
ITEM #4

OC DEVELOPMENT SERVICES REPORT

DATE: January 24, 2018

TO: Orange County Planning Commission

FROM: OC Development Services/Planning Division

SUBJECT: Public Hearing on Planning Application PA130026, The Preserve at San Juan, for a General Plan Amendment LUE 17-01, Zone Change ZC 17-01, Final EIR 618 and Area Plan PA130026 for the development of a 72-unit single-family residential subdivision.

PROPOSAL: The project proposes the development of 72 single-family residential lots with a proposed General Plan Amendment from Open Space (5) to Rural Residential (1A), a proposed zone change from General Agricultural (A1) to Agricultural Residential (AR), Area Plan, and certification of Final EIR 618. The project proposes development in two phases: Phase 1 (South Parcel) and Phase 2 (North Parcel). The project also includes the preservation of large areas of open space, off-site roadway improvements, and water infrastructure improvements. In addition, the proposal requires annexation into the Elsinore Valley Municipal Water District, Western Municipal Water District, and Metropolitan Water District for inclusion of the potable water locations into the water service areas.

GENERAL PLAN DESIGNATION: Existing: Open Space (5)
Proposed: Rural Residential (1A)

ZONING: Existing: General Agricultural (A1)
Proposed: Residential Agricultural (AR)

LOCATION: Approximately 2,300 feet from the intersection of Ortega Highway and Long Canyon Road on Long Canyon Road, within the unincorporated area of Orange County; within the Fifth (5th) Supervisorial District; Assessor's Parcel Numbers. 125-120-37, 125-120-39, 40, and 41.

APPLICANT/OWNER: Jeff Weber, Silveroak Capital – SIQ Acquisitions LLC
The Preserve at San Juan, LLC

STAFF CONTACT: Ilene Lundfelt, Planner III
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RECOMMENDED ACTION:

OC Development Services/Planning recommends the Planning Commission:

1. Receive staff report and public testimony as appropriate.
2. Consider the adequacy of the Final EIR 618 prepared for the Preserve at San Juan project and determine that it is adequate, complete, and appropriate environmental documentation for the project consistent with CEQA, the State CEQA Guidelines, and the County's Local CEQA Procedures Manual.
3. Consider General Plan Amendment LUE 17-01 (Land Use Element), which changes the project site from Open Space (5) to Rural Residential (1A), which allows a minimum density of 0.025 to 0.5 dwelling units per acre, (or two to forty acres per dwelling unit.)
4. Consider Zone Change 17-01, which changes the project site zoning from General Agricultural (A1) - 0.25 dwelling unit per acre (or four acres per dwelling unit) to Residential Agricultural (AR) that allows single-family residential in conjunction with agricultural and outdoor recreational uses and has a minimum lot size of 7,200 square feet.
5. Consider Area Plan PA130026, which establishes grading quantities and project design features, and standards for development of the project site, including roadways, infrastructure, landscaping, and operational management by the project homeowner's association.
6. Adopt Planning Commission Resolution No. 18-01 recommending that the Board of Supervisors (1) certify Final EIR 618 for PA130026 and adopt the Findings, Facts in Support of Findings; Statement of Overriding Considerations; the Mitigation Monitoring and Reporting Plan; (2) adopt General Plan Amendment LUE 17-01; (3) adopt Zone Change ZC 17-01; and (4) adopt the Preserve at San Juan Area Plan PA130026.

BACKGROUND AND EXISTING CONDITIONS:

The proposed project site consists of two non-contiguous parcels located in the southeastern portion of unincorporated Orange County, between 2,300 feet and 2,970 feet west of Ortega Highway, respectively, and separated by Long Canyon Road. The project would cluster residential uses in the flatter portions of the site to maximize open space preservation, preserve topography and ridgelines, avoid blue line streams, and provide a buffer of open space between the development area and the Cleveland National Forest. The project site is situated on private property in the Santa Ana mountains. The Project sites is vacant and unimproved and is currently designated as Open Space (5) and zoned General Agricultural (A1).

The project is approximately 1,500 feet west of El Cariso Village, a small rural residential area within the unincorporated Riverside County, six miles southwest of the City of Lake Elsinore in Riverside County and approximately 6.25 miles east of the City of Rancho Santa Margarita in Orange County.

Phase 1 involves development of the 389.6-acre south parcel, located west of Ortega Highway. ("South Parcel") The site consists of gently sloping terrain in the southern portion of the parcel and steep, rugged terrain in the northern portion of the parcel. The majority of the South Parcel is undisturbed and

supports dense chaparral, densely vegetated hills, and scattered patches of oak woodland. Long Canyon Creek crosses the southwest corner of the parcel.

Existing disturbance areas are generally located in the northeastern portion of the South Parcel. This area of that parcel currently includes a network of dirt roads and trails and one abandoned residence with a shed containing a water well and cistern.

Phase 2 involves development of the 194.5-acre north parcel, located approximately 122 feet north of the South Parcel (“North Parcel”), and west of Ortega Highway. North Parcel consists of gently sloping terrain in the northeast portion of the parcel and steep, rugged terrain throughout the remainder of the parcel. The majority of the parcel is undisturbed and supports dense chaparral with large rock outcroppings and areas of oak woodland. Surrounding land uses are primarily undeveloped open space, portions of the Cleveland National Forest, and interspersed with low-density residential uses. Long Canyon Creek crosses the northeast corner of the parcel and an unnamed stream bisects the center of the parcel from north to south.

Existing disturbance areas of the North Parcel are located in the southern portion of the parcel and include a network of dirt roads and trails and an occupied residence in the southwest corner of the parcel that would be vacated prior to the start of construction. This portion of site is connected to the electricity grid and contains two active water wells and several water storage tanks (one of them 8,000 gallons). Additionally, the North Parcel contains various cleared graded areas where structures had previously been built.

The southwestern portion of the North Parcel contains the previously used McConville Airstrip (FAA Identifier CA42) that has a gravel surface, is approximately 1,000 feet long, and lies in a northeast to southwest direction on a slope. The airstrip was previously used for training and landing of small aircraft in rural areas. A hangar/maintenance structure, bunker, and a shed that contains tools, equipment and various oils and lubricants is located adjacent to the airstrip.

PROPOSED PROJECT

The project would develop 72 single-family residential lots requiring General Plan Amendment LUE 17-01 to change the existing Land Use Designation from (5) Open Space to (1A) Rural Residential, and a Zone Change ZC 17-01 from (A1) General Agricultural to (AR) Agricultural Residential. The project includes a proposed Area Plan PA130026 with two phases: Phase 1 (South Parcel) and Phase 2 (North Parcel) and would include large areas of open space.

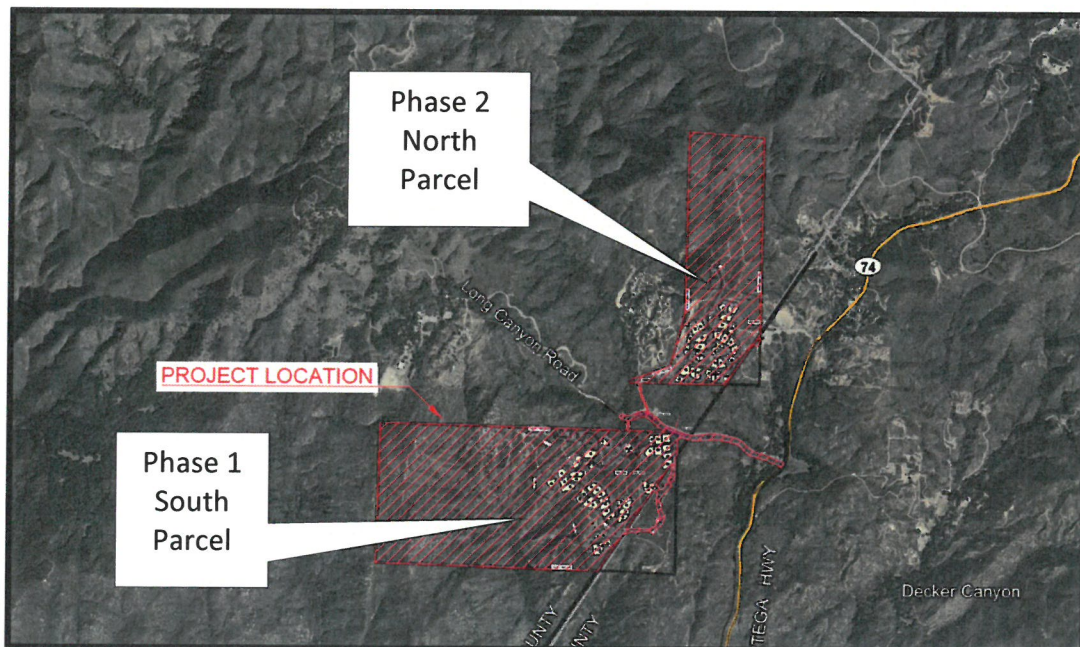
The project would create a new single-family residential community, “The Preserve at San Juan.” South Parcel involves development of 43 single-family lots on 389.6 acres with an average lot size of 23,997 square feet. North Parcel involves development of 29 single-family lots on 194.5 acres with an average lot size of 23,667 square feet. The applicant has also applied for Area Plan PA130026 that establishes grading quantities, project design features, and standards for development of the project site, including roadways, infrastructure, landscaping, and operational management by the project Homeowner’s Association (“HOA”). The applicant is concurrently processing two vesting tentative tract maps (VTTM 17269 and 17270) to create the residential lots. The Planning Commission’s recommendation on the General Plan, Zone Change, Area Plan, and associated Final Environmental Impact Report No. 618 will be forwarded to the Board for their consideration and final action.

SURROUNDING LAND USES:

The project site is designated Open Space (5) in the County of Orange General Plan. The project is zoned General Agricultural (A1). An aerial photograph of the site and surrounding residential parcels is provided below. Zoning and existing land uses for other surrounding properties near the project site are as follows:

Direction	Zoning	Existing Land Use
Project Site Phase 1 South Parcel	General Agricultural (A1) (AR Proposed)	Vacant Land
North	General Agricultural (A1)	Vacant Land (US Forestry Service Area)
East	General Agricultural (A1)	Vacant Land
South	General Agricultural (A1)	Vacant Land (US Forestry Service Area)
West	General Agricultural (A1)	Vacant Land (US Forestry Service Area)
Project Site Phase 2 North Parcel	General Agricultural (A1) (AR Proposed)	Single Family Residence
North	General Agricultural (A1)	Vacant Land (US Forestry Service Area)
East	General Agricultural (A1)	Recreational Retreat Area
South	General Agricultural (A1)	Vacant Land (US Forestry Service Area)
West	General Agricultural (A1)	Riverside County Single Family Residence

PROJECT AERIAL:



DISCUSSION/ANALYSIS:

Planning Application PA130026 requires adoption of a General Plan Amendment and Zone Change to allow for an increase in density, which would allow clustering of the proposed residential uses and preservation of large contiguous areas of open space.

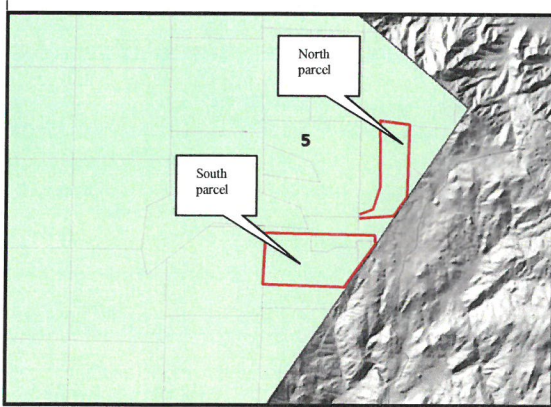
General Plan Amendment

The project site is currently designated Open Space (5) by the County General Plan, which allows for limited land uses that do not require a commitment of significant urban infrastructure. Significantly, the Open Space designation is not a permanent commitment to maintaining private property as open space, as stated in the Land Use Element, “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 open space uses, except where one of the three overlay categories applies (Open Space Reserve, Nature Preserve, and Education Park Compatible).”

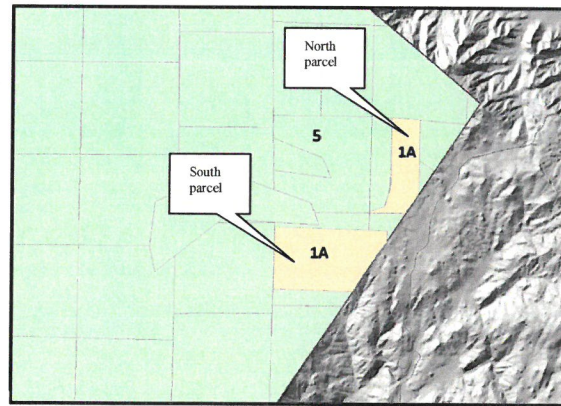
The project proposes a General Plan land use designation amendment from Open Space (5) to Rural Residential (1A), which would allow a density of 0.025 to 0.5 dwelling units per gross acre, or 1 dwelling unit per 2 to 40 acres. Based on the proposed development acreage, The Preserve at San Juan would be at a density of 0.12 dwelling units per acre (72 units within the 584.1-acre), which is well within the density allowed by the proposed land use designation.

Proposed General Plan Amendment Exhibit

Existing General Plan



Proposed General Plan



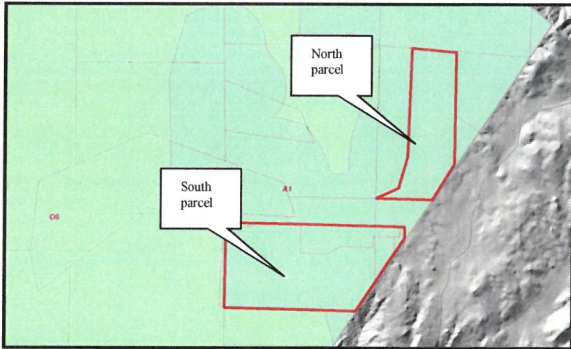
Zone Change

In order to implement the Project, the applicant is requesting approvals to change the current Zoning District designation from General Agriculture (A1) to Agricultural Residential (AR). The AR zone allows a minimum residential lot size of 7,200 square feet for residential development, which is smaller than the proposed average lot size of 23,997 square feet for the proposed project. Specifically, the project would develop the single-family residential uses at an average lot size of 23,997 square feet in Phase 1 (south parcel) with a minimum building site of 14,472 square feet and average of 23,667 square feet in Phase 2 (north parcel) with a minimum building site of 14,458 square feet. This would result in a density of 0.12 dwelling units per acre (72 units within the 584.1-acre project area). Below is a comparison chart of Zoning Code Sections 7-9-55.8 and 7-9-59.8 that provide the Site Development Standards for the existing and proposed zoning designations:

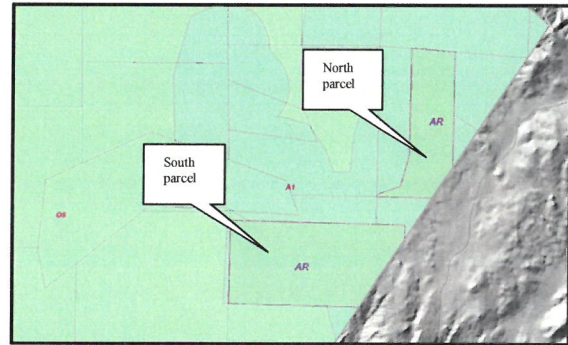
Development Standards	Existing General Agricultural (A1)	Proposed Agricultural Residential (AR)
Minimum Building Site Area	Four (4) acres minimum	7,200 square feet
Building Site Width	70 feet minimum	N/A
Maximum Building Height	35 feet	35 feet
Maximum Building Site Coverage	N/A	35%
Minimum Building Setbacks	Front: 20 feet Side: 5 feet Rear: 25 feet	Front: 20 feet Side: 5 feet Rear: 25 feet

Proposed Zone Change Exhibit

Existing Zoning



Proposed Zoning



Area Plan

The Preserve at San Juan’s Area Plan (Area Plan PA130026) was prepared by the applicant to provide details of the land use plan for development of the project site. The Area Plan also provides grading limits and general grading quantities along with Project Design Features and standards for development for the project site, including roadways, infrastructure, landscaping, and operational management by the project HOA.

The intent for the Area Plan is to grant a higher density to allow for cluster development residential community in conjunction with limited agricultural uses, while preserving large areas of open space. The development areas are closer to Long Canyon Road, and are clustered in areas where the existing topography is suitable. Fuel modification would be used to provide a vegetative buffer between the development and open space areas, the fuel modification is comprised of non-invasive species, many of which would be native, which also includes the proposed vineyard areas. The 34.5 acres of vineyards spread throughout phases of the project and will contribute to open space and the aesthetic quality and character of the area, while providing fuel modification and open space buffer areas. The grapes would be harvested by the HOA that would be established by the project.

In addition, the Area Plan establishes a link between the implementing policies of the General Plan, the proposed AR zoning designation, and the planned development. The Area Plan provides direction to all

facets of the project including the type, location, and intensity of infrastructure, and design criteria. The Area Plan provides for the development of a low-density master planned community, and includes policies and regulations to guide the proposed development in compliance with the programs and policies of the County of Orange General Plan and the Orange County Codified Ordinances. Therefore, the project provides detached single-family homes under a comprehensive set of site development standards that include setbacks, building height, building separations, and allowable structure coverage limits that would be approved as part of the proposed Area Plan. The proposed standards under the Area Plan are consistent with the AR development standards under the Zoning Code.

In addition, the Area Plan includes a Fuel Modification Plan to control vegetation related fire hazards and Fire Master Plan, which was approved by the Orange County Fire Authority (“OCFA”). The Fire Master Plan provides enhanced construction features, requirements for fuel modification zones, and requirements for enhanced fire sprinkler systems per California Building Code Chapter 7A.

Compatibility with Surrounding Land Uses

Surrounding land uses are primarily undeveloped open space, portions of the Cleveland National Forest, with interspersed low-density residential uses. The project would provide low-density single-family residential uses. Landscaping includes vineyards and landscaping species that are drought tolerant, coordinate with the natural environment, and aesthetically pleasing. The project would cluster residential uses in the flatter portions of the site to maximize open space preservation, preserve topography and ridgelines, avoid blue line streams, and provide a buffer of open space between the development area and the Cleveland National Forest. Overall, the low-density residential and open space uses proposed by the project are compatible with the surrounding land uses. The project has been designed in a manner that is complementary to the character of the hills, ridgelines, and ravines in the project area.

Parking

Pursuant to Section 7-9-145 of the Zoning Code, each single-family residence is required to provide two covered parking spaces. Covered parking spaces can be provided in the form of a garage or carport while guest parking spaces can be provided on-street within 200 feet of the residence being served. The proposed project will provide a two-car garage for each single-family residence along with an 18-foot minimum depth driveway which will allow additional parking spaces. Additionally, the community will be served by private streets that will be designed to allow for street parking on one side of the street and accommodate any guest parking spaces.

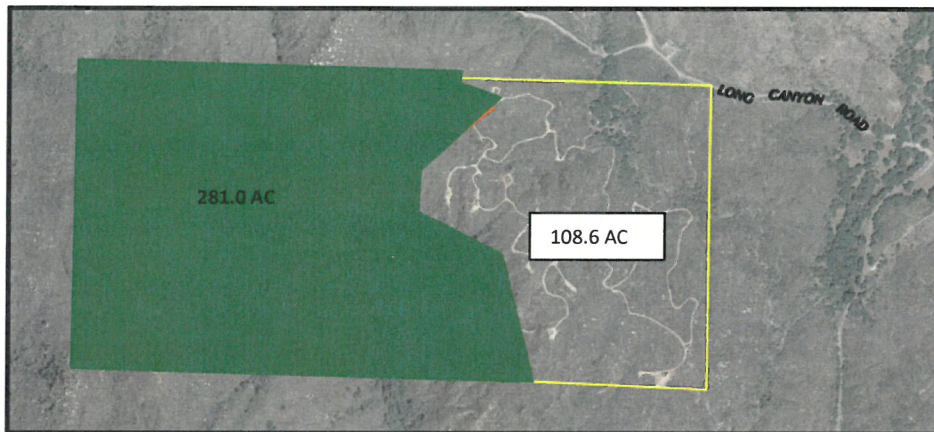
Common Property Maintenance and HOA

The vineyards, landscaping, private streets, and common area lighting will be maintained by an HOA. The septic systems would have a high-water alarm that would alert the HOA of any septic malfunction conditions, to ensure that overflows would not occur, the system is discussed further in the wastewater disposal section, below. In addition, the HOA would implement Covenants, Conditions, and Restrictions (CC&Rs) to enforce quality design during development of each custom home and the level of maintenance of common areas. To appropriately maintain all fuel modification areas, CC&R’s would include an OCFA approved annual self-inspection procedure and certification of the HOA by an outside consultant to ensure adequate and timely maintenance of all fuel modification zones as well as oversight by OCFA.

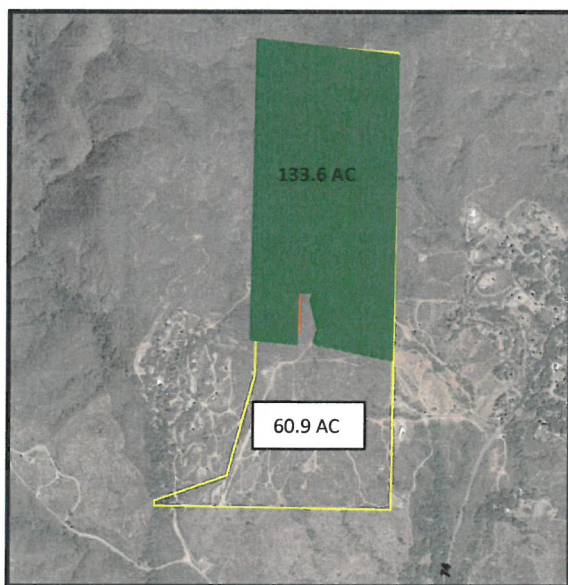
Residential Development and Open Space Preservation

The South Parcel would be developed with 43 single-family residences on approximately 108.6 acres and 281.0 acres would be dedicated to open space. The North Parcel would be developed with 29 single-family residences on approximately 60.9 acres and 133.6 acres would be dedicated to open space. The total onsite project area is 584.1 acres and the project proposes improvements to 169.5 of those acres. The remaining 414.6 acres (71% of the project area) would remain undeveloped open space. No improvements, including landscaping, would occur in the open space portions of the project site. Areas that are designated for open space by the proposed project would be preserved in the existing natural condition.

South Parcel Open Space



North Parcel Open Space



Vehicular Circulation

Access to the project would be provided from Long Canyon Road via Ortega Highway (SR-74), which are both public roadways. Long Canyon Road is designated as a 66-foot right-of-way public road that

branches off Ortega Highway. Long Canyon Road was improved in 2016 and currently provides a paved width of 24-feet with a curb and gutter.

The onsite roads would loop through the proposed development areas and would be designed pursuant to both Orange and Riverside Counties' (depending on roadway location) rural street standards, and would have features such as rolled curbs, no sidewalks, cul-de-sacs, and landscaped planter islands.

The South Parcel would be accessed directly from Long Canyon Road via gated entries that would be setback from Long Canyon Road at a minimum of 100 feet from the curb line of Long Canyon Road, to provide adequate vehicle stacking space (per Orange County Standard Plan No. 1107). Stop signs, stop bars, and stop legends would be installed at the intersection of Long Canyon Road for vehicles exiting the site.

A portion of the onsite roadway would cross Long Canyon Creek in the northern portion of South Parcel. The roadway creek crossing would consist of an arch span bridge of concrete or steel with a natural bottom that was designed to minimize potential impacts to the creek and its related biological resources.

The South Parcel roadway would connect back to Long Canyon Road to the west of the entrance gate, via an existing off-site roadway that would be improved (approximately 0.5-acre off-site improvement area) to existing Orange County standards, that would be used as a secondary exit and a restricted entrance. The secondary exit would be limited to residents leaving (departures only), and the restricted access would be for emergency responders only. The secondary entrance gate would be locked, and a "knox box" would be installed to provide emergency entry for Sheriff and Fire Department personnel. Knox boxes are small mounted safes that hold keys or access cards for fire and police departments to use in emergency situations.

Due to the topographical constraints of the South Parcel an 8-acre portion of the onsite roadway is within Riverside County. Permits for roadway improvements on this portion of the onsite private roadway would need to be obtained from the Riverside County Transportation Department to ensure improvements are consistent with private roadway improvement requirements.

The North Parcel would be accessed from Long Canyon Road via an existing 0.73-acres off-site roadway that is usable with an US Forest Service (USFS) road use permit. The dirt road is proposed to be improved for the project. Improvements would include pavement and installation of stop signs, stop bars, and stop legends at the intersection of Long Canyon Road for exiting vehicles. Gated entries would be installed at the entrance to the North Parcel. In the past, the previous owner obtained a road use permit from USFS for the period of 10 years. As a part of the conditions of approval, prior to the recordation of the final map, the applicant is required to obtain access in perpetuity from the USFS as a condition of the vesting tentative map.

The secondary exit and a restricted entrance for the North Parcel would also be gated and would be limited to residents leaving the site and restricted access for emergency responders only. The entrance gate at the secondary access would be restricted by the use of a "knox box" that would provide for Sheriff and Fire Department entry, as needed. The secondary exit/restricted access would connect to Monte Vista Street in Riverside County. The connection roadway to Monte Vista Street would be improved pursuant to a permit from Riverside County using Riverside County's roadways standards.

Off-Site Roadway Improvements

The off-site roadway improvements that would occur for the South Parcel include paving and grading 0.5-acres of an existing unpaved roadway to provide secondary access. The off-site roadway improvements for the North Parcel include grading, paving, installation of street lights, a water line, and dry utilities (electricity, cable, telephone), which would occur on a 0.73-acre off-site currently unpaved roadway that connects to Long Canyon Road. The North Parcel secondary improvements include grading and paving to Monte Vista Street in Riverside County, in addition to installation of street lights, water line, and dry utilities.

In addition, improvements would occur within the paved right-of-way on Ortega Highway at the Long Canyon Road intersection to provide enhanced access to the project. The improvements consist of installing a northbound 12-foot wide acceleration lane and a northbound 12-foot wide left turn lane on Ortega Highway; and installing a minimum 22-foot wide southbound deceleration lane on Ortega Highway from Long Canyon Road to 160 feet to the north. The Ortega Highway improvements would require an encroachment permit and coordination with the California Department of Transportation (Caltrans) to ensure that the roadway improvements are implemented pursuant to Caltrans standards.

Landscape Elements and Vineyards

The landscaping included in the project meets the following criteria and pursuant to Zoning Code Section 7-9-133:

- The plant is appropriate for the climatic zone of the project site, both in altitude and location.
- All of the plant material is rated as either 'LOW' or "VERY LOW" in the State of California's Water Use Classifications of Landscape Species (WUCOLS); except for the treated effluent dispersal areas of Fuel Modification Zone 'B' which would contain "MODERATE" water use plant material.
- Native plant material would be used extensively throughout the project.
- All plant material was reviewed by the project biologist to verify that none of the plants would be detrimental to the existing natural vegetation.
- No plants are proposed that are listed as being invasive to native habitat.
- All plants proposed for fuel modification zones have been utilized in a manner consistent with like applications for density, amounts and location.
- All of the plant material is available from localized wholesale sources.

Water District Annexation and Water Services

Water service for potable use, irrigation, and fire flow would be supplied by the Elsinore Valley Municipal Water District (EVMWD). Approximately 133.4 acres of the project site (portions of the site needing domestic water service) would be annexed into the EVMWD, Western Municipal Water District, and Metropolitan Water District service areas. Not all of the 169.5 acres of the developed areas will need to be annexed into the water district areas such as the internal streets and non-irrigated fuel modification zone. The 133.4 acres that will be annexed into the water district is comprised of: the house pad, Zone A and B fuel modification areas, the HOA maintained slopes, and all the landscaped islands and medians (Exhibit 12 of the Area Plan).

The proposed project includes on-site and off-site improvements to the EVMWD infrastructure system. All of the off-site water distribution improvements would occur within the existing EVMWD right-of-way

adjacent to the existing six-inch water transmission main. The new on-site water distribution facilities would include a 12-inch distribution line that would be constructed throughout the developed portions of the project site during each construction phase. In addition, a 615,000-gallon and a 525,000-gallon water storage tank would be installed (in each phase) to provide emergency water and fire suppression supplies. The size of the tanks has been coordinated with OCFA and EVMWD to ensure appropriate capacity to meet potential demands. A 615,000-gallon reservoir would be located in the northwestern-most portion of the South Parcel development area. A 525,000 gallon reservoir would be located in the far northern end of the North Parcel development area. The water for the reservoir will be supplied and maintained by the EVMWD. New distribution mains from each reservoir would be installed to provide water to their respective development phases, and would be sufficiently sized based on peak flow demand and fire-flow requirements.

Wastewater Disposal

Wastewater generated by the project would be treated and disposed of through the use of onsite wastewater treatment systems located on each lot that would consist of four components: (1) a 1,500-gallon septic tank; (2) three modular peat fiber biofilters; (3) a 300-gallon water reuse pump station (4) a 1,500-gallon emergency storage tank. The septic tank would provide primary treatment of the wastewater and settle out solids. From the septic tank, effluent would flow to a dosing tank and be pumped to the biological peat filtration system for secondary treatment via an aerobic attached growth process (contaminants would be physically absorbed onto the peat fiber and digested by naturally-occurring microbes). Treated effluent would then flow by gravity to the water reuse pump station, and then be pumped to subsurface dispersal irrigation fields on fill slopes and natural areas to irrigate portions of the Zone B fuel modification area. Approximately 320 gallons per day would be emitted for irrigation of approximately 13,100 square feet of the HOA maintained areas; treated effluent would be supplemented with freshwater to meet this irrigation demand when necessary.

The septic tanks, biofilters, reuse water pump stations and emergency storage tanks would be setback pursuant to existing regulations of the California Plumbing Code, State Water Resources Control Board (SWRCB) Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems, San Diego Regional Water Quality Control Board (RWQCB), Orange County Regulations for Wastewater Treatment and Disposal Systems, and Orange County On-Site Sewage Absorption System Guidelines. These regulations provide specific setbacks, such as a minimum of 100 feet between streams and graywater irrigation areas, 15 feet from slopes of two feet or more, and 10 feet from property lines. In addition, these regulations provide standards related to soil conditions in areas where onsite wastewater systems are used.

High water alarms would be included in each system to alert homeowners and the HOA of high water level conditions prior to a potential overflow event. In addition, each individual lot will install an emergency storage tank of 1,500 gallons would provide approximately 5 working days (to ensure overflows would not occur) would be part of each system.

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

Copies of the planning application and project plans were distributed for review and comment to County Divisions; OC Development Services (Planning, Building/Grading Plan Check, Building Official, Right of Way Permits, Inspection Services), OC Infrastructure Programs (Traffic Engineering and OC

Flood), and the Orange County Fire Authority. All comments received from County Divisions have been addressed in the Environmental Impact Report.

Additionally, on January 12, 2018, notice of the Planning Commission hearing for the project was mailed to all property owners of record within 1,000 feet of the project site, to those that commented on the Draft EIR, and those requesting notification. Additionally, a notice was posted on January 12, 2018 at the County Hall of Administration at 10 Civic Center Plaza, and at the H.G. Osborne Building at 300 N. Flower, and published on January 12, 2018 in the Orange County Reporter as required by County public hearing posting procedures.

CEQA COMPLIANCE:

The County determined that a Draft Environmental Impact Report (“DEIR”) would be required for the proposed project and issued a Notice of Preparation (NOP) and Initial Study on September 26, 2013. The NOP was distributed to all public agencies, trustee agencies, interested organizations, and the State Office of Planning Research and posted at the Orange County Clerk-Recorder’s office and on the County’s website.

In addition, a revised NOP and Initial Study was circulated for a 30-day public review starting on October 31, 2014, in response to changes in the project description related to the number of residential units and wastewater treatment systems. The public review period for the NOP and Initial Study was from October 31, 2014 to December 1, 2014.

Scoping meetings were held during both of the NOP review periods to allow local residents and interested persons an opportunity to review the proposed project and provide input on issues to be addressed in the DEIR. The two scoping meetings were held on October 16, 2013 and November 13, 2014, from 4:45 p.m. to 6:45 p.m. at Hell’s Kitchen at 32685 Ortega Highway, Lake Elsinore representing the nearest public location to the project site. Notice of the scoping meeting was sent to state and local agencies, cities, individuals who expressed interest in the project and residents/occupants within a 1,000-foot radius of the project boundaries.

The Notice of Availability (NOA) of DEIR 618 was posted by the Orange County Clerk-Recorder on May 24, 2017. The DEIR was available for public review for the CEQA required 45-day public comment period from May 24, 2017 through July 7, 2017. The Draft EIR was available for review on the County’s website, at the OC Public Works, OC Development Services Development Processing Center, and at six different library locations in Orange and Riverside Counties.

The County received 23 written responses, comprised of letters and emails, from public and quasi-public agencies, Native American tribes, interested organizations, and interested individuals. Of these comments, five were received after the close of the 45-day public comment period. The County decided to accept and respond to the late comments, which is allowed by Section 15088(a) of the State CEQA Guidelines and Section VIII.F. of the Orange County Local CEQA Procedures Manual.

The majority of the individual comments focused on issues pertaining to the following CEQA environmental topics: Aesthetics; Air Quality; Biological Resources; Cultural Resources; Land Use; Traffic; and, Wildfires. Aesthetics comments focused on impacts to scenic vistas from the Ortega Highway (SR-74) and adjacent lands within the Cleveland National Forest. Air Quality comments focused on impacts during the project’s construction phase. Biological resources comments focused on impacts to mountain lions, protected wildlife and vegetation species, wildlife corridors, artificial chemicals related to vineyard operations, and stream beds. Cultural resources comments focused on impacts to existing and potentially unknown resources. Land use comments focused on the proposed General Plan

amendment and impacts from human intrusion into the adjacent lands within the Cleveland National Forest. Traffic comments focused on increased traffic on Ortega Highway (SR-74), turning movements at Ortega Highway (SR 74) and Long Canyon Road, and secondary vehicular access. Wildfire comments focused on impacts from potential wildland fires in combination with fuel modification and fire protection level of service.

The DEIR identified two significant and unavoidable impacts that would result from implementing the proposed project relating to the Aesthetics and Noise CEQA environmental topics.

Impacts related to Aesthetics were discussed as part of Section 3.1 of the DEIR. The proposed project would result in a substantial adverse effect on a scenic vista and would degrade the existing visual character or quality of the site and its surroundings. Applicable Project design Features and a mitigation measure reduced the potential impacts, but not below the level of significance. Therefore, Aesthetics impacts related to a scenic vista would remain significant and unavoidable after project implementation.

Impacts related to Noise were discussed as part of Section 3.11 of the DEIR. Construction of the proposed project would result in an exposure of persons to, or generation of, noise levels in excess of standards established in the noise ordinance; and a substantial temporary or periodic increase in ambient noise levels, which would be a significant and unavoidable impact. The project design features and a mitigation measure reduced the potential impacts but not below the level of significance. Therefore, Noise impacts related to construction activities would remain significant and unavoidable after project implementation.

A Final Environmental Impact Report (“FEIR”) was prepared as a separate section that addressed each individual comment within each of the comment letters. The FEIR summarized each comment and provided a written response. The written responses represented a well-reasoned and good faith effort on the part of the County to fully comprehend a comment, respond, and dispose of any environmental issue(s) raised. Revisions and corrections to the DEIR were presented in a separate chapter of the FEIR and identified with strikethrough text representing deleted text and underlined text representing additional text. Where necessary, new exhibits were prepared and were included in the FEIR.

Because project implementation would result in significant and unavoidable impacts, a Statement of Overriding Considerations (SOC) was prepared. The purpose of the SOC is to require the County to balance, as applicable, the economic, legal, social, technological, or other benefits including region-wide or statewide environmental benefits, of this proposed project against its unavoidable environmental risks when determining whether to approve this project. Essentially, if the specific economic, legal, social, technological or other benefits including region-wide or statewide environmental benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

CONCLUSION:

The applicant’s request for the certification of EIR 618, approval of a General Plan Amendment LUE 17-01, Zone Change ZC 17-01, and Area Plan PA130026 for the project site is compatible and consistent with the County’s General Plan and compatible with surrounding land uses. The increase in density allows clustering of the proposed residential uses and preservation of large contiguous areas of open space, which contributes to the project’s compatibility with surrounding land uses. There are small

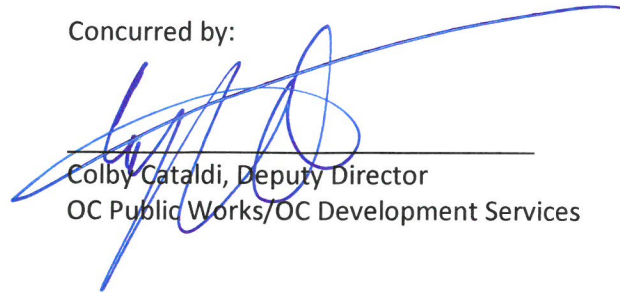
clusters of rural residential areas east of the project site in the unincorporated Riverside County jurisdiction surrounded by large contiguous areas of open space. Additionally, the proposed Area Plan would ensure a well-designed community that is compatible with surrounding uses. It is recommended that the Planning Commission adopt Resolution 18-01 (see Attachment 3), recommending that the Board of Supervisors certify Final EIR 618, adopt the General Plan Amendment LUE 17-01, adopt the Zone Change ZC 17-01 and approve the Area Plan PA130026 subject to the Findings and Conditions of Approval.

Submitted by:



Richard Vuong, Planning Manager
OC Development Services/Planning

Concurred by:



Colby Cataldi, Deputy Director
OC Public Works/OC Development Services

ATTACHMENTS:

1. Proposed Final EIR No.618 with MMRP
http://www.ocpublicworks.com/ds/planning/projects/the_preserve_at_san_juan
2. Proposed Area Plan for The Preserve at San Juan
3. Proposed Planning Commission Resolution No. 18-01
4. Vesting Tentative Tract Map 17269 and 17270

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Planning Commission on this permit to the Board of Supervisors within 15 calendar days of the decision upon submittal of required documents and a filing deposit of \$500 filed at the Development Processing Center, 300 N. Flower St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to OC Development Services/Planning Division.