

## SECTION 3.0 PROJECT DESCRIPTION

### 3.1 PURPOSE

The purpose of the Project Description is to describe the proposed Newport Banning Ranch Project (proposed Project or Project) in a way that allows for meaningful review by the public, reviewing agencies, and decision makers. Section 15124 of the California Environmental Quality Act (CEQA) Guidelines (14 *California Code of Regulations* §15124) requires that the project description for an environmental impact report (EIR) contain (1) the precise location and boundaries of a proposed project; (2) a statement of objectives sought by the proposed project including the underlying purpose of the project; (3) a general description of the project's technical, economic, and environmental characteristics; and (4) a statement briefly describing the intended uses of the EIR, including a list of the agencies that are expected to use the EIR in their decision making, a list of the permits and other approvals required to implement the project, and a list of related environmental review and consultation requirements required by federal, State, or local laws, regulations, or policies. An adequate project description need not be exhaustive, but should supply the detail necessary for project evaluation.

An EIR is the most comprehensive form of environmental documentation identified in CEQA and the State CEQA Guidelines. The following project description provides the information needed to assess the environmental effects associated with the development, construction, and operation of the proposed Project.

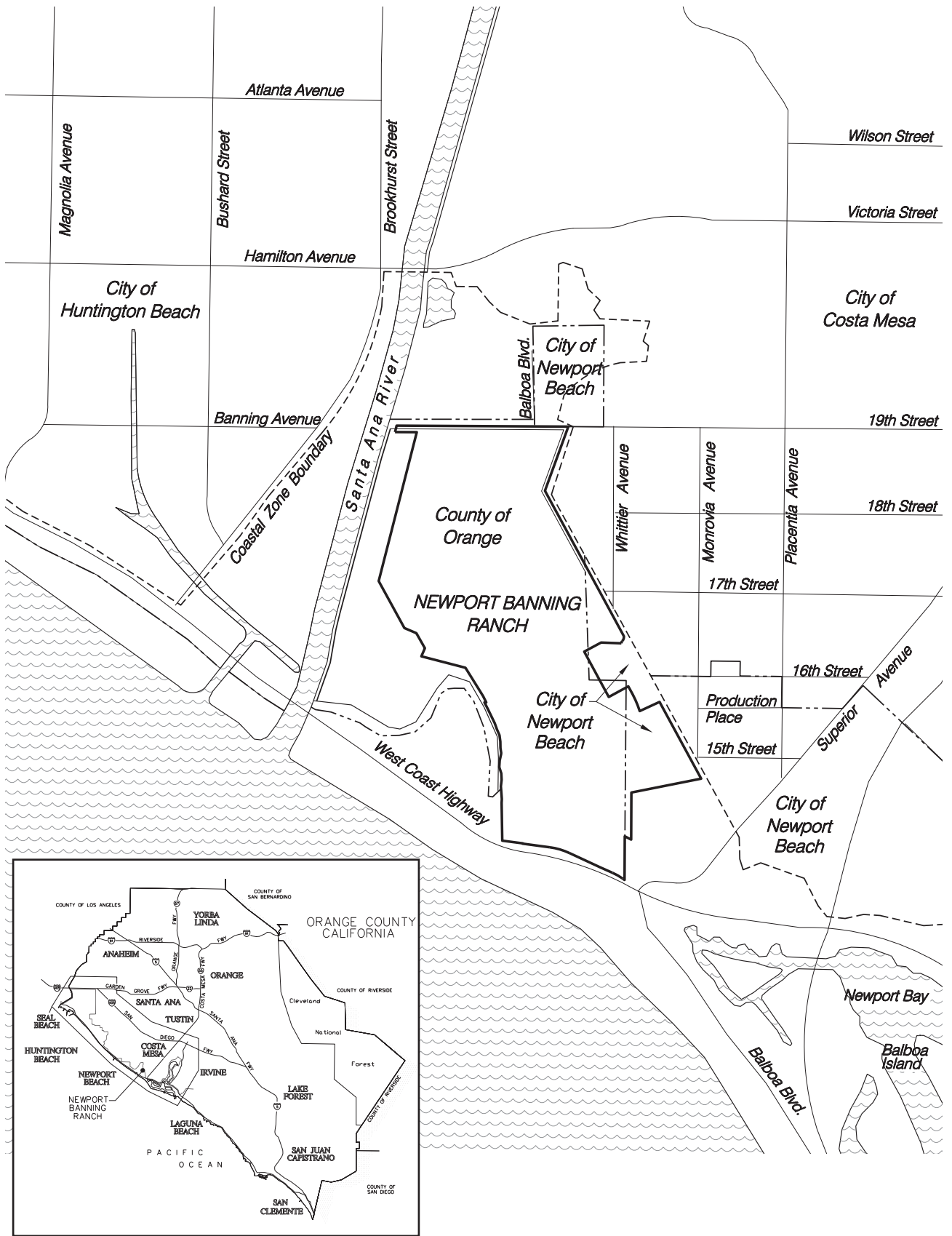
### 3.2 PROJECT SETTING

The Newport Banning Ranch Project site (Project site or site) encompasses approximately 401.1 acres. Approximately 40 acres of the Project site are located within the incorporated boundary of the City of Newport Beach (City); the remainder of the Project site is located within unincorporated Orange County, in the City's adopted Sphere of Influence, as approved by the Local Agency Formation Commission of Orange County (LAFCO). The entire Project site is within the boundary of the Coastal Zone, as established by the California Coastal Act (Coastal Act). Exhibit 3-1, Regional Location and Local Vicinity, depicts the Project site in a regional and local context.

### 3.3 PROJECT SUMMARY

The Project site is an active oilfield with surface and subsurface oil production facilities located throughout the entire 401.1-acre site. The proposed Project includes the abandonment and reabandonment of oil production facilities; site remediation; consolidation of existing surface oil production facilities into approximately 16.5 gross acres on the Project site; land use development on approximately 149 gross acres of the Project site; and preservation of approximately 252.3 gross acres as open space uses. The open space would include approximately 16.5 acres of consolidation sites for oil production facilities to be remediated and restored for open space use when oil production activities cease in the future.

The proposed land use development plan for the Project is depicted on Exhibit 3-2, Newport Banning Ranch Land Use Plan. In summary, the proposed Project would include 1,375 residential dwelling units (du); 75,000 square feet (sf) of commercial uses; a 75-room resort inn, including ancillary visitor-serving commercial uses and limited meeting facilities; and approximately 51.4 gross acres for parks, including an approximate 26.8-gross-acre public Community Park. Approximately 252.3 gross acres (or approximately 63 percent of the Project



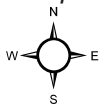
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Source: FORMA 2009

## Regional Location and Local Vicinity

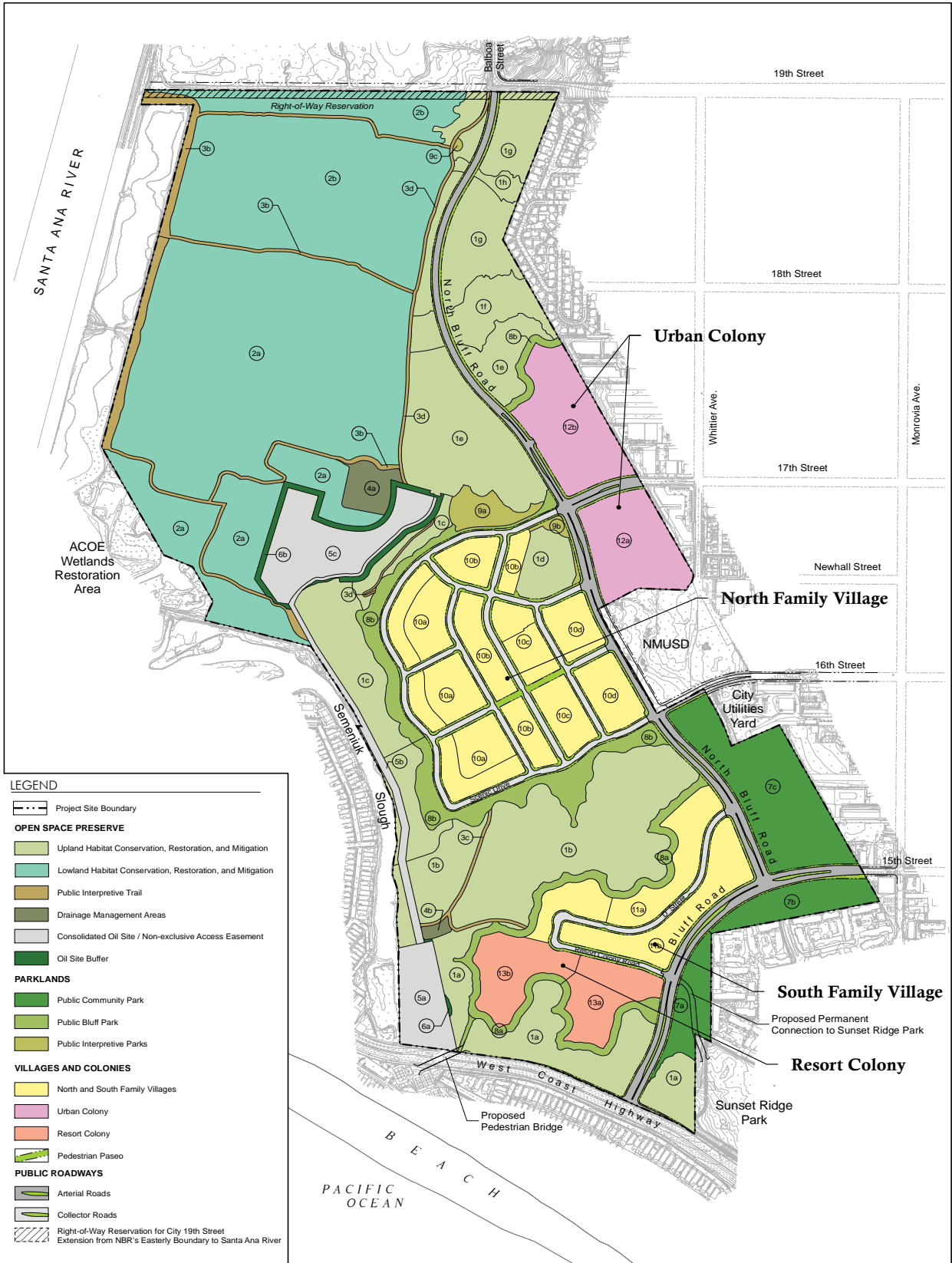
## Exhibit 3-1

Newport Banning Ranch EIR



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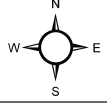


Source: FORMA 2011

# Newport Banning Ranch Land Use Plan

# Exhibit 3-2

Newport Banning Ranch EIR



site) are proposed for permanent open space including approximately 220.9 gross acres of habitat conservation, restoration, and mitigation that would be implemented by the Applicant and/or others; approximately 9.5 gross acres of public interpretive trails; and approximately 2.6 gross acres for the construction of water quality and detention basins. Approximately 16.5 gross acres would be designated within 2 sites for the consolidation of surface oil facilities related to continued oil production operations; these 2 sites would be connected by an access road between them. Upon the future cessation of oil operations, the oil consolidation sites would be abandoned and remediated in order that the consolidation area can be converted to an Open Space use.<sup>1</sup> It is anticipated that oil production would continue on the Project site for an additional 30 to 40 years from now. Approximately 2.8 gross acres of permanent open space would provide a planting buffer around the oil consolidation sites.

The proposed Project includes construction of a circulation system for vehicles, bicycles, and pedestrians. New vehicular roadways are proposed to connect to existing off-site roadways and to provide access through the Project site. Within the Project site, roadways are proposed to provide access to and circulation within residential areas, commercial areas, visitor-serving areas, and parks. The Project proposes pedestrian and bicycle trails that would connect proposed on-site residential neighborhoods, the resort inn, commercial uses, and open space and would also be connected to existing off-site City and regional trail systems. A pedestrian and bicycle bridge is proposed to connect the Project site to the southern side of West Coast Highway.

The proposed Project includes the construction of new infrastructure and utilities including water, sewer, storm drain, and water quality management facilities to serve new land uses. New water, sewer, and storm drain facilities would connect to existing infrastructure located adjacent to the Project site.

### **3.4 EXISTING SITE CONDITIONS AND LAND USES**

#### **3.4.1 PHYSICAL SITE CONDITIONS**

##### **A. Topography**

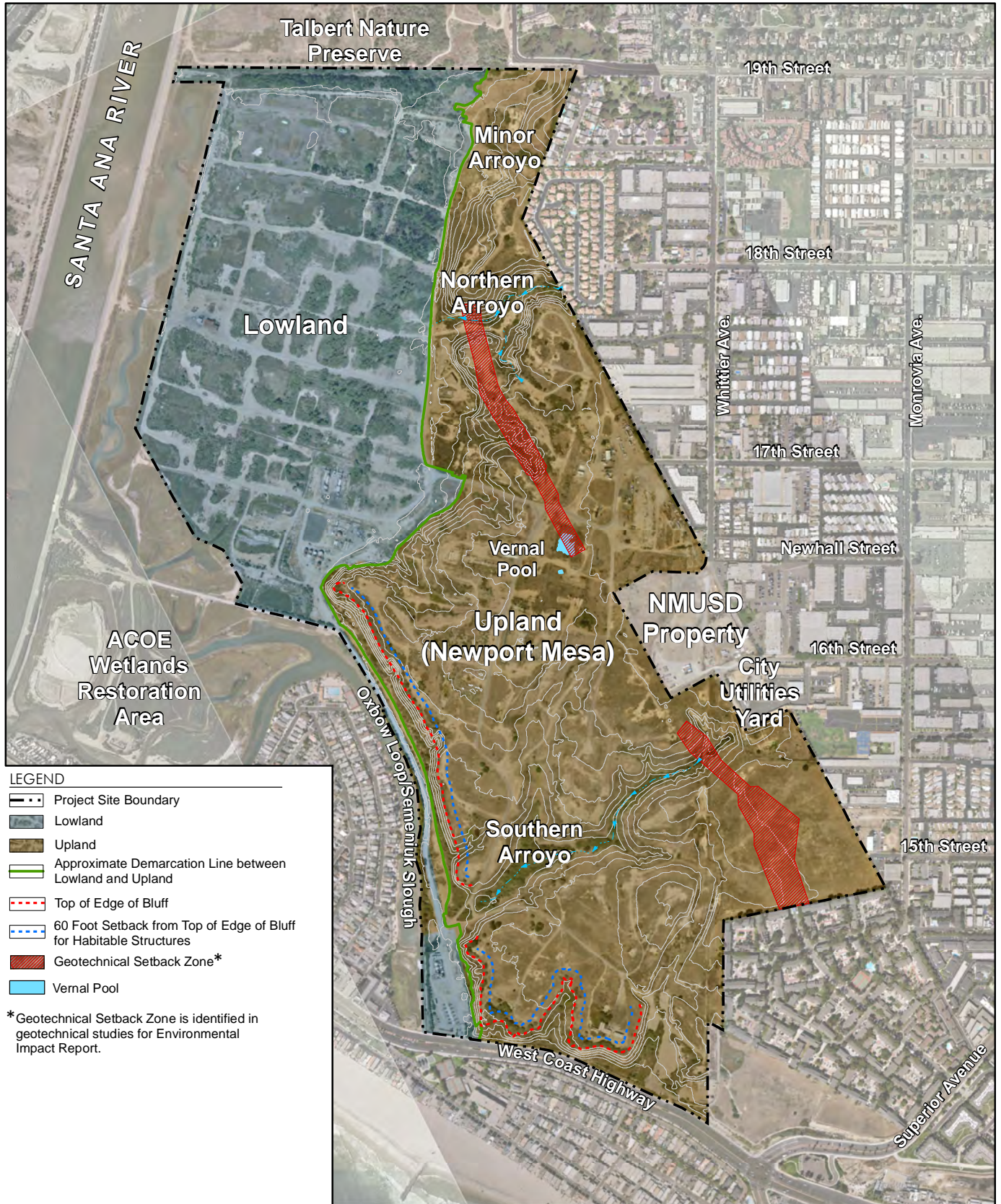
As depicted on Exhibit 3-3, Existing Topographic Site Conditions, the Project site's topography is characterized by two primary topographic areas: (1) the lowland area (Lowland) in the northwestern portion of the Project site and (2) the uplifted Newport Mesa (Upland). From south to north, the Project site's topography becomes more gradual and transitions to sloping hillsides.

The Lowland comprises approximately 147 gross acres of the Project site and comprises the northwestern portion of the property. Elevations range from approximately one foot to ten feet above mean sea level (msl). South- and west-facing slopes are located east of the Lowland.

The Upland comprises approximately 254 gross acres of the Project site in its southern and eastern portions. Elevations range from approximately 50 feet above msl in the southwestern area to approximately 105 feet above msl in the eastern-central area. Bluffs<sup>2</sup> and slopes extend

<sup>1</sup> The timing of the abandonment of the oil consolidation sites has not been determined, but it is anticipated that oil production on the Project site would continue for an additional 30 to 40 years from now. Given the uncertainty of the timing, any impacts associated with the remediation of the consolidation sites will be addressed at the time the abandonment is proposed.

<sup>2</sup> Please refer to Section 10.0, List of Acronyms and Glossary of Terms, for a definition of bluffs and other terms used in this EIR.



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Source: FORMA 2011

## Existing Topographic Site Conditions

## Exhibit 3-3

Newport Banning Ranch EIR



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along the southwestern and southern edges of the Upland and serve to visually separate the majority of the Project site from West Coast Highway.

The Upland has been incised to form three arroyos, with the largest being the Southern Arroyo and the second largest being the Northern Arroyo. A very small arroyo feature (Minor Arroyo) is located in the northeasternmost portion of the Project site. The EIR technical analyses refer to the Southern and Northern Arroyos. Based on historical survey maps from 1874, the arroyos pre-date human activity on the site and are largely the result of natural processes (GMU Geotechnical 2010).

## **B. Vegetation**

Although the Project site has experienced disturbance associated with oil production operations, the site contains 45 vegetation types, including 20 types of coastal sage scrub; 9 types of pools, marshes and mudflats; 8 riparian types; and 8 grassland and disturbed/developed areas. In general, coastal sage scrub is located along the eastern and southern portions of the Project site in the Upland. The marshes and mudflats occur within the Lowland and are subject to tidal influence. Grassland depression features (pools) are located in the Upland adjacent to grasslands and other disturbed areas. Riparian resources are found in portions of the Lowland and Upland. Grassland and disturbed vegetation are found throughout the Project site. The Project site also supports several special status plants and wildlife species. The federally listed Threatened coastal California gnatcatcher and the coastal cactus wren are present on the Project site.

The Lowland supports wetland habitats, including areas of salt marsh that support the State-listed Endangered Belding's savannah sparrow; they also support willow scrub and willow riparian forest that support the State- and federally listed Endangered least Bell's vireo and a variety of special status nesting raptors including the white-tailed kite. Additionally, the Lowland supports special status plants, including substantial populations of southern tarplant.

The Project site contains riparian and wetland habitats that are under the jurisdiction of the U.S. Army Corps of Engineers (USACE), the California Department of Fish and Game (CDFG), and the California Coastal Commission (Coastal Commission). Riparian and wetland habitat on the Project site includes willow riparian forest, willow scrub, alkali meadow, mudflats, freshwater marsh, and salt marsh. The Project contains or is within Critical Habitat units defined by the U.S. Fish and Wildlife Service (USFWS) for the coastal California gnatcatcher and the San Diego fairy shrimp.

## **C. Past and Present Land Uses**

Prior to the 1940s, the Project site was used for agriculture. In the 1940s, portions of the site closer to West Coast Highway were used as a World War II military coast watch station and gun emplacement; for equipment storage and maintenance; and for miscellaneous peripheral operations (including areas leased to welders, pipe storage, and equipment operators).

The Project site has been a producing oilfield since the early 1940s. Exhibit 3-4, Oil Operations, depicts areas of the Project site that have been previously or are currently associated with oil operations. Existing oil operations include approximately 489 oil well sites and buildings and oil facility infrastructure, including oil processing facilities, pipelines, storage tanks, utility poles, and machinery. Related facilities include graded roads and equipment areas surfaced with gravel, asphalt, crude oil, or crude oil tank sediments, as well as old sumps which held produced oil and fluids in in-ground surface impoundments. As shown on the exhibit, oil operations occur in both

the Upland and Lowland areas. Existing oil operations are permitted pursuant to the California Coastal Commission South Coast Regional Coastal Zone Conservation Commission Claim for Exemption No. E-7-27-73-144 and to federal, State, and local regulations. Of the approximate 489 oil well sites, the City operates 16 wells and an oil processing facility near the southwestern boundary of the Project site, as accessed from West Coast Highway near the southwest corner of the Project site. Private access to oil operations undertaken by West Newport Oil Company<sup>3</sup> is provided at a gated entry at the terminus of 17<sup>th</sup> Street at the easterly boundary of the Project site and also at West Coast Highway. Because the Project site is privately owned and in light of the ongoing oil operations on the Project site, there is no public access for safety, liability, and security reasons.

### 3.4.2 SURROUNDING LAND USES

The Project site is generally bound on the north by Talbert Nature Preserve/Regional Park in the City of Costa Mesa and residential development in the City of Newport Beach; on the south by West Coast Highway and residential development south of the highway in the City of Newport Beach; on the east by a mix of land uses including residential, light industrial, institutional, and office development in the Cities of Costa Mesa and Newport Beach; and on the west by the USACE-restored salt marsh basin (a wetlands restoration area) and the Santa Ana River. The City of Huntington Beach is west of the Santa Ana River. At its nearest point, the Project site is less than 0.25 mile inland from the Pacific Ocean. More specifically, the Project site is bound by the land uses listed below and depicted on Exhibit 3-5, Surrounding Land Uses.

**North:** Talbert Nature Preserve, an approximate 180-acre County of Orange nature preserve and wilderness park facility located in the City of Costa Mesa, north of 19<sup>th</sup> Street;

Newport Terrace, a 281-unit condominium development located in the City of Newport Beach, north of 19<sup>th</sup> Street;

Canyon Community Park, a 35-acre community park located in the City of Costa Mesa, north of 19<sup>th</sup> Street.

**South:** West Coast Highway, a State highway;

Lido Sands, a single-family residential community in the City of Newport Beach, located south of West Coast Highway;

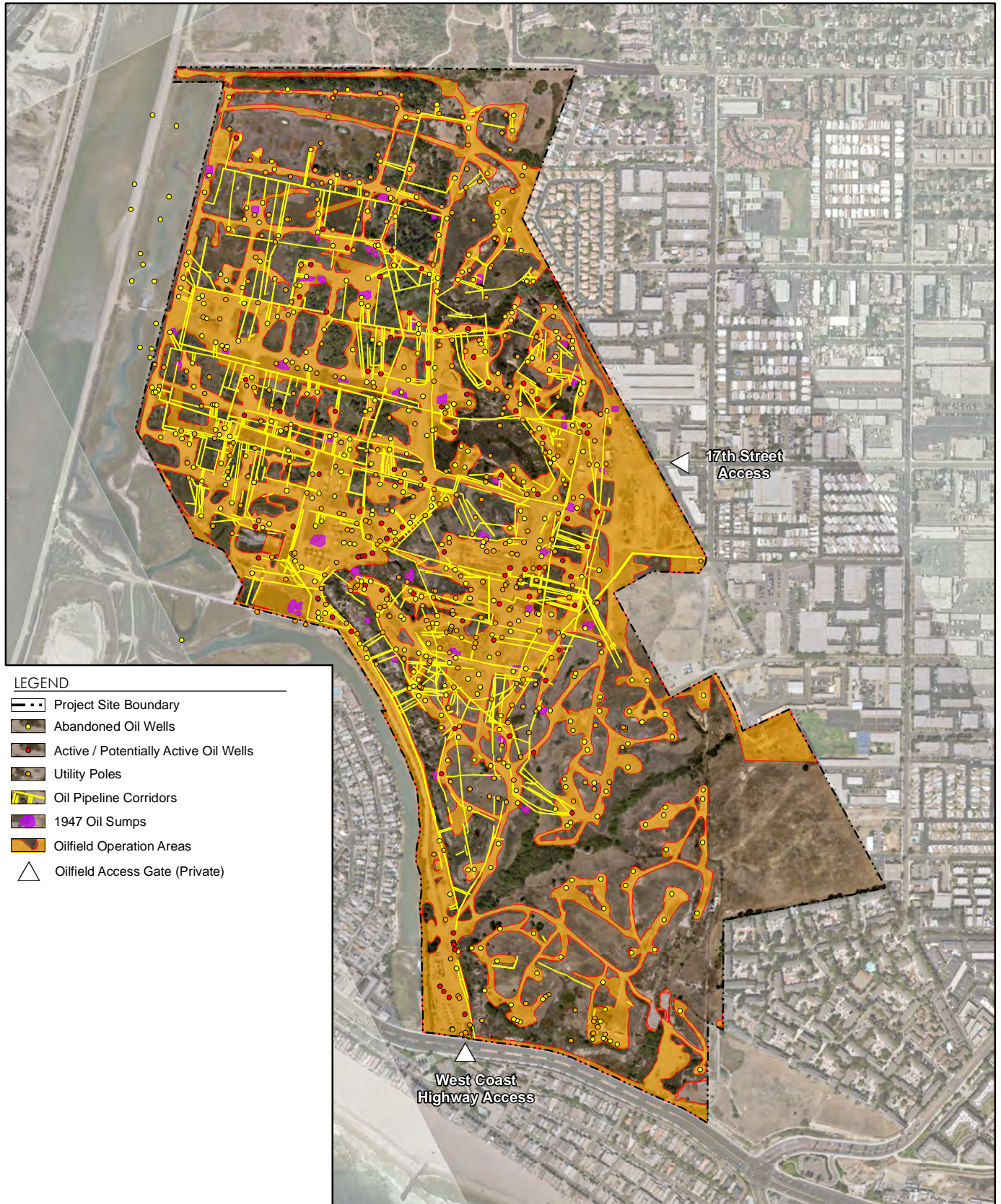
Single-family and multi-family residential units located south of Lido Sands within the City of Newport Beach.

**East:** Residential developments, including the California Seabreeze community and homes on Parkview Circle, generally located between 19<sup>th</sup> Street and 18<sup>th</sup> Street contiguous to the Project site in the City of Costa Mesa, as well as several mobile home parks;









Uses that transition from residential to light industrial and office located between 18<sup>th</sup> Street and Newhall Street;

A vacant Newport-Mesa Unified School District-owned parcel adjacent to the Project site, which is located predominantly in the City of Newport Beach and is used for storage;

<sup>3</sup> West Newport Oil Company and the mineral resources are wholly owned by Horizontal Drilling LLC, an entity separate and independent of the surface owners.



LEGEND

-  Project Site Boundary
-  Abandoned Oil Wells
-  Active / Potentially Active Oil Wells
-  Utility Poles
-  Oil Pipeline Corridors
-  1947 Oil Sumps
-  Oilfield Operation Areas
-  Oilfield Access Gate (Private)

Source: FORMA 2011

# Oil Operations

# Exhibit 3-4

Newport Banning Ranch EIR







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Source: FORMA 2011

## Surrounding Land Uses

## Exhibit 3-5

Newport Banning Ranch EIR



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The City of Newport Beach Utilities Yard accessed from West 16<sup>th</sup> Street;

Between 16<sup>th</sup> Street and 15<sup>th</sup> Street, land uses include Carden Hall, a private school for kindergarten through 8<sup>th</sup> grade, the site of the Coast Community College District's Newport Beach Learning Center (under construction), office uses, and light industrial uses;

Additional residential uses south of 15<sup>th</sup> Street, including the condominium developments of Newport Crest, Newport Knolls, and Seawind Newport in the City of Newport Beach; and

The City of Newport Beach's approved but not constructed Sunset Ridge Park, located contiguous to the Project site's southeastern boundary.

**West:** Santa Ana River, west of which is the City of Huntington Beach, and the Santa Ana River Trail, which extends from the Pacific Ocean to the Inland Empire;

Semeniuk Slough (Oxbow Loop), which is a remnant channel of the Santa Ana River that branches off the Santa Ana River and receives runoff from the adjacent oilfields, wetlands, and upper Newport Mesa (Upland);

Approximately 92 acres of USACE-restored salt marsh basin (full tidal), which is part of the Santa Ana River Flood Control Project;

Newport Shores, a 440-home residential community in the City of Newport Beach, which abuts the Project site to the west of the Semeniuk Slough.

### 3.4.3 EXISTING GENERAL PLAN LAND USE DESIGNATIONS

#### A. City Of Newport Beach General Plan

The *City of Newport Beach General Plan* was adopted by the City Council on July 25, 2006, and its land use plan was approved by the voters on November 6, 2006. The General Plan establishes criteria for land use development and provides policy and land use guidance for properties in the City and its Sphere of Influence. Section 4.1, Land Use and Related Planning Programs, includes a discussion of the land use goals and policies relevant to the proposed Project.

As depicted on Exhibit 3-6, Newport Beach General Plan Land Use Designation, the Project site has a General Plan land use designation of OS(RV), Open Space/Residential Village, which establishes Open Space as the Primary Use and Residential Village as the Alternative Use for the Project site as described below:

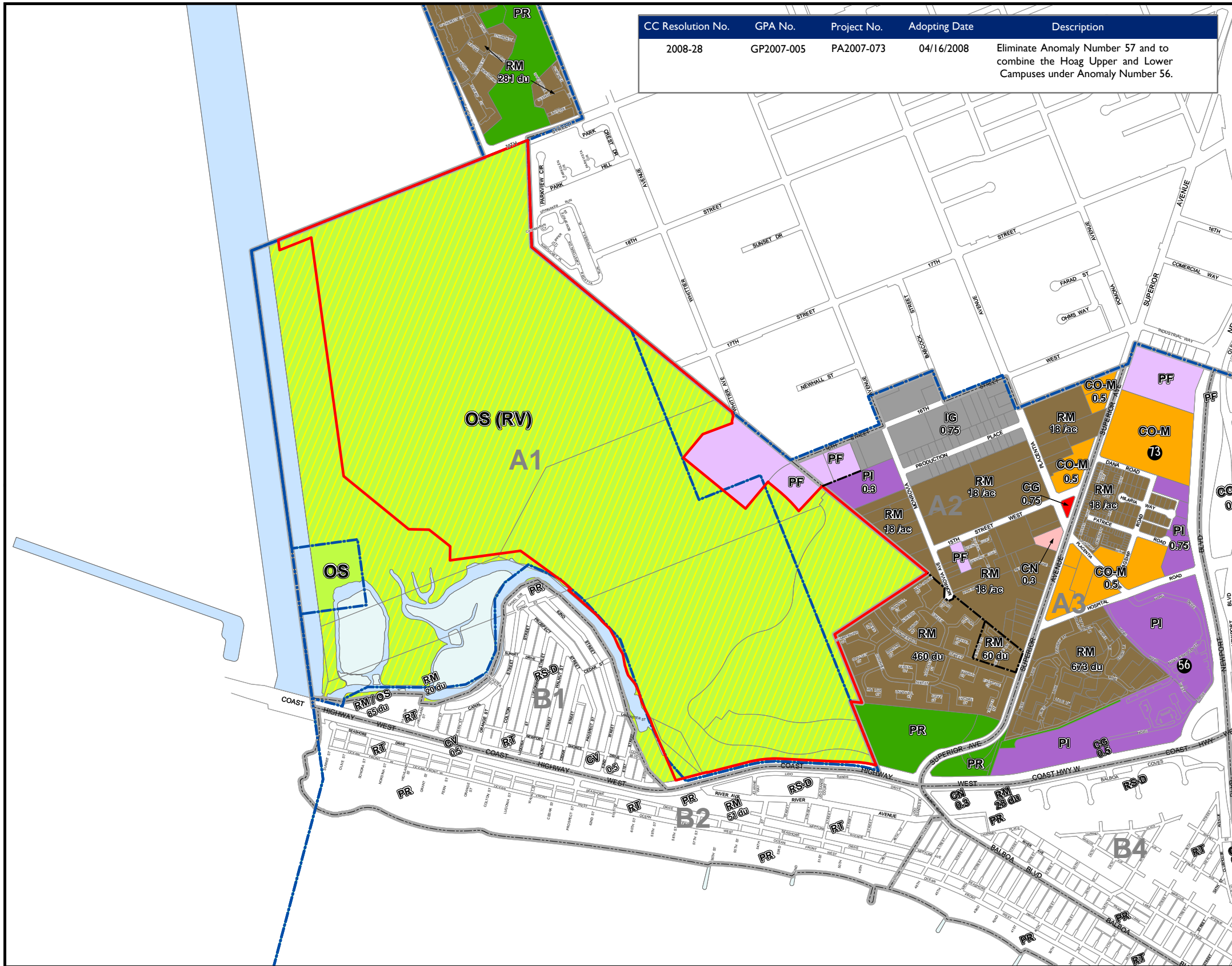
#### Primary Use:

Open Space, including significant active community parklands that serve adjoining residential neighborhoods if the site is acquired through public funding.

#### Alternative Use:

If not acquired for open space within a time period and pursuant to terms agreed to by the City and property owner, the site may be developed as a residential village containing a mix of housing types, limited supporting retail, visitor accommodations, school, and active community parklands, with a majority of the property preserved as open space. The property owner may pursue entitlement

CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
2008-28	GP2007-005	PA2007-073	04/16/2008	Eliminate Anomaly Number 57 and to combine the Hoag Upper and Lower Campuses under Anomaly Number 56.



**Project Boundary**

**Residential Neighborhoods**

- RS-D Single-Unit Residential Detached
- RS-A Single-Unit Residential Attached
- RT Two-Unit Residential
- RM Multiple-Unit Residential
- RM-D Multiple-Unit Residential Detached

**Commercial Districts and Corridors**

- CN Neighborhood Commercial
- CC Corridor Commercial
- CG General Commercial
- CV Visitor Serving Commercial
- CM Recreational and Marine Commercial
- CR Regional Commercial

**Commercial Office Districts**

- CO-G General Commercial Office
- CO-M Medical Commercial Office
- CO-R Regional Commercial Office

**Industrial Districts**

- IG Industrial

**Airport Supporting Districts**

- AO Airport Office and Supporting Uses

**Mixed-Use Districts**

- MU-V Mixed Use Vertical
- MU-H Mixed Use Horizontal
- MU-W Mixed Use Water Related

**Public, Semi-Public and Institutional**

- PF Public Facilities
- PI Private Institutions
- PR Parks and Recreation
- OS Open Space
- OS(RV) Open Space / Residential Village (Residential uses, if not acquired as permanent open space)
- TS Tidelands and Submerged Lands

**City of Newport Beach Boundary**

**Statistical Area Boundary** A1

**Land Use Delineator Line**

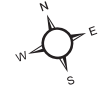
**Refer to anomaly table**

Source: City of Newport Beach 2006

Newport Beach General Plan Land Use Designation

Exhibit 3-6

Newport Banning Ranch EIR



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and permits for a residential village during the time allowed for acquisition as open space.

Additionally, Policy 6.5.2 of the City's General Plan Land Use Element states that the Project site must, under the OS(RV) designation:

Accommodate a community park of 20 to 30 acres that contains active playfields that may be lighted and is of sufficient acreage to serve adjoining neighborhoods and residents of Banning Ranch, if developed.

The General Plan Land Use Element specifies that the Primary Use Open Space land use alternative would include consolidation of oil operations; restoration of wetlands; the provision of nature education and interpretative facilities and an active park containing playfields and other facilities to serve residents of adjoining neighborhoods.

The General Plan also specifies that, if the property is not acquired for open space within a time period and pursuant to terms agreed to by both the City and property owner, the Project site could be developed as a residential village containing a mix of housing types, limited supporting retail, visitor accommodations, a school, and active community parklands with a majority of the property preserved as open space. The General Plan identifies the maximum intensity of development allowed on the property under the Alternative Use land use alternative and includes 1,375 du; 75,000 sf of retail commercial uses oriented to serve the needs of local and nearby residents; and 75 hotel rooms in a small boutique hotel or other type of overnight visitor accommodation.

The General Plan Land Use Element requires the "preparation of a master development plan or a specific plan for any development on the Banning Ranch specifying lands to be developed, preserved, and restored, land uses to be permitted, parcelization, roadway and infrastructure improvements, landscape and streetscape improvements, development regulations, architectural design and landscape guidelines, exterior lighting guidelines, processes for oil operations consolidation, habitat preservation and restoration plan, sustainability practices, financial implementation, and other appropriate elements".

With respect to the circulation improvements, whether developed with Open Space uses or Residential Village uses, under the OS(RV) land use designation, the General Plan Circulation Element Master Plan of Streets and Highways identifies a north-south four-lane divided road (Primary) extending from West Coast Highway through the property to 19<sup>th</sup> Street. The Master Plan of Streets and Highways also depicts a second Primary Road connection from West Coast Highway through the property to connect with 15<sup>th</sup> Street. Additionally, 17<sup>th</sup> Street would be extended from its existing terminus west of Whittier Avenue onto the property and connect with the West Coast Highway to 19<sup>th</sup> Street as a Primary Road.

## **B. County of Orange General Plan**

Approximately 361 acres of the 401.1-acre Project site are located within the City's Sphere of Influence in unincorporated Orange County. As a part of the Project, these unincorporated areas are proposed for annexation to the City.

As depicted on Exhibit 3-7, County of Orange Land Use Designations, the entire Project site has a *County of Orange General Plan Land Use Element* designation of Open Space (5). The Land Use Element states, "The Open Space (5) category indicates the current and near-term use of

the land, most of which is zoned agricultural. It is not necessarily an indication of long-term commitment to open space use” (OC Planning 2005).

The Land Use Element Table III-1, Building Intensity/Population Density Standards, notes that the Open Space (5) category

...provides for limited land uses that do not require a commitment of significant urban infrastructure. Examples of compatible uses include land containing non-renewable and renewable resource areas; prime agricultural soils and water resource areas; materials recovery/recycling facilities if the design of the facility does not adversely impact its open space surroundings, or if the facility is operated in conjunction with other refuse-oriented facilities (i.e., landfills); employment uses in conjunction with large open space areas if they are consistent with the open space character of the area; 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.

The Land Use Element notes that building sites within this category should be large; the maximum building height would be 35 feet; the maximum site coverage for structures and parking should not exceed 20 percent; and the number of employees per acre would be 9 employees.

### **3.4.4 EXISTING ZONING**

#### **A. City of Newport Beach**

As depicted on Exhibit 3-8, Existing Zoning, an approximately 40-acre portion of the Project site located within the jurisdictional boundaries of the City is zoned “Planned Community District 25” (PC-25) and, as such, is covered by the PC-25 Planned Community District Regulations (Exhibit 3-8). PC-25 was adopted by the City on October 9, 1995, establishing PC zoning which allows for development of light industrial, professional and business office, and residential uses and provides land use and development standards that support development of these uses. PC-25 includes the 40-acre portion of the Project site located in the City. PC-25 permits development of up to 406 residential dwelling units and 400,000 sf of professional office/light industrial uses on these 40 acres.



#### **B. County of Orange**

Approximately 361 acres of the Project site are located in unincorporated Orange County, but within the City’s Sphere of Influence, and are regulated by County zoning (Exhibit 3-8). County zoning for the Project site includes several designations that permit residential, commercial, and light industrial/employment uses. Approximately 319 acres are zoned for R-4 Suburban Multi-family residential uses, which permits 1 dwelling unit for each 3,000 sf of net land area (i.e., approximately 14.5 dwelling units/acre [du/ac]); approximately 23 acres area zoned for C-1 Local Business commercial uses; and approximately 19 acres for M1 Light Industrial employment uses. Overlay zones, including Oil Production, Sign Restriction, and Floodplain Zone 2 apply to portions of the property.

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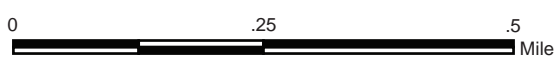
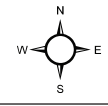
-  Project Boundary
-  5 Open Space
-  5 Open Space Reserve  
*Generalized reserve boundaries for informational purposes only*

Source: County of Orange 2005

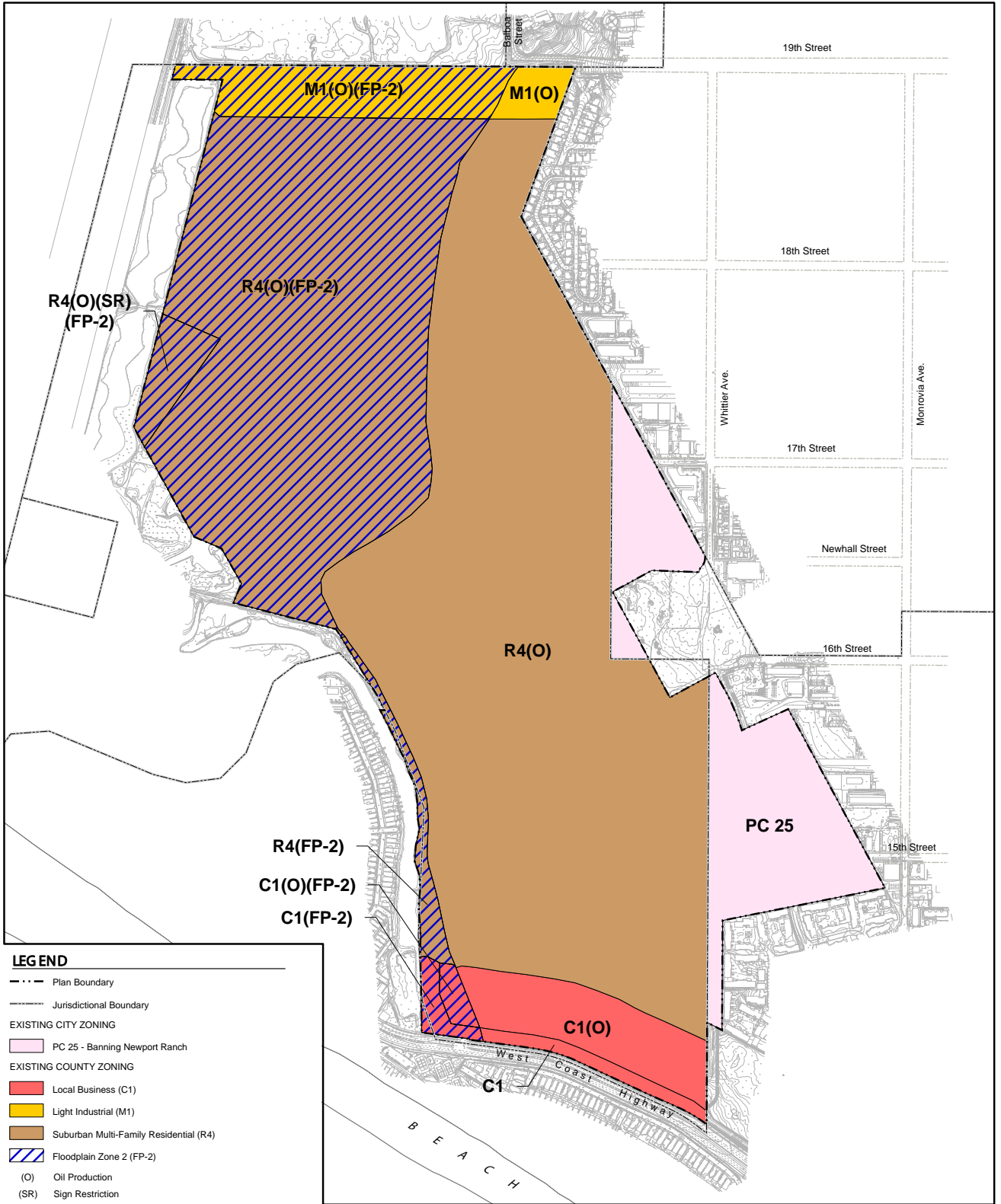
**County of Orange Land Use Designations**

**Exhibit 3-7**

*Newport Banning Ranch EIR*



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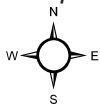
- Plan Boundary
- Jurisdictional Boundary
- EXISTING CITY ZONING
- PC 25 - Banning Newport Ranch
- EXISTING COUNTY ZONING
- Local Business (C1)
- Light Industrial (M1)
- Suburban Multi-Family Residential (R4)
- Floodplain Zone 2 (FP-2)
- (O) Oil Production
- (SR) Sign Restriction

Source: FORMA 2009

**Existing Zoning**

**Exhibit 3-8**

Newport Banning Ranch EIR



### **3.4.5 OIL OPERATION REGULATIONS**

Oil operations are subject to the existing California Coastal Commission South Coast Regional Coastal Zone Conservation Commission Claim for Exemption No. E-7-27-73-144. Oilfield operations on the Project site are governed by regulations of the California Department of Conservation, Department of Oil, Gas, and Geothermal Resources (DOGGR).

The Newport Beach City Charter Section 1401, Oil Well Drilling, prohibits oil drilling in the City with the exception of the exploration or drilling for, the production of, or processing refining of oil, gas or other hydrocarbon substances by vertical, slant, or other drilling method originating from the surface within a specific area of approximately 20 acres. This designated area includes the proposed 16.5 acres for the consolidation of surface oil facilities on the Newport Banning Ranch Project site. The City Charter does not prohibit the continuance of production of any well slant drilled under property within the City from a location outside the City and in existence at the time the Charter took effect. The Charter also does not preclude the City Council from permitting the slant drilling of wells under the surface of property within the City from surface locations located either outside the City or within future annexations to the City wherein the drilling for and production of oil, gas, and other hydrocarbon substances is permitted.

### **3.5 PROJECT OBJECTIVES**

Section 15124(b) of the State CEQA Guidelines (14 CCR) requires “A statement of objectives sought by the proposed project. A clearly written statement of objectives would help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and would aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project”. Not only is a project analyzed in light of its objectives, compatibility with project objectives is one of the criteria used in selecting and evaluating a reasonable range of project alternatives. Clear project objectives simplify the selection process by providing a standard against which to measure project alternatives.

The Project Applicant (Applicant) has identified the following objectives for the proposed Project.

1. Provide a Project that implements the goals and policies that the Newport Beach General Plan has established for the Banning Ranch area.
2. Preservation of a minimum of 50 percent of the Project site as open space without the use of public funds to be used for habitat conservation, interpretive trails, and development of public parks to meet the recreational needs of the community.
3. Development of a residential village of up to 1,375 residential units, offering a variety of housing types in a range of housing prices, including the provision of affordable housing to help meet the City’s Regional Housing Needs Assessment (RHNA).
4. Development of up to 75 overnight accommodations in a small resort inn including ancillary facilities and services such as a spa, meeting rooms, shops, bars, and restaurants that would be open to the public.
5. Development of up to 75,000 square feet of retail commercial uses oriented to serve the needs of local residents and visitors utilizing the resort inn and the coastal recreational opportunities provided as part of the Project.
6. Development of a land use plan that (1) provides a comprehensive design for the community that creates cohesive neighborhoods promoting a sense of identity with a simple and understandable pattern of streets, a system of pedestrian walkways and



bikeways that connect residential neighborhoods, commercial uses, parks, open space and resort uses; (2) reduces overall vehicle miles travelled; (3) integrates landscaping that is compatible with the surrounding open space/habitat areas and that enhances the pedestrian experience within residential areas; and (4) applies architectural design criteria to orient residential buildings to the streets and walkways in a manner that enhances the streetscape scene.

7. Provide for roadway improvements to improve and enhance regional circulation, minimize impacts of Project development on the existing circulation system, and enhance public access while not developing more roadways than are needed for adequate regional circulation and coastal access.
8. Provide enhanced public access in the Coastal Zone through a system of pedestrian walkways, multi-use trails, and on-street bikeways designed to encourage walking and biking as an alternative to the use of automobiles by providing connectivity among residential, commercial, park, open space, and resort uses within the Project site and to existing adjacent open space, hiking and biking trails, the beach, and the Pacific Ocean.
9. Provide for the consolidation of oil resource extraction and related recovery operations in locations that minimize impacts to sensitive habitat areas and promote compatibility with development of the remainder of the property for residential, resort, commercial, park, and open space uses.
10. Provide for the restoration and permanent preservation of habitat areas through implementation of a Habitat Restoration Plan (HRP) for the habitat conservation, restoration, and mitigation areas ("Habitat Areas") as depicted on the Master Development Plan.
11. Provide for long-term preservation and management of the Habitat Areas through the establishment of a conservation easement or deed restriction and the creation of an endowment or other funding program.
12. Expand public recreational opportunities within the Coastal Zone through development of a public community park and associated parking, and through development of publicly accessible bluff parks, interpretive parks, and trails as part of the Project.
13. Improve the existing arroyo drainage courses located within the Project site to provide for higher quality habitat conditions than exist prior to the time of Project implementation.
14. Implement a Water Quality Management Program within the Project site that will utilize existing natural treatment systems and that will improve the quality of urban runoff from off-site and on-site sources prior to discharging into the Santa Ana River and the Semeniuk Slough.
15. Implement fire protection management solutions designed to protect development areas from fire hazards, to preserve sensitive habitat areas, and to create fire-resistant habitat restoration areas within currently denuded, invasive-species laden, and/or otherwise degraded areas.
16. Provide compatibility between the Project and existing adjacent land uses.

### **3.6 DEVELOPMENT PROPOSAL**

The proposed Project includes the abandonment and/or re-abandonment of existing surface and subsurface oil production facilities located throughout the majority of the Project site, the remediation of the majority of the Project site, and the development of new land uses within the Project site. To allow the proposed Project to proceed, the Project also provides for (1) the

consolidation of existing surface oil production facilities into two sites on approximately 16.5 gross acres of the Project site; (2) the retention of existing oil facilities on these two sites; and (3) the drilling of replacement wells and facilities. The proposed development Project is described below.

### **3.6.1 OILFIELD ABANDONMENT, SITE REMEDIATION, AND CONSOLIDATION OF OIL PRODUCTION FACILITIES**

A draft Remedial Action Plan (dRAP) has been prepared for the Project, which specifies that remediation efforts would include oilfield facility and infrastructure removal and oilfield remediation, as well as the consolidation of oilfield activities. The dRAP is described in greater detail in Section 4.5, Hazards and Hazardous Materials, of this EIR. Prior to initiation of abandonment and remediation activities, a final RAP would be submitted to the Regional Water Quality Control Board (RWQCB) and the Orange County Health Care Agency (OCHCA) for approval by each of these agencies.

Active and potentially active wells in the Upland and Lowland areas outside the proposed oil consolidation sites would be plugged and abandoned. Additionally, abandoned wells would be re-abandoned, as needed, to meet current DOGGR and Orange County Fire Authority requirements. DOGGR also has a process called "Construction Site Review" that must be followed for oilfields that are abandoned for future development purposes. The oilfield consolidation process would also include demolishing and removing the pipelines, utility poles, and other related production equipment, structures, and road surface materials.<sup>4</sup> These abandonment activities would clear the Project site for the subsequent remediation phase. The remediation program would be implemented after the demolition and abandonment of oil production facilities are completed.

Required actions are expected to include (1) remediation related to soils and the removal of asphalt and concrete and (2) remediation related to methane and volatile organic compounds (VOCs). The dRAP estimates that approximately 246,000 cubic yards (cy) of materials would need to be remediated in the Upland and Lowland areas. Of the 246,000 cy, approximately 138,000 cy are hydrocarbon-impacted soils and 108,000 cy are road surface materials and concrete. Approximately 156,000 cy would be associated with remediation efforts in the Lowland. It is expected that additional hydrocarbon-impacted soils would be identified during the oilfield facility demolition phase of the Project (Geosyntec 2009). No hazardous levels (per State and federal concentration criteria) of any materials have been identified on the Project site. Based on the environmental assessments performed at the site, there were no historical groundwater impacts detected under or in the immediate vicinity of the development area proposed for new land uses.

The crude oil produced in the existing oil operations is heavy, high gravity oil that has very little methane gas associated with it. Both subsurface methane and VOC emissions can cause vapor intrusion impacts for overlying development. The two accepted approaches to address vapor intrusion are source remediation and engineering controls. Although no levels of methane or VOCs occur above residential Regional Screening Levels in the Upland area (where development is proposed), both source remediation and engineering controls are proposed as a part of the Project. Engineering controls for structures are essentially identical for methane and VOCs. Methane controls would be implemented throughout the development area, including

<sup>4</sup> Nineteen of the existing active/potentially active wells are located within the future consolidation areas and therefore would not have to be abandoned.

subsurface oil well venting systems, structure sub-slab barriers, structure vent guidelines, and surface vent guidelines.

Third-party environmental consultants would monitor the removal of all pipelines, facilities, power poles, and other structures to identify and document potential impacts during the oilfield facility and infrastructure removal phase. Monitoring during grading would also occur. Removals and excavation sites would be tested and verified to meet the final RAP criteria.

### **3.6.2 PROPOSED LAND USES**

Table 3-1 identifies proposed land uses for the Project (Exhibit 3-2). New land uses proposed for development as part of the Project are as follows:

- Open Space Land Use District
- Public Parks/Recreation Land Use District
- Visitor-Serving Resort/Residential Land Use District
- Residential Land Use District
- Mixed-Use/Residential Land Use District

#### **A. Open Space Land Use District**

Approximately 252.3 gross acres are proposed in the Open Space land use district for a permanent Open Space Preserve. The Open Space category is comprised of three subareas as follows:

- Lowland Open Space/Public Trails and Facilities (LOS/PTF) area,
- Upland Open Space/Public Trails and Facilities (UOS/PTF) area, and
- Interim Oil Facilities (OF) area.

The following describes uses proposed within each of the subareas comprising the Open Space land use district for the Project site.

#### ***Lowland Open Space/Public Trails and Facilities (LOS/PTF)***

Approximately 130.6 gross acres are proposed for designation as Lowland Open Space/Public Trails and Facilities (LOS/PTF). Proposed uses within the LOS/PTF subarea are habitat conservation, restoration, and mitigation; public interpretive trails; a water quality basin; and a planting buffer around a portion of the northern oil consolidation site.

**TABLE 3-1  
NEWPORT BANNING RANCH DEVELOPMENT SUMMARY**

Land Use District		Gross Acres <sup>a</sup>	Planned Dwelling Units <sup>b</sup>	Maximum Commercial (sf)	Maximum Overnight Rooms
<b>Open Space</b>					
LOS/PTF	Lowland Open Space/Public Trails and Facilities <sup>c</sup>	130.6	—	—	—
UOS/PTF	Upland Open Space/Public Trails and Facilities <sup>c</sup>	105.2	—	—	—
OF	Interim Oil Facilities <sup>d</sup>	16.5	—	—	—
<i>Subtotal Open Space</i>		<i>252.3</i>	<i>—</i>	<i>—</i>	<i>—</i>
<b>Public Parks/Recreation</b>					
CP	Community Park	26.8	—	—	—
BP	Bluff Park <sup>e</sup>	20.9	—	—	—
IP	Interpretive Parks <sup>e</sup>	3.7	—	—	—
<i>Subtotal Public Parks/Recreation</i>		<i>51.4</i>	<i>—</i>	<i>—</i>	<i>—</i>
<b>Visitor-Serving Resort/Residential<sup>f</sup></b>					
VSR/R	Visitor-Serving Resort/Residential	11.3	87	—	75
<i>Subtotal Visitor-Serving Resort/Residential</i>		<i>11.3</i>	<i>87</i>	<i>—</i>	<i>75</i>
<b>Residential<sup>f</sup></b>					
RL	Low Density Residential (up to 8 du/ac)	26.1	167	0	—
RL/M	Low-Medium Density Residential (up to 16 du/ac)	11.8	85	0	—
RM	Medium Density Residential (up to 24 du/ac)	27.3	306	0	—
<i>Subtotal Residential</i>		<i>65.2</i>	<i>558</i>	<i>0</i>	<i>—</i>
<b>Mixed-Use/Residential<sup>f</sup></b>					
MU/R	Mixed-Use/Residential (up to 40 du/ac)	20.9	730	75,000	—
<i>Subtotal Mixed-Use/Residential</i>		<i>20.9</i>	<i>730<sup>g</sup></i>	<i>75,000<sup>h, i</sup></i>	<i>—</i>
<b>Total Project</b>		<b>401.1</b>	<b>1,375<sup>j</sup></b>	<b>75,000<sup>h, i</sup></b>	<b>75</b>
sf: square feet; NBR-PC: Newport Banning Ranch Planned Community Development Plan Note: Land use districts correspond to the NBR-PC zoning designations.					
<sup>a.</sup> Gross acres are measured to the centerline of all public roads where such roads are shown on the Master Development Plan. Refinements to the gross acres within each Land Use District are permitted subject to the provisions set forth in the NBR-PC.					
<sup>b.</sup> Planned dwelling units may be transferred from one Residential, Visitor-Serving Resort/Residential, or Mixed-Use/Residential land use district to another in accordance with the provisions of the NBR-PC, provided (i) the transfer does not result in an increase of more than 15% of the total number of planned dwelling units established for the land use district; (ii) the maximum density established for each Residential land use district is not exceeded; (iii) the total number of dwelling units within the Mixed-Use/Residential land use district does not exceed 730 du; (iv) the total number of Project dwelling units does not exceed 1,375 du; and (v) there are no new traffic impacts associated with the transfer, as determined by the City Engineer pursuant to a traffic study prepared by the City.					
<sup>c.</sup> The right-of-way reservation for the off-site 19 <sup>th</sup> Street extension, from the Project site's easterly boundary to the Santa Ana River, is approximately 3.1 acres, including approximately 0.6 acre located within the Upland Open Space/Public Trails and Facilities land use district and approximately 2.5 acres located within the Lowland Open Space/Public Trails and Facilities land use district.					
<sup>d.</sup> The Interim Oil Facilities (Open Space land use district) includes (i) the existing oil operations site near West Coast Highway; (ii) the new oil consolidation site near the middle of the Lowland; and (iii) an oil access road (non-exclusive easement) connecting the two oilfield consolidation sites.					
<sup>e.</sup> Gross acres for the Bluff Park land use district and Interpretive Parks land use district may include fuel management zones, interpretive trails and facilities, and landscape focal points and greens.					
<sup>f.</sup> Gross acres for Residential land use districts, the Visitor-Serving Resort/Residential land use district, and the Mixed-Use/Residential land use district may include fuel management zones, privately owned and maintained parks and recreation facilities, and landscape focal points and greens.					
<sup>g.</sup> Within the Mixed-Use/Residential land use district, the Planned Dwelling Units will also be the maximum permitted dwelling units.					
<sup>h.</sup> Up to 2,500 sf of commercial building area may be transferred from the Mixed-Use/Residential land use district to a Residential land use district in accordance with the NBR-PC, provided the total area of commercial buildings does not exceed 75,000 sf.					
<sup>i.</sup> Visitor serving commercial uses included as part of the resort inn are not included in the maximum 75,000 sf of commercial area.					
<sup>j.</sup> A maximum 1,375 du are permitted.					
Source: FORMA 2011.					

### Habitat Conservation, Restoration, and Mitigation Areas

As a part of the Project, approximately 118.4 gross acres are proposed for restoration as native habitat either by the Applicant as a part of the Project's biological resources mitigation obligations or as a means of satisfying off-site mitigation requirements. The compensatory mitigation requirements for the Project would be ultimately determined by the regulatory agencies as permit conditions. The exact amount of acreage within the Lowland Open Space area that would be required to be restored as native habitat to satisfy the mitigation requirements of the proposed Project has not been established because it would be subject to the approval of respective regulatory agencies including the USACE, the CDFG, the USFWS, the Regional Water Quality Control Board (RWQCB) Santa Ana Region, and the Coastal Commission. If the Project's mitigation requirements do not require the restoration of the approximately 118.4-gross-acre Lowland area, any remaining acreage requiring restoration would be placed in a reserve area (mitigation bank) or similar mechanism and may be made available to third parties seeking off-site areas in which to fulfill their respective mitigation obligations. The area would be restored in accordance with the Project's Habitat Restoration Plan discussed later in this section. One area that is contemplated for inclusion in a mitigation bank is the land proposed for use for the consolidated oil operations. Upon cessation of oil production operations, these two Oil Consolidation sites would be remediated and could be available in a reserve area.

### Public Interpretive Trails

Approximately 7.3 gross acres are proposed for use as public interpretive trails. These trails would connect to the existing trail along the east side of the Santa Ana River located west of the Project site and would create public view areas overlooking open space areas.

### Water Quality Basin

Approximately 2.2 gross acres are proposed for use as water quality and water quality/diffuser basins to clean and treat existing storm water and runoff flowing across the Project site from off-site areas to the east as well as storm water runoff from the Project site. This area is proposed as a wetland and would be planted with native emergent marsh and riparian vegetation.

### Oil Site Planting Buffer Area

Approximately 2.7 gross acres are reserved for potential use as a planting buffer. This area could include fencing and plant materials in accordance with the details provided in the Habitat Restoration Plan.

### ***Upland Open Space/Public Trails and Facilities (UOS/PTF)***

Approximately 105.2 gross acres are proposed to be designated Upland Open Space/Public Trails and Facilities (UOS/PTF). The proposed uses within the UOS/PTF subareas are habitat conservation, restoration, and mitigation areas; public interpretive trails, and a water quality basin.

### Habitat Conservation, Restoration, and Mitigation Areas

Approximately 102.5 gross acres are proposed to be restored in the Upland as native habitat as a part of the Project.

### Public Interpretive Trails

Approximately 2.2 gross acres are proposed for use as public interpretive trails. These trails would connect to the public interpretive trails proposed in the LOS/PTF area, which would connect to the existing trail along the east side of the Santa Ana River and would also create public view areas overlooking open space areas.

### Water Quality Basin

Approximately 0.4 gross acre is proposed for use as a water quality basin to clean and treat existing storm water and runoff flowing across the Project site from off-site areas to the east as well as storm water and runoff from the Project site. This area is proposed to be planted with native emergent marsh and riparian vegetation.

### Oil Site Planting Buffer Area

Approximately 0.1 gross acre is reserved for potential use as a planting buffer. This area could be fenced and include plant materials in accordance with the details provided in the Habitat Restoration Plan.

### ***Interim Oil Facilities (OF)***

As a part of the Project, approximately 16.5 gross acres of the Project site would be designated OF, an Open Space land use designation proposed for the continued operation of surface oil production facilities on an interim basis. Proposed uses within the OF land use area are (1) continued oil operations on approximately 4.8 gross acres located adjacent to West Coast Highway; (2) continued oil operations consolidated within approximately 8.6 gross acres adjacent to the LOS/PTF area as a result of the abandonment of existing oil production facilities located throughout the Project site; and (3) a non-exclusive easement on approximately 3.1 gross acres to include an oil access roadway connecting the two surface oil production sites described in (1) and (2) above.

## **B. Public Parks/Recreation Land Use District**

Approximately 51.4 gross acres (approximately 42.1 net acres less public roadways) are proposed to be designated Public Parks/Recreation to provide public park facilities to serve Project residents, the community at large, and visitors to the Project site. All areas designated Public Parks/Recreation would be permanently available for public use through offer(s) of site dedication to the City, deed restrictions, or recorded public access easements. The following three categories of public parks are proposed as part of the Project:

- Community Park
- Bluff Park
- Interpretive Parks

### ***Community Park (CP)***

Approximately 26.8 gross acres (21.7 net acres less public roadways) are proposed for development as a Community Park (comprised of the North, Central, and South Community Park areas). The North Community Park area would be a predominately active park area and the Central and South Community areas would not include improved ball fields or courts. In the City, public park operational hours are from 6:00 AM to 11:00 PM with active ball fields and

courts and the parking lot areas lit until 10:00 PM. After 10:00 PM, park lighting would be limited to that needed for public safety. Low-profile (e.g., bollard) security lighting would be provided in the North, Central, and South Community Park areas along pathways for pedestrian safety. Low-profile security lighting would also be provided in the parking areas after 10:00 PM.

The 15.9-gross-acre (13.5-net-acre) North Community Park area, located between 15<sup>th</sup> Street and 16<sup>th</sup> Street, is proposed as an active park with uses including lighted tennis and basketball courts, lighted soccer and baseball fields, tot lots, picnic areas, and public restrooms. On-site parking and a water quality basin are proposed.

The 5.9-gross-acre (4.5-net-acre) Central Community Park area is proposed south of 15<sup>th</sup> Street. This park area would include picnic areas and open turf areas (no improved play fields or courts) and a public/private parking area (approximately 25 parking spaces). The extension of 15<sup>th</sup> Street between Monrovia Avenue and the Project site would displace approximately 25 parking spaces associated with the existing off-site office building. This parking would be in addition to public parking for the Community Park and would be accessible to park users in non-business hours. Lighting in this area would be limited to the parking area and public safety lighting for and walkways.

The 5.0-gross-acre (3.7-net-acre) South Community Park area would include native habitat and interpretative areas; no improved play fields or courts are proposed. Lighting would be limited to that required for public safety. The park access road for the approved but not constructed City of Newport Beach Sunset Ridge Park would traverse the South Community Park.

The proposed Community Park is addressed in greater detail in Section 4.8, Recreation and Trails.

### ***Bluff Park (BP)***

Approximately 20.9 gross (17.5 net) acres are proposed for development of a public Bluff Park as part of the Project. The public Bluff Park is proposed as a linear park located adjacent to the designated Open Space and would provide a buffer between Open Space areas and areas proposed for residential, commercial, and resort development. Facilities proposed for the public Bluff Park would include pedestrian trails, viewing areas, tot lots, picnic areas, and a small amphitheater to serve Project residents and the surrounding community. The public Bluff Park would be privately developed as part of the Project; would be privately owned and maintained either by a Homeowners Association (HOA), Conservancy, Land Trust, and/or similar entity; and would be deed-restricted for permanent public use.

### ***Interpretive Parks (IP)***

Approximately 3.7 gross (2.9 net) acres are proposed to be designated Interpretive Parks. The public Interpretive Parks would be located adjacent to open space and are proposed to include a Nature Center, which may include an office for the HOA and open space steward; interpretive areas; an amphitheater for nature educational events; and trailheads. The Interpretive Parks would be developed as part of the Project; would be privately owned and maintained by an HOA, Conservancy, Land Trust and/or similar entity; and would be permanently deed-restricted for public use.

## **C. Visitor-Serving Resort/Residential Land Use District**

Approximately 11.3 gross acres are proposed to be designated Visitor-Serving Resort/Residential (VSR/R). Development proposed includes a resort inn with 75 overnight accommodations, including ancillary resort commercial uses and 87 resort-oriented residential dwelling units.

### ***Resort Inn (VSR/R)***

Approximately 5.7 gross acres are proposed for a resort inn with 75 guest rooms, a lobby and related areas, and support commercial uses ancillary to the resort inn (such as restaurant[s] and bar, gift and sundry shops, a business center, fitness center, spa/salon/treatment rooms, banquet and meeting rooms, areas for food and beverage preparation, administrative offices, housekeeping areas, maintenance areas, and employee facilities).

### ***Resort Residential (VSR/R)***

Approximately 5.6 gross acres are proposed for development of 87 resort-oriented multi-family attached residential units. These residential units are proposed to be conventionally owned as residential properties, rather than as fractional vacation properties, with access to the proposed resort facilities and amenities.

### **Residential Land Use District**

Approximately 65.2 gross acres are proposed for residential land uses in 3 different density ranges to allow for development of a variety of home types and prices as described below. Residential development is also proposed as Resort Residential (see above) and Urban Colony residential (discussed later in this section) uses.

- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential

### ***Low Density Residential (RL)***

Approximately 26.1 gross acres are proposed to be designated Residential Low Density (RL) with a maximum density of 8.0 dwelling units per gross acre (du/ac). This residential designation would allow for the development of single-family detached dwellings, single-family attached dwellings, and private recreational facilities. The RL land use area is proposed for 167 single-family detached residential units and private recreational facilities.

### ***Low-Medium Density Residential (RL/M)***

Approximately 11.8 gross acres are proposed to be designated Residential Low/Medium (RL/M) with a maximum density of 16.0 du/ac. This designation would allow for the development of single-family detached dwellings, single-family attached dwellings, multi-family dwellings, and private recreational facilities. The RL/M land use area is proposed for 85 single-family detached residential units and private recreational facilities.



### **Medium Density Residential (RM)**

Approximately 27.3 gross acres are proposed to be designated Residential Medium (RM) with a maximum density of 24.0 du/ac. This residential designation would allow for the development of single-family detached dwellings, single-family attached dwellings, multi-family dwellings, and private recreational facilities. The Project proposes 306 single-family detached and multi-family attached units along with private recreational facilities.

### **Mixed-Use/Residential Land Use District**

Approximately 20.9 gross acres are proposed to be designated Mixed-Use/Residential (MU/R) with 730 high density multi-family residential units (up to 40.0 du/ac) and 75,000 sf of commercial uses in a mixed-use setting. The MU/R land use area is proposed for development of multi-family attached residential dwelling units with private recreational facilities, combined with commercial uses to create an urban type environment. Commercial uses could include a neighborhood-scale market, restaurants, coffee house, personal convenience services such as a dry cleaners or hair salons, and professional and medical offices.

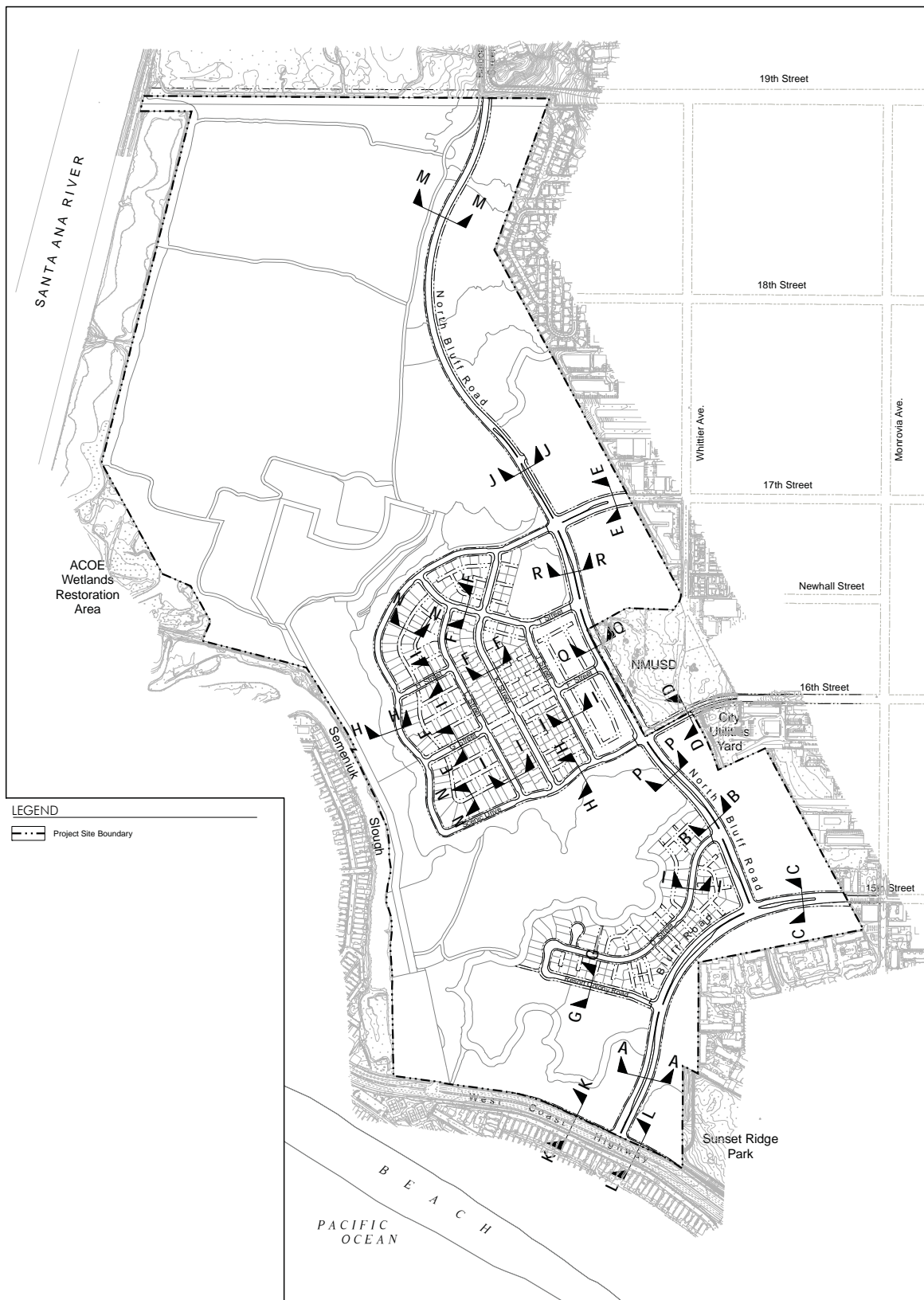
Mixed-use development may be designed either as “horizontal mixed-use” with residential uses and commercial uses as separate, free standing structures located adjacent to one another or as “vertical mixed-use” with commercial uses located on the ground floor of a building and residential uses located on floors above. The MU/R land use area is proposed as a pedestrian-oriented urban center providing commercial goods and services within walking and biking distance of residences.

### **3.6.3 CIRCULATION AND PARKING**

There is no existing public access to or from the Project site. Existing on-site circulation consists of oil facilities and service roads that traverse the Project site to provide access to the oil wells, operations, and offices used by employees of the oilfield operation. Existing oil facilities service roads are gravel, dirt, or paved. Public access to the Project site and circulation improvements within the Project site are proposed as part of the Project as described in this section.

#### **A. Master Roadway Plan**

The vehicular circulation system proposed for the Project is depicted in Exhibit 3-9, Master Roadway Plan. The proposed plan for the Project includes a backbone roadway system to provide internal access and circulation within the site which connects to the existing off-site roadway system. The circulation system has been designed to accommodate estimated traffic volumes associated with the Project as well as projected future traffic volumes from anticipated regional demand. Bluff Road and North Bluff Road, as proposed, would provide a new north-south roadway connection to provide roadway capacity that is not currently available in the general Project vicinity. The extension of 15<sup>th</sup> Street, 16<sup>th</sup> Street, and 17<sup>th</sup> Street onto the Project site would provide additional east-west roadway connections. These proposed roadways would serve the proposed Project and would provide additional access/connection between southwest Costa Mesa/west Newport Beach and Coast Highway.



LEGEND  
 - - - - - Project Site Boundary

Source: FORMA 2011

# Master Roadway Plan

# Exhibit 3-9

Newport Banning Ranch EIR



The following discussion describes the circulation system proposed as a part of the Project. The roadway key map is shown on Exhibit 3-9, and corresponding street cross-sections are shown on Exhibits 3-10a through 3-10g, Street Cross-Sections.<sup>5</sup>

### ***Proposed On-Site Roadways***

#### **Bluff Road (West Coast Highway to 15<sup>th</sup> Street)**

Bluff Road is proposed to be constructed from the southern terminus at West Coast Highway to 15<sup>th</sup> Street (Exhibit 3-9). 15<sup>th</sup> Street would be extended from its existing westerly off-site terminus to connect to Bluff Road. Bluff Road would be constructed as a Primary Road with two travel lanes and one on-street bike lane in each direction with a raised landscaped median. A pedestrian walkway, separated from the street by a varying-width landscaped bioswale, would be provided on the east side of the road between West Coast Highway and Resort Colony Road (Exhibit 3-10a; Cross-Section A). Between Resort Colony Road and 15<sup>th</sup> Street, pedestrian walkways would be provided on each side of Bluff Road (Exhibit 3-10a; Cross-Section A-A).

#### **North Bluff Road (15<sup>th</sup> Street to 19<sup>th</sup> Street)**

North Bluff Road is proposed to be constructed from 15<sup>th</sup> Street to 19<sup>th</sup> Street; 16<sup>th</sup> Street and 17<sup>th</sup> Street would be extended onto the Project site and would connect to North Bluff Road (Exhibit 3-9). North Bluff Road from 15<sup>th</sup> Street to 17<sup>th</sup> Street would be constructed as a Primary Road with two travel lanes and one on-street striped bike lane in each direction with a raised landscaped median (Exhibits 3-10a and 3-10b; Cross-Sections B-B, P-P, P-P, and R-R). North Bluff Road between 17<sup>th</sup> Street and the entry to the Mixed-Use/Residential land use area would be constructed with one southbound travel lane, two northbound travel lanes, an on-street striped bike lane in each direction, and a raised landscaped median (Exhibit 3-10c; Cross-Section J-J). North Bluff Road from the entry of the Mixed-Use/Residential land use area to 19<sup>th</sup> Street would be constructed with one travel lane and one on-street bike lane in each direction with a striped median (Exhibit 3-10c; Cross-Section M-M). Between 17<sup>th</sup> Street and 19<sup>th</sup> Street, a pedestrian walkway would be provided on the east side of the road.

North of 16<sup>th</sup> Street for approximately 800 feet, half-width roadway improvements for North Bluff Road are proposed on property owned by the School District. This improvement is discussed later in this section regarding off-site improvements.

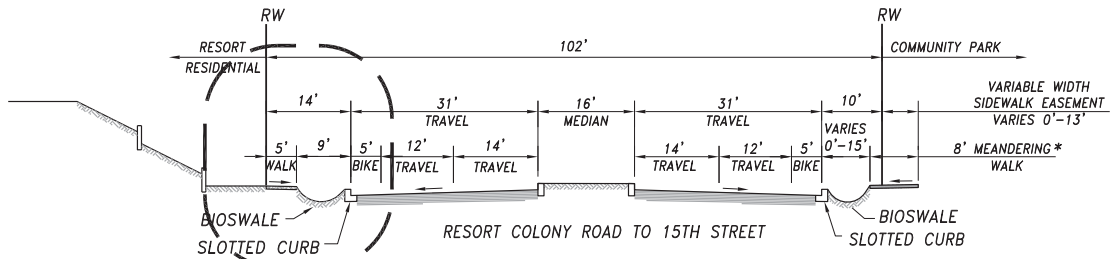
#### **15<sup>th</sup> Street**

Between Bluff Road and the Project site's eastern property line, 15<sup>th</sup> Street (Exhibit 3-9) is proposed as a Primary Road with two travel lanes and one on-street bike lane in each direction and a raised landscaped median. Pedestrian walkways would be provided on each side of 15<sup>th</sup> Street (Exhibit 3-10d; Cross-Section C-C).

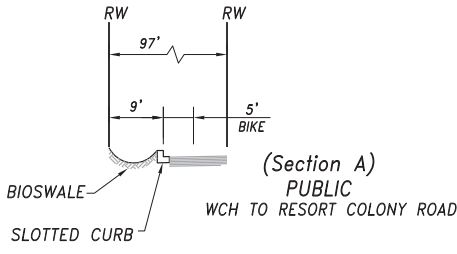
#### **16<sup>th</sup> Street**

Between North Bluff Road and the Project site's eastern property line, 16<sup>th</sup> Street (Exhibit 3-9) is proposed for one travel lane in each direction without a median (Local Road). Pedestrian walkways would be provided on each side of the road. 16<sup>th</sup> Street currently terminates at the Project site's eastern boundary (Exhibit 3-10d; Cross-Section D-D).

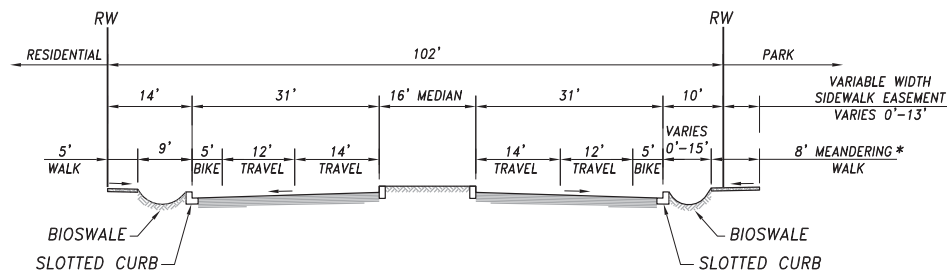
<sup>5</sup> Major: six-lane divided roadway; Primary: four-lane divided roadway; Secondary: four-lane (often undivided) roadway (Source: City of Newport Beach General Plan Circulation Element).



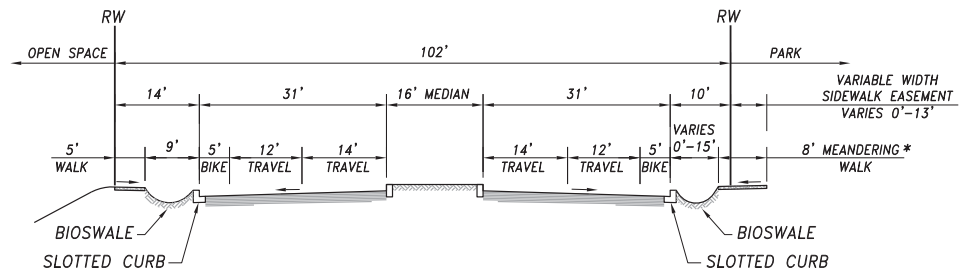
SEE BELOW FOR SECTION A  
**Section A-A**  
 Bluff Road (West Coast Highway to 15th Street)



(Section A)  
 PUBLIC  
 WCH TO RESORT COLONY ROAD



**Section B-B**  
 North Bluff Road (15th Street to 16th Street - Adjacent Residential to West)



**Section P-P**  
 North Bluff Road (15th Street to 16th Street - Adjacent Open Space to West)

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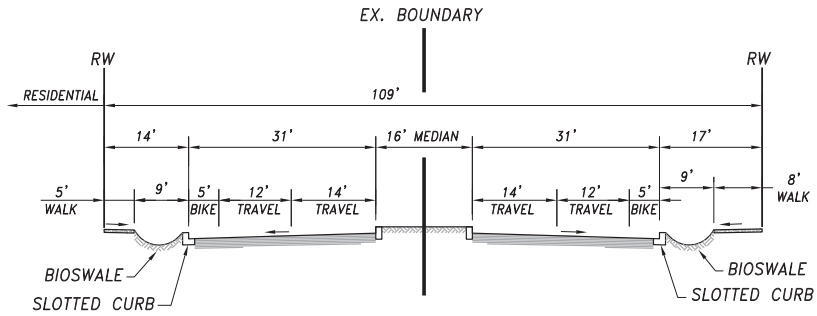
Source: FORMA 2011

**Cross-Sections A-A, B-B, and P-P**

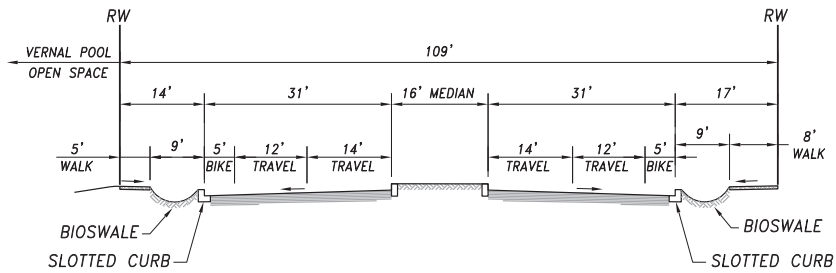
**Exhibit 3-10a**

Newport Banning Ranch EIR





**Section Q-Q**  
 North Bluff Road (16th Street to 17th Street - Adjacent Residential to West)



**Section R-R**  
 North Bluff Road (16th Street to 17th Street -  
 Adjacent Interpretive Park/Open Space to West)

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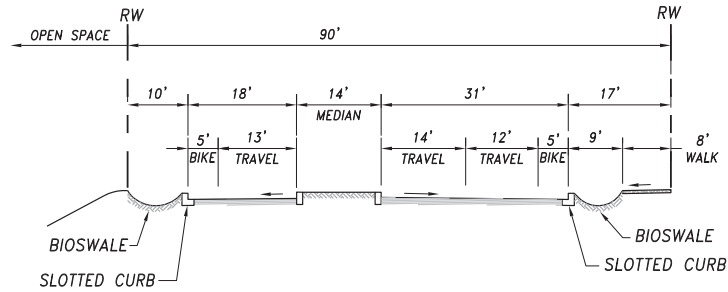
Source: FORMA 2011

**Cross-Sections Q-Q and R-R**

**Exhibit 3-10b**

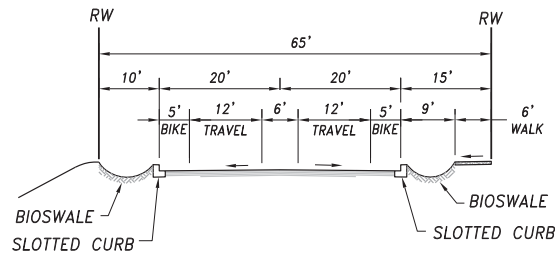
Newport Banning Ranch EIR





**Section J-J**

North Bluff Road (17th Street to North Bluff Park North of Urban Colony)



**Section M-M**

North Bluff Road (North Bluff Park North of Urban Colony to 19th Street)

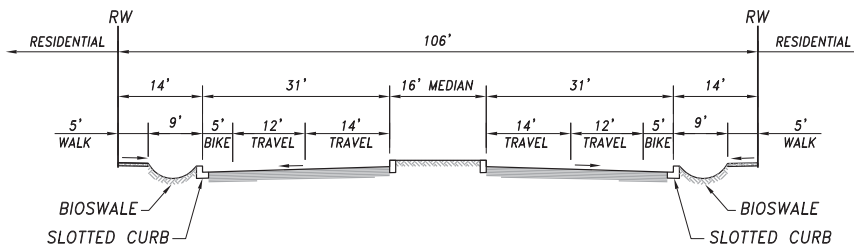
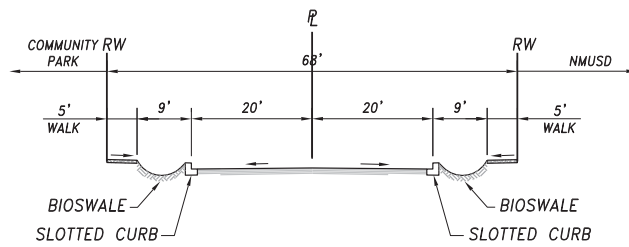
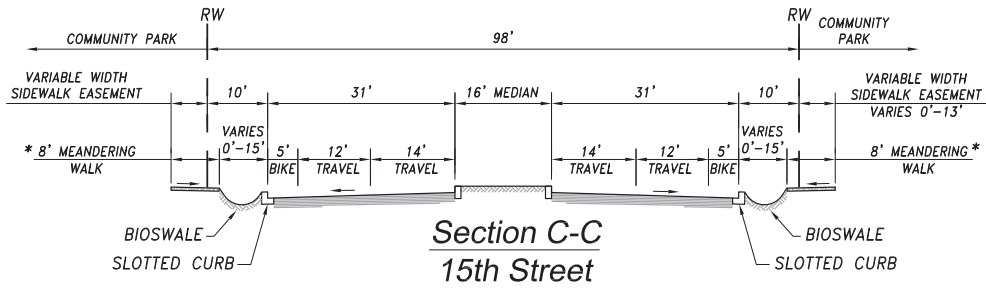
Source: FORMA 2011

**Cross-Sections J-J and M-M**

**Exhibit 3-10c**

Newport Banning Ranch EIR





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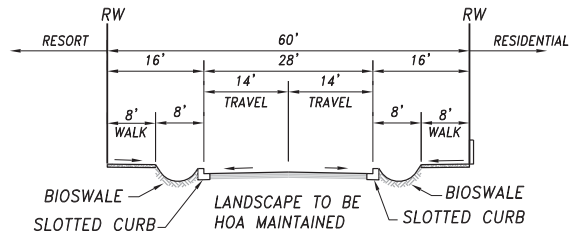
Source: FORMA 2011

**Cross-Sections C-C, D-D, and E-E**

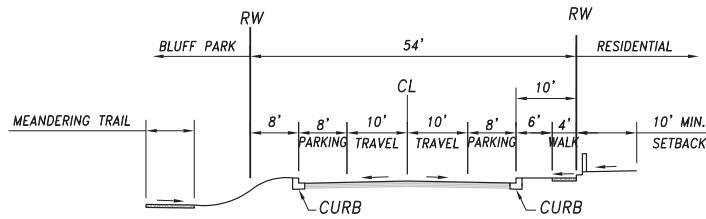
**Exhibit 3-10d**

*Newport Banning Ranch EIR*





Section G-G  
Resort Colony Road



Section H-H  
Scenic Drive

Source: FORMA 2011

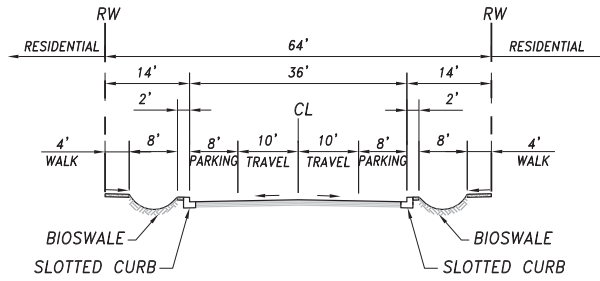
## Cross-Sections G-G and H-H

## Exhibit 3-10e

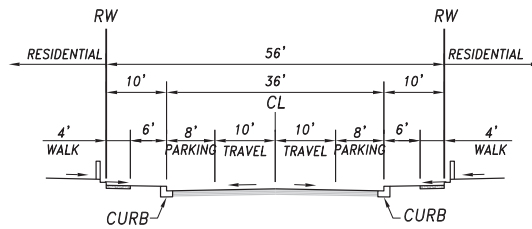
Newport Banning Ranch EIR

**Bonterra**  
CONSULTING

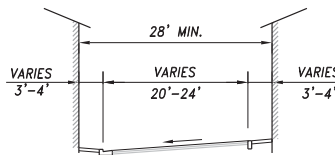




**Section F-F**  
*Typical Local Road with Bioswales*



**Section I-I**  
*Typical Local Road*



**Section N-N**  
*Typical Private Alley*

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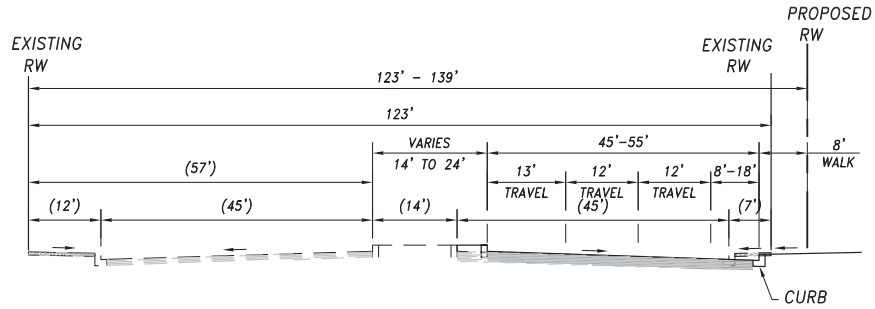
Source: FORMA 2011

**Cross-Sections F-F, I-I, and N-N**

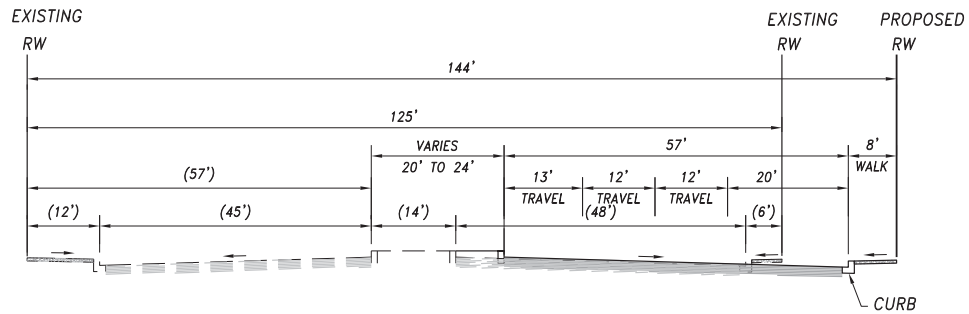
**Exhibit 3-10f**

*Newport Banning Ranch EIR*





Section K-K  
West Coast Highway



Section L-L  
West Coast Highway

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Source: FORMA 2011

Cross-Sections K-K and L-L

Exhibit 3-10g

Newport Banning Ranch EIR



### 17<sup>th</sup> Street

17<sup>th</sup> Street between North Bluff Road and the Project site's property line is proposed as a Primary Road with two travel lanes and one on-street bike lane in each direction and a raised landscaped median. Pedestrian walkways would be provided on each side of the road. 17<sup>th</sup> Street currently terminates at the Project site's eastern boundary and would be extended west through the site to connect with North Bluff Road (Exhibit 3-10d; Cross-Section E-E). Off-site improvements would be limited to those necessary to connect the existing road to the roadway extension.

### 19<sup>th</sup> Street

The Project includes the reservation of sufficient right-of-way between the proposed intersection of North Bluff Road at 19<sup>th</sup> Street and the dedication of sufficient right-of-way between this intersection and the eastern Project boundary to allow for the widening of 19<sup>th</sup> Street adjacent to the Project site in the future. Improvements would not be required as a part of the Project.

### Resort Colony Road and Local Road Adjacent to the South Family Village

Resort Colony Road is proposed as a public Local Road that would be accessed from Bluff Road and North Bluff Road. The loop road would provide access to the proposed Resort and Residential land use areas in the southern portion of the Project site. This roadway adjacent to the VSR/R land use area is proposed with one travel lane in each direction, a pedestrian walkway on the inland side (adjacent to development) of the road, and a meandering trail adjacent to the Bluff Park (Exhibit 3-10e; Cross-Section G-G). Resort Colony Road joins the Local Road adjacent to the Residential (RL and RM) land use areas located north of the VSR/R land use area. This roadway would be constructed as a public Local Street with one travel lane and one parking lane in each direction and walkways on each side of the street (Exhibit 3-10f; Cross-Section I-I).

### Scenic Drive

Scenic Drive is proposed as a public Local Road in the center portion of the Project site. Access to Scenic Drive would occur from North Bluff Road at both 16<sup>th</sup> Street and at 17<sup>th</sup> Street. This loop road is proposed with one travel lane and one on-street parking lane in each direction (Exhibit 3-10e; Cross-Section H-H). A pedestrian walkway would be provided on the inland side of Scenic Drive adjacent to proposed residences.

### Local Roads

Public Local Roads are proposed within Residential land use areas to be constructed with one travel lane and one parking lane in each direction (Exhibit 3-10f; Cross-Sections F-F and I-I). Sidewalks would be provided on each side of the roads. In order to reduce speeds of motorists and to encourage pedestrian movement, traffic-calming features are intended to be used on the local roads. Traffic-calming features can include tapers and/or chokers at intersections and narrower road widths.

### Private Alleys

Private alleys are proposed within Residential land use areas with a minimum width of 28 feet between buildings and travel areas inclusive of a 3- to 4-foot-wide area for landscaping and garage access on each side of the alley (Exhibit 3-10f; Cross-Section N-N).

## **Traffic Signals**

Traffic signals are proposed at the following locations as a part of the Project: the intersection of West Coast Highway at Bluff Road; Bluff Road at 15<sup>th</sup> Street, and North Bluff Road at 17<sup>th</sup> Street.

## **Proposed Entries and Off-Site Roadway Improvements**

### 15<sup>th</sup> Street Entry/Off-Site Improvements

15<sup>th</sup> Street currently terminates at Monrovia Avenue located east of the Project site's eastern boundary. There is an existing office building and associated parking lot between the Newport Banning Ranch property line and Monrovia Avenue. As a part of the Project, the improvements shown on the Master Plan of Streets and Highways from the City of Newport Beach General Plan Circulation Element would be constructed. This would require 15<sup>th</sup> Street to be extended west through the existing parking area for the office building to provide a connection between the Project site and Monrovia Avenue. The segment of 15<sup>th</sup> Street between Monrovia Avenue to the boundary of the Project site would be constructed as a two-lane roadway (one lane in each direction). As proposed, displaced parking (approximately 25 parking spaces) associated with the existing office building would be provided for the office building within the proposed Central Community Park area. Required improvements are depicted in Exhibit 3-11, 15<sup>th</sup> Street Off-site Improvements. The right-of-way necessary for the 15<sup>th</sup> Street off-site improvements would either be acquired by the Applicant or by the City.

### 16<sup>th</sup> Street Entry/Off-Site Improvements and North Bluff Road Off-site Improvements

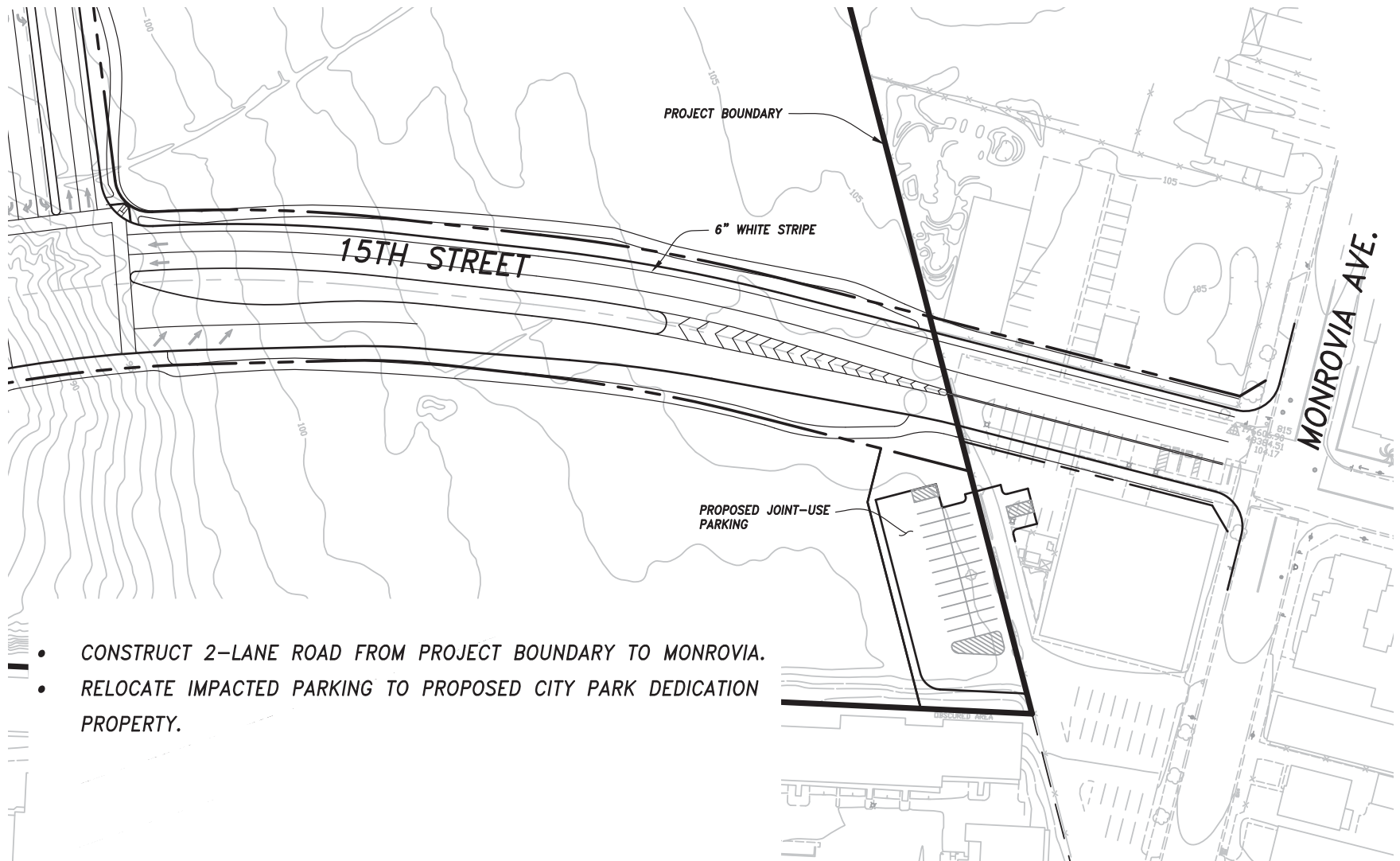
Extending and widening 16<sup>th</sup> Street and connecting it to the Project site was assumed by the City of Newport Beach as part of the planning and construction of the City of Newport Beach Utilities Yard located at 16<sup>th</sup> Street's western terminus on the south side of the roadway. Adequate setbacks are available to widen the south side of 16<sup>th</sup> Street. Required improvements are depicted on Exhibit 3-12, 16<sup>th</sup> Street Off-site Improvements.

The widening of 16<sup>th</sup> Street on the north side would impact vacant property owned by the School District. The operation of North Bluff Road would also impact the School District's vacant property. North of 16<sup>th</sup> Street for approximately 800 feet, half-width roadway improvements for the east side of North Bluff Road are proposed on property owned by the School District.

Both the widening of 16<sup>th</sup> Street and the construction of North Bluff Road adjacent to the School District's property would require the acquisition of or the authority for use of right-of-way from the School District for public roadway purposes. The affected property is depicted on Exhibit 3-13, North Bluff Road Off-site Improvements. If an agreement is not reached between the Applicant and the School District, North Bluff Road would need to be reconfigured to be completely on the Newport Banning Ranch property. The potential realignment of the road would not change the extent of the Project impacts, as identified in this EIR, because the area proposed for residential and park development is assumed to be disturbed as a part of the Project.

### West Coast Highway Entry/Off-Site Improvements

The primary entrance to the Project site from Newport Beach would be via Bluff Road at West Coast Highway. A T-intersection with West Coast Highway at Bluff Road is proposed. Exhibit 3-14, West Coast Highway Off-site Improvements, illustrate the proposed modifications



- CONSTRUCT 2-LANE ROAD FROM PROJECT BOUNDARY TO MONROVIA.
- RELOCATE IMPACTED PARKING TO PROPOSED CITY PARK DEDICATION PROPERTY.

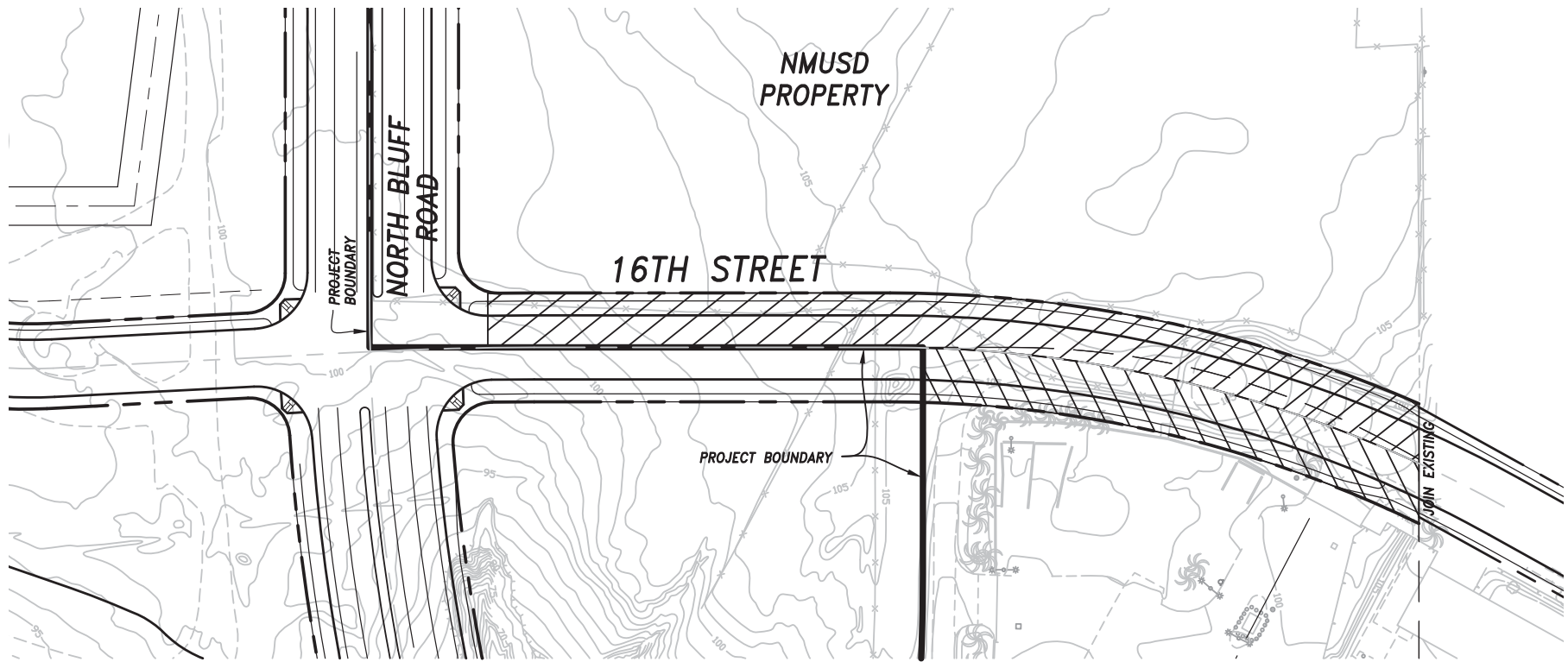
Source: Fuscoe 2011

# 15th Street Off-Site Improvements

## Exhibit 3-11

Newport Banning Ranch EIR





- EXTEND 16TH STREET FROM EXISTING TERMINUS TO NORTH BLUFF ROAD.
- ▨ • PROPOSED 16TH STREET HALF WIDTH IMPROVEMENTS ON NMUSD PROPERTY.
- ▨ • PROPOSED 16TH STREET HALF WIDTH IMPROVEMENTS ON CITY PROPERTY TRANSITION PROPOSED 16TH STREET IMPROVEMENTS TO MATCH EXISTING RIGHT-OF-WAY AND CURB IMPROVEMENTS AT EDGE OF NMUSD PROPERTY.

Source: Fuscoe 2011

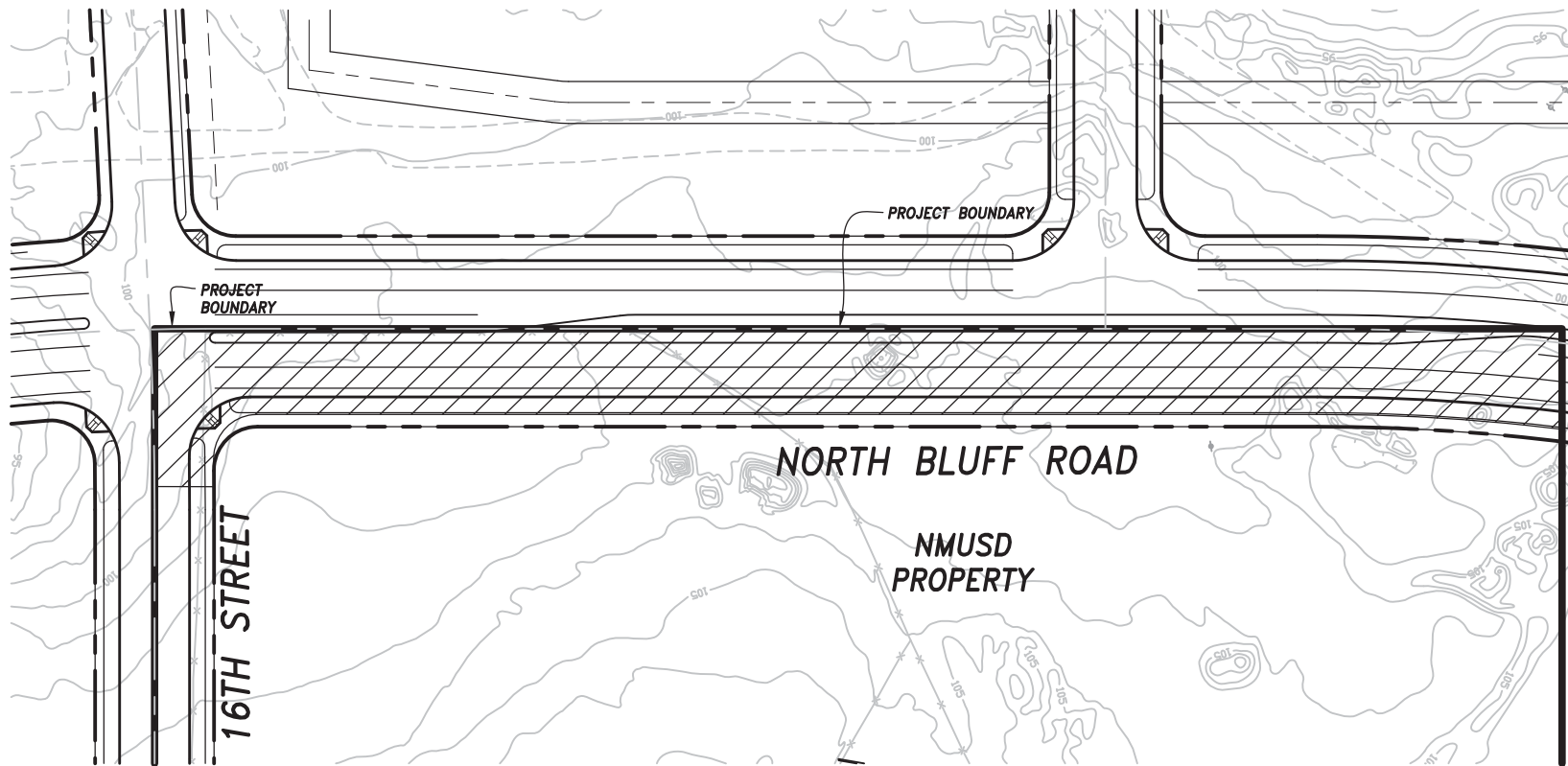
## 16th Street Off-Site Improvements

Exhibit 3-12

Newport Banning Ranch EIR



**BonTerra**  
CONSULTING



 PROPOSED NORTH BLUFF ROAD HALF WIDTH IMPROVEMENTS ON NMUSD PROPERTY

Source: Fuscoe 2011

# North Bluff Road Off-Site Improvements

Exhibit 3-13

Newport Banning Ranch EIR



to West Coast Highway as part of the Project. In order to accommodate the lane geometry on West Coast Highway, a portion of the existing six-lane divided highway would need to be widened. Between Superior Avenue and Bluff Road, West Coast Highway is proposed for four travel lanes in each direction with a raised median. A sidewalk is proposed on the north side of West Coast Highway.

The north side of West Coast Highway would be widened from approximately 100 feet west of the intersection of Superior Avenue at West Coast Highway to approximately 700 feet west of the centerline of Bluff Road. West Coast Highway would taper back to three travel lanes with a raised median (Exhibit 3-10g; Cross-Sections K-K and L-L). The widening would vary from 0 feet to approximately 8 feet. As a part of the off-site improvements in this location, the existing West Coast Highway median would be modified to provide a dual left-turn pocket from eastbound West Coast Highway onto northbound Bluff Road.

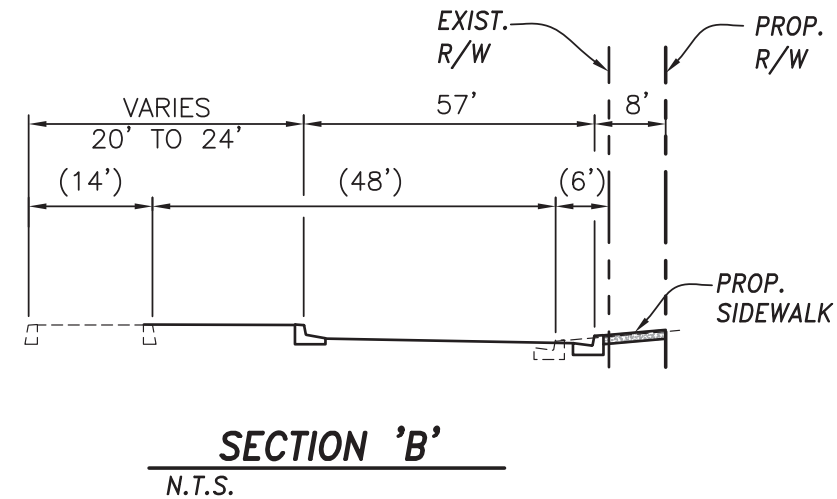
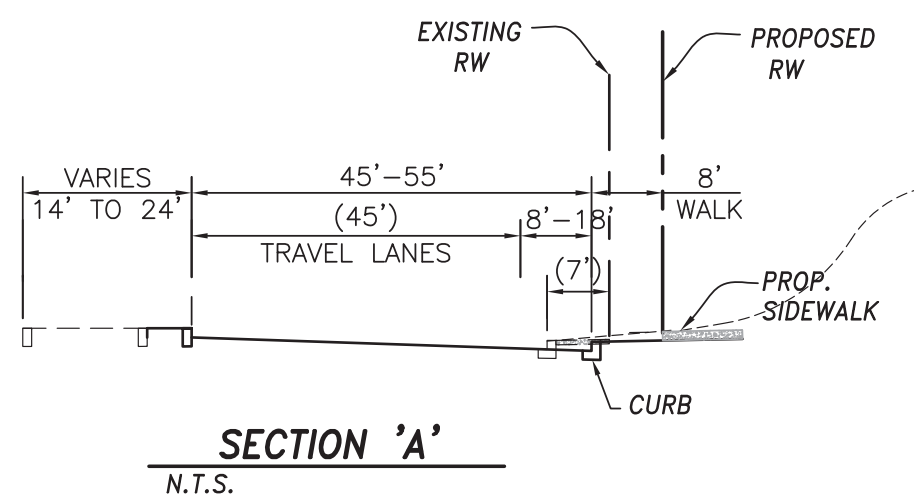
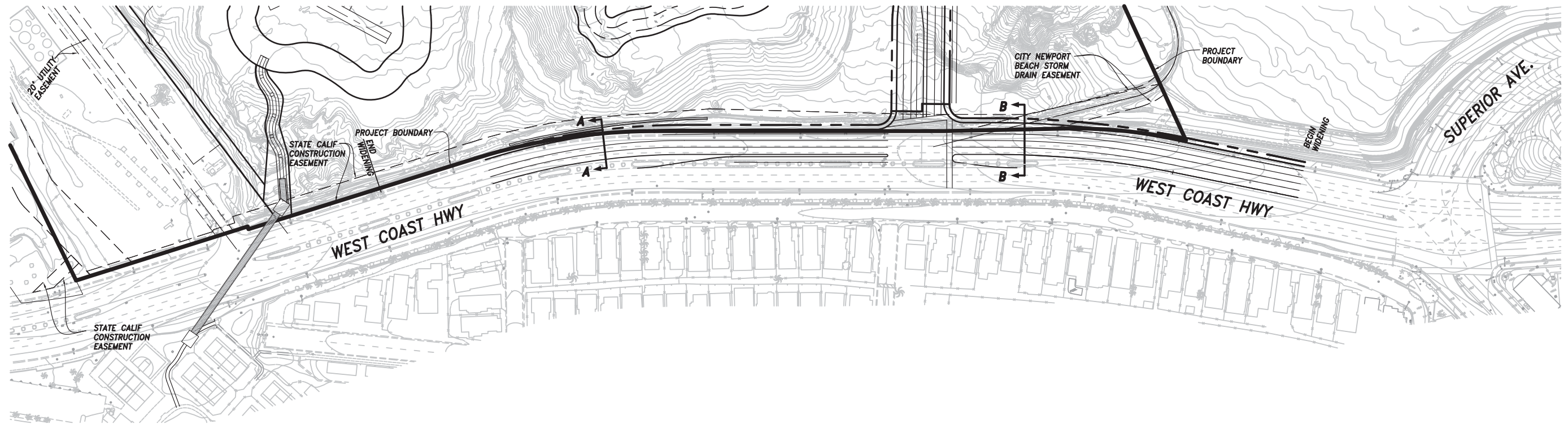
The widening of West Coast Highway west to the proposed T-intersection of West Coast Highway at Bluff Road was approved by the City of Newport Beach as a part of the City's Sunset Ridge Park Project in 2010. The approved but not constructed Sunset Ridge Park Project assumes a two-lane (one lane in each direction) access road through the Newport Banning Ranch site from West Coast Highway to Sunset Ridge Park. Additional widening and improvements to West Coast Highway on the Project site (e.g., widening west of Bluff Road) would be a part of the proposed Project. Improvements to West Coast Highway require approval from the State of California Department of Transportation (Caltrans).

## **B. Parking**

Public parking would be provided throughout the Project site. Public Local Roads within the Project site would provide on-street parking on both sides of the roads. Parking would not be permitted on Bluff Road; North Bluff Road; 15<sup>th</sup> Street; 16<sup>th</sup> Street between the Project site boundary and North Bluff Road; or 17<sup>th</sup> Street. Parking is proposed to meet the City's parking requirements as well as the Coastal Commission's requirement for visitor-serving coastal access parking. Public parking is proposed as follows:

- Public parking would be provided on both sides of Scenic Drive.
- Public off-street parking would be provided as part of the resort inn with the number of designated coastal access parking spaces and their location to be determined as part of the subsequent Coastal Development Permit review by the Coastal Commission and subsequent Development Plan Review by the City.
- Preferential parking spaces, as determined by the City, would be provided for carpools, rideshare, and/or other vehicle-sharing services for the commercial and visitor-serving resort uses within the Mixed-Use/Residential District and Visitor-Serving Resort/Residential District.
- Public off-street parking would be provided as part of any residential, commercial or mixed-use commercial/residential development within the Project site, as required by the Newport Banning Ranch Planned Community Development Plan.
- Public off-street parking for the Community Park would be provided in the North Community Park.
- Off-street parking provided in the Central Community Park as replacement parking for the widening of 15<sup>th</sup> Street would be available for public use after business hours.





- PROVIDE PEDESTRIAN BRIDGE OVER WCH.
- CONSTRUCT LANDING FOR PEDESTRIAN BRIDGE WITHIN WEST NEWPORT PARK.
- PROVIDE DUAL LEFT TURN LANE ON EASTBOUND WCH.
- WIDEN WCH TO ACCOMMODATE DUAL LEFT TURNS, AND 4TH LANE FROM SUPERIOR TO BLUFF ROAD.
- SIGNALIZE BLUFF ROAD INTERSECTION WITH WCH.
- DEDICATE ADDITIONAL RIGHT OF WAY.

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Source: Fuscoe 2011

## West Coast Highway Off-Site Improvements

Exhibit 3-14

Newport Banning Ranch EIR



**Bonterra**  
CONSULTING

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- Off-street public parking spaces would be provided as part of the development of the public interpretive park proposed adjacent to the LOS/PTF area and Bluff Road.

## **C. Trails**

The Project proposes a Master Plan for Trails and Coastal Access comprised of public pedestrian paths, on-street bicycle trails, and off-street multi-use trails to provide coastal access and public mobility within the Project site. The proposed pedestrian and bicycle trails would provide connectivity among open space, parks, residential, resort, commercial, and mixed-use on-site land uses as well as public access and connections to existing off-site public trails, including the Santa Ana River and trails located in the Talbert Nature Preserve, Fairview Regional Park located further to the north, and existing walks and trails extending along West Coast Highway and the beach located to the south. A Multi-use Trail, Open Space Interpretive Trails, the Bluff Park Trail, the Pedestrian and Bicycle Bridge, On-Street Bicycle Trails, and Pedestrian Walkways are proposed as a part of the Project.

### ***Multi-Use Trail***

An approximate 2.0-mile-long off-street multi-use trail is proposed for pedestrians and bicyclists along the east side of Bluff Road and North Bluff Road from West Coast Highway to the north end of the Urban Colony in Site Planning Area 12b. It would also be provided along both sides of 15<sup>th</sup> Street within the Project site. The multi-use trail would connect to on-street bicycle paths along West Coast Highway and 15<sup>th</sup> Street

### ***Open Space Interpretive Trails***

Public interpretive trails are proposed to extend throughout the Open Space land use areas and connect to North Bluff Road. A trail connection is proposed to the east side of the Santa Ana River at the northern boundary of the Project site to provide access to the Talbert Nature Preserve and Fairview Regional Park to the north.

### ***Bluff Park Trail***

Bluff Park Trail is proposed as an off-street pedestrian trail within the Bluff Park land use area. Bluff Park Trail is proposed to extend around the perimeter of the Residential and the Visitor-serving Resort/Residential land use areas adjacent to Open Space land use areas. The Bluff Park Trail is proposed to include footpaths and interpretive trails extending along the length of the bluff to allow visitor and residential access to scenic viewpoints within the Project site and to provide connections to the Open Space Interpretive Trails. Within Bluff Park, the multi-use trail would be located around a portion of the Resort Colony and would connect with the proposed pedestrian and bicycle bridge over West Coast Highway.

### ***Pedestrian and Bicycle Bridge***

A pedestrian and bicycle bridge is proposed to cross over West Coast Highway from the Project site connecting to a location south of West Coast Highway providing public access to and from the beach and the Project's open space.

### ***On-Street Bicycle Trails***

On-street bicycle trails are proposed for both sides of arterial roadways including Bluff Road, North Bluff Road, 17<sup>th</sup> Street, and 15<sup>th</sup> Street.

## **Pedestrian Walkways**

All streets within the Project site are proposed to have sidewalks separated from the street. Sidewalks would vary in width from four to eight feet.

### **3.6.4 LAND USE REGULATIONS**

Development of the Project would be governed by City regulatory mechanisms including the following:

- A. The Newport Banning Ranch Planned Community Development Plan (NBR-PC), which would provide the zoning regulations for the Project site.
- B. The Newport Banning Ranch Master Development Plan (Master Development Plan), which would provide a general site development plan for each land use area and would establish design criteria for development of each land use within the Project site.

#### **A. Newport Banning Ranch Planned Community Development Plan (NBR-PC)**

The proposed NBR-PC establishes land use zoning districts (land use districts) for the Project site consistent with the land uses described earlier in Section 3.6.1, Proposed Land Uses, and shown in Table 3-1.<sup>6</sup> The NBR-PC establishes (1) allowable land uses within each land use district, (2) development regulations for each land use district, (3) general development regulations applicable to all development within the Project site, (4) a plan for circulation and infrastructure facilities to serve development, and (5) procedures for implementing and administering the NBR-PC. The NBR-PC would serve as the zoning and development regulations for the Project site. Upon approval by the City, the NBR-PC would establish the zoning for that portion of the Project site located within the City of Newport Beach and would provide pre-annexation zoning for the portion of the Project site located within the County of Orange but within the City's Sphere of Influence; this zoning would become effective following annexation of the areas located within the Sphere of Influence.

Whenever the regulations contained in the NBR-PC conflict with the regulations of the Newport Beach Municipal Code, the regulations contained in NBR-PC would take precedence. The Municipal Code would regulate land use development where such regulations are not provided in the NBR-PC. The NBR-PC includes (1) a development plan; (2) land use and development regulations; (3) implementation and administration procedures; and (4) definitions of terms and acronyms.

The proposed NBR-PC requires that, prior to development of new land uses within the Project site, a Master Development Plan be submitted for approval by the City. The purpose of the Master Development Plan is to provide plans for grading, roads, infrastructure, and development of land uses. Further, the Master Development Plan establishes design criteria for each land use component proposed for development on the Project site and to provide a sufficient level of detail, as determined by the City, to guide the review of subsequent development approvals and construction-level permits as required by the NBR-PC. The NBR-PC would require that a Master Development Plan contain project development plans and preliminary layouts for streets and lotting, pedestrian and vehicular access ways, open space, parks, and other site features proposed for the Project site.

<sup>6</sup> The NBR-PC is on the City of Newport Beach website and is on file at the City of Newport Beach Community Development Department and available for review during regular business hours.

## B. Newport Banning Ranch Master Development Plan

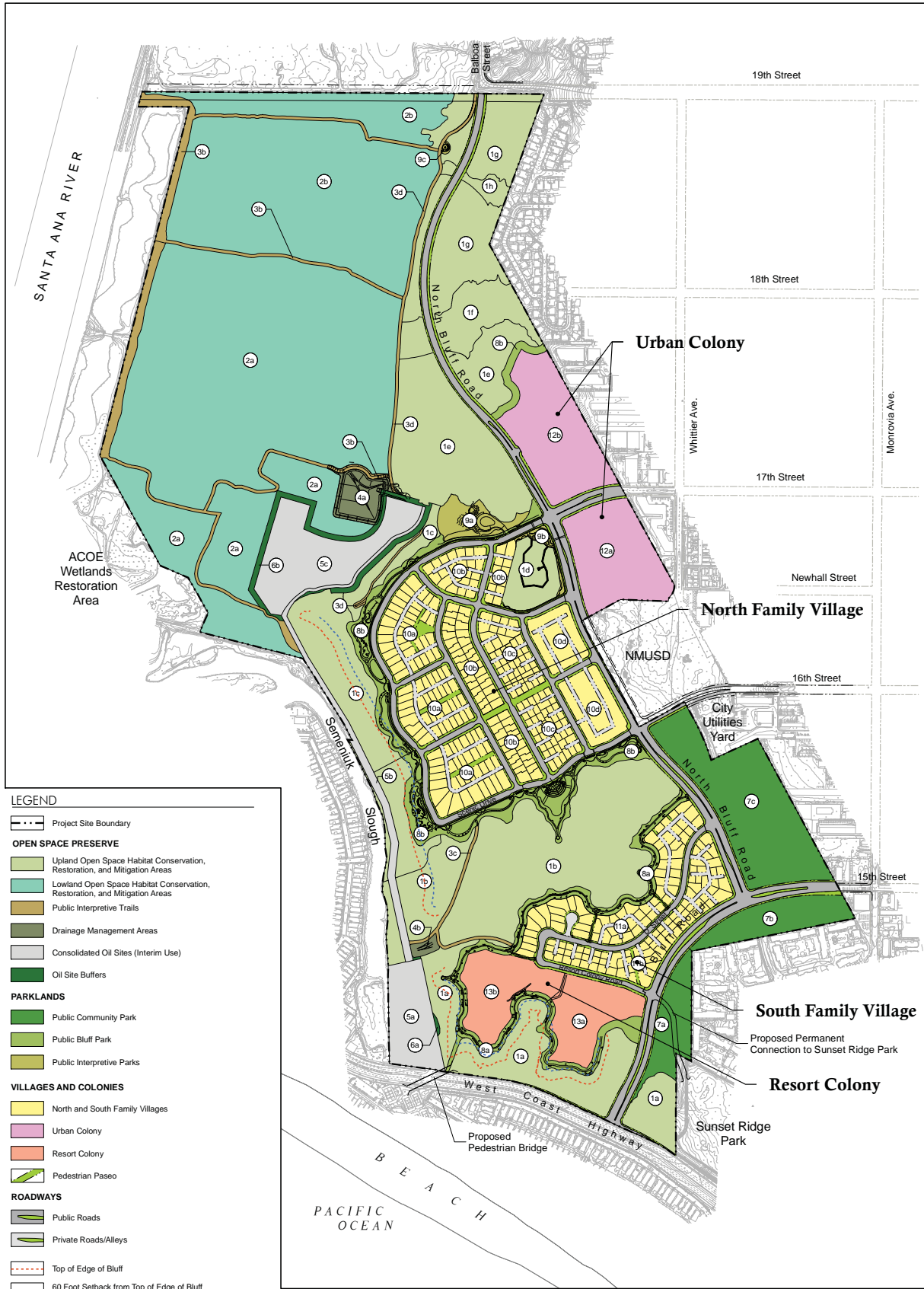
As set forth in the NBR-PC, the proposed Project requires City approval of the Newport Banning Ranch Master Development Plan (Master Development Plan) prior to development of new land uses within the Project site. The proposed Master Development Plan addresses this NBR-PC requirement. The proposed Master Development Plan would create “Site Planning Areas” for the entire Project site and describe the proposed development within each site planning area consistent with the land use districts established in the NBR-PC. The Master Development Plan is intended to provide a sufficient level of detail for each site planning area to enable the City to review subsequent detailed plans for development permits, including construction level permits, for consistency with the Master Development Plan. The proposed Master Development Plan contains preliminary layouts for streets, residential lots, pedestrian walkways, multi-use trails, open space, parks, and other site features. The Master Development Plan also proposes design criteria for each land use to guide the City’s review of subsequent detailed plans for construction-level permits.<sup>7</sup> The development plan for the Project site is depicted on Exhibit 3-15, Master Development Plan, and summarized in Table 3-2.

The Master Development Plan is also proposed to provide a sufficient level of detail related to address Coastal Act policies so that, pursuant to City approval of the Master Development Plan and to the maximum extent practicable, the Coastal Commission may approve the Master Development Plan as part of a Master Coastal Development Permit; this permit delegates authority to the City to be the final approving body for subsequent discretionary and ministerial approvals, such as subdivision maps for specified residential development purposes, use permits, development plan review, building permits, improvement plans, and similar construction-level permits and entitlements as required by the NBR-PC. The major components of the Master Development Plan are as follows:

- A. A summary of the physical conditions on the Project site existing prior to development.
- B. A **Master Development Plan** depicting Site Planning Areas (SPAs) for the Project site and a statistical summary of all site planning areas. The Master Development Plan includes the following land use categories:
  - **Open Space Preserve** to include the land use districts of the NBR-PC designated as LOS/PTF, UOSPTF, and OF.
  - **Parklands** to include the land use districts of the NBR-PC designated as Community Park, Bluff Park, and Interpretive Parks.
  - **Villages and Colonies** to include the land use districts of the NBR-PC designated as Residential, Visitor-serving Resort and Mixed-Use/Residential as follows:
    - North Family Village comprised of Low Density and Low/Medium Density Residential land use.
    - South Family Village comprised of Low Density and Medium Density Residential land use.
    - Resort Colony comprised of the resort inn and resort-oriented residential land uses.
    - Urban Colony comprised of commercial and Mixed-Use/Residential land uses.

<sup>7</sup> The proposed Newport Banning Ranch Master Development Plan is on the City of Newport Beach website and is on file at the Community Development Department and available for review during regular business hours.

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**LEGEND**

- Project Site Boundary
- OPEN SPACE PRESERVE**
  - Upland Open Space Habitat Conservation, Restoration, and Mitigation Areas
  - Lowland Open Space Habitat Conservation, Restoration, and Mitigation Areas
  - Public Interpretive Trails
  - Drainage Management Areas
  - Consolidated Oil Sites (Interim Use)
  - Oil Site Buffers
- PARKLANDS**
  - Public Community Park
  - Public Bluff Park
  - Public Interpretive Parks
- VILLAGES AND COLONIES**
  - North and South Family Villages
  - Urban Colony
  - Resort Colony
  - Pedestrian Paseo
- ROADWAYS**
  - Public Roads
  - Private Roads/Alleys
  - Top of Edge of Bluff
  - 60 Foot Setback from Top of Edge of Bluff for Habitable Structures

Source: FORMA 2011

# Master Development Plan

# Exhibit 3-15

Newport Banning Ranch EIR



**TABLE 3-2  
MASTER DEVELOPMENT PLAN STATISTICAL SUMMARY**

Land Use Designation	Site Planning Area		Gross Acres <sup>a</sup>	Net Acres <sup>a</sup>	Density (du/gross ac)	Units	Retail (sf) <sup>d</sup>	Resort Inn
	No.	Description						
<b>OPEN SPACE PRESERVE</b>								
<b>1. Upland Habitat Conservation, Restoration, and Mitigation Areas</b>								
UOS/PTF	1a	West Coast Highway Bluff Area	15.3	14.3	–	0	0	0
UOS/PTF	1b	Southern Arroyo CSS/Grassland Area	28.3	28.0	–	0	0	0
UOS/PTF	1c	Scenic Bluff CSS/Grassland Area	13.0	13.0	–	0	0	0
UOS/PTF	1d	Vernal Pool Preservation Area	3.2	3.2	–	0	0	0
UOS/PTF	1e	South Upland CSS/Grassland Area	19.4	18.1	–	0	0	0
UOS/PTF	1f	Northern Arroyo Grassland Area	5.8	5.5	–	0	0	0
UOS/PTF	1g	North Upland CSS/Grassland Area <sup>b</sup>	16.3	13.5	–	0	0	0
UOS/PTF	1h	Minor Arroyo Grassland Area	1.2	1.1	–	0	0	0
<i>Subtotal</i>			102.5	96.7	–	0	–	0
<b>2. Lowland Habitat Conservation, Restoration, and Mitigation Areas</b>								
LOS/PTF	2a	Southern Habitat Mitigation/Protection Area	75.8	75.8	–	0	0	0
LOS/PTF	2b	Northern Habitat Mitigation/Protection Area <sup>b</sup>	42.6	40.3	–	0	0	0
<i>Subtotal</i>			118.4	116.1	–	0	0	0
<b>3. Public Interpretive Trails</b>								
LOS/PTF	3a	Bluff Toe Trail <sup>c</sup>	–	–	–	0	0	0
LOS/PTF	3b	Lowland Interpretive Trail <sup>b</sup>	7.3	7.1	–	0	0	0
UOS/PTF	3c	Southern Arroyo Trail	0.7	0.7	–	0	0	0
UOS/PTF	3d	Upland Interpretive Trail	1.5	1.5	–	0	0	0
<i>Subtotal</i>			9.5	9.3	–	0	0	0
<b>4. Water Quality Basins</b>								
LOS/PTF	4a	Wetlands Restoration/Water Quality Basin	2.2	2.2	–	0	0	0
UOS/PTF	4b	Wetlands Restoration/Water Quality Basin	0.4	0.4	–	0	0	0
<i>Subtotal</i>			2.6	2.6	–	0	0	0
<b>5. Consolidated Oil Sites (Interim Use)</b>								
OF	5a	Oil Operations Site (South Area)	4.8	4.8	–	0	0	0
OF	5b	Oil Access Road (Non-exclusive Access Easement)	3.1	3.1	–	0	0	0
OF	5c	Oil Consolidation Site (North Area)	8.6	8.6	–	0	0	0
<i>Subtotal</i>			16.5	16.5	–	0	0	0

**TABLE 3-2 (Continued)**  
**MASTER DEVELOPMENT PLAN STATISTICAL SUMMARY**

Land Use Designation	Site Planning Area		Gross Acres <sup>a</sup>	Net Acres <sup>a</sup>	Density (du/gross ac)	Units	Retail (sf) <sup>d</sup>	Resort Inn
	No.	Description						
<b>6. Oil Site Planting Buffers</b>								
UOS/PTF	6a	Oil Operations Site Planting Buffer	0.1	0.1	–	0	0	0
LOS/PTF	6b	Oil Consolidation Site Planting Buffer	2.7	2.7	–	0	0	0
<i>Subtotal</i>			2.8	2.8	–	0	0	0
<b>Subtotal Open Space Preserve</b>			<b>252.3</b>	<b>244.0</b>	<b>–</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>PARKLANDS</b>								
<b>7. Public Community Parks</b>								
CP	7a	South Community Park	5.0	3.7	–	0	0	0
CP	7b	Central Community Park	5.9	4.5	–	0	0	0
CP	7c	North Community Park <sup>e</sup>	15.9	13.5	–	0	0	0
<i>Subtotal</i>			26.8	21.7	–	0	–	0
<b>8. Public Bluff Park</b>								
BP	8a	South Bluff Park	7.3	6.9	–	0	0	0
BP	8b	North Bluff Park	13.6	10.6	–	0	0	0
<i>Subtotal</i>			20.9	17.5	–	0	0	0
<b>9. Public Interpretive Parks</b>								
IP	9a	Nature Center	2.2	2.2	–	0	0	0
IP	9b	Vernal Pool Interpretive Area	1.4	0.6	–	0	0	0
IP	9c	Talbert Trailhead Area	0.1	0.1	–	0	0	0
<i>Subtotal</i>			3.7	2.9	–	0	0	0
<b>Subtotal Parklands</b>			<b>51.4</b>	<b>42.1</b>	<b>–</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>VILLAGES AND COLONIES</b>								
<b>10. North Family Village</b>								
RL	10a	Single-Family Detached Residential	17.1	13.4	6.3	107	0	0
RL/M	10b	Single-Family Detached Residential	11.8	8.1	7.2	85	0	0
RM	10c	Single-Family Detached Residential	8.3	6.0	10.8	90	0	0
RM	10d	Multi-Family Attached Residential	8.8	5.9	15.3	135	0	0
<i>Subtotal</i>			46.0	33.4	–	417	0	0
<b>11. South Family Village</b>								
RL	11a	Single-Family Detached Residential	9.0	7.6	6.6	60	0	0
RM	11b	Single-Family Detached Residential	10.2	6.8	8.0	81	0	0
<i>Subtotal</i>			19.2	14.4	–	141	0	0

**TABLE 3-2 (Continued)**  
**MASTER DEVELOPMENT PLAN STATISTICAL SUMMARY**

Land Use Designation	Site Planning Area		Gross Acres <sup>a</sup>	Net Acres <sup>a</sup>	Density (du/gross ac)	Units	Retail (sf) <sup>d</sup>	Resort Inn
	No.	Description						
<b>12. Urban Colony</b>								
MU/R	12a	Multi-Family Attached Residential/Mixed-Use Commercial	9.8	8.5	37.2	365	37,500	0
MU/R	12b	Multi-Family Attached Residential/Mixed-Use Commercial	11.1	9.8	32.8	365	37,500	0
<i>Subtotal</i>			<i>20.9</i>	<i>18.3</i>	<i>–</i>	<i>730</i>	<i>75,000</i>	<i>0</i>
<b>13. Resort Colony</b>								
VSR/R	13a	Resort Hotel (75 Guest Rooms/ Spa/ Fitness Center/ Restaurants/ Shops)	5.7	5.2	–	0	0	75
VSR/R	13b	Multi-Family Attached Residential	5.6	5.4	15.6	87	0	0
<i>Subtotal</i>			<i>11.3</i>	<i>10.6</i>	<i>–</i>	<i>87</i>	<i>0</i>	<i>75</i>
<b>Subtotal Villages And Colonies</b>			<b>97.4</b>	<b>76.7</b>	<b>–</b>	<b>1,375</b>	<b>75,000</b>	<b>75</b>
<b>Total Project</b>			<b>401.1</b>	<b>362.8</b>	<b>–</b>	<b>1,375</b>	<b>75,000</b>	<b>75</b>
<p><sup>a.</sup> Gross acres of site planning areas are measured to the centerline of all public roads where such roads are shown on the Master Development Plan. Net acres of site planning areas are measured to the edge of the rights-of-way for all public roads where such roads are shown on the Master Development Plan (i.e., net acres exclude public road rights-of-way).</p> <p><sup>b.</sup> The Right-of-Way Reservation for the 19<sup>th</sup> Street extension, from the Project site's easterly boundary to the Santa Ana River, encompasses approximately 3.1 acres, including approximately 0.6 acre of SPA 1g, 2.3 acres of SPA 2a, and 0.2 acre of SPA 3b.</p> <p><sup>c.</sup> The Bluff Toe Trail is located within the non-exclusive access easement identified as Site Plan Area (SPA) 5b, Oil Access Road.</p> <p><sup>d.</sup> Up to 2,500 sf of commercial may be transferred to a Residential Land Use District in accordance with the provisions of the NBR-PC provided the total area of commercial uses for the Master Development Plan does not exceed 75,000 sf.</p> <p><sup>e.</sup> Includes a water quality basin.</p>								
Source: FORMA 2011.								

C. A **Master Trails and Coastal Access Plan**, which includes a detailed description of the proposed network of pedestrian paths, on-street bicycle trails and off-street multi-use trails to provide coastal access and public mobility within the Project site as summarized in Section 3.6.3.C, "Circulation and Parking," of the Project Description. The proposed system of pedestrian and bicycle trails would provide connectivity among open space, parks, residential, resort, commercial, and mixed-use development within the Project site and would provide public access and connectivity to existing public trails, including the Santa Ana River and trails located in the Talbert Nature Preserve, Fairview Regional Park located to the north, and existing walks and trails extending along West Coast Highway and the beach located to the south.

D. A **Master Landscape Plan**, which includes descriptions of landscape zones, plant palettes by landscape zone, streetscape plans, street signage and lighting fixtures, and walls, fencing and monumentation plans. The Master Landscape Plan also includes design requirements related to the interface between proposed on-site and existing adjacent off-site land uses, and between on-site oil production operations and proposed on-site land uses. Plant palettes are included in the appendices of the Master Development Plan for Parklands, Villages, and Colonies, fuel management zones, and habitat restoration areas.



- E. **Architectural Design Guidelines** describing the typical building footprints, plotting, building elevations, and architectural color palettes for residential housing types proposed for development within the North and South Family Villages, and conceptual plans, architecture, and architectural color palettes for portions of the proposed commercial and residential development in the Urban Colony.
- F. A **Community Transitions and Interfaces Plan** describing the proposed distances and design treatments along Project site boundaries interfacing with adjacent existing land uses including residential neighborhoods in Newport Beach and Costa Mesa, as well as the proposals for interface within the Project site between the proposed on-site consolidated oil operations and other proposed land uses.
- G. A **Landform Restoration and Grading Plan** describing the Project site's existing topographical and geotechnical conditions, and the plans for bluff/slope restoration, infrastructure and development grading, disposition of remediated soil, and grading for open space improvements including public trails in the Open Space Preserve.
- H. A **Master Roadway and Infrastructure Plan** describing the on-site arterial and collector roadway plan, proposed off-site roadway improvements, traffic-calming features, and internal local roadway designs. Plans for domestic water distribution, wastewater collection and disposal, drainage facilities, and dry utilities and services are also included.
- I. **Water Management Plans** which include two components: (1) the Master Drainage Plan, which addresses existing drainage patterns and proposed drainage facilities to discharge flows from the Project site and (2) the Water Quality Management Plan, which addresses the treatment of storm water and runoff from on-site and off-site land uses.
- J. An **Implementation Plan** which describes the procedures for administering the Master Development Plan, the requirements for subsequent City approvals needed to implement the Master Development Plan, the requirements for Coastal Commission approvals needed to implement the Master Development Plan, and implementation procedures for other programs proposed as part of the Project including a Green and Sustainable Program, a Habitat Restoration Plan, and a Fire and Life Safety Program.
- K. **Appendices** include the following Project plans and programs also reviewed as part of the EIR:
- **Habitat Restoration Plan** describing areas of habitat preservation and restoration.
  - **Fire and Life Safety Program** describing fuel management plans, fire and life safety maintenance standards, and construction requirements within designated Special Fire Protection Areas.
  - **Plant Palette** describing the plants permitted within the various landscape zones in the Villages, Colonies, and Parklands, as well as within portions of the Open Space Preserve. The plant palette for the Open Space Preserve is described in the Habitat Restoration Plan.
  - **Green and Sustainable Program**, including sustainability goals for the Project and methods, measures, and design elements to address these goals.
  - **Tentative Tract Map No. 17308**, which establishes lots for public dedication or conveyance, easements for trails and public utilities, lots that may be developed for

residential uses for conveyance to homebuyers, and lots for financing and conveyance that may be either developed on a residential condominium basis or which can be further subdivided for purposes of development and conveyance to homebuyers. An approximate 65.2-gross-acre area of the Project site would be mapped for residential development lots that can be conveyed to homebuyers. Tentative Tract Map approval would permit grading, oil facilities consolidation; site remediation, habitat restoration, construction of drainage and water quality improvements, and construction of backbone infrastructure and dry utilities, including public roadways; drainage and water quality management facilities; and domestic water and sewer facilities throughout the Project site. Development of all other proposed facilities and land uses and conveyance of any portion of the Project site would require recordation of a final tract map.

### **3.6.5 INFRASTRUCTURE AND UTILITIES**

New infrastructure and utilities are proposed as part of the Project as described in this section and in the Master Development Plan.

#### **A. Water**

The Project site is within the City's water service area. The City has existing distribution facilities adjacent to the Project site in West Coast Highway, 16<sup>th</sup> Street, and Ticonderoga Street. A transmission main, which transports well water to the City's treatment facility and reservoir at 16<sup>th</sup> Street, is located in 19<sup>th</sup> Street at the Project site's northern boundary. Within the Project site, a network of 8- to 12-inch-diameter water mains is proposed to provide potable, irrigation, and fire flow water service to the proposed on-site land uses. A pressure-reducing station is proposed adjacent to Bluff Road near West Coast Highway. The Project's proposed water system would connect to the City's existing water infrastructure at West Coast Highway, 15<sup>th</sup> Street, 16<sup>th</sup> Street, and Ticonderoga Street. Water supply and the Project's proposed water system are addressed in greater detail in Section 4.15, Utilities.

#### **B. Wastewater Collection and Disposal**

The City would provide sanitary sewer service to the Project. Newport Beach has facilities adjacent to the Project site on West Coast Highway, along 19<sup>th</sup> Street, and on Ticonderoga Street. Discharge from the Ticonderoga Street and West Coast Highway sewer systems connect to the Orange County Sanitation District's (OCSD) Bitter Point Pump Station located near the Project site's southwestern boundary at West Coast Highway. Discharge from the sewer in 19<sup>th</sup> Street flows in a northerly direction to a City-operated pump station at the end of Walkabout Circle, from which the discharge is directed to connect with OCSD's Wastewater Treatment Plant.

The OCSD operates facilities in West Coast Highway at the Bitter Point Pump Station, and has force mains located on the Project site. The trunk system in West Coast Highway is part of the Newport Beach Trunk Sewer System, which serves the southeastern portion of the OCSD's Districts No. 5 and No. 6. From the Bitter Point Pump Station, effluent is pumped through the force mains on site and then flows via a siphon under the Santa Ana River to Wastewater Treatment Plant 2.

Existing structures on the Project site are on a septic system. The oil extraction operation on the Project site produces water that is cleaned and then directed to a 12-inch pipe joining the facility upstream of the Santa Ana River siphon.

The proposed Project would require the construction of sanitary sewer infrastructure. It is proposed that the effluent from the development areas be collected through a system of 8- 10-, and 12-inch sewer mains and directed to the OCSD trunk sewer upstream of the Bitter Point Pump Station. An on-site lift station may be required as a part of the Project. The on-site sewer system would be owned and maintained by the City. The Project's proposed sewer system is addressed in greater detail in Section 4.15, Utilities.

### **C. Drainage and Water Quality Treatment**

The Project includes the construction of new drainage, flood control, and water quality facilities as set forth in the Project's Water Management Plan, which is addressed in greater detail in Section 4.4, Hydrology and Water Quality. The proposed Project would have on-site storm drain systems that would drain Project flows to downstream receiving water bodies.

The Project proposes that water quality features and Best Management Practices be implemented in three sequential zones of development categorized as the Interior Development Zone, Transitional Zone, and Edge Buffer Zone. The water quality management plan proposed for each zone is summarized below.

#### ***Interior Development Zone***

The Interior Development Zone refers to the Project's development areas. Water quality treatment for these areas would initiate at the source of the runoff through the incorporation of Low Impact Development (LID) features into the Project's design. For example, instead of directly conveying runoff from small, frequent storm events to storm drains, runoff would be directed to landscape features and permeable surfaces to reduce runoff volume through evapotranspiration and soil-based infiltration. LID features could include pocket rain gardens within impervious areas such as courtyards and common areas; porous/permeable paving integration into traditional impermeable paved areas; landscaped storm water planters; and use of cisterns for capturing rainwater for re-use from buildings (condominiums, flats, attached units, resorts, etc.).

#### ***Transitional Zone***

The transitional zone includes public street rights-of-way (especially parkways), walkways, and open space into and out of the residential, commercial, and resort development areas. LID features proposed in the Transitional Zone would focus on water quality treatment along the backbone roads of the Project. Water quality measures incorporated into these roadways would include slotted curbs to promote low flow diversion into natural treatment areas and bioswales within the parkways. The major treatment of runoff occurs through the percolation of runoff through several layers of the biocell prior to being collected by sub-drains and returned back to the storm drain system. Bioswales provide pre-treatment and filtering of course and gross pollutants, while the biocells provide removal of finer sediments, bacteria, and heavy metals. Bio-cells are bioretention features within the subsurface of the bioswale.

#### ***Perimeter Zone***

The last stage of water quality treatment and protection would occur primarily in Bluff Park and in the Lowland water quality basins. Proposed water quality features would include bioswales and bioretention zones to further treat runoff that was previously treated in the Interior Development Zone and the Transitional Zone. Treatment would include vegetation that would function for water quality pollutant removal and sub-drains to mimic natural infiltration processes

and to minimize standing water. Flows would be delivered through parallel low-flow drainage systems, and treated flows would be collected by sub-drain systems for discharge into local habitat areas or returned to the backbone storm drain systems for delivery to the arroyos and the Lowland. This would be the final treatment stage before either discharging into one of the existing drainage corridors or into off-site drainage facilities.

#### **D. Dry Utilities and Services**

Public infrastructure and utility buildings, structures, and facilities including, but not limited to, electrical, gas, telephone, and cable television would have to be extended to the Project site. Fiber-optic service (FIOS) lines, wireless technology, or similar technology would be installed to all residences to provide opportunities for telecommuting and other advanced communications activities. All new public utilities would be placed underground within the development area and to the extent feasible within the Open Space area except for the oil consolidation sites, where utilities may be above ground. Utilities would be principally located in road rights-of-way, alleys, or, where necessary and feasible, in recreation and open space areas not primarily required for habitat restoration and/or preservation.

#### **3.6.6 HABITAT RESTORATION PLAN**

A Habitat Restoration Plan would be adopted as part of the Project and would serve as the primary implementation program for the conservation, creation, and restoration of native habitats within the Open Space Preserve. In addition, the Habitat Restoration Plan describes the implementation procedures, responsible entities, habitat establishment criteria, and monitoring requirements. Habitat areas that are restored by the Project would be subject to a five-year Maintenance and Monitoring Program.

Recognizing that the introduction of urban land uses to the site would result in biological impacts, the Project Objectives “provide for the restoration and permanent preservation of habitat areas through implementation of a Habitat Restoration Plan (HRP) for the habitat conservation, restoration, and mitigation areas (“Habitat Areas”) as depicted on the Master Development Plan”.

The proposed Project would provide approximately 252.3 gross acres in an Open Space Preserve. Uses would include habitat conservation, restoration, and mitigation in the Upland and Lowland areas as well as the consolidation sites for oil facilities, planting buffer areas, trails, and water quality treatment facilities. Mitigation for impacts to significant biological resources is proposed through on-site restoration and enhancement in conjunction with preservation/dedication of open space.

As previously addressed in this section, compensatory mitigation for impacts would be subject to the approval of the City’s mitigation requirements set forth in this EIR and respective regulatory agencies including the USACE, the CDFG, the USFWS, the Regional Water Quality Control Board (RWQCB) Santa Ana Region, and the Coastal Commission. Should the acreage of the Lowland Open Space Preserve exceed the mitigation requirements of the proposed Project, a reserve area (mitigation bank) would be permitted. The reserve area concept is discussed in greater detail in Section 7.0, Alternatives to the Proposed Project.

#### **3.6.7 FIRE AND LIFE SAFETY PROGRAM**

As a part of the proposed Project, a Fire and Life Safety Program has been prepared. The Program is intended to meet or exceed the requirements set forth in the City of Newport Beach

Fire Code and all its amendments to the 2007 California Building Code, the 2007 California Fire Code, and the International Fire Code, 2006 Edition.

Based on the State “Draft Fire Hazard Severity Zones in LRA” Local Responsibility Area map for Newport Beach dated September 17, 2007, the majority of the Project site is designated LRA High, and small portions of the site are designated LRA Moderate or are not designated at all. None of the Project site is designated LRA Very High (CAL FIRE 2007). For public safety reasons, landscaping would be strictly controlled within fuel management zones along the Open Space Preserve where existing or future restored native habitat could create a wildfire and life safety hazard for developed areas within the Project site.

The Project site has three fuel management zones consistent with the fire safety requirements for the Project. Fire protection in landscaped areas would be achieved by avoiding and reducing highly flammable plant materials in open space areas adjacent to development. This would be accomplished by revegetating these areas with low fuel volume plantings, removing or pruning and thinning certain native plants, and/or using selective irrigation. Generally, fuel management areas are a composite of two or three successive fuel management zones, which progressively provide an increasing amount of fire protection as they become closer to the homes or other habitable buildings that need to be protected. Fuel Management Zones A, B, and C are assumed within the limits of disturbance assumptions analyzed in this EIR. The zones are addressed in Section 4.14, Public Services and Facilities.

### **3.6.8 GREEN AND SUSTAINABLE PROGRAM**

The Project’s Green and Sustainable Program includes sustainability goals for the Project and measures and design elements to address these goals. The Applicant’s Project objectives include consistency with recognized green building program standards through the incorporation of green and sustainable project design; water quality engineering; construction; landscape; and long-term operation and maintenance. The Project proposes to be designed to be consistent with programs such as the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) requirements for Neighborhood Development. The LEED Program is a collaboration between the U.S. Green Building Council, the Congress for New Urbanism, and the Natural Resource Defense Council.

The Project’s Green and Sustainable Program focuses on sustainability in terms of several resource areas including but not limited to habitat, watershed, wildland fire safety, and open space. In addition, the Project includes design features to reduce greenhouse gas emissions and development impacts on climate change. These efforts are integrated into the overall Project design and are addressed throughout the EIR analysis, particularly Section 4.11, Greenhouse Gas Emissions. Additionally, the Applicant has identified Project Design Features (PDFs), which can be found in Section 3.8, to address this issue.

The following specific measures are proposed as part of the Project’s Green and Sustainable Program.

#### **A. Habitat**

The proposed Habitat Restoration Plan would be the Project’s primary component for implementing the specific strategies for restoration of habitat areas within the Project site as described below:

- Surveying, mapping, and evaluating habitat areas, jurisdictional waters and wetlands, and ecological corridors;
- Buffering, restoring, and enhancing areas proposed for preservation;
- Removing invasive vegetation and restoring with native plants;
- Enhancing on-site linkages for resident avifauna and enhancing functions for regional connectivity;
- Ensuring the Applicant makes one or more Irrevocable Offer(s) of Dedication to either public agencies or non-profit organizations to oversee the maintenance and management of open space areas.

## **B. Watershed Management**

A Watershed Management Plan is proposed as part of the Project's Master Development Plan to include the following water quality measures:

- The Project would include a water quality basin(s) to treat off-site urban runoff from industrial areas in the Cities of Costa Mesa and Newport Beach that currently drain untreated into the Southern Arroyo; this would require long-term Safe Harbor maintenance agreements with the resource agencies within the physical limits of the basin to ensure maintenance activities are performed on a routine basis to maximize water quality treatment.<sup>8</sup>
- A portion of the Lowland would provide for storm water control, energy dissipation and natural water quality treatment, which would require long-term Safe Harbor maintenance agreements with the resource agencies within the physical limits of the basin to ensure maintenance activities are performed on a routine basis to maximize water quality treatment and energy dissipation functions.
- Portions of the arroyos would be planted with native riparian vegetation as part of a restoration effort to limit potential erosion and to indirectly enhance the water cleansing function.
- The larger streets and arterials throughout the Project site would be designed with "green street" and other LID features, such as bioswales and bio-cells. Green Streets are carefully designed roadways that incorporate sustainable design elements that may include narrower pavement widths, canopy street trees, traffic-calming features, and alternative lighting systems. In addition, landscaping along the street edges and within the medians would provide opportunities for treatment of storm water runoff from the streets and adjacent development areas where feasible.

## **C. Wildland Fire Safety**

The proposed Fire and Life Safety Program includes the following measures to address fire and life safety for the Project:

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<sup>8</sup> A Safe Harbor Agreement is an agreement between the land owner or developer and the resource agencies (typically the CDFG and the USFWS) that allows the owner to provide maintenance within an established baseline area (i.e., limits of water quality basin within the Lowland area). The purpose is to give the landowner "safe harbor" from added liability such as restrictions on wetland habitat that may and likely develop within the limits of the water quality basin. A Safe Harbor Agreement assures landowners they will not be subject to increased species or habitat restrictions as long as they carry out their maintenance activities within the baseline parameters established in the agreement. A Safe Harbor Agreement on the Lowland Basin would likely require that all maintenance activities occur outside the breeding season in an effort to protect certain species.

- A Fire and Life Safety Program proposed as part of the Project and subject to approval by the City of Newport Beach Fire Department would establish fuel management zones for uses adjoining natural open space areas in order to provide Fire Department equipment and personnel access points to structures and to provide fire-resistant construction for all structures adjoining natural open space, including using fire-resistant building materials and sprinklers.
- Fuel management zones will be established that protect development while respecting special-status habitat areas proposed by the Habitat Restoration Plan.

#### **D. Open Space**

The proposed Green and Sustainable Program includes the following measures to promote open space and habitat conservation:

- Preserving almost all potential special-status habitat on the Lowland as permanent open space;
- Preserving almost all potential special-status habitat on the Upland as permanent open space; and
- Enhancing the bio-mass of the Project site's open space through supplemental plantings to increase carbon sequestration.

#### **3.6.9 MASTER LANDSCAPE PLAN**

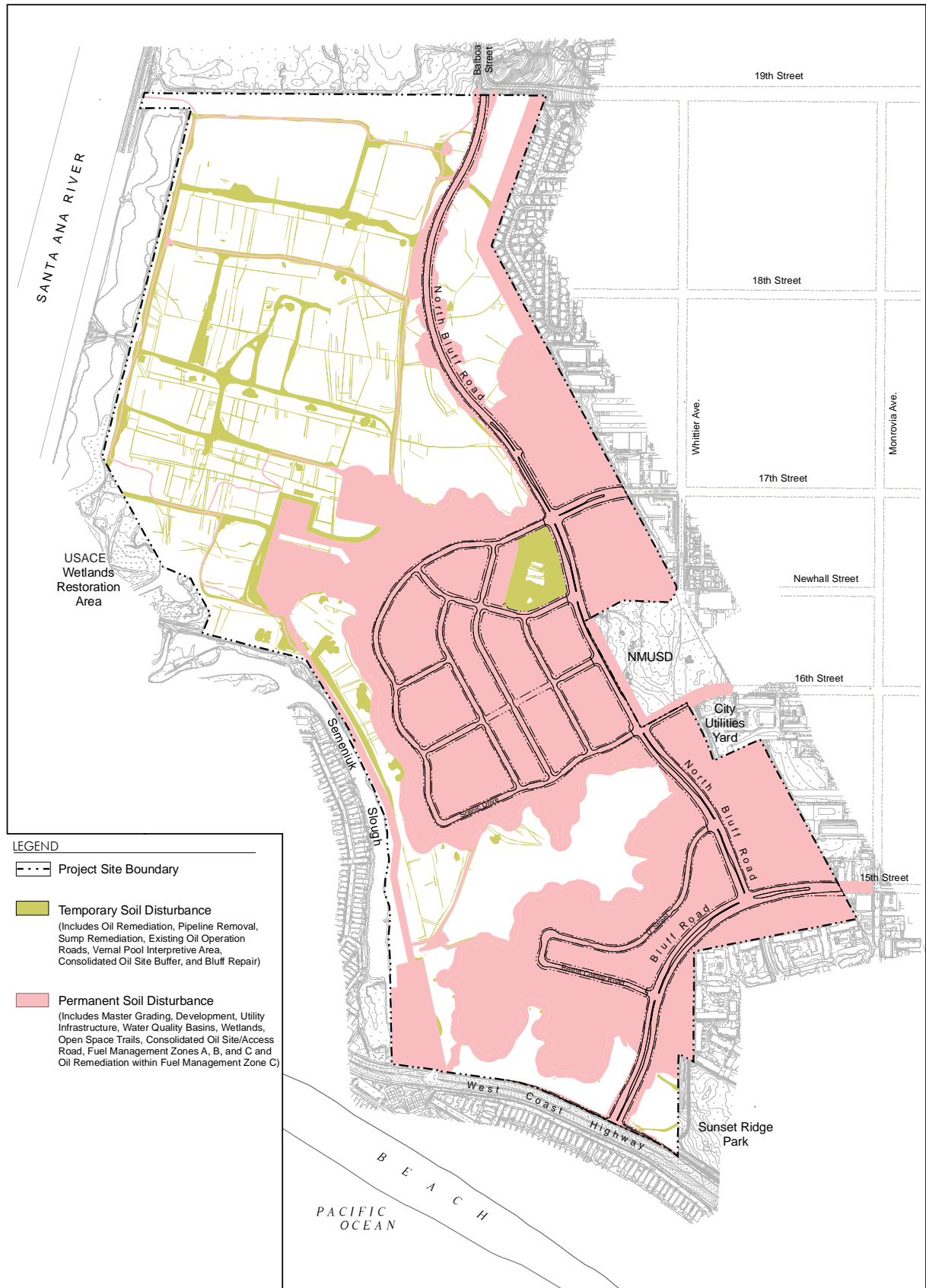
A Master Landscape Plan is proposed as part of the Master Development Plan, which incorporates the landscape requirements identified in the Habitat Restoration Plan (in particular, permitted native plants and invasive or otherwise prohibited plants); the Fire and Life Safety Program (in particular, fuel management prohibitions on high fire-fuel plants in the community); and the NBR-PC development regulations.

The Master Landscape Plan generally divides the Project site based on areas of the site proposed as (1) natural habitat areas (Open Space Preserve) as set forth in the Habitat Restoration Plan and (2) interior areas proposed for development (Interior Community Zone). Additionally, three fuel management zones are identified generally as transitions between the Interior Community Zone and Open Space Preserve. The plant palette for the Project site is contained in Appendix C to the Master Development Plan and defines permitted and prohibited trees, shrubs, vines, and groundcovers for each zone. The Habitat Restoration Plan defines the plant palette for most areas within the Open Space Preserve.

#### **3.6.10 MASTER GRADING PLAN**

Exhibit 3-16, Soil Disturbance Map, depicts the limits of grading proposed for the Project. Grading for the proposed Project would occur in stages. Grading may extend into a subsequent development area to achieve an overall earthwork balance. Total excavation on the Project site is estimated to be approximately 2,500,000 cubic yards (cy) including approximately 900,000 cy of excavation activities and approximately 1,455,000 cy of corrective grading. To the extent feasible, all grading would be balanced on site. However, an estimated 25,000 cy of export is assumed for removing remediated materials that are not suitable for retention on site. Grading is required for several purposes:

- Rough and precise grading;



**LEGEND**

- Project Site Boundary
- Temporary Soil Disturbance  
(Includes Oil Remediation, Pipeline Removal, Sump Remediation, Existing Oil Operation Roads, Vernal Pool Interpretive Area, Consolidated Oil Site Buffer, and Bluff Repair)
- Permanent Soil Disturbance  
(Includes Master Grading, Development, Utility Infrastructure, Water Quality Basins, Wetlands, Open Space Trails, Consolidated Oil Site/Access Road, Fuel Management Zones A, B, and C and Oil Remediation within Fuel Management Zone C)

Source: FORMA 2011

# Soil Disturbance Map

# Exhibit 3-16

Newport Banning Ranch EIR





- Bluff restoration;
- Remediated soil disposition; and
- Open space grading.

#### **A. Rough and Precise Grading**

Rough and precise grading generally includes over-excavation and cut/fill associated with land development. Exhibit 3-17, Cut and Fill Map, depicts the grading concept for the Project site. For the proposed Project, grading is considered to be within the development envelope and includes the parks, roads, and development lots. Grading also includes the over-excavation and recompaction of soils as required.

Cuts would generally vary from 1 to 10 feet, but in localized areas may be up to 25 feet. Fills would generally vary from 1 to 30 feet but may be up to 60 feet in areas requiring bluff repair with gradients between 2:1 and 3:1. Corrective grading (approximately 1,500,000 cy of cut and fill) is expected to be from 3 feet to 30 feet below the proposed landform elevations. Corrective/remedial grading and general grading recommendations are addressed in Section 4.3, Geology and Soils.

#### **B. Bluff Restoration**

Bluff restoration is proposed along the south- and west-facing bluffs to restore (1) areas impacted by oil operations, (2) uncontrolled drainage and erosion, and (3) soil degradation (Exhibit 3-16). These areas would require grading in order to restore and revegetate the bluff/slope edge and to limit further degradation; these areas are included within the limits of grading/soil disturbance for the proposed Project. In addition, surface water runoff that currently overtops the bluff/slope edge would be intercepted along the public trail system and would be redirected to minimize continued bluff erosion. Bluff restoration would vary depending on the degree of existing degradation. Restoration efforts that would impact biological resources have been assumed in the biological resources analysis prepared as a part of this EIR (see Section 4.6, Biological Resources).

##### ***Natural Bluff: No Erosion Features***

Where erosion damage to the existing natural bluff is not evident, invasive plants and asphalt-like material would be removed where practicable and the areas replanted. The design for the area of the bluff would continue to direct storm flow away from these areas.

##### ***Significant Erosion: Bluff Edge Not Discernable***

Where significant areas of the bluff have been impacted by erosion and/or oil operations, conventional grading techniques and equipment would be used to re-grade the impacted area. The impacted area is considered in the range of 50 to 200 linear feet of bluff edge. Conventional grading techniques and equipment would be used to re-grade the impacted area; smaller equipment and/or hand labor would be used as necessary. The finished slope gradient is proposed to be 1.5:1 without terrace drains in order to match the existing character of the bluff. Geogrid, geofabric, and/or soil cement would be used for bluff slope stabilization.

D:\Projects\Newport\015\Graphics\Ex\_CutFill.ai



LEGEND

Project Site Boundary

Fill

Cut

Note: Cut/ Fill Limits Reflect Surface Features and Do Not Include Excavation for Subterranean Parking

Source: FORMA 2011

# Cut and Fill Map

# Exhibit 3-17

Newport Banning Ranch EIR



### **Medium Erosion**

Where the bluff edge projection is apparent but the erosional damage has moved 20 to 50 feet into the Lowland, it is proposed that the sloughed areas be cleaned out and the bluff area recontoured to match the existing condition. Repair techniques would include the use of small equipment operating from the bluff side for the redirection of the storm runoff to bioswales and/or engineered drainage devices on the upland side of the bluff and the use of Geogrid, geofabric and/or soil cement to allow for the steeper than 2:1 slopes.

### **Minor Erosion**

In some areas, minor erosional features have appeared. The primary action would be to redirect Lowland runoff away from these areas. Hand labor work may be required to stabilize the top of slope.

## **C. Remediated Soil Disposition**

Hydrocarbon-laden soils would be tested and treated in accordance with the dRAP addressed in this EIR. It is estimated that approximately 246,000 cy of materials would need to be remediated. Of the 246,000 cy, approximately 138,000 cy are hydrocarbon-impacted soils and 108,000 cy are surface road materials and concrete. Of these totals, approximately 156,000 cy of this material is located in the Lowland. In addition to the on-site known and potentially impacted areas, it is expected that additional impacted soils would be identified during the oilfield facility demolition phase. An estimate of the expected remedial volumes from these phases is included in the total volume numbers. As with all remediation projects, these estimates can vary substantially when actual removals begin; however, the quantities described in the Master Development Plan and this EIR represent the Applicant's best estimate of approximate maximum quantities.

As part of the oil well consolidation activities, the existing oil wells within development and habitat restoration areas would be abandoned and remediated. Remediated soil would be treated and placed in deep fills consistent with the required Final RAP. The dRAP is described in greater detail in Section 4.5, Hazards and Hazardous Materials. Deep fills are considered to be fills ten feet or greater in depth from the proposed finished surface. The primary location for placement of the treated soil would be in the deeper over-excavation portions of the North Family Village.

It is anticipated that some percentage of the soil/material from the remediation and oil well closure process would not be recyclable or suitable for use on site. It is estimated that approximately 25,000 cy of this material may need to be exported off site.

## **D. Open Space Grading**

Grading would be required in open space areas to establish multi-use public access trails; to prepare habitat mitigation areas; to implement bluff restoration; to create and maintain water quality basins; and to allow for maintenance access. Proposed grading would be conducted in a manner that would minimize impacts to open space resources (Exhibit 3-16).

**Public Interpretive Trails:** Minor grading (i.e., cuts and fills less than two feet deep) would be required to establish the Open Space trail system. Grading would be required to create the trail grade and to provide localized drainage conveyances to minimize the need for trail maintenance. To the extent feasible, the multi-use trails would be located over existing oil roads.

**Habitat Mitigation and Restoration Areas:** In areas where habitat mitigation or restoration is proposed, minor grading to repair localized erosion features or compact loose soil is anticipated. It is expected that this work effort would be done by hand or with small equipment.

**Water Quality Basins:** Grading would be required to establish a water quality basin(s) in the Lowland. Grading is expected to require cuts of up to eight feet and fill of up to six feet in height. The constructed basin(s) would use native wetland habitat for treatment function within the limits of the basin. This basin would also require long-term “Safe Harbor” maintenance agreements with the Resource Agencies within the physical limits of the basin to ensure maintenance activities are performed on a routine basis to maximize water quality treatment and energy dissipation functions.

**Utility Infrastructure:** Soil disturbance would occur associated with the installation of utilities within the open space.

**Planting Buffers for Oil Consolidation Sites:** Limited soil disturbance would occur with allowed fencing and the planting of landscape to visually screen consolidated oil operations.

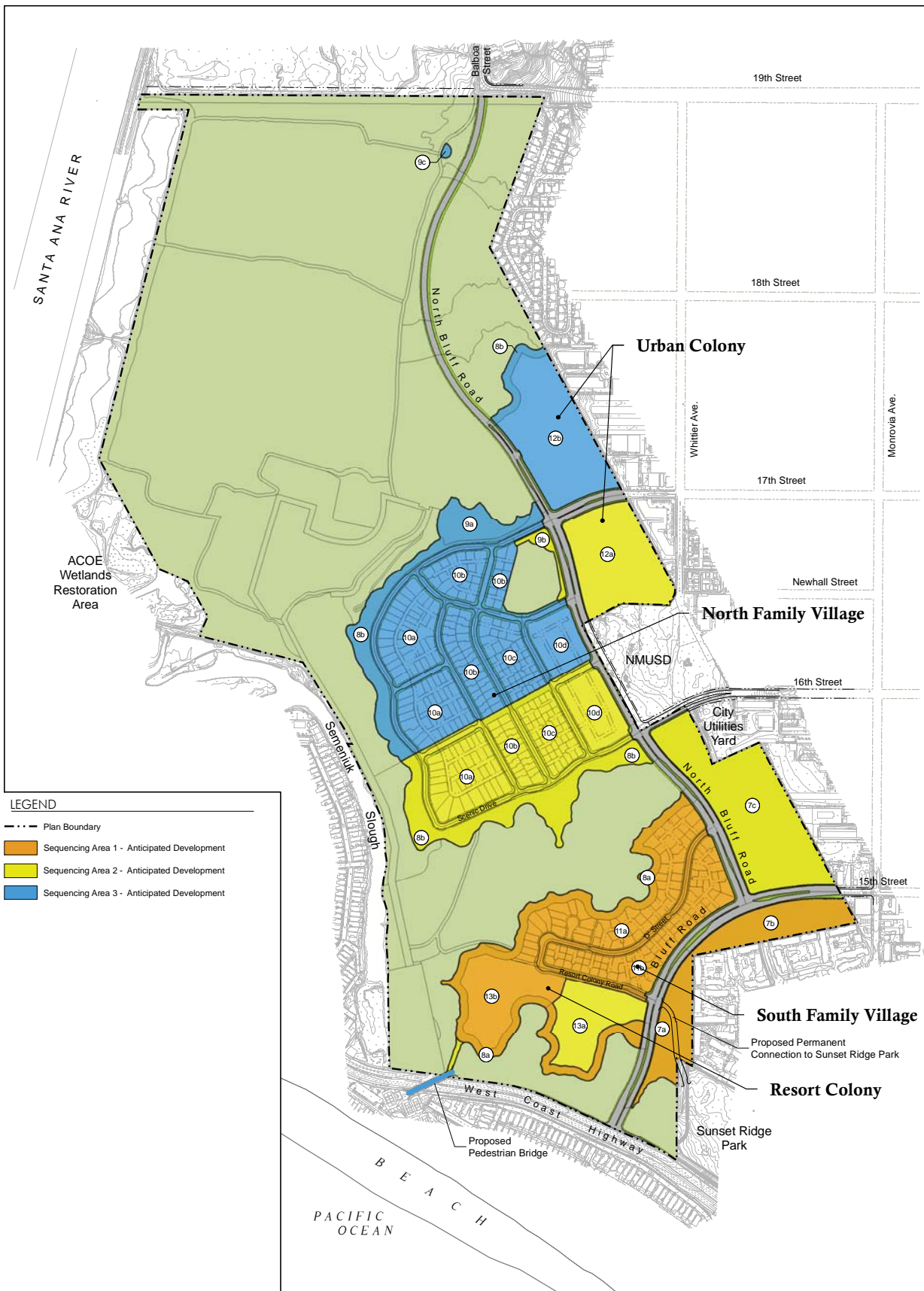
### 3.7 PROPOSED IMPLEMENTATION PLAN

The Project is proposed to be developed over a period of approximately nine years. The actual timing of development would be based on (1) attainment of required permits and approvals; (2) market demand for uses on the Project site; and (3) sequencing of environmental and public benefit activities. These activities include, but are not limited to, oil facility consolidation, clean-up and remediation; habitat protection; restoration and mitigation; roadway and infrastructure construction; development of residential, resort, and commercial uses; phased dedication and improvement of public parks, trails, interpretive areas; and other public rights-of-way consistent with the Pre-Annexation and Development Agreement (Development Agreement).

Although the Project is not a phased development (one component of the Project is not contingent to be completed before another component is started), it would be constructed over a period of years. Therefore, the Applicant’s anticipated sequencing of Project implementation actions is identified in the Project Description and used for analysis of construction and operational impacts including air quality and noise. As shown in Exhibit 3-18, Proposed Implementation Plan, and as described in Table 3-3, development of the Project site is conceptually proposed to start in the southerly portion of the Project site and generally continue in a northerly direction and include site remediation; grading and construction of infrastructure; construction of homes and other facilities; and occupancy.

Development in one area may overlap with development in another area. Geographic areas could also be developed in a different sequence than described, provided that requirements and conditions related to oilfield abandonment and remediation, public infrastructure and facilities, open space dedications, Development Agreement obligations, and environmental mitigation continue to be satisfied.

Development implementation is designed to ensure efficient use of soil movement to balance landform grading and bluff/slope restoration and to make efficient use of existing infrastructure locations and connection points within and adjacent to the Project site. Development would be tied to corresponding requirements for public parks and Upland and Lowland habitat dedication and restoration, and would have functioning infrastructure.



Source: FORMA 2011

# Proposed Implementation Plan

# Exhibit 3-18

Newport Banning Ranch EIR



**Bonterra**  
CONSULTING

**TABLE 3-3  
PROPOSED IMPLEMENTATION PLAN**

Land Use	Acres	Dwelling Units (du)	Commercial (sf)	Visitor-Serving (Rooms)
Low Density Residential	9.0 <sup>a</sup>	60	–	–
Medium Density Residential	10.2 <sup>a</sup>	81	–	–
Visitor-Serving Resort/ Residential	5.6 <sup>a</sup>	87	–	–
Bluff Park	7.3 <sup>a</sup>	–	–	–
Community Park	5.0 <sup>a</sup>	–	–	–
Upland Open Space	1.5 <sup>b</sup>	–	–	–
<b>Subtotal</b>	<b>38.6<sup>a</sup></b>	<b>228</b>	–	–
<b>Schedule</b>	<b>Start<sup>c</sup></b>	<b>Finish<sup>c</sup></b>		
Site Remediation	2/2015	Prior to Occupancy		
Grading and Improvements	8/2015	5/2016		
Construct Models and Homes	2/2016	9/2016		
Occupancy	10/2016	10/2018		
Low Density Residential	6.5 <sup>a</sup>	36	–	–
Low-Medium Density Residential	2.9 <sup>a</sup>	21	–	–
Medium Density Residential	9.5 <sup>a</sup>	113	–	–
Mixed-Use/Residential	9.8 <sup>a</sup>	365 <sup>b</sup>	37,500 sf	–
Visitor-Serving Resort/Residential	5.7 <sup>a</sup>	–	–	75 rooms
Bluff Park	8.9 <sup>a</sup>	–	–	–
Community Park	21.8 <sup>a</sup>	–	–	–
Interpretive Parks	1.4 <sup>a</sup>	–	–	–
<b>Subtotal</b>	<b>66.5<sup>a</sup></b>	<b>535<sup>b</sup></b>	<b>37,500 sf</b>	<b>75 rooms</b>
<b>Schedule</b>	<b>Start<sup>c</sup></b>	<b>Finish<sup>c</sup></b>		
Site Remediation	2/2015	Prior to Occupancy		
Grading and Improvements	8/2017	5/2018		
Construct Models and Homes	2/2018	9/2018		
Occupancy	10/2018	1/2021		
Low Density Residential	10.6 <sup>a</sup>	0–8	–	–
Low-Medium Density Residential	8.9 <sup>a</sup>	0–16	–	–
Medium Density Residential	7.6 <sup>a</sup>	0–24	–	–
Mixed-Use/Residential	11.1 <sup>a</sup>	–	37,500 sf	–
Bluff Park	4.7	–	–	–
Interpretive Parks	2.3	–	–	–
Upland Open Space	4.0 <sup>b</sup>	–	–	–
<b>Subtotal</b>	<b>49.2</b>	<b>–</b>	<b>37,500 sf</b>	<b>–</b>

**TABLE 3-3 (Continued)  
PROPOSED IMPLEMENTATION PLAN**

Land Use	Acres		Dwelling Units (du)	Commercial (sf)	Visitor-Serving (Rooms)
	Start <sup>c</sup>	Finish <sup>c</sup>			
<b>Schedule</b>	<b>Start<sup>c</sup></b>	<b>Finish<sup>c</sup></b>			
Site Remediation	Complete	Complete			
Improvements	8/2019	5/2020			
Construct Models and Homes	2/2020	9/2020			
Occupancy	10/2020	12/2024			
<b>Sub Total</b>	<b>154.3</b>		<b>1,375</b>	<b>75,000 sf</b>	<b>75 rooms</b>
Upland and Lowland Open Space Restoration/ Oil Operations Consolidation	<b>246.8</b>				
	2/2015	12/2024			
<b>Total</b>	<b>401.1</b>				
<p>Note: The information represented in the table is a conceptual estimate based upon historical absorption rates and projects with similar conditions and characteristics as the proposed Newport Banning Ranch Project.</p> <p><sup>a</sup> Acres are gross land use acres, and include arterial and collector roads, and local in-tract streets.</p> <p><sup>b</sup> Acreage shown for Open Space is only for arterial and collector roads through open space areas.</p> <p><sup>c</sup> Start and Finish dates are estimates, and may vary depending upon market and other conditions.</p>					

### 3.8 PROJECT DESIGN FEATURES

Project Design Features (PDFs) are specific design elements proposed by the Applicant that have been incorporated into the proposed Project to prevent the occurrence of or minimize the significance of potential environmental effects. Because PDFs have been incorporated into the Project, they do not constitute mitigation measures, as defined by Section 15126.4 of the State CEQA Guidelines (14 CCR). PDFs are included in the Mitigation Monitoring and Reporting Program (MMRP) to ensure their implementation as a part of the proposed Project. As with mitigation measures, if the Project is modified through the public hearing process in a manner that would require modifications to the PDFs, the Applicant may be permitted to modify the PDFs before they are included in the MMRP proposed for adoption.

The PDFs reflect specific components of the Project that have been identified and described in this section.

#### Land Use and Related Planning Programs

**PDF 4.1-1<sup>9</sup>** Through the implementation of the Master Development Plan, the Project permits a maximum of 1,375 residential dwelling units and a variety of residential housing types to provide opportunities for a range of lifestyles. Housing types include single-family detached, single-family attached, multi-family, and/or residential uses in a mixed-use configuration.

**PDF 4.1-2** The Master Development Plan designates areas for a diverse public park system to include active, passive, and interpretive recreation opportunities.

<sup>9</sup> PDF numbers correspond to the EIR's technical sections (e.g., Section 4.1, Land Use and Related Planning Programs).

- PDF 4.1-3** The Master Development Plan designates more than 240 gross acres of the Project site as Open Space, including wetland restoration/water quality areas, interpretive trails, habitat restoration areas, and habitat preservation areas. Open Space areas also include 2 sites and a connecting road comprising approximately 17 acres designated for continuing but interim use as oil and gas production sites. At the end of the oilfield's useful life, this area will revert to Open Space land use.
- PDF 4.1-4** The Master Development Plan provides for a minimum of 20 gross (17 net) acres for a public Bluff Park as a visual and passive recreational amenity, trail corridor, and a transition between open space and development.
- PDF 4.1-5** The Master Development Plan and the Newport Banning Ranch Planned Community Development Plan identify proposed uses adjacent to existing Newport Beach and Costa Mesa residential neighborhoods which are limited to either parks or open space. Proposed uses adjacent to existing commercial and light industrial areas within the City of Costa Mesa "Mesa West Bluffs Urban Plan" overlay area will be a higher density residential and/or mixed-use development of similar height and scale to those prescribed in the "Mesa West Bluffs Urban Plan". Open space and/or park uses will be sited adjacent to the Newport Crest community to provide a visual buffer between that community and Project development areas.

### **Aesthetics and Visual Resources**

- PDF 4.2-1** As identified in the Master Development Plan, contour grading will be used to minimize impacts to existing public view points from West Coast Highway.
- PDF 4.2-2** Habitable structures will be set back at least 60 feet from the tops of bluff edges, as required in the Newport Banning Ranch Planned Community Development Plan.
- PDF 4.2-3** Implemented through the Master Development Plan, landscaping will be provided around the perimeter of buildings that are proposed adjacent to Open Space Preserve areas to provide a transition.
- PDF 4.2-4** Architectural guidelines included in the Master Development Plan provide for a range of housing types and architectural styles to avoid visual monotony and minimize impacts to existing public views of bluffs. Building architecture will be regulated through provisions contained in the Master Development Plan to ensure high quality designs that are sensitive to the natural resources and compatible with the character of Newport Beach communities within the Coastal Zone. Architectural guidelines require use of a palette of earth tone colors compatible with the open space setting.

### **Geology and Soils**

- PDF 4.3-1** Habitable structures will be set back a minimum of 60 feet from the tops of bluff edges, as required in the Master Development Plan and the Newport Banning Ranch Planned Community Development Plan, and will not be constructed within identified fault setback zones.



- PDF 4.3-2** The Master Development Plan identifies drainage devices to be constructed along slopes adjacent to the development edge to eliminate existing surface flow over bluffs to the extent feasible. Landscape and irrigation plans will be designed to minimize irrigation near natural areas/slopes through the use of drought-tolerant vegetation and low-flow irrigation.
- PDF 4.3-3** The Master Development Plan includes a Bluff/Slope Restoration Plan that requires eroded portions of bluff slopes to be repaired and stabilized. In order to stabilize slopes and help avoid erosion, bluff areas devoid of vegetation after repair and stabilization efforts will be planted with native vegetation that does not require permanent irrigation.

### **Hydrology and Water Quality**

- PDF 4.4-1** The Master Development Plan requires that two water quality basins (one in the Community Park and one in the Open Space Preserve) be constructed to treat off-site urban runoff from Costa Mesa and Newport Beach and Project runoff that drains into the Lowland area.
- PDF 4.4-2** The Master Development Plan includes a water quality basin and a diffuser basin located within the Open Space Preserve to provide for storm water control, energy dissipation, and natural water quality treatment.
- PDF 4.4-3** The Master Development Plan requires that public arterials and some selected collector roadways within the Project site be designed with “Green Street” and other Low Impact Development (LID) features, such as bioswales and bio-cells. Green Streets are designed to incorporate sustainable design elements such as narrower pavement widths, canopy street trees, traffic-calming features, and minimal use of street lighting. Landscaping along the street edges will be selectively used to treat storm water runoff from the streets and adjacent development areas.
- PDF 4.4-4** The Master Development Plan requires that arroyos be planted with native riparian vegetation as part of the restoration effort to minimize potential erosion and to enhance the water-cleansing function.
- PDF 4.4-5** The Master Development Plan requires development of a drainage plan to ensure that runoff systems from the Project site to West Coast Highway and the Semeniuk Slough will be stabilized and maintained through the Project’s drainage system.
- PDF 4.4-6** The Master Development Plan requires the use of best management practices (BMPs) for erosion control, sediment control, wind erosion control, storm water and non-storm water management, and waste management/pollution control. These BMPs will be implemented to ensure that potential effects on local site hydrology, runoff, and water quality remain in compliance with all required permits, City policies, and the Project’s Water Quality Management Plan (WQMP), and Storm Water Pollution Prevention Plan (SWPPP).

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## **Hazards and Hazardous Materials**

**PDF 4.5-1** The Master Development Plan requires existing oil operations to be consolidated into two areas within the Open Space Preserve designated as “Interim Oil Facilities”, in accordance with the land use districts established for the Project site in the Newport Banning Ranch Planned Community Development Plan, totaling approximately 17 acres including the service access road. This use will ultimately revert to an Open Space land use at the end of the oilfield’s useful life.

## **Biological Resources**

**PDF 4.6-1** The Master Development Plan designates a minimum of 220 gross acres of the Project site as wetland restoration/water quality areas, habitat conservation, and restoration mitigation areas.

**PDF 4.6-2** The Master Development Plan includes a Habitat Restoration Plan (HRP) for the Habitat Areas. The HRP includes provisions for the preservation and long-term maintenance of existing sensitive habitat and habitat created and restored by the Project.

**PDF 4.6-3** As identified in the Master Development Plan, the Habitat Areas to be restored as project design features will be subject to the same five-year Maintenance and Monitoring Program implemented for areas restored as mitigation. Standard Vegetation Monitoring Procedures are outlined in the Biological Technical Report prepared for the EIR and will be implemented consistent with applicable regulatory requirements.

**PDF 4.6-4** The Master Development Plan requires that street lights be utilized only in key intersections and safety areas. The Planned Community Development Plan requires that a “dark sky” lighting concept be implemented within areas of the Project that adjoin habitat areas. Light fixtures within these areas will be designed for “dark sky” applications and adjusted to direct/reflect light downward and away from adjacent habitat areas. The Newport Banning Ranch Planned Community Development Plan will restrict exterior house lighting to minimize light spillage into adjacent habitat areas.

## **Population, Housing, and Employment**

**PDF 4.7-1** The Master Development Plan includes a range of housing types to meet the housing needs of a variety of economic segments of the community to be designed to appeal to different age groups and lifestyles.

## **Recreation and Trails**

**PDF 4.8-1** The Master Development Plan and Tentative Tract Map provide for approximately 51 gross (42 net) acres of public parkland in the form of an approximately 27-gross-acre (22-net-acre) public Community Park, 2 bluff parks comprising approximately 21 gross (18 net) acres, and 3 interpretive parks containing approximately 4 gross (3 net) acres. The approximately 27 gross acres for the public Community Park exceeds the City’s Municipal Code requirement for park dedication for the 1,375-unit Project, which is approximately 15 acres.

**PDF 4.8-2** The Master Development Plan provides a system of bicycle, pedestrian, and interpretive trails within the developed areas and the Upland and Lowland Open Space areas of the Project.

**PDF 4.8-3** If permitted by all applicable agencies, a pedestrian and bicycle bridge over West Coast Highway will be provided, as set forth in the Master Development Plan, from the Project site to a location south of West Coast Highway to encourage walking and bicycling to and from the beach.

### **Transportation and Circulation**

**PDF 4.9-1** In addition to mitigating traffic impacts of the Project, the transportation improvements included in the Master Development Plan provide arterial highway capacity needed to address existing demand as well as for planned growth in the region through implementing portions of the City's General Plan and the County's Master Plan of Arterial Highways.

**PDF 4.9-2** The Pre-Annexation and Development Agreement requires that arterial roadway improvements and contributions toward off-site improvements be provided earlier in the development phasing program than needed to mitigate Project traffic impacts and requires that contributions toward off-site improvements be provided early relative to the development phasing.

**PDF 4.9-3** The Master Development Plan includes a new arterial connection between West Coast Highway and 19th Street that will provide enhanced access to and from southwest Costa Mesa which will contribute to the mitigation of the impacts of projected regional growth.

### **Air Quality**

**PDF 4.10-1** The Master Development Plan provides for commercial uses, in the Mixed-Use/Residential and Visitor-Serving Resort/Residential Land Use Districts, within walking distance of the proposed residential neighborhoods and nearby residential areas to reduce vehicle trips and vehicle miles traveled.

**PDF 4.10-2** The Master Development Plan provides a network of public pedestrian and bicycle trails to reduce auto-dependency by connecting proposed residential neighborhoods to parks and open space within the Project site and to off-site recreational amenities, such as the beach and regional parks and trails.

### **Greenhouse Gas Emissions**

**PDF 4.11-1** The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan require that the Project be consistent with a recognized green building program that exists at the time of final Project approval such as, but not limited to, Build It Green, the U.S. Green Building Council's (USGBC's) Leadership in Energy and Environmental Design–Neighborhood Development (LEED-ND™), California Green Builder, or National Association of Home Builders' National Green Building Standard.

**PDF 4.11-2** The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan require the Project to exceed adopted 2008 Title 24 energy conservation requirements by a minimum of five percent.

**PDF 4.11-3** The Master Development Plan and the Newport Banning Ranch Planned Community Development Plan require the Project to be coordinated with Orange County Transportation Authority (OCTA) to allow for a transit routing through the community, and will provide bus stops and/or shelters as needed in the community to accommodate the bus routing needed by OCTA.

**PDF 4.11-4** The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan require that all residential development incorporate the following measures, which will be reflected on and incorporated into every application for a final subdivision map that creates residential lots:

- a. Builder-installed indoor appliances, including dishwashers, showers, and toilets, will be low water-use. Homeowners Association (HOA) owned and operated public and/or common area men's restrooms will be required to feature waterless urinals.
- b. Smart Controller irrigation systems will be installed in all public and common area landscaping. Community landscape areas will be designed on a "hydrozone" basis to group plants according to their water requirements and sun exposure.
- c. Air conditioning units will be Freon-free.
- d. Concrete for paving in public infrastructure and Project common areas will not be acid-washed unless mandated by agency requirements.
- e. The future homeowners association for Newport Banning Ranch will be required to provide educational information on recycling to all homeowners prior to individual purchase of property and again annually.
- f. Multimetering "dashboards" will be provided in each dwelling unit to visualize real-time energy use.
- g. Single-family detached residential roofs, commercial building roofs, and HOA owned public building roofs, which have adequate solar orientation shall be designed to be compatible with the installation of photovoltaic panels or other current solar power technology.

**PDF 4.11-5** The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan require that the following measures be implemented during initial project grading activities and will be incorporated into all grading permit applications submitted to the City:

- a. Construction waste diversion will be increased by 50 percent from 2010 requirements.
- b. To the extent practical, during the oilfield clean-up and remediation process, the Landowner/Master Developer will be required to recycle and reuse

materials on site to minimize off-site hauling and disposal of materials and associated off-site traffic.

### **Noise**

No noise PDFs have been identified.

### **Cultural and Paleontological Resources**

No cultural and paleontological resources PDFs have been identified.

### **Public Services and Facilities**

#### **Fire Protection**

**PDF 4.14-1** The Master Development Plan requires that the Project be designed to provide fire-resistant construction for all structures adjoining natural open space, including utilizing fire-resistant building materials and sprinklers.

### **Utilities**

#### **Water Facilities and Services**

**PDF 4.15-1** The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan require the use of native and/or drought-tolerant landscaping in public common areas to reduce water consumption.

**PDF 4.15-2** The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan require the use of Smart Controller irrigation systems in all public and common area landscaping. Community landscape areas will be designed on a “hydrozone” basis.

**PDF 4.15-3** The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan include a plan for a domestic water system designed to take advantage of existing water transmission facilities that connect to the Project site to minimize off-site impacts.

**PDF 4.15-4** The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan include a plan for the Project’s water system to provide a level of redundancy by making a connection between the City of Newport Beach Zone 1 and Zone 2 water lines.

## **3.9 COMPONENTS OF NEWPORT BANNING RANCH PROJECT APPLICATION**

The Project includes the following components.

### **3.9.1 GENERAL PLAN AMENDMENT**

The proposed land uses for the Project site are consistent with the allowable land uses and development intensity set forth in the Newport Beach General Plan. The proposed Project would not require an amendment to the General Plan Land Use Element. The General Plan Land Use Element Sphere of Influence map (General Plan Figure I2) would require an amendment to modify the City boundary to include the Newport Banning Ranch site.

The Master Plan of Streets and Highways in the Newport Beach Circulation Element depicts the westerly extension of 15<sup>th</sup> Street to West Coast Highway through the Project site. An amendment to the Circulation Element of the General Plan is proposed as a part of the Project to delete the segment of 15<sup>th</sup> Street west of Bluff Road, which would provide a second arterial through the Project site connecting to West Coast Highway. General Plan Circulation Element Figure CE1, Master Plan of Streets and Highways, depicts two future Primary (four-lane divided) roads through the Newport Banning Ranch site connecting to West Coast Highway. Exhibit 3-19, Circulation Element Roadways, depicts the future roadway through the Project site as depicted on Figure CE1. Exhibit 3-20, General Plan Circulation Element Amendment, depicts the proposed modifications to the Circulation Element roadway system through the Project site.

### **3.9.2 ZONING CODE AMENDMENT**

As part of the Project, a Zoning Code Amendment is proposed to rezone the Project site from PC-25 to PC-57. In addition, a pre-annexation zone change is proposed for those portions of the Project site located within the City's Sphere of Influence from County zoning to PC-57. The NBR-PC would serve as the zoning regulations for PC-57.

### **3.9.3 NEWPORT BANNING RANCH PLANNED COMMUNITY DEVELOPMENT PLAN (NBR-PC)**

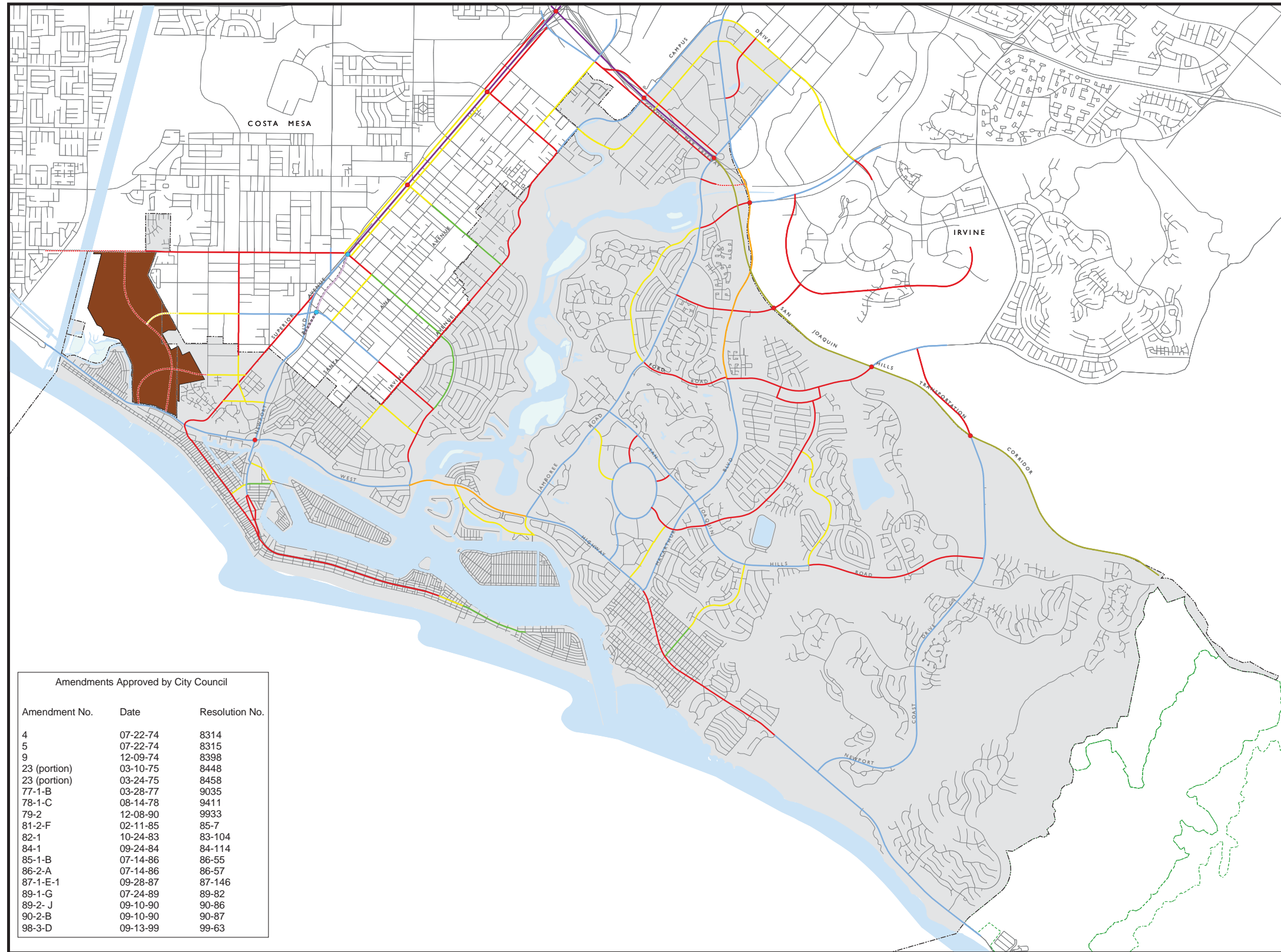
As previously noted in this section, the NBR-PC is proposed to serve as the zoning regulations for the Project. The NBR-PC establishes allowable land uses within each land use district; development regulations for each land use district; general development regulations applicable to all development within the Project site; a plan for circulation and infrastructure facilities to serve development; and procedures for implementing and administering the NBR-PC. The NBR-PC would serve as the zoning and development regulations for both the portion of the Project site located within the City and the portion of the Project site located within the County of Orange but within the City's Sphere of Influence. Following annexation of the areas located within the Sphere of Influence, the NBR-PC would become effective.

### **3.9.4 TENTATIVE TRACT MAP NO. 17308**

The proposed Project includes a request for approval of a Tentative Tract Map (TTM). Exhibit 3-21, Tentative Tract Map No. 17308, depicts the proposed subdivision of the Project site for development purposes. TTM No. 17308 establishes lots for public dedication or conveyance, lots for residential development and conveyance to homebuyers, and lots for financing and conveyance that may further subdivide (with additional subdivision maps) these lots for the development of conventional fee lots, planned developments, and/or condominiums. Condominium development, as defined in the State Subdivision Map Act, may be undertaken on lots designated for condominium purposes on TTM No. 17308 without further subdivision. Approval of TTM No. 17308 would permit rough and precise grading, oilfield facilities consolidation, site remediation, habitat restoration, construction of public roadways, drainage and water quality improvements, backbone infrastructure, and dry utilities, including domestic water and sewer facilities throughout the Project site. Development of all other proposed facilities and land uses would require recordation of a final tract map.

### **3.9.5 NEWPORT BANNING RANCH MASTER DEVELOPMENT PLAN**

As previously noted in this section, the proposed Project includes a request for approval of the Master Development Plan. Approval of the Master Development Plan would implement the NBR-PC requirement for the Project site by establishing design criteria for each land use



- PROJECT BOUNDARY
- ADOPTED INTERCHANGE
- PROPOSED INTERCHANGE
- ==== ROUTES REQUIRING FURTHER COORDINATION  
0.75 Miles
- COMMUTER ROADWAY (TWO LANE UNDIVIDED)  
3.24 Miles
- SECONDARY ROAD (FOUR LANE UNDIVIDED)  
16.88 Miles
- SECONDARY (NOT BUILT)  
0.28 Miles
- PRIMARY ROAD (FOUR LANE DIVIDED)  
29.62 Miles
- PRIMARY ROAD (NOT BUILT)  
3.05 Miles
- MAJOR ROAD (SIX LANE DIVIDED)  
30.64 Miles
- EIGHT LANE ROAD (DIVIDED)  
2.81 Miles
- SAN JOAQUIN HILLS TRANSPORTATION CORRIDOR  
5.32 Miles
- ADOPTED FREEWAY ROUTES  
4.48 Miles
- FUTURE FREEWAY EXTENSION  
0.75 Miles

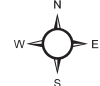
Amendments Approved by City Council		
Amendment No.	Date	Resolution No.
4	07-22-74	8314
5	07-22-74	8315
9	12-09-74	8398
23 (portion)	03-10-75	8448
23 (portion)	03-24-75	8458
77-1-B	03-28-77	9035
78-1-C	08-14-78	9411
79-2	12-08-90	9933
81-2-F	02-11-85	85-7
82-1	10-24-83	83-104
84-1	09-24-84	84-114
85-1-B	07-14-86	86-55
86-2-A	07-14-86	86-57
87-1-E-1	09-28-87	87-146
89-1-G	07-24-89	89-82
89-2-J	09-10-90	90-86
90-2-B	09-10-90	90-87
98-3-D	09-13-99	99-63

Source: City of Newport Beach 2006

### Circulation Element Roadways

### Exhibit 3-19

Newport Banning Ranch EIR



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Source: City of Newport Beach 2011

## General Plan Circulation Element Amendment

Exhibit 3-20

Newport Banning Ranch EIR



**BonTerra**  
CONSULTING

(REV: 083110 JFG) R:/Projects/Newport/J015/Graphics/EIR/ex3-20\_CE\_amendment.pdf



D:\Projects\Newport\015\Graphics\ex\_tentTract\_11x17.ai

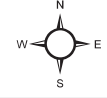


Source: Fuscoe 2011

# Tentative Tract Map No. 17308

# Exhibit 3-21

Newport Banning Ranch EIR



component proposed for development and by providing a sufficient level of detail, as determined by the City, to guide the review of subsequent development approvals, including construction-level permits, as required by the NBR-PC.

The Master Development Plan is also proposed to provide a sufficient level of detail related to Coastal Act policies so that, pursuant to City approval, and to the maximum extent practicable, the Coastal Commission may approve the Master Development Plan as part of a Master Coastal Development Permit<sup>10</sup> which would include Coastal Commission approval delegating authority to the City to be the final approving body for subsequent discretionary and ministerial approvals.

### **3.10 COASTAL DEVELOPMENT PERMIT**

The entire Project site is within the boundary of the Coastal Zone as established by the Coastal Act, and is therefore under the land use planning and regulatory jurisdiction not only of local government agencies but also the Coastal Commission. Site development must be consistent with the requirements of the Coastal Act.

The City's certified Coastal Land Use Plan (CLUP) identifies the Project site as a Deferred Certification Area (DCA) because a project plan is necessary in order to address land use, public access, and the protection of coastal resources. Neither the City of Newport Beach nor the County of Orange has a certified Local Coastal Program that includes the Newport Banning Ranch site. The City does not have a certified Implementing Actions Program as part of its Local Coastal Program and, therefore, does not have the authority to issue Coastal Development Permits.

Should the City approve the Project and associated discretionary and ministerial actions, the Applicant would request approval of a corresponding Master Coastal Development Permit from the Coastal Commission for the Master Development Plan and Tentative Tract Map No. 17308. The Master Coastal Development Permit would allow for:

- a. Grading, site remediation, construction of public roadways, construction of drainage and water quality improvements, and construction of master infrastructure and dry utilities within all land use districts;
- b. Subdivision of land for financing, conveyance, and development purposes.
- c. Habitat restoration, mitigation, and construction of public improvements such as public trails and water quality improvements within the Open Space Land Use District of the NBR-PC. This is inclusive of the following Site Planning Areas: 1a–1h, 2a, 2b, 3a–3d, 4a, 4b, 5a–5c, 6a, and 6b.
- d. Development of residential lots and construction of single-family and multi-family residences within the Residential Districts, development of mixed-use multi-family residential and commercial uses within the southerly portion of the Mixed Use/Residential District, and facilities within the Public Parks/Recreation Land Use District of the NBR-PC subject to the provisions in (e) below. This is inclusive of the

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<sup>10</sup> The Coastal Act does not define "Master Coastal Development Permit". All permits issued by the Coastal Commission are referred to as "Coastal Development Permits"; however, for purposes of this EIR, the City-approved applications submitted to the Coastal Commission will be referred to as a "Master Coastal Development Permit".

following Site Planning Areas: 7a, 7b, 7c, 8a, 8b, 9a–9c, 10a–10d, 11a, 11b, 12a, and 13b.

- e. The City to serve as the final approving body for all additional discretionary and ministerial applications required by the NBR-PC to be approved prior to development of residential lots and construction of single-family and multi-family residences within the Residential Districts and Visitor-Serving Resort/Residential District, residential and commercial facilities within the southerly portion of the Mixed-Use/Residential District, and all facilities within the Public Parks/Recreation District of the NBR-PC and to serve as the final approving body for any further subdivision of any lots approved with proposed TTM 17308 so long as all subsequent discretionary applications are consistent with the approved Master Coastal Development Permit.

A Coastal Development Permit is not being requested for approval as a part of the proposed Project for construction of the northern portion of the Mixed-Use/Residential District (Urban Colony; Site Planning Area 12b) or the Visitor-Serving Resort/Residential District's resort inn (Resort District; Site Planning Area 13a). With respect to these areas, the Applicant is requesting Coastal Commission approval of land use designations as a part of the Master Coastal Development Permit. Proposed development in these areas of the Project site would require subsequent review and approval of site plans by the City and Coastal Development Permits (CDP) by the Coastal Commission, consistent with the conditions set forth in the Master Coastal Development Permit. This EIR addresses the potential environmental effects of development in the Resort District (Site Planning Area 13a) and the Urban Colony (Site Planning Area 12b) based on information set forth in the Master Development Plan and the NBR-PC.

### **3.11 AFFORDABLE HOUSING IMPLEMENTATION PLAN**

The City of Newport Beach General Plan Housing Element requires that projects with 50 or fewer units either prepare an Affordable Housing Implementation Plan (AHIP) or pay an in-lieu fee. Projects of more than 50 units, such as Newport Banning Ranch, are required to prepare an AHIP that specifies how the development would meet the City's affordable housing goal. As a part of the City's Inclusionary Housing Program, it is the City's goal that an average of 15 percent of all new housing units developed over the five-year Housing Element planning period be affordable to very low, low, or moderate income households.

The Newport Banning Ranch AHIP proposes the construction of a minimum of 50 percent of the required affordable housing on the Project site. The remaining affordable housing obligation would be met through the payment of in-lieu fees; the construction of off-site affordable housing including the rehabilitation of existing off-site housing that would contribute to meeting the City's Regional Housing Needs Assessment (RHNA) requirements; land dedication; or a combination thereof.

Should the Project be approved with 1,375 du, the maximum number of affordable units for each of the following income categories is identified below. The Project can satisfy its unit requirements through one income category exclusively or through a combination of the income categories subject to the provisions of the approved AHIP.

- Very Low Income: 5 percent of the total units (69 units); or
- Low Income: 10 percent of the total units (138 units); or
- Moderate Income: 15 percent of the total units (206 units); or

- Some combination of the three income categories.

Very Low Income is defined as households with income from 31 to 50 percent of the County median income adjusted for family size. Low Income is defined as households with income from 51 to 80 percent and Moderate Income is defined as households within incomes equal to or less than 120 percent.

### **3.12 PRE-ANNEXATION AND DEVELOPMENT AGREEMENT**

Pursuant to the City Code and Section 65864 et seq. of the *California Government Code*, a development agreement is proposed between the Project Applicant and the City of Newport Beach in order to describe the development rights of and public benefits to be provided by the Applicant, and outline the terms for annexation of the property to the City.<sup>11</sup> Section 65865(b) allows a city to enter into a development agreement for property in unincorporated territory with the city's Sphere of Influence; however, the validity of the agreement is contingent upon completion of annexation proceedings. The Pre-Annexation and Development Agreement (Development Agreement) between the Applicant and the City would vest the Project's development approvals to allow buildout of the Project site under the development standards and requirements in place at the time of Project approval. The Development Agreement includes requirements of the City that would need to be accomplished by the Applicant in return for the vesting of Project approvals. The Development Agreement addresses affordable housing requirements; parkland dedication/in lieu fee requirements; infrastructure phasing including Traffic Phasing Ordinance (TPO); permitting by the City pursuant to the Newport Banning Ranch Master Coastal Development Permit subsequent to approval by the Coastal Commission; vesting of City entitlements and applicable land use regulations; and other issues relevant to the Project in order to describe the development rights of and public benefits to be provided by the Applicant and to outline the terms for annexation of the property to the City. The Development Agreement would not preclude the need for future site plans, tentative tract maps, or other permit processing prior to development. If the City does not have a certified Local Coastal Program by such date on which the Development Agreement is entered into, the Development Agreement would be submitted to the Coastal Commission for its approval.

### **3.13 MASTER PLAN OF ARTERIAL HIGHWAYS AMENDMENT**

The Orange County Master Plan of Arterial Highways (MPAH) is an adopted, countywide planning tool that defines the Orange County freeway, tollroad, and arterial circulation system. Both the location and the carrying capacity (number of lanes) of each arterial are designated on the Orange County MPAH. OCTA administers the Orange County MPAH.

Local jurisdiction compliance in implementing the Orange County MPAH is a necessary requirement for local and federal transportation funding. Local jurisdictions in the County are required (1) to have General Plan Circulation Elements that are consistent with the Orange County MPAH and (2) to certify such compliance every two years. This compliance is a prerequisite to maintain eligibility for receipt of Measure M sales tax revenues and to participate in competitive transportation funding programs at the federal and countywide levels. Key components of compliance include ensuring that the lane capacities of a city's arterial roadways are maintained and that an MPAH roadway has not been unilaterally removed or downgraded on a local jurisdiction's General Plan Circulation Element.

<sup>11</sup> The draft Pre-Annexation and Development Agreement is posted on the City of Newport Beach website and is on file at the City of Newport Beach and available for review during regular office hours.

Requests to amend the Orange County MPAH can be initiated by a local jurisdiction, subject to the MPAH Amendment Process. This process is addressed in Section 4.9, Transportation and Circulation, of this EIR. An amendment to the Orange County MPAH is proposed for the following roadways within the boundary of the Project site:

- The redesignation of proposed North Bluff Road just north of 17<sup>th</sup> Street to 19<sup>th</sup> Street from a Major (six-lane divided) to a Primary (four-lane divided).
- The deletion of a second road through the Project site to West Coast Highway. The amendment would be to delete the connection from 17<sup>th</sup> Street westerly to West Coast Highway.

### **3.14 INTENDED USE OF THE EIR**

Pursuant to Section 15121 of the State CEQA Guidelines (14 CCR), an EIR is primarily an informational document intended to inform the public agency decision makers and the general public of the potentially significant environmental effects of a project. Prior to taking action on the proposed Project, the City must consider the information in this EIR and certify the Final EIR.

Although a project is proposed by a project applicant, an EIR is prepared by or under the direction of the lead agency. The lead agency is the public agency with the primary responsibility for approving a project. Responsible Agencies (public agencies that have a level of discretionary approval over some component of the proposed Project) may rely upon the EIR prepared by the Lead Agency (14 CCR §15096).

As set forth in Section 15124(d) of the State CEQA Guidelines, the City of Newport Beach is the lead agency, and the responsible and trustee agencies listed below are expected to use the information in this EIR for consideration of approvals related to and involved in implementing the Project. Permits and other approvals required to implement the Project are identified. As noted above, it is the intent that this EIR will be used by agencies in their consideration of approval of required subsequent permits and approvals.

#### **3.14.1 CITY OF NEWPORT BEACH**

##### **A. Discretionary Actions**

The Applicant has requested the consideration of the following discretionary actions by the City as a part of Project approval. Certification of the Final EIR would precede these discretionary actions by the City:

- General Plan Circulation Element Amendment
- General Plan Figure I2, Sphere of Influence
- Zoning Code Amendment
- Pre-Annexation Zone Change
- Newport Banning Ranch Planned Community Zoning
- Newport Banning Ranch Master Development Plan
- Tentative Tract Map No. 17308
- Affordable Housing Implementation Plan (AHIP)

- Pre-Annexation and Development Agreement
- Traffic Phasing Ordinance Approval

In addition to the approvals identified above, the Project is subject to other discretionary and ministerial actions by the City as part of Project implementation. Subsequent activities would be examined in light of the Final EIR to determine whether additional CEQA documentation would be required pursuant to the requirements of Section 21166 of CEQA (i.e., *Public Resources Code* §21166) and Sections 15162 and 15168 of the State CEQA Guidelines (i.e., 14 CCR) for subsequent approvals, including but not limited to the following:

- Tentative and Final Tract Maps to further subdivide lots approved as part of TTM 17308;
- Site Development Review Permits;
- Use Permits;
- Model Home Permits;
- Grading Permits;
- Street Improvement and Pedestrian and Bicycle Bridge Plans;
- Storm Drainage, Sewer, Water, and Dry Utility Plans;
- Landscaping and Park Plans;
- Building Permits;
- Public Facilities Financing and Bond Issuance;
- Encroachment Permits;
- Acquisition of rights of entry easements and right-of-way for off-site Project improvements, as necessary;
- Construction of Public Facilities.

### 3.14.2 RESPONSIBLE AND TRUSTEE AGENCIES

The Final EIR would also provide environmental information to responsible agencies, trustee agencies, and other public agencies which may be required to grant approvals and permits or coordinate with the City of Newport Beach as a part of Project implementation. These agencies include, but are not limited to, those listed below. The anticipated order of permits and approvals is also noted.

- **U.S. Fish and Wildlife Service.** Because the Project would require federal agency permits, the USFWS must conduct a Section 7 Consultation pursuant to the Federal Endangered Species Act. Section 7 Consultation leads to the issuance of a Biological Opinion. As a federal agency, the USFWS' actions require compliance with the National Environmental Policy Act (NEPA).
- **California Department of Fish and Game.** The Project would require a Section 1600 Streambed Alteration Agreement from the California Department of Fish and Game (CDFG) pursuant to Section 1602 of the *California Fish and Game Code*.
- **Regional Water Quality Control Board.** Issuance of the USACE Section 404 Permit would require the Santa Ana Regional Water Quality Control Board (RWQCB) to issue a

Water Quality Certification under Section 401 of the federal Clean Water Act. Waste Discharge Requirements (WDRs) issued by the Santa Ana RWQCB would be required for the fill or alteration of "Waters of the State" on the Project site located under the RWQCB's jurisdiction. Approval of the final RAP for the oil well/facility abandonment and site remediation is required from the Santa Ana RWQCB.

- **U.S. Army Corps of Engineers.** The Project would require a USACE Section 404 permit for impacts to areas determined to be "Waters of the U.S.". As a federal agency, the USACE's actions require compliance with NEPA.
- **California Coastal Commission.** The Project would require a Master Coastal Development Permit from the Coastal Commission, which would include approval of the Master Development Plan and the Development Agreement.
- **State of California Department of Conservation, Department of Oil, Gas and Geothermal Resources (DOGGR).** Oil and gas wells to be abandoned or re-abandoned shall be done in accordance with the current requirements of the DOGGR. The abandonment requirements will be those applied by DOGGR at the time the Remedial Action Plan, including the Combustible Soil Gas Hazard Mitigation Plan, is submitted for review to the Orange County Fire Authority.
- **Orange County Health Care Agency.** Approval of the final RAP for the oil well/facility abandonment and site remediation is required from the RWQCB.
- **Local Agency Formation Commission.** The Local Agency Formation Commission (LAFCO) is responsible for reviewing and approving proposed jurisdictional boundary changes, including (1) annexations and detachments of territory to and/or from cities and special districts; (2) incorporations of new cities; (3) formations of new special districts; and (4) consolidations, mergers, and dissolutions of existing districts. For the Newport Banning Ranch Project, the annexation would include approximately 361 acres of the 401-acre Project site into the City and a change in service district boundaries for water service.
- **Orange County Transportation Authority.** Amendment to the Orange County Master Plan of Arterial Highways. To redesignate proposed North Bluff Road just north of 17<sup>th</sup> Street to 19<sup>th</sup> Street from a Major (six-lane divided) to a Primary (four-lane divided) and the deletion of a second road through the Project site to West Coast Highway. The amendment would be to delete the connection from 17<sup>th</sup> Street westerly to West Coast Highway.
- **Newport-Mesa Unified School District.** Encroachment permit for the construction of the extension of 16<sup>th</sup> Street and North Bluff Road on the School District's property.
- **California Department of Transportation.** Activities located within California Department of Transportation (Caltrans) right-of-way would require an Encroachment Permit. An Encroachment Permit would be required for widening and improvements to West Coast Highway, modifying the reinforced concrete box (RCB) culvert in West Coast Highway, and constructing a pedestrian and bicycle bridge over West Coast Highway. All activities must be in compliance with Caltrans Statewide National Pollutant Discharge Elimination System (NPDES) Permit.