



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

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AGENDA ITEM 2

September 15, 2022

TO: Commissioners/Alternates

FROM: Lea U. Choum, Executive Officer

SUBJECT: Proposed General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions)

Background

The County of Orange is proposing an amendment to the County's Land Use Element to incorporate policies intended to facilitate housing development, and an amendment to the Comprehensive Zoning Code to modify development standards, also intended to facilitate the development of housing. Additional technical modifications to several sections of the Comprehensive Zoning Code are also included.

Previously, in November and December, 2021, the Airport Land Use Commission (ALUC) reviewed and made findings on the County's General Plan Amendment H 20-01 - Housing Element Update. At the November 18, 2021 ALUC meeting, the Commission found the County's Housing Element Update 2021-2029 to be inconsistent with the *Airport Environs Land Use Plan for John Wayne Airport (AELUP for JWA)* because three proposed housing sites were in close proximity to John Wayne Airport (JWA). In December, the County submitted a modified proposal to the ALUC which removed two sites from the Housing Element Update and modified the boundary of the third site to be outside the 60 dB CNEL noise contour for JWA. The revised Housing Element Update with these modifications was found by the ALUC to be consistent with the *AELUP for JWA* on December 16, 2021.

One of the programs included in the County's Draft 6th Cycle Housing Element Update is a revision to the Housing Opportunities Overlay District (Zoning Code section 7-9-44) regulations to allow higher densities for projects providing affordable multifamily housing. Allowing higher densities on sites designated for commercial and industrial uses and in high-density residential zoning districts is intended to facilitate the development of affordable housing in the unincorporated areas to meet the Regional Housing Needs Assessment (RHNA) allocation. This program also requires amendment of the County's General Plan Land Use Element to ensure internal consistency with the Housing Element Update.

Additionally, the County Zoning Code must be amended to reflect regulations addressing development of the housing opportunity sites. The County is required by the State to complete all required subsequent General Plan and Zoning Code amendments no later than October 15, 2022, pursuant to Government Code § 65583(c)(1)(A).

The Land Use Element serves as a policy document which provides descriptions of land use categories that have been applied to parcels throughout the unincorporated areas. Application of these land use categories took into consideration several factors to determine appropriateness of permitted land uses in each residential, commercial, employment, or open space category. The County's Comprehensive Zoning Code further refines these permitted uses and establishes development standards for each parcel within a General Plan land use category and zoning district.

Description of General Plan Land Use Element Amendment LU 22-01

The Land Use Element (LUE), one of the nine elements of the County's General Plan, describes objectives, policies, and land use patterns for all unincorporated territory within Orange County. State law requires the Land Use Element to achieve internal consistency with all elements of the General Plan, including the County's Housing Element. Although the Land Use Element provides the basis for land use decisions, it does not replace or supersede any of the other General Plan elements. Instead, the Land Use Element complements the other elements. The proposed amendment to the Land Use Element (see redline/strikeout in Attachment 1) is limited to only those revisions required to ensure consistency with the Housing Element Update, as follows:

- Addition of a discussion regarding the applicability of the Housing Opportunities Overlay District regulations to the commercial and industrial land use categories since 2006.
- Addition of affordable multifamily housing to the table of allowable uses in commercial and industrial land use categories.
- Updated demographic data specifically regarding population density.

Description of Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions)

The proposed Zoning Code Amendment CA 22-01 strikethrough document is included for your reference as Attachment 2.

Housing Opportunities Overlay District Revisions

Since 2006, affordable housing development has been a permitted use on parcels zoned for commercial and industrial uses in unincorporated Orange County, through the implementation of the Housing Opportunities Overlay District regulations (Zoning Code Section 7-9-44). The Housing Opportunities Overlay District regulations have been amended over the years to expand the Overlay District to include high-density residential zoning districts and to increase the base density of commercial and industrial zoned parcels from 25 dwelling units/acre to the current density of 43 dwelling units/acre. This proposed zoning code amendment will increase the base

density of affordable housing developments to 70 dwelling units/acre on commercial and industrial zoned parcels and in high-density residential zoning districts. In high-density residential zoning districts, only parcels without an existing multifamily residential development will be eligible to take advantage of this increase in density. The excerpts below show text changes in italics and strikeout reflecting the proposed increased densities:

“Sec. 7-9-44.7. Site development standards for residential uses.

(a) The site development standards for residential uses shall be as follows:

- (1) For sites located within a multifamily residential zoning district, the base district site development standards shall apply *except that the base density shall be 70 dwelling units per acre (net development area).*
- (2) For sites located within a commercial or industrial zoning district, the site development standards for the R3 "Apartment" District shall apply except that the *base density shall be 70 dwelling units per acre (net development area) and maximum building height shall be sixty-five (65) ~~thirty-five (35)~~ feet.*”

Technical Revisions

In addition to the proposed amendment to the Housing Opportunities Overlay District regulations, the following technical revisions are also proposed:

- Substituting the decision-maker for approval of future revisions of the “Orange County Housing Opportunities Manual” from the Planning Commission to the Deputy Director, OC Public Works/OC Development Services (“Director”).
- Addition of “Low-Barrier Navigation Centers” to the Housing Opportunities Overlay District as a permitted use pursuant to State law. (See Attachment 2, proposed Zoning Code Section 7-9-44.9 for the full text.)
- Adding clarification that affordable housing developments are a permitted use in Zoning Code Section 7-9-33, Commercial Districts and Zoning Code Section 7-9-34, Employment
- Additional corrections to typographical errors, omissions, and re-numbering.

The County of Orange has scheduled the following public meetings/hearings on the proposed project:

August 24, 2022 - Planning Commission Public Hearing (*recommended approval*)
September 27, 2022 - Board of Supervisors Public Hearing

AELUPs for JWA, FMA and JFTB Los Alamitos

Regarding Aircraft Noise Impacts:

The County's Land Use Element continues to include appropriate land use discussions and policies related to residential and similar noise-sensitive uses, as well as non-residential development. (See Attachment 3 for excerpts from Land Use Element) The proposed Land Use Element Amendment LU 22-01 does not change any of the existing discussion or policies related to noise.

Additionally, the Noise Element of the County's General Plan includes Policies 2.1 through 2.4 related to health effects, mitigation, notification of overflight, and aviation easements for property within the 60 dB CNEL noise contours for all airports within Orange County (see Attachment 4 for excerpts from the Noise Element). Also included in the Noise Element is reference to the County's Noise Referral Zones which are defined as areas within the 60 dB CNEL noise contours. These policies remain in place and no changes to the Noise Element are proposed.

All commercially-zoned potential affordable housing sites that were included in the most recent Housing Element Update reviewed by your Commission in December 2021 are located outside of the 60 CNEL for Joint Forces Training Base (JFTB) Los Alamitos, Fullerton Municipal Airport (FMA), and JWA.

Regarding Height Restrictions:

Some of the unincorporated County areas are within the Federal Aviation Administration (FAA) Notification Area and the Federal Aviation Regulation (FAR) Part 77 Obstruction Imaginary Surfaces for JWA, JFTB Los Alamitos and FMA. With respect to building heights, the proposed Zoning Code amendment includes height limitations of 65 feet for residential sites within the Housing Opportunities Overlay District.

The following commercially-zoned potential affordable housing sites have been identified within the Obstruction Imaginary Surfaces for JWA. These sites were identified in the Housing Element Update previously reviewed by your Commission in November and December 2021, and would be well below the horizontal surface of 206 feet above mean sea level (AMSL). (See Attachment 5).

1. 20382 Newport Blvd, Santa Ana (Santa Ana Country Club)
2. 20491 Santa Ana Ave, Santa Ana (Santa Ana Country Club)
3. 18511 E. Chapman Ave, Orange (Commercial)
4. 11924 Earlham, Orange (Commercial)
5. 18571 E. Chapman, Orange (Commercial)

The following commercially-zoned potential affordable housing sites have been identified within the Obstruction Imaginary Surfaces for JFTB Los Alamitos. The JFTB conical surface above

these sites ranges in elevation from approximately 182 feet to 204 feet AMSL. (See Attachment 6):

1. 11061 Los Alamitos Blvd, Los Alamitos (Commercial/retail use)
2. 11031 Los Alamitos Blvd, Los Alamitos (Commercial/office use)
3. 3352 Katella Ave, Los Alamitos (Church)
4. 11131 Los Alamitos Blvd, Los Alamitos (Commercial/office use)
5. 11088 Wallingsford Rd, Los Alamitos (Church)
6. 11171 Los Alamitos Blvd, Los Alamitos (Gas station)

There were no housing opportunity sites proposed within the FMA notification area.

Regarding Flight Tracks and Safety Zones:

Two of the commercially-zoned properties are within JWA Safety Zone 6-Traffic Pattern Zone. (See Attachment 7). No additional flight tracks were prepared since LUE 22-01 and ZC 22-01 are not changing any of the Housing Opportunity sites that were previously reviewed by your Commission in November and December 2021. In this zone, aircraft are flying at or below 1,000 feet and there is a moderate risk level for near-runway accidents.

There are no commercially-zoned properties within the JFTB Los Alamitos Clear Zones. Clear Zones for JFTB are entirely within the Base property.

No housing opportunity sites were proposed in the FMA area as part of the Housing Element Update, therefore there are no overflight or safety zone issues.

Regarding Heliports:

No heliport Land Use policies or Zoning Code amendments are proposed that would affect heliports.

Conclusion

Land Use Element Amendment LU 22-01 and Zoning Code Amendment CA 22-01 do not propose to modify any goals, policies, regulations or standards related to airports in Orange County. Additionally, all proposed housing opportunity sites within residential and non-residential areas would be located outside the 60 CNEL contours of airports in Orange County, and do not have the potential to penetrate any Part 77 imaginary surfaces.

Attachment 8 to this report contains the submittal letter and submittal form and checklist received from the County of Orange. Attachment 9 to this report contains excerpts from the County of Orange submittal package.

ALUC staff has reviewed the proposed General Plan Land Use Element and Zoning Code Amendments for compliance with the *AELUP for John Wayne Airport (JWA), Fullerton Municipal Airport (FMA) and Joint Forces Training Base (JFTB) Los Alamitos*, including review of noise, height restrictions, safety and overflight.

Recommendation:

That the Commission find the proposed County of Orange General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 to be consistent with the *AE LUPs* for *JWA, JFTB Los Alamitos and FMA*.

Respectfully submitted,



Lea U. Choum
Executive Officer

Attachments:

1. Redline/Strikeout County Land Use Element Amendment LU 22-01
2. Redline/Strikeout County Zoning Code Amendment CA 22-01
3. Excerpts from County Land Use Element and Safety Element
4. Excerpts from County Noise Element and Housing Element
5. Projects within JWA Obstruction Imaginary Surfaces
6. Projects within JFTB Obstruction Imaginary Surfaces
7. Projects within JWA Safety Zones
8. County of Orange submittal letter and checklist
9. Excerpts from County of Orange submittal package

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CHAPTER III. LAND USE ELEMENT

III. LAND USE ELEMENT



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OVERVIEW

The Land Use Element (LUE), one of nine elements of the restructured General Plan, contains official County policies on the location and character of land uses necessary for orderly growth and development. All elements have the same horizon year (2025) and growth assumptions to ensure internal consistency. The LUE identifies policies and programs in other County General Plan elements that affect land use and provide guidance for future land use planning studies for the unincorporated portion of the County.

ATTACHMENT 1

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CHAPTER III. LAND USE ELEMENT

The LUE is arranged as follows:

- Purpose of the Element
- Relationship to Other Elements
- Planning Constraints & Deficiencies
- Land Use Categories
- Building Intensity/Population Density Standards
- Existing Conditions
- Objectives & Policies
- Implementation Programs

PURPOSE OF THE ELEMENT

The Land Use Element describes objectives, policies, and land use patterns for all unincorporated territory in both narrative and graphic terms and establishes development criteria and standards, including population density and building intensity.

Land use categories are used to depict the general distribution, location, and extent of public and private uses of land. In accomplishing this primary purpose, the Land Use Element fulfills the requirements of Section 65302(a) of the California Government Code, which establishes it as a mandated element of the General Plan.

Through a combination of objectives, policies, and programs, the Land Use Element has three additional purposes. First, many of the goals of the General Plan can be achieved through the application of land use policies that are closely coordinated with Transportation Element policies, particularly those related to the County's multimodal transportation systems. These land use policies provide a basis for the evaluation of physical development and growth trends in order to achieve the General Plan goals. Second, these policies determine land use capacities and the appropriate level of public services and infrastructure necessary to support these capacities. Third, these land use policies and strategies ensure that the County accommodates various transportation choices to enable safe, attractive, and comfortable access and travel for all users, including people driving, walking, cycling, or taking transit, as well as children, seniors, and individuals with disabilities.

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CHAPTER III. LAND USE ELEMENT

RELATIONSHIP TO OTHER ELEMENTS

State law requires the Land Use Element to achieve internal consistency with all elements of the General Plan. Although the Land Use Element provides the basis for land use decisions, it does not replace or supersede any of the other General Plan elements. Instead, the Land Use Element complements the other elements by incorporating and implementing their land use concerns and recommendations.

The Land Use Element supports the Resources Element's open space and natural resource plans through the designation of an Open Space land use category and an Open Space Reserve land use overlay. The Transportation, Recreation, Safety, and Housing elements are implemented by incorporating their land use recommendations into policies and programs.

The Land Use Element is also consistent with the Noise Element in that the land use plan reflects noise level concerns. Therefore, the Land Use Element, at the time of its adoption, is the most current expression of County land use policy and is internally consistent with the other General Plan elements.

PLANNING CONSTRAINTS & DEFICIENCIES

This section identifies existing and potential constraints upon achievement of the objectives and policies identified above and in the following chapters. While these constraints do not constitute absolute barriers, they may inhibit the timely achievement of the objectives.

These constraints have been categorized below into four categories: environmental, fiscal, economic and market constraints, and governmental constraints.

Environmental Constraints

Five major environmental conditions constrain development in Orange County: noise, floods, fires, geologic/seismic hazards, and natural and cultural resources. More detailed discussion of these constraints are found in the Noise, Safety, and Resources Elements (Chapters VIII, IX, and VI respectively).

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CHAPTER III. LAND USE ELEMENT

NOISE

The major sources of significant noise in Orange County are aircraft and highway vehicles. While both can usually be mitigated to acceptable levels indoors, aircraft noise cannot be mitigated outdoors because of its overhead source. State law and County policy prohibit residential development and similar noise sensitive uses in high-noise (+65 CNEL) areas near John Wayne Airport.

Noise in nonresidential developments must be attenuated to protect users in these areas. Near major streets and highways, noise must also be attenuated. Thus, high-noise conditions may preclude certain uses in some areas and may increase development costs. CNEL noise contour maps and more detailed information related to noise are found in Chapter VIII, the Noise Element.

FLOOD HAZARDS

Portions of Orange County are located in floodplain areas of varying degrees of risk. Figure III-1a identifies areas subject to 100- and 500-year flooding as identified by the Flood Insurance Rate Maps (FIRM) provided by the Federal Emergency Management Agency (FEMA) and floodplain maps from the California Department of Water Resources (DWR). In many cases, development can occur in these areas through proper site planning, but costs may be high. There are, however, some areas where development is precluded because of extreme flood potential. In all development scenarios, water quality and watershed protection principles must also be considered in the site planning and stormwater facility design process.

FIRE HAZARDS

The foothill areas of Orange County are considered high to very high fire hazard areas. Future development in these areas must minimize potential fire hazards and adequate fire protection must be maintained. Both these actions may raise development costs but will not preclude development. Figure III-1b depicts the location of these fire hazard areas.

GEOLOGIC/SEISMIC HAZARDS

Potential slope and seismic hazards constrain development in certain parts of the County. While both conditions seldom preclude development, they may increase the cost of construction.

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CHAPTER III. LAND USE ELEMENT

Figure III-1c identifies areas subject to seismic hazards. Chapter IX, the Safety Element, further explores these hazards as well as other non-seismic hazards.

NATURAL & CULTURAL RESOURCES

The presence of natural or cultural resources on vacant land may influence its future use. For example, critical habitat areas or archaeological sites may require preservation or sensitive planning. Such conditions may preclude development or increase the cost of construction. For further information related to natural and cultural resources, please refer to the Chapter VI, the Resources Element.

Fiscal Constraints and Deficiencies

Based on data from the County's Development Monitoring Program, revenues from new development often do not fully offset the cost of public services needed to serve that development.

PUBLIC SERVICES

The loss of revenue resulting from Proposition 13 coupled with rising costs due to growth and inflation will continue to burden public service providers. If current trends continue, public service levels will deteriorate and new development may be delayed or precluded.

INCREASED DEVELOPMENT FEES AND REQUIREMENTS

Increased fees on new developments and the shift of responsibility for infrastructure provision to developers will increase construction costs and may reduce levels of production.

However, Transit-Oriented Development (TOD) could induce development on appropriate infill sites within urbanized areas, resulting in infrastructure cost savings because facilities and services are in place. TOD means more compact development, without the capital and operating costs of expanding water, sewage, and roads to serve development on vacant land outside urbanized areas. In addition, TOD offers long-term revenue potential as a result of a possible increase in property values within transit-served corridors where multimodal access has economic value and people are willing to pay somewhat more, on the margin, to get it.

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CHAPTER III. LAND USE ELEMENT

INFRASTRUCTURE ADEQUACY

While infrastructure imbalances have been reduced in recent years through development phasing the use of public facility development agreements and other mechanisms, infrastructure shortfalls do exist and may impede the fulfillment of the objectives.

However, infill development, a common TOD strategy that entails building on skipped-over vacant or underutilized lots within existing urban areas, would promote using existing infrastructure to its fullest.

UNINCORPORATED DISADVANTAGED COMMUNITIES

Senate Bill 244, signed by Governor Brown on October 7, 2011, requires cities and counties to address the infrastructure needs of “disadvantaged unincorporated communities” in city and county general plans and in municipal service reviews prepared by Local Agency Formation Commissions. A disadvantaged unincorporated community is defined as a “fringe,” “island” or “legacy” community with 12 or more registered voters in which the median household income is less than 80 percent of the statewide median.

“Fringe community” means any inhabited and unincorporated territory that is within a city’s sphere of influence. “Island community” means any inhabited and unincorporated territory that is surrounded or substantially surrounded by one or more cities or by one or more cities and a county boundary or the Pacific Ocean. “Legacy community” means a geographically isolated community that is inhabited and has existed for at least 50 years.)

The law (GC Section 65302.10(a)) requires that on or before the adoption of its housing element, each city must identify and describe in its Land Use Element each “island community” or “fringe community” that exist within the city’s sphere of influence that is a disadvantaged unincorporated community. (A city’s sphere of influence boundary is determined by the Local Agency Formation Commission and defines the logical, long-term service area for that agency.) Cities are required to include an analysis of water, wastewater, storm water drainage and structural fire protection needs or deficiencies for each of the identified communities in the land use element. In addition, cities must include an analysis in the Land Use Element of potential funding mechanisms that could make the extension of services and facilities to identified communities financially feasible (GC Section 65302.10(a)).

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CHAPTER III. LAND USE ELEMENT

County Land Use Elements are required to identify and describe each “legacy community” within the boundaries of the county that is a disadvantaged unincorporated community, but *not* including any areas with the sphere of influence of a city (GC Section 65302.10(a)).

In December 2011, the Orange County Local Agency Formation Commission (LAFCO), in cooperation with the Center for Demographic Research at California State University, Fullerton, reviewed recent Census data and identified two disadvantaged unincorporated island communities within Orange County: (1) the Southwest Anaheim Island located within the City of Anaheim sphere of influence, and (2) the Katella/Rustic Island located with the City of Stanton sphere of influence. The City of Anaheim and the City of Stanton will each be required to include an analysis of the infrastructure needs/deficiencies and potential funding opportunities to extend infrastructure upgrades to these areas, if needed, in their respective general plan land use elements.

No disadvantaged unincorporated “legacy communities” were identified within Orange County. The County is not required to include additional analysis in its Land Use Element (as provided in SB 244) if these communities are not present.

Economic and Market Constraints

During the last six years, the Orange County economy has undergone some very significant transformations. In the first three years of the previous decade (1990-1993), the County lost an estimated 57,000 jobs, which translated into approximately five percent of its employment base. During this period, the hardest hit employment sectors were construction, international trade and durable goods manufacturing. The County also experienced a significant decline in housing prices, which led to mortgage delinquencies and declining land values.

However, this broad decline established the basis for a broad diversification of the economy and economic rebound that began in 1994. Since the recession “bottomed out” in 1993, the County has added an estimated 100,000 new jobs, almost doubling the number of jobs lost in the first three years of the decade.

In addition, the jobs that have replaced the lower-skilled manufacturing jobs are higher paying and provide goods and services relating to software development and information technology. The objectives established by this Element assume sustained economic growth for Orange County.

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CHAPTER III. LAND USE ELEMENT

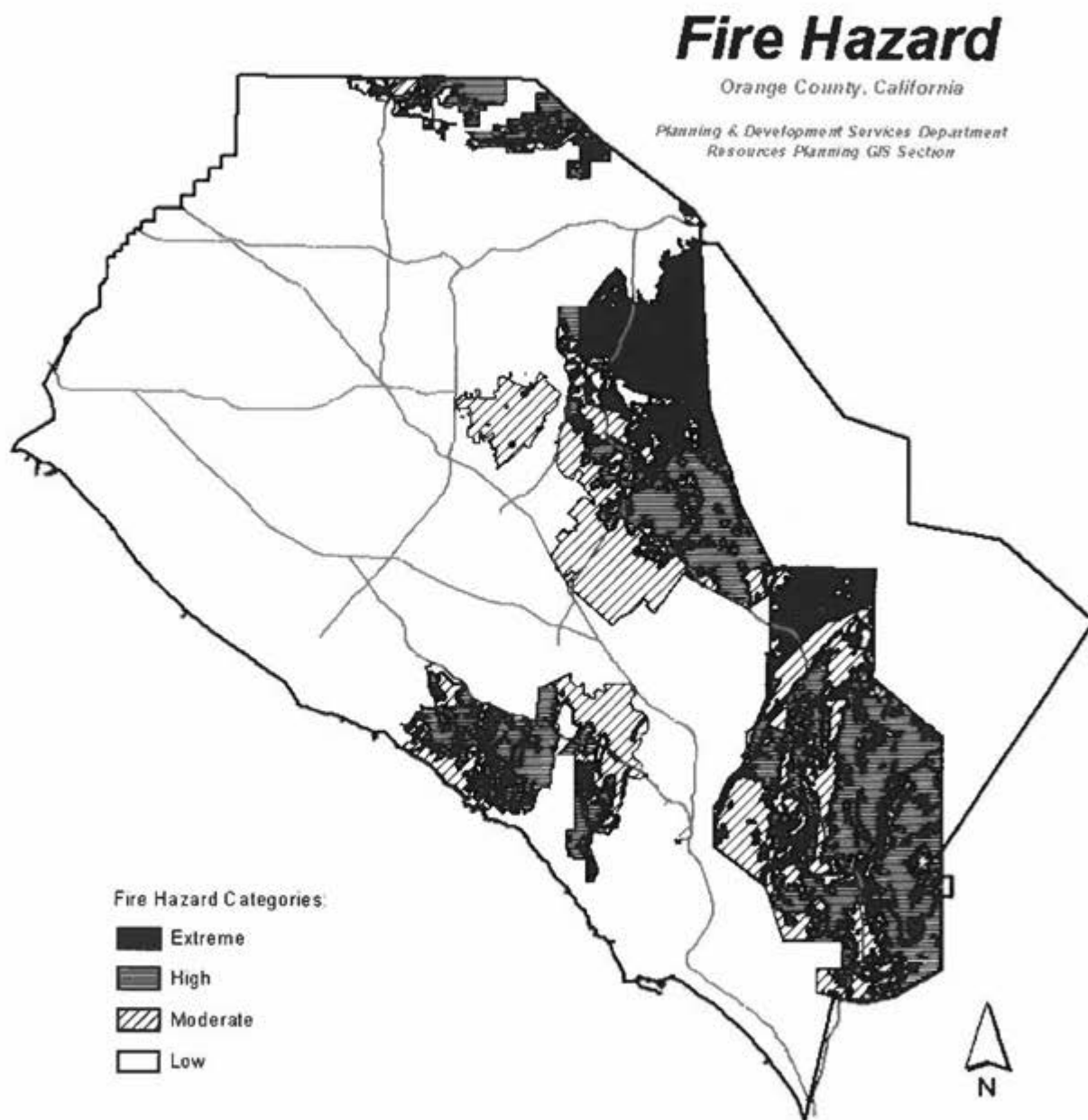
Figure III-1a



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CHAPTER III. LAND USE ELEMENT

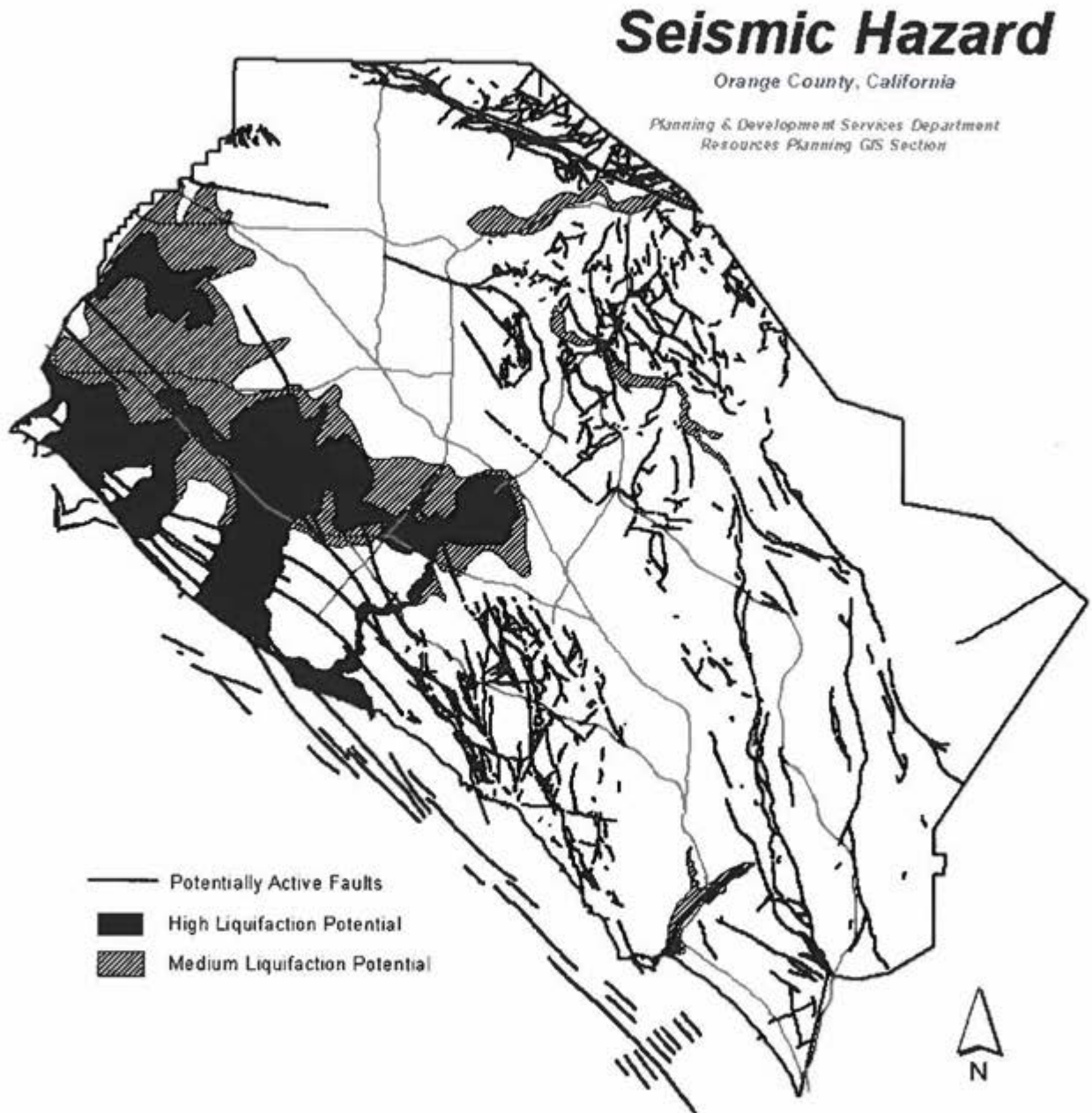
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CHAPTER III. LAND USE ELEMENT

Figure III-1c



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CHAPTER III. LAND USE ELEMENT

LAND AVAILABILITY

Land availability significantly impacts future growth levels. If land costs increase dramatically or if adequate amounts of land cannot be brought to the market, development will be constrained.

REAL ESTATE AND DEVELOPMENT FINANCING

A steady supply of credit to finance new construction is critical to the policy plan objectives.

Governmental Constraints

COMPETING PRIORITIES

Competing public needs can result in conflicting priorities and programs. Conflicts such as open space preservation, housing production, transit-oriented development neighborhood protection could constrain efforts to achieve the objectives if they remain unresolved.

INTERGOVERNMENTAL CONFLICTS

State and federal agency actions or requirements and land ownership by these agencies constitute constraints to development. Existing examples include the state Coastal Commission and Cleveland National Forest, while state policies regarding prime agricultural land preservation and mineral resource protection may function as future constraints.

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CHAPTER III. LAND USE ELEMENT

LAND USE CATEGORIES

The land use categories described below and depicted in Map III-1, the Land Use Designations, provide broad guidance directing the development of Orange County.

Residential

The residential land use categories identify those areas suitable for residential development. Residential uses are divided into categories on the basis of density, relation to the County's street system and to transit, compatibility with the natural terrain, and conformance with the County's residential growth projections. Housing types ranging from rural, large-lot estates in outlying areas to high-density residential units in appropriate urban locales are encouraged.

The broad residential categories include allowances for local and community open space, local schools, childcare facilities, neighborhood commercial centers, and other facilities needed for neighborhood services, as well as for trails and complete streets to improve neighborhood access and connectivity to other land uses.

Neighborhood/convenience commercial sites are assumed to be consistent with Suburban Residential areas, subject to the Neighborhood Commercial guidelines contained herein. These sites are not identified on the Land Use Map.

Since 2006, affordable housing development has been a permitted use on parcels zoned for commercial and industrial uses through the implementation of the Housing Opportunities Overlay Zone. In 2008, the Housing Opportunities Overlay Zone was extended to apply to high-density residential sites as well. Since the establishment of this overlay zoning district, several affordable housing developments have replaced underutilized sites and attractive nuisances that had become problematic in their neighborhoods. These housing developments have increased the number of rental units in the unincorporated area and have provided their residents with a quality of life.

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CHAPTER III. LAND USE ELEMENT

Neighborhood Commercial Guidelines:

The following guidelines are to be used in evaluating development plans that contain neighborhood commercial proposals:

1. To encourage the development of commercial activities in centers with unified planning, design, and facilities (such as parking, ingress, and egress).
2. To locate commercial development at intersections of primary and secondary streets wherever possible. When local commercial development must be located adjacent to major intersections, access should be from the lesser of the two arterials.
3. To locate commercial development so that wherever possible, it is centrally located within its service area.
4. To locate commercial sites at an optimal distance from regional and community commercial centers.
5. To locate, generally, neighborhood commercial centers one mile apart.
6. To encourage adequate pedestrian and bicycle connections to neighborhoods and adjacent retail and service uses.
7. To accommodate all modes of transportation by incorporating appropriate design features and supporting development of a comprehensive trails and bike system.
8. To manage parking efficiently and provide easily accessible and well-designed bicycle parking.
9. To set a general standard of one acre of commercial development per 1,000 people in the service area. Because there are no absolute criteria for neighborhood commercial acreage needed to adequately service a given number of people, this standard should be tempered by the character of each particular area.
10. To set a general standard of three to ten acres for neighborhood commercial developments.
11. To require the developer of a commercial center to provide a statistical demand analysis of the market service area at the time of the zoning request in order to assist in determining its adequacy and appropriateness.
12. To review regularly and evaluate excessive undeveloped commercial zoning for its appropriateness and its ability to serve the County.

CHAPTER III. LAND USE ELEMENT



The residential categories are intended for application to all areas so designated on the Land Use Designations figure with one exception. Where Planned Community Districts or specific plans have been adopted but are not reflected in detail at the General Plan level the overall density and character represented on the Land Use Element Map are assumed to reflect the Planned Community District or Specific Plan regulations.

- ***RURAL RESIDENTIAL (1A)***

This category is applied to areas in which limited residential use is compatible with the natural character of the terrain.

Development under this category will require special consideration due to topography and other factors.

The building intensity standard for Rural Residential ranges from 0.025 to 0.5 dwelling units per gross acre (DU/AC).

CHAPTER III. LAND USE ELEMENT

Insert Map III-1 (Land Use Map)



CHAPTER III. LAND USE ELEMENT

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CHAPTER III. LAND USE ELEMENT

Insert Map III-2 (Spheres of Influence)



CHAPTER III. LAND USE ELEMENT

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CHAPTER III. LAND USE ELEMENT



- ***SUBURBAN RESIDENTIAL (1B)***

These areas are characterized by a wide range of housing types, from estates on large lots to attached dwelling units (townhomes, condominiums, and clustered arrangements).

This category permits the greatest flexibility for residential development. Building intensity for Suburban Residential ranges from 0.5 to 18.0 DU/AC.

- ***URBAN RESIDENTIAL (1C)***

This category is applied to areas where intensive residential development is compatible with surrounding urban development.

Development within this category is characterized by intensive residential uses such as apartments, condominiums, townhomes and clustered residential units.

Building intensity for Urban Residential is 18 DU/AC and above.

CHAPTER III. LAND USE ELEMENT

Commercial

Commercial land uses are depicted on the Land Use Element Map as either Community Commercial or Regional Commercial uses. The designated areas relate to commercial opportunities rather than to specific development sites.

Generally, commercial development occurs in centers sited along arterial highways or at intersections of arterial highways and serves a specified threshold population. Ideally, commercial development should be sited at locations accessible to all transportation modes, where the infrastructure promotes a safe means of travel for all users along the right of way.

Since 2006, affordable housing development has been a permitted use on parcels zoned for commercial and industrial uses through the implementation of the Housing Opportunities Overlay Zone. Several affordable housing developments have replaced underutilized sites and attractive nuisances that had become problematic in their neighborhoods. The availability of this alternative permitted use has resulted in a marked increase in the number of affordable rental units for the residents of the unincorporated area and have provided them with a quality of life.



CHAPTER III. LAND USE ELEMENT

- ***COMMUNITY COMMERCIAL (2A)***

This category designates land for commercial development that provides a wide range of facilities for convenience goods and retail trade including tourist recreation businesses, and community services (e.g., childcare facilities). Generally, community commercial development is limited in scope to approximately 10 to 40 acres and is intended to serve a market area exceeding 20,000 persons.

Supermarkets, healthy food retail, restaurants, movie theaters and banks are typical tenants of a community commercial center.

- ***REGIONAL COMMERCIAL (2B)***

This category identifies major, high-intensity commercial activities requiring centralized locations in order to serve large urban populations at the regional or sub-regional level.

Regional commercial centers generally range between 75 and 125 acres in size and serve a market area in excess of 100,000 persons. Normally, tenants within a regional center include major department stores and specialty shops. Childcare facilities will be permitted, if appropriate.

Employment

The Employment (3) land use category identifies areas intended for use by employment generators, usually light and service industries or professional-administrative office uses.

These activities are characterized by few nuisance or hazard problems. It is intended that the locations of individual employment facilities be compatible with one another and with surrounding areas. These locations should be transit accessible. Opportunities for transportation demand management (TDM) are promoted to reduce future congestion and facilitate access to transit. Street design may include features and techniques that promote safe and comfortable travel by pedestrians, bicyclists and public transportation riders.

CHAPTER III. LAND USE ELEMENT

Materials recovery/recycling facilities may be permitted, if appropriately located and found to be compatible with surrounding uses. Employment generators and commercial uses should locate together in well-defined urban activity centers.

Childcare facilities will be permitted, if appropriate.

Public Facilities

The Public Facilities (4) land use category identifies major facilities built and maintained for public use. Included are civic buildings, airports, community colleges, military installations, correctional institutions, hospitals, solid waste facilities, water facilities, and sewer facilities. Childcare facilities will be permitted, if appropriate. In this category, the County supports alternative transportation to help promote a sense of neighborhood or community and an improved feeling of well-being through social interaction and better transportation access.



CHAPTER III. LAND USE ELEMENT

SOLID WASTE FACILITIES -LANDFILL SITES (LS)

This overlay category identifies existing solid waste facilities. When the Solid Waste Facility - Landfill Site (LS) overlay is applied to a land use category the overlay indicates that the current and near-term use of the land shall be limited to landfill operations, which may include materials recovery/ recycling facilities, and accessory uses (e.g., borrow site areas, buffer areas, access roads) until the completion of landfill site operations and closure of the landfill facility.



Open Space

This broad category includes the Open Space (5) land use category and the Open Space Reserve (OSR) land use overlays.

The Open Space (5) category indicates the current and near-term use of the land, most of which is zoned agricultural. It is not necessarily an indication of a long-term commitment specific uses, except where one of the three overlay categories applies.

The Open Space Reserve (OSR) overlay identifies lands of scenic and natural attraction, and areas of ecological, cultural, historical and recreational significance that are permanently preserved as and restricted to open space and compatible uses.

CHAPTER III. LAND USE ELEMENT

The allowable uses within the Open Space (5) and OSR designation are further defined in table III-1.

Open Space (5) category provides for limited land uses that do not require a commitment of significant urban infrastructure. Examples of compatible uses include:

- Land containing non-renewable and renewable resource areas, prime agricultural soils and water resource areas.
- Materials recovery/recycling facilities if the design of the facility does not adversely impact its open space surroundings, or if the facility is operated in conjunction with other refuse-oriented facilities (i.e. landfills).
- Employment uses in conjunction with large open space areas if they are consistent with the open space character of the area. The intent is to create opportunities for low-intensity, high technology, industrial, research and development, office and educational uses and childcare facilities which do not require a commitment of significant urban infrastructure and are accessible to all modes of transportation.

Generally, building sites within this category should be large; the area covered by structures and parking should not exceed 20% in order to blend development with the natural surroundings. Innovative design solutions are encouraged to incorporate buildings and parking into the natural features of the site as well as to maximize the efficient use of energy.

Areas identified Open Space (5) are not necessarily committed to permanent open space uses. Certain property within the Open Space categories is committed, through public or private ownership, to remain as open space, but other property, due to market pressures to serve a growing County population may ultimately be developed in other ways.

- ***OPEN SPACE RESERVE (OSR)***

The Open Space Reserve (OSR) designation is intended to reflect the Resources and Recreation Elements of the General Plan. It identifies major parks, beaches, forests, harbors and other territory that is to remain open space. It may also include recreational trails and

CHAPTER III. LAND USE ELEMENT

similar facilities for alternative transportation. The OSR depiction on the General Plan maps show generalized reserve boundaries that are for informational purposes only and may not include private in-holding land.



Urban Activity Center

The Urban Activity Center (6) land use category identifies locations intended for high-intensity mixed-use development. Appropriate land uses include, but are not limited to, residential, commercial, and office uses; industrial parks and materials recovery/recycling facilities; civic, cultural, and educational uses; and childcare facilities.

This category is intended to facilitate a more efficient use of existing and future transportation systems, conserve energy resources, and develop residential densities which enhance the ability to provide affordable housing. Providing multi-modal access, implementing Transportation Demand Management measures, and employing appropriate parking management strategies are vital to the viability of Urban Activity Centers.

Urban Activity Centers are characterized by a diversity of housing opportunities including owner-occupied, rental, and affordable units with an emphasis on higher-density development; the vertical and horizontal mixing of retail, office, and residential uses; the development of mid-rise structures accommodating both residential and employment activities; accommodating all transportation modes, as appropriate; ensuring good neighborhood connectivity; and the

CHAPTER III. LAND USE ELEMENT

inclusion of cultural, civic, educational, and urban recreational uses promoting both daytime and evening activities. Urban Activity Centers are located adjacent to major transportation corridors and are accessible to public transit facilities and to adjacent neighborhoods.

A goal of this category is to foster around-the-clock activity by encouraging the mixing of activities that people can easily walk to within the center, thereby reducing the impacts on the transportation system, improving neighborhood cohesion and community safety.

The full development of an Urban Activity Center is a long-term process (probably in excess of 20 years) due to its complexity and its size. Interim uses may, therefore, be appropriate. It will also be necessary to apply special development regulations, tailored to each center, to ensure that the ultimate development pattern is consistent with the intent of the category.

Childcare Centers

Childcare facilities are permitted in any land use category but are subject to review for appropriateness. Childcare centers, as defined by Health and Safety Code Section 1596.76, must obtain a license from the State Department of Social Services before beginning operations. Additional State licensing requirements (Title 22 of the California Administrative Code, Division 12 and other various sections) concern facility design and facility operation. Present County practices enhance the provision of childcare facilities through increased coordination between State regulations, County policy documents, and local land use concerns.

Materials Recovery/Recycling Facilities

Materials recovery/recycling facilities are most appropriate in the land use categories of employment, urban activity center, and open space (when consistent with the character of the area). Materials Recovery Facilities (MRFs) must obtain permits from the Local Enforcement Agency (LEA) before beginning operations. LEA review includes facility design and operation.

County procedures serve to facilitate siting of recovery/recycling facilities through increased acknowledgment of State and local mandates in policy documents and streamlined discretionary permit review. The County's discretionary review of materials recovery/recycling facilities

CHAPTER III. LAND USE ELEMENT

serves to address local concerns and any restrictions or conditions which may apply to specific land use categories.

CHAPTER III. LAND USE ELEMENT

BUILDING INTENSITY/ DEVELOPMENT STANDARDS AND POPULATION DENSITY STANDARDS ESTIMATES

The General Plan, as required by Government Code §65302(a), must contain standards for building intensity and estimates of population density for each of the land use categories identified in the Land Use Element. Table III-1 lists types of permitted land uses, building intensities, and indicators of population densities for each land use category.

It should be noted the population densities for residential land uses do not represent County policy or development standards but are simply to estimate the potential number of residents based upon the number of dwelling units allowed per net acre. The persons per unit estimates are based upon the most current information available from the California Department of Finance.

Building Intensity

Building intensity refers to the degree of development possible within each land use category. These standards refer to the maximum amount of development permitted for each land use designation. Development must also comply with the County of Orange Zoning Code or Specific Plan requirements, and is not guaranteed to achieve the designated intensity.

The standard for describing building intensity for residential land use categories is stated as the density, or number of dwelling units per gross acre¹ (DU/AC). Residential building intensity in excess of the standards density identified in Table III-1 may be accomplished, in certain circumstances, through a residential density bonus. Residential density bonuses may be considered for projects meeting certain affordability criteria and/or providing housing for senior citizens. The residential building intensity/density standards are intended to apply to broad geographic designations for residential land use shown on the Land Use Map and include allowances for land for public streets and other rights of way and storm drainage that may be dedicated to the County. The County's zoning regulations establish detailed requirements for land use and development standards for building height, setbacks, and the number of dwelling

¹ "Gross acre" is defined as the total acreage within a project which is devoted to principal uses including, but not limited to, building sites, local streets, driveways, private recreation areas, ordinance required local park land, additional publicly- and privately-owned open space within project areas, minor easements serving the project, and customary uses and structures accessory to residential development.

CHAPTER III. LAND USE ELEMENT

units permitted within individual zoning districts. Site-specific General Plan amendments are not required if a project fulfills certain conditions. First, the proposed development is on a small site, generally less than five acres, and does not exceed the average density range for surrounding geographic area where the General Plan land use designation applies. Second, the project conforms to the applicable zoning, which has been determined to be consistent with the General Plan.

Standards for building intensity are also stated in terms of maximum allowable floor-area ratios (FAR) for commercial, employment, and public facilities land use categories. FARs indicate the ratio of gross building square footage permitted on a parcel to gross square footage of the parcel.

For example, on a parcel with 10,000 net square feet of land area, a FAR of 1.00 will allow 10,000 square feet of gross square feet of building floor area to be built, regardless of the number of building floors (e.g., 5,000 square feet per floor on two floors or 10,000 square feet on one floor). On the same lot, a FAR of 0.5 would allow 5,000 square feet of floor area and a FAR of 0.25 would allow 2,500 square feet. Figure III-2 illustrates how buildings of one, two and four stories could be developed on a given parcel with a FAR of 1.0.

The standard for building intensity for Open Space is defined by maximum building height and maximum lot coverage.

Building intensity standards for Urban Activity Centers are stated as DU/AC and as the number of persons per acre. This can be calculated by multiplying the number of dwelling units per acre by the average number of persons per dwelling unit. For the year 2022, the average number of persons per dwelling unit in the unincorporated area is 3.07² which is used in Table III-1.

²“Average persons per dwelling unit” factors used to calculate residential population density” are determined by [the California Department of Finance \(DFE\) 2022 11-8 Census data](#). The persons per acre ranges are offered as an indicator of residential population density and do not restrict occupancy of units.

CHAPTER III. LAND USE ELEMENT

**TABLE III-1. BUILDING INTENSITY AND /POPULATION DENSITY STANDARDS
ESTIMATES**

CATEGORY	TYPICAL <u>INTENSITY</u>, <u>CHARACTERISTICS</u>, <u>AND</u> /USES	<u>DENSITY STANDARDS</u> <u>AND POPULATION</u> <u>ESTIMATES</u> <u>INTENSITY/DENSITY</u> <u>CHARACTERISTICS</u> <u>AND STANDARDS</u>^a
Rural Residential (1A)	<ul style="list-style-type: none"> Limited residential use compatible with the natural character of the terrain Development may require special consideration due to topography and other factors 	<ul style="list-style-type: none"> 0.025 to 0.5 Dwelling Units per Acre (DU/AC) 3.07 24 Persons per DU 0-2 Persons Per Acre
Suburban Residential (1B)	<ul style="list-style-type: none"> Wide range of housing types, from estates on large lots to attached dwelling units (townhomes, condominiums, and clustered arrangements) Permits the greatest flexibility for residential development 	<ul style="list-style-type: none"> 0.5 to 18.0 DU/AC 3.07 2-59 Persons per DU 1-56 47 Persons per Acre
Urban Residential (1C)	<ul style="list-style-type: none"> Intensive residential uses such as apartments, condominiums, townhomes and clustered residential units 	<ul style="list-style-type: none"> 18 and above DU/AC 3.07 1-99 Persons per DU >56 36 Persons per Acre

CHAPTER III. LAND USE ELEMENT

TABLE III-1. BUILDING INTENSITY AND /POPULATION DENSITY STANDARDS ESTIMATES

CATEGORY	TYPICAL INTENSITY, CHARACTERISTICS, AND /USES	DENSITY STANDARDS AND POPULATION ESTIMATES INTENSITY/DENSITY CHARACTERISTICS AND STANDARDS*
Community Commercial (2A)**	<ul style="list-style-type: none"> • Provides a wide range of facilities for convenience goods and retail trade including tourist recreation businesses, and community services (i.e., childcare facilities) • Typical tenants include supermarkets, restaurants, movie theaters and banks • <u>Affordable multifamily residential developments are allowed in the Housing Opportunities Overlay District which extends to all commercial and industrial zoning districts subject to a Site Development Permit</u> 	<p><u>Non-Residential Uses</u></p> <ul style="list-style-type: none"> • Generally limited in scope to approximately 10 to 40 acres • Intended to serve a market area exceeding 20,000 persons • 0.50 FAR • 45 Employees per Acre <p><u>Residential Use§</u></p> <ul style="list-style-type: none"> • <u>3.07 Persons per DU</u> • <u>Multifamily Residential Example:</u> <u>3.07 Persons per DU x</u> <u>43 DU/AC = 132</u> <u>Persons per Acre</u>

CHAPTER III. LAND USE ELEMENT

TABLE III-1. BUILDING INTENSITY AND/POPULATION DENSITY STANDARDS ESTIMATES

CATEGORY	TYPICAL INTENSITY, CHARACTERISTICS, AND /USES	DENSITY STANDARDS AND POPULATION ESTIMATES INTENSITY/DENSITY CHARACTERISTICS AND STANDARDS*
Regional Commercial (2B)**	<ul style="list-style-type: none"> • Identifies major, high-intensity commercial activities requiring centralized locations in order to serve large urban populations at the regional or subregional level • Typical tenants include major department stores and specialty shops • Childcare facilities will be permitted, if appropriate. • Greater intensity may be permitted in transit-served areas provided identified impacts are mitigated. • <u>Affordable multifamily residential developments are allowed in the Housing Opportunities Overlay District, which extends to all commercial and industrial zoning districts subject to a Site Development Permit</u> 	<p><u>Non-Residential Uses</u></p> <ul style="list-style-type: none"> • Generally range between 75 and 125 acres in size • Serves a market area in excess of 100,000 persons • 0.50 FAR or more in transit-served areas • 45 Employees per Acre <p><u>Residential Uses</u></p> <ul style="list-style-type: none"> • 3.07 Persons per DU • Multifamily Residential <p>Example: 3.07 Persons per DU x 43 DU/AC = 132 Persons per Acre</p>

CHAPTER III. LAND USE ELEMENT

TABLE III-1. BUILDING INTENSITY AND /POPULATION DENSITY STANDARDS ESTIMATES

CATEGORY	TYPICAL <u>INTENSITY,</u> CHARACTERISTICS/ <u>AND</u> USES	<u>DENSITY STANDARDS AND</u> <u>POPULATION ESTIMATES</u> <u>INTENSITY/DENSITY</u> <u>CHARACTERISTICS AND</u> <u>STANDARDS*</u>
Employment (3)**	<ul style="list-style-type: none"> • Typical tenants include employment generators, usually light and service industries or professional-administrative office uses • Characterized by few nuisance or hazard problems • Locations of individual employment facilities intended to be compatible with one another and with surrounding areas • Greater intensity may be permitted in transit-served areas provided identified impacts are mitigated. • Materials recovery/recycling facilities permitted, if appropriately located and compatible with surrounding uses • <u>Childcare facilities permitted, if appropriate</u> • <u>Affordable multifamily residential developments are allowed in the Housing Opportunities Overlay District which extends to all commercial and industrial zoning districts subject to a Site Development Permit</u> 	<p><u>Non-Residential Uses</u></p> <ul style="list-style-type: none"> • 0.75 FAR or more in transit-served areas • 130 + Employees per Acre <p><u>Residential Uses</u></p> <ul style="list-style-type: none"> • <u>3.07 Persons per DU</u> • <u>Multifamily Residential Example:</u> <u>3.07 Persons per DU x 43 DU/AC</u> <u>= 132 Persons per Acre</u>

CHAPTER III. LAND USE ELEMENT

TABLE III-1. BUILDING INTENSITY AND /POPULATION DENSITY STANDARDS ESTIMATES

CATEGORY	TYPICAL <u>INTENSITY</u> , CHARACTERISTICS/ <u>AND</u> USES	<u>DENSITY STANDARDS AND POPULATION ESTIMATES</u> <u>INTENSITY/DENSITY CHARACTERISTICS AND STANDARDS*</u>
Public Facilities (4)**	<ul style="list-style-type: none"> • Identifies major facilities built and maintained for public use • Facilities include civic buildings, airports, community colleges, military installations, correctional institutions, hospitals, solid waste facilities, water facilities, and sewer facilities • Childcare facilities will be permitted, if appropriate. 	<ul style="list-style-type: none"> • 0.75 FAR or more in transit-served areas • 130+ Employees per Acre • Buildings permitted within this category typically reflect a wide range of intensity/density characteristics • Airports, correctional institutions, water and sewer facilities generally have a low FAR and employee per acre ratio. Civic buildings such as city halls, however, can be comparable to office developments built within the Employment (3) land use category which reflect higher FARs and employee occupancy. • The FAR and employee per acre standards for the Public Facilities (4) category reflect the intensity/density characteristics of typical office development to allow for the full range of land uses permitted in this category.

CHAPTER III. LAND USE ELEMENT

TABLE III-1. BUILDING INTENSITY AND /POPULATION DENSITY STANDARDS ESTIMATES

CATEGORY	TYPICAL <u>INTENSITY, CHARACTERISTICS/ AND USES</u>	<u>DENSITY STANDARDS AND POPULATION ESTIMATES INTENSITY/DENSITY CHARACTERISTICS AND STANDARDS*</u>
<i>Landfill Site (LS)**</i>	<ul style="list-style-type: none"> • Identifies existing and planned solid waste facilities • Indicates that the current and near-term use of the land shall be limited to landfill operations, which may include materials recovery/recycling facilities, and accessory uses (e.g., borrow site areas, buffer areas, access roads) until the completion of landfill site operations and closure of the landfill facility 	

CHAPTER III. LAND USE ELEMENT

TABLE III-1. BUILDING INTENSITY AND /POPULATION DENSITY STANDARDS ESTIMATES

CATEGORY	TYPICAL <u>INTENSITY, CHARACTERISTICS/ AND USES</u>	<u>DENSITY STANDARDS AND POPULATION ESTIMATES INTENSITY/DENSITY CHARACTERISTICS AND STANDARDS*</u>
Open Space (5)**	<ul style="list-style-type: none"> • Indicates the current and near-term use of the land, most of which is zoned agricultural • Provides for limited land uses that do not require a commitment of significant urban infrastructure • Examples of compatible uses include: • Land containing non-renewable and renewable resource areas, prime agricultural soils and water resource areas • Materials recovery/recycling facilities if the design of the facility does not adversely impact its open space surroundings, or if the facility is operated in conjunction with other refuse-oriented facilities (i.e., landfills) • Employment uses in conjunction with large open space areas if they are consistent with the open space character of the area • Opportunities for low-intensity, high technology, industrial, research and development, office and educational uses and childcare facilities which do not require a commitment of significant urban infrastructure 	<ul style="list-style-type: none"> • Generally, building sites within this category should be large • Max. Bldg. Height: 35' • Max. Site Coverage: the area covered by structures and parking should not exceed 20% in order to blend development with the natural surroundings. • 9 Employees per Acre

CHAPTER III. LAND USE ELEMENT

TABLE III-1. BUILDING INTENSITY AND / POPULATION DENSITY STANDARDS ESTIMATES

CATEGORY	TYPICAL <u>INTENSITY, CHARACTERISTICS/ AND USES</u>	<u>DENSITY STANDARDS AND POPULATION ESTIMATES INTENSITY/DENSITY CHARACTERISTICS AND STANDARDS*</u>
<i>Open Space Reserve (OSR)**</i>	<ul style="list-style-type: none"> Identifies major parks, beaches, forests, harbors and other territory that will always remain open space, including urban regional parks, wilderness regional parks, and County wilderness areas. An urban regional park may include, but shall not be limited to, one or more of the following recreational facilities: public and private sport centers, play fields, golf courses, riding and hiking trails, County bikeways, and swimming facilities, as well as passive activities and other day uses, including existing and expanding generally naturalized and created through landform and alteration and planting; special funding mechanisms, such as concessionaire and private funding may be available for construction and ongoing maintenance of the facilities. The OSR depiction on the General Plan maps show generalized reserve boundaries that are for informational purposes only and may not include private in-holding land. 	<ul style="list-style-type: none"> Max. Bldg. Height: 18', <i>except for Orange County's Central Park, where the maximum building height shall be 50' (except that 10% of all structures at ultimate development may be up to 100').</i> Max. Site Coverage: 10%, <i>except for Orange County's Central Park, where the maximum site coverage shall be 10% calculated exclusive of parking lots.</i>

CHAPTER III. LAND USE ELEMENT

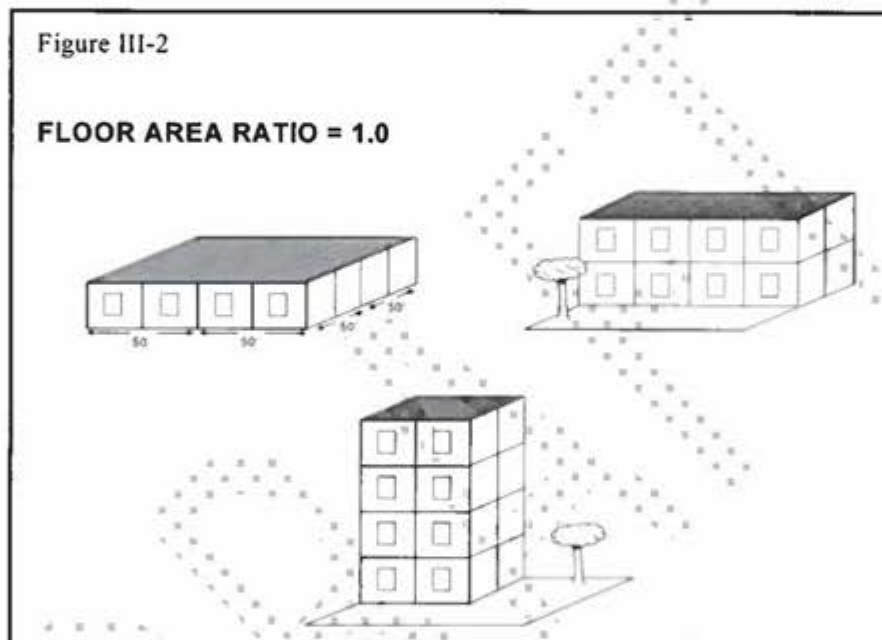
TABLE III-1. BUILDING INTENSITY AND /POPULATION DENSITY STANDARDS ESTIMATES

CATEGORY	TYPICAL <u>INTENSITY, CHARACTERISTICS, AND</u> /USES	<u>DENSITY STANDARDS AND POPULATION ESTIMATES INTENSITY/DENSITY CHARACTERISTICS AND STANDARDS*</u>
Urban Activity Center (6)**	<ul style="list-style-type: none"> • Identifies locations intended for high-intensity mixed-use development designed to enable people to walk to uses within the center and to transit facilities serving the center • Appropriate land uses include, but are not limited to, residential, commercial, office, industrial park, materials recovery/recycling facility, civic, cultural, educational facilities, and childcare facilities • Characterized by a diversity of housing opportunities at various densities and at all income levels; the vertical and horizontal mixing of retail, office, and residential uses; the development of mid-rise structures accommodating both residential and employment activities; and the inclusion of cultural, civic, educational, and urban recreational uses promoting both daytime and evening activities; and support for transit-oriented development and all transportation modes • Located adjacent to major transportation corridors and accessible to public transit facilities; supports development of and links to trails and a countywide bike system. • Ensures that sidewalks, crosswalks, public transportation stops and facilities and other aspects of transportation right of way are compliant with the Americans with Disabilities Act and meet the needs of people with different types of disabilities including mobility impairments, vision impairments, hearing impairments and others. • Full development of an Urban Activity Center is a long-term process (probably in excess of 20 years) due to its complexity and size. Interim uses may, therefore, be appropriate • Necessary to apply special development regulations, tailored to each center, to ensure that the ultimate development pattern is consistent with the intent of the category 	<p><u>Residential Uses</u></p> <ul style="list-style-type: none"> • 18 and above DU/AC • >57.36 Persons per Acre <p><u>Non-Residential Uses</u></p> <ul style="list-style-type: none"> • 0.75 FAR or more in transit-served areas • 130 + Employees per Acre • Intensity bonus available for transit-oriented development provided identified impacts are mitigated

CHAPTER III. LAND USE ELEMENT

- * These standards refer to the maximum amount of development permitted for each land use designation. Development must also comply with the Zoning Code or Specific Plan requirements and is not guaranteed to achieve the designated intensity.
- ** Estimated employees per acre for non-residential land use categories are calculated using FARs, the following building square footage per employee factors, and the following formula:

$$(\text{FAR} \times 43,560 \text{ sf per acre}) \div (\text{sf per employee factor}) = \text{employees per acre}$$



Commercial	500 sf/emp
Public Facilities	250 sf/emp
Employment	250 sf/emp
UAC	250 sf/emp
Open Space	Not applicable

Estimates of population density for nonresidential land use categories are stated as employees per acre. Since Urban Activity Centers include both residential and nonresidential land uses, persons per acre and employees per acre are used as population density estimates.

CHAPTER III. LAND USE ELEMENT

EXISTING CONDITIONS

Table III-2 provides a summary of acreage for each of the General Plan land use categories.

AGGREGATED LAND USE CATEGORIES		
LAND USE	ACRES	% OF TOTAL
RURAL RESIDENTIAL (1A)	13,421	7.6
SUBURBAN RESIDENTIAL (1B)	26,705	15.1
URBAN RESIDENTIAL (1C)	136	.08
COMMUNITY COMMERCIAL (2A)	52	.03
EMPLOYMENT (3)	113	.06
PUBLIC FACILITIES (4)	2,460	1.4
LANDFILL SITE (4LS)	2,057	1.2
OPEN SPACE (5)	130,433	74
URBAN ACTIVITY CENTER (6)	932	.53
TOTAL	176,309	100

CHAPTER III. LAND USE ELEMENT

OBJECTIVES AND POLICIES

This section presents the future objectives and policies of the Land Use Element.

Market forces will determine which areas develop first and which remain undeveloped or underdeveloped by the 2025 horizon year. However, the policy projections and the Land Use Element Map will be the tools for project evaluation and consistency determination to ensure that development coincides with the policies of the Land Use and Transportation Elements regarding infrastructure provision.

This section describes thirteen major land use policies that guide implementation of the Land Use Element. The intent of these policies is to articulate issues that should be addressed when considering development proposals.

These policies are implemented through the programs contained in the Implementation Programs section. Two LUE interpretive policies that guide administration of the LUE map and land use categories are described in the section immediately following these thirteen land use policies.

MAJOR LAND USE ELEMENT POLICIES

The fifteen major land use policies set forth in this section apply to all geographic areas of the unincorporated portion of the County. They are adopted for the purpose of guiding the planning and development of those areas for both the short-term and long-term future.

Each policy has been stated in a single sentence. A policy can be referred to by its short title. A statement of purpose for each policy is given to aid in its interpretation.

1. *BALANCED LAND USE*

To plan urban land uses with a balance of well-connected residential, industrial, commercial, and public land uses.

CHAPTER III. LAND USE ELEMENT

The purpose of the Balanced Land Use Policy is to ensure that communities at all levels are developed in a manner whereby residential, industrial, commercial, and public land uses are proportionally balanced and well-connected, accommodating all modes of travel. This balance is intended to aid in developing a sense of community by distributing the various land uses and employment base more evenly throughout the County, reducing the impacts on the County's transportation system, making it easier and safer for people to walk, bike and use transit, and positively affecting air quality. This policy does not require completely self-contained communities.

2. PHASED DEVELOPMENT

To phase development consistent with the adequacy of public services and facilities within the capacity defined by the General Plan.

The purpose of the Phased Development Policy is to ensure that development coincides with the adequacy of public services and facilities, especially where the public health, safety, and welfare are concerned.

Proper phasing of new development within the designated General Plan capacity through the provision of public services and facilities is necessary to ensure that new development will not overload the existing facilities or be allowed to be completed without adequate facilities. Phasing should be a basic minimum requirement for land use intensification.

3. INFILL AND TRANSIT-ORIENTED DEVELOPMENT

To encourage infill and transit-oriented development through incentives, concentrating development close to transit stops and ensuring access by all travel modes.

The purpose of the Infill and Transit-Oriented Development (TOD) Policy is to promote compact, mixed use development in already urbanized areas near transit and to provide various safe and easy transportation options that will make it safe and easy for people to walk, ride bikes and use transit. Incentives available in "Transit Priority Areas," as identified in SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) may include density and intensity (FAR) bonuses for TOD and infill development, pedestrian amenities, and employer-provided bicycle facilities. Walking,

CHAPTER III. LAND USE ELEMENT

biking, and transit riding can be facilitated and encouraged through integrated physical planning, reduced fares for eligible riders, pedestrian-oriented street-level design, and street design features, such as protected bike lanes, wide shoulders, and street trees. Reduced parking may be approved in transit-served areas and in centers offering common and shared parking facilities, or providing bike or car sharing locations.

The incorporation of Vehicle Miles Traveled (VMT) into the Transportation Impacts analysis for California Environmental Quality Act review, through SB 743, promotes infill development, encourages multimodal transportation networks, and reduces GHG emissions.

4. HOUSING DENSITIES

To provide a variety of residential densities which permit a mix of housing opportunities affordable to the county's labor force.

The purpose of the Housing Densities Policy is to provide a wide range of housing densities within the unincorporated County that will permit a mix of housing opportunities, including both rental and ownership housing. The mix of densities is intended to make it possible to develop housing which is affordable to the County's labor force and offer those who work here a reasonable choice of living accommodations. In addition, transit-oriented development and projects designed to promote walkability and transportation choices may be supported through housing density bonuses.

SB 743, which adopted VMT for Transportation Impact CEQA analysis encourages density bonuses as a potential mitigation strategy. In particular, a density bonus shall be allowed if a project includes both residential and employment land uses, and if a project includes affordable housing.

5. LAND USE/TRANSPORTATION INTEGRATION

To plan an integrated land use and transportation system that accommodates travel demand for all modes of transit.

The purpose of the Land Use/ Transportation Integration Policy is to ensure that transportation planning is assimilated into the land use planning process. The transportation

CHAPTER III. LAND USE ELEMENT

system should support the land use plan as a whole, and individual circulation links should be in balance with localized land uses in order to provide an adequate transportation system for the County with diverse transportation choices enabling safe, comfortable and attractive access for all users. When local or regional imbalances occur or when safety is an issue, development should be deferred until appropriate improvements to the circulation system can be provided or adequate project mitigation measures can be developed (e.g., improvements for public safety, such as better lighting, sidewalks and crosswalks, and traffic calming, public transit, employee housing programs, pedestrian and bicycle connections, and Safe Routes to Schools improvements undertaken by the County in partnership with local jurisdictions and local transportation agencies). Design principles that will guide implementation of this policy are shown on the following page. Also, the “2020 Updated Transportation Implementation Manual” includes an attachment that provides examples of potential mitigation. It is not an exhaustive list of feasible mitigation measures that may be applied to a project. As in previous CEQA practice, the applicant/project proponent will be required to identify mitigation measures to reduce, avoid, or offset the specific project-related impacts identified in an individual environmental document.

6. COMMERCIAL AND INDUSTRIAL CENTERS/TRANSPORTATION ACCESS

To locate major commercial and industrial centers in areas that are easily accessible to existing or planned major transportation facilities.

The purpose of the Commercial and Industrial Centers/Transportation Access Policy is to ensure that major commercial and industrial centers are convenient and accessible to existing or planned major transportation facilities, bicycle and pedestrian circulation, and the County’s transit systems. These centers act as traffic attractors. Accessibility should be enhanced by intensive corridors and increased public transit, incentives for employer-provided bicycle facilities, coordinated parking management, and improved local and regional connections to bike and trail systems as well as pedestrian connections between neighborhoods and commercial centers, schools and parks. Promoting common and shared parking will support a “park once” strategy, enabling people to walk to uses within centers once they arrive at them. Reduced parking may be approved in transit-served locations.

CHAPTER III. LAND USE ELEMENT

Land Use/Transportation Integration: Design Principles for Accommodating Transit, Bicycle and Pedestrian Travel

The following design principles will govern implementation of the County's Policy for Land Use/Transportation Integration to meet state and federal requirements for accommodating transit and bicycle and pedestrian travel.

- **Serve all Users.** All land use and transportation improvements are planned, designed, constructed, operated and maintained to support safe and convenient access for all users, and increase mobility for walking, bicycling and transit use, wherever possible and appropriate, while promoting safe, efficient and accessible operations for all users.
- **Context Sensitivity.** The planning and implementation of transportation improvements will reflect and respond to the land use characteristics for the areas and communities served, as represented in this General Plan and in community plans, whether the area is residential, commercial, industrial, public or open space, or urban, suburban or rural, or a planned community. Planning for both public and private projects should include working with residents, merchants, property owners, and other stakeholders to ensure that a sense of place is maintained and the goals of the General Plan are met.
- **Street Network/Connectivity.** The goal of the General Plan is to have a transportation system that provides a connected network of facilities accommodating all modes of travel that is integrated with planned land use. Achieving this goal includes a variety of public and private improvement enabling new streets and sidewalks, trails and bike paths to connect to existing streets and sidewalks, trails and bike paths, enabling construct of bus stops and shelters, where appropriate and needed, identifying and filling sidewalk gaps, promoting walkability, and looking for opportunities to repurpose public and private rights-of-way to enhance connectivity for cyclists, pedestrians, and transit users, particularly to schools, parks, employment centers, and shopping districts.

CHAPTER III. LAND USE ELEMENT

7. NEW DEVELOPMENT COMPATIBILITY

To require new development to be compatible with adjacent areas.

The purpose of the New Development Compatibility Policy is to ensure that new development is compatible with adjacent areas and the character of local streets and that it provides either a land use buffer or transition to reduce the effects of one land use on the other.

Sensitive treatment is required where one urban use transitions to another and where an urban use is introduced into an essentially undeveloped area.

New development within the Foothill-Trabuco Specific Plan planning area shall be designed to maintain a buffer between urban development and the Cleveland National Forest, to be compatible with the area, and to reflect the goals and objectives of that Plan.

Within airport planning areas, all new development will comply with Orange County Airport Environs Land Use Plan compatibility criteria.

8. CREATIVE DESIGN CONCEPTS

To encourage innovative concepts which contribute to the solution of land use problems.

The purpose of the Creative Design Concepts Policy is to encourage the use of innovative planning ideas that give variety to the character of development and solve certain site development, parking and site access problems. New design concepts can facilitate environmentally sensitive development, access by all modes of transit, coordinated parking management, and the economic and efficient provision of services and facilities. They can also reduce development costs and enhance property values.

9. ENHANCEMENT OF ENVIRONMENT

To guide development so that the quality of the physical environment is enhanced.

CHAPTER III. LAND USE ELEMENT

The purpose of the Enhancement of Environment Policy is to ensure that all land use activities seek to enhance the physical environment, including the air, water, sound levels, landscape, and plant and animal life.

This policy does not mean that environmental enhancement precludes development. It recognizes the need to improve both the manmade and natural environments. Where aspects of the natural environment are deemed to be truly significant, this policy requires measures be taken to preserve these aspects.



10. EMPLOYMENT DEVELOPMENT

To encourage development of employment land uses to achieve balanced phasing of development.

The purpose of the Employment Development Policy is to accelerate development of employment uses in unincorporated Orange County. The unincorporated County areas that are designated for employment uses have not developed as rapidly as its residential areas. Implementation of accelerated employment development is essential to achieving balanced land use and resolving the inefficient usage of the transportation system.

Annual Monitoring Reports (AMRs) identify the phasing of development and infrastructure needs in planned communities on an annual basis.

Development of employment land uses should continue to be monitored through the AMR process to determine if the employment to dwelling units ratio is improving.

CHAPTER III. LAND USE ELEMENT

11. CHILDCARE IMPROVEMENT

To encourage and facilitate provision of childcare facilities to address the growing County demand.

The purpose of the Childcare Improvement Policy is to develop measures that will encourage establishment of childcare facilities within Orange County. Due to changing demographic trends, there exists a countywide shortfall, in meeting childcare demand that is expected to increase significantly over the next decade.

In order to address this current shortfall, it is necessary to examine three components of childcare needs. Infant care refers to childcare for children 0-2 years old; Preschool care is primarily for children 2-5 years old; and Extended Day care is for school age children after and/or before normal school hours.

Provision of sites for the first two types of childcare should be encouraged in concentrated employment areas for ease of access for working parents (however, some communities may have sufficient demand in residential areas for childcare sites); Extended Day care facilities are more appropriate near residential areas and school facilities.

Implementation of a Childcare Improvement Policy is essential to achieve a balance between supply and demand of the various types of childcare facilities.

12. HAZARDOUS WASTE MANAGEMENT FACILITIES

To protect the health and welfare of the public and quality of the environment, while preserving the economic vitality of Orange County through a comprehensive countywide program and to ensure the safe and efficient management of hazardous wastes.

The purpose is to provide for sufficient and appropriate treatment and transfer facilities to accommodate and manage Orange County's fair share of the hazardous waste management burden, in accordance with identified facility needs and public safety considerations and to encourage private sector development of needed hazardous waste management facilities.

CHAPTER III. LAND USE ELEMENT

Siting criteria for offsite hazardous waste facilities have been established for use by facility developers in locating suitable facility sites and designing appropriate facilities, and for use by city and county land use authorities and local communities in evaluating proposed sites and facility projects for local permits. These criteria are identified in the Regional Hazardous Waste Management Plan maintained by the County of Orange Health Care Agency, Environmental Health Division.

A summary of topics addressed by the siting criteria are as follows:

- a) Protect the residents of Orange County
- b) Ensure the structural stability of the facility
- c) Protect surface and groundwater quality
- d) Protect air quality
- e) Protect environmentally sensitive areas
- f) Ensure safe transportation of hazardous waste
- g) Protect the social and economic goals of the community

13. RECYCLING/MATERIALS RECOVERY

To encourage and facilitate establishment of recycling/materials recovery facilities to address the State mandate given through the California Integrated Waste Management Act of 1989 (AB 939).

The purpose of the Recycling/Materials Recovery Policy is to develop measures that will help facilitate the establishment of recycling and materials recovery facilities within Orange County. The California Integrated Waste Management Act of 1989 (AB 939) requires that local jurisdictions reduce their waste going to landfills by 25 percent by 1995 and 50 percent by the year 2000. AB 939 further mandates that each jurisdiction prepare a Source Reduction and Recycling Element (SRRE) in which specific program alternatives are identified, evaluated, and selected to achieve AB 939 diversion mandates.

The County's OC Waste and Recycling is charged with the development and implementation of the County's SRRE document and is responsible for compliance with its provisions. Procedures and guidelines are in place in the Orange County Zoning Code in order to facilitate establishment of recycling or materials recovery facilities within Orange County. Enhancing coordination between the County's OC Waste and Recycling and the California

CHAPTER III. LAND USE ELEMENT

Integrated Waste Board Management (CIWMB) will continue to be a priority in order to address the mandate of AB 939.

14. URBAN AND STORM RUNOFF REGULATIONS

To guide physical development within the County while protecting water quality through required compliance with urban and stormwater runoff regulations.

The purpose of the policy is to address urban runoff and stormwater pollution associated with development and redevelopment activities. Protection and preservation of water resources in the United States is governed by the Federal Clean Water Act (CWA). Passage of the 1987 Water Quality Act established National Pollution Discharge Elimination System (NPDES) permit application requirements for municipal and industrial dischargers of stormwater. In California, the State Water Resources Control Board and nine associated Regional Water Quality Control Boards ensure compliance with the CWA under the auspices of the U.S. Environmental Protection Agency.

Since 1990, operators of municipal separate storm sewer systems (MS4s) are required to develop a stormwater management program designed to prevent harmful pollutants from impacting water resources via storm water runoff. As an MS4 operator, Orange County must obtain and implement NPDES permits from both the Santa Ana (SAR) and San Diego (SDR) Regional Water Quality Control Boards. OC Watersheds, a division with the OC Public Works Department, is lead on water quality compliance. The OC ~~Planning-Community~~ Development ~~Services~~ website (ocds.ocpublicworks.com~~http://ocplanning.net~~) provides access to current stormwater management requirements and programs.

The following policies establish a framework for managing urban and stormwater runoff in compliance with applicable regulations. Additional policies are also provided in the Resources Element.

Encourage, support, and require all new development and redevelopment projects to identify opportunities for implementation of Low Impact Development (LID) principles in the early stages of the development planning process.

CHAPTER III. LAND USE ELEMENT

Promote, support, and require innovative site planning and development techniques that allow for implementation of LID principles while taking into consideration specific hydrology and geology conditions.

Encourage, support and require the use of LID as part of an overall strategy to mitigate stormwater impacts from new development and redevelopment projects consistent with current NPDES permit requirements.

Encourage and support, where applicable, the use of buffer zones to protect natural water bodies, including but not limited to, wetlands and riparian corridors. Where infeasible, require other measures to protect natural water bodies.

Identify and evaluate potential changes to land use development regulations to support and promote stormwater management techniques and ensure regulations do not inhibit compliance with current NPDES permit requirements.

15. AIRPORT LAND USE PLANS

To ensure consistency between proposed development and Airport Environs Land Use Plans (AELUPS) for Orange County airports.

1. Buildings and structures shall 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, applicants proposing buildings or structures that penetrate the 100:1 Notification Surface shall file a Form 7460-1 Notice of Proposed Construction or Alteration with the Federal Aviation Administration (FAA). A copy of the FAA determination shall be submitted to ALUC and the applicant shall provide the County with FAA and ALUC responses.
2. Development projects that include structures higher than 200 feet above existing grade shall be submitted to the ALUC for review. In addition, projects that exceed a height of 200 feet above existing grade shall file Form 7460-1 with the Federal Aviation Administration (FAA).
3. Applicants for County approval of a heliport or helistop shall provide evidence that the proposed heliport or helistop complies fully with State of California permit procedures and with any and all conditions of approval imposed by the Federal Aviation Administration

CHAPTER III. LAND USE ELEMENT

(FAA), the Airport Land Use Commission for Orange County (ALUC), and by the Caltrans Division of Aeronautics.

LAND USE ELEMENT INTERPRETIVE POLICIES

1. TRANSITIONAL USE POLICY

Transitional uses that are not specifically permitted by LUE land use categories may still be deemed appropriate under certain circumstances and, therefore, may not require LUE amendments. The following are examples of circumstances under which transitional uses may be considered for specific sites:

- a) Where a conflict exists between the LUE land use category and policies contained within other General Plan elements.
- b) Where a conflict exists between the LUE land use category and a major LUE policy.
- c) Where environmental conditions, such as high noise levels, traffic levels, or site configuration, render the site no longer suitable for the uses permitted by the LUE land use category.

2. LAND USE CATEGORY BOUNDARY INTERPRETATIONS

The LUE map shows boundaries that appear to follow topographic or manmade features. In certain instances these boundaries may require interpretation in order to respond to existing conditions. Boundary interpretation may be utilized as the basis for a LUE consistency determination for certain projects if both of the following conditions exist:

- a) The proposed use would be compatible with and connected to, as appropriate, the uses identified in the LUE for the surrounding area.
- b) No significant environmental, transportation or public service impacts will be created as a result of the boundary interpretation.

CHAPTER III. LAND USE ELEMENT

IMPLEMENTATION PROGRAMS

This section establishes eight land use programs that directly implement Land Use Element policies. These programs are necessary to effectuate the intent and purpose of the LUE policies. Future development in the County will be reviewed for compliance with the LUE policies through the following programs.

1. GROWTH MANAGEMENT PROGRAM

Policy Mandate:

- 1) Phased Development Policy
- 2) Land Use/Transportation Integration Policy

Program Implementation Schedule: On-going

Responsible Agency: OCPW/OC Development Services.

Discussion:

This program implements the Phased Development and Land Use/ Transportation Integration policies of the LUE through a requirement that developers of major projects submit annual reports projecting deficiencies in infrastructure and stating mitigation measures.

All major development proposals will be reviewed on the basis of the infrastructure analysis contained in their annual monitoring reports. Projects which would create infrastructure imbalances or deteriorate service capabilities will be recommended for modification or deferred until services are adequate.

Necessary Action:

None necessary at this time.

The County has instituted annual monitoring report (AMR) requirements for all major development projects and developed guidelines for their preparation and review. The projects subject to this requirement include:

CHAPTER III. LAND USE ELEMENT

- All developments presently required to submit an AMR as a condition of approval;
- All future LUE amendments;
- All major revisions to planned communities with more than 100 acres and/or 25 percent vacant land remaining;
- All zone changes and other applications for residential projects cumulatively larger than 100 units, or commercial/ employment projects of 100,000 square feet or more.

Projects for which the applicant has demonstrated a balance between public services and the proposed development, and for which conditions have been applied to ensure such balance, should be exempt from the requirement of an annual monitoring report.

Guidelines for the preparation and evaluation of these annual monitoring reports have been prepared by OCPW/OC Development Services.

For a more detailed discussion of this program see Appendix III-2.

2. HOUSING DENSITY BONUS PROGRAM

Policy Mandate: Housing Densities Policy.

Program Implementation Schedule: On-going program.

Responsible Agency: OCPW/OC Development Services.

Discussion:

The Density Bonus Program is an incentive provided to residential developers to facilitate housing affordable at all income levels. The purpose is to permit an increase in residential density in order to reduce development costs and thereby selling prices or rental rates. The program is tied to the Land Use Element since the computation of a bonus is based upon permitted density ranges.

Necessary Action:

CHAPTER III. LAND USE ELEMENT

No action is necessary at this time. On December 10, 2013, the Board of Supervisors adopted Ordinance 13-008, which established density bonus incentives intended to facilitate the production of affordable housing, senior citizen housing and child care facilities. The County's density bonus incentive program is consistent with State Density Bonus Law (Government Code Section 65915 - [65918](#)).

The density bonus program may be expanded to include developments that promote transit access, bikeability and walkability. Under SB 743, density bonuses may also be encouraged as a potential mitigation strategy. In particular, a density bonus shall be allowed if the project includes both residential and employment land uses, and if the project includes affordable housing.

3. INFILL AND TRANSIT-ORIENTED DEVELOPMENT

Policy Mandate: Infill and Transit-Oriented Development Policy.

Program Implementation Schedule: On-going program.

Responsible Agency: OCPW and OC Development Services.

Discussion:

The Infill and Transit-Oriented Development Program provides guidance at the corridor level to implement County policy with infill incentives tied to transit access and support for all modes of transportation. It may include the following initiatives:

- Establish zoning regulations and development standards for preferential parking for car pools/van pools, for shared or common parking, for bike parking, and for reduced parking in transit-served areas.
- Investigate the feasibility of establishing minimum residential density standards along with reduced parking standards and mixed use development incentives in transit-served corridors to achieve General Plan goals.
- Offer incentives for preferential parking for car pools/van pools, for shared or common parking, for bike parking, for reduced parking in transit-served areas, for mixed use development in Transit Priority Areas, for qualifying infill development, as defined in State law, and for land dedication for transit facilities, bikeways or pedestrian ways.
- Fund public right of way safety improvements in infill areas for all modes to make these

CHAPTER III. LAND USE ELEMENT

- areas more attractive for development.
- Ensure compliance with the Americans with Disabilities Act (ADA) in pedestrian precincts and Transit Priority Areas for persons with disabilities.
 - Establish a partnership program with local transportation agencies and transit operators to improve bus stops and shelters, particularly in unincorporated disadvantaged communities and in Transit Priority Areas.
 - Establish a partnership program with local transportation agencies and local jurisdictions to refine and implement a countrywide bicycle/pedestrian circulation system, with priority given to investing in projects located in, or serving, Transit Priority Areas.
 - Establish a partnership program with local transportation agencies and local jurisdictions to expand Active Transportation and Safe Routes to Schools programs, focusing particularly on those programs supporting infill and transit-oriented development.
- Under SB 743, projects within 0.5 mile (mi) of a Transit Priority Area (TPA) or an HQTA (High Quality Transit Area) are encouraged, since they may result in a less than significant impact to transportation and circulation, and thus may be screened out from VMT analysis.

Necessary Action:

Development of implementation documents, partnerships and funding.

4. COMMUNITY PLANNING

Policy Mandate: New Development Compatibility Policy.

Program Implementation Schedule: On-going program.

Responsible Agency: OCPW/OC Development Services

Discussion:

The Community Planning Program provides guidance at the community level that formalizes County policy uniquely appropriate to certain areas through the preparation of specific plans, redevelopment plans, rehabilitation plans, local coastal plans, planned community zoning, neighborhood plans, partnerships for Active Transportation and Safe Routes to Schools programs, parking management plans and provisions for reduced parking

CHAPTER III. LAND USE ELEMENT

in transit-served areas and infill incentive priorities tied to transit access and support for all modes.

Necessary Action:

None is necessary at this time. Community Planning is an existing OCPW/OC Development Services function.

5. ENVIRONMENTAL REVIEW PROCESS

Policy Mandate: Enhancement of the Environment Policy.

Program Implementation Schedule:

On-going program.

Responsible Agency: OCPW/OC Development Services

Discussion:

This program minimizes environmental impacts of development through the County's environmental review procedure. This program implements state and federal environmental protection laws in Orange County.

Necessary Action:

Technical amendments related to transportation impact analysis and streamlining opportunities. Environmental review is an existing OCPW/OC Development Services function. In 2013, California Environmental Quality Act (CEQA) was amended through SB 743 to provide an alternative to Level Of Service (LOS) for evaluating transportation impacts. In the past, LOS standards discouraged infill development and construction of infrastructure for transit, cycling, and walking, as these typically increase population and potential traffic in a given area. Alternative criteria to measure impacts include vehicle miles traveled (VMT), automobile trips generated or other similar performance measures. Statewide implementation for SB 743 began July 1, 2020, and the County of Orange will utilize its own guidelines to assist applicants and County agencies with the evaluation of projects within unincorporated Orange County. The County continues to apply the Level of Service (LOS) analysis or other traditional metrics to determine traffic impacts for operational level assessment as appropriate; however, these LOS metrics may no longer constitute the sole basis for determining transportation impacts under CEQA for projects within Transit Priority Areas (TPAs). In addition, the County will seek to implement a

CHAPTER III. LAND USE ELEMENT

streamlined CEQA process in TPAs consistent with the streamlined CEQA process available to cities. CEQA streamlining can provide time certainty, cost and benefits needed by infill and transit-oriented development. Eligible projects must contain at least 50 percent of residential use, have a minimum net density of 20 units per acre, and be located within half a mile of a major transit stop of high-quality transit corridor.

6. NATURAL COMMUNITIES CONSERVATION PLANNING PROGRAM (NCCP)

Policy Mandate: Enhancement of the Environment Policy.

Program Implementation Schedule:

On-going Program

Responsible Agency: OCPW/OC Development Services.

Discussion:

The NCCP established a 38,000-acre habitat reserve system (Central-Coastal Sub-region) for native habitats found in Orange County, including coastal sage scrub, chaparral, grassland, riparian, woodland, and forest. The focus of the Program is to protect "target" species: the California gnatcatcher, coastal cactus wren and orange-throated whiptail lizard. Work continues on development of a habitat reserve system for the County's Southern Sub-region.

Necessary Action:

None is necessary at this time. NCCP is an existing OCPW/OC Development Services responsibility.

7. ANNUAL LAND USE ELEMENT REVIEW

Policy Mandate:

Creative Design Concepts Policy; Employment Centers/Transportation Access Policy.

Program Implementation Schedule:

On-going program.

CHAPTER III. LAND USE ELEMENT

Responsible Agency: OCPW/OC Development Services

Discussion:

This program provides a review of the policies, land use categories, and programs of the Land Use Element on an annual basis to make modifications in light of the previous year's experience and to facilitate innovative planning concepts.

Necessary Action:

Identify minor or major changes to the Land Use Element that will rectify inequities, clarify ambiguities, speed processing and otherwise refine and improve the element on an annual basis.

Review areas subject to flooding to ensure consistency between flood-related maps in the Land Use Element and current FEMA and DWR flood maps. Revisions to flood-related maps in the Land Use Element will be completed as necessary.

8. CHILDCARE IMPROVEMENT PROGRAM

Policy Mandate: Childcare Improvement Policy.

Program Implementation Schedule:

On-going, upon adoption of Childcare Improvement Policy.

Responsible Agency: OCPW/OC Development Services

Discussion:

The purpose of this program is to ensure that childcare facilities are accommodated in areas of greatest need. In order to adequately address childcare needs, it is necessary to examine three components of childcare.

CHAPTER III. LAND USE ELEMENT

Infant care refers to childcare for children 0-2 years old; Preschool care is primarily for children 2-5 years old; and Extended Day Care is for school age children after and/or before normal school hours.

Provision of sites for the first two types of childcare should be encouraged in concentrated employment areas for ease of access for working parents (however, some communities may have sufficient demand in residential areas); Extended Day Care facilities are more appropriate near residential areas and school facilities.

This program also provides coordination between the County and school districts and/or private agencies that provide childcare services. School district/private agency services include before and after school programs located at local schools.

Necessary Action:

New developments will participate in the Childcare Improvement Program through conditions placed on projects in the unincorporated South County area. Appropriate coordination will also be encouraged between the County, school districts, community programs, and developers.

9. RECYCLING/MATERIALS RECOVERY PROGRAM

Policy Mandate:

Recycling/Materials Recovery Policy

Program Implementation Schedule:

On going, upon adoption of Recycling/Materials Recovery Policy

Responsible Agency:

- OC Waste and Recycling
- OCPW/OC Development Services

Discussion:

The purpose of this program is to ensure that recycling and/or materials recovery facilities

CHAPTER III. LAND USE ELEMENT

are accommodated in areas of greatest need.

OC Waste and Recycling is charged with the preparation and implementation of a Source Reduction and Recycling Element (SRRE) in which specific program alternatives are identified, evaluated, and selected to achieve AB 939 diversion mandates.

One option that is being facilitated through the County's discretionary permit process involves the next generation of technologies, the Materials Recovery Facility (MRF). A "MRF" is a central solid waste facility where waste materials, either source separated or mixed, are sorted and processed for sale to end users. OCPW/OC Development Services, upon submittal of new requests, is charged with the review, analysis, and processing proposed recycling or materials recovery facilities.

Areas in which these uses would be most appropriate are urban activity centers, employment areas, lands designated for public facilities, solid waste facility districts, and open space areas (when such development would be consistent with the open space character).

Necessary Action:

New development requests for recycling/materials recovery facilities will be reviewed and processed by OCPW/OC Development Services.

Appropriate coordination will be encouraged between the County, applicant, community, and appropriate State agencies.

**ZONING CODE AMENDMENT CA 22-01 (STRIKETHROUGH)
HOUSING OPPORTUNITIES OVERLAY DISTRICT AND TECHNICAL REVISIONS**

~~Deleted language is struck~~ and new language is underlined

(Contains portions of Zoning Code sections.)

Subarticle 3. Overlay, Combining, and Other Districts

Sec. 7-9-44. H "Housing Opportunities" Overlay District.

All references to this section shall include sections 7-9-44.1 through 7-9-44.8.

Sec. 7-9-44.1. Purpose and intent.

The purpose of the H "Housing Opportunities" Overlay District (H) is to provide for the development of affordable rental housing within commercial and/or industrial districts, and on building sites zoned for high density residential uses in which all of the housing units are reserved for households which earn eighty (80) percent or less of the County median income as verified by the County of Orange, and seventy (70) percent of the units are reserved for low income households and thirty (30) percent of the units are reserved for very low income households. This section also provides regulations intended to facilitate the establishment of emergency shelters, ~~and~~ multi-service centers, ~~for~~ and low-barrier navigation centers the homeless for persons experiencing homelessness pursuant to applicable State law. The intent is to facilitate the realization of affordable housing objectives presented in the Orange County Housing Element of the General Plan.

Sec. 7-9-44.2 Application.

- (a) These H overlay district regulations apply to residential rental projects that are one hundred percent (100%) affordable and, emergency shelters, ~~and~~ multi-service centers, and low-barrier navigation centers for persons experiencing homelessness for the homeless that are located in one of the following base commercial or industrial zoning districts.
- (1) C1 "Local Business" District.
 - (2) C2 "General Business" District.
 - (3) CC "Commercial Community" District.
 - (4) CH "Commercial Highway" District.
 - (5) CN "Commercial Neighborhood" District.
 - ~~(6) PA "Professional and Administrative Office" District.~~
 - (6) (7) M1 "Light Industrial" District.

- (b) The H overlay district regulations apply to residential rental projects that are one hundred percent (100%) affordable that are located on building sites without an existing multifamily residential use in one of the following multifamily zoning districts.
 - (1) R2 "Multifamily Dwellings" District.
 - (2) R3 "Apartment" District.
 - (3) R4 "Suburban Multifamily Residential" District.
- (c) Residential rental projects ~~and~~, emergency shelters, and low-barrier navigations centers to which this section applies include the following.
 - (1) Projects located on building sites and/or within structures without existing residential, commercial and/or industrial uses.
 - (2) Projects located on building sites and/or within structures that include residential, commercial and/or industrial uses.
 - (3) Projects wherein residential uses replace residential, commercial and/or industrial uses in a pre-existing structure.
- (d) In all cases, residential projects, emergency shelters, multi-service centers, and low-barrier navigation centers ~~emergency shelter uses~~ shall conform to all of the regulations in this section, including the site development standards.
- (e) Any commercial, and/or industrial uses shall satisfy the base district regulations.

Sec. 7-9-44.3. Site Development Permit.

The residential projects, emergency shelters, ~~and~~ multi-service centers, and low-barrier navigation centers for persons experiencing homelessness ~~for the homeless~~ allowed herein shall be subject to the approval of a Site Development Permit unless otherwise stated.

Sec. 7-9-44.4. Temporary uses permitted.

Certain temporary uses, permitted per section 7-9-117, are allowed.

Sec. 7-9-44.5. Accessory uses permitted.

The following accessory uses and structures are permitted when associated with, and subordinate to, a permitted residential use on the same building site and when consistent with the approved Site Development Permit for the project and any other regulations in this Zoning Code that apply.

- (a) Garages and carports.
- (b) Fences and walls.
- (c) Patio covers.
- (d) Swimming pools.
- (e) Signs per section 7-9-114 except no roof signs or projecting signs.
- (f) Noncommercial keeping of pets and animals.
- (g) Home occupations.

- (h) Manager's unit, which is exempt from affordability requirements.
- (i) Child day care center/early education facility per the Housing Opportunities Manual.
- (j) Accessory uses and structures that the Director finds are consistent with the design of the project and the purpose and intent of these overlay regulations.

Sec. 7-9-44.6. Housing Opportunities Manual.

The Planning Commission shall adopt such guidelines, design criteria, and procedures as may be necessary or convenient to administer this section in compliance with the Housing Element. The Director shall revise these guidelines, design criteria, and procedures as necessary to administer this section. If the subject revisions are substantial or significant as determined by the Director, the proposed revisions may be referred to the Planning Commission for adoption. Such guidelines, design criteria, and procedures shall be referred to as the "Orange County Housing Opportunities Manual."

Sec. 7-9-44.7. Residential ~~S~~ite development standards for residential uses.

- (a) The site development standards for residential uses shall be as follows.
 - (1) For sites located within a multifamily residential zoning district, the base district site development standards shall apply except that the base density shall be 70 dwelling units per acre (net development area).
 - (2) For sites located within a commercial or industrial zoning district, the site development standards for the R3 "Apartment" District shall apply except that the base density shall be 70 dwelling units per acre (net development area) and maximum building height shall be ~~sixty-five (65)~~ thirty-five (35) feet.
 - (3) The number of off-street parking spaces required shall be calculated using one of the following:
 - a. The parking requirements set forth in State Density Bonus Law or other applicable State law.
 - b. The County's residential off-street parking requirements for affordable housing pursuant to section 7-9-70.
 - (4) Other standards as may be provided in the Orange County Housing Opportunities Manual.
- (b) Density bonuses, development incentives, and/or waivers of development standards may be granted pursuant to section 7-9-87.
- (c) A graduated density incentive shall be granted when parcels smaller than one-half (0.5) acre are consolidated as part of a project. The increased density shall be in addition to any other density bonus available under this Zoning Code, to a maximum of forty-five percent (45%) total, and shall be calculated as follows.

Project Size (after lot consolidation)	Base Density (per net development area)
Less than 0.50 acre	<u>70.43</u> units/acre
0.50 to 0.99 acre	<u>77.48</u> units/acre (10% increase)
1.00 acre or more	<u>84.52</u> units/acre (20% increase)

Sec. 7-9-44.8. Emergency shelter and multi-service center for persons experiencing homelessness ~~the homeless~~ (multi-service center) site development standards and operational requirements.

- (a) One (1) County-sponsored multi-service center may be permitted in the unincorporated area with a maximum of two hundred (200) beds. The County-sponsored multi-service center may be granted a waiver from the standards and requirements of this section by the Director.
- (b) An emergency shelter or multi-service center shall not be allowed on parcels or building sites which share a side parcel line with a residential use.
- (c) An emergency shelter or multi-service center shall comply with the site development standards of the base district.
- (d) In addition to the base district site development standards, an emergency shelter or multi-service center shall comply with the following standards and requirements.
 - (1) A management and operations plan shall be submitted for review and approval prior to operation of the emergency shelter and/or multi-service center. The management and operations plan shall comply with the Orange County Housing Opportunities Manual.
 - (2) No facility shall be permitted less than three hundred (300) feet from another emergency shelter or multi-service center, measured from the nearest property lines.
 - (3) Emergency shelters may have a maximum of fifty (50) beds. Larger emergency shelters, up to a maximum of one hundred fifty (150) beds, may be permitted subject to approval of a Use Permit per section 7-9-126.2.
 - (4) Multi-service centers shall be associated with an emergency shelter and shall be subject to the same limitations as section 7-9-44.8 (d)(3) above unless co-sponsored by the County.
 - (5) Off-street parking shall be provided at a rate of one (1) space per four (4) beds, plus one (1) space for each staff person (paid or volunteer) on duty.
 - (6) An intake and waiting area shall be provided with a minimum floor area of ten (10) square feet per bed. Exterior waiting area shall be physically separated and visually screened from the public right-of-way and be of sufficient size to prevent queuing in public right-of-way.

- (7) One (1) toilet and shower shall be provided for each ten (10) beds. Separate facilities shall be provided for men and women.
 - (8) Bike racks shall be provided on site for use by staff and clients.
 - (9) The following may be provided inside the facility, kitchen, dining hall, laundry facilities and storage lockers.
 - (10) On-site management shall be required at all times that the shelter is in operation and the number of staff on duty shall be addressed in the approved management plan.
 - (11) An on-site covered trash enclosure shall be provided.
 - (12) An emergency shelter or multi-service center shall be open twenty-four (24) hours a day, unless an exemption is granted.
 - (13) Maximum consecutive length of stay shall be one hundred eighty (180) days.
 - (14) Facility operator shall remove any trash from the premises daily and ensure there is no loitering.
- (e) In the event of a conflict between the base district regulations and these standards, the provisions of this section shall control.

Sec. 7-9-44.9. Low-Barrier Navigation Center site development standards and operational requirements.

A Low-Barrier Navigation Center is a housing-first, low-barrier, service-enriched shelter focused on moving people experiencing homelessness into permanent housing that provides temporary living facilities (i.e., emergency shelter) while case managers connect persons experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low-barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
 - (2) Pets.
 - (3) The storage of possessions.
 - (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
 - (5) Eligibility and intake requirements should be minimal and simple to promote access, and should not exclude persons who are experiencing mental health and substance use concerns, and/or medical issues, or establish requirements that these areas be address prior to entry.
- a) A County-sponsored Low-Barrier Navigation Center may be granted a waiver from the standards and requirements of this section by the Director.
- b) A Low-Barrier Navigation Center shall be permitted in nonresidential zones permitting multifamily uses.

- (c) A Low-Barrier Navigation Center shall not be allowed on parcels or building sites which share a side parcel line with a residential use.
- (d) A Low-Barrier Navigation Center shall meet the following requirements.
 - (1) It shall offer services to connect people experiencing homelessness to permanent housing.
 - (2) It shall be linked to a coordinated entry system and the Homeless Management Information System.
 - (3) It shall implement the use of "Housing First" pursuant to Welfare and Institutions Code section 8255.
- (e) Within 30 days of receipt of an application for a Low-Barrier Navigation Center, the County shall notify a developer whether the developer's application is complete pursuant to Section 65943.
- (f) Within 60 days of receipt of a completed application for a Low-Barrier Navigation Center development, the County shall act upon its review of the application.
- (g) A Low-Barrier Navigation Center shall comply with the site development standards of the base district.
- (h) In addition to the base district site development standards, Low-Barrier Navigation Center shall comply with the following standards and requirements.
 - (1) A management and operations plan shall be submitted for review and approval prior to operation of the Low-Barrier Navigation Center. The management and operations plan shall comply with the Orange County Housing Opportunities Manual and the County of Orange Standards of Care for Emergency Shelter Providers (Standards of Care).
 - (2) No facility shall be permitted less than three hundred (300) feet from another Low-Barrier Navigation Center, emergency shelter, or multi-service center, measured from the nearest property lines.
 - (3) The emergency shelter portion of the Low-Barrier Navigation Center shall have a maximum of two-hundred (200) beds.
 - (4) Off-street parking shall be provided at a rate of one (1) space per four (4) beds, plus one (1) space for each staff person (paid or volunteer) on duty.
 - (5) An intake and waiting area shall be provided with a minimum floor area of ten (10) square feet per bed. Exterior waiting area shall be physically separated and visually screened from the public right-of-way and be of sufficient size to prevent queuing in public right-of-way.
 - (6) One (1) toilet and shower shall be provided for each ten (10) beds. Separate facilities shall be provided for men and women.
 - (7) Bike racks shall be provided on site for use by staff and clients.
 - (8) The following may be provided inside the facility, kitchen, dining hall, laundry facilities, and storage lockers.

- (9) On-site management shall be required at all times that the shelter is in operation and the number of staff on duty shall be addressed in the approved management plan.
- (10) An on-site covered trash enclosure shall be provided.
- (11) The Low-Barrier Navigation Center shall be open twenty-four (24) hours a day, unless an exemption is granted.
- (12) Maximum consecutive length of stay in the Low-Barrier Navigation Center shall be one hundred eighty (180) days.
- (13) Facility operator shall remove any trash from the premises daily and ensure there is no loitering.
- (i) In the event of a conflict between the base district regulations and these standards, the provisions of this section shall control.

Subarticle 7: General Terms

Sec. 7-9-134. Use Classifications.

Sec. 7-9-134.3. - Public/semi-public uses.

- (e) *Emergency shelters.* As defined by Section 50801 of the California Health and Safety Code, as may be amended, housing with minimal supportive services for homeless persons experiencing homelessness that is limited to occupancy of one-hundred eighty (180) consecutive days or less ~~by a homeless person~~ and from which no individual or household may be denied emergency shelter because of an inability to pay. This classification includes facilities that provide temporary shelter, meals, showers, and other related services to persons experiencing homelessness ~~who are homeless~~ and where on-site supervision is provided whenever the shelter is occupied.
- (f) *Government buildings.* Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, together with incidental storage and maintenance of vehicles. This classification includes law enforcement stations, fire stations, corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment.
- (g) *Health care facility.* Health care facilities are licensed by the State and include facilities that provide outpatient treatment to patients and those facilities that provide care to patients admitted for a 24-hour stay or longer.
 - (1) Pursuant to Health and Safety Code Section 1200, as may be amended, a "clinic" means an organized health facility that provides direct medical, surgical, dental, optometric, or podiatric services, or treatment, to patients who remain less than 24 hours. This includes primary care clinics such as community clinics and free clinics, and specialty clinics such as surgical clinics, chronic dialysis clinics, rehabilitation clinics, and alternative birth centers.

- (2) Pursuant to Health and Safety Code Section 1250, as may be amended, a "health facility" means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness for one (1) or more persons, and to which persons may be admitted for a 24-hour stay or longer. This includes general acute care hospitals ("hospitals"), skilled nursing facilities, hospices, congregate living health facilities, and intermediate care facilities.

(h) Low-Barrier Navigation Center. Pursuant to Government Code Section 65660, as may be amended, a "Low Barrier Navigation Center" means a Housing First, low-barrier, service-enriched shelter focused on moving people experiencing homelessness into permanent housing that provides temporary living facilities while case managers connect persons experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low Barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
- (2) Pets.
- (3) The storage of possessions.
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
- (5) Eligibility and intake requirements should be minimal and simple to promote access, and should not exclude persons who are experiencing mental health and substance use concerns, and/or medical issues, or establish requirements that these areas be address prior to entry.

Pursuant to Government Code Section 65662, as may be amended, a Low-Barrier Navigation Center shall:

- (1) Offer services to connect people to permanent housing through a services plan that identifies services staffing.
- (2) Be linked to a coordinated entry system, so that staff in the interim facility or staff who collocate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- (3) Comply with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- (4) Have a system for entering information regarding client stays, client demographics, client income, and exit destination as well as a service provision occurring within the Low-Barrier Navigation Center through the local Homeless

Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

- (i) Multi-service center for people experiencing homelessness~~the homeless~~. A facility which serves as a regional resource hub that provides emergency shelter beds and supportive services, and is operated under the auspices of a government or non-profit agency. A multi-service center for people experiencing homelessness~~the homeless~~ shall have an emergency shelter component and a resource/services component that provides supportive services to individuals and families experiencing homelessness. These supportive services include intake, assessment, and linkages to public benefits, mental health, behavioral health, physical health, and employment and housing resources. Services provided by the emergency shelter component shall address basic and immediate necessities, such as overnight shelter, showers, food, medical attention and mental health services, as well as higher level needs including, but not limited to, computer access, job training and placement, life skills coaching, and legal assistance.
- (j) ~~(j)~~ Park. An area of outdoor natural, semi-natural, or planted space set aside for enjoyment and recreation by the general public, or for the protection of wildlife or natural habitats.
- (1) *Passive*. Parks that are designed for activities that require only minimal disruption of natural sites with limited vehicle access and may include riding and hiking trails, viewpoints, and wildlife corridors.
 - (2) *Active*. Parks developed with attractions that are intended to facilitate active and/or team play such as playgrounds, playing fields, swimming pools, outdoor fitness stations, golf courses, and sport courts. These parks may also offer picnic areas, community centers, and a variety of concessions.
- (k) ~~(k)~~ Park and recreation facilities. Typically located in public parks, this classification includes playing fields, sport courts, gymnasiums, swimming pools, picnic facilities, golf courses, bicycle rentals, community centers, and botanical gardens, as well as food concessions. These facilities may also provide access to historical, archeological, and paleontological sites, wildlife preserves, or marine preserves.
- (l) ~~(l)~~ Parking, vehicle, public or private. Surface lots and structures for use of occupants, employees, or patrons on the subject site or offering automobile parking to the public when such use is not incidental to another on-site activity.

Sec. 7-9-33. Commercial Districts.

Sec. 7-9-33.1. Purpose and intent.

The purpose of the Commercial Districts is to accommodate a range of retail, office and community uses and services to serve surrounding neighborhoods, the larger community, and the region and are sited at appropriate locations and compatible with surrounding development. Commercial development and other non-residential uses and services shall be sited at locations accessible to all transportation modes where a safe means of travel can be provided to users along the right-of-way. Residential rental projects that are one hundred percent (100%) affordable and emergency shelters, multi-service centers, and low-barrier

navigation centers that provide services for persons experiencing homelessness, are also permitted in Commercial Districts, pursuant to section 7-9-44, "Housing Opportunities" Overlay District.

- (a) The C1 "Local Business" District is established to provide for the development and maintenance of medium-intensity commercial uses serving the needs of both the surrounding neighborhood and the local community. All commercial uses and their related products in the C1 districts shall be contained entirely within a completely enclosed structure, except for parking and loading areas, and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.
- (b) The C2 "General Business" District is established to provide for the development and maintenance of high-intensity commercial uses which serve the local community but which may not be compatible with surrounding residential uses or certain commercial uses.
- (c) The CC "Community Commercial" District is established to provide for the development and maintenance of high-intensity commercial uses which serve the local community and regional area and are compatible with surrounding residential uses. All commercial uses and their related products in the CC district shall be contained entirely within a completely enclosed structure, except for parking and loading areas and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.
- (d) The CH "Commercial Highway" District is established to provide for the development and maintenance of medium-intensity commercial uses which serve the needs of the motoring public in the local community and the regional area. It is intended to provide an environment which shall take advantage of the superior access afforded by freeways and highways without undue detrimental effects on traffic flow or safety.
- (e) The CN "Commercial Neighborhood" District is established to provide for the development and maintenance of low-intensity commercial uses which serve the immediate needs of the surrounding neighborhood. Such uses are to be grouped in small areas of three (3) to eight (8) acres and designed so that adverse impacts on residential properties are minimized. Business hours in the CN District shall be limited to the hours between 6:00 a.m. and 10:30 p.m. unless otherwise provided for by a Use Permit approved by the Zoning Administrator. All commercial uses and their related products in the CN district shall be contained entirely within a completely enclosed structure, except for parking and loading areas and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.

Sec. 7-9-33.2. Land Use Regulations.

TABLE 7-9-33.2: LAND USE REGULATIONS—COMMERCIAL DISTRICTS						
	C1	C2	CC	CH	CN	Additional Regulations
RESIDENTIAL						
Congregate Living Health Facility	UP	UP	UP	UP	-	Per section 7-9-134/135
Multifamily Dwelling – Affordable Only	SDP	SDP	SDP	SDP	SDP	Per section 7-9-44
Short-Term Rentals	p ¹	p ¹	p ¹	p ¹	p ¹	Applicable if located within a continuing permitted residential use Per section 7-9-93

Sec. 7-9-34. Employment Districts.

Sec. 7-9-34.1. Purpose and Intent.

The Employment Districts are areas intended for use by employment generators, which are usually light and service industries or professional-administrative uses that have few nuisance or hazard problems. The uses shall be compatible with one another and with surrounding development. Locations shall be transit accessible and provide opportunities for transportation demand management measures to reduce the potential for congestion and facilitate access to transit. Sites shall be designed to promote safe and comfortable travel by pedestrians, bicyclists, and public transportation riders.

- (a) The RP "Residential Professional" District is established to provide for the development and maintenance of moderate density/intensity residential and office uses to produce an integrated mixed-use neighborhood of superior quality. All commercial uses and their related products in the RP district shall be contained entirely within a completely enclosed structure, except for parking and loading areas, and except for outdoor uses expressly permitted by an approved Site Development Permit or Use Permit.
- (b) The M1 "Light Industrial" District is established to provide for the development and maintenance of light industrial uses and industry-supporting activities. Industry-supporting activities are those activities which tend to promote the vitality of light industrial areas by providing a convenient location for services incidental to the conduct of business of the permitted uses, thus internalizing vehicle trips for such services. Industry-supporting activities are typically those which naturally locate in an industrial area because the principal part of their business activity is derived from such areas. It is intended that these regulations promote the effective operation of light industrial uses

by site design and by excluding incompatible uses. It is also intended that potentially significant adverse environmental impacts on the surrounding community be prevented. In those areas of the district where a wide mix of older general retail commercial uses have been established, a secondary intent shall be to support appropriate new uses of high quality over simple consistency with these older, established uses.

Residential rental projects that are one hundred percent (100%) affordable and emergency shelters, multi-service centers, and low-barrier navigation centers that provide services for persons experiencing homelessness, are also permitted in the M1 "Light Industrial" District, pursuant to section 7-9-44, "Housing Opportunities" Overlay District.

Sec. 7-9-34.2 Land Use Regulations.

TABLE 7-9-34.2: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS			
	RP	M1	Additional Regulations
RESIDENTIAL			
Multifamily Dwelling	UP	-	Shall have no more than four (4) dwelling units
<u>Multifamily Dwelling – Affordable Only</u>	-	<u>SDP</u>	<u>Per section 7-9-44</u>
Single-Room Occupancy (SRO)	-	-	Per section 7-9-88

Sec. 7-9-25. Zones and districts.

Sec. 7-9-25.2. Establishment of districts and interpretation of district boundaries.

(c) Designation of base zoning districts.

Table 7-9-25.2(c) lists the base zoning districts into which the County is divided with their map symbols and corresponding General Plan land use designations.

TABLE 7-9-25.2(c) - BASE ZONING DISTRICTS		
<i>Map Symbol</i>	<i>Full Name</i>	<i>General Plan Land Use Designation</i>
Agriculture/Open Space Districts		
A1	General Agricultural	Rural Residential
B1	Buffer	Open Space
OS	Open Space	Open Space
Single-Family Residential Districts		
AR	Agricultural Residential	Suburban Residential

E1	Estates	Suburban Residential
E4	Small Estates	Suburban Residential
RE	Residential Estates	Suburban Residential
RHE	Residential Hillside Estates	Suburban Residential
RS	Residential, Single-Family	Suburban Residential
R1	Single-Family Residence	Suburban Residential
Multifamily Residential Districts		
R2D	Two-Family Residence	Suburban Residential
R4	Suburban Multifamily Residential	Suburban Residential
R2	Multifamily Dwelling	Urban Residential
R3	Apartment	Urban Residential
Mixed-Use and Commercial Districts		
C1	Local Business	Community Commercial
CC	Commercial Community	Community Commercial
CN	Commercial Neighborhood	Community Commercial
C2	General Business	Regional Commercial
CH	Commercial Highway	Regional Commercial
RP	Residential Professional	Suburban Residential
Employment Districts		
PA	Professional and Administrative	Employment
M1	Light Industrial	Employment
Other District		
SG	Sand and Gravel Extraction	Open Space

Sec. 7-9-70.9. Alternatives to off-street parking regulations.

- (d) *Required Findings for Approval.* In addition to the required findings for approval of any Use Permit in section [7-9-125.6](#) ~~T&D~~ Required Findings, an application for a Use Permit for a parking reduction shall only be approved if the decision-making body makes all of the findings of this section that are applicable to the particular project, as stated.

Sec. 7-9-40.5. Exemptions.

- (d) Repair or maintenance activities that do not result in any addition to, enlargement, or expansion of, the object of such repair or maintenance activities, with the exception of the following.
- (1) Repair or maintenance of a sea wall revetment, bluff retaining wall, breakwater, groin, culvert, outfall or similar shoreline work which involves substantial alteration of the foundation, including pilings and other surface and subsurface structures.
 - (2) The placement, whether temporary or permanent, of riprap, or artificial berms of sand, or any other form of solid material, on a beach or in coastal waters, streams, wetlands, estuaries, or on shoreline protective works.
 - (3) The replacement of twenty (20) percent or more of the materials of an existing structure with materials of a different kind.
 - (4) The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area or, coastal bluff or within twenty (20) feet of coastal waters or streams.
 - (5) Any method of routine maintenance dredging that involves.
 - a. The dredging of one hundred thousand (100,000) cubic yards or more within a twelve (12) month period.
 - b. The placement of dredged spoils of any quantity on any sand area, within fifty (50) feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within twenty (20) feet, of coastal waters or streams.
 - c. The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the Coastal Commission has declared by resolution to have a critically short sand supply that shall be maintained for protection of structures, coastal access or public recreational use.
 - (6) Any repair or maintenance to facilities or structures or work located in any sand area, within fifty (50) feet of the edge of a coastal bluff or environmentally sensitive habitat area; or within twenty (20) feet of any coastal waters or streams that include.
 - a. The placement or removal, whether temporary or permanent, of riprap, rocks, sand or other beach materials or any other forms of solid materials.

- b. The presence, whether temporary or permanent, of mechanized equipment or construction materials.

- (e)(7) The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this district.
- (f)(8) The replacement of any structure, other than a public works facility, destroyed by natural disaster, provided any such replacement structure conforms to applicable current zoning regulations, is designed and intended for the same use as the destroyed structure, does not exceed the floor area, height, or bulk of the destroyed structure by more than ten (10) percent, and is sited in the same location on the same building site as the destroyed structure.
- (g)(9) Development projects on tidelands, submerged lands, or on public trust lands, whether filled or unfilled, when such projects are permitted pursuant to a Coastal Development Permit issued by the Coastal Commission.
- (h)(10) Projects normally requiring a Coastal Development Permit but which are undertaken by a public agency, public utility or person performing a public service as emergency measures to protect life and property from imminent danger or to restore, repair or maintain public works, utilities and services during and immediately following a natural disaster or serious accident, provided the Director, and the Executive Director of the Coastal Commission are notified within three (3) days after the disaster or discovery of the danger regarding the type and location of the emergency measures to be performed. This exemption does not apply to the erection, construction, or placement of any structure with an estimated cost or market value in excess of twenty-five thousand dollars (\$25,000.00) in a permanent location.
- (i)(11) Ongoing routine repair and maintenance activities of local governments, state agencies, and public utilities (such as railroads) involving shoreline works protecting transportation roadways, as specified in Board of Supervisors' Resolution No. 82-1917, adopted on December 22, 1982.

Sec. 7-9-66. Grading and excavation.

- (a) Grading and excavation regulations adopted in a planned community text or a specific plan shall supersede this section.
- (b) A Site Development Permit issued pursuant to section 7-9-125 shall be required if any grading operation involves:
- (1) More than ten thousand (10,000) ~~five thousand (5,000)~~ cubic yards on a building site; or
 - (2) More than five hundred (500) cubic yards on a slope greater than thirty percent (30%).

Sec. 7-9-61.12. Building line on shallow building site.

When a building site has an average depth of less than one hundred (100) feet ~~or less~~ but more than seventy-five (75) feet, any required front and rear building line setbacks need not be more than twenty percent (20%) of such average depth; and when a building site has an average depth of seventy-five (75) feet or less, any required front and rear building line setbacks need not be more than fifteen percent (15%) of such average depth, but in no event shall any required front or rear building line setback be less than five (5) feet.

Sec. 7-9-114.10. Permits required.

- (e) *Site Development Permit.* Signs in other than public road right-of-way areas and not part of a master sign program may be allowed subject to a Site Development Permit approved per section 7-9-125, subsections a. through f. above, and the following additional regulations.
- (1) Each sign structure shall require a separate Site Development Permit and Sign Permit per the Sign Code.
 - (2) The Site Development Permit shall have a time limit of three (3) ~~two (2)~~ years maximum.
 - (3) The application for the Sign Permit shall be accompanied by financial security meeting the approval of the Director for the purpose of covering the cost of removing the sign structure. If the sign structure is not removed when the permit expires, the County shall have the right to remove the sign structure.

CHAPTER III. LAND USE ELEMENT

PLANNING CONSTRAINTS & DEFICIENCIES

This section identifies existing and potential constraints upon achievement of the objectives and policies identified above and in the following chapters. While these constraints do not constitute absolute barriers, they may inhibit the timely achievement of the objectives.

These constraints have been categorized below into four categories: environmental, fiscal, economic and market constraints, and governmental constraints.

Environmental Constraints

Five major environmental conditions constrain development in Orange County: noise, floods, fires, geologic/seismic hazards, and natural and cultural resources. More detailed discussion of these constraints are found in the Noise, Safety, and Resources Elements (Chapters VIII, IX, and VI respectively).

NOISE

The major sources of significant noise in Orange County are aircraft and highway vehicles. While both can usually be mitigated to acceptable levels indoors, aircraft noise cannot be mitigated outdoors because of its overhead source.

State law and County policy prohibit residential development and similar noise sensitive uses in high-noise (+65

CNEL) areas near John Wayne Airport.

Noise in nonresidential developments must be attenuated to protect users in these areas. Near major streets and highways, noise must also be attenuated. Thus, high-noise conditions may preclude certain uses in some areas and may increase development costs. CNEL noise contour maps and more detailed information related to noise are found in Chapter VIII, the Noise Element.

FLOOD HAZARDS

Portions of Orange County are located in floodplain areas of varying degrees of risk. Figure III-1a identifies areas subject to 100- and 500-year flooding as identified by the Flood Insurance Rate Maps (FIRM) provided by the Federal Emergency Management Agency (FEMA) and floodplain maps from the California Department of Water Resources (DWR). In many cases, development can occur in these areas through proper site planning, but costs may be high. There are, however, some areas where development is precluded because of extreme flood potential. In all development scenarios, water quality and watershed protection principles must also be considered in the site planning and stormwater facility design process.

FIRE HAZARDS

The foothill areas of Orange County are considered high to very high fire hazard

CHAPTER III. LAND USE ELEMENT

them. Reduced parking may be approved in transit-served locations.

7. **NEW DEVELOPMENT COMPATIBILITY**

To require new development to be compatible with adjacent areas.

The purpose of the New Development Compatibility Policy is to ensure that new development is compatible with adjacent areas and the character of local streets and that it provides either a land use buffer or transition to reduce the effects of one land use on the other.

Sensitive treatment is required where one urban use transitions to another and where an urban use is introduced into an essentially undeveloped area.

New development within the Foothill-Trabuco Specific Plan planning area shall be designed to maintain a buffer between urban development and the Cleveland National Forest, to be compatible with the area, and to reflect the goals and objectives of that Plan.

Within airport planning areas, all new development will comply with Orange County Airport Environs Land Use Plan compatibility criteria.

8. **CREATIVE DESIGN CONCEPTS**

To encourage innovative concepts which contribute to the solution of land use problems.

The purpose of the Creative Design Concepts Policy is to encourage the use of innovative planning ideas that give variety to the character of development and solve certain site development, parking and site access problems. New design concepts can facilitate environmentally sensitive development, access by all modes of transit, coordinated parking management, and the economic and efficient provision of services and facilities. They can also reduce development costs and enhance property values.

9. **ENHANCEMENT OF ENVIRONMENT**

To guide development so that the quality of the physical environment is enhanced.

The purpose of the Enhancement of Environment Policy is to ensure that all land use activities seek to enhance the physical environment, including the air, water, sound levels, landscape, and plant and animal life.

This policy does not mean that environmental enhancement precludes development. It recognizes the need to improve both the manmade and natural environments. Where aspects of the natural environment are deemed to be truly significant, this policy requires measures be taken to preserve these aspects.

CHAPTER III. LAND USE ELEMENT

requirements and programs.

The following policies establish a framework for managing urban and stormwater runoff in compliance with applicable regulations. Additional policies are also provided in the Resources Element.

Encourage, support and require all new development and redevelopment projects to identify opportunities for implementation of Low Impact Development (LID) principles in the early stages of the development planning process.

Promote, support, and require innovative site planning and development techniques that allow for implementation of LID principles while taking into consideration specific hydrology and geology conditions.

Encourage, support and require the use of LID as part of an overall strategy to mitigate stormwater impacts from new development and redevelopment projects consistent with current NPDES permit requirements.

Encourage and support, where applicable, the use of buffer zones to protect natural water bodies, including but not limited to, wetlands and riparian corridors. Where infeasible, require other measures to protect natural water bodies.

Identify and evaluate potential changes to land use development regulations to support and promote stormwater management techniques and ensure regulations do not inhibit compliance with current NPDES permit requirements.

15. AIRPORT LAND USE PLANS

To ensure consistency between proposed development and Airport Environs Land Use Plans (AELUPS) for Orange County airports.

1. Buildings and structures shall 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, applicants proposing buildings or structures that penetrate the 100:1 Notification Surface shall file a Form 7460-1 Notice of Proposed Construction or Alteration with the Federal Aviation Administration (FAA). A copy of the FAA determination shall be submitted to ALUC and the applicant shall provide the County with FAA and ALUC responses.
2. Development projects that include structures higher than 200 feet above existing grade shall be submitted to the ALUC for review. In addition, projects that exceed a height of 200 feet above

CHAPTER III. LAND USE ELEMENT

existing grade shall file Form 7460-1 with the Federal Aviation Administration (FAA).

3. Applicants for County approval of a heliport or helistop shall provide evidence that the proposed heliport or helistop complies fully with State of California permit procedures and with any and all conditions of approval imposed by the Federal Aviation Administration (FAA), the Airport Land Use Commission for Orange County (ALUC), and by the Caltrans Division of Aeronautics.

LAND USE ELEMENT INTERPRETIVE POLICIES

1. TRANSITIONAL USE POLICY

Transitional uses that are not specifically permitted by LUE land use categories may still be deemed appropriate under certain circumstances and, therefore, may not require LUE amendments. The following are examples of circumstances under which transitional uses may be considered for specific sites:

- a) Where a conflict exists between the LUE land use category and policies contained within other General Plan elements.
- b) Where a conflict exists between the LUE land use category and a major LUE policy.

- c) Where environmental conditions, such as high noise levels, traffic levels, or site configuration, render the site no longer suitable for the uses permitted by the LUE land use category.

2. LAND USE CATEGORY BOUNDARY INTERPRETATIONS

The LUE map shows boundaries that appear to follow topographic or manmade features. In certain instances these boundaries may require interpretation in order to respond to existing conditions. Boundary interpretation may be utilized as the basis for a LUE consistency determination for certain projects if both of the following conditions exist:

- a) The proposed use would be compatible with and connected to, as appropriate, the uses identified in the LUE for the surrounding area.
- b) No significant environmental, transportation or public service impacts will be created as a result of the boundary interpretation.

IMPLEMENTATION PROGRAMS

This section establishes eight land use programs that directly implement Land Use Element policies. These programs are

CHAPTER IX. SAFETY ELEMENT

**GOALS, OBJECTIVES AND
POLICIES:**

AIRCRAFT ENVIRONMENT

Orange County is unique among California counties because commercial, general, and military aviation installations are located within its boundaries. Air traffic generated by these facilities, coupled with air traffic transiting through the County, presents an image of crowded skies heightening the chances of aircraft accidents. However, accidents occur infrequently compared to the number of operations.

This section of the Safety Element presents a specific aircraft safety goal and policies intended to minimize existing aircraft hazards and promote aviation safety.

Goals and Objectives

The following specific goal is in addition to the General Public Safety Component Goals and Objectives found earlier in this chapter.

Goal 1

To protect the health, safety, and general welfare by ensuring the orderly expansion of airports and the adoption of measures that minimize the public's exposure to safety hazards within areas around airports.

Policies

1. To utilize the most recent adopted Air Installations Compatible Use Zone (AICUZ) studies for military air

installations (i.e., Los Alamitos Army Airfield) as the basis for safety compatibility planning in the vicinity of the facility.

2. To refer projects, as required by Section 21676 of the Public Utilities Code, to the Airport Land Use Commission for Orange County prior to their adoption or approval to determine consistency of the projects with the Airport Environs Land Use Plan (AELUP). Said projects include, but are not limited to, General Plan amendments, Zone Changes, or other discretionary action for the purpose of construction or alteration of a structure more than 200' AGL (Above Ground Level) and applicants seeking approval for the construction or operation of a heliport or helistop.
3. To support the creation of regulations requiring aircraft detection equipment.
4. To encourage the creation and updating of detailed flight charts and publications for the airspace in Orange County.
5. To encourage cooperative agreements between the County and the air installations to provide relief services in times of natural disaster.

develop estimates will be improved as new evidence becomes available. The accuracy of the data base will be improved by the acquisition of new data through various national and international efforts. When improved analytical models are available, it may be appropriate to recalculate the noise contours contained in this document.

There are fiscal constraints which affect the future noise environment as well.

Attenuation measures all have a cost associated with them. Those that are to be paid for by public agencies (such as acoustical barriers along freeways or arterial highways) must compete for scarce resources with other public needs. Cost considerations are particularly critical for retroactive improvements.

Noise Referral Zones

The noise contours depicted on the maps in the Existing Noise Environment section of this Element reflect transportation noise sources (i.e., arterial highways, rail lines and airports) which are, and are expected to remain, major sources of noise in unincorporated areas of Orange County.

The contours shown on the maps indicate noise-affected areas which constitute Noise Referral Zones for purposes of this Element. Such a zone is defined as that area with a total noise environment of 60 decibels Community Noise Equivalent Level (CNEL) or more. It is the level at which either State or Federal laws and standards related to land use become important and, in some cases, supersede local laws and regulations.

Any development proposed which may be impacted by a CNEL from each noise source of 60 or more decibels will be evaluated on a project specific basis. The contour figures in the Existing Noise Environment section of this Element for railroads and arterial highways depict a "worst case" situation. As used here, "worst case" means the maximum area that might be impacted, given that:

- a) No sound absorbing or attenuating effects of topography or man-made features have been considered; and
- b) The contours reflect operation of the facilities at their design level (which may be greater than the current level of traffic and may be less than that generated if the facility were upgraded after adoption of this Element).

The intent of the Noise Referral Zone is to act as a triggering mechanism or flag for development proposals in areas potentially adversely affected by high noise levels. If a development proposal falls within a Noise Referral Zone, it will be subject to evaluation and review to determine whether the project is indeed within an area where the CNEL is 60 or more decibels. It is during this initial evaluation of a project that the effect of existing development, topographic features, or other such noise attenuation measures is considered, although at a very general level of detail.

Acoustical analysis reports shall be prepared in any instance where there is the possibility

COMMON NOISE SOURCE LEVELS
70 dBA: television
80-90 dBA: blender
100 dBA: wood-working class
130 dBA: jack-hammer
157 dBA: balloon pop

CHAPTER VIII. NOISE ELEMENT

of unacceptable noise impacts. Thus, unless it can be shown with certainty that the project is outside the area that has a CNEL of 60 or more decibels, an acoustical analysis report will be required.

OBJECTIVES AND POLICIES

This section contains the key objectives and assumptions that have guided the development of the Noise Element. They are either explained fully or are referenced with information as to where a full explanation can be found and a unifying characteristic of all assumptions is that they are consistent with those used in other elements of the General Plan.

Objectives, Assumptions, and Definitions

A key objective of this Noise Element is to ensure that each County resident's quality of life is not affected adversely by high noise levels. Thus mitigation of noise is of paramount importance.

Noise affects all land uses. Residential uses are the most noise sensitive because of structural design, 24-hour per day duration of use and because such uses typically need, and are designed to incorporate outdoor living areas. Other noise sensitive uses include schools, hospitals, and places of worship. While mitigation of the effects of excessive noise in enclosed or interior areas are feasible (if expensive), it becomes more difficult for outdoor areas (particularly for aircraft noise sources).

In general, any development that results in a situation where there is an unacceptable level of noise in any living area (interior or exterior), must be mitigated or the project or use revised to avoid the conflict.

Aircraft noise as it affects outdoor living areas³ is particularly critical because it is generally impracticable to provide sufficient noise control to achieve an acceptable noise environment.

Noise sensitive land uses are defined as those specific land uses that have associated indoor and/or outdoor human activities that may be subject to stress and/or significant interference from noise produced by community sound sources.

³“Outdoor living area” is a term used by the County of Orange to define spaces that are associated with residential land uses typically used for passive recreational activities or other noise-sensitive uses. Such spaces include patio areas, barbecue areas, jacuzzi areas, etc. associated with residential uses; outdoor patient recovery or resting areas associated with hospitals, convalescent hospitals, or rest homes; outdoor areas associated with places of worship which have a significant role in services or other educational purposes which may be adversely impacted by noise. Outdoor areas usually not included in this definition are: front yard areas, driveways, greenbelts, maintenance areas, and storage areas associated with residential land uses; exterior areas at hospitals that are not used for patient activities; outdoor areas associated with places of worship and principally used for short-term social gatherings; and outdoor areas associated with school facilities that are not typically associated with educational uses prone to adverse noise impacts (for example, school play yard areas).

Such human activity typically occurs daily for continuous periods of 24 hours or is of such a nature that noise is significantly disruptive to activities that occur for shorter periods. Specifically, noise sensitive land uses include: residences of all types, hospitals, rest homes, convalescent hospitals, places of worship, and schools.

Development in this context refers to the initial development of land from an unimproved state to the redevelopment of land in which one use is replaced by another or to a significant intensification in an existing use (e.g., replacing a single family dwelling unit with a four-plex). These types of development are the ones on which the County takes discretionary action. Table VIII-2 depicts major uses in terms of noise sensitivity.

For the purpose of complying with the Table VIII-2 criteria, the noise from all sources will be combined and rated in terms of Community Noise Equivalent Level (CNEL). For multiple noise sources, all sources can either be mathematically combined or the CNEL rating can be calculated in the following manner.

A primary, or loudest, noise source will be identified. All other sources will then be considered secondary noise sources. Secondary noise sources that are at least 10 decibels less than the primary source can be considered to have an acoustically insignificant effect on the noise level rating and therefore will not need to be included in the CNEL calculations. If the primary source

requires abatement to comply with Table VIII-2 requirements, then the abated CNEL rating for the primary source will be used to determine the significance of any secondary source. For example, if the primary source is 75dB CNEL and requires abatement to 65dB CNEL, then any secondary source of 55dB CNEL or less can be considered acoustically insignificant. Therefore, a secondary source of 60dB CNEL would require abatement to a 55dB CNEL rating thereby making that acoustically insignificant.

Residential land use is the most sensitive because of the nature of activities which occur over a 24-hour period as well as the generally accepted need for, and design incorporating, outdoor living areas. An upper CNEL limit of 65 decibels was chosen above which noise is extremely annoying. Previous policy decisions by the Board of Supervisors have endorsed the 65-decibel CNEL as the critical sound-level criterion in guiding planning decisions for sensitive land uses.

**"Of all noises,
I think music is
the least
disagreeable."**

Samuel Johnson

CHAPTER VIII. NOISE ELEMENT

TABLE VIII-2.

COMPATIBILITY MATRIX FOR LAND USE AND COMMUNITY NOISE EQUIVALENT LEVELS (CNEL)		
	<u>65+ decibels CNEL</u>	<u>60 to 65 decibels CNEL</u>
TYPE OF USE		
<u>Residential</u>	3a, b, e	2a, e
<u>Commercial</u>	2c	2c
<u>Employment</u>	2c	2c
<u>Open Space</u>		
<i>Local</i>	2c	2c
<i>Community</i>	2c	2c
<i>Regional</i>	2c	2c
<u>Educational Facilities</u>		
<i>Schools (K through 12)</i>	2c, d, e	2c, d, e
<i>Preschool, college, other</i>	2c, d, e	2c, d, e
<u>Places of Worship</u>	2c, d, e	2c, d, e
<u>Hospitals</u>		
<i>General</i>	2a, c, d, e	2a, c, d, e
<i>Convalescent</i>	2a, c, d, e	2a, c, d, e
<u>Group Quarters</u>	1a, b, c, e	2a, c, e
<u>Hotel / Motels</u>	2a, c	2a, c
<u>Accessory Uses</u>		
<i>Executive Apartments</i>	1a, b, e	2a, e
<i>Caretakers</i>	1a, b, c, e	2a, c, e

Note: See Table VIII-3 for definitions of the entries in this table.

TABLE VIII-3.

EXPLANATION AND DEFINITIONS ON TABLE VIII-2

ACTION REQUIRED TO ENSURE COMPATIBILITY
BETWEEN LAND USE AND NOISE FROM EXTERNAL SOURCES

- 1 = Allowed if interior and exterior community noise levels can be mitigated.
- 2 = Allowed if interior levels can be mitigated.
- 3 = New residential uses are prohibited in areas within the 65-decibel CNEL contour from any airport or air station; allowed in other areas if interior and exterior community noise levels can be mitigated. The prohibition against new residential development excludes limited "infill" development within an established neighborhood.

STANDARDS REQUIRED FOR COMPATIBILITY OF LAND USE AND NOISE

- a = Interior Standard: CNEL of less than 45 decibels (habitable rooms only).
- b = Exterior Standard: CNEL of less than 65 decibels in outdoor living areas.
- c = Interior Standard: Leq (h)=45 to 65 decibels interior noise level, depending on interior use.
- d = Exterior Standard: Leq (h) of less than 65 decibels in outdoor living areas.
- e = Interior Standard: As approved by the Board of Supervisors for sound events of short duration such as aircraft flyovers or individual passing railroad trains.

KEY DEFINITIONS

Habitable Room – Any room meeting the requirements of the Uniform Building Code or other applicable regulations which is intended to be used for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

Interior – Spaces that are covered and largely enclosed by walls.

Leq (h) – The A-weighted equivalent sound level averaged over a period of "h" hours. An example would be Leq (12) where the equivalent sound level is the average over a specified 12-hour period (such as 7:00 a.m. to 7:00 p.m.). Typically, time period "h" is defined to match the hours of operation of a given type of use.

Outdoor Living Area – Outdoor living area is a term used by the County of Orange to define spaces that are associated with residential land uses typically used for passive private recreational activities or other noise-sensitive uses. Such spaces include patio areas, barbecue areas, jacuzzi areas, etc. associated with residential uses; outdoor patient recovery or resting areas associated with hospitals, convalescent hospitals, or rest homes; outdoor areas associated with places of worship which have a significant role in services or other noise-sensitive activities; and outdoor school facilities routinely used for educational purposes which may be adversely impacted by noise. Outdoor areas usually not included in this definition are: front yard areas, driveways, greenbelts, maintenance areas, and storage areas associated with residential land uses; exterior areas at hospitals that are not used for patient activities; outdoor areas associated with places of worship and principally used for short-term social gatherings; and outdoor areas associated with school facilities that are not typically associated with educational uses prone to adverse noise impacts (for example, school play yard areas).

As a result of the Board of Supervisors' adoption of the Santa Ana Heights Land Use Compatibility Plan (LUCP), a projected 65-decibel CNEL noise contour was adopted for John Wayne Airport reflecting expected future flight levels and a reasonable mix of aircraft types. The policy implementation lines can only be changed as part of a Noise Element Amendment.

The County also has a regular program of monitoring noise in the vicinity of John Wayne Airport. The noise-monitoring program is used to provide supporting data to confirm applicability of the fixed policy implementation lines. The locations of other CNEL contours are plotted for both of these facilities, as well. The 60-decibel CNEL contour is the boundary of the noise referral zone. The other contours are not as important for land use planning purposes since key development policies are not based upon them.

All new residential uses, schools, places of worship, and convalescent hospitals are generally incompatible within the 65-decibel CNEL contour for any other airport or air station or for any other source of noise. These uses normally require outdoor living areas for functional or therapeutic purposes or, in the case of nearly all residential projects, to afford the full life style that is the goal of the County's General Plan. For these reasons, the ability to mitigate the effects of noise on these outdoor living areas is of paramount importance. Since it is generally impracticable to mitigate aircraft-induced

noise in outdoor living areas, such uses are incompatible.

Noise sensitive uses which have no outdoor living areas may be compatible. These uses shall be considered compatible if and only if all standards contained in this Element are met.

Non-noise sensitive uses are compatible so long as interior noise levels meet the policies and standards established by this Noise Element.

Policies

Tables VIII-2 and VIII-3 were derived from the policies that are contained in narrative form in this chapter, from state requirements and standards and from other policies of the Board of Supervisors that relate to noise environments. The tables are meant to convey, in objective terms, the compatibility of, and standards for, the integration of land use planning and either calculated or measured noise environments.

Three general types of noise-impact and noise-mitigation situations can be identified and related to the noise environment.

First are those situations where a new use is being proposed that is impacted by an existing noise source. "New" in this context refers both to the initial development of land from an unimproved state and to the redevelopment of land in which one use is replaced by another. This is the most

common situation and is typified by a residential tract adjacent to, and impacted by, noise from an arterial highway.

Mitigation of project noise through project design in this situation is clearly a preventative approach to assure compatibility of land use with long-term outdoor noise.

A second situation occurs when an existing use is impacted by a new or expanded source of noise. This situation is typified by general planning of a new transportation facility close enough to existing uses to have noise impacts on them or the expansion of such a facility beyond currently planned levels. Again, noise mitigation through project design is a preventative approach in that noise/land use incompatibilities are avoided. This situation is one in which the project proponent is obliged to mitigate the impacts of the new source of noise.

For the first two situations, the applicable standards are depicted on Tables VIII-2 and VIII-3. In the first situation, any project that is approved must meet the standards specified through appropriate noise mitigation measures, or the project must be modified to ensure consistency with the Noise Element.

In the second situation, there must be a similar application of noise mitigation or other steps taken by the project proponent to avoid the inconsistency. In either case, the acceptable levels of noise in affected areas are as specified on Tables VIII-2 and VIII-3.

The third situation is one in which land uses and noise sources were established prior to adoption of noise policies and standards and are thus rendered incompatible "after fact." (The Noise Element's initial adoption was in 1975.) This situation is one in which existing uses are located within noise impact areas from existing sources. In most instances, these inconsistencies predate both the current knowledge of, and concern for, the deleterious effects of noise and the resulting statutes (e.g., the California Environmental Quality Act and planning laws related to local general plans). In the third situation, remedial action would be required to obtain consistency with the Noise Element's standards identified on Tables VIII-2 and VIII-3. Such action would lead to retroactive compatibility. While County policy stresses the desirability of such steps; they are voluntary on the part of individual property owners or project proponents.

• ***Major Noise Element Policies***

The policies listed below help guide the implementation of the Noise Element. They provide the link between the noise related goals of the General Plan and the programs that have been designed to accomplish the goals.

1. INTERGOVERNMENTAL COOPERATION

To cooperate with other County agencies and levels of government to bring about a comprehensive and

coordinated effort to reduce noise levels.

- 1.1 To recommend needed changes in Federal and State legislation which will be effective in reducing noise and can be efficiently administered.
- 1.2 To cooperate in efforts to develop mechanisms to assure coordination of all governmental jurisdictions in the field of noise control.

These policies involve cooperative efforts with other jurisdictions in order to achieve greater compatibility between noise and land uses. They acknowledge the regional aspects of many noise-related issues. They are implemented primarily through existing cooperative mechanisms such as Southern California Association of Governments and the County Supervisors Association of California.

2. PUBLIC INFORMATION AND NOTIFICATION

To disseminate public information regarding noise and programs to reduce noise levels and their impacts.

- 2.1 To provide information to the public regarding the health effects of high noise levels and means of mitigating such levels.
- 2.2 To provide information regarding Noise Referral Zones and noise attenuation measures to developers and the public.

- 2.3 To cooperate with industry to develop public information programs on noise abatement.
- 2.4 To require that prospective purchasers or end users of property be notified of overflight, sight and sound of routine aircraft operations by all effective means including:
 - a) Requiring new residential subdivisions which are located within the 60-decibel CNEL noise contour or are subject to overflight, sight and sound of aircraft operating from John Wayne Airport to have such information included in the State of California Final Subdivision Public Report.
 - b) Requiring that Declaration and Notification of Aircraft Noise and Environmental Impacts be recorded and available to prospective purchasers or end users of property located within the 60-decibel CNEL noise contour for any airport or air station or is subject to routine aircraft overflight.
 - c) Requiring an Aviation Easement across property that is within the 60-decibel CNEL noise contours for any airport or Los Alamitos air station or is subject to routine aircraft overflight.

- d) Requiring the posting of noise impact notification signs in all sales offices associated with new residential development that is located within the 65-decibel CNEL contour from any airport or air station.
- e) Any other appropriate means as specifically directed by the Board of Supervisors.

These policies are implemented at various stages of the development review process. The intent of this section is to utilize the most efficient means of providing appropriate noticing. Thus, some of these steps occur at the tract map stage; others at the building permit stage.

3. TRANSPORTATION SYSTEM NOISE CONTROL

To encourage the control of noise from transportation systems as the most efficient and effective means of reducing noise at the source.

- 3.1 To enforce noise sections of the State Motor Vehicle Code.
- 3.2 To encourage the State to require adequate noise suppression devices (mufflers, etc.) for all motor vehicles operated within the County.
- 3.3 To restrict the use of trail bikes, mini-bikes and other off-road motor

vehicles in areas of the County except where designated for that purpose.

- 3.4 To study commercial truck movements and operations in the County and establish truck routes away from noise-sensitive areas where feasible.
- 3.5 To encourage development of a mass multi-modal transit system with reduced noise emission characteristics.
- 3.6 To review the Federal Railroad Noise Standards of 1974 for possible adoption by Orange County.
- 3.7 To continue the current policy of encouraging the use of noise reducing modifications to jet engines and the use of quieter jet aircraft at John Wayne Airport.
- 3.8 To employ noise mitigation measures in the design of new arterials consistent with funding capability and to support efforts by the State Department of Transportation for remedial acoustical protection for existing highways where needed by the County.

Since the County has little direct control over vehicle noise-level standards, cooperative efforts with state and



federal offices are important. In those instances where the County is directly involved (usage in County parks, for example), these policies are implemented through ordinances and operating procedures.

4. NOISE MONITORING AND ABATEMENT

To monitor noise levels, and adopt and enforce noise abatement programs.

- 4.1 To enforce the County's Noise Ordinance to prohibit or mitigate harmful and unnecessary noise within the County.
- 4.2 To encourage Orange County cities to adopt the County's model noise ordinance.
- 4.3 To develop and enforce standards in addition to those presently included in the Noise Ordinance to regulate noise from construction and maintenance activities and commercial public and industrial 1

land uses.

- 4.4 To consider noise reduction as a factor in the purchase of County maintenance equipment and the use of such equipment by County contractors and permittees.
- 4.5 To require that noise from motors, appliances, air conditioners, and other consumer products does not disturb the occupants of surrounding properties.
- 4.6 To continue identification of noise-producing sources, such as helicopter operations, as part of subsequent amendments to the Noise Element.

These policies are implemented jointly by the County Health Care Agency and the Resources and Development Management Department through the Noise Ordinance, and by RDMD in its procurement process for new and replacement vehicles and equipment.

5. NOISE/LAND USE PLANNING

INTEGRATION

To fully integrate noise considerations in land use planning to prevent new noise/land use conflicts.

- 5.1 To utilize the criteria of acceptable noise levels for various types of land uses as depicted on Tables VIII-2 and VIII-3 in the review of development proposals.
- 5.2 To prohibit new residential land uses within the 65-decibel CNEL contour from any airport or air station.
- 5.3 To limit new non-residential noise-sensitive land uses that are within a 65-decibel CNEL area from any source. Noise sensitive land uses will be permitted if, and only if, appropriate mitigation measures are included such that the standards contained in this Element and in appropriate State and Federal Codes are met. Specifically, non-residential noise-sensitive land uses include: hospitals, rest homes, convalescent hospitals, places of worship, and schools.
- 5.4 To stress the importance of building and design techniques in future site planning for noise reduction.
- 5.5 To utilize the California Noise Standards for Airports in planning for areas surrounding military as well as civilian airports.

These policies are implemented at different stages in the review of projects on which the County takes discretionary action. Tables VIII-2 and VIII-3 succinctly depict the County policies related to land uses and acceptable noise levels. The tables are the primary tools which allow RDMD to ensure integrated planning for compatibility between land uses and outdoor noise.

6. NOISE SENSITIVE LAND USES

To identify and employ mitigation measures in order to reduce the impact of noise levels and attain the standards established by the Noise Element, for both interior areas and outdoor living areas for noise sensitive land uses.

- 6.1 To encourage all property owners within the identified Noise Referral Zones to acoustically insulate all living quarters. This will be optional to the property owner.
- 6.2 To continue enforcement of Chapter 35 of the Uniform Building Code, currently adopted edition, and the California Noise Insulation Standards (Title 25 California Administrative Code).
- 6.3 To require that all new residential units have an interior noise level in living areas that is not greater than 45 decibels CNEL with it being understood that standard construction practices reduce the noise level by 12 decibels CNEL with the windows open and 20

"Silence is exhilarating at first-as is noise-but there is sweetness to silence outlasting exhilaration.."

Edward Hoagland

decibels CNEL with the windows closed. Higher attenuation than listed above may be claimed if adequate field monitoring or acoustical studies are provided to and approved by the County.

6.4 To require that all new residential units have an interior noise level in habitable rooms that does not exceed acceptable levels as caused by aircraft fly-overs or as caused by individual passing railroad trains.

6.5 All outdoor living areas associated with new residential uses shall be attenuated to less than 65 decibels CNEL.

6.6 To urge the use of acoustical insulation programs for schools located in the county, and where

subject to County approval, to insure that new buildings for school uses meet state and local acoustical standards.

6.7 To apply noise standards as defined in the Noise Element for noise-sensitive land uses.

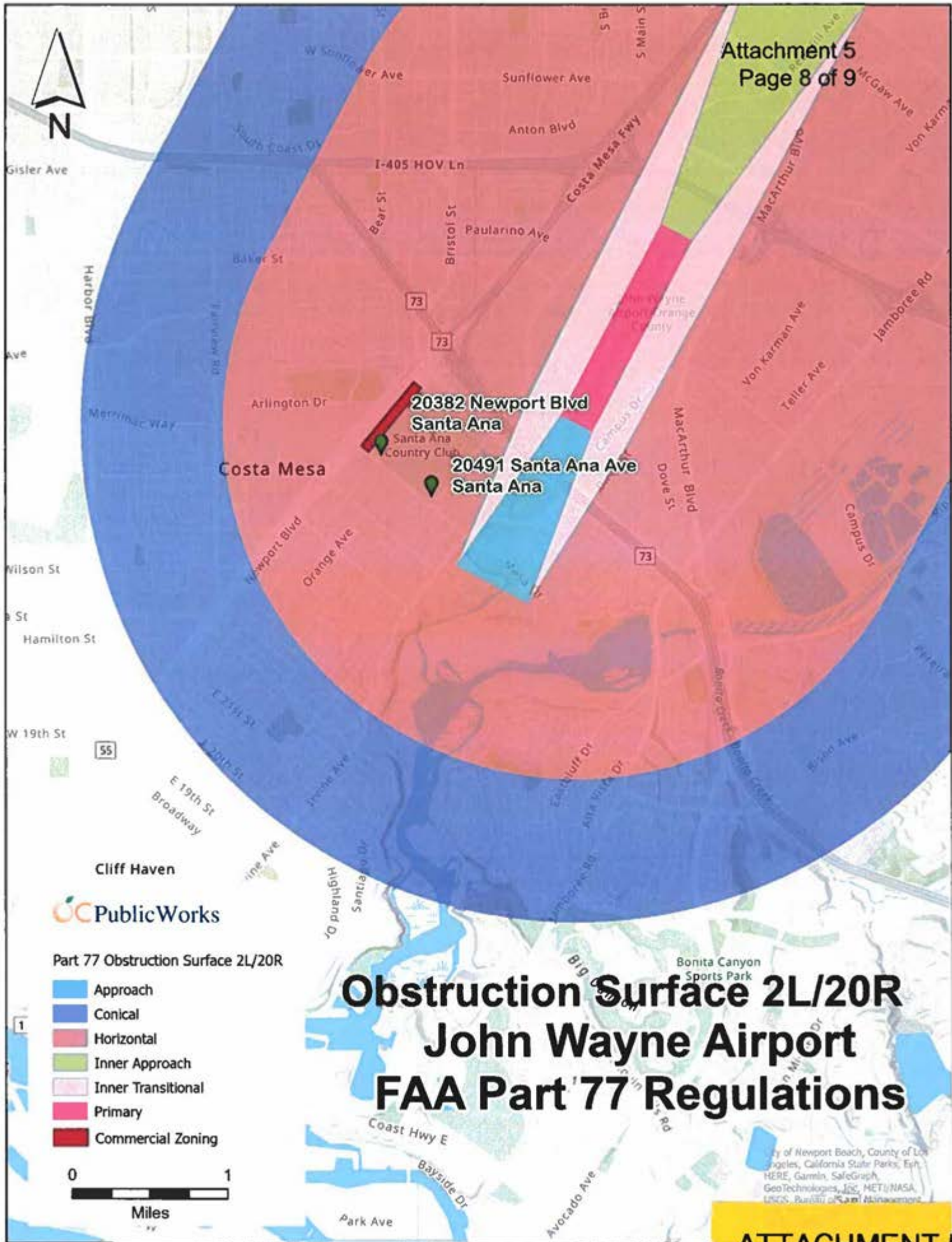
These policies also are reflected in Tables VIII-2 and VIII-3. They are implemented in all phases of project review.

⁵An arterial highway, as long as it is shown on the Master Plan of Arterial Highways, may exist in its ultimate form, may exist in a partial configuration, or may only be planned. Designation of the arterial highway on the plan and the traffic and noise projections which accompany this designation are, in this context, the "existing noise source."

While these policies and plans constrain residential development to some extent, they are necessary to support other public policies.

Five major environmental conditions constrain development in Orange County: noise, floods, wildland fires, geologic/seismic hazards, and natural and cultural resources.

- **Noise:** The major sources of significant noise in Orange County are aircraft and highway vehicles. While both can usually be mitigated to acceptable levels indoors, aircraft noise cannot be mitigated outdoors because of its overhead source. State law and County policy prohibit residential development and similar noise sensitive uses in high-noise (+65 CNEL) areas near John Wayne Airport. Noise in non-residential developments must be attenuated to protect users in those areas. Near major streets and highways, noise must also be attenuated. Thus, high-noise conditions may preclude certain uses in some areas and may increase development costs.
- **Flood Hazards:** Portions of Orange County are located in floodplain areas of varying degrees of risk, subject to “100-” and “500-year” floods. In many cases, development can occur in these areas through proper site planning, although mitigation costs may be high. There are, however, some areas where development in a floodplain is difficult and expensive to protect a project from extreme flood hazard.
- **Fire Hazards:** The foothill areas of Orange County are considered high to very high fire hazard areas. Future development in these areas must minimize potential fire hazards and adequate fire protection must be maintained. These requirements may raise development costs, but will not preclude development.
- **Geologic/Seismic Hazards:** Like the entire Southern California region, Orange County is located within an area of high seismic activity. Potential slope and seismic hazards constrain development in certain parts of the County. While both conditions seldom preclude development, they may ultimately increase the cost of construction.
- **Natural and Cultural Resources:** The presence of natural or cultural resources on vacant land may influence its future use. For example, critical habitat areas or archaeological sites may require preservation or sensitive planning. Such conditions may preclude development or increase the cost of construction.



Obstruction Surface 2L/20R John Wayne Airport FAA Part 77 Regulations

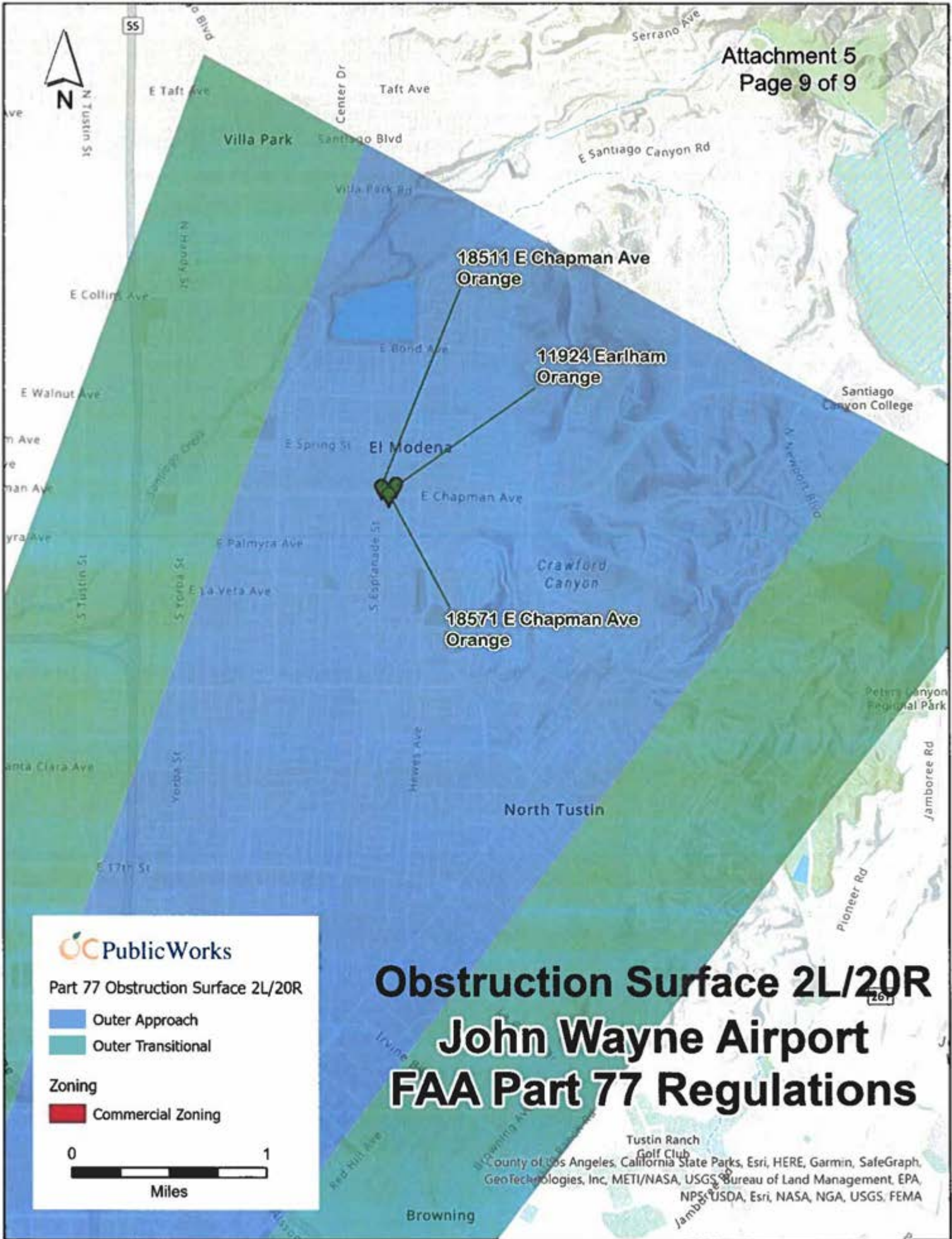
Cliff Haven
PublicWorks

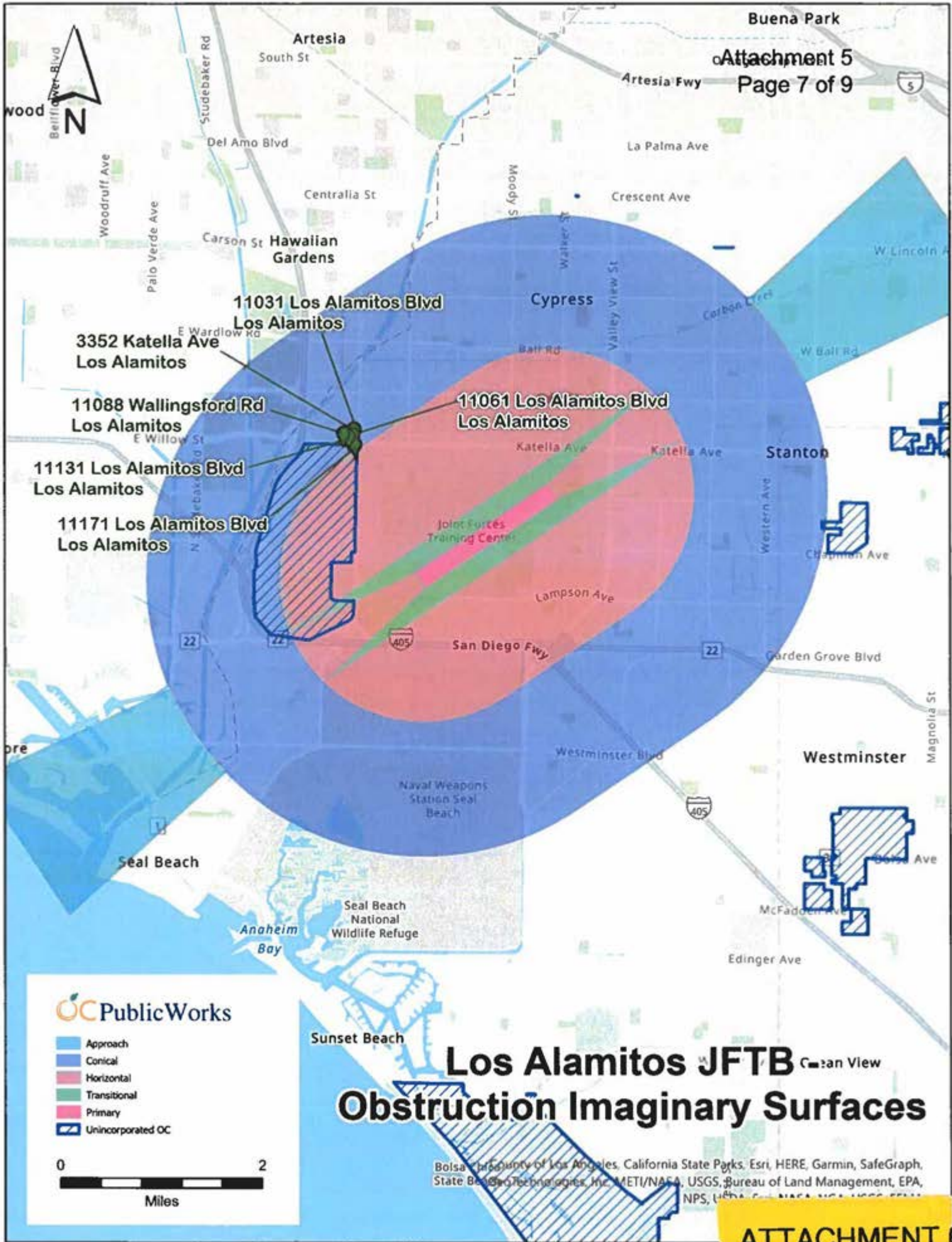
Part 77 Obstruction Surface 2L/20R

- Approach
- Conical
- Horizontal
- Inner Approach
- Inner Transitional
- Primary
- Commercial Zoning



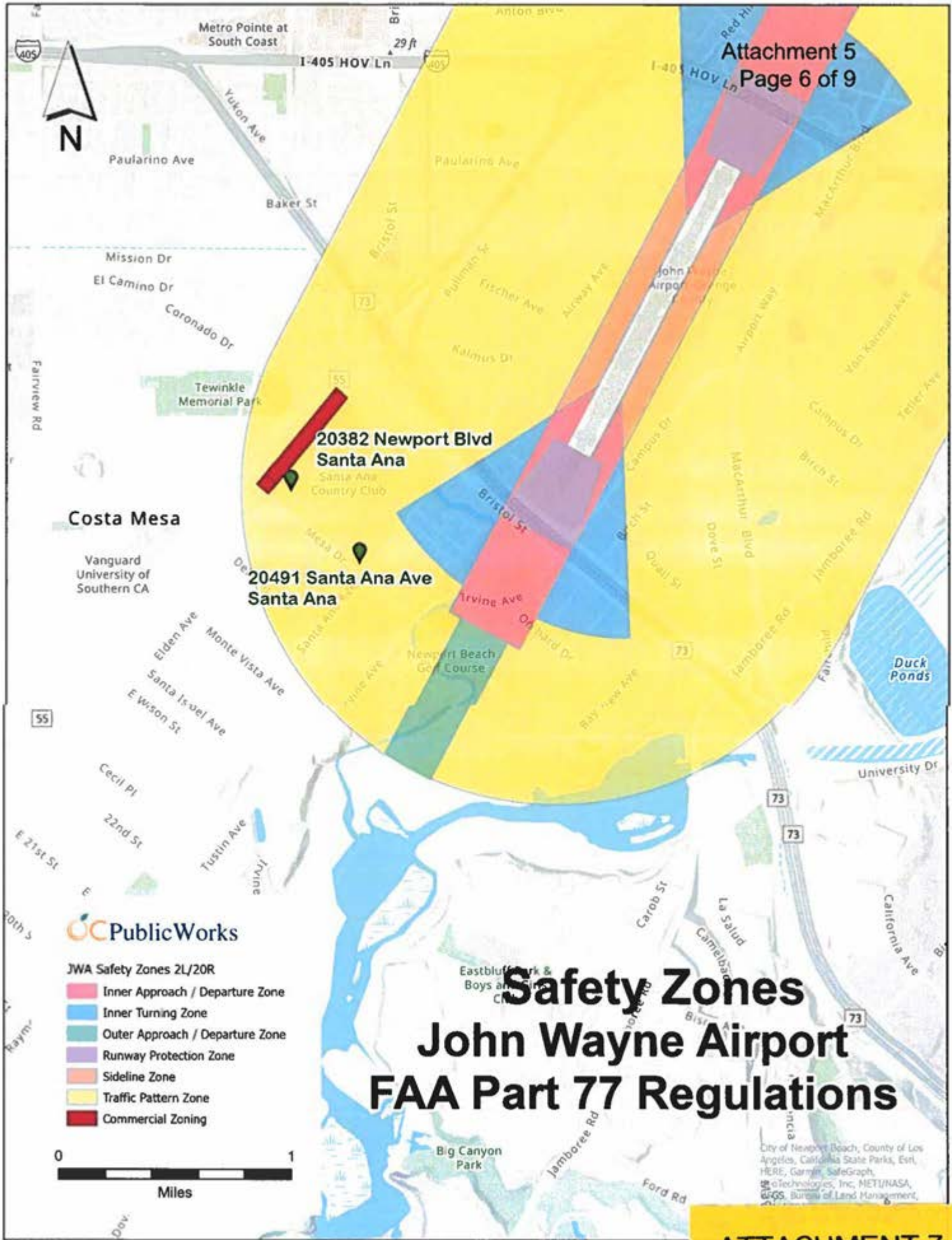
City of Newport Beach, County of Los Angeles, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, IGN, METI/NASA, USDA, Bureau of Land Management





Los Alamitos JFTB Carson View Obstruction Imaginary Surfaces

Bolsa Chica, County of Los Angeles, California State Parks, Esri, HERE, Garmin, SafeGraph, State Beach, GeoTechnologies, Inc., METI/NAFO, USGS, Bureau of Land Management, EPA, NPS, USDA, FEMA, NCEM, NOAA, USGS, FEMA



Safety Zones John Wayne Airport FAA Part 77 Regulations



September 1, 2022

County Administration South

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Administrative Services



OC Development Services



OC Facilities Design & Construction Management



OC Facilities Maintenance & CUF



OC Fleet Services



OC Construction



OC Environmental Resources



OC Operations & Maintenance



OC Infrastructure Programs



OC Survey

Lea Choum, Executive Officer
Airport Land Use Commission
c/o John Wayne Airport
3160 Airway Avenue
Costa Mesa, CA 92626

Subject: County of Orange Proposed General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions)

Dear Ms. Choum,

The County of Orange is seeking a determination of consistency with the Airport Environs Land Use Plan (AELUP) from the Airport Land Use Commission (ALUC) for the adoption of General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions) (collectively, Amendments). Pursuant to the Public Utilities Code Section 21676, the County of Orange (County) hereby submits the proposed General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions) to ALUC for consideration at the meeting scheduled for September 15, 2022 (Attachment 1).

As discussed in detail below, there are eight (8) properties within the Airport Notification/Planning Area for Los Alamitos Training Base and John Wayne Airport (JWA) that will be affected by the Amendments. The Amendments do not affect any properties within the 65 Community Noise Equivalent Level (CNEL) Noise Contours for any of the County's three (3) airports. The Amendments will affect two (2) properties within JWA Safety Zones. Finally, the Amendments will affect five (5) properties within JWA's Obstruction Imaginary Surfaces and six (6) within Los Alamitos Training Base's Obstruction Imaginary Surfaces.

The Amendments are necessary to demonstrate that the County has sufficient land inventory that is appropriately zoned to meet the County's Regional Housing Needs Assessment allocation of 10,604 units.

Background

As the ALUC is aware, the County of Orange is in the process of completing its 6th Cycle Housing Element Update (2021-2029), as mandated by State law. At its meeting in December 2021, the ALUC determined the Draft 6th Cycle Housing Element Update to be consistent with the Airport Environs Land Use Plan (AELUP) for John Wayne Airport.

The Housing Element Update will provide goals, policies, and objectives the County will pursue in order to meet its existing and projected housing needs for the next eight-year planning period, including a land inventory addressing the County's allocation of the Regional Housing Needs Assessment (RHNA) assigned by Southern California Association of Governments (SCAG).

More specifically, the Housing Element Update will (1) analyze existing housing stock, projected housing needs, and availability of housing for special needs groups; (2) provide a Land Inventory (an inventory of land suitable for residential development); (3) identify and analyze potential and actual barriers to the construction of new housing units; and (4) identify specific programs the County will undertake to achieve its stated goals and objectives.

The County's Land Inventory must list sites available for housing development during the 6th Housing Element Cycle (planning period). These sites must be zoned to provide enough density to adequately accommodate the County's RHNA allocation of housing units at all income levels. The County's RHNA allocation for the 6th Cycle (2021 to 2029) is 10,406 total housing units which is almost double the County's previous 5th Cycle (2013-2021) allocation of 5,272 housing units. In the Housing Element, the County must also include a description of the programs it will implement to ensure the housing needs of the unincorporated areas will be met during the next planning period including how it will facilitate the construction of 10,406 new housing units.

One of the programs included in the County's Draft 6th Cycle Housing Element Update, is to revise the Housing Opportunities Overlay District (Zoning Code section 7-9-44) regulations to allow higher densities for projects providing affordable multifamily housing. Allowing higher densities on sites designated for commercial and industrial uses and in high-density residential zoning districts is intended to facilitate the development of affordable housing in the unincorporated areas during the next planning period. This program also requires the amendment of the County's Land Use Element to ensure internal consistency with the Housing Element Update.

The County is required to adopt the Amendments no later than October 15, 2022, pursuant to Gov't Code § 65583(c)(1)(A).

Project Description

General Plan Amendment LU 22-01 (Land Use Element) (Attachment 2)

The Land Use Element (LUE), one of the nine elements of the County's General Plan, describes objectives, policies, and land use patterns for all unincorporated territory in both narrative and graphic terms and establishes development criteria and standards, including population density and building intensity. State law requires the Land Use Element to achieve internal consistency with all elements of the General Plan, including the County's Housing Element. Although the Land Use Element provides the basis for land use decisions, it does not replace or supersede any of the other General Plan elements. Instead, the Land Use Element complements the other elements by incorporating and implementing their land use concerns and recommendations.

The proposed amendment to the Land Use Element is limited to only those revisions required to ensure consistency with the Housing Element and includes the following:

- Addition of a discussion regarding the applicability of the Housing Opportunities Overlay District regulations to the commercial and industrial land use categories since 2006.
- Addition of affordable multifamily housing to the table of allowable uses in commercial and industrial land use categories.
- Updated demographic data specifically regarding population density.

Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions) (Attachment 3)

Housing Opportunities Overlay District. Since 2006, affordable housing development has been a permitted use on parcels zoned for commercial and industrial uses through the implementation of the Housing Opportunities Overlay District regulations. Several affordable housing developments have replaced underutilized sites and attractive nuisances that had become problematic in their neighborhoods. The availability of this alternative permitted use has resulted in a marked increase in the number of affordable rental units for the residents of the unincorporated areas.

The Housing Opportunities Overlay District regulations have been amended over the years to expand the Overlay District to high-density residential zoning districts and to increase the base density of commercial and industrial zoned parcels from 25 dwelling units/acre to the current density of 43 dwelling units/acre.

This proposed amendment will increase the base density of affordable housing developments to 70 dwelling units/acre on commercial and industrial zoned parcels and in high-density residential zoning districts. In high-density residential zoning districts, only parcels without an existing multifamily residential development will be eligible to take advantage of this increase in density.

Although the proposed increase in density may seem large, the County has limited options to meet its 6th Cycle RHNA allocation. The County must either find new residential sites, or increase density on existing residential sites, to demonstrate to the State the County can accommodate its RHNA allocation. Increasing the density on already high-density residential developments will both help the County meet its RHNA and is intended to facilitate an increase in the number of affordable multifamily rental units throughout the unincorporated areas.

Technical Revisions. In addition to the proposed amendment to the Housing Opportunities Overlay District regulations, the following revisions are also proposed:

- Substituting the decision-maker for approval of future revisions of the “Orange County Housing Opportunities Manual” from the Planning Commission to the Deputy Director, OC Public Works/OC Development Services (“Director”).
- Addition of “Low-Barrier Navigation Centers” to the Housing Opportunities Overlay District as a permitted use pursuant to State law.
- Adding clarification that affordable housing developments are a permitted use in Zoning Code section 7-9-33, Commercial Districts and Zoning Code section 7-9-34, Employment
- Additional corrections to typographical errors, omissions, and re-numbering.

In summary, the Amendments are necessary to meet statutory requirements and consistency with current State Law. The intent of the proposed increase in density in the Housing Opportunities Overlay District is to facilitate the development of affordable housing within commercial, industrial, and high-density residential zoned parcels only. Additionally, the increased density will apply only to residential rental projects that are one hundred percent (100%) affordable and located on building sites without an existing multifamily residential use.

Location

Proposed General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions) will apply to unincorporated Orange County areas.

Existing and Proposed General Plan and Zoning Designations

General Plan: No changes to existing General Plan land use designations are proposed.

Zoning: No changes to existing Zoning designations are proposed.

Existing Uses

General Plan: No changes to existing uses are proposed.

Zoning: No changes to existing uses are proposed, however, an increase in the maximum density of residential uses is being proposed for projects providing affordable multifamily housing.

Approval Schedule

At a public hearing held on August 24, 2022, the Planning Commission voted to recommend the Board of Supervisors adopt proposed General Plan Amendment LU 22-01 (Land Use Element)

and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions) (Attachment 4).

The Board of Supervisors will consider proposed General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions) at a public hearing scheduled for September 27, 2022.

Effect of Amendments on County Airport Environs (Attachment 5)

Airport Notification/Planning Area

All commercially-zoned potential affordable housing sites are located outside the Fullerton Municipal Airport Notification/Planning Area.

The following commercially-zoned potential affordable housing sites have been identified within the Los Alamitos Training Base Notification/Planning Area:

1. 11061 Los Alamitos Blvd, Los Alamitos (Commercial/retail use)
2. 11031 Los Alamitos Blvd, Los Alamitos (Commercial/office use)
3. 3352 Katella Ave, Los Alamitos (Church)
4. 11131 Los Alamitos Blvd, Los Alamitos (Commercial/office use)
5. 11088 Wallingsford Rd, Los Alamitos (Church)
6. 11171 Los Alamitos Blvd, Los Alamitos (Gas station)

The following commercially-zoned potential affordable housing sites has been identified within the JWA Notification/Planning Area:

1. 20491 Santa Ana Ave, Santa Ana (Santa Ana Country Club)
2. 20382 Newport Blvd, Santa Ana (Santa Ana Country Club)

Thus, there are eight (8) sites that will be affected by a change in the allowable density of commercially zoned sites.

Community Noise Equivalent Level (CNEL) Noise Contours

All commercially-zoned potential affordable housing sites are located outside of the 65 CNEL for Los Alamitos Training Base, Fullerton Municipal Airport, and JWA.

Airport Safety Zones

The following commercially-zoned potential affordable housing site has been identified within JWA Safety Zones:

1. 20491 Santa Ana Ave, Santa Ana (Santa Ana Country Club) – Traffic Pattern Zone
2. 20382 Newport Blvd, Santa Ana (Santa Ana Country Club) – Traffic Pattern Zone

Obstruction Imaginary Surfaces

All commercially-zoned potential affordable housing sites are located outside of the Obstruction Imaginary Surfaces for Fullerton Municipal Airport.

The following commercially-zoned potential affordable housing sites have been identified within the Los Alamitos Training Base's Obstruction Imaginary Surfaces:

1. 11061 Los Alamitos Blvd, Los Alamitos (Commercial/retail use)
2. 11031 Los Alamitos Blvd, Los Alamitos (Commercial/office use)
3. 3352 Katella Ave, Los Alamitos (Church)
4. 11131 Los Alamitos Blvd, Los Alamitos (Commercial/office use)
5. 11088 Wallingsford Rd, Los Alamitos (Church)
6. 11171 Los Alamitos Blvd, Los Alamitos (Gas station)

The following commercially-zoned potential affordable housing sites have been identified within the JWA Obstruction Imaginary Surfaces via Part 77 Obstruction Surface 2R/20L and 2L/20R:

1. 20491 Santa Ana Ave, Santa Ana (Santa Ana Country Club)
2. 20382 Newport Blvd, Santa Ana (Santa Ana Country Club)

Additionally, the following commercially-zoned affordable housing sites are within the JWA Obstruction Imaginary Surfaces via Part 77 Obstruction Surface 2L/20R only:

1. 18511 E. Chapman Ave, Orange (Commercial)
2. 11924 Earham, Orange (Commercial)
3. 18571 E. Chapman, Orange (Commercial)

Noise Impact, Safety Compatibility, and Height Restriction Zones

The Land Use Element serves as a policy document which provides descriptions of land use categories that have been applied to parcels throughout the unincorporated areas. Application of these land use categories took into consideration several factors to determine appropriateness of permitted land uses in each residential, commercial, employment, or open space category. The County's Comprehensive Zoning Code further refines these permitted uses and establishes development standards for each parcel within a General Plan land use category and zoning district.

Adoption of the Land Use Element and Zoning Code amendments will not approve any development project or change the existing zoning of any parcel. Concerns regarding noise, safety, and height restrictions are evaluated as part of the review and approval process of all discretionary permit applications for parcels in the unincorporated areas.

CEQA Determination

Initial Study/ Negative Declaration (IS/ND) No. IP 22-0133 (Attachment 6) was prepared to analyze implementation of a policy framework necessary to meet the RHNA allocation through

housing-related amendments.. IS/ND No. 22-0133 was made available for public review on the County website from July 12, 2022, to August 10, 2022. The Notice of Intent to Adopt a Negative Declaration (NOI) was emailed to Housing Distribution list serve and advisory committees. In addition, the NOI was posted at County Administration South, Hall of Administration bulletin board, and uploaded to the State's CEQANet database (assigned SCH # 2022070228).

The environmental document does not grant any land use entitlements, authorize development, change base zoning districts, or involve any direct physical changes to the environment. Should development be proposed, a planning review and additional CEQA evaluation would be required, as appropriate. Based on the IS/ND and the administrative record as a whole, staff found that there is no substantial evidence of a fair argument that the Project may have a significant impact on the environment.

The County of Orange thanks the Airport Land Use Commission for its consideration and looks forward to receiving its findings of consistency of the proposed project with the JWA AELUP. Please contact me at (714) 667-8895 or via email at Justin.kirk@ocpw.ocgov.com, and/or Cindy Salazar at (714) 667-8870 or via email at Cindy.salazar@ocpw.ocgov.com, if there are any questions.

Sincerely,



Justin Kirk
Planning Division Manager
OC Development Services

cc: Amanda Carr, Deputy Director, OC Development Services
Nicole Walsh, Senior Assistant County Counsel, Office of County Counsel
Cindy Salazar, Land Use Manager, OC Development Services
Ruby Maldonado, Contract Senior Planner

Attachments:

1. General Plan Amendment Submittal Form and Checklist
2. Proposed General Plan Amendment LU 22-01 (Land Use Element)
3. Proposed Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions)
4. Orange County Planning Commission Staff Report and Resolution
5. Maps of Orange County Airports Environs
6. Initial Study/ Negative Declaration (IS/ND) No. IP 22-0133
7. General Plan Element Excerpts Related to Airport Environs and Noise



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

GENERAL PLAN ELEMENT AMENDMENT - SUBMITTAL FORM

1. City/County: County of Orange, CA
2. Contact Information - Name/Title : Cindy Salazar, Land Use Manager
Agency: OC Public Works/OC Development Services
Address: 601 N. Ross Street, Santa Ana, CA
Phone/email: 714-667-8870 cindy.salazar@ocpw.ocgov.com
3. Airport Planning Area(s):
 John Wayne Airport Fullerton Municipal Airport JFTB - Los Alamitos
4. General Plan Element(s) being submitted for review: Land Use Element and Zoning Code Amendment
5. Scheduled date of Planning Commission Public Hearing: 8/24/2022
6. Tentative date of City Council/Board of Supervisors Public Hearing: 9/27/2022
7. Requested month of ALUC Review: September
(Complete submittal must be received by the first day of the month for the next meeting on the third Thursday of the month).
8. Does the General Plan Element propose new residential sites or other noise sensitive uses within the airport Notification/Planning Area*? No (skip items # 9-12). Yes (continue below).
9. Does the General Plan Element propose new residential sites or other noise sensitive uses within the 60 CNEL or 65 CNEL noise contours of the airport(s)*? Please attach an exhibit showing location(s) of the proposed new uses in relation to noise contours.
10. Are noise policies or mitigation measures identified in the proposed General Plan Element or elsewhere in the General Plan? No Yes - Please identify pages with noise policies/mitigation measures and attach with measures highlighted.
11. Are any new uses 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 uses.
12. Are any new uses identified within the Obstruction Imaginary Surfaces*? No Yes - Please attach an exhibit showing location(s) of new uses in relation to the Obstruction Imaginary Surfaces.
13. Maximum height and density/intensity allowed for proposed new uses. 65 feet max height/70 du/acre -- Link to OC Zoning Code -- Site Development Standards for Multifamily Residential Uses, Section 7-9-32.3 --

Continued on reverse side.

https://library.municode.com/ca/orange_county/codes/code_of_ordinances?nodeId=TIT7LAUSBURE_DIV9PL_ART2THCOZOCO_SUBARTICLE_2BADI_S7-9-32.3SIDEST
(Please provide link and identify section(s) of General Plan and/or Zoning Code where housing maximum height is specified.)

GENERAL PLAN ELEMENT AMENDMENT - SUBMITTAL CHECKLIST

- Cover letter on City/County letterhead.
- Completed Submittal Form.
- Link to existing General Plan Element (and any other applicable elements).
- Link to proposed General Plan Element (and any other proposed elements) with strikethrough/underline.
- Exhibit showing location(s) of proposed new uses within the Notification Area/Planning Area for airport(s).
- Exhibit showing location(s) of proposed new uses in relation to noise contours for airport(s).
- Pages in the proposed General Plan Element and/or other elements with noise policies/mitigation measures highlighted.
- Exhibit showing location(s) of proposed new uses in relation to Airport Safety Zones.
- Exhibit showing location(s) of proposed new uses in relation to the Obstruction Imaginary Surfaces.
- Pages of General Plan and/or Zoning Code which indicate height restrictions for each proposed new use within Airport Notification/Planning Area.
- Explanation of how the General Plan Element (or other General Plan Elements) addresses the AELUP standards for noise impact, safety compatibility, and height restriction zones:
See attached cover letter

*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/>

Noise sensitive uses include but are not limited to community facilities such as: churches, libraries, schools, preschools, day-care centers, hospitals, and nursing/convalescent homes.

Mail or Email 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
ALUCinfo@ocair.com

DATE: August 24, 2022

TO: Orange County Planning Commission

FROM: OC Public Works/OC Development Services

SUBJECT: Land Use Element Amendment LU 22-01 and Zoning Code Amendment CA 22-01

PROPOSAL: Recommend adoption by the Board of Supervisors an amendment to the County's Land Use Element to incorporate policies intended to facilitate housing development and an amendment to the Comprehensive Zoning Code to modify development standards also intended to facilitate the development of housing and make technical modifications to several sections of the Comprehensive Zoning Code.

ZONING/GENERAL PLAN: N/A

LOCATION: Unincorporated Areas of Orange County

APPLICANT: OC Development Services

STAFF CONTACT: Cindy Salazar, Land Use Manager
714.667.8870
Cindy.Salazar@ocpw.ocgov.com

Ruby Maldonado, Contract Senior Planner
Ruby.maldonado@ocpw.ocgov.com

RECOMMENDED ACTION:

OC Development Services recommends the Planning Commission:

- a. Receive staff report.
- b. Conduct public hearing.
- c. Adopt Planning Commission Resolution No. 2022-01 (Attachment 1) recommending the Board of Supervisors:
 - (1) Find that Final Negative Declaration No. IP 22-0133, prepared for Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code, reflects the independent judgment of the County of Orange as lead agency and satisfies the requirements of CEQA for the proposed Housing-Related Updates to

the County of Orange General Plan and Comprehensive Zoning Code. Adopt Negative Declaration No. IP 22-0133 and make the following additional findings:

- a) The Negative Declaration and comments on the Negative Declaration received during the public review process were considered and Negative Declaration No. IP 22-0133 is adequate in addressing the impacts related to the Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code Project;
 - b) On the basis of the whole administrative record, there is no substantial evidence that the Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code Project, will have a significant effect on the environment;
 - c) Negative Declaration No. IP 22-0133 is adequate to satisfy the requirements of CEQA for the proposed Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code Project.
- (2) Adopt amendment to the County of Orange Land Use Element to incorporate land use policies regarding housing development; and
 - (3) Adopt amendment to the Orange County Comprehensive Zoning Code to modify certain residential development standards and make technical modifications.

BACKGROUND:

The County of Orange is in the process of completing its Housing Element Update for the 6th Housing Element Update Cycle, as mandated by State law. Each Update provides goals, policies, and objectives the County will pursue in order to meet its existing and projected housing needs for the next eight-year planning period, including a land inventory addressing the County's allocation of the Regional Housing Needs Assessment (RHNA) assigned by Southern California Association of Governments (SCAG). More specifically, the Housing Element Update will (1) analyze existing housing stock, projected housing needs, and availability of housing for special needs groups; (2) provide a Land Inventory (an inventory of land suitable for residential development); (3) identify and analyze potential and actual barriers to the construction of new housing units; and (4) identify specific programs the County will undertake to achieve its stated goals and objectives.

The County's Land Inventory must list sites available for housing development during the 6th Housing Element Cycle (planning period). These sites must be zoned to provide enough density to adequately accommodate the County's RHNA allocation of housing units at all income levels. The County's RHNA allocation for the 6th Cycle (2021 to 2029) is 10,406 total housing units which is almost double the County's previous 5th Cycle (2013-2021) allocation of 5,272 housing units. In its Housing Element, the County must also include a description of the programs it will implement to ensure the housing needs of the unincorporated areas will be met during the next planning period including how it will facilitate the construction of 10,406 new housing units.

One of the programs included in the County's Draft 6th Cycle Housing Element Update, is to revise the Housing Opportunities Overlay District (Zoning Code section 7-9-44) regulations to allow higher densities for projects providing affordable multifamily housing. Allowing higher densities on sites designated for commercial and industrial uses and in high-density residential zoning districts is intended to facilitate the development of affordable housing in the unincorporated areas during the next planning period. This program will also require the amendment of the County's Land Use Element to ensure internal consistency with the Housing Element Update.

Due to the County not adopting a substantially compliant Housing Element Update by February 17, 2022, the County is required to complete all required subsequent Zoning Code and General Plan amendments no later than October 15, 2022, pursuant to Gov't Code § 65583(c)(1)(A).

DISCUSSION

General Plan Amendment LU 22-01 (Land Use Element) (Attachment 2)

The Land Use Element (LUE), one of nine elements of the County's General Plan. It describes objectives, policies, and land use patterns for all unincorporated territory in both narrative and graphic terms and establishes development criteria and standards, including population density and building intensity. State law requires the Land Use Element to achieve internal consistency with all elements of the General Plan, including the County's Housing Element. Although the Land Use Element provides the basis for land use decisions, it does not replace or supersede any of the other General Plan elements. Instead, the Land Use Element complements the other elements by incorporating and implementing their land use concerns and recommendations.

The proposed amendment to the Land Use Element is limited to only those revisions required to ensure consistency with the Housing Element and includes the following:

- Addition of a discussion regarding the applicability of the Housing Opportunities Overlay District regulations to the commercial and industrial land use categories since 2006.
- Addition of affordable multifamily housing to the table of allowable uses in commercial and industrial land use categories.
- Updated demographic data specifically regarding population density.

In addition to the demographic data, the Land Use Element contains much information that requires updating but is not part of this amendment. A comprehensive update that will bring up-to-date all of the Elements of the County's General Plan, including the Land Use Element, is currently underway. It is anticipated that OCPW/OC Development Services will submit this comprehensive update for consideration and adoption within the next 12 months.

Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions) (Attachment 3)

Housing Opportunities Overlay District. Since 2006, affordable housing development has been a permitted use on parcels zoned for commercial and industrial uses through the implementation of the Housing Opportunities Overlay District regulations. Several affordable housing developments have replaced underutilized sites and attractive nuisances that had become problematic in their neighborhoods. The availability of this alternative permitted use has resulted

in a marked increase in the number of affordable rental units for the residents of the unincorporated areas.

The Housing Opportunities Overlay District regulations have been amended over the years to expand the Overlay District to high-density residential zoning districts and to increase the base density of commercial and industrial zoned parcels from 25 dwelling units/acre to the current density of 43 dwelling units/acre. This proposed amendment will increase the base density of affordable housing developments to 70 dwelling units/acre on commercial and industrial zoned parcels and in high-density residential zoning districts. In high-density residential zoning districts, only parcels without an existing multifamily residential development will be eligible to take advantage of this increase in density.

Although the proposed increase in density may seem large, the County has limited options to meet its 6th Cycle RHNA allocation. The County must either find new residential sites, or increase density on existing residential sites, to demonstrate to the State the County can accommodate its RHNA allocation. Increasing the density on already high-density residential developments will both help the County meet its RHNA and is intended to facilitate an increase in the number of affordable multifamily rental units throughout the unincorporated areas.

Technical Revisions. In addition to the proposed amendment to the Housing Opportunities Overlay District regulations, the following revisions are also proposed:

- Substituting the decision-maker for approval of future revisions of the “Orange County Housing Opportunities Manual” from the Planning Commission to the Deputy Director, OC Public Works/OC Development Services (“Director”)
- Addition of “Low-Barrier Navigation Centers” to the Housing Opportunities Overlay District as a permitted use pursuant to State law.
- Adding affordable housing developments to the list of permitted uses in Zoning Code section 7-9-33, Commercial Districts and Zoning Code section 7-9-34, Employment Districts.
- Additional corrections to typographical errors, omissions, and re-numbering.

CEQA COMPLIANCE:

Initial Study/ Negative Declaration (IS/ND) No. IP 22-0133 (Attachment 4) was prepared to study the potential environmental impacts of the proposed Project. IS/ND No. 22-0133 was made available for public review on the County website from July 12, 2022, to August 10, 2022. The Notice of Intent to Adopt a Negative Declaration (NOI) was emailed to Housing Distribution list serve and advisory committees. In addition, the NOI was posted at County Administration South, Hall of Administration bulletin board, and uploaded to the State’s CEQANet database (assigned SCH # 2022070228).

At the Planning Commission meeting an update on comments received will be provided.

Submitted by:



Justin Kirk, Planning Division Manager
OC Development Services/Planning

Concurred by:



Amanda Carr, Interim Deputy Director
OC Public Works/Development Services

ATTACHMENTS:

1. Planning Commission Resolution No. 2022-01
2. Proposed General Plan Amendment LU 22-01 (Land Use Element) – Strikethrough Version
3. Proposed Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions) – Strikethrough Version
4. Initial Study/ Negative Declaration (IS/ND) No. IP 22-0133

RESOLUTION NO. 2022-01
RESOLUTION OF THE PLANNING COMMISSION OF
ORANGE COUNTY, CALIFORNIA
August 24, 2022

On Motion of Commissioner Bartlett, duly seconded and carried, the following Resolution was adopted:

WHEREAS, the County of Orange is in the process of completing its Housing Element Update for the 6th Housing Element Update Cycle, as mandated by State law; and

WHEREAS, the 6th Cycle Housing Element Update (2021 to 2029) will provide goals, policies, and objectives the County will pursue in order to meet its existing and projected housing needs for the next eight-year planning period, including a land inventory addressing the County's allocation of the Regional Housing Needs Assessment (RHNA) assigned by Southern California Association of Governments (SCAG); and

WHEREAS, the Housing Element Update will specifically (1) analyze existing housing stock, projected housing needs, and availability of housing for special needs groups; (2) provide a Land Inventory (an inventory of land suitable for residential development); (3) identify and analyze potential and actual barriers to the construction of new housing units; and (4) identify specific programs the County will undertake to achieve its stated goals and objectives; and

WHEREAS, the County's Land Inventory must list sites available for housing development during the 6th Housing Element Cycle and these sites must be zoned to provide enough density to adequately accommodate the County's RHNA allocation of 10,406 new housing units at all income levels; and

WHEREAS, in the Housing Element, the County must also include a description of the programs it will implement to ensure the housing needs of the unincorporated area will be met during the 6th Housing Element Cycle including how it will facilitate the construction of 10,406 new housing units; and

WHEREAS, one of the programs included in the Housing Element Update to facilitate the development of additional affordable housing is to revise the Housing Opportunities Overlay District (Zoning Code section 7-9-44) regulations to allow higher densities for projects providing affordable multifamily housing; and

WHEREAS, allowing higher densities on sites designated for commercial and industrial uses and in high-density residential areas is intended to facilitate the development of affordable housing, this program will also require the amendment of the County's Land Use Element to ensure internal consistency with the Housing Element Update; and

WHEREAS, in addition to the proposed amendment to the Housing Opportunities Overlay District regulations, additional minor technical revisions to the Comprehensive Zoning Code are also proposed; and

WHEREAS, on January 26, 2022, the Planning Commission approved authorization to initiate proposed General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions); and

WHEREAS, on August 24, 2022, the Planning Commission conducted a public hearing regarding proposed General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions); and

WHEREAS, the Planning Commission reviewed and fully considered the proposed General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions), heard and considered the public comments that were presented to it at the public hearing held on this project, and has determined after review and consideration to recommend adoption by the Board of Supervisors of proposed General Plan Amendment LU 22-01 (Land Use Element) and Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions).

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION RECOMMENDS THE BOARD OF SUPERVISORS:

1. Find that Final Negative Declaration No. IP 22-0133, prepared for Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code, reflects the independent judgment of the County of Orange as lead agency and satisfies the requirements of CEQA for the proposed Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code. Adopt Negative Declaration No. IP 22-0133 and make the following additional findings:
 - a. The Negative Declaration and comments on the Negative Declaration received during the public review process were considered and Negative Declaration No. IP 22-0133 is adequate in addressing the impacts related to the Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code Project;
 - b. On the basis of the whole administrative record, there is no substantial evidence that the Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code Project, will have a significant effect on the environment;

- c. Negative Declaration No. IP 22-0133 is adequate to satisfy the requirements of CEQA for the proposed Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code Project.
2. Adopt General Plan Amendment LU 22-01 – Land Use Element, to incorporate land use policies regarding housing development; and
3. Adopt Zoning Code Amendment 22-01 – Housing Opportunities Overlay District and Technical Revisions to modify certain residential development standards and make technical modifications.

The foregoing resolution was passed and adopted by the following vote of the Orange County Planning Commission, on August 24, 2022, to wit:

Ayes: Ha, Morgan, Rice, Perez and Bartlett

Noes:

Excused:

Abstained:

I HEREBY CERTIFY that the foregoing Resolution No. 2022-01 was adopted on August 24, 2022, by the Orange County Planning Commission.



Justin Kirk
Executive Officer, Orange County Planning Commission

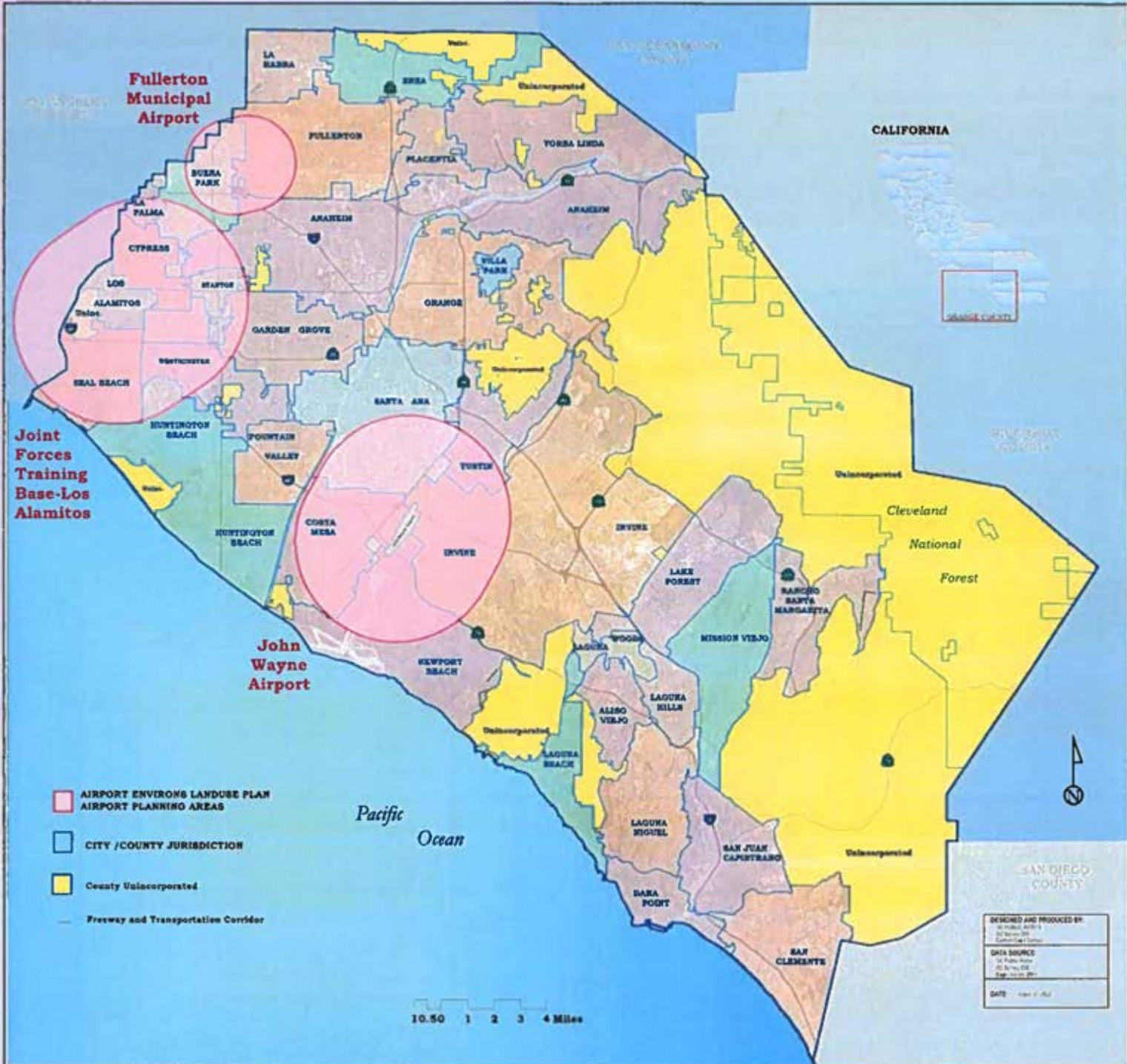
Resolution No. 2022-01

Attachments:

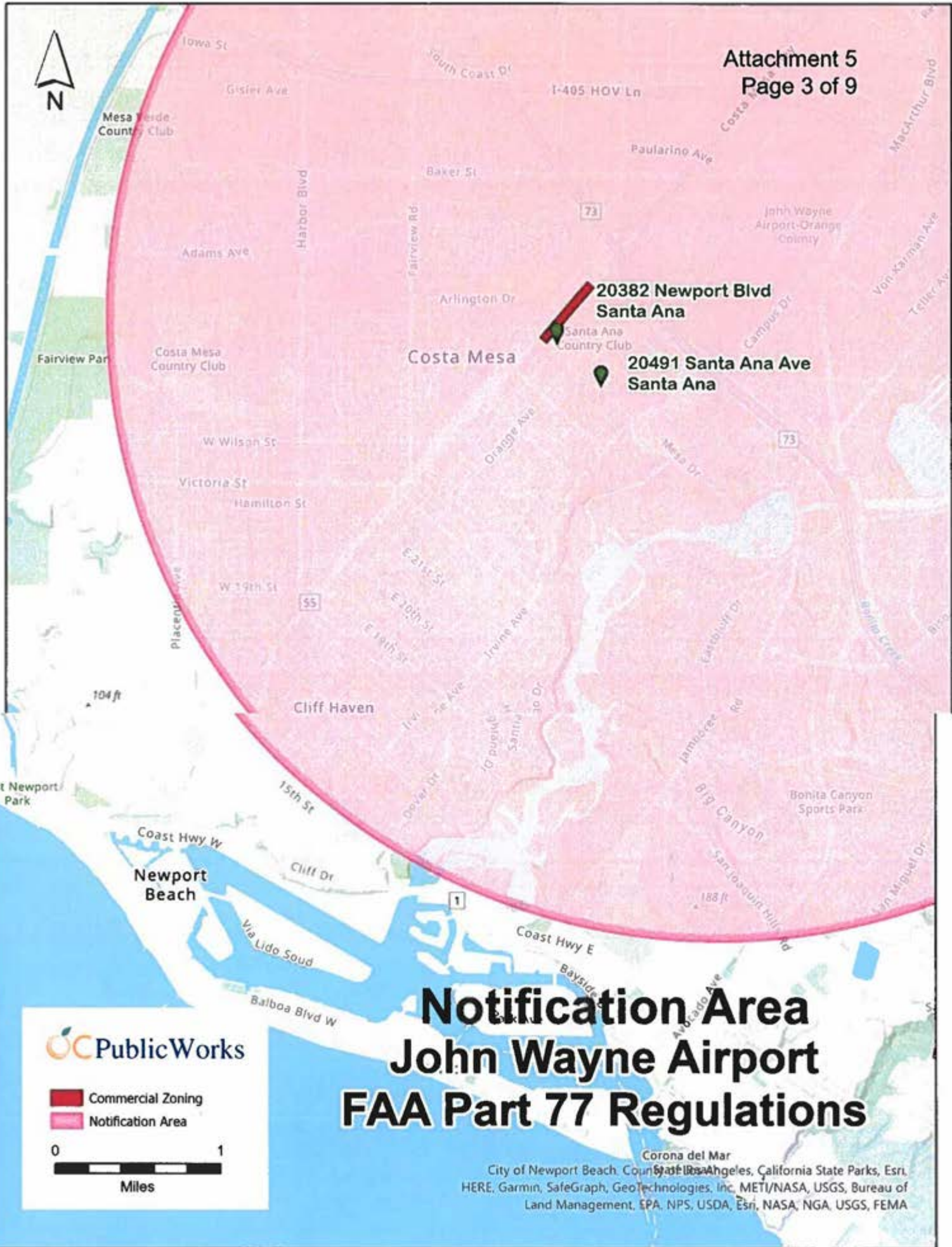
- A. Initial Study/ Negative Declaration (IS/ND) No. IP 22-0133
- B. Proposed General Plan Amendment LU 22-01 (Land Use Element) – Strikethrough Version
- C. Proposed Zoning Code Amendment CA 22-01 (Housing Opportunities Overlay District and Technical Revisions) – Strikethrough Version

Date of Adoption: August 24, 2022

ORANGE COUNTY AIRPORTS - PLANNING AREAS



County of Orange, California



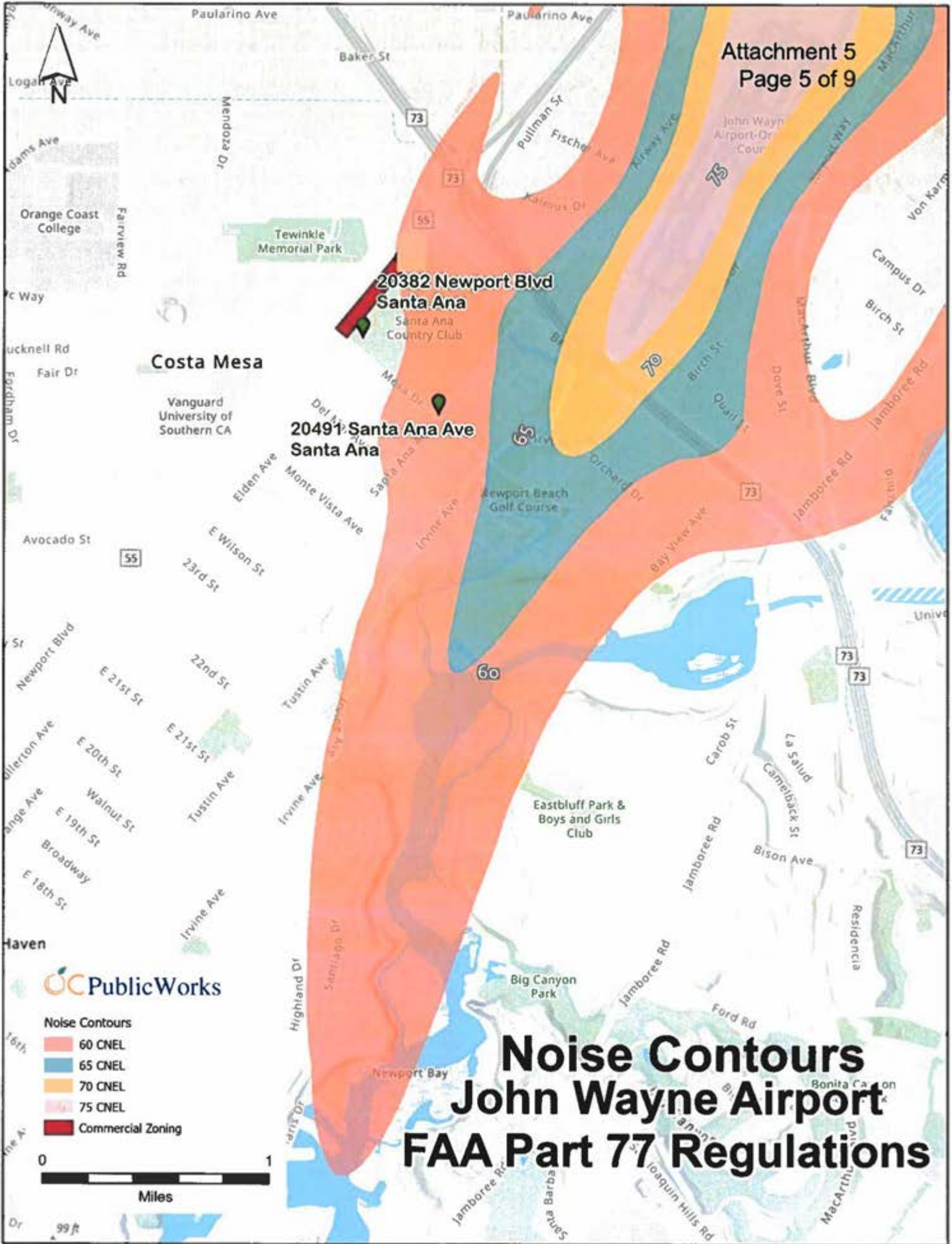
Notification Area John Wayne Airport FAA Part 77 Regulations

OC PublicWorks

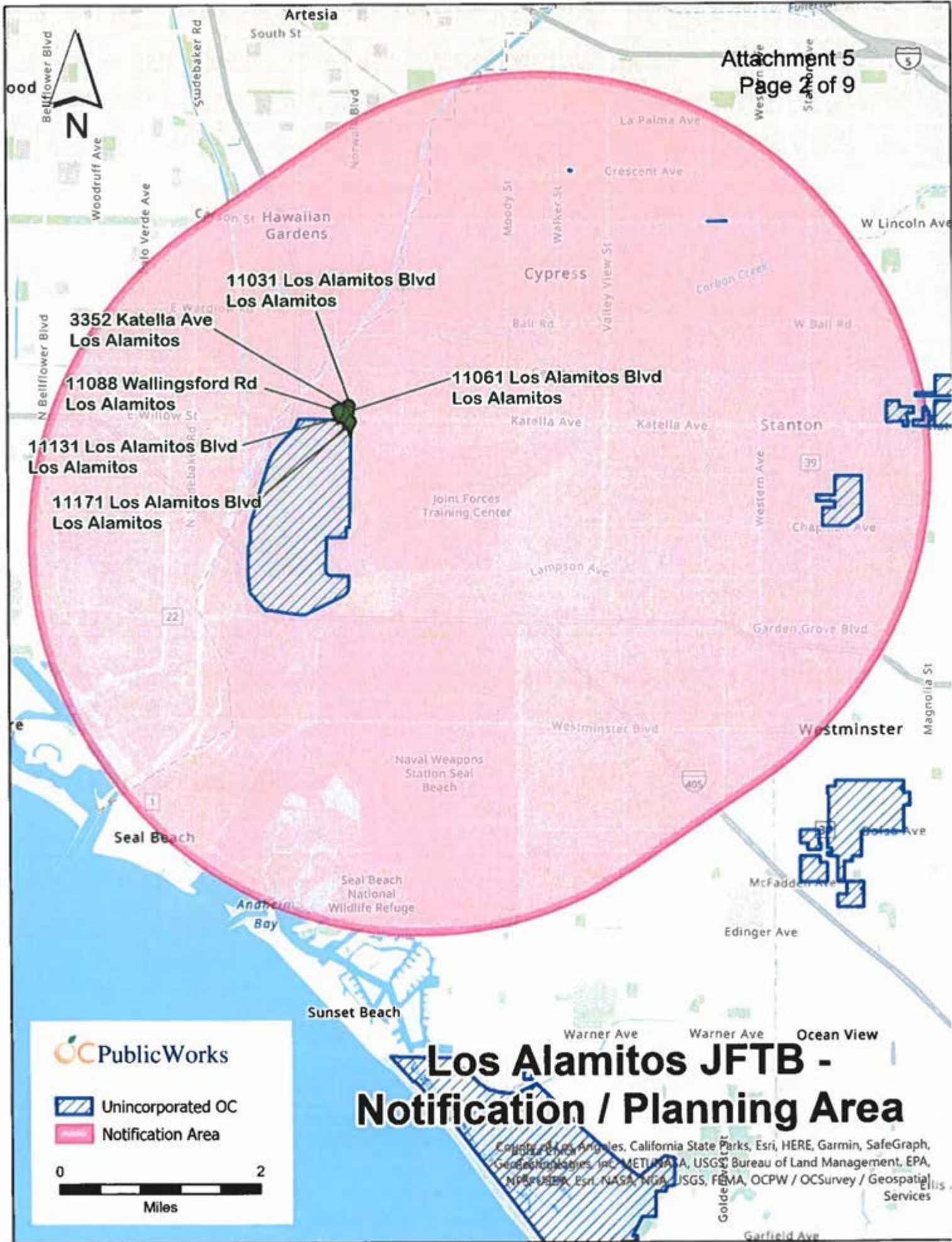
- Commercial Zoning
- Notification Area

0 1
Miles

City of Newport Beach, County of Orange, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, Esri, NASA, NGA, USGS, FEMA



Noise Contours John Wayne Airport FAA Part 77 Regulations



11031 Los Alamitos Blvd
Los Alamitos

3352 Katella Ave
Los Alamitos

11088 Wallingsford Rd
Los Alamitos



11131 Los Alamitos Blvd
Los Alamitos

11171 Los Alamitos Blvd
Los Alamitos

11061 Los Alamitos Blvd
Los Alamitos

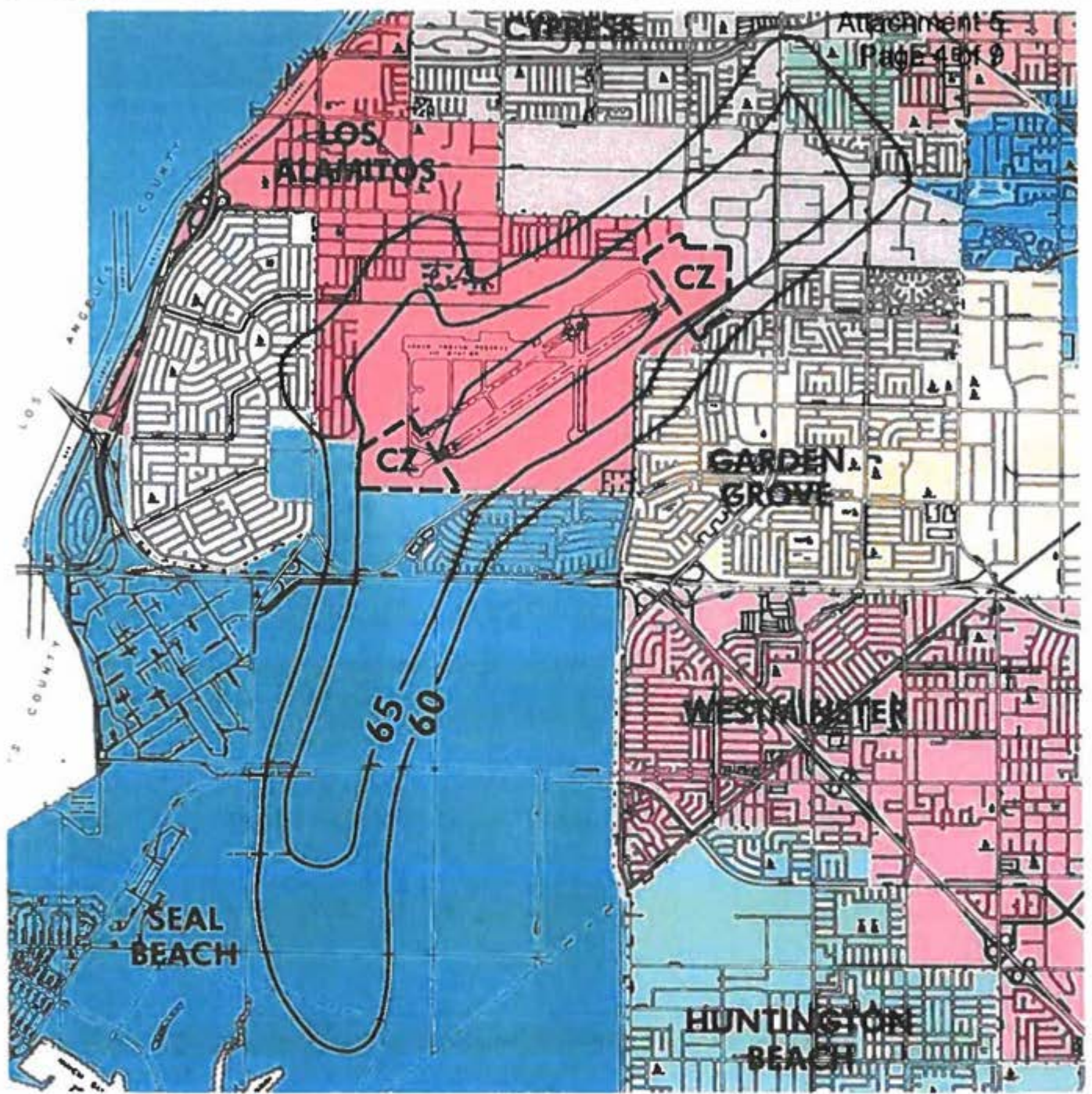
Los Alamitos JFTB - Notification / Planning Area

OC PublicWorks

-  Unincorporated OC
-  Notification Area



County of Los Angeles, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI, NOAA, USGS, Bureau of Land Management, EPA, NPS, USFWS, Esri, NASA, NGA, USGS, FEMA, OCPW / OC Survey / Geospatial Services



Note: County Unincorporated areas are shown in white.

Impact Zones Joint Forces Training Base Los Alamitos

Exhibit D3

Source: Final AICUZ Study for JFTB, Los Alamitos, June 1, 1994



- LEGEND**
- ~60/65~ CNEL CONTOUR
 - CLEAR ZONE (CZ)
 - CITY BOUNDARIES

CERTIFICATION

Adopted by the Airport Land Use Commission for Orange County


 Kari A. Rigoni, Executive Officer

8/17/17
 Date