

RESOLUTION OF THE BOARD OF SUPERVISORS  
ORANGE COUNTY, CALIFORNIA  
June 25, 2024

On Motion of Supervisor \_\_\_\_\_, 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 6<sup>th</sup> Cycle Housing Element Update (2021-2029) 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 specifically (1) analyzes existing housing stock, projected housing needs, and availability of housing for special needs groups; (2) provides a Land Inventory (an inventory of land suitable for residential development); (3) identifies and analyzes potential and actual barriers to the construction of new housing units; and (4) identifies specific programs the County will undertake to achieve its stated goals and objectives; and

WHEREAS, the County's Land Inventory must include realistically available sites for housing development during the 6<sup>th</sup> 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 6<sup>th</sup> Housing Element Cycle including how the County will facilitate the construction of 10,406 new housing units; and

WHEREAS, one of the programs included in the Housing Element Update is designed to facilitate the development of housing that meets the needs of all segments of the population including affordable housing and households with specialized needs; and

WHEREAS, in the Comprehensive Zoning Code, the County must account for legal requirements when using non-vacant sites to cover the County's RHNA obligation for all income categories. Specifically, under Government Code Section 65583.2, the County can demonstrate realistic capacity for RHNA purposes by re-zoning or updating development standards to allow for a minimum site density of 30 dwelling units per acre on non-vacant sites that the County wants to use to meet the RHNA allocation; and

WHEREAS, amendments to the multifamily site development standards in the County's Comprehensive Zoning Code and rezoning of specific residential professional and commercial parcels to mixed-use is proposed will enable the County to use those parcels to demonstrate realistic capacity to meet the County's RHNA obligation; and

WHEREAS, modifying site development standards of multifamily zoning districts to comply with mandated minimum densities in the Government Code, converting commercial districts to mixed-use, and changing the zoning applied to specific parcels also requires an amendment of the County's Land Use Element to ensure internal consistency; and

WHEREAS, minor technical revisions to the Comprehensive Zoning Code are also proposed; and

WHEREAS, on February 14, 2024, the Planning Commission approved initiation of General Plan Amendment LU 24-01 (Land Use Element), Zoning Code Amendment CA 24-01 (Multifamily development standards), and Zone Change ZC 24-01 (Specific Commercial and Residential Sites) (collectively, the "Amendments"); and

WHEREAS, on April 10, 2024, the Planning Commission conducted a study session to receive a presentation from staff and comments from members of the public concerning the Amendments; and

WHEREAS, on May 8, 2024, the Planning Commission conducted a public hearing regarding proposed the Amendments; and

WHEREAS, the Planning Commission reviewed and fully considered the proposed Amendments, heard, and considered the public comments that were presented to it at the public hearing and , after review and consideration, recommended for adoption by the Board of Supervisors proposed General Plan Amendment LU 24-01 (Land Use Element), Zoning Code Amendment CA 24-01 (Multifamily development standards), and Zone Change ZC 24-01 (Specific Commercial and Residential Sites).

NOW, THEREFORE, BE IT RESOLVED THAT THIS BOARD:

1. Find the circumstances of this project are substantially the same as Initial Study/Negative Declaration (IS/ND) No. IP 22-0133, and Addendum No. 1 to Initial Study/Negative Declaration (IS/ND) No. IP 22-0133 includes minor changes or additions necessary, and both documents adequately address the effects of the proposed Project. (Exhibits A and B). No substantial changes have been made in the Project, no substantial changes have occurred in the circumstances under which the Project is being undertaken, and no new information of substantial importance

to the Project which was not known or could not have been known when Initial Study/Negative Declaration (IS/ND) No. IP 22-0133, and Addendum No. 1 to Initial Study/Negative Declaration (IS/ND) No. IP 22-0133, were adopted have become known; therefore, no further environmental review is required.

2. Adopt General Plan Amendment LU 24-01 – Land Use Element, to ensure consistency between the General Plan and Zoning Code. (Exhibit C).

The foregoing resolution was passed and adopted by the following vote of the Orange County Board of Supervisors, on June 25, 2024, to wit:

Ayes:

Noes:

Excused:

Abstained:

I HEREBY CERTIFY that the foregoing Resolution No. xxx-xx was adopted on June 25, 2024, by the Board of Supervisors.

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Exhibits:

- A. Initial Study/ Negative Declaration (IS/ND) No. IP 22-0133
- B. Addendum No. 1 to Initial Study/ Negative Declaration (IS/ND) No. IP 22-0133
- C. General Plan Amendment LU 24-01 (Land Use Element)

RESOLUTION OF THE BOARD OF SUPERVISORS OF  
ORANGE COUNTY, CALIFORNIA  
September 27, 2022

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 6<sup>th</sup> Cycle 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); 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 6<sup>th</sup> 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 6<sup>th</sup> 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 Board of Supervisors:

1. Finds that Final Negative Declaration No. IP 22-0133 (Exhibit A), 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; and

- 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. Adopts General Plan Amendment LU 22-01 – Land Use Element (Exhibit B), and thereby amends the County of Orange Land Use Element to incorporate affordable housing developments as a permitted use in commercial and industrial land use categories

The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors, on September 27, 2022, to wit:

AYES:	Supervisors:	ANDREW DO, LISA A. BARTLETT, KATRINA FOLEY
		DONALD P. WAGNER, DOUG CHAFFEE
NOES:	Supervisor(s):	
EXCUSED:	Supervisor(s):	
ABSTAINED:	Supervisor(s):	

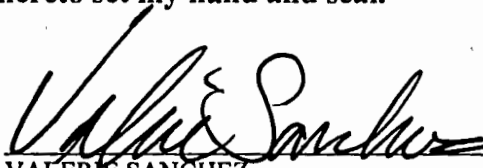



CHAIRMAN

STATE OF CALIFORNIA    )  
                                       )  
 COUNTY OF ORANGE    )

**I, VALERIE SANCHEZ, Chief Deputy Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors**

**IN WITNESS WHEREOF, I have hereto set my hand and seal.**

VALERIE SANCHEZ  
 Chief Deputy Clerk of the Board  
 County of Orange, State of California

Resolution No: 22-121  
 Agenda Date: 09/27/2022  
 Item No: 45



I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors, Orange County, State of California

Valerie Sanchez, Chief Deputy Clerk of the Board of Supervisors

By: \_\_\_\_\_  
 Deputy



## NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

In compliance with section 15072 of the California Environmental Quality Act (CEQA) Guidelines and the County of Orange Procedures, notification is hereby given to responsible agencies, trustee agencies, interest groups and the general public, that the County of Orange **shall adopt Negative Declaration (ND) File Numbers Housing Element Update HE 20-01, Safety Element Update SE 19-01, Land Use Element Update LUE 22-01, Environmental Justice Element EJ 22-01, and Zoning Code Amendment CA 22-01.**

**PUBLIC REVIEW:** The proposed ND is being circulated for public review from July 12, 2022 to August 10, 2022 to comply with the required minimum 30-day public review period. The ND may be adopted by the County of Orange and become final unless written comments on its appropriateness or adequacy are received by the office listed below **by 5:00 p.m. on the ending date of the public review period (August 10, 2022).**

**CONTACT PERSON:** Kevin Shannon      **PHONE:** (714) 667-1632  
[Kevin.Shannon@ocpw.ocgov.com](mailto:Kevin.Shannon@ocpw.ocgov.com)

### **PUBLIC MEETING(S)/HEARINGS ON PROJECT:**

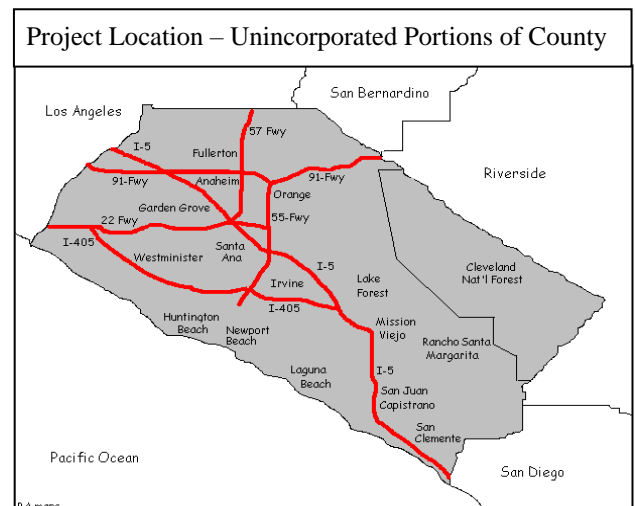
The proposed project will be reviewed for approval by the decision-maker listed below.

**DECISION MAKING BODY:** Orange County Planning Commission

**DATE:** To Be Determined      **TIME:** 1:30 PM or soon thereafter

**LOCATION OF PUBLIC MEETING/HEARING:** See location map below.

The ND and any supporting attachments are available for review during normal business hours at the offices of the OC Public Works, OC Development Services/Planning, 601 North Ross Street, Santa Ana, CA 92701 and also available at the following website:  
<https://ocds.ocpublicworks.com/service-areas/oc-development-services/planning-development/current-projects/all-districts-2>



DATE POSTED: July 11, 2022



**NEGATIVE DECLARATION  
OC PUBLIC WORKS  
601 NORTH ROSS STREET  
P. O. BOX 4048  
SANTA ANA, CALIFORNIA 92701**

In accordance with Orange County Board of Supervisor's policies regarding implementation of the California Environmental Quality Act, the County of Orange has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment. On the basis of that study, the County of Orange hereby finds that the proposed project will not have a significant adverse effect on the environment and does not require the preparation of an Environmental Impact Report because either the proposed project:

- ☒ **has** or **creates no** significant environmental impacts requiring mitigation; or
- ☐ **will not create** a significant adverse effect, because the Mitigation Measures described in the Initial Study have been added to the project.

The environmental documents, which constitute the Initial Study and supporting technical studies provide the basis and reasons for this determination are available on the website and hereby made a part of this document.

**PROJECT:**

**Title:** Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code

**Location:** Unincorporated portions of Orange County, CA

**Description:** In accordance with State law, the County is required to update its Housing Element every eight years, which includes an amendment to the Land Use Element and the Safety Element. An Environmental Justice Element is also required to be created when two or more existing General Plan elements are concurrently revised after January 2018. The Zoning Code requires revisions to the existing Housing Opportunities Overlay to maintain consistency with programs included Housing Element Update.

**Project Proponent or Applicant:** County of Orange, OC Public Works, Development Services/Planning

**Department Responsible for Proposed Project:** OC Public Works, Development Services/Planning

**Address:** 601 North Ross Street, Santa Ana, CA 92701

**Project Contact Person:** Kevin Shannon, Consultant - Env. Planner      **Telephone:** (714) 667-1632

**CEQA Contact Person:** Kevin Shannon, Consultant - Env. Planner      **Telephone:** (714) 667-1632

**NOTICE:** The Negative Declaration shall become final unless written comments are received by the office listed above by **5:00 p.m. on August 10, 2022**. If you wish to provide comments on the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references.

Dated: August 11, 2022

Signed: Kevin Shannon

**NOTE:** This document and supporting attachments are provided to the general public for review. This is an information document about environmental effects only. Supplemental information is on file and may be reviewed in the office listed above. The decision-making body will review this document and potentially many other sources of information before considering the proposed project.

**Public Review Draft  
CEQA INITIAL STUDY  
NEGATIVE DECLARATION**

**FOR  
HOUSING-RELATED UPDATES TO THE COUNTY OF ORANGE  
GENERAL PLAN AND COMPREHENSIVE ZONING CODE**

**Housing Element Update HE 20-01  
Safety Element Update SE 19-01  
Land Use Element Update LUE 22-01  
Environmental Justice Element EJ 22-01  
Zoning Code Amendment CA 22-01**

***Prepared for:***

**Orange County Planning Commission  
*and*  
Orange County Board of Supervisors**

***Prepared by:***



**County of Orange  
OC Public Works, Development Services/Planning  
601 North Ross Street  
Santa Ana, CA 92701**

**July 2022**

## Table of Contents

Section 1: Introduction.....	1
1.1 Project Title .....	1
1.2 Project Purpose.....	1
1.3 Lead Agency/Project Sponsor Name and Address .....	1
1.4 Intended Uses of Initial Study/Negative Declaration.....	1
1.5 Project Location .....	2
1.6 Native American Consultation .....	4
1.7 Scope of Environmental Analysis .....	4
1.8 Environmental Baseline .....	5
1.9 Environmental Determination .....	6
Section 2: Project Description .....	7
2.1 Project Background .....	7
2.2 Project Location and Environmental Setting .....	7
2.3 Project Characteristics .....	7
2.4 Project Approvals .....	11
Section 3: Environmental Evaluation .....	12
3.1 Aesthetics.....	12
3.2 Agriculture and Forestry Resources .....	14
3.3 Air Quality .....	16
3.4 Biological Resources .....	18
3.5 Cultural Resources.....	20
3.6 Energy.....	22
3.7 Geology and Soils .....	23
3.8 Greenhouse Gas Emissions .....	25
3.9 Hazards and Hazardous Materials.....	27
3.10 Hydrology and Water Quality .....	29
3.11 Land Use and Planning.....	32
3.12 Mineral Resources.....	34
3.13 Noise.....	35
3.14 Population and Housing .....	37
3.15 Public Services .....	39
3.16 Recreation .....	41
3.17 Transportation/Traffic .....	43
3.18 Tribal Cultural Resources .....	45
3.19 Utilities and Service Systems .....	47
3.20 Wildfire .....	49
3.21 Mandatory Findings of Significance.....	51
Section 4: List of Preparers .....	53

**List of Figures**

Figure 1: Regional Project Location ..... 2

Figure 2: Orange County Unincorporated Areas ..... 3

**List of Tables**

Table 1: Environmental Determination ..... 6

Table 2: Public Agency Approvals ..... 11

Table 3: List of Preparers ..... 53



## **Section 1: Introduction**

### **1.1 Project Title**

Housing-Related Amendments to the County of Orange General Plan and Comprehensive Zoning Code

### **1.2 Project Purpose**

This document is an Initial Study/Negative Declaration (IS/ND) for evaluation of potential environmental impacts per the requirements of the California Environmental Quality Act resulting from implementation of the Housing Element Update HE 20-01, Safety Element Update SE 19-01, Land Use Element Update LUE 22-01, Environmental Justice Element EJ 22-01, and Zoning Code Amendment CA 22-01. For purposes of this document, the proposed project will be referred to as the Project or proposed Project.

### **1.3 Lead Agency/Project Sponsor Name and Address**

County of Orange  
OC Public Works, Development Services/Planning  
601 North Ross Street  
Santa Ana, California 92701

Contact Person and Telephone Number:  
Cindy Salazar, Advance Planning Manager  
OC Development Services/Planning  
Telephone: 714.667.8870

### **1.4 Intended Uses of Initial Study/Negative Declaration**

The County of Orange is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for carrying out or approving a Project which may have significant effects upon the environment.

This IS/ND is an informational document which is intended to inform the County of Orange decision-makers, other responsible or interested agencies, and the general public of the potential environmental effects of the proposed Project. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible agencies must balance adverse environmental effects against other public objectives, including economic and social goals (CEQA Guidelines Section 15021).

Public Resources Code Section 21080(c)(1) and implementing Guidelines Section 15070(a) states a Negative Declaration can be adopted if it can be determined that the Project will not have a significant effect on the environment. Based on this, the County of Orange, as Lead Agency, has determined that environmental clearance for the proposed Project can be provided with a Negative Declaration.

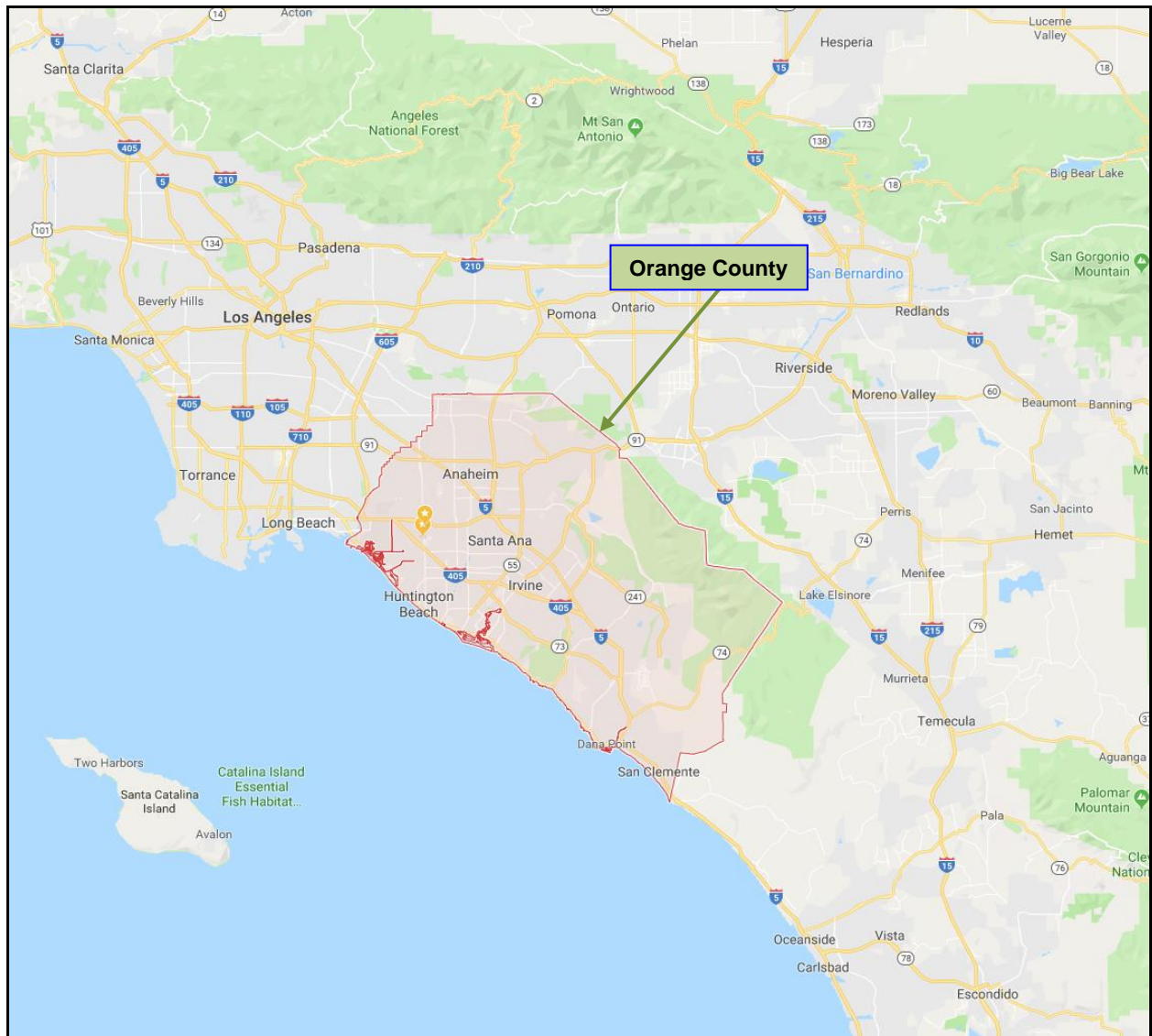
This IS/ND was prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 *et seq.*); the Guidelines for Implementation of the California Environmental Quality Act (Guidelines), as amended (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000, *et seq.*); and the County of Orange 2020 Local CEQA Procedures Manual.

This IS/ND may be inspected from July 12, 2022 through August 10, 2022, Monday through Friday during regular business hours, at OC Development Services/Planning in the County Administrative South Building, 601 North Ross Street, Santa Ana, CA 92701. In addition, this IS/ND is available on the County's website at the following link: <https://ocds.ocpublicworks.com/service-areas/oc-development-services/planning-development/current-projects/all-districts-2>

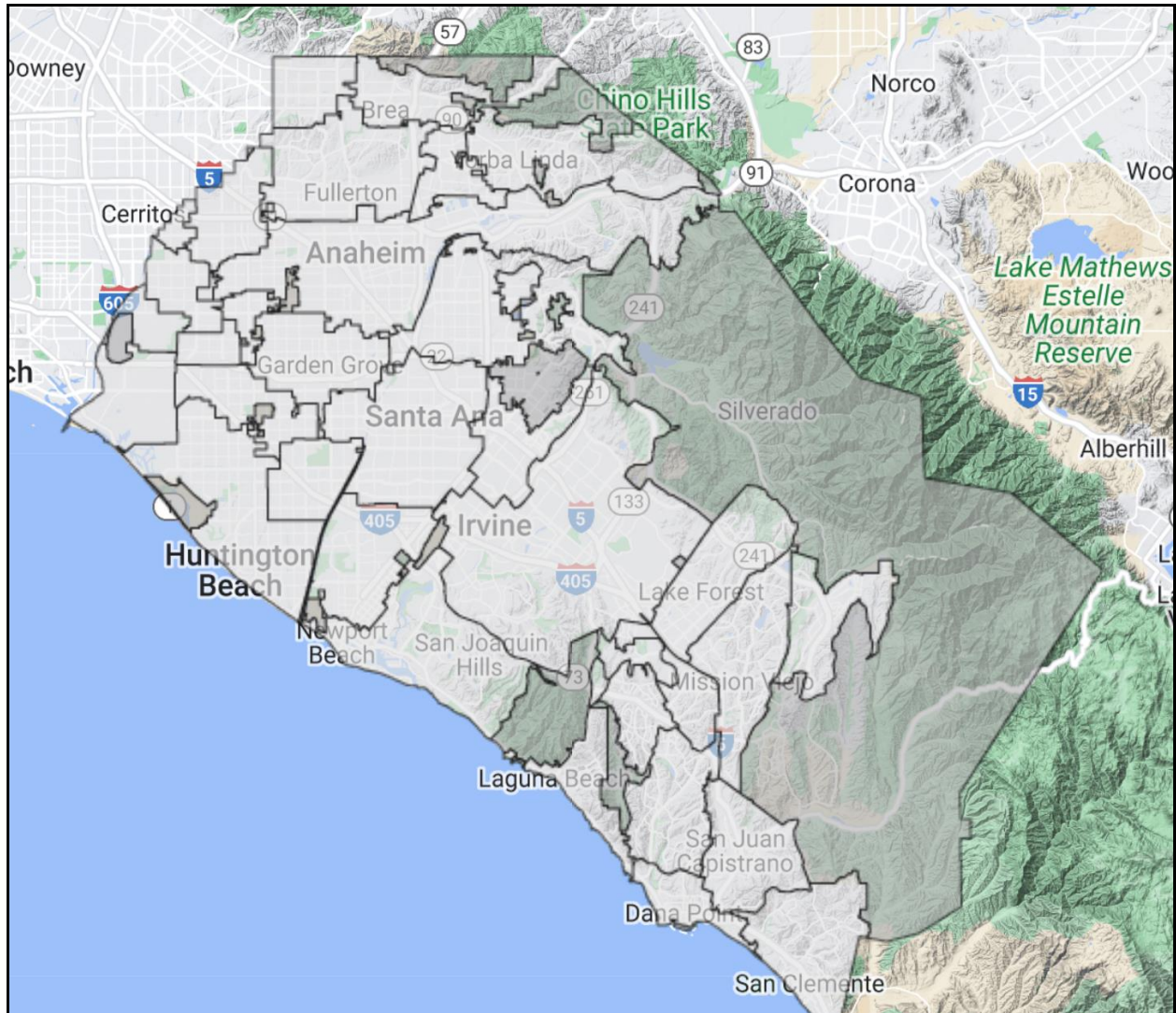
## 1.5 Project Location

The Project location includes the unincorporated portion of Orange County. Orange County is located along the Pacific Ocean between Los Angeles County to the north and northwest, San Bernardino County to the northeast, Riverside County to the east, and San Diego County to the southeast. Orange County stretches approximately 40 miles along the coast and extends inland approximately 20 miles, covering 798 square miles. Refer to Figure 1 - Regional Location and Figure 2 - Orange County Unincorporated Areas.

### Figure 1: Regional Project Location



**Figure 2: Orange County Unincorporated Areas**



 Unincorporated Areas

 Incorporated Cities

## 1.6 Native American Consultation

California Native American tribes traditionally and culturally affiliated with the Project area are required to be consulted pursuant to PRC Section 21080.3.1. OC Development Services/Planning sent via US Certified Mail AB 52 Initial Consultation letters AB 52 letters pertaining to the Housing Element and Safety Element on August 11, 2021, to the Kizh Nation, Gabrieleño Tongva San Gabriel Band of Mission Indians, Juaneno Band of Mission Indians, and the Soboba Band of Luiseno Indians. OC Development Services/Planning did not receive any requests for consultation.

## 1.7 Scope of Environmental Analysis

For evaluation of environmental impacts, each sample question from the Environmental Checklist Form contained in Appendix G of the CEQA Guidelines is stated and responses are provided according to the analysis undertaken as part of the IS/ND.

### 1.7.1 Thresholds of Significance

On November 17, 2020, the County adopted “Guidelines for Evaluating Vehicle Miles Traveled under CEQA” (VMT Guidelines), included as Appendix C in the County of Orange 2020 Local CEQA Procedures Manual. The VMT Guidelines included CEQA threshold thresholds of significance for vehicle miles traveled (VMT). Other than the VMT thresholds, the County has not adopted specific thresholds of significance and rather relies upon the specific questions relating to the topical environmental factors listed in Appendix G to the CEQA Guidelines to assist in the determination of whether an identified impact is potentially significant. The County may, depending on the circumstances of a particular project, use specific thresholds of significance on a case-by-case basis as provided by CEQA Guidelines Section 15064.7(b).

### 1.7.2 Impact Evaluation Methodology

The environmental impact methodology is described below.

#### ***Changes Not Evaluated***

Construction Impacts – The Project does not authorize development or require physical changes to any existing development or infrastructure that would generate construction-related impacts. Therefore, they are excluded from the environmental analysis.

Indirect Impacts – The CEQA Guidelines require evaluation of indirect or secondary impacts to the environment which are caused by a project and are later in time and farther removed in distance, but are still reasonably foreseeable. Because these impact types must be related to a physical change in the environment and the Project has none, they are excluded from the environmental analysis. Any proposed developments would be individually reviewed to determine if they are exempt from the provisions of CEQA or require environmental review to determine the appropriate level of CEQA review.

Offsite Features – The Guidelines require evaluation of off-site features that are necessary to implement a project, which are typically associated with infrastructure or other physical improvements. Because the Project does not authorize development or require physical changes to any existing development or infrastructure, no offsite features would be required and the need to analyze impacts associated with offsite features would not occur. Therefore, they are excluded from the environmental analysis.

### ***Changes Evaluated***

Each of the topical environmental issues within each of the topical environmental factors evaluates the potential direct physical impacts to the environmental resources that has the potential to occur Project approval. The following topical environmental factors are evaluated in Section 3 - Environmental Evaluation. The numbers in parentheses represent the section numbers.

- Aesthetics (3.1)
- Agriculture & Forestry Resources (3.2)
- Air Quality (3.3)
- Biological Resources (3.4)
- Cultural Resources/Scientific Resources (3.5)
- Energy (3.6)
- Geology and Soils (3.7)
- Greenhouse Gas Emissions (3.8)
- Hazards & Hazardous Materials (3.9)
- Hydrology & Water Quality (3.10)
- Land Use & Planning (3.11)
- Mineral Resources (3.12)
- Noise (3.13)
- Population & Housing (3.14)
- Public Services (3.15)
- Recreation (3.16)
- Transportation/Traffic (3.17)
- Tribal Cultural Resources (3.18)
- Utilities & Service Systems (3.19)
- Wildfire (3.20)
- Mandatory Findings (3.21)

### **1.7.3 Impact Levels**

There are four possible responses to the threshold of significance questions in each of the topical environmental factors in Section 3 - Environmental Evaluation:

1. *No Impact*: No substantial evidence exists that the Project would have a direct primary project-level impact on the environment.
2. *Less Than Significant Impact*: Direct project-level impacts have been identified but are less than the thresholds of significance and do not include or require mitigation measures.
3. *Less Than Significant Impact With Mitigation Incorporated*: Direct project-level impacts have been identified but are less than significant with the incorporation of mitigation measures thereby reducing an impact from Potentially Significant Impact to a Less Than Significant Impact.
4. *Potentially Significant Impact*: Potentially significant direct project-level impacts and have been identified and require preparation of an EIR.

### **1.8 Environmental Baseline**

To adequately determine the significance of a potential environmental impact, the environmental baseline must be established. Guidelines Section 15125(a) states in pertinent part that the environmental setting will normally constitute the baseline physical conditions, by which a lead agency will determine if an impact is significant.

Therefore, the environmental baseline for this Project constitutes the existing physical conditions as they currently exist, which represents the time that the environmental process commenced.

### 1.9 Environmental Determination

The following table provides the environmental determination of the Project.

**Table 1: Environmental Determination**

I find that there is no substantial evidence that the project will have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> will be prepared.	<input checked="" type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, revisions to the project or proposals have been made by or agreed to by the project proponent, that will avoid the effects or mitigate the effects to where no significant effects on the environment will occur. A <b>MITIGATED NEGATIVE DECLARATION (MND)</b> will be prepared.	<input type="checkbox"/>
I find that the proposed project MAY have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT (EIR)</b> is required.	<input type="checkbox"/>
I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An <b>EIR</b> is required, but it must analyze only the effects that remain to be addressed.	<input type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier <b>EIR</b> or <b>NEGATIVE DECLARATION (ND)</b> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier <b>EIR</b> or <b>NEGATIVE DECLARATION</b> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	<input type="checkbox"/>
I find that the proposed project has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to the CEQA Guidelines. The proposed project is a component of the whole action analyzed in the previously adopted/certified CEQA document.	<input type="checkbox"/>
I find that the proposed project has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to the CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous documentation adequate to cover the project, which are documented in this addendum to the earlier CEQA document (CEQA §15164).	<input type="checkbox"/>
I find that the proposed project has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to the CEQA Guidelines. However, there is important new information and/or substantial changes have occurred requiring the preparation of an additional CEQA document ( <b>ND</b> , <b>MND</b> or <b>EIR</b> ) pursuant to CEQA Guidelines Sections 15162 through 15163.	<input type="checkbox"/>

Kevin Shannon  
Signature

August 11, 2022  
Date

Kevin Shannon, Consultant - Environmental Planner  
Name



## **Section 2: Project Description**

### **Introduction**

This section provides the project background, location and environmental setting, and the characteristics of the Project.

#### **2.1 Project Background**

In accordance with State law, the County is required to update its Housing Element every eight years. For each eight-year planning cycle, the County is allocated a specific number of housing units (i.e., Regional Housing Needs Assessment (RHNA) allocation). The RHNA quantifies current and future housing needs within a jurisdiction.

The Housing Element establishes the County's official housing policies and programs to accommodate the County's RHNA allocation goals and identifies available candidate housing sites to meet those goals.

In addition to updating the Housing Element, the Land Use Element requires an amendment to maintain internal consistency with the Housing Element. Similarly, the Safety Element requires an amendment when the Housing Element is amended. An Environmental Justice Element is also required to be created when two or more existing General Plan elements are concurrently revised after January 2018. Last, the Zoning Code requires revisions to the existing Housing Opportunities Overlay to maintain consistency with programs included Housing Element Update.

#### **2.2 Project Location and Environmental Setting**

The proposed Project is located within the unincorporated portion of Orange County (refer to Figure 2) and specifically within sites suitable to accommodate the RHNA allocation. The sites may be developed with different land uses consisting of residential, commercial, office, retail, and industrial.

#### **2.3 Project Characteristics**

The Project consists of the following five components. Descriptions of each are provided below.

- 6<sup>th</sup> Cycle Housing Element Update
- Land Use Element Amendment
- Safety Element Amendment
- Environmental Justice Element
- Zoning Code Amendment - Housing Opportunities Overlay District

##### **2.3.1 6<sup>th</sup> Cycle Housing Element Update**

The County of Orange Housing Element establishes policies, procedures, and incentives in its land use planning and development activities that will result in the maintenance and expansion of the housing supply to adequately accommodate households of the current and future population living in the unincorporated County. The Housing Element institutes policies that will guide County decision-making and establishes a Housing Action Plan to implement housing goals through an eight-year planning period. On October 15, 2021, the 5<sup>th</sup> Cycle (2013-2021) planning period ended and the 6<sup>th</sup> Cycle (2021-2029) planning period began.

Although certain County housing programs operate within cities, the County's Housing Element primarily addresses housing needs in the unincorporated areas to meet the various income levels. The County's Housing Element makes provisions for affordable and accessible housing for special needs groups in the community and is designed to provide guidance in the maintenance of existing affordable housing. These commitments are an expression of the statewide housing goal of "decent housing and a suitable living environment for every California family."

The Housing Element Update will include the County's Housing Action Plan, which addresses the County's identified housing needs, and includes goals, policies, and programs concerning housing and housing-related services, and the County's approach to addressing its Regional Housing Needs Assessment (RHNA) allocation, its share of the regional housing need. The 6<sup>th</sup> Cycle (2021-2029) Housing Element Update consists of a comprehensive review and an update to the previous Housing Element, which covered the 5<sup>th</sup> Cycle (2013-2021) planning period.

To satisfy and meet its RHNA allocation, the County completed a parcel-specific land inventory that includes sites capable of accommodating the RHNA allocation of 10,406 units and is included in the land inventory section of the Housing Element. The County is required to identify areas with adequate zoning to accommodate this future growth, however, it is not required to develop these housing units.

The 6<sup>th</sup> Cycle Housing Element Update does not grant any land use entitlements or authorize development of a specific project, nor does it consider candidate housing sites not already zoned for residential development or non-residentially zoned sites that allow residential development with the existing Housing Opportunities Overlay.

### **2.3.2 Land Use Element Amendment**

The County of Orange Land Use Element describes objectives, policies, and land use patterns for the unincorporated area. It also 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. The update will include the following proposed revisions:

- The "Land Use Categories" section will be revised to reflect current permitted uses allowed by the County's Zoning Code, such as the Housing Opportunities Overlay District regulations, and 6<sup>th</sup> Cycle Housing Element Update, no new permitted uses will be proposed.
- The "Building Intensity/Population Density Standards" chart (Table III-I) requires an update to reflect current regulations in the County's Zoning Code, no new standards will be proposed.
- The County's land use-related "Objectives and Policies" will be revised to reflect any changes to these that may have been adopted since the previous Land Use Element amendment, no new objectives and policies will be proposed.
- The "Planning Constraints and Deficiencies" section will be revised to ensure internal consistency with the other elements of the County's General Plan including the 6<sup>th</sup> Cycle Housing Element Update.

### **2.3.3 Safety Element Amendment**

The California Government Code requires general plans to include "a safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to



mudslides and landslides, subsidence and other geologic hazards known to the legislative body; flooding; and wildland and urban fires."

The purpose of the County's Safety Element is to comprehensively inventory hazards which primarily impact persons and property in the unincorporated areas of Orange County. The scope of the Safety Element also allows for a countywide perspective for other safety-related matters. This hazards inventory identifies information necessary for the development of goals, objectives, policies, and implementation programs that will guide and direct local government decision-making in safety-related matters and also foster coordination with regional, state, and federal policies and programs.

An update, or amendment, of the County of Orange Safety Element is required to ensure compliance with California Government Code Section 65302(g)(3). Under this Government Code, upon the next revision to the County's Housing Element, which is currently underway, the Safety Element must be updated to address new statutory considerations regarding the risk of wildland fire in State Responsibility Areas and in Very High Fire Hazard Severity Zones. The update must meet specific requirements including those set forth in the Office of Planning and Research's "Fire Hazard Planning" document and the General Plan Guidelines.

The Safety Element update will: 1) add information regarding existing planned development and agencies responsibilities, 2) revise goals, policies, and objectives that address climate vulnerability and adaptation per Senate Bill 379, 3) revise goals, policies, and objectives as necessary to maintain integrity of essential public facilities, and 4) update the County's hazards inventory. In addition, the Governor's Office of Emergency Services (Cal OES) has established new and specific requirements for incorporation of the County's Hazard Mitigation Plan (HMP) into the Safety Element to maintain the County's eligibility for pre-disaster mitigation funding per Assembly Bill 2140. This will include the addition of a Uniform Resource Locator (URL) pointing readers directly to the County's HMP. The Safety Element update will meet these new Cal OES requirements.

#### **2.3.4 Environmental Justice Element**

The County of Orange will add an Environmental Justice Element to the General Plan pursuant to Government Code Section 65302 (h)(1). This statute requires that upon the adoption or next revision of two or more existing elements concurrently on or after January 1, 2018, counties that have disadvantaged communities shall incorporate environmental justice policies into their general plans, either in a separate Environmental Justice element or by integrating related goals, policies, and objectives throughout the other elements. The County is currently in the process of completing its 6<sup>th</sup> Cycle Housing Element Update and will also be completing an associated amendment to its Land Use Element. These two General Plan amendments trigger the requirement for the County to comply with the statute at this time.

According to the California Environmental Protection Agency (Cal EPA) website, "the aim of Environmental Justice is to lift the unfair burden of pollution from those most vulnerable to its effects." According to the California Office of Environmental Health Hazard Assessment (OEHHA) CalEnviroScreen, versions 3.0 and 4.0, several census tracts that include unincorporated areas have been identified as disadvantaged communities.

The objective of the new Environmental Justice Element is to provide for the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to

the implementation of environmental laws, regulations, and policies. The new Environmental Justice Element will include goals, policies, and programs to address environmental justice. This will include ensuring the opportunity for meaningful participation in the public process, minimizing to the extent feasible exposure of residents to pollution in the environment, increasing mobility and accessibility for all residents, and reviewing opportunities for affordable housing from an environmental justice perspective.

### **2.3.5 Orange County Zoning Code Amendment**

The purpose of the Housing Opportunities Overlay District (HOO) Regulations, Zoning Code section 7-9-44, is to increase the number of sites available for the development of affordable housing, emergency shelters, and multi-service centers in the unincorporated area. The HOO was adopted by the Board of Supervisors on January 10, 2006, and amended in 2008 and 2013 to increase the number of eligible sites. The intent of the HOO is to facilitate the development of affordable housing within commercial, industrial, and select high-density zoned sites. The HOO Regulations allow eligible projects to be constructed in commercial, industrial, and certain high-density residential areas. All residential projects developed under the HOO Regulations are eligible to take advantage of the State Density Bonus Law to increase the allowable density on the development site and to receive up to three incentives (waiver of site development standards) that are intended to make the development more economically feasible.

The Housing Opportunities Overlay allow eligible development in the following zoning districts:

- C1 – “Local Business”
- C2 – “General Business”
- CC – “Commercial Community “
- CH – “Commercial Highway “
- R2 – “Multi-Family Dwellings “
- R3 – “Apartment “
- CN – “Commercial Neighborhood “
- PA – “Professional & Administrative Office “
- M1 – “Light Industrial “
- R4 – “Suburban Multi-Family Residential”
- RP – “Residential-Professional “

The HOO Regulations currently applies a base density of 43 units per acre on affordable housing projects located within the commercial and industrial zoning districts of the HOO. These projects may request an increase in density either under the provisions of the County’s Zoning Code or State Density Bonus Law. The intended target population for the affordable housing development will determine the percentage of a density bonus the project is eligible for. Applying the Zoning Code provisions could result in up to a maximum of a 45% density bonus, or 63 units per acre. Applying the State Density Bonus Law could result in up to an 80% increase in density, or 78 units per acre. Affordable housing projects located in high-density residential areas are subject to the base density for that zoning district but would also be eligible for a density bonus.

The proposed revisions to the HOO Regulations would:

- Increase the base density applied to eligible affordable housing projects within commercial and industrial zoning districts from 43 units per acre, up to 70 units per acre.

- Apply the base density of up to 70 units per acre to all eligible affordable housing projects within high-density residential zoning districts, regardless of the maximum density of the underlying district.
- All high-density zoned residential sites located within the City of Costa Mesa Sphere of Influence are specifically excluded.

The increased base density applied to eligible affordable housing projects is intended to facilitate the development of affordable housing, one of the County's goals set forth in its Housing Element.

## 2.4 Project Approvals

Following the completion of the mandatory public review period, the proposed Housing Element and amendments would be scheduled for a public hearing before the Orange County Planning Commission followed by the Orange County Board of Supervisors. The Planning Commission will review the IS/ND with the proposed amendments and provide a recommendation to the Board of Supervisors. The following table provides the public agency approvals.

**Table 2: Public Agency Approvals**

Entity	Action
Planning Commission	<ul style="list-style-type: none"> <li>• Provide Recommendation that the Board of Supervisors Adopt the IS/ND</li> <li>• Provide Recommendation that the Board of Supervisors Approve the Housing Element Update HE 20-01, Safety Element Update SE 19-01, Land Use Element Update LUE 22-01, Environmental Justice Element EJ 22-01, and Zoning Code Amendment CA 22-01</li> </ul>
Board of Supervisors	<ul style="list-style-type: none"> <li>• Adopt IS/ND</li> <li>• Approve Housing Element Update HE 20-01, Safety Element Update SE 19-01, Land Use Element Update LUE 22-01, Environmental Justice Element EJ 22-01, and Zoning Code Amendment CA 22-01</li> </ul>
Department of Housing and Community Development	<ul style="list-style-type: none"> <li>• Determine the Housing Element is substantially compliant with state housing element law</li> </ul>
Board of Forestry and Fire Protection	<ul style="list-style-type: none"> <li>• Review revised Safety Element and provides written comments</li> </ul>

Source: OC Public Works, Development Services/Planning, June 2022.

## Section 3: Environmental Evaluation

## 3.1 Aesthetics

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - d):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6<sup>th</sup> cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the four threshold questions specific to Aesthetics would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Aesthetics.

**References**

California Department of Transportation (Caltrans). 2018. California Scenic Highway Mapping System – Orange County. Accessed online:  
[http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)

Orange, County of. General Plan, Scenic Highway Plan. 2005

**3.2 Agriculture and Forestry Resources**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code 12220 (g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51004(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a – e):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the five threshold questions specific to Agriculture and Forestry Resources would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Agriculture and Forestry Resources.

#### **References**

Orange, County of. General Plan, Resources Element. 2012

Department of Agriculture, U.S. 2012 Census of Agriculture.

**3.3 Air Quality**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a – e):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5).

The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the five threshold questions specific to Air Quality would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because



there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Air Quality.

**References**

Orange, County of. Draft Housing Element Update HE 20-01, Draft Safety Element Update SE 19-01, Draft Land Use Element Update LUE 22-01, Draft Environmental Justice Element EJ 22-01, and draft Zoning Code Amendment CA 22-01

South Coast Air Quality Management District. 2016 Air Quality Management Plan (Final). December 2016.

**3.4 Biological Resources**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a – f):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the six threshold questions specific to Biological Resources would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Biological Resources.

#### **References**

Orange, County of. Natural Community Conservation Plan & Habitat Conservation Plan. July 1996.

**3.5 Cultural Resources**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - d):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the four threshold questions specific to Cultural Resources would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Cultural Resources.

**References**

Orange, County of. General Plan, Resources Element. 2013

\_\_\_\_\_. General Plan, Land Use Element. 2015

**3.6 Energy**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a and b):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the two threshold questions specific to Energy would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Energy.

**References**

No references are associated with this topic.

**3.7 Geology and Soils**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?				
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal system where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - e):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the five threshold questions specific to Geology and Soils would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Geology and Soils.

## References

Orange, County of. General Plan, Safety Element. 2013

\_\_\_\_\_. General Plan, Land Use Element. 2015



**3.8 Greenhouse Gas Emissions**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a and b):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the two threshold questions specific to Greenhouse Gas Emissions would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Greenhouse Gas Emissions.

**References**

California Air Pollution Control Officers Association.

South Coast Air Quality Management District. Final Draft 2016 Air Quality Management Plan. December 2016.

**3.9 Hazards and Hazardous Materials**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Response to Impact Question (a - h):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district. In addition, Project implementation updates the County's hazards inventory and integrates the County's Hazard Mitigation Plan into the Safety Element (refer to Section 2.3.3).

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the eight threshold questions specific to Hazards and Hazardous Materials would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Hazards and Hazardous Materials.

## References

Orange, County of. General Plan, Land Use Element. 2015

\_\_\_\_\_. Health Care Agency, Environmental Health Division.

\_\_\_\_\_. Airport Land Use Commission.

Orange County Fire Authority

**3.10 Hydrology and Water Quality**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Would the project [result in] inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - j):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the ten threshold questions specific to Hydrology and Water Quality would result

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Hydrology and Water Quality.

**References**

Orange, County of. General Plan, Public Services and Facilities Element. 2012

\_\_\_\_\_. General Plan, Land Use Element. 2015

**3.11 Land Use and Planning**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - c):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district. In addition, Project implementation updates the Land Use Element to revise the Land Use Categories list, Table III-I to reflect current regulations in the County Zoning Code, revise Objectives and Policies, and revise the Planning and Deficiencies section (refer to Section 2.3.2) to ensure consistency in all plans and zoning documents.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the three threshold questions specific to Land Use and Planning would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.



**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Land Use and Planning.

### **3.10.3 References**

Orange, County of. General Plan, Land Use Element. 2015

**3.12 Mineral Resources**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a and b):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5).

The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the two threshold questions specific to Mineral Resources would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Mineral Resources.

**References**

Orange, County of. General Plan, Resources Element. 2013

**3.13 Noise**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - f):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70

units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the six threshold questions specific to Noise would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Noise.

#### **References**

Orange, County of. General Plan, Noise Element. 2012

**3.14 Population and Housing**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - c):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5).

The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact or induced population growth, no impacts related to the three threshold questions specific to Population and Housing would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Population and Housing.

**References**

Orange, County of. General Plan, Housing Element. 2013

**3.15 Public Services**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: i) Fire protection? ii) Police protection? iii) Schools? iv) Parks? v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Impact Conclusion: i) Fire protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Impact Conclusion: ii) Police protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Impact Conclusion: iii) Schools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Impact Conclusion: iv) Parks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Impact Conclusion: v) Other public facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (ai - aiv):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the five threshold questions specific to Public Services would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Public Services.

#### **References**

Orange, County of. General Plan, Public Services & Facilities Element. 2012

Orange, County of. General Plan, Recreation Element. 2012



**3.16 Recreation**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a and b):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the two threshold questions specific to Recreation would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Recreation.

**References**

Orange, County of. General Plan, Public Services & Facilities Element. 2012

\_\_\_\_\_. General Plan, Recreation Element. 2012

**3.17 Transportation/Traffic**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - f):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to

Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the six threshold questions specific to Transportation/Traffic would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Transportation/Traffic.

#### **References**

Orange, County of. General Plan, Transportation Element. 2012

**3.18 Tribal Cultural Resources**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a and b):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level

impact, no impacts related to the four threshold questions specific to Aesthetics would result. Refer to Section 1.6 that discusses Tribal consultation.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Tribal Cultural Resources.

#### **References**

No references are associated with this topic.

**3.19 Utilities and Service Systems**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - g):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing

projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district.

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the seven threshold questions specific to Utilities and Service Systems would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Utilities and Service Systems.

#### **References**

Orange, County of. General Plan, Public Services and Facilities Element. 2012



**3.20 Wildfire**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Questions (a - d):** The Project implements a policy framework necessary to meet housing needs on sites suitable to accommodate the 6th cycle RHNA allocation through housing-related amendments to the County of Orange General Plan Elements and Comprehensive Zoning Code. Sites suitable for eligible projects occur within residential, commercial, and industrial zoning districts (refer to Section 2.5). The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential development density. For eligible affordable housing projects located in the commercial and industrial zoning districts, the base density would be increased from 43 up to 70 units per acre. In high-density residential zoning districts, a base density of up to 70 units per acre would be applied regardless of the maximum density of the underlying base zoning district. In addition, Project implementation merely updates the Safety Element to address new statutory requirements for fire risks in State Responsibility areas and Very High Fire Hazard Severity Zones to meet the requirements of the Office of Planning and Research's Fire Hazard Planning document. (refer to Section 2.3.3).

Project implementation does not grant any land use entitlements, authorize development of any specific development project, change base zoning districts, or require any direct physical changes to land or

existing development. Therefore, because no substantial evidence exists of a direct primary Project-level impact, no impacts related to the four threshold questions specific to Wildfire would result.

Although the amendments have the potential to increase the density on certain sites within unincorporated areas, at this time, meaningful environmental review cannot be conducted because there is no certainty that the development will occur or to what degree any given parcel will be developed. Should development be proposed on any of the sites, a planning review with OC Development Services/Planning would be required.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** No direct or indirect impacts would result from Project implementation. Therefore, the project would have no impact on Wildfire.

#### **References**

No references are associated with this topic.

**3.21 Mandatory Findings of Significance**

<i>Would the project:</i>	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response to Impact Question a):** Refer to Section 3.4 - Biological Resources and Section 3.5 - Cultural Resources. As discussed in these sections, the proposed Project would have no effect on fish or wildlife habitat or population, plant or animal communities, protected species, or important examples of the major periods of California history or prehistory. Therefore, no impacts would not result from Project implementation.

**Response to Impact Question b):** There are no impacts resulting from this Project as analyzed in Sections 3.1 through 3.20 in this IS/ND. Therefore, no cumulative impacts would be created and the Project is not cumulatively considerable.

**Response to Impact Question c):** Sections 3.1 through 3.20 in this IS/ND analyzed potential impacts and did not identify any impacts resulting from Project implementation. Therefore, no significant adverse effects on human beings, either directly or indirectly, have been identified and no impacts would result.

**Mitigation Measures:** No mitigation measures are either required or necessary.

**Impact Conclusion:** All potential impacts were evaluated and determined to result in no impacts.

#### Section 4: List of Preparers

The table below provides the list of individuals who participated in the preparation of this IS/ND.

**Table 3: List of Preparers**

Preparer	Role
Justin Kirk, Planning Manager OC Public Works, Development Services/Planning	Project Director
Cindy Salazar, Land Use Manager - Advance Planning OC Public Works, Development Services/Planning	Program Manager
Ruby Maldonado, Senior Contract Planner OC Public Works, Development Services/Planning	Project Manager
Yuritzy Randle, Associate Planner OC Public Works, Development Services/Planning	Research
Kevin Shannon, Consultant - Environmental Planner OC Public Works, Development Services/Planning	Environmental Analysis
Kimley-Horn & Associates, Inc.	Housing Consultant

Source: OC Public Works, Development Services/Planning, June 2022.

**Addendum No. 1 to the Initial Study/Negative  
Declaration No. IP 22-0133  
for  
Housing-Related Amendments to the County of Orange  
General Plan and Comprehensive Zoning Code**

*Prepared for:*



**County of Orange Planning Commission  
and  
Board of Supervisors  
601 North Ross Street  
Santa Ana, CA 92701**

*Prepared by:*

**OC Public Works/OC Development Services/Planning  
601 North Ross Street  
Santa Ana, CA 92701**

**May 2024**

## Table of Contents

Chapter 1: Introduction .....	2
1.1 Project Title .....	2
1.2 Lead Agency Name   Address .....	2
1.3 Lead Agency Contact Person   Telephone Number   Email .....	2
1.4 Project Location .....	2
1.5 Environmental Documentation.....	2
Chapter 2: Environmental Determination .....	6
Chapter 3: Project Changes.....	7
3.1 Introduction .....	7
3.2 Proposed Project.....	7
3.3 Environmental Setting and Surrounding Land Uses .....	7
Chapter 4: Environmental Evaluation .....	9
4.1 Analysis Methodology.....	9
4.2 Evaluation .....	9
4.2.1 Aesthetics.....	10
4.2.2 Agriculture and Forestry Resources.....	11
4.2.3 Air Quality .....	12
4.2.4 Biological Resources.....	13
4.2.5 Cultural Resources .....	14
4.2.6 Energy .....	15
4.2.7 Geology and Soils .....	15
4.2.8 Greenhouse Gas Emissions .....	16
4.2.9 Hazards and Hazardous Materials .....	17
4.2.10 Hydrology and Water Quality .....	19
4.2.11 Land Use and Planning.....	21
4.2.12 Mineral Resources .....	22
4.2.13 Noise .....	22
4.2.14 Population and Housing.....	23
4.2.15 Public Services.....	24
4.2.16 Recreation.....	25
4.2.17 Transportation .....	26
4.2.18 Tribal Cultural Resources .....	27
4.2.19 Utilities and Service Systems .....	28
4.2.20 Wildfire.....	29
4.2.21 Mandatory Findings of Significance .....	31
Chapter 5: Conclusion .....	32

### List of Figures

Figure 1: Regional Location .....	4
Figure 2: Orange County Unincorporated Areas.....	5

### List of Tables

Table 1: Environmental Determination .....	6
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## **Chapter 1: Introduction**

The purpose of this Addendum is to document minor changes to the Initial Study/Negative Declaration (IS/ND) No. IP 22-0133 for the Housing-Related Updates to the County of Orange General Plan and Comprehensive Zoning Code Project (Project) adopted in September 2022.

### **1.1 Project Title**

Housing-Related Amendments to the County of Orange General Plan and Comprehensive Zoning Code

### **1.2 Lead Agency Name | Address**

County of Orange  
OC Public Works, Development Services/Planning  
601 North Ross Street  
Santa Ana, California 92701

### **1.3 Lead Agency Contact Person | Telephone Number | Email**

Cindy Salazar, Planning Division Manager  
OC Development Services/Planning  
Telephone: 714.667.8870  
Cindy.Salazar@ocpw.ocgov.com

### **1.4 Project Location**

The Project location is the unincorporated portion of Orange County. Orange County is located along the Pacific Ocean between Los Angeles County to the north and northwest, San Bernardino County to the northeast, Riverside County to the east, and San Diego County to the southeast. Orange County stretches approximately 40 miles along the coast and extends inland approximately 20 miles, covering 798 square miles. Refer to Figure 1 – Regional Location and Figure 2 – Orange County Unincorporated Areas.

### **1.5 Environmental Documentation**

Pursuant to Section 15164 of the CEQA Guidelines, an addendum to an adopted Negative Declaration may be prepared if “only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent environmental impact report or negative declaration have occurred.”

The project considered in the prior environmental document IS/ND No. IP 22-0133 (IS/ND No. IP 22-0133) examined implementing a policy framework necessary to meet housing needs by accommodating the County’s RHNA allocation of 10,406 units through housing-related amendments to the County of Orange General Plan (GP) Elements and Comprehensive Zoning Code (ZC). IS/ND No. IP 22-0133 analyzed the expansion of the Housing Opportunities Overlay, which included a maximum development density of up to 70 dwelling units per acre (du/ac) for eligible affordable housing projects located in commercial, industrial, and multifamily residential base districts. The current proposed Project would rezone residential professional (RP) and commercial zoning districts<sup>1</sup> to a new Mixed-Use (MX) zone and would

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<sup>1</sup> The commercial areas of Silverado Canyon, Costa Mesa Golf Course Parking Lot, and the Ranch at Newport Bay Commercial Center are not included in this Project and will retain their existing zoning of CN – Commercial Neighborhood, C2 – General Business, and C1 – Local Business, respectively.

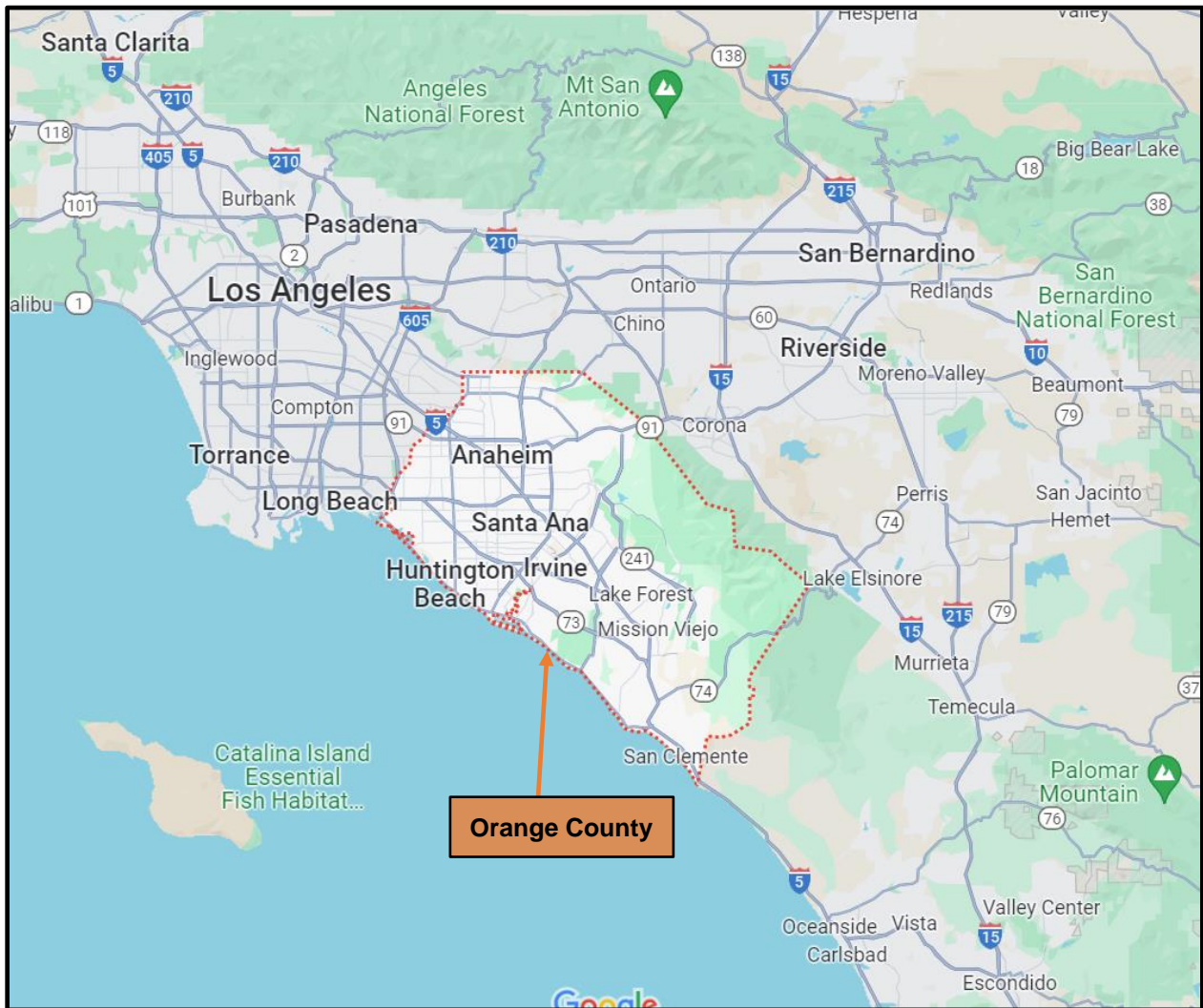


rezone Two-Family Residential (R2D) zones to either the Multifamily Dwellings (R2) or Suburban Multifamily Dwellings (R4) zones depending on where the R2D is located. In addition, the proposed Project would update the multifamily residential development standards to require a minimum base density of 30 du/ac.

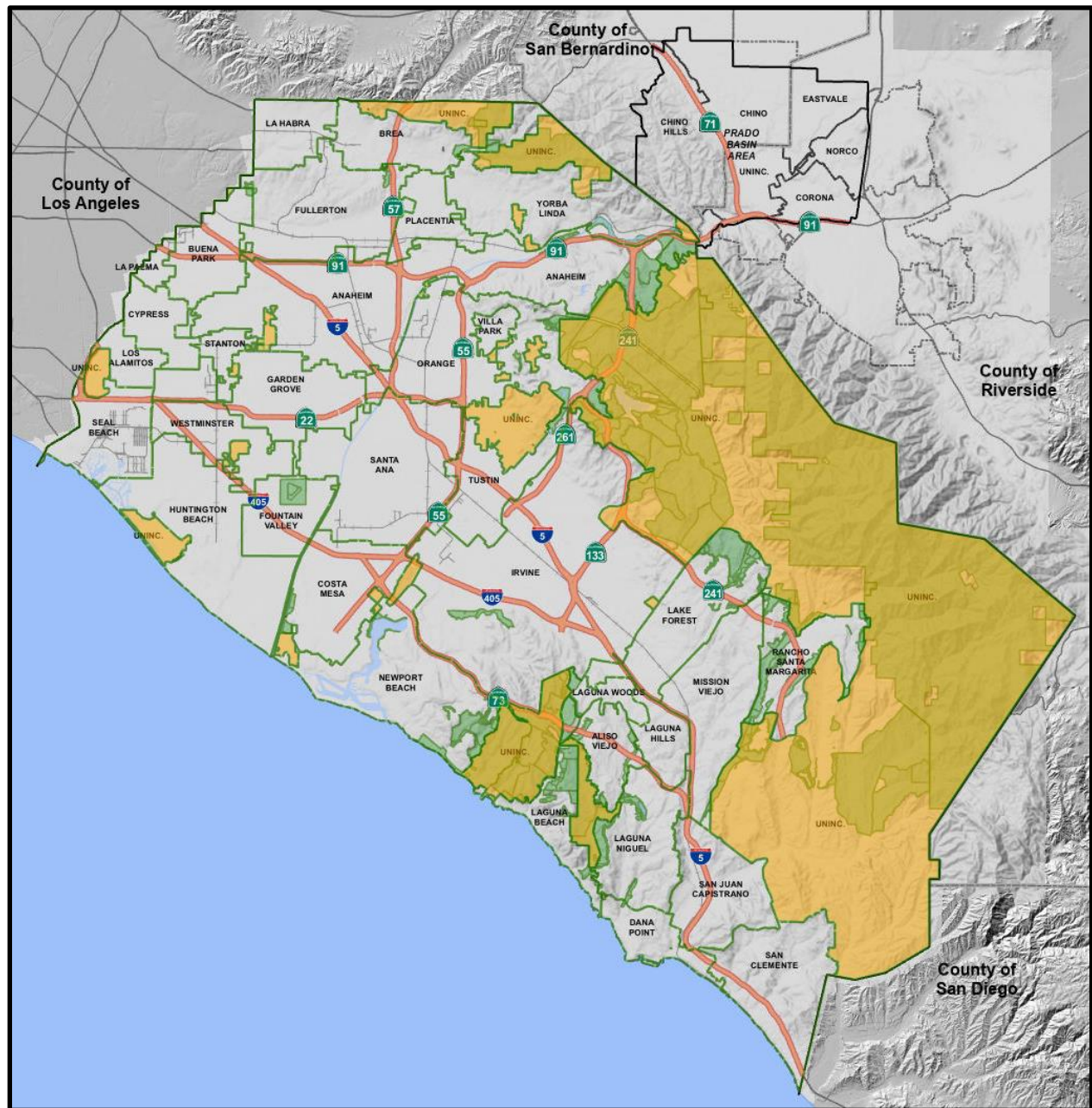
This Addendum evaluates the proposed changes to the zoning districts and the requirement of a minimum base density specific to multifamily residential zoned properties. The update to the base density is less than the 70 du/ac maximum density for the Housing Opportunities Overlay studied in IS/ND No. IP 22-0133. In addition, multifamily zoning districts currently allow a 43 du/ac maximum density, which is considered the baseline existing condition for analysis of the new minimum required density. The proposed changes to the GP and ZC fall within the scope of the resource impacts as analyzed in the previously prepared environmental document.

None of the conditions described in Sections 15162 have been met. The proposed changes to the housing-related portions of the County of Orange GP and Comprehensive ZC will not significantly impact any resources as described in adopted IS/ND No. IP 22-0133. The proposed changes are consistent with the original intent of the amendments described in and analysis of IS/ND No. IP 22-0133. Therefore, preparation of an Addendum to adopted IS/ND No. IP 22-0133 is appropriate to satisfy the requirements of CEQA.

**Figure 1: Regional Location**



**Figure 2: Orange County Unincorporated Areas**





## Chapter 2: Environmental Determination

Based on the analysis conducted in this Addendum, the County of Orange, OC Public Works, Development Services/Planning, as the Lead Agency, has made the following determination:

**Table 1: Environmental Determination**

I find that the proposed project COULD NOT have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> will be prepared.	<input type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A <b>MITIGATED NEGATIVE DECLARATION</b> will be prepared.	<input type="checkbox"/>
I find that the proposed project MAY have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.	<input type="checkbox"/>
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An <b>ENVIRONMENTAL IMPACT REPORT</b> is required, but it must analyze only the effects that remain to be addressed.	<input type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier <b>EIR</b> or <b>NEGATIVE DECLARATION</b> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier <b>EIR</b> or <b>NEGATIVE DECLARATION</b> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	<input type="checkbox"/>
I find that the proposed project has previously been analyzed as part of an earlier CEQA document adopted/certified pursuant to the State CEQA Guidelines and the County's adopted Local CEQA Guidelines. The proposed project is a component of the whole action analyzed in the previously adopted/certified CEQA document	<input type="checkbox"/>
I find that the potential environmental impacts associated with the proposed project have previously been analyzed as part of an earlier CEQA document adopted/certified pursuant to CEQA. Minor additions and/or clarifications are needed to make the previous documentation adequate to cover the project, which are documented in this addendum to the earlier CEQA document (CEQA §15164) (IS/ND No. IP 22-0133 was adopted by the Orange County Board of Supervisors on September 27, 2022).	<input checked="" type="checkbox"/>
I find that the proposed project Has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to State and County CEQA Guidelines. However, there is important new information and/or substantial changes have occurred requiring the preparation of an additional CEQA document (ND or EIR) pursuant to CEQA Guidelines Sections 15162 through 15163.	<input type="checkbox"/>

  
Signature

April 29, 2024  
Date

Virginia Gomez  
Printed Name

## **Chapter 3: Project Changes**

### **3.1 Introduction**

Initial Study/Negative Declaration (IS/ND) No. IP 22-0133 (IS/ND No. IP 22-0133) evaluated the impacts of certain County actions, including a Zoning Code (ZC) Amendment to increase the existing base density maximum from 43 dwelling units per acre (du/ac) to 70 du/ac for eligible affordable housing projects located in the Housing Opportunities Overlay zones in commercial, industrial, and multifamily residential districts. The County used IS/ND No. IP 22-0133 to support the ZC Amendment, along with actions to update: (1) the County's Housing Element for the 6<sup>th</sup> Cycle (2021-2029); (2) the Land Use Element; and (3) the Safety Element; and (4) preparation of an Environmental Justice Element. These actions covered by IS/ND No. IP 22-0133 supported the County's completion of the 6<sup>th</sup> Cycle Housing Element, including satisfying the County's Regional Housing Needs Assessment (RHNA) allocation of 10,406 units.

IS/ND No. IP 22-0133 evaluated the increase of the base density for eligible projects within the Housing Opportunities Overlay and associated General Plan (GP) and ZC amendments and concluded that Project implementation would result in no direct or indirect impacts to the environment as demonstrated in the evaluation of each resource category. The Orange County Board of Supervisors adopted IS/ND No. IP 22-0133 for the Housing-Related Amendments to the County of Orange GP and Comprehensive ZC on September 27, 2022. However, since the adoption of IS/ND No. IP 22-0133, changes in State Law and in the County's ability to meet its RHNA allocation have resulted in required updates to the County's ZC and GP to ensure these policy documents remain consistent with the law.

### **3.2 Proposed Project**

This Addendum evaluates updates to the County GP and Comprehensive ZC needed to conform to State law. To satisfy and meet its RHNA allocation in a manner consistent with State law, the County will rezone residential professional (RP) and commercial zoning districts<sup>2</sup> to a new Mixed-Use (MX) zone and would rezone the Two-Family Residential (R2D) zone to the Multifamily Dwellings (R2) or Suburban Multifamily Dwellings (R4) zones (proposed Project). In addition, the proposed Project would update multifamily residential development standards with a minimum base density of 30 du/ac. The MX zone is proposed to apply to the same zoning districts as the existing Housing Opportunities Overlay.

This Addendum evaluates the proposed changes to zoning districts and to the minimum base density specific to multifamily residential zoned properties. The update to the minimum base density is less than the 70 du/ac maximum density for the Housing Opportunities Overlay studied in IS/ND No. IP 22-0133. Multifamily zoning districts currently allow a 43 du/ac maximum, which is considered the baseline existing condition for analysis of the new minimum required density in the existing zoning districts and the new MX Zoning District. Therefore, the proposed zone changes and revised development standards fall within the Project evaluated in IS/ND No. IP 22-0133, which was intended to increase the number of available sites for the development of affordable housing.

### **3.3 Environmental Setting and Surrounding Land Uses**

The proposed Project is located within the unincorporated portion of Orange County (refer to Figure 2) and specifically within sites suitable to accommodate portions of the County's RHNA allocation. The sites

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<sup>2</sup> The commercial areas of Silverado Canyon, Costa Mesa Golf Course Parking Lot, and the Ranch at Newport Bay Commercial Center are not included in the proposed Project and will retain their existing zoning of CN – Commercial Neighborhood, C2 – General Business, and C1 – Local Business, respectively.

are presently developed with different land uses consisting of residential, commercial, office, retail, and industrial uses and are non-vacant. Each of the multifamily zoned areas are currently zoned for development at a density of up to 43 du/ac, and all multifamily or commercial zoned areas are currently subject to the Housing Opportunities Overlay, which allows individual properties the option of utilizing a higher maximum development density of 70 du/ac if the proposed development includes affordable housing. Additionally, these areas are subject to existing development standards that require a Site Development Permit for developments that include five (5) units or more. This requirement to obtain a Site Development Permit for developments with five (5) units or more would not change as part of the proposed Project. With the existing Housing Opportunities Overlay in place, the locations affected by the proposed Project currently allow multifamily housing developments (both affordable and market-rate), like those that would be permissible as part of the proposed Project.

## **Chapter 4: Environmental Evaluation**

### **4.1 Analysis Methodology**

The analysis in this section is based on the Initial Study/ Negative Declaration prepared for the Housing-Related Amendments to the County of Orange GP and Comprehensive ZC Project (IS/ND No. IP 22-0133) and identifies the changes that would be necessary (if any) to reflect the new MX zone and establishment of a minimum base density.

The purpose of this Addendum is to compare the proposed zoning and development standard changes to the project analyzed in IS/ND No. IP 22-0133, and to determine if the scope and analysis of IS/ND No. IP 22-0133 adequately analyzes the potential impacts of these changes or if any of the conditions described in Section 15162 of the State CEQA Guidelines are present.

Conditions described in CEQA Guidelines Section 15162 that would trigger the need to prepare an Subsequent EIR, an Supplemental EIR, or other environmental documentation to evaluate project impacts include: (1) changes to the project that require major revisions of the previous environmental documentation due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; (2) substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the previous environmental documentation due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or (3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that was not known and could not have been known when the environmental documentation was certified as complete.

IS/ND No. IP 22-0133 is incorporated by reference into this Addendum, consistent with CEQA Guidelines Section 15150.

### **4.2 Evaluation**

IS/ND No. IP 22-0133 concluded that all potential direct or indirect impacts from updating the Housing Opportunities Overlay, which included an increase of maximum density from 43 to 70 dwelling units per acre (du/ac) for eligible projects, were evaluated and determined to result in no impacts. As noted in IS/ND No. IP 22-0133, the project that was considered implements a policy framework necessary to meet housing needs to accommodate the County's RHNA allocation of 10,406 units through housing-related amendments to the GP Elements and Comprehensive ZC. The proposed Project will rezone RP and commercial zoning districts<sup>3</sup> to a new MX zone and would rezone the R2D zone to the R2 or R4 zones. In addition, the proposed Project would update multifamily residential development standards with a minimum base density of 30 du/ac. These revised standards are consistent with the scope of the project previously studied and approved in IS/ND No. IP 22-0133 as they would authorize housing as permitted by the base zoning designation or the Housing Opportunities Overlay. IS/ND No. IP 22-0133 approved a maximum 70 du/ac density for eligible projects within the Housing Opportunities Overlay, which applies to the existing multifamily and commercial zoning districts that are now proposed to comprise the new MX Zone. In addition, prior to the approval of IS/ND No. IP 22-0133, the zoning in these districts authorized a development density maximum of up to 43 du/ac and included a site development permit process for

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<sup>3</sup> The commercial areas of Silverado Canyon, Costa Mesa Golf Course Parking Lot, and the Ranch at Newport Bay Commercial Center are not included in the proposed Project and will retain their existing zoning of CN – Commercial Neighborhood, C2 – General Business, and C1 – Local Business, respectively.

housing developments with five (5) units or more. The proposed Project would introduce a new minimum density of 30 du/ac – well below the maximums authorized under existing zoning and studied in IS/ND No. IP 22-0133 – and would change the designation of several commercial zoning districts and the RP zoning district to the new MX Zone.

The County is legally obligated to identify suitable sites but not required to propose development as part of the Housing Element update. Project implementation merely increases potential development density. The proposed updates do not grant any land use entitlements, authorize development of any specific development project, or require any direct physical changes to land or existing development. Planning review with OC Development Services/Planning would still be required for any new development proposed that includes five (5) units or more, even if that development is consistent with the amended GP Elements and Comprehensive ZC. Per the existing ZC, multifamily development projects of five (5) or more dwelling units are permitted subject to a Site Development Permit and reviewed by the Director of OC Development Services/Planning. This requirement would not change as part of the proposed Project. Therefore, the rezone of RP and commercial zoning districts to a new MX zone and rezone of the R2D zone to the R2 or R4 zones are consistent with IS/ND No. IP 22-0133. Analysis of the environmental factors potentially affected by this Project is provided below.

#### **4.2.1 Aesthetics**

- a. Have a substantial adverse effect on a scenic vista?

Consistent with Section 3.1 (Aesthetics) of adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas, and all proposed development of five (5) units or more currently requires and would continue to require a Site Development Permit. Site Development Permit discretionary review allows for further CEQA review and a consistency review of an actual proposed development against the development standards, including building heights and setback requirements for the purposes of protecting the scenic vistas. Therefore, the proposed Project would not cause additional direct or indirect impacts to scenic vistas that were not previously analyzed in IS/ND No. IP 22-0133.

- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

See response to a) above. The proposed Project would not cause additional direct or indirect impacts to scenic resources within state scenic highways that were not previously analyzed in IS/ND No. IP 22-0133.

- c. In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

See response to a) above. The proposed Project would not cause additional direct or indirect impacts to the existing visual character in nonurbanized and urbanized areas and would not conflict with the existing zoning or regulations that were previously analyzed in IS/ND No. IP 22-0133.



- d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

See response to a) above. The proposed Project would not cause additional direct or indirect impacts to daytime and nighttime views due to light and glare that were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.2 Agriculture and Forestry Resources**

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Consistent with Section 3.2 (Agriculture and Forestry Resources) of adopted IS/ND No. IP 22-0133, the proposed Project applies to developed parcels and urbanized areas. The proposed Project does not apply to or affect any agricultural zones or prime farmland. The proposed Project would not cause additional direct or indirect impacts related to farmland that were not previously analyzed in IS/ND No. IP 22-0133.

- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Consistent with Section 3.2 (Agriculture and Forestry Resources) of adopted IS/ND No. IP 22-0133, the proposed Project applies to developed parcels and urbanized areas. The proposed Project does not apply to or affect any agricultural zones or parcels with Williamson Act contracts. The proposed Project would not cause additional direct or indirect impacts related to zoning for agricultural use that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Consistent with Section 3.2 (Agriculture and Forestry Resources) of adopted IS/ND No. IP 22-0133, the proposed Project applies to developed parcels and urbanized areas. The proposed Project does not apply to or affect any forest land, timberland, or timberland zoned for Timberland Production. The proposed Project would not cause additional direct or indirect impacts related to forest land or timberland that were not previously analyzed in IS/ND No. IP 22-0133.

- d. Result in the loss of forest land or conversion of forest land to non-forest use?

See response to c) above. The proposed Project would not cause additional direct or indirect impacts related to forest land that were not previously analyzed in IS/ND No. IP 22-0133.

- e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Consistent with Section 3.2 (Agriculture and Forestry Resources) of adopted IS/ND No. IP 22-0133, the proposed Project applies to developed parcels and urbanized areas. The proposed Project does not apply

to or affect any agricultural zones or prime farmland and does not convert any designated forest land to a non-forest use. The proposed Project would not cause additional direct or indirect impacts related to Agriculture and Forestry Resources that were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.3 Air Quality**

- a. Conflict with or obstruct implementation of the applicable air quality plan?

Consistent with Section 3.3 (Air Quality) of adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework designed to meet the housing needs requirements for unincorporated Orange County. The proposed Project affects parcels that are already designated and used for residential development and commercial development that allows housing. The parcels for which the existing zones are changing to MX, R2 or R4, or for which the minimum du/ac standards are being set, are already non-vacant developed sites. The MX zoning designation will allow both commercial and residential development consistent with the existing use of the identified parcels. The sites' existing and proposed zone designations already assume emissions generated by the nature of the land use and will continue to be consistent with existing air quality plans as the proposed Project does not include redevelopment of the affected parcels. Emissions in these zones are anticipated to be from vehicles such as trucks and passenger vehicles. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Therefore, the proposed Project would not conflict with and would not cause additional direct or indirect impacts related to implementation of applicable air quality plans or standards that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

See response to a) above. Given that the proposed Project does not include any proposed development, and instead consists of a policy framework designed to meet housing needs requirements for unincorporated Orange County, the proposed Project would not violate any air quality standard or contribute substantially to an existing or air quality violation.

- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

See response to a) above. The proposed Project would not generate new emissions beyond the existing uses and would not cause additional direct or indirect impacts related to increases in any criteria pollutants that were not previously analyzed in the IS/ND No. IP 22-0133.

- d. Expose sensitive receptors to substantial pollutant concentrations?

See response to a) above. The proposed Project would not generate new emissions beyond the existing uses and would not cause additional direct or indirect impacts related to pollutant concentrations especially near sensitive receptors that were not previously analyzed in the IS/ND No. IP 22-0133.

- e. Create objectionable odors affecting a substantial number of people?

See response to a) above. The proposed Project would not generate new emissions and would not cause additional direct or indirect impacts related an increase in objectionable odors that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.4 Biological Resources**

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Consistent with Section 3.4 (Biological Resources) of adopted IS/ND No. IP 22-0133, the proposed Project applies to developed and urbanized areas and does not affect natural open spaces, existing habitat, or wildlife corridors, and does not conflict with existing local policies for the protection of biological resources. The proposed Project is a policy framework to guide future development. Any future housing development of five (5) units or more in the multifamily residential or MX zones will require a Site Development Permit, a discretionary approval necessitating environmental review of the proposed development, including evaluation of impacts to biological resources. No actual development of the affected properties is authorized by the proposed Project. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Therefore, the proposed Project would not cause additional direct or indirect impacts related to habitat modifications, on any species identified as a candidate, sensitive, or special status species that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

See response to a) above. The proposed Project would not cause additional direct or indirect impacts related to any riparian habitat or other sensitive natural community identified that were not previously analyzed in the IS/ND No. IP 22-0133.

- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

See response to a) above. The proposed Project would not cause additional direct or indirect impacts related to federally protected wetlands that were not previously analyzed in the IS/ND No. IP 22-0133.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

See response to a) above. The proposed Project would not cause additional direct or indirect impacts related to the movement of any species or with established native wildlife corridors or impede the use of native wildlife nursery sites that were not previously analyzed in the IS/ND No. IP 22-0133.

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

See response to a) above. The proposed Project would not cause additional direct or indirect impacts related to local policies or ordinances for the protection of biological resources that were not previously analyzed in the IS/ND No. IP 22-0133.

- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

See response to e) above. The proposed Project would not cause additional direct or indirect impacts related to adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.5 Cultural Resources**

- a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Consistent with Section 3.5 (Cultural Resources) of adopted IS/ND No. IP 22-0133, the proposed Project applies to already developed and urbanized areas and is a policy framework meant to address housing needs requirements for unincorporated Orange County. There is no development proposed. Any future housing development of five (5) units or more in the multifamily residential or MX zones will require a Site Development Permit that requires evaluation of impacts to environmental resources, including to archaeological, cultural, historical, and paleontological resources. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Therefore, the proposed Project would not cause additional direct or indirect impacts related to the significance of a historical resource as defined in § 15064.5 that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

See response to a) above. Therefore, the proposed Project would not cause additional direct or indirect impacts related to the significance of an archaeological resource pursuant to § 15064.5 that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

See response to a) above. Therefore, the proposed Project would not cause any direct or indirect impacts to a unique paleontological resource or site or unique geologic feature that were not previously analyzed in IS/ND No. IP 22-0133.

- d. Disturb any human remains, including those interred outside of formal cemeteries?

See response to a) above. In addition, at the time of any future development, Health and Safety Code Section 7050.5 will apply and will require that a project follow the statutory protocol in the event human remains are found during construction. Therefore, the proposed Project would not cause additional direct or indirect impacts any human remains that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.6 Energy**

- a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Consistent with Section 3.6 (Energy) of the adopted IP No. 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas, and all separately proposed development of five (5) units or more currently requires and would continue to require a Site Development Permit. Site Development Permit discretionary review allows for further CEQA review and a consistency review of future proposed development against development standards. The proposed Project affects parcels that already consume energy based on the nature of the land use – existing residential and commercial uses. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. The proposed Project would not generate new unnecessary consumption of energy resources beyond the anticipated or existing uses on the parcels affected. Therefore, the proposed Project would not cause additional direct or indirect impacts related to wasteful, inefficient, or unnecessary consumption of energy resources that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

See response to a) above. Therefore, the proposed Project would not cause any additional direct or indirect conflicts with or impacts to a state or local plan for renewable or energy efficiency that were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.7 Geology and Soils**

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
  - ii. Strong seismic ground shaking?
  - iii. Seismic-related ground failure, including liquefaction?
  - iv. Landslides?

Consistent with Section 3.7 (Geology and Soils) of the adopted IP No. 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas, and all separately proposed development of five (5) units or more currently requires and would continue to require a Site Development Permit. Site Development Permit discretionary review allows for further CEQA review and a consistency review of future proposed

development against development standards. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Should a future specific development be proposed, a project-specific soils and geotechnical report may be required to disclose any impacts. Therefore, the proposed updates to the GP and ZC do not propose development and would not cause additional direct or indirect impacts related to the earthquakes, liquefaction, landslides, soil erosion, and expansive soil that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Result in substantial soil erosion or the loss of topsoil?

See response to a) above. Therefore, the proposed Project would not cause additional direct or indirect impacts related to soil erosion or the loss of topsoil that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

See response to a) above. Therefore, the proposed Project would not cause additional direct or indirect impacts related to soil stability, landslides, lateral spreading, subsidence, liquefaction, or collapse that were not previously analyzed in IS/ND No. IP-22-0133.

- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

See response to a) above. Therefore, the proposed Project would not cause additional direct or indirect impacts related to expansive soils that were not previously analyzed in IS/ND No. IP 22-0133.

- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal system where sewers are not available for the disposal of wastewater?

See response to a) above. Therefore, the proposed Project would not cause additional direct or indirect impacts related to the ability of soils to support the use of septic tanks or alternative wastewater disposal systems that were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.8 Greenhouse Gas Emissions**

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?

Consistent with Section 3.8 (Greenhouse Gas Emissions [GHG]) of the adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project affects parcels that are already designated and used for residential development and commercial development that allows housing. The parcels for which the existing zones are changing to MX, R2 or R4, or for which the minimum du/ac standards are being set, are already non-vacant developed sites. The MX zoning designation will allow both commercial and residential development consistent with the existing use of the identified parcels. The sites' existing and proposed

zone designations already assume GHG emissions generated by the nature of the existing land use and will continue to be consistent with existing air quality plans. GHG emissions in these zones are anticipated to be from vehicles such as trucks and passenger vehicles that support the existing uses. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Therefore, the proposed Project would not generate new GHG emissions beyond the anticipated uses and would not cause additional direct or indirect impacts related to Greenhouse Gas Emissions and applicable plans that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

See response a) above. Therefore, the proposed Project would not cause additional direct or indirect impacts related to compliance with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs which were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.9 Hazards and Hazardous Materials**

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Consistent with Section 3.9 (Hazards and Hazardous Materials) of the adopted IP No. 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Therefore, the proposed updates to the GP and ZC do not propose development and would not cause additional direct or indirect impacts related to transporting or disposing of hazardous materials that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

See response to a) above. Therefore, the proposed Project would not cause any additional impacts related to hazardous materials that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Consistent with Section 3.9 (Hazards and Hazardous Materials) of the adopted IP No. 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas consisting of non-vacant lots, and all proposed development of five (5) units or more currently requires and would continue to require a Site Development Permit. Site Development Permit discretionary review allows for further CEQA review and a consistency review of future proposed development against development standards. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Should a specific development be proposed in the future, a project-specific Phase I/Phase II Environmental Site

Assessment would be required to disclose any impacts and mitigation for any such impacts would be required. Therefore, the proposed updates to the GP and ZC do not propose development and therefore would not cause additional direct or indirect impacts related to hazardous emissions or materials near schools that were not previously analyzed in the IS/ND No. IP 22-0133.

- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

See response to c) above. Therefore, the proposed updates to the GP and ZC do not propose development and therefore would not cause additional direct or indirect impacts related to hazardous materials sites that were not previously analyzed in the IS/ND No. IP 22-0133.

- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Consistent with Section 3.9 (Hazards and Hazardous Materials) of the adopted IP No. 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas that are not located within an airport land use plan. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Therefore, the proposed updates to the GP and ZC do not propose development and therefore would not cause additional direct or indirect impacts related to airport land use plans that were not previously analyzed in the IS/ND No. IP 22-0133.

- f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

See response to e) above. The proposed Project is not within the vicinity of a private airstrip and therefore would not cause additional direct or indirect impacts related to safety hazards caused by proximity to private airstrips that were not previously analyzed in IS/ND No. IP 22-0133.

- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Consistent with Section 3.9 (Hazards and Hazardous Materials) of the adopted IP No. 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized non-vacant sites that are consistent with all existing applicable emergency response plans. The proposed Project does not propose development that would not alter any existing emergency response plans. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Therefore, the proposed updates to the GP and ZC would not cause additional direct or indirect impacts related to emergency response or evacuation plans that were not previously analyzed in the IS/ND No. IP 22-0133.



- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Consistent with Section 3.9 (Hazards and Hazardous Materials) of the adopted IP No. 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas that are distant from wildlands prone to wildfire. Therefore, the proposed updates to the GP and ZC would not cause additional direct or indirect impacts related to wildland fires that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.10 Hydrology and Water Quality**

- a. Violate any water quality standards or waste discharge requirements?

Consistent with Section 3.10 (Hydrology and Water Quality) of the adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas, and all future proposed development of five (5) units or more currently requires and would continue to require a Site Development Permit. Site Development Permit discretionary review allows for further CEQA review and a consistency review of future proposed development against development standards. The proposed Project affects parcels that already assume water use and consumption generated by the nature of the existing and ongoing land uses. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. In addition, future construction activities associated with new housing development is subject to the National Pollutant Discharge Elimination System requirements and County Code requirements for drainage, discharge, and best management practices. Therefore, the proposed Project would not generate new unnecessary consumption of water resources or hydrology concerns and would not cause additional direct or indirect impacts related to Hydrology and Water Quality that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

See response to a) above. Therefore, because the proposed Project does not propose development, it would not cause any additional direct or indirect impacts related to depletion of groundwater supplies and groundwater recharge that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

See response to a) above. Therefore, because the proposed Project does not propose development, it would not cause any additional direct or indirect impacts related to drainage patterns, stream or river courses, erosion or siltation that were not previously analyzed in IS/ND No. IP 22-0133.

- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?

See response to a) above. Therefore, because the proposed Project does not propose development, it would not cause any additional direct or indirect impacts related to drainage patterns, stream or river courses, surface runoff or flooding that were not previously analyzed in IS/ND No. IP 22-0133.

- e. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

See response to a) above. Therefore, because the proposed Project does not propose development, it would not cause any additional direct or indirect impacts related storm water drainage systems and polluted runoff that were not previously analyzed in IS/ND No. IP 22-0133.

- f. Otherwise substantially degrade water quality?

See response to a) above. Therefore, because the proposed Project does not propose development, it would not cause any additional direct or indirect impacts related to water quality that were not previously analyzed in IS/ND No. IP 22-0133.

- g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Consistent with Section 3.10 (Hydrology and Water Quality) of the adopted IP No. 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas with no flood risk, reduced flood risks due to levees, or designated as areas with one percent annual chance of floods. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. As such, the proposed Project would not cause additional direct or indirect impacts regarding the placement of housing along a 100-year flood hazard area that were not previously analyzed in the IS/ND No. IP 22-0133.

- h. Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?

See response to g) above. Therefore, because the proposed Project does not propose development, it would not cause any additional direct or indirect impacts related to placement of structures within a 100-year flood hazard area that were not previously analyzed in IS/ND No. IP 22-0133.

- i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

See response to g) above. Therefore, because the proposed Project does not propose development, it would not cause any additional direct or indirect impacts related to risk of flooding that were not previously analyzed in IS/ND No. IP 22-0133.

- j. Would the project [result in] inundation by seiche, tsunami, or mudflow?

See response to g) above. Therefore, because the proposed Project does not propose development, it would not cause any additional direct or indirect impacts related to inundation by seiche, tsunami, or mudflow that were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.11 Land Use and Planning**

- a. Physically divide an established community?

Consistent with Section 3.11 (Land Use and Planning) of the adopted IP No. 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements to accommodate the County's RHNA allocation of 10,406 units through housing-related amendments to the GP Elements and Comprehensive ZC. The proposed Project will rezone RP and commercial zoning districts to a new MX zone and would rezone the R2D zone to the R2 or R4 zones. In addition, the proposed Project would establish a minimum base density for multifamily residential development at 30 du/ac. These revised standards are consistent with the scope of the project previously studied and approved in IS/ND No. IP 22-0133 as they would authorize housing as permitted by the existing base zoning designation and the Housing Opportunities Overlay. IS/ND No. IP 22-0133 approved a maximum 70 du/ac density for eligible projects within the Housing Opportunities Overlay, which applies to the existing multifamily and commercial zoning districts that are now proposed to comprise the new MX Zone. Even prior to the approval of IS/ND No. IP 22-0133, the zoning in these districts authorized a development density maximum of up to 43 du/ac and included a Site Development Permit requirement for housing developments with five or more units. The proposed Project would introduce a new minimum density for new development of 30 du/ac – well below the maximums authorized under existing zoning and studied in IS/ND No. IP 22-0133 – and would change the designation of several commercial zoning districts and the RP zoning district to the new MX Zone. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. Therefore, the proposed Project would not cause additional direct or indirect impacts or physically divide established communities that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

See response to a) above. The proposed Project would incorporate changes into the County's Land Use Element, ZC, and GP; therefore, the proposed Project would not result in any additional direct or indirect impacts related to applicable land use plans, policies, or regulations that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

See response to a) above. The proposed Project applies to non-vacant sites that are already developed with existing uses. The proposed Project would continue to authorize uses of these non-vacant parcels consistent with the existing uses and does not propose any new development. Therefore, the proposed Project would not result in any additional direct or indirect impacts related to habitat conservation plans or natural community conservation plans that were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.12 Mineral Resources**

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Consistent with Section 3.12 (Mineral Resources) of the adopted IS/ND No. IP 22-0133, the proposed Project does not affect areas designated for mineral resources. The proposed Project applies to urbanized areas that are currently zoned for residential and commercial uses, and the updates establish a MX zone and development standards consistent with existing zoning designations. Therefore, the proposed Project would not cause additional direct or indirect impacts related to locally important mineral resources or result in a loss of those resources that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

See response to a) above. Therefore, because the proposed Project does not propose development and does not affect any locally important mineral resource recovery sites, it would not result in any additional direct or indirect impacts to a locally important mineral resource recovery site that were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.13 Noise**

- a. Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Consistent with Section 3.13 (Noise) of the adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas, and all proposed development of five (5) units or more currently requires and would continue to require a Site Development Permit. Site Development Permit discretionary review allows for further CEQA review and a consistency review of future proposed development against development standards. The proposed Project affects existing parcels with established multifamily and commercial uses that already have typical noise and groundborne vibration generated by the nature of those land uses. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. The noise levels in proposed Project areas are anticipated to be from general residential and commercial activities, consistent with the existing uses. The MX zone designation will allow both commercial and residential development consistent with the existing uses. Therefore, the proposed Project would not increase ambient noise beyond the anticipated uses and would not cause additional direct or indirect impacts related to noise levels in excess of existing standards that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

See response to a) above. Therefore, the proposed Project would not result in additional direct or indirect impacts related to groundborne vibration or groundborne noise levels that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

See response to a) above. Therefore, because the proposed Project does not propose any development, it would not result in any additional direct or indirect impacts related to permanent increases in ambient noise levels that were not previously analyzed in IS/ND No. IP 22-0133.

- d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

See response to a) above. Therefore, because the proposed Project does not propose any development, it would not result in any additional direct or indirect impacts related to temporary or periodic increases in ambient noise levels that were not previously analyzed in IS/ND No. IP 22-0133.

- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Consistent with Section 3.13 (Noise) of the adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas that are not located within an airport land use plan. There is no development proposed. The proposed Project affects existing parcels with established multifamily and commercial uses that already have typical noise generated by the nature of the land use and proximity to airports. Therefore, the proposed Project would not expose people to excessive noise beyond the existing uses and would not cause additional direct or indirect impacts related to excessive noise levels due to proximity to public airports that were not previously analyzed in the IS/ND No. IP 22-0133.

- f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

See response to e) above. The proposed Project does not affect parcels in the vicinity of a private airstrip; therefore, the proposed Project would not result in additional direct or indirect impacts related to excessive noise levels due to proximity to a private airstrip that were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.14 Population and Housing**

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Consistent with Section 3.14 (Population and Housing) of the adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements to accommodate the RHNA allocation of 10,406 units through housing-related amendments to the GP Elements and Comprehensive ZC. The proposed Project will rezone RP and commercial zoning districts to a new MX zone and would rezone the R2D zone to the R2 or R4 zones. In addition, the proposed Project would update multifamily residential development standards with a minimum base density of 30 du/ac. These revised standards are

consistent with the scope of the project previously studied and approved in IS/ND No. IP 22-0133 as they would authorize housing as permitted by the existing base zoning designation or the Housing Opportunities Overlay. IS/ND No. IP 22-0133 approved a maximum 70 du/ac density for eligible projects within the Housing Opportunities Overlay, which applies to the existing multifamily and commercial zoning districts that are now proposed to comprise the new MX Zone. Even prior to the approval of IS/ND No. IP 22-0133, the zoning in these districts authorized a development density maximum of up to 43 du/ac and included a Site Development Permit requirement for housing developments with five or more units. The proposed Project would introduce a new minimum density for new development of 30 du/ac – well below the maximums authorized under existing zoning and studied in IS/ND No. IP 22-0133 – and would change the designation of several commercial zoning districts and the RP zoning district to the new MX Zone. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. The proposed Project applies to urbanized areas that are already designated for residential and commercial uses and anticipate population growth through the provision of housing. The proposed Project would not cause additional direct or indirect impacts related to inducing population growth that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

See response to a) above. The proposed Project does not propose development; therefore, the proposed Project would not result in any additional direct or indirect impacts related to displacement of housing that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

See response to a) above. The proposed Project does not propose development; therefore, the proposed Project would not result in any additional direct or indirect impacts related to displacement of persons that were not previously analyzed in IS/ND No. IP 22-0133.

#### **4.2.15 Public Services**

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
  - i. Fire protection?
  - ii. Police protection?
  - iii. Schools?
  - iv. Parks?
  - v. Other public facilities?

Consistent with Section 3.15 (Public Services) of the adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements to accommodate the County's RHNA allocation of 10,406 units through housing-related amendments to the GP Elements and Comprehensive

ZC. The proposed Project will rezone RP and commercial zoning districts to a new MX zone and would rezone the R2D zone to the R2 or R4 zones. In addition, the proposed Project would update multifamily residential development standards with a minimum base density of 30 du/ac. These revised standards are consistent with the scope of the project previously studied and approved in IS/ND No. IP 22-0133 as they would authorize housing as permitted by the existing base zoning designation or the Housing Opportunities Overlay. IS/ND No. IP 22-0133 approved a maximum 70 du/ac density for eligible projects within the Housing Opportunities Overlay, which applies to the existing multifamily and commercial zoning districts that are now proposed to comprise the new MX Zone. Even prior to the approval of IS/ND No. IP 22-0133, the zoning in these districts authorized a development density maximum of up to 43 du/ac and included a Site Development Permit requirement for housing developments with five or more units. The proposed Project would introduce a new minimum density for new development of 30 du/ac – well below the maximums authorized under existing zoning and studied in IS/ND No. IP 22-0133 – and would change the designation of several commercial zoning districts and the RP zoning district to the new MX Zone. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. The proposed Project applies to a developed and urbanized areas where fire and police protection services, schools, parks, and other public facilities are already provided, and are consistent with the level of anticipated public service needs in the GP. Therefore, the proposed Project would not cause additional direct or indirect impacts related to Public Services that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.16 Recreation**

- a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Consistent with Section 3.16 (Recreation) of the adopted IS/ND No. IP 22-0133, the proposed Project applies to urbanized areas that have existing recreational and public facilities. The proposed Project is a policy framework that addresses the housing needs requirements to accommodate the County's RHNA allocation of 10,406 units through housing-related amendments to the GP Elements and Comprehensive ZC. The proposed Project will rezone RP and commercial zoning districts to a new MX zone and would rezone the R2D zone to the R2 or R4 zones. In addition, the proposed Project would update multifamily residential development standards with a minimum base density of 30 du/ac. These revised standards are consistent with the scope of the project previously studied and approved in IS/ND No. IP 22-0133 as they would authorize housing as permitted by the existing base zoning designation or the Housing Opportunities Overlay. IS/ND No. IP 22-0133 approved a maximum 70 du/ac density for eligible projects within the Housing Opportunities Overlay, which applies to the existing multifamily and commercial zoning districts that are now proposed to comprise the new MX Zone. Even prior to the approval of IS/ND No. IP 22-0133, the zoning in these districts authorized a development density maximum of up to 43 du/ac and included a Site Development Permit requirement for housing developments with five or more units. The proposed Project would introduce a new minimum density for new development of 30 du/ac – well below the maximums authorized under existing zoning and studied in IS/ND No. IP 22-0133 – and would change the designation of several commercial zoning districts and the RP zoning district to the new MX Zone. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. The Project does not affect or require expansion of existing recreational or public facilities as the existing zones and GP anticipated housing development in the areas affected by the proposed Project and planned

existing recreational facilities to address that demand. The proposed Project would not cause additional direct or indirect impacts related to increasing the use of existing neighborhood and regional parks or other recreational facilities that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

See response to a) above. The proposed Project would not cause additional direct or indirect impacts related to requiring the construction or expansion of recreational facilities that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.17 Transportation**

- a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Consistent with Section 3.17 (Transportation) of the adopted IS/ND No. IP 22-0133, the proposed Project affects parcels that are already designated for residential and commercial development that allows housing. The Project updates apply to developed, urbanized areas with traffic generated by the existing residential and commercial uses. The existing circulation system and public transit facilities serve existing uses on the non-vacant parcels affected by the proposed Project. In addition, there is no development included in the proposed Project. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. All proposed development of five (5) units or more currently requires and would continue to require a Site Development Permit. Site Development Permit discretionary review allows for further CEQA review and a consistency review of the future proposed development against development standards. Therefore, the proposed Project would not generate new transportation demands or traffic beyond the existing uses, in part, because the GP anticipated public circulation and transit needs associated with the existing uses. Therefore, the proposed Project would not cause additional direct or indirect impacts related to applicable plans, ordinances, and policies establishing measures of effectiveness for the performance of the circulation system that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

See response to a) above. Because the proposed Project does not propose any development, and because the existing uses were included in the anticipated transportation needs addressed in the GP, the proposed Project would not result in any additional direct or indirect impacts related to congestion management that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?



See response to a) above. Because the proposed Project does not propose any development, and because the existing uses were included in the anticipated transportation needs addressed in the GP, the proposed Project would not result in any additional direct or indirect impacts related to air traffic patterns that were not previously analyzed in IS/ND No. IP 22-0133.

- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Consistent with Section 3.17 (Transportation) of the adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project affects urbanized parcels that are non-vacant and designated for residential and commercial uses. The existing circulation system and public transit facilities serve existing uses on the affected parcels and provide emergency access. In addition, there is no development proposed with the updates to the GP and ZC. Therefore, the proposed Project would not cause additional direct or indirect impacts related to hazards due to design features that were not previously analyzed in the IS/ND No. IP 22-0133.

- e. Result in inadequate emergency access?

See response to d) above. Because the proposed Project does not propose any development, and because the existing uses were included in the anticipated emergency access needs addressed in the GP, the proposed Project would not result in any additional direct or indirect impacts related to emergency access that were not previously analyzed in IS/ND No. IP 22-0133.

- f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance of such facilities?

Consistent with Section 3.17 (Transportation) of the adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project affects urbanized parcels that are non-vacant and designated for residential and commercial uses. The existing circulation system and public transit facilities serve existing uses on the affected parcels. The proposed Project does not conflict with policies and regulations for these systems, services and facilities. Therefore, the proposed Project would not cause additional direct or indirect impacts related to policies and regulations regarding public active transportation facilities that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.18 Tribal Cultural Resources**

- a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?
  - ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public

Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Consistent with Section 3.18 (Tribal Cultural Resources) of the adopted IS/ND No. IP 22-0133, the proposed Project applies to urbanized areas, and is a policy framework meant to address housing needs requirements for unincorporated Orange County. There is no development proposed with the updates to the GP and ZC. Any future housing development of five (5) units or more in the multifamily residential, or MX zones will continue to require a Site Development Permit, necessitating environmental impacts evaluation including impacts to tribal cultural resources. In addition, at the time of any future development, the Health and Safety Code Section 7050.5 will apply and will require that a project follow the protocol when human remains are found on a construction site. Therefore, the proposed Project would not cause additional direct or indirect impacts to Tribal Cultural Resources listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resource, or a resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.19 Utilities and Service Systems**

- a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Consistent with Section 3.19 (Utilities and Service Systems) of the adopted IS/ND No. IP 22-0133, the proposed Project applies to urbanized areas, and is a policy framework meant to address housing needs requirements for unincorporated Orange County. The proposed Project affects parcels that are already designated for residential and commercial development that allows housing. There is no development proposed with the updates to the GP and ZC, and no new construction of wastewater, storm water or water facilities. Any future housing development of five (5) units or more in the multifamily residential, or MX zones will require a Site Development Permit necessitating environmental impacts evaluation including impacts to wastewater treatment facilities. The County is legally obligated to identify sites but not required to propose development. County ministerial and discretionary processes also require any future proposed development to coordinate with Utility and Service Providers to confirm sufficient capacity of to serve the proposed development. Therefore, the proposed Project would not cause additional direct or indirect impacts related to wastewater treatment facilities that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

See response to a) above. The proposed Project does not include any development; therefore, the proposed Project would not cause additional direct or indirect impacts related to the construction of new or expansion of existing water or wastewater treatment facilities that were not previously analyzed in IS/ND No. IP 22-0133.

- c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

See response to a) above. The proposed Project does not include any development; therefore, the proposed Project would not cause additional direct or indirect impacts related to the construction of new or expansion of existing storm water drainage facilities that were not previously analyzed in IS/ND No. IP 22-0133.

- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

See response to a) above. The proposed Project does not include any development; therefore, the proposed Project would not cause additional direct or indirect impacts related to the sufficiency of water supplies that were not previously analyzed in IS/ND No. IP 22-0133.

- e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

See response to a) above. The proposed Project does not include any development; therefore, the proposed Project would not cause additional direct or indirect impacts related to the capacity of wastewater treatment providers that were not previously analyzed in IS/ND No. IP 22-0133.

- f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Consistent with Section 3.19 (Utilities and Service Systems) of the adopted IS/ND No. IP 22-0133, the proposed Project applies to urbanized areas, and is a policy framework meant to address housing needs requirements for unincorporated Orange County. There is no development proposed with the updates to the GP and ZC, and therefore no new or expanded demand on landfill services. Therefore, the proposed Project would not cause additional direct or indirect impacts related to landfill capacity that were not previously analyzed in the IS/ND No. IP 22-0133

- g. Comply with federal, state, and local statutes and regulations related to solid waste?

Consistent with Section 3.19 (Utilities and Service Systems) of the adopted IS/ND No. IP 22-0133, the proposed Project applies to urbanized areas, and is a policy framework meant to address housing needs requirements for unincorporated Orange County. The County is legally obligated to identify sites but not required to propose development. The proposed Project does not conflict with policies and regulations for solid waste facilities. Therefore, the proposed Project would not cause additional direct or indirect impacts related to policies and regulations regarding solid waste that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.20 Wildfire**

- a. Substantially impair an adopted emergency response plan or emergency evacuation plan.

Consistent with Section 3.20 (Wildfire) of the adopted IS/ND No. IP 22-0133, the proposed Project applies to developed, urbanized areas that provide fire protection services and have Building and Safety Code requirements for the proper development of public and private structures and facilities. The proposed

updates to the GP and ZC do not disrupt any emergency evacuation plans and do not create additional fire risks, because the proposed Project does not include development. The proposed Project includes updates to the Safety Element to ensure consistency and safety provisions for the proposed rezone of the RP and commercial zoning districts to a new MX zone and rezone of the R2D zone to the R2 or R4 zones. There is no development proposed with the updates to the GP and ZC. The County is legally obligated to identify sites but not required to propose development. In addition, the proposed Project area does not include parcels that are located in identified Fire Hazard Severity Zones. Any future proposed development in Fire Hazard Severity Zones will continue to follow the County's policies, regulations, discretionary and ministerial processes for safety and fire prevention. Therefore, the proposed Project would not cause additional direct or indirect impacts related to emergency response plans or emergency evacuation plans that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Consistent with Section 3.20 (Wildfire) of the adopted IS/ND No. IP 22-0133, the proposed Project applies to urbanized areas that are distant from wildlands prone to wildfire. The proposed Project includes updates to the Safety Element to ensure consistency and safety provisions for the proposed rezones. There is no development proposed with the updates to the GP and ZC and therefore, the proposed Project will not expose occupants to pollutant concentrations from a wildfire. Therefore, the proposed Project would not cause additional direct or indirect impacts related to wildfire, expose occupants to pollutant concentrations, or exacerbate fire risk that were not previously analyzed in the IS/ND No. IP 22-0133.

- c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

See response to b) above. The proposed Project does not propose development; therefore, the proposed Project would not cause any additional direct or indirect impacts related to infrastructure that may exacerbate fire risk that were not previously analyzed in IS/ND No. IP 22-0133.

- d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Consistent with Section 3.20 (Wildfire) of the adopted IS/ND No. IP 22-0133, the proposed Project is a policy framework that addresses the housing needs requirements for unincorporated Orange County. The proposed Project applies to urbanized areas that are distant from wildlands prone to wildfire, and includes only areas with no flood risk, reduced flood risks due to levees, or designated as areas with one percent annual chance of floods. There is no development proposed. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. As such, the proposed Project would not cause additional direct or indirect impacts related to wildfire or flooding that were not previously analyzed in the IS/ND No. IP 22-0133.

#### **4.2.21 Mandatory Findings of Significance**

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Consistent with Section 3.21 (Mandatory Findings of Significance) of adopted IS/ND No. IP 22-0133, the proposed Project applies to developed urbanized areas that are designated residential and commercial zones. The Project is a policy framework meant to address housing needs requirements for unincorporated Orange County. The proposed Project affects parcels that are already designated for residential and commercial development, and which allow and authorize housing development. There is no development proposed as part of the updates to the GP and ZC. The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density.

Response to Impact Question a): Refer to Section 4.2.4 – Biological Resources, Section 4.2.5 - Cultural Resources, and 4.2.18 – Tribal Cultural Resources. As discussed in these sections, the proposed Project would have no effect on fish or wildlife habitats or populations, plant or animal communities, protected species, or important examples of the major periods of California history or prehistory. Therefore, no impacts would not result from Project implementation that were not previously analyzed in the IS/ND No. IP 22-0133.

- b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Response to Impact Question b): There are no impacts resulting from this Project as analyzed in Sections 4.2.1 through 4.2.20 in this Addendum. Therefore, no cumulative impacts would occur, and the Project is not cumulatively considerable in a way not previously analyzed in the IS/ND No. IP 22-0133.

- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Response to Impact Question c): Sections 4.2.1 through 4.2.20 in this Addendum analyzed potential impacts and did not identify any impacts resulting from Project implementation. Therefore, no significant adverse effects on human beings, either directly or indirectly, have been identified and no impacts would result that were not previously analyzed in the IS/ND No. IP 22-0133.

## Chapter 5: Conclusion

The proposed Project will support the County's 6<sup>th</sup> Cycle Housing Element Update and efforts to meet its housing needs requirements that were analyzed in the previously approved Initial Study/Negative Declaration (IS/ND) for the Housing-Related Amendments to the County of Orange GP and Comprehensive ZC Project (IP No. 22-0133). This Addendum documents minor changes to IS/ND No. IP 22-0133 for the Housing-Related Amendments to the County of Orange GP and Comprehensive ZC Project, which includes a rezone of RP and commercial zoning districts<sup>4</sup> to a new MX zone and rezoning of the R2D zone to the R2 or R4 zones. In addition, the proposed Project would update multifamily residential development standards with a minimum base density of 30 du/ac. These revised standards are consistent with the scope of the project previously studied and approved in IS/ND No. IP 22-0133 as they would authorize housing as permitted by the base zoning designation or the Housing Opportunities Overlay.

IS/ND No. IP 22-0133 approved a maximum 70 du/ac density for projects within the Housing Opportunities Overlay, which applies to the existing multifamily and commercial zoning districts that are now proposed to comprise the new MX Zone. Even prior to the approval of IS/ND No. IP 22-0133, the zoning in these districts authorized a development density maximum of up to 43 du/ac and included a Site Development Permit requirement for housing developments with five or more units. The proposed Project would introduce a new minimum density for new development of 30 du/ac – well below the maximums authorized under existing zoning and studied in IS/ND No. IP 22-0133 – and would change the designation of several commercial zoning districts and the RP zoning district to the new MX Zone.

The County is legally obligated to identify sites but not required to propose development. Project implementation merely increases potential future development density. The proposed updates do not grant any land use entitlements, authorize development of any specific development project, or require any direct physical changes to land or existing development.

As noted above, these changes from the project studied in IS/ND IP No. 22-0133 do not result in any changes to any of the resource area conclusions in IS/ND IP No. 22-0133. The proposed Project rezones and establishes a minimum density in certain already developed parcels within unincorporated areas of Orange County. At some point in the future if these parcels are redeveloped, they could have the potential to increase the number of dwelling units. However, at this time, meaningful environmental review cannot be conducted because there is no certainty that redevelopment will occur or to what degree any given parcel will be redeveloped. Planning review with OC Development Services/Planning would still be required for any new development proposed that includes five (5) units or more, even if that development is consistent with the amended GP Elements and Comprehensive ZC. Per the existing ZC, multifamily development projects of five (5) or more dwelling units are permitted subject to a Site Development Permit with a corresponding CEQA review and are reviewed by the Director of OC Development Services/Planning. This requirement would not change as part of the proposed Project. Therefore, the rezone of RP and commercial zoning districts to a new MX zone and rezone of the R2D zone to the R2 or R4 zones are consistent with IS/ND No. IP 22-0133.

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<sup>4</sup> The commercial areas of Silverado Canyon, Costa Mesa Golf Course Parking Lot, and the Ranch at Newport Bay Commercial Center are not included in the proposed Project and will retain their existing zoning of CN – Commercial Neighborhood, C2 – General Business, and C1 – Local Business, respectively.

It was previously determined that there would be no impacts to any environmental resource area as demonstrated in IS/ND IP No. 22-0133. The updates proposed in this Addendum to the amendments would not result in any additional impacts not discussed and analyzed in IS/ND IP No. 22-0133. Based on the foregoing analysis and information, none of the conditions identified in California Environmental Quality Act Guidelines Section 15162 exist that would trigger the need to prepare another environmental documentation to evaluate project impacts or mitigation measures with regard to the proposed Project. Thus, the Addendum is the appropriate mechanism to update the analysis included in IS/ND IP No. 22-0133.

## CHAPTER III. LAND USE ELEMENT

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### III. LAND USE ELEMENT



*CA/KB*

#### 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.



## CHAPTER III. LAND USE ELEMENT

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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.

The Land Use Element has three additional purposes, achieved through its combination of objectives, policies, and programs. 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.

## CHAPTER III. LAND USE ELEMENT

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### 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 on achievement of the objectives and policies identified 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 is found in the Noise, Safety, and Resources Elements (Chapters VIII, IX, and VI respectively).

## CHAPTER III. LAND USE ELEMENT

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### ***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 fully mitigated outdoors because airplanes are an 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, through the adopted Airport Environs Land Use Plan.

Noise in nonresidential developments must be attenuated to protect users in these areas covered by the Airport Environs Land Use Plan. 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. In areas identified as very high fire hazard severity zones, insurance costs may make development infeasible from an economic perspective. Figure III-1b depicts the location of these fire hazard areas.

## CHAPTER III. LAND USE ELEMENT

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### ***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.

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. As higher density development takes place, this may place additional strain on public service levels, which has the potential to deteriorate those services and consequently delay or preclude other developments.

### ***INCREASED DEVELOPMENT FEES AND REQUIREMENTS***

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

## CHAPTER III. LAND USE ELEMENT

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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.

### ***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, can help 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.

Cities and not counties must perform any required analysis for disadvantaged communities within their sphere of influence. The law (Gov’t Code 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

## CHAPTER III. LAND USE ELEMENT

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Element each “island community” or “fringe community” that exist within the city’s sphere of influence that is a disadvantaged unincorporated community. 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 (Gov’t Code Section 65302.10(a)).

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, excluding any areas within the sphere of influence of a city (Gov’t Code 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.

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) because these communities are not present.

### **Economic and Market Constraints**

According to the *County of Orange 2019-2023 Comprehensive Economic Development Strategy Report*, Orange County has become a major regional economic engine due to several factors including:

- Its prime geographic location and proximity to other major population centers.
- Its extensive transportation network, including ports, airports, freeways, and railways.
- Its status as a major tourist destination boasting 42 miles of picturesque coastline, The Disneyland Resort, Knott’s Berry Farm, South Coast Plaza, Angel Stadium, Honda Center, and other attractions.
- Its strong business environment and deep talent pool.

Following its recovery from the Great Recession, Orange County continues to have a falling unemployment rate fueled by the growth of thriving industries such as Information Technology, Advanced Manufacturing, Healthcare, Construction, Tourism, Financial Services, and

### CHAPTER III. LAND USE ELEMENT

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Professional and Business Services. The county's housing market has completely recovered from the Recession, with housing prices reaching new highs which has led to affordability and housing supply concerns throughout the region. Orange County's growing diverse and well-educated workforce offers a number of significant benefits such as an increased ability to attract world-class businesses that drive economic competitiveness, innovation, and growth. Despite these promising improvements, Orange County still faces several significant challenges:

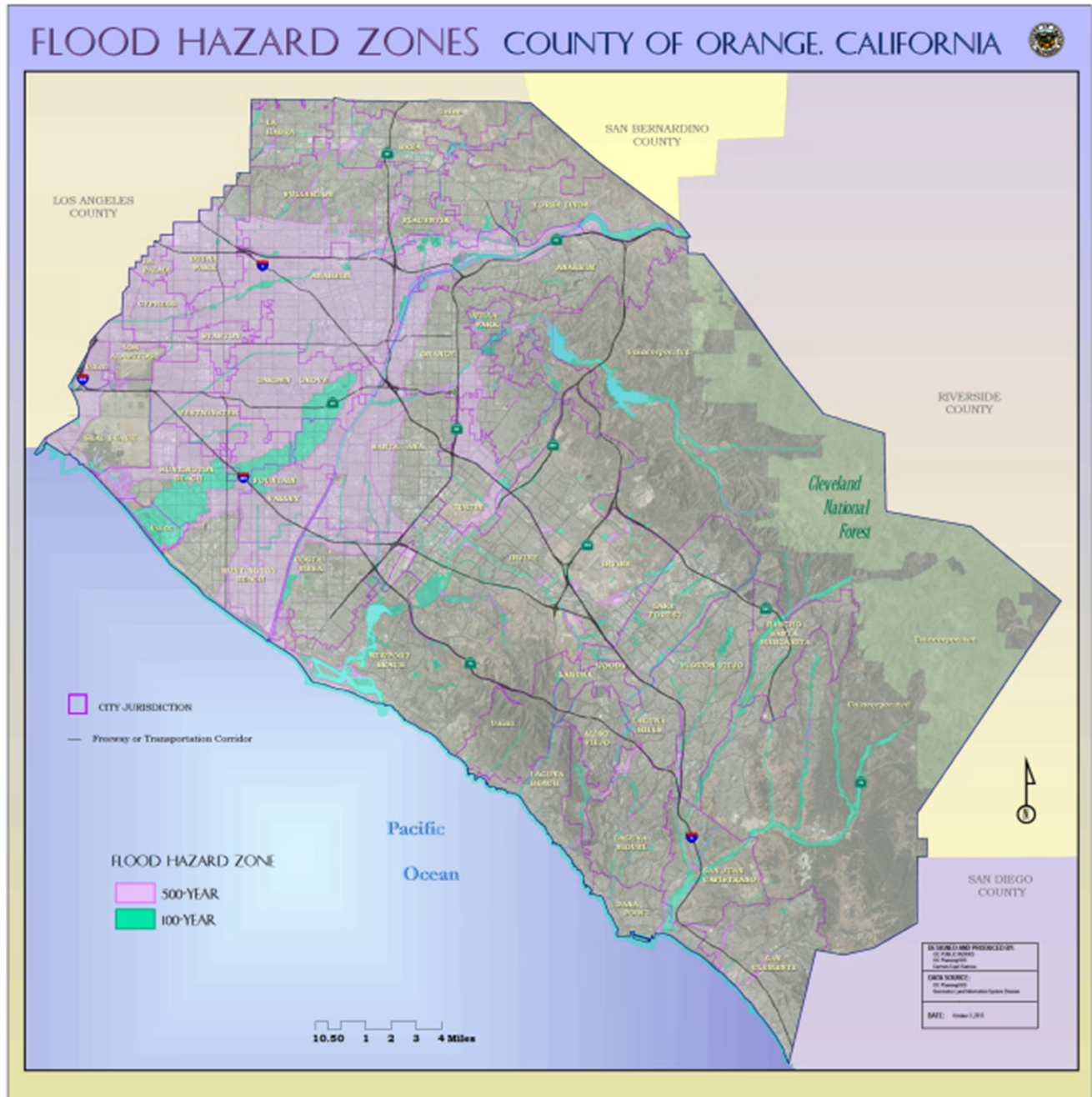
- An increasing interest rate environment.
- Complicating environmental regulations.
- National and international political uncertainty.
- Technological disruption of key industries, such as retail.
- Significant demographic shifts.
- Skyrocketing housing costs and a severe lack of housing supply.

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. This economic growth continued even through the strain of the COVID-19 pandemic, primarily in the transportation and warehousing, and construction sectors, and has contributed to significantly increased home prices and land values throughout unincorporated Orange County. The objectives established by this Element assume sustained economic growth for Orange County, in line with the trends observed over the past three decades.



## CHAPTER III. LAND USE ELEMENT

Figure III-1a

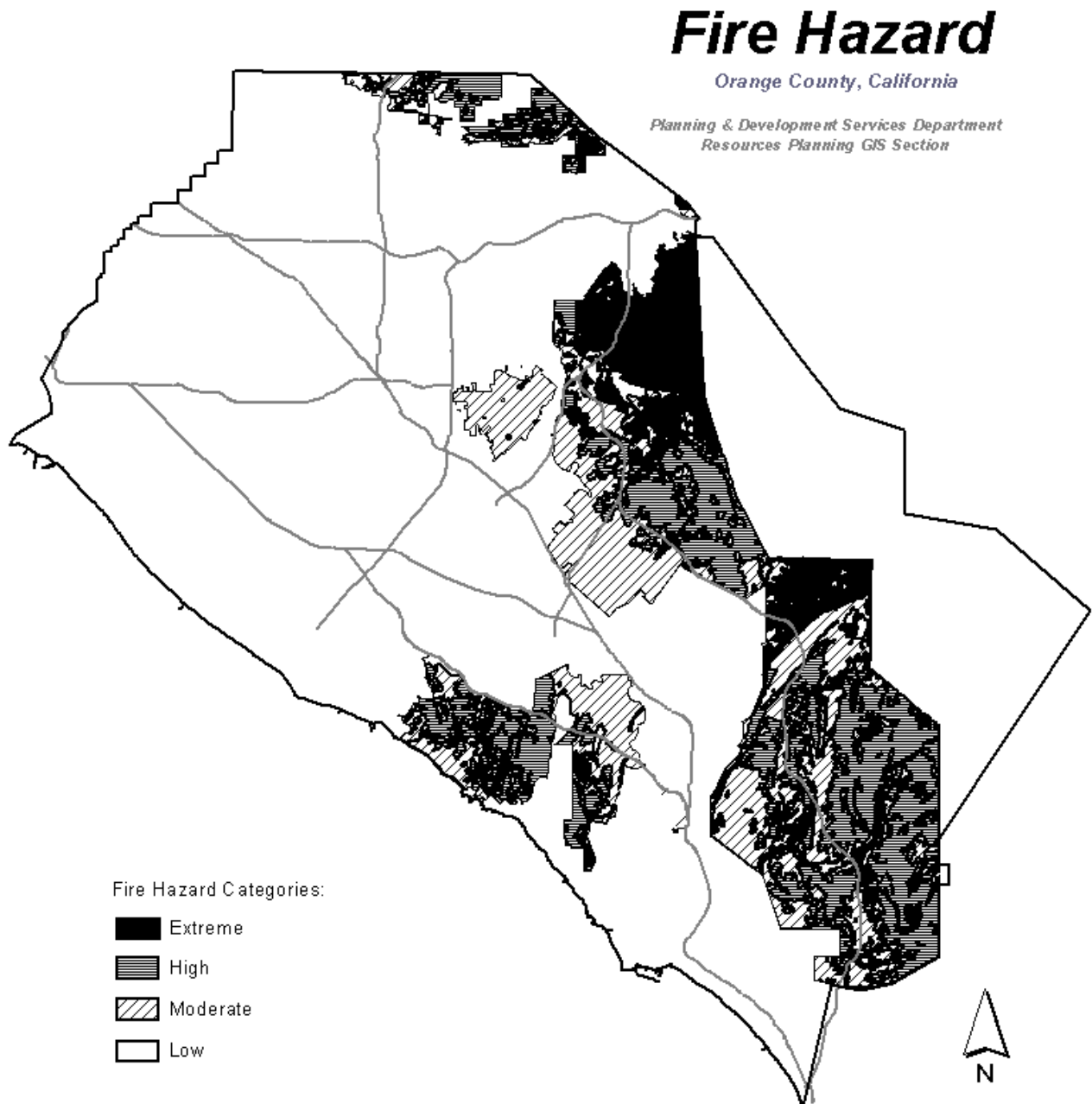




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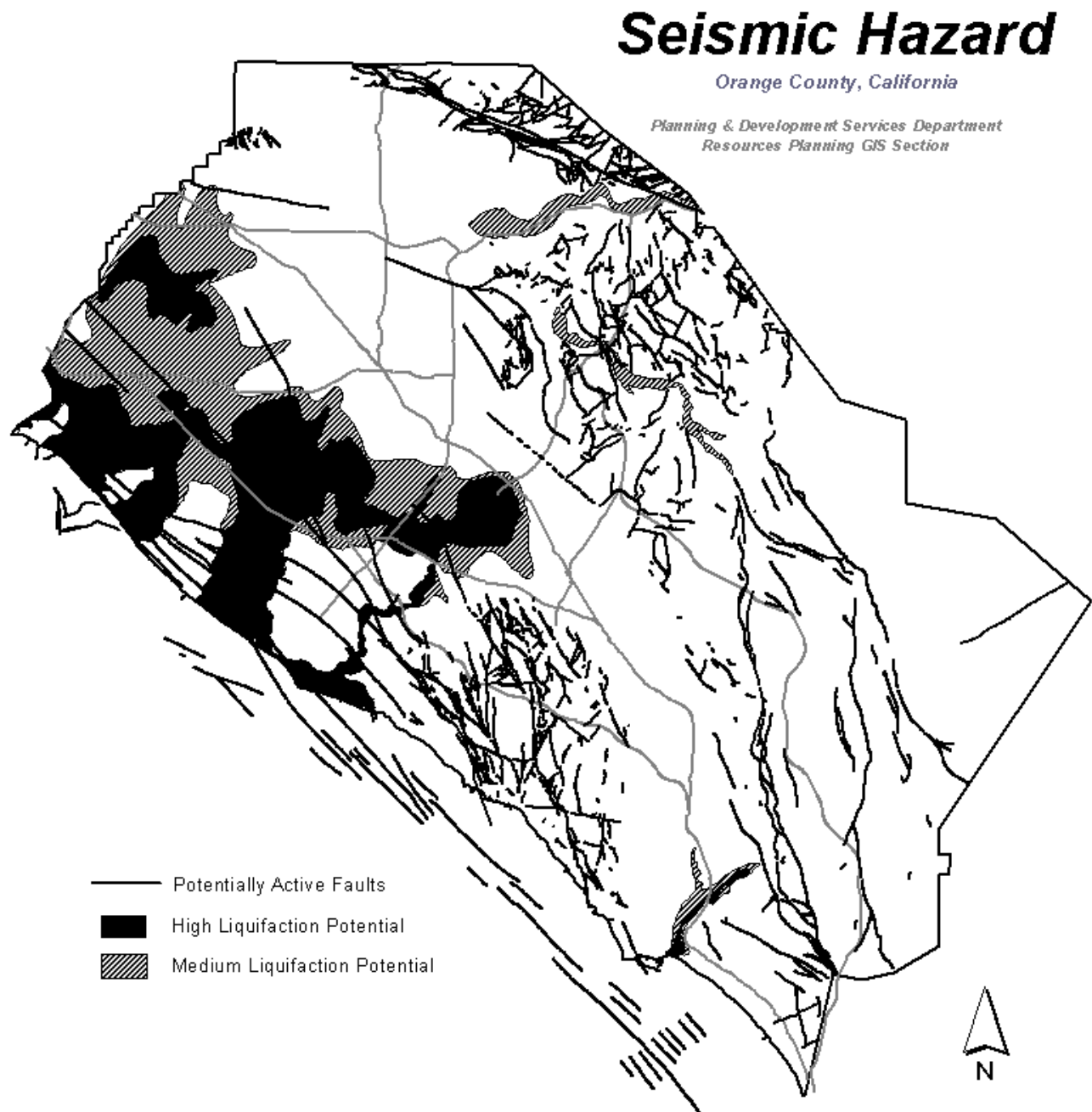
**CHAPTER III. LAND USE ELEMENT**

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**Figure III-1b**

## CHAPTER III. LAND USE ELEMENT

Figure III-1c



## CHAPTER III. LAND USE ELEMENT

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### ***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.

## CHAPTER III. LAND USE ELEMENT

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### LAND USE CATEGORIES

The land use categories described below and depicted in Map III-1, the *General Plan Land Use Element Map*, 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 General Plan Land Use Element 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 (HOO). In 2008, the HOO was extended to apply to high-density residential sites as well, and was updated in 2022 to authorize higher density development for affordable projects and again in 2024 to expand the areas to which it applies, to provide the opportunity for higher density, affordable residential development throughout most areas of the County. 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 the opportunity for an improved quality of life.

## CHAPTER III. LAND USE ELEMENT

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In 2024, the Board of Supervisors adopted an ordinance creating a Mixed-Use zoning district that permits development projects to contain both multifamily residential and commercial uses subject to specific development standards. The Mixed-Use district is made up of parcels throughout the unincorporated area that were previously zoned for commercial uses. To facilitate the development of housing for all income levels, the County's HOO may be applied to projects in the Mixed-Use zoning district.



The residential categories are intended for application to all areas so designated on the General Plan Land Use Element Map 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 General Plan 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

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*Insert Map III-1 (General Plan Land Use Element Map)*

## CHAPTER III. LAND USE ELEMENT

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*Insert Map III-2 (Flood Hazard Map)*

## CHAPTER III. LAND USE ELEMENT

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*Insert Map III-3 (City Spheres of Influence Map)*



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**CHAPTER III. LAND USE ELEMENT**

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- ***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, clustered arrangements, apartments, and mixed-use developments).

This category permits the greatest flexibility for residential development. Building intensity, or density, for Suburban Residential ranges from 0.25 to 43.5DU/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, clustered residential units, and mixed-use developments. Building intensity, or density, for Urban Residential is 30 DU/AC and above.

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## CHAPTER III. LAND USE ELEMENT

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### **Commercial**

Commercial land uses are depicted on the General Plan 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. Commercial uses can also be found in mixed-use developments located in the Mixed-Use zoning district.

Generally, commercial development occurs on sites located 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 HOO. 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 an opportunity for an improved quality of life. In 2024, the HOO's applicability was expanded to include the County's Mixed Use zoning district.

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



## CHAPTER III. LAND USE ELEMENT

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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 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.

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.

## CHAPTER III. LAND USE ELEMENT

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Childcare facilities will be permitted, if appropriate.

### **Public Facilities**

The Public Facilities 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

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### ***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 land use category and the Open Space Reserve (OSR) land use overlays.

The Open Space 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 to specific open space or agricultural 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

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The allowable uses within the Open Space and OSR designation are further defined in Table III-1.

Open Space 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 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.

### **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.

## CHAPTER III. LAND USE ELEMENT

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



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

The Open Space Reserve (OSR) designation is intended to reflect the areas prioritized in 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 in perpetuity. It may also include recreational trails and similar facilities for alternative transportation. The OSR depiction on the General Plan Land Use Element Map 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 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

## CHAPTER III. LAND USE ELEMENT

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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 TDM 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 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.



## CHAPTER III. LAND USE ELEMENT

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### **BUILDING INTENSITY/ DEVELOPMENT STANDARDS AND POPULATION DENSITY ESTIMATES**

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Government Code §65302(a) requires that the General Plan 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.

The population densities for residential land uses do not represent County policy or development standards but are used to estimate the potential number of residents based upon the maximum 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 maximum 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 acre<sup>1</sup> (DU/AC). Residential building intensity in excess of the standard 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 General Plan Land Use Element 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 units permitted within individual zoning districts. Site-specific General Plan

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<sup>1</sup> "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

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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 3.07<sup>2</sup> which is used in Table III-1.

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<sup>2</sup> “Average persons per dwelling unit” factors used to calculate residential “population density” are determined by the California Department of Finance (DOF). 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 ESTIMATES**

<b>CATEGORY</b>	<b>TYPICAL INTENSITY, CHARACTERISTICS, AND USES</b>	<b>DENSITY STANDARDS AND POPULATION ESTIMATES</b>
Rural Residential (1A)	<ul style="list-style-type: none"> <li>Limited residential use compatible with the natural character of the terrain</li> <li>Development may require special consideration due to topography and other factors</li> </ul>	<ul style="list-style-type: none"> <li>0.025 to 0.5 Dwelling Units per Acre (DU/AC)</li> <li>3.07 Persons per DU</li> <li>0-2 Persons Per Acre</li> </ul>
Suburban Residential (1B)	<ul style="list-style-type: none"> <li>Wide range of housing types, from estates on large lots to attached dwelling units (townhomes, condominiums, clustered arrangements, apartments, and mixed-use projects)</li> <li>Permits the greatest flexibility for residential development</li> </ul>	<ul style="list-style-type: none"> <li>0.25 to 43.5 DU/AC</li> <li>3.07 Persons per DU</li> <li>1-134 Persons per Acre</li> </ul>
Urban Residential (1C)	<ul style="list-style-type: none"> <li>Intensive residential uses such as apartments, condominiums, townhomes, clustered residential units, and mixed-use projects</li> </ul>	<ul style="list-style-type: none"> <li>30 and above DU/AC</li> <li>3.07 Persons per DU</li> <li>&gt;92 Persons per Acre</li> </ul>

## CHAPTER III. LAND USE ELEMENT

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

CATEGORY	TYPICAL INTENSITY, CHARACTERISTICS, AND USES	DENSITY STANDARDS AND POPULATION ESTIMATES
Community Commercial (2A)**	<ul style="list-style-type: none"> <li>Provides a wide range of facilities for convenience goods and retail trade including tourist recreation businesses, and community services (i.e., childcare facilities)</li> <li>Typical tenants include supermarkets, restaurants, movie theaters and banks</li> <li>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</li> </ul>	<p><u>Non-Residential Uses</u></p> <ul style="list-style-type: none"> <li>Generally limited in scope to approximately 10 to 40 acres</li> <li>Intended to serve a market area exceeding 20,000 persons</li> <li>0.50 FAR</li> <li>45 Employees per Acre</li> </ul> <p><u>Residential Uses</u></p> <ul style="list-style-type: none"> <li>3.07 Persons per DU</li> <li>Multifamily Residential Example: 3.07 Persons per DU x 43 DU/AC = 132 Persons per Acre</li> </ul>

## CHAPTER III. LAND USE ELEMENT

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

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

## CHAPTER III. LAND USE ELEMENT

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

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

### CHAPTER III. LAND USE ELEMENT

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

CATEGORY	TYPICAL INTENSITY, CHARACTERISTICS AND USES	DENSITY STANDARDS AND POPULATION ESTIMATES *
Public Facilities (4)**	<ul style="list-style-type: none"> <li>Identifies major facilities built and maintained for public use</li> <li>Facilities include civic buildings, airports, community colleges, military installations, correctional institutions, hospitals, solid waste facilities, water facilities, and sewer facilities</li> <li>Childcare facilities will be permitted, if appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>0.75 FAR or more in transit-served areas</li> <li>130+ Employees per Acre</li> <li>Buildings permitted within this category typically reflect a wide range of intensity/density characteristics</li> <li>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.</li> <li>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.</li> </ul>

## CHAPTER III. LAND USE ELEMENT

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

CATEGORY	TYPICAL INTENSITY, CHARACTERISTICS AND USES	DENSITY STANDARDS AND POPULATION ESTIMATES *
<i>Landfill Site (LS) **</i>	<ul style="list-style-type: none"> <li>• Identifies existing and planned solid waste facilities</li> <li>• 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</li> </ul>	



### CHAPTER III. LAND USE ELEMENT

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

CATEGORY	TYPICAL INTENSITY, CHARACTERISTICS AND USES	DENSITY STANDARDS AND POPULATION ESTIMATES*
Open Space (5)**	<ul style="list-style-type: none"> <li>Indicates the current and near-term use of the land, most of which is zoned agricultural</li> <li>Provides for limited land uses that do not require a commitment of significant urban infrastructure</li> <li>Examples of compatible uses include:               <ul style="list-style-type: none"> <li>Land containing non-renewable and renewable resource areas, prime agricultural soils, and water resource areas</li> <li>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)</li> <li>Employment uses in conjunction with large open space areas if they are consistent with the open space character of the area</li> <li>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</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Generally, building sites within this category should be large</li> <li>Max. Bldg. Height: 35'</li> <li>Max. Site Coverage: the area covered by structures and parking should not exceed 20% in order to blend development with the natural surroundings.</li> <li>9 Employees per Acre</li> </ul>

### CHAPTER III. LAND USE ELEMENT

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

CATEGORY	TYPICAL INTENSITY, CHARACTERISTICS AND USES	DENSITY STANDARDS AND POPULATION ESTIMATES*
<i>Open Space Reserve (OSR)**</i>	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>The OSR depiction on the General Plan Land Use Element Map show generalized reserve boundaries that are for informational purposes only and may not include private in-holding land.</li> </ul>	<ul style="list-style-type: none"> <li>Max. Bldg. Height: 18',</li> <li>Max. Site Coverage: 10%,</li> </ul>

## CHAPTER III. LAND USE ELEMENT

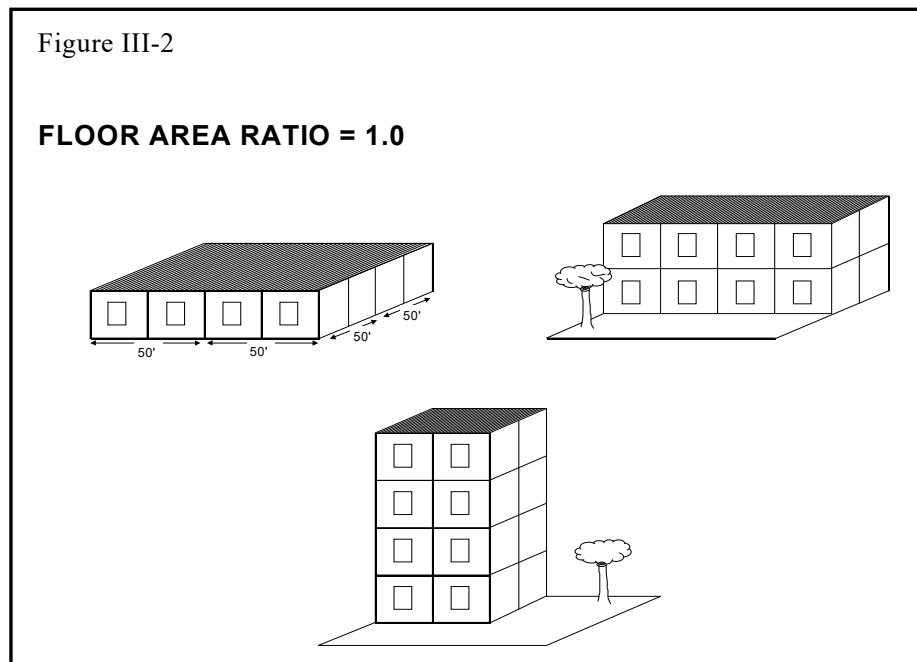
**TABLE III-1. BUILDING INTENSITY AND POPULATION DENSITY ESTIMATES**

CATEGORY	TYPICAL INTENSITY, CHARACTERISTICS, AND USES	DENSITY STANDARDS AND POPULATION ESTIMATES *
Urban Activity Center (6)**	<ul style="list-style-type: none"> <li>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</li> <li>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</li> <li>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 (mixed-use); 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</li> <li>Located adjacent to major transportation corridors and accessible to public transit facilities; supports development of and links to trails and a countywide bike system.</li> <li>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.</li> <li>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</li> <li>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</li> </ul>	<p>Residential Uses</p> <ul style="list-style-type: none"> <li>30 and above DU/AC</li> <li>&gt;57 Persons per Acre</li> </ul> <p>Non-Residential Uses</p> <ul style="list-style-type: none"> <li>0.75 FAR or more in transit-served areas</li> <li>130 + Employees per Acre</li> <li>Intensity bonus available for transit-oriented development provided identified impacts are mitigated</li> </ul>

## 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

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### EXISTING CONDITIONS

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

<b>AGGREGATED LAND USE CATEGORIES</b>		
<b>LAND USE</b>	<b>ACRES</b>	<b>% OF TOTAL</b>
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
<b>TOTAL</b>	<b>176,309</b>	<b>100</b>

## CHAPTER III. LAND USE ELEMENT

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### **OBJECTIVES AND POLICIES**

This section presents the 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 General Plan Land Use Element Map will be the tools for project evaluation and consistency determination to ensure that development coincides with the guiding 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 Land Use Element (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

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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 on larger or undeveloped sites. Phasing may also take the form of infill development in areas where adequate public services and facilities to serve the development are already in place but where the site is presently underused or underdeveloped.

### 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

## CHAPTER III. LAND USE ELEMENT

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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, 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. Similarly, changes to state law pertaining to secondary residential units, accessory dwelling units, and expansions to existing single-family residences promote infill development by providing reduced parking incentives for development near high quality transit corridors, which in turn, promotes multimodal transportation networks.

### 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. Changes to state law pertaining to secondary residential units, accessory dwelling units, and junior accessory dwelling units which reduce or minimize regulatory requirements for new development prioritize transit-oriented development and promote the



## CHAPTER III. LAND USE ELEMENT

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development of additional housing types and densities. The County additionally offers new residential developments in multiple different zoning districts the opportunity to increase density through the application of the HOO, with higher densities being available to affordable housing developments, thereby promoting the development of varied housing types and densities.

### 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 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.*

## CHAPTER III. LAND USE ELEMENT

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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.

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## CHAPTER III. LAND USE ELEMENT

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### 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.

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## CHAPTER III. LAND USE ELEMENT

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### **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

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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

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## CHAPTER III. LAND USE ELEMENT

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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 Development Services website ([ocds.ocpublicworks.com](http://ocds.ocpublicworks.com)) 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. Pursuant to Public Utilities Code (PUC) 21676(a), those proposed amendments to the County of Orange General Plan and Comprehensive Zoning Code that are required to be submitted to the Airport Land Use Commission (ALUC) for determination of consistency with the AELUPS for Orange County airports, shall be submitted prior to adoption by the Orange County Board of Supervisors.
2. 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.

## CHAPTER III. LAND USE ELEMENT

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3. 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).
43. 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:

## CHAPTER III. LAND USE ELEMENT

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- 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 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.

## CHAPTER III. LAND USE ELEMENT

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**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:

- 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.

## CHAPTER III. LAND USE ELEMENT

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**Necessary Action:**

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

## CHAPTER III. LAND USE ELEMENT

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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 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 HQTAs (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

## CHAPTER III. LAND USE ELEMENT

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Routes to Schools programs, parking management plans and provisions for reduced parking 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

## CHAPTER III. LAND USE ELEMENT

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within Transit Priority Areas (TPAs). In addition, the County will seek to implement a 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

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**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 years' 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.

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.

## CHAPTER III. LAND USE ELEMENT

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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 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.

### CHAPTER III. LAND USE ELEMENT

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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.