



### Esperanza Hills (PA120037)







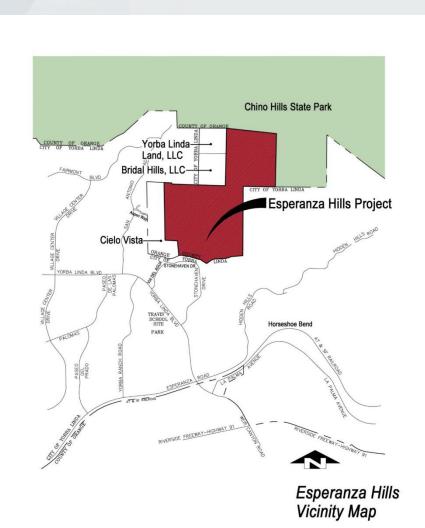






OC Planning Commission Presentation October 26, 2016

## **Project Location**



LOCATION: North of SR-91 off Yorba Linda Boulevard, south and west of Chino Hills State Park, adjacent to residential development within City of Yorba Linda, within the 3rd Supervisorial District. Within the Sphere of Influence of the City of Yorba Linda.





### **Processing Timeline**

- Pre-file submittal February 23, 2012
- Formal submittal August 23, 2012
- NOP Issued December 22, 2012
- Scoping Meeting January 31, 2013
- DEIR Public Review Period December 4, 2013 February 4, 2014
- Response to Comments December 5, 2014
- Planning Commission hearing January 14, 2015
- Board certification of Final EIR 616 March 10, 2015
- Board directs applicant to work with City on access and pre-annexation issues
- Board approval of Specific Plan, GPA, Rezoning June 2, 2015





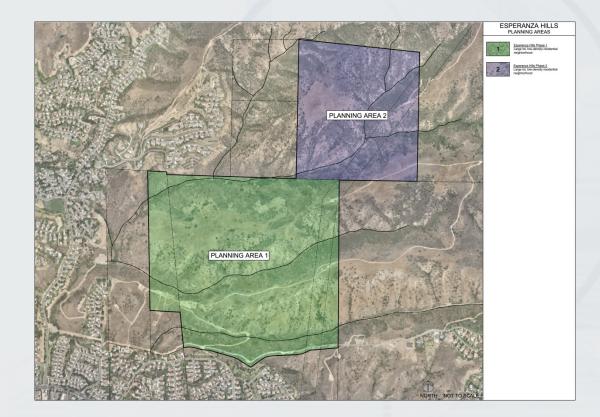
# **Project Description**

### **Planning Area 1**

- 218 lots
- Min. lot size
  - 12,146 sq. ft.
- Average lot size
  - 18,000+ sq. ft.
- Five parks

### **Planning Area 2**

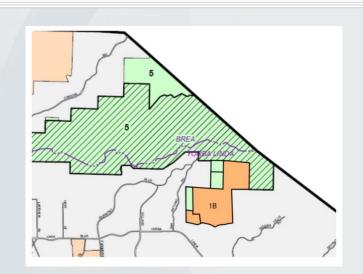
- 122 lots
- Min. lot size
  - 12,044 sq. ft.
- Average lot size
  - 18,000+ sq. ft.
- Six parks
- Two estate lots



Total - 340 units on 468 acres (0.73 du/ac)



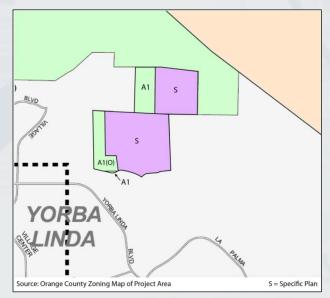
# **County General Plan & Zoning**



### **GENERAL PLAN:**

Existing : Open Space (5)

Proposed: Suburban Residential (1B)



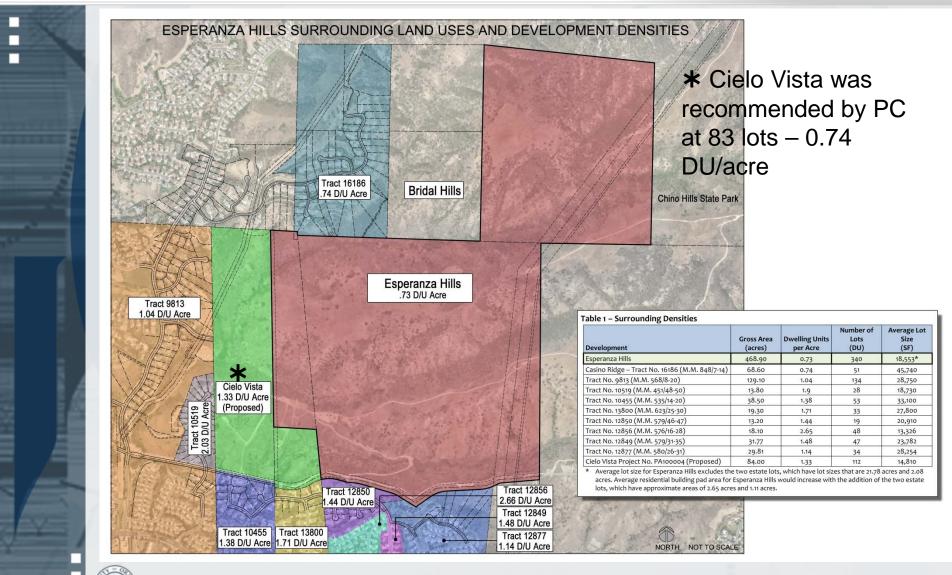
### ZONING:

**Existing : A1 General Agriculture and A1(O) General Agriculture/Oil Production** 

Proposed: Specific Plan (S) "Esperanza Hills."

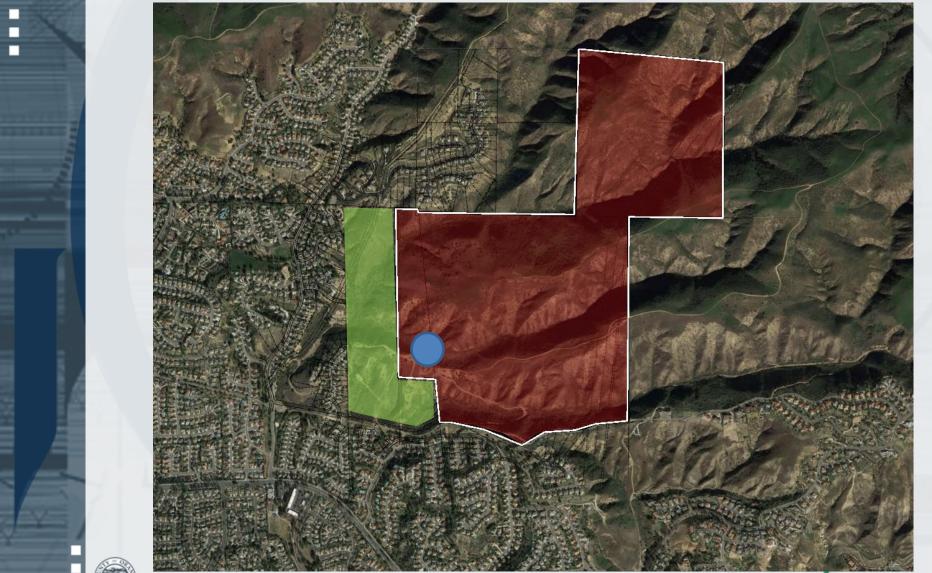


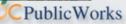
## Land Use and Density



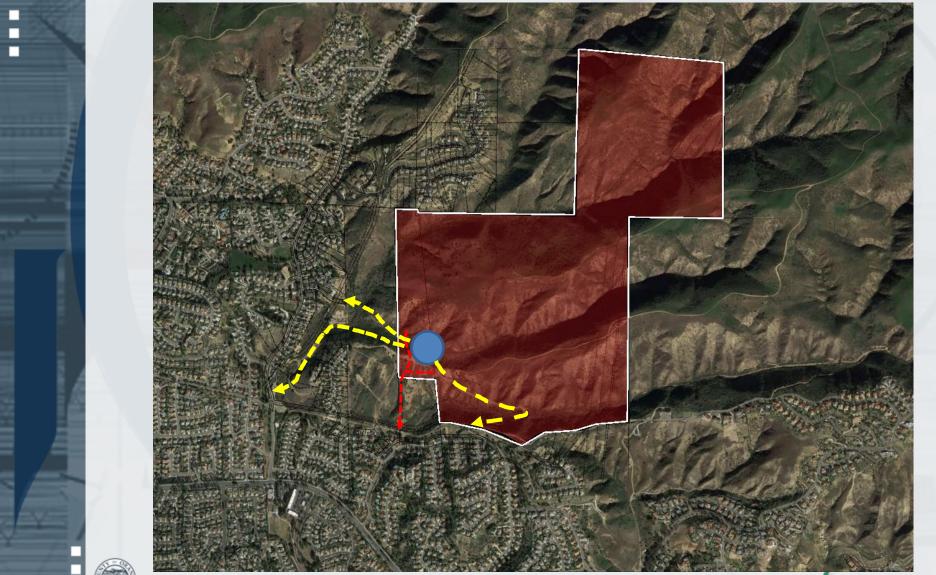


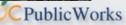
## **Access Options**



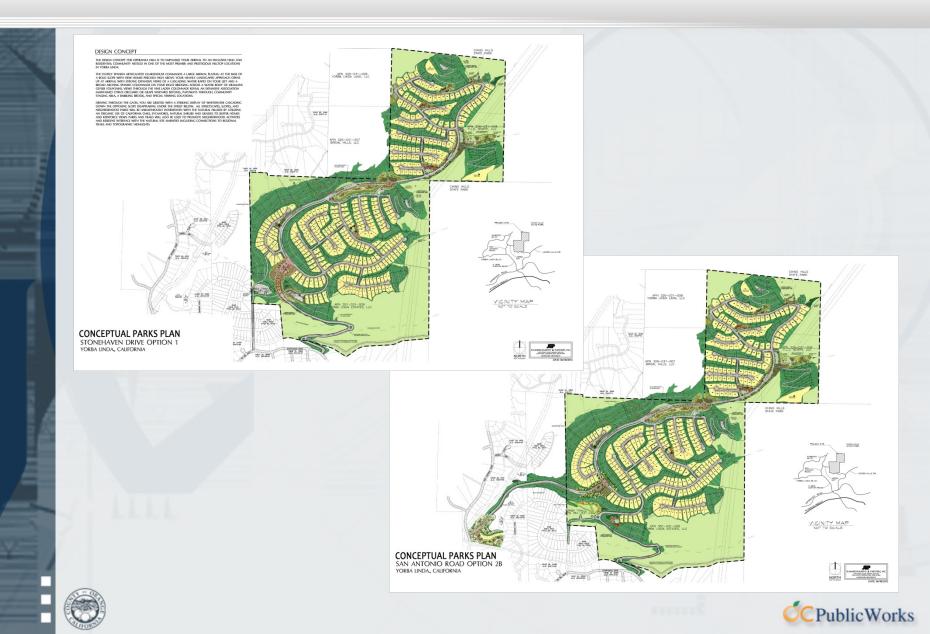


## **All Access Options**





### **Access Options Approved by PC - 2015**



### **Board Approved Access Options - 2015**



# **Esperanza Hills Specific Plan**

#### 13.3 Implementation of Access Configuration

The access configuration for the Project will be implemented through the approval of a tentative tract map by the Subdivision Committee. Such an approval may be made by the Subdivision Committee subject to the following conditions:

- 1. That permission to gain access across land area not owned by the Project Applicant has been secured or it is reasonably assured that access rights will be secured.
- 2. That permission to allow for off-site grading has been secured or it is reasonably assured that permission will be secured.
- 3. <u>That a Pre-annexation Agreement between the City of Yorba Linda and the developer</u> <u>has been completed.</u>
- 4. Finding of consistency with Final Environmental Impact Report 616.
- 5. Finding of consistency with Final Environmental Impact Report 616 Mitigation Monitoring and Reporting Program.
- 6. Findings of consistency with this Specific Plan, the Orange County Zoning Code, the Orange County Subdivisions Code, and applicable laws and regulations.





## **Final EIR 616 project impacts**

No Impact – Agriculture and Forest Resources; Mineral Resources

Less than Significant Impact - Hydrology and Water Quality; Land Use and Planning; Population and Housing; Recreation

Less than Significant Impact with Mitigation - Air Quality; Aesthetics; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Public Services; Transportation and Traffic; Utilities and Service Systems

#### Unavoidable Adverse Impact -

**Greenhouse Gas Emissions** 

Noise (Related to Aspen Drive Access Option 2 only);

Transportation and Traffic (Only because the County cannot compel the implementation of Mitigation Measures T-1 thru T-3 within the City of Yorba Linda, which are designed to reduce impacts to below a level of significance)





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- Board certification of Final EIR 616 March 10, 2015
- Board directs applicant to work with City on access and pre-annexation issues
- Board approval of Specific Plan, GPA, Rezoning June 2, 2015
- CEQA legal challenge filed July 2, 2015
- Statement of Decision July 22, 2016
- Writ Issued by Court August 24, 2016
- Applicant submits revised GHG information August 22, 2016
- Applicant submits revised Specific Plan September 8, 2016
- Planning Commission hearing October 26, 2016





## **Issues Raised by CEQA Challenge**

- Topical Response ("TR") 1. Fire Hazards,
- TR 2 Evacuation Plan
- TR 3 Traffic Ingress/Egress
- TR 4 Water Provision / Capacity
- TR 5 Segmentation / Piecemealing
- TR 6 Biological Resources / Open Space
- TR 7 Special Status Vegetation CDFW Jurisdiction and Associated Mitigation
- TR 8 Noise Impacts
- Geotechnical
- Conformance with General Plan of County
- Conformance of General Plan of City
- Greenhouse Gas mitigation
- Statement of Overriding Consideration



## **Court's Decision On CEQA Challenge**

Court's July 22, 2016 Statement of Decision:

After careful consideration of the arguments of all parties, as well as the administrative record, the Court finds that virtually all of these arguments are without merit. However, because the EIR impermissibly defers mitigation of greenhouse gas (GHG) impacts and also arbitrarily limits the extent to which these mitigation measures must be considered, the Court intends to issue a writ on this basis."

» Statement of Decision, page 2





## **Court's Writ of Mandate**

Vacate certification of Final EIR No. 616, adoption of the Mitigation Monitoring and Reporting Program, and Findings of Fact/Statement of Overriding Considerations made in support of the Project.

Vacate all approvals of the Project based upon Final EIR No. 661,

- General Plan Amendment LUE 14-02, and
- Esperanza Hills Specific Plan and rezoning

Revise the FEIR in accordance with CEQA, the CEQA Guidelines, the Statement of Decision and the final Judgment to bring the EIR into compliance with CEQA by resolving the GHG mitigation deficiencies identified by the Court in its Statement of Decision.





# **GHG Updates**

Revised (supplemented) analysis
40 new GHG Mitigation Measures
Report peer reviewed by applicant
Report peer reviewed by County
(Chambers Group)

Following certification, Revised FEIR 616 will be returned to judge for confirmation that Writ was complied with





# **Esperanza Hills Specific Plan**

Esperanza Hills Specific Plan includes the Stonehaven Drive/Via Del Agua access configurations. The access configuration for the Project will be implemented through the approval of a vesting tentative tract map by the Subdivision Committee.

Proposed Specific Plan Section 13.3 provides as follows:

#### **13.3 Implementation of Access Configuration**

The access configuration for the Project will be implemented through the approval of a tentative tract map by the Board of Supervisors, upon recommendation of the Subdivision Committee. Such an approval may be made subject to the following conditions:

- 1. Permission to gain access across land area not owned by the Project Applicant
- 2. Permission to allow for off-site grading
- 3. Finding of consistency with Environmental Impact Report No. 616

4. Finding of consistency with Environmental Impact Report No. 616 Mitigation Monitoring and Reporting Program

5. Findings of consistency with this Specific Plan

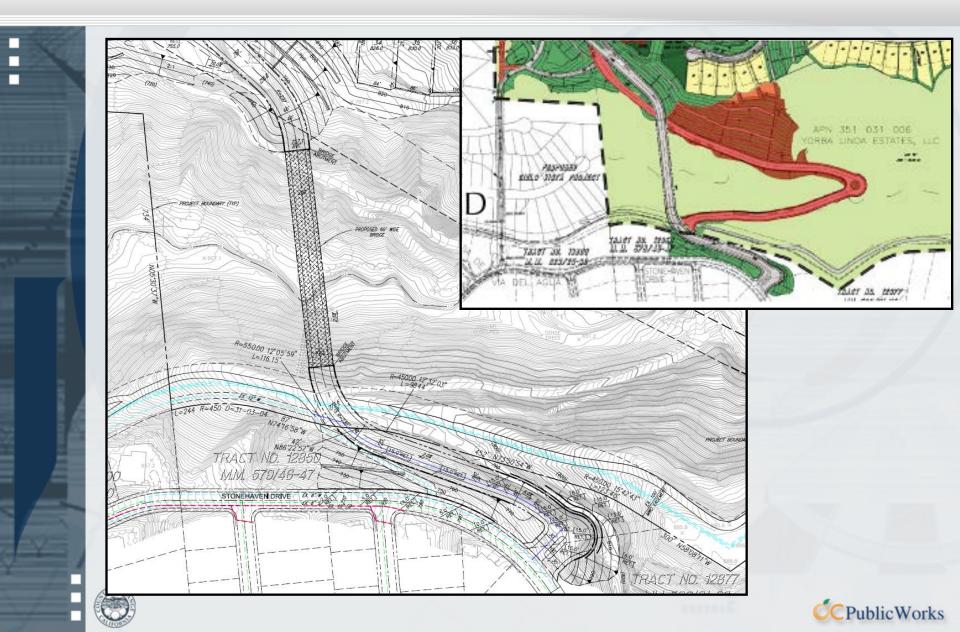




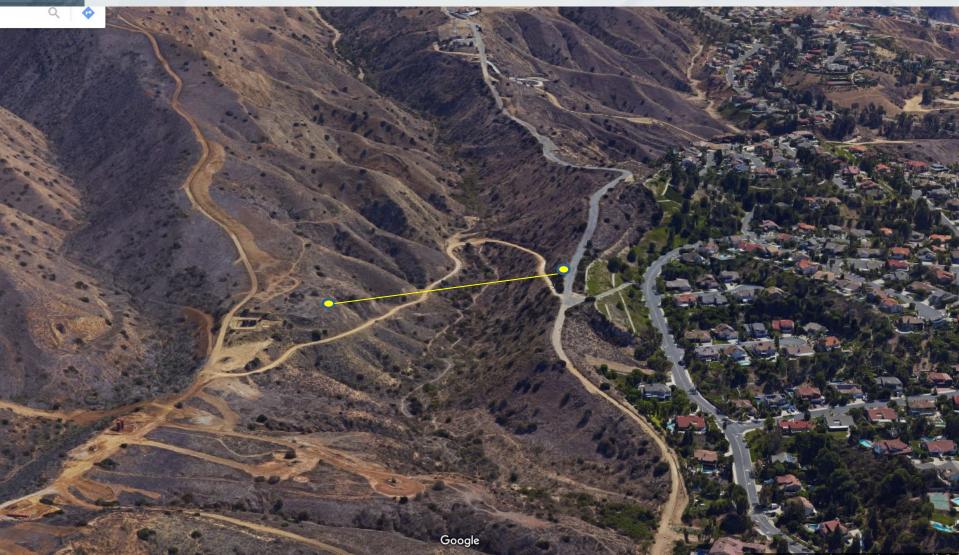
## **Option 1 Modified**



### **Proposed Main Access Bridge**



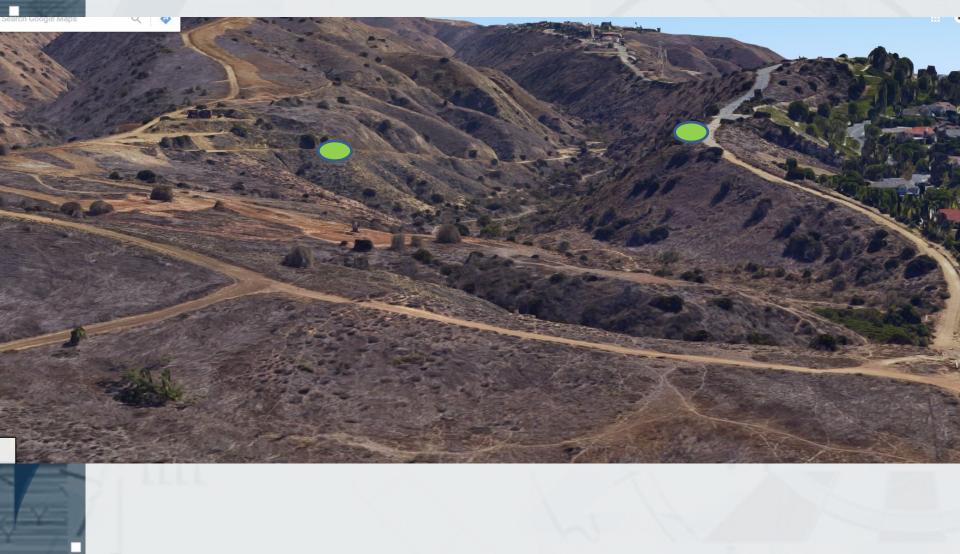
## **Proposed Main Access Bridge**







## **Option 1 Modified**







## **Representative landscaping for Proposed Main Access Bridge**





## **Staff Recommendation**

OC Development Services/Planning recommends that the Planning Commission adopt Resolution 16-08 recommending that the Board of Supervisors -

- 1) Certify Revised Final Environmental Impact Report No. 616;
- 2) Adopt General Plan Amendment LUE 16-01 to change the Land Use designation from Open Space (5) to Suburban Residential (1B) to allow for residential development of a maximum of 340 homes;
- 3) Adopt Zone Change 16-05 to replace the existing General Agriculture (A1) and General Agriculture/Oil Production (A1(O)) zoning designations with the Specific Plan (S) zoning designation; and adopt the Esperanza Hills Specific Plan to regulate and guide development of the property.





## **Questions?**

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