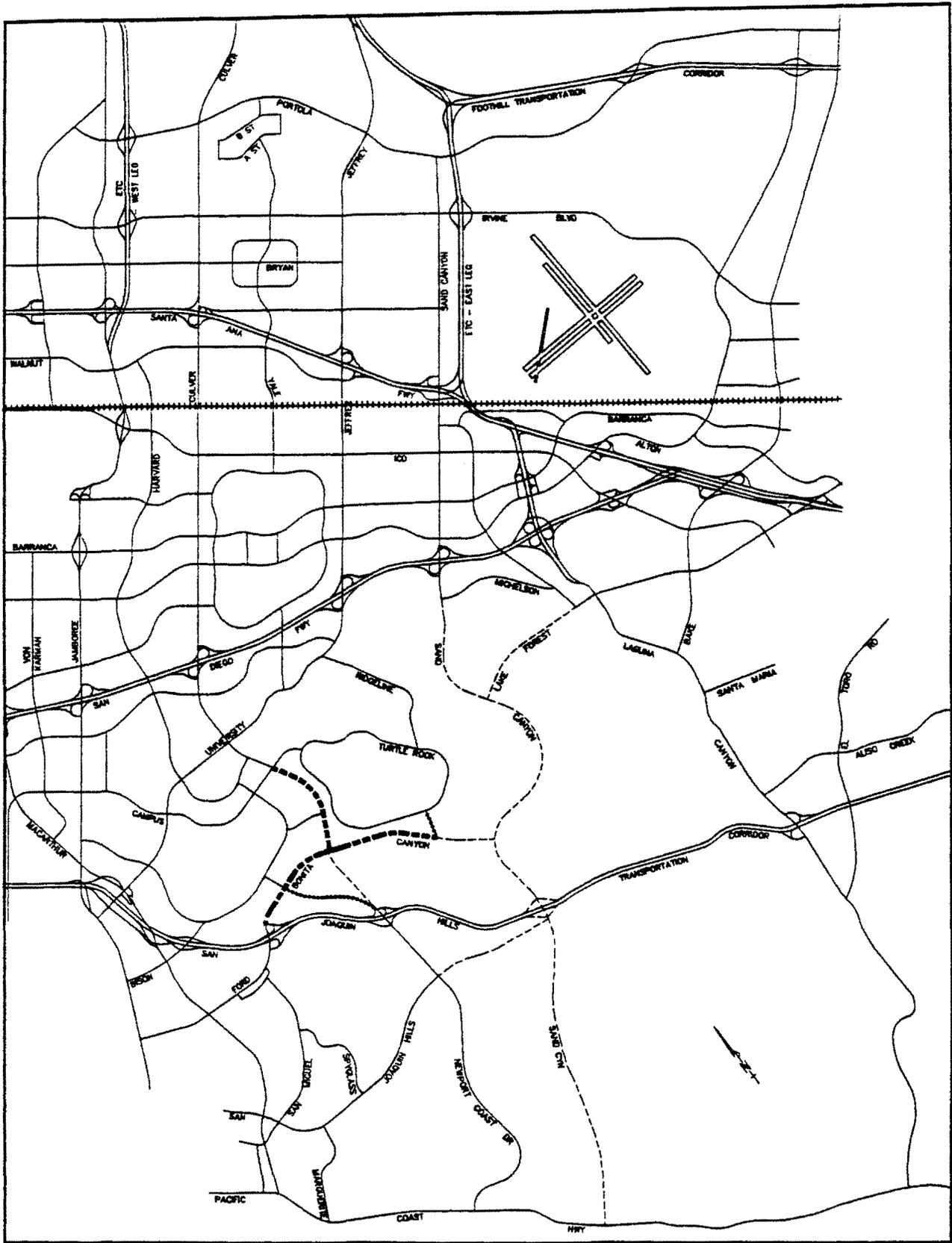
This chapter describes the proposed changes to the Master Plan of Arterial Highways (MPAH), and also summarizes the land use changes accompanying the MPAH amendment.

### CIRCULATION SYSTEM

The proposed MPAH changes are shown in Figure II-1, and include roadway addition, deletions and changes in roadway classification. The addition to the MPAH is Sunnyhill between Bonita Canyon Drive and Turtle Rock Drive as a secondary arterial. Deletions from the MPAH are the east/west connection of Bonita Canyon Drive and Lake Forest Drive from Sunnyhill to Old Laguna Canyon Road, Sand Canyon Avenue between the proposed alignment of Michelson Drive and Pacific Coast Highway, and San Joaquin Hills Road east of Newport Coast Drive. Included as part of the MPAH changes is the realignment of Newport Coast Drive extension from Culver Drive to Gabrielino Road north of SJHTC. This has recently been adopted by the City of Irvine for inclusion in the City's General Plan Circulation Element.

Changes in MPAH classification also included in this analysis are as follows:

<u>ROADWAY SEGMENT</u>	<u>CURRENT MPAH</u>	<u>PROPOSED MPAH</u>
<b>BONITA CANYON DRIVE</b>		
SJHTC to Culver Dr	Major (6-lane divided)	Primary (4-lane divided)
Culver to Sunnyhill	Major (6-lane divided)	Secondary (4-lane divided)
<b>CULVER DRIVE</b>		
Campus Dr to Bonita Canyon Dr	Major (6-lane divided)	Primary (4-lane divided)



**LEGEND**

- - - - - Facility type classification change  
 - - - - - Proposed deletion from MPAH  
 ———— Proposed addition to MPAH

Figure II-1  
**PROPOSED MASTER PLAN OF  
 ARTERIAL HIGHWAYS**

Figure II-2 shows midblock lane assumptions for the study area roadways under the current MPAH and the proposed revisions to the MPAH. These midblock lanes together with the MPAH classifications are used as the basis for determining ADT capacity values as defined for impact analysis purposes.

## LAND USE AND TRIP GENERATION

The areas where land use changes have been incorporated into this analysis can be seen in Figure II-3. Table II-1 summarizes the changes for each of these designated areas. Also noted here is the traffic model source for the trip generation changes (see discussion on traffic model sources in Chapter I).

Overall, the proposed land use changes will reduce the trip generation by around 38,000 ADT in this general area. The most significant reduction is in Area A where 3,300 dwelling units are being replaced by 400 dwelling units.

Land use changes associated with the MPAH revisions are being proposed in southeast Irvine in an area referred to as Shady Canyon. They represent a significant reduction in the land uses contained in the current City of Irvine General Plan.

The traffic study uses a long-range time frame to evaluate traffic forecasts with and without the proposed land use and MPAH changes. Average daily traffic (ADT) volumes are used to compare volumes on the current MPAH system with the revised MPAH system and the proposed land use changes.

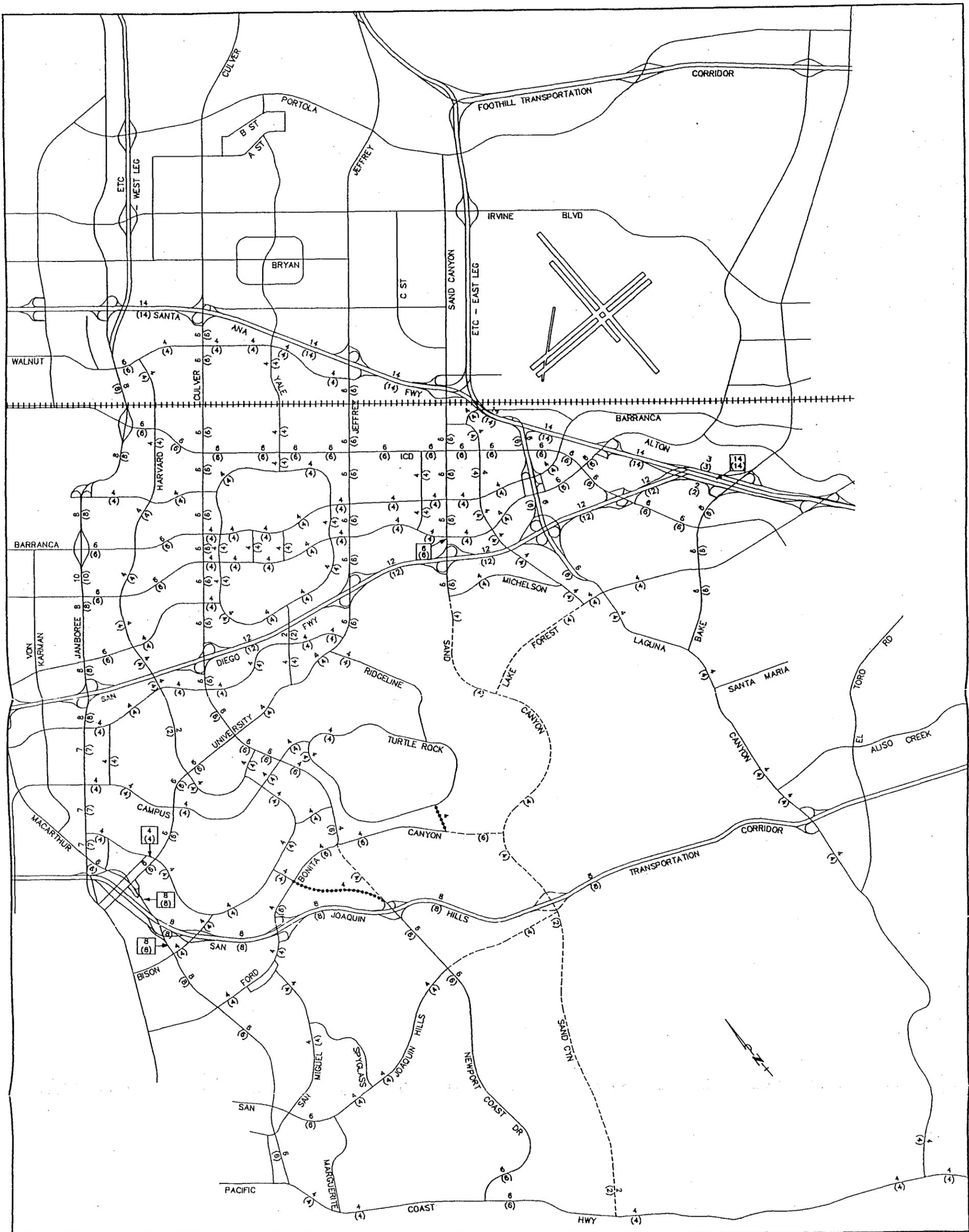
## METHODOLOGY

The long-range traffic forecast database used in this study has been derived from three basic sources: the Irvine Transportation Analysis Model (ITAM), the Orange County Transportation Analysis Model (OCTAM-II), and the Newport Beach Traffic Analysis Model (NBTAM). Data from each of these traffic forecast sources has been combined into a single set of traffic forecast data used as the basis for this analysis.

It should be noted here that in conjunction with the MPAH changes and the land use changes noted above in southeast Irvine, refinements have been made to the network and land use database used to evaluate the amended MPAH. These involve elimination of the Laguna Laurel development west of Laguna Canyon Road, changes in the Newport Coast area development such as the proposed Disney Vacation Resort, minor changes to update the network assumptions in Newport Beach/Irvine joint City limit boundaries, and other minor changes resulting from the Orange County OCP-92 projections prepared in 1994. A discussion of these changes can be found in Chapter II.

## EVALUATION CRITERIA

The impacts of the proposed land use and circulation changes have been evaluated using ADT volume/capacity (V/C) ratios. These V/Cs are generalized measures used in long-range planning to assess the adequacy of the MPAH and corresponding City General Plan circulation elements. The study area used for this evaluation involves mainly three jurisdictions: City of Irvine, City of Newport Beach, and the County of Orange. The City of Irvine uses slightly different ADT capacity values



LEGEND	
$\frac{XX}{(YY)}$	Proposed MPAH Revisions Current MPAH
-----	Proposed deletion from MPAH
*****	Proposed addition to MPAH

Figure II-2  
LONG-RANGE MIDBLOCK LANES

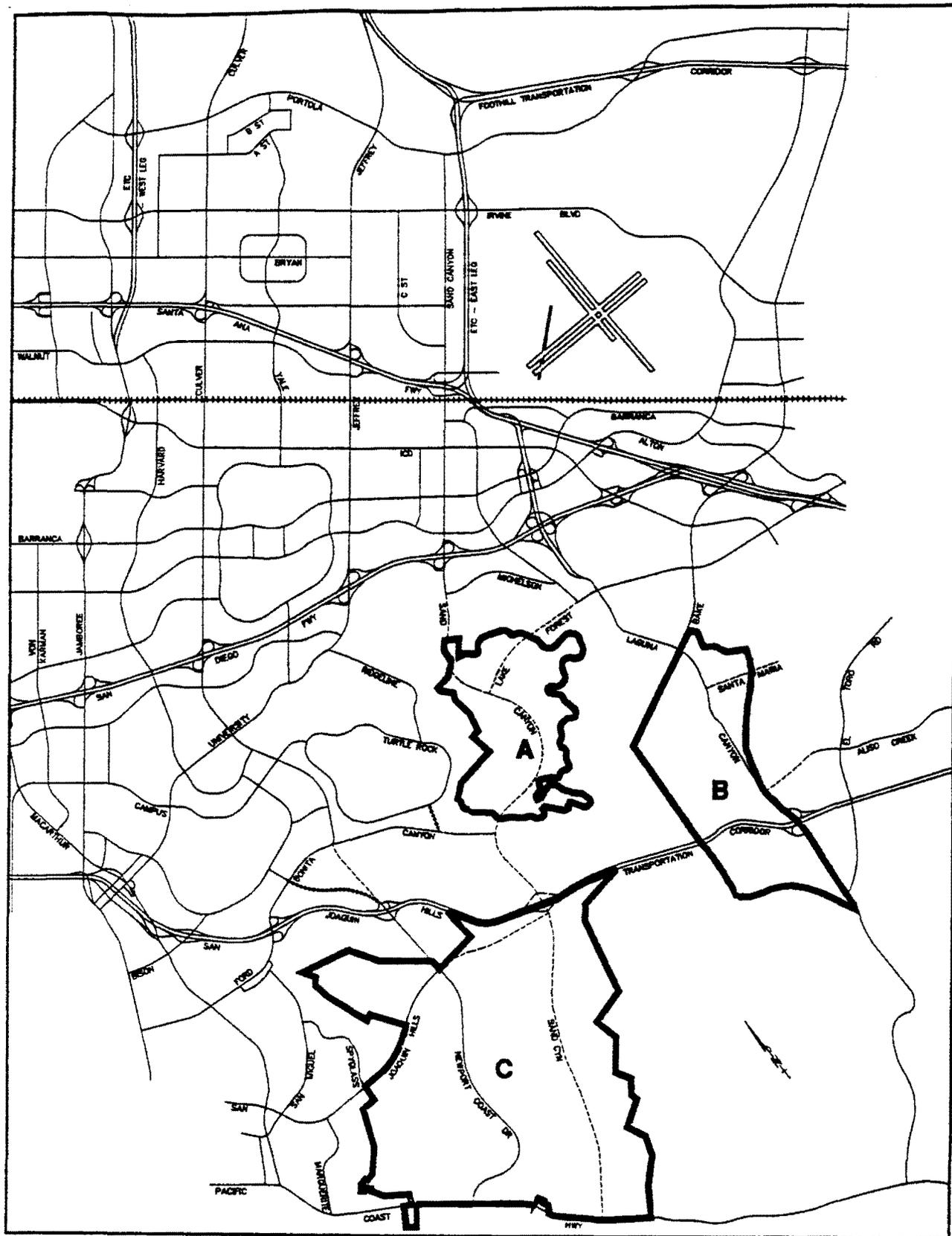


Figure II-3  
 REVISED LAND USE AREAS

Table II-1

LONG-RANGE LAND USE AND TRIP GENERATION COMPARISON

LAND USE	UNITS	BASELINE		REVISIONS		DIFFERENCE	
		AMOUNT	ADT	AMOUNT	ADT	AMOUNT	ADT
AREA A - Shady Canyon (ITAM)*							
Residential	DU	3,320	26,031	400	4,360	-2,920	-21,671
Commercial	TSF	60	5,420	0	0	-60	-5,420
Golf Course	ACRE	502	4,433	200	1,858	-302	-2,575
TOTAL			35,884		6,218		-29,666
AREA B - Laguna Laurel (OCTAM-II)							
Residential	DU	3,071	18,467	1,839	10,487	-1,232	-7,980
Commercial	TSF	150	9,020	150	9,020	0	0
TOTAL			27,487		19,507		-7,980

AREA C - Newport Coast (NBTAM)

Land uses in this area are consistent with the current Master Coastal Development Plan. Minor changes in distribution will occur as a result of the Sand Canyon Avenue MPAH deletion.

\* ADT derived during ITAM mode choice process.

- ADT - Average Daily Traffic
- DU - Dwelling Unit
- TSF - Thousand Square Feet
- ITAM - Irvine Transportation Analysis Model
- OCTAM-II - Orange County Transportation Analysis Model
- NBTAM - Newport Beach Traffic Analysis Model

# III

## LONG-RANGE TRAFFIC ANALYSIS

This chapter presents long-range traffic forecasts for the study area roadway system and uses these forecasts to evaluate the proposed changes in the Master Plan of Arterial Highways (MPAH) and the associated land uses.

### TRAFFIC FORECASTS

Long-range traffic forecasts for the current MPAH and the proposed MPAH Amendment can be seen in Figure III-1. Volumes for the MPAH revisions reflect both the MPAH changes and the associated land use changes discussed in the previous chapter.

Because the roadway deletions are accompanied by land use reductions, particularly in the Shady Canyon area, the traffic volume changes on individual roadway links tend to be generally low in magnitude. The most significant change is on Newport Coast Drive north of San Joaquin Hills Road, where deletion of the San Joaquin Hills Road connection to the San Joaquin Hills Transportation Corridor (SJHTC) diverts traffic to this section of Newport Coast Drive.

### LEVEL OF SERVICE ANALYSIS

A roadway link level of service analysis was carried out by comparing volume/capacity (V/C) ratios for the long-range forecasts presented in the previous section. The results of this are summarized in Table III-1, and V/C values presented here are based on the capacity values summarized in Chapter I.

Table III-1

## LONG-RANGE ADT V/C RATIO SUMMARY

ROADWAY SEGMENT	LANES	ADT		- BASELINE -		- REVISIONS -	
		CAPACITY	VOLUME	V/C	VOLUME	V/C	
IRVINE (CITY/SPHERE)							
263. "A" St s/o ICD	4	32,000	18,000	.56	18,000	.56	
117. "A" St n/o Alton	4	32,000	7,000	.22	7,000	.22	
109. Alton w/o Harvard	6	54,000	37,000	.69	37,000	.69	
110. Alton w/o Culver	6	54,000	27,000	.50	26,000	.48	
111. Alton e/o Culver	4	32,000	34,000	1.06	34,000	1.06	
112. Alton e/o W Yale Loop	4	32,000	28,000	.88	28,000	.88	
113. Alton e/o Lake	4	32,000	25,000	.78	24,000	.75	
114. Alton w/o E Yale Loop	4	32,000	27,000	.84	27,000	.84	
115. Alton w/o Jeffrey	4	32,000	32,000	1.00	32,000	1.00	
116. Alton e/o Jeffrey	4	32,000	38,000	1.19	38,000	1.19	
323. Alton w/o Sand Cyn	4	32,000	30,000	.94	29,000	.91	
118. Alton e/o Sand Cyn	4	32,000	33,000	1.03	33,000	1.03	
119. Alton e/o Laguna Cyn	4	32,000	34,000	1.06	33,000	1.03	
120. Alton e/o Pacifica	6	54,000	26,000	.48	25,000	.46	
121. Alton w/o Enterprise	6	54,000	55,000	1.02	54,000	1.00	
298. Bake s/o I-5	6	54,000	45,000	.83	44,000	.81	
299. Bake s/o ICD	6	54,000	34,000	.63	28,000	.52	
300. Bake s/o Lake Forest	6	54,000	20,000	.37	18,000	.33	
301. Bake s/o Laguna Cyn	4	32,000	12,000	.38	-	-	
91. Barranca w/o Harvard	6	54,000	50,000	.93	50,000	.93	
92. Barranca w/o Culver	6	54,000	32,000	.59	32,000	.59	
93. Barranca e/o Culver	4	32,000	29,000	.91	29,000	.91	
94. Barranca e/o W Yale Loop	4	32,000	30,000	.94	30,000	.94	
95. Barranca e/o Lake	4	32,000	30,000	.94	30,000	.94	
96. Barranca w/o E Yale Loop	4	32,000	23,000	.72	23,000	.72	
97. Barranca e/o E Yale Loop	4	32,000	35,000	1.09	35,000	1.09	
98. Barranca e/o Jeffrey	4	32,000	28,000	.88	29,000	.91	
322. Barranca w/o Sand Cyn	4	32,000	19,000	.59	18,000	.56	
99. Barranca e/o Sand Cyn	4	32,000	31,000	.97	30,000	.94	
100. Barranca e/o Laguna Cyn	4	32,000	24,000	.75	23,000	.72	
101. Barranca w/o ICD	4	32,000	35,000	1.09	34,000	1.06	
179. Bison n/o SJHTC	4	32,000	27,000	.84	27,000	.84	
178. Bison s/o SJHTC	4	32,000	31,000	.97	31,000	.97	
181. Bonita Cyn w/o Gabrielino	6	54,000	28,000	.52	-	-	
	4	32,000	-	-	21,000	.66	
182. Bonita Cyn w/o Culver	6	54,000	21,000	.39	-	-	
	4	32,000	-	-	22,000	.69	
183. Bonita Cyn e/o Culver	6	54,000	23,000	.43	-	-	
	4	32,000	-	-	5,000	.18	
184. Bonita Cyn w/o Sand Cyn	6	54,000	20,000	.37	-	-	
171. California e/o Jamboree	4	28,000	10,000	.36	12,000	.43	
172. California w/o University	4	32,000	38,000	1.19	37,000	1.16	
173. California e/o University	4	32,000	15,000	.47	15,000	.47	

(Continued)

Table III-1 (cont)  
LONG-RANGE ADT V/C RATIO SUMMARY

ROADWAY SEGMENT	LANES	ADT CAPACITY	- BASELINE -		- REVISIONS -	
			VOLUME	V/C	VOLUME	V/C
IRVINE (CITY/SPHERE) (cont)						
174. California e/o Bison	4	32,000	7,000	.22	7,000	.22
175. California s/o Palo Verde	4	32,000	5,000	.16	10,000	.31
176. California e/o Campus	4	32,000	8,000	.25	8,000	.25
163. Campus e/o Jamboree	4	28,000	27,000	.96	27,000	.96
164. Campus w/o University	4	28,000	22,000	.79	22,000	.79
165. Campus e/o University	4	32,000	29,000	.91	29,000	.91
166. Campus e/o California	4	32,000	14,000	.44	11,000	.34
167. Campus e/o Culver	4	32,000	16,000	.50	17,000	.53
332. Carlson s/o Michelson	4	28,000	25,000	.89	26,000	.93
260. Creek n/o Alton	4	28,000	3,000	.11	3,000	.11
239. Culver n/o Walnut	6	54,000	57,000	1.06	57,000	1.06
240. Culver s/o Walnut	6	54,000	41,000	.76	41,000	.76
331. Culver n/o ICD	6	54,000	39,000	.72	40,000	.74
241. Culver s/o ICD	6	54,000	54,000	1.00	54,000	1.00
242. Culver s/o Warner	6	54,000	45,000	.83	44,000	.81
243. Culver s/o Barranca	6	54,000	47,000	.87	46,000	.85
244. Culver s/o Alton	6	54,000	52,000	.96	50,000	.93
245. Culver n/o I-405	6	54,000	56,000	1.04	54,000	1.00
246. Culver n/o Michelson	6	54,000	71,000	1.31	73,000	1.35
247. Culver s/o Michelson	6	54,000	55,000	1.02	58,000	1.07
248. Culver s/o University	6	54,000	53,000	.98	56,000	1.04
249. Culver n/o Campus	6	54,000	37,000	.69	38,000	.70
250. Culver n/o Palo	6	54,000	30,000	.56	-	-
	4	32,000	-	-	28,000	.88
251. Culver n/o Bonita Cyn	6	54,000	30,000	.56	-	-
	4	32,000	-	-	28,000	.88
141. E Yale Loop e/o Yale N	4	28,000	9,000	.32	10,000	.36
140. E Yale Loop s/o Barranca	4	28,000	14,000	.50	14,000	.50
139. E Yale Loop s/o Alton	4	28,000	16,000	.57	17,000	.61
330. E Yale Loop e/o Yale S	4	28,000	9,000	.32	10,000	.36
180. Ford s/o SJHTC	4A	42,000	34,000	.81	35,000	.83
177. Gabrielino w/o Bonita Cyn	4	32,000	12,000	.38	14,000	.44
225. Harvard s/o Warner	4	32,000	7,000	.22	7,000	.22
226. Harvard n/o Alton	4	32,000	10,000	.31	11,000	.34
227. Harvard n/o Main	4	32,000	28,000	.88	29,000	.91
228. Harvard s/o Main	4	32,000	37,000	1.16	38,000	1.19
229. Harvard n/o Michelson	4	32,000	44,000	1.38	45,000	1.41
230. Harvard s/o Michelson	2	18,000	14,000	.78	14,000	.78
231. Harvard s/o University	4	32,000	26,000	.81	27,000	.84
232. Harvard w/o Culver	4	32,000	17,000	.53	18,000	.56
73. ICD e/o Harvard	6	54,000	43,000	.80	42,000	.78
74. ICD e/o Culver	6	54,000	38,000	.70	38,000	.70

(Continued)

Table III-1 (cont)  
LONG-RANGE ADT V/C RATIO SUMMARY

ROADWAY SEGMENT	LANES	ADT CAPACITY	- BASELINE - VOLUME	V/C	- REVISIONS - VOLUME	V/C
<b>IRVINE (CITY/SPHERE) (cont)</b>						
324. ICD w/o Yale	6	54,000	38,000	.70	38,000	.70
325. ICD e/o Yale	6	54,000	43,000	.80	43,000	.80
75. ICD w/o Jeffrey	6	54,000	43,000	.80	43,000	.80
76. ICD e/o Jeffrey	6	54,000	48,000	.89	48,000	.89
321. ICD w/o Sand Cyn	6	54,000	41,000	.76	41,000	.76
77. ICD e/o Sand Cyn	6	54,000	38,000	.70	38,000	.70
78. ICD e/o Laguna Cyn	6	54,000	38,000	.70	38,000	.70
79. ICD e/o SR-133	6	54,000	48,000	.89	49,000	.91
80. ICD w/o Alton	6	54,000	26,000	.48	26,000	.48
81. ICD e/o Alton	6	54,000	37,000	.69	35,000	.65
82. ICD e/o I-405	6	54,000	63,000	1.17	68,000	1.26
83. ICD w/o Bake	6	54,000	46,000	.85	50,000	.93
210. Jamboree s/o Barranca	10	90,000	86,000	.96	87,000	.97
211. Jamboree s/o Alton	8	72,000	77,000	1.07	77,000	1.07
212. Jamboree s/o Main	8	72,000	73,000	1.01	74,000	1.03
213. Jamboree n/o Michelson	8	72,000	84,000	1.17	86,000	1.19
214. Jamboree s/o Michelson	7	63,000	63,000	1.00	64,000	1.02
269. Jeffrey s/o Walnut	6	54,000	44,000	.81	45,000	.83
270. Jeffrey n/o ICD	6	54,000	44,000	.81	45,000	.83
271. Jeffrey n/o Barranca	6	54,000	45,000	.83	46,000	.85
272. Jeffrey s/o Barranca	6	54,000	46,000	.85	44,000	.81
273. Jeffrey s/o Alton	6	54,000	52,000	.96	53,000	.98
305. Laguna Cyn n/o ICD	4	32,000	16,000	.50	15,000	.47
306. Laguna Cyn s/o ICD	4	32,000	17,000	.53	16,000	.50
307. Laguna Cyn n/o Alton	4	32,000	18,000	.56	17,000	.53
308. Laguna Cyn s/o Alton	4	32,000	31,000	.97	28,000	.88
309. Laguna Cyn s/o Pasteur	4	32,000	23,000	.72	19,000	.59
310. Laguna Cyn n/o Lake Forest	4	32,000	22,000	.69	18,000	.56
303. Laguna Cyn s/o Lake Forest	4	32,000	33,000	1.03	32,000	1.00
259. Lake n/o Alton	4	28,000	5,000	.18	5,000	.18
155. Lake Forest e/o Sand Cyn	4	32,000	22,000	.69	-	-
156. Lake Forest w/o Laguna/SR-133	4	32,000	42,000	1.31	21,000	.66
157. Lake Forest e/o Laguna/SR-133	4	32,000	32,000	1.00	29,000	.91
198. MacArthur e/o University	8	72,000	41,000	.57	50,000	.69
135. Main e/o Jamboree	6	54,000	36,000	.67	36,000	.67
136. Main w/o Culver	4	32,000	18,000	.56	18,000	.56
137. Main e/o Culver	4	32,000	18,000	.56	18,000	.56
147. Michelson e/o Jamboree	4	32,000	53,000	1.66	53,000	1.66
148. Michelson w/o Harvard	4	32,000	42,000	1.31	41,000	1.28
149. Michelson e/o Harvard	4	32,000	33,000	1.03	32,000	1.00
150. Michelson e/o Culver	4	28,000	9,000	.32	10,000	.36

(Continued)

Table III-1 (cont)  
LONG-RANGE ADT V/C RATIO SUMMARY

ROADWAY SEGMENT	LANES	ADT CAPACITY	- BASELINE - VOLUME	V/C	- REVISIONS - VOLUME	V/C
<b>IRVINE (CITY/SPHERE) (cont)</b>						
327. Michelson w/o Yale	4	28,000	7,000	.25	8,000	.29
328. Michelson e/o Yale	4	28,000	10,000	.36	12,000	.43
151. Michelson e/o Yale	4	28,000	10,000	.36	12,000	.43
154. Michelson e/o Sand Cyn	4	28,000	8,000	.29	8,000	.29
366. NCD to Culver/Gabrielino	4	32,000	24,000	.75	28,000	.88
28. NCD s/o SJHTC	6	54,000	50,000	.93	67,000	1.24
170. Palo Verde w/o Culver	4	28,000	3,000	.11	2,000	.07
311. Ridgeline n/o Turtle Rock	4	28,000	13,000	.46	15,000	.54
284. Sand Cyn s/o Oak Cyn	6	54,000	29,000	.54	29,000	.54
285. Sand Cyn s/o ICD	6	54,000	28,000	.52	27,000	.50
286. Sand Cyn s/o Barranca	6	54,000	36,000	.67	36,000	.67
326. Sand Cyn n/o I-405	6	54,000	58,000	1.07	52,000	.96
287. Sand Cyn s/o I-405	6	54,000	39,000	.72	24,000	.44
288. Sand Cyn s/o Michelson	4	32,000	23,000	.72	-	-
289. Sand Cyn n/o Lake Forest	4	32,000	17,000	.53	-	-
290. Sand Cyn n/o Bonita Cyn	4	32,000	30,000	.94	-	-
291. Sand Cyn s/o Bonita Cyn	4	32,000	19,000	.59	-	-
312. Sunnyhill n/o Bonita Canyon	4	28,000	-	-	5,000	.18
70. Technology n/o Laguna Cyn	4	28,000	19,000	.68	19,000	.68
168. Turtle Rock e/o Campus	4	28,000	6,000	.21	6,000	.21
169. Turtle Rock w/o Sunny Hill	4	28,000	11,000	.39	12,000	.43
274. University n/o Michelson	6	54,000	43,000	.80	50,000	.93
275. University s/o Ridgeline	4	32,000	22,000	.69	25,000	.78
276. University n/o Culver	4	32,000	28,000	.88	33,000	1.03
277. University e/o Harvard	6	54,000	35,000	.65	37,000	.69
278. University s/o Harvard	6	54,000	26,000	.48	29,000	.54
279. University s/o Campus	6	54,000	36,000	.67	39,000	.72
280. University s/o California	6	54,000	22,000	.41	25,000	.46
64. Walnut e/o Jamboree	6	54,000	53,000	.98	53,000	.98
65. Walnut w/o Culver	4	32,000	28,000	.88	28,000	.88
66. Walnut e/o Culver	4	32,000	27,000	.84	26,000	.81
319. Walnut w/o Yale	4	32,000	16,000	.50	16,000	.50
320. Walnut e/o Yale	4	32,000	11,000	.34	11,000	.34
67. Walnut w/o Jeffrey	4	32,000	22,000	.69	21,000	.66
86. Warner w/o Harvard	4	32,000	9,000	.28	9,000	.28
87. Warner w/o Culver	4	32,000	9,000	.28	10,000	.31
142. W Yale Loop w/o Yale N	4	28,000	8,000	.29	9,000	.32
143. W Yale Loop n/o Alton	4	28,000	11,000	.39	12,000	.43
144. W Yale Loop s/o Alton	4	28,000	13,000	.46	14,000	.50

(Continued)

Table III-1 (cont)  
LONG-RANGE ADT V/C RATIO SUMMARY

ROADWAY SEGMENT		LANES	ADT CAPACITY	- BASELINE - VOLUME	V/C	- REVISIONS - VOLUME	V/C
<b>IRVINE (CITY/SPHERE) (cont)</b>							
138. W Yale Loop s/o Main		4	28,000	14,000	.50	14,000	.50
329. W Yale Loop w/o Yale S		4	28,000	10,000	.36	10,000	.36
257. Yale s/o Walnut		4	32,000	8,000	.25	8,000	.25
317. Yale n/o ICD		4	32,000	13,000	.41	14,000	.44
258. Yale N n/o Yale Loop		4	32,000	15,000	.47	15,000	.47
262. Yale n/o Michelson		2	13,000	11,000	.85	11,000	.85
318. Yale n/o University		4	28,000	6,000	.21	6,000	.21
<b>IRVINE (CITY/SPHERE)/NEWPORT BEACH (CITY/SPHERE)</b>							
346. Ford e/o MacArthur	(I)	4	32,000	29,000	.91	30,000	.94
	(N)	4	37,500	29,000	.77	30,000	.80
215. Jamboree s/o Campus	(I)	7	63,000	52,000	.83	53,000	.84
	(N)	7	65,700	52,000	.79	53,000	.81
216. Jamboree n/o MacArthur	(I)	7	63,000	45,000	.71	46,000	.73
	(N)	7	65,700	45,000	.68	46,000	.70
197. MacArthur e/o Jamboree	(I)	6	54,000	55,000	1.02	55,000	1.02
	(N)	6	56,300	55,000	.98	55,000	.98
199. MacArthur n/o Bison	(I)	8	72,000	57,000	.79	58,000	.81
	(N)	8	75,000	57,000	.76	58,000	.77
345. MacArthur s/o Bison	(I)	8	72,000	60,000	.83	61,000	.85
	(N)	8	75,000	60,000	.80	61,000	.81
185. SJHR e/o NCD	(I)	4	32,000	22,000	.69	-	-
	(N)	4	37,500	22,000	.59	-	-
<b>IRVINE/TUSTIN</b>							
223. Harvard n/o ICD	(I)	4	32,000	12,000	.38	12,000	.38
	(T)	4	37,500	12,000	.32	12,000	.32
224. Harvard s/o ICD	(I)	4	32,000	13,000	.41	13,000	.41
	(T)	4	37,500	13,000	.45	13,000	.35
207. Jamboree s/o Walnut	(I,T)	8	176,000	127,000	.72	128,000	.73
209. Jamboree n/o Barranca	(I,T)	8	176,000	106,000	.60	107,000	.61
<b>TUSTIN</b>							
72. ICD w/o Harvard		6	56,300	49,000	.87	48,000	.85
208. Jamboree s/o Edinger		8	160,000	110,000	.69	112,000	.70
<b>NEWPORT BEACH</b>							
358. MacArthur s/o Ford		6	56,300	55,000	.98	55,000	.98
359. MacArthur n/o PCH		6	56,300	32,000	.57	32,000	.57

(Continued)

Table III-1 (cont)  
LONG-RANGE ADT V/C RATIO SUMMARY

ROADWAY SEGMENT	LANES	ADT CAPACITY	- BASELINE - VOLUME	V/C	- REVISIONS - VOLUME	V/C
<b>NEWPORT BEACH (CITY/SPHERE) (cont)</b>						
367. NCD s/o SJH	6	56,300	37,000	.66	48,000	.85
368. NCD n/o PCH	6	56,300	24,000	.43	31,000	.55
369. PCH e/o MacArthur	4	37,500	45,000	1.20	45,000	1.20
370. PCH e/o Marguerite	4	37,500	36,000	.96	36,000	.96
372. PCH e/o NCD	6	56,300	38,000	.67	47,000	.83
374. PCH e/o Sand Cyn	4	37,500	36,000	.96	37,000	.99
362. SJH e/o San Miguel	6	56,300	26,000	.46	20,000	.36
363. SJH e/o Marguerite	4	37,500	24,000	.64	18,000	.48
364. SJH e/o Spyglass	4	37,500	20,000	.53	14,000	.37
365. SJH w/o NCD	4	37,500	30,000	.80	21,000	.56
360. San Miguel s/o Ford	4	37,500	9,000	.24	9,000	.24
361. San Miguel n/o SJH	4	37,500	16,000	.43	16,000	.43
292. Sand Cyn s/o SJHR	2	12,500	7,000	.56	-	-
373. Sand Cyn n/o PCH	2	12,500	5,000	.40	-	-
<b>LAGUNA BEACH (CITY/SPHERE)</b>						
304. Laguna Cyn s/o Bake	4	37,500	33,000	.88	34,000	.91
380. Laguna Cyn n/o Aliso Ck	4	37,500	33,000	.88	34,000	.91
379. Laguna Cyn n/o SJHTC	4	37,500	33,000	.88	34,000	.91
378. Laguna Cyn s/o SJHTC	4	37,500	34,000	.91	34,000	.91
377. Laguna Cyn n/o PCH	4	37,500	33,000	.88	35,000	.93
375. PCH w/o Laguna Cyn	4	37,500	32,000	.85	34,000	.91
376. PCH e/o Laguna Cyn	4	37,500	27,000	.72	30,000	.80

Level of service ranges: .00 - .60 A  
.61 - .70 B  
.71 - .80 C  
.81 - .90 D  
.91 - 1.00 E  
Above 1.00 F

V/C - volume/capacity  
ADT - average daily traffic  
s/o - south of, etc. for north, east & west  
- - not applicable  
4A - Irvine augmented lanes  
(I) - Irvine ADT capacity assumptions  
(T,N) - Tustin, Newport Beach ADT capacity assumptions (same as County capacities)

NOTE: In some cases, the projected revised ADT is higher than the baseline volume. However, this increase is considered to be within the capacity of the facility. Additional detailed analysis for these facilities are presented in other documents referenced in Chapter I (see References 1 through 5).

## Pacific Coast Highway/SR-133/Broadway Focus Analysis

The link V/C impact analysis indicated that the proposed changes would impact the Pacific Coast Highway/SR-133/Broadway area. These impacts can be summarized as follows:

ROADWAY SEGMENT	CURRENT MPAH	LOS	PROPOSED MPAH	LOS
PCH west of SR-133/Broadway	32,000	D	34,000	E
PCH east of SR-133/Broadway	27,000	C	30,000	C
SR-133/Broadway north of PCH	33,000	D	35,000	E

On the basis of the forecast average daily traffic (ADT) volumes, the proposed revisions would result in two of the three locations changing from level of service (LOS) "D" to LOS "E".

To evaluate this long-range change in the level of service, peak hour intersection volumes for SR-133/Broadway and Pacific Coast Highway were analyzed using the intersection capacity utilization (ICU) methodology. Based on this more detailed analysis, it is concluded that the intersection with the revisions will be operating at an acceptable level of service, LOS "D" (PM ICU = .89). The actual ICU calculations for this analysis can be found in Appendix A.

## OPERATIONAL ENHANCEMENTS

As noted earlier in this chapter, the most significant diversion due to the proposed revisions occurs on Newport Coast Drive (NCD) between the San Joaquin Hills Transportation Corridor (SJHTC) and San Joaquin Hills Road (SJHR).

The forecast volume with the revisions is 67,000 ADT, and this compares with a six-lane roadway capacity of 54,000 ADT. To address and accommodate this increased traffic volume, operational enhancements (one auxiliary lane in each direction) are proposed to improve this section of roadway from six to eight lanes bringing the LOS back to baseline (current MPAH) conditions.

The corresponding ICUs on NCD between the SJHTC and San Joaquin Hills Road are presented in the following table:

INTERSECTION	CURRENT MPAH		PROPOSED MPAH*	
	AM	PM	AM	PM
NCD & SJHTC WB Ramps	.95	.57	.74	.71
NCD & SJHTC EB Ramps	.51	.62	.43	.63
NCD & SJHR	-	-	.64	.70

\* With operational enhancements  
 - Not examined

Hence, the increased volumes on this section of roadway can be adequately carried by the intersection at each end. Lane configurations/operational enhancements assumed in these calculations can be found in the ICU calculations in Appendix A.

The projected ADT volumes in the other portions of the analysis area are generally consistent with the data presented in the Laguna Canyon Environmental Impact Report (EIR), Newport Coast Extension EIR, Newport Coast Phase III EIR, and the Shady Canyon EIR. A detailed analysis of the proposed changes and the related mitigation measures, where required, are presented in each project EIR.

## APPENDIX A

### INTERSECTION CAPACITY UTILIZATION

Peak hour intersection volume/capacity ratios are calculated by means of intersection capacity utilization (ICU) values. For simplicity, signalization is assumed at each intersection. Precise ICU calculations of existing non-signalized intersections would require a more detailed analysis.

The procedure is based on the critical movement methodology, and shows the amount of capacity utilized by each critical move. The methodology also incorporates a check for right-turn capacity utilization. Both right-turn-on-green (RTOG) and right-turn-on-red (RTOR) capacity availability are calculated and checked against the total right-turn capacity need. If insufficient capacity is available, then an adjustment is made to the total capacity utilization value. The following example shows how this adjustment is made:

#### **Example For Northbound Right**

##### **1. Right-Turn-On-Green (RTOG)**

If NBT is critical move, then:

$$\text{RTOG} = \text{V/C (NBT)}$$

Otherwise,

$$\text{RTOG} = \text{V/C (NBL)} + \text{V/C (SBT)} - \text{V/C (SBL)}$$

##### **2. Right-Turn-On-Red (RTOR)**

If WBL is critical move, then:

$$\text{RTOR} = \text{V/C (WBL)}$$

Otherwise,

$$\text{RTOR} = \text{V/C (EBL)} + \text{V/C (WBT)} - \text{V/C (EBT)}$$

##### **3. Right-Turn Overlap Adjustment**

If the northbound right is assumed to overlap with the adjacent westbound left, adjustments to the RTOG and RTOR values are made as follows:

$$\text{RTOG} = \text{RTOG} + \text{V/C (WBL)}$$

$$\text{RTOR} = \text{RTOR} - \text{V/C (WBL)}$$

#### 4. Total Right-Turn Capacity (RTC) Availability For NBR

$$RTC = RTOG + \text{factor} \times RTOR$$

Where factor = specified RTOR saturation flow factor

Right-turn adjustment is then as follows: Additional ICU = V/C (NBR) - RTC

A negative value indicates that adequate capacity is available and no adjustment is necessary.

#### **Shared Lane V/C Methodology**

For intersection approaches where shared usage of a lane is permitted by more than one turn movement (e.g., left/thru, thru/right, left/thru/right), the individual turn volumes are evaluated to determine whether dedication of the shared lane is warranted to any one given turn movement. The following example demonstrates how this evaluation is carried out:

#### **Example for Shared Left/Thru Lane**

##### 1. Average Lane Volume (ALV)

$$ALV = \frac{\text{Left-Turn Volume} + \text{Thru Volume}}{\text{Total Left} + \text{Thru Approach Lanes (including shared lane)}}$$

##### 2. ALV for Each Approach

$$ALV (\text{Left}) = \frac{\text{Left-Turn Volume}}{\text{Left Approach Lanes (including shared lane)}}$$

$$ALV (\text{Thru}) = \frac{\text{Thru Volume}}{\text{Thru Approach Lanes (including shared lane)}}$$

##### 3. Lane Dedication is Warranted

If ALV (Left) is greater than ALV then full dedication of the shared lane to the left-turn approach is warranted. Left-turn and thru V/C ratios for this case are calculated as follows:

$$V/C (\text{Left}) = \frac{\text{Left-Turn Volume}}{\text{Left Approach Capacity (including shared lane)}}$$

$$V/C \text{ (Thru)} = \frac{\text{Thru Volume}}{\text{Thru Approach Capacity (excluding shared lane)}}$$

Similarly, if ALV (Thru) is greater than ALV then full dedication to the thru approach is warranted, and left-turn and thru V/C ratios are calculated as follows:

$$V/C \text{ (Left)} = \frac{\text{Left-Turn Volume}}{\text{Left Approach Capacity (excluding shared lane)}}$$

$$V/C \text{ (Thru)} = \frac{\text{Thru Volume}}{\text{Thru Approach Capacity (including shared lane)}}$$

#### 4. Lane Dedication is not Warranted

If ALV (Left) and ALV (Thru) are both less than ALV, the left/thru lane is assumed to be truly shared and each left, left/thru or thru approach lane carries an evenly distributed volume of traffic equal to ALV. A combined left/thru V/C ratio is calculated as follows:

$$V/C \text{ (Left/Thru)} = \frac{\text{Left-Turn Volume} + \text{Thru Volume}}{\text{Total Left} + \text{Thru Approach Capacity (including shared lane)}}$$

This V/C (Left/Thru) ratio is assigned as the V/C (Thru) ratio for the critical movement analysis and ICU summary listing.

If split phasing has not been designated for this approach, the relative proportion of V/C (Thru) that is attributed to the left-turn volume is estimated as follows:

If approach has more than one left-turn (including shared lane), then:

$$V/C \text{ (Left)} = V/C \text{ (Thru)}$$

If approach has only one left-turn lane (shared lane), then:

$$V/C \text{ (Left)} = \frac{\text{Left-Turn Volume}}{\text{Single Approach Lane Capacity}}$$

If this left-turn movement is determined to be a critical movement, the V/C (Left) value is posted in brackets on the ICU summary printout.

These same steps are carried out for shared thru/right lanes. If full dedication of a shared thru/right lane to the right-turn movement is warranted, the right-turn V/C value calculated in step three is checked against the RTOR and RTOG capacity availability if the option to include right-turns in the V/C ratio calculations is selected.

When an approach contains more than one shared lane (e.g., left/thru and thru/right), steps one and two listed above are carried out for the three turn movements combined. Step four is carried out if dedication is not warranted for either of the shared lanes. If dedication of one of the shared lanes is warranted to one movement or another, step three is carried out for the two movements involved, and then steps one through four are repeated for the two movements involved in the other shared lane.

#### **Free Right-Turn**

When a free right-turn is designated, the V/C ratio for that right-turn movement is ignored during the critical movement analysis calculations, and a special notation is made on the output printed ICU calculation worksheet where the letter "f" is used in place of a numerical entry for right-turn lanes.

#### **De Facto Right-Turn**

A de facto or unstriped right-turn lane is typically a curb lane that is wide enough to separately serve both thru and right-turn traffic. Such lanes are treated the same as striped right-turn lanes during the critical movement analysis calculations, but they are denoted on the output printed ICU calculation worksheets using the letter "d" in place of a numerical entry for right-turn lanes.

## ICU CALCULATION SETTINGS

The following outlines the ICU calculation settings for intersection analysis consistent with Congestion Management Program (CMP) guidelines.

Saturation Flow Rate: 1,700 vehicles/hour/lane  
Clearance Interval: .05  
Right-Turn-On-Red Allowed: Yes\*  
Right-Turn Adjustment Factor: .75

\* "Unofficial" de facto right-turn lane is used in the ICU calculation if 19 feet from edge to outside of thru-lane exists and parking is prohibited during peak periods (this is denoted by the letter "d" in place of a numerical entry for right-turn lanes).

1. SR-133/Broadway & PCH

Existing Count						
	LANES	CAPACITY	AM PK HOUR VOL	V/C	PM PK HOUR VOL	V/C
NBL	0	0	0		0	
NBT	0	0	0		0	
NBR	0	0	0		0	
SBL	1.5		204	.06*	732	.22*
SBT	0	5100	0		0	
SBR	1.5		238	{.05}	182	
EBL	1	1700	204	.12*	282	.17*
EBT	2	3400	504	.15	1423	.42
EBR	0	0	0		0	
WBL	0	0	0		0	
WBT	2	3400	1861	.55*	977	.29*
WBR	d	1700	100	.06	244	.14
Clearance Interval				.05*		.05*
<b>TOTAL CAPACITY UTILIZATION</b>				<b>.78</b>		<b>.73</b>

MPAH Baseline						
	LANES	CAPACITY	AM PK HOUR VOL	V/C	PM PK HOUR VOL	V/C
NBL	0	0	0		0	
NBT	0	0	0		0	
NBR	0	0	0		0	
SBL	1.5		190		820	.24*
SBT	0	5100	0	{.07}*	0	
SBR	1.5		430		460	{.02}
EBL	1	1700	320	.19*	580	.34*
EBT	2	3400	310	.09	940	.28
EBR	0	0	0		0	
WBL	0	0	0		0	
WBT	2	3400	1360	.40*	670	.20*
WBR	d	1700	100	.06	230	.14
Clearance Interval				.05*		.05*
<b>TOTAL CAPACITY UTILIZATION</b>				<b>.71</b>		<b>.83</b>

1. SR-133/Broadway & PCH

MPAH Revisions						
	LANES	CAPACITY	AM PK HOUR VOL	HOUR V/C	PM PK HOUR VOL	HOUR V/C
NBL	0	0	0		0	
NBT	0	0	0		0	
NBR	0	0	0		0	
SBL	1.5		230		910	.27*
SBT	0	5100	0	{.08)*	0	
SBR	1.5		430		450	
EBL	1	1700	330	.19*	590	.35*
EBT	2	3400	340	.10	1020	.30
EBR	0	0	0		0	
WBL	0	0	0		0	
WBT	2	3400	1500	.44*	740	.22*
WBR	d	1700	120	.07	270	.16
Clearance Interval				.05*		.05*
TOTAL CAPACITY UTILIZATION				.76		.89

40. NCD & SJHTC WB Ramps

ITAM - MPAH Baseline						
	LANES	CAPACITY	AM PK VOL	HOUR V/C	PM PK VOL	HOUR V/C
NBL	0	0	0		0	
NBT	2	3400	740	.22*	320	.09
NBR	f		680		360	
SBL	0	0	0		0	
SBT	2	3400	490	.14	1460	.43*
SBR	1	1700	50	.03	30	.02
EBL	0	0	0		0	
EBT	0	0	0		0	
EBR	0	0	0		0	
WBL	2	3400	180	.05*	310	.09*
WBT	0	0	0		0	
WBR	1	1700	1150	.68	380	.22
Right Turn Adjustment			WBR	.63*		
Clearance Interval				.05*		.05*
<b>TOTAL CAPACITY UTILIZATION</b>				<b>.95</b>		<b>.57</b>

ITAM - MPAH Revisions						
	LANES	CAPACITY	AM PK VOL	HOUR V/C	PM PK VOL	HOUR V/C
NBL	0	0	0		0	
NBT	2	3400	660	.19*	480	.14
NBR	f		640		330	
SBL	0	0	0		0	
SBT	2	3400	440	.13	1420	.42*
SBR	1	1700	80	.05	20	.01
EBL	0	0	0		0	
EBT	0	0	0		0	
EBR	0	0	0		0	
WBL	1.5		750	.44*	820	.24*
WBT	0	5100	0		0	
WBR	1.5		1690	.50	340	
Right Turn Adjustment			WBR	.06*		
Clearance Interval				.05*		.05*
<b>TOTAL CAPACITY UTILIZATION</b>				<b>.74</b>		<b>.71</b>

**ATTACHMENT B**  
**BIOLOGY EVALUATION**

**School Impact Analysis**

## **Schools**

The project is currently located partially within the Laguna Beach Unified School District (LBUSD) and partially within the Newport Mesa Unified School District (NMUSD). Figure 1, School District Boundary Map, depicts the current boundaries of the two districts on the project site. The area within the NMUSD is covered by the School Facilities Mitigation Agreement entered into by the landowner and the District in 1990 which addresses the school impacts of new development within the project area. Therefore, this analysis will concentrate on the impact of the project on the LBUSD. Although discussions have occurred between the LBUSD and NMUSD regarding boundary adjustments, no agreement has been reached providing for the transfer of territory.

### **Laguna Beach School District**

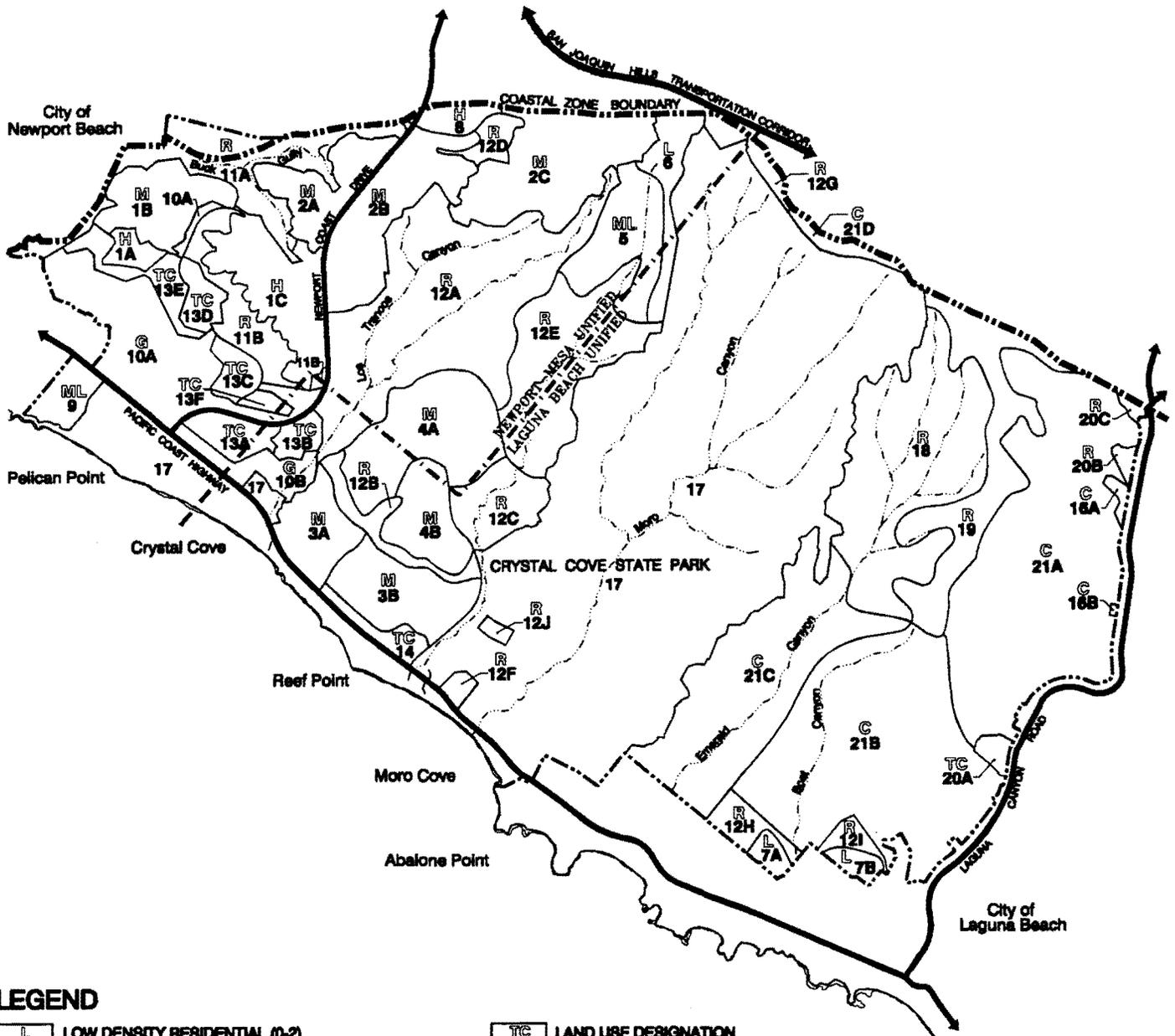
Within the Laguna Beach School District (LBUSD) there are two elementary schools, one middle school and one high school.

Since 1990, LBUSD's population has grown an average of 60 K-12 students a year, or about 13.5 percent over a five year period. This growth has occurred after a period of declining enrollment and existing facilities have had sufficient capacity to accommodate the growth.

In 1993, LBUSD suffered a loss of 15 classrooms at Thurston Middle School due to fire. Fifteen replacement classrooms are currently under construction to replace the loss of classrooms.

Also since 1990, the District has completed a \$10 million renovation of Laguna Beach High School. As part of this capital project, 15 classrooms were demolished. Twelve classrooms have been built to replace the demolished classrooms.

Current capacity and enrollment data for the District is summarized in Table A, LBUSD Current Enrollment and Capacity. The enrollment data was taken from the latest California Basic Educational Data System (CBEDs) enrollment numbers (October, 1995). The capacity numbers were taken from the "Study to determine entitlement for funding under the Leroy F. Greene Lease-purchase law", 1987, modified for current local loading standards, additional portables and renovation of the high school.



**LEGEND**

- |  |                            |
|--|----------------------------|
| LOW DENSITY RESIDENTIAL (0-2)          | LAND USE DESIGNATION       |
| MEDIUM-LOW DENSITY RESIDENTIAL (2-3.5) | PLANNING AREA NUMBER       |
| MEDIUM DENSITY RESIDENTIAL (3.5-6.5)   | COASTAL ZONE BOUNDARY      |
| HIGH DENSITY RESIDENTIAL (6.5-16)      | PLANNED COMMUNITY BOUNDARY |
| GOLF COURSE                            | PLANNING AREA BOUNDARY     |
| TOURIST COMMERCIAL                     |                            |
| RECREATION                             |                            |
| CONSERVATION                           |                            |

**SCHOOL DISTRICT BOUNDARY MAP  
LAND USE PLAN - Second Amendment**

The Irvine Coast Local Coastal Program

FIGURE 1

0 2000 4000 FORMA  
JULY 16, 1996

**TABLE A  
LBUSD CURRENT ENROLLMENT AND CAPACITY**

Level	Existing Enrollment	Capacity	Remaining Capacity
Elementary K-5	1176	1192	16
Middle School 6-8	554	654	100
High School 9-12	771	996	225
<b>Total</b>	<b>2501</b>	<b>2842</b>	<b>341</b>

There are presently no LBUSD school facilities planned within the project site. The closest elementary school to the project is El Morro. The middle school students would be served at Thurston Middle School and the high school students at Laguna Beach High School.

**Environmental Impacts**

Under CEQA, the analysis of environmental impacts resulting from a project should focus on the physical effects of the project. For schools, this means that potential classroom overcrowding and the potential cost of constructing new classrooms are not in themselves environmental impacts. However, construction of new school facilities to avoid overcrowding could have a potential impact. It is not the purpose of this document, however, to dictate policy to the District, to select a specific implementation program to address needs created by the project's students, or to mandate that the District employ a particular mitigation approach. As the project is built and students are generated, it is anticipated that the District will make its decisions regarding education of the project's students on the basis of policies then in effect and circumstances and options then existing. This analysis instead concentrates on the predicted student population to be generated from the Project, possible mitigation approaches that could be employed to provide adequate facilities for that population, and the potential adverse impacts that would result from among those choices.

The project entails 614 dwelling units within LBUSD. Table B, Student Generation Rates, sets forth reasonable student generation rates which have been drawn from generation rates used by the District (Development Fee Justification Report, LBUSD, February 7, 1995). These rates are based upon the District's district-wide generation rates and should be considered a minimum. Generation rates in the areas of Irvine Cove and Emerald Bay are slightly higher and may reflect more closely the product being proposed in the development. Therefore these rates are also provided to assess the impact of the project on the schools.

**TABLE B  
STUDENT GENERATION RATES**

	K-12 Rates	K-12 Students
District-wide per Fee Justification Report	.19	117
Like-development rates	.22	135

To assess possible impacts on individual schools, the generation rate of .22 was divided by grade level at the same portion as currently exists (1995 CBEDs). Table C , Student Generation By Grade Level, provides the results of this analysis.

**TABLE C  
STUDENT GENERATION BY GRADE LEVEL**

Grade Level	SGR by Grade Level	Students
K-5	.104	64
6-8	.048	29
9-12	.068	42
Total	.22	135

Given the current conditions, it appears that capacity is available at the secondary level, both at the middle school and high school levels. Three new classrooms would be needed at El Moro to serve the elementary students. Addition of these classrooms is not expected to cause any significant unavoidable adverse environmental impacts at that site.

Student generation would occur as housing units are built. Construction of the project is dependent on several factors including phasing and market trends. Not all students generated by the project occur simultaneously, but would occur over a five or more year period. Similarly, school facilities will change, and depending on population demographics, school enrollments will fluctuate. Before build-out, the students generated by the project could be accommodated by a combination of existing capacity, purchase of additional temporary facilities, change of grade configuration, adoption of year-round education programs, and the construction of new facilities.

Should the generation of students by the project require all new construction to serve the students, three classrooms would be needed at the elementary level, one to two at the middle school level and two at the high school level. The total construction cost for these classroom facilities would be approximately \$2 million. Table D, Costs Estimates to House LBUSD Students, is based upon recent costs estimates from LBUSD (LBUSD letter to The Irvine Company dated January 10, 1996).

**TABLE D  
COST ESTIMATES TO HOUSE LBUSD STUDENTS**

<b>Grade Level</b>	<b>Cost Per Student</b>	<b>Students</b>	<b>Total Cost</b>
K-5	\$9758	78	\$624,512
6-8	\$12,860	36	\$372,940
9-12	\$15,194	51	\$638,148
<b>K-12</b>		<b>165</b>	<b>\$1,635,600</b>

In accordance with State Law AB-2926, school districts currently charge a maximum of \$1.84 per square foot of new residential development. LBUSD does not have a commercial development fee. Assuming the project's average residential unit is 2500 square feet (which is significantly smaller than current development estimates), the revenue in school fees in 1996 dollars would be \$2,824,400 (614 units X 2500 SF X \$1.84 = \$2,824,400), which would be sufficient to construct new facilities for the students generated from the project even if no capacity is available. Currently, however, it is not anticipated that any new construction would be required for school facilities as a secondary effect of the project except for three additional classrooms at El Moro elementary school.

The project applicant and the District are currently in discussions to develop an appropriate school facilities and financing plan for the project. Should an agreement not be completed, AB-2926 fees will be sufficient mitigation for the impacts of the project.

**Mitigation Measure**

The project applicant shall pay all applicable fees levied by the LBUSD in compliance with Government Code &53080 or required by any other applicable provision of California law. Alternatively, the applicant and the school district may enter into a binding agreement regarding school facilities which is satisfactory to both parties.

**Relationship of the Proposed  
Irvine Coast LCP - Second Amendment  
to the NCCP Subregional Plan**

Relationship of the Proposed Irvine Coast LCP -  
Second Amendment to the Orange County  
Central and Coastal National Communities Conservation  
Program/Habitat Conservation Plan (NCCP/HCP)  
Subregional Plan

**A. The Irvine Coast LCP Second Amendment and the NCCP/HCP Subregional Plan**

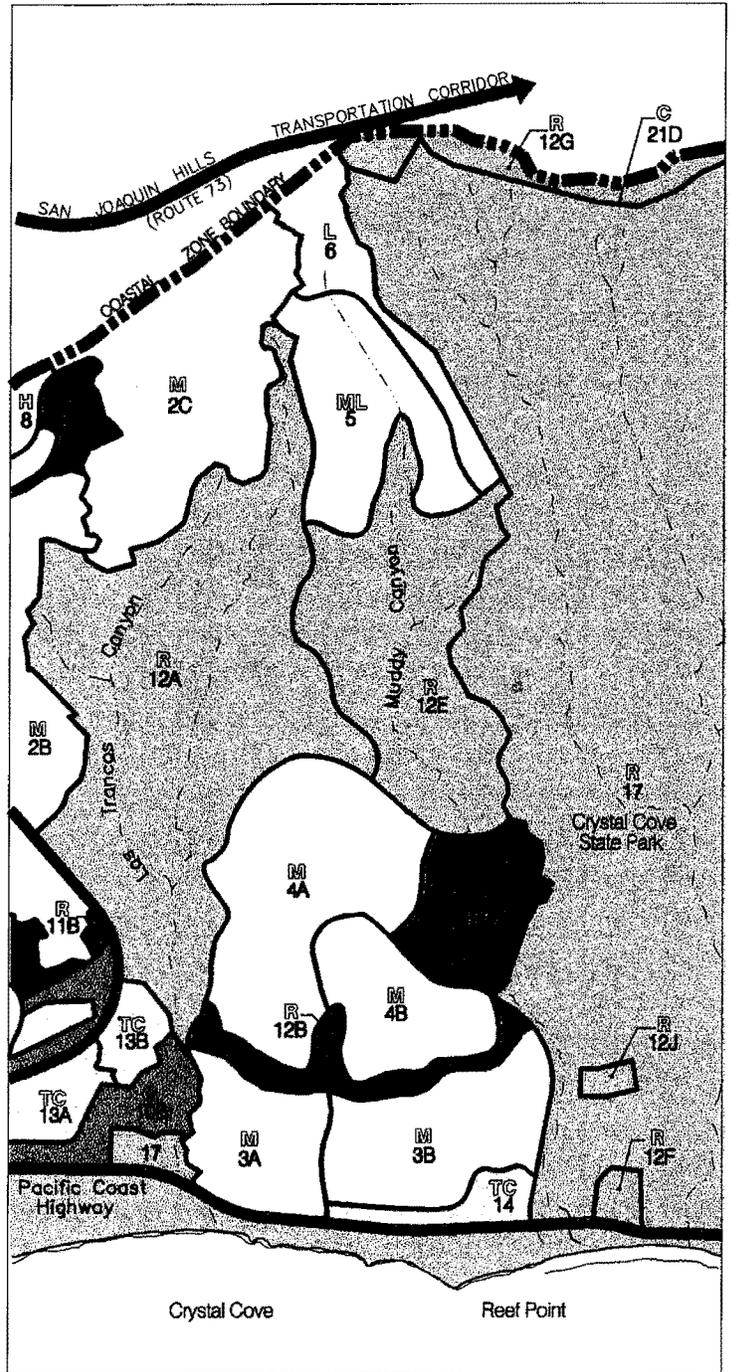
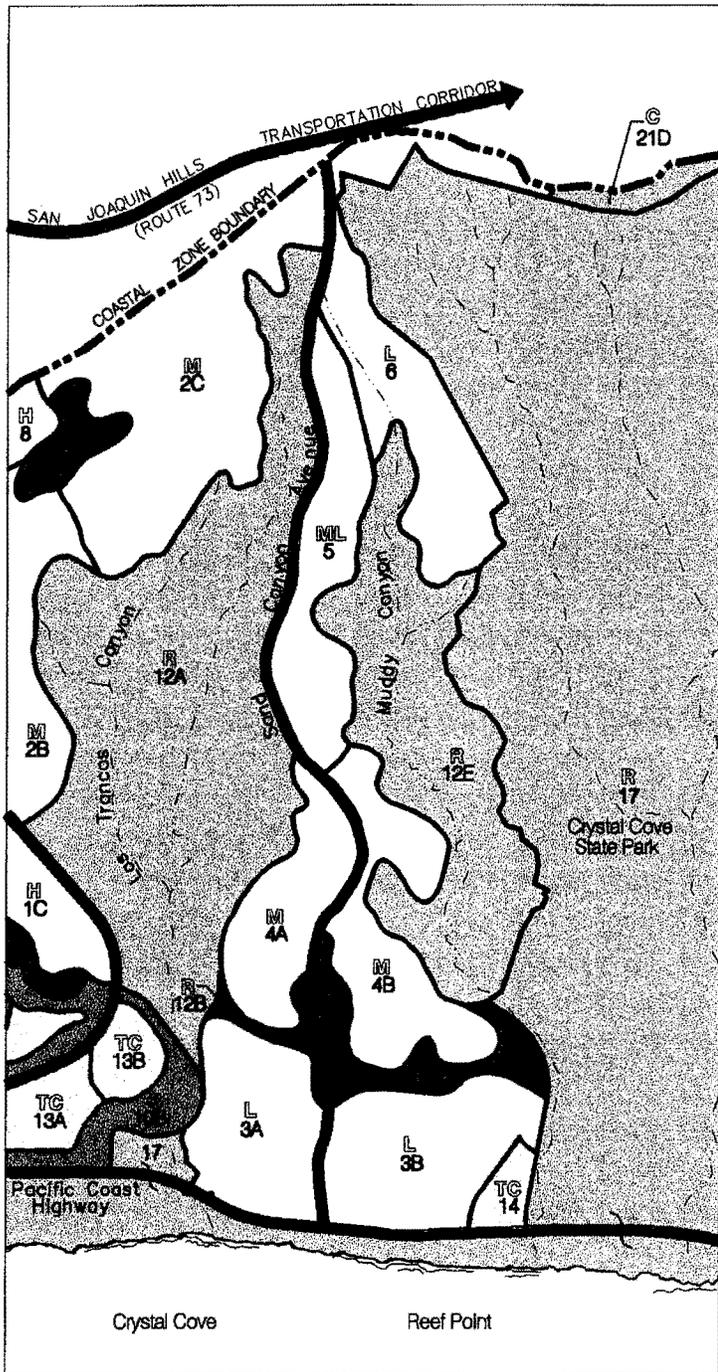
The County of Orange is the local government lead agency for the Central and Coastal NCCP/HCP Subregional Plan which was approved by the Board of Supervisors on April 16, 1996 and is now under final review by the United States Fish and Wildlife Service (USFWS). As part of the planning process for the NCCP/HCP (see discussion in Section "B" below), the County worked with the USFWS, California Department of Fish and Game (CDFG) and a number of "participating landowners" to formulate a proposed Subregional Reserve System to carry out a new approach to habitat conservation planning pursuant to special provisions of state and federal law.

One element of the NCCP/HCP subregional plan is the proposed Coastal subarea reserve which encompasses much of the Irvine Coast LCP area. From the perspective of the County, the primary motivating factor in proposing the Irvine Coast LCP Second Amendment is a desire to strengthen elements of the Coastal subarea reserve design in the vicinity of Wishbone Ridge. This analysis is intended to review the NCCP/HCP planning and reserve design considerations that resulted in the County's decision to prepare an LCP Amendment (shown in part on Exhibit 1, Land Use Plan Comparison).

**B. Summary of Primary Benefits of the Irvine Coast LCP Second Amendment for the NCCP Coastal Subarea Reserve Design**

As is reviewed more extensively below, the NCCP/HCP planning process focuses in part on assuring "connectivity" between significant habitat areas located within the NCCP Reserve System. The term "connectivity" refers to the "provision of land areas necessary for the dispersal of target species and the ability to maintain genetic flow within and between areas" (NCCP/HCP EIR/EIS, at p. 7-1).

Part of the reserve design for the NCCP/HCP proposed Coastal subarea reserve involves the creation of two "Special Linkage Areas" on Wishbone Ridge to provide for connectivity between habitat areas in Muddy Canyon and other habitat areas in Crystal Cove State Park. Although the Coastal subarea reserve design approved by the Board of Supervisors is considered to be adequate to meet the requirements of the NCCP Act and the Federal Endangered Species Act (FESA), the NCCP/HCP also indicates that increasing open space on Wishbone Ridge ( and committing the Moro Sliver



FIRST AMENDMENT

SECOND AMENDMENT

# LAND USE PLAN COMPARISON

Exhibit 1

## LEGEND

- |  |                    |                            |
|--|--------------------|----------------------------|
| LOW DENSITY RESIDENTIAL (0-2)          | GOLF COURSE        | LAND USE DESIGNATION       |
| MEDIUM-LOW DENSITY RESIDENTIAL (2-3.5) | TOURIST COMMERCIAL | PLANNING AREA              |
| MEDIUM DENSITY RESIDENTIAL (3.5-6.5)   | RECREATION         | COASTAL ZONE BOUNDARY      |
| HIGH DENSITY RESIDENTIAL (6.5-18)      | CONSERVATION       | PLANNED COMMUNITY BOUNDARY |
|  |                    | PLANNING AREA BOUNDARY     |



JULY 18, 1998

to the NCCP Reserve System) could provide significant benefits for the functioning of the proposed Reserve System.

*"Another important planning process with positive implications for the NCCP/HCP program involves The Irvine Company's efforts to re-design its plans for residential development along the ridge located between Los Trancos Canyon and Muddy Canyon and the Wishbone frontal slopes and hills. Subject to review and approval by the California Coastal Commission, the proposed re-design would consolidate residential development currently shown along the ridge that separates Los Trancos Canyon and Muddy Canyon such that much of the future residential development would be closer to PCH. The re-design also would eliminate proposed development from a parcel located adjacent to the SJHTC that previously was proposed as a major equestrian center [i.e., the Moro Sliver]. Consolidation of the residential development along Wishbone frontal slopes and hills would replace the two narrow special linkages that now are proposed to link Los Trancos and Muddy Canyons with a much wider habitat linkage that could be incorporated into the reserve system. Inclusion in that habitat reserve of the site formerly proposed as an equestrian center and creation of a much wider reserve linkage between Los Trancos and Muddy Canyons to replace the narrower non-reserve special linkages currently proposed would further enhance connectivity and biodiversity within the Coastal subarea reserve. (Orange County Central and Coastal NCCP/HCP at p. 11-181, emphasis added).*

The NCCP "habitat connectivity" benefits of the proposed LCP Second Amendment may be summarized as follows:

- *Wishbone Ridge Open Space:* The substantial increase in open space proposed to be committed to the NCCP Reserve System on Wishbone Ridge provides for significantly improved habitat connectivity between Muddy Canyon/Crystal Cove State Park and Los Trancos Canyon.
- *Moro Sliver Open Space:* The proposed commitment of the Moro Sliver to the NCCP Reserve System provides for direct habitat connectivity and wildlife movement from the Moro Canyon area of Crystal Cove State Park to the portions of the NCCP Reserve System inland of the SJHTC via a Transportation Corridor wildlife undercrossing.
- *Deletion of Sand Canyon Avenue and the Sand*

*Canyon/SJHTC Interchange:* The deletion of Sand Canyon Avenue eliminates major grading impacts that would have been required on Wishbone Ridge, thereby increasing protected habitat and removing traffic impacts on terrestrial wildlife. The deletion of the Sand Canyon/SJHTC interchange eliminates grading impacts and road construction in the area that will provide the connectivity benefits described above under the "Moro Sliver Open Space" summary.

- *Deletion of the San Joaquin Hills Road Extension to the SJHTC:* The San Joaquin Hills Road extension would have been constructed just outside the coastal zone. The deletion of this road extension has benefits within the coastal zone because its elimination contributed significantly to the decision to remove the Sand Canyon Avenue/SJHTC interchange from the MPAH and also reduces habitat impacts within portions of the NCCP Reserve System outside the coastal zone.
- *Overall Increase in Protected Coastal Sage Scrub Habitat:* Exhibit 2 depicts the net changes in "protected/impacted" coastal sage scrub habitat. Overall there is a net increase in protected coastal sage scrub habitat. More importantly, the protected habitat is located in areas with considerable "habitat connectivity" significance as described above.

The following sections review in more detail the NCCP conservation planning program and the benefits of the LCP Second Amendment for the NCCP Reserve System.

**C. Southern California NCCP Coastal Sage Scrub Habitat Conservation Planning Program and the Orange County Central and Coastal NCCP/HCP**

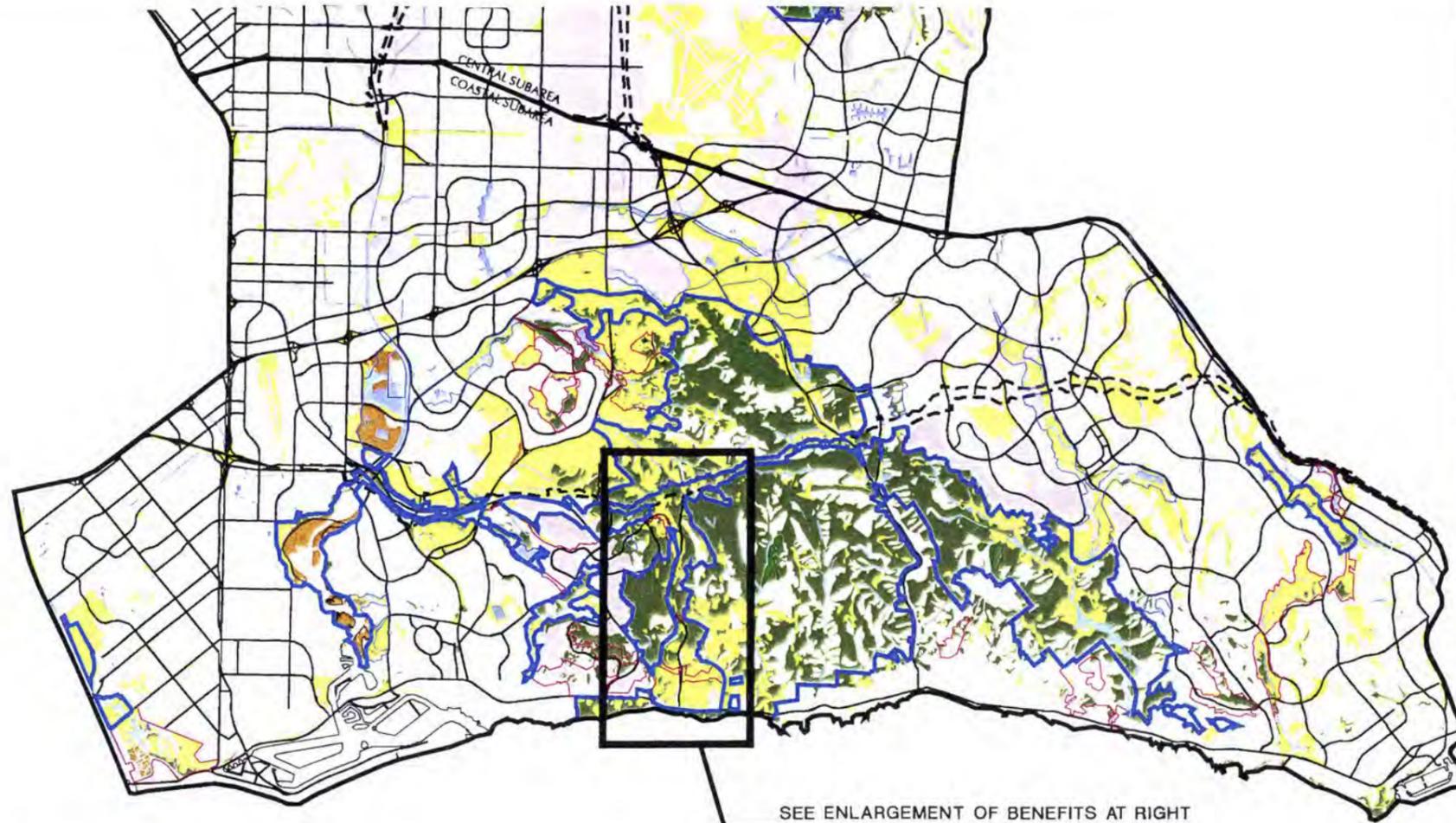
The County of Orange Central and Coastal NCCP Subregional Plan has been prepared within the regulatory and habitat conservation planning framework established by the Southern California NCCP Coastal Sage Scrub Habitat Conservation Planning Program as shown on Exhibit 2, Proposed Reserve and Habitat Vegetation. According to the EIR/EIS for the Orange County Central and Coastal subregion HCCP/HCP:

*"The need for the proposed subregional CSS NCCP/HCP has been established over recent years by a combination of cumulative impacts on habitat resources and the legislative and*



LEGEND	
XX	Proposed MPAH Revisions
(YY)	Current MPAH
-----	Proposed deletion from MPAH
.....	Proposed addition to MPAH

Figure III-1  
 LONG-RANGE ADT VOLUMES (000s)  
 - WITH AND WITHOUT MPAH REVISIONS



SEE ENLARGEMENT OF BENEFITS AT RIGHT

**Vegetation Classification**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Dunes          | <input type="checkbox"/> Marine and Coastal   | PROPOSED NCCP RESERVE<br>SPECIAL LINKAGE & EXISTING USE AREAS<br>OTHER OPEN SPACE<br>ARTERIAL ROADS<br>TRANSPORTATION CORRIDOR<br>CLEVELAND NATIONAL FOREST |
| <input type="checkbox"/> Scrub          | <input type="checkbox"/> Lakes and Reservoirs |   |
| <input type="checkbox"/> Chaparral      | <input type="checkbox"/> Watercourses         |   |
| <input type="checkbox"/> Grassland      | <input type="checkbox"/> Agriculture          |   |
| <input type="checkbox"/> Vernal Pools   | <input type="checkbox"/> Developed            |   |
| <input type="checkbox"/> Marsh          | <input type="checkbox"/> Disturbed            |   |
| <input type="checkbox"/> Riparian       |   |   |
| <input type="checkbox"/> Woodland       |   |   |
| <input type="checkbox"/> Forest         |   |   |
| <input type="checkbox"/> Cliff and Rock |   |   |

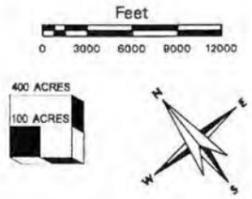


- LEGEND**
- Additional Coastal Sage Scrub Protected (Second Amendment) - 131.93 Acres
  - Additional Coastal Sage Scrub Impacted (Second Amendment) - 67.22 Acres
  - Planning Area Boundaries
- Note: Statistical Information Derived from Approved County NCCP

**LCP Second Amendment Habitat Benefits**

JULY 16, 1998

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**Proposed Reserve and Habitat Vegetation**  
 Central and Coastal Subregion NCCP

regulatory responses to those impacts. The listing of the California gnatcatcher as 'threatened' and the proposed listing of several other species that rely upon the coastal sage scrub habitat have signaled the need to shift the conservation planning focus from single species, project by project efforts to conservation planning at the natural community level. The Southern California NCCP CSS Program indicates that it was developed to address this need, facilitating regional protection of a range of species inhabiting a designated natural community - in this case CSS and its associated mosaic of habitat types - while allowing compatible land uses and appropriate growth and economic development." (NCCP/HCP EIR/EIS, at p. I)

"The County's Central and Coastal Subregion is one of eleven NCCP subregions within the five county southern California area identified by the State of California's Southern California Coastal Sage Scrub NCCP program. This NCCP pilot program focuses on the protection of coastal sage scrub habitat (CSS) and adjacent habitats. By formulating conservation strategies for entire habitat systems, the state's NCCP program attempts to address long-term biological protection and management of multiple species and associated habitats at a subregional level.

Under the NCCP approach, the focus changes from protecting individual species to conserving natural communities and accommodating compatible land uses. The NCCP program is designed to provide incentives that will attract landowners, government agencies, and public interests to become stakeholders in a collaborative partnership. Conservation principles are applied at the natural community level, rather than focusing on new listings and regulating individual species. This shift in focus toward protection of multiple species within a mosaic of natural communities is intended to enhance the ability of local, state and federal agencies to provide long-term protection for a broad range of species that are dependent on the natural communities." (NCCP/HCP EIR/EIS, at p. iii)

The NCCP planning program is based on a set of "Conservation Guidelines" formulated by the NCCP Scientific Review Panel, a group of conservation biologists convened by the NCCP program specifically for the purpose of providing habitat conservation planning guidance for the subregional planning programs. According to the NCCP/HCP, three important conservation planning principles are reflected in the NCCP Conservation Guidelines (NCCP/HCP EIR/EIS at pp. 7-1 to 7-2):



- Creation of a Reserve System - the assemblage of large scale habitat reserves capable of protecting and maintaining populations of "target species" over the long term.
- Assurance of Connectivity - the provision of land areas necessary for the dispersal of target species and the ability to maintain genetic flow within and between areas.
- Adaptive Management - the creation of an institutional basis and program for undertaking management actions necessary to sustain populations over the long term, and in so doing, to adapt management actions to new information and changing habitat needs. (NCCP/HCP EIR/EIS at pp. 7-1 to 7-2)

In carrying out its reserve design planning process, the NCCP/HCP built upon pre-NCCP regional open space planning. With regard to pre-NCCP planning in the Coastal subarea, the NCCP/HCP indicated the following:

"In contrast with the fragmented "planning landscape" of some other Southern California NCCP sub-regions, the product of the coastal San Joaquin Hills planning programs is a 16,000 acre greenbelt (see Exhibit 37). Due to the contribution of prior "avoidance" actions to the assemblage of the core habitat areas of the reserve, the NCCP/HCP indicates that the NCCP Coastal subarea reserve design has placed greater emphasis on assuring consistency with the NCCP Conservation Guidelines emphasis on "connectivity" . . . than on assembling core habitat." (NCCP/HCP EIR/EIS, at p. 7-10)

Within the Irvine Coast LCP area, the NCCP/HCP proposed three "Special Linkage Areas" (areas not deemed essential for inclusion in the Reserve System but that provide important connectivity or other functions that support the functioning of the Reserve System) in the Wishbone Hill portion of the Coastal subarea reserve. Two of the Special Linkage Areas "are contiguous with the proposed reserve and provide east-west links between Muddy Canyon and Los Trancos Canyon" (NCCP/HCP, at pp. II-196 to II-197; also see attached Exhibit 3, Proposed Habitat Reserve System). The NCCP/HCP concluded that the Subarea reserve design, including the Wishbone Hill Special Linkage areas, satisfies the requirements of the NCCP Act, FESA and the California Endangered Species Act:

"As part of the NCCP/HCP planning process, a Special Linkage area is proposed to allow for wildlife movement from Los Trancos Canyon to the Muddy Canyon LCP dedication area. Since this Special Linkage area was previously committed for residential development by the certified LCP and the recorded Irvine Coast development agreement, this Special Linkage area

constitutes a significant avoidance action of impacts otherwise allowed by approved land use plans." (NCCP/HCP EIR/EIS, at p. 5-24)

As reviewed in Section B above, the NCCP/HCP discussion of the Wishbone Hill Special Linkage Areas also included an explicit consideration of the expanded open space then under consideration by the County as part of a potential Irvine Coast LCP Amendment. However, the NCCP/HCP EIR/EIS concluded that these potential changes had not yet been approved and that the adequacy of the NCCP/HCP would be assessed on the basis of the NCCP plan with the three Wishbone Hill Special Linkages:

"Any proposed amendments to the Irvine Coast LCP involving the transfer of development intensities beyond the development maximums established for each LCP Planning Area would require formal Coastal Commission review and approval; given the complexity of that process, the NCCP/HCP relies on the land use configurations already approved through the certification of the LCP. Accordingly, any proposed LCP amendments would be speculative at this time and have not been assumed in either fashioning or assessing the adequacy of the Coastal subarea reserve design." (NCCP/HCP EIR/EIS, at p. 5-25)

Finally, in considering reductions in Irvine Coast LCP development intensities for NCCP conservation planning purposes, the NCCP/HCP EIR/EIS determined the following regarding changes in LCP land uses and development intensities:

"Any further reduction in residential and tourist commercial development intensities is determined to be infeasible . . . and would jeopardize two, and possibly three, of the four remaining increments of the Irvine Coast Phased Dedication program containing lands essential to the proposed NCCP reserve system." (NCCP/HCP EIR/EIS, at p. 5-26)

Thus, it is clear that, while the NCCP/HCP considers the habitat connectivity benefits of the Irvine Coast Second Amendment to be highly desirable, the NCCP/HCP concluded that the Second Amendment land use revisions affecting Wishbone Ridge and the Moro Sliver would not be mandated by the NCCP/HCP.

#### **D. The Importance of Habitat Connectivity Under the NCCP Conservation Planning Program**

Although the NCCP/HCP determined that the NCCP/HCP is adequate to meet NCCP Act, FESA and CESA requirements without further revisions to development areas on Wishbone Ridge, the NCCP/HCP assessment of the benefits of the LCP Second Amendment land use changes discussed in

Section "B" above made clear the importance of "habitat connectivity" for the NCCP Reserve System. The importance of "connectivity" to NCCP/HCP planning is articulated in the following passage from the NCCP/HCP and the EIR/EIS (the underlined text is from the NCCP Conservation Guidelines tenets of reserve design, while the remaining text is from the biological analysis conducted by the Central and Coastal NCCP/HCP):

"Link reserve with corridors: Interconnected blocks of habitat serve conservation purposed better than isolated blocks of habitat. Corridors or linkages function better when the habitat within them resembles habitat that is preferred by target species.

- Linkages allow for genetic exchange, recolonization of habitat following perturbations, and operation of the "rescue effect" for smaller populations. Linkages within subareas are more important in terms of the latter two functions, while linkages between subregions are more important for genetic exchange. A linkage functions if enough animals transit the linkage often enough for these functions to occur; and a linkage does not have to allow completely unimpeded movement of individual organisms to function. The important individuals are those which are actively dispersing, most often juveniles.
- Corridors which are large enough to include habitat sufficient for several home ranges may not require an organism to successfully transit the entire linkage when dispersing, and thus are more likely to allow flow of individuals between populations. For this reason, they are preferable to smaller corridors. Similarly, they may be somewhat longer than the distance most individual organisms disperse. These habitat linkages, which represent linear patches of native habitat connecting large blocks, may function as both corridor (for larger animals) and habitat (for smaller, less fragile species).
- Corridors function best when they contain native habitat (e.g., coastal scrub, mollified riparian) or non-native habitats readily crossed by target species (e.g., annual grassland, ruderal habitats dominated by mustard). Non-habitat linkages function best when the habitat within them resembles the habitat preferred by target species.

Culverts, agricultural fields, golf courses, and other non-native landscape features that lack barriers to dispersal may function as corridors, especially for important non-target species such as coyote.

- Linkages are more likely to function if individual animals can see (or otherwise sense) desirable habitat within or beyond the corridor. Linkages which cross canyons or road cuts (where elevation allows animals to see across) are thus preferable to corridors obscured by topography, development, and/or ornamental vegetation.
- Multiple, or redundant corridors are preferable where linkages are longer than normal dispersal distances, include gaps which must be "jumped," include visual barriers, and/or include significant non-habitat components (e.g., golf course, fuel modification zones)." (NCCP/HCP EIR/EIS, at pp. 7-5 to 7-6)

Given the importance of "connectivity" as an NCCP conservation planning precept summarized above and the specific benefits of increasing connectivity on Wishbone Ridge identified in the NCCP/HCP subregional plan (see discussion in Section "B" above), the County is proceeding with the proposed Irvine Coast LCP Second Amendment.

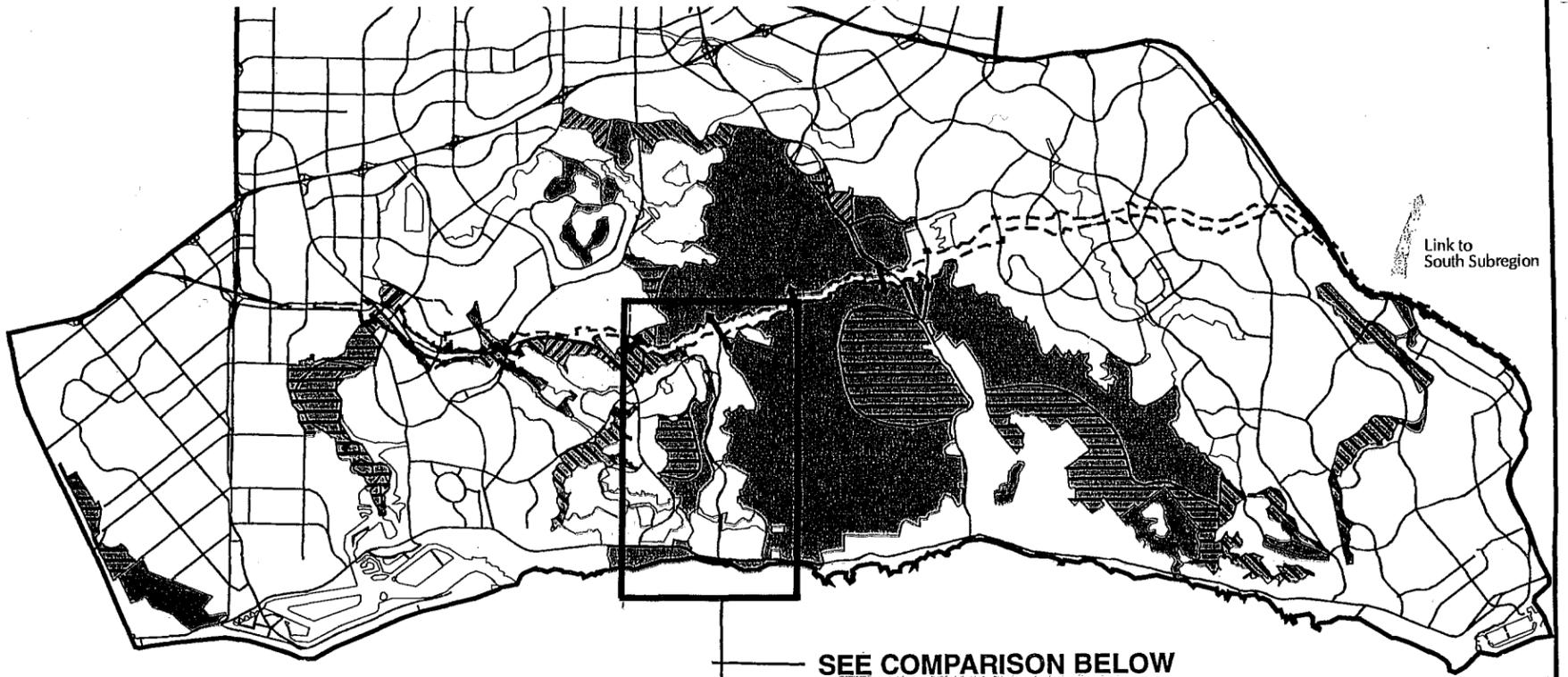
**E. The Proposed Elimination of Sand Canyon Avenue and the San Joaquin Hills Road Extension from the Irvine Coast LCP Circulation System**

Due to the timing of the County MPAH amendment involving the removal of Sand Canyon Avenue and the San Joaquin Hills Road extension from the County MPAH, the NCCP/HCP assessed the implications of these changes both within the LCP area and within the City of Irvine planning areas inland of the SJHTC. According to the NCCP/HCP:

"One additional avoidance action has recently been finalized by the County of Orange. On August 1, 1995 the County Board of Supervisors adopted a County of Orange Master Plan of Arterial Highways (MPAH") Amendment to delete the Sand Canyon Avenue interchange with the SJHTC, modify Sand Canyon Avenue within the coastal zone to connect with the Irvine Coast Phase III area delete the San Joaquin Hills Road extension from its current connection with Newport Coast Drive to the SJHTC (see Exhibit 46), delete Sand Canyon Avenue inland of the SJHTC, delete the Lake Forest extension and delete the Bonita Canyon Road extension (reviewed below under additional minimization/avoidance actions in the City of Irvine GPA area

as part of the Shady Canyon project). It is determined that the roadway deletions resulting from the County MPAH Amendment constitute significant avoidance actions for NCCP CEQA and NEPA purposes." (NCCP/HCP EIR/EIS, at p. 5-24)

The reduced grading benefits within the LCP area are shown on Exhibit 4, Arterial Roadways Deleted – San Joaquin Hills Road Extension, Sand Canyon Avenue Inland of SJHTC and Sand Canyon Avenue/SJHTC Interchange (attached) from the NCCP/HCP.



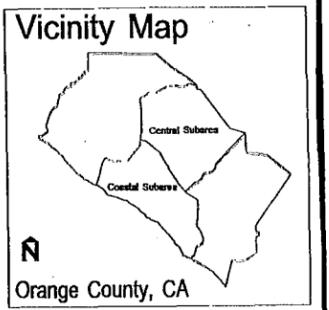
**PROPOSED RESERVE**

- TARGET SPECIES HABITAT
- ▨ BIODIVERSITY HABITAT
- ▩ HABITAT LINKAGE
- ▧ RESTORATION OPPORTUNITY

**NON-RESERVE AREAS**

- SPECIAL LINKAGE
- EXISTING USE AREAS
- NON-RESERVE OPEN SPACE
- POLICY PLAN AREA
- ← TRANSPORTATION CORRIDOR WILDLIFE CROSSING

- ARTERIAL ROADS
- - - TRANSPORTATION CORRIDOR
- CLEVELAND NATIONAL FOREST



JN 30650 NCCP12.AML 11/27/95

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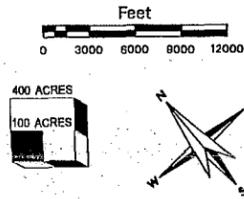
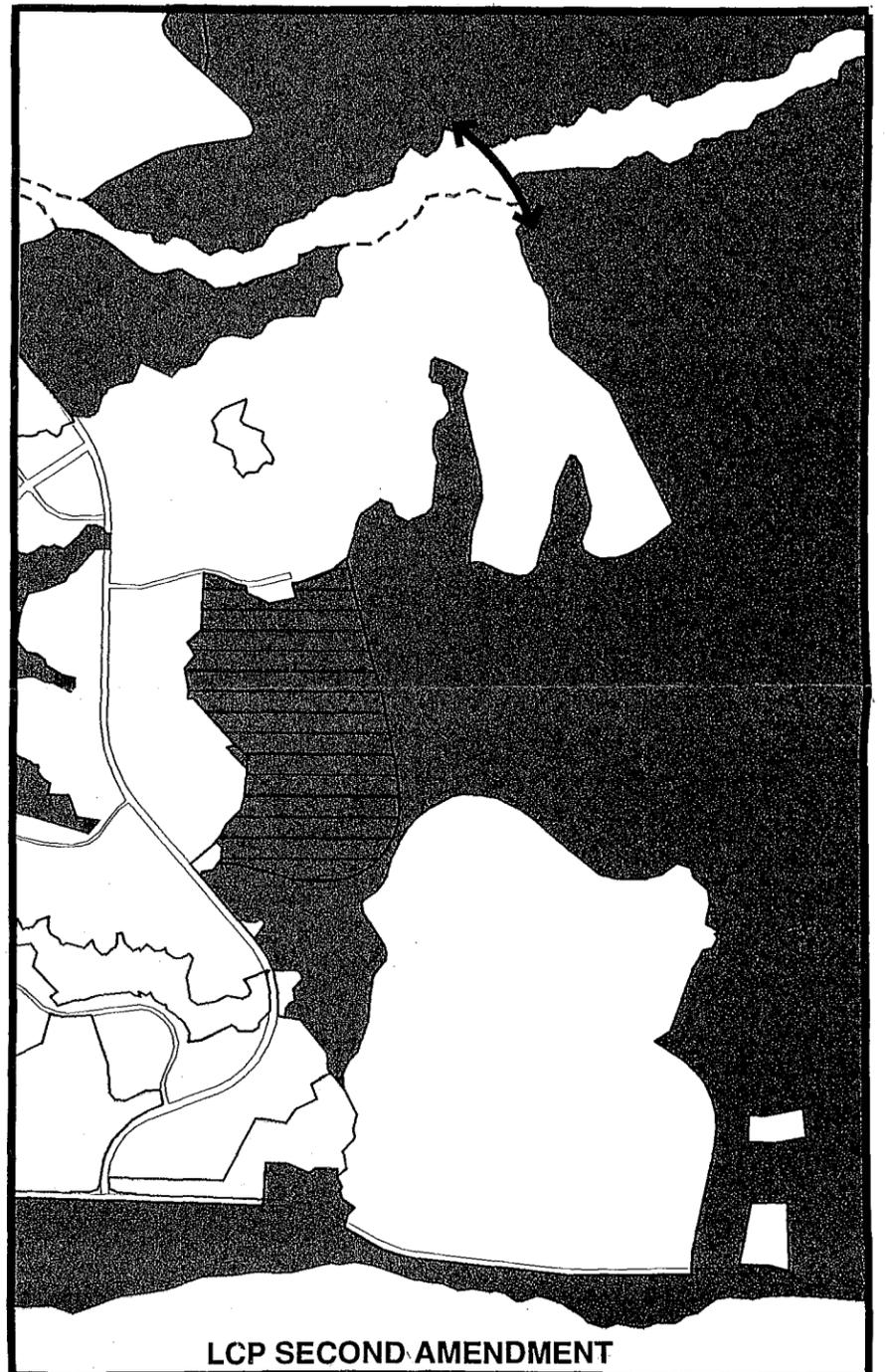


Exhibit 3  
**Proposed Habitat Reserve System**  
 Central and Coastal Subregion NCCP

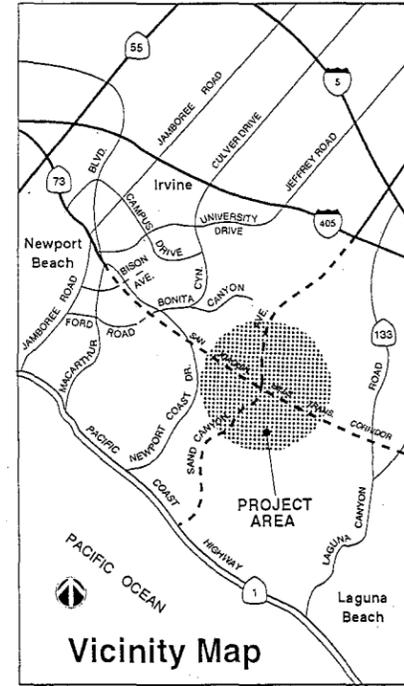
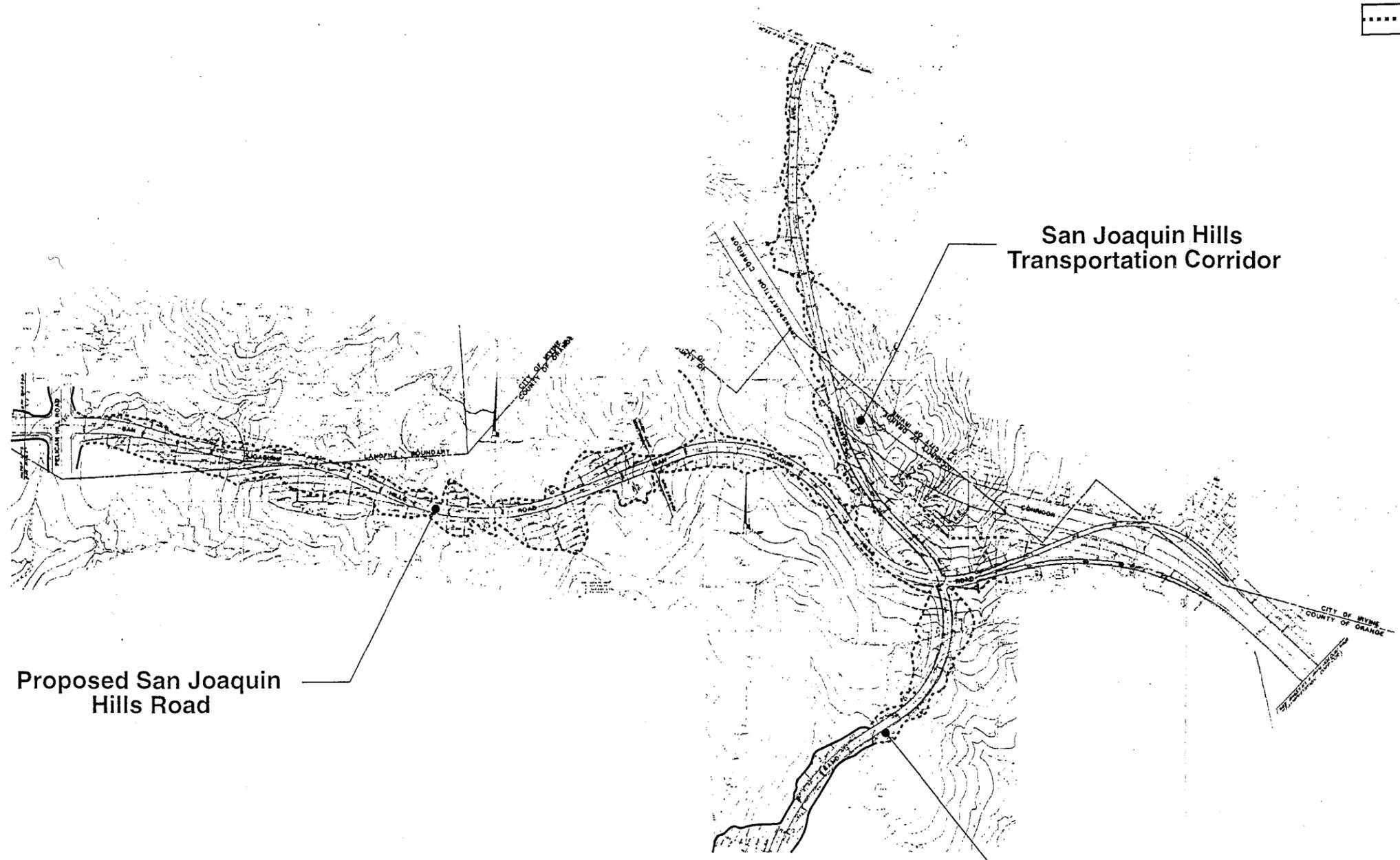


**HIGHLIGHTED AREA ABOVE**



**LCP SECOND AMENDMENT**

..... Road Segments Deleted



Proposed San Joaquin Hills Road

San Joaquin Hills Transportation Corridor

Proposed Sand Canyon Avenue

Exhibit 4

Arterial Roadways Deleted-  
 San Joaquin Hills Road Extension  
 Sand Canyon Avenue Inland of SJHTC  
 Sand Canyon Avenue/SJHTC Interchange