



# AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

## AGENDA ITEM 1

September 30, 2021

**TO:** Commissioners/Alternates

**FROM:** Lea U. Choum, Executive Officer

**SUBJECT:** City of Tustin Request for Consideration of Housing Element Update (2021-2029)

### Background

The City of Tustin has submitted its Draft Housing Element Update (“Update”) for a consistency review. The Update identifies and analyzes the City’s existing and projected housing needs and contains goals, policies, objectives, and programs to address those needs. The City’s Housing Element was last updated in September 2013, for the 5th cycle, which covered the years 2014 to 2021. It was found to be consistent with the *Airport Environs Land Use Plan for John Wayne Airport (AELUP for JWA)*.

The Housing Element is one of the seven mandatory elements of the General Plan. Section 65583 of the Government Code sets forth the specific requirements of a jurisdiction’s housing element. Included in these requirements are obligations of local jurisdictions to provide for their “fair share” of the regional housing needs. This fair share is determined through the Regional Housing Needs Assessment (RHNA) process which in Orange County is facilitated by the Southern California Association of Governments (SCAG). For the October 15, 2021 to October 15, 2029 planning period, the City of Tustin was allocated a total of 6,782 housing units, including 1,724 for very low-income, 1,046 for low-income, 1,132 for moderate-income, and 2,880 for above-moderate income households. The City is able to take credit for 4,704 units previously included in the General Plan.

The Update identifies “suitable” sites which could accommodate the required 2,078 new residential units to meet the RHNA. The Update includes five suitable site locations for residential development. Those five areas are: Downtown Commercial Core, Red Hill Avenue, Tustin Legacy, Enderle Center, and Tustin Marketplace. Tustin Legacy, formerly *Marine Corps Air Station (MCAS) Tustin*, is the only location in the Notification Area for John Wayne Airport (JWA) and is proposed for 730 additional units. This would result in 4,055 total units in the Tustin Legacy area. See Attachment 1 for a map showing the location of those areas (the area shaded in blue is the Notification Area).

The City of Tustin has scheduled public hearings on the proposed Housing Element Update as follows:

|                    |                     |
|--------------------|---------------------|
| September 14, 2021 | Planning Commission |
| October 5, 2021    | Tustin City Council |

### **AEUP for JWA Issues**

#### **Regarding Aircraft Noise Impacts:**

The Housing Element Update encompasses the entire City of Tustin. No portions of the city are located within the 60 dB CNEL or 65 dB CNEL Noise Contours for JWA.

#### **Regarding Height Restrictions:**

As stated above, a portion of the City of Tustin is within the Federal Aviation Administration (FAA) Notification Area and the Federal Aviation Regulation (FAR) Part 77 Obstruction Imaginary Surfaces for JWA (See Attachment 2). The suitable residential sites identified in the Update include a part of Tustin Legacy that is within the conical and transitional surfaces and within the Notification Area for JWA. The Downtown Commercial Core, the Enderle Center and a portion of the Redhill Avenue Specific Plan are all within the approach surfaces for JWA, but not within the Notification Area for JWA.

The Tustin Legacy Specific Plan Area is divided into several neighborhoods. (See Attachment 3). The suitable sites identified for 1,461 new housing units are located within Neighborhood D North. The maximum building height allowed for Neighborhood D is 150 feet. The City will allow a height of up to 180 feet with Community Development Director approval. The conical surfaces for JWA would be penetrated starting at 250 to 400 feet above mean sea level (AMSL). With a ground elevation of 61 feet, the proposed maximum height of 180 feet would not penetrate the surface. Sites within the transitional surface would be penetrated starting at 700 to 1,200 feet AMSL. The proposed maximum building height would be well below these elevations at 241 feet AMSL.

The Housing Element Update includes the following implementation programs:

“Require buildings and structures to not penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for John Wayne Airport unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, require applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA. A copy of the FAA application shall be submitted to ALUC and, the applicant shall provide the City with FAA and ALUC responses,” and

“Require development projects that include structures higher than 200 feet above existing grade to be submitted to ALUC for review. In addition, require projects that exceed a height of 200 feet above existing grade to file Form 7460-1 with the Federal Aviation Administration (FAA). The Housing Element Update does not include implementing specific development projects; however, with the above



requirements in place, the height restrictions for projects within the airport area for JWA would be addressed. “

### **Regarding Flight Tracks and Safety Zones**

The City of Tustin is located entirely outside of the Safety Zones. The western part of the city is within the approach surface for JWA. Specifically, the Downtown Commercial Core area and the Enderle Center are located within the approach surface and are proposed for new housing, however, they are both located outside of the JWA Planning/Notification Area. The JWA Noise Office provided Flight Track exhibits for the City of Tustin on various days for typical approach and reverse flow. As shown on the exhibits, the flights are generally to the east of the Enderle Center and to the west of the Downtown Commercial Core area, and at an altitude of 2,000 or more feet (See Attachment 4).

### **Regarding Heliports:**

The development of heliports was not discussed within the Housing Element Update and is not proposed as part of project. The MCAS Tustin Specific Plan has resulted in the elimination of aviation uses, with the exception of heliports individually permitted or blimp operations as an interim use. The Public Safety Element states, “Flight operations involving blimps may occur as an interim use at former MCAS Tustin. The Tustin Legacy Specific Plan also allows heliports as a conditional use. All development proposals affected by the airport land use commission consistency criteria are referred to the Airport Land Use Commission (ALUC).”

### **Environmental Compliance**

A Negative Declaration (ND) was prepared for the proposed Housing Element Update. The ND was circulated for public review from August 24, 2021 to September 23, 2021. ALUC staff provided comments on the Draft Housing Element on July 27, 2021 (See Attachment 5).

### **Conclusion**

Attachment 6 to this report contains excerpts from the project submittal package received from the City of Tustin for your reference. The Housing Element Update and supporting documents are also available on the City’s website at <https://www.tustinca.org/1211/Housing-Element-Update>.

ALUC staff has reviewed this project with respect to compliance with the *AELUP for JWA*, including review of appropriate height restrictions, imaginary surfaces, and noise. Specific housing developments are not proposed at this time. Future discretionary development would be required to undergo environmental and/or development review on a project-by project basis.

The Tustin General Plan contains aviation related policies in its land use, circulation and public safety elements as listed below.

Land Use Element/Policy 2.6 - Maintain consistency with the County of Orange Airport Environs Land Use Plan in terms of maximum allowable building height, noise levels, safety areas, and other applicable standards.

The Public Safety Element states: “All development proposals affected by the Airport Land Use Commission consistency criteria are referred to the Airport Land Use Commission (ALUC).”

Implementation Program #9 Public Safety Element. Airport Land Use Commission (ALUC) Review: The City will refer all proposed General Plan, Specific Plans, Zoning Ordinance, and Building Code amendments, Specific Plans, and proposed structures that would penetrate the imaginary surface established by the ALUC to the ALUC for review.

**Recommendation:**

That the Commission find the proposed City of Tustin 2021-2029 Housing Element Update Consistent with the *AELUP for JWA*.

Respectfully submitted,



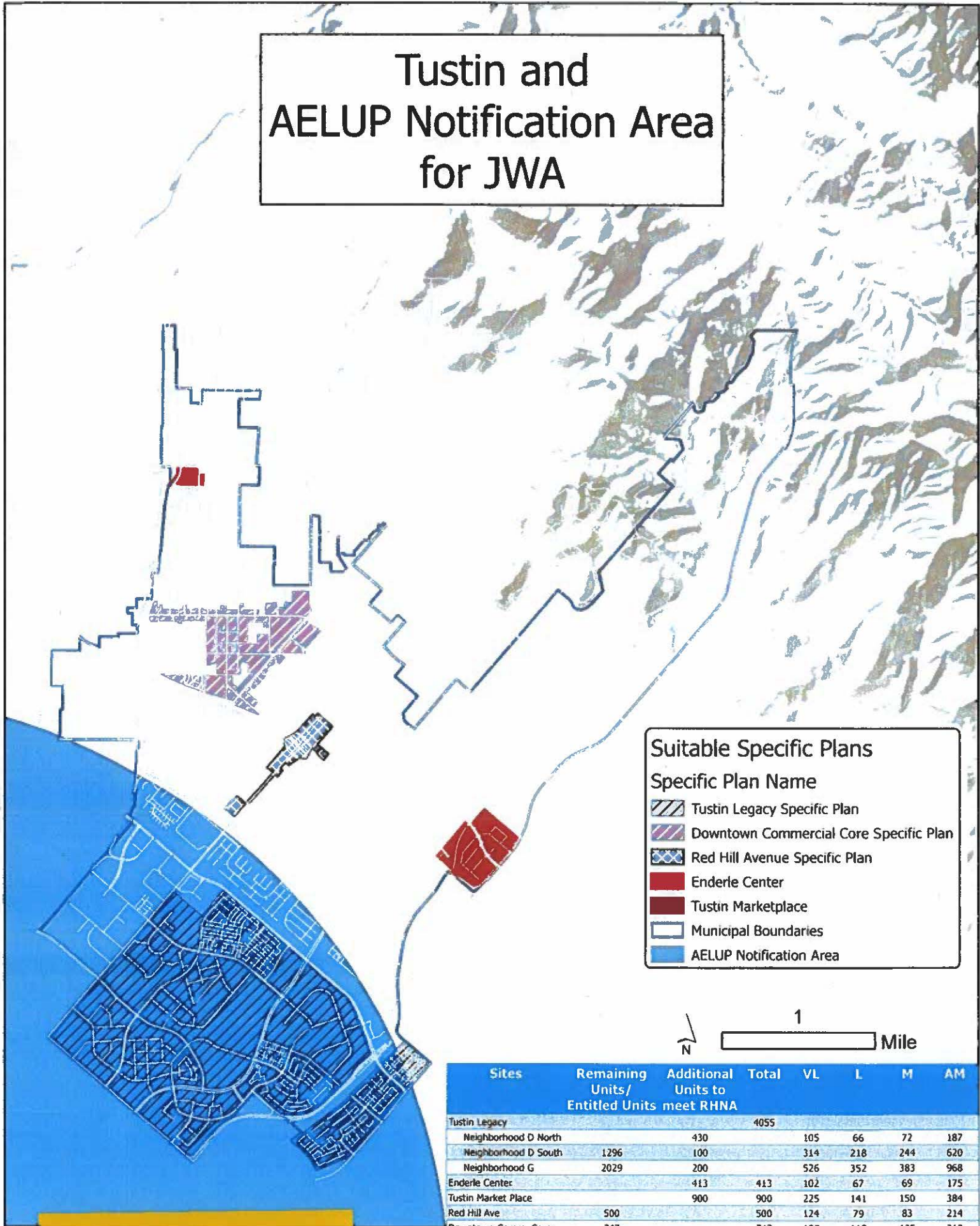
Lea U. Choum  
Executive Officer

**Attachments:**

1. Tustin and Notification Area with Suitable Sites
2. Tustin and Obstruction Imaginary Surfaces with Suitable Sites
3. Tustin Legacy Specific Plan Map
4. JWA Flight Tracks Over Tustin
5. ALUC Letter Regarding Draft Housing Element
6. Excerpts from City of Tustin Submittal Package



# Tustin and AELUP Notification Area for JWA



**Suitable Specific Plans**

**Specific Plan Name**

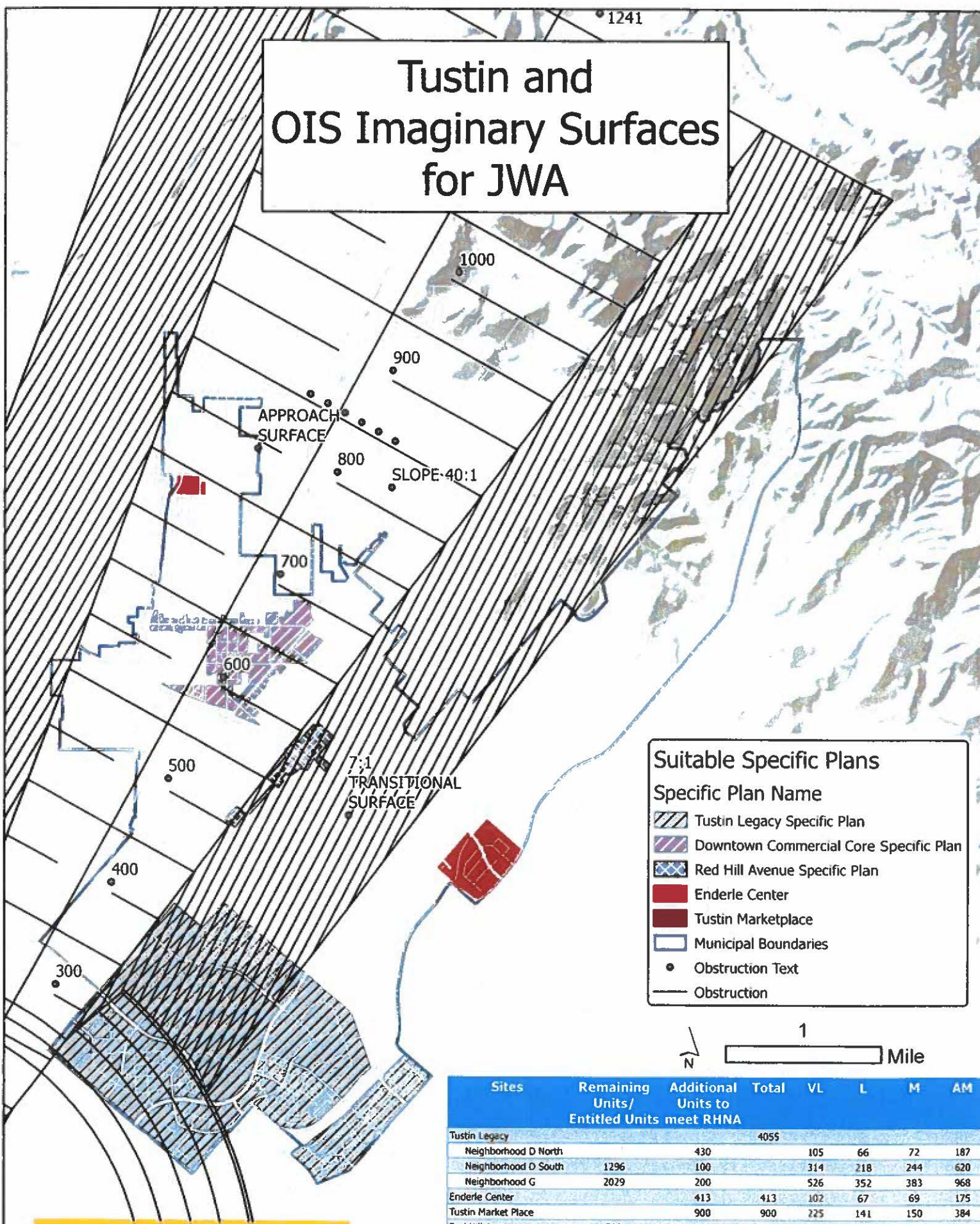
- Tustin Legacy Specific Plan
- Downtown Commercial Core Specific Plan
- Red Hill Avenue Specific Plan
- Enderle Center
- Tustin Marketplace
- Municipal Boundaries
- AELUP Notification Area



| Sites                | Remaining Units/<br>Entitled Units | Additional Units to<br>meet RHNA | Total       | VL          | L           | M           | AM          |
|----------------------|------------------------------------|----------------------------------|-------------|-------------|-------------|-------------|-------------|
| <b>Tustin Legacy</b> |                                    |                                  | <b>4055</b> |             |             |             |             |
| Neighborhood D North |                                    | 430                              |             | 105         | 66          | 72          | 187         |
| Neighborhood D South | 1296                               | 100                              |             | 314         | 218         | 244         | 620         |
| Neighborhood G       | 2029                               | 200                              |             | 526         | 352         | 383         | 968         |
| Enderle Center       |                                    | 413                              | 413         | 102         | 67          | 69          | 175         |
| Tustin Market Place  |                                    | 900                              | 900         | 225         | 141         | 150         | 384         |
| Red Hill Ave         | 500                                |                                  | 500         | 124         | 79          | 83          | 214         |
| Downtown Comm. Core  | 747                                |                                  | 747         | 187         | 117         | 125         | 318         |
| ADUs/JADUs           |                                    | 35                               | 35          | 9           | 6           | 6           | 14          |
| Transitional Housing | 132                                |                                  | 132         | 132         | 0           | 0           | 0           |
| <b>TOTAL</b>         | <b>4704</b>                        | <b>2078</b>                      | <b>6782</b> | <b>1724</b> | <b>1046</b> | <b>1132</b> | <b>2880</b> |



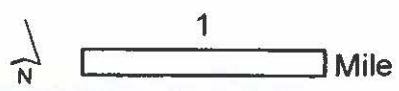
# Tustin and OIS Imaginary Surfaces for JWA



**Suitable Specific Plans**

**Specific Plan Name**

-  Tustin Legacy Specific Plan
-  Downtown Commercial Core Specific Plan
-  Red Hill Avenue Specific Plan
-  Enderle Center
-  Tustin Marketplace
-  Municipal Boundaries
-  Obstruction Text
-  Obstruction



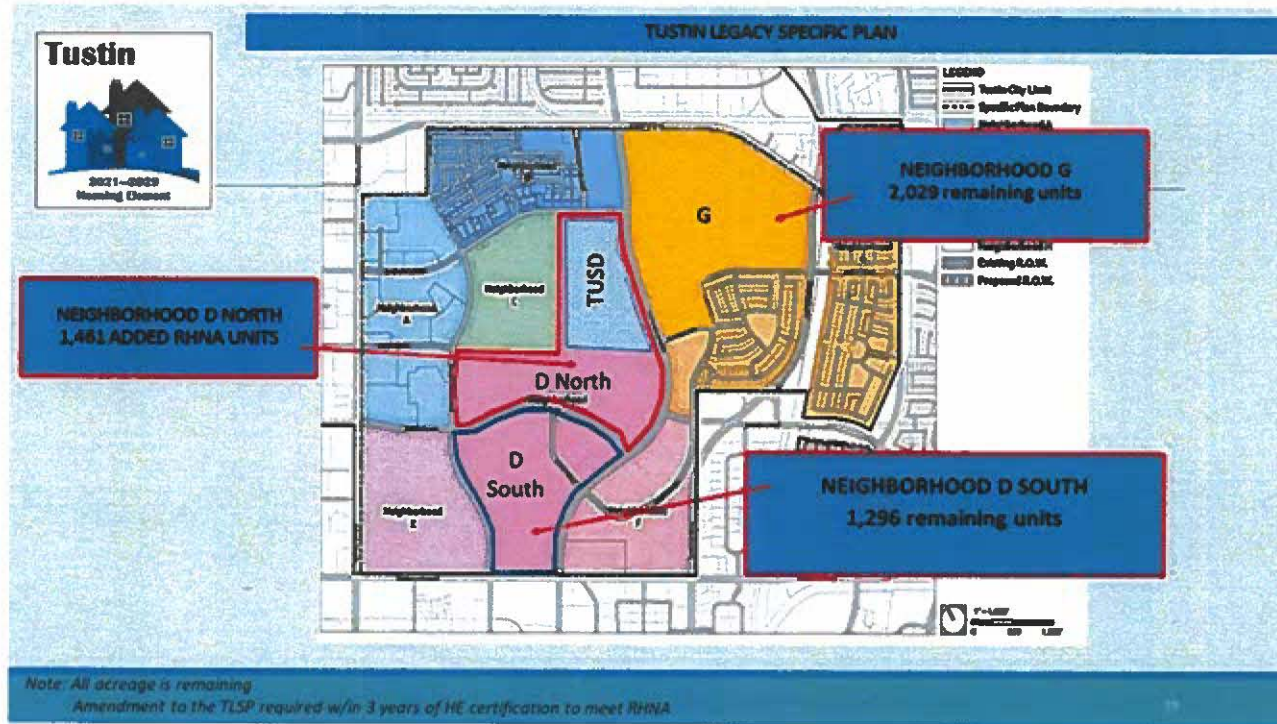
| Sites                | Remaining Units/ Entitled Units | Additional Units to meet RHNA | Total       | VL          | L           | M           | AM          |
|----------------------|---------------------------------|-------------------------------|-------------|-------------|-------------|-------------|-------------|
| Tustin Legacy        |                                 |                               | 4055        |             |             |             |             |
| Neighborhood D North |                                 | 430                           |             | 105         | 66          | 72          | 187         |
| Neighborhood D South | 1296                            | 100                           |             | 314         | 218         | 244         | 620         |
| Neighborhood G       | 2029                            | 200                           |             | 526         | 352         | 383         | 968         |
| Enderle Center       |                                 | 413                           | 413         | 102         | 67          | 69          | 175         |
| Tustin Market Place  |                                 | 900                           | 900         | 225         | 141         | 150         | 384         |
| Red Hill Ave         | 500                             |                               | 500         | 124         | 79          | 83          | 214         |
| Downtown Comm. Core  | 747                             |                               | 747         | 187         | 117         | 125         | 318         |
| ADUs/JADUs           |                                 | 35                            | 35          | 9           | 6           | 6           | 14          |
| Transitional Housing | 132                             |                               | 132         | 132         | 0           | 0           | 0           |
| <b>TOTAL</b>         | <b>4704</b>                     | <b>2078</b>                   | <b>6782</b> | <b>1724</b> | <b>1046</b> | <b>1132</b> | <b>2880</b> |



Attachment B-2

Tustin Legacy Specific Plan  
Site Aerials / Individual Site APN Maps

**TUSTIN LEGACY SPECIFIC PLAN AREA**

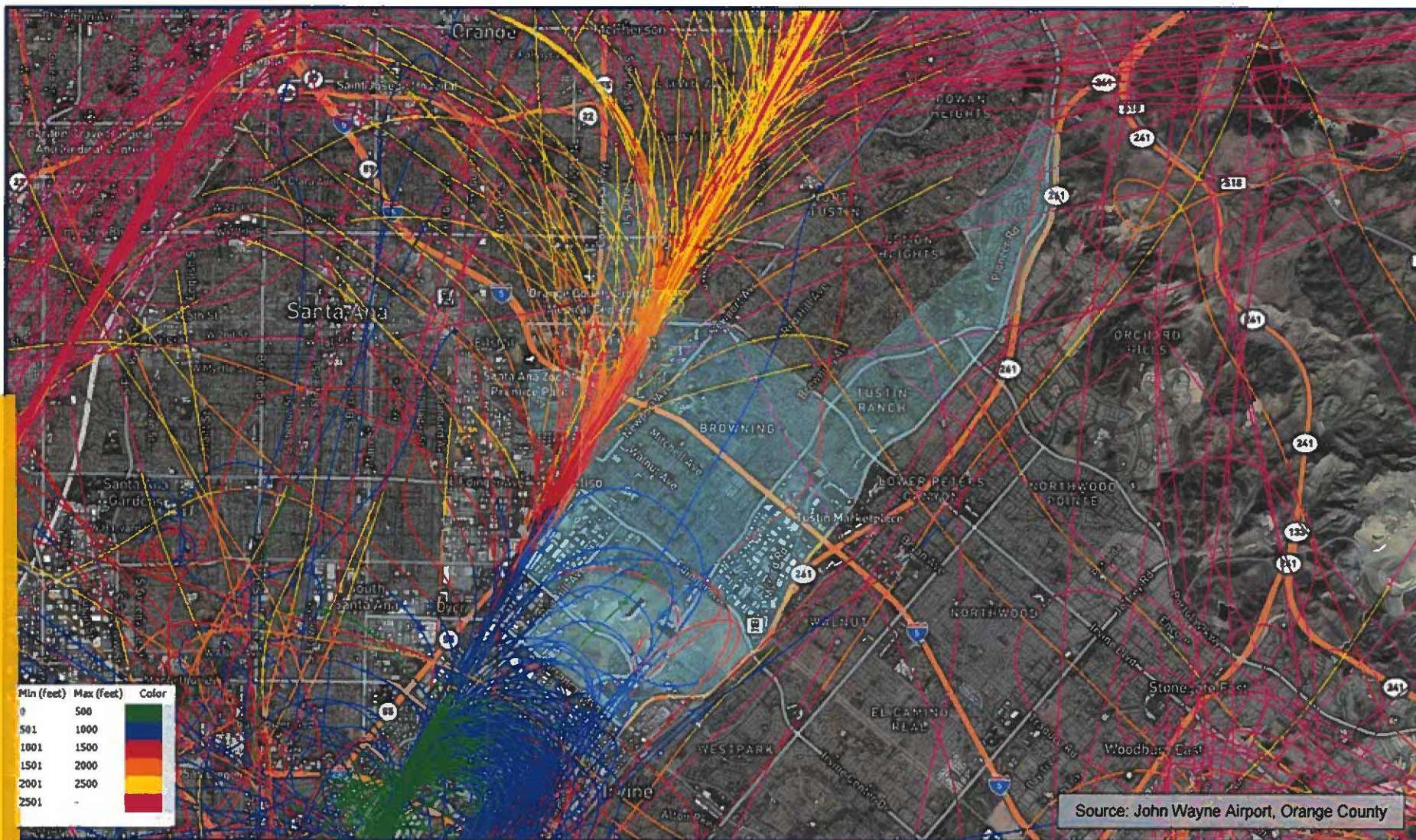


ATTACHMENT 3





John Wayne Airport Altitude Analysis  
689 Operations  
Thursday, January 24, 2019

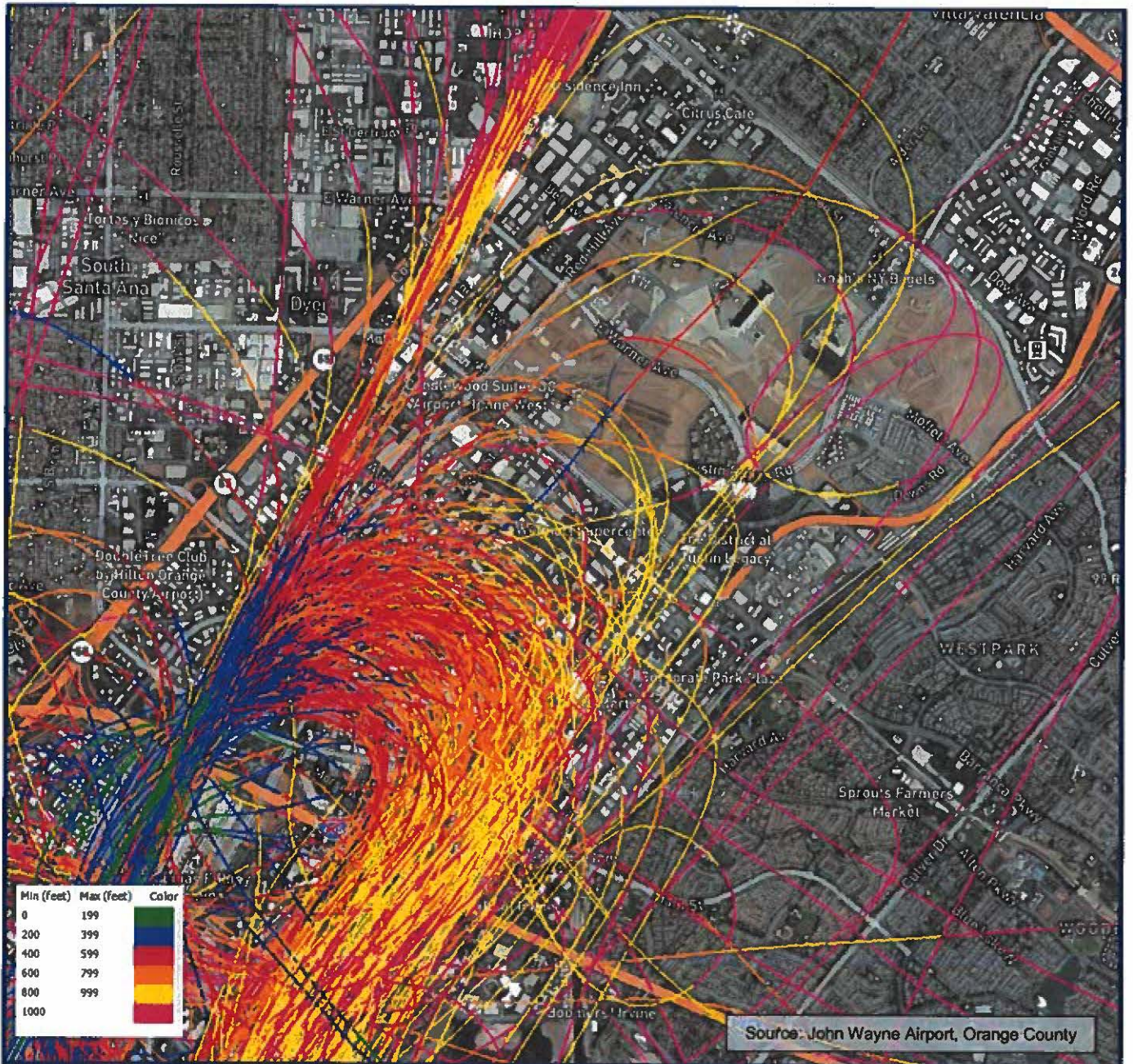


ATTACHMENT 4





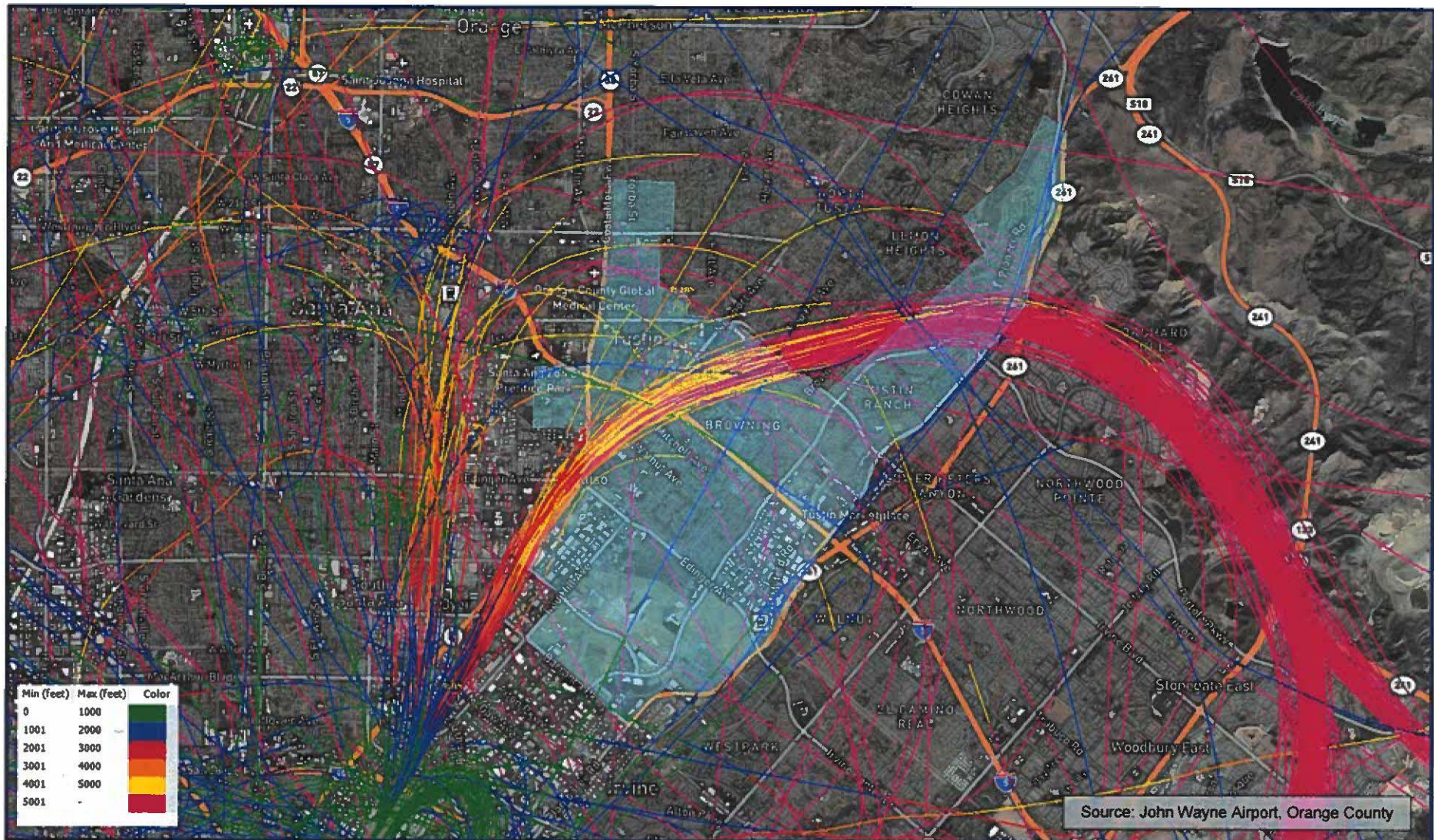
John Wayne Airport Altitude Analysis  
689 Operations  
Thursday, January 24, 2019







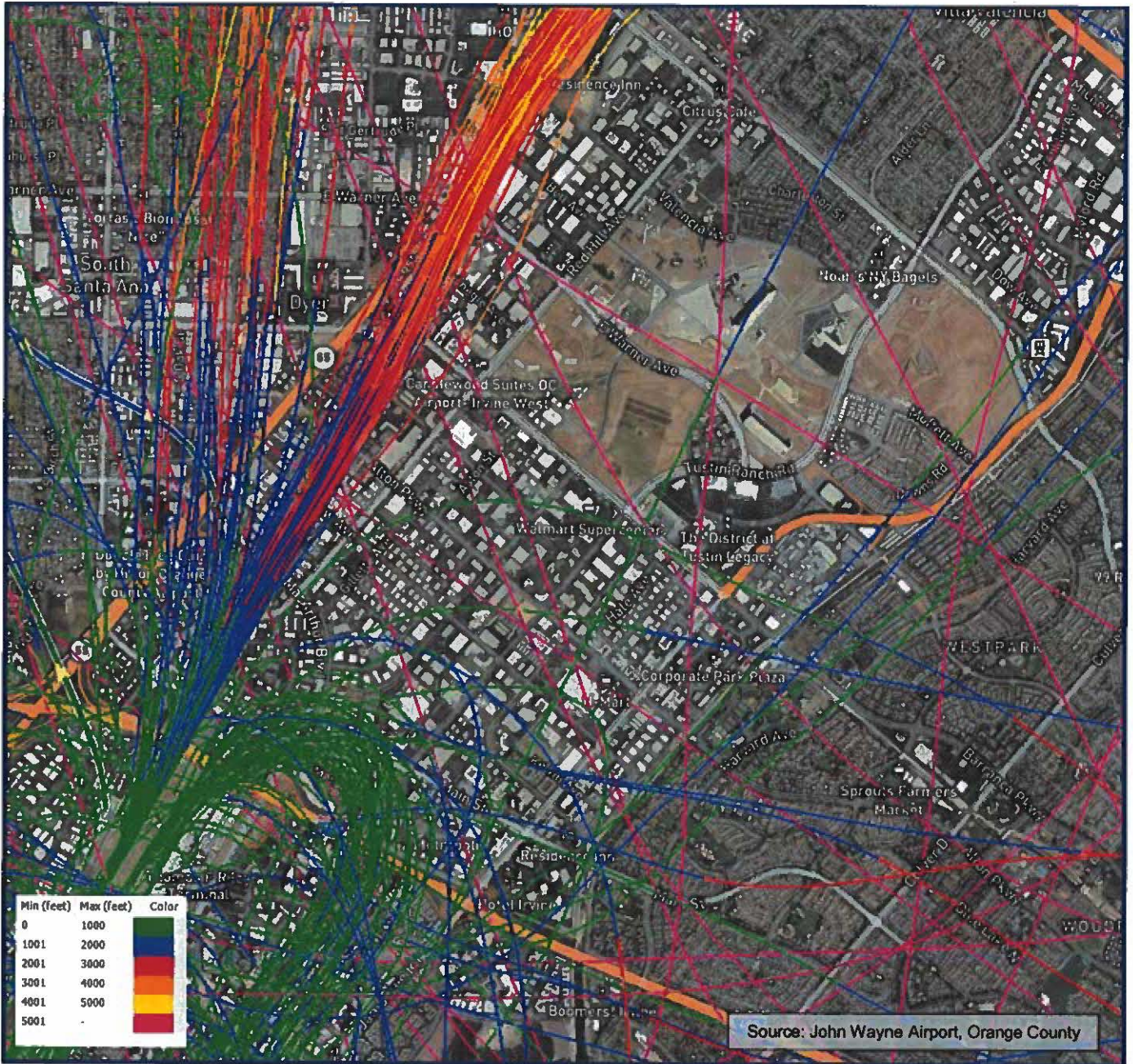
John Wayne Airport Altitude Analysis  
506 Operations | Reverse Flow  
Tuesday, January 22, 2019







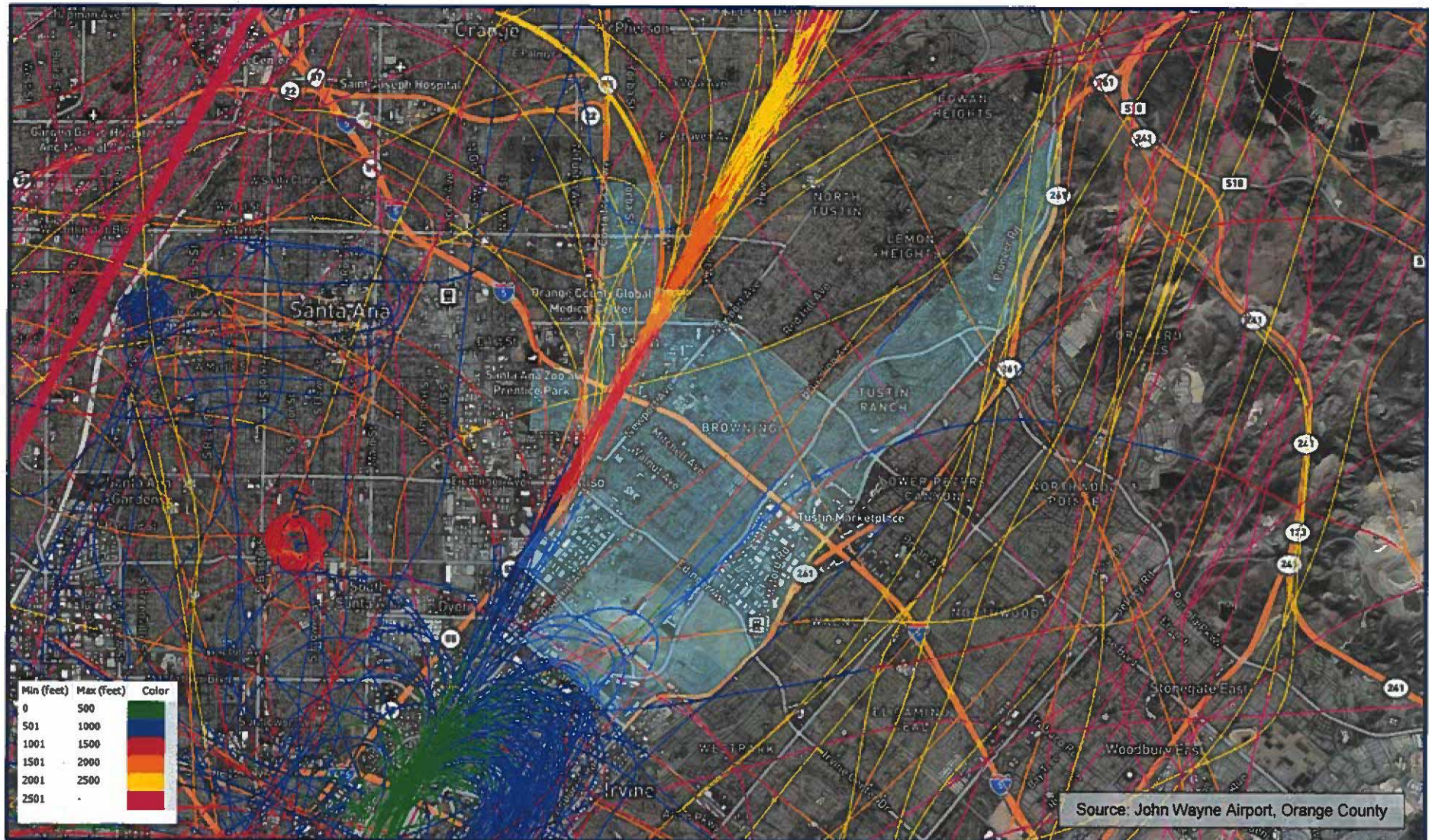
John Wayne Airport Altitude Analysis  
506 Operations | Reverse Flow  
Tuesday, January 22, 2019







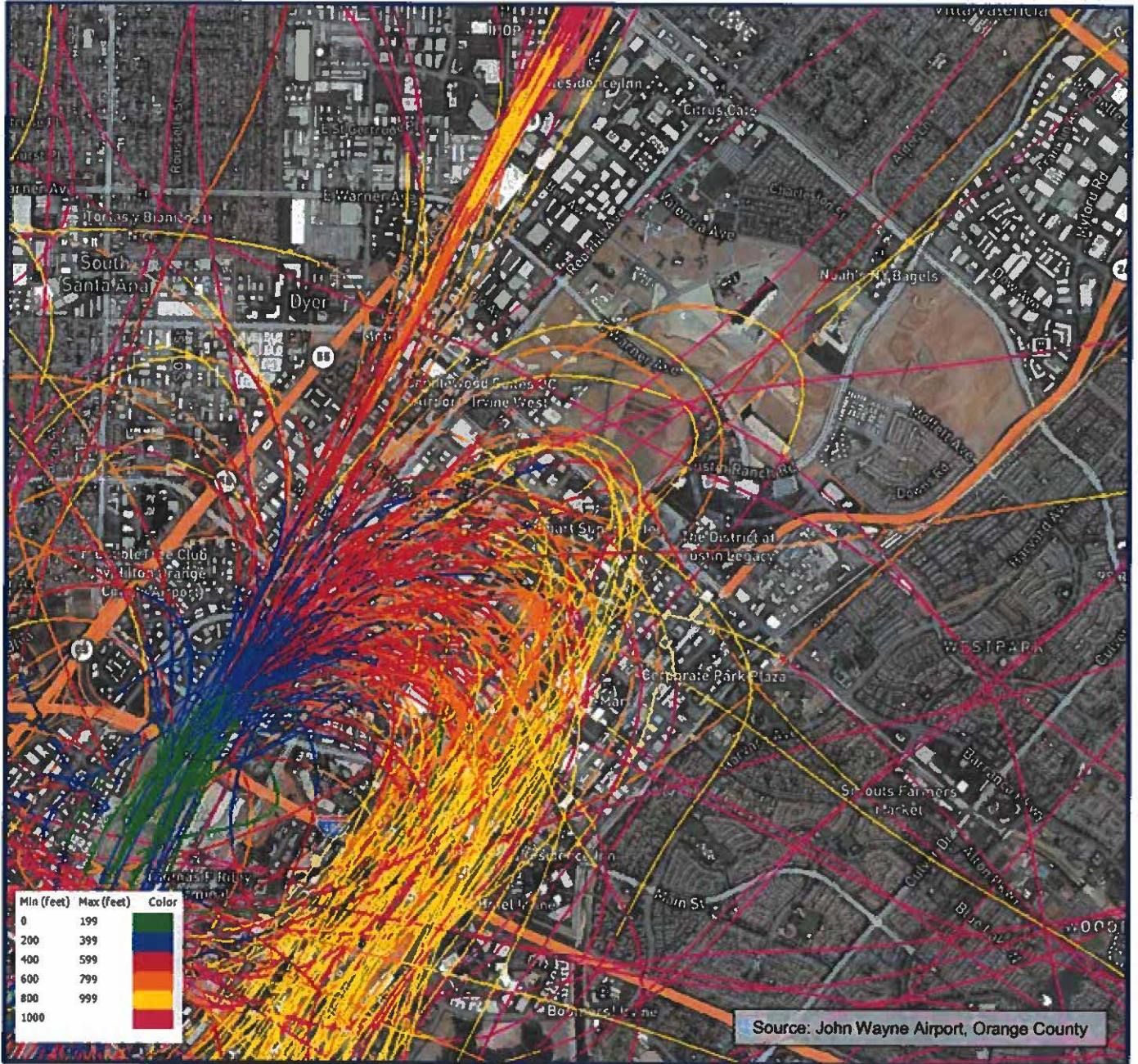
John Wayne Airport Altitude Analysis  
550 Operations  
Saturday, June 22, 2019







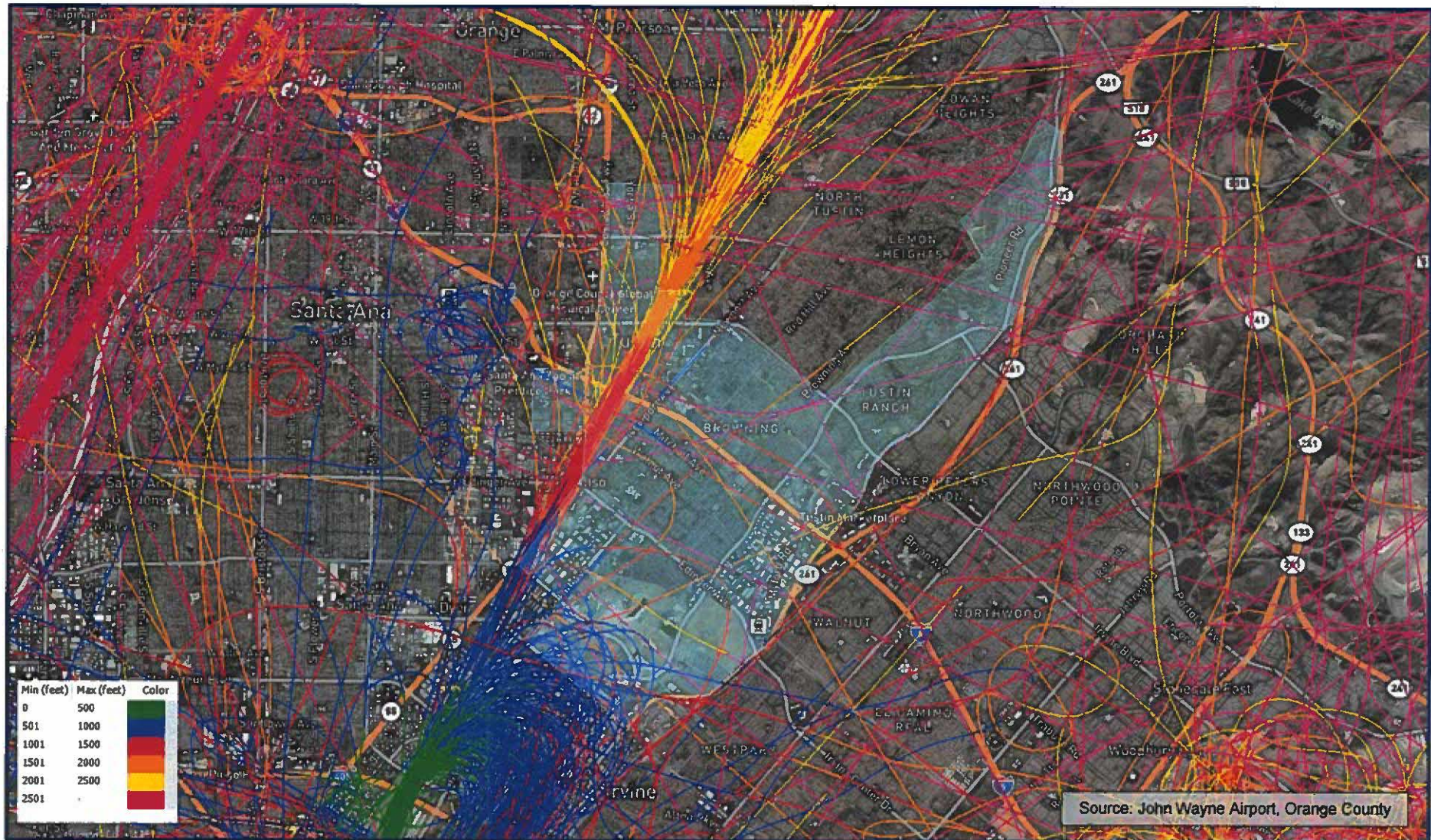
John Wayne Airport Altitude Analysis  
550 Operations  
Saturday, June 22, 2019







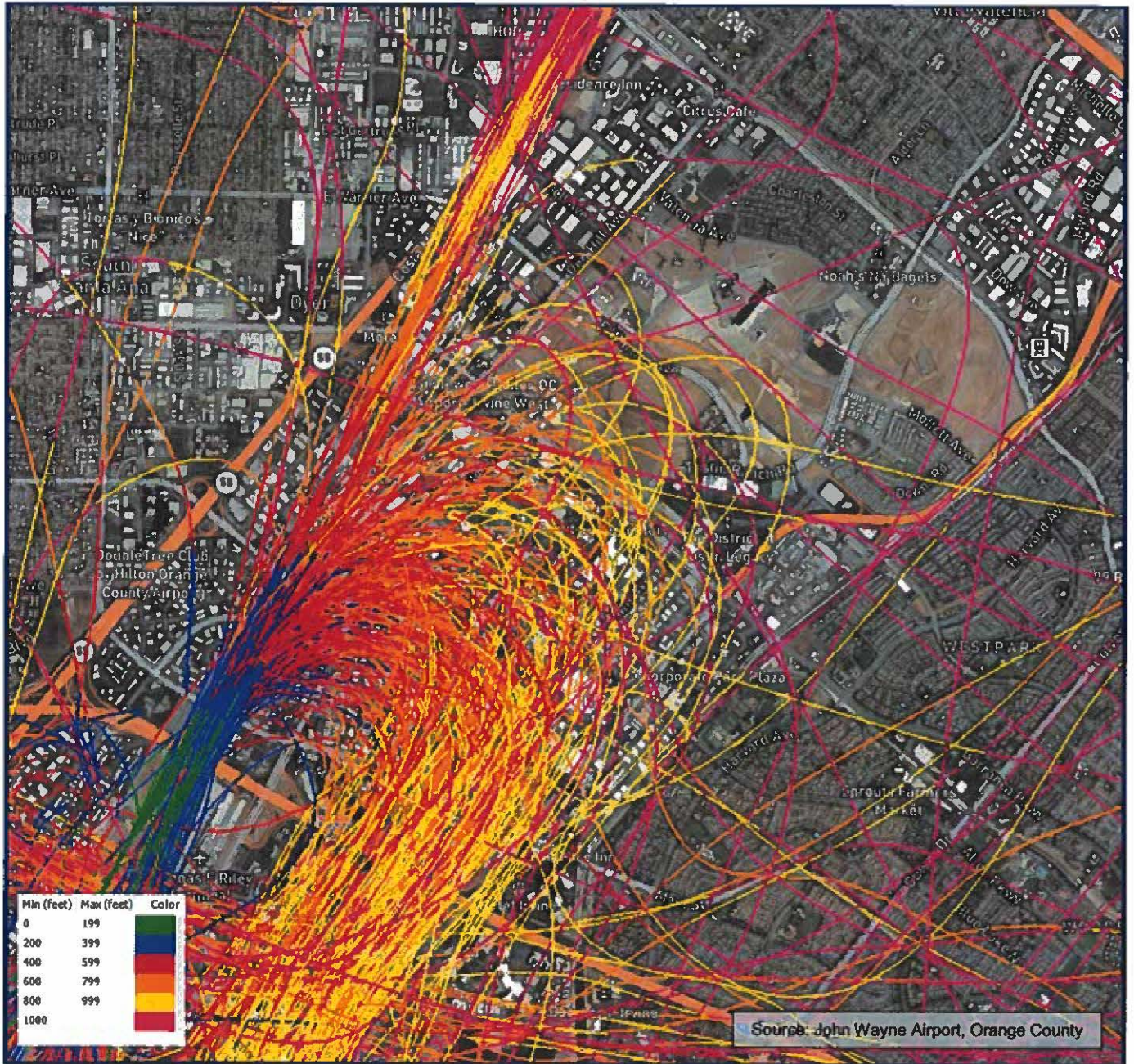
John Wayne Airport Altitude Analysis  
788 Operations  
Thursday, October 17, 2019







John Wayne Airport Altitude Analysis  
788 Operations  
Thursday, October 17, 2019







# AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

July 27, 2021

Erica Demkowicz, Senior Planner  
City of Tustin/Planning Department  
300 Centennial Way  
Tustin, CA 92780

**Subject: Draft 2021-2029 Housing Element**

Dear Ms. Demkowicz:

Thank you for the opportunity to review the Draft 2021-2029 City of Tustin Housing Element in the context of the Airport Land Use Commission's *Airport Environs Land Use Plan for John Wayne Airport (AELUP for JWA)*. The purpose of the Housing Element is to achieve an adequate supply of safe, affordable housing for all economic segments of the community, including individuals with special housing needs.

The Draft Housing Element includes a site inventory assessment, which identifies sites that, in total, can achieve Tustin's assigned 2021 Regional Housing Needs Allocation (RHNA) by income level for the planning period (2021-2029). The site assessment identified the areas and housing types listed below:

Tustin Legacy Specific Plan – 3,325 units  
Red Hill Specific Plan – 500 units  
Downtown Commercial Core – 747 units  
Accessory Dwelling Units – 100 units  
Transitional Housing – 132 units  
Preservation of At-Risk Units – 517 units

The majority of the residential growth is proposed in the Tustin Legacy Specific Plan area. This area is located within the Airport Planning Area (Notification Area) for JWA and is located within the FAA Federal Aviation Regulation (FAR) Part 77 conical and transitional obstruction imaginary surfaces. We suggest that the Draft Housing Element include a discussion of issues that should be considered when developing projects surrounding JWA, such as height restrictions, safety issues, and noise.

We also recommend that the City continue to implement Policies 6.7 and 6.8 of the current housing element and include these policies in the proposed housing element update.

**ATTACHMENT 5**



Policy 6.7: Require buildings and structures to not penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for John Wayne Airport unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, require applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA. A copy of the FAA application shall be submitted to ALUC and, the applicant shall provide the City with FAA and ALUC responses.

Policy 6.8: Require development projects that include structures higher than 200 feet above existing grade to be submitted to ALUC for review. In addition, require projects that exceed a height of 200 feet above existing grade to file Form 7460-1 with the Federal Aviation Administration (FAA).

We appreciate that the Draft Housing Element includes Policy 5.4 listed below:

Policy 5.4: FEDERAL AVIATION REGULATIONS – Provide development community with information to ensure that development proposals meet the criteria of the Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for John Wayne Airport in coordination with review procedures by the Airport Land Use Commission.

The remaining proposed housing sites outside of the Tustin Legacy Specific Plan fall outside the Airport Planning Area but are within the approach or transitional surfaces for JWA. The Downtown Core Specific Plan Area and the Preservation of At Risk Units are within the approach surface for JWA. The Redhill Avenue Specific Plan falls within the transitional surface for JWA. Residential developments in these surfaces would be subject to aircraft overflight and single event noise. Although outside the airport influence area, the proposed properties may be subject to some of the annoyances or inconveniences associated with proximity to airport operations.

A referral by the City to the ALUC is required for this project due to the location of the proposal within an AELUP Planning Area and due to the nature of the required City approvals (i.e. Housing Element Update) under PUC Section 21676(b). With respect to project submittals, please note that the Commission requests that referrals be submitted to the ALUC for a determination between the Local Agency's Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, complete submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaizing. A Housing Element Submittal form is attached and can be found at:

<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>



Thank you for the opportunity to comment on the proposed Housing Element Update.  
Please contact Julie Fitch at 949.252.5284 or via email [jfitch@ocair.com](mailto:jfitch@ocair.com) if you require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Lea U. Choum". The signature is fluid and cursive, with a long horizontal stroke at the end.

Lea U. Choum  
Executive Officer



## Community Development Department

September 7, 2021

Airport Land Use Commission for Orange County  
Attn: Executive Officer  
3160 Airway Avenue Costa Mesa, CA 92626

SUBJECT: REVIEW OF CITY OF TUSTIN 2021-2029 DRAFT HOUSING ELEMENT

Dear Executive Officer,

The City of Tustin has been diligently working on an update to the City's 6<sup>th</sup> Cycle Housing Element, which is mandated every eight (8) years by State Law to ensure that the City is prepared to meet Tustin's future housing needs. For the 2021-2029 planning period for the 6<sup>th</sup> Cycle, the City must plan for its fair share of affordable housing in order to accommodate housing needs throughout the State. For Tustin, the City's Regional Housing Needs Allocation (RHNA) is 6,782 additional residential units. To provide for this need, the City has identified a total of twenty (20) potential sites where housing units could be accommodated. These sites are included within Appendix B of the Revised Draft Housing Element.

On August 17, 2021 and September 7, 2021, the City Council amended the Draft Housing Element with the inclusion of two (2) additional sites (The Market Place and Enderle Center) to the City's Site Inventory. These sites are in addition to those identified sites within the Tustin Legacy Specific Plan, Red Hill Avenue Mixed Use and Downtown Commercial Core Specific Plan areas, the City's anticipated accessory dwelling units (ADUs) and transitional housing. Specifically, the revisions redistribute 900 units to the Tustin Market Place and 413 units to Enderle Center. No increase in the number of units at Tustin Legacy is proposed. The revision also includes adjustments to the distribution of units at various income levels (based on RHNA percentages) evenly and proportionately throughout the sites. On October 5, 2021, the Tustin City Council will conduct its final review of the Draft Housing Element during its regularly scheduled meeting, followed by the submittal of the final draft to HCD for final review and certification of the document.

The City of Tustin requests the review by the Airport Land Use Commission (ALUC) of the City's Draft Housing Element 2021-2029, for consistency with the Airport Environs Land Use Plan (AELUP). Please contact me directly at (714) 573-3127 or via email at [edemkowicz@tustinca.org](mailto:edemkowicz@tustinca.org) if you should have any questions.

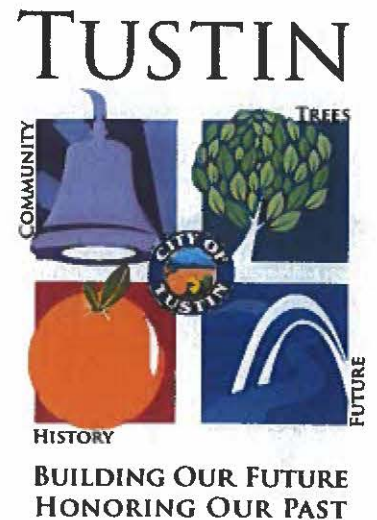
Sincerely,

DocuSigned by:  
  
06FB18ACE3B04C8

Erica H. Demkowicz, AICP  
Senior Planner

**Attachments: Housing Element Update Submittal Form and Requested Attachments**

C: Justina L. Willkom, Community Development Director  
Irma Huitron, Assistant Community Development Director







# AIRPORT LAND USE COMMISSION

## FOR ORANGE COUNTY

### HOUSING ELEMENT UPDATE - SUBMITTAL FORM

1. City/County: City of Tustin
2. Contact information - Name/Title Erica H. Demkowicz, Senior Planner  
Agency: City of Tustin  
Address: 300 Centennial Way  
Phone/email: 714-573-3127/edemkowicz@tustinca.org
3. Airport Planning Area(s):  
 John Wayne Airport    Fullerton Municipal Airport    Joint Forces Air Base Los Alamitos
4. Are there additional General Plan Element(s) being submitted for review:  No    Yes –  
Name of Elements: Not applicable
5. Scheduled date of Planning Commission Public Hearing: 7/14/2021
6. Tentative date of City Council Public Hearing: 10/15/2021
7. Requested month of ALUC Review: September  
*(Complete submittal must be received by the first day of the month)*
8. Does the Housing Element Update identify new housing sites within the airport Notification/Planning Area\*?    No (skip items # 9-12).    Yes (continue below).
9. Does the Housing Element Update identify new housing sites within the:    60 CNEL or    65 CNEL Noise Contours of the airport(s)\*? Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to noise contours. No, Tustin is not proposing any housing sites within the specified contours.
10. Are noise policies or mitigation measures identified in the Housing Element or elsewhere in the General Plan?    No    Yes - Please refer to attached pages with noise policies/mitigation measures highlighted. Please refer to City of Tustin Noise Element and Tustin Legacy Specific Plan Page 3-55 attached.
11. Are any new housing sites identified within the Runway Protection Zone (RPZ), Clear Zone (CZ), or Airport Safety Zones of the airport\*?    No    Yes - Please attach exhibit showing location(s) of proposed housing site(s) and number of units in relation to the applicable zones.
12. Are any new housing sites identified within the Obstruction Imaginary Surfaces\*?  
 No    Yes (**but would not penetrate the imaginary surfaces**) - Please refer to attached exhibit showing location(s) of proposed housing sites and number of units in relation to the Obstruction Imaginary Surfaces "JWA Imaginary Surfaces-Tustin" exhibit.

*Continued on reverse side.*



13. Maximum height allowed for proposed housing. Maximum height for residential structures depends on the respective zoning district or planning area within the identified Specific Plan. Within the Red Hill Avenue Specific Plan, the maximum allowable building height for mixed use projects, which would include residential is 4-stories and 50-feet. Within the Downtown Commercial Core Specific Plan, the maximum allowable building height is between 2-5 stories with a minimum first floor plate height of 16-feet. The maximum allowable height depends on where the project may be located. Within the Tustin Legacy Specific Plan (TLSP), the maximum allowable height within Neighborhood D - Planning Areas 8, 13, and 14 is 150 feet, with up to 180 feet allowed with Community Development Director approval. This is the highest allowable height in the TLSP. The ALUC would be notified of project per standards notification requirements. See attached pages for links and sections where maximum height is identified.

*(Please provide link and identify section(s) of General Plan and/or Zoning Code where housing maximum height is specified.)*

### HOUSING ELEMENT UPDATE - SUBMITTAL CHECKLIST

- Cover letter on City/County letterhead. [See Attached](#)
- Completed Submittal Form. [Completed](#)
- Copy of existing Housing Element (and any other applicable Elements). [See Attached](#)
- Copy of proposed Housing Element Update attached (and any other proposed elements) with requested information highlighted. [See attached September 2021 Draft Housing Element](#)
- Exhibit showing location(s) of proposed housing sites and number of units within the Notification Area/Planning Area for airport. [See "Notification Area – Tustin" Exhibit](#)
- Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to noise contours for airport(s). [City of Tustin is outside of the 60 CNEL Noise Contour](#)
- Noise policies/mitigation measures in Housing Element Update highlighted and/or pages from other elements attached. [See attached Tustin's Noise Element with highlighted text](#)
- Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to Airport Safety Zones. [City of Tustin is not within the Airport Safety Zone](#)
- Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to the Obstruction Imaginary Surfaces. See attached map Proposed draft [Housing Element does not include any zone changes or general plan amendments. Heights are not being not being changed. Also see "Mapped Notification Area-Tustin" Exhibit](#)
- Pages of General Plan and/or Zoning Code which indicate height restrictions for each new housing site within Airport Notification/Planning Area. [Refer to Attachments. Also refer to Exhibits "GP-Zones-Height Links" folder.](#)
- Explanation of how the Housing Element Update (or other General Plan Elements) addresses the AELUP standards for noise impact, safety compatibility, and height restriction zones: [City of Tustin has an existing Program EIR with mitigation measures for the housing sites located in Specific Plan Areas and the City will continue to address potential impacts in any future updates to Specific Plans. Required amendment to the Specific Plan would be completed in](#)

Mail or deliver Submittal Form, Checklist and attachments to: Airport Land Use Commission for Orange County,  
Attn: Executive Officer, 3160 Airway Avenue, Costa Mesa, CA 92626 / Phone: (949) 252-5170



the next three years as required by state law. ALUC would be notified in advance for public comments of any future zone change or new overlay zones that may be considered in the future to accommodate units in the identified housing sites.

\*For airport planning/notification areas, noise contours, safety zones and obstruction imaginary surfaces see Appendix D of the applicable Airport Environs Land Use Plan (AELUP) at:

<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

*Mail or deliver Submittal Form, Checklist and attachments to: Airport Land Use Commission for Orange County,  
Attn: Executive Officer, 3160 Airway Avenue, Costa Mesa, CA 92626 / Phone: (949) 252-5170*



Table S.2 – Development Standards for Mixed Use Buildings within DA-1, DA-2, DA-3, DA-6B & DA-6C

| <b>MIXED USE BUILDINGS</b>   |  |   |
|--|--|---|
| Development Standards for<br><b>DA-1, DA-2, DA-3, DA-6B &amp; DA-6C</b>  |  |   |
| <p>These Development Standards shall apply to both the residential and commercial components of mixed use development within DA-1, DA-2, DA-3, DA-6B and DA-6C. As indicated in Table S.1, Residential Permitted Use Table, residential mixed use requires approval of a discretionary Residential Allocation Reservation (RAR), in addition to any other entitlements required by the project, as provided in Section 6.1.3, Entitlement Processes. See also Section 5.4, Residential Design Criteria, and Chapter 4, Commercial Design Criteria, for commercial components of mixed use.</p> |  |   |
| Mixed Use Development Standards  | DA-1 & DA-2  | DA-3, DA-6B & DA-6C   |
| <b>Building Setbacks<sup>1</sup></b>   |  |   |
| Front setback <sup>2</sup>   |  | 0 feet minimum  |
| Interior side setback<br>From adjacent residential zone<br>From adjacent non-residential zone  |  | 5 feet minimum<br>0 feet minimum  |
| Corner side setback  |  | 0 feet minimum  |
| Rear setback<br>From adjacent residential zone<br>From adjacent non-residential zone or alley  |  | 10 feet minimum<br>0 feet minimum   |
| <b>Building Height</b><br><br>(Parking structures below buildings, rooftop uses (including gardens, lounges, and pools/spas), and architectural features (including chimneys and towers) shall not be included in the height measurement.)   | 3 stories maximum<br>First floor plate 16 foot minimum   | 4 stories maximum<br>(5 stories maximum adjacent to freeway)<br>First floor plate 16 foot minimum |
| <b>Non-Residential Tenant Space Maximum</b>  | 10,000 square feet (applies to DA-1 only)  | none  |
| <b>Open Space (Per dwelling unit)</b><br>Private requires minimum depth of 4 ft. and includes private patios, private balconies, private roof decks<br><br>Common includes courtyards, common balconies, common roof decks, pools/spas, recreation facilities, pedestrian paths  | Both private and common open space are required as follows:<br>Minimum 100 sf private open space (consisting of a minimum of 50 sf enclosed storage)<br><br>Minimum 200 sf common open space |   |
| <b>Parking Spaces</b> See Sections 2.3.2.1, Provisions for Reduced Parking and 6.3.3, Modification of Parking Standards  |  |   |
| Residential units  | 2 spaces per dwelling unit on-site within enclosed garage or parking structure   |   |
| Guest parking  | 0.25 space per unit located within 300 feet of units served  |   |
| Non-residential parking  | Per Tustin City Code   |   |
| Signage  | Per Chapter 4, Commercial Design Criteria and Tustin City Code   |   |
| Landscaping  | Per Chapter 4, Commercial Design Criteria, Section 5.4, Residential Design Criteria and Tustin City Code   |   |
| Public Open Space  | Per Chapter 4, Commercial Design Criteria and Section 5.4, Residential Design Criteria   |   |
| <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>Setback shall be measured as the perpendicular distance from the ultimate street right-of-way line, or the property line, to the exterior wall of the closest structure.</li> <li>On-site parking shall not be located between the street and the front of the building.</li> </ol>   |  |   |



RESIDENTIAL PROVISIONS

Table 5.3 – Development Standards for Mixed Use Buildings within DA-4

| <b>MIXED USE BUILDINGS</b>  |  |
|---|--|
| Development Standards for<br>DA-4   |  |
| <p>These Development Standards shall apply to both the residential and commercial components of mixed use development within DA-4. As indicated in Table 5.1, Residential Permitted Use Table, residential mixed use requires approval of a discretionary Residential Allocation Reservation (RAR) entitlement, in addition to any other entitlements required by the project, as provided in Section 6.1.3, Entitlement Processes. See also Section 5.4, Residential Design Criteria, and Chapter 4, Commercial Design Criteria, for commercial components of mixed use.</p> |  |
| Mixed Use Development Standards DA-4  |  |
| <b>Building Setbacks<sup>1</sup></b>  |  |
| Front setback <sup>2</sup>  | 0 feet minimum   |
| Interior side setback<br>From adjacent residential zone<br>From adjacent non-residential zone or alley zone   | 10 feet minimum<br>0 feet minimum  |
| Corner side setback   | 0 feet minimum   |
| Rear setback<br>From adjacent residential zone<br>From adjacent non-residential zone or alley   | 10 feet minimum<br>0 feet minimum  |
| <b>Building Height</b><br>[Parking structures below buildings, rooftop uses, (including gardens, lounges, and pools/spas), and architectural features (including chimneys and towers) shall not be included in the height measurement.]   | <b>3 stories maximum</b><br>First floor plate 16 foot minimum  |
| <b>Non-Residential Tenant Space Maximum Size</b>  | 10,000 square feet   |
| <b>Open Space (Per dwelling unit)</b><br><br>Private requires minimum depth of 4 ft. and includes private patios, private balconies, private roof decks<br><br>Common includes courtyards, common balconies, common roof decks, pools/spas, recreation facilities, pedestrian paths   | Both private and common open space are required as follows:<br><br>Minimum 100 sf private open space (consisting of a minimum of 50 sf enclosed storage)<br><br>Minimum 200 sf common open space |
| <b>Parking Spaces</b> See Sections 2.3.2.1, Provisions for Reduced Parking and 6.3.3, Modification of Parking Standards   |  |
| Residential units   | 2 spaces per dwelling unit on-site within enclosed unit garage or parking structure  |
| Guest parking   | 0.25 space per unit located within 300 feet of units served  |
| Non-residential parking   | Per Tustin City Code   |
| <b>Signage</b>  | Per Chapter 4, Commercial Design Criteria and Tustin City Code   |
| <b>Landscaping</b>  | Per Chapter 4, Commercial Design Criteria, Section 5.4, Residential Design Criteria and Tustin City Code   |
| <b>Public Open Space</b>  | Per Chapter 4, Commercial Design Criteria and Section 5.4, Residential Design Criteria   |
| <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>Setback shall be measured as the perpendicular distance from the ultimate street right-of-way line, or the property line, to the exterior wall of the closest structure.</li> <li>On-site parking shall not be located between the street and the front of the building.</li> </ol>  |  |





Table S.4 – Development Standards for Multi-Family Residential Buildings within DA-6A

| <b>MULTI-FAMILY RESIDENTIAL BUILDINGS</b>  |  |
|--|--|
| Development Standards for<br><b>DA-6A</b>  |  |
| <p>These Development Standards shall apply to multi-family residential development within DA-6A. As indicated in Table S.1, Residential Permitted Use Table, multi-family residential requires approval of a discretionary Residential Allocation Reservation (RAR) entitlement, in addition to any other entitlements required by the project, as provided in Section 6.1.3, Entitlement Processes. See also Section 5.4, Residential Design Criteria</p> |  |
| Multi-Family Residential Development Standards DA-6A   |  |
| <b>Building Setbacks<sup>1</sup></b>   |  |
| Front setback <sup>2</sup>   | 5 feet minimum   |
| Interior side setback  | 3 feet minimum   |
| Corner side setback  | 5 feet minimum   |
| Rear setback   | 5 feet minimum   |
| <b>Building Height</b><br>(Parking structures below buildings, rooftop uses (including gardens, lounges, and pools/spas), and architectural features (including chimneys and towers) shall not be included in the height measurement.)   | 2 stories maximum adjacent to a public street<br>4 stories maximum in interior<br>5 stories maximum adjacent to freeway  |
| <b>Open Space (Per dwelling unit)</b><br><br>Private requires minimum depth of 4 ft. and includes private patios, private balconies, private roof decks<br><br>Common includes courtyards, common balconies, common roof decks, pools/spas, recreation facilities, pedestrian paths  | Both private and common open space are required as follows:<br><br>Minimum 100 sf private open space (consisting of a minimum of 50 sf enclosed storage)<br><br>Minimum 200 sf common open space |
| <b>Parking Spaces</b> See Sections 2.3.2.1, Provisions for Reduced Parking and 6.3.3, Modification of Parking Standards  |  |
| Residential units  | 2 spaces per dwelling unit on-site within enclosed garage or parking structure   |
| Guest parking  | 0.25 space per unit located within 300 feet of units served  |
| <b>Landscaping</b>   | Per Section 5.4, Residential Design Criteria and Tustin City Code  |
| <b>Note:</b><br>1. Setback shall be measured as the perpendicular distance from the ultimate street right-of-way line, or the property line, to the exterior wall of the closest structure.<br>2. On-site parking shall not be located between the street and the front of the building.   |  |



is submitted for a new construction project in the R-2 or R-3 zones formal Design Review is required and approval by the Planning Commission. Approximate application processing time can range from 3 months, for smaller projects, to 9 months, for larger projects depending on if there is a subdivision included with the application and the level of environmental review.

Parking requirements could be a potential constraint for single-family and multi-family residential development. Required parking for multi-family projects is two covered spaces, in either a garage or carport, for each dwelling unit, plus one unassigned guest space for every four units. For Tustin, this is not considered overly excessive given the older age of many of the existing multiple family residential units and the fact that many units or complexes have non-conforming parking. Parking requirements for single-family residential includes two-car garage per dwelling, or three-car garage per dwelling with five or more bedrooms. Parking is a significant area of concern within several areas of the City, especially in the higher-density residential areas.

At the time of this update, the City is currently reviewing the City's permit parking requirements and overall process. A new program has been included in this Housing Element, Program 1.2a, that commits to adopting new objective design standards that facilitate high-quality residential development; while ensuring the provision of adequate parking. Additionally, Program 1.14 a. commits to promoting adaptive reuse of historic resources for affordable housing and evaluate the use of alternate parking strategies. As existing multi-family parcels are recycled to conform to current parking requirements, the parking provided is more reflective of the actual occupancy and potential demand within the unit. A decrease in the number of required residential off-street parking spaces is allowed and limited to a maximum reduction of one (1) parking space through approval of a Minor Adjustment. Minor Adjustments are reviewed administratively by the Zoning Administrator and can take approximately 1 to 3 months to process the application.

Within the Multi-Family Residential District (R-3), a 35-foot height limitation and 65 percent coverage preclude the development of housing projects with building height above the 35-foot height limitation. While these height limits may place some restrictions on housing development, these limits are designed to maintain compatibility of land use intensity. They ensure proper and effective transportation within the community and are commonly used by local governments as a development tool. When designed properly, with features such as limited windows and door openings along the walls facing single-family zoned properties, or using stepped building heights and design to minimize intrusion to the privacy of existing residents, Conditional Use Permits for such development projects have been granted.



**TABLE H-II-18  
SUMMARY OF RESIDENTIAL ZONING REGULATIONS  
CITY OF TUSTIN**

| Zoning                                 | Minimum Lot Area   | Density Max. du/ac | Lot Coverage | Building Height | Front Yard | Interior Side Yard | Corner Side Yard | Rear Yard  | Parking   |
|--|--------------------|--------------------|--------------|-----------------|------------|--------------------|------------------|--|---|
| R-A Residential Agricultural District  | 7,200 square feet  | 7                  | 40 percent   | 30 feet         | 20 feet    | 5 feet             | 10 feet          | 5 feet, but no less than 1,000 feet clear and unobstructed on open space.      | 2 car garage per dwelling, 3 car garage per dwelling with five or more bedrooms |
| E-4 Residential Estate District        | 10,000 square feet | 7                  | 40 percent   | 30 feet         | 20 feet    | 10% of lot width   | 10% of lot width | 20 percent lot depth   | 2 car garage per dwelling, 3 car garage per dwelling with five or more bedrooms |
| R-1 Single-Family Residential District | 7,200 square feet  | 7                  | 40 percent   | 30 feet         | 20 feet    | 5 feet             | 10 feet          | 5 feet, but no less than 1,000 feet clear and unobstructed on rear 1/3 of lot. | 2 car garage per dwelling, 3 car garage per dwelling with five                  |



|  |                   |    |            |                      |         |        |         |         |   |
|--|-------------------|----|------------|----------------------|---------|--------|---------|---------|---|
| R-2 Duplex Residential District                    | 3,500 square feet | 15 | 40 percent | 30 feet              | 20 feet | 5 feet | 10 feet | -       | or more bedrooms<br>2 car garage per dwelling; one of which shall be garage space |
| R-2 Duplex Residential District (single structure) | 3,500 square feet | 15 | 50 percent | 35 feet              | 20 feet | 5 feet | 10 feet | 10 feet | 2 car garage per dwelling; one of which shall be garage space                     |
| R-3 Multiple Family Residential District           | 1,750 square feet | 25 | 65 percent | 35 feet              | 15 feet | 5 feet | 10 feet | 10 feet | 2 assigned covered spaces per unit, plus one unassigned open space per 4 units    |
| R-4 Suburban Residential District                  | 7,200 square feet | 25 |            | 2 stories or 35 feet | 20 feet | 5 feet | 10 feet | 25 feet | 2 assigned covered spaces per unit, plus one                                      |



|                                  |  |  |            |  |  |  |  |  |  |
|----------------------------------|--|--|------------|--|--|--|--|--|--|
|                                  |  |  |            |  |  |  |  |  | unassigned open space per 4 units  |
| MPH Mobile Home Park District    | Minimum 5 acre site for mobile home park. Travel trailer shall not exceed 10% of total spaces in mobile home park. | 10   | 75 percent | 30 feet  | Trailer park-none Individual lot-5 feet (measure from curb to actual structure, hitch excluded). |  |  |  | 2 spaces per mobile home lot, plus 1 guest space for each 10 mobile home lots. |
| P-D Planned Development District | 10,000   | Range Incl.<br>4.485 (low)<br>11.834 (med)<br>17.39 (high) |            | To be determined with adoption of P-D District | To be determined with adoption of P-D District   | To be determined with adoption of P-D District | To be determined with adoption of P-D District | To be determined with adoption of P-D District | 2 assigned covered spaces per unit, plus one unassigned open space per 4 units |

Source: City of Tustin, Zoning Code, 2021.



- Downtown Commercial Core Specific Plan (adopted July 3, 2018)
- Red Hill Avenue Specific Plan (adopted November 6, 2018)

The Downtown Commercial Core Specific Plan (DCCSP) introduced mixed-use and infused the potential for 887 units into the area through a Residential Allocation Reservation (RAR) review process. To date, 140 new non-mixed-use units were constructed. While this development entailed all market rate units, the developer participated in the in-lieu fee option regarding affordable housing provisions.

The Red Hill Avenue Specific Plan (RHASP) introduced mixed-use to the area and similarly identified the potential for 500 new units in conjunction with the RAR review process. No units have been constructed in this area to date; however, there is an application pending for a development project currently under consideration within this area.

#### *East Tustin Specific Plan*

The East Tustin Specific Plan provides for single-family detached products to be developed at a variety of densities. The Low-Density designation requires a minimum lot area of 5,000 net square feet while the Medium-Low designation requires a minimum lot area of 3,000 net square feet and densities not to exceed 5 and 10 units per net acre respectively.

#### *Tustin Legacy Specific Plan (formally MCAS Tustin)*

The MCAS Tustin Specific Plan designation provides opportunities for development of a variety of residential products at varied density ranging up to 25 dwelling units per acre. In addition, the Specific Plan allows for density bonuses and density averaging. For example, in Neighborhood D, the maximum density on an individual parcel may exceed 25 units per acre as long as the total dwelling units allocated to Neighborhood D is not exceeded. Consistent with the City's policy to increase homeownership to maintain a balanced community, the majority of residential units authorized within the Specific Plan are owner-occupied units. However, in response to market demand, the City processed an amendment to the MCAS Tustin Specific Plan that allowed for additional renter-occupied units, including affordable rental units.

Within Neighborhood D of the MCAS Tustin Specific Plan, a 150-foot height limitation up to 180 foot if approved by the Community Development Director would be allowed which provides for layering products (i.e., stacked flats, podium style, etc.) with mixed use developments, thereby providing opportunities for the development of higher density residential products.



Within Neighborhood G of the Specific Plan, there is a completed 225-unit affordable housing community with a 375-unit single-family neighborhood. This area is intended to include a range of housing types for single-family and multi-family residential (i.e., detached homes, carriage way units, courtyard housing, townhomes and flats. Similar to Neighborhood D, this area allows for up to six (6) stories in building height for multi-family, commercial and non-residential and up to three (3) stories in height for single-family units, thereby providing opportunities for the development of higher density residential products.

Tustin Legacy has been undergoing development since the early 2000's. Ultimate buildout is expected by 2035. There are two primary factors that influence the timing of development at Tustin Legacy: 1) market demand for the uses planned; and 2) the complexity and timing of environmental clean-up efforts.

Where adequate infrastructure is in place and supports new development, this Phasing Plan would enable earlier response to positive market conditions and result in more rapid buildout of the Specific Plan area. Where a proposed development project is not supported by existing infrastructure, conditions of approval shall be established to ensure that appropriate infrastructure is constructed in accordance with this Phasing Plan and mitigation adopted in the supporting environmental documentation. Appendix B includes discussion of available housing opportunity within the MCAS Tustin Specific Plan area.

Limited residential uses are also permitted in areas designated Public/Institutional provided the intended occupants are associated with the primary institutional uses. Additionally, homeless facilities are permitted by right in the MCAS Tustin Specific Plan and are allowed throughout the remainder of the City either as an outright permitted or conditionally permitted use depending on the number of residents in the project.

The City's Zoning Ordinance calculates parking requirements by unit type (See HTM-32 for summary of parking requirements). Parking requirements in Tustin are generally two spaces per unit, with an additional requirement of one guest space per every four units in multi-family development. Carports for multi-family units are permitted which would reduce development costs in contrasts to the provision of garages. Furthermore, affordable and senior housing development meeting the State Density Bonus Law would be eligible to use the reduced parking standards under the State Law.

The City's land use regulatory mechanisms accommodate the development of housing at a range of densities and products and do not constrain the potential for new construction at densities suitable to meet the needs of all income ranges,



## **ENVIRONMENTAL SENSITIVITY**

---

Housing design and land use patterns can have substantial impacts on the natural as well as the built environment. City policies and programs seek to minimize negative environmental impacts.

**GOAL 5: Ensure that new housing is sensitive to the existing natural and built environment.**

**Policy 5.1: SUSTAINABLE DEVELOPMENT** - Prioritize sustainable housing developments in proximity to services and employment centers thereby enabling the use of public transit, walking or bicycling and promoting an active lifestyle.

**Policy 5.2: ENERGY CONSERVATION** - Promote green building practices for more sustainable energy conservation measures in the construction of new housing or rehabilitated units, including

**Policy 5.4: FEDERAL AVIATION REGULATIONS** - Provide development community with information to ensure that development proposals meet the criteria of the Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for John Wayne Airport in coordination with review procedures by the Airport Land Use Commission (ALUC).



| TABLE H-IV-1<br>HOUSING ELEMENT PROGRAMS 2021-2029  |                                  |                |   |           |
|---|----------------------------------|----------------|---|-----------|
| Program   | Responsible Agency               | Funding Source | Quantified Objective  | Timeframe |
| a. Promote energy efficiency by orienting homes to maximize natural day lighting  | Community Development Department | General Fund   | Promote via City's Design Review process and counter consultations          | Annually  |
| b. Require buildings and structures to not penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for John Wayne Airport unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, require applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA. A copy of the FAA application shall be submitted to ALUC and the applicant shall provide the City with FAA and ALUC responses. | Community Development Department | General Fund   | Educate via City's website, Design Review process and counter consultations | Annually  |
| c. Require development projects that include structures higher than 200 feet above existing grade to be submitted to ALUC for review. In addition, require projects that exceed a height of 200 feet above existing grade to file Form 7460-1 with the Federal Aviation Administration (FAA).   | Community Development Department | General Fund   | Educate via City's website, Design Review process and counter consultations | Annually  |
| <b>5.5 (Modified) Water Efficiency</b>  |                                  |                |   |           |
| a. Promote water-efficient landscapes, efficient irrigation, and use of permeable paving materials  | Community Development Department | General Fund   | Educate via City's website, Design Review process and counter consultations | Annually  |



The Red Hill Avenue Specific Plan was adopted in 2018. The Specific Plan area consists of approximately 52 acres centrally located within the City. It is primarily a commercial and retail corridor that is prime for revitalization. With the Specific Plan, mixed-use residential is now permitted in this area, with a total of 500 residential units allocated through the Specific Plan, 395 units to the north of the freeway and 105 units to the south of the freeway. The RHASP provides a unique Residential Allocation Reservation (RAR) which is approved either by the Community Development Director or the Planning Commission/City Council, as applicable. The RAR is the mechanism with an associated process and timeline that allocates units to a requested development. The units are drawn from a residential allocation bank which assigns units by area and allows for transferability between areas. The maximum density on an individual parcel may exceed 25 dwelling units per acre (the General Plan's maximum density) as long as the total dwelling units allocated to the Specific Planning Area is not exceeded. Therefore, a default density of 30 units per acre is achievable in the RHASP area. This Specific Plan was accompanied by a City prepared Program Environmental Impact Report which affords future developers time and significant costs savings yielding building of homes in a more expedient manner. The Zoning is SP 13 and the General Plan designation is RHASP. The maximum allowable building height for residential mixed-use development in the RHASP is 4 stories/50 feet.

Four sites within the RHASP area have been identified as relevant sites to meet RHNA:

Site 3 - 13751 - 13841 Red Hill Avenue (Pending Project)

This site has a pending mixed-use project under review. The pending project includes 137 units (114 base density units plus 20% density bonus), of which 131 are market-rate and six are designated affordable to very low-income households. The site is made up of two parcels on 3.37 acres. The project was approved by the City Council in August 2021. The project is expected to be completed within the first few years of the planning period. This site is under one ownership and is vacant. The project is located in the Planning Area north of the I-5 freeway. This site was not identified in either of the past two planning cycles as vacant land available for housing to meet RHNA.

Site 4 - 13822 - 13852 Red Hill Avenue (Red Hill Plaza)

This non-vacant site consists of four parcels on 5.48 acres, all under one ownership. The current land use is a shopping center with commercial, retail and restaurants. Past development interest discussions have ensued with the owners, interested developers and the City regarding this property. 165 units have been assigned to this site.



Site 5 - 1571 El Camino Real (Denny's Restaurant)

This non-vacant site adjacent to and under the same ownership as site 4. It is possible that the two sites could merge for one development. The site is 0.90 acre and currently has a restaurant use. 32 units have been assigned to this site.

Site 6 - 14081 - 14231 Red Hill Avenue (Stater Bros. Shopping Center)

This non-vacant site consists of six parcels on 5.95 acres under three owners. The holdings are all within the same family, yielding a more favorable redevelopment potential. The current land use is a shopping center with commercial, retail, restaurants and service stations (only one active). 166 units have been assigned to this site.

*Downtown Commercial Core Specific Plan (DCCSP) Area*

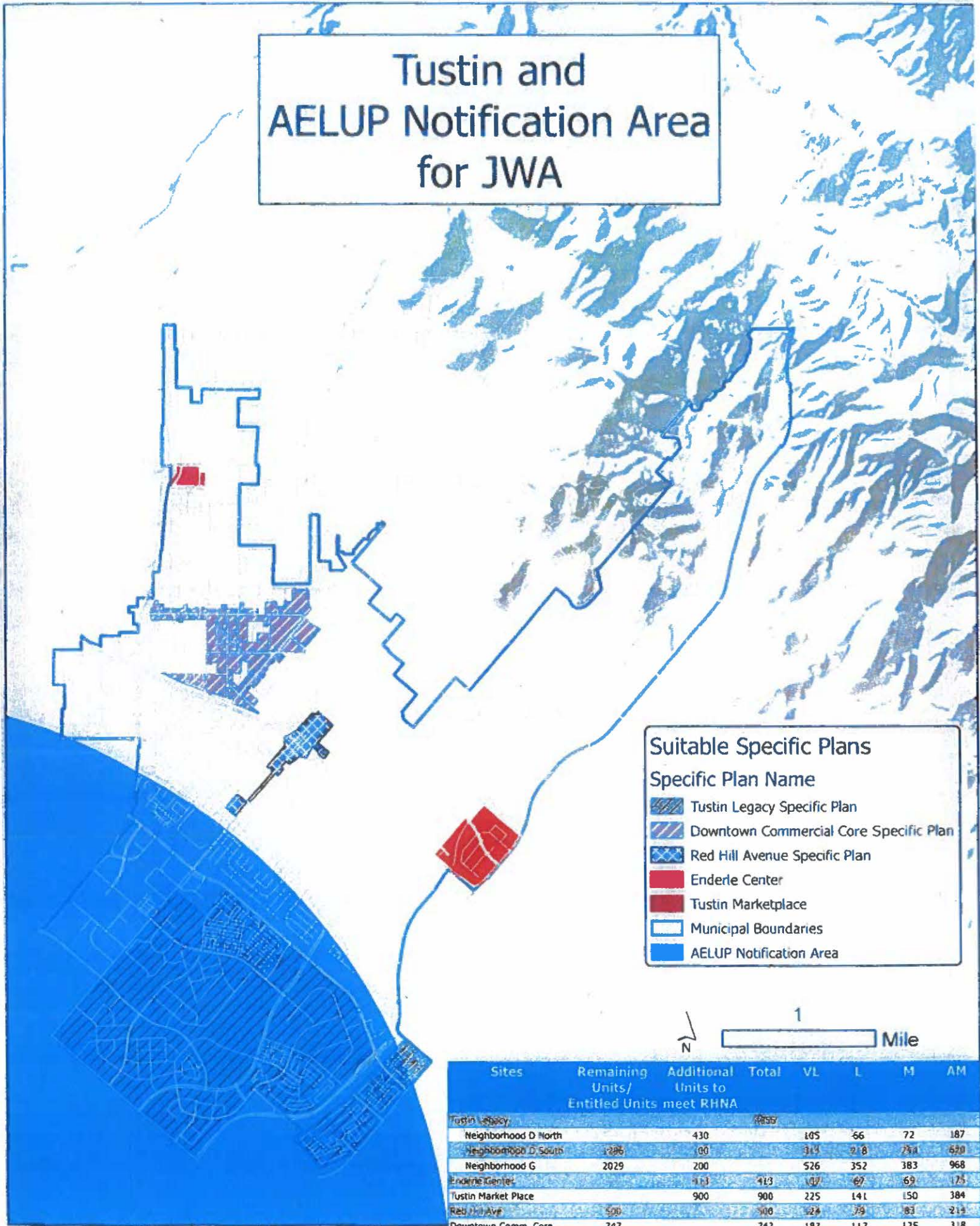
The Downtown Commercial Core Specific Plan was adopted in 2018 and is centered around the intersection of Main Street and El Camino Real in Old Town. The DCCSP consists of approximately 220 acres located in the northern and western portion of the City.

This area was not previously zoned to accommodate residential development. With the adoption of a Specific Plan, it is now an option to allow residential (primarily mixed-use residential) in this area. A total of 887 residential units have been allocated through the Specific Plan within six Development Areas. Since Specific Plan adoption, 140 residential units have been developed, and 747 allocated units remain. The DCCSP also provides the unique Residential Allocation Reservation (RAR) which is approved either by the Community Development Director or the Planning Commission/City Council, as applicable. The RAR is the mechanism and associated process with a specified timeline from approval to under construction that allocates units to requested developments. The units are drawn from a residential allocation bank which assigns units by Development Area and allows for transferability between areas. Current housing bank allocations include 45 units to Development Area 1, 92 units to Development Area 2, 200 units to Development Area 3, 150-units to Development Area 4 and, 260 units to Development Area 6.

The maximum density on an individual parcel may exceed 25 dwelling units per acre (the General Plan's maximum density) as long as the total dwelling units allocated to the Specific Plan area is not exceeded. Therefore, a default density of 30 units per acre is achievable in the DCCSP area. This Specific Plan was accompanied by a City prepared Program Environmental Impact Report which affords future developers time and significant costs savings. The Zoning is SP 12 and the General Plan designation is DCCSP. The maximum allowable building height ranges from two to five stories, depending on Development Area and adjacent land uses.



# Tustin and AELUP Notification Area for JWA



**Suitable Specific Plans**

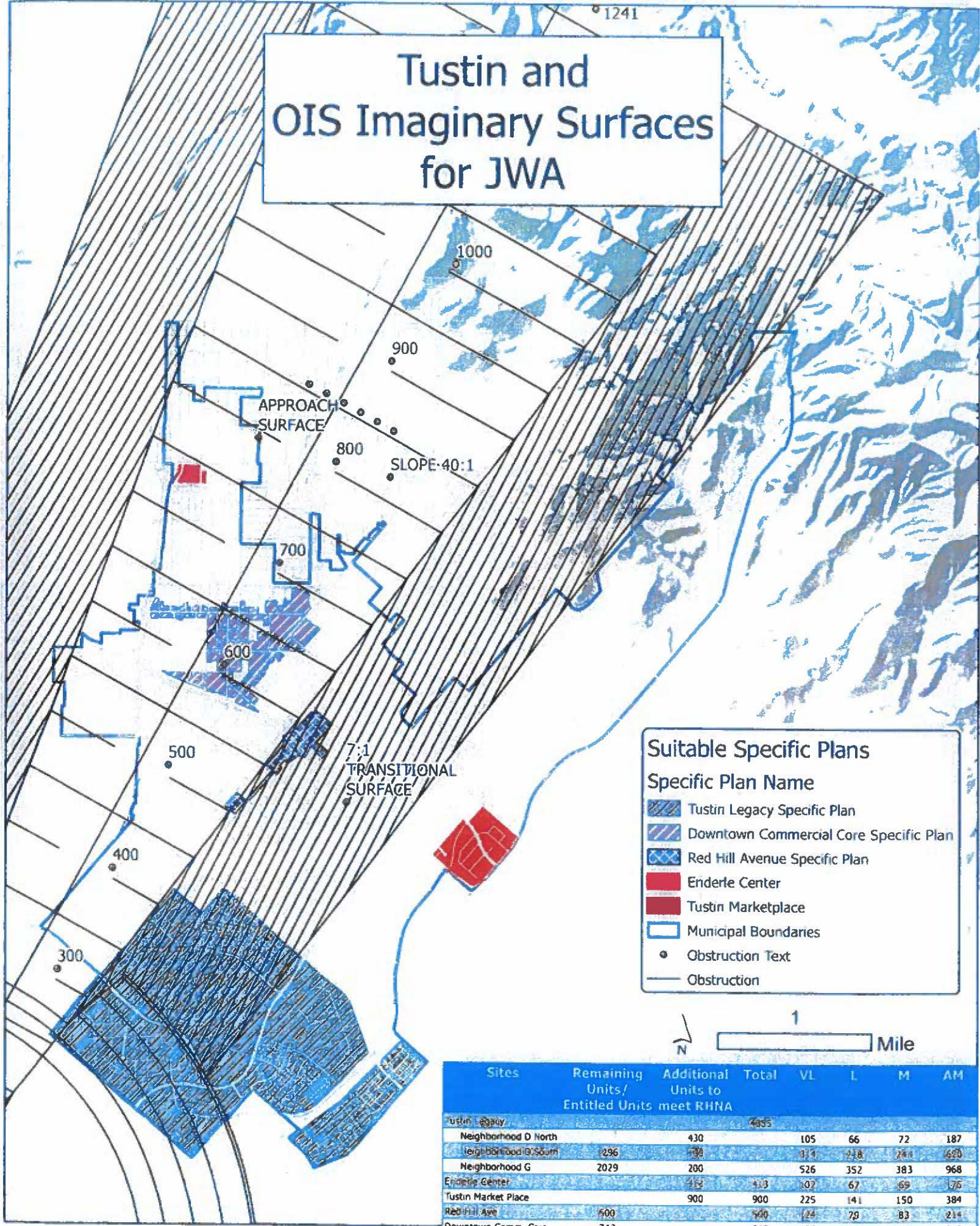
**Specific Plan Name**

- Tustin Legacy Specific Plan
- Downtown Commercial Core Specific Plan
- Red Hill Avenue Specific Plan
- Enderle Center
- Tustin Marketplace
- Municipal Boundaries
- AELUP Notification Area

| Sites                | Remaining Units/<br>Entitled Units | Additional Units to<br>meet RHNA | Total        | VL          | L           | M           | AM          |
|----------------------|------------------------------------|----------------------------------|--------------|-------------|-------------|-------------|-------------|
| <b>Tustin Legacy</b> |                                    |                                  | <b>985</b>   |             |             |             |             |
| Neighborhood D North |                                    | 430                              |              | 105         | 66          | 72          | 187         |
| Neighborhood D South | 286                                | 00                               |              | 314         | 218         | 294         | 630         |
| Neighborhood G       | 2029                               | 200                              |              | 526         | 352         | 383         | 968         |
| Enderle Center       |                                    | 113                              | 413          | 137         | 67          | 69          | 175         |
| Tustin Market Place  |                                    | 900                              | 900          | 225         | 141         | 150         | 384         |
| Red Hill Ave         | 500                                |                                  | 500          | 224         | 79          | 83          | 214         |
| Downtown Comm. Core  | 747                                |                                  | 747          | 187         | 117         | 125         | 318         |
| ADUs/JADUs           |                                    | 35                               | 35           | 9           | 6           | 6           | 14          |
| Transitional Housing | 132                                |                                  | 132          | 132         | 0           | 0           | 0           |
| <b>TOTAL</b>         | <b>4799</b>                        | <b>7078</b>                      | <b>11877</b> | <b>1724</b> | <b>1046</b> | <b>1132</b> | <b>2880</b> |



# Tustin and OIS Imaginary Surfaces for JWA



**Suitable Specific Plans**

**Specific Plan Name**

- Tustin Legacy Specific Plan
- Downtown Commercial Core Specific Plan
- Red Hill Avenue Specific Plan
- Enderle Center
- Tustin Marketplace
- Municipal Boundaries
- Obstruction Text
- Obstruction



| Sites                | Remaining Units/<br>Entitled Units | Additional Units to<br>meet RHNA | Total       | VL          | L           | M           | AM          |
|----------------------|------------------------------------|----------------------------------|-------------|-------------|-------------|-------------|-------------|
| <b>Tustin Legacy</b> |                                    |                                  | 22,485      |             |             |             |             |
| Neighborhood D North |                                    | 430                              |             | 105         | 66          | 72          | 187         |
| Neighborhood D South | 1296                               | 730                              |             | 313         | 218         | 244         | 680         |
| Neighborhood G       | 2029                               | 200                              |             | 526         | 352         | 383         | 968         |
| Enderle Center       |                                    | 413                              | 413         | 102         | 67          | 69          | 176         |
| Tustin Market Place  |                                    | 900                              | 900         | 225         | 141         | 150         | 384         |
| Red Hill Ave         | 600                                |                                  | 600         | 124         | 79          | 83          | 214         |
| Downtown Comm. Core  | 747                                |                                  | 747         | 187         | 117         | 125         | 318         |
| ADUs/iADUs           |                                    | 35                               | 35          | 9           | 6           | .6          | 14          |
| Transitional Housing | 132                                |                                  | 132         | 132         | 0           | 0           | 0           |
| <b>TOTAL</b>         | <b>4704</b>                        | <b>2078</b>                      | <b>6782</b> | <b>1724</b> | <b>1046</b> | <b>1132</b> | <b>2880</b> |



**Policy 2.4:** Encourage citizen participation in planning and development of land use programs.

**Policy 2.5:** Foster inter-governmental cooperation and coordination in order to maximize the effectiveness of land use policies.

**Policy 2.6:** Maintain consistency with the Airport Environs Land Use Plan (AELUP) for John Wayne Airport in terms of maximum allowable building height, noise levels, safety areas, and other applicable standards.

## COMPATIBLE AND COMPLEMENTARY DEVELOPMENT

---

Intermixing of different land uses can result in incompatibilities attributable to differences in traffic levels, noise levels, physical scale, and hours of operation. Incompatibility can also occur when the characteristics of a specific land use do not match the physical characteristics of available land (such as intensive development in hillside areas).

**GOAL 3:** Ensure that new development is compatible with surrounding land uses in the community, the City's circulation network, availability of public facilities, existing development constraints and the City's unique characteristics and resources.

**Policy 3.1:** Coordinate and monitor the impact and intensity of land uses in adjacent jurisdictions on Tustin's transportation and circulation systems to provide for the efficient movement of people and goods with the least interference.

**Policy 3.2:** Locate major commercial uses in areas that are easily accessible to major transportation facilities.

**Policy 3.3:** Allow development clustering in hillside areas when this method will better preserve the natural terrain and open character of the City.

**Policy 3.4:** In designing hillside development, give particular attention to maximizing view opportunities, minimizing dangers of geologic and soil hazards, minimizing adverse visual impact on



## **Maximum Height Provisions – Page numbers and links**

### **Tustin General Plan (except Housing Element)**

<https://www.tustinca.org/DocumentCenter/View/713/City-of-Tustin-General-Plan-PDF?bidId=>

- Land Use Element Page 15
- Public Safety Element Pages 25, 26, and 36

### **Tustin General Plan Draft Housing Element**

- Page II-24
- Pages II-26, 27, and 28
- Pages II-29 and 30
- Page III-4
- Page IV-25
- Appendix B, Pages B-5 and 6

### **Tustin Zoning Code**

[https://library.municode.com/ca/tustin/codes/code\\_of\\_ordinances](https://library.municode.com/ca/tustin/codes/code_of_ordinances)

- Tustin City Code Section 9220

### **Tustin Legacy Specific Plan-Neighborhood D**

<https://www.tustinca.org/DocumentCenter/View/706/Tustin-Legacy-Specific-Plan-PDF?bidId=>

- Page 3-26

### **Red Hill Avenue Specific Plan**

<https://www.tustinca.org/DocumentCenter/View/548/Red-Hill-Avenue-Specific-Plan-PDF?bidId=>

- Page 4-12

### **Downtown Commercial Core Specific Plan**

<https://www.tustinca.org/DocumentCenter/View/703/Downtown-Commercial-Core-Plan-PDF?bidId=>

- Pages 105, 106, and 107



**TABLE PS-3  
EMERGENCY SERVICES STANDARDS**

|                   |   |
|-------------------|---|
| FIRE RESPONSE     | First Engine Company: 5 minutes to 90% of incidents   |
| EMERGENCY MEDICAL | Basic Life Support Unit: 5 minutes to 90% of incidents<br>Advance Life Support Unit: 10 minutes to 90% of incidents |
| POLICE RESPONSE   | Emergency calls: 3.5 minutes<br>Non-emergency calls: 13 minutes   |

Another method that the City can use in the fight against crime is to ensure that new construction is designed in a way that discourages gang activity and other aggressive lawless behavior. Some examples of "protective architecture" or defensible space are well lit entryways, lack of convenient hiding places, entryways which are easily seen from the street, and other similar concepts.

**AIRCRAFT OVERFLIGHT HAZARDS**

---

Large parts of Tustin's residential areas lie underneath the flightpath of John Wayne Airport. While the City's power to limit the operational activities of these facilities is extremely limited, the City can participate in land use control within the flight paths and the legislative process which regulates civilian and military air operations. This includes coordinating land use planning and emergency preparedness planning with the County's Airport Land Use Commission and John Wayne Airport.

Flight operations involving blimps may occur as an interim use at former MCAS Tustin. The Tustin Legacy Specific Plan also allows heliports as a conditional use. These operations may require amendment of the Airport Environs Land Use Plan (AELUP) to address specific noise and safety factors associated with blimp and helicopter flights.



All development proposals affected by the airport land use commission consistency criteria are referred to the Airport Land Use Commission (ALUC). The ALUC reviews areas within the 60 dB CNEL contour, areas within the Safety Compatibility Zones, areas with **Building Height restrictions**, or within specified distances from runway surfaces. As with most controversial safety related topics, the involvement of citizens is of great importance. The City will encourage and notify residents of opportunities to become involved in airport related issues.

## AGENCY RESPONSIBILITIES AND COORDINATION

---

The City contracts with the Orange County Fire Authority for Fire and Paramedic Services. Other agencies which have jurisdiction or which provide public safety services within Tustin include the California Highway Patrol, and the Orange County Health Department. The City coordinates with these agencies to provide the highest level of public safety services.

The City will continue to work with these agencies to ensure adequate service. Plans for proposed developments, including City projects, will be sent to appropriate agencies for their review and comment. This will occur whether or not an environmental impact report is prepared. An integral part of the updated Emergency Operations Plan will be the explanation of the appropriate responses and responsibilities of individual agencies and the interagency coordination required to implement emergency procedures.

The Southern California Earthquake Preparedness Project (SCEPP) is a State and federally-funded effort to encourage local jurisdictions to prepare for catastrophic earthquakes that may occur in Southern California. SCEPP recommendations have also been approved by the Orange County Board of Supervisors. SCEPP works directly with local governments, private industry, and volunteer groups in a cooperative planning effort. It addresses the full range of earthquake strategies, including mitigation (long term response), prediction (short term response), emergency actions, and recovery.



Tustin reflecting special topographic, geologic and climatic conditions; and (c) encourage the Orange County Fire Authority to provide public information identifying potential fire hazards in Tustin and preventative measures the public can take to minimize risks.

**Responsible Agency:** Community Development/Public Works/Private development

**Funding Source:** City General Fund/Private development/Orange County Fire Authority

**Time Frame:** Ongoing

**Related Public Safety Element Policies:** 5.2, 5.4, 5.5

## CRIME/LAW ENFORCEMENT

---

**8. Law Enforcement:** The City will increase crime fighting efforts, encourage increased citizen involvement in crime control, and require building design which discourages criminal behavior. The City's Security Ordinance will be periodically updated.

**Responsible Agency:** Police Department/Community Development

**Funding Source:** City General Fund/State and Federal Funding

**Time Frame:** Ongoing

**Related Public Safety Element Policies:** 6.1-6.3, 6.5

## AIRCRAFT OVERFLIGHT HAZARDS

---

**9. Airport Land Use Commission (ALUC) Review:** The City will refer all proposed General Plan, Specific Plans, Zoning Ordinance, and Building Code amendments, Specific Plans, and proposed structures which would penetrate the imaginary surface established by the ALUC to the ALUC for review.



# RED HILL AVENUE SPECIFIC PLAN



## 4.4.1 Development Standards Table

New land uses, activities, structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements in Table 4-3, *General Development Standards & Requirements* and Exhibits 4-1 and 4-2, below:

**Table 4-3: General Development Standards & Requirements**  
(Standards shown are minimums unless specified)

|                 | Development Standards                      | Commercial (1)   | Mixed-Use (2)  |
|-----------------|--|--|--|
| A               | Minimum Required Street Frontage/Lot Width | 70 feet  | <ul style="list-style-type: none"> <li>• 100 feet</li> </ul>   |
| B               | Maximum Building Height                    | 50 feet  | <ul style="list-style-type: none"> <li>• 4 Stories and 50 feet</li> </ul>  |
| <b>Setbacks</b> |  |  |  |
| C               | Front Yard (Building)                      | None   | <ul style="list-style-type: none"> <li>• None with required pedestrian accessible amenities (3)</li> <li>• 5-foot (aggregate) setback above the second story;</li> <li>• Additional upper story setbacks may be imposed during design review process;</li> </ul> |
| D               | Side Yard (Interior)                       | None<br>10 feet from an adjoining residential lot or mixed-use lot that contains residential uses; | <ul style="list-style-type: none"> <li>• 10 feet;</li> <li>• 5 feet aggregate setback at the third story;</li> <li>• Additional upper story setbacks may be imposed during design review process.</li> </ul>   |
| E               | Side Yard (Corner/Street Side)             | None   | <ul style="list-style-type: none"> <li>• None with required pedestrian accessible amenities (3);</li> <li>• 5-foot aggregate setback above the second story;</li> <li>• Additional upper story setbacks may be imposed during design review process.</li> </ul>  |
| F               | Rear Yard                                  | None<br>10 feet from an adjoining residential lot or mixed-use lot that contains residential uses  | <ul style="list-style-type: none"> <li>• 10 feet</li> <li>• Additional upper story setbacks may be imposed during design review process</li> </ul>   |



### 3.11.2 Development Standards (PAs 8.13&14)

The following development standards regulate new site and building development by establishing standards for intensity, building height, form, placement, parking, open space, and other elements. Development standards include street-based frontage standards regulating buildings frontages along existing and new streets to form adequate and pedestrian-friendly environments. They also address key view windows into PAs 8.13&14.

**Table 3-22. Site Configuration Regulations (PAs 8.13&14)**

| TYPE  | MIN.  | MAX.               |
|---|-------|--------------------|
| Lot Area (non-residential)                                      | None  | 8,000 sq ft        |
| Lot Area (residential)  | None  | None               |
| Building Setback  |       |                    |
| Tustin Ranch Road   | 30 ft | None               |
| Valencia Avenue   | 25 ft | None               |
| Armstrong Avenue  | 20 ft | None               |
| Barranca Parkway  | 30 ft | None               |
| Warner Avenue   | 20 ft | None               |
| Legacy Road - South of Warner Avenue - West edge                | 6 ft  | None               |
| Legacy Road - South of Warner Avenue - East edge                | 20 ft | None               |
| Legacy Road - North of Warner Avenue - Ground-floor residential | 3 ft  | 20 ft              |
| Legacy Road - North of Warner Avenue - Ground-floor commercial  | 0 ft  | 20 ft <sup>1</sup> |
| Local Road - Ground-floor residential                           | 3 ft  | 20 ft              |
| Local Road - Ground-floor commercial                            | 0 ft  | 20 ft <sup>1</sup> |
| Main Street   | 0 ft  | 20 ft <sup>1</sup> |
| Private Street or Drive   | 5 ft  | None               |
| Alley   | 3 ft  | None               |
| Distance between Building and Accessory Structure               | 5 ft  | None               |
| Distance between Accessory Structures                           | 5 ft  | None               |

- Minimum setback must be required within building setback area per Section 2.1, Mobility Plan. Building setbacks from streets are measured from back of right-of-way.
- Minimum setback may be increased to allow for additional outdoor seating at the discretion of the Community Development Director.

**Table 3-23. Building Height Regulations (PAs 8.13&14)**

| TYPE                             | MIN.  | MAX.               |
|----------------------------------|-------|--------------------|
| All Buildings                    | None  | 35 ft <sup>1</sup> |
| Building Height                  | None  | 35 ft <sup>1</sup> |
| Buildings fronting "Main Street" | 26 ft | None               |
| Ground Floor Height              | 20 ft | None               |
| Upper Floor Height               | None  | None               |

- Excavations to building height limits may be permitted up to 10 ft less if approved by the Community Development Director.
- Floor height of residential stairs measured floor-to-ceiling.

**Figure 3-10. Conceptual Illustrative of Planning Areas 8.13&14**





## 9220 RESIDENTIAL SITE DEVELOPMENT STANDARDS

Site Development Standards for primary residential uses by Zoning District. Site development standards for primary residential uses shall comply with the standards listed in Table 1, unless otherwise noted. For site development standards for additional permitted or conditionally permitted uses refer to districts in Part 2 of this Chapter.

| Zoning   | Minimum Lot Area/Per Family Unit | Minimum Lot Width                                   | Lot Coverage | Building Height     | Front Yard <sup>(1)</sup> | Interior Side Yard <sup>(2)</sup> | Corner Side Yard <sup>(2)</sup> | Rear Yard <sup>(1)</sup>   |
|--|----------------------------------|---|--------------|---------------------|---------------------------|-----------------------------------|---------------------------------|--|
| RA Residential Agricultural District (Sec. 9221)                   | 7,200 sq. ft./7,200 sq. ft.      | Linear frontage 60 feet/Cul-de-sac frontage 40 feet | 40 percent   | 30 feet             | 20 feet                   | 5 feet                            | 10 feet                         | 5 feet, but no less than 1,000 sq. ft. clear and unobstructed usable open space on rear 1/3 of lot               |
| E4 Residential Estate District (Sec. 9222)                         | 10,000 sq. ft./7,500 sq. ft.     | 80 feet   | 40 percent   | 30 feet             | 20 feet                   | 10 percent of lot width           | 10 percent of lot width         | 20 percent lot depth, but no less than 1,000 sq. ft. clear and unobstructed usable open space on rear 1/3 of lot |
| R1 Single-Family Residential District <sup>(2)</sup> (Sec. 9223)   | 7,200 sq. ft./7,200 sq. ft.      | 60 feet   | 40 percent   | 30 feet             | 20 feet                   | 5 feet                            | 10 feet                         | 5 feet, but no less than 1,000 sq. ft. clear and unobstructed usable open space on rear 1/3 of lot               |
| R2 Duplex Residential District <sup>(2)</sup> (Sec. 9225)          | 7,200 sq. ft./3,500 sq. ft.      | 60 feet   | 50 percent   | 35 feet (See 9225c) | 20 feet                   | 5 feet                            | 10 feet                         | 10 feet  |
| R3 Multiple Family Residential District <sup>(2)</sup> (Sec. 9226) | 7,000 sq. ft./1,750 sq. ft.      | 70 feet   | 65 percent   | 35 feet (See 9226c) | 15 feet                   | 5 feet                            | 10 feet                         | 10 feet  |



|  |   |     |   |   |  |   |   |   |
|--|---|-----|---|---|--|---|---|---|
| R4 Suburban Residential District (Sec. 9228)   | 7,200 sq. ft./3,000 sq. ft.   | N/A | N/A   | 2 stories or 35 feet (See 9228c)            | 20 feet  | 5 feet                                      | 10 feet                                     | 25 feet                                     |
| MHP Mobile Home Park District (see Section 9227b for additional development standards) (Sec. 9227)             | Minimum 5-acre site for mobile home park. Travel trailers shall not exceed 10 percent of total spaces in mobile home park | N/A | 75 percent                                  | 30 feet                                     | Trailer park - None. Individual lot - 5 feet (measure from curb to actual structure, hitch excluded) | Trail park - None. Individual lot - 3 feet  | Trail park - None. Individual lot - 3 feet  | N/A   |
| PD Planned Development District (see Section 9224e and 9224f for additional development standards (Sec. 9224)) | 10,000/-  | N/A | As determined with adoption of P-D District | As determined with adoption of P-D District | As determined with adoption of P-D District  | As determined with adoption of P-D District | As determined with adoption of P-D District | As determined with adoption of P-D District |

(1) If front on to secondary or primary highway refer to section 9271u

(2) If development is located within the Cultural Resources District (CR), refer to Section 9252j for additional standards

(Ord. No. 1429, Sec. II.1, 5-21-13)



Figure 20: Location of Sites to Meet RHNA

